

# PENNSYLVANIA BULLETIN

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

**No. 460, March 2013**

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

## *Pennsylvania Bulletin*

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

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

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

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

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

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

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

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

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

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

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

### ***Pennsylvania Code***

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

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

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

### **How to Find Documents**

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

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

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

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

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### Printing Format

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

### Fiscal Notes

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

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

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## List of Pa. Code Chapters Affected

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

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# THE GENERAL ASSEMBLY

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

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

<i>Doc. No.</i>	<i>Date of Action</i>	<i>Bill Number</i>	<i>Printer's Number</i>	<i>Effective Date</i>	<i>Subject Matter</i>
<b>2013 General Acts of Regular Session Enacted—Act 001</b>					
001	Feb 20	SB0187	PN0238	Immediately	Institution of Higher Education Monetary Penalty Endowment Act—enactment

\* denotes an effective date with exceptions

### Effective Dates of Statutes

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

### Advance Copies of Statutes

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

VINCENT C. DELIBERATO, Jr.,  
*Acting Director*  
*Legislative Reference Bureau*

[Pa.B. Doc. No. 13-444. Filed for public inspection March 15, 2013, 9:00 a.m.]

# THE COURTS

## Title 255—LOCAL COURT RULES

### BUTLER COUNTY

#### Local Rules of Court; CP-10-AD-1-2013

##### Administrative Order of Court

*And Now*, this 1st day of March, 2013 it is hereby ordered and decreed that the Butler County local rules of criminal procedure (L117) is approved and adopted and is made a part of the Butler County Local Rules of Criminal Procedure for use in the Court of Common Pleas of Butler County, Pennsylvania, the 50th Judicial District of Pennsylvania, effective thirty days after the publication of the rule in the *Pennsylvania Bulletin*.

It is further ordered and decreed that the Court Administrators Office of Butler County shall:

1. File one (1) certified copy of this Administrative Order & Local Rule with the Administrative Office of the Pennsylvania Courts.
2. File two (2) certified copies of this Administrative Order & Local Rule and one (1) diskette in the required format with the Legislative Reference Bureau for publication in the *Pennsylvania Bulletin*.
3. Publish a copy of this local rule on the Unified Judicial System's website.
4. Forward one (1) copy of this Administrative Order to the administrative office of the *Butler County Legal Journal* for publication.
5. Keep continuously available for public inspection copies of this Administrative Order in the Office of the Butler County Clerk of Courts, in the Office of the Court Administrator and the Butler County Law Library.

*By the Court*

THOMAS J. DOERR,  
*President Judge*

##### **Rule L117. Coverage: Issuing Warrants; Preliminary Arraignments and Summary Trials; and Setting and Accepting Bail.**

A. After hours coverage shall be provided by way of a schedule of specified times when the "duty" issuing authority will be available to conduct business. Each Magisterial District Judge, who has county-wide jurisdiction, will be available to receive calls on a rotational schedule as adopted by Administrative Order on an annual basis. Said Administrative Order shall be maintained by the Court Administrator's office and shall be distributed to the Butler County Communications Center and each Magisterial District Judge.

(1) The "on call" Magisterial District Judge may hold court by any approved advanced communication technology as provided by Butler County or the Administrative Office of the Pennsylvania Courts. The Magisterial District court office will remain closed to the public during after hours coverage except at the discretion of the Magisterial District Judge.

(2) The Magisterial District Judge serving as "on-call" issuing authority shall be available to conduct preliminary arraignments at 8:00 am and 9:30 pm seven days a week and at 4:00 pm on weekends and holidays. These arraignments may be conducted with the use of advanced communication technology and shall be conducted pursuant to procedures that are from time to time adopted by the Court. The "on call" Magisterial District Judge shall also be available to conduct preliminary arraignments during regular business hours when the original issuing authority is not available.

(3) In the event a Magisterial District Judge is needed at any time for after hours coverage for issuance of a search warrant, an Emergency Protection From Abuse Petition or other emergency matter, the "on call" Magisterial District Judge shall be contacted through the Butler County Communications Center.

(4) Procedures for executed summary warrants shall be pursuant to Pa.R.Crim.P.431.

(B) Monetary bond may be posted outside of normal business hours with the Magisterial District Judge, the Clerk of Courts or the Warden of the Butler County Prison with the following provisions:

(1) Bonds required prior to the verdict or other case disposition in the amount of FIVE HUNDRED (\$500.00) DOLLARS and NO CENTS or less shall be posted with the Warden at the Butler County Prison.

(2) Bonds required prior to verdict or other case disposition in the amount of FIVE HUNDRED and ONE (\$501.00) DOLLARS and NO CENTS or more shall be posted with "on -call" Magisterial District Judge.

(3) All Property Bonds must be posted during regular business hours with the Clerk of Courts of Butler County.

[Pa.B. Doc. No. 13-445. Filed for public inspection March 15, 2013, 9:00 a.m.]

## VENANGO COUNTY

### Promulgation of Local Rule 1920.51

#### Order of the Court

*And Now*, this 27th day of February, 2013, it is hereby *Ordered* and *Decreed* that Venango County Local Rule 1920.51 is adopted. This rule shall be continuously available for public inspection and copying in the office of the Prothonotary. Upon request and payment of reasonable costs of reproduction and mailing, the Prothonotary shall furnish to any person a copy of any local rule. The said local rule shall become effective thirty (30) days after the date of the publication in the *Pennsylvania Bulletin*.

OLIVER J. LOBAUGH,  
*President Judge*

#### **Local Domestic Relations Rules—Venango County Rule 1920.51. Hearing by the Court. Appointment of Master. Notice of Hearing.**

(1) *Appointment of Masters.*

(a) The Court may appoint by separate order a permanent Master who shall not engage in any private domestic relations matters and who shall serve at the pleasure of the Court.

(b) The Court may appoint other attorneys to serve as Masters in cases where the permanent Master has a conflict of interest. In such cases, the Court shall attempt to appoint as Masters in complex or potentially protracted litigation attorneys who have at least five years experience as practicing members of the Bar of this Court with emphasis or expertise in divorce and related matters.

(c) In all actions for divorce under Section 3301(a), (b) and (d)(1)(i) of the Divorce Code or for annulment, and all claims for alimony, alimony pendente lite, bifurcation, equitable distribution of marital property, exclusive possession of the marital residence, counsel fees, cost, expenses, or any aspect thereof shall be heard by a master in the absence of a court order to the contrary.

1. All actions or claims described in Section (c) hereof will not be referred to a master until one of the parties files a motion for the appointment of a master to hear the action(s) and/or claim(s) at issue. The motion shall be filed with the Prothonotary together with the proper fee.

2. Upon receipt of the proper fee, the Prothonotary shall forward the motion to the court administrator for assignment to the Permanent Master.

3. Unless the moving party is granted leave to proceed in forma pauperis, no master will be appointed until the proper fee for the appointment of the master is paid, or the court permits otherwise. If the monies are not forthcoming and there are no other proceedings in the case for a period of two years, the matter will be subject to termination pursuant to Rule 1901 of the Pennsylvania Rules of Judicial Administration.

(d) A motion for appointment of a Master shall be accompanied by a certificate of the moving party that the moving party has complied with the filing requirements of Pa. R.C.P. 1920.31(a), 1920.33(a) and 1920.46 unless the moving party certifies that one of those rules is inapplicable. Motions for appointment of a Master shall be filed in accordance with Venango County motions procedure.

## (2) Preliminary Conference

(a) Where an action for divorce or annulment has been assigned to a Master, a preliminary conference shall be held before the Master prior to a hearing in the absence of a Court Order to the contrary.

(b) The preliminary conference shall be held at the earliest possible convenience after the issuance of the order of appointment, but no later than sixty (60) days following the appointment of the Master. Parties and their counsel shall attend the conference and attempt to resolve the issues without further litigation.

(c) Initial preliminary conference statements in accordance with Pa. R.C.P. 1920.33 (b) must be filed on or before the time of the preliminary conference.

(d) If no resolution is reached at the preliminary conference, or if less than all the issues are resolved, the master shall forthwith order each party to deposit an additional Seven Hundred Fifty Dollars (\$750.00) with the Prothonotary to be applied to Master's and Stenographer's fees for an Evidentiary Hearing, unless the Master orders otherwise.

(e) After the preliminary conference, the Master shall prepare a summary of the discussions and action taken at the preliminary conference.

## (3) Evidentiary Hearing

(a) As soon as the additional One Thousand Five Hundred Dollars (\$1500.00) is deposited with the Prothonotary, the master shall schedule an evidentiary hearing and shall provide notice of the hearing as set forth in the Pennsylvania Rules of Civil Procedure. The Master shall schedule an evidentiary hearing only after the master has ascertained that the additional funds have been deposited with the Prothonotary. The Scheduling order shall set forth the time frame for completion of the tasks contemplated at the prehearing conference; the filing of amended prehearing statements; and shall contain a copy of the Master's summary of the preliminary conference.

## (4) Fees and Costs.

(a) The designated parties shall pay the following fees, which may be changed by the Court from time to time, to the Prothonotary at the times indicated.

1. A non-refundable administrative fee shall be paid when the divorce complaint is filed.

2. At the time of filing a motion for appointment of a master the moving party shall deposit Five Hundred Dollars (\$500.00) with the Prothonotary as a non-refundable deposit for payment of master's fees and costs. No action will be taken by the master until the sum of Five Hundred dollars (\$500.00) has been deposited.

3. Should no resolution be reached at the preliminary conference, or if less than all the issues are resolved, the master shall forthwith order each party to deposit an additional refundable Seven Hundred Fifty Dollars (\$750.00) with the Prothonotary, to be applied to Master's and Stenographer's fees. Either party may pay all of the deposit in order to avoid delay of the hearing.

4. The standard hourly fee to be charged by Court appointed Master shall be charged against the One Thousand Five Hundred Dollar (\$1,500.00) Deposit. The standard hourly fee to be charged by court appointed Masters shall be determined from time to time by Order of Court.

5. Should the Master at any time determine that the sum deposited with the Prothonotary is insufficient to provide for the services of the Master and any stenographer required, the Master shall move the Court to order additional deposits unless the parties consent to such additional deposits. The Master shall not be required to proceed further until such sum of additional deposits as ordered or agreed upon are made to the Prothonotary.

## (5) Continuances.

(a) Requests for continuances of hearings and conferences before the Master shall be made in writing pursuant to Venango County rules governing motions practice and shall first be presented to the Master. The Master shall promptly make rulings on the request. The Court shall not review rulings on continuances that are made by a Master unless there has been an abuse of discretion.

[Pa.B. Doc. No. 13-446. Filed for public inspection March 15, 2013, 9:00 a.m.]

**VENANGO COUNTY**  
**Promulgation of Local Rule 1920.55-2**

**Order of the Court**

*And Now*, this 31st day of January, 2013, it is hereby *Ordered* and *Decreed* that Venango County Local Rule 1920.55-2 is adopted. This rule shall be continuously available for public inspection and copying in the office of the Prothonotary. Upon request and payment of reasonable costs of reproduction and mailing, the Prothonotary shall furnish to any person a copy of any local rule. The said local rule shall become effective thirty (30) days after the date of the publication in the *Pennsylvania Bulletin*.

OLIVER J. LOBAUGH,  
*President Judge*

**Local Domestic Relations Rules—Venango County**

**Rule 1920.55-2. Master's Report. Notice. Exceptions. Final Decree.**

(1) The Master's hearing shall be held as soon as reasonably possible after the preliminary conference.

(2) The Master shall file the record and report within thirty (30) days after the hearing and receipt of the transcript if any, and/or written arguments, memoranda or other post-hearing filings by the parties.

(3) Exceptions to a Master's report must be filed with the Prothonotary within twenty (20) days of the date of receipt or the date of mailing of the Master's report and recommendation, whichever occurs first, and shall be served upon the opposing party or counsel of record and the Court Administrator by first class mail, postage prepaid, or by handing them a true and correct copy thereof.

(4) The Court Administrator shall list the exceptions for the argument list to be held no sooner than sixty (60) days after the date the exceptions are filed.

(5) The party filing the exceptions shall pay all the transcription charges in the absence of a court order to the contrary.

(6) If no timely exceptions are filed, the Court shall review the report and if approved enter a final decree.

[Pa.B. Doc. No. 13-447. Filed for public inspection March 15, 2013, 9:00 a.m.]

## SUPREME COURT

**Reestablishment of the Magisterial Districts within the 17th Judicial District; No. 318 Magisterial Rules Doc.**

**Order**

*Per Curiam:*

*And Now*, this 27th day of February 2013, upon consideration of the Petition to Reestablish the Magisterial Districts of the 17th Judicial District (Snyder and Union Counties) of the Commonwealth of Pennsylvania, it is hereby *Ordered* and *Decreed* that the Petition, which

provides for the reestablishment of Magisterial Districts 17-3-03 and 17-3-04, within Snyder County, to be effective immediately, is granted; and that the Petition, which provides for the realignment of Magisterial Districts 17-3-01 and 17-3-02, within Union County, to be effective June 1, 2013, is granted.

Said Magisterial Districts shall be reestablished as follows:

Magisterial District 17-3-01    Lewisburg Borough  
Magisterial District Judge    East Buffalo Township  
Leo S. Armbruster                Kelly Township

Magisterial District 17-3-02    Hartleton Borough  
Magisterial District Judge    Mifflinburg Borough  
Jeffrey L. Mensch                New Berlin Borough

Buffalo Township  
Gregg Township  
Hartley Township  
Lewis Township  
Limestone Township  
Union Township  
West Buffalo Township  
White Deer Township

Magisterial District 17-3-03    Selinsgrove Borough  
Magisterial District Judge    Shamokin Dam Borough  
John H. Reed                      Jackson Township  
Middlecreek Township  
Monroe Township  
Penn Township

Magisterial District 17-3-04    Beavertown Borough  
Magisterial District Judge    Freeburg Borough  
Lori R. Hackenberg                Mc Clure Borough

Middleburg Borough  
Adams Township  
Beaver Township  
Center Township  
Chapman Township  
Franklin Township  
Perry Township  
Spring Township  
Union Township  
Washington Township  
West Beaver Township  
West Perry Township

[Pa.B. Doc. No. 13-448. Filed for public inspection March 15, 2013, 9:00 a.m.]

**Reestablishment of the Magisterial Districts within the 19th Judicial District; No. 320 Magisterial Rules Doc.**

**Order**

*Per Curiam:*

*And Now*, this 27th day of February 2013, upon consideration of the Petition to Reestablish the Magisterial Districts of the 19th Judicial District (York County) of the Commonwealth of Pennsylvania, it is hereby *Ordered* and *Decreed* that the Petition, which provides for the reestablishment of Magisterial Districts 19-1-01, 19-1-02, 19-1-03, 19-1-04, 19-1-05, 19-2-01, 19-2-02, 19-2-03, 19-2-04, 19-2-05, 19-3-01, 19-3-03, 19-3-04, 19-3-05, 19-3-06, 19-3-07, 19-3-09, 19-3-10 and 19-3-11, within York County, to be effective immediately, is granted.



Said Magisterial Districts shall be reestablished as follows:

Magisterial District 19-1-01 City of York (Wards 1, 7, and 12)  
Magisterial District Judge Linda Lou Williams

Magisterial District 19-1-02 City of York (Wards 11, 13, and 14)  
Magisterial District Judge Richard E. Martin, II

Magisterial District 19-1-03 Hanover Borough  
Magisterial District Judge Dwayne Dubs

Magisterial District 19-1-04 City of York (Wards 6, 8, and 15)  
Magisterial District Judge Ronald J. Haskell, Jr.

Magisterial District 19-1-05 City of York (Wards 5 & 9)  
Magisterial District Judge (Vacant)

Magisterial District 19-2-01 Springettsbury Township  
Magisterial District Judge Barry L. Bloss, Jr.

Magisterial District 19-2-02 Dallastown Borough  
Yoe Borough  
York Borough  
Magisterial District Judge Scott E. Laird

Magisterial District 19-2-03 West Manchester Township  
Magisterial District Judge Keith L. Albright

Magisterial District 19-2-04 Manchester Township  
Magisterial District Judge (Vacant)

Magisterial District 19-2-05 North York Borough  
West York Borough  
Spring Garden Township  
Magisterial District Judge Walter R. Groom

Magisterial District 19-3-01 East Prospect Borough  
Felton Borough  
Red Lion Borough  
Windsor Borough  
Yorkana Borough  
Chanceford Township  
Lower Windsor Township  
Windsor Township  
Magisterial District Judge John H. Fishel

Magisterial District 19-3-03 Cross Roads Borough  
Delta Borough  
Fawn Grove Borough  
Stewartstown Borough  
Winterstown Borough  
East Hopewell Township  
Fawn Township  
Hopewell Township  
Lower Chanceford Township  
North Hopewell Township  
Peach Bottom Township  
Magisterial District Judge John R. Olwert

Magisterial District 19-3-04 Glen Rock Borough  
Jacobus Borough  
Loganville Borough  
New Freedom Borough  
Railroad Borough  
Shrewsbury Borough  
Shrewsbury Township  
Springfield Township  
Magisterial District Judge Jeff S. Joy

Magisterial District 19-3-05 Penn Township  
West Manheim Township  
Magisterial District Judge James S. Miner

Magisterial District 19-3-06 Jefferson Borough  
New Salem Borough  
Seven Valleys Borough  
Spring Grove Borough  
Codorus Township  
Heidelberg Township  
Jackson Township  
Manheim Township  
North Codorus Township  
Paradise Township  
Magisterial District Judge Thomas J. Reilly

Magisterial District 19-3-07 Dover Borough  
Conewago Township  
Dover Township  
Magisterial District Judge David C. Eshbach

Magisterial District 19-3-09 Goldsboro Borough  
Lewisberry Borough  
York Haven Borough  
Fairview Township  
Newberry Township  
Magisterial District Judge Scott J. Gross

Magisterial District 19-3-10 Dillsburg Borough  
Franklintown Borough  
Wellsville Borough  
Carroll Township  
Franklin Township  
Monaghan Township  
Warrington Township  
Washington Township  
Magisterial District Judge Richard T. Thomas

Magisterial District 19-3-11 Hallam Borough  
Manchester Borough  
Mt. Wolf Borough  
Wrightsville Borough  
East Manchester Township  
Hellam Township  
Magisterial District Judge (Vacant)

[Pa.B. Doc. No. 13-449. Filed for public inspection March 15, 2013, 9:00 a.m.]

**Reestablishment of the Magisterial Districts within the 44th Judicial District; No. 319 Magisterial Rules Doc.**

**Order**

*Per Curiam:*

*And Now*, this 27th day of February 2013, upon consideration of the Petition to Reestablish the Magisterial Districts of the 44th Judicial District (Sullivan and Wyoming Counties) of the Commonwealth of Pennsylvania, it is hereby *Ordered and Decreed* that the Petition, which provides for the elimination of Magisterial District 44-3-04, within Wyoming County, to be effective January 1, 2016, is granted; and that the Petition, which provides for the realignment of Magisterial Districts 44-3-01 and 44-3-02, within Wyoming County, to be effective January 1, 2016, is granted; and that the Petition, which provides for the reestablishment of Magisterial District 44-3-03, within Sullivan County, to be effective immediately, is granted.

Said Magisterial Districts shall be reestablished as follows:

Magisterial District 44-3-01 Magisterial District Judge David K. Plummer	Factoryville Borough Nicholson Borough Clinton Township Exeter Township Falls Township Lemon Township Nicholson Township Overfield Township Tunkhannock Township Washington Township
Magisterial District 44-3-02 Magisterial District Judge Carl W. Smith, Jr.	Laceyville Borough Meshoppen Borough Tunkhannock Borough Braintrim Township Eaton Township Forkston Township Mehoopany Township Meshoppen Township Monroe Township North Branch Township Northmoreland Township Noxen Township Windham Township
Magisterial District 44-3-03 Magisterial District Judge Jennifer Y. Vandine	Dushore Borough Eagles Mere Borough Forksville Borough Laporte Borough Cherry Township Colley Township Davidson Township Elkland Township Forks Township Fox Township Hillsgrove Township Laporte Township Shrewsbury Township

[Pa.B. Doc. No. 13-450. Filed for public inspection March 15, 2013, 9:00 a.m.]

# RULES AND REGULATIONS

## Title 52—PUBLIC UTILITIES

### PENNSYLVANIA PUBLIC UTILITY COMMISSION

[ 52 PA. CODE CH. 62 ]

[ L-2011-2266832 ]

#### Advanced Notice of Final Rulemaking; Licensing Requirements for Natural Gas Suppliers Regulations

Public Meeting held  
February 28, 2013

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

*Licensing Requirements for Natural Gas Suppliers Regulations at 52 Pa. Code § 62.101—§ 62.102; L-2011-2266832*

#### Advanced Notice of Final Rulemaking

*By the Commission:*

By Order entered January 13, 2012, the Pennsylvania Public Commission (Commission) initiated a rulemaking to review the scope of our natural gas supplier (NGS or supplier) licensing regulations at 52 Pa. Code § 62.101 (relating to definitions) and § 62.102 (relating to scope of licensure). Specifically this review was to address whether or not to maintain the exemptions from the licensing requirement for marketing services consultants and nontraditional marketers. Comments were filed by various interested parties. The Commission has reviewed those comments and issues this Advanced Notice of Final Rulemaking.

#### *Background*

On June 22, 1999, Governor Thomas J. Ridge signed into law the Natural Gas Choice and Competition Act, effective July 1, 1999, 66 Pa.C.S. §§ 2201—2212 (Act). Pursuant to the Act, beginning on November 1, 1999, retail customers have had the ability to choose an NGS to provide them with natural gas supply services.<sup>1</sup>

Section 2208(a) of the Act requires that no entity can engage in the business of a NGS unless it holds a license issued by the Commission. 66 Pa.C.S. § 2208(a). The term NGS is defined, in part, as:

An entity other than a natural gas distribution company, but including natural gas distribution company marketing affiliates, which provides natural gas supply services to retail gas customers utilizing the jurisdictional facilities of a natural gas distribution company.

66 Pa.C.S. § 2202.

Further, the term “natural gas supply services” is defined, in part, as “the sale or arrangement of the sale of natural gas to retail gas customers,” 66 Pa.C.S. § 2202.

On June 24, 1999, following the passage of the Act, the Commission issued a Tentative Order establishing a draft licensing application for the interim licensing of NGSs.

<sup>1</sup> Section 2202 of the Act, 66 Pa.C.S. § 2202, defines natural “gas supply services” as including (1) the sale or arrangement of the sale of natural gas to retail customers; and (2) services that may be unbundled by the Commission under section 2203(3) of the Act (relating to standards for restructuring of the natural gas utility industry) and excluding distribution service.

On July 15, 1999, the Commission issued a Final Order at Docket No. M-00991248F0002 that adopted the interim licensing procedures and license application for NGSs. The Final Order required all suppliers of retail natural gas supply services to obtain a NGS license, other than natural gas local distribution companies providing service within their certificated service territories and municipal utilities providing service within their corporate or municipal limits.

Subsequently, in 2000, the Commission adopted a Proposed Rulemaking Order that revised its interim licensing procedures and promulgated proposed regulations governing the licensing requirements for NGSs. See 52 Pa. Code §§ 62.101—114. See Licensing Requirement for Natural Gas Suppliers, Proposed Rulemaking Order, Docket No. L-00000150, 30 Pa.B. 3073 (June 17, 2000). The Commission stated that its initial interpretation of the Act had been that every entity that engages in an activity listed as that undertaken by a natural gas supplier must be licensed. However, the Commission’s proposed rulemaking acknowledged that some activities may be undertaken by entities that will not have any direct physical or financial responsibility for the procurement of the customer’s natural gas. Accordingly, in the proposed regulations the Commission decided to exempt from licensing two types of entities that worked as brokers or agents for NGSs and retail customers. The proposed regulation used the terms “marketing services consultant” and “nontraditional marketer” for these agents and brokers.

In the final NGS licensing regulations, the Commission defined the term “marketing services consultant” as follows:

A commercial entity, such as a telemarketing firm or auction-type website, or energy consultant, that under contract to a licensee<sup>2</sup> or a retail customer, may act as an agent to market natural gas supply services to retail gas customers for the licensee or may act as an agent to recommend the acceptance of offers to provide service to retail customers. A marketing services consultant:

- (i) does not collect natural gas supply costs directly from retail customers;
- (ii) is not responsible for the scheduling of natural gas supplies;
- (iii) is not responsible for the payment of the costs of the natural gas to suppliers, producers, or NGDCs.

52 Pa. Code § 62.101 (footnote added).

Additionally, in the regulations the Commission defined “nontraditional marketer” as:

“A community-based organization, civic, fraternal or business association, or common interest group that works with a licensed supplier as an agent to market natural gas supply services to its members or constituents. A nontraditional marketer: (i) conducts its transactions through a licensed NGS; (ii) does not collect revenue directly from retail customers; (iii) does not require its members or constituents to obtain its natural gas service through the nontraditional marketer or a specific licensed NGS; (iv) is not

<sup>2</sup> “Licensee” is defined as “a person or entity that has obtained a license to provide natural gas supply services to retail customers.” See also 52 Pa. Code § 62.101 (relating to definitions).



responsible for the scheduling of natural gas supplies; [and] (v) is not responsible for the payment of the costs of the natural gas to its suppliers or producers.”

52 Pa. Code § 62.101.

In Section 62.102 of the regulations, relating to scope of licensure, the Commission created licensing exemptions for marketing services consultants and nontraditional marketers.

(d) A nontraditional marketer is not required to obtain a license. The licensed NGS shall be responsible for violations of 66 Pa.C.S. (relating to the Public Utility Code), and applicable regulations of this title, orders and directives committed by the nontraditional marketer and fraudulent, deceptive or other unlawful marketing or billing acts committed by the nontraditional marketer.

(e) A marketing services consultant is not required to obtain a license. The licensed NGS shall be responsible for violations of 66 Pa.C.S. and applicable regulations of this title, orders and directives committed by the marketing services consultant and fraudulent, deceptive or other unlawful marketing or billing acts committed by the marketing services consultant.

52 Pa. Code § 62.102(d)—(e).

The Commission proposed these two exemptions in its June 2000 Proposed Rulemaking Order. Some commenters supported the exemptions and others, including the Independent Regulatory Review Commission (IRRC), opposed them. In the final rulemaking the Commission determined that marketing services consultants and nontraditional marketers are not engaged in the sale or arranging of natural gas supply services to retail consumers. Thus, they fall outside of the definition of an NGS set forth in Section 2202 of the Act. Furthermore, rather than require these entities to obtain a license themselves, the regulations emphasized that the licensed NGS is responsible for any violations of the statute, regulations or orders or for any fraudulent, deceptive or other unlawful marketing or billing acts committed by the marketing services consultant or nontraditional marketer. See 52 Pa. Code § 62.102 (relating to scope of licensure). See also 52 Pa. Code § 62.110(a)(3) (NGSs must identify nontraditional marketers and marketing services consultants who are currently or will be acting as agents for the licensee in the upcoming year).

The proposed regulations were finalized by the Commission in July 2001 in Licensing Requirements for Natural Gas Suppliers, Final Rulemaking Order, Docket No. L-00000150, 31 Pa.B. 3943 (July 21, 2001).

Thereafter, on September 28, 2010, Alphabuyer LLC (Alphabuyer) filed a license application to operate as a broker/marketer engaged in the business of supplying natural gas services in the service territory of various NGDCs within the Commonwealth of Pennsylvania. The term broker/marketer is synonymous with marketing services consultant. The application was filed pursuant to section 2208 of the Natural Gas Choice and Competition Act (Act) and Title 52 of the *Pennsylvania Code*, Chapter 62, Subchapter D. In conjunction with the approval of that application, the Commission noted that during the past ten years, a number of entities similar to Alphabuyer,<sup>3</sup> that despite the existence of an exemption

<sup>3</sup> Under this model, the entity falls within the definition of “marketing services consultant” if it: (1) does not collect natural gas supply costs directly from retail customers; (2) is not responsible for the scheduling of natural gas supplies; and (3) will not be responsible for the payment of costs to NGSs, producers or NGDCs.

from the requirement to obtain a license, nonetheless applied for a NGS license in order to supply natural gas services to retail customers.<sup>4</sup>

Due to the non-compulsory nature of licensing such entities and the amount of direct interaction these entities have with retail customers, the Commission determined it was time to conduct a review of its regulations outlining the licensing requirements for natural gas suppliers. Accordingly, on January 13, 2012, the Commission initiated this instant rulemaking proceeding to determine (1) if its current NGS licensing regulations conform with the plain language of the Act and reflect the current business plans of NGSs appearing before it; and (2) whether continuing these exemptions is in the public interest. Furthermore, the Commission requested comments on whether it was appropriate to remove responsibility from a licensed NGS for violations of the Public Utility Code, and applicable Commission regulations, orders and directives and for fraudulent, deceptive or other unlawful marketing or billing acts committed by a marketing service consultant or a nontraditional marketer.

Accordingly, the Commission proposed the following revisions to its NGS licensing regulations at 52 Pa. Code §§ 62.101—62.110: (1) deletion of the “marketing service consultant” and “nontraditional marketer” definitions; (2) the deletion of the exemptions set forth in Subsections 62.102(d) and (e) of the regulations and (3) the deletion of Subsection 62.110(a)(3) that requires a licensee to report the names and addresses of nontraditional marketers and marketing services consultants who are acting or will be acting as agents for the licensee in the upcoming year.

Comments to the proposed revisions were filed by the IRRC, National Energy Marketers Association (NEMA), Washington Gas Energy Services, Inc. (WGES), Spark Energy Gas, LP, Retail Energy Supply Association (RESA) and the Pennsylvania Energy Marketers Coalition (PEMC).

#### *Comments*

##### *IRRC’s Comments*

In its comments, IRRC states that the Commission did not provide convincing supporting information as to the need to amend the regulations regarding licensing of NGSs. IRRC Comments at 2. IRRC further states that the Commission should explain its interpretation of its statutory authority in deciding which entities must be licensed, which entities do not need to be licensed and provide an explanation of how the final-form regulation meets the requirement of the Act. *Id.* IRRC recommends that the Commission withdraw this proposed regulation and conduct an investigation with stakeholders to determine who is using the current exemption, what the cost impact is to them and how to best regulate the competitive marketplace. *Id.* In the alternative, IRRC recommended that the Commission publish an advance notice of final rulemaking that allows the public and standing committees the opportunity to review the revised regulatory language before submittal of a final-form regulation. *Id.*

##### *NEMA’s Comments*

NEMA states that a wholesale deletion of the “marketing services consultant” definition and its exemption from licensing is not necessary for those consultants that make

<sup>4</sup> The Commission’s practice has been to issue NGS licenses to such entities upon demonstration that they meet the financial and technical requirements of NGS licensure and also comply with, and be governed by, the applicable provisions of the Public Utility Code and Commission regulations.

sales to consumers on behalf of licensed suppliers. NEMA Comments at 7. NEMA states, however, that “energy consultants,” who purport to hold themselves out as either agents of or representatives of consumers and which have been included as a subset within the definition of ‘marketing services consultants’ by the Commission, may not have sufficient safeguards in place within the current regulations to protect consumers and the public interest. NEMA Comments at 9-12.

NEMA states that there has been a proliferation of ‘energy consultants’ in the competitive marketplace that interject themselves between the consumer and the NGS in order to “arrange for the sale of natural gas” for the consumer. *Id.* NEMA explains that these energy consultants may have a direct contract with the consumer to perform this service of the consumer’s behalf. In the alternative, the energy consultant may not have a contract with the consumer, but will gather bids from multiple suppliers for the consumer and receive its compensation through the NGS’s bill. In this latter scenario, the energy consultant has an agreement in place with the winning NGS for the NGS to act as its billing service provider and the NGS is under a contractual obligation to remit compensation or commission directly to the energy consultant.

NEMA states that an NGS should not be responsible for the energy consultant’s conduct because it is operating as the agent of the consumer and not the supplier. NEMA Comments at 12. NEMA states that the Commission should look to whom the entity owes its fidelity or whether they are acting for their own account rather than a specific supplier or a purchaser or group of purchasers. NEMA asserts that in the absence of a contractual relationship with the NGS, the NGS should not be responsible for the entity’s conduct. *Id.*

NEMA states that it supports the exemption from licensing of entities operating exclusively for a supplier in a utility service territory and the licensing of brokers who are not beholden to anyone unless they have an exclusive contract with one supplier. NEMA Comments at 15. NEMA asserts that refining the current exemption by excluding ‘energy consultants’ from the “marketing services consultant” definition may be a good first step in an ongoing process of monitoring the performance of entities in the natural gas market. Conversely, NEMA states that the Commission should retain the exemption from the licensing requirements for nontraditional marketers. NEMA asserts that the nontraditional marketer is not involved in the financial transaction between the licensed supplier and the customer and is not holding itself out as representing the NGS, it is merely communicating to its members that there is an offer that they may avail themselves of from the NGS.

Furthermore, NEMA states that prior to the Commission making a determination as to whether gas aggregators, brokers or marketers need to be licensed, that the Commission should engage in a rulemaking process to develop definitions and a common understanding of these terms as they apply to the retail gas market. *Id.* NEMA notes that legislature did not set forth definitions for the terms “aggregator,” “broker,” and “marketer” in the Act or any corresponding licensing requirement for any such specifically identified entities. NEMA asserts that the licensing requirement in the Act mentions only “natural gas suppliers.”

#### *WGES’s Comments*

In its comments, WGES states that it agrees with NEMA that the Commission should consider refining the expansive definition of “marketing services consultant” to exclude “energy consultants” that “arrange for the sale of natural gas for a consumer.” WGES Comments at 1. WGES explains that under this scenario, the main contractual relationship exists between the energy consultant and the customer.

WGES further states that NGSs generally do not exercise any control over the actions of energy consultants. WGES Comments at 2. Nevertheless, despite this lack of control or contractual relationship, under the current regulations, NGSs may be held responsible for the actions of the energy consultant. WGES states that the Commission should revise its regulations to assign appropriate responsibility to energy consultants for their actions, rather than assigning responsibility to NGSs. WGES Comments at 3.

#### *Spark Energy’s Comments*

Spark Energy states that NGS firms and marketing entities should not be grouped together when identifying licensing requirements. Spark Energy Comments at 2. Rather, Spark Energy states that the Commission should implement a less-stringent certification procedure for marketing entities. *Id.* Spark Energy explains that the newly-implemented certification process will allow the Commission to focus on whether the marketing entity possesses appropriate core marketing proficiencies. Additionally, Spark Energy states that certification should enhance but not replace oversight of the entity by the licensed NGS for fraudulent, deceptive or unlawful practices. Spark Energy Comments at 3. Lastly, Spark Energy states that if the definitions for “marketers” and “brokers” were adopted for gas purposes, it would be difficult to distinguish them from the existing marketing services consultant and nontraditional marketers operating today in the competitive retail market. Accordingly, Spark Energy states that the Commission should refrain from adopting the more generic “marketer” and “broker” terms. Spark Energy Comments at 5-6.

#### *RESA’s Comments*

RESA states the Commission should retain the current “marketing services consultant” and “nontraditional marketer” definitions in the regulations. RESA Comments at 2. However, RESA also states that the Commission should incorporate the “aggregator,” “broker” and “marketer” definitions so there is symmetry and continuity between the treatment of licensed entities on the electric side with the entities subject to the natural gas licensure regime. RESA Comments at 3-4. RESA states that the exemption from licensure should continue for those marketing services consultants and nontraditional marketers that are compensated and conducting marketing and sales activities on behalf of a single licensed NGS. RESA Comments at 4. To the extent that the marketing services consultant or nontraditional marketer works solely for a single NGS, it would be deemed an “agent” of the NGS and, therefore, would not be required to be separately licensed with the Commission. RESA Comments at 4-5.

RESA further states that those marketing services consultant or nontraditional marketers who function as aggregators or a broker/marketer by providing or arranging for natural gas service to be supplied to an end-user, including but not limited to collection of payment, schedule of natural gas supplies, or payment of natural gas supplies should be required to be licensed with the

Commission. RESA Comments at 5. RESA states that these entities are not “agents” of a NGS, but yet directly arrange for a customer’s natural gas supply services, natural gas aggregators and broker/marketers should go through the licensing process and have their marketing activities directly regulated by the Commission. *Id.*

However, RESA asserts that it is in favor of less burdensome licensing requirements for these entities in the form of reduced bonding or security requirements. *Id.* Furthermore, RESA asserts that these entities should not be required to submit annual reports given that NGSs already have an obligation to submit annual reports and are parties that are best positioned to provide the required data to the Commission due to their familiarity with the process for confidential filings. RESA Comments at 6.

#### *PEMC’s Comments*

PEMC states that there does not appear to be a discernible or identifiable reason for the Commission to revise the current regulations. PEMC Comments at 4. Additionally, PEMC states that as an unintended consequence, the Commission proposed revisions would dramatically expand the number of license applications it must review and suppliers it must monitor. *Id.* Accordingly, PEMC states that it opposes the elimination of the exemption from licensing requirements for marketing services consultants and nontraditional marketers.

PEMC offers two alternatives to the Commission. First, PEMC states that when agents that are legitimate representatives of a single supplier are found to be in violation of Commission regulations, the NGS should be held accountable as if the agent was its own employee. PEMC Comments at 5. Secondly, PEMC states that to address accountability issues that can arise when an agent simultaneously represents more than one NGS, the Commission could propose to define such agents as “natural gas supply brokers.” *Id.* PEMC further states that the Commission could then either require entities that meet this definition to apply for a standard NGS license or establish a new, separate natural gas broker license tantamount to the “broker” definition under the EGS licensing regulations. *Id.*

#### *Discussion*

The focus of this rulemaking is to review: (1) whether the exemption from licensing for marketing services consultants and nontraditional marketers should be discontinued; and (2) whether all natural gas aggregators, marketers and brokers should be required to be licensed as NGSs in order to offer natural gas supply services to retail customers. Accordingly, the Commission proposed to revise Section 62.101 of the regulations by deleting the definitions for marketing services consultant and nontraditional marketer and revise Section 62.102 by deleting the exemption language for these two groups and subsections (d) and (e).

In establishing the original NGS licensing regulations, the Commission adopted definitions for both “marketing services consultant” and “nontraditional marketer” as a means to distinguish certain activities that would fall outside of the definition of “natural gas supply services.” Thus, when the Commission defined these two entities, it clearly determined that there was a distinction between the rendering of the physical natural gas commodity versus the provision of marketing and sales activities. The Commission supported the exemptions because “those entities . . . act[ed], not on behalf of licensees, but on behalf of retail customers as energy consultants.” April 19, 2001 Order at 10.

However, upon its subsequent experience of monitoring the activities and interactions of entities acting or operating as “marketing services consultants” in the gas retail market, the Commission believes the entities appear to provide functions that are the same or similar to those performed by “aggregators” and “brokers” operating on the electric competition side. Therefore, the Commission now determines that it is appropriate to revisit the definitions of those entities operating within the competitive retail gas market.

We acknowledge that the Act did not create subcategories of natural gas suppliers as it did for electric generation suppliers in the Electric Competition Customer Choice and Competition Act. See 66 Pa.C.S. § 2803 (definitions of aggregator, market aggregator, broker, marketer and electric generation supplier). However, the Commission has determined that entities that act as aggregators and brokers do fall under the definition of NGS as they are engaged in the “arrangement of the sale of natural gas to retail gas customers.” 66 Pa.C.S. § 2202. The fact that these entities may take no title to the natural gas is irrelevant in this determination.

Further, the Commission notes RESA’s comments stating that there should be some form of symmetry and continuity between our governance of the licensed entities performing electric supply services on the electric side with entities operating within the natural gas licensure regime, especially when they appear to be undertaking the same or similar functions. Accordingly, we will revise Section 62.101 of our regulations by deleting the definition of “marketing services consultant” and incorporating the definitions for “aggregator” and “broker” set forth in the our EGS licensing regulations at 52 Pa. Code § 54.31.

Finally, as mentioned by the comments, there has been a growth in the number of entities offering to provide energy consulting services to consumers. We agree that these energy consultants work on behalf of consumers as intermediaries between the consumer and an NGS. As such, these “energy consultant” activities fall within the definition of “broker” and, therefore, entities that provide energy consultation services for consumers would be required to obtain a license from the Commission.

PEMC commented that the Commission’s proposed revision to incorporate the “aggregator” and “broker” terms, which are all “licensed” entities, would dramatically expand the number of applicants the Commission must review and suppliers it must monitor. Additionally, Spark Energy commented that the definitions of marketing service consultant and nontraditional marketer are useful in describing which marketing entities would be subject to the Commission licensing requirements. Moreover, Spark Energy has asserted that licensed NGSs and entities that perform only marketing duties should not be grouped together when identifying licensing requirements. The Commission agrees with this assessment in part, but our primary focus is whether the entity should be licensed under the Act. While it is true that licensing these entities will entail a minimal cost for both the license application fee and bonding, we note that the amounts are de minimus and have not had a negative impact on the electric generation supply market.

Based upon our further consideration of these issues, we still believe that an exemption from licensing for certain entities providing “marketing” services either (a) on behalf of the members of a civic or other community-based organization or (b) on behalf of a single NGS should remain intact. However, to bring clarity to the retail gas market regarding the entities that must be



licensed, we will delete the current “marketing services consultant” definition and, instead, incorporate a new entity referred to as a “non-selling marketer” into the regulations. A “non-selling marketer” is an entity whose activities are limited to providing only marketing and sales support services on behalf of one or more NGS firms.

We note the comments of RESA, PEMC, and NEMA that a “marketer” that operates under an exclusive contract with a single licensed NGS supplier to conduct natural gas-related marketing and sales activities in its service territory should not be required to be separately licensed by the Commission. Conversely, a marketer that works directly with an end-user customer or simultaneously represents more than one licensed NGS should be required to obtain a license. We agree with the commenters that the line of accountability back to a single NGS is clear where there is a direct relationship and the NGS will be directly responsible for the marketer’s activities and for reporting requirements under Section 62.110(a)(3). Accordingly, we will incorporate this concept into the regulations and provide that a “non-selling marketer” under contract to a single NGS will not be required to obtain a license.

As to “non-traditional marketers,” we will retain a definition for this term and exempt these entities from a licensing requirement. Non-traditional marketers are community-based organizations, civic, fraternal or other groups with a common interest that work with a licensed NGS to endorse that NGS’ natural gas supply service to its members. The members are not required to purchase the services from the endorsed NGS and if the offer is accepted the contract is between the member and the NGS. Under these circumstances, we believe it reasonable to not require a license for this type of activity.

*Conclusion*

This order sets forth further proposed amendments to the NGS licensing regulations that eliminate the definition of marketing service consultants and modifies the exemption from licensing requirements set forth in the current regulations. We are mindful of IRRC’s comments and therefore will issue this order as an Advance Notice of Final Rulemaking. Accordingly, this order also establishes an additional comment period that ends 30 days from the date of the publication of this order in the *Pennsylvania Bulletin*.

The Commission welcomes public comments on all revisions to the proposed regulations. We emphasize that parties should use this opportunity to focus on the revisions to the proposed rule, and not to revisit issues already raised in previously submitted comments. Note that we are particularly interested in receiving comments on the costs that would be incurred, and any savings that might be realized, by affected parties as the result of these proposed amendments. Affected parties would include marketing services consultants, nontraditional marketers, NGSs, NGDCs and customers. We look forward to preparing and delivering a final form regulation to the IRRC after we have reviewed these comments; *Therefore,*

*It Is Ordered That:*

1. The Secretary shall serve a copy of this Order and Annex A on all jurisdictional natural gas distribution companies, all licensed natural gas suppliers, the Office of Consumer Advocate, the Office of Small Business Advocate, the Energy Association of Pennsylvania and all other parties that filed comments at Docket No. L-2011-2266832.

2. The Office of Competitive Market Oversight shall electronically send a copy of this Order and Annex A on all persons on the contact list for the Stakeholders Exploring Avenues to Remove Competitive Hurdles (SEARCH).

3. A copy of this Order and Annex A shall be posted on the Commission’s web site at the Office of Competitive Market Oversight’s web page.

4. The contact persons for this Advanced Notice of Final Rulemaking are David E. Screven, Assistant Counsel, (717) 787-2126 (legal), Colin Scott, Assistant Counsel, (717)-783-5949 (legal) and Brent Killian, Bureau of Technical Utility Services, (717) 783-0350 (technical). Alternate formats of this document are available to persons with disabilities and may be obtained by contacting Sherri DelBiondo, Regulatory Review Assistant, Law Bureau, (717) 772-4597.

5. A copy of this Advanced Notice of Final Rulemaking shall be published in the *Pennsylvania Bulletin* for comment.

6. An original copy of any written comments referencing the docket number of this Advance Notice of Final Rulemaking shall be submitted no later than thirty days from the date of publication in the *Pennsylvania Bulletin* to the Pennsylvania Public Utility Commission, Attn.: Secretary, P. O. Box 3265, Harrisburg, PA, 17105-3265.

7. The parties serve a courtesy copy of their comments on the contact persons previously mentioned.

ROSEMARY CHIAVETTA,  
*Secretary*

**Annex A**

**TITLE 52. PUBLIC UTILITIES**

**PART I. PUBLIC UTILITY COMMISSION**

**Subpart C. FIXED SERVICE UTILITIES**

**CHAPTER 62. NATURAL GAS SUPPLY CUSTOMER CHOICE**

**§ 62.101. Definitions.**

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

\* \* \* \* \*

**Aggregator**—An entity, licensed by the Commission, that purchases natural gas and takes title to it as an intermediary for sale to retail customers.

\* \* \* \* \*

**Broker**—An entity, licensed by the Commission, that acts as an agent or intermediary in the sale and purchase of natural gas but does not take title to natural gas supply.

\* \* \* \* \*

**Marketing**—The publication, dissemination or distribution of informational and advertising materials regarding the licensed NGS’s natural gas supply services and products to the public by personal contact, print, broadcast, electronic media, direct mail or by telecommunication.

**Marketing services consultant**—A commercial entity, such as a telemarketing firm or auction-type website, or energy consultant, that under contract to a licensee or a retail customer, may act as an agent to market natural gas supply services to

retail gas customers for the licensee or may act as an agent to recommend the acceptance of offers to provide service to retail customers. A marketing services consultant:

- (i) Does not collect natural gas supply costs directly from retail customers.
- (ii) Is not responsible for the scheduling of natural gas supplies.
- (iii) Is not responsible for the payment of the costs of the natural gas to suppliers, producers, or NGDCs. ]

\* \* \* \* \*

*Non-selling marketer*—A commercial entity, such as a telemarketing firm, door-to-door company or auction-type website, that provides marketing services to retail customers for a licensed NGS's natural gas supply services.

[ *Nontraditional marketer*—A community-based organization, civic, fraternal or business association, or common interest group that works with a licensed supplier as an agent to market natural gas supply services to its members or constituents. A nontraditional marketer:

- (i) conducts its transactions through a licensed NGS;
- (ii) does not collect revenue directly from retail customers;
- (iii) does not require its members or constituents to obtain its natural gas service through the nontraditional marketer or a specific licensed NGS;
- (iv) is not responsible for the scheduling of natural gas supplies;
- (v) is not responsible for the payment of the costs of the natural gas to its suppliers or producers. ]

*Nontraditional marketer*—A community-based organization, civic, fraternal or business association, or common interest group that works with a licensed NGS as an agent to market natural gas service to its members or constituents. The nontraditional marketer may not require its members or constituents to obtain its natural gas service through a specific licensed NGS and may not be compensated by the licensed NGS if members or constituents enroll with the licensed NGS.

\* \* \* \* \*

§ 62.102. Scope of licensure.

\* \* \* \* \*

- (a) An NGS, including an aggregator or a broker, may not engage in marketing, or may not offer to provide,

or provide natural gas supply services to retail customers until it is granted a license by the Commission.

\* \* \* \* \*

[ (d) A nontraditional marketer is not required to obtain a license. The licensed NGS shall be responsible for violations of 66 Pa.C.S. (relating to the Public Utility Code), and applicable regulations of this title, orders and directives committed by the nontraditional marketer and fraudulent, deceptive or other unlawful marketing or billing acts committed by the nontraditional marketer.

(e) A marketing services consultant is not required to obtain a license. The licensed NGS shall be responsible for violations of 66 Pa.C.S. and applicable regulations of this title, orders and directives committed by the marketing services consultant and fraudulent, deceptive or other unlawful marketing or billing acts committed by the marketing services consultant. ]

(d) A nontraditional marketer is not required to obtain a license. The licensed NGS shall be responsible for violations of 66 Pa.C.S. (relating to the Public Utility Code), and applicable regulations of this title, orders and directives committed by the nontraditional marketer and fraudulent, deceptive or other unlawful marketing or billing acts committed by the nontraditional marketer.

(e) A non-selling marketer under contract to more than one licensed NGS or which has a contract with an end-user retail natural gas customer shall be required to obtain a license.

(f) A non-selling marketer under contract to only one licensed NGS may not be required to obtain a license. The licensed NGS shall be responsible for violations of 66 Pa.C.S. and applicable regulations of this title, orders and directives committed by the non-selling marketer and fraudulent, deceptive or other unlawful marketing or billing acts committed by the non-selling marketer.

§ 62.110. Reporting requirements.

- (a) A licensee shall file an annual report on or before April 30 of each year, for the previous calendar year. The annual report shall contain the following information:

\* \* \* \* \*

[ (3) The names and addresses of nontraditional marketers and marketing services consultants who are currently or will be acting as agents for the licensee in the upcoming year. ]

\* \* \* \* \*

[Pa.B. Doc. No. 13-451. Filed for public inspection March 15, 2013, 9:00 a.m.]

# PROPOSED RULEMAKINGS

## DEPARTMENT OF CONSERVATION AND NATURAL RESOURCES

[ 17 PA. CODE CH. 45 ]

### Conservation of Pennsylvania Native Wild Plants

The Department of Conservation and Natural Resources (Department) proposes to amend Chapter 45 (relating to conservation of Pennsylvania native wild plants). The proposed rulemaking moves the beginning of the ginseng harvest season from August 1 to September 1.

#### A. *Effective Date*

This proposed rulemaking will be effective upon final form publication in the *Pennsylvania Bulletin*.

#### B. *Contact Persons*

For further information, contact Rebecca H. Bowen, Chief, Ecological Services Section, Bureau of Forestry, Department of Conservation and Natural Resources, P. O. Box 8552, Harrisburg, PA 17105-8552, (717) 787-3444; or Wendy Carson, Assistant Counsel, Office of Chief Counsel, Department of Conservation and Natural Resources, P. O. Box 8767, Harrisburg, PA 17105, (717) 772-4171. Persons with a disability may use (800) 654-5984 (TTY). This proposed rulemaking is available on the Department's web site at <http://www.dcnr.state.pa.us/forestry/plants/vulnerableplants/ginseng/index.htm>.

#### C. *Statutory Authority*

This proposed rulemaking is made under the authority of section 7 of the Wild Resource Conservation Act (WRCA) (32 P. S. § 5307) and sections 305 and 313 of the Conservation and Natural Resources Act (CNRA) (71 P. S. §§ 1340.305 and 1340.313).

It should be noted that the the Department of Environmental Resources was assigned to administer the WRCA. Subsequently, section 305(a)(9) of the CNRA transferred this authority to the Department.

#### D. *Background and Purpose*

The WRCA was enacted in 1982 to enhance the protection of native wild plants and nongame animals in this Commonwealth. Under the WRCA, the Department established a classification system for native wild plants in Chapter 45. The classifications, such as extirpated, endangered, rare, threatened and vulnerable, are defined in § 45.2 (relating to definitions). The lists of species within each classification are in Subchapter B (relating to classified plants).

Vulnerable plants are defined in § 45.2 as plant species "which are in danger of population decline within this Commonwealth because of their beauty, economic value, use as a cultivar or other factors which indicate that persons may seek to remove these species from their native habitats." Ginseng (*Panax quinquefolius*) is one of the three species listed in § 45.15 (relating to Pennsylvania Vulnerable) as a vulnerable plant. Ginseng is a forest plant that is native to the eastern half of the United States and Canada. Parts of the ginseng plant, particularly its root, are valued for their therapeutic qualities

and have been traded commercially, both domestically and internationally, for centuries.

Under the WRCA, the Department is responsible for the protection and management of native wild plants. With respect to vulnerable plants, section 9 of the WRCA (32 P. S. § 5309) provides as follows:

(a) Species classified as vulnerable shall be subject to the following restrictions:

(1) The [Department] upon designation of vulnerable species shall establish regulations over the digging, harvesting, sale and exploitation of said species.

(2) The regulations shall:

(i) consider the distribution, abundance, economic value, growing and reproduction cycle;

(ii) establish seasons for the digging and harvesting of plants or plant parts; and

(iii) provide for the commercial licensing of persons who buy with the intent to sell vulnerable plants within the Commonwealth or export said plants therefrom and to require the licensees to maintain records of their transactions.

(3) The [Department] shall establish the license fee.

Under section 9(a)(1) of the WRCA, the Department has promulgated regulations "over the digging, harvesting, sale and exploitation" of vulnerable plants. These regulations in Subchapter E (relating to vulnerable plants) require persons who buy, trade or barter vulnerable plants with the intent to sell them in, or export them from, this Commonwealth to obtain a commercial license from the Department. The regulations require licensees to submit to the Department records of transactions including information about the licensee's purchase of the plants, sale of the plants, county of origin of the plants, form of plants (for example, whole plant, root, seeds), year of harvest, weight of the plants, destination and date of export and whether the plants are wild or cultivated.

In addition to covering vulnerable plants in general, the Department's regulations establish special requirements for ginseng plants. These are a result of an international trade agreement known as the Convention on International Trade in Endangered Species of Wild Fauna and Flora of 1973 (CITES) signed by the United States and many other countries, administered in the United States by the United States Fish and Wildlife Service (USFWS). See <http://www.cites.org/> and <http://www.fws.gov/international/plants/american-ginseng.html>. The relationship between the Department's ginseng harvesting regulation and CITES is discussed as follows.

#### *Purposes of this Proposed Rulemaking*

Section 45.69 (relating to vulnerable plant harvest seasons and conditions) addresses certain activities regarding the harvest of vulnerable plants in general and ginseng in particular. This section establishes a harvest season for ginseng that runs from August 1 to November 30 and prohibits the possession of harvested green ginseng roots between April 1 and the start of harvest season. This rulemaking proposes to move the start of harvest season forward by 1 month to September 1 and, consistent with this proposed amendment, prohibits possessing harvested green roots between April 1 and September 1. The proposed amendment also corrects the terminology in § 45.69(a)(2) for the ginseng berry.



### E. Summary of Regulatory Requirements

The intent of § 45.69(a) is to ensure the sustainability of ginseng. It takes a ginseng plant at least 5 years to mature. Ginseng seeds have the best chance of producing new plants if they come from a mature plant and are planted near the site of the harvested plant. Section 45.69(a), therefore, allows only mature plants to be harvested and requires that the seeds of these plants be planted in the immediate vicinity of the collection site. To ensure that only mature plants are harvested, § 45.69(a) puts collectors on notice of the physical characteristics of a mature ginseng plant—it has at least three leaves of five leaflets each and red “seeds” (the correct term is “berries”). In addition, this section prohibits collection of the plant before the start of the harvest season as defined in the section. Therefore, to comply with the Department’s ginseng harvesting requirements, a collector may harvest ginseng plants only if: 1) they have at least three leaves of five leaflets each; 2) they have red seeds (berries); 3) they are collected during harvest season; and 4) their seeds are planted in the immediate vicinity of the collection site.

The purpose of this proposed rulemaking is to move the start date of the ginseng harvest season from August 1 to September 1. There is general agreement within both the scientific community and the ginseng industry that an August 1 start date is too early to ensure that ginseng plants that meet the description of mature plants in terms of their leaves and berries are fully mature and can safely be harvested without threatening the survival of the ginseng population.

The harvesting of ginseng plants in ginseng-exporting states, such as this Commonwealth, is subject to special restrictions imposed by the USFWS. The USFWS’s involvement is due to the regulation of the export of ginseng from the United States by CITES. The purpose of CITES is to monitor and regulate the international trade of certain plant and animal species to prevent detrimental impacts to their populations so as to ensure the continued existence of the species in their native habitat. The CITES authority in the United States is the USFWS.

CITES requirements, as administered by the USFWS, for permitting the export of species subject to CITES are codified in 50 CFR Part 23 (relating to Convention on International Trade in Endangered Species of Wild Fauna and Flora (CITES)). Section 23.68 of 50 CFR (relating to how can I trade internationally in roots of American ginseng) contains the specific requirements for the export of ginseng. The USFWS has established an export program for states that export ginseng. Under this program, on an annual basis, before the USFWS will allow export from a state, it must determine that ginseng harvested in that state is legally acquired and that export will not be detrimental to the survival of the species in that state. See 50 CFR 23.68. The USFWS will make a “non-detriment” finding for export of ginseng plants from a state only if it is satisfied that the state has taken measures to ensure the plants were mature when harvested. See <http://www.fws.gov/international/pdf/archive/workshop-american-ginseng-cites-non-detriment-findings.pdf>. The USFWS determined that the survival of ginseng plant populations could be detrimentally affected if a state allows harvesting to begin as early as August 1. Therefore, the USFWS is urging the Commonwealth and the Department to adopt a later harvest season and it is specifically recommending September 1 as the start date. The USFWS made it clear to the Department that unless the change in harvest season is adopted soon, the USFWS

will be unable to make a “non-detriment” finding under CITES with regard to the harvesting of ginseng in this Commonwealth. Copies of correspondence from the USFWS are available from the Bureau of Forestry. The absence of a nondetriment finding would mean that the USFWS would cease issuing export permits for ginseng harvested in this Commonwealth. See the USFWS 2012 findings report on ginseng at [http://www.dcnr.state.pa.us/cs/groups/public/documents/document/dcnr\\_20026618.pdf](http://www.dcnr.state.pa.us/cs/groups/public/documents/document/dcnr_20026618.pdf).

Adopting the USFWS’s recommendation of a September 1 harvest date would bring the Commonwealth in line with nearly all of the ginseng-exporting states surrounding Pennsylvania. This Commonwealth is the only ginseng-exporting state with a harvest season date as early as August 1. Variations in the yearly growing seasons and growing conditions in different parts of the state could cause ginseng berries to turn red slightly before or slightly after September 1. However, as is recognized by harvesters, dealers and botanical researchers in this Commonwealth, the clear trend in Pennsylvania and surrounding states is for berries to be red by September 1.

It should be noted that the export of another species of plant classified in Chapter 45 as vulnerable, Golden-Seal (*Hydrastis Canadensis*), is also subject to regulation by CITES as administered by the USFWS. However, unlike ginseng, specific harvest season dates are not required for this species.

Section 45.69(a)(2) states as follows regarding the harvesting of ginseng plants: “Only mature ginseng plants with at least three leaves of five leaflets each may be harvested and only when the seeds are red.” This rulemaking proposes to replace “seeds” with the correct term “berries.” The reason for this proposed amendment is to distinguish between seeds and berries. When a ginseng plant is mature, it has red berries. The red berries contain seeds that are ready to plant.

### F. Benefits, Costs and Compliance

#### Benefits

The benefit of moving the beginning date of the ginseng harvest season from August 1 to September 1 is to help sustain the populations of ginseng in this Commonwealth by allowing the plants to mature so that when their seeds are planted, new plants will grow and the ginseng population will continue to survive. In addition, it would bring this Commonwealth’s harvest season in line with those of the other ginseng-exporting states, thereby discouraging poaching across state borders. Finally, and most immediately, it will allow the USFWS, under CITES, to continue to find that the export of ginseng harvested in this Commonwealth will not be detrimental to the survival of the species and thus avoid a ban on the export of ginseng from this Commonwealth.

The correction of terminology to distinguish between “seed” and “berry” will remove confusion caused by the current language in the harvesting provisions of § 45.69 and consequently support compliance with its provisions.

#### Compliance Costs

This proposed rulemaking will not impose additional compliance costs on the regulated community.



*Compliance Assistance Plan*

This is not applicable.

*Paperwork Requirements*

There will not be an increase in the amount of required paperwork.

*G. Sunset Review*

The regulations will be reviewed in accordance with the sunset review schedule published by the Department to determine whether the regulations effectively fulfill the goals for which they were intended.

*H. Regulatory Review*

Under section 5(a) of the Regulatory Review Act (71 P.S. § 745.5(a)), on March 5, 2013, the Department 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 Senate and House Environmental Resources and Energy Committees. A copy of this material is available to the public upon request.

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 Department, the General Assembly and the Governor of comments, recommendations or objections raised.

*H. Public comments*

Interested persons are invited to submit comments regarding this proposed rulemaking to Rebecca H. Bowen, Ecological Services, Bureau of Forestry, Department of Conservation and Natural Resources, P. O. Box 8552, Harrisburg, PA 17105-8552 (hand delivery or express mail to Rachel Carson State Office Building, 6th Floor, 400 Market Street, Harrisburg, PA 17101-2301), RA-Ch45WildPlant@pa.gov. A return name and United States

Postal Service mailing address must be included in each transmission. Comments submitted by facsimile will not be accepted. Comments must be received by the Department within 30 days of publication of this proposed rulemaking in the *Pennsylvania Bulletin*.

RICHARD J. ALLAN,  
*Secretary*

**Fiscal Note:** 7B-6. No fiscal impact; (8) recommends adoption.

**Annex A**

**TITLE 17. CONSERVATION AND NATURAL RESOURCES**

**PART I. DEPARTMENT OF CONSERVATION AND NATURAL RESOURCES**

**Subpart D. RESOURCE CONSERVATION**

**CHAPTER 45. CONSERVATION OF PENNSYLVANIA NATIVE WILD PLANTS**

**Subchapter E. VULNERABLE PLANTS**

**§ 45.69. Vulnerable plant harvest seasons and conditions.**

(a) A person may not harvest ginseng except in compliance with applicable law, this chapter and the following restrictions:

(1) A person may harvest ginseng plants only from [ **August** ] **September** 1 through November 30.

(2) Only mature ginseng plants with at least three leaves of five leaflets each may be harvested and only when the [ **seeds** ] **berries** are red.

\* \* \* \* \*

(b) A person may not possess harvested, green ginseng roots between April 1 and [ **August** ] **September** 1 of a calendar year.

\* \* \* \* \*

[Pa.B. Doc. No. 13-452. Filed for public inspection March 15, 2013, 9:00 a.m.]

# STATEMENTS OF POLICY

## Title 49—PROFESSION AND VOCATIONAL STANDARDS

### STATE BOARD OF FUNERAL DIRECTORS [ 49 PA. CODE CH. 13 ] Profession of Funeral Directing

The State Board of Funeral Directors (Board) adds § 13.252 (relating to profession of funeral directing—statement of policy) to read as set forth in Annex A.

#### *Background and Need for the Statement of Policy*

Religious observances and practices have included funeral ceremonies since the beginning of recorded history. In the context of this historical record, this Commonwealth bears the distinction of being founded for the purpose of providing a haven of religious freedom. With the benefit of that foundation, for 200 years this Commonwealth has been home to a diversity of religious doctrines and practices that have rarely, if ever, been matched anywhere in the world.

Funeral directors have been licensed in this Commonwealth since 1895. It is well-established that “The purpose of the act was not to impose restrictions upon a trade or business-calling as such, but to protect the public health from the dangers attendant upon inexperienced conduct of undertaking by those not qualified by the necessary knowledge or principles of sanitation and disease prevention.” *Grime v. Department of Public Instruction*, 324 Pa. 371, 381, 188 A. 337, 341 (1936). For more than a century, it has been well-settled in this Commonwealth that religious observances and practices do not constitute the practice of funeral directing, even though members of the clergy and religious communities may, in the course of a religious ceremony, handle or care for the body of a deceased human being. This statement of policy codifies the Board’s interpretation of existing law.

#### *Fiscal Impact and Paperwork Requirements*

The statement of policy will not have adverse fiscal impact on the Commonwealth or its political subdivisions and will not impose additional paperwork requirements upon the Commonwealth, political subdivisions or the private sector.

#### *Statutory Authority*

The statement of policy is authorized under sections 11, 13, 15 and 16(a) of the Funeral Director Law (63 P. S. §§ 479.11, 479.13, 479.15 and 479.16(a)).

#### *Effective Date*

This statement of policy is effective upon publication in the *Pennsylvania Bulletin*.

#### *Additional Information*

Persons who require additional information about the statement of policy should submit inquiries to Board Counsel, State Board of Funeral Directors, P. O. Box 2649, Harrisburg, PA 17105-2649, (717) 783-7200, st-funeral@state.pa.us.

MICHAEL J. YEOSOCK, F.D.,  
Chairperson

*(Editor’s Note: Title 49 of the Pennsylvania Code is amended by adding a statement of policy in § 13.252 to read as set forth in Annex A.)*

**Fiscal Note:** 16A-4825. No fiscal impact; (8) recommends adoption.

#### Annex A

### TITLE 49. PROFESSIONAL AND VOCATIONAL STANDARDS

#### PART I. DEPARTMENT OF STATE

#### Subpart A. PROFESSIONAL AND OCCUPATIONAL AFFAIRS

#### CHAPTER 13. STATE BOARD OF FUNERAL DIRECTORS

#### STATEMENTS OF POLICY

#### § 13.252. Profession of funeral directing—statement of policy.

(a) Since the enactment of the act, the Board, the Bureau and the Bureau of Enforcement and Investigation have interpreted “profession” as used in section 2(1) of the act (63 P. S. § 479.2(1)) to exclude:

(1) An individual engaged in the performance of the ceremonies, customs, religious rites or religion of any people, denomination or sect as constituting the practice or observance of religion in accordance with Pa. Const. Art. I, § 3 and U.S. Const. amend. I.

(2) A religious denomination or sect, or a body composed of members of a denomination, when the acts of the religious denomination or sect constitute the practice or observance of religion under Pa. Const. Art. I, § 3 and U.S. Const. amend. I.

(3) A committee of a church, meeting, mosque, synagogue, temple or other congregation of religious believers in the handling, transporting, preparing and disposition of deceased human bodies in accordance with the practice or observance of religion under Pa. Const. Art. I, § 3 and U.S. Const. amend. I.

(b) The exclusion of religious practices and observances in subsection (a) from the term “profession” does not extend to a person, whether or not that person is a religious body, denomination or sect, a member of a religious body, denomination or sect, has been ordained as a member of the clergy of a religious body, denomination or sect, or commits the act in connection with a religious practice or observance, who performs any of the following acts:

(1) Advertises as a funeral director.

(2) Holds himself out as a funeral director.

(3) Embalms or performs the scientific preparation of human remains.

(4) Engages in “trade” or “commerce” as defined in section 2 of the Unfair Trade Practices and Consumer Protection Law (73 P. S. § 201-2) when trade or commerce involves either of the following:

(i) Funeral services for profit.

(ii) Funeral services and funeral merchandise incidental to funeral services for profit.

[Pa.B. Doc. No. 13-453. Filed for public inspection March 15, 2013, 9:00 a.m.]

# NOTICES

## DEPARTMENT OF BANKING AND SECURITIES

### Actions on Applications

The Department of Banking and Securities (Department), under the authority contained in the act of November 30, 1965 (P. L. 847, No. 356), known as the Banking Code of 1965; the act of December 14, 1967 (P. L. 746, No. 345), known as the Savings Association Code of 1967; the act of May 15, 1933 (P. L. 565, No. 111), known as the Department of Banking and Securities Code; and the act of December 19, 1990 (P. L. 834, No. 198), known as the Credit Union Code, has taken the following action on applications received for the week ending February 26, 2013.

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

### BANKING INSTITUTIONS

#### Branch Applications

##### De Novo Branches

<i>Date</i>	<i>Name and Location of Applicant</i>	<i>Location of Branch</i>	<i>Action</i>
2-20-2013	PeoplesBank, A Codorus Valley Company York York County	118 Carlisle Street Hanover York County	Filed
2-25-2013	Jersey Shore State Bank Jersey Shore Lycoming County	550 North Derr Street Lewisburg Union County	Approved
2-25-2013	Somerset Trust Company Somerset Somerset County	3246 Chestnut Ridge Road Grantsville Maryland	Approved

##### Branch Relocations

<i>Date</i>	<i>Name and Location of Applicant</i>	<i>Location of Branch</i>	<i>Action</i>
2-22-2013	Beneficial Mutual Savings Bank Philadelphia Philadelphia County	<i>To:</i> 537 Baltimore Pike Springfield Delaware County  <i>From:</i> 410 West Baltimore Pike Clifton Heights	Effective

### SAVINGS INSTITUTIONS

No activity.

### CREDIT UNIONS

No activity.

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

GLENN E. MOYER,  
*Secretary*

[Pa.B. Doc. No. 13-454. Filed for public inspection March 15, 2013, 9:00 a.m.]

### Actions on Applications

The Department of Banking and Securities (Department), under the authority contained in the act of November 30, 1965 (P. L. 847, No. 356), known as the Banking Code of 1965; the act of December 14, 1967 (P. L. 746, No. 345), known as the Savings Association Code of 1967; the act of May 15, 1933 (P. L. 565, No. 111), known as the Department of Banking and Securities Code; and the act of December 19, 1990 (P. L. 834, No. 198), known as the Credit Union Code, has taken the following action on applications received for the week ending March 5, 2013.

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

**BANKING INSTITUTIONS**  
**Holding Company Acquisitions**

<i>Date</i>	<i>Name and Location of Applicant</i>	<i>Action</i>
2-28-2013	First Priority Financial Corp. Malvern Chester County	Effective
	Application for approval to acquire 100% of Affinity Bancorp, Inc., Wyomissing, and thereby indirectly acquire 100% of Affinity Bank of Pennsylvania, Wyomissing.	

**Consolidations, Mergers, and Absorptions**

<i>Date</i>	<i>Name and Location of Applicant</i>	<i>Action</i>
2-28-2013	First Priority Bank Malvern Chester County	Effective
	All branch offices of Affinity Bank of Pennsylvania will become branch offices of First Priority Bank including the former main office of Affinity Bank of Pennsylvania located at:	
	1310 Broadcasting Road Wyomissing Berks County	

**Branch Applications**

**De Novo Branches**

<i>Date</i>	<i>Name and Location of Applicant</i>	<i>Location of Branch</i>	<i>Action</i>
3-1-2013	Somerset Trust Company Somerset Somerset County	1450 Morrell Avenue Connellsville Fayette County	Opened

**Branch Relocations**

<i>Date</i>	<i>Name and Location of Applicant</i>	<i>Location of Branch</i>	<i>Action</i>
3-5-2013	Conestoga Bank Chester Springs Chester County	<i>To:</i> 125 East Swedesford Road Wayne Chester County  <i>From:</i> 500 Chesterbrook Boulevard Wayne Chester County	Approved

**SAVINGS INSTITUTIONS**

No activity.

**CREDIT UNIONS**

No activity.

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

GLENN E. MOYER,  
*Secretary*

[Pa.B. Doc. No. 13-455. Filed for public inspection March 15, 2013, 9:00 a.m.]

**Maximum Lawful Rate of Interest for Residential Mortgages for the Month of April 2013**

The Department of Banking and Securities (Department), under the authority contained in section 301 of the act of January 30, 1974 (P. L. 13, No. 6) (41 P. S. § 301), determines that the maximum lawful rate of interest for

residential mortgages for the month of April, 2013, is 5 1/4%.

The interest rate limitations under the State's usury statute were preempted to a great extent by Federal law, the Depository Institutions Deregulation and Monetary Control Act of 1980 (Pub. L. No. 96-221). Further preemption was instituted with the signing of Pub. L. No. 96-399, which overrode State interest rate limitations on

any individual who finances the sale or exchange of residential real property which the individual owns and which the individual occupies or has occupied as his principal residence.

Each month the Department is required by State law to compute and announce the ceiling rate on residential mortgages in this Commonwealth. This maximum rate is determined by adding 2.50 percentage points to the yield rate on long-term government bonds as published by the Federal Reserve Board and/or the United States Treasury. The latest yield rate on long-term government securities is 2.64 to which was added 2.50 percentage points for a total of 5.14 that by law is rounded off to the nearest quarter at 5 1/4%.

GLENN E. MOYER,  
*Secretary*

[Pa.B. Doc. No. 13-456. Filed for public inspection March 15, 2013, 9:00 a.m.]

## DEPARTMENT OF COMMUNITY AND ECONOMIC DEVELOPMENT

### Consolidated Plan; 2012 Annual Performance and Evaluation Report

The Department of Community and Economic Development (Department) is preparing its 2012 Consolidated Annual Performance and Evaluation Report (CAPER) on the progress and accomplishments made during 2012 program year in implementing the Commonwealth's Consolidated Plan for Federal Fiscal Years 2009-2013. This document must be submitted to, and approved by, the United States Department of Housing and Urban Development (HUD) for the Commonwealth and organizations within this Commonwealth to receive funding under most HUD housing and community development programs. The Consolidated Plan creates a unified strategy for

housing and community development programs, as well as the necessary linkages for building successful neighborhoods and communities.

The Commonwealth has allocated funds under several programs, namely Community Development Block Grant, HOME Investment Partnerships Program, Emergency Shelter/Solutions Grant Program and Housing Opportunities for People with AIDS Program. Additionally, this CAPER will detail funding from 2012 under both the Housing and Economic Recovery Act and the American Recovery and Reinvestment Act and the Community Development Block Grant—Disaster Recovery Program. The CAPER discusses accomplishments in relation to goals and objectives identified in the 2012 Action Plan of the Consolidated Plan.

The CAPER assesses the goals and objectives of this strategic plan; discusses how the Commonwealth is affirmatively furthering fair and affordable housing; reviews the activities of the Continuums of Care; and appraises how well resources in community development and housing are being leveraged.

#### *Public Comments*

Individual or organization may provide written comments regarding this draft version of the CAPER. This report will be available on March 15, 2013, at <http://www.newpa.com/community/documents-publications> or by calling (717) 720-7404. Written comments will be accepted about funding activities, community development, housing, CAPER content and the process by which public input is gathered. The Commonwealth encourages public participation in this process.

Written comments will be accepted until 5 p.m. on March 29, 2012, and should be sent to Brenda Bubb, Department of Community and Economic Development, Center for Community Financing, Commonwealth Keystone Building, 400 North Street, 4th Floor, Harrisburg, PA 17120-0225.

C. ALAN WALKER,  
*Secretary*

[Pa.B. Doc. No. 13-457. Filed for public inspection March 15, 2013, 9:00 a.m.]

## DEPARTMENT OF ENVIRONMENTAL PROTECTION

### Applications, Actions and Special Notices

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### APPLICATIONS

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#### THE CLEAN STREAMS LAW AND THE FEDERAL CLEAN WATER ACT

#### APPLICATIONS FOR NATIONAL POLLUTION DISCHARGE ELIMINATION SYSTEM (NPDES) PERMITS AND WATER QUALITY MANAGEMENT (WQM) PERMITS

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



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

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

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

Unless indicated otherwise, the United States Environmental Protection Agency (EPA) Region III Administrator has waived the right to review or object to proposed NPDES permit actions under the waiver provision in 40 CFR 123.24(d). Persons wishing to comment on NPDES applications are invited to submit statements to the contact office noted before the application within 30 days from the date of this public notice.

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

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

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

### **I. NPDES Renewal Applications**

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

<i>NPDES No. (Type)</i>	<i>Facility Name &amp; Address</i>	<i>County &amp; Municipality</i>	<i>Stream Name (Watershed No.)</i>	<i>EPA Waived Y/N?</i>
PA0061441 (Sewage)	Freeman Mobile Home Park Monroe Township, PA 18612	Wyoming County Monroe Township	Unnamed Tributary to Leonard Creek (4-G)	Y

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

<i>NPDES No. (Type)</i>	<i>Facility Name &amp; Address</i>	<i>County &amp; Municipality</i>	<i>Stream Name (Watershed#)</i>	<i>EPA Waived Y/N?</i>
PA0037133 (Industrial Waste)	Fairview State Fish Hatchery 2000 Lohrer Road Fairview, PA 16415	Erie County Fairview Township	Unnamed Tributary to Trout Run (15)	Y
PA0003085 (Industrial Waste)	GrafTech USA 800 Theresia Street St Marys, PA 15857	Elk County Saint Marys City	Unnamed Tributary to Elk Creek (17-A)	Y
PA0005622 (IW)	Bessemer & Lake Erie RR Ohl Street 85 Ohl Street PO Box 471 Greenville, PA 16125	Mercer County Hempfield Township	Shenango River (20-A)	Y

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

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

**PA0021181**, Sewage, SIC Code 4952, **Bucks County Water & Sewer Authority**, 1275 Almshouse Road, Warrington, PA 18976. Facility Name: Green Street STP. This existing facility is located in Doylestown Borough, **Bucks County**.

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

The receiving stream(s), an Unnamed Tributary to Neshaminy Creek, is located in State Water Plan watershed2-F and is classified for warm water fishes and migratory fishes, aquatic life, water supply and recreation. The discharge is not expected to affect public water supplies.

The proposed effluent limits for Outfall 001 are based on a design flow of 1.2 MGD.

<i>Parameters</i>	<i>Mass (lb/day)</i>			<i>Concentration (mg/l)</i>		
	<i>Average Monthly</i>	<i>Weekly Average</i>	<i>Instant. 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
Dissolved Oxygen	XXX	XXX	5.0	Report	XXX	XXX
CBOD <sub>5</sub>						
Influent	Report	XXX	XXX	Report	XXX	XXX
CBOD <sub>5</sub>						
May 1 - Oct 31	150	230	XXX	15	23	30
Nov 1 - Apr 30	250	400	XXX	25	40	50
BOD <sub>5</sub>						
Influent	Report	XXX	XXX	Report	XXX	XXX
Total Suspended Solids						
Influent	Report	XXX	XXX	Report	XXX	XXX
Total Suspended Solids	300	450	XXX	30	45	60
Fecal Coliform (No./100 ml)	XXX	XXX	XXX	200	XXX	1,000
				Geo Mean		
Nitrate-Nitrite as N						
Jul 1 - Oct 31	95.0	XXX	XXX	9.5	XXX	19.0
Nov 1 - Jun 30	Report	XXX	XXX	Report	XXX	Report
Ammonia-Nitrogen						
May 1 - Oct 31	15.0	XXX	XXX	1.5	XXX	3.0
Nov 1 - Apr 30	45.0	XXX	XXX	4.5	XXX	9.0
Total Kjeldahl Nitrogen	Report	XXX	XXX	Report	XXX	Report
Total Phosphorus						
Apr 1 - Oct 31 (Interim)	12.0	XXX	XXX	1.2	XXX	2.4
Nov 1 - Mar 31 (Interim)	Report	XXX	XXX	Report	XXX	Report
Apr 1 - Oct 31 (Final)	8.5	XXX	XXX	0.85	XXX	1.7
Nov 1 - Mar 31 (Final)	17.0	XXX	XXX	1.7	XXX	3.4
Total Copper						
(Interim)	XXX	XXX	XXX	Report	Report	XXX
(Final)	XXX	XXX	XXX	0.036	Daily Max 0.056	XXX
Total Lead	XXX	XXX	XXX	XXX	Daily Max Report	XXX
Chronic Toxicity—Ceriodaphnia						
Survival (TUc)	XXX	XXX	XXX	1.1	XXX	XXX
Reproduction (TUc)	XXX	XXX	XXX	1.1	XXX	XXX
Chronic Toxicity—Pimephales						
Survival (TUc)	XXX	XXX	XXX	1.1	XXX	XXX
Growth (TUc)	XXX	XXX	XXX	1.1	XXX	XXX

The proposed effluent limits for Outfall 002 are based on a design flow of 0.2 MGD (A maximum of 0.2 mgd of the permitted flow can be diverted through Outfall 002 for irrigation).

<i>Parameters</i>	<i>Mass (lb/day)</i>			<i>Concentration (mg/l)</i>		
	<i>Average Monthly</i>	<i>Weekly Average</i>	<i>Instant. 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
Dissolved Oxygen	XXX	XXX	5.0	Report	XXX	XXX
CBOD <sub>5</sub>						
May 1 - Oct 31	25	38	XXX	15	23	30
Nov 1 - Apr 30	42	66	XXX	25	40	50
Total Suspended Solids	50	75	XXX	30	45	60
Fecal Coliform (No./100 ml)	XXX	XXX	XXX	200	XXX	1,000
				Geo Mean		



<i>Parameters</i>	<i>Mass (lb/day)</i>		<i>Instant. Minimum</i>	<i>Concentration (mg/l)</i>		<i>Instant. Maximum</i>
	<i>Average Monthly</i>	<i>Weekly Average</i>		<i>Average Monthly</i>	<i>Weekly Average</i>	
Nitrate-Nitrite as N						
Jul 1 - Oct 31	16.0	XXX	XXX	9.5	XXX	19.0
Nov 1 - Jun 30	Report	XXX	XXX	Report	XXX	Report
Ammonia-Nitrogen						
May 1 - Oct 31	2.5	XXX	XXX	1.5	XXX	3.0
Nov 1 - Apr 30	7.5	XXX	XXX	4.5	XXX	9.0
Total Kjeldahl Nitrogen	Report	XXX	XXX	Report	XXX	Report
Total Phosphorus						
Apr 1 - Oct 31 (Interim)	2.0	XXX	XXX	1.2	XXX	2.4
Nov 1 - Mar 31 (Interim)	Report	XXX	XXX	Report	XXX	Report
Apr 1 - Oct 31 (Final)	1.4	XXX	XXX	0.85	XXX	1.7
Nov 1 - Mar 31 (Final)	2.8	XXX	XXX	1.7	XXX	3.4

The proposed effluent limits for stormwater Outfalls 003 and 004 are based on a design flow of an average stormwater event.

<i>Parameters</i>	<i>Mass (lb/day)</i>		<i>Minimum</i>	<i>Concentration (mg/l)</i>		<i>Instant. Maximum</i>
	<i>Average Monthly</i>	<i>Average Weekly</i>		<i>Annual Average</i>	<i>Daily Maximum</i>	
pH (S.U.)	XXX	XXX	XXX	Report	Report	XXX
CBOD <sub>5</sub>	XXX	XXX	XXX	Report	Report	XXX
Chemical Oxygen Demand	XXX	XXX	XXX	Report	Report	XXX
Total Suspended Solids	XXX	XXX	XXX	Report	Report	XXX
Oil and Grease	XXX	XXX	XXX	Report	Report	XXX
Fecal Coliform (No./100 ml)	XXX	XXX	XXX	Report	Report	XXX
Total Kjeldahl Nitrogen	XXX	XXX	XXX	Report	Report	XXX
Total Phosphorus	XXX	XXX	XXX	Report	Report	XXX
Dissolved Iron	XXX	XXX	XXX	Report	Report	XXX

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

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

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

The EPA Waiver is not in effect.

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

**PA0063029 A-1**, Sewage, SIC Code 6515, **SHIV 9 LLC**, Plymouth Woods Office Center 521 Plymouth Road, Suite 118, Plymouth Meeting, Pa 19462. Facility Name: Fountain Court Shopping Mall Wastewater Treatment Plant. This existing facility is located in Pocono Township, **Monroe County**.

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

The receiving stream(s), Cranberry Creek, is located in State Water Plan watershed 1-E and is classified for High Quality Waters—Cold Water Fishes, aquatic life, water supply and recreation. The discharge is not expected to affect public water supplies.

The proposed effluent limits for Outfall 001 are based on a design flow of 0.005 MGD.

Parameters	Mass (lb/day)			Concentration (mg/l)		Instant. Maximum
	Average Monthly	Daily Maximum	Minimum	Average Monthly		
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	1.2	XXX	2.8
CBOD <sub>5</sub>	XXX	XXX	XXX	25.0	XXX	50.0
Total Suspended Solids	XXX	XXX	XXX	30.0	XXX	60.0
Fecal Coliform (CFU/100 ml)						
May 1 - Sep 30	XXX	XXX	XXX	200 Geo Mean	XXX	1,000
Oct 1 - Apr 30	XXX	XXX	XXX	2,000 Geo Mean	XXX	10,000

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.

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

**PA0248045**, Sewage, SIC Code 6514, **Jason Sauder**, 88 Oaktree Road, Manheim, PA 17545. Facility Name: Jason Sauder Residence. This existing facility is located in Rapho Township, **Lancaster 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, UNT Rife Run, is located in State Water Plan watershed 7-G 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 0.0004 MGD.

Parameters	Mass (lb/day)			Concentration (mg/l)		Instant. Maximum
	Average Monthly	Daily Maximum	Minimum	Average Monthly		
Flow (MGD)	Report	Report	XXX	XXX	XXX	XXX
Total Residual Chlorine	XXX	XXX	XXX	Report	XXX	Report
CBOD <sub>5</sub>	XXX	XXX	XXX	10	XXX	20
Total Suspended Solids	XXX	XXX	XXX	10	XXX	20
Fecal Coliform (CFU/100 ml)	XXX	XXX	XXX	200 Geo Mean	XXX	XXX

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

The EPA Waiver is in effect.

**PA0081264 A-1**, Sewage, SIC Code 7999, **Mountainview Thoroughbred Racing Association**, PO Box 32, Grantville, PA 17028-0032. Facility Name: Penn National Horse Race Track and Hollywood Casino. This existing facility is located in East Hanover Township, **Dauphin County**.

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

The receiving stream(s), Unnamed Tributary to Swatara Creek, is located in State Water Plan watershed 7-D and is classified for Warm Water Fishes, aquatic life, water supply and recreation. The discharge is not expected to affect public water supplies.

The proposed effluent limits for Outfall 001 are based on a design flow of 0.23 MGD.

Parameters	Mass (lb/day)			Concentration (mg/l)		Instant. Maximum
	Average Monthly	Daily Maximum	Minimum	Average Monthly		
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	0.22	XXX	0.73

Parameters	Mass (lb/day)			Concentration (mg/l)		Instant. Maximum
	Average Monthly	Daily Maximum	Minimum	Average Monthly	Daily Maximum	
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	XXX	1000
Oct 1 - Apr 30	XXX	XXX	XXX	Geo Mean 2000	XXX	10000
Ammonia-Nitrogen						
May 1 - Oct 31	XXX	XXX	XXX	1.7	XXX	3.4
Nov 1 - Apr 30	XXX	XXX	XXX	5.1	XXX	10.2
Total Phosphorus	XXX	XXX	XXX	1.0	XXX	2.0

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)		Minimum	Concentration (mg/l)	
	Monthly	Annual		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
Net Total Nitrogen	Report	5601	XXX	XXX	XXX
Net Total Phosphorus	Report	700	XXX	XXX	XXX

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

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

The EPA Waiver is not in effect.

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

**PA0097462**, Industrial Waste, SIC Code 4952, **Indiana County Municipal Services Authority**, 602 Kolter Drive, Indiana, PA 15701-3570. Facility Name: ICMSA—Cherry Tree Borough Water System. This existing facility is located in Susquehanna Township, **Cambria County**.

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

The receiving stream(s), Peg Run, is located in State Water Plan watershed 8-B 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 0.003 MGD.

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

The EPA Waiver is in effect.

**PA0097497**, Industrial Waste, SIC Code 4952, **Cowanshannock Township Municipal Authority**, PO Box 127, Nu Mine, PA 16244. Facility Name: Sagamore WTP. This existing facility is located in Cowanshannock Township, **Armstrong County**.

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

The receiving stream(s), Unnamed Tributary to North Branch Plum Creek, 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 0.0035 MGD.

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

The EPA Waiver is in effect.

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

**PA0272591**, Industrial Waste, SIC Code 4911, **Hickory Run Energy LLC**, 400 Chesterfield Center, Chesterfield, MO 63017-4800. Facility Name: Hickory Run Energy Station. This proposed facility is located in North Beaver Township, **Lawrence County**.

Description of Proposed Activity: The application is for a new NPDES permit for a new discharge of non-contact cooling water, reverse osmosis reject water and miscellaneous wastewater.

The receiving stream(s), the Mahoning River (Outfall 001) and Unnamed Tributary to Mahoning River (Outfalls 002 & 003), are located in State Water Plan watershed 20-B and are 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 1.3 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	0.5
Total Suspended Solids	XXX	XXX	XXX	30	100	100
Total Dissolved Solids	Report	XXX	XXX	Report	XXX	XXX
Oil and Grease	XXX	XXX	XXX	15	20	30
Total Chromium	XXX	XXX	XXX	0.2	0.2	0.5
Total Zinc	XXX	XXX	XXX	1.0	1.0	2.5

The proposed effluent limits for Outfall 002 & 003 are based on a design flow of N/A MGD.

This discharge shall consist of non-polluting stormwater runoff from the industrial site.

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

- Chemical Additives
- Electronic Discharge Monitoring Reporting requirement
- No discharge of PCB's
- Limit on discharging free available and total residual chlorine
- Non-detect, 126 priority pollutants in cooling water chemicals
- Stormwater Best Management Practices

You may make an appointment to review the DEP files on this case by calling the File Review Coordinator at 814-332-6340.

The EPA Waiver is in effect.

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

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

**WQM Permit No. 5409401-T1**, Sewerage, **Little Washington Wastewater Company**, 762 W. Lancaster Avenue, Bryn Mawr, PA 19010.

This existing facility is located in East Union and North Union Townships, **Schuylkill County**.

Description of Proposed Action/Activity: Transfer of a WQM Permit from Eagle Rock Resorts Company to authorize the operation and maintenance of low pressure sewer extensions and pump stations in Phases 1, 2, 3 and 4 of the Western Summit South section of Eagle Rock Resort residential community.

**WQM Permit No. 3513402**, Sewage, **Lackawanna River Basin Sewer Authority**, P. O. Box 280, Olyphant, PA 18477.

This proposed facility is located in Archbald Borough, **Lackawanna County**.

Description of Proposed Action/Activity: Upgrade of existing treatment plant headworks including CSO diversion, flow metering, screening and grit removal.

**WQM Permit No. 4091402 T-1**, Sewerage, **Greater Hazleton Joint Sewer Authority**, P. O. Box 651, Hazleton, PA 18201-0651.

This existing facility is located in Hazleton City, **Luzerne County**.

Description of Proposed Action/Activity: Transfer of permit from the City of Hazleton to the Greater Hazleton Joint Sewer Authority for the operation of the existing South Church Street Wastewater Pumping Station.

**WQM Permit No. 4094403 T-1**, Sewerage, **Greater Hazleton Joint Sewer Authority**, P. O. Box 651, Hazleton, PA 18201-0651.

This existing facility is located in Hazleton City, **Luzerne County**.

Description of Proposed Action/Activity: Transfer of permit from the City of Hazleton to the Greater Hazleton Joint Sewer Authority for the operation of the existing Stacie Manor Wastewater Pumping Station.

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

**WQM Permit No. 3495201, Amendment 13-1**, Sewerage, **Empire Kosher Poultry, Inc.**, 247 Empire Drive, Mifflintown, PA 17059-1203.

This proposed facility is located in Walker Township, **Juniata County**.

Description of Proposed Action/Activity: Seeking permit approval for the upgrade of the existing wastewater treatment plant for Total Nitrogen Removal.

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

**WQM Permit No. 6512200**, Industrial Waste, **Royal Window & Door Profiles**, One Contact Place, Delmont, PA 15626-1402

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

Description of Proposed Action/Activity: Application for the construction and operation of a treatment facility.

**WQM Permit No. 0313400**, Sewerage, **Manor Twp Jt Muni Auth.**, 2310 Pleasant View Dr., Ford City, PA 16226

This proposed facility is located in Manor Twp., **Armstrong County**.

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

**WQM Permit No. 6513402**, Sewerage, **Franklin Twp Muni Sani Auth.**, 3001 Meadowbrook Rd., Murrysville, PA 15668

This proposed facility is located in Murrysville Boro, **Westmoreland County**.

Description of Proposed Action/Activity: Application for the construction and operation of a sewer system.

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

**WQM Permit No. WQG02251301**, Sewerage, **Millcreek Township Sewer Authority**, 3608 West 26th Street, Erie, PA 16506.

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

Description of Proposed Action/Activity: Application for a small duplex sewage grinder pump station located on the east side of Streamwood Drive.

**WQM Permit No. WQG02101301**, Sewerage, **Slippery Rock Municipal Authority**, P. O. Box 157, Slippery Rock, PA 16057.

This proposed facility is located in Slippery Rock Township, **Butler County**.

Description of Proposed Action/Activity: Application for a pump station on Harmony Road to serve a student housing development.

**WQM Permit No. 1097410**, Sewerage, **Amendment, Pilot Travel Centers, LLC**, 5508 Lonas Road, Knoxville, TN 37909.

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

Description of Proposed Action/Activity: Application to replace existing blowers to provide increased aeration capacity to wastewater treatment facilities at 2010 New Caste Road, Portersville, PA.

**WQM Permit No. 1001401**, Sewerage, **Amendment No. 2, Borough of Prospect**, 159 Monroe Street, Prospect, PA 16052.

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

Description of Proposed Action/Activity: Application requesting an Amendment to the permit to allow installation of equipment to automate the operation of the existing Flow Equalization Tank.



**WQM Permit No. 2571412**, Sewerage, **Amendment, GCP Countryside Limited Partnership**, P. O. Box 14032, Pittsburgh, PA 15239.

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

Description of Proposed Action/Activity: Application for an aeration system to meet ammonia limits.

**WQM Permit No. 4398415**, Sewerage, **Transfer, John Mockricky Jr.**, 480 Serpentine Drive, Pittsburgh, PA 15243-2056.

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

Description of Proposed Action/Activity: Application for transfer of permit for single residence sewage treatment plant.

**WQM Permit No. 1010404**, Sewerage, **Amendment, Cranberry Township**, 2525 Rochester Road, Cranberry Township, PA 16066.

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

Description of Proposed Action/Activity: Application to amend permit to relocate and reconstruct interceptor.

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

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

**PAI130509**, MS4, **Easttown Township, Chester County**, 566 Beaumont Road, Devon, PA 19333-0079. The application is for a renewal of an individual NPDES permit for the discharge of stormwater from a regulated municipal separate storm sewer system (MS4) to waters of the Commonwealth in Easttown Township, Chester County. The receiving stream(s), Darby Creek, Unnamed Tributaries of Crum Creek, Unnamed Tributaries of Darby Creek, and Unnamed Tributary of Trout Creek, are located in State Water Plan watershed 3-F and 3-G and is classified for Warm Water Fishes, Migratory Fishes, High Quality Waters—Cold Water Fishes, Cold Water Fishes and Migratory Fishes, aquatic life, water supply and recreation.

The Department has made a tentative determination to issue the NPDES permit. Written comments on the application and draft permit will be accepted for 30 days following publication of this notice. The period for comment may be extended at the discretion of DEP for one additional 15-day period. You may make an appointment to review the DEP files on this case by calling the File Review Coordinator at 484-250-5910.

The EPA waiver is in effect.

**PAI130541**, MS4, **South Coventry Township, Chester County**, 1371 New Philadelphia Road, Pottstown, PA 19465-8669. The application is for a renewal of an individual NPDES permit for the discharge of stormwater from a regulated municipal separate storm sewer system (MS4) to waters of the Commonwealth in South Coventry Township, Chester County. The receiving streams, Pigeon Creek and Unnamed Tributary to French Creek, are located in State Water Plan watershed 3-D and are classified for High Quality Waters and Exceptional Value Waters respectively.

The Department has made a tentative determination to issue the NPDES permit. Written comments on the application and draft permit will be accepted for 30 days following publication of this notice. The period for comment may be extended at the discretion of DEP for one additional 15-day period. You may make an appointment to review the DEP files on this case by calling the File Review Coordinator at 484-250-5910.

The EPA waiver is not in effect.

**PAI130505**, MS4, **Uwchlan Township, Chester County**, 715 N Ship Road, Exton, PA 19341-1945. The application is for a renewal of an individual NPDES permit for the discharge of stormwater from a regulated municipal separate storm sewer system (MS4) to waters of the Commonwealth in Uwchlan Township, Chester County. The receiving stream(s), Pine Creek, Unnamed Tributary to Deer Creek, Unnamed Tributary to East Branch Brandywine Creek, Unnamed Tributary to Pickering Creek, Shamona Creek, Lionville Creek, Colebrook Creek, East Branch Brandywine Creek, and Unnamed Tributary to Valley Creek, is located in State Water Plan watershed 3-D, 3-H and 7-I and is classified for Warm Water Fishes, Migratory Fishes, High Quality Waters—Trout Stocking, Cold Water Fishes and Migratory Fishes, aquatic life, water supply and recreation.

The Department has made a tentative determination to issue the NPDES permit. Written comments on the application and draft permit will be accepted for 30 days following publication of this notice. The period for comment may be extended at the discretion of DEP for one additional 15-day period. You may make an appointment to review the DEP files on this case by calling the File Review Coordinator at 484-250-5910.

The EPA waiver is not in effect.

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

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

*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>
PAI024513003	Pocono Health System 206 East Brown St. East Stroudsburg, PA 18301	Monroe	Chestnuthill Twp.	UNT McMichael Creek, EV, MF

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

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

<i>NPDES Permit No.</i>	<i>Applicant Name &amp; Address</i>	<i>County</i>	<i>Municipality</i>	<i>Receiving Water/Use</i>
PAI041413001	Walker Township 816 Nittany Valley Dr Bellefonte PA 16823	Centre	Walker Township	Little Fishing Creek HQ-CWF
	Bellefonte Youth Football 1151 Valley View Rd Bellefonte PA 16823			

*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>
PAI051112003	Patton Borough 800 4th Ave Patton, PA 16668	Cambria	Patton Borough Clearfield Township	Chest Creek (HQ-CWF)
PAI056513001	Barbara Bowser 202 Lindenwood Ct. Murrysville, PA 15668	Westmoreland	Murrysville Municipality	UNT to Haymaker Run (HQ-CWF)

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

*McKean County Conservation District, 17137 Route 8, Smethport PA 16749*

<i>NPDES Permit No.</i>	<i>Applicant Name &amp; Address</i>	<i>County</i>	<i>Municipality</i>	<i>Receiving Water/Use</i>
PAI064212004	SBA Towers IV LLC 5900 Broken Sound Parkway, Boca Raton FL 33487	McKean	Sergeant Township	Lanigan Brook CWF (existing use EV) Clarion River CWF

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

PAG-12      CAFOs

### **CAFO Notices of Intent Received**

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

**PAG123663, CAFO, David Rosenberg, Gretna View Farms, 3709 North Colebrook Road, Manheim, PA 17545.**

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

Description of Size and Scope of Proposed Operation/Activity: Renewal application for existing poultry operation.

The receiving stream, Little Chickies Creek, is in watershed 7-G, and classified for: WWF.

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.

**PAG123666, CAFO, Harold Weaver Farm CAFO, 2693 North Colebrook Road, Manheim, PA 17545.**

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

Description of Size and Scope of Proposed Operation/Activity: Renewal application for existing swine operation.

The receiving stream, Brubaker Run, is in watershed 7-G, and classified for: WWF.

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



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

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

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

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

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

**NUTRIENT MANAGEMENT PLAN—PUBLIC NOTICE SPREADSHEET**

<i>Agricultural Operation Name and Address</i>	<i>County</i>	<i>Total Acres</i>	<i>Animal Equivalent Units</i>	<i>Animal Type</i>	<i>Special Protection Waters (HQ or EV or NA)</i>	<i>Renewal/New</i>
Heidelberg Pig Family Farm Marlin & Richard Martin 425 North Market Street Myerstown, PA 17067	Lebanon	0	465.3	Swine	NA	Renewal
KBN Storage, LLC 554 Greider Rd Mount Joy, PA 17545	Lancaster	6.9	315.12	Pullets	None	Renewal
Hillandale-Bailey Farms 2828 Daron Road Spring Grove Pa 17362	York	25.2	4,147.96	Layers	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**

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

<b>Permit No. 1513508</b> , Public Water Supply
Applicant <b>PA American Water Company</b>
Borough <b>Parkesburg</b>
County <b>Chester</b>

Responsible Official David R. Kaufman  
800 West Hershey Park Drive  
Hershey, PA 17033

Type of Facility PWS

Consulting Engineer Jerry Debalko, P.E.  
800 West Hershey Park Drive  
Hershey, PA 17033

Application Received Date February 26, 2013

Description of Action Within the Coatesville system, the following have been proposed: Installation of Chloramine feed systems at the Parkesburg Reservoir, the AIM Tank, and the Route 340 Booster Pump Station. Installation of hydraulic mixing systems at the Parkesburg Reservoir and the AIM tank. Installation of a mechanical tank mixing system at the Hill Road Tank.

**Permit No. 1513509**, Public Water Supply

Applicant **PA American Water Company**

Township Coatesville

County **Chester**

Responsible Official David Kaufman  
Vice President of Engineering  
800 W. Hershey Drive  
Hershey, PA 17033

Type of Facility PWS

Consulting Engineer David Lentowski, P.E.  
800 W. Hershey Drive  
Hershey, PA 17033

Application Received Date February 26, 2013

Description of Action Construction of a new chemical feed building, installation of a tank mixing system, and installation of previously permitted chloramine feed system at the Mars Hill Tank Site. Chloramin injection will be moved from the previously planned location to within the tank.

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

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

**Application No. 2350032MA**

Applicant **Pennsylvania-American Water Co.**

Township or Borough Roaring Brook Township  
**Lackawanna**

Responsible Official Paul Zielinski, Senior Director  
Water Quality & Envir.  
Compliance  
PA-AM Water Company  
800 West Hersheypark Drive  
Hershey, PA 17033  
717-531-3308

Type of Facility Community Water System

Consulting Engineer NA

Application Received Date February 11, 2013

Description of Action Application to transfer of applicable PWS operations permit for Olwen Heights development from Olwen Heights Water Service Company to Pennsylvania-American Water Company.

**Application No. 3513501MA**

Applicant **Aqua PA., Inc**  
Moscow Water System  
1775 N. Main Street  
Honesdale, PA. 18431

[Township or Borough] Covington Township  
**Lackawanna County**

Responsible Official Mr. Steve Clark  
Manager, Honesdale Division

Type of Facility Public Water Supply

Consulting Engineer Entech Engineering, Inc.  
Mr. Douglas Berg, PE.  
4 South 4th Street  
Reading, PA. 19603

Application Received Date January 28, 2013

Description of Action This project provides for the construction of a chlorine contact chamber consisting of 54 LF of 36-in ductile iron pipe. This chamber will provide adequate chlorine contact time while the 150,000 gallon storage tank is taken out of service for painting. Replacement of ladders, roof vent, handrails and other minor repairs are proposed.

**Application No. 4013502MA**

Applicant **Valley View Park, LLC.**  
PO Box 1775  
Shavertown, PA. 18708

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

Responsible Official Mr. Robert Oley

Type of Facility Public Water Supply

Consulting Engineer Farnham and Associates  
c/o Mr. George Parker, PE.  
325 John Street  
Clarks Summit, PA. 18411

Application Received Date January 8, 2013

Description of Action This project provides for the modification of a public water supply system. The applicant intends to replace chlorine gas feed with sodium hypochlorite for disinfection purposes.

**Application No. 4813503MA**

Applicant **Riversedge Mobile Home Park**  
2129 Riverton Road  
Bangor, PA. 18013

[Township or Borough] Lower Mt. Bethel Township  
**Northampton County**

Responsible Official Ms. Arlene Tishuk

Type of Facility Public Water Supply

Consulting Engineer Nittany Engineering & Associates, LLC.  
Eric S. Lundy, PE.  
2836 Earlstown Road  
Suite 1  
Centre Hall, PA 16828

Application Received Date February 15, 2013

Description of Action This project provides for combining well #2 & #3 raw water lines. This involves the construction of 750 LF of new 1 1/2 inch connecting raw water main. Water from both wells are simultaneously chlorinated and sent to a new contact chamber consisting of 40 LF of 20 inch PVC pipe to meet the requirements of the Ground Water Rule.

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

**Application No. 2064-T1-MA4, Minor Amendment.**

Applicant **Johnsonburg Municipal Authority**

Township or Borough Ridgeway Township

Responsible Official Lisa Sorg

Type of Facility Public Water Supply

Consulting Engineer Mark V. Glenn, P.E.  
Gwin Dobson and Foreman, Inc.  
3121 Fairway Drive  
Altoona, PA 16602

Application Received Date February 1, 2013

Description of Action Powers Run WTP—modification to the coagulation strategies.

**Application No. 2490501-MA5, Minor Amendment.**

Applicant **Johnsonburg Municipal Authority**

Township or Borough Johnsonburg Borough

Responsible Official Lisa Sorg

Type of Facility Public Water Supply

Consulting Engineer Mark V. Glenn, P.E.  
Gwin Dobson and Foreman, Inc.  
3121 Fairway Drive  
Altoona, PA 16602

Application Received Date February 1, 2013

Description of Action Silver Creek WTP—modification to the coagulation strategies.

**Application No. 3386504-MA2, Minor Amendment.**

Applicant **Eldred Township Municipal Authority**

Township or Borough Eldred Township

Responsible Official Mark Shaffer

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 February 8, 2013

Description of Action Repair and rehabilitation of existing water storage tank.

**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.*

**Oyler Residence, Little Mountain Estates Lot 30**, 398 Kings Highway, Marysville, PA 17053, Marysville Borough, **Perry County**. Cardno MM&A, 2 Gunpowder Road, Mechanicsburg, PA 17050, on behalf of P. C. Sekhar Chadaga, d/b/a Little Mountain Estates, 110 Inverness Drive, Blue Bell, PA 19433-3202, submitted a Notice of Intent to Remediate site soils contaminated with #2 fuel oil released from an aboveground storage tank. The site will be remediated to the Residential Statewide Health standard and remain residential.

**Farrell Rental Property**, 231 Stonetown Road, Birdsboro, PA 19508, Exeter Township, **Berks County**. Elk Environmental Services, Inc., 1420 Clarion Street, Reading, PA 19601, on behalf of Patrick Farrell, 4215 D Saint Lawrence Avenue, Reading, PA 19606 and Liberty Environmental, Inc., 480 New Holland Avenue, Suite 8203, Lancaster, PA 17602, submitted a Notice of Intent to Remediate site soils and groundwater contaminated with fuel oil released from an aboveground storage tank. The site will be remediated to a combination of Residential Statewide Health and Site-Specific standards and remain residential.

**Ontelaunee Orchards**, 5548 Pottsville Pike, Leesport, PA 19533, Borough of Leesport and Ontelaunee Township, **Berks County**. Liberty Environmental, Inc., 50 North 5th Street, 5th Floor, Reading, PA 19601, on behalf of Ontelaunee Orchards, Inc., PO Box 13613, Reading, PA 19612 and Lift, Inc., 3745 Hempland Road, Mountville, PA 17554, submitted a Notice of Intent to Remediate site soils and groundwater contaminated with arsenic. The site will be remediated to a combination of the Residential Statewide Health and Site-Specific standards. Future use of the site is commercial and industrial.

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

**PHC K Well Pad (PHC 36H Gas Well)**, Lawrence Township, **Clearfield County**. Wilson Ecological Consulting, LLC, 314 Hill Top Lane, Port Matilda, Pa 16870 on behalf of Punxsutawney Hunting Club, Inc., P. O. Box 27, Punxsutawney, PA 15767 has submitted a Final

Report to remediate soils contaminated with Aluminum, Barium, Manganese, Chloride. The applicant proposes to remediate the site to meet the Background and Statewide Health Standard.

## 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 to the date of the hearing.

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

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

### PLAN APPROVALS

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

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

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

**57-00005B: Appalachia Midstream Services, LLC** (PO Box 54382, Oklahoma City, OK 73154-1382) accepted for technical review proposal to construct and operate dehydration process at their company's Cherry Compressor Station facility in Cherry Township, **Sullivan County**.

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

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

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

**46-0005AM: Merck, Sharp & Dohme, Corp.** (770 Sunmeyer Pike, West Point, PA 19486-0004) for removal of a previously permitted air pollution control device (catalytic oxidizer, Source Number C161) in Upper Gwynedd Township, **Montgomery County**. The bypass of this control device is currently allowed in the Title V operating permit, under Alternative Operating Scenarios. The overall air emissions associated with the removal of this control device will decrease as the facility has committed to processing product with either zero or low VOCs in their batches. This project does not trigger applicability toward PADEP's NSR regulations or the federal PSD regulations. The plan approval will include monitoring, recordkeeping and reporting requirements designed to keep the facility operating within all applicable air quality requirements.

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

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

**06-05150A: Berks Hollow Energy Associates, LLC** (400 Chesterfield Center, Suite 110, Chesterfield, MO 63017) for an electric generation plant to be located at 5662 Leesport Avenue in Ontelaunee Township, **Berks County**.

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

Plan Approval 06-05150A is for installation and startup of a combined-cycle natural gas fired electric generation station. The company shall be subject to and comply with 40 CFR 60 Subpart KKKK (Standards of Performance for Stationary Combustion Turbines), 40 CFR 60 Subpart IIII (Standards of Performance for Stationary Compression Ignition Internal Combustion Engines), 40 CFR 72 (Acid Rain Program), 40 CFR 97 (Clean Air Interstate Rule (CAIR)), 40 CFR 52 for Greenhouse Gases, Prevention of Significant Deterioration (PSD) of Air Quality regulations of 40 CFR 52.21, the Nonattainment New Source Review (NNSR) regulations of 25 Pa. Code §§ 127.201—127.218, and the Best Available Technology (BAT) requirements of 25 Pa. Code §§ 127.1 and 127.12. The Plan Approval will contain additional recordkeeping and operating restrictions designed to keep the facility operating within all

applicable air quality requirements, including requirements to equip the combined-cycle units with a Selective Catalytic Reduction (SCR) unit and an oxidation catalyst for control of NO<sub>x</sub> and CO/VOC emissions, respectively, to meet BAT requirements. The proposed project has a potential-to-emit less than 267 tpy of NO<sub>x</sub>, 40 tpy of SO<sub>2</sub>, 430 tpy of CO, 104 tpy of PM-10, 100 tpy of PM-2.5, 189 tpy of VOC, 25 tpy of total HAP, 10 tpy of individual HAPs, 6 tpy of H<sub>2</sub>SO<sub>4</sub> and 2.8 million tpy of CO<sub>2</sub>e.

Pursuant to the Prevention of Significant Deterioration (PSD) provisions of 40 CFR 52.21 and 25 Pa. Code § 127.83, Berks Hollow Energy Associates, LLC (Berks Hollow) has performed an air quality analysis which utilizes dispersion modeling. The Berks Hollow air quality analysis satisfies the requirements of the PSD regulations and is consistent with the U.S. Environmental Protection Agency's (EPA) "Guideline on Air Quality Models" (40 CFR Part 51, Appendix W) and the EPA's air quality modeling policy and guidance. The Berks Hollow air quality analysis adequately demonstrates that Berks Hollow's proposed emissions will not cause or significantly contribute to air pollution in violation of the National Ambient Air Quality Standards for carbon monoxide (CO), nitrogen dioxide (NO<sub>2</sub>), and particulate matter less than or equal to 10 micrometers in diameter (PM-10), and the PSD increment standards for NO<sub>2</sub> and PM-10. In addition, the analysis adequately demonstrates that Berks Hollow's proposed emissions, in conjunction with anticipated emissions due to general commercial, residential, industrial, and other growth associated with the Berks Hollow facility, will not impair visibility, soils, and vegetation. Furthermore, the analysis adequately demonstrates that Berks Hollow's proposed emissions will not adversely affect air quality related values, including visibility, in Federal Class I areas.

In accordance with 40 CFR 52.21(1)(2), where an air quality model specified in the EPA's "Guideline on Air Quality Models" (40 CFR Part 51, Appendix W) is inappropriate, the model may be modified on a case-by-case basis. Written approval of the EPA Regional Administrator must be obtained for the use of a modified model. In addition, the use of a modified model must be subject to notice and opportunity for public comment under procedures developed in accordance with 40 CFR 52.21(q). The air quality analysis for NO<sub>2</sub> for the proposed Berks Hollow facility utilizes the Plume Volume Molar Ratio Method (PVMRM), which is currently implemented as a non-regulatory default option within the EPA's recommended near-field dispersion model, the American Meteorological Society / Environmental Protection Agency Regulatory Model (AERMOD). In accordance with the recommendations under section 3.2 of the EPA's "Guideline on Air Quality Models" (40 CFR Part 51, Appendix W), the Department submitted a request to EPA Region III for approval of the use of the PVMRM within AERMOD for the Berks Hollow air quality analysis for NO<sub>2</sub>. EPA Region III approved the Department's request on February 22, 2013. Pursuant to 25 Pa. Code §§ 127.44 and 127.83, and 40 CFR 52.21(1)(2) and (q), notice is hereby given that the Department is expressly soliciting written comments on the use of the PVMRM in the Berks Hollow air quality analysis for NO<sub>2</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 plan approval by the plan approval number listed above and a concise statement regarding the relevancy of the information or objections to the issuance of the plan approval.

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

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

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

**22-05047C: Dura-Bond Pipe, LLC** (2716 South Front Street, Steelton, PA 17113) for replacement of the two (2) baghouses controlling emissions from the outside diameter shot blast operations with a single baghouse and the replacement of the existing outside blowout baghouse with a baghouse removed from the shot blast operations in Steelton Borough, **Dauphin County**.

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

Plan Approval No. 22-05047C is for the replacement of the two (2) existing Wheelabrator baghouses, C201A & C201B, which control the outside diameter shot blast operations, Source Id 201. The baghouses will be replaced by a single 14,000 scfm custom made baghouse. Additionally, the existing Wheelabrator baghouse (C202) controlling the outside diameter blowout operations, Source Id 202, will be replaced with the 3,750 scfm Wheelabrator baghouse, C201A, being removed from the shot blast operations. The Plan Approval will contain testing, monitoring, recordkeeping & work practice standards designed to keep the facility operating within all applicable air quality requirements. Actual air emissions are not expected to change from this project since the throughput capacities for Sources 201 or 202 are changing. Actual particulate matter emissions from the two sources for the year 2011 have been reported to be 10.3 tons.

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

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

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

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

Tom Hanlon, Facilities Permitting Chief, may be contacted at 717-705-4862, or at PA DEP Air Quality Program, 909 Elmerton Avenue, Harrisburg, PA 17110, for additional information or for the submission of comments, protests, or requests for a public hearing.

*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*

**32-00424A:** Notice is hereby given that the Department of Environmental Protection intends to issue a Plan Approval (PA-32-00424A) to **Western Allegheny Energy, LLC** (301 Market Street, Kittanning, PA 16201) to authorize the construction and temporary operation of a coal preparation plant at their Brush Valley Mine located in Center Township, **Indiana County**.

The facility's main sources and controls include Pit Conveyor, Clean Coal Conveyor, Radial Stackers, Double Deck Screen, ROM Stockpile, Oversize & Clean Coal Stockpiles, Two (2) Emergency diesel engines, Cummins 500DFEK rated at 732 bhp & Cummins 175DSHAB rated at 187 bhp, Front-end loader, and Truck loadout (100 trucks/day estimated). Roadways will be controlled by paving and water sprays whereas the fugitive emissions from the process will be controlled by water sprays and partial enclosures. Emissions from diesel engines will be controlled by limited hours of operation.

This facility has the potential to emit the following type and quantity of air contaminants (on an annual basis): 76.1 tons of PM, 21.7 tons of PM<sub>10</sub>, 1.9 tons of PM<sub>2.5</sub>, 2.4 tons of NO<sub>x</sub>, and 1.5 tons of Carbon Monoxide. SO<sub>x</sub>, HAPs, and GHG being minimal are not included. The emission restriction, testing, monitoring, recordkeeping, reporting and work practice conditions of the Plan Approval have been derived from the applicable requirements of 40 CFR Part 60, 40 CFR Part 63, and 25 Pa. Code Chapters 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 Plan Approval (Specify PA-32-00424A) and concise statements regarding the relevancy of the information in the proposed Plan Approval or objections to issuance of the Plan Approval.

A public hearing may be held, if DEP, in its discretion, decides that such a hearing is warranted based on the information received. All persons submitting comments or requesting a hearing will be notified of the decision to hold a hearing by publication in the newspaper or by the

*Pennsylvania Bulletin*, or by telephone, where 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.

**63-00979A: Liquidmetal Coatings, LLC** (50 Technology Drive, California, PA 15423) for metal coating, engraving, and allied services to manufacturers at Liquidmetal Coatings in California Boro, **Washington County**. This is a minor facility Plan Approval application submittal.

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

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

**16-161A: Kelly IMG Energy, LLC** (301 Oxford Valley Road, Yardley, PA 19067) for construction of a 6.2 MW natural gas-fired electric generating station at their proposed facility on Zanot Road, Toby Township, **Clarion County**.

Notice is hereby given pursuant to 25 Pa. Code §§ 127.44(b) and 127.424(b), that the Pennsylvania Department of Environmental Protection (DEP) intends to issue Plan Approval 16-161A to Kelly IMG Energy, LLC for the construction of a 6.2 MW natural gas-fired electric generating station at their proposed facility on Zanot Road, Toby Township, Clarion 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. 16-161A is for the construction of a natural gas-fired electric generating station, to consist of two (2) 4350 bhp natural gas fired generator engines and associated oxidation catalyst control devices. Based on the information provided by the applicant and DEP's own analysis, the proposed sources will emit a maximum of 42.02 tons of nitrogen oxides (NO<sub>x</sub>), 6.72 tons of carbon monoxide, 5.04 tons of volatile organic compounds (VOC), 2.44 tons of particulate matter less than 10 microns (PM-10), 0.14 ton of sulfur oxides (SO<sub>x</sub>), 1.68 tons of formaldehyde, and 1.76 tons of total hazardous air pollutants (HAP) per year.

The proposed sources will be subject to 40 CFR 60, Subpart JJJJ (Standards of Performance for Stationary Spark Ignition Internal Combustion Engines), the applicable requirements of which will be contained in the Plan Approval. The Plan Approval will contain additional testing, monitoring, recordkeeping, and work practice requirements 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 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.

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. 16-161A 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 such 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 St., Meadville, PA 16335, 814-332-6940.

**37-337A: Hickory Run Energy, LLC** (NE intersection of McClelland and Edinburg Road, New Castle, PA 16102) Notice is hereby given in accordance with 25 Pa. Code §§ 127.44(b) and 127.424(b) that the Department of Environmental Protection (DEP) intends to issue a plan approval to Hickory Run Energy, LLC to construct a natural gas-fired combined-cycle electric generation facility in North Beaver Township, **Lawrence County**. This is a PSD application and this is a Title V facility. The address of Hickory Run Energy, LLC is 400 Chesterfield Center, Suite 110, Chesterfield, Missouri 63017. The public notice is required for sources required to obtain a Plan Approval in accordance with 25 Pa. Code § 127.44. This plan approval will, in accordance with 25 Pa. Code § 127.450 or § 127.505, be incorporated into a new Title V operating permit at a later date. The Department intends to issue a plan approval for this construction and has submitted the proposed plan approval to U.S. Environmental Protection Agency (EPA) for its review.

In accordance with 25 Pa. Code § 127.44(e)(1), all the pertinent documents regarding HRE's application (applications, review memos, and draft approvals) are also available for review from 8:00 a.m. to 4:00 p.m. at the Meadville Regional DEP office (Air Quality) located at 230 Chestnut Street, Meadville, PA. Appointments for scheduling a review must be made by calling the DEP at (814) 332-6340.

In accordance with 25 Pa. Code § 127.44(e)(2), a 30-day comment period, from the date of publication, will exist for the submission of comments. Any person(s) wishing to provide DEP with additional information, which they believe should be considered prior to the issuance of this permit, may submit the information to Regional Air Quality Program Manager, Pennsylvania Department of Environmental Protection, 230 Chestnut Street, Meadville, PA 16335-3494 and must contain the name, address and telephone number of the person submitting the comments, identification of the proposed plan approval [37-337A] and a concise statement regarding the relevancy of the information or objections to the issuance of the permit.

In accordance with 25 Pa. Code §§ 127.45 and 127.46, a person may oppose the proposed plan approval by filing a written protest with the Department's Northwest Region.

Public Hearing:

Notice is hereby given pursuant to 25 Pa. Code §§ 127.44(b), 127.45 and 127.48 that the Department of Environmental Protection (DEP) will hold a public hearing on Wednesday April 3, 2013, at North Beaver Township VFD in North Beaver Township (969 Mount Jackson Road, New Castle, PA). The hearing will start at 6:00 PM. The hearing will conclude after all testimony has been received, but no later than 9:00 PM.

The hearing is to provide testimony with regards to Hickory Run Energy (HRE) plan approval application to construct a natural gas-fired combined-cycle electric generation facility that is designed to generate up to 900 MW nominal, using 2 combustion turbine generators with duct burners and 2 heat recovery steam generators that will provide steam to drive a single steam turbine generator. The Department intends to issue a plan approval for this construction and will be submitting the proposed plan approval to U.S. Environmental Protection Agency (EPA) for its review.

During the hearing, in accordance with 25 Pa. Code §§ 127.48 and 127.49, the Department will accept and record testimony concerning HRE's application. Persons wishing to present testimony at the hearing should contact Community Relations Coordinator Gary Clark, at (814) 332-6615, at least one week in advance of the hearing to reserve a time to present testimony. Oral testimony during the hearing will be limited to a maximum of five minutes and three written copies of the oral testimony, together with exhibits are required. Organizations are encouraged to designate one witness to present testimony on behalf of the organization. Persons unable to attend the hearing may submit three copies of a written statement and exhibits within 10 days thereafter to the Department in care of Regional Air Quality Program Manager, Department of Environmental Protection, 230 Chestnut Street, Meadville, PA 16335. Written submittals must contain the name, address and telephone number of the person submitting the comments, identification of the proposed plan approval [37-337A] and a concise statement regarding the relevancy of the information or objections to the issuance of the permit.

Persons with a disability who wish to comment and require an auxiliary aid, service or other accommodations to do so should contact Gary Clark or the Pennsylvania AT&T relay service at 1-800-654-5984 (TDD) to discuss how the Department may accommodate your needs.

The plan approval is for the construction of a natural gas-fired combined-cycle electric generation facility that is designed to generate up to 900 MW nominally, using 2 combustion turbine generators and 2 heat recovery steam generators that will provide steam to drive a single steam turbine generator. Other air emission sources at the facility include a natural gas-fired auxiliary boiler; a diesel engine-driven emergency generator; a diesel engine-driven firewater pump; a multi-cell evaporative cooling tower; and associated emission control system, tanks, and other balance of plant equipment. Control technology for each combined cycle unit (CCU) will be Dry Low NO<sub>x</sub> combustors & Selective Catalytic Reduction system for NO<sub>x</sub> control (Lowest Achievable Emission Rate (LAER), Best Available Control Technology (BACT) and Best Available Technology (BAT), good combustion practices (GCP) and oxidation catalyst for CO (BACT and BAT) & VOC control (LAER, BACT, and BAT), pipeline quality natural gas for SO<sub>x</sub> and sulfuric acid mist control (BACT and BAT), GCP & pipeline quality natural gas for PM, PM<sub>10</sub> and PM<sub>2.5</sub> control (BACT and BAT), and energy efficiency for greenhouse gas (GHG) control (BACT and BAT). Best available technology for other sources will be the control of emissions through inherent low-emitting designs, low sulfur fuels, or good operating practices.

This construction will result in facility emissions of 4,163,948.3 tpy of CO<sub>2(e)</sub>, 807.53 tpy of CO, 0.001 tpy of lead, 216.13 tpy of VOC, 56.70 tpy of SO<sub>x</sub>, 346.09 tpy of NO<sub>x</sub>, 134.41 tpy of PM<sub>2.5</sub>, 137.26 tpy of PM<sub>10</sub>, 143.98 tpy of PM, 8.57 tpy of H<sub>2</sub>SO<sub>4</sub>, 221.14 tpy of ammonia, 6.9 tpy

of a single HAP, and 15.3 tpy of all HAPs combined. The application was reviewed in accordance with Prevention of Significant Deterioration (PSD) and Non-Attainment New Source Review (NSR) requirements. Facility is subject to State and Federal requirements, including 40 CFR 60 Subpart Dc, IIII, & KKKK; Acid Rain Regulations (40 CFR 72-78); Clean Air Interstate Rule (CAIR) (40 CFR 96 & 97); Compliance Assurance Monitoring (CAM) (40 CFR 64); Risk Management Program (40 CFR 68—if applicable due to storing a regulated chemical on-site) and Greenhouse Gas Tailoring Rule (GHG) (40 CFR 51 and 52). To comply with these requirements, the plan approval contains conditions relating to emission limitations, testing, monitoring, recordkeeping, reporting, work practices, and additional requirements. This Plan Approval will contain conditions, which will satisfy the requirements of 25 Pa. Code § 127.12b (pertaining to plan approval terms and conditions) and will demonstrate BAT for the source including, but are not limited to, the following:

- Nothing in this plan approval shall relieve the owner or operator from complying with any local zoning ordinances.

- Emission Reduction Credit (ERC) Requirements

- The permittee shall secure NO<sub>x</sub> and VOC ERCs sufficient to offset NO<sub>x</sub> and VOC emissions from the facility at a 1.15 to 1 ratio. ERCs shall be properly generated and certified by the Department. Upon transfer, the permittee shall provide the Department with documentation clearly specifying the details of the ERC transaction. The facility NO<sub>x</sub> PTE is based on 1.01 tpy for the Auxiliary Boiler, 0.49 tpy for the Emergency Generator, 0.09 tpy for the Emergency Fire Pump, and the NO<sub>x</sub> PTE for the Combined Cycle Units. The facility VOC PTE is based on 0.14 tpy for the Auxiliary Boiler, 0.03 tpy for the Emergency Generator, 0.06 tpy for the Emergency Fire Pump, and the VOC PTE for the Combined Cycle Units. The NO<sub>x</sub> and VOC PTE for the GE 7FA is 296.06 tpy and 215.84 tpy resulting in a facility NO<sub>x</sub> and VOC PTE of 297.65 tpy and 216.07 tpy. The NO<sub>x</sub> and VOC PTE for the Siemens SGT6-5000F5 is 298.0 tpy and 169.72 tpy resulting in a facility NO<sub>x</sub> and VOC PTE of 299.59 tpy and 169.95 tpy. The NO<sub>x</sub> and VOC PTE for the Mitsubishi M501GAC is 248.52 tpy and 187.62 tpy resulting in a facility NO<sub>x</sub> and VOC PTE of 250.11 tpy and 187.85 tpy. The NO<sub>x</sub> and VOC PTE for the Siemens SGT6-8000H is 344.5 tpy and 186.88 tpy resulting in a facility NO<sub>x</sub> and VOC PTE of 346.09 tpy and 187.11 tpy. The permittee shall obtain the following NO<sub>x</sub> and VOC ERCs based on the facility NO<sub>x</sub> and VOC PTE times the offset of 1.15:

- GE 7FA: NO<sub>x</sub>—342.3 tons and VOC—248.5 tons
- Siemens SGT6-5000F5: NO<sub>x</sub>—344.6 tons and VOC 195.5 tons
- Mitsubishi M501GAC: NO<sub>x</sub>—287.7 tons and VOC 216.1 tons
- Siemens SGT6-8000H: NO<sub>x</sub>—398.1 tons and VOC 215.2 tons
- CCU (Source 031 & 032)
- The source is subject to 40 CFR 60 Subpart KKKK
- The source is subject to 40 FR 96 CAIR
- The source is subject to the Acid Rain Regulations
- No person may permit the emission into the outdoor atmosphere of the following in a manner that exceeds the following:



- Nitrogen Oxides (NO<sub>x</sub>): Normal operation with or without duct burner: 2.0 ppmvd at 15% oxygen
- NO<sub>x</sub>: 172.25 tpy based on 12-month rolling totals for each CCU
- Carbon Monoxide (CO): Normal operation with or without duct burner: 2.0 ppmvd at 15% oxygen
- CO: 401.88 tpy based on 12-month rolling totals for each CCU
- Volatile Organic Compounds (VOC): Normal operation with or without duct burner: 1.9 ppmvd at 15% oxygen for GE 7FA.05 and Siemens SGT6-5000F5/DLN or 1.5 ppmvd corrected to 15% O<sub>2</sub> for Mitsubishi M501GAC and Siemens SGT6-8000H/DLN
- VOC: 107.92 tpy based on 12-month rolling totals for each CCU
- Sulfur Oxides (SO<sub>x</sub>): 28.26 tpy based on 12-month rolling totals for each CCU
- Sulfuric Acid (H<sub>2</sub>SO<sub>4</sub>): 4.26 tpy based on 12-month rolling totals for each CCU
- Particulate Matter (PM)/PM<sub>10</sub>/PM<sub>2.5</sub>—66.91 tpy based on 12-month rolling totals for each CCU
- Ammonia Slip (NH<sub>3</sub> Slip)—5 ppmv, on a dry basis corrected at 15% oxygen
- The emission limitations for NO<sub>x</sub>, CO, and ammonia are 3-hour rolling averages calculated once per hour and verified by CEMS. The emission limitations for VOC, SO<sub>x</sub>, H<sub>2</sub>SO<sub>4</sub>, and PM/PM<sub>10</sub>/PM<sub>2.5</sub> are based on the average of three stack test runs.
- A person may not permit the emission into the outdoor atmosphere of visible air contaminants in such a manner that the opacity of the emission is either of the following:
  - Equal to or greater than 10% for a period or periods aggregating more than 3 minutes in any 1 hour.
  - Equal to or greater than 10% for a period or periods aggregating more than 6 minutes during startup and shutdown.
- The facility shall perform an initial stack test for PM (filterable & condensable), PM<sub>10</sub> (filterable & condensable), PM<sub>2.5</sub> (filterable & condensable), NO<sub>x</sub>, SO<sub>x</sub>, CO, VOC, ammonia slip, sulfuric acid, and HAPs (Formaldehyde) in accordance with the provisions of Chapter 139 of the Rules and Regulations of the Department of Environmental Protection.
- The facility shall perform subsequent stack test for PM (filterable & condensable), PM<sub>10</sub> (filterable & condensable), PM<sub>2.5</sub> (filterable & condensable), VOC, sulfuric acid, and HAPs (Formaldehyde) in accordance with the provisions of Chapter 139 of the Rules and Regulations of the Department of Environmental Protection every two years (22 to 26 months after the date of the previous test).
- The following conditions are related to CAM:
  - The permittee shall use the approved process parameter(s) or indicator(s) to obtain data and monitor the emission control equipment performance. A departure from the specified indicator range over a specified averaging period shall be defined as an excursion.
  - Oxidation Catalyst
  - Catalyst Temperature: Thermocouple or equivalent—continuously defined as a reading at least once every 15-minutes averaged over a 3-hour period
- The following conditions are related to CEMs:
  - The following continuous emission monitoring system[s] (CEMS[s]) must be installed, approved by the Department, operated and maintained in accordance with the requirements of 25 Pa. Code Chapter 139, Subchapter C (relating to requirements for source monitoring for stationary sources) and the ‘Submittal and Approval’, ‘Record Keeping and Reporting’, and ‘Quality Assurance’ requirements of Revision No. 8 of the Department’s Continuous Source Monitoring Manual, 274-0300-001. Compliance with any subsequently issued revision to the Continuous Source Monitoring Manual will constitute compliance with this permit condition.
  - CEMS #1: CO (ppmvd)
  - CEMS #2: NO<sub>x</sub> (ppmvd)
  - CEMS #3: CO<sub>2</sub> (lbs/MW-hr gross)
  - CEMS #4: Ammonia (ppmvd)
  - The facility shall monitor Gross Electrical Output (MW-hr) in order to comply with the CO<sub>2</sub> emission standard.
  - The following conditions are related to GHG:
    - No person may permit the emission into the outdoor atmosphere of the following in a manner that exceeds the following:
      - CO<sub>2</sub> emission rate of 1,000 # / MW-hr (gross) on a 12-operating month annual average basis
      - CO<sub>2(e)</sub> emission rate of 2,075,069 tpy based on a 12-month rolling total for each CCU
      - Facility shall implement a sulfur hexafluoride (SF6) leak detection program to minimize SF6 leaks as follows. Circuit breakers are to be state-of-the-art sealed enclosed-pressure circuit breakers equipped with low-pressure alarms that are triggered when 10% of the SF6 by weight has escaped. When alarms are triggered, the facility will take corrective action as soon as practicable to fix the circuit breaker units to a like-new state to prevent the emission of SF6 to the maximum extent practicable.
  - Auxiliary Boiler (Source 033):
    - The emissions shall not exceed the following:
      - PM/PM<sub>10</sub>/PM<sub>2.5</sub>: 0.005 #/mmbtu or 0.46 tpy based on a 12-month rolling total
      - NO<sub>x</sub>: 0.011 #/mmbtu or 1.01 tpy based on a 12-month rolling total
      - CO: 0.036 #/mmbtu or 3.31 tpy based on a 12-month rolling total
      - VOC: 0.0015 #/mmbtu or 0.14 tpy based on a 12-month rolling total
      - SO<sub>x</sub>: 0.0021 #/mmbtu or 0.19 tpy based on a 12-month rolling total
      - H<sub>2</sub>SO<sub>4</sub>: 0.00048 #/mmbtu or 0.04 tpy based on a 12-month rolling total
      - CO<sub>2(e)</sub>: 13,696 tpy based on a 12-month rolling basis
    - Subject to 40 CFR 60 Subpart Dc
  - Emergency Generator (Source 101):
    - The emissions shall not exceed the following:
      - PM/PM<sub>10</sub>/PM<sub>2.5</sub>: 0.33 #/hr or 0.02 tpy based on a 12-month rolling total
      - NO<sub>x</sub>: 9.89 #/hr or 0.49 tpy based on a 12-month rolling total

- CO: 5.79 #/hr or 0.29 tpy based on a 12-month rolling total
- VOC: 0.7 #/hr or 0.03 tpy based on a 12-month rolling total
- SO<sub>x</sub>: 0.01 #/hr or 0.0007 tpy based on a 12-month rolling total
- H<sub>2</sub>SO<sub>4</sub>: 0.0028 #/hr or 0.00014 tpy based on a 12-month rolling total
- CO<sub>2(e)</sub>: 80.5 tpy based on a 12-month rolling basis
- Subject to 40 CFR 60 Subpart III
- The annual operation during testing shall not exceed 100 hours per year.
- The duration of each test shall not exceed 30 minutes.
- The emergency generator and the emergency firewater pump shall not be tested simultaneously (within the same hour).
- The emergency generator and the emergency firewater pump shall not be tested during (within the same hour as) startup or shutdown of the combustion turbines.
- Emergency Fire Water Pump (Source 102):
- The emissions shall not exceed the following:
  - PM/PM<sub>10</sub>/PM<sub>2.5</sub>: 0.15 #/hr or 0.01 tpy based on a 12-month rolling total
  - NO<sub>x</sub>: 1.86 #/hr or 0.09 tpy based on a 12-month rolling total
  - CO: 2.58 #/hr or 0.13 tpy based on a 12-month rolling total
  - VOC: 1.11 #/hr or 0.06 tpy based on a 12-month rolling total
  - SO<sub>x</sub>: 0.0055 #/hr or 0.00027 tpy based on a 12-month rolling total
  - H<sub>2</sub>SO<sub>4</sub>: 0.0012 #/hr or 0.00006 tpy based on a 12-month rolling total
  - CO<sub>2(e)</sub>: 33.8 tpy based on a 12-month rolling basis
  - Subject to 40 CFR 60 Subpart III
  - The annual operation during testing shall not exceed 100 hours per year.
  - The duration of each test shall not exceed 30 minutes.
  - The emergency generator and the emergency firewater pump shall not be tested simultaneously (within the same hour).
  - The emergency generator and the emergency firewater pump shall not be tested during (within the same hour as) startup or shutdown of the combustion turbines.
  - Cooling Water Tower (Source 103):
  - The PM/PM<sub>10/2.5</sub> emissions shall not exceed 2.19/0.66/0.0039 #/hr.
  - The PM/PM<sub>10</sub>/PM<sub>2.5</sub> emissions shall not exceed 9.59/2.87/0.017 tpy based on a 12-month rolling total.
  - The total dissolved solids (TDS) of the cooling tower water shall not exceed 5,000 ppmw.
  - The permittee shall, at a minimum of once per quarter, sample and analyze the cooling tower water for total dissolved solids (TDS) at a point which is representative of the water being evaporated to the atmosphere.
  - Fuel Storage Tanks (Source 104):

- The company shall keep a record of the vapor pressure of the contents of the tanks unless the tank is equipped with pressure relief valves that meet the requirements in 25 Pa. Code § 129.57.

- The company shall not store any liquid containing volatile organic compounds with vapor pressure greater than 1.5 psia (10.5 kilopascals) under actual storage conditions unless the tank is equipped with pressure relief valves which are maintained in good operating condition and which are set to release at no less than 0.7 psig (4.8 kilopascals) of pressure or 0.3 psig (2.1 kilopascals) of vacuum or the highest possible pressure and vacuum in accordance with state or local fire codes or the National Fire Prevention Association guidelines or other national consensus standards acceptable to the Department.

Dispersion modeling was conducted for the proposed HRE facility with representative emission source data, terrain data, and meteorological data. The impacts of the emissions of carbon monoxide, nitrogen dioxide, particulate matter less than 10 micrometers, and sulfur dioxide from the proposed facility are estimated by modeling to be less than the significant impact levels established by the U.S. EPA; therefore, it is estimated by modeling that these emissions from the proposed facility will not cause or significantly contribute to air pollution in violation of the National Ambient Air Quality Standards or PSD increment standards. Modeling also demonstrated that emissions from the proposed facility of particulate matter less than 2.5 microns (PM<sub>2.5</sub>) in conjunction with existing ambient concentrations, do not cause or contribute to a violation of either the national ambient air quality standards or the PSD increment for PM<sub>2.5</sub>.

The degree of PSD air quality increment consumption expected to result from operation of the HRES is as follows, based on the dispersion modeling analysis for the facility (all values given in micrograms per cubic meter):

- NO<sub>2</sub>/NO<sub>x</sub> (annual average): 0.80 vs. standard of 25
- PM<sub>2.5</sub> (annual average): 0.04 vs. standard of 4
- PM<sub>2.5</sub> (24-hour average): 0.63 vs. standard of 9
- PM<sub>10</sub> (annual average): 0.53 vs. standard of 17
- PM<sub>10</sub> (24-hour average): 2.26 vs. standard of 30
- SO<sub>2</sub> (3-hour average): 0.91 vs. standard of 512
- SO<sub>2</sub> (24-hour average): 0.26 vs. standard of 91
- SO<sub>2</sub> (annual average): 0.018 vs. standard of 20

This notice was also published in the *New Castle News* on March 2, March 4 and March 5, 2013.

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

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

#### OPERATING PERMITS

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

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

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

**54-00041: Silberline Manufacturing Co., Inc.** (130 Lincoln Drive, P. O. Box B, Tamaqua, PA 18252) for



operation of an aluminum pigment manufacturing and boilers operation in Rush Township, **Schuylkill County**. This action is a renewal of the Title V Operating Permit issued in 2005. These sources have the potential to emit major quantities of regulated pollutants (VOC) above Title V emission thresholds. The proposed Title V Operating Permit contains applicable requirements for emissions limitations, monitoring, record keeping, reporting, and work practice standards used to maintain facility compliance with Federal and State air pollution regulations.

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

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

**38-05019: PPL Ironwood LLC** (305 Prescott Road, Lebanon, PA 17042) for their electric generating facility in South Lebanon Township, **Lebanon County**.

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

The subject facility has actual emissions of, based on 2011 data, approximately 212 tpy of NO<sub>x</sub>, 40 tpy of CO, 11 tpy of SO<sub>x</sub>, 49 tpy of PM<sub>10</sub>, 12 tpy of VOC and 7 tpy of HAPs. The Operating Permit will include emission limits and work practice standards along with monitoring, recordkeeping and reporting requirements to ensure the facility complies with the applicable air quality regulations. Among other items, the conditions include provisions derived from 40 CFR Part 60, Subpart GG—Standards of Performance for Stationary Gas Turbines.

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

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

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

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

**67-05005: PPL Brunner Island, LLC** (2 North 9th Street, Allentown, PA 18101) for their Brunner Island Steam Electric Station in East 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 a renewal of a Title V Air Quality Operating Permit for the abovementioned facility.

The subject facility had the following actual air emissions in 2011: 17,657 tons SO<sub>x</sub>; 16,892 tons NO<sub>x</sub>; 1,419 tons PM<sub>10</sub>; 617 tons PM<sub>2.5</sub>; 839 tons CO; 2 tons VOC; 60 tons HCl; 15 tons HF; 2 tons Selenium; 1 ton Manganese; 1 ton Nickel; 80 tons total HAPs; 10,095,403 tons CO<sub>2</sub>; and 10,095,403 tons CO<sub>2e</sub>. The Operating Permit will include emission limits and work practice standards along with testing, monitoring, record keeping and reporting requirements to ensure the facility complies with all applicable air quality regulations. Unit Nos. 1, 2 and 3 (Source IDs 031A, 032 and 033A, respectively) are subject to the following requirements: 40 CFR Part 63, Subpart UUUUU—National Emission Standards for Hazardous Air Pollutants: Coal- and Oil-Fired Electric Utility Steam Generating Units; the NO<sub>x</sub> Budget Trading Program of 25 Pa. Code Chapter 145, Subchapter A; the Title IV Acid Rain Provisions of the Clean Air Act Amendments of 1990, as well as 25 Pa. Code § 127.531; the Clean Air Interstate Rule (CAIR) requirements of 25 Pa. Code Chapter 145, Subchapter D, and 40 CFR Part 97; the Compliance Assurance Monitoring (CAM) requirements of 40 CFR Part 64; and the continuous emission monitoring systems (CEMS) requirements of 25 Pa. Code § 139.101 and 40 CFR Part 75. The two emergency quench pump engines (Source IDs 037 and 038) are subject to the requirements of 40 CFR Part 60, Subpart IIII—Standards of Performance for Stationary Compression Ignition Internal Combustion Engines and 40 CFR Part 63, Subpart ZZZZ—National Emission Standards for Hazardous Air Pollutants for Stationary Reciprocating Internal Combustion Engines.

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

A person may oppose the proposed 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 operating permit by the permit number listed above and a concise statement regarding the relevancy of the information or objections to the issuance of the operating permit.

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

William R. Weaver, Air Quality Program Manager, may be contacted at 717-705-4702, or at PA DEP Air Quality Program, 909 Elmerton Avenue, Harrisburg, PA 17110, for additional information or for the submission of comments or protests.

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

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

**55-00005: Wood-Mode, Inc.** (1 2nd St, PO Box 250, Kreamer, PA 17833) to issue a renewal Title V operating permit for their facility located in Middlecreek Township, **Snyder County**. The facility is currently operating under Title V Operating Permit 55-00005. The facility's main sources include three boilers, various woodworking operations, and surface coating of wood products. The facility has potential emissions of 128.4 tons per year of

carbon monoxide, 61.4 tons per year of nitrogen oxides, 4.8 tons per year of sulfur oxides, 960.9 tons per year of particulate matter, 666.9 tons per year of volatile organic compounds, 664.7 tons per year of total HAPs, and 41,685 tons per year of carbon dioxide equivalents (greenhouse gases). No emission or equipment changes are being proposed by this action. The proposed Title V operating permit contains all applicable Federal and State regulatory requirements including monitoring, recordkeeping, and reporting conditions. The emission restriction, testing, monitoring, recordkeeping, reporting and work practice conditions of the TVOP have been derived from the applicable requirements of 40 CFR Parts 52, 60, 63, 64, 68, 72, 73, 74, 75, 76, 96, 97, 98 and 25 Pa. Code Chapters 121—145.

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

Any person(s) wishing to provide the Department with additional information, which they believe should be considered prior to the issuance of this permit, may submit the information to the Department of Environmental Protection at the address shown in the preceding paragraph. A 30-day comment period from the date of this publication will exist for the submission of comments. Each written comment must contain the name, address and telephone number of the person submitting the comments, identification of the proposed permit (specify Permit No. 55-00005) and concise statements regarding the relevancy of the information or objections to issuance of the permit.

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

**41-00005: Lycoming Engines.** (652 Oliver Street, Williamsport, PA 17701) to issue a renewal Title V operating permit for their facility located in the City of Williamsport, **Lycoming County**. The facility is currently operating under Title V Operating Permit 41-00005. The facility's main sources include engine testing, surface coating, and degreasing/cleaning operations. The facility also operates one Perchloroethylene Degreaser and numerous storage tanks and small natural gas-fired combustion units. The facility has potential emissions of 3,567 tons per year of carbon monoxide, 65.8 tons per year of nitrogen oxides, 3.4 tons per year of sulfur oxides, 7.3 tons per year of particulate matter, 67.4 tons per year of volatile organic compounds, 9.9 tons per year of any hazardous air pollutant (HAP), 24.9 tons per year of total HAPs, 1.7 tons per year of lead, and 63,425 tons per year of carbon dioxide equivalents (greenhouse gases). No emission or equipment changes are being proposed by this action. The proposed Title V operating permit contains all applicable Federal and State regulatory require-

ments including monitoring, recordkeeping, and reporting conditions. The emission restriction, testing, monitoring, recordkeeping, reporting and work practice conditions of the TVOP have been derived from the applicable requirements of 40 CFR Parts 52, 60, 63, 64, 68, 72, 73, 74, 75, 76, 96, 97, 98 and 25 Pa. Code Chapters 121—145.

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

Any person(s) wishing to provide the Department with additional information, which they believe should be considered prior to the issuance of this permit, may submit the information to the Department of Environmental Protection at the address shown in the preceding paragraph. A 30-day comment period from the date of this publication will exist for the submission of comments. Each written comment must contain the name, address and telephone number of the person submitting the comments, identification of the proposed permit (specify Permit No. 41-00005) and concise statements regarding the relevancy of the information or objections to issuance of the permit.

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

**49-00020: Truck Accessories Group LLC—d/b/a TAG East** (3560 Housels Run Road, Milton, PA 17847) a Title V operating permit renewal for their Milton facility located in Milton Borough, **Northumberland County**. In accordance with 25 Pa. Code § 127.521, the Department of Environmental Protection (DEP) has received an application and intends to issue a renewal of an Air Quality Operating Permit for the abovementioned facility. The subject facility has the following potential emissions: 9.97 tons per year (TPY) of CO; 7.26 TPY of NO<sub>x</sub>; 0.05 TPY of SO<sub>x</sub>; 1.80 TPY of PM/PM<sub>10</sub>; 188.36 TPY of VOC; 91.62 TPY of total HAPs and 10,672 TPY of CO<sub>2</sub>e. The facility's sources include forty-three (43) natural gas-fired space heaters, one (1) propane-fired emergency generator, a fiberglass reinforced plastic molding and assembly operation, a truck cap and Tonneau Cover assembly and finishing area, aluminum truck cap assembly and finishing area and three (3) solvent recovery units. The Department has determined that the sources at the facility satisfy best available technology (BAT) requirements, pursuant to 25 Pa. Code §§ 127.1 and 127.12, as well as the National Emission Standards for Hazardous Air Pollutants for Surface Coating of Plastic Parts and Products, 40 CFR 63.4480 through 63.4581; National Emission Standards for Hazardous Air Pollutants for Reinforced Plastic Composites Production, 40 CFR 63.4480 through 63.4581 and the National Emission Standards for Hazardous Air Pollutants for Stationary Reciprocating Internal Combustion Engines, 40 CFR 63.6580 through



63.6675. The proposed Title V operating permit contains all applicable Federal and State regulatory requirements including monitoring, recordkeeping, and reporting conditions. The emission restriction, testing, monitoring, recordkeeping, reporting and work practice conditions of the TVOP have been derived from the applicable requirements of 40 CFR Parts 52, 60, 63, 64, 68, 72, 73, 74, 75, 76, 96, 97, 98 and 25 Pa. Code Chapters 121—145.

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

Any person(s) wishing to provide the Department with additional information, which they believe should be considered prior to the issuance of this permit, may submit the information to the Department of Environmental Protection at the address shown in the preceding paragraph. A 30-day comment period from the date of this publication will exist for the submission of comments. Each written comment must contain the name, address and telephone number of the person submitting the comments, identification of the proposed permit (specify Permit No. TVOP 49-00020) and concise statements regarding the relevancy of the information or objections to issuance of the permit.

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

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

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

**25-00179: Erie City Sewer Authority** (68 Port Access Road, Erie, PA 16507-2204), for the renewal of a Title V operating permit for the wastewater treatment plant located in the City of Erie, **Erie County**. The significant sources are two sewage sludge incinerators and two natural-gas/oil fired boilers, as well as 1 oil fueled and 3 natural-gas fueled emergency generators, a fuel oil storage tank, and five aeration tanks. The conditions of the previous plan approvals and operating permit were incorporated into the renewal permit. This facility is subject to the following federal regulations for which the applicable requirements are included in the permit renewal: 40 CFR Part 60 Subpart O, Standards of Performance for Sewage Treatment Plants; 40 CFR Part 60 Subpart MMMM, Emission Guidelines and Compliance Times for Existing Sewage Sludge Incineration Units; 40 CFR Part 61 Subpart C, National Emissions Standard for Beryllium; 40 CFR Part 61 Subpart E, National Emissions Standard for Mercury; 40 CFR Part 503 Subpart E, Standards for the Use or Disposal of Sewage Sludge—Incineration; 40 CFR Part 63 Subpart ZZZZ, NESHAP for Stationary Reciprocating Internal Combustion Engines. The poten-

tial emissions from the facility are as follows: 44.56 tpy PM; 175.63 tpy NO<sub>x</sub>; 19.69 tpy SO<sub>2</sub>; 732.18 tpy CO; 29.91 tpy VOC, and 3.44 tpy Total HAPs.

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

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

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

**09-00083: HOP Energy, LLC—dba Brinker's Fuels, Inc.** (445 North West Street, Doylestown, PA 18901) for renewal of a Non-Title V Facility, State-Only, Natural Minor Permit in Doylestown Borough, **Bucks County**. Brinker's Fuels, Inc. operates and maintains a bulk gasoline plant, underground gasoline storage tanks, and aboveground storage tanks for the storage of home heating oil, on-road diesel fuel, and off-road diesel fuel. Volatile organic compounds are the main emissions from this facility, and the facility has the potential to emit 5.8 tons of volatile organic compounds per year. The requirements of 40 C.F.R. Part 63, Subparts BBBB and CCCCC were found to apply to the bulk gasoline plant and the gasoline dispensing operations of this facility, and the applicable requirements from these regulations were added to the permit. Monitoring, record keeping and reporting requirements have been added to the permit to address applicable limitations.

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

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

**39-00064: Cera-Met** (2175 Avenue C, Bethlehem, PA 18017-2119) to issue a renewal State Only (Synthetic Minor) Operating Permit to an aluminum castings facility located in Bethlehem City, **Lehigh County**. The sources at the facility include aluminum casting process equipment (mixing tanks, shell room, autoclave, burnout / preheat ovens, work benches, media blast cabinets, melting / holding ovens). The sources have the potential to emit volatile organic compounds (VOCs) above Title V thresholds. The permittee shall demonstrate compliance by use of a wet scrubber and thermal oxidizer control devices to keep VOC emissions below the Title V limit. The proposed State Only (Synthetic Minor) Operating Permit contains applicable requirements for emissions limitations, monitoring, record keeping, reporting, and work practice standards used to ensure facility compliance with Federal and State air pollution regulations.

**39-00072: Hamilton 9999 Association LP** (9999 Hamilton Boulevard, Breinigsville, PA 18031-9359) for an electronic manufacturing facility in Upper Macungie Township, **Lehigh County**. The facility's main sources include three natural gas/#2 fuel fired boilers. The facility has potential to emit PM, VOCs, HAPs, NO<sub>x</sub>, SO<sub>x</sub> and CO below the major emission thresholds. The proposed State-only Operating Permit contains applicable requirements for emissions limitations, monitoring, recordkeeping, reporting and work practice standards designed to ensure facility compliance with Federal and State air pollution regulations. This is a renewal State-Only Synthetic Minor operating permit.

**54-00002: Honeywell International, Inc.** (98 Westwood City of Bethlehem, Lehigh County Road, Pottsville, PA 17901-1834) to issue a renewal State Only

(Synthetic Minor) Operating Permit for a plastics, film and sheet manufacturing facility in Norwegian Township, **Schuylkill County**. The facility sources include: eight (8) film extrusion lines, three (3) pellet die equipment sources, one (1) coater, two (2) ovens, two (2) oil heaters, one (1) pelletizer/powder conveyor system and one (1) pelletizer conveyor table. These sources have the potential to emit major quantities of Volatile Organic Compounds (VOCs) above Title V emission thresholds. The facility is taking a limitation on production throughput in order to keep VOCs under the Title V limit. The proposed State Only Operating Permit contains all applicable requirements including Federal and State regulations. In addition, monitoring, recordkeeping and reporting conditions regarding compliance with all applicable requirements are included.

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

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

**22-03037: Consolidated Scrap Resources, Inc.** (1616 North Cameron Street, P. O. Box 1761, Harrisburg, PA 17105) for operation of their metal scrap shredder and cyclone in the City of Harrisburg, **Dauphin County**. This is a renewal of their State-only operating permit issued in 2008.

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

The subject facility has the potential-to-emit 0.1 tpy CO, 0.3 tpy NO<sub>x</sub>, 64.1 tpy PM<sub>10</sub>, 55.6 tpy PM<sub>2.5</sub>, 0.7 tpy SO<sub>x</sub>, 1.1 tpy VOC, 0.3 tpy of a single HAP (benzene), and 1.1 tpy combined HAPs. The operating permit will include emission limits and work practice standards along with monitoring and recordkeeping requirements to ensure the facility complies with the applicable air quality regulations.

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

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

A 30-day comment period, from the date of publication of this notice in the *Pennsylvania Bulletin*, will exist for the submission of comments or protests. Tom Hanlon, Facilities Permitting Chief, may be contacted at 717-705-4862, or at PA DEP Air Quality Program, 909 Elmerton Avenue, Harrisburg, PA 17110, for additional information or for the submission of comments or protests.

**22-03065: Pennsylvania Department of Agriculture** (2305 North Cameron Street, Harrisburg, PA 17110) for operation of the Pennsylvania Veterinary Laboratory (PVL), including a pathological waste incinerator in Susquehanna Township, **Dauphin 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 a renewal of an Air Quality Operating Permit for the abovementioned facility.

The subject facility has the potential-to-emit 12.4 tpy of NO<sub>x</sub>, 5.9 tpy of CO, 0.7 tpy of SO<sub>x</sub>, 0.9 tpy of PM, 0.6 tpy of VOCs, and 8,364 tpy of CO<sub>2</sub>e. The Operating Permit will include emission limits and work practice standards along with testing, monitoring, record keeping and reporting requirements to ensure the facility complies with all applicable air quality regulations.

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.

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

**36-03166: L & S Sweeteners** (388 East Main Street, Leola, PA 17540) for operation of their liquid and dry bulk receiving and transfer facility located in West Earl Township, **Lancaster County**.

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

The subject facility has the potential-to-emit 15.4 tpy of NO<sub>x</sub>, 8.4 tpy of CO, 0.5 tpy of SO<sub>x</sub>, 3.5 tpy of PM, 1.6 tpy of VOCs, and 2.1 tpy of HAPs. The Operating Permit will include emission limits and work practice standards along with testing, monitoring, record keeping and reporting requirements to ensure the facility complies with all applicable air quality regulations.

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.

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

**22-05003: Orograin Bakeries Manufacturing—Capitol Bakery** (3996 Paxton Street, Harrisburg, PA 17111) for the operation of a bread baking facility in Swatara Township, **Dauphin County**.

In accordance with 25 Pa. Code §§ 127.424 and 127.425 the Department of Environmental Protection (DEP) has received an application and intends to issue an Air Quality Operating Permit for the abovementioned facility. Actual VOC emissions are estimated to be around 10.81 tpy (after control). The Operating Permit will include emission limits and work practice standards along with testing, monitoring, record keeping and reporting requirements to ensure the facility complies with all applicable air quality regulations.

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

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

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

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

**36-03124: Reading Group, LLC.** (1363 Bowmansville Road, Bowmansville, PA 17057) for operation of their custom truck assembly facility in Brecknock Township, **Lancaster County**.

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

The actual emissions in year 2012 from the operation were 1.1 tons of VOC per year. The Operating Permit will include emission limits and work practice standards along with monitoring, recordkeeping and reporting requirements to ensure the facility complies with the applicable air quality regulations.

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

at the PA DEP Southcentral Regional Office, at 909 Elmerton Avenue, Harrisburg, PA 17110.

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

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

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

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

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

**41-00046: Pennsylvania College of Technology** (One College Avenue, Williamsport, PA 17701) for their Williamsport campus located in the City of Williamsport, **Lycoming County**.

In accordance with 25 Pa. Code §§ 127.424 and 127.425 the Department of Environmental Protection (DEP) has received a renewal application and intends to issue a renewal Air Quality Operating Permit for the abovementioned facility. The subject facility has the following potential emissions: 36.94 TPY of NO<sub>x</sub>; 20.88 TPY of CO; 11.59 TPY of VOC; 3.06 TPY of PM<sub>10</sub> and 90.14 TPY of SO<sub>x</sub>. The facility's main air contamination sources are natural gas/No. 2 fuel oil fired boilers, emergency generators and paint booths used for instructional purposes. The permittee has taken a restriction on the amount of No. 2 fuel oil permitted to be burned in order to become a synthetic minor facility. The operating permit will include emission limits and work practice standards along with monitoring, record keeping and reporting requirements to ensure the facility complies with all applicable air quality regulations.

Copies of the application, DEP's analysis and other documents used in the evaluation of the application are available for public review during normal business hours at the PA DEP Northcentral Regional Office at 208 West Third Street, Suite 101, Williamsport, Pa 17701

A person may oppose the proposed operating permit, or may 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.



Keith C. Allison, Chief, Facilities Permitting Section, may be contacted at 570-327-3640, or at PA DEP Air Quality Program, 208 West Third Street, Suite 101, Williamsport, Pa 17701, for additional information or for the submission of comments or protests.

**17-00020: Glenn O. Hawbaker, Inc.** (711 East College Avenue, Bellefonte, PA 16823) for their drum mix asphalt plant located in Sandy Township, **Clearfield County**.

In accordance with 25 Pa. Code §§ 127.424 and 127.425 the Department of Environmental Protection (DEP) has received a renewal application and intends to issue a renewal Air Quality Operating Permit for the abovementioned facility. The subject facility has the following potential emissions: 39.44 TPY of NO<sub>x</sub>; 81.32 TPY of CO; 20.44 TPY of VOC; 60.98 TPY of PM<sub>10</sub> and 86.92 TPY of SO<sub>x</sub>, 5.37 TPY of HAPs. The facility's main air contaminations sources are drum mix plant, recycle asphalt paving equipment and parts washer. The permittee has taken an annual production throughput restriction of 1,230,000 tons to become a synthetic minor facility. The operating permit will include emission limits and work practice standards along with monitoring, record keeping and reporting requirements to ensure the facility complies with all applicable air quality regulations.

Copies of the application, DEP's analysis and other documents used in the evaluation of the application are available for public review during normal business hours at the PA DEP Northcentral Regional Office at 208 West Third Street, Suite 101, Williamsport, Pa 17701

A person may oppose the proposed operating permit, or may 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.

Keith C. Allison, Chief, Facilities Permitting Section, may be contacted at 570-327-3640, or at PA DEP Air Quality Program, 208 West Third Street, Suite 101, Williamsport, Pa 17701, for additional information or for the submission of comments or protests.

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

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

**04-00065: WHEMCO Steel Castings, Inc.** (5 Hot Metal Street, Pittsburgh, PA 15203) for blast furnaces and iron and steel mills at the Midland Foundry in Midland Borough, **Beaver County**. This is a State Only Operating Permit Renewal application submittal.

**30-00116: Columbia Gas Transmission Corp.** (1700 MacCorkle Ave SE, Charleston, WV 25314-1518) In accordance with 25 Pa. Code §§ 127.424 and 127.425, the Department of Environmental Protection (DEP) is providing notice that they intend to issue a State Only Operating Permit (SOOP) Renewal to Columbia Gas to authorize the continued operation of the natural gas transmission facility known as the Waynesburg Station, located in Waynesburg Boro, **Greene County**.

This facility consists of five (5) natural gas-fired turbine compressor engines each rated at 1,080 horsepower, an emergency generator (173 hp) with an operating hour limit of 500 hr/yr, a gas heating system boiler (0.75 MMBtu/hr), a heater (0.025 MMBtu/hr), and five (5) under/above ground tanks for the storage of pipeline liquids, lube oil and wastewater.

This facility's potential to emit, on a rolling 12-month basis, is 19.2 tons of carbon monoxide, 63.0 tons of nitrogen oxides, 0.79 ton of volatile organic compounds, and 23,982 tons of carbon dioxide equivalents (greenhouse gases). The emission restriction, testing, monitoring, recordkeeping, reporting and work practice conditions of the proposed SOOP have been derived from the applicable requirements of 40 CFR Part 63-Subpart ZZZZ and 25 Pa. Code Chapters 121—145. No emission or equipment changes are being proposed by this action.

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 SOOP-30-00116) 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 such a hearing is warranted based on the information received. All persons submitting comments or requesting a hearing will be notified of the decision to hold a hearing by publication in the newspaper or by the *Pennsylvania Bulletin*, or by telephone, where 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.

**65-00817: Lindy Paving, Inc. / New Kensington Plant** (201 Industrial Blvd. New Kensington, PA 15068) for the operation of a hot mix batch asphalt facility located in Lower Burrell City, **Westmoreland County**. In accordance with 25 Pa. Code §§ 127.424 and 127.425 the Department of Environmental Protection (DEP) has received an application and intends to issue an Air Quality Operating Permit for the above mentioned facility.

The subject facility consists of one hot mix batch asphalt plants rated at 275 tons per hour. The batch plant is limited to 495,000 tons production in any consecutive 12-month period. The facility has the potential to emit: 99 tpy CO; 6.2 tpy NO<sub>x</sub>; 1.15 tpy SO<sub>x</sub>; 32.5 tpy VOC; 36.7 tpy PM and 6.7 tpy PM<sub>10</sub>. The facility is required to conduct annual burner tune up tests and stack testing for all criteria pollutants every five years. The facility must perform daily survey of the facility to ensure compliance with the operating permit limitations. The proposed authorization is subject to State and Federal Regulations. The permit includes operation requirements, monitoring requirements, and recordkeeping requirements.

Those who wish to provide the Department with additional written information that they believe should be

considered prior to the issuance of the Plan Approval may submit the information to Sheila Shaffer Pennsylvania Department of Environmental Protection, 400 Waterfront Drive, Pittsburgh, PA 15222. Written comments must contain the name, address and telephone number of the person submitting the comments, identification of the proposed Operating Permit (65-00817) and concise statements regarding the relevancy of the information or objections to issuance of the Operating Permit.

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

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

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

**10-00337: Celco Partnership Verizon Wireless Cranberry Call Center** (700 Cranberry Woods Drive, Cranberry Township, PA 16066-5213), for a renewal of the operating permit for the facility located in Cranberry Township, **Butler County**. The facility has a 2000 kW emergency generator that is fueled with low sulfur diesel (less than 0.3 percent sulfur by weight). The conditions of the previous plan approval and operating permit were incorporated into the renewal permit. The emergency generator is restricted to 500 hours of operation and shall only be operated during utility power outages and for periodic maintenance testing. The emergency generators are subject to 40 CFR 63 Subpart ZZZZ—NESHAP for Reciprocating Internal Combustion Engine (RICE). The facility is a Natural Minor.

**33-00116: Macdonald and Owen Lumber Co.** (11424 Route 36, Brookville, PA 15825-8656), for the renewal of a Natural Minor Permit to operate a lumber processing plant located in Rose Township, **Jefferson County**. The facility's major emitting sources included, 1) Wood burning steam boiler, 2) 200 HP Boiler, 3) Grinder and, 4) Eight wood-drying kilns. The emissions from the facility are less than the Title V emission threshold. Thus, the facility is natural minor. The biomass fueled boilers are subject to area source boiler MACT 40 CFR Part 63, Subpart JJJJJJ. The actual emissions from the facility are PM: 6.57 Tons per year (TPY), CO: 14.15 TPY and, NO<sub>x</sub>: 11.52 TPY.

**61-00122: Seneca Hardwood Lumber/Cranberry Facility** (212 Seneca Hardwood Drive, Cranberry, PA 16319-2526), for the re-issuance of a Natural Minor Operating Permit located in Rockland Township, **Venango County**. The facility's major sources of emissions are two (2) Wood-Fired Boilers used to produce heat for the kiln operations. All emissions of criteria pollutants are below major source thresholds. The boilers at this facility will be subject to the requirements of 40 CFR Part 63, Subpart JJJJJJ—National Emission Standards for Hazardous Air Pollutants for Industrial, Commercial, and Institutional Boilers Area Sources. The compliance date for this subpart is March 21, 2014.

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

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

**N12-013: SJA Construction, Inc.** (at 2870 E. Allegheny Ave Philadelphia, PA 19134) for operating a 2.8 MMBtu/hr boiler, a mixer, a Baghouse and Cement Silo, in the City of Philadelphia, **Philadelphia County**.

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

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

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

**S12-039: Southern Graphics Systems** (2781 Roberts Ave, Philadelphia, PA 19129), for manufacturing of printing plates for the flexographic printing industry in the City of Philadelphia, **Philadelphia County**. The synthetic minor facility's air emission sources include three (3) photo processing units, three (3) plate dryers, and two (2) distillation stills.

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

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

## COAL AND NONCOAL MINING ACTIVITY APPLICATIONS

Applications under the Surface Mining Conservation and Reclamation Act (52 P. S. §§ 1396.1—1396.31); 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 Act (52 P. S. §§ 30.51—30.66); the Bituminous Mine Subsidence and Land Conservation Act (52 P. S. §§ 1406.1—1406.21). 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 of Environmental Protection (Department). A copy of the application is available for inspection at the District Mining Office indicated above 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 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 above 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 (relating to public notices of filing of permit applications, opportunity for comment, and informal conferences).

Written comments or objections related to 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.

Requests for an informal conference, or a public hearing, as applicable, on a mining permit application, as provided by 25 Pa. Code § 77.123 (relating to public hearing-informal conferences) or § 86.34 (relating to informal conferences), 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.

Where a National Pollutant Discharge Elimination System (NPDES) number is listed, the mining activity permit application was accompanied by an application for an individual NPDES permit. The Department has made a tentative determination to issue the NPDES permit in conjunction with the mining activity permit, but the issuance of the NPDES permit is contingent upon the approval of the associated mining activity permit.

For coal mining activities, NPDES permits, when issued, will contain effluent limits that do not exceed the technology-based effluent limitations. The proposed limits are listed in Table 1.

For noncoal mining activities, the proposed limits are found in Table 2 below. Discharges from noncoal mines located in some geologic settings (for example, in the coal fields) may require additional effluent limits. If additional effluent limits are needed for an NPDES permit associated with a noncoal mining permit, then the permit description below specifies the parameters. The limits will be in the ranges specified in Table 1.

More restrictive effluent limitations, restrictions on discharge volume, or restrictions on the extent of mining that may occur, will be 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) (TMDLs).

Persons wishing to comment on an NPDES permit application should submit a statement to the Department at the address of the District Mining Office indicated above each application 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 § 92.61. The request or petition for a public hearing shall be filed within 30 days of this public notice and shall contain the name, address, telephone number and the interest of the party filing the request, and shall 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. In the case where a public hearing is held, the Department will consider comments from the public hearing in the final determination on the NPDES permit application.

#### *Noncoal Applications Returned*

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

**03851303 and NPDES No. PA0213462. McVille Mining Company**, (301 Market Street, Kittanning, PA 16201). To revise the permit for the Clementine Mine #1 in North Buffalo Township, **Armstrong County** and related NPDES permit to install the North Buffalo shaft site. Surface Acres Proposed 16.2. Receiving stream: Unnamed Tributary No. 20 to Nicholson Run, classified for the following use: WWF. The application was considered administratively complete on July 8, 2011. Application received March 28, 2011. Application withdrawn February 26, 2013.

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

**59100301 and PA NPDES 0257494. Wesley J. Cole** (343 Jess Drive, Middlebury Center PA 16935). Commencement, operation and restoration of a large industrial minerals mine in Middlebury Township, **Tioga County** affecting 20.0 acres. Receiving streams: Crooked Creek classified as Warm Water Fishes. Application received: December 17, 2010. Permit returned: February 25, 2013.

#### *Coal Applications Received*

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

**14743701 and NPDES No. PA0600156. Pennsylvania Mines, LLC**, (PPL Generation, LLC, 2 North Ninth Street, Gen PL6, Allentown, PA 18101). To renew the permit for the Pauline Hollow Coal Refuse Disposal Site in Rush Township, **Centre County** and related NPDES permit. The application was considered administratively complete on February 26, 2013. Application received December 20, 2012.

**17031301 (Formerly 17031701) and NPDES No. PA0235504. Lady Jane Collieries, Inc.**, (Two North Ninth Street, Allentown, PA 18101-1179). To renew the permit for the Horning Run Passive Treatment in Huston Township, **Clearfield County** and related NPDES permit for post-mining passive treatment. No additional discharges. The application was considered administratively complete on February 28, 2013. Application received December 19, 2012.

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

**56030103 and NPDES No. PA0249441. Hoffman Mining, Inc.**, P. O. Box 130, 118 Runway Road, Friedens, PA 15541, permit renewal for reclamation only of a bituminous surface and auger mine in Paint Township, **Somerset County**, affecting 262.0 acres. Receiving stream(s): Spruce Run, Shade Creek and tributary to Kaufman Run classified for the following use(s): cold water fishery. The first downstream potable water supply intake from the point of discharge is Cambria Somerset Authority Stonycreek SWI. Application received February 15, 2013.

**56010106 and NPDES No. PA0249076. Marquise Mining Corporation**, 3889 Menoher Boulevard, Johnstown, PA 15905, permit renewal for reclamation only of a bituminous surface and auger mine in Shade Township, **Somerset County**, affecting 325.0 acres. Receiving stream(s): Dixie Run and Fallentimber Run classified for the following use(s): cold water fishery. The first downstream potable water supply intake from the point of discharge is Cambria Somerset Authority Stonycreek SWI. Application received February 19, 2013.

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

**03020115 and NPDES Permit No. PA0250295. Bedrock Mines, LP** (111 Freeport Road, Pittsburgh, PA 15215). Renewal application for reclamation only to an existing bituminous surface mine, located in Sugarcreek

Township, **Armstrong County**, affecting 195.6 acres. Receiving streams: unnamed tributaries to Snyder Run and Huling Run, classified for the following use: CWF. There is no potable water supply intake within 10 miles downstream from the point of discharge. Renewal application received: February 21, 2013.

**30050103 and NPDES Permit No. PA0250759. Duquesne Light Company** (1800 Seymour Street, Pittsburgh, PA 15233). Renewal application for continued mining to an existing bituminous surface mine, located in Monongahela Township, **Greene County**, affecting 37 acres. Receiving streams: Sandy Run, 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: February 25, 2013.

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

**54070104R. South Tamaqua Coal Pockets, Inc.**, (804 West Penn Street, Tamaqua, PA 18252), renewal of an existing anthracite coal refuse reprocessing operation in Blythe Township, **Schuylkill County** affecting 55.1 acres, receiving stream: unnamed tributary of the Schuylkill River, classified for the following use: cold water fishes.

*Noncoal Applications Received*

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

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

\* The parameter is applicable at all times.

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

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

**Permit No. 0579201 and NPDES Permit No. PA0118583. New Enterprise Stone & Lime Company, Inc.**, P. O. Box 77, New Enterprise, PA 16664, renewal of NPDES Permit, Broadtop Township, **Bedford County**. Receiving stream: Six Mile Run classified for the following use(s): warm water fishery. There are no potable water supply intakes within 10 miles downstream. Application received February 12, 2013.

**Permit No. 4275SM14T and NPDES Permit No. PA0124532. New Enterprise Stone & Lime Company, Inc.**, P. O. Box 77, New Enterprise, PA 16664, renewal of NPDES Permit, Warriors Mark and Snyder Townships, **Huntingdon** and **Blair Counties**. Receiving stream: Logan Spring Run, UT to Little Juniata River and Juniata River classified for the following use(s): warm

water fishery. There are no potable water supply intakes within 10 miles downstream. Application received February 12, 2013.

**Permit No. 4174SM2 and NPDES Permit No. PA0009814. New Enterprise Stone & Lime Company, Inc.**, P. O. Box 77, New Enterprise, PA 16664, renewal of NPDES Permit, Shade Township, **Somerset County**. Receiving stream: Laurel Run and Beaver Run classified for the following use(s): cold water fishery. There are no potable water supply intakes within 10 miles downstream. Application received February 12, 2013.

**Permit No. 4274SM7 and NPDES Permit No. PA0009822. New Enterprise Stone & Lime Company, Inc.**, P. O. Box 77, New Enterprise, PA 16664, renewal of NPDES Permit, Walker Township, **Huntingdon County**. Receiving stream: Crooked Creek classified for the following use(s): warm water fishery. There are no potable water supply intakes within 10 miles downstream. Application received February 12, 2013.

**Permit No. 4077SM7 and NPDES Permit No. PA0212580. New Enterprise Stone & Lime Company, Inc.**, P. O. Box 77, New Enterprise, PA 16664, renewal of NPDES Permit, Jenner Township, **Somerset County**. Receiving stream: Roaring Run classified for the following use(s): cold water fishery. The first downstream potable



water supply intake from the point of discharge is Cambria-Somerset Authority Quemahoning Reservoir located 5 miles downstream. Application received February 12, 2013.

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

**64132501 and NPDES Permit No. PA0225347.** Kevin Schrader, (PO Box 262, Lake Como, PA 18437) commencement, operation and restoration of a quarry operation and NPDES Permit for discharge of treated mine drainage in Buckingham Township, **Wayne County** affecting 10.0 acres, receiving stream: Equinunk Creek, classified for the following use: HQ-cold water fishery. Application received: January 22, 2013.

**09870301C17 and NPDES Permit No. PA0593796.** Warner Company, (1000 New Ford Mill Road, Morrisville, PA 19067), renewal of NPDES Permit for discharge of treated mine drainage from a quarry operation in Falls Township, **Bucks County** affecting 501.1 acres, receiving stream: Van Sciver Lake, classified for the following use: warm water fishes. Application received: February 21, 2013.

**58010301T3 and NPDES Permit No. PA0224171.** Pennsy Supply, Inc., (P. O. Box 3331, Harrisburg, PA 17105), transfer of an existing quarry operation from Powers Stone, Inc. and renewal of NPDES Permit for discharge of treated mine drainage in Bridgewater Township, **Susquehanna County** affecting 41.9 acres, receiving streams: unnamed tributary to South Branch Wyalusing Creek and South Branch Wyalusing Creek, classified for the following uses: warm water fishes and migratory fishes. Application received: February 26, 2013.

### NOTICE OF PROJECTS UNDER THE ENVIRONMENTAL GOOD SAMARITAN ACT

The Environmental Good Samaritan Act (27 Pa.C.S.A. §§ 8001—8114) provides certain protections and immunities from civil liability for landowners and persons who voluntarily undertake reclamation and abatement projects to address land and water adversely affected by mining or oil or gas extraction or exploration for natural resources and left in an unreclaimed condition or left discharging water pollution. In order for landowners and persons to qualify for immunity, the projects must be approved by the Department.

The following project proposals have been received by the Department of Environmental Protection. A copy of the proposals is available for inspection at the office indicated above each proposal.

Written comments or objections may be submitted by any person or any office or head of any Federal, State, or local government agency or authority to the Department at the same address within 30 days of this publication.

Written comments or objections should contain the name, address and telephone number of the person submitting comments or objections; the proposal identification number; and a statement of sufficient detail to inform the Department of the basis of the comment or objection and the relevant facts upon which it is based.

#### GOOD SAMARITAN ACT

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

The Environmental Good Samaritan Act (27 Pa. C.S.A. §§ 8001—8114) provides certain protections and immuni-

ties from civil liability for landowners and persons who voluntarily undertake reclamation and abatement projects to address land and water adversely affected by mining or oil and gas extraction or exploration for natural resources and left in an unreclaimed condition or left discharging water pollution.

The following project proposals have been received by the Department of Environmental Protection at the Cambria District Office, 286 Industrial Park Road, Ebensburg, PA 15931. A copy of the proposals is available for inspection at the office indicated above.

Proposals: Broadtop Township projects at Sandy Run SAO-D4, SAO-D5, and Six Mile Run SX2-D5 AMD Remediation.

Written comments or objections may be submitted by any person or any office or head of any Federal, State, or local government agency or authority to the Department at the same address within 30 days of this publication.

Written comments or objections should contain the name, address and telephone number of the person submitting comments or objections; the proposal identification number; and a statement of sufficient detail to inform the Department of the basis of the comment or objection and the relevant facts upon which it is based.

### FEDERAL WATER POLLUTION CONTROL ACT, SECTION 401

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

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

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

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

**WATER OBSTRUCTIONS AND ENCROACHMENTS**

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

**E15-837. Mark Winnicki, Director of Facilities, Longwood Gardens, Inc.,** P. O. Box 501, Kennett Square, PA 19348-0501, East Marlborough, Kennett, and Pennsbury Townships, **Chester County**, ACOE Philadelphia District.

To perform the following water obstruction and encroachment activities associated with the meadow improvement and expansion project at Longwood Gardens:

1. To construct and maintain two new pedestrian bridges measuring 28-foot long by 23-foot wide, and 13-foot long by 8-foot wide, respectively.

2. To replace and maintain two existing pedestrian bridges.

3. To construct and maintain a temporary bridge having a 30-foot span and measuring 8-foot wide.

All bridges are across an unnamed tributary to Pocopson Creek (Perennial, TSF) and adjacent wetlands.

The site is located at the northwest of intersection of US Route 1 and Pa Route 52 (Unionville & Kennett, PA USGS Quadrangle N: 22.3 inches; W: 5.88 inches).

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

**E66-156. Pennsylvania Department of Transportation, Engineering District 4-0,** 55 Keystone Industrial Park, Dunmore, PA 18512, in Mehoopany Township, **Wyoming County**, U.S. Army Corps of Engineers, Baltimore District.

To remove the existing structure; and to construct and maintain a 31-foot wide two-span pre-cast concrete bulb tee beam bridge with reinforced concrete abutments and wingwalls having a span of 149 feet and an approximate under-clearance of 19.8 feet over Mehoopany Creek (CWF, MF). The project is located approximately 10 feet downstream of the existing structure along S.R. 87, Section 754, Segment 0210, Offset 0110 (Meshoppen, PA Quadrangle, Latitude: 41°33'36"; Longitude: -76°4'5").

**E64-295. Patrick J Johnston,** 504 Oak Road, Merion Station, PA 19066, in Lehigh Township, **Wayne County**, U.S. Army Corps of Engineers, Philadelphia District.

To construct and maintain a dock cantilevered over approximately 40 square feet of Lake Watawga (EV, MF), extending into the lake approximately 2 feet from the shoreline. The project is located at 89 Lakeview Lane in the municipality of Lehigh Township (Tobyhanna, PA Quadrangle, Latitude: 41°14'36.76"; Longitude: -75°26'7.62").

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

**E07-445: Logan Township Board of Supervisors,** 100 Chief Logan Circle, Altoona, Pennsylvania 16602, in Logan Township, **Blair County**, ACOE Baltimore District (Altoona, PA Quadrangle)

To install and maintain an 8-inch PVC sanitary sewer line crossing:

1) 8 linear feet of an Unnamed Tributary to the Little Juniata River (WWF, MF) (40°32'59", -78°24'09"),

2) 8 linear feet of an Unnamed Tributary to the Little Juniata River (WWF, MF) (40°32'34", -78°23'30"),

3) 20 linear feet of an Unnamed Tributary to the Little Juniata River (WWF, MF) (40°32'39", -78°23'45"),

4) 5 linear feet of an Unnamed Tributary to the Little Juniata River (WWF, MF) (40°32'38", -78°23'40"),

5) 8 linear feet of an Unnamed Tributary to the Little Juniata River (WWF, MF) (40°32'40", -78°23'39"),

6) 8 linear feet of an Unnamed Tributary to the Little Juniata River (WWF, MF) (40°32'38", -78°23'29"),

7) 8 linear feet of Burgoon Run (TSF, MF) (40°29'19", -78°26'29"),

8) 5 linear feet of Burgoon Run (TSF, MF) (40°29'20", -78°26'29"),

9) 40 linear feet of Burgoon Run (TSF, MF) (40°29'16", -78°26'24"),

10) 8 linear feet of an Unnamed Tributary to Burgoon Run (40°29'23", -78°26'34"),

11) 3 linear feet of Burgoon Run (TSF, MF) (40°29'20", -78°26'31"),

12) 10 linear feet of an Unnamed Tributary to Burgoon Run (40°29'28", -78°26'52"),

13) 12 linear feet of an Unnamed Tributary to Burgoon Run (40°29'23", -78°27'06"),

14) 30 linear feet of Homer Gap Run (WWF, MF) (40°33'28", -78°22'39"),

15) 8 linear feet of an Unnamed Tributary to Homer Gap Run (WWF, MF) (40°33'40", -78°22'54"),

16) 11 linear feet of an Unnamed Tributary to Homer Gap Run (WWF, MF) (40°33'30", -78°23'06"),

17) 8 linear feet of an Unnamed Tributary to Homer Gap Run (WWF, MF) (40°33'30", -78°23'05"),

18) 10 linear feet of an Unnamed Tributary to Homer Gap Run (WWF, MF) (40°33'37", -78°23'11"),

19) 17 linear feet of Homer Gap Run (WWF, MF) (40°33'30", -78°23'24"),

20) 17 linear feet of Homer Gap Run (WWF, MF) (40°33'30", -78°23'20"),

21) 32 linear feet of Homer Gap Run (WWF, MF) (40°33'31", -78°23'21"),

22) 22 linear feet of Homer Gap Run (WWF, MF) (40°33'31", -78°23'28"),

23) 5 linear feet of an Unnamed Tributary to Homer Gap Run (WWF, MF) (40°33'40", -78°23'57"),

24) 25 linear feet of Homer Gap Run (WWF, MF) (40°33'37", -78°23'51"),

25) 13 linear feet of Homer Gap Run (WWF, MF) (40°33'35", -78°23'48"),

26) 20 linear feet of Homer Gap Run (WWF, MF) (40°33'46", -78°24'10"),

27) 14 linear feet of Homer Gap Run (WWF, MF) (40°33'45", -78°24'07"),

28) 27 linear feet of Homer Gap Run (WWF, MF) (40°33'43", -78°24'03"),

29) 15 linear feet of Homer Gap Run (WWF, MF) (40°33'41", -78°24'03"),

30) 8 linear feet of an Unnamed Tributary to Homer Gap Run (WWF, MF) (40°33'49", -78°24'19"),

31) 20 linear feet of Dry Gap Run (WWF, MF) (40°32'00", -78°28'48"),

32) 8 linear feet of an Unnamed Tributary to Burgoon Run (WWF, MF) (40°29'29", -78°26'50"),

33) 0.06 acre of PEM/PSS wetland (40°31'26", -78°21'50"),

34) 0.04 acre of PEM wetland (40°29'16", -78°26'12"),

35) 0.03 acre of PEM wetland which is classified as Exceptional Value (40°29'19", -78°26'13"),

36) 0.04 acre of PSS wetland which is classified as Exceptional Value (40°29'25", -78°26'44"),

37) 0.07 acre of PSS wetland (40°29'21", -78°26'36"),

38) 0.02 acre for of PEM wetland which is classified as Exceptional Value (40°29'20", -78°26'31"),

39) 0.02 acre of PEM wetland and 0.02 acre of PFO wetland (40°29'29", -78°26'56"),

40) 0.02 acre of PEM wetland which is classified as Exceptional Value (40°29'25", -78°26'45"),

41) 0.17 acre of PEM wetland (40°33'31", -78°22'45"),

42) 0.05 acre of PFO wetland which is classified as Exceptional Value (40°33'30", -78°23'11"),

43) 0.02 acre of PFO wetland which is classified as Exceptional Value (40°33'30", -78°23'10"),

44) 0.01 acre of PEM wetland which is classified as Exceptional Value (40°33'35", -78°23'45"),

45) 0.16 acre of PFO wetland which is classified as Exceptional Value (40°33'40", -78°24'02"),

46) 0.16 acre of PSS wetland which is classified as Exceptional Value (40°33'47", -78°24'12"),

47) 0.04 acre of PEM wetland (40°28'57", -78°23'20"),

48) 0.01 acre of PEM wetland (40°32'29", -78°23'46"),

49) 0.01 acre of PEM wetland (40°32'30", -78°23'48"), and

50) 0.01 acre of PEM wetland (40°32'00", -78°26'45").

The project proposes to temporarily impact 0.67 acre of wetland of and permanently impact 0.23 acre of wetland.

**F22-590: Hummelstown Borough (Floodplain Mitigation)**, 136 South Hanover Street, Hummelstown, Pennsylvania 17036, in Hummelstown Borough, **Dauphin County**, ACOE Baltimore

To remove structures from the floodplain that were damaged by flooding at the locations listed. The projects propose to temporarily affect approximately 1.6 acres of floodplains. The issuance of this permit will not constitute approval of Water Quality Certification under Section 401 of the Federal Clean Water Act (33 U.S.C.A. § 1341).

	<i>Address</i>	<i>Waterway</i>	<i>Chapter 93 Designation</i>	<i>USGS Quadrangle</i>	<i>Latitude</i>	<i>Longitude</i>
1	300 North Duke Street Hummelstown, PA 17036	Swatara Creek	WWF MF	Hershey	40°16'11.2"	-76°43'2.36"
2	217 North Railroad Street Hummelstown, PA 17036	Swatara Creek	WWF MF	Hershey	40°16'5.95"	-76°42'50.25"
3	109 North Hanover Street Hummelstown, PA 17036	Swatara Creek	WWF MF	Hershey	40°16'6.06"	-76°42'3.38"
4	102 Circle Drive Hummelstown, PA 17036	Swatara Creek	WWF MF	Hershey	40°16'13.29"	-76°42'23.6"
5	106 Circle Drive Hummelstown, PA 17036	Swatara Creek	WWF MF	Hershey	40°16'14.89"	-76°42'22.93"

**F22-591: Londonderry Township (Floodplain Mitigation)** 783 Geyers Church Road, Middletown, Pennsylvania 17057, in Londonderry Township, **Dauphin County**, ACOE Baltimore District

To remove structures from the floodplain that were damaged by flooding at the locations listed. The projects propose to temporarily affect approximately 3.3 acres of floodplains. The issuance of this permit will not constitute approval of Water Quality Certification under Section 401 of the Federal Clean Water Act (33 U.S.C.A. § 1341).

	<i>Address</i>	<i>Waterway</i>	<i>Chapter 93 Designation</i>	<i>USGS Quadrangle</i>	<i>Latitude</i>	<i>Longitude</i>
1	1290 Swatara Creek Road Middletown, PA 17057	Swatara Creek	WWF MF	Middletown	40°12'52.74"	-76°43'15.63"
2	1310 Swatara Creek Road Middletown, PA 17057	Swatara Creek	WWF MF	Middletown	40° 12' 54.56"	-76°43'16.13"
3	1320 Swatara Creek Road Middletown, PA 17057	Swatara Creek	WWF MF	Middletown	40°12'56.25"	-76°43'17.47"
4	1790 Swatara Creek Road Middletown, PA 17057	Swatara Creek	WWF MF	Middletown	40°13'26.11"	-76°43'32.7"
5	1820 Swatara Creek Road Middletown, PA 17057	Swatara Creek	WWF MF	Middletown	40°13'28.7"	-76°43'32.43"
6	1830 Swatara Creek Road Middletown, PA 17057	Swatara Creek	WWF MF	Middletown	40°13'29.67"	-76°43'32.44"



	<i>Address</i>	<i>Waterway</i>	<i>Chapter 93 Designation</i>	<i>USGS Quadrangle</i>	<i>Latitude</i>	<i>Longitude</i>
7	1930 Swatara Creek Road Middletown, PA 17057	Swatara Creek	WWF MF	Middletown	40°13'34.58"	-76°43'32.4"
8	1950 Swatara Creek Road Middletown, PA 17057	Swatara Creek	WWF MF	Middletown	40°13'35.51"	-76°43'32.4"
9	1970 Swatara Creek Road Middletown, PA 17057	Swatara Creek	WWF MF	Middletown	40°13'36.56"	-76°43'32.4"
10	3137 Swatara Creek Road Middletown, PA 17057	Swatara Creek	WWF MF	Middletown	40°13'43.15"	-76°43'33.29"

**F38-183: Swatara Township (Floodplain Mitigation)**, 68 Supervisors Drive, Jonestown, Pennsylvania 17038, in Swatara Township, **Lebanon County**, ACOE Baltimore

To remove structures from the floodplain that were damaged by flooding at the locations listed. The projects propose to temporarily affect approximately 1.01 acres of floodplains. The issuance of this permit will not constitute approval of Water Quality Certification under Section 401 of the Federal Clean Water Act (33 U.S.C.A. § 1341).

	<i>Address</i>	<i>Waterway</i>	<i>Chapter 93 Designation</i>	<i>USGS Quadrangle</i>	<i>Latitude</i>	<i>Longitude</i>
1	2329 SR 72 North Jonestown, PA 17038	Swatara Creek	WWF, MF	Fredericksburg	40°24'5.5"	-76°29'32.1"
2	2331 SR 72 North Jonestown, PA 17038	Swatara Creek	WWF, MF	Fredericksburg	40°24'4.8"	-76°29'32.1"
3	Three Ivy Lane Jonestown, PA 17038	Swatara Creek	WWF, MF	Fredericksburg	40°24'5.3"	-76°29'28.1"
4	24 Willow Lane Jonestown, PA 17038	Swatara Creek	WWF, MF	Fredericksburg	40°23'27.1"	-76°29'44.5"
5	2358 Quarry Road Lebanon, PA 17046	Little Swatara Creek	WWF, MF	Fredericksburg	40°24'26.8"	-76°28'14.1"
6	2364 Quarry Road Lebanon, PA 17046	Little Swatara Creek	WWF, MF	Fredericksburg	40°24'26.8"	-76°28'12.0"

**F38-185: Borough of Jonestown (Floodplain Mitigation)**, 295 South Mill Street, PO Box 446, Jonestown, Pennsylvania 17038, in Jonestown Borough, **Lebanon County**, ACOE Baltimore

To remove structures from the floodplain that were damaged by flooding at the locations listed. The projects propose to temporarily affect approximately 0.35 acre of floodplains. The issuance of this permit will not constitute approval of Water Quality Certification under Section 401 of the Federal Clean Water Act (33 U.S.C.A. § 1341).

	<i>Address</i>	<i>Waterway</i>	<i>Chapter 93 Designation</i>	<i>USGS Quadrangle</i>	<i>Latitude</i>	<i>Longitude</i>
1	352 South Mill Street Jonestown, PA 17038	Swatara Creek	WWF	Fredericksburg	40°24'30"	-76°28'22"

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

**E01-305: HACC—Central Pennsylvania's Community College**, Three Penn Center, Room 328, 349 Wiconisco Street, Harrisburg, Pennsylvania 17110, in Cumberland Township, **Adams County**, ACOE Baltimore District

To remove the existing structure and construct and maintain: 1) a 96.0-foot long, 4.0-foot—6.0-foot, open bottom, reinforced concrete box culvert, 2) a 38.0-foot long, 4.0-foot—6.0-foot, open bottom, reinforced concrete box culvert in an unnamed tributary to Rock Creek and 0.029 acre of associated wetlands, and 3) to relocate 330.0 feet of an unnamed tributary to Rock Creek; all for the purpose of constructing site improvements. The project is located at 731 Old Harrisburg Road, along the southeastern side of Business Route 15 on the northeastern side of the Borough of Gettysburg (Gettysburg, PA Quadrangle; Latitude: 39°50'15.6", Longitude: -77°13'26.8") in Cumberland Township, Adams County.

**F31-227: Petersburg Borough (Floodplain Mitigation)**, 223 Penn Street, Huntingdon, Pennsylvania 16652, in Petersburg Borough, **Huntingdon County**, ACOE Baltimore

To remove structures from the floodplain that were damaged by flooding at the locations listed. The projects propose to temporarily affect approximately 0.04 acre of floodplain. The issuance of this permit will not constitute approval of Water Quality Certification under Section 401 of the Federal Clean Water Act (33 U.S.C.A. § 1341).

	<i>Address</i>	<i>Waterway</i>	<i>Chapter 93 Designation</i>	<i>USGS Quadrangle</i>	<i>Latitude</i>	<i>Longitude</i>
1	485 Colombia Street Petersburg, PA 16669	Shaver Creek	HQ-CWF	Alexandria	40° 34' 27.4"	-78° 2' 59.4"
2	101 Shaver Street Petersburg, PA 16669	Shaver Creek	HQ-CWF	Alexandria	40° 34' 21.3"	-78° 2' 59.4"



**F38-186: Annville Township**, PO Box 178, Annville, Pennsylvania 17003, Floodplain Mitigation, in Annville Township, **Lebanon County**, ACOE Baltimore District

To remove structures from the floodplain that were damaged by flooding at the locations listed. The projects propose to temporarily affect approximately 2.44 acres of floodplains. The issuance of this permit will not constitute approval of Water Quality Certification under Section 401 of the Federal Clean Water Act (33 U.S.C.A. § 1341).

	<i>Address</i>	<i>Waterway</i>	<i>Chapter 93 Designation</i>	<i>USGS Quadrangle</i>	<i>Latitude</i>	<i>Longitude</i>
1	326 S. White Oak St. Annville, PA 17003	Quittapahilla Creek	TSF	Palmyra	40°19'32.4"	-76°30'44.9"
2	401 S. Spruce St. Annville, PA 17003	Quittapahilla Creek	TSF	Palmyra	40°19'45.7"	-76°29'54.7"
3	315 S. Lancaster St. Annville, PA 17003	Quittapahilla Creek	TSF	Palmyra	40°19'31"	-76°30'59.2"
4	351 S. Lancaster St. Annville, PA 17003	Quittapahilla Creek	TSF	Palmyra	40°37'30.2"	-76°30'59.2"
5	352 S. Lancaster St. Annville, PA 17003	Quittapahilla Creek	TSF	Palmyra	40°19'29"	-76°30'56"
6	354 S. Lancaster St. Annville, PA 17003	Quittapahilla Creek	TSF	Palmyra	40°19'29"	-76°30'56.8"
7	1054 Willow Dr. Annville, PA 17003	Quittapahilla Creek	TSF	Palmyra	40°19'53.9"	-76°29'48.4"
8	143 Water St. Annville, PA 17003	Quittapahilla Creek	TSF	Palmyra	40°19'35.5"	-76°31'3.7"
9	136 S. King St. Annville, PA 17003	Quittapahilla Creek	TSF	Palmyra	40°19'36.6"	-76°31'10.4"
10	144 W. Queen St. Annville, PA 17003	Quittapahilla Creek	TSF	Palmyra	40°19'39"	-76°31'04"
11	106 S. Weaver St. Annville, PA 17003	Quittapahilla Creek	TSF	Palmyra	40°19'54.3"	-76°29'50.2"
12	310 S. White Oak St. Annville, PA 17003	Quittapahilla Creek	TSF	Palmyra	40°19'33.5"	-76°30'46.3"

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

**F19-006. Scott Township**, 350 Tenny Street, Bloomsburg, PA 17815. Floodplain encroachment demolitions in Scott Township, **Columbia County**, ACOE Baltimore District (Bloomsburg, PA Quadrangle Latitude: 41° 0' 29.2"; Longitude: 76° 24' 11.56").

Scott Township is seeking authorization to demolish ten existing floodplain encroachments (flood-damaged structures) located at the following addresses along Old Berwick Road, Bloomsburg, PA 17815: 2646, 2691, 2762, 2782, 2810, 2827, 2855, 2911, 2912 and 2914. The structures are located within the right floodplain of the Susquehanna River.

**F19-007. Scott Township**, 350 Tenny Street, Bloomsburg, PA 17815. Floodplain encroachment demolitions in Scott Township, **Columbia County**, ACOE Baltimore District (Bloomsburg, PA Quadrangle Latitude: 41° 0' 35.55"; Longitude: 76° 24' 9.46").

Scott Township is seeking authorization to demolish ten existing floodplain encroachments (flood-damaged structures) located at the following addresses: 175 Crabapple Lane, Bloomsburg, PA 17815; 2733 Riverview Avenue, Bloomsburg, PA 17815; 165 and 195 Edgar Lane, Bloomsburg, PA 17815; 2847, 2860, 2880, 2887, 2867 and 2877 White Birch Lane, Bloomsburg, PA 17815. The structures are located within the right floodplain of the Susquehanna River.

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

**E02-1682. Robert and Barbara Shuty**, 5518 Ohio St., Pittsburgh, PA 15225-1309, Neville Township, **Allegheny County**; ACOE Pittsburgh District

Applicant proposes to operate and maintain a retaining wall, which is approximately 9' high, along approximately 96' of the Ohio River (WWF, N), and approximately 1,400 cubic yards of fill material behind this wall, and an associated private, recreational, floating dock, which is approximately 680 ft<sup>2</sup> and secured to two (2) pilings that are in the river. The dock is in front of the wall, but extends an additional 10' beyond the wall. The project is located near the terminus of Pershing Street, in Neville Township, Allegheny County, along the Ohio River. Quadrangle: Ambridge, PA; N: 2.50 inches; W: 0.75 inch; Sub-basin 20G; Latitude: 40° 30' 49.5"; Longitude: 80° 7' 49.5"; Chapter 93 Type WWF, N.

**E04-343. Pine Valley Bible Camp**, 504 Chapel Drive, Ellwood City, PA 16117, North Sewickley Township, **Beaver County**; ACOE Pittsburgh District

Applicant proposes to encroach upon 26,190 square feet in the floodway of Brush Creek (WWF) in order to construct two buildings along with additional site improvements for the purpose of rebuilding the applicant's camp. The project is located on the west side of Chapel Drive, approximately 2,500.0 feet south from the intersection of Chapel Drive and Harpers Ferry Road (Zelienople, PA Quadrangle N: 10.25 inches; W: 16.5 inches, Latitude:

40° 48' 29.7"; Longitude: 80° 14' 42.5") in North Sewickley Township, Beaver County.

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

**E25-762, Pennsylvania Electric Company**, 76 South Main Street, Akron OH 44308. Four Mile Substation, in Harborcreek Township, **Erie County**, ACOE Pittsburgh District (Hammett, PA Quadrangle N: 42° 06' 12.7"; W: 79° 59' 00.1").

To construct an electric substation and associated access road and transmission structures. Project proposes to permanently impact 33 LF of UNT Four Mile Creek and 0.01 acre of PEM wetland for access road construction and pole/guy placement. Project also proposes to utilize timber mats for construction access resulting in temporary impacts to 12 LF UNT Four Mile Creek and 2.64 acres PEM wetland.

**ENVIRONMENTAL ASSESSMENTS**

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

**EA22-018: Derry Township Municipal Authority**, 670 Clearwater Road, Hershey Pennsylvania 17033, Lau-

rel Woods and Alpine Drive Infrastructure Repair, in Derry Township, **Dauphin County**, ACOE Baltimore District.

To remove an existing 10.0-foot long, 21.0-inch by 36.0-inch diameter CMP in an UNT to Swatara Creek (WWF, MF) and to restore the area using a 10.0-foot long constructed riffle structure and nine-step pool structures, all for the purpose of repairing damage caused by Tropical Storm Lee. The project is located immediately north of Verden Drive (Hershey, PA Quadrangle; Latitude: 40°15'16.37"N, Longitude: -76°40'34.04"W) in Derry Township, Dauphin County. No wetlands will be impacted by this project.

**DAM SAFETY**

*Central Office: Bureau of Waterways Engineering and Wetlands, Rachel Carson State Office Building, Floor 3, 400 Market Street, P. O. Box 8460, Harrisburg, PA 17105-8460*

**D52-189. Charles Verga** (6080 Wildrose Lane, Burtchville, MI 48059). To modify, operate, and maintain the Verga Pond Dam across an unnamed tributary to the Delaware River (HQ-CWF, MF), for the purpose of complying with the Commonwealth's regulations. (Shohola, PA Quadrangle Latitude: 41.4697°; Longitude: -74.9656°) in Shohola Township, **Pike County**.

**ACTIONS**

**THE PENNSYLVANIA CLEAN STREAMS LAW AND THE FEDERAL CLEAN WATER ACT**

**FINAL ACTIONS TAKEN FOR NPDES PERMITS AND WQM PERMITS**

The Department has taken the following actions on previously received applications for new, amended and renewed NPDES and WQM permits, applications for permit waivers and NOIs for coverage under General Permits. This notice of final action is provided in accordance with 25 Pa. Code Chapters 91 and 92a and 40 CFR Part 122, implementing provisions of The Clean Streams Law (35 P.S. §§ 691.1—691.101) and the Federal Clean Water Act (33 U.S.C.A. §§ 1251—1376).

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

Sections I—VI contain actions regarding industrial, animal or sewage wastes discharges, discharges to groundwater, and discharges associated with MS4, stormwater associated with construction activities and CAFOs. Section VII contains notices for parties who have submitted NOIs for Coverage under General NPDES Permits. The approval for coverage under these General NPDES Permits is subject to applicable effluent limitations, monitoring, reporting requirements and other conditions in each General Permit. The approval of coverage for land application of sewage sludge or residential septage under applicable general permit is subject to pollutant limitations, pathogen and vector attraction reduction requirements, operational standards, general requirements, management practices and other conditions in the respective permit. The permits and related documents, effluent limitations, permitting requirements and other information are on file and may be inspected and arrangements made for copying at the contact office noted before the action.

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

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

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

### I. NPDES Renewal Permit Actions

*Northeast Regional Office: Clean Water Program Manager, 2 Public Square, Wilkes-Barre, PA 18701-1915. Phone: 570.826.2511.*

<i>NPDES No. (Type)</i>	<i>Facility Name &amp; Address</i>	<i>County &amp; Municipality</i>	<i>Stream Name (Watershed No.)</i>	<i>EPA Waived Y/N?</i>
PA0062529 (IW)	Broad Mountain WTP Schuylkill County Municipal Authority Broad Mountain WTP St Clair, PA 17970	Schuylkill County Blythe Township	Wolf Creek (3-A)	Y
PA0064122 Industrial waste	Calpine Bethlehem LLC 2254 Applebutter Road Bethlehem, PA 18015	Northampton County Lower Saucon Township	Lehigh River and Unnamed Stream to Saucon Creek (2-C)	Y
PA0043915 (Sewage)	River Road Utilities STP 3300 River Road Mount Bethel, PA 18343-6122	Northampton County Upper Mount Bethel Township	Unnamed Tributary to Delaware River (1-F)	Y

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

<i>NPDES No. (Type)</i>	<i>Facility Name &amp; Address</i>	<i>County &amp; Municipality</i>	<i>Stream Name (Watershed #)</i>	<i>EPA Waived Y/N ?</i>
PA0247189 (CAFO)	Country View Family Farms, LLC 1301 Fulling Mill Road, Ste 3000 Middletown, PA 17057-5990	Franklin County Metal Township	West Branch Conococheague Creek / 13-C	N
PA0088935 (CAFO)	Country View Family Farms, LLC 1301 Fulling Mill Road, Ste 3000 Middletown, PA 17057-5990	York County North Codorus Township	UNT South Branch Codorus Creek / 7-H	N
PA0087769 (IW—GWCU)	Texas Eastern Transmission, LP 5400 Westheimer Ct. Houston, TX 77056	Perry County Carroll Township	Shermans Creek / 7-A	Y
PA0082066 (IW)	Valley Proteins, Inc. (Terre Hill Division) 693 Wide Hollow Road Terre Hill, PA 17519	Lancaster County East Earl Township	Muddy Creek / 7-J	Y

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

<i>NPDES No. (Type)</i>	<i>Facility Name &amp; Address</i>	<i>County &amp; Municipality</i>	<i>Stream Name (Watershed #)</i>	<i>EPA Waived Y/N</i>
PA0219347 Sewage	Iams STP 4124 Finley-Elrama Rd. Finleyville, PA 15332	Washington Cnty Union Twp	Lobbs Run	Y

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

<i>NPDES No. (Type)</i>	<i>Facility Name &amp; Address</i>	<i>County &amp; Municipality</i>	<i>Stream Name (Watershed #)</i>	<i>EPA Waived Y/N ?</i>
PA0034380 (Sewage)	Emlenton Service Plaza I-80 Exit 43, Emlenton, PA 16373	Venango County Scrubgrass Township	Unnamed Tributary to the Allegheny River (16-G)	Y
PA0222381 (Sewage)	Dubois Region Airport State Route 830 Reynoldsville, PA 15851	Jefferson County Washington Township	Keys Run (17-C)	Y
PA0006238 (IW)	Wismarq Valencia Plant 125 McFann Road Valencia, PA 16059	Butler County Middlesex Township	Glade Run (20-C)	Y
PA0221619 (Sewage)	Otto Township STP Bakers Trestle Road Rixford, PA 16745	McKean County Otto Township	Knapp Creek (16-C)	Y

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**II. New or Expanded Facility Permits, Renewal of Major Permits and EPA Nonwaived Permit Actions**

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

**NPDES Permit No. PA0056731**, Sewage, **Historic Salem Village Homeowners Association**, 2193 Yellow Springs Road, Malvern, PA 19355.

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

Description of Proposed Action/Activity: Approval for the renewal of an NPDES permit to discharge 0.0017 mgd of treated sewage from a facility known as Historic Salem Village STP to an Unnamed Tributary to Valley Creek in Watershed 3-F.

**NPDES Permit No. PA0051497**, Industrial, **Lenape Forged Products Corporation**, 1334 Lenape Road, West Chester, PA 19382-6893.

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

Description of Proposed Action/Activity: Approval for the renewal of an NPDES permit for the discharge of contact cooling water and Stormwater from a facility known as Lenape Forged Products Corporation to Brandywine Creek in Watershed 3-H.

**NPDES Permit No. PA0057011**, Sewage, **Little Washington Wastewater Company**, 762 West Lancaster Avenue, Bryn Mawr, PA 19010.

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

Description of Proposed Action/Activity: Approval for the renewal of an NPDES permit to discharge 0.013 mgd (AA and MM) of treated sewage from a facility known as Bridlewood Farm STP to Radley Run in Watershed 3-H.

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

**NPDES Permit No. PA0070360**, Sewage, **Mr. Joey Cupp, Pilot Travel Centers, LLC**, 5508 Lonas Road, Knoxville, TN 37909.

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

Description of Proposed Action/Activity: Transfer of Permit (Pilot Travel Centers #518—Frystown).

**NPDES Permit No. PA0084115**, Sewage, **Mr. Joey Cupp, Pilot Travel Centers, LLC**, 5508 Lonas Road, Knoxville, TN 37909.

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

Description of Proposed Action/Activity: Transfer of Permit—Pilot Travel Centers #517—Clarks Ferry.

**NPDES Permit No. PA0261378, Amendment #1**, Sewage, **Mr. R. Grant Gahagan, Sheetz, Inc.**, 5700 Sixth Avenue, Altoona, PA 16602.

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

Description of Proposed Action/Activity: Amendment approval to expand facility to address hydraulic overload with discharge to concrete swale to Juniata River.

**NPDES Permit No. PA0087793**, Industrial Waste, **William Kelvington, United Water PA, Inc.**, 4211 East Park Circle, Harrisburg, PA 17111-0151.

This proposed facility is located in Mechanicsburg Borough, **Cumberland County**.

Description of Proposed Action/Activity: Ceased Discharging—United Water PA Mechanicsburg System.

**NPDES Permit No. PA0261955**, CAFO, **Scott Kreider, S & A Kreider & Sons, Inc.**, 761 Spring Valley Road, Quarryville, PA 17566.

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

Description of Size and Scope of Proposed Operation/Activity: Authorization to operate a 2402.5 AEU Dairy CAFO in Watershed 7-K.

**NPDES Permit No. PA0246859**, CAFO, **Amos L. Hoover, Hickory Lane Farm**, RD #1, Box 706, Blain, PA 17006.

This proposed facility is located in Jackson Township, **Perry County**.

Description of Size and Scope of Proposed Operation/Activity: Authorization to operate a 1001.2 AEU Swine & Steer CAFO in Watershed 7-A.

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

**NPDES Permit No. PA0024759**, Sewage, SIC Code 4952, **Curwensville Municipal Authority**, 900 Susquehanna Avenue, Curwensville, PA 16833-1526.



This existing facility is located in Curwensville Borough, **Clearfield County**.

Description of Existing Action/Activity: Issuance of an NPDES Permit for an existing discharge of treated Sewage.

**NPDES Permit No. PA0232319**, SIC Code 4952, **Sortman Tammy J**, 706 Northway Road, Williamsport, PA 17701.

This proposed facility is located in Lock Haven City, **Clinton County**.

Description of Proposed Action/Activity: Issuance of an NPDES Permit for a new discharge of treated sewage from a single residence household.

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

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

Description of Proposed Activity: A new NPDES permit for a new discharge of treated sanitary wastewater.

The receiving stream, an Unnamed Tributary to the Twelvemile Creek, is located in State Water Plan watershed 15-A and is classified for High Quality Waters—Cold Water Fishes and, aquatic life, water supply and recreation. The discharge is not expected to affect public water supplies.

**PA0238716**, Sewage, **Corey & Danielle Hansen**, 11432 Scotland Avenue, Erie, PA 16428-3143. Facility Name: Hansen SRSTP.

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

Description of Proposed Action: Cancellation of NPDES permit.

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

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

**WQM Permit No. 0902408**, Sewage, **Amendment, Bedminster Municipal Authority**, 432 Elephant Road, Perkasie, PA 18944-4163.

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

Description of Action/Activity: Rerate plant treatment capacity based on maximum monthly average flow and loadings.

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

**WQM Permit No. 0690409, Transfer**, Sewerage, **Mr. Joey Cupp, Pilot Travel Centers, LLC**, 5508 Lonas Road, Knoxville, TN 37909.

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

Description of Proposed Action/Activity: Transfer of Permit (#518 Frystown).

**WQM Permit No. 2290405, Transfer**, Sewerage, **Mr. Joey Cupp, Pilot Travel Centers, LLC**, 5508 Lonas Road, Knoxville, TN 37909.

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

Description of Proposed Action/Activity: Transfer of Permit (#517 Clarks Ferry).

**WQM Permit No. 2211401, Amendment 12-1**, Sewerage, **Mr. R Grant Gahagan, Sheetz, Inc.**, 5700 6th Avenue, Altoona, PA 16602.

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

Description of Proposed Action/Activity: Amendment approval to expand facility to address hydraulic overload.

**WQM Permit No. 0601402, Amendment 12-1**, Sewage, **Kim Naja, Leesport Borough Authority**, Berks County, PO Box 201, Leesport, PA 19533-0201.

This proposed facility is located in Leesport Borough, **Berks County**.

Description of Proposed Action/Activity: Amendment approval modification of sewage facilities consisting of: 1. Replacement of the 8", 10" and 15" sewer and Manholes from Manhole 74 to Manhole 1 with 18" pipe. 2. Restoration of the sewer main between Manhole 100 and Manhole 94 on Shackamaxon Street East.

**WQM Permit No. 0672403, Amendment 12-1**, Sewage, **Oley Township Municipal Authority**, Berks County, PO Box 19, Oley, PA 19547-0019.

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

Description of Proposed Action/Activity: Amendment approval for the construction / operation of sewage facilities consisting of a Volute Dewatering Press to assist in sludge dewatering at the Oley Township Municipal Authority's wastewater treatment plant.

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

**WQM Permit No. 1812401**, Sewage, SIC Code 4952, **Sortman Tammy J**, 706 Northway Road, Williamsport, PA 17701.

This proposed facility is located in Lock Haven City, **Clinton County**.

Description of Proposed Action/Activity: Construction of an SFTF consisting of a septic tank, textile media filter, and UV disinfection.

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

**WQM Permit No. 1112404**, Sewerage, **City of Johnstown**, 401 Main St., Johnstown, PA 15901

This proposed facility is located in the City of Johnstown, **Cambria Cnty**.

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

The Pennsylvania Infrastructure Investment Authority (Pennvest) which administers Pennsylvania's State Revolving Fund has been identified as a possible funding source. The Department's review of the sewage facilities plan revision has not identified any significant environmental impacts resulting from this proposal.

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

**WQM Permit No. 1012402**, Sewage, **Slippery Rock Borough Municipal Authority**, P. O. Box 157, Slippery Rock.

This existing facility is located in Slippery Rock Borough, **Butler County**.

Description of Proposed Action/Activity: Replacement of a trickling filter based system with a sequencing batch reactor system.

**WQM Permit No. WQG018856**, Sewage, **Arlene Fischer**, 9019 Kuhl Road, Erie, PA 16510.

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

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

**WQM Permit No. 2501425**, Sewage, **Corey & Danielle Hansen**, 1132 Scotland Avenue, Erie, PA 16428-3143.

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

Description of Proposed Action/Activity: Cancellation of permit.

**WQM Permit WQG018859**. Sewage, **Brian Baldwin**, 8422 Mill Street, Girard, PA 16417.

This proposed facility is located in Platea Borough, **Erie County**.

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

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

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

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

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

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

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

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

<i>NPDES Permit No.</i>	<i>Applicant Name &amp; Address</i>	<i>County</i>	<i>Municipality</i>	<i>Receiving Water/Use</i>
PAI01 1506075-R	Southdown Homes, L.P. 55 Country Club Drive Suite 200 Downingtown, PA 19335	Chester	East Brandywine Township	East Branch Brandywine Creek HQ-TSF

## NOTICES

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>
PAI024512009	Brodhead Creek Regional Authority 410 Mill Creek Road East Stroudsburg, PA 18301	Monroe	Pocono Twp. Hamilton Twp. Stroud Twp. Smithfield Twp. Stroudsburg Boro.	Brodhead Creek (Middle Branch to LR 45060 Bridge), HQ-CWF, MF; Brodhead Creek UNTs (Middle Branch to LR 45060 Bridge), HQ-CWF, MF; Rocky Run, HQ-CWF, MF; UNTs to Rocky Run, HQ-CWF, MF; Little Pocono, HQ-CWF, MF; UNTs to Little Pocono HQ-CWF, MF; Scot Run, HQ-CWF, MF; UNTs to Scot Run, HQ-CWF, MF; Bulgers Run, HQ-CWF, MF; UNTs to Bulgers Run, HQ-CWF, MF; Cranberry Creek, HQ-CWF, MF; UNTs to Cranberry Creek, HQ-CWF, MF; Reeders Run, HQ-CWF, MF; UNTs to Reeders Run, HQ-CWF, MF; Wigwam Run, HQ-CWF, MF; UNTs to Wigwam Run, HQ-CWF, MF; Flagler Run, HQ-CWF, MF; UNTs to Flagler Run, HQ-CWF, MF; Big Meadow Run, HQ-CWF, MF; UNTs to Big Meadow Run, HQ-CWF, MF; McMichael's Creek (Pocono Creek to Mouth), TSF, MF; UNTs to McMichael's Creek (Pocono Creek to Mouth), TSF, MF; Marshall Creek, HQ-CWF, MF; UNTs to Marshall Creek, HQ-CWF, MF; Swiftwater Creek, HQ-CWF, MF; UNTs to Swiftwater Creek, HQ-CWF, MF; Brodhead Creek (LR 45060 Bridge to Mouth), TSF, MF; Brodhead Creek UNTs (LR 45060 Bridge to Mouth), TSF, MF; Sambo Creek, CWF, MF; UNTs to Sambo Creek, CWF, MF;

<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 Ninth St. GENN 3 Allentown, PA 18101	Wayne	Paupack Twp.	McMichael's Creek (T 434 to Pocono Creek), HQ-CWF, MF; UNTs to McMichael's Creek (T 434 to Pocono Creek), HQ-CWF, MF; Pocono Creek, HQ-CWF, MF; UNTs to Pocono Creek, HQ-CWF, MF Wangum Creek, HQ-CWF, MF
PAI021312006	Falling Creek Investments, Inc. P. O. Box 655 Brodheads ville, PA 18322	Carbon	Towamensing Twp.	Hunter Creek, HQ-CWF, MF
PAI024812012	Traditions of America, L.P. 1 Saucon View Dr. Bethlehem, PA 18018	Northampton	Hanover Twp.	Monocacy Creek, HQ-CWF, MF
PAI023912008	Faust Hauling, Inc. 7531 Ruppsville Rd. Trexler town, PA 18087	Lehigh	Upper Macungie Twp.	Iron Run, HQ-CWF, MF
PAI023911021	Covenant Transport 400 Birmingham Hwy. Chattanooga, TN 37419	Lehigh	South Whitehall Twp.	Little Cedar Creek, HQ-CWF, MF
PAI024504034R	Kal-Tac, Inc. P. O. Box 378 Brodheads ville, PA 18322	Monroe	Price Twp.	UNT to Brodhead Creek, HQ-CWF, MF
PAI024512010	PPL Electric Utilities Corp. 2 North Ninth St. GENN-3 Allentown, PA 18101	Monroe	Tobyhanna Twp.	Swiftwater Creek, EV
PAI024812002	David M. Seyfried Custom Building Co., Inc. 449 Chestnut St. Nazareth, PA 18064	Northampton	Bushkill Twp.	Bushkill 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>
PAI035012002	Nolt Poultry Operation 8911 Creek Road Newport, PA 17074	Perry	Juniata Township	Buffalo Creek (HQ-CWF)
PAI035010003	Roger and Susan Smith 6525 Creek Road Newport, PA 17074	Perry	Juniata Township	UNT to Buffalo Creek (HQ-CWF)

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

<i>NPDES Permit No.</i>	<i>Applicant Name &amp; Address</i>	<i>County</i>	<i>Municipality</i>	<i>Receiving Water/Use</i>
PAI052611003	Deer Lake Improvement Association 446 Meadow Run Trail Chalk Hill, PA 15470	Fayette	Wharton Township	Meadow Run (HQ-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>
Plumstead Township Bucks County	PAG0200 0907060-R	Hostvedt Four Lot Subdivision 30 South Pine Street Doylestown, PA 18901-9116	Neshaminy Creek WWF	Southeast Regional Office 2 East Main Street Norristown, PA 19401 484-250-5900
Warwick Township Bucks County	PAG0200 0910022	Kendarbren Partners, L.P. 1740 Meyer Way Jamison, PA 18929	Neshaminy Creek TSF	Southeast Regional Office 2 East Main Street Norristown, PA 19401 484-250-5900
Upper Southampton Township Bucks County	PAG0200 0912069	Toner Development Corporation 915 Standish Avenue Huntingdon Valley, PA 19006	Unnamed Tributary to Southampton Creek TSF-MF	Southeast Regional Office 2 East Main Street Norristown, PA 19401 484-250-5900
Plumstead Township Bucks County	PAG0200 0913004	Carriage Hill JV, LLC 124 Cedar Avenue Conshohocken, PA 19128-2811	North Branch Neshaminy Creek WWF	Southeast Regional Office 2 East Main Street Norristown, PA 19401 484-250-5900
Dublin Borough Bucks County	PAG0200 0912089	Dublin Borough 119 Maple Avenue P. O. Box 52 Dublin, PA 18917	East Branch Perkiomen Creek & Tohickon Creek TSF-MF CWF-MF	Southeast Regional Office 2 East Main Street Norristown, PA 19401 484-250-5900
Middletown Township Bucks County	PAG0200 0903151-R	CGR Properties, Inc. 380 W. Lincoln Highway Pennel, PA 19047	Tributary to Neshaminy Creek WWF	Southeast Regional Office 2 East Main Street Norristown, PA 19401 484-250-5900

## NOTICES

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<i>Facility Location: Municipality &amp; County</i>	<i>Permit No.</i>	<i>Applicant Name &amp; Address</i>	<i>Receiving Water/Use</i>	<i>Contact Office &amp; Phone No.</i>
Doylestown Township Bucks County	PAG0200 0905043-R1	Toll Brothers, Inc. 250 Gibraltar Road Horsham, PA 19044	Neshaminy Creek TSF-MF	Southeast Regional Office 2 East Main Street Norristown, PA 19401 484-250-5900
Lower Makefield Township Bucks County	PAG0200 0910019-R	Zubaida Foundation 855 Big Oak Road Yardley, PA 19067	Rock Run WWF	Southeast Regional Office 2 East Main Street Norristown, PA 19401 484-250-5900
Kennett Township Chester County	PAG0200 1512038	Craig Novak 114 Carlton Drive Chadds Ford, PA 19317	Burrows Run CWF	Southeast Regional Office 2 East Main Street Norristown, PA 19401 484-250-5900
Easttown Township Chester County	PAG0200 1512040	Boathouse Realty Assoc., L.P. 1595 Paoli Pike West Chester, PA 19380	Unnamed Tributary to Darby Creek CWF	Southeast Regional Office 2 East Main Street Norristown, PA 19401 484-250-5900
Pennsbury Township Chester County	PAG0200 1512042	Mr. Richard Sanford 1653 Brintons Bridge Road Chadds Ford, PA 19317	Unnamed Tributary to Brandywine Creek WWF	Southeast Regional Office 2 East Main Street Norristown, PA 19401 484-250-5900
Kennett Township Chester County	PAG0200 1512036	Tague Family Limited Partnership 325 Media Station Road Media, PA 19063	East Branch Red Clay Creek TSF-MF	Southeast Regional Office 2 East Main Street Norristown, PA 19401 484-250-5900
Sadsbury Township Chester County	ESCGP-1 1512802	Williams Transcontinental Pipe Line Co., LLC 2800 Post Oak Blvd, Level 17 Houston, TX 77056	Buck Run TSF-MF	Southeast Regional Office 2 East Main Street Norristown, PA 19401 484-250-5900
Newtown Township Delaware County	PAG0200 2312023	Newtown Partners II, LP c/o Bozzuto Development Co. 740 Springdale Drive, Suite 130 Exton, PA 19341	Hunter Run CWF-MF	Southeast Regional Office 2 East Main Street Norristown, PA 19401 484-250-5900
Upper Moreland Montgomery County	PAG0200 4610092-1R	Veteran's Memorial Park Parking Lot Expansion 117 Park Avenue Willow Grove, PA 19090	War Memorial Creek TSF-MF	Southeast Regional Office 2 East Main Street Norristown, PA 19401 484-250-5900
Horsham Township Montgomery County	PAG0200 4610098R	Kevin Stackhouse 1 Bala Avenue, Suite 502 Bala Cynwyd, PA 19004	Park Creek WWF-MF	Southeast Regional Office 2 East Main Street Norristown, PA 19401 484-250-5900
Whitemarsh Township Montgomery County	PAG0200 4612066	Whitemarsh-Ridge Associates 2012, LP 832 Germantown Pike, Suite 5 Plymouth Meeting, PA 19462	Schuylkill River WWF-MF	Southeast Regional Office 2 East Main Street Norristown, PA 19401 484-250-5900
Lower Salford Township Montgomery County	PAG0200 4607192R	Soeder Tract 658 Harleysville Pike, Suite 150 Harleysville, PA 19438	East Branch Perkiomen Creek TSF-MF	Southeast Regional Office 2 East Main Street Norristown, PA 19401 484-250-5900

<i>Facility Location: Municipality &amp; County</i>	<i>Permit No.</i>	<i>Applicant Name &amp; Address</i>	<i>Receiving Water/Use</i>	<i>Contact Office &amp; Phone No.</i>
Lower Salford Township Montgomery County	PAG0200 4610083R	140 Clemens Road Strategic Domain Ventures 140 Clemens Road, Suite 200 Harleysville, PA 19438	Skippack Creek TSF	Southeast Regional Office 2 East Main Street Norristown, PA 19401 484-250-5900
City of Philadelphia Philadelphia County	PAG0201 511234	Philadelphia Cricket Club 418 West Willow Grove Avenue Philadelphia, PA 19118	Wissahickon Creek TSF	Southeast Regional Office 2 East Main Street Norristown, PA 19401 484-250-5900
Newton Twp., Lackawanna County	PAG02003512019	PA American Water David R. Kaufman 800 Hershey Park Dr., Hershey, Pa 17033	Falls Creek, CWF, MF	Lackawanna Co. Cons. Dist. 570-281-9495
Gordon Borough, Schuylkill County	PAG02005407023R	John Hampton 400 Broad St. Ashland, Pa 17921	Mahanoy Creek, CWF, MF	Schuylkill Co. Cons. Dist. 570-622-3742
Whitehall Twp., Lehigh County	PAG02003912016	Paxos Homes, Inc. George Paxos 2002 Arey Lane Whitehall, PA 18052	Lehigh River, TSF, MF	Lehigh Co. Cons. Dist. 610-391-9583
Pittston Twp., Luzerne County	PAG02004012018	New Prime, Inc. Johnnie Madison 2740 North Mayfair Ave. Springfield, MO 65803	Mill Creek, CWF, MF	Luzerne Co. Cons. Dist. 570-674-7991

*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>
Cumberland Township Adams County	PAG02000112029	Zachary Bolitho Gettysburg National Military Park 1195 Baltimore Pike, Suite 100 Gettysburg, PA 17325	Rock Creek/ WWF, MF	Adams Co. Conservation District 670 Old Harrisburg Rd, Suite 201 Gettysburg, PA 17325 717.334.0636
Richmond Township Berks County	PAG02000613003	Alvin Burkholder 13 Moll Road Fleetwood, PA 19522	UNT to Maidencreek/ WWF	Berks County Conservation Dist. 1238 County Welfare Rd, Ste 200 Leesport, PA 19533-9710 610.372.4657, Ext. 142
Silver Spring Township Cumberland County	PAG02002113001	Silver Spring Authority Five Willow Mill Road Mechanicsburg, PA 17050	Conodoguinet Creek/WWF	Cumberland Co Conservation Dist. 310 Allen Road, Suite 301 Carlisle, PA 17013 717.240.7812
Hopewell Township Cumberland County	PAG02002112028	Henry Nolt 455 "B" Middle Creek Road Lititz, PA 17543	Middle Spring Creek/CWF	Cumberland Co Conservation Dist. 310 Allen Road, Suite 301 Carlisle, PA 17013 717.240.7812
East Donegal Township Lancaster County	PAG02003611073R	Keystone Custom Homes 214-A Willow Valley Lakes Dr. Willow Street, PA 17584	Donegal Creek/TSF	Lancaster Co Conservation Dist. 1383 Arcadia Road, Room 200 Lancaster, PA 17601 717.299.5361, Ext. 5

## 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>
Millersville Borough Lancaster County	PAG02003612093	Student Services, Inc. 21 South George Street Millersville, PA 17551	UNT Conestoga River/WWF, MF	Lancaster Co Conservation Dist. 1383 Arcadia Road, Room 200 Lancaster, PA 17601 717.299.5361, Ext. 5
Upper Leacock Township Lancaster County	PAG02003612095	Horseshoe Real Estate 48 Queen Road Gordonville, PA 17529	UNT Mill Creek/CWF, MF	Lancaster Co Conservation Dist. 1383 Arcadia Road, Room 200 Lancaster, PA 17601 717.299.5361, Ext. 5
Jackson Township and Myerstown Borough Lebanon County	PAG02003811002R	Craig Garloff 440 East Lincoln Avenue Myerstown, PA 17067	UNT to Owl Creek/WWF, MF	Lebanon Co Conservation District 2120 Cornwall Road Suite 5 Lebanon, PA 17042 717.272.3908, Ext. 4
South Annville Township Lebanon County	PAG02003809013	Jan & Ann Behney 395 West Turnberry Drive West Chester, PA 19382	Quittapahilla Via Bachman Run/TSF	Lebanon Co Conservation District 2120 Cornwall Road Suite 5 Lebanon, PA 17042 717.272.3908, Ext. 4
Palmyra Borough Lebanon County	PAG02003812016	Craig Hasson 918 Rabbit Hill Road Lititz, PA 17543	UNT to Spring Creek/WWF	Lebanon Co Conservation District 2120 Cornwall Road Suite 5 Lebanon, PA 17042 717.272.3908, Ext. 4
South Lebanon Township Lebanon County	PAG02003810029	Clair Zimmerman 85 Furnace Hills Road Denver, PA 17517	UNT to Quittapahilla Creek/TSF	Lebanon Co Conservation District 2120 Cornwall Road Suite 5 Lebanon, PA 17042 717.272.3908, Ext. 4
North Annville Township Lebanon County	PAG02003810021R	Harold Weaver 47 Palmyra-Bellegrave Road Annville, PA 17003	Quittapahilla Creek/TSF	Lebanon Co Conservation District 2120 Cornwall Road Suite 5 Lebanon, PA 17042 717.272.3908, Ext. 4
North Cornwall Township and Lebanon City Lebanon County	PAG02003807031R	J. Scott Martin PO Box 82 Brownstown, PA 17508	Snitz Creek to Quittapahilla Creek/TSF	Lebanon Co Conservation District 2120 Cornwall Road Suite 5 Lebanon, PA 17042 717.272.3908, Ext. 4
North Lebanon Township Lebanon County	PAG02003811006R	Sheila Wartluft 725 Kimmerlings Road Lebanon, PA 17046	Quittapahilla Creek/TSF, MF and Tulpehocken Creek/CWF, MF	Lebanon Co Conservation District 2120 Cornwall Road Suite 5 Lebanon, PA 17042 717.272.3908, Ext. 4
Union Township Lebanon County	PAG02003813004	John Lehman 2900 State Route 72 Jonestown, PA 17038	Swatara Creek/WWF	Lebanon Co Conservation District 2120 Cornwall Road Suite 5 Lebanon, PA 17042 717.272.3908, Ext. 4



*Facility Location:  
Municipality &  
County*

South Lebanon  
Township  
Lebanon County

*Permit No.*

PAG02003812033

*Applicant Name &  
Address*

Brian Boyd  
400 Iona Road  
Lebanon, PA 17042

*Receiving  
Water/Use*

Tulpehocken  
Creek/TSF

*Contact Office &  
Phone No.*

Lebanon Co  
Conservation District  
2120 Cornwall Road  
Suite 5  
Lebanon, PA 17042  
717.272.3908, Ext. 4

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

*Facility Location:  
Municipality &  
County*

Orange & Scott Twps  
Columbia County

*Permit No.*

PAG02001907010R

*Applicant Name &  
Address*

Stony Brook Management LLC  
Frank Perano  
PO Box 677  
Morgantown PA 19543

*Receiving  
Water/Use*

Fishing Creek  
WWF

*Contact Office &  
Phone No.*

Columbia County  
Conservation District  
702 Sawmill Rd  
Ste 204  
Bloomsburg PA 17815  
(570) 784-1310

Muncy Creek Twp  
Lycoming County

*Permit No.*

PAG02004113002

Brent Fish  
Fishlips LLC  
1868 E 3rd St  
Williamsport PA 17701

Wolf Run  
CWF  
Muncy Creek  
TSF  
WB Susquehanna  
River  
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*

East Franklin  
Township  
North Buffalo  
Township  
Armstrong County

*Permit No.*

PAG02000312007R

*Applicant Name and  
Address*

West Hills Area Water Pollution  
Control Authority  
257 Linde Road  
Kittanning, PA 16201

*Receiving  
Water/Use*

Glade Run (TSF),  
Furnace Run  
(WWF-N),  
Allegheny River  
(WWF-N)

*Contact Office and  
Phone No.*

Armstrong County  
CD  
Armsdale  
Administration  
Building  
124 Armsdale Road  
Kittanning, PA 16201  
(724) 548-3435

Center Township  
Beaver County

*Permit No.*

PAG02000413003

David Property Management &  
Development  
105 Brookhaven Dive  
Aliquippa, PA 15010

UNT to Poorhouse  
Run (WWF)  
Shafers Run (WWF)

Beaver County CD  
156 Cowpath Road  
Aliquippa, PA 15001  
(724) 378-1701

City of Johnstown  
Cambria County

*Permit No.*

PAG02001112019

City of Johnstown  
401 Main Street  
Johnstown, PA 15901

Cherry Run (WWF),  
Cheney Run (WWF),  
Stonycreek River  
(WWF)

Cambria County CD  
401 Candlelight  
Drive, Suite 221  
Ebensburg, PA 15931  
(814) 472-2120

Georges Township  
Fayette County

*Permit No.*

PAG02002612017

Smithfield DPP VII, LLC  
9010 Overlook Blvd  
Brentwood, TN 37027

UNT to Georges  
Creek (WWF)

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

Cecil Township  
Washington County

*Permit No.*

PAG02006305042-3

Lutz Briggs Shultz &  
Associates, Inc.  
239 Country Club Drive  
Elwood City, PA 16117

Chartiers Creek  
(WWF)

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

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

<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>
Union Township Lawrence County	PAG02003712012	Sheetz Inc Attn: David Mastrostefano 817 Brookfield Drive Seven Fields PA 16046	Unt Shenango River WWF	Lawrence County Conservation District 814-825-6403
City of Hermitage Mercer County	PAG02004313002	Hudson Holding Company 2450 Shenango Valley Freeway Hermitage PA 16148	Bobby Run WWF	Mercer County Conservation District 814-825-6403

*General Permit Type—PAG-03*

<i>Facility Location: Municipality &amp; County</i>	<i>Permit No.</i>	<i>Applicant Name &amp; Address</i>	<i>Receiving Water / Use</i>	<i>Contact Office &amp; Phone No.</i>
Fall Township Bucks County	PAR150011	Tavo Packaging Inc. 2 Canal Road Fairless Hills, PA 19030	Delaware Raritan Canal—2E	Southeast Region Clean Water Program 484.250.5970
Norwegian Township Schuylkill County	PAR232246	Honeywell International Inc. 98 Westwood Road Pottsville, PA 17901-1834	Unnamed Tributary to West Branch Schuylkill River—3-A	DEP Northeast Regional Office Clean Water Program 2 Public Square, Wilkes-Barre, PA 18701-1915 570.826.2511
York County / Fairview Township	PAR603568	New Cumberland Auto Parts Box 468 New Cumberland, PA 17070	UNT Yellow Breeches Creek / CWF / 7-E	DEP—SCRO— Clean Water Program 909 Elmerton Avenue Harrisburg, PA 17110 717-705-4707
Lamar Township Clinton County	PAR224857	Bingaman & Son Lumber Inc. PO Box 247 Kreamer, PA 17833	Fishing Creek (9-C) CWF	DEP Northcentral Regional Office Clean Water Program 208 W Third Street Suite 101, Williamsport, PA 17701-6448 570.327.3664
Blairsville Boro Indiana Cnty	PAR216145	Blairsville Wilbert Vault Co PO Box 7 100 NE Ln Blairsville, PA 15717	UNT to Conemaugh River	Southwest Regional Office: Water Management Program Manager 400 Waterfront Drive Pittsburgh, PA 15222-4745 412-442-4000
New Sewickley Twp Beaver Cnty	PAR806290	Mitsubishi Electric Power Products, Inc. 530 Keystone Dr. Warrendale, PA 15086-7537	UNT to Crows Run	Southwest Regional Office: Water Management Program Manager 400 Waterfront Drive Pittsburgh, PA 15222-4745 412-442-4000

*General Permit Type—PAG-4*

<i>Facility Location: Municipality &amp; County</i>	<i>Permit No.</i>	<i>Applicant Name &amp; Address</i>	<i>Receiving Water / Use</i>	<i>Contact Office &amp; Phone No.</i>
Benton Township Lackawanna County	PAG042230	Thomas Little RR 4 Box 89A Dalton, PA 18414	Unnamed Tributary of South Branch Tunkhannock Creek—4-F	DEP Northeast Regional Office Clean Water Program 2 Public Square, Wilkes-Barre, PA 18701-1915 570.826.2511

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

*Facility Location:  
Municipality &  
County*

<i>Permit No.</i>	<i>Applicant Name &amp; Address</i>	<i>Receiving Water/Use</i>	<i>Contact Office &amp; Phone No.</i>
PAG041091	Brian Baldwin 8422 Mill Street Girard PA 16417	Unnamed Tributary to Halls Run 15-A	DEP NWRO Clean Water Program 230 Chestnut Street Meadville, PA 16335-3481 814/332-6942
PAG041094	Mercer Baptist Church 909 Butler Pike Mercer, PA 16137	Unnamed Tributary of Neshannock Creek 20-A	DEP NWRO Clean Water Program 230 Chestnut Street Meadville, PA 16335-3481 814/332-6942

*General Permit Type—PAG-8 (SSN)*

*Facility Location:  
Municipality &  
County*

<i>Permit No.</i>	<i>Applicant Name &amp; Address</i>	<i>Site Name &amp; Location</i>	<i>Contact Office &amp; Phone No.</i>
PAG080002	Synagro 1605 Dooley Road PO Box B Whiteford, MD 21160	Glen Gery Farm 4851 Davidsburg Road Dover, PA 17315	DEP—SCRO 909 Elmerton Avenue Harrisburg, PA 17110-8200 717-705-4707
PAG080003			
PAG080004			
PAG080006			
PAG080008			
PAG080018			
PAG080021			
PAG082203			
PAG082211			
PAG082219			
PAG083501			
PAG083506			
PAG083510			
PAG083515			
PAG083522			
PAG083535			
PAG083540			
PAG083542			
PAG083547			
PAG083551			
PAG083556			
PAG083565			
PAG083567			
PAG083573			
PAG083596			
PAG083597			
PAG083600			
PAG083605			
PAG083825			
PAG089903			
PAG089904			
PAG089905			
PAG070003			
PAG070005			
PAG073508			
PABIG9903			
WMGR099			

*General Permit Type—PAG-10*

<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>
Dimock Township Susquehanna County	PAG102272	Williams Field Service Co. LLC—Crystella Pipeline 6 Wyoming Sand Lane Tunkhannock, PA 18657	Unnamed Tributary to White Creek and West Creek—4-G	DEP Northeast Regional Office Clean Water Program 2 Public Square, Wilkes-Barre, PA 18701-1915 570.826.2511
Lenox Township Susquehanna County	PAG102269	Williams Field Service Co. LLC McCarthy Pipeline Project 1605 Coraopolis Heights Road Moon Township, PA 15108-4310	Tower Creek, Millard Creek and Unnamed Tributary to Martins Creek—4-F	DEP Northeast Regional Office Clean Water Program 2 Public Square, Wilkes-Barre, PA 18701-1915 570.826.2511
Lathrop Township Susquehanna County	PAG102264	Williams Field Services Company, LLC (Horton Pipeline Project) 1605 Coraopolis Heights Road Moon Township, PA 15108	East Branch Field Brook and UNT of Horton Creek (CWF, MF)	DEP Northeast Regional Office Clean Water Program 2 Public Square, Wilkes-Barre, PA 18701-1915 570.826.2511
Orphan Pipeline Project Harford Township Susquehanna County	PAG102270	Williams Field Service Co. LLC 1605 Coraopolis Heights Road Moon Township, PA 15108	Partners Creek, Unnamed Tributary to Nine Partners Creek and Unnamed Tributary to Partners Creek—4-F Cold Water Fishes, Migratory Fishes	DEP Northeast Regional Office Clean Water Program 2 Public Square, Wilkes-Barre, PA 18701-1915 570.826.2511

*General Permit Type—PAG12*

<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>
Lewis Township Northumberland County	PAG124844	John Pfleegor 460 Gold Road Muncy, PA 17756	Unnamed Tributary of Warrior Run—10-D	DEP Northcentral Regional Office Clean Water Program 208 W Third Street Suite 101, Williamsport, PA 17701-6448 570.327.3664
West Perry Township Snyder County	PAG124845	Maneval Dale 11203 Route 35 Mt Pleasant Mills, PA 17853-8476	Unnamed Tributary of North Branch Mahantango Creek—6-C	DEP Northcentral Regional Office Clean Water Program 208 W Third Street Suite 101, Williamsport, PA 17701-6448 570.327.3664

*General Permit Type—PAG-13*

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

<i>Facility Location: Municipality &amp; County</i>	<i>Permit No.</i>	<i>Applicant Name &amp; Address</i>	<i>Receiving Water / Use</i>	<i>Contact Office &amp; Phone No.</i>
Doylestown Borough Bucks County	PAG130035	Doylestown Borough Bucks County 57 W Court Street Doylestown, PA 18901	Unnamed Tributary to Cooks Run and Unnamed Tributary to Neshaminy Creek—2-F	DEP Southeast Regional Office Clean Water Program 2 E Main Street, Norristown, PA 19401 484.250.5970



<i>Facility Location: Municipality &amp; County</i>	<i>Permit No.</i>	<i>Applicant Name &amp; Address</i>	<i>Receiving Water / Use</i>	<i>Contact Office &amp; Phone No.</i>
Chester Heights Borough Delaware County	PAG130119	Chester Heights Borough Delaware County 222 Llewelyn Road P O Box 658 Chester Heights, PA 19017	Chester Creek and Unnamed Tributary to West Branch Chester Creek—3-G	DEP Southeast Regional Office Clean Water Program 2 E Main Street, Norristown, PA 19401 484.250.5970
Downingtown Borough Chester County	PAG130140	Downingtown Borough Chester County 4 W Lancaster Pike Downingtown, PA 19335	Beaver Creek, East Branch Brandywine Creek, Unnamed Tributary to Beaver Creek and Unnamed Tributary to East Branch Brandywine Creek—3-H	DEP Southeast Regional Office Clean Water Program 2 E Main Street, Norristown, PA 19401 484.250.5970
Swarthmore Borough Delaware County	PAG130001	Swarthmore Borough Delaware County 121 Park Avenue Swarthmore, PA 19081	Crum Creek and Little Crum Creek—3-G	DEP Southeast Regional Office Clean Water Program 2 E Main Street, Norristown, PA 19401 484.250.5970
Bristol Borough Bucks County	PAG130105	Bristol Borough Bucks County 250 Pond Street Bristol, PA 19007	Delaware River, Mill Creek and Unnamed Tributary to Delaware River—2-E	DEP Southeast Regional Office Clean Water Program 2 E Main Street, Norristown, PA 19401 484.250.5970
Morrisville Borough Bucks County	PAG130104	Morrisville Borough Bucks County 35 Union Street Morrisville, PA 19067	Delaware River—2-E	DEP Southeast Regional Office Clean Water Program 2 E Main Street, Norristown, PA 19401 484.250.5970
Upper Makefield Township Bucks County	PAG130010	Upper Makefield Township Bucks County 1076 Eagle Road Newtown, PA 18940	Delaware River, Houghs Creek and Jericho Creek—2-E	DEP Southeast Regional Office Clean Water Program 2 E Main Street, Norristown, PA 19401 484.250.5970
Yardley Borough Bucks County	PAG130041	Yardley Borough Bucks County 56 South Main Street Yardley, PA 19067	Buck Creek, Delaware River and Unnamed Tributary Unnamed Tributary of Delaware River—2-E	DEP Southeast Regional Office Clean Water Program 2 E Main Street, Norristown, PA 19401 484.250.5970
Darby Township Delaware County	PAG130088	Darby Township Delaware County 21 Bartram Avenue Glenolden, PA 19036	Darby Creek, Hermesprotta Creek and Muckinipattis Creek—3-G	DEP Southeast Regional Office Clean Water Program 2 E Main Street, Norristown, PA 19401 484.250.5970
Rockledge Borough Montgomery County	PAG130152	Rockledge Borough Montgomery County 121 Huntingdon Pike Rockledge, PA 19046	Rockledge Branch and Unnamed Tributary to Tacony Creek—3-J	DEP Southeast Regional Office Clean Water Program 2 E Main Street, Norristown, PA 19401 484.250.5970
Haverford Township Delaware County	PAG130077	Haverford Township Delaware County 2325 Darby Road Havertown, PA 19083	Cobbs Creek, Darby Creek and Naylor's Run—3-G	DEP Southeast Regional Office Clean Water Program 2 E Main Street, Norristown, PA 19401 484.250.5970

## 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>
Chester City Delaware County	PAG130090	Chester City Delaware County 1 Fourth Street Chester, PA 19013	Chester Creek, Ridley Creek and Stoney Creek—3-G	DEP Southeast Regional Office Clean Water Program 2 E Main Street, Norristown, PA 19401 484.250.5970
Silverdale Borough Bucks County	PAG130160	Silverdale Borough Bucks County 100 W Park Avenue PO Box 187 Silverdale, PA 18962	Unnamed Tributary to Pleasant Spring Creek—3-E	DEP Southeast Regional Office Clean Water Program 2 E Main Street, Norristown, PA 19401 484.250.5970

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

<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>
Banks Township Carbon County	PAG132280	Banks Township Carbon County 350 North Pine Street Palmerton, PA 18250	Catawissa Creek— CWF, MF Beaver Creek— CWF, MF	DEP Northeast Regional Office Clean Water Program 2 Public Square, Wilkes-Barre, PA 18701-1915 570.826.2511
Franklin Township Carbon County	PAG132281	Franklin Township Carbon County 350 North Pine Street Summit Hill, PA 18250	Lehigh River— TSF, MF Long Run— CWF, MF Pohopoco Creek— CWF, MF	DEP Northeast Regional Office Clean Water Program 2 Public Square, Wilkes-Barre, PA 18701-1915 570.826.2511
Coplay Borough Lehigh County	PAG132201	Coplay Borough Lehigh County 98 South 4th Street Coplay, PA 18037	Lehigh River— TSF, MF	DEP Northeast Regional Office Clean Water Program 2 Public Square, Wilkes-Barre, PA 18701-1915 570.826.2511
Heidelberg Township Lehigh County	PAG132275	Heidelberg Township Lehigh County 6272 Route 309 Suite A New Tripoli, PA 18066	Unnamed Tributary to Mill Creek— CWF, MF	DEP Northeast Regional Office Clean Water Program 2 Public Square, Wilkes-Barre, PA 18701-1915 570.826.2511
Upper Saucon Township Lehigh County	PAG132282	Penn State Lehigh Valley 2809 Saucon Valley Road Center Valley, PA 18034	Unnamed Tributary to Saucon Creek— CWF, MF	DEP Northeast Regional Office Clean Water Program 2 Public Square, Wilkes-Barre, PA 18701-1915 570.826.2511
Fountain Hill Borough Lehigh County	PAG132250	Fountain Hill Borough Municipal Authority Lehigh County 941 Long Street Fountain Hill, PA 18015	Lehigh River— WWF, MF	DEP Northeast Regional Office Clean Water Program 2 Public Square, Wilkes-Barre, PA 18701-1915 570.826.2511

*Facility Location:  
Municipality &  
County*

*Permit No.*

*Applicant Name &  
Address*

*Receiving  
Water / Use*

*Contact Office &  
Phone No.*

North Whitehall  
Township  
Lehigh County

PAG132215

North Whitehall Township  
Lehigh County  
PO Box 639  
865 Interchange Road  
Kresgeville, PA 18333

Coplay Creek—CWF,  
Fells Creek—CWF,  
Jordan Creek—  
TSF, MF,  
Lehigh River—  
WWF,  
Rockdale Creek—  
CWF and Unnamed  
Tributary to Spring  
Creek—CWF

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

**PUBLIC WATER SUPPLY PERMITS**

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

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

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

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

**SAFE DRINKING WATER**

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

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

**Operations Permit #0913504** issued to **Aqua Pennsylvania, Inc.**, 762 West Lancaster Avenue, Bryn Mawr, PA 19010: Middletown Township, **Bucks County** on February 19, 2013 for the operation of Neshaminy Water Treatment Plant Improvements facilities approved under construction permit # 0909513.

**Operations Permit #0913505** issued to: **Plumstead Township**, P. O. Box 387, Plumsteadville, PA 18949-0387 Plumstead Township, **Bucks County** on February 27, 2013 for the operation of Plumstead Northern Area Water System Well No. 6 facilities approved under construction permit #0910503.

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

**Operations Permit** issued to: **Womelsdorf-Robesonia Joint Authority**, 3060080, Heidelberg Township, **Berks County** on 2/27/2013 for the operation of facilities approved under Construction Permit No. 0610514 MA.

**Operations Permit** issued to: **Elsesser’s Mobile Home Park**, 4440001, Granville Township, **Mifflin County** on 2/25/2013 for the operation of facilities submitted under Application No. 4413502 MA.

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

**Permit No. 0889511-T1—Transfer** Public Water Supply.

Applicant	<b>Ridgebury Manor</b>
[Township or Borough]	Ridgebury Township
County	<b>Bradford</b>
Responsible Official	Mr. Jesse Gerould 1829 Gee Road Gillete, PA 16925
Type of Facility	Public Water Supply
Consulting Engineer	N/A
Permit Issued	February 28, 2013
Description of Action	Transfer of ownership of a public water supply permit that approves the use of a groundwater source known as Well #2 to supply water to the Ridgebury Manor facility, formerly Ridgebury Manor Mobile Home Park.

**Permit No. Minor Amendment—Operation** Public Water Supply.

Applicant	<b>Hidden Valley Mobile Home Park</b>
[Township or Borough]	Woodward Township
County	<b>Lycoming</b>
Responsible Official	Mr. Vernon Pettengill Hidden Valley Mobile Home Park 97 Sandra Lee Drive Linden, PA 17744
Type of Facility	Public Water Supply
Consulting Engineer	N/A

Permit Issued March 1, 2013  
Description of Action 4-log inactivation of viruses at Entry Point 101 (Well No. 1).

**Permit No. Minor Amendment—Operation** Public Water Supply.

Applicant **Hillside View, LLC**  
[Township or Borough] Richmond Township  
County **Tioga**  
Responsible Official Mr. Duane Weaver  
Hillside View, LLC  
1995 Phoenix Road  
Sabinsville, PA 16943

Type of Facility Public Water Supply  
Consulting Engineer N/A  
Permit Issued March 1, 2013  
Description of Action 4-log inactivation of viruses at Entry Point 101 (Well No. 1).

**Permit No. Minor Amendment—Operation** Public Water Supply.

Applicant **Heritage Hillside Estates**  
[Township or Borough] Montour Township  
County **Columbia**  
Responsible Official Mr. Frank Baker  
Heritage Hillside Estates  
6009 Columbia Boulevard  
Bloomsburg, PA 17815

Type of Facility Public Water Supply  
Consulting Engineer N/A  
Permit Issued March 1, 2013  
Description of Action 4-log inactivation of viruses at Entry Point 101 (Well No. 1).

**Permit No. Minor Amendment—Operation** Public Water Supply.

Applicant **Roaring Branch Water Works**  
[Township or Borough] McNett Township  
County **Lycoming**  
Responsible Official Mr. Robert L. Graham  
Roaring Branch Water Works  
P. O. Box 58  
Roaring Branch, PA 17765

Type of Facility Public Water Supply  
Consulting Engineer N/A  
Permit Issued March 1, 2013  
Description of Action 4-log inactivation of viruses at Entry Point 101 (Well No. 1).

**Permit No. Minor Amendment—Operation** Public Water Supply.

Applicant **Salem Hill Haven Home**  
[Township or Borough] Penn Township  
County **Centre**  
Responsible Official Mr. Dan Stover  
Salem Hill Haven Home  
424 Heckman Cemetery Road  
Spring Mills, PA 16875

Type of Facility Public Water Supply  
Consulting Engineer N/A  
Permit Issued March 4, 2013  
Description of Action 4-log inactivation of viruses at Entry Point 100 (Well No. 1).

**Permit No. 1912501—Operation** Public Water Supply.

Applicant **Tom Bowman Trucking**  
[Township or Borough] Orange Township  
County **Columbia**  
Responsible Official Mr. Thomas Bowman  
Tom Bowman Trucking  
281 Bowmans Mill Road  
Orangeville, PA 17859

Type of Facility Public Water Supply  
Consulting Engineer J. Gregg Myers, P.E.  
DMS Environmental Services  
103 South Spring Street  
Bellefonte, PA 16823

Permit Issued March 4, 2013  
Description of Action Operation of a bulk water hauling system, including 6 transport vehicles, 3 trailers, transfer equipment, 5 filling stations, and 2 finished water sources.

**Permit No. 8289W-T1—Transfer** Public Water Supply.

Applicant **Wyalusing Municipal Authority**  
[Township or Borough] Wyalusing Township  
County **Bradford**  
Responsible Official Mr. Earl Lewis  
Wyalusing Municipal Authority  
50 Senate Street  
P. O. Box 61  
Wyalusing, PA 18853

Type of Facility Public Water Supply  
Consulting Engineer Michael Goodwin, P.E.  
Milnes Engineering, Inc.  
12 Frear Hill Road  
Tunkhannock, PA 18657  
Permit Issued March 5, 2013  
Description of Action Transfer of the Welles Mill distribution system.

**Permit No. 0812503—Construction** Public Water Supply.

Applicant **Wyalusing Municipal Authority**  
[Township or Borough] Wyalusing Township  
County **Bradford**  
Responsible Official Mr. Earl Lewis  
Wyalusing Municipal Authority  
50 Senate Street  
P. O. Box 61  
Wyalusing, PA 18853

Type of Facility Public Water Supply



Consulting Engineer Michael Goodwin, P.E.  
Milnes Engineering, Inc.  
12 Frear Hill Road  
Tunkhannock, PA 18657

Permit Issued March 5, 2013

Description of Action Development of Well No. 5  
(Welles Well), related  
appurtenances, and sodium  
hypochlorite disinfection, and  
4-log inactivation of viruses at  
Entry Point 101.

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

**Permit No. 4312502 Public Water Supply**

Applicant **Sonya A. Broderick d/b/a  
Lakeview Estates Mobile  
Home Park**

Township or Borough New Lebanon Borough

County **Mercer**

Type of Facility Public Water Supply

Consulting Engineer Chad W. Yurisc, P.E.  
Deiss & Halmi Engineering, Inc.  
105 Meadville Street  
Edinboro, PA 16412

Permit to Construct March 1, 2013  
Issued

**SEWAGE FACILITIES ACT PLAN DISAPPROVAL**

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

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

*Plan Location:*

<i>Borough or Township</i>	<i>Borough or Township Address</i>	<i>County</i>
Antis Township	909 North 2nd Street Bellwood PA 16617	Blair

*Plan Description:* The planning module for the Sandy Bouch Development, DEP Code No. A3-07906-263-3 & 2N APS Id 622728, consisting of installation of a temporary holding tank to serve a residential home is disapproved. The proposed development is located at West 11th Street. This plan is disapproved because there was no response received to the Department's unacceptable/incomplete letter dated August 20, 2007, requesting additional project information and establishing a sixty-day response time period prior to mandatory disapproval action.

**HAZARDOUS SITES CLEAN-UP  
UNDER THE ACT OF  
OCTOBER 18, 1988**

**Notice of Prompt Interim Response  
Rapid Circuit HSCA Site  
Bristol Township, Bucks County**

The Department of Environmental Protection (Department), under the authority of the Hazardous Sites Cleanup Act (HSCA) (35 P. S. §§ 6020.101—6020.1305) has initiated a prompt interim response at the Rapid Circuit HSCA Site located at 6401 McPherson Avenue Levittown, Pa. This response has been pursuant to

Sections 501(a) and 505(b) of the HSCA (35 P. S. §§ 6020.501(a) and 6020.501(b)). The site is located at: Bristol Township, Bucks County, Pa.

The Rapid Circuit HSCA Site is located north of the intersection of McPherson Avenue and Williams Street and consists of a former electrical circuit board manufacturing facility. The building on the site is approximately 24,500 square feet in size. When the Department initiated this prompt interim response, the building was without electrical or water service and most of the internal electrical wiring had been removed from the building. The building contained various hazardous substances associated with the manufacturing of circuit boards. The Department is in the process of identifying substances at the Site, with the majority having been identified as sulfuric acid, hydrochloric acid, and copper persulfate.

The Department's objectives in conducting the prompt interim response were to properly identify substances contained on site, address any imminent safety hazards, and categorize waste for transport to an appropriate disposal facility. In addition the Department seeks to dispose of the waste and pressure wash work area surfaces which were contaminated.

In order to address the release or threatened release of hazardous substances at the Site, the Department weighed two alternative approaches. The first option was to take no action. This option would not have addressed the release or threatened release of hazardous substances in a timely fashion. The second option was to stabilize, characterize, and dispose of the hazardous substances on site. This alternative was determined to comply with Applicable, Relevant and Appropriate Requirements (ARARs) and is feasible and cost-effective.

The Department's prompt interim response at the Site is nearing completion. The majority of hazardous substances have been sampled and identified. Hazardous substances which were stored in containers and could not be transported as such were repackaged or overpacked. The Department has characterized and segregated hazardous substances on site, and has begun to ship them off site. Surface contamination work areas have been pressure washed to remove surface contamination and the rinse water collected for disposal. The Department intends to complete the response by transporting the remaining wastes and demobilizing the job site. This notice is being provided pursuant to Section 506(b) of HSCA. The administrative record which contains the information that forms the basis for and documents the selection of this response action is available for public review and comment. The administrative record is located at 2 East Main Street Norristown, Pa. and is available for review Monday through Friday from 8:00 am to 4:00 pm.

The administrative record will be open for comment from March 16th 2013 until June 14th 2013. Persons may submit written comments into the record during this public comment period by sending them to Dennis Kutz by email at dkutzpa.gov or by mail at 2 East Main Street, Norristown, Pa 19401, or by hand delivering them to 2 East Main Street, Norristown, Pa.

In addition, persons may present oral comments, for inclusion in the administrative record, at a public hearing. The Department has scheduled the hearing on April 23rd at 7:00 pm at the Bristol Township Building, 2501 Bath Road, Bristol, Pa. 19007. Person wishing to present comments must register by contacting DEP Community Relations Coordinator Lynda Rebarchak by mail at 2 East Main Street, Norristown, Pa. 19401, by telephone at (484) 250-5820 or by email at lrebarchakpa.gov.

Persons with a disability who wish to attend the hearing and require auxiliary aid, service or other accommodations to participate in the proceedings, should call Lynda Rebarchak, at (484) 250-5820 to discuss how the Department may accommodate their needs.

**Settlement under the Hazardous Sites Cleanup Act and Comprehensive Environmental Response, Compensation and Liability Act**

**Berkley Products Site  
Akron Borough and West Earl Township,  
Lancaster County**

The Department of Environmental Protection (Department), under the authority of the Hazardous Sites Cleanup Act (HSCA) (35 P.S. §§ 6020.101—6020.1305) and the Comprehensive Environmental Response, Compensation and Liability Act (CERCLA) (42 U.S.C.A. §§ 9601—9675), has entered into proposed settlements with 376 generators and three transporters (“Settlers”) of hazardous waste to Berkley Products. The settlements are set forth in consent orders and agreements with the Department.

The proposed settlements resolve claims of the Department with the Settlers under HSCA and CERCLA for the Department’s response costs, as defined in HSCA, for the Berkley Products Company Plant Site (Site), 405 South 7th Street, Akron PA 17501.

The proposed settlements obligate the Settlers to remit money to the Department based upon the gallons of hazardous waste they generated or transported to the Site. The Department believes that the proposed settlements are fair, reasonable, and practicable, in the public interest and in furtherance of the statutory goals of HSCA and CERCLA.

For a period of 60 (sixty) days beginning with the March 16, 2013, publication date of this Notice in the *Pennsylvania Bulletin*, the public is invited to review the Consent Order and Agreements and the Administrative Record Monday through Friday, from 8 a.m. to 4 p.m., at the Department’s South-Central Regional Office located at 909 Elmerton Avenue, Harrisburg, PA 17110, by contacting David Hrobuchak, at (717) 705-4843.

After review, the public may submit written comments on the Consent Order and Agreements before May 16, 2013, by mailing them to David Hrobuchak at the Department’s South-Central Regional Office at the address noted above. A person adversely affected by any of the settlements may also file an appeal to the Environmental Hearing Board.

**LAND RECYCLING AND  
ENVIRONMENTAL REMEDIATION**

**UNDER ACT 2, 1995**

**PREAMBLE 2**

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

Provisions of Sections 301—308 of the Land Recycling and Environmental Remediation Standards Act (act) (35 P.S. §§ 6026.301—6026.308) require the Department to publish in the *Pennsylvania Bulletin* a notice of submission of plans and reports. A final report is submitted to document cleanup of a release of a regulated substance at a site to one of the act’s remediation standards. A final report provides a description of the site investigation to

characterize the nature and extent of contaminants in environmental media, the basis for selecting the environmental media of concern, documentation supporting the selection of residential or nonresidential exposure factors, a description of the remediation performed and summaries of sampling analytical results which demonstrate that remediation has attained the cleanup standard selected. Submission of plans and reports, other than the final report, will also be published in the *Pennsylvania Bulletin*. These include the remedial investigation report, risk assessment report and cleanup plan for a site-specific standard remediation. A remedial investigation report includes conclusions from the site investigation; concentration of regulated substances in environmental media; benefits of reuse of the property; and, in some circumstances, a fate and transport analysis. If required, a risk assessment report describes potential adverse effects caused by the presence of regulated substances. If required, a cleanup plan evaluates the abilities of potential remedies to achieve remedy requirements.

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

The Department has received the following plans and reports:

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

**Evangelical Community Hospital**, East Buffalo Township, **Union County**. Mountain Research, LLC, 825 25th Street, Altoona, Pa 16601 on behalf of Terry Napp, Evangelical Community Hospital, One Hospital Drive, Lewisburg, Pa 17857 has submitted a Final Report concerning the remediation of site soils contaminated with 1,2,4-Trimethylbenzene, 1,3,5-Trimethylbenzene, Benzene, Ethylbenzene, Cumene, Naphthalene, Toluene, MTBE. The Final report demonstrated attainment of the Statewide Health Standard and was approved by the Department on February 25, 2013.

**SJ Holdings, LLC**, Montoursville Borough, **Lycoming County**. Groundwater & Environmental Services, Inc., 440 Creamery Way Suite 500, Exton, PA 19341 on behalf of John Mehrdad, SJ Holdings, LLC., 300 Streibeigh Lane, Montoursville, PA 17754 has submitted a Final Report concerning the remediation of site soils contaminated with PCB 1260, bis (2-ethylhexyl) phthalate. The Final report demonstrated attainment of the Statewide Health Standard and was approved by the Department on February 27, 2013.

**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 Stan-

dards 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:

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

**Former Fisher Auto Parts Site**, 1900-1927 Margaret Avenue, Altoona, PA 16601, City of Altoona, **Blair County**. Mountain Research, LLC, 825 25th Street, Altoona, PA 16601, on behalf of 1113-1119 Eighth Avenue Associates, 540 Shannon Road, Altoona, PA 16601, and Fisher Auto Parts, 512 Greenville Avenue, Staunton, VA 24401, submitted a Final Report concerning site soils contaminated with arsenic and lead. The Final Report demonstrated attainment of the Nonresidential Statewide Health standard, and was approved by the Department on February 27, 2013.

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

**Verizon Pennsylvania, Inc.—Erie Work Center**, City of Erie, **Erie County**. EnviroTrac, Ltd., 176 Thorn Hill Road, Warrendale, PA 15086 on behalf of Verizon

Pennsylvania, Inc., 7701 E. Telecom Parkway, MC:B1M, Temple Terrace, FL 33637 has submitted a Final Report concerning the remediation of site soils contaminated with Pentachlorophenol and site groundwater contaminated with Pentachlorophenol, Arsenic, Lead, and Cobalt. The Final Report demonstrated attainment of the Statewide Health Standard and was approved by the Department on February 28, 2013.

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

**Former GM Stamping Plant**, 1451 Lebanon School Road, West Mifflin Borough, **Allegheny County**. KU Resources, Inc., 22 South Linden Street, Duquesne, PA 15110 on behalf of Mifflin, LLC, 1650 Des Peres Rd, Suite 303, St. Louis, MO 63131 has submitted a Remedial Investigation Report concerning remediation of site soil and groundwater contaminated with VOCs, SVOCs, PCBs, lead and other metals. The report is intended to document remediation of the site to meet the Site-specific Standard.

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

**Dick Industrial Inc.**, Large Site, Jefferson Borough, **Allegheny County**. Penn E&R, 100 Ryan Court, Suite 100, Pittsburgh, PA 15205 on behalf of Dick Industrial Inc., 1900 State Route 51, Large, PA 15025 has submitted a Remedial Investigation Report, Risk Assessment Report and Final Report concerning the remediate of site soil and groundwater contaminated with solvents and petroleum products from prior operations at the site. The Final report demonstrated attainment of the non-residential standard for soil and the site-specific standard for groundwater and was approved by the department on February 26, 2013.

**Thompson Trailer Court**, 136 Locust Street-Unit #4, New Galilee, **Beaver County**. Aurora Environmental Inc., 1031 Third Avenue, New Brighton, PA 15066 on behalf of Freda Yesko, Thompson Trailer Park, 136 Locust Street, New Galilee, PA 16141 submitted a Final Report concerning the remediation of site soil contaminated with residential heating oil. The Final Report demonstrated attainment of the Statewide Health standard and was approved by the department on February 27, 2013

**PBM, Inc., Facility**, 1071 Sandy hill Road, City of Irwin, (Penn Township), **Westmoreland County**. Civil & Environmental Consultants, Inc. 4000 Triangle Lane, Suite 200, Export PA 15632 on behalf of PBM Inc., 1070 Sandy Hill Road, Irwin, PA 15642 submitted a Remedial Investigation Report and Final Report concerning the remediation of elevated concentrations of Barium, PAH's, and VOC's in groundwater and lead in subsurface soils. The Final Report demonstrated attainment of the Site-specific standard and was approved by the Department on February 27, 2013

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

**Evangelical Community Hospital**, East Buffalo Township, **Union County**. Mountain Research, LLC, 825 25th Street, Altoona, Pa 16601 on behalf of Terry Napp, Evangelical Community Hospital, One Hospital Drive, Lewisburg, Pa 17857 has submitted a Final Report concerning remediation of site soils contaminated with 1,2,4-Trimethylbenzene, 1,3,5-Trimethylbenzene, Benzene, Ethylbenzene, Cumene, Naphthalene, Toluene, MTBE.



The report is intended to document remediation of the site to meet the Statewide Health Standard.

**SJ Holdings, LLC**, Montoursville Borough, **Lycoming County**. Groundwater & Environmental Services, Inc., 440 Creamery Way Suite 500, Exton, PA 19341 on behalf of Jon Mehrdad, SJ Holdings, LLC., 300 Streibeigh Lane, Montoursville, Pa 17754 has submitted a Final Report concerning remediation of site soils contaminated with PCB 1260, bis (2-ethylhexyl) phthalate. The report is intended to document remediation of the site to meet the Statewide Health Standard.

#### REGISTRATION FOR MUNICIPAL WASTE GENERAL PERMITS

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

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

**General Permit No. WMGM042-SC006. Chad Reinford, Reinford-Frymoyer Farm, LLC**, 5272 Cedar Spring Road, Mifflintown, PA 17059. The Department of Environmental Protection has issued a registration under General Permit WMGM042 to Reinford-Frymoyer Farm, LLC. This registration is for their location at 5272 Cedar Spring Road, Mifflintown, PA 17059, in Walker Township, **Juniata County**. The registration was issued on March 1, 2013.

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

**General Permit No. WMGM042-SC001. Steve Reinford, Reinford Farms Inc.**, 505 Cedar Grove Road, Mifflintown, PA 17059. The Department of Environmental Protection has issued a registration under General Permit WMGM042 to Reinford Farms, Inc. This registration is for their location at 505 Cedar Grove Road, Mifflintown, PA 17059, in Walker Township, **Juniata County**. The registration was issued on February 28, 2013.

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

#### OPERATE WASTE PROCESSING OR DISPOSAL AREA OR SITE

**Permit(s) issued under the Solid Waste Management Act, the Municipal Waste Planning, Recycling and Waste Reduction Act (53 P. S. §§ 4000.101—4000.1904) and Regulations to Operate Solid Waste Processing or Disposal Area or Site.**

*Southwest Regional Office, Regional Solid Waste Manager, 400 Waterfront Drive, Pittsburgh, PA 15222-4745, Telephone 412.442.4000.*

**Permit ID No. 300491. Homer City Ash Disposal Site**, 1750 Power Plant Road, Homer City, PA 15748 for

operation of a captive residual waste landfill in Center and Blacklick Townships, **Indiana County**. Permit reissued in Regional Office to Homer City Generation, LP, 800 Long Ridge Road, Stamford, CT 06927 on March 4, 2013.

### 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*

**GP7-46-0042: Sharp Corp.** (23 Carland Road, Conshohocken, PA 19428) on February 27, 2013, to operate a sheet-fed offset lithographic printing press in Plymouth Township, **Montgomery County**.

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

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

**GP3-35-001: Meshoppen Stone, Inc.** (PO BOX 127, Frantz Road, Meshoppen, PA 18630) on February 28, 2013, to construct and operate a Portable Crushing Operation with watersprays in Ransom Township, **Lackawanna County**.

**GP9-35-001: Meshoppen Stone, Inc.** (PO BOX 127, Frantz Road, Meshoppen, PA 18630) on February 28, 2013, to install and operate a Diesel I/C engine in Ransom Township, **Lackawanna County**.

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

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

**GP1-62-032A: Ellwood National Forge Co.** (1 Front Street, Irvine, PA 16329) on February 26, 2013, to operate a 29.6 MMBtu/hr natural gas fueled boiler (BAQ-GPA/GP-1) in Brokenstraw Township, **Warren County**.

**GP5-62-155B: Enervest Operating, LLC—d/b/a/ Belden & Blake Corp—Lamoree Compressor Station** (SR 27, Grand Valley, PA 16354) on February 27, 2013, to operate a 1,340 bhp compressor engine (Caterpillar G3516 LE, Serial No. 4EK03254), a 0.5 MMBtu/hr TEG Dehydrator and a process storage tank (BAQ-GPA/GP-5) in Eldred Township, **Warren County**.

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

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

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

**09-0037H: CMS Gilbreth Systems, Inc.** (3001 State Road, Croydon, PA 19021) on February 26, 2013, to install ducting from the existing seaming machines (Source ID 205) to the existing Regenerative Thermal Oxidizer (C01)



to comply with the requirements of 25 Pa. Code § 129.77 in Bristol Township, **Bucks County**. The facility is an area source for HAPs, therefore not subjected to the requirements of 40 C.F.R. Part 63 Subpart KK—National Emission Standards for Hazardous Air Pollutants in the Printing and Publishing Industry, 40 C.F.R. Part 63 Subpart JJJJ—National Emission Standards for Hazardous Air Pollutants: Paper and Other Web Coating, and 40 CFR Part 63 Subpart OOOO—National Emission Standards for Hazardous Air Pollutants: Printing, Coating, and Dyeing of Fabrics and Other Textiles. The plan approval will contain requirements to keep the facility operating within all applicable air quality requirements for this source.

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

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

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

**09-0021D: MRI Flexible Packaging Co.** (122 Penns Trail, Newtown, PA 18940) on February 26, 2013, to operate a press 8 (source ID 203) in Newtown Township, **Bucks County**.

**46-0272: Tech Tube, Inc.** (750 Vandenberg Boulevard, King of Prussia, PA 19406) on February 26, 2013, to operate a degreaser (Source ID 101) and carbon adsorption system (Source ID C101) in Upper Merion Township, **Montgomery County**.

**15-0035A: Sabic Innovative Plastics U.S., LLC.** (251 South Bailey Road, Thorndale, PA 19335) on February 26, 2013, to operate a bake-off oven in Caln Borough, **Chester County**.

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

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

**49-00047B: Furman Foods, Inc.** (770 Cannery Road, Northumberland, PA 17857) on February 18, 2013, to operate a wastewater treatment digester and biogas-fired generator at their plant in Point Township, **Northumberland County** pursuant to the plan approval an additional 180 days from February 19, 2013 to August 18, 2013 to continue the compliance evaluation for the air contaminant sources. The plan approval has been extended.

**18-315-001F: First Quality Tissue, LLC** (904 Woods Avenue, Lock Haven, PA 17745) on February 20, 2013, to extend the authorization to operate a paper towel and tissue manufacturing operation at their facility in Castanea Township, **Clinton County** on a temporary basis to August 19, 2013. The plan approval has been extended.

**08-00040B: Seaboard International, Inc.** (13815 South Freeway, Houston, TX 77047) on February 19, 2013, to extend the authorization to operate wellhead equipment repair operation at their facility in Ulster Township, **Bradford County** on a temporary basis to August 18, 2013. The plan approval has been extended.

**53-00001E: Tennessee Gas Pipeline Co., LLC** (1001 Louisiana Street, Houston TX 77002) on February 19, 2013, for authorization to operate an emergency engine-

generator at their Station 313 facility located in Hebron Township, **Potter County** pursuant to the plan approval an additional 180 days from March 31, 2013 to September 27, 2013 to continue the compliance evaluation for the air contaminant source. The plan approval has been extended.

**08-00010E: Global Tungsten & Powders Corp.** (1 Hawes Street, Towanda, PA 18848) on February 22, 2013, to extend the authorization to operate the sources pursuant to the plan approval an additional 180 days from March 4, 2013 to August 31, 2013 at their facility located in Towanda Borough, **Bradford County**. The plan approval has been extended.

**18-00011G: Croda, Inc.** (8 Croda Way, Mill Hall, PA 17751) on February 22, 2013, to extend the authorization to operate the sources pursuant to the plan approval an additional 180 days from March 3, 2013 to August 30, 2013 at their facility in Bald Eagle Township, **Clinton 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*

**63-00943A: Dominion Transmission, Inc.,** (445 West Main Street, Clarksburg, WV 26301) on February 28, 2013, DEP issued a plan approval extension with an expiration date of April 4, 2013. This action authorizes Dominion Transmission to continue to temporarily operate a propane storage and marketing station, known as the Charleroi Propane Station, in Fallowfield Township, **Washington County**. The plan approval has been extended.

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

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

**10-350C: iDL Worldwide, Inc.—Cloverleaf Group** (500 Grant Avenue, East Butler, PA 16029) on February 28, 2013, extension issued effective March 31, 2013, to construct the Sheet Polymer Mounting Department and the Cyrel Platemaking Operations in East Butler Borough, **Butler County**. This is a State Only facility. The plan approval has been extended.

**24-131P: SGL Carbon LLC** (900 Theresia Street, St Marys, PA 15857) on February 27, 2013, extension issued effective March 31, 2013, to install a control device to five (5) graphitizing furnaces so they can be used as purification/graphitization furnaces under Plan Approval 24-131P for their facility in the City of St Marys, **Elk County**. The plan approval has been extended.

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

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

*Contact: Norman Frederick, Facilities Permitting Chief—Telephone: 570-826-2507*

**40-00034: Schott North America, Inc.** (400 York Avenue, Duryea, PA 18642-2036) on February 28, 2013, to issue a Title V Operating Permit for a pressed / blown glass and glassware facility in Duryea Borough, **Luzerne County**.

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

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

**61-00181: Scrubgrass Power—Scrubgrass—Generating Plant** (2151 Lisbon Road, Kennerdell, PA 16374) on February 25, 2013, to re-issue a Title V Operating Permit to operate an Electric Energy Generating Facility, in Scrubgrass Township, **Venango County**. The primary sources of emissions are the two Circulating Fluidized Bed Boilers. The potential emissions from this facility are as follows: SO<sub>x</sub>—2006 TPY (tons per year), NO<sub>x</sub>—798 TPY, CO—446 TPY, VOCs—24 TPY, and Particulate Matter—134 TPY.

This facility continues to be subject to the Clean Air Interstate Rule (CAIR) relating to CAIR NO<sub>x</sub> and SO<sub>2</sub> trading programs. The requirements from 40 CFR 98, Subpart D—Mandatory Greenhouse Gas Reporting have also been incorporated into the operating permit. This facility will be subject to the requirements of 40 CFR 63, Subpart UUUUU—National Emission Standards for Hazardous Air Pollutants: Coal- and Oil-Fired Electric Utility Steam Generating Units which take effect on April 16, 2015. The Auxiliary Boiler at this facility will be subject to the requirements of 40 CFR 63, Subpart DDDDD—National Emissions Standards for Hazardous Air Pollutants for Industrial, Commercial, and Institutional Boilers and Process Heaters which has a compliance date of March 21, 2014.

**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*

**46-00278: Data Based Systems International, Inc.—DBSI** (1000 Adams Avenue, Audubon, PA 19403) on February 27, 2013, for operation of six (6) diesel-fired emergency generator sets, each having an electrical production capacity 2.0 megawatts at their facility in Lower Providence Township, **Montgomery County**. The plan approval is for a non-Title V, State-only facility. These were installed between 2008 and December 2011 and were previously exempted under the Department's Request for Determination (RFD) program. DBSI provides back-up electrical power to the medical industry during utility power outages and during electrical infrastructure maintenance and is applying to operate these engines more hours per year so as to be able to maintain the necessary back-up power supply that their customers demand. Aggregate NO<sub>x</sub> emissions shall not exceed 24.56 tons in any 12 consecutive month period. The units are subject to the NSPS requirements found in 40 CFR 60, Subpart IIII. The plan approval will include monitoring, recordkeeping and reporting requirements designed to keep the facility operating within all applicable air quality requirements.

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

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

**39-00097: ASGCO Manufacturing, Inc.** (301 Gordan Street, Allentown, PA 18102) on March 4, 2013, to operate a conveyor and conveying equipment manufacturer in the

City of Allentown, **Lehigh County**. The source consists of a plasma cutting table and a cartridge dust collector. This is an initial State-Only operating permit. The State-Only operating permit includes emissions, work practice standards and testing, monitoring, recordkeeping and reporting requirements designed to keep the facility operating within all applicable air quality requirements.

**40-00047: Geisinger Wyoming Valley Medical Center** (1000 East Mountain Drive, Wilkes-Barre, PA 18711) on March 4, 2013, to operate a hospital waste incinerator, boilers and generators in Plains Township, **Luzerne County**. This is a renewal State-Only Natural 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.

**40-00049: Pennsy Supply, Inc.—Dorrance Quarry** (1001 Paxton Street, Harrisburg, PA 17104) on February 28, 2013, for quarry operations in Dorrance Township, **Luzerne County**. The primary sources consist of crushers, screens, and conveyors. 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 Natural 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 William Weaver, Program Manager—Telephone: 717-705-4702.*

**67-03165: Evergreen On Lincoln, LTD** (654 Lincoln Drive, York, PA 17404) on February 22, 2013, for the human crematory at their facility on Lincoln Drive in York City, **York County**.

**67-03132: Voith Hydro, Inc.** (PO Box 712, York, PA 17405-0712) on February 20, 2013, for their hydro-electric turbine equipment manufacturing and refurbishing facility in West Manchester Township, **York County**. The State-only permit was renewed.

**06-03067: Beacon Container Corp.** (700 W. 1st Street, Birdsboro, PA 19508-2128) on February 25, 2013, for their corrugated paper products manufacturing plant in Birdsboro Borough, **Berks County**. The State-only permit was renewed.

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

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

**Dominion Transmission, Inc.** (445 West Main Street, Clarksburg, WV 26301-2843) on February 13, 2013, for their Centre Compressor Station in Spring Township, **Centre County**. The state only operating permit includes emission limits and work practice standards along with testing, monitoring, record keeping and reporting requirements to ensure the facility complies with all applicable air quality regulations.

**17-00066: Forum US, Inc.** (1102 Industrial Park Road, Clearfield, PA 16830) on February 13, 2013, a state only



operating permit for their facility in Lawrence Township, **Clearfield County**. The state only operating permit contains all applicable regulatory requirements including monitoring, recordkeeping and reporting conditions.

**41-00077: Kellogg USA, Inc.** (572 Industrial Park Road, Muncy, PA 17756) on February 13, 2013, a state only operating permit for their facility in Muncy Creek Township, **Lycoming County**. The state only operating permit contains all applicable regulatory requirements including monitoring, recordkeeping and reporting conditions.

**19-00024: Benton Foundry, Inc.** (5297 State Route 487, Benton, PA 17814) on February 13, 2013, a state only operating permit for their foundry in Sugarloaf Township, **Columbia County**. The state only operating permit contains all applicable regulatory requirements including monitoring, recordkeeping and reporting conditions.

**08-00027: Oak Hill Veneer, Inc.** (PO Box 304, Troy, PA 16947) on February 26, 2013, issued a state only operating permit for their facility in Troy Township, **Bradford County**. The state only operating permit contains all applicable regulatory requirements including monitoring, recordkeeping and reporting conditions.

**53-00013: C.A. Elliott Lumber Company, Inc.** (PO Box 272, Roulette, PA 16746) on February 26, 2013, issued a state only operating permit for their facility in Roulette Township, **Potter County**. The state only operating permit contains all applicable regulatory requirements including monitoring, recordkeeping and reporting conditions.

**41-00034: Cromaglass Corp.** (PO Box 3215, Williamsport, PA 17701) on February 26, 2013, issued a state only operating permit for their facility in Williamsport, **Lycoming County**. The state only operating permit contains all applicable regulatory requirements including monitoring, recordkeeping and reporting conditions.

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

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

**25-00964: FMC Technologies/Measuring Solutions, Inc.** (16022 Wagner Avenue, Erie, PA 16514) on February 25, 2013, the Department re-issued the Natural Minor Operating Permit for this fluid meter manufacturing facility located in the City of Erie, **Erie County**. The facility's primary sources of emissions are facility heaters, (2) surface coating operations, and associated equipment. Emissions of criteria pollutants continue to be below major source levels.

**43-00259: Grove City Medical Center** (631 N Broad Street Extension, Grove City, PA 16127-4603) on February 26, 2013, for the renewal of a Natural Minor Permit to operate general medical and surgical hospitals facility in Pine Township, **Mercer County**. The facility's emitting sources included, 1) Boiler 1 & 2, 2) Hot Water 1, 2 & MOB (Medical office building), 3) Hot water heaters (2) and, 4) Emergency generator. This is a Natural Minor facility due to its potential to emit of pollutants which are less than the Title V threshold limits. The facility is not subject to 40 CFR Part 63, Subpart JJJJJJ and Subpart ZZZZ. The emission statement: NO<sub>x</sub>: 4.17 TPY (Tons per year), CO: 3.5 TPY, PM (Total): 0.31 TPY, SO<sub>2</sub>: 0.025 TPY.

**61-00149: FFH Incorporated/Seneca** (392 Cottage Drive, Cranberry, PA 16319), on February 26, 2013, issued a renewal of the State Only Operating Permit for

the Tri-Fuel Boiler located at 224 Main Street in Seneca. The facility is a Natural Minor. The facility is located in Cranberry Township, **Venango County**. The boiler rating is 6.4 mmbtu/hr, fires primarily coal or natural gas and is controlled by a Breslove fly ash collector. The boiler is subject to the requirements of 40 CFR 63, Subpart JJJJJJ—NESHAP for Industrial, Commercial, and Institutional Boilers at Area Sources. The PM, SO<sub>x</sub>, NO<sub>x</sub>, CO, and VOC emissions are less than 2.2 TPY, 18.7 TPY, 2.3 TPY, 1.1 TPY, and 0.1 TPY, respectively. The renewal permit contains emission restrictions, recordkeeping, work practice, and additional requirements to ensure compliance with the Clean Air Act and the Air Pollution Control Act.

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

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

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

**67-05101: York Materials Group, LLC** (950 Smile Way, York, PA 17404) on February 26, 2013, for the drum mix asphalt plant on Lemon Street in West Manchester Township, **York County**. The State-only permit was administratively amended to reflect a change of ownership.

**21-05010: GenOn Rema, LLC** (121 Champion Way, Canonsburg, PA 15317-5817) on February 27, 2013, for the Mountain Electric Generating Station in South Middleton Township, **Cumberland County**. The State-only permit was administratively amended to revise facility contact information.

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

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

**41-00067: Glenn O. Hawbaker, Inc.** (711 East College Ave., Bellefonte, PA 16823) on February 21, 2013, in accordance with the minor operating permit modification requirements of 25 Pa. Code Section 127.462, to revise the permit to incorporate a portable screening unit with associated 100 bhp diesel engine, and to incorporate the use of asphalt shingles in their asphalt mix at the Montoursville Asphalt Plant #15 facility in Loyalsock Township, **Lycoming County**.

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

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

**65-00625 Gulf Oil Limited Partnership** (100 Crossing Boulevard, Framingham, MA 01702) Administrative Amendment to change the name of the environmental contact to Nathan Stevens and modify the Operating Permit to include three 19,740 gallon storage tanks, for the Delmont Terminal on February 27, 2013. Emissions from the facility increased by 1.58 tons of VOC per year as a result of the addition of the storage tanks. Emissions from the facility are 48.3 tons per year of VOC and 10.0 tons per year of the sum of all hazardous air pollutants. The Delmont Terminal is located in Salem Township, **Westmoreland County**.

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

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

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

**OP-63-00895: Ensinger, Inc.** (365 Meadowlands Boulevard, Washington, PA 15301) Per Title 25 Pa Code Section 127.449(i), this Notice is for the following de minimis emission increase at the Ensinger, Inc. facility located in North Strabane Township, **Washington County**.

Replacement of an existing 2.2 lb residue/batch Procedyne Model No. PCS 1648 fluidized bed thermal cleaning sand bath with a 3.3 lb residue/batch Schwing InnovaClean Model No. 3260-ST D-XL fluidized bed thermal cleaning sand bath. The emission increase as a result of this project of each criteria and total hazardous air pollutants will not exceed 0.1 tpy and the project will not trigger Title V requirements for this facility.

The list of de minimis increases includes only this project.

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

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**Actions on applications under the Surface Mining Conservation and Reclamation Act (52 P. S. §§ 1396.1—1396.31); 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); the Bituminous Mine Subsidence and Land Conservation Act (52 P. S. §§ 1406.1—1406.21). 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 such applications will also address the application permitting requirements of the following statutes; the Air Quality 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.**

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*Coal Permits Actions*

*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. 2 in Gilmore Township, **Greene County** to install the 13-West Air Shaft site. Surface Acres Proposed 57.1. No additional discharges. The application was considered administratively complete on February 23, 2012. Application received April 20, 2011. Permit issued February 27, 2013.

**03851302 and NPDES No. PA0379302. Rosebud Mining Company**, (301 Market Street, Kittanning, PA 16201). To renew the permit for the Rosebud No. 3 Mine in Perry Township, **Armstrong County** and related NPDES permit for reclamation only. No additional discharges. The application was considered administratively complete on June 4, 2007. Application received January 24, 2007. Permit issued February 28, 2013.

**32980701 and NPDES No. PA0235369. RoxCOAL, Inc.**, (PO Box 49, 1576 Stoystown Road, Friedens, PA 15541). To renew the permit for the Rock Refuse Area (North Branch) in Green Township, **Indiana County** and related NPDES permit. No additional discharges. The application was considered administratively complete on October 29, 2010. Application received August 5, 2010. Permit issued March 1, 2013.

**03870701 and NPDES No. PA0214558. Rosebud Mining Company**, (301 Market Street, Kittanning, PA 16201). To transfer the permit and related NPDES permit for the Coal Refuse Disposal #2 in Plumcreek Township, **Armstrong County** to Rosebud Mining Company from TJS Mining, Inc. No additional discharges. The application was considered administratively complete on November 8, 2011. Application received July 13, 2011. Permit issued March 4, 2013.

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

**26070105 and NPDES Permit No. PA0251232. Amerikohl Mining, Inc.** (1384 State Route 711, Stahlstown, PA 15687). Permit renewal for reclamation only to an existing bituminous surface mine, located in Saltlick Township, **Fayette County**, affecting 71.64 acres. Receiving streams: unnamed tributaries to Little Champion Creek. Renewal application received: January 7, 2013. Renewal permit issued: February 27, 2013.

**63070102 and NPDES Permit No. PA0251186. Oxford Mining Company** (544 Chestnut Street, P. O. Box 427, Coshocton, OH 43812). Permit renewal for reclamation only issued to an existing bituminous surface mine, located in Jefferson Township, **Washington County**, affecting 99.7 acres. Receiving streams: unnamed tributaries to Scott Run. Renewal application received: November 29, 2012. Renewal permit issued: February 27, 2013.

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

**37870102. The Ambrosia Coal & Construction Company** (P. O. Box 422, Edinburg, PA 16116) Renewal of an existing bituminous surface and clay removal operation in North Beaver Township, **Lawrence County** affecting 46.0 acres. Receiving streams: Unnamed tributary to Edwards Run. This renewal is issued for reclamation only. Application received: January 8, 2013. Permit Issued: February 28, 2013.

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

**17070101 and NPDES No. PA0256471. RES Coal LLC** (8912 Clearfield-Curwensville Highway, Clearfield, PA 16830). Renewal permit issued for reclamation only to an existing bituminous surface mine located in Morris Township, **Clearfield County**, affecting 112.1 acres. Receiving stream: Unnamed Tributary to Moshannon Creek, classified for the following use: Cold Water Fishes. There are no potable water supply intakes within 10 miles downstream. Application received: January 7, 2013. Permit issued: February 22, 2013.

**17010104 and NPDES No. PA0243060. RES Coal LLC** (8912 Clearfield-Curwensville Highway, Clearfield, PA 16830). Renewal permit for reclamation only to an existing bituminous surface mine located in Morris Township, **Clearfield County**, affecting 55.9 acres. Receiving stream: Unnamed Tributary to Moshannon Creek, classified for the following use: Cold Water Fishes. There are



no potable water supply intakes within 10 miles downstream. Application received: January 4, 2013. Permit issued: February 22, 2013.

**17850145 and NPDES No. PA0596710. SRP Coal Co., Inc.**, (5510 State Park Road, Penfield, PA 15849). Permit renewal for the continued operation and restoration of a bituminous surface mine in Lawrence Township, **Clearfield County**, affecting 42.1 acres. Receiving streams: Unnamed Tributary to Montgomery Creek, classified for the following use: Cold Water Fishes. There are no potable water supply intakes within 10 miles downstream. Application received: February 21, 2012. Permit issued: February 25, 2013.

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

**54861601R5. White Pine Coal Co., Inc.**, (P. O. Box 134, Ashland, PA 17921), renewal of an existing anthracite coal preparation plant operation in Butler Township, Schuylkill County affecting 18.6 acres, receiving stream: **Mahanoy Creek**. Application received: April 26, 2012. Renewal issued: March 4, 2013.

**54861601GP104. White Pine Coal Co., Inc.**, (P. O. Box 134, Ashland, PA 17921), NPDES General Permit for stormwater discharges associated with mining activities on Surface Mining Permit No. 54861601 in Butler Township, **Schuylkill County**, receiving stream: Mahanoy Creek. Application received: April 26, 2012. Permit issued: March 4, 2013.

#### *Noncoal Permits Actions*

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

**17122801. Corbet Construction, Inc.** (99 Treasure Lake, DuBois, PA 15801). Commencement, operation and restoration of a topsoil, sandstone, and shale quarry in Sandy Township, **Clearfield County** affecting 8.2 acres. Receiving stream(s): Unnamed Tributary to Sandy Lick Creek classified as Cold Water Fishes. Application received: August 1, 2012. Permit issued February 25, 2013.

**17122801GP-104. Corbet Construction, Inc.** (99 Treasure Lake, DuBois, PA 15801) hereby approves the Notice of Intent (NOI) submitted for coverage to discharge stormwater associated with NPDES permit to the following surface water in Sandy Township, **Clearfield County**. Receiving stream(s): Unnamed Tributary to Sandy Lick Creek. Application received: August 1, 2012. Permit issued February 25, 2013.

**08122503GP-104. Nittany Nova Aggregates LLC** (2480 W. Clymer Avenue, Suite 400, Telford PA 18969) hereby approves the Notice of Intent (NOI) submitted for coverage to discharge stormwater associated with NPDES permit to the following surface water in Wysox Township, **Bradford County**. Receiving stream(s): Unnamed Tributary to Johnson Creek to Wysox Creek classified as Cold Water Fishes. Application received: August 30, 2012. Permit issued February 22, 2013.

**08910302. Bishop Brothers Construction Company, Inc.** (P. O. Box 289, Ulster, PA 18850). Revision to an existing large noncoal permit to add 2.4 acres and change in land use located in Sheshequin Township, **Bradford County** affecting 14.4 acres. Receiving streams: Unnamed Tributary to Susquehanna River classified as a Warm Water Fishes. Application received: September 17, 2012. Permit issued February 25, 2013.

**08910302GP-104. Bishop Brothers Construction Company, Inc.** (P. O. Box 289, Ulster, PA 18850) hereby

approves the Notice of Intent (NOI) submitted for coverage to discharge stormwater associated with NPDES permit to the following surface water in Sheshequin Township, **Bradford County**. Receiving stream(s): Unnamed Tributary to Susquehanna River classified as a Warm Water Fishes. Application received: September 17, 2012. Permit issued February 25, 2013.

**53102806. Jerome Eckert** (269 Route 6 West, Galeton, PA 16922). Commencement, operation, and restoration of a sandstone quarry located in Hector Township, **Potter County** affecting 5.0 acres. This permit supersedes Roger Long 53070801 sandstone quarry. Receiving stream(s) Unnamed Tributary to Pine Creek classified as High Quality Cold Water Fishes. Application received: October 14, 2010. Permit issued: February 22, 2013.

#### **ACTIONS ON BLASTING ACTIVITY APPLICATIONS**

**Actions on applications under the Explosives Acts of 1937 and 1957 (43 P.S. §§ 151—161); and 25 Pa. Code § 211.124 (relating to blasting activity permits). 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*

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

**03134002. Portvue Plumbing** (3716 Liberty Way, McKeesport, PA 15133). Blasting activity permit for construction at the Rayburn WWTP, located in Rayburn Township, **Armstrong County**. The duration of blasting is expected to last 10 Months. Blasting permit issued: February 25, 2013.

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

**42134001. Frontier Industrial Corp.** (26 Mississippi Street, Suite 400, Buffalo, NY 14203) Blasting activity permit for log crane demolition in Hamlin Township, **McKean County**. This blasting activity permit expires February 22, 2014. Permit Issued: February 26, 2013.

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

**41134101 Brubachers Execav. Inc.** (P. O. Box 528, Bowmansville, PA 17507-0528). Blasting to construct Seneca Pad—T located in Lewis Township, **Lycoming County**. Permit issued February 25, 2013. Permit expires June 30, 2013.

**08134106 Hayduk Enterprises Inc.**, (257 Riverside Dr, Factoryville, PA 18419). Blasting to construct a pipeline located in Stevens Township, **Bradford County**. Permit issued February 26, 2013. Permit expires December 31, 2013.

**08134107 Holbert Explosive** (237 Mast Hope Road, Lackawaxen PA 18435). Blasting to construct a pipeline located in Asylum and Wysox Townships, **Bradford County**. Permit issued February 27, 2013. Permit expires February 10, 2014.

**08134108 Holbert Explosive** (237 Mast Hope Road, Lackawaxen PA 18435). Blasting to construct a pipeline located in Tuscarora and Wyalusing Townships, **Bradford County**. Permit issued February 27, 2013. Permit expires February 10, 2014.

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

**35134104. ER Linde Construction Corp.**, (9 Collan Park, Honesdale, PA 18431), construction blasting for Jessup Industrial Park in Jessup Borough, **Lackawanna County** with an expiration date of February 28, 2014. Permit issued: February 25, 2013.

**64134102. Holbert Explosives, Inc.**, (237 Mast Hope Plank Road, Lackawaxen, PA 18435), construction blasting for PP&L Substation in Paupack Township, **Wayne County** with an expiration date of February 20, 2014. Permit issued: February 26, 2013.

**58134110. Doug Wathen, LLC**, (11934 Fairway Lakes Drive, Ft. Myers, FL 33913), construction blasting for Molnar Gas Pad and Tank Farm in Brooklyn Township, **Susquehanna County** with an expiration date of February 18, 2014. Permit issued: February 27, 2013.

**58134111. MD Drilling & Blasting, Inc.**, (88 Goldledge Avenue, Suite 2, Auburn, NH 03032), construction blasting for Lynn Pipeline Project in Springville Township, **Susquehanna County** with an expiration date of February 20, 2014. February 27, 2013.

**58134112. Hayduk Enterprises, Inc.**, (257 Riverside Drive, Factoryville, PA 18419), construction blasting for Bear Swamp Pipeline Project in Gibson Township, **Susquehanna County** with an expiration date of February 28, 2014. February 27, 2013.

**58134113. Hayduk Enterprises, Inc.**, (257 Riverside Drive, Factoryville, PA 18419), construction blasting for Lynn Gas Pipeline Project in Springville Township, **Susquehanna County** with an expiration date of February 28, 2014. Permit issued: February 28, 2013.

**40134103. Maine Drilling & Blasting, Inc.**, (P. O. Box 1140, Gardiner, ME 04345), construction blasting for Humboldt Industrial Park Lots 51-56 in Hazle Township, **Luzerne County** with an expiration date of March 31, 2014. Permit issued: March 4, 2013.

**46134103. Maine Drilling & Blasting, Inc.**, (P. O. Box 1140, Gardiner, ME 04345), construction blasting for Southview Development in Lower Pottsgrove Township, **Montgomery County** with an expiration date of March 6, 2014. Permit issued: March 4, 2013.

**46134104. Eastern Blasting Co., Inc.**, (1292 Street Road, New Hope, PA 18938), construction blasting for Montgomery Knoll in Montgomery Township, **Montgomery County** with an expiration date of November 1, 2013. Permit issued: March 4, 2013.

**52134102. Holbert Explosives, Inc.**, (237 Mast Hope Plank Road, Lackawaxen, PA 18435), construction blasting for Parkers Glen Road, Shohola in Shohola Township, **Pike County** with an expiration date of February 25, 2014. Permit issued: March 4, 2013.

**67134103. J Roy's, Inc.**, (P. O. Box 125, Bowmansville, PA 17507), construction blasting for Penn Township Sewer Interceptor in Penn Township, **York County** with an expiration date of March 3, 2014. Permit issued: March 4, 2013.

*Coal NPDES Draft Permits*

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

**NPDES No. PA0235580 (Mining Permit No. 32031301), Rosebud Mining Company**, (301 Market Street, Kittanning, PA 16201). A revision to the NPDES and mining activity permit for the Lowry Deep Mine in White Township, **Indiana County** to re-evaluate the water quality effluent limits. Surface Acres Affected 50.5, Underground Acres Affected 615.6. Receiving stream: Yellow Creek, classified for the following use: TSF and Unnamed Tributary to Yellow Creek, classified for the following use: CWF. Kiskiminetas-Conemaugh River Watersheds TMDL. The application was considered administratively complete on January 31, 2013. Application received January 31, 2013.

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

*Outfall 001 discharges to: Unnamed Tributary to Yellow Creek*

The proposed effluent limits for *Outfall 001* (Lat: 40° 34' 12" Long: 79° 07' 29") are:

<i>Parameter</i>	<i>Minimum</i>	<i>30-Day Average</i>	<i>Daily Maximum</i>	<i>Instant. Maximum</i>
Flow (mgd)		-	0.13	-
Iron (mg/l)		1.5	2.34	3.8
Manganese (mg/l)		0.642	1.0	1.6
Aluminum (mg/l)		0.481	0.75	1.2
Osmotic Pressure (mOs/kg)		79.8	159.6	200
Total Suspended Solids (mg/l)		35	70	90
Total Dissolved Solids (mg/l)		-	-	REPORT

*Outfall 002 discharges to: Unnamed Tributary to Yellow Creek*

The proposed effluent limits for *Outfall 002* (Lat: 40° 34' 11" Long: 79° 07' 31") are:

<i>Parameter</i>	<i>Minimum</i>	<i>30-Day Average</i>	<i>Daily Maximum</i>	<i>Instant. Maximum</i>
Flow (mgd)		-	0.36	-
Iron (mg/l)		1.5	2.34	3.8
Manganese (mg/l)		0.642	1.0	1.6
Aluminum (mg/l)		0.481	0.75	1.2
Osmotic Pressure (mOs/kg)		32.2	50.2	81
Total Suspended Solids (mg/l)		35	70	90
Total Dissolved Solids (mg/l)		-	-	REPORT

*Outfall 003* discharges to: Yellow Creek

The proposed effluent limits for *Outfall 003* (Lat: 40° 34' 10" Long: 79° 07' 02") are:

<i>Parameter</i>	<i>Minimum</i>	<i>30-Day Average</i>	<i>Daily Maximum</i>	<i>Instant. Maximum</i>
Flow (mgd)		-	0.62	-
Iron (mg/l)		1.5	2.34	3.8
Manganese (mg/l)		0.642	1.0	1.6
Aluminum (mg/l)		0.481	0.75	1.2
Osmotic Pressure (mOs/kg)		476	952	1190
Total Suspended Solids (mg/l)		35	70	90
Total Dissolved Solids (mg/l)		-	-	REPORT

*Outfall 004* discharges to: Unnamed Tributary to Yellow Creek

The proposed effluent limits for *Outfall 004* (Lat: 40° 33' 59" Long: 79° 07' 45.1") are:

<i>Parameter</i>	<i>Minimum</i>	<i>30-Day Average</i>	<i>Daily Maximum</i>	<i>Instant. Maximum</i>
Flow (mgd)		-	1.17	-
Iron (mg/l)		1.5	2.34	3.8
Manganese (mg/l)		0.642	1.0	1.6
Aluminum (mg/l)		0.481	0.75	1.2
Osmotic Pressure (mOs/kg)		260	520	650
Total Suspended Solids (mg/l)		35	70	90
Total Dissolved Solids (mg/l)		-	-	REPORT

**NPDES No. PA0236161 (Mining Permit No. 32121301), LCT Energy, LP**, (938 Mt. Airy Drive, Suite 200, Johnstown, PA 15905). A new NPDES and mining activity permit for the Risecon Mine in Rayne, Green, and Cherryhill Townships, **Indiana County**. Surface Acres Affected 42.8, Underground Acres Affected 1830.4. Receiving streams: Rayne Run and Unnamed Tributary to Rayne Run, both classified for the following use: CWF. Crooked Creek Watershed TMDL. The application was considered administratively complete on September 5, 2012. Application received April 17, 2012.

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

*Outfall 001* discharges to: Rayne Run

The proposed effluent limits for *Outfall 001* (Lat: 40° 44' 09.8" Long: 79° 01' 09.8") are:

<i>Parameter</i>	<i>Minimum</i>	<i>30-Day Average</i>	<i>Daily Maximum</i>	<i>Instant. Maximum</i>
Flow (mgd)		-	0.1	-
Iron (mg/l)		3.0	6.0	7.0
Manganese (mg/l)		2.0	4.0	5.0
Aluminum (mg/l)		2.0	4.0	5.0
Settleable Solids (ml/l)		0.3	0.5	0.6
Total Suspended Solids (mg/l)		35	70	90

*Outfall 002* discharges to: Rayne Run

The proposed effluent limits for *Outfall 002* (Lat: 40° 44' 39.3" Long: 79° 01' 10.9") are:

<i>Parameter</i>	<i>Minimum</i>	<i>30-Day Average</i>	<i>Daily Maximum</i>	<i>Instant. Maximum</i>
Flow (mgd)		-	0.1	-
Iron (mg/l)		3.0	6.0	7.0
Manganese (mg/l)		2.0	4.0	5.0
Aluminum (mg/l)		2.0	4.0	5.0
Settleable Solids (ml/l)		0.3	0.5	0.6
Total Suspended Solids (mg/l)		35	70	90

*Outfall 003* discharges to: Rayne Run

The proposed effluent limits for *Outfall 003* (Lat: 40° 44' 32.2" Long: 79° 01' 21.9") are:

<i>Parameter</i>	<i>Minimum</i>	<i>30-Day Average</i>	<i>Daily Maximum</i>	<i>Instant. Maximum</i>
Flow (mgd)		-	0.1	-
Iron (mg/l)		3.0	6.0	7.0
Manganese (mg/l)		2.0	4.0	5.0
Aluminum (mg/l)		2.0	4.0	5.0
Settleable Solids (ml/l)		0.3	0.5	0.6
Total Suspended Solids (mg/l)		35	70	90

*Outfall 004* discharges to: Unnamed Tributary to Rayne Run

The proposed effluent limits for *Outfall 004* (Lat: 40° 44' 32.1" Long: 79° 01' 02.4") are:

<i>Parameter</i>	<i>Minimum</i>	<i>30-Day Average</i>	<i>Daily Maximum</i>	<i>Instant. Maximum</i>
Flow (mgd)		-	1.73	-
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
Settleable Solids (ml/l)		0.3	0.5	0.6
Total Suspended Solids (mg/l)		35	70	90
Sulfates (mg/l)		-	-	REPORT
Osmotic Pressure (mOs/kg)		-	-	REPORT
Specific Conductance (umho)		-	-	REPORT
Total Dissolved Solids (mg/l)		-	-	REPORT

**NPDES No. PA0214914 (Mining Permit No. 56950702), PBS Coals, Inc.**, (PO Box 260, Friedens, PA 15541). A renewal to the NPDES and mining activity permit for the Cambria Refuse Disposal Area in Stonycreek Township, **Somerset County**. Surface Acres Affected 67.1. Receiving stream: Schrock Run, classified for the following use: CWF. Kiskiminetas-Conemaugh River Watersheds TMDL. The application was considered administratively complete on September 6, 2012. Application received July 9, 2012.

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

*Outfall 001* discharges to: Schrock Run

The proposed effluent limits for *Outfall 001* (Lat: 40° 00' 04" Long: 78° 57' 21") are:

<i>Parameter</i>	<i>Minimum</i>	<i>30-Day Average</i>	<i>Daily Maximum</i>	<i>Instant. Maximum</i>
Flow (mgd)		-	1.2	-
Iron (mg/l)		1.5	3.0	3.8
Manganese (mg/l)		1.0	2.0	2.5
Aluminum (mg/l)		0.38	0.75	0.94
Settleable Solids (ml/l)		0.3	0.5	0.6
Total Suspended Solids (mg/l)		35	70	90
Sulfates (mg/l)		-	-	REPORT
Osmotic Pressure (mOs/kg)		46	91	114
Specific Conductance (umho)		-	-	REPORT
Total Dissolved Solids (mg/l)		-	-	REPORT

**NPDES No. PA0236152 (Mining Permit No. 56121301), AK Coal Resources, Inc.**, (1134 Stoystown Road, Friedens, PA 15541). A new NPDES and mining activity permit for the North Fork Mine in Jenner and Quemahoning Townships, **Somerset County** for a new underground mine. Surface Acres Affected 85.9, Underground Acres Affected 1154.6. Receiving stream: Hoffman Run, classified for the following use: CWF. Kiskiminetas-Conemaugh River Watersheds TMDL. The application was considered administratively complete on November 27, 2012. Application received May 14, 2012.

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

*Outfall 001* discharges to: Hoffman Run

The proposed effluent limits for *Outfall 001* (Lat: 40° 06' 51.4" Long: 79° 03' 08.9") are:

<i>Parameter</i>	<i>Minimum</i>	<i>30-Day Average</i>	<i>Daily Maximum</i>	<i>Instant. Maximum</i>
Flow (mgd)		-	0.18	-
Iron (mg/l)		3.0	6.0	7.0
Manganese (mg/l)		1.3	2.6	3.3
Aluminum (mg/l)		2.0	4.0	5.0
Total Suspended Solids (mg/l)		35	70	90
Sulfates (mg/l)		-	-	REPORT
Osmotic Pressure (mOs/kg)		-	-	REPORT
Chlorides (mg/l)		-	-	REPORT

*Outfall 002* discharges to: Hoffman Run

The proposed effluent limits for *Outfall 002* (Lat: 40° 06' 47.7" Long: 79° 02' 55") are:

<i>Parameter</i>	<i>Minimum</i>	<i>30-Day Average</i>	<i>Daily Maximum</i>	<i>Instant. Maximum</i>
Flow (mgd)		-	0.86	-
Iron (mg/l)		1.5	3.0	3.8



<i>Parameter</i>	<i>Minimum</i>	<i>30-Day Average</i>	<i>Daily Maximum</i>	<i>Instant. Maximum</i>
Manganese (mg/l)		1.0	2.0	2.5
Aluminum (mg/l)		0.38	0.75	0.94
Total Suspended Solids (mg/l)		35	70	90
Sulfates (mg/l)		-	-	REPORT
Osmotic Pressure (mOs/kg)		40	79	99
Chlorides (mg/l)		-	-	REPORT
Total Dissolved Solids (mg/l)		392	784	980

**NPDES No. PA0213535 (Mining Permit No. 30841316), Consol Pennsylvania Coal Company, LLC**, (PO Box J, 1525 Pleasant Grove Road, Claysville, PA 15323). A revision to the NPDES and mining activity permit for the Bailey Mine & Prep Plant in Richhill Township, **Greene County** to install the 1L Bleeder Shaft, six boreholes and add NPDES outfall 031. Surface Acres Affected 10. Receiving stream: Jacob's Run, classified for the following use: HQ-WWF. Monongahela River. The application was considered administratively complete on November 21, 2011. Application received November 15, 2010.

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

*Outfall 001* is subject to the following numeric effluent limits if the non-degrading narrative limits are exceeded:

*Outfall 031* discharges to: Jacob's Run

The proposed effluent limits for *Outfall 031* (Lat: 39° 53' 12" Long: 80° 23' 07") are:

<i>Parameter</i>	<i>Minimum</i>	<i>30-Day Average</i>	<i>Daily Maximum</i>	<i>Instant. Maximum</i>
Flow (mgd)		-	0.0749	-
Iron (mg/l)		2.5	5.0	6.3
Manganese (mg/l)		1.5	3.0	3.8
Aluminum (mg/l)		1.5	3.0	3.8
Suspended Solids (mg/l)		35	70	90
Osmotic Pressure (mOs/kg)		40	79	99
Sulfates (mg/l)		-	-	REPORT
Chlorides (mg/l)		-	-	REPORT
Total Dissolved Solids (mg/l)		-	-	REPORT

*Outfall 031* is subject to the following narrative effluent limits when the non-degrading option is being utilized:

*Outfall 031* discharges to: Jacob's Run

The proposed effluent limits for *Outfall 031* (Lat: 39° 53' 12" Long: 80° 23' 07") are:

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

This permit establishes effluent limitations in the form of implemented BMPs identified in the associated E&S Plan, Reclamation Plan and NPDES application for this permit. These BMPs restrict the rates and quantities of associated pollutants from being discharged into surface waters of the Commonwealth. The following BMPs apply:

- Oversized sediment basin (8600 ft<sup>3</sup>/ac or greater);
- Sediment basin ratio of 4:1 or greater (flow length: basin width);
- Sediment basin with 4-7 day detention;
- Alternate/additional sediment controls during basin construction;
- Flocculants;
- Manual dewatering device;
- Channels, collectors and diversions lined with permanent vegetation, rock, geotextile or other non-erosive materials;
- Mulch immediately after top-soiling.

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

**NPDES No. PA0262226 (Mining permit no. 05060101), Forcey Coal, Inc.**, 475 Banion Road, Madera, PA 16661, renewal of an NPDES permit for surface mining in Broad Top Township, **Bedford County**, affecting 95.0 acres. Receiving stream: Six Mile Run, classified for the following use(s): warm water fishery. This receiving stream is included in the Six Mile Run TMDL. Application received: August 18, 2012.

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

The treated wastewater outfall(s) listed below discharge to Six Mile Run.

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

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

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

The stormwater outfall(s) listed below discharge to Six Mile Run.

<i>Outfall Nos.</i>	<i>New Outfall (Y/N)</i>
004, 005	N

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

<i>Outfalls: 004 and 005</i>	<i>30-Day</i>	<i>Daily</i>	<i>Instant.</i>
<i>Parameter</i>	<i>Average</i>	<i>Maximum</i>	<i>Maximum</i>
Total Iron	N/A	N/A	7.0
Total Settleable Solids	N/A	N/A	0.5 (ml/l)

#### *Noncoal NPDES Draft Permits*

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

**NPDES No. PA0009822 (Mining permit no. 4274SM7), New Enterprise Stone and Lime Company, Inc.**, 3912 Brumbaugh Road, P. O. Box 77, New Enterprise, PA 16664-0077, renewal of an NPDES permit for surface mining in Walker Township, **Huntingdon County**, affecting 65.78 acres. Receiving stream(s): Crooked Creek, classified for the following use(s): warm water fisheries. There are no potable water intakes within 10 miles downstream. Application received: February 12, 2013.

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

The outfall(s) listed below discharge to Crooked Creek.

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

## FEDERAL WATER POLLUTION CONTROL ACT SECTION 401

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

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

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

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

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

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

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

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

**WATER OBSTRUCTIONS AND ENCROACHMENTS**

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

**E51-256. Philadelphia Parks & Recreation**, 1 Parkway, 10th Floor, 1515 Arch Street, Philadelphia, PA 19102, City of Philadelphia, **Philadelphia County**.

To restore, and maintain approximately 400 linear feet of the unnamed tributary to Wissahickon Creek's stream bank by utilizing check dams and rock walls.

The site is located along Valley Creek Road within the Wissahickon Valley Park (Germantown, PA USGS Quadrangle N: 10.5 inches, W: 12.1 inches).

The issuance of this permit also constitutes approval of a Water Quality Certification under Section 401 of the Federal Water Pollution Control Act [33 U.S.C.A. 1341(a)].

**E09-970. The Municipal Authority of the Borough of Morrisville**, 35 Union Street, Morrisville, PA 19067, Morrisville Borough, **Bucks County**, ACOE Philadelphia District.

To construct and maintain approximately 510 lf of below grade (submerged) 30-inch HDEP outfall structure with diffusers in the Delaware River for the purpose of enhanced mixing to an existing wastewater treatment plant.

The site is located at the Morrisville Wastewater "Treatment Plant near the intersection of Delaware Avenue and Riverview Road (Trenton West, NJ-PA, N: 14.5 inches, W: 2.5 inches).

The issuance of this permit also constitutes approval of a Water Quality Certification under Section 401 of the Federal Water Pollution Control Act [33 U.S.C.A. 1341(a)].

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

**E56-352. Pennsylvania Turnpike Commission**, P. O. Box 67676, Harrisburg, PA 17106-7676, Somerset Township, **Somerset County**; ACOE Pittsburgh District

Applicant has been given consent to construct and maintain:

1. a 170 ft long 48 inch diameter RCP enclosure and a relocation of an unnamed tributary of the East Branch of

Coxes Creek (WWF) with a drainage area of less than 100 acres under the to be constructed Husband Road (SR 4009) Turnpike overpass relocation;

2. one 60 inch diameter RCP and one 18 inch diameter RCP under the new Husband Road (SR 4009) Turnpike overpass relocation to maintain hydrology to the PSS/PEM wetland bisected by the relocated Husband Road crossing;

3. permanent fill in a total of 1.86 acres of PSS/PEM wetland bisected by the relocated Husband Road crossing;

4. stormwater outfalls from new road construction;

Wetland mitigation will be provided at PennDot's Louie-Beach Advanced Wetland Compensation Site, Somerset County. This project is associated with Pennsylvania Turnpike improvements and intersecting road changes starting approximately 1.5 miles northwest of Somerset and extending northwest approximately 0.3 mile and is located in Somerset Township (Somerset PA Quadrangle, North 7.2 inches and West 19.6 inches; Latitude 40° 2' 23" and Longitude 79° 6' 23"), Somerset County.

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

**E0829-061: Angelina Gathering Company, LLC**, 2350 N. Sam Houston Parkway Houston, TX 77032, Stevens Township, **Bradford County**, ACOE Baltimore District.

To construct, operate and maintain:

1. A 16 inch and a 12 inch diameter natural gas line, a 16 inch diameter water line and a timber mat bridge impacting 11,892 square feet of a Palustrine Emergent Wetland (PEM) (Le Raysville, PA Quadrangle, Latitude: 41° 45' 08", Longitude: -76° 10' 28");

2. A 16 inch and a 12 inch diameter natural gas line, a 16 inch diameter water line and a timber mat bridge impacting 2,744 square feet of a Palustrine Emergent Wetland (PEM) (Le Raysville, PA Quadrangle, Latitude: 41° 45' 04", Longitude: -76° 10' 19");

3. a timber mat bridge impacting 44 square feet of a Palustrine Emergent Wetland (PEM) (Le Raysville, PA Quadrangle, Latitude: 41° 45' 10", Longitude: -76° 10' 09");

4. A 16 inch and a 12 inch diameter natural gas line, and a 16 inch diameter water line impacting 47 linear feet of an unnamed tributary to Wyalusing Creek (WWF, MF) (Le Raysville, PA Quadrangle, Latitude: 41° 45' 31", Longitude: -76° 09' 09");

5. a 16 inch and a 12 inch diameter natural gas line, a 16 inch diameter water line and a timber mat bridge impacting 94 linear feet of an unnamed tributary to Wyalusing Creek (WWF, MF) and impacting 3,441 square feet of a Palustrine Forested Wetland (Le Raysville, PA Quadrangle, Latitude: 41° 45' 33", Longitude: -76° 09' 05");

6. a 16 inch and a 12 inch diameter natural gas line, a 16 inch diameter water line and a timber mat bridge impacting 40 linear feet of an unnamed tributary to Wyalusing Creek (WWF, MF) and impacting 1,263 square feet of a Palustrine Emergent Wetland (Le Raysville, PA Quadrangle, Latitude: 41° 45' 33", Longitude: -76° 09' 05");

7. a 16 inch and a 12 inch diameter natural gas line, a 16 inch diameter water line and a timber mat bridge impacting 167 linear feet of an unnamed tributary to



Wyalusing Creek (WWF, MF) and impacting 7,057 square feet of a Palustrine Emergent Wetland (Le Raysville, PA Quadrangle, Latitude: 41° 45' 51", Longitude: -76° 09' 00");

8. a 16 inch and a 12 inch diameter natural gas line, a 16 inch diameter water line and a timber mat bridge impacting 70 linear feet of an unnamed tributary to Wyalusing Creek (WWF, MF) and impacting 392 square feet of a Palustrine Emergent Wetland (Le Raysville, PA Quadrangle, Latitude: 41° 45' 52", Longitude: -76° 08' 59");

9. A 16 inch and a 12 inch diameter natural gas line, and a 16 inch diameter water line impacting 73 linear feet of an unnamed tributary to Wyalusing Creek (WWF, MF) (Le Raysville, PA Quadrangle, Latitude: 41° 45' 54", Longitude: -76° 08' 57");

10. A 16 inch and a 12 inch diameter natural gas line, and a 16 inch diameter water line impacting 99 linear feet of an unnamed tributary to Wyalusing Creek (WWF, MF) (Le Raysville, PA Quadrangle, Latitude: 41° 45' 54", Longitude: -76° 08' 55");

The project will result in 560 linear feet and 3,092 square feet of temporary stream impacts and 23,392 square feet (0.54 acre) of temporary PEM wetland impacts and 3,441 (0.08 acre) of permanent PFO wetland impacts all for the purpose of installing a natural gas pipeline and a water line with associated access roadways for Marcellus shale development.

**E5729-047: Appalachia Midstream, LLC**, 100 IST Center, Horseheads, NY 14845, Elkland Township, **Sullivan County**, ACOE Baltimore District.

To construct, operate and maintain:

1. one 6 inch diameter natural gas line and a temporary timber mat bridge impacting 1,947 square feet of a Palustrine Emergent Wetland (Overton, PA Quadrangle, Latitude: 41° 30' 26", Longitude: -76° 36' 48");

2. one 6 inch diameter natural gas line and a temporary timber mat bridge impacting 2,355 square feet of a Palustrine Emergent Wetland (Overton, PA Quadrangle, Latitude: 41° 30' 24", Longitude: -76° 36' 54");

3. one 6 inch diameter natural gas line and a temporary timber mat bridge impacting 2,955 square feet of a Palustrine Emergent Wetland (EV) (Overton, PA Quadrangle, Latitude: 41° 30' 26", Longitude: -76° 37' 03");

4. one 6 inch diameter natural gas line impacting 4 linear feet of an unnamed tributary to Blackwater Run (EV) and impacting 74 square feet of an adjacent Palustrine Forested Wetland (EV) (Overton, PA Quadrangle, Latitude: 41° 30' 31", Longitude: -76° 37' 11");

5. one 6 inch diameter natural gas line impacting 4 square feet of a Palustrine Emergent Wetland (EV) (Overton, PA Quadrangle, Latitude: 41° 30' 29", Longitude: -76° 37' 23");

6. a temporary timber mat bridge impacting 228 square feet of a Palustrine Emergent Wetland (Overton, PA Quadrangle, Latitude: 41° 30' 33", Longitude: -76° 37' 27");

7. one 6 inch diameter natural gas line and a temporary timber mat bridge impacting 190 linear feet of Kings Creek (EV) (Shunk, PA Quadrangle, Latitude: 41° 30' 40", Longitude: -76° 37' 42");

8. one 6 inch diameter natural gas line impacting 122 linear feet of an unnamed tributary to Kings Creek (EV) (Shunk, PA Quadrangle, Latitude: 41° 30' 45", Longitude: -76° 37' 42");

The project will result in 316 linear feet or 7,183 square feet of temporary stream impacts and 7,489 square feet (0.17 acre) of PEM and 74 square feet (0.01 acre) of PFO wetland impacts all for the purpose of installing a natural gas pipeline with associated access roadways for Marcellus shale development.

#### ENVIRONMENTAL ASSESSMENTS

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

**EA38-009: Lebanon Valley Conservancy, Inc.** (Quitapahilla Nature Park), 752 Willow Street, Suite E, Lebanon, Pennsylvania 17046, in Annville and South Annville Townships, **Lebanon County**, ACOE Baltimore District

A stream restoration project along 3,690.0 feet of Quitapahilla Creek (TSF) and four unnamed tributaries to Quitapahilla Creek (TSF) including: 1) 1,088.0 feet of toe bench protection, 2) 683.0 feet of toe wood bank protection, 3) 314.0 feet of constructed riffles, 4) 405.0 feet of step pools, 5) six log boulder j-hook vanes, 6) one log vane, 7) two double throated cross vanes, 8) 168.0 feet of imbricated rock wall; and 9) 2,405.0 feet of bank grading. The project is located immediately upstream of South White Oak Street near its intersection with Quitapahilla Drive (Palmyra, PA Quadrangle; Latitude: 40° 19' 37"N, Longitude: -76° 30' 24"W) in Annville and South Annville Townships, Lebanon County. No wetlands will be impacted by this project.

#### 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.

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

ESCP # ESCGP 15912802

Applicant Name Dominion Transmission

Contact Person John Love

Address 445 West Main Street

City, State, Zip Clarksburg, WV 26301

County Tioga

Township(s) Clymer, Gaines, Elk, Lawrence



Receiving Stream(s) and Classification(s) UNT to Baker Branch (EV)  
 Baker Branch (EV)  
 UNT to Bend Gully Run (CWF)  
 UNT to Mill Run (HQ)  
 Shin Hollow (HQ)  
 Pine Creek (EV)  
 Whitney Hollow (HQ)  
 Lick Run (HQ)  
 Dewey Hollow (EV)  
 UNT to Dewey Hollow (EV)  
 Lewis Run (EV)  
 Elk Run (EV)  
 UNT to Billings Branch (EV)  
 Billings Branch (EV)  
 Crook Creek (WWF)

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

ESCGP-1 # ESX13-081-0014  
 Applicant Name PVR Marcellus Gas Gathering  
 Contact Person Kevin Roberts  
 Address 101 West Third Street  
 City, State, Zip Williamsport, PA 17701  
 County Lycoming County  
 Township(s) Cogan House Township  
 Receiving Stream(s) and Classification(s) Trib to Hoagland Run/Susquehanna (HQ)

ESCGP-1 # ESX13-015-0015  
 Applicant Name PVR Marcellus Gas Gathering  
 Contact Person Kevin Roberts  
 Address 101 West Third Street  
 City, State, Zip Williamsport, PA 17701  
 County Lycoming County  
 Township(s) Franklin Township  
 Receiving Stream(s) and Classification(s) Towanda Creek (TSF/MF), Falls Creek (HQ-CWF/MF)

ESCGP-1 # ESX12-113-0008 (01)  
 Applicant Name EXCO Resources (PA), LLC  
 Contact Person Brian Rushe  
 Address 3000 Ericsson Drive, Suite 200  
 City, State, Zip Warrendale, PA 15086  
 County Sullivan County  
 Township(s) Davidson Township  
 Receiving Stream(s) and Classification(s) Elk Run, Gal-  
 lows Run (Both EV);  
 Secondary: West Branch Fishing Creek (HQ-CWF)

ESCGP-1 # ESX13-081-0006  
 Applicant Name Anadarko E&P Onshore  
 Contact Person Nathan S. Bennett  
 Address 33 West Third Street  
 City, State, Zip Williamsport, PA 17701  
 County Lycoming County  
 Township(s) McIntyre Township  
 Receiving Stream(s) and Classification(s) UNT Frozen Run (HQ-CWF/MF), UNT Gray's Run (HQ-CWF/MF);  
 Secondary: Frozen Run (HQ-CWF/MF), Gray's Run (HQ-CWF/MF)

ESCGP-1 # ESX13-015-0008  
 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 County  
 Township(s) Herrick Township  
 Receiving Stream(s) and Classification(s) Cold Creek (WWF), Camp Creek (WWF);  
 Secondary: Wyalusing Creek (WWF)

ESCGP-1 # ESX13-115-0022  
 Applicant Name Southwestern Energy Production Company  
 Contact Person Mr. Dave Sweeley  
 Address 917 State Route 92 North  
 City, State, Zip Tunkhannock, PA 18657  
 County Susquehanna County  
 Township(s) Jackson Township  
 Receiving Stream(s) and Classification(s) Little Butler Creek (CWF)

ESCGP-1 # ESX12-015-0088 (01)  
 Applicant Name EOG Resources, Inc.  
 Contact Person Greg Shaffer  
 Address 191 Beaver Drive  
 City, State, Zip Dubois, PA 15801-2515  
 County Bradford County  
 Township(s) Springfield Township  
 Receiving Stream(s) and Classification(s) UNT Leonard Creek, UT Brace Creek (TSF)

ESCGP-1 # ESX13-115-0024  
 Applicant Name Chief Oil & Gas LLC  
 Contact Person Jeffrey Deegan  
 Address 6051 Wallace Road Ext., Suite 300  
 City, State, Zip Wexford, PA 15090  
 County Susquehanna County  
 Township(s) Springville Township  
 Receiving Stream(s) and Classification(s) UNT to White Creek (CWF)

ESCGP-1 # ESX12-081-0169  
 Applicant Name Seneca Resources Corporation  
 Contact Person Michael Clinger  
 Address 51 Zents Blvd  
 City, State, Zip Brookville, PA 15825  
 County Lycoming County  
 Township(s) Lewis Township  
 Receiving Stream(s) and Classification(s) Hagerman Run, Sugarcamp Hollow, Brown Hollow and Dry Run (All HQ-CWF);  
 Secondary: Lycoming Creek (EV,MF)

ESX12-081-0169—Resubmitted due to incorrect permit number listed in February 16, 2013 edition of *PA Bulletin*.

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

<i>ESCGP-1 No.</i>	<i>Applicant Name &amp; Address</i>	<i>County</i>	<i>Municipality</i>	<i>Receiving Water/Use</i>
0063128002-1	MarkWest Liberty Midstream & Resources, LLC	Washington	Blaine Township	Buffalo Creek (HQ-WWF)

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

ESCGP-1 #ESX13-019-0013—L&L Properties Well Pad & Tank Pad

Applicant R.E. Gas Development, LLC  
Contact Michael Endler  
Address 310 Seven Fields Blvd, Suite 151  
City Seven Fields State PA Zip Code 16046  
County Butler Township(s) Lancaster  
Receiving Stream(s) and Classification(s) UNT's to Little Connoquenessing Creek (CWF), Slippery Rock Creek Watershed

ESCGP-1 #ESX13-019-0014—Ceaser Well Pad and Tank Pad

Applicant R.E. Gas Development, LLC  
Contact Michael Endler  
Address 310 Seven Fields Blvd, Suite 151  
City Seven Fields State PA Zip Code 16046  
County Butler Township(s) Lancaster and Muddy Creeks  
Receiving Stream(s) and Classification(s) UNT 1 to Yellow Creek (WWF), Yellow Creek (WWF) Slippery Rock Creek Watershed, Little Connoquenessing Creek (CWF)

ESCGP-1 #ESX13-083-0001—Swamp Angel Project

Applicant Horizontal Exploration  
Contact Mark Thompson  
Address 665 Philadelphia Street, Suite 10  
City Indiana State PA Zip Code 15701  
County McKean Township(s) Lafayette  
Receiving Stream(s) and Classification(s) UNTs to Lewis Run, Miam Run and Lewis Run (HQ-CWF)

ESCGP-1 #ESX13-031-0002—Frills Pipeline

Applicant Laurel Mountain Midstream Operating LLC  
Contact Ms. Kristy Flavin  
Address 1605 Coraopolis Heights Road  
City Moon Township State PA Zip Code 15108  
County Clarion Township(s) Elk, Knox, and Washington  
Receiving Stream(s) and Classification(s) UNT to Linking Creek, Fills Run, Rattlesnake Run, Step Run, UNT to Step Run, Mahles Run, (2) UNT's to Mahles Run, Little Paint Creek, (6) UNT's to Little Paint Creek, Mahles Run

ESCGP-1 #ESX13-085-0001—Miller Pad

Applicant SWEPI LP  
Contact H. James Sewell  
Address 190 Thorn Hill Road  
City Warrendale State PA Zip Code 15086  
County Mercer Township(s) Perry  
Receiving Stream(s) and Classification(s) Unnamed Tributaries to Little Shenango River (TSF)

ESCGP-1 #ESX13-019-0010—West Pad 79

Applicant PennEnergy Resources, LLC  
Contact Greg Muse  
Address 1000 Commerce Drive Park Place One, Suite 100  
City Pittsburgh State PA Zip Code 15275  
County Butler Township(s) Clinton  
Receiving Stream(s) and Classification(s) UNT's to Bull Creek (TSF), Lower Allegheny River Watershed, Allegheny River (WWF)

ESCGP-1 #ESX13-019-0007—Burgh to Wack Pipeline Project

Applicant MarkWest Liberty Bluestone, LLC  
Contact Richard Lowry  
Address 601 Technology Drive, Suite 300  
City Canonsburg State PA Zip Code 15317  
County Butler Township(s) Lancaster  
Receiving Stream(s) and Classification(s) Scholars Run

(WWF), UNT's to Scholars Run (WWF), Little Yellow Creek (WWF), Ohio River (WWF)

ESCGP-1 #Salvatora Unit Gas Well No. 1H, 2H, 3H and Kozik Brothers Unit GAS Well No. 1H, 2H, 3H—ESX12-019-0152B

Applicant XTO Energy, Inc  
Contact Melissa Breitenbach  
Address 502 Keystone Drive  
City Warrandale State PA Zip Code 15086  
County Butler Township(s) Summit  
Receiving Stream(s) and Classification(s) Coal Run

ESCGP-1 #ESX12-121-0020—Allam to National Fuel Pipeline Project

Applicant Halcon Field Services  
Contact Rich Demichele  
Address 1000 Louisiana Street, Suite 6700  
City Houston State TX Zip Code 77002  
County Venango Township(s) Frenchcreek and Minerals  
Receiving Stream(s) and Classification(s) Little Sandy Creek, Sandy Creek, South Sandy Creek, Sulphur Run

### OIL AND GAS MANAGEMENT

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

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

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

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

*Southwest District Oil and Gas Operations, Program Manager, 400 Waterfront Drive Pittsburgh, PA 15222-4745*

Well Permit #: 059-26113-00,01

Well Farm Name: Miller Unit 77H

Applicant Name: Chevron Appalachia, LLC

Contact Person: Jeremy Hirtz

Address: 800 Mountain View Drive Smithfield, PA 15478  
County: Greene

Municipality Name/City, Borough, Township: Dunkard  
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: Unnamed Tributary to Meadow Run

Well Permit #: 059-26115-00  
 Well Farm Name: Miller Unit 80H  
 Applicant Name: Chevron Appalachia, LLC  
 Contact Person: Jeremy Hirtz  
 Address: 800 Mountain View Drive Smithfield, PA 15478  
 County: Greene  
 Municipality Name/City, Borough, Township: Dunkard  
 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: Unnamed Tributary to Meadow Run

Well Permit #: 059-26114-00  
 Well Farm Name: Miller Unit 78H  
 Applicant Name: Chevron Appalachia, LLC  
 Contact Person: Jeremy Hirtz  
 Address: 800 Mountain View Drive Smithfield, PA 15478  
 County: Greene  
 Municipality Name/City, Borough, Township: Dunkard

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: Unnamed Tributary to Meadow Run

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

Well Permit #: 113-20200-00-00  
 Well Farm Name Bedford Sul 3H  
 Applicant Name: Chesapeake Appalachia, LLC.  
 Contact Person: Mr. Eric Haskins  
 Address: 101 North Main Street, Athens, PA 18810  
 County: Sullivan

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: Overton, Unnamed tributary to the Mill Creek.

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## STORAGE TANKS

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### SITE-SPECTIFIC INSTALLATION PERMITS

**The following Storage Tank Site-Specific Installation Permits, under the authority of the Storage Tank Spill Prevention Act (35 P. S. §§ 6021.304, 6021.504, 6021.1101—6021.1102) and under 25 Pa Code Chapter 245, Subchapter C, have been issued by the Bureau of Environmental Cleanup and Brownfields, Director, PO Box 8763, Harrisburg, PA 17105-8763.**

<i>SSIP Permit No.</i>	<i>Applicant Name &amp; Address</i>	<i>County</i>	<i>Municipality</i>	<i>Tank Type</i>	<i>Tank Capacity</i>
13-38-004	Keystone Fence Supplies P. O. Box 249 Schaefferstown, PA 17088 Attn: Leroy Zimmerman	Lebanon	Heidelberg Township	3 ASTs storing Chromated Copper Arsenate	41,300 gallons total

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## SPECIAL NOTICES

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

The Department of Environmental Protection (Department) announces the following grants to municipalities for recycling programs under the Municipal Waste Planning, Recycling and Waste Reduction Act (act) (53 P. S. § 4000.902).

Grant funds are used to develop and implement recycling programs. Municipalities and Counties are eligible for up to 90% funding of approved recycling program costs. Municipalities considered financially distressed under the Financial Distressed Communities Act, P. L. 246, No. 47 of 1987, are eligible to receive funding for an additional 10% of approved costs. All grant awards are predicated on the receipt of recycling fees required by sections 701 and 702 of the act, and the availability of moneys in the Recycling Fund.

Inquiries regarding the grant offerings should be directed to Mark Vottero, Recycling Grants Coordinator, Department of Environmental Protection, Bureau of Waste Management, Division of Waste Minimization and Planning, Rachel Carson State Office Building, P. O. Box 8472, Harrisburg, PA 17105-8472.

<i>Applicant</i>	<i>Recycling project</i>	<i>Awarded</i>
<i>Southeast Region</i>		
Bristol Township Bucks County	Curbside Recycling Program	\$90,585
Chester County Chester County	Office Building & Community Events Recycling Programs	\$43,439
Chester County SWA Chester County	Leaf Waste Processing Program	\$250,000
Southeastern Chester County RA Chester County	Leaf Waste Program	\$184,295

<i>Applicant</i>	<i>Recycling project</i>	<i>Awarded</i>
West Grove Borough Chester County	Leaf Waste Processing Program	\$36,237
Lansdowne Borough Delaware County	Curbside Recycling & Educational Program	\$67,083
Media Borough Delaware County	Leaf Waste Collection & Educational Program	\$28,196
Ridley Township Delaware County	Leaf Waste Collection & Educational Program	\$68,392
Springfield Township Delaware County	Curbside Recycling Collection	\$190,611
Cheltenham Township Montgomery County	Curbside Recycling Collection	\$250,000
Douglass Township Montgomery County	Curbside Recycling Program	\$24,672
East Norriton Township Montgomery County	Leaf Waste Collection Program	\$177,459
Hatboro Borough Montgomery County	Curbside Recycling Program	\$131,242
Hatfield Township Montgomery County	Drop-off & Leaf Waste Recycling Programs	\$153,522
Jenkintown Borough Montgomery County	Education Program	\$3,000
Lower Merion Township Montgomery County	Leaf Waste Processing Program	\$250,000
Lower Moreland Township Montgomery County	Curbside Recycling Program	\$196,425
Springfield Township Montgomery County	Curbside Recycling Program	\$151,201
Upper Dublin Township Montgomery County	Curbside Recycling Program & Education	\$31,092
Upper Merion Township Montgomery County	Leaf Waste Collection	\$85,005
Upper Moreland Township Montgomery County	Curbside Recycling Program	\$182,168
Upper Pottsgrove Township Montgomery County	Leaf Waste Processing & Program Development	\$42,423
<i>Northeast Region</i>		
Carbon County Carbon County	Drop-off Recycling Program	\$250,000
Blakely Borough Lackawanna County	Curbside Recycling & Education	\$222,419
Clarks Summit Borough Lackawanna County	Project Development, Education & Curbside	\$9,000
Jermyn Borough Lackawanna County	Curbside Recycling Program	\$103,706
Lackawanna County Lackawanna County	Electronic Education Development	\$3,168
Allentown City Lehigh County	Curbside Recycling & Recycling Center	\$240,977
South Whitehall Township Lehigh County	Curbside Recycling Program	\$250,000
Duryea Borough Luzerne County	Curbside Recycling Program	\$183,534



<i>Applicant</i>	<i>Recycling project</i>	<i>Awarded</i>
Edwardsville Borough Luzerne County	Curbside Recycling Program	\$104,236
Hanover Township Luzerne County	Curbside Recycling Program	\$142,115
Luzerne County Luzerne County	Institutional Recycling Program	\$2,896
Pittston City Luzerne County	Curbside Recycling & Education Programs	\$18,645
Swoyersville Borough Luzerne County	Curbside Recycling & Education Program	\$115,320
Wilkes-Barre City Luzerne County	Leaf Waste Processing Program	\$190,800
Wilkes-Barre Township Luzerne County	Leaf Waste Collection & Curbside Programs	\$22,893
Wyoming Borough Luzerne County	Curbside Recycling & Educational Program	\$21,598
Coolbaugh Township Monroe County	Leaf Waste Collection Program	\$228,618
Eldred Township Monroe County	Curbside Recycling Program	\$1,809
Middle Smithfield Township Monroe County	Leaf Waste & Curbside Recycling Programs	\$223,382
Monroe County MWMA Monroe County	Drop-off Recycling Program	\$250,000
Pocono Township Monroe County	Leaf Waste Collection & Processing Program	\$185,015
Smithfield Township Monroe County	Leaf Waste & Curbside Programs	\$147,589
Stroud Township Monroe County	Leaf Waste Program	\$227,043
Allen Township Northampton County	Leaf Waste Collection Program	\$114,316
Bethlehem City Northampton County	Curbside Recycling Program	\$250,000
Bethlehem Township Northampton County	Leaf Waste Collection & Processing Programs	\$205,745
Bushkill Township Northampton County	Leaf Waste Collection Program	\$189,000
First Regional Compost Authority Northampton County	Leaf Waste Facility & Program	\$250,000
Forks Township Northampton County	Leaf Waste & Recycling Center	\$52,053
Palmer Township Northampton County	Curbside Recycling Program	\$250,000
Upper Nazareth Township Northampton County	Curbside & Leaf Waste Recycling Programs	\$237,292
Williams Township Northampton County	Curbside Recycling Programs & Recycling Center	\$250,000
Rush Township Schuylkill County	Leaf Waste Collection & Processing Program	\$52,201
Schuylkill County Schuylkill County	Drop-off Collection Program	\$177,940
Wyoming County Wyoming County	Drop-off & Educational Programs	\$20,433

## NOTICES

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<i>Applicant</i>	<i>Recycling project</i>	<i>Awarded</i>
<i>Southcentral Region</i>		
Heidelberg Township Berks County	Curbside Recycling & Education Program	\$32,069
Kenhorst Borough Berks County	Curbside Recycling, Education & Special Event	\$49,765
Lower Heidelberg Township Berks County	Leaf Waste Program & Public Education	\$241,758
Maxatawny Township Berks County	Curbside, Compost & Education Programs	\$247,500
Muhlenberg Township Berks County	Curbside, Leaf Waste, Special Events & Education	\$242,118
Reading City Berks County	Recycling Center & Education	\$250,000
International Relations Committee Blair County	Leaf Waste Site, Curbside Recycling & Education	\$250,000
Lemoyne Borough Cumberland County	Leaf Waste Facility	\$34,461
Lower Allen Township Cumberland County	Leaf Waste Facility	\$250,000
Mechanicsburg Borough Cumberland County	Leaf Waste Facility	\$110,285
South Middleton Township Cumberland County	Leaf Waste Facility	\$12,982
Dauphin County Dauphin County	Drop-off Recycling	\$197,244
Lower Paxton Township Dauphin County	Leaf Waste Facility	\$250,000
Chambersburg Borough Franklin County	Leaf Waste Program & Education	\$133,340
Washington Township Franklin County	Recycling Center	\$205,754
Huntingdon Borough Huntingdon County	Curbside & Leaf Waste Recycling Programs	\$164,830
Columbia Borough Lancaster County	Food Waste Composting Program	\$178,000
Earl Township Lancaster County	Leaf Waste, Curbside & Educational Programs	\$86,527
Mount Joy Township Lancaster County	Curbside Recycling & Education	\$20,255
Rapho Township Lancaster County	Leaf Waste Site and Equipment & Education	\$250,000
Jackson Township Lebanon County	Leaf Waste Collection Program	\$228,248
Lebanon City Lebanon County	Curbside & Drop-off Recycling Programs	\$51,240
North Lebanon Township Lebanon County	Leaf Waste Site & Curbside Recycling	\$220,852
South Lebanon Township Lebanon County	Curbside Collection & Education	\$168,017
Mifflin County SWA Mifflin County	Drop-off Recycling & Recycling Center	\$163,426
Fairview Township York County	Leaf Waste Collection & Education	\$86,946
Hanover Borough York County	Curbside Collection Program & Education	\$180,056

<i>Applicant</i>	<i>Recycling project</i>	<i>Awarded</i>
Penn Township York County	Leaf Waste Program & Education	\$249,783
Red Lion Borough York County	Leaf Waste Collection & Education	\$147,906
Spring Grove Borough York County	Leaf Waste Collection & Education	\$58,561
West Manheim Township York County	Leaf Waste Program & Curbside Recycling	\$196,934
Windsor Township York County	Leaf Waste Collection Program	\$124,124
York City York County	Curbside Recycling & Leaf Waste Program	\$230,044
York County SWRA York County	Curbside Recycling	\$250,000
York Township York County	Leaf Waste Processing & Education	\$222,917
<i>Northcentral Region</i>		
Bellefonte Borough Centre County	Leaf Waste Facility	\$218,660
College Township Centre County	Compost Collection & Site	\$33,904
Philipsburg Borough Centre County	Leaf Waste Site & Commercial Education	\$30,771
Lock Haven City Clinton County	Leaf Waste Program & Residential Education	\$196,269
Scott Township Columbia County	Leaf Waste Program & Curbside Recycling	\$250,000
Lewis Township Northumberland County	Drop-off and School Recycling & Education	\$24,324
Rapho Township Northumberland County	Drop-off & Education Programs	\$30,397
Sunbury Municipal Authority Northumberland County	Recycling Center	\$249,242
Union County Union County	Drop-off & Recycling Center	\$108,632
<i>Southwest Region</i>		
Collier Township Allegheny County	Leaf Waste Collection & Curbside Recycling	\$69,012
Forest Hills Borough Allegheny County	Leaf Waste Collection Program & Education	\$190,000
Mt. Lebanon Municipality Allegheny County	Drop-off Recycling & Education Program	\$31,500
O'Hara Township Allegheny County	Leaf Waste Collection	\$45,270
Penn Hills Municipality Allegheny County	Curbside, Leaf Waste Processing & Education	\$156,200
Scott Township Allegheny County	Curbside Recycling & Education	\$38,222
Swissvale Borough Allegheny County	Curbside Recycling & Education Program	\$142,519
Twin Rivers COG Allegheny County	Curbside Recycling	\$145,582
West Mifflin Borough Allegheny County	Curbside Recycling Program	\$137,475
Wilkins Township Allegheny County	Curbside Recycling, Leaf Waste Facility & Education	\$29,727

<i>Applicant</i>	<i>Recycling project</i>	<i>Awarded</i>
Leechburg Borough Armstrong County	Recycling Center	\$17,655
Aliquippa City Beaver County	Educational Program & Collection Truck	\$120,000
Baden Borough Beaver County	Curbside, Drop-off & Education Programs	\$22,295
Brighton Township Beaver County	Leaf Waste, Drop-off & Education Programs	\$48,354
Center Township Beaver County	Leaf Waste Facility & Drop-off Recycling	\$11,744
Monaca Borough Beaver County	Leaf Waste Collection & Drop-off Program	\$85,973
Rochester Township Beaver County	Curbside, Leaf Waste & Education Program	\$36,568
Cambria County SWA Cambria County	Drop-off Recycling & Education Program	\$231,843
South Union Township Fayette County	Leaf Waste Program & Education	\$222,993
Greene County Greene County	Recycling Center & Drop-off Program	\$250,000
Somerset County Somerset County	Paper Recycling Center & Education Program	\$140,052
City of Washington Washington County	Leaf Waste Program & Facility	\$246,861
Greensburg City Westmoreland	Leaf Waste Program	\$34,704
Murrysville Municipality Westmoreland County	Curbside Recycling & Drop-off Program	\$77,476
Youngwood Borough Westmoreland County	Leaf Waste Program	\$77,130
<i>Northwest Region</i>		
Butler County Butler County	Special Events & Curbside Recycling	\$64,186
Zelienople Borough Butler County	Leaf Waste Facility	\$248,994
Elk County Elk County	Recycling Center	\$83,275
Lawrence County Lawrence County	Drop-off & Special Events Recycling	\$15,421
Warren City Warren County	Leaf Waste Program	\$52,135

**CATEGORICAL EXCLUSION**

*Southwest Regional Office, Water Management Program Manager, 400 Waterfront Drive, Pittsburgh, PA 15222-4745*

*Location:* Neville Township, 5050 Grand Avenue, Pittsburgh, PA 15225

*Description:* The Pennsylvania Infrastructure Investment Authority which administers Pennsylvania's State Revolving Fund is intended to be the funding source for this project.

The Township proposes to rehabilitate two (2) existing pump stations to eliminate wet weather overflows in accordance with the Allegheny County Health Department Consent Order. Construction will occur on the same site as the existing pump stations.

The Department's review of the project and the information received has not identified any significant, adverse environmental impact resulting from this proposal. The Department hereby categorically excludes this project from the State Environmental Review Process.

*Location:* Johnstown Redevelopment Authority, 401 Washington Street, Johnstown, PA 15901

*Description:* The Pennsylvania Infrastructure Investment Authority which administers Pennsylvania's State Revolving Fund is intended to be the funding source for this project.



The Authority proposes to replace existing sanitary in the Roxbury, Moxham, Hornerstown and Walnut Grove areas of Johnstown to reduce wet weather overflows in accordance with DEP Consent Order and Agreement. Construction will occur in the same area as the existing sewers.

The Department's review of the project and the information received has not identified any significant, adverse environmental impact resulting from this proposal. The Department hereby categorically excludes this project from the State Environmental Review Process.

#### Notice of Certification to Perform Radon-Related Activities in Pennsylvania

In the month of February 2013 Department of Environmental Protection of the Commonwealth of Pennsylvania, under the authority contained in the Radon Certification Act, act of July 9, 1987, P. L. 238, No. 43 (63 P. S. Sections 2001—2014) and regulations promulgated thereunder at 25 Pa. Code Chapter 240, has certified the persons listed below to perform radon-related activities in Pennsylvania. The period of certification is two years. (For a complete list of persons currently certified to perform radon-related activities in Pennsylvania and for information as to the specific testing devices that persons certified for testing or laboratory are certified to use, contact the Bureau of Radiation Protection, Radon Division, P. O. Box 8469, Harrisburg, PA 17105-8469, (1-800-23RADON).

<i>Type of Name</i>	<i>Address</i>	<i>Certification</i>
Brian Bacchus	125 Twin Oak Drive Wexford, PA 15090	Mitigation
Timothy Bach	370 Brush Creek Road Irwin, PA 15642	Testing
Jason Bancroft	PO Box 261 Gilbertsville, PA 19525	Testing
Glen Beveridge	409 Sewickley Street Greensburg, PA 15601	Testing
Bernard Catanzareti	1177 Dewalt Drive Easton, PA 18040	Testing
Joseph D'Amato	2920 Route 611 Tannersville, PA 18372	Testing
Paul Hollup	420 Vaughn Road Royersford, PA 19468	Testing
Shawn Jackson	2822 Golden Mile Highway Pittsburgh, PA 15239	Mitigation
E. Patrick Joseph	561 Vanderbilt Road Connellsville, PA 15425	Testing
Charles Knepper, Jr.	251 Park Avenue Chambersburg, PA 17201	Testing
Seymour Levine	198 Rose Hill Drive New Cumberland, PA 17070	Testing & Mitigation
Larry McCutcheon	5070 Geyer Road Ischua, NY 14743	Testing
Microbac Laboratories, Inc.	1962 Wager Road Erie, PA 16509	Testing & Laboratory Analysis
Edward Moran	940 Port Carbon Street Pottsville, PA 17901	Testing
James Mulvehill	126 Furnari Avenue Johnstown, PA 15905	Testing
Next Step Environmental Services, LLC	51 Sugar Maple Road Barto, PA 19504	Mitigation
Joseph Nirschel	213 North 14th Street Allentown, PA 18102	Mitigation
PRO-LAB	1675 North Commerce Pkwy Weston, FL 33326	Laboratory Analysis
William Schneider	481 Nantucket Drive Pittsburgh, PA 15236	Testing
William Staniland	706 Russett Meadow Court Cranberry Twp., PA 16066	Testing

<i>Type of Name</i>	<i>Address</i>	<i>Certification</i>
Jeffrey Stover	2749 West Roy Furman Hwy. Waynesburg, PA 15370	Testing
Edward Szczesniak	8 Mohawk Drive Richboro, PA 18954	Testing
Todd Tuvell	4142 Ogletown-Stanton Road #217 Newark, DE 19713	Testing
John Wechter	72 Gristmill Lane Linfield, PA 19468	Testing

[Pa.B. Doc. No. 13-458. Filed for public inspection March 15, 2013, 9:00 a.m.]

### Availability of Technical Guidance

Technical guidance documents are available on the Department of Environmental Protection's (Department) web site at <http://www.elibrary.dep.state.pa.us>. The "Technical Guidance Final Documents" heading is the link to a menu of the various Department bureaus where each bureau's final technical guidance documents are posted. The "Technical Guidance Draft Documents" heading is the link to the Department's draft technical guidance documents.

#### *Ordering Paper Copies of Department Technical Guidance*

The Department encourages the use of the Internet to view and download technical guidance documents. When this option is not available, persons can order a paper copy of any of the Department's draft or final technical guidance documents by contacting the Department at (717) 783-8727.

In addition, bound copies of some of the Department's documents are available as Department publications. Check with the appropriate bureau for more information about the availability of a particular document as a publication.

#### *Changes to Technical Guidance Documents*

Following is the current list of recent changes. Persons who have questions or comments about a particular document should call the contact person whose name and phone number is listed with each document.

#### *Rescission of Technical Guidance*

*DEP ID:* 253-5800-618. *Title:* Change Orders for Hazardous Sites Cleanup Program Contract Management. *Description:* This document involves internal administrative operating procedures that are covered by other program staff operating procedure documents.

*Contact:* Questions regarding this action should be directed to Mark Conaron, [mconaron@pa.gov](mailto:mconaron@pa.gov) or (717) 783-9165.

*Effective Date:* Upon publication in the *Pennsylvania Bulletin*.

*DEP ID:* 253-5700-621. *Title:* Off-Site Audit Manual for Hazardous Sites Cleanup Program. *Description:* This document involves internal administrative operating procedures that are covered by other program staff operating procedure documents.

*Contact:* Questions regarding this action should be directed to Mark Conaron, [mconaron@pa.gov](mailto:mconaron@pa.gov) or (717) 783-9165.

*Effective Date:* Upon publication in the *Pennsylvania Bulletin*.

*DEP ID:* 253-5800-610. *Title:* End of Project Report; Interim Policy and Procedure. *Description:* This document involves internal administrative operating procedures that are covered by other program staff operating procedure documents.

*Contact:* Questions regarding this action should be directed to Mark Conaron, [mconaron@pa.gov](mailto:mconaron@pa.gov) or (717) 783-9165.

*Effective Date:* Upon publication in the *Pennsylvania Bulletin*.

*DEP ID:* 253-5800-625. *Title:* Subcontractor Approval Process in HSCA Contracts. *Description:* This document involves internal administrative operating procedures that are covered by other program staff operating procedure documents.

*Contact:* Questions regarding this action should be directed to Mark Conaron, [mconaron@pa.gov](mailto:mconaron@pa.gov) or (717) 783-9165.

*Effective Date:* Upon publication in the *Pennsylvania Bulletin*.

MICHAEL L. KRANCER,  
*Secretary*

[Pa.B. Doc. No. 13-459. Filed for public inspection March 15, 2013, 9:00 a.m.]

### Bid Opportunity

**OSM 32(2436)104.1, Abandoned Mine Reclamation Project, Diamondville East, Cherryhill Township, Indiana County.** The principal items of work and approximate quantities include mobilization and demobilization; implementation of the Erosion and Sediment Control Plan; clearing and grubbing; removal and disposal of solid waste 12 tons; grading 60,850 cubic yards; pipe culvert, 15" Diameter Smooth Interior Corrugated Polyethylene 80 linear feet; gas line replacement 1,900 linear feet; tree planting 16 trees; and seeding 12 acres. This bid issues on March 15, 2013, and bids will be opened on April 11, 2013, at 2 p.m. Bid documents cost \$10 per set and will not be mailed until payment has been received. This project is financed by the Federal government under the authority given it by the Surface Mining Control and Reclamation Act of 1977 (act) (30 U.S.C.A. §§ 1201—

1308) and is subject to the act and to the Federal grant for this project. Contact the Construction Contracts Section at (717) 787-7820 or joelmiller@state.pa.us for more information on this bid.

MICHAEL L. KRANCER,  
*Secretary*

[Pa.B. Doc. No. 13-460. Filed for public inspection March 15, 2013, 9:00 a.m.]

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### Bid Opportunity

**OSM 40(3031)103.1, Abandoned Mine Reclamation Project, Pittston 2, City of Pittston, Luzerne County.** The principal items of work and approximate quantities include mobilization and demobilization; implementation of the Erosion and Sediment Control Plan; maintenance and protection of traffic; air rotary drilling 7,250 linear feet; steel or PVC injection casing; 6"-1,900 linear feet and 4"-7,250 linear feet; fill material injection 24,700 linear feet; and seeding 500 square yards. This bid issues on March 15, 2013, and bids will be opened on April 11, 2013, at 2 p.m. Bid documents cost \$10 per set and will not be mailed until payment has been received. This project is financed by the Federal government under the authority given it by the Surface Mining Control and Reclamation Act of 1977 (act) (30 U.S.C.A. §§ 1201—1308) and is subject to the act and to the Federal grant for this project. Contact the Construction Contracts Section at (717) 787-7820 or joelmiller@state.pa.us for more information on this bid.

MICHAEL L. KRANCER,  
*Secretary*

[Pa.B. Doc. No. 13-461. Filed for public inspection March 15, 2013, 9:00 a.m.]

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### Cleanup Standards Scientific Advisory Board Meeting Rescheduled

The Cleanup Standards Scientific Advisory Board meeting scheduled for April 11, 2013, has been rescheduled for May 7, 2013, at 10 a.m. in Room 105, Rachel Carson State Office Building, Harrisburg, PA.

For information, contact Dave Crownover at (717) 783-7816 or dcrownover@pa.gov.

The agenda and meeting materials will be available through the Public Participation Center on the Department of Environmental Protection's (Department) web site at <http://www.dep.state.pa.us>.

Persons in need of accommodations as provided for in the Americans with Disabilities Act of 1990 should contact Allison Gaida directly at (724) 439-7289 or through the Pennsylvania AT&T Relay Service at (800) 654-5984 (TDD) to discuss how the Department may accommodate their needs.

MICHAEL L. KRANCER,  
*Secretary*

[Pa.B. Doc. No. 13-462. Filed for public inspection March 15, 2013, 9:00 a.m.]

### Final General Plan Approval and/or General Operating Permit for Natural Gas Compression and/or Processing Facilities (BAQ-GPA/GP-5); Minor Typographical Correction

The Department of Environmental Protection (Department) issued a final General Plan Approval and/or General Operating Permit (BAQ-GPA/GP-5) for Natural Gas Compression and/or Processing Facilities on February 1, 2013, that establishes emission limitations and other applicable Federal and State requirements including Best Available Technology requirements.

The notice of availability of Final General Plan Approval and/or General Operating Permit for Natural Gas Compression and/or Processing Facilities (BAQ-GPA/GP-5) was published at 43 Pa.B. 740 (February 2, 2013).

The Department found and corrected a minor typographical error on page 13 Section B, item 1 in the final BAQ-GPA/GP-5 as follows:

"Condition 1(b)" replaced with "Condition 1(a) or 1(b)." This minor correction does not change any of the substantive requirements under GP-5 and relates only to grandfathered sources under the previous GP-5.

The corrected version of final BAQ-GPA/GP-5 was posted on the Department's web site on February 26, 2013.

MICHAEL L. KRANCER,  
*Secretary*

[Pa.B. Doc. No. 13-463. Filed for public inspection March 15, 2013, 9:00 a.m.]

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## DEPARTMENT OF HEALTH

### Application of Aria Health—Torresdale Campus for Exception

Under 28 Pa. Code § 51.33 (relating to requests for exceptions), the Department of Health (Department) gives notice that Aria Health—Torresdale Campus has requested an exception to the requirements of 28 Pa. Code § 153.1 (relating to minimum standards), which requires compliance with minimum standards contained in the following publication: *Guidelines for Design and Construction of Hospitals and Healthcare Facilities*. The facility specifically requests exception from the following standards contained in this publication: 2.2-2.6.2.6(1) and (2) (relating to toilet or soiled utility room).

This request is on file with the Department. Persons may receive a copy of a request for exception by requesting a copy from the Department of Health, Division of Acute and Ambulatory Care, Room 532, Health and Welfare Building, Harrisburg, PA 17120, (717) 783-8980, fax (717) 772-2163, ra-paexcept@pa.gov.

Persons who wish to comment on an exception request may do so by sending a letter by mail, e-mail or facsimile to the Division at the address listed previously.

Comments received by the Department within 10 days after the date of publication of this notice will be reviewed by the Department before it decides whether to approve or disapprove the request for exception.

Persons with a disability who wish to obtain a copy of a request and/or provide comments to the Department and require an auxiliary aid, service or other accommodation

to do so should contact the Director, Division of Acute and Ambulatory Care at (717) 783-8980, for speech and/or hearing impaired persons V/TT (717) 783-6154, or the Pennsylvania AT&T Relay Service (800) 654-5984 (TT).

MICHAEL WOLF,  
*Acting Secretary*

[Pa.B. Doc. No. 13-464. Filed for public inspection March 15, 2013, 9:00 a.m.]

### Application for Exception to 28 Pa. Code § 127.32

Under 28 Pa. Code § 51.33 (relating to requests for exceptions), the Department of Health (Department) gives notice that the following facilities have requested an exception to the requirements of 28 Pa. Code § 127.32 (relating to written orders):

Frick Hospital  
Latrobe Hospital  
Westmoreland Hospital

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 Acute and Ambulatory Care, Room 532, Health and Welfare Building, Harrisburg, PA 17120, (717) 783-8980, fax (717) 772-2163, ra-paexcept@pa.gov.

The facilities are requesting a waiver of the comment period, as set forth in 28 Pa. Code § 51.33(c).

Persons with a disability who wish to obtain a copy of a request and/or provide comments to the Department and require an auxiliary aid, service or other accommodation to do so should contact the Division at the previously listed address or phone number, or for speech and/or hearing impaired persons V/TT (717) 783-6154, or the Pennsylvania AT&T Relay Service at (800) 654-5984.

MICHAEL WOLF,  
*Acting Secretary*

[Pa.B. Doc. No. 13-465. Filed for public inspection March 15, 2013, 9:00 a.m.]

### Application of HealthSouth Rehabilitation Hospital of Erie for Exception

Under 28 Pa. Code § 51.33 (relating to requests for exceptions), the Department of Health (Department) gives notice that HealthSouth Rehabilitation Hospital of Erie has requested an exception to the requirements of 28 Pa. Code §§ 101.31(7), 105.11(b) and 127.31(b) (relating to hospital requirements; access; and policies and procedures).

This request is on file with the Department. Persons may receive a copy of a request for exception by requesting a copy from the Department of Health, Division of Acute and Ambulatory Care, Room 532, Health and Welfare Building, Harrisburg, PA 17120, (717) 783-8980, fax (717) 772-2163, ra-paexcept@pa.gov.

Persons who wish to comment on an exception request may do so by sending a letter by mail, e-mail or facsimile to the Division and address listed previously.

Comments received by the Department within 10 days after the date of publication of this notice will be

reviewed by the Department before it decides whether to approve or disapprove the request for exception.

Persons with a disability who wish to obtain a copy of a request and/or provide comments to the Department and require an auxiliary aid, service or other accommodation to do so should contact the Division at the previously listed address or phone number, or for speech and/or hearing impaired persons V/TT (717) 783-6154, or the Pennsylvania AT&T Relay Service at (800) 654-5984.

MICHAEL WOLF,  
*Acting Secretary*

[Pa.B. Doc. No. 13-466. Filed for public inspection March 15, 2013, 9:00 a.m.]

### Application of Leader Surgical Center for Exception

Under 28 Pa. Code § 51.33 (relating to requests for exceptions), the Department of Health (Department) gives notice that Leader Surgical Center has requested an exception to the requirements of 28 Pa. Code § 551.21(d)(3) (relating to criteria for ambulatory surgery).

This request is on file with the Department. Persons may receive a copy of a request for exception by requesting a copy from the Department of Health, Division of Acute and Ambulatory Care, Room 532, Health and Welfare Building, Harrisburg, PA 17120, (717) 783-8980, fax (717) 772-2163, ra-paexcept@pa.gov.

Persons who wish to comment on an exception request may do so by sending a letter by mail, e-mail or facsimile to the Division at the address listed previously.

Comments received by the Department within 10 days after the date of publication of this notice will be reviewed by the Department before it decides whether to approve or disapprove the request for exception.

Persons with a disability who wish to obtain a copy of a request and/or provide comments to the Department and require an auxiliary aid, service or other accommodation to do so should contact the Division at the previously listed address or phone number, or for speech and/or hearing impaired persons V/TT (717) 783-6154, or the Pennsylvania AT&T Relay Service at (800) 654-5984.

MICHAEL WOLF,  
*Acting Secretary*

[Pa.B. Doc. No. 13-467. Filed for public inspection March 15, 2013, 9:00 a.m.]

### Application of Pinnacle Health Hospitals for Exception

Under 28 Pa. Code § 51.33 (relating to requests for exceptions), the Department of Health (Department) gives notice that Pinnacle Health Hospitals has requested an exception to the requirements of 28 Pa. Code § 143.5 (relating to medical supervision of podiatric patients).

This request is on file with the Department. Persons may receive a copy of a request for exception by requesting a copy from the Department of Health, Division of



Acute and Ambulatory Care, Room 532, Health and Welfare Building, Harrisburg, PA 17120, (717) 783-8980, fax (717) 772-2163, ra-paexcept@pa.gov.

Persons who wish to comment on an exception request may do so by sending a letter by mail, e-mail or facsimile to the Division at the address listed previously.

Comments received by the Department within 10 days after the date of publication of this notice will be reviewed by the Department before it decides whether to approve or disapprove the request for exception.

Persons with a disability who wish to obtain a copy of a request and/or provide comments to the Department and require an auxiliary aid, service or other accommodation to do so should contact the Division at the previously listed address or phone number, or for speech and/or hearing impaired persons V/TT (717) 783-6154, or the Pennsylvania AT&T Relay Service at (800) 654-5984.

MICHAEL WOLF,  
Acting Secretary

[Pa.B. Doc. No. 13-468. Filed for public inspection March 15, 2013, 9:00 a.m.]

### Application of Planned Parenthood Association of Bucks County for Exception

Under 28 Pa. Code § 51.33 (relating to requests for exceptions), the Department of Health (Department) gives notice that Planned Parenthood Association of Bucks County has requested an exception to the requirements of 28 Pa. Code § 571.1 (relating to minimum standards), which requires compliance with minimum standards contained in the following publication: *Guidelines for Design and Construction of Hospitals and Healthcare Facilities*. The facility specifically requests exemption from the following standards contained in this publication: 3.1-8.2, 3.7-3.3.3.1, 3.7-3.3.3.2, 3.7-3.3.6.1, 3.7-7.2.3.4 and 3.8-7.2.3.4(2).

The facility is also requesting exception to 28 Pa. Code § 571.12 (relating to submission stages).

These requests are on file with the Department. Persons may receive a copy of a request for exception by requesting a copy from the Department of Health, Division of Acute and Ambulatory Care, Room 532, Health and Welfare Building, Harrisburg, PA 17120, (717) 783-8980, fax (717) 772-2163, ra-paexcept@pa.gov.

Persons who wish to comment on an exception request may do so by sending a letter by mail, e-mail or facsimile to the Division at the address listed previously.

Comments received by the Department within 10 days after the date of publication of this notice will be reviewed by the Department before it decides whether to approve or disapprove the request for exception.

Persons with a disability who wish to obtain a copy of a request and/or provide comments to the Department and require an auxiliary aid, service or other accommodation to do so should contact the Director, Division of Acute and Ambulatory Care at (717) 783-8980, for speech and/or

hearing impaired persons V/TT (717) 783-6154, or the Pennsylvania AT&T Relay Service (800) 654-5984 (TT).

MICHAEL WOLF,  
Acting Secretary

[Pa.B. Doc. No. 13-469. Filed for public inspection March 15, 2013, 9:00 a.m.]

### Application of Planned Parenthood of Central PA—York Health Center for Exception

Under 28 Pa. Code § 51.33 (relating to requests for exceptions), the Department of Health (Department) gives notice that Planned Parenthood of Central PA—York Health Center has requested an exception to the requirements of 28 Pa. Code § 571.1 (relating to minimum standards), which requires compliance with minimum standards contained in the following publication: *Guidelines for Design and Construction of Hospitals and Healthcare Facilities*. The facility specifically requests exemption from the following standards contained in this publication: 3.1-8.2, 3.7-3.3.3.1, 3.7-3.3.3.2, 3.7-3.3.4, 3.7-3.3.5, 3.7-3.3.6.1, 3.7-7.2.3.4, 3.8-3.6.5 and 3.8-7.2.3.4(2).

The facility is also requesting exception to 28 Pa. Code § 571.12 (relating to submission stages).

These requests are on file with the Department. Persons may receive a copy of a request for exception by requesting a copy from the Department of Health, Division of Acute and Ambulatory Care, Room 532, Health and Welfare Building, Harrisburg, PA 17120, (717) 783-8980, fax (717) 772-2163, ra-paexcept@pa.gov.

Persons who wish to comment on an exception request may do so by sending a letter by mail, e-mail or facsimile to the Division at the address listed previously.

Comments received by the Department within 10 days after the date of publication of this notice will be reviewed by the Department before it decides whether to approve or disapprove the request for exception.

Persons with a disability who wish to obtain a copy of a request and/or provide comments to the Department and require an auxiliary aid, service or other accommodation to do so should contact the Director, Division of Acute and Ambulatory Care at (717) 783-8980, for speech and/or hearing impaired persons V/TT (717) 783-6154, or the Pennsylvania AT&T Relay Service (800) 654-5984 (TT).

MICHAEL WOLF,  
Acting Secretary

[Pa.B. Doc. No. 13-470. Filed for public inspection March 15, 2013, 9:00 a.m.]

### Application of Planned Parenthood of Northeast and Mid-Penn—Allentown for Exception

Under 28 Pa. Code § 51.33 (relating to requests for exceptions), the Department of Health (Department) gives notice that Planned Parenthood of Northeast and Mid-Penn—Allentown has requested an exception to the requirements of 28 Pa. Code § 571.1 (relating to minimum standards), which requires compliance with minimum standards contained in the following publication: *Guidelines for Design and Construction of Hospitals and Healthcare Facilities*. The facility specifically requests

exemption from the following standards contained in this publication: 3.1-8.2, 3.7-3.3.3.1, 3.7-3.3.3.2, 3.7-3.3.4, 3.7-3.3.5, 3.7-3.3.6.1, 3.7-7.2.3.4, 3.8-3.6.5 and 3.8-7.2.3.4(2).

The facility is also requesting exception to 28 Pa. Code § 571.12 (relating to submission stages).

These requests are on file with the Department. Persons may receive a copy of a request for exception by requesting a copy from the Department of Health, Division of Acute and Ambulatory Care, Room 532, Health and Welfare Building, Harrisburg, PA 17120, (717) 783-8980, fax (717) 772-2163, ra-paexcept@pa.gov.

Persons who wish to comment on an exception request may do so by sending a letter by mail, e-mail or facsimile to the Division at the address listed previously.

Comments received by the Department within 10 days after the date of publication of this notice will be reviewed by the Department before it decides whether to approve or disapprove the request for exception.

Persons with a disability who wish to obtain a copy of a request and/or provide comments to the Department and require an auxiliary aid, service or other accommodation to do so should contact the Director, Division of Acute and Ambulatory Care at (717) 783-8980, for speech and/or hearing impaired persons V/TT (717) 783-6154, or the Pennsylvania AT&T Relay Service (800) 654-5984 (TT).

MICHAEL WOLF,  
Acting Secretary

[Pa.B. Doc. No. 13-471. Filed for public inspection March 15, 2013, 9:00 a.m.]

### Application of UPMC East for Exception

Under 28 Pa. Code § 51.33 (relating to requests for exceptions), the Department of Health (Department) gives notice that UPMC East has requested an exception to the requirements of 28 Pa. Code § 153.1 (relating to minimum standards), which requires compliance with minimum standards contained in the following publication: *Guidelines for Design and Construction of Hospitals and Healthcare Facilities*. The facility specifically requests exception from the following standards contained in this publication: 3.1-7.2.2.3(1)(b) (relating to doors and door hardware).

This request is on file with the Department. Persons may receive a copy of a request for exception by requesting a copy from the Department of Health, Division of Acute and Ambulatory Care, Room 532, Health and Welfare Building, Harrisburg, PA 17120, (717) 783-8980, fax (717) 772-2163, ra-paexcept@pa.gov.

Persons who wish to comment on an exception request may do so by sending a letter by mail, e-mail or facsimile to the Division at the address listed previously.

Comments received by the Department within 10 days after the date of publication of this notice will be reviewed by the Department before it decides whether to approve or disapprove the request for exception.

Persons with a disability who wish to obtain a copy of a request and/or provide comments to the Department and require an auxiliary aid, service or other accommodation

to do so should contact the Director, Division of Acute and Ambulatory Care at (717) 783-8980, for speech and/or hearing impaired persons V/TT (717) 783-6154, or the Pennsylvania AT&T Relay Service (800) 654-5984 (TT).

MICHAEL WOLF,  
Acting Secretary

[Pa.B. Doc. No. 13-472. Filed for public inspection March 15, 2013, 9:00 a.m.]

### Application of UPMC Presbyterian Shadyside for Exception

Under 28 Pa. Code § 51.33 (relating to requests for exceptions), the Department of Health (Department) gives notice that UPMC Presbyterian Shadyside has requested an exception to the requirements of 28 Pa. Code § 153.1 (relating to minimum standards), which requires compliance with minimum standards contained in the following publication: *Guidelines for Design and Construction of Hospitals and Healthcare Facilities*. The facility specifically requests exception from the following standards contained in this publication: 3.1-3.2.2.2 and 3.1-7.2.2.1 (relating to clearances; and corridor width).

This request is on file with the Department. Persons may receive a copy of a request for exception by requesting a copy from the Department of Health, Division of Acute and Ambulatory Care, Room 532, Health and Welfare Building, Harrisburg, PA 17120, (717) 783-8980, fax (717) 772-2163, ra-paexcept@pa.gov.

Persons who wish to comment on an exception request may do so by sending a letter by mail, e-mail or facsimile to the Division at the address listed previously.

Comments received by the Department within 10 days after the date of publication of this notice will be reviewed by the Department before it decides whether to approve or disapprove the request for exception.

Persons with a disability who wish to obtain a copy of a request and/or provide comments to the Department and require an auxiliary aid, service or other accommodation to do so should contact the Director, Division of Acute and Ambulatory Care at (717) 783-8980, for speech and/or hearing impaired persons V/TT (717) 783-6154, or the Pennsylvania AT&T Relay Service (800) 654-5984 (TT).

MICHAEL WOLF,  
Acting Secretary

[Pa.B. Doc. No. 13-473. Filed for public inspection March 15, 2013, 9:00 a.m.]

### Application of The Western Pennsylvania Hospital for Exception

Under 28 Pa. Code § 51.33 (relating to requests for exceptions), the Department of Health (Department) gives notice that The Western Pennsylvania Hospital has requested an exception to the requirements of 28 Pa. Code § 153.1 (relating to minimum standards), which requires compliance with minimum standards contained in the following publication: *Guidelines for Design and Construction of Hospitals and Healthcare Facilities*. The facility

specifically requests exception from the following standards contained in this publication: 2.2-2.5.6.1 (relating to direct observation).

This request is on file with the Department. Persons may receive a copy of a request for exception by requesting a copy from the Department of Health, Division of Acute and Ambulatory Care, Room 532, Health and Welfare Building, Harrisburg, PA 17120, (717) 783-8980, fax (717) 772-2163, ra-paexcept@pa.gov.

Persons who wish to comment on an exception request may do so by sending a letter by mail, e-mail or facsimile to the Division at the address listed previously.

Comments received by the Department within 10 days after the date of publication of this notice will be reviewed by the Department before it decides whether to approve or disapprove the request for exception.

Persons with a disability who wish to obtain a copy of a request and/or provide comments to the Department and require an auxiliary aid, service or other accommodation to do so should contact the Director, Division of Acute and Ambulatory Care at (717) 783-8980, for speech and/or hearing impaired persons V/TT (717) 783-6154, or the Pennsylvania AT&T Relay Service (800) 654-5984 (TT).

MICHAEL WOLF,  
*Acting Secretary*

[Pa.B. Doc. No. 13-474. Filed for public inspection March 15, 2013, 9:00 a.m.]

### Application of York Adams Pain Specialists for Exception

Under 28 Pa. Code § 51.33 (relating to requests for exceptions), the Department of Health (Department) gives notice that York Adams Pain Specialists has requested an exception to the requirements of 28 Pa. Code § 551.3 (relating to definitions).

This request is on file with the Department. Persons may receive a copy of a request for exception by requesting a copy from the Department of Health, Division of Acute and Ambulatory Care, Room 532, Health and Welfare Building, Harrisburg, PA 17120, (717) 783-8980, fax (717) 772-2163, ra-paexcept@pa.gov.

Persons who wish to comment on an exception request may do so by sending a letter by mail, e-mail or facsimile to the Division at the address listed previously.

Comments received by the Department within 10 days after the date of publication of this notice will be reviewed by the Department before it decides whether to approve or disapprove the request for exception.

Persons with a disability who wish to obtain a copy of a request and/or provide comments to the Department and require an auxiliary aid, service or other accommodation to do so should contact the Division at the previously listed address or phone number, or for speech and/or hearing impaired persons V/TT (717) 783-6154, or the Pennsylvania AT&T Relay Service at (800) 654-5984.

MICHAEL WOLF,  
*Acting Secretary*

[Pa.B. Doc. No. 13-475. Filed for public inspection March 15, 2013, 9:00 a.m.]

### Decisions on Requests for Exception to Health Care Facility Regulations

Under 28 Pa. Code § 51.33 (relating to requests for exceptions), the Department of Health (Department) has published in the *Pennsylvania Bulletin* all requests by entities licensed under the Health Care Facilities Act (35 P. S. §§ 448.101—448.904b) for exceptions to regulations contained in 28 Pa. Code Part IV, Subparts B—G.

Section 51.33(d) of 28 Pa. Code provides that the Department will publish notice of all approved exceptions on a periodic basis. The Department has determined that it will publish notice of all exceptions, both approved and denied. The following list contains the decisions made on exception requests published in the *Pennsylvania Bulletin* from April 2012, through December 2012. Future publications of decisions on exception requests will appear on a quarterly basis.

All requests for additional information on the exception request and the Department's decision should be made to the relevant division of the Department. Inquiries regarding hospitals, abortion facilities and ambulatory surgical facilities shall be addressed to Charles Shaffer, Assistant Director, Division of Acute and Ambulatory Care, Room 532, Health and Welfare Building, Harrisburg, PA 17120. Inquiries regarding long-term care facilities shall be addressed to Susan Williamson, Director, Division of Nursing Care Facilities, Room 528, Health and Welfare Building, Harrisburg, PA 17120.

#### Hospitals

<i>Facility Name</i>	<i>Regulation</i>	<i>Relating to</i>	<i>Request Published</i>	<i>Decision</i>
Fulton County Medical Center	Act 13, Section 310(a)	patient safety committee		denied
Hazleton General Hospital	28 Pa. Code § 5.41(a)	laboratory orders		denied
Heart of Lancaster M.C.	28 Pa. Code § 51.6(b)	identification of personnel	04/14/2012	granted
Lancaster Regional Medical Center	28 Pa. Code § 51.6(b)	identification of personnel	04/14/2012	granted
Lankenau Medical Center	28 Pa. Code § 51.6(b)	identification of personnel	07/11/2012	granted
York Hospital	28 Pa. Code § 51.6(c)	identification of personnel	04/14/2012	granted
Reading Hospital and M.C.	28 Pa. Code § 53.3(a)(2)	photo ID badge	09/15/2012	granted
Milton S. Hershey Medical Center	28 Pa. Code § 101.12	exceptions to innovative programs	06/16/2012	granted

<i>Facility Name</i>	<i>Regulation</i>	<i>Relating to</i>	<i>Request Published</i>	<i>Decision</i>
Einstein Medical Center Montgomery	28 Pa. Code § 101.31(7)	permanent onsite facilities for the care of patients 24 hrs a day	11/17/2012	granted
Lancaster Regional Medical Center	28 Pa. Code § 101.31(7) and (9)	hospital requirements 24 hour care of patients	07/11/2012	denied
Main Line Hospital Paoli	28 Pa. Code § 101.31	hospital requirements, 24 hour care of patients	05/19/2012	granted w/ conditions
OSS Health	28 Pa. Code § 101.31	hospital requirements	10/20/2012	denied
Physician's Care Surgical Hospital	28 Pa. Code § 101.172	patient limits	09/15/2012	denied
York Hospital	28 Pa. Code § 101.172	patient limits	07/11/2012	granted
Allied Services Rehab Hospital	28 Pa. Code § 103.36	personnel records	07/11/2012	not necessary
Heinz Rehab Hospital	28 Pa. Code § 103.36	personnel records	08/11/2012	not necessary
Einstein Medical Center Montgomery	28 Pa. Code § 107.2	medical staff membership	08/11/2012	granted
Heart of Lancaster Regional M.C.	28 Pa. Code § 107.2	medical staff membership, podiatrists	10/20/2012	granted
Memorial Hospital	28 Pa. Code § 107.2	medical staff membership podiatrists	06/16/2012	granted
Good Shepherd Rehab Hospital at Pocono Medical Center	28 Pa. Code § 107.12(a)	specified professional personnel	11/17/2012	granted
Good Shepherd Rehab Hospital Allentown	28 Pa. Code § 107.12(a)	specified professional personnel	11/17/2012	granted
Good Shepherd Specialty Hospital	28 Pa. Code § 107.12(a)	specified professional personnel	11/17/2012	granted
Tyrone Hospital	28 Pa. Code § 107.26(b)(2)	tissue committee	06/30/2012	granted
UPMC Bedford Memorial	28 Pa. Code § 107.26(b)(2)	tissue committee	05/19/2012	granted
LifeCare Hosp. of Chester County	28 Pa. Code § 107.32	meetings and attendance	06/16/2012	granted
Select Specialty Hosp. Johnstown	28 Pa. Code § 107.32	meetings and attendance	10/20/2012	granted
Hazleton General Hospital	28 Pa. Code § 107.61	written orders		denied
Butler Memorial Hospital	28 Pa. Code § 107.62	oral orders	09/15/2012	granted
Gettysburg Hospital	28 Pa. Code § 107.62(a)	oral orders	09/15/2012	granted
St. Clair Hospital	28 Pa. Code § 107.62(b)	oral orders	08/11/2012	granted
Wellspring Surgery and Rehab Hosp.	28 Pa. Code § 107.62(a)	oral orders	11/17/2012	granted
York Hospital	28 Pa. Code § 107.62(a)	oral orders	10/20/2012	granted
Advanced Surgical Hospital	28 Pa. Code § 109.2(b)	director of nursing	08/11/2012	granted
C H Hospital of Allentown	28 Pa. Code § 111.2	organization and staffing	07/11/2012	granted
Coordinated Health Ortho Hospital	28 Pa. Code § 111.2	organization and staffing	07/11/2012	granted
Einstein Medical Center Montgomery	28 Pa. Code § 123.25(2)	general safety precautions		granted
Lankenau Medical Center	28 Pa. Code § 123.25(2)	general safety precautions	05/26/2012	granted
Main Line Bryn Mawr Hospital	28 Pa. Code § 123.25(2)	general safety precautions	04/28/2012	granted
Main Line Lankenau Medical Center	28 Pa. Code § 123.25(2)	general safety precautions	05/26/2012	granted
Memorial Hospital York	28 Pa. Code § 123.25(2)	general safety precautions	04/14/2012	granted



<i>Facility Name</i>	<i>Regulation</i>	<i>Relating to</i>	<i>Request Published</i>	<i>Decision</i>
Mid-Valley Hospital	28 Pa. Code § 123.25(2)	general safety precautions	07/11/2012	granted
Roxborough Memorial Hospital	28 Pa. Code § 123.25(2)	general safety precautions	06/30/2012	granted
Soldiers and Sailors Mem. Hospital	28 Pa. Code § 123.25(2)	general safety precautions	09/15/2012	granted
Wellspan Surgery and Ortho Hosp.	28 Pa. Code § 123.25(2)	general safety precautions	05/26/2012	granted
Brandywine Hospital	28 Pa. Code § 127.32	written orders, radiology	06/30/2012	granted
Einstein Medical Center Montgomery	28 Pa. Code § 127.32	written orders, radiology	09/15/2012	granted
Ephrata Community Hospital	28 Pa. Code § 127.32	written orders, radiology	07/11/2012	granted
Good Samaritan Hospital, Lebanon	28 Pa. Code § 127.32	written orders, radiology	09/08/2012	granted
Hazleton General Hospital	28 Pa. Code § 127.32	written orders, radiology	09/13/2012	denied
Memorial Hospital York	28 Pa. Code § 127.32	written orders radiology	04/14/2012	granted
Mercy Philadelphia Hospital	28 Pa. Code § 127.32	written orders radiology	07/11/2012	granted
Mid-Valley Hospital	28 Pa. Code § 127.32	written orders radiology	07/11/2012	granted
Roxborough Memorial Hospital	28 Pa. Code § 127.32	written orders radiology	06/30/2012	granted
Hazleton General Hospital	28 Pa. Code § 131.22	treatment orders		denied
St. Luke's Hospital	28 Pa. Code § 131.22	treatment orders	04/14/2012	granted
St. Luke's Hospital Anderson	28 Pa. Code § 131.22	treatment orders	04/14/2012	granted
St. Luke's Hospital Miners	28 Pa. Code § 131.22	treatment orders	04/14/2012	granted
St. Luke's Hospital Quakertown	28 Pa. Code § 131.22	treatment orders	04/14/2012	granted
Memorial Hospital York	28 Pa. Code § 138.13	nursing staff	04/14/2012	granted
Memorial Hospital York	28 Pa. Code § 138.15	high-risk cardiac catheterization	04/14/2012	granted
Memorial Hospital York	28 Pa. Code § 138.18(b)	EPS studies	04/14/2012	granted
Mount Nittany Medical Center	28 Pa. Code § 138.18(b)	EPS studies	08/11/2012	granted
Soldiers and Sailors Mem Hosp.	28 Pa. Code § 143.5	medical supervision of podiatric pts	09/15/2012	granted
Pinnacle Health Cumberland Campus	28 Pa. Code § 145.1	principle, library services	11/17/2012	denied
Pinnacle Health at Hbg. Hospital	28 Pa. Code § 145.1	principle, library services	11/17/2012	granted
Pinnacle Health at Hbg. Hospital	28 Pa. Code § 145.8	facilities (library reading room)	11/17/2012	granted
Pinnacle Health Cumberland Campus	28 Pa. Code § 145.8	facilities (library reading room)	11/17/2012	denied
Milton S. Hershey Medical Center	28 Pa. Code § 147.2	maintenance, safety and sanitation	06/16/2012	granted
Abington Memorial Hospital	28 Pa. Code § 153.1	2.2-2.11.9.2(1) space requirements 2.2-2.11.10.2(1) a control nurse station 2.2-11.10.3(2)(a) scrub facilities for cesarean delivery rooms	02/11/2012	withdrawn

<i>Facility Name</i>	<i>Regulation</i>	<i>Relating to</i>	<i>Request Published</i>	<i>Decision</i>		
Alle-Kiski Medical Center	28 Pa. Code § 153.1	3.1-3.2.2.3 hand-washing stations	11/17/2012	granted		
		3.1-3.2.4 treatment room		not necessary		
		3.1-3.6.10 soiled holding		granted		
		3.1-3.9.3.2 film and media processing		not necessary		
		3.1-3.9.3.3 storage facilities		not necessary		
		3.1-3.9.4.1 dressing rooms or booths		granted		
		3.1-5.2 linen services		granted		
		3.1-5.5.1 environmental services		granted		
		Aria Health	28 Pa. Code § 153.1	2.2-3.1.4.4(2) secure holding room	06/16/2012	granted
				2.2-3.1.4.4(3) electrical outlets	06/16/2012	granted
2.2-3.1.3.6(2)(a) exam/treatment rooms	07/11/2012			granted for 2 years		
2.2-3.3.3.2(2)(a) patient cubicles	10/20/2012			granted		
2.2-3.3.3.3(1)(a) design	10/20/2012			granted		
2.2-3.3.3.2(2)(b) clearances	12/15/2012			granted		
Aria Health Bucks Campus	28 Pa. Code § 153.1	2.2-3.3.3.3(1)(b) clearances	12/15/2012	granted		
Butler Memorial Hospital	28 Pa. Code § 153.1	3.1-7.2.2.1 corridor width	06/16/2012	granted		
Chestnut Hill Hospital	28 Pa. Code § 153.1	2.2-3.3.3.4(4)(b)(1) staff toilet	11/03/2012	granted		
Children's Hosp. of Pittsburgh	28 Pa. Code § 153.1	3.1-7.2.2.3(1)(b) door openings	07/11/2012	granted		
Childrens Hospital of Philadelphia	28 Pa. Code § 153.1	2.6-2.2.2.2(10) area, patient rooms	10/20/2012	not necessary		
Crozer Chester—Taylor Hosp.	28 Pa. Code § 153.1	2.2-2.6.2.2(1) space requirements	11/17/2012	granted		
Doylestown Hospital	28 Pa. Code § 153.1	2.2-3.4.5.3 patient toilet in ultrasound room	07/11/2012	granted		
		2.2-2.6.9.1(1)(a) door openings				
		3.1-7.2.2.1 corridor width	06/16/2012	granted		
Dubois Regional Medical Center	28 Pa. Code § 153.1	3.1-7.2.2.3(1)(a) and (b) min. door opening	06/30/2012	granted		
		3.1-7.2.2.3(b) outpatient facility	09/15/2012	granted		
		2.2-3.1.3.6(1)(a) oxygen and vacuum	10/20/2012	granted		
		3.1-7.2.2.1(1) corridor width	10/20/2012	granted		
Easton Hospital	28 Pa. Code § 153.1	3.1-6.1.4 public toilets	07/11/2012	denied		
Forbes Regional Hospital	28 Pa. Code § 153.1	2.2-3.1.3.6(6)(a)(i) area, each trauma/resuscitation room	11/17/2012	granted		
Fulton County Medical Center	28 Pa. Code § 153.1	2.2-3.1.3.7 patient toilet room	10/20/2012	granted		
		2.2-3.1.4.4(2) secure holding room				
		2.2-3.1.4.4(3)(b) there shall not be any electrical	10/20/2012	granted w/ conditions		
		2.2-3.1.4.4(3)(c) there shall be no sharp corners	10/20/2012	granted w/ conditions		
Geisinger M.C. Orthopaedic	28 Pa. Code § 153.1	3.7-3.3.1.2 operating rooms	05/19/2012	granted		
Geisinger Shamokin Area Comm Hosp.	28 Pa. Code § 153.1	2.2-3.3.6.15 anesthesia workroom	06/16/2012	denied		
Geisinger Wyoming Valley M.C.	28 Pa. Code § 153.1	2.2-2.10.6.14 lactation support	10/20/2012	not necessary		

<i>Facility Name</i>	<i>Regulation</i>	<i>Relating to</i>	<i>Request Published</i>	<i>Decision</i>
Geisinger-Community MC Scranton	28 Pa. Code § 153.1	2.2-2.6.2.2 space requirements	12/01/2012	granted
		2.2-3.3.6.14 sub-sterile room	12/01/2012	denied
Good Samaritan Hospital	28 Pa. Code § 153.1	3.1-7.2.2.1(1) corridor width	07/21/2012	granted
Harrisburg Interventional Pain Management Center	28 Pa. Code § 153.1	3.7-3.8.1.1(3) clothing change and gowning area	03/10/2012	not necessary
HealthSouth Rehab. Mechanicsburg	28 Pa. Code § 153.1	2.1-7.2.3.2(14) flooring 2.2-3.9.2.6 patient toilet room	10/06/2012	granted
Heart of Lancaster Regional M.C.	28 Pa. Code § 153.1	2.2-3.9.6.2 patient toilet room	05/19/2012	granted w/ conditions
Heritage Valley Beaver	28 Pa. Code § 153.1	3.1-7.2.2.2(1) public corridors	04/14/2012	granted
Highlands Hospital	28 Pa. Code § 153.1	2.5-2.2.2.6 patient toilets 2.2-2.2.2.1(2)(a) clearances	08/11/2012	granted
Holy Spirit Hospital	28 Pa. Code § 153.1	2.2-3.4.3.5 hand-washing station	11/17/2012	granted
		2.2-3.4.5.3 patient toilet		granted
		2.2-3.6.4.2 patient holding and recovery		not necessary
		2.2-3.6.3.5 patient uptake room		granted
		2.2-3.6.8.2 patient dressing rooms		granted
		3.1-3.6.1 nurse station		not necessary
		3.1-3.6.6 medication distribution 3.1-3.6.7 nourishment area		not necessary
Holy Spirit Hospital Carlisle Center	28 Pa. Code § 153.1	3.1-7.2 corridor width		granted
		3.1-6.1.1 vehicular drop-off and pedestrian entrance	04/14/2012	not necessary
Hospital of the Univ. of PA	28 Pa. Code § 153.1	2.2-3.3.3.4(1)(b) Phase II recovery	09/15/2012	granted
		2.2-3.3.3.4(2)(b) clearances 2.1-7.2.3.4(3) ceiling in restricted areas	04/14/2012	denied
		2.1-8.3.2.2(3) new panel boards 2.2-3.3.6.14 sub sterile room		granted denied
Indiana Regional Medical Center	28 Pa. Code § 153.1	3.5-7.2.2.1 doors to patient care rooms	09/15/2012	granted
		3.5-7.2.1 corridor width		
		3.5-3.2.2.4 functional requirements		
Indiana Regional Medical Center	28 Pa. Code § 153.1	3.5-7.2.1 corridor width 3.5-2.2.4(7) nourishment area	10/20/2012	granted
Lancaster General Hospital	28 Pa. Code § 153.1	3.1-7.2.2.1(1) public corridor width	07/11/2012	granted
Lansdale Hospital	28 Pa. Code § 153.1	3.1-3.2.4.2 space requirements	05/19/2012	granted
Lehigh Valley Hospital	28 Pa. Code § 153.1	2.2-3.4.4.2(3) anteroom (MRI)	06/16/2012	granted

<i>Facility Name</i>	<i>Regulation</i>	<i>Relating to</i>	<i>Request Published</i>	<i>Decision</i>
Magee Women's Hospital	28 Pa. Code § 153.1	2.1-8.4.3.3(2) showers and tubs	07/11/2012	granted
		3.7-1.3.4.1 general 3.7-3.3.2.1 space requirements 3.7-3.3.2.2 clearances 3.7-3.3.6.2 medical gas requirements 3.7-3.4 pre- and post-operative holding areas 3.7-3.6.5 scrub facilities 3.7-3.6.10 soiled workroom 3.7-3.6.11 equipment and supply storage 3.7-3.6.12 environmental services room 3.7-3.8 support areas for patients	03/10/2012	granted
Pinnacle Health	28 Pa. Code § 153.1	2.2-3.4.5.1 space requirements	04/14/2012	granted
		2.2-3.4.5.3 patient toilet	04/14/2012	granted
Pinnacle Health at Cumberland Campus	28 Pa. Code § 153.1	3.1-7.2 corridor width	09/15/2012	granted
Pinnacle Health at Cumberland Campus	28 Pa. Code § 153.1	2.1-8.5.3.2 size of TDR	11/17/2012	denied
		2.2-3.9.2.6 patient toilet room		
		2.2-3.9.6.11(3) stretcher/wheelchair storage		
		2.2-3.9.7.1 staff changing area		
		2.2-3.9.7.1(2) staff shower		
		2.2-3.9.8.1(1) waiting room		
		2.2-3.9.8.1(2) toilet room		
		2.2-3.9.8.1(4) public telephone		
		2.2-3.9.8.2 storage for patient belongings		
		2.2-3.9.2.2(1) space requirements		
		2.2-3.4.8.1 patient waiting area		
		2.2-3.4.8.2 patient toilet room		
		2.2-3.4.8.3 patient dressing rooms		
		2.2-3.4.6.11 clean up facilities		
		2.2-3.4.6.12 film processing room		
		2.2-3.4.6.13 quality control area		
		Pottstown Memorial Medical Center	28 Pa. Code § 153.1	2.2-3.4.6.7 medication storage
2.2-3.4.4.5 patient prep, holding				
Pinnacle Health at Hbg Hospital	28 Pa. Code § 153.1	2.1-8.5.3.2 size of technology distribution rooms	04/14/2012	granted
Riddle Hospital	28 Pa. Code § 153.1	2.2-3.1.4.2 airborne infection isolation room	04/14/2012	denied
		2.2-3.1.3.7 patient toilet rooms	04/14/2012	denied
Robert Packer Hospital	28 Pa. Code § 153.1	2.2-2.2.2.3 appendix	11/17/2012	not necessary
Pinnacle Health at Harrisburg Hosp.	28 Pa. Code § 153.1	2.1.7.2.2.2 ceiling height		granted
		2.2-3.7.3.2 work areas and counters	05/19/2012	granted
Pinnacle Health at Harrisburg Hosp.	28 Pa. Code § 153.1	2.2-3.7.3.3 teaching area		
		2.2-3.9.8 support areas for patients	07/22/2012	granted
Sacred Heart Hospital	28 Pa. Code § 153.1	2.2-3.9.8.2 patient belongings storage	07/11/2012	granted
		3.1-6.1.4 public toilets	06/16/2012	granted
Select Specialty Central Hosp. PA	28 Pa. Code § 153.1	2.1-8.5-3.2 size of TDRs	08/11/2012	granted



<i>Facility Name</i>	<i>Regulation</i>	<i>Relating to</i>	<i>Request Published</i>	<i>Decision</i>
Select Specialty Hosp. Johnstown	28 Pa. Code § 153.1	2.2-2.2.2.5(1) hand washing station	10/20/2012	granted
St. Luke's Hospital	28 Pa. Code § 153.1	3.1-6.1.4 public toilets	06/16/2012	granted
St. Mary Medical Center	28 Pa. Code § 153.1	2.2-3.3.3.3(6) airborne infection isolation room	11/17/2012	granted
The Washington Hospital	28 Pa. Code § 153.1	2.2-3.1.4.4(2) secured holding room	07/11/2012	granted
The Western Pa Hospital	28 Pa. Code § 153.1	2.2-2.16.2.6(1) toilets in bariatric units 2.2-2.16.2.6(2) there shall be 44 inches 2.2-2.16.2.9 at least one room 2.2-2.16.2.7(1) shower stalls	06/16/2012	granted
		2.2-3.5.6.2 patient prep, holding	04/14/2012	granted
		2.2-2.6.2.2 space requirements medical/surgical ICU	04/14/2012	granted
UPMC East	28 Pa. Code § 153.1	1.6-2.1.3.4 ice machines	05/19/2012	denied
		2.1-5.5.3.4 patient toilet	06/16/2012	granted
		2.2-3.9.7(1)(2) shower staff area	11/17/2012	granted
UPMC East Cancer Center, Indiana PA	28 Pa. Code § 153.1	3.1-7.2.2.1(1) public corridors	10/20/2012	granted
		3.6-3.2.2.2 clearances		
		3.6-3.2.3 privacy		
		3.6-3.2.2.1 area		
		3.1-3.2.2.2(2) clearances, exam/observation room		
		3.6-3.7.1 staff lounge		not necessary
		3.1-6.1.4 public toilets		not necessary
		3.6-3.8.1 waiting room		not necessary
		3.6-3.6.10.1 flushing rim clinical sink		granted
		3.6-3.6.10.2 hand washing station		granted
		3.6-3.7.2 staff toilet		not necessary
UPMC Hamot	28 Pa. Code § 153.1	2.2-2.5.2.2(1) space requirements	07/11/2012	granted
UPMC McKeesport	28 Pa. Code § 153.1	3.1-7.2.2.2 ceiling height	09/15/2012	granted
		3.1-7.2.2.2(1) ceiling height corridors, storage rooms		
		3.1-7.2.2.1(1) corridor width		
		3.6-2.2.2.2 clearances		
		3.6-3.2.3 privacy		
		3.6-3.2.2.1 area		
		3.1-3.2.2.2(2) clearances		
		3.6-3.6.10.1 flushing rim clinical sink		
		3.6-3.6.10.2 hand washing station		
		3.6-3.7.2 staff toilet		
		3.6-3.2.2.1 area (existing cubicles)		
		3.6-3.2.2.2 clearances	11/17/2012	granted
		3.6-3.6.12 environmental services		
		3.6-3.2.5 hand washing stations		
		3.6-3.2.2.1 minimum clear floor area		
		3.6-3.2.3 privacy		
		3.6-3.6.10 soiled workroom		

<i>Facility Name</i>	<i>Regulation</i>	<i>Relating to</i>	<i>Request Published</i>	<i>Decision</i>
UPMC Montefiore	28 Pa. Code § 153.1	2.1-8.5.3.2 technical distribution room	11/17/2012	granted
UPMC Northwest	28 Pa. Code § 153.1	3.1-3.2.4.2 space requirements	06/16/2012	granted
UPMC Passavant	28 Pa. Code § 153.1	3.1-8.2.4.1 return air systems	09/15/2012	not necessary
UPMC PUH	28 Pa. Code § 153.1	2.2-3.4.3.2 toilet room	06/16/2012	granted
UPMC St. Margaret	28 Pa. Code § 153.1	3.7-7.2.2.3(1)(b) doors and door hardware	07/21/2012	granted
West Penn Allegheny Oncology Network—Hansen Avenue Practice	28 Pa. Code § 153.1	3.1-7.2.2.1(1) corridor width	07/21/2012	granted
West Penn Allegheny Oncology Network—Jefferson Practice Site	28 Pa. Code § 153.1	3.6-3.2.2.1 area 3.6-3.2.2.2 clearances 3.6-3.6.12 environmental services room	10/20/2012	granted
West Penn Allegheny Oncology Network—New Kensington Practice Site	28 Pa. Code § 153.1	3.6-3.2.2.1 area 3.6-3.2.2.2 clearances 3.6-3.6.12 environmental services room	10/20/2012	granted
West Penn Allegheny Oncology Network—New Kensington Practice Site	28 Pa. Code § 153.1	3.6-3.6.10.3 work counter 3.6-3.6.10.4 storage cabinets 3.6-3.6.12 environmental services room	10/20/2012	granted
Westmoreland Hospital	28 Pa. Code § 153.1	3.1-4.1.2.3 hand washing station 3.1-4.1.3.2(2) blood collection facilities	07/11/2012	granted
Wilkes-Barre General Hospital	28 Pa. Code § 153.1	2.2-3.1.3.6(6) trauma resuscitation	06/30/2012	denied
Williamsport R.M.C.	28 Pa. Code § 153.1	2.2-3.4.4.2(3) anteroom (MRI) 2.2-3.4.4.5 patient prep/holding	08/11/2012	granted
Wills Eye Institute	28 Pa. Code § 153.1	3.1-3.2.2.2 space requirements	07/11/2012	granted
Wills Eye Institute	28 Pa. Code § 153.1	2.1-2.6.10 support areas 2.1-2.6.11.3 storage space for stretchers and w/c 2.1-2.6.11.2 support areas equipment and supply storage 2.1-2.7.2 location of support areas for staff 2.1-8.5.1.2 size of telecommunications service entrance room 2.1-8.5.2.3.1 location and access technology equipment center 2.1-8.5.3.2 technical distribution room 2.1-8.7.2.2(1) number of elevators 2.2-2.2.6.9 clean workroom 2.2-2.2.6.12 environmental services room 2.2-3.3.2(a)(1) operating and procedure rooms 2.2-3.3.3.2(a) and (b) preoperative patient care 2.2-3.3.3.3(1)(b) post anesthetic care unit 2.2-3.3.3.4(2)(a) and (b) clearances 2.2-3.3.3.4(4)(b)(i) staff toilet 2.2-3.3.6.11 equipment and supply storage 2.2-3.3.8.1 patient clothing change areas 2.2-5.7 morgue facilities 2.2-5.2.4.2 control station	04/14/2012	granted

<i>Facility Name</i>	<i>Regulation</i>	<i>Relating to</i>	<i>Request Published</i>	<i>Decision</i>
Windber Medical Center	28 Pa. Code § 153.1	2.1-8.5.3.2 size of TDR	10/06/2012	granted
York Hospital	28 Pa. Code § 153.1	3.1-3.2.2.2(1) area 3.1-3.2.2.2(2) clearance (3 ft) 3.1-2.6.6 sink medication station 3.1-3.6.9 clean storage 3.1-5.5.1.2(1)(i) service sink or floor basin	06/16/2012	granted
<b>Abortion Facilities</b>				
PP Assoc. Bucks Co. Warminster	28 Pa. Code § 29.33(13)	requirements for abortion	05/19/2012	granted
PP NE Mid-Pen Allentown	28 Pa. Code § 29.33(13)	requirements for abortion	05/19/2012	granted
PP NE Mid-Penn Reading	28 Pa. Code § 29.33(13)	requirements for abortion	05/19/2012	granted
PP of Western PA	28 Pa. Code § 29.33(13)	requirements for abortion	05/12/2012	granted
PP York Health Center	28 Pa. Code § 29.33(13)	requirements for abortion	05/12/2012	granted
PP of Western PA	28 Pa. Code § 551.3	definitions	10/06/2012	denied
Allegheny Women's Center	28 Pa. Code § 551.22(2)	criteria for ambulatory surgery pediatric patients	05/26/2012	granted
PP NE Mid-Penn Allentown	28 Pa. Code § 551.22(2)	criteria for ambulatory surgery pediatric patients	05/19/2012	granted
PP NE Mid-Penn Reading	28 Pa. Code § 551.22(2)	criteria for ambulatory surgery pediatric patients	05/19/2012	granted
Philadelphia Women's Center	28 Pa. Code § 551.22(2)	criteria for ambulatory surgery pediatric patients	05/12/2012	granted
PP of Central PA—York Health Ctr.	28 Pa. Code § 551.22(2)	criteria for ambulatory surgery pediatric patients	03/10/2012	granted
PP Northeast and Mid-Penn Allentown	28 Pa. Code § 551.22(2)	criteria for ambulatory surgery pediatric patients	03/10/2012	granted
PP of Northeast and Mid Penn Reading	28 Pa. Code § 551.22(2)	criteria for ambulatory surgery pediatric patients	03/10/2012	granted
PP of SE PA West Chester	28 Pa. Code § 551.22(2)	criteria for ambulatory surgery pediatric patients	05/19/2012	granted
PP of Western PA	28 Pa. Code § 551.22(2)	criteria for ambulatory surgery pediatric patients	05/12/2012	granted
PP SE PA Far NE	28 Pa. Code § 551.22(2)	criteria for ambulatory surgery pediatric patients	05/19/2012	granted
PP SE PA Norristown	28 Pa. Code § 551.22(2)	criteria for ambulatory surgery pediatric patients	05/19/2012	granted
PP SE PA Locust Street	28 Pa. Code § 551.22(2)	criteria for ambulatory surgery pediatric patients	05/19/2012	granted
PP Southeastern PA Norristown	28 Pa. Code § 551.22(2)	criteria for ambulatory surgery pediatric patients	03/10/2012	granted
PP Southeastern PA West Chester	28 Pa. Code § 551.22(2)	criteria for ambulatory surgery pediatric patients	03/10/2012	granted
PP Southeastern PA Surgical Locust St	28 Pa. Code § 551.22(2)	criteria for ambulatory surgery pediatric patients	03/10/2012	granted
PP Southeaster PA Far Northeast	28 Pa. Code § 551.22(2)	criteria for ambulatory surgery pediatric patients	03/10/2012	granted
PP York Health Center	28 Pa. Code § 551.22(2)	criteria for ambulatory surgery pediatric patients	05/12/2012	granted
Reproductive Health and	28 Pa. Code § 551.22(2)	criteria for ambulatory surgery	05/12/2012	granted

## NOTICES

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<i>Facility Name</i>	<i>Regulation</i>	<i>Relating to</i>	<i>Request Published</i>	<i>Decision</i>
Counseling Center		pediatric patients		
Berger & Benjamin, LLP	28 Pa. Code § 551.22(2)	criteria for ambulatory surgery	05/12/2012	granted
	28 Pa. Code § 551.22(3)(i)	pediatric patients		denied
	28 Pa. Code § 551.22(3)(ii)	anesthesia services		denied
	28 Pa. Code § 551.22(4)	the practitioner, board certification		denied
PP Assoc. Bucks Co. Warminster	28 Pa. Code § 551.22(2)	medical professional, PALS	05/19/2012	granted
	28 Pa. Code § 551.22(3)(i)	criteria for ambulatory surgery	03/10/2012	granted
	28 Pa. Code § 551.22(3)(ii)	pediatric patients	03/10/2012	granted
	28 Pa. Code § 551.22(4)	anesthesia services		granted
Philadelphia Women's Center, Inc.	28 Pa. Code § 551.22(2)	the practitioner, board certification	03/10/2012	granted
	28 Pa. Code § 551.22(3)(i)	medical professional, PALS		granted
	28 Pa. Code § 551.22(3)(ii)	criteria for ambulatory surgery		granted
	28 Pa. Code § 551.22(4)	pediatric patients		granted
PP Assoc. Bucks Co. Warminster	28 Pa. Code § 551.22(3)(i)	anesthesia services	05/19/2012	not necessary
PP NE Mid-Penn Allentown	28 Pa. Code § 551.22(3)(i)	anesthesia services	05/19/2012	not necessary
PP NE Mid-Penn Reading	28 Pa. Code § 551.22 (3)(i)	anesthesia services	05/19/2012	not necessary
PP Northeast and Mid-Penn Allentown	28 Pa. Code § 551.22(3)(i)	anesthesia services	03/10/2012	granted
PP Northeast and Mid-Penn Reading	28 Pa. Code § 551.22(3)(i)	anesthesia services	03/10/2012	granted
PP of SE PA West Chester	28 Pa. Code § 551.22(3)(i)	anesthesia services	05/19/2012	not necessary
PP of Western PA	28 Pa. Code § 551.22(3)(i)	anesthesia services	05/12/2012	not necessary
PP SE PA Far NE	28 Pa. Code § 551.22(3)(i)	anesthesia services	05/19/2012	not necessary
PP SE PA Norristown	28 Pa. Code § 551.22(3)(i)	anesthesia services	05/19/2012	not necessary
PP SE PA Surgical Locust St.	28 Pa. Code § 551.22(3)(i)	anesthesia services	05/19/2012	not necessary
PP Southeastern PA Far NE	28 Pa. Code § 551.22(3)(i)	anesthesia services	03/10/2012	granted
PP Southeastern PA Norristown	28 Pa. Code § 551.22(3)(i)	anesthesia services	03/10/2012	granted
PP Southeastern PA Surgical Locust St	28 Pa. Code § 551.22(3)(i)	anesthesia services	03/10/2012	granted
PP Southeastern PA West Chester	28 Pa. Code § 551.22(3)(i)	anesthesia services	03/10/2012	granted
PP York Health Center	28 Pa. Code § 551.22 (3)(i)	anesthesia services	05/12/2012	not necessary
PP Southeastern PA West Chester	28 Pa. Code § 551.22(3)(ii)	practitioner, board certification	03/10/2012	granted
PP Southeastern PA Surgical Locust St	28 Pa. Code § 551.22(3)(ii)	practitioner, board certification	03/10/2012	granted
PP Southeastern PA Norristown	28 Pa. Code § 551.22(3)(ii)	practitioner, board certification	03/10/2012	granted
PP Central PA—York Health Ctr.	28 Pa. Code § 551.22(3)(ii)	practitioner, board certification	03/10/2012	granted
PP Northeast and Mid-Penn Allentown	28 Pa. Code § 551.22(3)(ii)	practitioner, board certification	03/10/2012	granted



<i>Facility Name</i>	<i>Regulation</i>	<i>Relating to</i>	<i>Request Published</i>	<i>Decision</i>
PP of Northeast and Mid Penn Reading	28 Pa. Code § 551.22(3)(ii)	practitioner, board certification	03/10/2012	granted
PP Southeastern PA Far NE	28 Pa. Code § 551.22(3)(ii)	practitioner, board certification	03/10/2012	granted
PP of Western PA	28 Pa. Code § 551.22(3)(ii)	practitioner, board certification	10/06/2012	denied
PP Central PA—York Health Ctr.	28 Pa. Code § 551.22(4)	medical professional, PALS	03/10/2012	granted
PP Northeast and Mid-Penn Allentown	28 Pa. Code § 551.22(4)	medical professional, PALS	03/10/2012	granted
PP Northeast and Mid-Penn Reading	28 Pa. Code § 551.22(4)	medical professional, PALS	03/10/2012	granted
PP Southeastern PA Far NE	28 Pa. Code § 551.22(4)	medical professional, PALS	03/10/2012	granted
PP Southeastern PA Norristown	28 Pa. Code § 551.22(4)	medical professional, PALS	03/10/2012	granted
PP Southeastern PA Surgical Locust St	28 Pa. Code § 551.22(4)	medical professional, PALS	03/10/2012	granted
PP Southeastern PA West Chester	28 Pa. Code § 551.22(4)	medical professional, PALS	03/10/2012	granted
PP Northeast and Mid-Penn Allentown	28 Pa. Code § 553.3(16)	governing body responsibilities	03/10/2012	denied
PP Assoc. Bucks Co. Warminster	28 Pa. Code § 553.3(16)	governing body responsibilities	03/10/2012	denied
PP Northeast and Mid-Penn Reading	28 Pa. Code § 553.3(16)	governing body responsibilities	03/10/2012	denied
Allegheny Women's Center	28 Pa. Code § 553.4(h)	governing body	05/26/2012	not necessary
Philadelphia Women's Center, Inc.	28 Pa. Code § 553.4(h)	governing body	03/10/2012	denied
Planned Parenthood Assoc.	28 Pa. Code § 553.4(h)	governing body	03/10/2012	denied
PP Central PA—York Health Ctr.	28 Pa. Code § 553.4(h)	governing body	03/10/2012	denied
PP Northeast and Mid-Penn Allentown	28 Pa. Code § 553.4(h)	governing body	03/10/2012	denied
PP Northeast and Mid-Penn Reading	28 Pa. Code § 553.4(h)	governing body	03/10/2012	denied
PP Southeastern PA Far NE	28 Pa. Code § 553.4(h)	governing body	03/10/2012	denied
PP Southeastern PA Norristown	28 Pa. Code § 553.4(h)	governing body	03/10/2012	denied
PP Southeastern PA Surgical Locust St	28 Pa. Code § 553.4(h)	governing body	03/10/2012	denied
PP Southeastern PA West Chester	28 Pa. Code § 553.4(h)	governing body	03/10/2012	denied
Allegheny Women's Center	28 Pa. Code § 553.24	discharge of a minor or incompetent	05/26/2012	not necessary
Philadelphia Women's Center, Inc.	28 Pa. Code § 553.24	discharge of a minor or incompetent	03/10/2012	granted
PP Assoc. Bucks Co. Warminster	28 Pa. Code § 553.24	discharge of a minor or incompetent	03/10/2012	granted
PP Central PA—York Health Ctr.	28 Pa. Code § 553.24	discharge of a minor or incompetent	03/10/2012	granted
PP Northeast and Mid-Penn Reading	28 Pa. Code § 553.24	discharge of a minor or incompetent	03/10/2012	granted
PP Northeast and Mid-Penn Allentown	28 Pa. Code § 553.24	discharge of a minor or incompetent	03/10/2012	granted
PP Southeastern PA Far NE	28 Pa. Code § 553.24	discharge of a minor or incompetent	03/10/2012	granted

<i>Facility Name</i>	<i>Regulation</i>	<i>Relating to</i>	<i>Request Published</i>	<i>Decision</i>
PP Southeastern PA Norristown	28 Pa. Code § 553.24	discharge of a minor or incompetent	03/10/2012	granted
PP Southeastern PA West Chester	28 Pa. Code § 553.24	discharge of a minor or incompetent	03/10/2012	granted
PP Southeastern PA Surgical Locust St	28 Pa. Code § 553.24	discharge of a minor or incompetent	03/10/2012	granted
PP Assoc. Bucks Co. Warminster	28 Pa. Code § 555.2	medical staff membership	03/10/2012	denied
PP Northeast and Mid-Penn Reading	28 Pa. Code § 555.2	medical staff membership	03/10/2012	denied
PP of Northeast and Mid Penn Allentown	28 Pa. Code § 555.2	medical staff membership	03/10/2012	denied
PP Southeastern PA Norristown	28 Pa. Code § 555.2	medical staff membership	03/10/2012	denied
PP Southeastern PA Surgical Locust St	28 Pa. Code § 555.2	medical staff membership	03/10/2012	denied
PP Southeastern PA West Chester	28 Pa. Code § 555.2	medical staff membership	03/10/2012	denied
Allentown Women's Center	28 Pa. Code § 555.13	administration of drugs	07/21/2012	denied
PP Assoc Bucks Co. Warminster	28 Pa. Code § 555.24(b)	postoperative care anesthesia	05/19/2012	denied
Allegheny Women's Center	28 Pa. Code § 555.24(b)	postoperative care anesthesia	05/26/2012	denied
Philadelphia Women's Center, Inc.	28 Pa. Code § 555.24(b)	postoperative care anesthesia	03/10/2012	denied
PP NE Mid-Penn Allentown	28 Pa. Code § 555.24(b)	postoperative care, anesthesia	05/19/2012	denied
PP NE Mid-Penn Reading	28 Pa. Code § 555.24(b)	postoperative care anesthesia	05/19/2012	denied
PP Central PA—York Health Ctr.	28 Pa. Code § 555.24(b)	postoperative care anesthesia	03/10/2012	denied
PP Northeast and Mid-Penn Allentown	28 Pa. Code § 555.24(b)	postoperative care anesthesia	03/10/2012	denied
PP of Northeast and Mid Penn Reading	28 Pa. Code § 555.24(b)	postoperative care anesthesia	03/10/2012	denied
PP of Western PA	28 Pa. Code § 555.24(b)	postoperative care anesthesia	05/12/2012	denied
PP Southeastern PA Far NE	28 Pa. Code § 555.24(b)	postoperative care anesthesia	03/10/2012	denied
PP Southeastern PA Norristown	28 Pa. Code § 555.24(b)	postoperative care anesthesia	03/10/2012	denied
PP Southeastern PA Surgical Locust St.	28 Pa. Code § 555.24(b)	postoperative care anesthesia	03/10/2012	denied
PP York Health Center	28 Pa. Code § 555.24(b)	postoperative care anesthesia	05/12/2012	denied
PP Southeastern PA West Chester	28 Pa. Code § 555.24(b)	postoperative care anesthesia	3/10/2012	denied
Allegheny Women's Center	28 Pa. Code § 555.24(f)(5)	anesthesia services	05/26/2012	not necessary
Philadelphia Women's Center, Inc.	28 Pa. Code § 555.24(f)(5)	anesthesia services	03/10/2012	not necessary
PP Assoc. Buck Co. Warminster	28 Pa. Code § 555.24(f)(5)	anesthesia services	03/10/2012	not necessary
PP Central PA—York Health Ctr.	28 Pa. Code § 555.24(f)(5)	anesthesia services	03/10/2012	not necessary
PP Northeast and Mid-Penn Allentown	28 Pa. Code § 555.24(f)(5)	anesthesia services	03/10/2012	not necessary
PP Northeast and Mid-Penn Reading	28 Pa. Code § 555.24(f)(5)	anesthesia services	03/10/2012	not necessary

<i>Facility Name</i>	<i>Regulation</i>	<i>Relating to</i>	<i>Request Published</i>	<i>Decision</i>
PP Southeastern PA Far Northeast	28 Pa. Code § 555.24(f)(5)	anesthesia services	03/10/2012	not necessary
PP Southeastern PA Norristown	28 Pa. Code § 555.24(f)(5)	anesthesia services	03/10/2012	not necessary
PP Southeastern PA Surgical Locust St	28 Pa. Code § 555.24(f)(5)	anesthesia services	03/10/2012	not necessary
PP Southeastern PA West Chester	28 Pa. Code § 555.24(f)(5)	anesthesia services	03/10/2012	not necessary
PP Assoc. Bucks Co. Warminster	28 Pa. Code § 555.31	anesthesia services	03/10/2012	denied
PP Northeast and Mid-Penn Allentown	28 Pa. Code § 555.31	anesthesia services	03/10/2012	not necessary
PP Northeast Mid-Penn Reading	28 Pa. Code § 555.31	anesthesia services	03/10/2012	denied
Allegheny Women's Center	28 Pa. Code § 555.31(a)	principle, anesthesia services	05/26/2012	granted
Philadelphia Women's Center, Inc.	28 Pa. Code § 555.31(a)	principle, anesthesia services	03/10/2012	granted
PP Southeastern PA Far NE	28 Pa. Code § 555.31(a)	principle, anesthesia services	03/10/2012	granted
PP Southeastern PA Norristown	28 Pa. Code § 555.31(a)	principle, anesthesia services	03/10/2012	granted
PP Southeastern PA Surgical Locust St	28 Pa. Code § 555.31(a)	principle, Anesthesia services	03/10/2012	granted
PP Northeast and Mid-Penn Allentown	28 Pa. Code § 555.32	administration of anesthesia	03/10/2012	not necessary
PP Assoc. Bucks County Warminster	28 Pa. Code § 555.32	administration of anesthesia	03/10/2012	denied
PP of Northeast and Mid Penn Reading	28 Pa. Code § 555.32	administration of anesthesia	03/10/2012	denied
PP Assoc. Bucks County Warminster	28 Pa. Code § 555.33(d)(6)	anesthesia policies and procedures	03/10/2012	denied
Allegheny Women's Center	28 Pa. Code § 555.33(d)(6)	anesthesia policies and procedures	05/26/2012	denied
Philadelphia Women's Center, Inc.	28 Pa. Code § 555.33(d)(6)	anesthesia policies and procedures	03/10/2012	denied
PP Northeast and Mid-Penn Allentown	28 Pa. Code § 555.33(d)(6)	anesthesia policies and procedures	03/10/2012	denied
PP Northeast and Mid-Penn Reading	28 Pa. Code § 555.33(d)(6)	anesthesia policies and procedures	03/10/2012	denied
PP Assoc. Bucks County Warminster	28 Pa. Code § 555.34	development and review of safety regulations	03/10/2012	denied
PP Northeast and Mid Penn Allentown	28 Pa. Code § 555.34	development and review of safety regulations	03/10/2012	denied
PP Northeast and Mid Penn Reading	28 Pa. Code § 555.34	development and review of safety regulations	03/10/2012	denied
PP Assoc. Bucks Co. Warminster	28 Pa. Code § 555.35	safety regulations	03/10/2012	denied
PP Northeast and Mid-Penn Allentown	28 Pa. Code § 555.35	safety regulations	03/10/2012	denied
PP Northeast and Mid Penn Reading	28 Pa. Code § 555.35	safety regulations	03/10/2012	denied
PP of Western PA	28 Pa. Code § 557.4(a)(3)	quality assurance and improvement	07/21/2012	granted

<i>Facility Name</i>	<i>Regulation</i>	<i>Relating to</i>	<i>Request Published</i>	<i>Decision</i>
PP Assoc. Bucks Co. Warminster	28 Pa. Code § 559.1	organized nursing department	03/10/2012	granted
PP Central PA—York Health Ctr.	28 Pa. Code § 559.1	organized nursing department	03/10/2012	granted
PP Northeast and Mid-Penn Allentown	28 Pa. Code § 559.1	organized nursing department	03/10/2012	granted
PP Northeast and Mid-Penn Reading	28 Pa. Code § 559.1	organized nursing department	03/10/2012	granted
PP Southeastern PA Far Northeast	28 Pa. Code § 559.1	organized nursing department	03/10/2012	granted
PP Southeastern PA Norristown	28 Pa. Code § 559.1	organized nursing department	03/10/2012	granted
PP Southeastern PA Surgical Locust St	28 Pa. Code § 559.1	organized nursing department	03/10/2012	granted
PP Southeastern PA West Chester	28 Pa. Code § 559.1	organized nursing department	03/10/2012	granted
PP Assoc. Bucks Co. Warminster	28 Pa. Code § 559.3(b)	nursing personnel	03/10/2012	denied
Allegheny Women's Center	28 Pa. Code § 559.3(b)	nursing personnel	05/26/2012	not necessary
PP Assoc. Bucks Co. Warminster	28 Pa. Code § 559.3(b)	nursing personnel	05/19/2012	granted
PP NE Mid-Penn Allentown	28 Pa. Code § 559.3(b)	nursing personnel	05/19/2012	granted
PP NE Mid-Penn Reading	28 Pa. Code § 559.3 (b)	nursing personnel	05/19/2012	granted
PP Central PA—York Health Ctr.	28 Pa. Code § 559.3(b)	nursing personnel	03/10/2012	not necessary
PP Northeast and Mid-Penn Allentown	28 Pa. Code § 559.3(b)	nursing personnel	03/10/2012	denied
PP of Northeast and Mid Penn Reading	28 Pa. Code § 559.3(b)	nursing personnel	03/10/2012	denied
PP of Western PA	28 Pa. Code § 559.3(b)	nursing personnel	05/12/2012	granted
PP Southeastern PA Far Northeast	28 Pa. Code § 559.3(b)	nursing personnel	03/10/2012	denied
PP Southeastern PA Norristown	28 Pa. Code § 559.3(b)	nursing personnel	03/10/2012	denied
PP Southeastern PA Surgical Locust St.	28 Pa. Code § 559.3(b)	nursing personnel	03/10/2012	denied
PP Southeastern PA West Chester	28 Pa. Code § 559.3(b)	nursing personnel	03/10/2012	denied
PP York Health Center	28 Pa. Code § 559.3(b)	nursing personnel	05/12/2012	granted
Allegheny Women's Center	28 Pa. Code § 567.11(5)	cardiac monitor and defibrillator	05/26/2012	denied
PP Assoc. Bucks Co. Warminster	28 Pa. Code § 567.11(5)	cardiac monitor and defibrillator	03/10/2012	denied
PP Central PA—York Health Ctr.	28 Pa. Code § 567.11(5)	cardiac monitor and defibrillator	03/10/2012	denied
PP Northeast and Mid-Penn Allentown	28 Pa. Code § 567.11(5)	cardiac monitor and defibrillator	03/10/2012	denied
PP Northeast and Mid Penn Reading	28 Pa. Code § 567.11(5)	cardiac monitor and defibrillator	03/10/2012	denied
PP Southeastern PA Far Northeast	28 Pa. Code § 567.11(5)	cardiac monitor and defibrillator	03/10/2012	denied
PP Southeastern PA Norristown	28 Pa. Code § 567.11(5)	cardiac monitor and defibrillator	03/10/2012	denied
PP Southeastern PA Surgical Locust St.	28 Pa. Code § 567.11(5)	cardiac monitor and defibrillator	03/10/2012	denied



<i>Facility Name</i>	<i>Regulation</i>	<i>Relating to</i>	<i>Request Published</i>	<i>Decision</i>
PP Southeastern PA West Chester	28 Pa. Code § 567.11(5)	cardiac monitor and defibrillator	03/10/2012	denied
Reproductive Health & Counseling	28 Pa. Code § 567.11(5)	cardiac monitor and defibrillator	03/10/2012	denied
Berger and Benjamin, LLP	28 Pa. Code § 569.2	fire safety standards	10/06/2012	granted
Philadelphia Women's Center	28 Pa. Code § 569.2	fire safety standards	10/06/2012	granted
Reproductive Health & Counseling	28 Pa. Code § 569.2	fire safety standards		granted
Allegheny Women's Center	28 Pa. Code § 569.37(b)(4)	interruption of services	05/26/2012	not necessary
Philadelphia Women's Center, Inc.	28 Pa. Code § 569.37(b)(4)	interruption of services	03/10/2012	not necessary
PP Assoc. Bucks Co. Warminster	28 Pa. Code § 569.37	interruption of services	03/10/2012	not necessary
PP Central PA—York Health Ctr.	28 Pa. Code § 569.37	interruption of services	03/10/2012	not necessary
PP Northeast and Mid-Penn Reading	28 Pa. Code § 569.37	interruption of services	03/10/2012	not necessary
PP Northeast and Mid-Penn Allentown	28 Pa. Code § 569.37	interruption of services	03/10/2012	not necessary
PP Southeastern PA Far Northeast	28 Pa. Code § 569.37	interruption of services	03/10/2012	not necessary
PP Southeastern Pa Norristown	28 Pa. Code § 569.37	interruption of services	03/10/2012	not necessary
PP Southeastern Pa Surgical Locust St.	28 Pa. Code § 569.37	interruption of services	03/10/2012	not necessary
PP Southeastern PA West Chester	28 Pa. Code § 569.37	interruption of services	03/10/2012	not necessary
Allegheny Reproductive HC	28 Pa. Code § 571.1	3.8-5.1.2.1 soiled work room 3.8-5.1.2.2 clean/assembly workroom 3.8-3.3 operating rooms 3.1-7.1.1.1(1) NFPA 101, 20.1.6.3 min. const. req. 3.1-7.1.1.1(1) NFPA 101, 20.2.6.2 travel distance 3.7-3.3.3.2 clearances 3.7-3.3.3.4 emergency comm. system 3.7.3.3.5 image viewer 3.7-3.3.6.2 medical gas requirements	05/12/2012  08/11/2012  06/16/2012  08/11/2012	denied  granted granted  granted not necessary granted granted
Allegheny Women's Center	28 Pa. Code § 571.1	minimum standards	05/26/2012	denied
Allentown Women's Center	28 Pa. Code § 571.1	3.8-5.1.2.1 soiled work room 3.8-5.1.2.2 clean/assembly workroom 3.8-3.3 operating rooms 3.8-7.2.3.4 ceilings 3.7.3.3.5 image viewer 3.7-3.3.6.2 medical gas req.	05/12/2012  06/16/2012	denied denied granted granted granted granted
Berger & Benjamin, LLP	28 Pa. Code § 571.1	3.8-5.1.2.1 soiled work room 3.8-5.1.2.2 clean/assembly workroom 3.8-3.3 operating rooms 3.8-7.2.3.4(2) ceiling finishes 3.8-7.2.2.2 minimum clear width door openings	05/12/2012  10/06/2012	denied denied granted granted

<i>Facility Name</i>	<i>Regulation</i>	<i>Relating to</i>	<i>Request Published</i>	<i>Decision</i>
Berger and Benjamin LLP	28 Pa. Code § 571.1	3.7-3.3.2.1 space requirements 3.7-3.3.3.2 clearances 3.7-3.3 ambulatory operating rooms 3.7.3.3.5 image viewer 3.7-3.3.6.2 medical gas requirements 3.7-3.3.2.2 clearances	06/16/2012	granted granted granted granted granted
Main Line Fertility Center	28 Pa. Code § 571.1	3.7-3.8.1.1 outpatient change area 3.7-3.8.1.2 securing patients personal effects 3.7-3.4.2.2 post anesthesia recovery	04/14/2012	denied
Philadelphia Women's Center	28 Pa. Code § 571.1	3.7-3.3 ambulatory operating rooms 3.7-3.3.3.2 clearances 3.7-3.3.4 emergency communications 3.7-3.3.6.2 medical gas requirements 3.8-3.3 operating rooms	06/16/2012	granted
PP Assoc. Bucks Co. Warminster	28 Pa. Code § 571.1	3.8-3.3 operating rooms 3.7-3.3.2 Class A operating room 3.7-3.3.4 emergency communication system 3.7-3.3.5 medical image viewer 3.7-3.3.6.2 special design requirements 3.8-3.4.2.2 recovery areas 3.8-3.6.6 drug distribution station 3.8-3.7 staff clothing change area 3.8-5.1.2 on-site facilities, processing 3.8-5.1.2.1 soiled work room 3.8-5.1.2.2 clean/assembly workroom 3.8-7.2.2.2(2) toilet room door	05/19/2012	denied not necessary granted granted denied granted granted denied denied denied
PP Assoc. Bucks Co. Warminster	28 Pa. Code § 571.1	minimum standards	03/10/2012	denied
PP NE Mid-Penn Allentown	28 Pa. Code § 571.1	3.8-3.3 operating rooms 3.7-3.3.2 Class A operating room 3.7-3.3.6.2 special design req. 3.8-3.4.2.2 recovery areas 3.8-3.6.6 drug distribution station 3.8-3.7 staff clothing change area 3.8-5.1.2 on-site facilities, processing 3.8-5.1.2.1 soiled work room 3.8-5.1.2.2 clean/assembly workroom 3.8-7.2.2.2(2) toilet room door	05/19/2012 05/19/2012 05/19/2012 05/19/2012 05/19/2012 05/19/2012 05/19/2012 05/19/2012 05/19/2012	denied denied granted denied granted granted denied denied denied
	28 Pa. Code § 571.1(b)	submission of plans second stage	05/19/2012	denied
	28 Pa. Code § 571.1(c)	submission of plans third stage	05/19/2012	denied

<i>Facility Name</i>	<i>Regulation</i>	<i>Relating to</i>	<i>Request Published</i>	<i>Decision</i>
PP NE Mid-Penn Reading	28 Pa. Code § 571.1	3.8-3.3 operating rooms	05/19/2012	denied
		3.7-3.3.2 Class A operating room	05/19/2012	denied
		3.7-3.3.6.2 special design requirements	05/19/2012	granted
		3.8-3.4.2.2 recovery areas	05/19/2012	denied
		3.8-3.6.6 drug distribution station	05/19/2012	granted
		3.8-3.7 staff clothing change area	05/19/2012	granted
		3.8-5.1.2 on-site facilities, processing	05/19/2012	denied
		3.8-5.1.2.1 soiled work room	05/19/2012	denied
		3.8-5.1.2.2 clean/assembly workroom	05/19/2012	denied
		3.8-7.2.2.2(2) toilet room door submission of plans second stage	05/19/2012	denied
PP Central PA—York Health Ctr.	28 Pa. Code § 571.1(b)	3.8-5.1.2.2 clean/assembly workroom	05/19/2012	denied
		3.8-7.2.2.2(2) toilet room door submission of plans third stage	05/19/2012	denied
PP Northeast and Mid Penn Allentown	28 Pa. Code § 571.1(c)	minimum standards	03/10/2012	denied
PP Northeast and Mid Penn Reading	28 Pa. Code § 571.1	minimum standards	03/10/2012	denied
PP Northeast and Mid Penn Reading	28 Pa. Code § 571.1	minimum standards	03/10/2012	denied
PP SE Pa. West Chester	28 Pa. Code § 571.1	minimum standards	03/10/2012	denied
PP of Western PA	28 Pa. Code § 571.1	3.8-3.3 operating rooms	05/19/2012	denied
		3.7-3.3.2 Class A operating room		denied
		3.7-3.3.6.2 special design requirements		granted
		3.8-3.4.2.2 recovery areas		denied
		3.8-3.6.6 drug distribution station		granted
		3.8-3.7 staff clothing change area		granted
		3.8-5.1.2 on-site facilities, processing		denied
		3.8-5.1.2.1 soiled work room		denied
		3.8-5.1.2.2 clean/assembly workroom		denied
		3.8-7.2.2.2(2) toilet room door		denied
PP of Western PA	28 Pa. Code § 571.1	3.8-3.3 operating rooms	05/12/2012	denied
		3.7-3.3.2 Class A operating room		denied
		3.7-3.3.5 medical image viewer		granted w/ conditions
		3.7-3.3.6.2 special design requirements		granted
		3.8-3.4.2.2 recovery areas		denied
		3.8-3.6.6 drug distribution station		granted
		3.8-3.7 staff clothing change area		granted
		3.8-5.1.2 on-site facilities, processing		denied
		3.8-5.1.2.1 soiled work room		denied
		3.8-5.1.2.2 clean/assembly workroom		denied
PP of Western PA	28 Pa. Code § 571.1	3.8-7.2.2.2(2) toilet room door		denied
		3.7-3.3 ambulatory operating rooms	07/21/2012	granted
PP of Western PA	28 Pa. Code § 571.1	3.7-3.3.3.1 space requirements	07/21/2012	granted
PP of Western PA	28 Pa. Code § 571.1	3.7-3.3.3.2 clearances	07/21/2012	granted

<i>Facility Name</i>	<i>Regulation</i>	<i>Relating to</i>	<i>Request Published</i>	<i>Decision</i>
PP SE PA Far NE	28 Pa. Code § 571.1	3.8-3.3 operating rooms	05/19/2012	denied
		3.7-3.3.2 Class A operating room		denied
		3.7-3.3.6.2 special design requirements		granted
		3.8-3.4.2.2 recovery areas		denied
		3.8-3.6.6 drug distribution station		granted
		3.8-3.7 staff clothing change area		granted
		3.8-5.1.2 on-site facilities, processing		denied
		3.8-5.1.2.1 soiled work room	05/19/2012	denied
		3.8-5.1.2.2 clean/assembly workroom	05/19/2012	denied
		3.8-7.2.2.2(2) toilet room door		denied
PP SE Pa. Norristown	28 Pa. Code § 571.1	3.8-3.3 operating rooms	05/19/2012	denied
		3.7-3.3.2 Class A operating room		denied
		3.7-3.3.6.2 special design requirements		granted
		3.8-3.4.2.2 recovery areas		denied
		3.8-3.6.6 drug distribution station		granted
		3.8-3.7 staff clothing change area		granted
		3.8-5.1.2 on-site facilities, processing		denied
		3.8-5.1.2.1 soiled work room		denied
		3.8-5.1.2.2 clean/assembly workroom		denied
		3.8-7.2.2.2(2) toilet room door		denied
PP SE Pa. Surgery Locust St.	28 Pa. Code § 571.1	3.8-3.3 operating rooms	05/19/2012	denied
		3.7-3.3.2 Class A operating room		denied
		3.7-3.3.6.2 special design requirements		granted
		3.8-3.4.2.2 recovery areas		denied
		3.8-3.6.6 drug distribution station		granted
		3.8-3.7 staff clothing change area		granted
		3.8-5.1.2 on-site facilities, processing		denied
		3.8-5.1.2.1 soiled work room		denied
		3.8-5.1.2.2 clean/assembly workroom		denied
		3.8-7.2.2.2(2) toilet room door		denied
PP Southeastern PA Far NE	28 Pa. Code § 571.1	minimum standards	03/10/2012	denied
		3.7-3.3.3.1 space requirements	07/21/2012	granted
PP Southeastern PA Far NE	28 Pa. Code § 571.1	minimum standards	03/10/2012	denied
PP Southeastern PA Surgical Locust Street	28 Pa. Code § 571.1	minimum standards	03/10/2012	denied
PP Southeastern PA Surgical Locust Street	28 Pa. Code § 571.1	3.7-3.3.3.1 space requirements	07/21/2012	granted
PP Southeastern PA West Chester	28 Pa. Code § 571.1	minimum standards	3/10/2012	denied



<i>Facility Name</i>	<i>Regulation</i>	<i>Relating to</i>	<i>Request Published</i>	<i>Decision</i>	
PP York Health Center	28 Pa. Code § 571.1	3.8-3.3 operating rooms	05/12/2012	denied	
		3.7-3.3.2 Class A operating room denied			
		3.7-3.3.5 medical image viewer			granted w/ conditions
		3.7-3.3.6.2 special design requirements			granted
		3.8-3.4.2.2 recovery areas			denied
		3.8-3.6.6 drug distribution station			granted
		3.8-3.7 staff clothing change area			granted
		3.8-5.1.2 on-site facilities, processing			denied
		3.8-5.1.2.1 soiled work room			denied
		3.8-5.1.2.2 clean/assembly workroom			denied
Reproductive Health & Counseling	28 Pa. Code § 571.1	3.8-7.2.2.2(2) toilet room door openings		denied	
		3.8-5.1.2.1 soiled work room	05/12/2012	denied	
		3.8-5.1.2.2 clean/assembly workroom	05/12/2012	denied	
		3.8-3.3 operating rooms	05/12/2012	granted	
		3.7-3.3.2.1 space requirements	06/16/2012	granted	
		3.7-3.3.2.2 clearances		granted	
		3.7-3.3 ambulatory operating rooms		granted	
		3.7-3.3.3.2 clearances		granted	
		3.7-3.3.4 emergency communications system		denied	
		3.7-3.3.5 image viewer		granted	
3.7-3.3.6.2 medical gas requirements		granted			
Berger & Benjamin, LLP Philadelphia Women's Center PP Assoc. Bucks Co. Warminster PP of Western PA PP SE PA Surgical Locust Street Reproductive Health & Counseling Allegheny Women's Center PP Assoc. Bucks Co. Warminster Philadelphia Women's Center, Inc. PP Central PA—York Health Ctr. PP of Northeast & Mid Penn Allentown	28 Pa. Code § 571.2(d) 28 Pa. Code § 571.2(d) 28 Pa. Code § 571.2(d) 28 Pa. Code § 571.2(d) 28 Pa. Code § 571.2(d) 28 Pa. Code § 571.2(d) 28 Pa. Code § 571.11 28 Pa. Code § 571.11 28 Pa. Code § 571.11 28 Pa. Code § 571.11 28 Pa. Code § 571.11	3.1-7.2.2.2 NFPA 101, NFPA 101, 2000 edition, Section 20.2.3.2 pertaining to clear width of exit access corridors	10/06/2012	granted	
		3.8-7.2.3.4(2) ceiling finishes		granted	
		3.7-3.3.6.1 HVAC system		granted	
		3.8-3.6.5.1 hands free scrub station		granted	
		hospital type elevator	05/12/2012	granted	
		hospital type elevator	05/12/2012	granted	
		hospital type elevator	05/19/2012	granted	
		hospital type elevator	05/12/2012	granted w/ conditions	
		hospital type elevator	05/19/2012	granted	
		hospital type elevator	05/12/2012	granted	
principle	05/26/2012	denied			
principle	03/10/2012	denied			
principle	03/10/2012	denied			
principle	03/10/2012	denied			
principle	03/10/2012	denied			

<i>Facility Name</i>	<i>Regulation</i>	<i>Relating to</i>	<i>Request Published</i>	<i>Decision</i>
PP of Northeast & Mid Penn Reading	28 Pa. Code § 571.11	principle	03/10/2012	denied
PP Southeastern PA Far NE	28 Pa. Code § 571.11	principle	03/10/2012	denied
PP Southeastern PA Norristown	28 Pa. Code § 571.11	principle	03/10/2012	denied
PP Southeastern PA Surgical Locust St	28 Pa. Code § 571.11	principle	03/10/2012	denied
PP Southeastern PA West Chester	28 Pa. Code § 571.11	principle	03/10/2012	denied
Philadelphia Women's Center	28 Pa. Code § 571.12(b)	submission of plans second stage	05/12/2012	denied
Reproductive Health and Counseling	28 Pa. Code § 571.12(b) and (c)	submission of plans second stage	05/12/2012	denied
<b>Ambulatory Surgical Facilities</b>				
Blue Bell Surgery Center	28 Pa. Code § 551.1	principle, medical staff	06/16/2012	granted
Abington Memorial Hospital Endoscopy Center	28 Pa. Code § 551.3	definitions PS 3 patients	10/20/2012	granted
Crozer Endoscopy Center	28 Pa. Code § 551.3	definitions PS III patients	07/11/2012	granted
Endoscopy Center of Central PA	28 Pa. Code § 551.3	definitions PS III	08/11/2012	granted
Proserpi-Schlechter Center for Plastic Surgery	28 Pa. Code § 551.3	definitions PS III patients	07/11/2012	granted
The Endoscopy Center at NE Campus	28 Pa. Code § 551.3	definitions PS III patients	10/20/2012	granted
Wyomissing Surgical Services	28 Pa. Code § 551.3	definitions PS III patients	07/11/2012	granted
Blue Bell Surgery Center	28 Pa. Code § 551.21(d)	criteria for ambulatory surgery	06/16/2012	granted
Center for Advanced Surgery	28 Pa. Code § 551.21(d)	criteria for ambulatory surgery	06/16/2012	granted/not necessary
Center for Same Day Surgery	28 Pa. Code § 551.21(d)(3)	criteria for ambulatory surgery	08/11/2012	granted
Geisinger Gastro and Endo Center Lewistown	28 Pa. Code § 551.21(d)	criteria for ambulatory surgery	05/19/2012	granted
Mount Pleasant Surgery Center	28 Pa. Code § 551.21(d)(2)	criteria for ambulatory surgery	09/15/2012	granted
Reading Ambulatory Surgery Center	28 Pa. Code § 551.21(d)	criteria for ambulatory surgery	07/11/2012	denied
UPMC Physicians Dept. Obstetrics Suite 2541	28 Pa. Code § 551.22(2)	criteria for performance	05/19/2012	granted/not necessary
Childrens Surgery Ctr, Malvern	28 Pa. Code § 551.22(3)(ii)	criteria for ambulatory surgery on pediatric patients, board certification for Dr. Francis Hoerz	05/19/2012	granted
	28 Pa. Code § 551.22(3)(ii)	criteria for ambulatory surgery on pediatric patients, board certification for Dr. Jay Golsleger	05/19/2012	granted
	28 Pa. Code § 551.22(3)(ii)	criteria for ambulatory surgery on pediatric patients, board certification for Dr. Andrew Greenstein	05/19/2012	granted
	28 Pa. Code § 551.22(3)(ii)	criteria for ambulatory surgery on pediatric patients, board certification for Dr. Eric Felix	05/19/2012	granted
Blue Bell Surgery Center	28 Pa. Code § 551.52	ASF responsibilities	06/16/2012	granted
Blue Bell Surgery Center	28 Pa. Code § 553.1	principle governing body	06/16/2012	granted
Doylestown Hospital Surgery Ctr.	28 Pa. Code § 553.1	principle governing body	08/11/2012	granted

<i>Facility Name</i>	<i>Regulation</i>	<i>Relating to</i>	<i>Request Published</i>	<i>Decision</i>
Memorial Hosp. Outpatient Endo Ctr.	28 Pa. Code § 553.1	principle governing body	04/14/2012	granted
Saint Vincent Surgery Center Erie	28 Pa. Code § 553.1	principle governing body		granted
Surgical Center of York	28 Pa. Code § 553.1	principle governing body	04/14/2012	granted
Saint Vincent Surgery Center Erie	28 Pa. Code § 553.2	ownership governing body		granted
Saint Vincent Surgery Center Erie	28 Pa. Code § 553.3	personnel files		granted
Blue Bell Surgery Center	28 Pa. Code § 553.3	personnel files	06/16/2012	granted
Memorial Hosp. Outpatient Endo Ctr.	28 Pa. Code § 553.3(8)(iii)	personnel files	06/16/2012	granted
Surgical Center of York	28 Pa. Code § 553.3	personnel files	04/14/2012	granted
Blue Bell Surgery Center	28 Pa. Code § 553.4	governing body other functions	06/16/2012	granted
Laurel Laser and Surgery Center Altoona and Brookville	28 Pa. Code § 553.4(a)	governing body other functions	05/19/2012	granted
Saint Vincent Surgery Center Erie	28 Pa. Code § 553.4	governing body other functions		granted
Surgical Center of York	28 Pa. Code § 553.4	governing body other functions	04/14/2012	granted
UPMC Physicians Dept. Obstetrics Suite 2541	28 Pa. Code § 553.24	discharge of a minor or incompetent	05/19/2012	not necessary
Blue Bell Surgery Center	28 Pa. Code § 553.31(b)	administrative responsibilities	06/16/2012	granted
Doylestown Hospital Surgery Ctr.	28 Pa. Code § 553.31	administrative responsibilities	08/11/2012	granted
Four Seasons Endoscopy Center, Inc.	28 Pa. Code § 553.31(a)	administrative responsibilities	10/20/2012	granted
Memorial Hosp. Outpatient Endo Ctr.	28 Pa. Code § 553.31	administrative responsibilities	04/14/2012	granted
Plastic Surgery Associates Johnstown	28 Pa. Code § 553.31	administrative responsibilities	03/10/2012	granted
Saint Vincent Surgery Center Erie	28 Pa. Code § 553.31	administrative responsibilities		granted
Surgical Center of York	28 Pa. Code § 553.31(b)	administrative responsibilities	04/14/2012	granted
The Community Surgery & Laser Ctr.	28 Pa. Code § 553.31	administrative responsibilities	05/19/2012	granted
The Endoscopy Center at NE Campus	28 Pa. Code § 553.31(a)	administrative responsibilities	10/20/2012	granted
Saint Vincent Surgery Center Erie	28 Pa. Code Chapter 555	medical staff		granted
Doylestown Hospital Surgery Ctr.	28 Pa. Code § 555.1	principle medical staff	08/11/2012	granted
Memorial Hosp. Outpatient Endo Ctr.	28 Pa. Code § 555.1	principle medical staff	04/14/2012	granted
Surgical Center of York	28 Pa. Code § 555.1	principle medical staff	04/14/2012	granted
Memorial Hosp. Outpatient Endo Ctr.	28 Pa. Code § 555.2	medical staff membership	04/14/2012	granted
Blue Bell Surgery Center	28 Pa. Code § 555.2	medical staff membership	06/16/2012	granted
PP Central PA—York Health Ctr.	28 Pa. Code § 555.2	medical staff membership	03/10/2012	denied
Surgical Center of York	28 Pa. Code § 555.2	medical staff membership	04/14/2012	granted
Blue Bell Surgery Center	28 Pa. Code § 555.3	requirements for membership	06/16/2012	granted
Crozer Keystone S.C. Brinton Lake	28 Pa. Code § 555.3	requirements for membership	08/11/2012	granted

<i>Facility Name</i>	<i>Regulation</i>	<i>Relating to</i>	<i>Request Published</i>	<i>Decision</i>
Saint Vincent Surgery Center Erie	28 Pa. Code § 555.3	requirements for membership		granted
Surgical Center of York	28 Pa. Code § 555.3	requirements for membership	04/14/2012	granted
Blue Bell Surgery Center	28 Pa. Code § 555.4	clinical activities PAs and CRNPs	06/16/2012	granted
Saint Vincent Surgery Center Erie	28 Pa. Code § 555.4	clinical activities PAs and CRNPs		granted
Surgical Center of York	28 Pa. Code § 555.4	clinical activities PAs and CRNPs	04/14/2012	granted
Geisinger Medical Center	28 Pa. Code § 555.13	administration of drugs	09/15/2012	denied
Geisinger Wyoming Valley	28 Pa. Code § 555.13	administration of drugs	09/15/2012	denied
Crozer Keystone S.C. Brinton Lake	28 Pa. Code § 555.21	criteria for ambulatory surgery	08/11/2012	granted
Doylestown Hospital Surgery Ctr.	28 Pa. Code § 555.21	criteria for ambulatory surgery	08/11/2012	granted
UPMC Physicians Dept. Obstetrics Suite 2541	28 Pa. Code § 555.24(b)	postoperative care		denied
Surgical Center of York	28 Pa. Code § 553.3(8)(iii)	personnel files	06/16/2012	granted
Crozer Keystone S.C. Brinton Lake	28 Pa. Code § 555.31	principle anesthesia services		granted
Memorial Hosp. Outpatient Endo Ctr.	28 Pa. Code § 555.31	principle anesthesia services	04/14/2012	granted
Heritage Valley Health System, Moon Surgery Center	28 Pa. Code § 555.32(a)	student RN anesthetists	11/17/2012	granted
UPMC Mercy Southside Surgery Ctr.	28 Pa. Code § 555.32(a)	student RN anesthetists	11/17/2012	granted
Saint Vincent Surgery Center Erie	28 Pa. Code Chapter 557	quality assurance and improvement		granted
Blue Bell Surgery Center	28 Pa. Code §§ 557.1, 557.2, 557.3 and 557.4	quality assurance and improvement	06/16/2012	granted
Surgical Center of York	28 Pa. Code §§ 557.1, 557.2, 557.3 and 557.4	quality assurance and improvement	04/14/2012	granted
Crozer Keystone S.C. Brinton Lake	28 Pa. Code § 557.3	quality assurance	08/11/2012	granted
Lowery Surgicenter	28 Pa. Code § 557.4(a)(1)	QA committee	09/15/2012	granted
The Skin Center	28 Pa. Code § 557.4	quality assurance and improvement committee	04/14/2012	granted w/ conditions
Southwestern PA Eye Surgery	28 Pa. Code § 559.2	director of nursing	10/20/2012	granted
The Community Surgery & Laser Ctr.	28 Pa. Code § 559.2	director of nursing	05/19/2012	granted
Westfield Surgery Center	28 Pa. Code § 559.2	director of nursing	10/20/2012	granted
Saint Vincent Surgery Center Erie	28 Pa. Code Chapter 563	medical records		granted
Blue Bell Surgery Center	28 Pa. Code § 563.1	principle (medical records)	06/16/2012	granted
Surgical Center of York	28 Pa. Code § 563.1	principle (medical records)	04/14/2012	granted
Surgical Center of York	28 Pa. Code § 563.2(a)	organization and staffing	04/14/2012	granted
Blue Bell Surgery Center	28 Pa. Code § 563.2	organization and staffing	06/16/2012	granted
Memorial Hosp. Outpatient Endo Ctr.	28 Pa. Code § 563.2	organization and staffing	04/14/2012	granted
Blue Bell Surgery Center	28 Pa. Code § 567.2	infection control	06/16/2012	granted



<i>Facility Name</i>	<i>Regulation</i>	<i>Relating to</i>	<i>Request Published</i>	<i>Decision</i>
Crozer Keystone S.C. Brinton Lake	28 Pa. Code § 567.2	infection control	08/11/2012	granted
Memorial Hospital Outpatient Endoscopy Center	28 Pa. Code § 567.2	infection control	04/14/2012	granted
Surgical Center of York	28 Pa. Code § 567.2(1)	committee responsibilities	04/14/2012	granted
Crozer Keystone S.C. Brinton Lake	28 Pa. Code § 567.3	policies and procedures	08/11/2012	granted
Wyomissing Surgical Services	28 Pa. Code § 567.41	principle—maintenance service	05/19/2012	denied
Memorial Hosp. Outpatient Endo Ctr.	28 Pa. Code § 569.1	general provisions principle	04/14/2012	granted
Advanced Center for Surgery	28 Pa. Code § 569.35	general safety precautions	04/28/2012	granted
Advanced Center for Surgery	28 Pa. Code § 569.35	general safety precautions	07/11/2012	granted
Blue Bell Surgery Center	28 Pa. Code § 569.35(7)	general safety precautions	06/16/2012	granted
Capital Surgery and Laser Ctr.	28 Pa. Code § 569.35	general safety precautions	10/20/2012	granted
Center for Aesthetic and Cosmetic Surgery	28 Pa. Code § 569.35	general safety precautions	09/15/2012	granted
Crozer Keystone S.C. Brinton Lake	28 Pa. Code § 569.35	general safety precautions	08/11/2012	granted
Doylestown Hospital Surgery Ctr.	28 Pa. Code § 569.35	general safety precautions	08/11/2012	granted
East Side Surgical Center	28 Pa. Code § 569.35(7)	general safety precautions	06/30/2012	granted
Einstein Montgomery Surgery Center	28 Pa. Code § 569.35	general safety precautions	12/22/2012	granted
Einstein Surgery Center	28 Pa. Code § 569.35(7)	general safety precautions	06/30/2012	granted
Peters Twp. Surgery Center	28 Pa. Code § 569.35	general safety precautions	04/14/2012	granted
Premier Surgery Center Pittsburgh	28 Pa. Code § 569.35	general safety precautions	05/26/2012	granted
SAM Surgery Center	28 Pa. Code § 569.35	general safety precautions	09/15/2012	granted
South Hills Surgery Center	28 Pa. Code § 569.35	general safety precautions	04/14/2012	granted
St. Clair Hospital, d/b/a Mt. Lebanon Surgery Center	28 Pa. Code § 569.35	general safety precautions	12/22/2012	granted
Tri-State Surgery Center	28 Pa. Code § 569.35	general safety precautions	11/17/2012	granted
Bryn Mawr Medical Specialists	28 Pa. Code § 571.1	2.1-8.7.2.3 dimensions and clearances	04/28/2012	granted
		3.7-3.8.1.1 A separate area	06/16/2012	granted
		3.7-3.8.1.1(1) lockers		
		3.7-3.8.1.1(2) toilet(s)		
		3.7-3.8.1.1(3) clothing change area		
		3.7-3.8.1.1(4) space for admin medications		
		3.7-3.8.1.2 securing patient's personal effects		
Mechanicsburg Pain Management	28 Pa. Code § 571.1	3.7-3.8.1.1 outpatient change areas	04/14/2012	granted
Nemours Ambulatory Surgery Ctr.	28 Pa. Code § 571.1	3.7-3.8.1 outpatient surgery change area	10/20/2012	granted
		2.1-8.7.2.3(1) hospital type elevator	11/03/2012	granted
NextGen Endoscopy Center	28 Pa. Code § 571.1	3.9-3.2.2.2.1 space requirements	09/15/2012	granted

<i>Facility Name</i>	<i>Regulation</i>	<i>Relating to</i>	<i>Request Published</i>	<i>Decision</i>
Pennsylvania Eye Surgery Center	28 Pa. Code § 571.1	3.7-3.4.2.2(1) post anesthesia recovery	11/17/2012	granted
Radiance Surgery Center	28 Pa. Code § 571.1	3.7-7.2.2.1(2) corridor width	11/17/2012	granted
Premier Surgery Center	28 Pa. Code § 571.1	3.7-3.3.2.2 clearances 3.7-3.6.5.1 scrub facilities	07/11/2012	granted
Northeast Surgical Center	28 Pa. Code § 571.1	3.1-5.4.1.3(1) regulated waste storage spaces	07/11/2012	granted
The Crozer Keystone Surgical Ctr. at Brinton Lake	28 Pa. Code § 571.1	3.7-3.3.3.2 clearances		granted
UPMC Physicians Dept. Obstetrics Suite 2541	28 Pa. Code § 571.1	3.7-3.4.2.2(b) post anesthesia recovery area	09/15/2012	granted
Bryn Mawr Medical Specialists	28 Pa. Code § 571.2	minimum standards	05/19/2012	denied
Nemours Ambulatory Surgery Ctr.	28 Pa. Code § 571.2(d)	modifications to HHS requirements	05/19/2012	granted
UPMC Physicians Dept.	28 Pa. Code § 571.2(d)	multistory buildings	11/03/2012	granted
	28 Pa. Code § 571.11	principle, plans	05/19/2012	denied
<b>Nursing Care Facilities</b>				
Calvary Fellowship Homes, Inc.	28 Pa. Code § 201.3	definitions	03/24/2012	granted
Moravian Manor	28 Pa. Code § 201.3	definitions	03/24/2012	granted
The Sarah A. Reed Retirement Ctr.	28 Pa. Code § 201.3	definitions	06/02/2012	granted
Windy Hill Village of the Presbyterian Homes	28 Pa. Code § 201.3	definitions	08/11/2012	granted
Tulip Vent Care, LLC	28 Pa. Code § 201.17(a)	location	05/19/2012	granted
HRH Transitional Care Unit	28 Pa. Code § 201.18(e)	management	08/11/2012	temp. granted
St. Joseph's Manor	28 Pa. Code § 201.18(e)	management	08/11/2012	temp. granted
Millcreek Community Hospital Transitional Care Unit	28 Pa. Code § 201.18(e)	management	06/16/2012	temp. granted
Millcreek Manor	28 Pa. Code § 201.18(e)	management	06/16/2012	temp. granted
Humbert Lane Nursing & Rehab	28 Pa. Code § 205.6(a)	function of building	03/24/2012	granted
Jefferson Hills Manor	28 Pa. Code § 205.6(a)	function of building	04/07/2012	granted
Avalon Springs Nursing Center	28 Pa. Code § 205.6(a)	function of building	08/04/2012	granted
Baldock Health Care Centre	28 Pa. Code § 205.6(a)	function of building	05/26/2012	granted
Buffalo Valley Lutheran Village	28 Pa. Code § 205.6(a)	function of building	03/03/2012	granted
Homestead Village, Inc.	28 Pa. Code § 205.6(a)	function of building	06/23/2012	granted
Presbyterian Homes of the Presbytery of Huntingdon	28 Pa. Code § 205.6(a)	function of building	07/14/2012	granted
Tulip Vent Care, LLC	28 Pa. Code § 205.6(a)	function of building	05/19/2012	granted
Village at Penn State Retirement Comm	28 Pa. Code § 205.6(a)	function of building	03/03/2012	granted
Willowcrest	28 Pa. Code § 205.6(a)	function of building	08/11/2012	granted
Westminster Village	28 Pa. Code § 205.6(a)	function of building	05/12/2012	granted
Southwestern Nursing Center	28 Pa. Code § 205.19(b)	windows and windowsills	08/11/2012	granted
Julia Pound Care Center	28 Pa. Code § 205.20(a)	resident bedrooms	07/14/2012	temp. granted

<i>Facility Name</i>	<i>Regulation</i>	<i>Relating to</i>	<i>Request Published</i>	<i>Decision</i>
St. Paul Homes	28 Pa. Code § 205.20(a)(d) and (f)	resident bedrooms	06/02/2012	temp. granted
Landis Homes	28 Pa. Code § 205.20(f)	resident bedrooms	08/04/2012	temp. granted
Linwood Nursing and Rehab Ctr.	28 Pa. Code § 205.20(f)	resident bedrooms	08/04/2012	temp. granted
Avalon Nursing Center	28 Pa. Code § 205.20(f) and (g)	resident bedrooms	03/10/2012	not necessary
Butler Valley Manor	28 Pa. Code § 205.20(f) and (g)	resident bedrooms	03/17/2012	temp. granted
Nipple Convalescent Home	28 Pa. Code § 205.20(f) and (g)	resident bedrooms	03/17/2012	not necessary
Chatham Acres	28 Pa. Code § 205.20(d) and (f)	resident bedrooms	06/16/2012	temp. granted
Tulip Vent Care, LLC	28 Pa. Code § 205.21(a)	special care room	05/19/2012	granted
Tulip Vent Care, LLC	28 Pa. Code § 205.24(a)	dining room	05/19/2012	granted
Tulip Vent Care, LLC	28 Pa. Code § 205.25(a)	kitchen	05/19/2012	granted
Avalon Nursing Center	28 Pa. Code § 205.26(e)	laundry	03/10/2012	granted
Tulip Vent Care, LLC	28 Pa. Code § 205.26(e)	laundry	05/19/2012	granted
Pleasant View Retirement Comm.	28 Pa. Code § 205.36(b)	bathing facilities	07/14/2012	temp. granted
Pleasant View Retirement Comm.	28 Pa. Code § 205.36(g)	bathing facilities	02/25/2012	granted
Cranberry Place	28 Pa. Code § 205.36(h)	bathing facilities	05/12/2012	granted
Hollinger Senior Housing	28 Pa. Code § 205.36(g) and (h)	bathing facilities	03/17/2012	granted
Masonic Village at Elizabethtown	28 Pa. Code § 205.36(h)	bathing facilities	03/10/2012	granted
Philadelphia Nursing Home	28 Pa. Code § 205.36(h)	bathing facilities	05/19/2012	granted
Hollinger Senior Housing	28 Pa. Code § 205.38(b)	toilet facilities	03/17/2012	granted
Tulip Vent Care, LLC	28 Pa. Code § 205.38(b)	toilet facilities	05/19/2012	granted
St. Monica Manor	28 Pa. Code § 205.66(g)	special ventilation req. for new construction	06/02/2012	denied
Baldwin Health Center	28 Pa. Code § 205.67(k)	electric requirements for existing and new construction	06/02/2012	granted
Manchester Presbyterian Lodge	28 Pa. Code § 205.67(k)	electric requirements for existing and new construction	02/25/2012	granted
Rouse-Warren County Home	28 Pa. Code § 205.67(k)	electronic requirements for existing and new construction	06/23/2012	granted
Tulip Vent Care, LLC	28 Pa. Code § 211.6(b)	dietary services	05/19/2012	granted
Snyder Memorial Health Care Ctr.	28 Pa. Code § 211.9(g)	pharmacy services	03/24/2012	granted
Passavant Retirement & Health Ctr.	28 Pa. Code § 211.12(b)—(d)	nursing services	06/23/2012	temp. granted

Persons with a disability who require an alternative format of this notice (for example, large print, audiotape, Braille) should contact the Division of Acute and Ambulatory Care or the Division of Nursing Care Facilities at the previously referenced address, or for speech and/or hearing impaired persons V/TT (717) 783-6514, or the Pennsylvania AT&T Relay Service at (800) 654-5984.

MICHAEL WOLF,  
*Acting Secretary*

[Pa.B. Doc. No. 13-476. Filed for public inspection March 15, 2013, 9:00 a.m.]

### Long-Term Care Nursing Facilities; Request for Exception

The following long-term care nursing facility is seeking an exception to 28 Pa. Code § 201.18(e) (relating to management):

Wood River Village  
3200 Bensalem Boulevard  
Bensalem, PA 19020  
FAC ID 233802

The following long-term care nursing facility is seeking an exception to 28 Pa. Code § 205.6(a) (relating to function of building):

Countryside Convalescent Home Limited Partnership  
8221 Lamor Road  
Mercer, PA 16137  
FAC ID 034102

The following long-term care nursing facility is seeking an exception to 28 Pa. Code § 211.9(g) (relating to pharmacy services):

Nugent Convalescent Home  
500 Clarksville Road  
Hermitage, PA 16148  
FAC ID 140702

These requests are on file with the Department of Health (Department). Persons may receive a copy of a request for exception by requesting a copy from the Department of Health, Division of Nursing Care Facilities, Room 526, Health and Welfare Building, Harrisburg, PA 17120, (717) 787-1816, fax (717) 772-2163, ra-paexcept@pa.gov.

Persons who wish to comment on an exception request may do so by sending a letter by mail, e-mail or facsimile to the Division at the address listed previously.

Comments received by the Department within 10 days after the date of publication of this notice will be reviewed by the Department before it decides whether to approve or disapprove the request for exception.

Persons with a disability who wish to obtain a copy of the request and/or provide comments to the Department and require an auxiliary aid, service or other accommodation to do so should contact the Division at the address or phone number listed previously, or for speech and/or hearing impaired persons V/TT (717) 783-6514, or the Pennsylvania AT&T Relay Service (800) 654-5984 (TT).

MICHAEL WOLF,  
*Acting Secretary*

[Pa.B. Doc. No. 13-477. Filed for public inspection March 15, 2013, 9:00 a.m.]

## DEPARTMENT OF PUBLIC WELFARE

### Ongoing List of Behavioral Health Managed Care Organizations

The Department of Public Welfare (Department) is maintaining an ongoing list of qualified behavioral health managed care organizations (BH-MCO) as potential contractors for the HealthChoices Behavioral Health Program (HC-BHP). New submissions are being requested from BH-MCOs which are currently on the list and new

applicants. The development of this list was introduced at 31 Pa.B. 888 (February 10, 2001) as the first step in a two-step process for obtaining a behavioral health contractor, should the need arise. The HC-BHP is a mandatory managed care program for Medicaid recipients in this Commonwealth. Additional information about HC-BHP is available at the Department's web site [www.dpw.state.pa.us](http://www.dpw.state.pa.us). The list of qualified BH-MCOs may be utilized in the following circumstances:

- \* Contract negotiations with a potential contractor selected through a Request for Proposal (RFP) process fails.

- \* A potential contractor selected through an RFP process fails the Readiness Review process.

- \* An existing contractor terminates the contract or is terminated by the Department.

- \* An existing contract will expire with no provision for renewal or extension.

As stated at 31 Pa.B. 888, the list of qualified BH-MCOs will be opened periodically to new submissions which are not currently on the list. BH-MCOs selected for the list of qualified bidders will remain active on the list for at least 5 years. Periodically they will be required to resubmit information for consideration to remain on the list.

The following is a list of requirements necessary to qualify as a potential HC-BHP contractor:

- \* One year experience with a State behavioral health Medicaid program.

- \* Not currently under suspension or debarment by the Commonwealth or any other state or Federal government.

- \* Licensed by the Department of Health and the Insurance Department.

- \* Management Information System (MIS) experience in processing Health Insurance Portability and Accountability Act (HIPAA) compliant transactions.

To apply as a potential HC-BHP contractor, submit four copies and a disk of the following information by 2 p.m. on May 3, 2013, to the Department of Public Welfare, Attention Daniel Boyd, Division of Procurement, Health and Welfare Building, 625 Forster Street, Room 402, Harrisburg, PA 17105.

#### List of Deliverables

1. Cover letter of interest on official corporate letterhead.

2. Describe experience in providing services to Medicaid recipients including:
  - \* Type of behavioral health (mental health and drug and alcohol) services covered.
  - \* Description of categories of aid/population covered.
  - \* Number of years experience with Medicaid programs.

3. Provide a report on the number of claims processed (for Medicaid population) in the most recent 6-month period, including timeliness of processing clean claims and the number of claims paid/rejected.

4. Provide a flow chart of the MIS.

5. Provide evidence of capacity to submit HIPAA compliant transactions.

6. Provide a copy of current Commonwealth license from the Department of Health and the Insurance Department.



7. Provide a copy of the most recent audited, annual filing with a state insurance department.

8. Provide a copy of the most recent annual audited company financial statement.

9. Outline a plan to start-up or expand (if currently operating in this Commonwealth) operations in this Commonwealth.

10. Provide the name, address and phone number of three references familiar with the MCOs operations (one must provide reference from a State Medicaid program).

Department staff will verify the information submitted by the BH-MCOs. As part of the verification process, the Department may conduct an onsite visit. Each BH-MCO will be notified of its qualification status.

The second step of the process is outlined in the event that the list is utilized to obtain a contractor. The Department will:

\* Contact the vendors on the list and verify their continued interest in obtaining a HC-BHP contract.

\* Inform the vendors of the county or counties requiring a BH-MCO contractor.

\* Release a procurement document that contains the requirements for the HC-BHP to the interested vendors on the list along with instructions on how to submit a bid.

\* Evaluate all responses to the procurement document and select a contractor.

The previous two-step process will not replace the RFP process to obtain a HC-BHP contract in the Commonwealth. Questions should be directed to Valerie J. Vicari, Director, Division of Western Operations, Bureau of Community and Hospital Operations, Office of Mental Health and Substance Abuse Services, 301 Fifth Avenue, Room 480, Pittsburgh, PA 15222-2420, (412) 565-5226, fax (412) 565-5393.

Persons with a disability who require an auxiliary aid or service should submit comments using the Pennsylvania AT&T Relay Service at (800) 654-5984 (TDD users) or (800) 654-5984 (voice users).

BEVERLY MACKERETH,  
*Acting Secretary*

[Pa.B. Doc. No. 13-478. Filed for public inspection March 15, 2013, 9:00 a.m.]

## DEPARTMENT OF TRANSPORTATION

### Contemplated Sale of Land No Longer Needed for Transportation Purposes

The Department of Transportation (Department), under the Sale of Transportation Lands Act (71 P.S. §§ 1381.1—1381.3), intends to sell certain land owned by the Department.

The following properties are available for sale by the Department:

Parcel 12, Monaca Borough, Beaver County. This parcel contains approximately 25,195 ± square feet or 0.578 ± acre of unimproved land located at 2100 Pennsylvania

Avenue (SR 0051). The estimated fair market value of the parcel is \$16,500.

Interested public entities are invited to express their interest in purchasing this parcel within 30 calendar days from the date of publication of this notice to H. Daniel Cessna, P.E., District Executive, Department of Transportation, Engineering District 11-0, 45 Thoms Run Road, Bridgeville, PA 15017.

BARRY J. SCHOCH, P.E.,  
*Secretary*

[Pa.B. Doc. No. 13-479. Filed for public inspection March 15, 2013, 9:00 a.m.]

## ENVIRONMENTAL HEARING BOARD

### Arcelormittal Pristine Resources, LLC v. DEP; EHB Doc. No. 2013-028-R

Arcelormittal Pristine Resources, LLC has appealed the issuance by the Department of Environmental Protection of an NPDES permit renewal to Arcelormittal Pristine Resources, LLC for a facility in East Taylor Township, Cambria 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. 13-480. Filed for public inspection March 15, 2013, 9:00 a.m.]

## FISH AND BOAT COMMISSION

### Boat and Marine Forfeiture; Maximum Amount

Chapter 53, Subchapter C of 30 Pa.C.S. (relating to boat and marine forfeiture) applies only to boats and related equipment with a resale value based upon established industry standards equal to or less than the maximum amount in 30 Pa.C.S. § 5331(c) (relating to

scope of subchapter). This subsection provides that for the year 2006 the maximum amount will be \$5,000 and for each year thereafter the maximum amount will be fixed annually by the Fish and Boat Commission (Commission) based upon the maximum amount in the prior year as adjusted to reflect the change in the Consumer Price Index for All Urban Consumers for the United States for all items as published by the United States Department of Labor, Bureau of Labor Statistics, for the previous 12-month period. The subsection further provides that the maximum amount as adjusted will be rounded to the nearest multiple of \$5 and that the Commission will give notice of the new maximum amount by publication in the *Pennsylvania Bulletin*. The Commission previously fixed the maximum amount for 2012 at \$5,730.00.

Under 30 Pa.C.S. § 5331(c), the Commission has fixed the maximum amount for 2013 as \$5,825.00.

JOHN A. ARWAY,  
*Executive Director*

[Pa.B. Doc. No. 13-481. Filed for public inspection March 15, 2013, 9:00 a.m.]

**Temporary Changes to Fishing Regulations;  
Meadow Grounds Lake, Fulton County**

The Executive Director of the Fish and Boat Commission (Commission), acting under the authority of 58 Pa. Code § 65.25 (relating to temporary changes to fishing regulations), has taken immediate action to modify temporarily fishing regulations at Meadow Grounds Lake, Fulton County, in anticipation of a complete drawdown of the lake. The Executive Director is lifting all seasons, sizes and creel limits for all species, effective immediately. The Executive Director has found that this action is necessary and appropriate for the management of fish and to conserve and preserve fishing opportunities.

The Executive Director will cause these temporary modifications to fishing regulations to be posted in the vicinity of the lake and the modified regulations will be fully effective and enforceable when posted. These temporary modifications will remain in effect until the Commission closes the lake to public use.

JOHN A. ARWAY,  
*Executive Director*

[Pa.B. Doc. No. 13-482. Filed for public inspection March 15, 2013, 9:00 a.m.]

**INDEPENDENT REGULATORY REVIEW COMMISSION**

**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-Omit Reg. No.</i>	<i>Agency/Title</i>	<i>Received</i>	<i>Public Meeting</i>
16A-4936	State Board of Medicine Athletic Trainers	3/4/13	4/4/13
16A-5325	State Board of Osteopathic Medicine Athletic Trainers	3/4/13	4/4/13
16A-4938	State Board of Medicine Conform CRNP Provisions to Statute	3/4/13	4/4/13

SILVAN B. LUTKEWITTE, III,  
*Chairperson*

[Pa.B. Doc. No. 13-483. Filed for public inspection March 15, 2013, 9:00 a.m.]

**INSURANCE DEPARTMENT**

**Review Procedure Hearings; Cancellation or Refusal of Insurance**

The following insureds have requested a hearing as authorized by the act of June 17, 1998 (P. L. 464, No. 68) (Act 68) in connection with the termination of the insureds' automobile insurance policies. The hearings will be held in accordance with the requirements of Act 68; 1 Pa. Code Part II (relating to General Rules of Administrative Practice and Procedure); and 31 Pa. Code §§ 56.1—56.3 (relating to Special Rules of Administrative Practice and Procedure). The administrative hearings will be held in the Insurance Department's regional offices in Harrisburg and Philadelphia, PA. Failure by an appellant to

appear at the scheduled hearing may result in dismissal with prejudice.

The following hearing will be held in the Administrative Hearings Office, Capitol Associates Building, Room 200, 901 North Seventh Street, Harrisburg, PA 17102.

Appeal of Richard and Lisa Stokes; file no. 13-115-133653; Nationwide Mutual Insurance Company; Doc. No. P13-02-019; April 11, 2013, 9:30 a.m.

The following hearing will be held in the Independence Hearing Room 4124, 801 Market Street, Philadelphia, PA 19107.

Appeal of Steven and Tammie Blunt; file no. 13-198-134324; State Farm Fire and Casualty Insurance Company; Doc. No. P13-02-018; March 29, 2013, 3 p.m.

Parties may appear with or without counsel and offer relevant testimony or other relevant evidence. Each party

must bring documents, photographs, drawings, claims files, witnesses, and the like, necessary to support the party's case. A party intending to offer documents or photographs into evidence shall bring enough copies for the record and for each opposing party.

In some cases, the Insurance Commissioner (Commissioner) may order that the company reimburse an insured for the higher cost of replacement insurance coverage obtained while the appeal is pending. Reimbursement is available only when the insured is successful on appeal, and may not be ordered in all instances. If an insured wishes to seek reimbursement for the higher cost of replacement insurance, the insured must produce documentation at the hearing which will allow comparison of coverages and costs between the original policy and the replacement policy.

Following the hearing and receipt of the stenographic transcript, the Commissioner will issue a written order resolving the factual issues presented at the hearing and stating what remedial action, if any, is required. The Commissioner's Order will be sent to those persons participating in the hearing or their designated representatives. The Order of the Commissioner may be subject to judicial review by the Commonwealth Court.

Persons with a disability who wish to attend the previously-referenced administrative hearing and require an auxiliary aid, service or other accommodation to participate in the hearing should contact Donna R. Fleischauer, Human Resources Director at (717) 705-4194.

MICHAEL F. CONSEDINE,  
*Insurance Commissioner*

[Pa.B. Doc. No. 13-484. Filed for public inspection March 15, 2013, 9:00 a.m.]

### Workers' Compensation Security Fund Assessment; Notice 2013-02

The Insurance Department (Department) has determined that no contributions will be required for the Workers' Compensation Security Fund (Fund).

Section 9(1) of the Workers' Compensation Security Fund Act (act) (77 P. S. § 1059(1)) states "If, due to the payment of liabilities or claims, the balance of the fund is reduced below \$500,000,000, the department shall require contributions to maintain the actuarial soundness of the fund and to restore, in a timely manner, the balance of the fund to a level at or above \$500,000,000." As of the evaluation of December 31, 2012, the balance of the fund exceeded \$500 million.

Therefore, insurers writing workers' compensation insurance in this Commonwealth will not be required to submit any contributions for the Fund in 2013.

The act may be viewed at [www.ncigf.org](http://www.ncigf.org) under "Resources" and "Publications" and 31 Pa. Code Chapter 165 (relating to Workers' Compensation Security Fund) may be viewed at [www.pacode.com](http://www.pacode.com). Additional information regarding the fund is located on the Department's web site at [www.insurance.pa.gov](http://www.insurance.pa.gov).

No acknowledgement of this notice is required.

MICHAEL F. CONSEDINE,  
*Insurance Commissioner*

[Pa.B. Doc. No. 13-485. Filed for public inspection March 15, 2013, 9:00 a.m.]

## LEGISLATIVE REFERENCE BUREAU

### Documents Filed But Not Published

The Legislative Reference Bureau (Bureau) accepted the following documents during the preceding calendar month for filing without publication under 1 Pa. Code § 3.13(b) (relating to contents of *Bulletin*). The Bureau will continue to publish on a monthly basis either a summary table identifying the documents accepted during the preceding calendar month under this subsection or a statement that no documents have been received. For questions concerning or copies of documents filed, but not published, call (717) 783-1530.

#### *Executive Board*

Resolution No. CB-13-001, Dated February 5, 2013. Authorizes the side letter with AFSCME and certain management employees that provides for lump sum payments for employees in the Department of Labor and Industry who acquire UCC certifications effective 1/1/2013.

#### *Governor's Office*

Management Directive No. 250.1—Advertisement of Public Meetings, Amended February 14, 2013.

Management Directive No. 315.17—Direct Deposit of Pay and Travel Reimbursements, Amended February 11, 2013.

Administrative Circular No. 13-03—Closing Instruction No. 1, Fiscal Year 2012-2013; Submission of Purchasing Documents, Dated February 11, 2013.

MARY JANE PHELPS,  
*Director*  
*Pennsylvania Code and Bulletin*

[Pa.B. Doc. No. 13-486. Filed for public inspection March 15, 2013, 9:00 a.m.]

## PENNSYLVANIA PUBLIC UTILITY COMMISSION

### Section 1307(e) Reconciliation Statement Pilot Program; Tentative Order

Public Meeting held  
February 28, 2013

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

*Section 1307(e) Reconciliation Statement Pilot Program;*  
*Doc. No. M-2013-2345492*

#### **Tentative Order**

*By the Commission:*

The Pennsylvania Public Utility Commission (Commission) seeks to streamline administrative procedures governing the filings of Section 1307(e) reconciliation statements in order to more efficiently utilize Commission resources. In this Tentative Order, the Commission proposes to eliminate an evidentiary hearing, a recommended decision, and a Commission order on Section



1307(e) reconciliation statements when there is no material issue of fact in dispute. When there is no material issue of fact in dispute, the Commission proposes to simply issue a Secretarial Letter regarding the utility's reconciliation statement. When there is a material issue of fact in dispute, the Commission proposes that the Office of Administrative Law Judge (OALJ) hold such evidentiary hearings as may be necessary and issue an initial decision rather than a recommended decision. If no exceptions are filed and no Commission review is requested, the ALJ's initial decision will become final by operation of law.

This Tentative Order will first describe the current procedures and then propose new procedures for all Section 1307(e) reconciliation statements for a one-year pilot period, except for reconciliation statements associated with Section 1307(f) proceedings. In this Tentative Order, we invite all public utilities and interested parties to file comments, if so desired.

#### *Background*

Section 1307 of the Public Utility Code sets forth procedures governing automatic adjustment clauses. 66 Pa.C.S. § 1307. An automatic adjustment clause is a cost recovery mechanism in a tariff provision that allows a public utility to recover, outside the context of a base rate case, certain variable operating costs, such as fuel or purchased power. Commission review of automatic adjustment clauses is a four-step process. First, the Commission reviews a Section 1307(a) automatic adjustment clause proposed by the utility, approving a final version of the clause via Public Meeting action. Second, the Commission reviews subsequent automatic adjustment clause filings and, if computed accurately and in compliance with the tariff, the rate change is permitted to become effective as filed via Secretarial Letter, except for rate changes effective on one day's notice by operation of tariff.<sup>1</sup> Third, the Commission reviews and holds a hearing regarding the Section 1307(e) reconciliation statements and, absent any issues, approves via Public Meeting action. Fourth, the Commission conducts audits of reconciliation statements and, upon completion, the Bureau of Audits (Audits) issues a public report via either Public Meeting action or via Secretarial Letter pursuant to delegated authority. This Order proposes streamlining administrative procedures governing Step Three: review of Section 1307(e) reconciliation statements.

Section 1307(e) of the Public Utility Code is a ratemaking provision that involves automatic adjustment reports and proceedings. 66 Pa.C.S. § 1307(e). Section 1307(e) was designed to provide utilities with a method to increase or decrease rates to reflect changes in specific costs in an efficient manner without the extensive filing requirements and review process of a traditional base rate case.<sup>2</sup> The specifics of a utility's automatic adjustment clause, such as the date of the reconciliation period, are contained in the utility's tariff.

Section 1307(e)(1) requires public utilities using an automatic adjustment clause to annually file a statement showing revenues received and expenses incurred pursuant to the automatic adjustment clause within 30 days

following the end of the 12-month period specified in the tariff. 66 Pa.C.S. § 1307(e)(1). The Code requires the Commission to "hold a public hearing" within 60 days of the filing of the reconciliation statement. 66 Pa.C.S. § 1307(e)(2). Within 60 days of such hearing, the Commission is required to issue an order directing refunds of over-collections to the utility's patrons or recovery of under-collections from the utility's patrons. Section 1307(e)(3). In actuality, these orders do not direct refunds or recovery in the vast majority of cases because the refund or recoupment of the over/under collection amounts in reconciliations have already been provided for as part of the automatic adjustment clause tariff filings that occur outside the Section 1307(e) reconciliation process. Thus, absent any issues raised pertaining to the utility's use of the automatic adjustment clause, such orders regarding the reconciliation statements become mere administrative formalities providing no additional substance or necessary legal effect.

#### *Discussion*

##### *I. Current Commission Procedures for All Reconciliation Statements*

Upon receiving the reconciliation statement required by Section 1307(e)(1), the Commission assigns the matter to Audits to review the statement and verify mathematical accuracy and compliance with the tariff. Audits prepares a hearing exhibit and summary of the filing for the Bureau of Investigation and Enforcement (I&E). I&E then files a notice of appearance in the OALJ proceeding. Parties can object to and challenge the reconciliation statement in writing. OALJ schedules and holds a hearing with an I&E attorney, an Audits witness, and utility attorneys and witnesses. Several hearings are held consecutively on the same day for multiple public utilities. The assigned Administrative Law Judge (ALJ) admits the reconciliation statement into record on motion of the utility or I&E. I&E offers a statement into evidence indicating that acceptance of the statement is subject to further review as to accuracy or reasonableness of the underlying transactions. The ALJ then issues a recommended decision and accepts the filing insofar as it is undisputed, noting that it is subject to further review and revision as may be necessary as a result of an audit or other proceeding. The ALJ also notes that acceptance does not constitute approval of accuracy or reasonableness of underlying transactions. Finally, the Commission adopts the recommended decision through an order at Public Meeting.

##### *II. Proposed Commission Procedures for Reconciliation Statements When There Is No Material Issue of Fact in Dispute*

All Section 1307(e) reconciliation statements will be filed with the Commission's Secretary's Bureau and assigned to Audits. The Commission will also require public utilities to serve the Office of Consumer Advocate, the Office of Small Business Advocate, and the Bureau of Investigation and Enforcement with Section 1307(e) reconciliation statement filings. A person or party must file a written objection within twenty days to challenge a Section 1307(e) reconciliation statement.

Upon assignment, Audits will review the statement and verify mathematical accuracy and compliance with the tariff. If the reconciliation statement is not challenged and there is no material issue of fact in dispute, Audits will issue a Secretarial Letter through delegated authority, accepting the filing insofar as it is undisputed, noting that it is subject to further review and revision as may be

<sup>1</sup>The Commission recently determined that it would eliminate Public Meeting consideration of non-Section 1307(f) automatic adjustment clause tariff filings that raise no issues and are otherwise routine in nature. Nevertheless, all such tariff filings are subject to complaint via Section 701 of the Public Utility Code.

<sup>2</sup>See *National Fuel Gas Distribution Corp. v. Pa. Public Utility Commission*, 473 A.2d 1109, 1117-1119 (Pa. Cmwlth. 1984) (describing the legislative intent behind Section 1307 of the Public Utility Code and emphasizing the Commission's power to "[design] detailed procedures by which a utility shall translate a mandatory rate adjustment mechanism prescribed by the Commission into particular customer charges").



necessary as a result of an audit or other proceeding. Audits will also note that acceptance does not constitute approval of accuracy or reasonableness of underlying transactions.

*III. Proposed Commission Procedures for Reconciliation Statements When There Is A Material Issue of Fact in Dispute Or Other Challenge*

All Section 1307(e) reconciliation statements will be filed with the Commission's Secretary's Bureau and assigned to Audits. The Commission will also require public utilities to serve the Office of Consumer Advocate, the Office of Small Business Advocate, and the Bureau of Investigation and Enforcement with Section 1307(e) reconciliation statement filings. A person or party must file a written objection within twenty days to challenge a Section 1307(e) reconciliation statement.

Upon assignment, Audits will review the statement and verify mathematical accuracy and compliance with the tariff. If the reconciliation statement is challenged or there is a material issue of fact in dispute, the matter will be referred to OALJ for hearing and decision. However, instead of issuing a recommended decision, the ALJ will issue an initial decision since this is not a "rate determination proceeding" requiring issuance of a recommended decision under Section 335(a) of the Public Utility Code. See 66 Pa.C.S. § 335(a).<sup>3</sup> If no exceptions are filed and Commission review is not requested, the ALJ's initial decision will become final by operation of law. If exceptions are filed or if Commission review is requested, the Commission will review and adopt an appropriate order at Public Meeting.

*Conclusion*

Implementing the above-noted procedures will streamline the process for filing Section 1307(e) reconciliation statements, ultimately saving the Commission time and resources. In this Tentative Order, the Commission proposes to eliminate an evidentiary hearing, a recommended decision, and Commission Public Meeting action regarding Section 1307(e) reconciliation statements when there is no material issue of fact in dispute. When there is no material issue of fact in dispute, the Commission will forego the evidentiary hearing process and issue a Secretarial Letter accepting the reconciliation statement. When there is a material issue of fact in dispute or other challenge that requires an evidentiary hearing, the Commission proposes that OALJ, after hearing and briefing, will issue an initial decision rather than a recommended decision. If no exceptions are filed and no Commission review is requested, the initial decision will become final by operation of law. This will eliminate the need for the Commission to act at a subsequent Public Meeting.

By way of this Tentative Order, we invite all public utilities and interested parties to file comments, if so desired. Through this Order, the Commission proposes these new administrative procedures governing the filing of Section 1307(e) reconciliation statements for a one-year pilot period. In the event the Commission determines that it will continue the new procedures after the initial one-year pilot period, the Commission will notify the appropriate stakeholders, subject to initiation of a proposed rulemaking to reflect such new procedures; *Therefore,*

<sup>3</sup> As noted herein, the reconciliation statement itself does not contain or propose any rate changes. Rate changes are contained in the automatic adjustment clause filings that have already occurred outside the Section 1307(e) reconciliation process.

*It Is Ordered That:*

1. During a one-year pilot period, the Commission proposes to adopt the above-noted procedures governing the filing and review of Section 1307(e) reconciliation statements as set forth in this Order.

2. During the pilot period, in addition to the Section 1307(e) reconciliation statement filings served with the Commission, the Commission will require public utilities to serve the Office of Consumer Advocate, the Office of Small Business Advocate, and the Bureau of Investigation and Enforcement with Section 1307(e) reconciliation statement filings. A person or party must file a written objection within twenty (20) days to challenge a Section 1307(e) reconciliation statement.

3. Any interested party is provided thirty (30) days from the date of entry of this Tentative Order to file comments to this Tentative Order. If no comments are filed within thirty (30) days, the Commission will subsequently issue a Final Order establishing the above-noted procedures on a one-year pilot basis, subject to initiation of a proposed rulemaking.

4. The proposed effective date for the new procedures is for Section 1307(e) reconciliation statements filed on or after July 1, 2013.

5. A copy of this Order shall be published in the *Pennsylvania Bulletin* and posted on the Commission's website at [www.puc.pa.gov](http://www.puc.pa.gov).

6. A copy of this Order be served on the appropriate stakeholders in this matter, including all natural gas, electric, steam, and water public utilities, the Bureau of Investigation and Enforcement, the Bureau of Audits, the Office of Administrative Law Judge, the Office of Consumer Advocate, and the Office of Small Business Advocate.

ROSEMARY CHIAVETTA,  
*Secretary*

[Pa.B. Doc. No. 13-487. Filed for public inspection March 15, 2013, 9:00 a.m.]

**Service of Notice of Motor Carrier Applications**

The following temporary authority and/or permanent authority applications for the right to render service as a common carrier or contract carrier in this Commonwealth have been filed with the Pennsylvania Public Utility Commission. Formal protests and petitions to intervene must be filed in accordance with 52 Pa. Code (relating to public utilities). A protest shall indicate whether it applies to the temporary authority application, the permanent authority application, or both. Filings must be made with the Secretary, Pennsylvania Public Utility Commission, P. O. Box 3265, Harrisburg, PA 17105-3265, with a copy served on the applicant by April 1, 2013. Documents filed in support of the applications are available for inspection and copying at the Office of the Secretary between 8 a.m. and 4:30 p.m., Monday through Friday, and at the business address of the respective applicant.

**Applications of the following for approval to *begin* operating as *common carriers* for transportation of *persons* as described under each application.**

**A-2012-2334962. A & JA Shuttle Service, LLC** (45 East City Avenue, #371, Bala-Cynwyd, Montgomery

County, PA 19004)—persons in paratransit service, from points in the City and County of Philadelphia, limited to persons requiring transportation to any correctional facility in Pennsylvania, and return.

**A-2012-2335325. Steel Valley Ambulance, Inc.** (325 East 7th Avenue, Homestead, Allegheny County, PA 15120)—persons in paratransit service, from points in Allegheny County, to points in Pennsylvania, and return. *Attorney:* Christina M. Mellot, 5010 East Trindle Road, Suite 202, Mechanicsburg, PA 17050.

**A-2012-2335984. Anthony F. Williams, t/a Tony Williams Car Service** (1620 Forbes Avenue, Pittsburgh, Allegheny County, PA 15219)—persons in limousine service, from points in Allegheny, Beaver and Washington Counties, to points in Pennsylvania, and return; excluding areas under the jurisdiction of the Philadelphia Parking Authority.

**Application of the following for approval of the beginning of the exercise of the right and privilege of operating motor vehicles as common carriers for the transportation of persons by transfer of rights as described under the application.**

**A-2012-2335281. Nazareth Ambulance Corps** (49 South Broad Street, Nazareth, Northampton County, PA 18064)—in paratransit service, from points in the Counties of Lehigh and Northampton, and the Township of Springfield in Bucks County, to points in Pennsylvania and return; which is to be a transfer of all rights authorized under the certificate issued at A-00122424 to Northern Lehigh Ambulance Service, Inc., subject to the same limitations and conditions. *Attorney:* Scott R. Steirer, 124 Belvidere Street, Nazareth, PA 18064.

**Application of the following for approval of the additional right and privilege of operating motor vehicles as common carriers for transportation of persons as described under the application.**

**A-2012-2339043. Gegen, LLC** (1701 Walnut Street, 7th Floor, Philadelphia, PA 19103)—persons in limousine service, from points in Bucks, Chester, Delaware and Montgomery Counties, to points in Pennsylvania, and return; excluding areas under the jurisdiction of the Philadelphia Parking Authority. *Attorney:* David P. Temple, 1760 Market Street, Suite 1100, Philadelphia, PA 19103.

**Application of the following for approval of the beginning of the exercise of the right and privilege of operating motor vehicles as common carriers for the transportation of household goods as described under the application.**

**A-2012-2336383. Star City Moving, LLC** (441 North 5th Street, Suite 310, Philadelphia, PA 19123) for the right to begin to transport, as a common carrier, by motor vehicle, household goods in use, between points in the Counties of Philadelphia, Bucks, Montgomery, Chester and Delaware, and from points in said counties, to points in Pennsylvania: *So as to Permit* the transportation of household goods in use: between points within the Counties of Philadelphia, Bucks, Montgomery, Chester and Delaware, and from points within Philadelphia, Bucks, Montgomery, Chester and Delaware Counties to points in Pennsylvania and vice versa.

**Applications of the following for the approval of the right and privilege to discontinue/abandon operating as common carriers by motor vehicle and for cancellation of the certificate of public convenience as described under each application.**

**A-2013-2343283. Aaron's Transportation Services, LLC** (323 Sherbrook Boulevard, Upper Darby, Delaware County, PA 19082)—discontinuance of service and cancellation of its certificate—persons in paratransit service, from points in the County of Delaware, to all State and Federal correctional institutions located in Pennsylvania, and return.

**A-2013-2346902. Motor Transportation Co, Inc.** (120 North Pine Street, Hazleton, Luzerne County, PA 18201)—discontinuance of service and cancellation of its certificate—persons in limousine service, between points in Pennsylvania, excluding points under the jurisdiction of the Philadelphia Parking Authority.

**A-2013-2343216. Red Lion Bus, Inc.** (110 East Walnut Street, Red Lion, PA 17356) a corporation of the Commonwealth of Pennsylvania, for the discontinuance of service and cancellation of its certificate, as a common carrier, by motor vehicle, authorizing the transportation of persons in scheduled route service, between points in York County, as more thoroughly described in the Orders granting authority at A-00079650, F.2, F.5, and all its amendments, and F.7. *Attorney:* Charles E. Thomas, III, Thomas, Long, Niesen & Kennard, 212 Locust Street, Suite 500, P. O. Box 9500, Harrisburg, PA 17108-9500.

*Pennsylvania Public Utility Commission, Bureau of Investigation and Enforcement v. Lambert Worldwide Services LLC; Doc. No. C-2012-2325494*

#### 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 Investigation and Enforcement and other bureaus with enforcement responsibilities. Pursuant to that delegated authority and Section 701 of the Public Utility Code, the Bureau of Investigation and Enforcement hereby represents as follows:

1. That all authority issued to Lambert Worldwide Services LLC, (respondent) is under suspension effective September 11, 2012 for failure to maintain evidence of insurance on file with this Commission.

2. That respondent maintains a principal place of business at 6703 Germantown Avenue, Philadelphia, PA 19119-2109.

3. That respondent was issued a Certificate of Public Convenience by this Commission on February 10, 2012, at A-6413114.

4. That respondent has failed to maintain evidence of Liability insurance on file with this Commission. The Bureau of Investigation and Enforcement's proposed civil penalty for this violation is \$500 and cancellation of the Certificate of Public Convenience.

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-6413114 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 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: 9/24/2012 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 shall be mailed to:

Rosemary Chiavetta, Secretary  
Pennsylvania Public Utility Commission  
P. O. Box 3265  
Harrisburg, Pennsylvania 17105-3265

Or may be sent by overnight delivery to:

400 North Street, 2nd Floor  
Harrisburg, Pennsylvania 17120

Additionally, please serve a copy on:

Wayne T. Scott, Prosecutor  
Bureau of Investigation and Enforcement  
Pennsylvania Public Utility Commission  
P. O. Box 3265  
Harrisburg, Pennsylvania 17105-3265

B. If you fail to answer this Complaint within twenty (20) days of the date of service, the Bureau of Investigation and Enforcement will request that the Commission issue a Secretarial Letter imposing the penalty proposed in this Complaint. 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 this Complaint by certified check or money order within twenty (20) days of the date of service of this Complaint. Acord Certificates of Insurance and faxed form Es and Hs are unacceptable as evidence of insurance.

The proof of insurance must be filed with the:

Compliance Office, Bureau of Technical Utility  
Services  
Pennsylvania Public Utility Commission  
P. O. Box 3265  
Harrisburg, PA 17105-3265

Payment of the fine must be made to the Commonwealth of Pennsylvania and should be forwarded to:

Rosemary Chiavetta, 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 upon receipt of your 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 Investigation and Enforcement will request that the Commission issue a Secretarial Letter imposing the proposed penalty in this Complaint, 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 in this Complaint.

F. If you have questions regarding this Complaint or if you would like an alternative format of this Complaint (for persons with disabilities), please contact the Compliance Office at (717) 787-1227.

ROSEMARY CHIAVETTA,  
Secretary

[Pa.B. Doc. No. 13-488. Filed for public inspection March 15, 2013, 9:00 a.m.]

#### **Telecommunications**

**A-2013-2350891. United Telephone Company of Pennsylvania, LLC, d/b/a CenturyLink and MCImetro Access Transmission Services, LLC, d/b/a Verizon.**



Joint petition of the United Telephone Company of Pennsylvania, LLC, d/b/a CenturyLink and MCImetro Access Transmission Services, LLC, d/b/a Verizon for approval of an amendment No. 1 to the interconnection, collocation and resale agreement under section 252(e) of the Telecommunications Act of 1996.

The United Telephone Company of Pennsylvania, LLC, d/b/a CenturyLink and MCImetro Access Transmission Services, LLC, d/b/a Verizon, by its counsel, filed on March 1, 2013, at the Pennsylvania Public Utility Commission (Commission), a joint petition for approval of an amendment No. 1 to the interconnection, collocation and resale agreement under sections 251 and 252 of the Telecommunications Act of 1996.

Interested parties may file comments concerning the petition and agreement with the Secretary, Pennsylvania Public Utility Commission, P. O. Box 3265, Harrisburg, PA 17105-3265. Comments are due on or before 10 days after the date of publication of this notice. Copies of the United Telephone Company of Pennsylvania, LLC, d/b/a CenturyLink and MCImetro Access Transmission Services, LLC, d/b/a Verizon, joint petition are on file with the Commission and are available for public inspection.

The contact person is Cheryl Walker Davis, Director, Office of Special Assistants, (717) 787-1827.

ROSEMARY CHIAVETTA,  
*Secretary*

[Pa.B. Doc. No. 13-489. Filed for public inspection March 15, 2013, 9:00 a.m.]

### Transfer of Customer Base

**A-2013-2351162 and A-2013-2351165. Voice-Ring of Pa, Inc. and PNG Telecommunications, Inc., d/b/a PowerNet Global Communications.** Joint application of Voice-Ring of Pa, Inc. and PNG Telecommunications, Inc., d/b/a PowerNet Global Communications for approval of a transfer of customer base from Voice-Ring of Pa, Inc. to PNG Telecommunications, Inc., d/b/a PowerNet Global Communications.

Formal protests and petitions to intervene must be filed in accordance with 52 Pa. Code (relating to public utilities). Filings must be made with the Secretary of the Pennsylvania Public Utility Commission, P. O. Box 3265, Harrisburg, PA 17105-3265, with a copy served on the applicant, on or before April 1, 2013. The documents filed in support of the application are available for inspection and copying at the Office of the Secretary between 8 a.m. and 4:30 p.m., Monday through Friday, on the Pennsylvania Public Utility Commission's web site at [www.puc.state.pa.us](http://www.puc.state.pa.us) and at the applicant's business address.

*Applicants:* Voice-Ring of Pa, Inc., PNG Telecommunications, Inc., d/b/a PowerNet Global Communications

*Through and By Counsel:* Karen Kovach, Esquire, General Counsel, PowerNet Global Communications, 100 Commercial Drive, Fairfield, OH 45014

ROSEMARY CHIAVETTA,  
*Secretary*

[Pa.B. Doc. No. 13-490. Filed for public inspection March 15, 2013, 9:00 a.m.]

### Water Service

**A-2013-2350290. Pennsylvania-American Water Company.** Application of Pennsylvania-American Water Company for approval of the right to supply water service to the public in a portion of Young Township, Jefferson County.

Formal protests and petitions to intervene must be filed in accordance with 52 Pa. Code (relating to public utilities). Filings must be made with the Secretary of the Pennsylvania Public Utility Commission, P. O. Box 3265, Harrisburg, PA 17105-3265, with a copy served on the applicant, on or before April 1, 2013. The documents filed in support of the application are available for inspection and copying at the Office of the Secretary between 8 a.m. and 4:30 p.m., Monday through Friday, on the Pennsylvania Public Utility Commission's web site at [www.puc.state.pa.us](http://www.puc.state.pa.us), and at the applicant's business address.

*Applicant:* Pennsylvania American Water Company

*Through and By Counsel:* Velma A. Redmond, Esquire, Susan Simms Marsh, Esquire, Seth A. Mendelsohn, Esquire, 800 West Hersheypark Drive, Hershey, PA 17033

ROSEMARY CHIAVETTA,  
*Secretary*

[Pa.B. Doc. No. 13-491. Filed for public inspection March 15, 2013, 9:00 a.m.]

### Water Service

**A-2013-2350899. Pennsylvania American Water Company and Pocono Mountain Lake Forest Community Association.** Application of Pennsylvania American Water Company and Pocono Mountain Lake Forest Community Association for approval of: 1) the transfer, by sale, of the water works property and rights of the Pocono Mountain Lake Forest Community Association to Pennsylvania American Water Company; and 2) the beginning by Pennsylvania American Water Company of water service to the public in additional portions of Delaware Township, Pike County, presently being served by Pocono Mountain Lake Forest Community Association.

Formal protests and petitions to intervene must be filed in accordance with 52 Pa. Code (relating to public utilities). Filings must be made with the Secretary of the Pennsylvania Public Utility Commission, P. O. Box 3265, Harrisburg, PA 17105-3265, with a copy served on the applicant, on or before April 1, 2013. The documents filed in support of the application are available for inspection and copying at the Office of the Secretary between 8 a.m. and 4:30 p.m., Monday through Friday, on the Pennsylvania Public Utility Commission's web site at [www.puc.state.pa.us](http://www.puc.state.pa.us), and at the applicant's business address.

*Applicant:* Pennsylvania American Water Company

*Through and By Counsel:* Velma A. Redmond, Esquire, Susan Simms Marsh, Esquire, Seth A. Mendelsohn, Esquire, 800 West Hersheypark Drive, Hershey, PA 17033

ROSEMARY CHIAVETTA,  
*Secretary*

[Pa.B. Doc. No. 13-492. Filed for public inspection March 15, 2013, 9:00 a.m.]



