

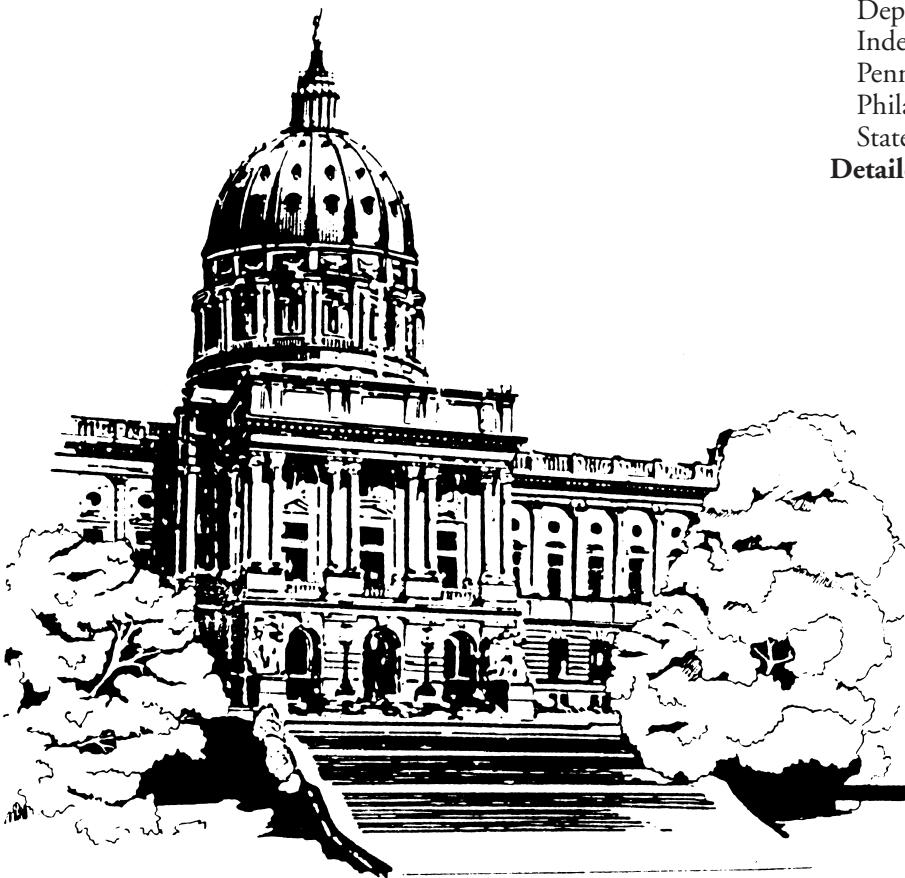
PENNSYLVANIA BULLETIN

Volume 43
Saturday, September 7, 2013 • Harrisburg, PA
Number 36
Pages 5385—5438

Agencies in this issue

The Courts
Department of Banking and Securities
Department of Environmental Protection
Department of Health
Department of Labor and Industry
Department of Transportation
Independent Regulatory Review Commission
Pennsylvania Public Utility Commission
Philadelphia Parking Authority
State Board of Nursing

Detailed list of contents appears inside.



CONTENTS

THE COURTS

APPELLATE PROCEDURE

Order amending Rule 3121 of the Rules of Appellate Procedure; no. 235 appellate procedural rules doc. 5394
 Proposed amendments to Pa.R.A.P. 1972 and 2542 . . 5393

LOCAL COURT RULES

Butler County
 Local rules of court; MsD 13-40206 5395

EXECUTIVE AGENCIES

DEPARTMENT OF BANKING AND SECURITIES

Notices
 Actions on applications 5396

DEPARTMENT OF ENVIRONMENTAL PROTECTION

Notices
 Applications, actions and special notices 5397
 Bid opportunity (2 documents) 5433, 5434

DEPARTMENT OF HEALTH

Notices
 Long-term care nursing facilities; request for exception 5434

DEPARTMENT OF LABOR AND INDUSTRY

Notices
 Current Prevailing Wage Act debarments (2 documents) 5434

DEPARTMENT OF TRANSPORTATION

Notices
 Committee meetings 5435

INDEPENDENT REGULATORY REVIEW COMMISSION

Notices
 Action taken by the Commission 5435
 Notice of filing of final rulemakings 5436

PENNSYLVANIA PUBLIC UTILITY COMMISSION

Notices
 Service of notice of motor carrier applications 5436

PHILADELPHIA PARKING AUTHORITY

Notices
 Meeting 5436

STATE BOARD OF NURSING

Notices
 Bureau of Professional and Occupational Affairs v. Abner Roberts, IV, LPN; doc. no. 0280-51-2013 5437
 Commonwealth of Pennsylvania, Bureau of Professional and Occupational Affairs vs. Andrew F. Tindor, LPN, respondent; file no. 10-51-11009; doc. no. 1215-51-11 5437
 Suspension of the license to practice professional nursing of Vanessa Ann Rhodes, LPN; doc. no. 0167-51-13; file no. 12-51-01281 5437

Now Available Online at <http://www.pabulletin.com>

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.

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

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

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

**SUBSCRIPTION INFORMATION: (717) 766-0211
GENERAL INFORMATION AND FINDING AIDS: (717) 783-1530**

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.

Reproduction, Dissemination or Publication of Information

Third parties may not take information from the *Pennsylvania Code* and *Pennsylvania Bulletin* and reproduce, disseminate or publish such information except as provided by 1 Pa. Code § 3.44. 1 Pa. Code § 3.44 reads as follows:

§ 3.44. General permission to reproduce content of Code and Bulletin.

Information published under this part, which information includes, but is not limited to, cross references, tables of cases, notes of decisions, tables of contents, indexes, source notes, authority notes, numerical lists and codification guides, other than the actual text of rules or regulations may be reproduced only with the written consent of the Bureau. The information which appears on the same leaf with the text of a rule or regulation, however, may be incidentally reproduced in connection with the reproduction of the rule or regulation, if the reproduction is for the private use of a subscriber and not for resale. There are no other restrictions on the reproduction of information published under this part, and the Commonwealth hereby consents to a reproduction.

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.

4 Pa. Code (Administration)

Proposed Rules

405 1850

Statements of Policy

9 220, 875, 1084, 1283, 1863, 2610, 3113,
3510, 4101, 4601
58 1731
67a 877

7 Pa. Code (Agriculture)

Adopted Rules

143 216
144 216

Proposed Rules

137b 4344

12 Pa. Code (Commerce, Trade and Local Government)

Proposed Rules

149 3110

17 Pa. Code (Conservation and Natural Resources)

Adopted Rules

45 4077

Proposed Rules

45 1419

22 Pa. Code (Education)

Adopted Rules

4 4079
19 3337
31 2436

25 Pa. Code (Environmental Protection)

Adopted Rules

78 526
93 4080
105 967
121 806
123 806, 2140
139 806
901 830

Proposed Rules

127 677
208 2587
271 4858
272 4858
273 4858
284 4858
285 4858
287 4858
288 4858
299 4858
806 872
901 4740
1021 2591

Statements of Policy

16 4103

31 Pa. Code (Insurance)

Adopted Rules

161 2816
163 2819

Proposed Rules

124 1269

34 Pa. Code (Labor and Industry)

Adopted Rules

63 2438
65 4730

37 Pa. Code (Law)

Proposed Rules

79 2589

40 Pa. Code (Liquor)

Adopted Rules

5 3946
15 12

Proposed Rules

11 2040

49 Pa. Code (Professional and Vocational Standards)

Adopted Rules

5 4850
13 2033
16 2142, 3347, 4329
18 2142, 2145, 4329
25 2147, 4336
36 3098
42 2991, 3350

Proposed Rules

1 1279
3 1854
6 2041
7 1855
13 2044
15 1859
27 2439
33 1857
45 2042
47 1281

Statements of Policy

13 1422

51 Pa. Code (Public Officers)

Proposed Rules

53 3009

52 Pa. Code (Public Utilities)

Adopted Rules

33 2820
59 4586
62 1413
111 3473
1005 2992

Proposed Rules

1 1273, 2602
 3 2602
 5 1273, 2602
 23 2602
 29 2602
 32 2602
 53 2602
 54 2602
 57 2602
 59 2602
 62 2602
 65 870
 1011 1725
 1015 1725
 1017 1720, 1725
 1021 1725
 1027 1725
 1051 1725
 1053 1725
 1055 1720
 1057 1725
 1059 1725

Statements of Policy

41 2852

55 Pa. Code (Public Welfare)

Adopted Rules

52 833
 5230 2572

Proposed Rules

1187 4599, 4855
 1189 4855

Statements of Policy

51 878
 5200 4355
 5210 4355
 5320 4355
 6000 1732
 6400 222

58 Pa. Code (Recreation)

Adopted Rules

29 2714
 51 4214
 65 3232
 69 4214
 93 4214
 113 4214
 139 2999, 3006
 141 3006
 143 3007
 147 2311
 401a 660, 4096
 403a 660
 405a 660
 407a 660
 437a 4096
 441a 4096
 461a 660
 471a 660
 491a 660
 493a 660
 494a 660
 495a 660
 497a 660
 499a 660
 501a 660

511a 660
 581 3495
 583 3495
 585 3495
 587 4971

Proposed Rules

53 3238
 61 3237
 63 3235
 65 2034, 2035
 75 15, 3233
 101 3238
 105 3238
 137 2039
 139 1712, 1718, 2037
 141 1710
 143 2037, 4741
 421a 2152
 421b 2152
 439a 2152
 461a 834
 465a 834, 2152, 2827
 481a 2152
 501a 2152
 503a 2152
 503b 2152
 513a 2152
 525 834
 575 834
 577 834
 579 834
 603a 834, 2152
 605a 2312
 609a 834
 623a 834
 627a 834
 629a 834
 631a 834
 633a 834, 2152
 635a 834
 637a 834
 639a 2312, 2827
 641a 2312, 2827
 643a 2312, 2827
 645a 2827
 647a 2312, 2827
 649a 834, 2827
 653a 2312, 2827
 655a 2312, 2827
 657a 2312, 2827
 659a 834
 661a 834
 663a 834
 665a 834

Statements of Policy

439b 1733
 461b 4744

61 Pa. Code (Revenue)

Adopted Rules

7 532
 117 535
 119 535
 121 535
 901 532

67 Pa. Code (Transportation)

Proposed Rules

231 3010

101 Pa. Code (General Assembly)
Statements of Policy
 31 17
 303 878

201 Pa. Code (Rules of Judicial Administration)
Adopted Rules
 1 2988
 7 3327
 19 3223

204 Pa. Code (Judicial System General Provisions)
Adopted Rules
 71 2559
 81 1173
 83 1173
 303 3655

Proposed Rules
 71 1699
 81 1997
 83 4967
 303 431

207 Pa. Code (Judicial Conduct)
Proposed Rules
 51 2269

210 Pa. Code (Appellate Procedure)
Adopted Rules
 1 2007
 2 2007
 3 2423, 3327
 5 2423
 9 3327
 11 3223
 15 3327
 17 2271, 3223
 19 2810
 21 2007, 2704
 25 964, 2007
 31 5394
 33 3223, 3470
 37 3225
 63 514, 3227
 65 298

Proposed Rules
 3 3082
 9 3082
 11 3082
 19 1700, 3084, 5393
 21 3082
 25 5393
 40 1700

225 Pa. Code (Rules of Evidence)
Adopted Rules
 Article I 620
 Article II 620
 Article III 620
 Article IV 620
 Article V 620
 Article VI 620
 Article VII 620
 Article VIII 620
 Article IX 620
 Article X 620

Proposed Rules
 Article VIII 210

231 Pa. Code (Rules of Civil Procedure)
Adopted Rules
 200 525
 1000 1835
 1300 2135
 1900 3932
 1910 801, 2272
 1915 2559, 3936, 3937, 4702
 1930 3329
 3000 2136
 Part II 1836

Proposed Rules
 1910 3932
 Part II 2010

234 Pa. Code (Rules of Criminal Procedure)
Adopted Rules
 1 652
 2 652
 4 654, 4323
 5 2560, 2704, 3330, 4062, 4715
 6 2704, 3330
 7 1702
 8 4715
 10 2560, 2704, 4062

Proposed Rules
 5 210, 4210
 6 2304
 8 801

237 Pa. Code (Juvenile Rules)
Adopted Rules
 1 3938, 3941
 2 3938
 6 1551, 3938
 11 3941

Proposed Rules
 1 2306
 11 2306

246 Pa. Code (Minor Court Civil Rules)
Adopted Rules
 200 4967
 400 4967
 1000 4969

Proposed Rules
 200 8, 2136
 300 3470
 400 8
 500 3085, 3470
 1000 3085

249 Pa. Code (Philadelphia Rules)
 Unclassified 657, 658, 1078, 2138, 4064, 4212

252 Pa. Code (Allegheny County Rules)
 Unclassified 2711, 3229

255 Pa. Code (Local Court Rules)
 Unclassified 9, 11, 212, 214, 299, 658, 964, 1173, 1175, 1176, 1408, 1410, 1551, 1842, 2139, 2308, 2309, 2424, 2435, 2563, 2989, 3088, 3230, 3332, 3942, 3943, 4065, 4067, 4070, 4071, 4213, 4326, 4327, 4723, 4724, 4726, 4839, 4845, 4848, 4970, 5395

THE COURTS

Title 210—APPELLATE PROCEDURE

PART I. RULES OF APPELLATE PROCEDURE

[210 PA. CODE CHS. 19 AND 25]

Proposed Amendments to Pa.R.A.P. 1972 and 2542

The Appellate Court Procedural Rules Committee proposes to recommend amendments to Pa.R.A.P. 1972 and 2542. This proposal is being submitted for public comments, suggestions, and concerns prior to submission to the Supreme Court.

Proposed new material is in bold face type and deleted material is bracketed and in bold face type.

All communications in reference to the proposed amendment should be sent no later than October 16, 2013 to:

Appellate Court Procedural Rules Committee
 Pennsylvania Judicial Center
 601 Commonwealth Ave., Suite 6200
 P. O. Box 62635
 Harrisburg, Pennsylvania 17106-2635
 or Fax to
 (717) 231-9551
 or E-Mail to
 appellaterules@pacourts.us

An Explanatory Comment precedes the proposed amendment and has been inserted by this Committee for the convenience of the bench and bar. It will not constitute part of the rule nor will it be officially adopted or promulgated.

*By the Appellate Court
 Procedural Rules Committee*

HONORABLE RENÉE COHN JUBELIRER,
Chair

Annex A

TITLE 210. APPELLATE PROCEDURE

PART I. RULES OF APPELLATE PROCEDURE

ARTICLE II. APPELLATE PROCEDURE

CHAPTER 19. PREPARATION AND TRANSMISSION OF RECORD AND RELATED MATTERS

DISPOSITION WITHOUT REACHING THE MERITS

Rule 1972. Dispositions on Motion.

* * * * *

Official Note: [Based on former Supreme Court Rule 33 and former Superior Court Rule 25.

As to Paragraph (6), see, e.g. *Commonwealth v. Galloway*, 460 Pa. 309, 333 A.2d 741 (1975) (continuing generally), *Commonwealth v. Barron*, 237 Pa. Super. 369, 352 A.2d 84 (1975) (quashing).]

If an appellate court dismisses a criminal appeal under Pa.R.A.P. 1972(a)(6), the fugitive forfeits rather than simply waives the right to assert errors the fugitive might otherwise have raised on direct appeal, and the fugitive may not raise those errors on collateral review. *Commonwealth v. Judge*, 797

A.2d 250, 255, 258-60 (Pa. 2002); *Commonwealth v. Doty*, 48 A.3d 451 (Pa. Super. 2012) (on PCRA); 997 A.2d 1184 (Pa. Super. 2010) (on direct appeal). Forfeiture under this Rule does not limit any review under 42 Pa.C.S. § 9711(h) or Pa.R.A.P. 1941 (Review of Death Sentences).

[Rule 1933 (record for preliminary hearing in appellate court)] Pa.R.A.P. 1933 makes clear the right of a moving party to obtain immediate transmission of as much of the record as may be necessary for the purposes of a motion under this rule. See [Rule 123(c) (speaking applications)] Pa.R.A.P. 123(c).

CHAPTER 25. POST-SUBMISSION PROCEEDINGS

APPLICATION FOR REARGUMENT

Rule 2542. Time for Application for Reargument[.],
Reconsideration or Rehearing; Manner of Filing.

(a) *Time.*

(1) *General rule.*—Except as otherwise prescribed by this rule **or by Pa.R.A.P. 1123(b) or Pa.R.A.P. 3814**, an application for reargument **or for reconsideration of a dispositive order** shall be filed with the prothonotary within [14] 30 days after entry of the judgment or other order involved.

(2) *Children's fast track appeals.*—In a children's fast track appeal, an application for reargument **or for reconsideration of a dispositive order** shall be filed with the prothonotary within 7 days after entry of the judgment or other order involved.

* * * * *

Official Note: [Former Supreme Court Rule 64, former Superior Court Rules 55 and 58 and former Commonwealth Court Rule 113A required the application for reargument to be filed within ten days of the entry of the order. Under Rule 105(b) (enlargement of time) the time for seeking reargument may be enlarged by order, but no order of the Superior Court or of the Commonwealth Court, other than an actual grant of reargument meeting the requirements of Rule 1701(b)(3) (authority of lower court or agency after appeal), will have the effect of postponing the finality of the order involved under Rule 1113 (time for petitioning for allowance of appeal).

The 1986 amendment provided that an application shall be deemed received on the date deposited in the United States mail as shown on a United States Postal Service Form 3817 Certificate of Mailing.

The 2008 amendment provides that an application shall be deemed received on the date deposited in the United States mail as shown on a United States Postal Service Form 3817 Certificate of Mailing or other similar United States Postal Service form from which the date of deposit can be verified.]

This does not affect the 14-day requirement for reconsideration of a petition for allowance of appeal under Pa.R.A.P. 1123(b) or under the Abortion Control Act.

Explanatory Comment*Proposed Amendment to Note to Pa.R.A.P. 1972*

Pa.R.A.P. 1972 addresses appeals that may be dismissed on motion. Paragraph (a)(6) of the rule allows a motion to continue or dismiss because the appellant is a fugitive.

The purpose of the proposed amendment to the note to this rule pertains to paragraph (a)(6) and is to conform the note to reflect more recent case law holding that, although dismissal pursuant to a motion under paragraph (a)(6) or *sua sponte* is not a *per se* rule, a returning fugitive returns to the case in the posture in which it stands at the time of the fugitive's return and with the consequences attendant to that return.

The proposed amendment to the note also explains that, if an appeal is dismissed, appellate rights—except for those guaranteed by 42 Pa.C.S. § 9711(h)—are forfeited, not simply waived, and errors that would have been raised on direct appeal cannot be reviewed collaterally.

Proposed Amendment to Pa.R.A.P. 2542 and Note

Pa.R.A.P. 2542 addresses the time for reargument, reconsideration or rehearing and makes it consistent with the 30-day statutory time for reconsideration under 42 Pa.C.S. § 5505, except in limited circumstances, such as children's fast track (must be filed within seven days); or under Pa.R.A.P. 1123 or 3814.

The proposed amendment to the note to Pa.R.A.P. 2542 explains that, the amendment to the rule extending the time limit generally does not affect the 14-day requirement for reconsideration of a petition for allowance of appeal under Pa.R.A.P. 1123(b) or under the Abortion Control Act.

The remaining proposed amendments to the note to Pa.R.A.P. 2542 eliminate unnecessary language and are ministerial in nature.

[Pa.B. Doc. No. 13-1638. Filed for public inspection September 6, 2013, 9:00 a.m.]

PART I. RULES OF APPELLATE PROCEDURE
[210 PA. CODE CH. 31]

Order Amending Rule 3121 of the Rules of Appellate Procedure; No. 235 Appellate Procedural Rules Doc.

Order*Per Curiam*

And Now, this 21st day of August, 2013, the proposal having not been published in the interests of justice and efficient administration:

It Is Ordered pursuant to Article V, Section 10 of the Constitution of Pennsylvania that Rule 3121 of the Pennsylvania Rules of Appellate Procedure is amended in the following form.

This *Order* shall be processed in accordance with Pa.R.J.A. No. 103(b), and the amendments shall be effective immediately.

Annex A**TITLE 210. APPELLATE PROCEDURE****PART I. RULES OF APPELLATE PROCEDURE****ARTICLE III. MISCELLANEOUS PROVISIONS****CHAPTER 31. BUSINESS OF THE COURTS
GENERALLY****ATTORNEYS AND COUNSELORS**Rule 3121. Practice of Law by Staff; **Qualifications.**

A. Neither the prothonotary, deputy prothonotary, chief clerk, nor any person employed in the Office of the Prothonotary, nor any [**law clerk, administrative assistant, or secretary**] **personal staff** employed by an appellate court or by any judge thereof, shall practice [**in the court**] **before any court or tribunal of this Commonwealth.** Nor shall any such person otherwise practice law [**without prior approval of the judge on whose staff such person is employed or of the president judge if such person is not so employed**]. **Such a person may act *pro se*, and may perform routine legal work incident to the management of the personal affairs of the person or a member of the person's family, as long as the work is performed without compensation and does not involve the entry of an appearance on behalf of the family member in a court or other tribunal. Such limited practice is also subject to the disclosure of employment within the Unified Judicial System to the parties and the court in which the employee represents himself or herself.**

This rule does not apply to *pro bono* activities, provided that they are performed without compensation; do not involve the entry of an appearance before any court or tribunal; do not involve a matter of public controversy, an issue likely to come before the person's court, or litigation against federal, state or local government; and are undertaken after written approval of the Justice or Judge for whom the person is employed and the Chief Justice, or the President Judge of the Superior Court or Commonwealth Court, depending on which court employs the person.

B. Staff attorneys must either be members of the Bar of Pennsylvania, or must have received without exception an earned Bachelor of Laws or Juris Doctor degree from a law school that was an accredited law school at the time the staff attorney matriculated or graduated.

Official Note: Based on former Supreme Court Rule 6, former Superior Court Rule 4 and former Commonwealth Court Rule 60[, and makes no change in substance except to require approval by the appointing authority of the continuance of an outside law practice]. See also 42 Pa.C.S. § 2502 (certain persons not to appear as counsel). **The term "personal staff" includes, for example, a staff attorney, law clerk, administrative assistant, secretary or tipstaff. See 42 Pa.C.S. § 102 (defining "personal staff").**

[Pa.B. Doc. No. 13-1639. Filed for public inspection September 6, 2013, 9:00 a.m.]

Title 255—LOCAL COURT RULES

BUTLER COUNTY

Local Rules of Court; MsD 13-40206

Administrative Order of Court

And Now, this 19th day of August, 2013 it is hereby ordered and decreed that Butler County local rule of Judicial Administration (L1907) is approved and adopted and is made a part of the Butler County Local Rules of Court 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 if required.
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 L1907. Constables; Policies, Procedures and Standards of Conduct.

Constables, including any elected or appointed constable or deputy constable, who may be engaged to perform services for the Court of Common Pleas of Butler County, Pennsylvania or any of Butler County's Magisterial District Judges, shall adhere to the rules promulgated by the Administrative Office of the Pennsylvania Court governing Constable Policies, Procedures and Standards of Conduct. The state rules are herewith adopted for use in Butler County.

Further, all constables shall adhere to the specific Butler County procedures that may be published from time to time to enhance the state's policies and procedures. Should a conflict arise between the state's policies and procedures and those published at the county level the state's policies and procedures shall be considered governing.

The Butler County Court Administrator shall review and publish the Butler County procedures on an annual basis to ensure that any changes in the state's policies and procedures are properly addressed. The Butler County Court Administrator shall make available annually to all certified constables serving the Butler County courts a copy of the most recent publication of the Butler County procedures.

[Pa.B. Doc. No. 13-1640. Filed for public inspection September 6, 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 August 27, 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

Section 112 Acquisitions

<i>Date</i>	<i>Name and Location of Applicant</i>	<i>Action</i>
8-20-2013	ESB Financial Corporation Employee Stock Ownership Plan and Trustee Mario J. Manna Application for approval to acquire up to 24.9% of the common stock of ESB Financial Corporation, Ellwood City, the parent bank holding company of ESB Bank, Ellwood City.	Approved

Holding Company Acquisitions

<i>Date</i>	<i>Name and Location of Applicant</i>	<i>Action</i>
8-26-2013	Peoples Financial Services Corporation Hallstead Susquehanna County Application for approval to acquire 100% of Penseco Financial Services Corporation, Scranton, and thereby indirectly acquire 100% of Penn Security Bank and Trust Company, Scranton.	Filed

Consolidations, Mergers and Absorptions

<i>Date</i>	<i>Name and Location of Applicant</i>	<i>Action</i>
8-26-2013	Peoples Neighborhood Bank Hallstead Susquehanna County Application for approval to merge Penn Security Bank and Trust Company, Scranton, with and into Peoples Neighborhood Bank, Hallstead.	Filed

SAVINGS INSTITUTIONS

No activity.

CREDIT UNIONS

No activity.

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

GLENN E. MOYER,
Secretary

[Pa.B. Doc. No. 13-1641. Filed for public inspection September 6, 2013, 9:00 a.m.]

DEPARTMENT OF ENVIRONMENTAL PROTECTION

Applications, Actions and Special Notices

APPLICATIONS

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

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

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

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

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

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

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

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

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

I. NPDES Renewal Applications

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

<i>NPDES No. (Type)</i>	<i>Facility Name & Address</i>	<i>County & Municipality</i>	<i>Stream Name (Watershed #)</i>	<i>EPA Waived Y/N?</i>
PA0087912 (IW)	Mechanicsburg Terminals Corporation PO Box 2621 Harrisburg, PA 17105	Cumberland County Silver Spring Township	Trindle Spring Run / 7-B	Y

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

<i>NPDES No. (Type)</i>	<i>Facility Name & Address</i>	<i>County & Municipality</i>	<i>Stream Name (Watershed No.)</i>	<i>EPA Waived Y/N?</i>
PA0228982	Jim Kurtz Farm 1070 Grand Valley Road Mifflinburg, PA 17844	Union County West Buffalo Township	Unnamed Tributary of Buffalo Creek, Unnamed Tributary of Coal Run (10-C)	N
PA0110272 (Sewage)	Cogan Valley MHP 480 Route 973 West Cogan Station, PA 17728	Lycoming County Hepburn Township	Lycoming Creek (10-A)	Y

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

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

PA0062103, Sewage, SIC Code 4952, **Spring Brook Township Sewer Authority**, P.O. Box 1100, Moscow, PA 18444. Facility Name: Spring Brook Township Sewer Authority WWTP. This existing facility is located in Roaring Brook Township, **Lackawanna 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, Green Run, is located in State Water Plan watershed 05A 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 0.160 MGD.

<i>Parameters</i>	<i>Mass (lb/day)</i>			<i>Concentration (mg/l)</i>		<i>Instant. Maximum</i>
	<i>Average Monthly</i>	<i>Daily Maximum</i>	<i>Minimum</i>	<i>Average Monthly</i>	<i>Weekly Average</i>	
Flow (MGD)	Report	Report	XXX	XXX	XXX	XXX
pH (S.U.)	XXX	XXX	6.0	XXX	XXX	9.0
Dissolved Oxygen	XXX	XXX	7.0	XXX	XXX	XXX
CBOD ₅	33.4	53.4	XXX	25.0	40.0	50.0
		Wkly Avg				
BOD ₅ Influent	Report	Report	XXX	Report	XXX	XXX
Total Suspended Solids Influent	Report	Report	XXX	Report	XXX	XXX
Total Suspended Solids	40.0	60.0	XXX	30.0	45.0	60.0
		Wkly Avg				
Fecal Coliform (CFU/100 ml) May 1 - Sep 30	XXX	XXX	XXX	200 Geo Mean	XXX	1,000
Oct 1 - Apr 30	XXX	XXX	XXX	2,000 Geo Mean	XXX	10,000
Nitrate-Nitrite as N	17.3	XXX	XXX	13.0	XXX	26.0
Total Nitrogen	Report Annl Avg	XXX	XXX	Report Annl Avg	XXX	XXX
Ammonia-Nitrogen May 1 - Oct 31 (Final)	4.0	XXX	XXX	3.0	XXX	6.0
Nov 1 - Apr 30 (Final)	12.0	XXX	XXX	9.0	XXX	18.0
Total Kjeldahl Nitrogen	Report Annl Avg	XXX	XXX	Report Annl Avg	XXX	XXX
Total Phosphorus	Report Annl Avg	XXX	XXX	Report Annl Avg	XXX	XXX

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

- Solids Management
- Instream monitoring requirements
- Compliance Schedule for achieving Ammonia-Nitrogen effluent limitations

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.

PA0012475, SIC Code 4911, **NRG Rema LLC**, 121 Champion Way Suite 200, Canonsburg, PA 15317-5817. Facility Name: NRG Rema LLC Portland Station. This existing facility is located in Upper Mount Bethel Township, **Northampton County**.

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

The receiving stream(s), Delaware River and Merrill Creek, are located in the Bushkill Watershed 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 298.71 MGD.

<i>Parameters</i>	<i>Mass (lb/day)</i>			<i>Concentration (mg/l)</i>		<i>Instant. Maximum</i>
	<i>Average Monthly</i>	<i>Daily</i>	<i>Minimum</i>	<i>Average Monthly</i>	<i>Daily Maximum</i>	
Flow (MGD)	Report	XXX	XXX	XXX	XXX	XXX
pH (S.U.)	XXX	XXX	6.0	XXX	XXX	9.0
Total Residual Chlorine	XXX	XXX	XXX	XXX	0.2	XXX
Temperature (°F)						
Ambient	XXX	XXX	XXX	Report	XXX	XXX
Downstream Monitoring	XXX	XXX	XXX	Report	XXX	XXX
Jan 1-31	XXX	XXX	XXX	XXX	93.8	XXX
Feb 1-29	XXX	XXX	XXX	XXX	66.2	XXX
Mar 1-31	XXX	XXX	XXX	XXX	65.3	XXX
Apr 1 - Sep 30	XXX	XXX	XXX	XXX	110	XXX
Oct 1-31	XXX	XXX	XXX	XXX	104.7	XXX
Nov 1-30	XXX	XXX	XXX	XXX	94.4	XXX
Dec 1-31	XXX	XXX	XXX	XXX	58.9	XXX
Temperature Delta (Discharge - Intake) (°F)	XXX	XXX	XXX	Report	XXX	XXX
Bromide	XXX	XXX	XXX	Report	XXX	XXX
Bis(2-Ethylhexyl)Phthalate (µg/L)	XXX	XXX	XXX	4.07	XXX	6.34

The proposed effluent limits for Outfall 002 are based on a design flow of 0.006 MGD.

<i>Parameters</i>	<i>Mass (lb/day)</i>			<i>Concentration (mg/l)</i>		<i>Instant. Maximum</i>
	<i>Average Monthly</i>	<i>Daily</i>	<i>Minimum</i>	<i>Average Monthly</i>	<i>Daily Maximum</i>	
Flow (MGD)	Report	Report	XXX	XXX	XXX	XXX
pH (S.U.)	XXX	XXX	6.0	XXX	XXX	9.0
CBOD ₅	XXX	XXX	XXX	25	XXX	50
Total Suspended Solids	XXX	XXX	XXX	30	XXX	60
Fecal Coliform (CFU/100 ml)	XXX	XXX	XXX	200	XXX	1,000
Ammonia-Nitrogen	XXX	XXX	XXX	Geo Mean 20	XXX	40

The proposed effluent limits for Outfall 003 are based on a design flow of 0.764 MGD.

<i>Parameters</i>	<i>Mass (lb/day)</i>			<i>Concentration (mg/l)</i>		<i>Instant. Maximum</i>
	<i>Average Monthly</i>	<i>Daily</i>	<i>Minimum</i>	<i>Average Monthly</i>	<i>Daily Maximum</i>	
Flow (MGD)	Report	XXX	XXX	XXX	XXX	XXX
pH (S.U.)	XXX	XXX	6.0	XXX	XXX	9.0
Total Suspended Solids	XXX	XXX	XXX	30	60	75
Oil and Grease	XXX	XXX	XXX	15	20	30
Total Copper	XXX	XXX	XXX	1.0	XXX	XXX
Dissolved Iron	XXX	XXX	XXX	Report	XXX	7.0
Total Iron	XXX	XXX	XXX	1.0	XXX	XXX
Total Nickel	XXX	XXX	XXX	Report	XXX	XXX
Total Zinc	XXX	XXX	XXX	Report	XXX	XXX
Hydrazine	XXX	XXX	XXX	0.001	XXX	XXX

The proposed effluent limits for Outfall 101 are based on a design flow of 298.71 MGD.

<i>Parameters</i>	<i>Mass (lb/day)</i>			<i>Concentration (mg/l)</i>		<i>Instant. Maximum</i>
	<i>Average Monthly</i>	<i>Daily</i>	<i>Minimum</i>	<i>Average Monthly</i>	<i>Daily Maximum</i>	
Flow (MGD)	Report	XXX	XXX	XXX	XXX	XXX
Free Available Chlorine	XXX	XXX	XXX	0.2	0.5	XXX
Total Chromium	XXX	XXX	XXX	0.2	0.2	XXX
Total Zinc	XXX	XXX	XXX	1.0	1.0	XXX

The proposed effluent limits for Outfall 201 are based on a design flow of 298.71 MGD.

Parameters	Mass (lb/day)			Concentration (mg/l)		Instant. Maximum
	Average Monthly		Minimum	Average Monthly	Daily Maximum	
Flow (MGD)	Report	XXX	XXX	XXX	XXX	XXX
pH (S.U.)	XXX	XXX	6.0	XXX	XXX	9.0
Total Suspended Solids	XXX	XXX	XXX	30	100	XXX
Total Dissolved Solids	XXX	XXX	XXX	Report	Report	XXX
Oil and Grease	XXX	XXX	XXX	15	20	XXX

The proposed effluent limits for Outfall 301 are based on a design flow of 0.000000 MGD.

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

The proposed effluent limits for Outfall 302 are based on a design flow of 0.000000 MGD.

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

The proposed effluent limits for Outfall 303 are based on a design flow of 0.000000 MGD.

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

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

- Clean water act 316(b) cooling water intake structure requirements.

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

The EPA Waiver is not in effect.

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

Application No. PA0088561, Concentrated Animal Feeding Operation (CAFO), **Evergreen Farms Inc.** (Evergreen Farms CAFO), 3102 Evergreen Lane, Spruce Creek, PA 16683.

Evergreen Farms Inc. has submitted an application for an Individual NPDES permit for an existing CAFO known as Evergreen Farms CAFO, located in Franklin Township, **Huntingdon County**.

The CAFO is situated in Watershed 11-A, which is classified for High Quality Waters—Cold Water Fishes. The CAFO is designed to maintain an animal population of approximately 6,849 animal equivalent units (AEUs) consisting of 3,300 cows, 1,983 heifers, 2,067 calves and 30 bulls. Manure is collected and stored for land application or is uncollected in pastures. A release or discharge to waters of the Commonwealth under normal operating conditions is not expected. Normal operating conditions are defined as conditions below a 25-year, 24-hour storm event.

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

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

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

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

PA0232386, SIC Code 7997, **Matchplay Management Inc.**, P.O. Box 132, State College, PA 16804-0132. Facility Name: Skytop Mountain Golf Club SFTF. This proposed facility will be located in Huston Township, **Centre County**.

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

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

The proposed effluent limits for Outfall 001 are based on a design flow of 0.00148 MGD.

Parameters	Mass (lb/day)		Concentration (mg/l)		Instant. Maximum
	Average Monthly	Minimum	Average Monthly		
Flow (MGD)	Report	XXX	XXX	XXX	XXX
pH (S.U.)	XXX	XXX	6.0	XXX	9.0
Total Residual Chlorine	XXX	XXX	XXX	0.5	1.6
BOD ₅	XXX	XXX	XXX	10	20
Total Suspended Solids	XXX	XXX	XXX	10	20
Fecal Coliform (CFU/100 ml)	XXX	XXX	XXX	200	XXX
				Geo Mean	

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

- SFTF Maintenance
- Chlorine Minimization

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

The EPA Waiver is in effect.

PA0232327, Concentrated Animal Feeding Operation (CAFO), **Broc Troxell (Troxell Farms)**, 250 Showers Road, New Columbia, PA 17856.

Broc Troxell has submitted an application for an Individual NPDES permit for a new CAFO known as Troxell Farms, located in White Deer Township, **Union County**.

The CAFO is situated near Unnamed Tributary to West Branch Susquehanna River in Watershed 10-C, which is classified for Warm Water Fishes and Migratory Fishes. The CAFO will be designed to maintain an animal population of approximately 1,498.56 animal equivalent units (AEUs) consisting of 9,600 finishing swine, 25 beef cow/calf pairs and 10 steers. Swine manure will be stored underbarn and land applied. Beef manure will be collected in the existing cattle barn and land applied. Prior to operation of the manure storage facilities, the design engineer will be required to submit certification that the facilities were constructed in accordance with appropriate PA Technical Guide Standards. A release or discharge to waters of the Commonwealth under normal operating conditions is not expected. Normal operating conditions are defined as conditions below a 100-year, 24-hour storm event.

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

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

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

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

PA0026891, Sewage, SIC Code 4952, **Authority of the Borough of Charleroi**, 3 McKean Avenue, Charleroi, PA 15022. Facility Name: Authority of the Borough of Charleroi. This existing facility is located in Charleroi Borough, **Washington 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 Monongahela River, is located in State Water Plan watershed 19-C and is classified for Warm Water Fishes, aquatic life, water supply and recreation. The discharge is not expected to affect public water supplies.

The proposed effluent limits for Outfall 001 are based on a design flow of 3 MGD.

Parameters	Mass (lb/day)			Concentration (mg/l)		Instant. Maximum
	Average Monthly	Daily Maximum	Minimum	Average Monthly	Weekly Average	
Flow (MGD)	Report	Report	XXX	XXX	XXX	XXX
pH (S.U.)	XXX	XXX	6.0	XXX	XXX	9.0
Dissolved Oxygen	XXX	XXX	4.0	XXX	XXX	XXX
Total Residual Chlorine	XXX	XXX	XXX	0.5	XXX	1.6
CBOD ₅	626	950	XXX	25	38	50
		Wkly Avg				
BOD ₅						
Raw Sewage Influent	Report	Report	XXX	Report	XXX	XXX
Total Suspended Solids						
Raw Sewage Influent	Report	Report	XXX	Report	XXX	XXX
Total Suspended Solids	751	1,126	XXX	30	45	60
		Wkly Avg				
Fecal Coliform (CFU/100 ml)						
May 1 - Sep 30	XXX	XXX	XXX	200	XXX	1,000
				Geo Mean		
Oct 1 - Apr 30	XXX	XXX	XXX	2,000	XXX	10,000
				Geo Mean		
Total Nitrogen	XXX	XXX	XXX	XXX	Report	XXX
					Daily Max	
Ammonia-Nitrogen						
May 1 - Oct 31	XXX	XXX	XXX	Report	Report	Report
Nov 1 - Apr 30	XXX	XXX	XXX	Report	Report	Report
Total Phosphorus	XXX	XXX	XXX	XXX	Report	XXX
					Daily Max	

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

The permittee is authorized to discharge non-polluting stormwater from its site, alone or in combination with other wastewaters, through the following outfalls 101 and 108.

The Authority is permitted to discharge through several Combined Sewer Overflows (CSOs). CSOs are allowed to discharge only in compliance with this permit when flows in combined sewer systems exceed the design capacity of the conveyance or treatment facilities of the system. Overflows that occur without an accompanying precipitation event or snowmelt are termed "dry weather overflows" and are prohibited. CSOs are point source discharges that must be provided with control measures in accordance with the Federal Clean Water Act and the 1994 National CSO Policy.

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

PA0220906, Industrial Waste, SIC Code 4941, **Pithole Water Association**, PO Box 25, Cyclone, PA 16726-0025. Facility Name: Pithole Water Association. This existing facility is located in Keating Township, **McKean County**.

Description of Existing Activity: The application is for a new NPDES permit for an existing discharge of treated filter backwash.

The receiving stream, an unnamed tributary to Panther Run, is located in State Water Plan watershed 16-C and is classified for Exceptional Value Waters, 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 0.0006 MGD.

Parameters	Mass (lb/day)			Concentration (mg/l)		Instant. Maximum
	Average Monthly	Daily Maximum	Minimum	Average Monthly	Daily Maximum	
Flow (MGD)	Report	XXX	XXX	XXX	XXX	XXX
pH (S.U.)	XXX	XXX	6.0	XXX	XXX	9.0
Total Residual Chlorine	XXX	XXX	XXX	0.5	XXX	1.2
Total Suspended Solids	XXX	XXX	XXX	30	60	75
Total Aluminum	XXX	XXX	XXX	4	8	10
Total Iron	XXX	XXX	XXX	2	4	5
Total Manganese	XXX	XXX	XXX	1	2	2.5

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

- Chlorine Minimization
- Abandonment of the discharge
- Sludge Handling
- Right of Way

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

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

WQM Permit No. WQG01251311, Sewage, **Larry Miller**, 7416 Route 5, Westfield, NY 14757.

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

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

WQM Permit No. 2504417, Sewage, **Jeffrey S. Huey**, 4209 Reichert Road, McKean, PA 16426-1331.

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

Description of Proposed Action/Activity: Transfer of permit for an existing Single Residence Sewage Treatment Plant.

WQM Permit No. WQG01201303, Sewage, **Scott M. Dewey**, 10576 Williamson Road, P.O. Box 156, Meadville, PA 16335.

This proposed facility is located in West Mead Township, **Crawford County**.

Description of Proposed Action/Activity: Single Residence Sewage Treatment Plant to replace a malfunctioning on-lot system.

IV. NPDES Applications for Stormwater Discharges from MS4

Northeast Regional Office: Regional Clean Water Program Manager, 2 Public Square, Wilkes-Barre, PA 18701-1915, Telephone: 570.826.2511.

PAI132225, MS4, **Northampton County**, 669 Washington Street, Easton, PA 18042-7499. 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 **Northampton County**. The receiving stream(s), Unnamed Tributary of East Branch Monocacy Creek and the Delaware River, are located in State Water Plan watershed 1-F and 2-C and are classified for High Quality Waters—Cold Water Fishes, Migratory Fishes, Warm Water 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 570-826-5472.

The EPA waiver is not in effect.

PAI132239, MS4, **Lehigh County**, 17 S 7th Street, Allentown, PA 18101-2400. 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 **Lehigh County**. The receiving stream(s), Cedar Creek, Jordan Creek, Lehigh River and Unnamed Tributary of Schaefer Run, are located in State Water Plan watershed 2-C and are classified for Warm Water Fishes, Migratory Fishes, High Quality Waters—Cold Water Fishes, Trout Stocking 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 570-826-5472.

The EPA waiver is not in effect.

PAI132230, MS4, **Wilson Borough Northampton County**, 2040 Hay Terrace, Easton, PA 18042-4617. 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 Wilson Borough, Northampton County. The receiving stream(s), Bushkill Creek and Lehigh River, are located in State Water Plan watershed 1-F and 2-C and is classified for Warm Water Fishes, Migratory Fishes, High Quality Waters—Cold Water Fishes and, 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 570-826-5472.

The EPA waiver is not in effect.

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

PAI133522, MS4, **Womelsdorf Borough Berks County**, 101 West High Street, Womelsdorf, PA 19567. The application is for a new individual NPDES permit for the discharge of stormwater from a regulated municipal separate storm sewer system (MS4) to waters of the Commonwealth in Womelsdorf Borough, **Berks County**. The receiving

stream(s), Tulpehocken Creek and Unnamed Tributary to Tulpehocken Creek, is located in State Water Plan watershed 3-C and is classified for Trout Stocking 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 717-705-4732.

The EPA waiver is not in effect.

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

PAI134801, MS4, Harris Township, Centre County, PO Box 20, Boalsburg, PA 16827-0020. 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 Harris Township, Centre County. The receiving stream(s), Spring Creek, is located in State Water Plan watershed 9-C and is classified for High Quality Waters—Cold Water Fishes and, 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 570-327-3693.

The EPA waiver is not in effect.

V. Applications for NPDES Waiver Stormwater Discharges from MS4

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

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

Pike County Conservation District, 556 Route 402, Hawley PA 18428, 570-226-8220

<i>NPDES Permit No.</i>	<i>Applicant Name & Address</i>	<i>County</i>	<i>Municipality</i>	<i>Receiving Water/Use</i>
PAI025213002	Dingman Township 118 Fisher Lane Milford, PA 18337	Pike	Dingman Township	Sawkill Creek (EV, MF) Savatine Creek (EV, MF)

Carbon County Conservation District, 5664 Interchange Rd., Lehighton PA 18235-5114, 610-377-4894

<i>NPDES Permit No.</i>	<i>Applicant Name & Address</i>	<i>County</i>	<i>Municipality</i>	<i>Receiving Water/Use</i>
PAI021313002	New Enterprise Stone & Lime P.O. Box 77 New Enterprise, PA 16664	Carbon	Penn Forest Township	Stony Creek (EV, MF)

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

<i>Permit No.</i>	<i>Applicant & Address</i>	<i>County</i>	<i>Municipality</i>	<i>Stream Name</i>
PAI056313004	Mark Raymond 1013 Robinwood Drive South Park, PA 15129	Washington	Peters Township	UNT to Little Chartiers Creek (HQ-WWF)

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

PAG-12 CAFOs

CAFO Notices of Intent Received

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

NPDES Permit No. PAG124833, CAFO, Hillcrest Swine Farm, 121 Paradise Ln, Lewisburg, PA 17837.

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

Description of size and scope of proposed operation/activity: Swine finishing and crop farm comprised of approximately 6,440 swine (wean to finish), 1 horse, 5 ponies, and 6 steer. There are a total of 827.50 AEU's.

The receiving stream, Unnamed Tributary to Beaver Run, is in watershed 10-C and classified for: Cold Water Fishes and Migratory Fishes.

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

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

**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—APPLICATIONS**

<i>Agricultural Operation Name and Address</i>	<i>County</i>	<i>Total Acres</i>	<i>Animal Equivalent Units</i>	<i>Animal Type</i>	<i>Special Protection Waters (HQ or EV or NA)</i>	<i>Application</i>
Dale and Carol Hoffman Kar-Dale-Acres & Coneville Farm 243 Healy Road Shinglehouse, PA 16748	Potter	1,176	1,300.32	Dairy	HQ and EV	Spring and Fall
Todd Hiller 84 Hiller Lane Allenwood PA 17810	Union	676.8	601.6	Beef and Swine	HQ	Renewal

AIR QUALITY

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

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

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

Copies of these applications, subsequently prepared draft permits, review summaries and other support materials are available for review in the regional office listed before the applications. Persons interested in reviewing the application files should contact the appropriate regional office to schedule appointments.

Persons wishing to receive a copy of a proposed Plan Approval or Operating Permit shall indicate interests to

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

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

Final Plan Approvals and Operating Permits will contain terms and conditions to ensure that the source is constructed and operating in compliance with applicable requirements in 25 Pa. Code Chapters 121—143, the

Federal Clean Air Act (42 U.S.C.A. §§ 7401—7671q) and regulations adopted under the Federal Clean Air Act.

PLAN APPROVALS

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

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

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

10-265D: Iron Mountain Information Management, LLC (1137 Branchton Road, Boyers, PA 16020) for modification of emission limits, operating hour restrictions, and work practice requirements associated with existing diesel-fired emergency generators at their facility in Cherry Township, **Butler 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

09-0222: Telex Metals, LLC (105 Phyllis Drive, Croydon, PA 19021) for installation of thirty (30) metal refining process tanks and three (3) associated packed tower wet scrubbers, as follows, at their existing metal refining facility, which is in Bristol Township, **Bucks County**:

<i>Line/Type of Acid Used</i>	<i>Quantity of Tanks (Stages)</i>	<i>Quantity of Wet Scrubbers</i>
Hydrochloric Acid (“HCl”)	10	1
Nitric Acid (“HNO ₃ ”)	20	2

The project serves to expand the current wet operations at the facility, which were previously exempted from Plan Approval and Operating Permit requirements under Request for Determination of Changes of Minor Significance and Exemption from Plan Approval/Operating Permit (“RFD”) No. 2895, by increasing the quantity and capacities of process tanks (and consequently, production) for, and the strength of the acids used in, the lines.

The (pre-control) potential emission rates of HCl (a hazardous air pollutant (“HAP”)) and HNO₃ from the lines are approximately 4.3 tons/yr and 6.3 tons/yr, respectively. Packed tower wet scrubbers will be installed, with a vendor’s guarantee to achieve a minimum acid gas removal efficiency of 99%, to reduce the acid gas emissions from the facility. Nitric oxide (“NO”) and nitrogen dioxide (“NO₂”) are also emitted from the HNO₃ line, and the second associated scrubber will also achieve some NO₂ control.

The Plan Approval will include emission concentration restrictions for HCl, HNO₃, NO, and NO₂ of 0.1 ppmv, 0.1 ppmv, 3.0 ppmv, and 7.0 ppmv, respectively. The Department reserves the right to review these restrictions based on the results of stack testing required under the Plan Approval.

The Plan Approval will include monitoring, recordkeeping, reporting, and work practice requirements designed to keep the facility operating within all applicable air quality requirements.

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

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

39-00099A: Delta Thermo Energy, LLC (112 W Union Street, Allentown, PA 18102-4912) to issue a plan approval for the construction and operation an energy production facility in the City of Allentown, **Lehigh County**.

In accordance with 25 Pa. Code §§ 127.44(b) and 127.424(b), the Department of Environmental Protection (DEP) intends to issue Plan Approval No. 39-00099A to Delta Thermo Energy A LLC, 112 W Union Street, Allentown, PA 18102-4912, for their plant to be located in the City of Allentown, Lehigh County.

Plan Approval No. 39-00099A is for the construction and operation of an energy production facility. The facility will utilize municipal solid waste (MSW) and sludge from the City of Allentown’s Wastewater Treatment Plant as feedstock to produce a fuel to generate 4 gross megawatts (MW) of electricity for internal use and sale. The facility will be designed with equipment capable of processing an average of 120 tons/day of Municipal Solid Waste (MSW) and 47 tons/day sewage sludge as feedstock. Feedstock for the facility will be prepared onsite from MSW and sludge. The facility will use presorting of the MSW to increase the recovery of recyclables and state-of-the-art technology Resource Recovery System (RRS) to convert feedstock to a renewable clean fuel that will be combusted using an improved Stoker-type combustor to generate steam, which in turn will power a turbine to generate a green, renewable source of electricity.

The facility will consist of the following processes. Receiving & Sorting, Shredding, Feedstock Pit, Five (5) Resource Recovery System Units, Dryer, Combustor (CCC), Boiler, Turbine/Generator and Wastewater Treatment System (WTS).

The facility will emit Clean Air Act-regulated pollutants, including PM₁₀, NO_x, CO, SO₂, VOC, acid gases and metals. The emission control system consists of the following devices in series: twin cyclones for primary PM removal, selective catalytic reduction (SCR) system with urea injection for NO_x control, economizer, flue gas recirculation for NO_x control, fabric filter for control of PM and metals control, wet packed tower with caustic solution recirculation for control of SO₂, HCl, and HF, 2-stage carbon adsorption system for VOC and mercury control.

After control, the following are estimated emissions from the facility.

<i>Pollutant</i>	<i>Control Efficiency %</i>	<i>Controlled Emissions</i>	
		<i>Lb/hr</i>	<i>Tons/yr</i>
NO _x	85.1	1.3	5.0
SO ₂	97.5	1.04	4.0
SO ₃	—	0.85	3.3
HCl	99.1	0.13	0.5
HF	85	0.12	0.46
CO	—	3.5	13.4
VOC	40.6	1.04	4.0
PM	99.8	0.39	1.5
Hg	90	0.0015	0.006
CO ₂	—	16382	62,907

The company shall be subject to and comply with 25 Pa. Code § 123.41 for visible emissions. The facility also subject to Best Available Technology (BAT) provisions of 25 Pa. Code §§ 127.1 and 127.12(a)(5). The emissions from the sources will be controlled by the various air pollution control equipment to meet or exceed the BAT requirements for the sources. The Plan Approval and Operating permit will contain additional recordkeeping and operating restrictions designed to keep the facility operating within all applicable air quality requirements.

The Department will include following conditions in the plan approval limiting emissions.

1. Pursuant to the Best Available Technology (BAT) provisions of 25 Pa. Code §§ 127.1 and 127.12(a)(5), the Owner or Operator shall limit the emissions from the facility to the following:

- a. PM—0.39 lb/hr, 1.5 tons/yr. in any 12-month period, rolling monthly.
- b. NO_x—1.3 lb/hr, 5.0 tons/yr. in any 12-month period, rolling monthly.
- c. HCl—0.13 lb/hr, 0.5 ton/yr. in any 12-month period, rolling monthly.
- d. CO—3.5 lb/hr, 13.4 tons/yr. in any 12-month period, rolling monthly.
- e. VOCs—1.04 lb/hr, 4.0 tons/yr. in any 12-month period, rolling monthly.
- f. SO_x—1.89 lb/hr, 7.3 tons/yr. in any 12-month period, rolling monthly.
- g. Hg—0.0015 lb/hr, 0.006 ton/yr. in any 12-month period, rolling monthly.
- h. HF—0.12 lb/hr, 0.46 ton/yr. in any 12-month period, rolling monthly.

2. Pursuant to the Best Available Technology (BAT) provisions of 25 Pa. Code §§ 127.1 and 127.12(a)(5), the Owner or Operator shall limit the emissions from the facility to the following:

- a. Lead—0.20 milligrams/dscm at 7% O₂.
- b. Dioxins/Furans (total mass basis)—13 nanograms/dscm at 7% O₂
- c. Arsenic and compounds—7.2 ug/dscm at 7% O₂
- d. Beryllium and compounds—0.2 ug/dscm at 7% O₂

e. Cadmium and compounds—15.8 ug/dscm at 7% O₂

f. Hexavalent chromium and compounds—2.3ug/dscm at 7% O₂

g. Nickel and compounds—25.0 ug/dscm at 7% O₂

3. Pursuant to the Best Available Technology (BAT) provisions of 25 Pa. Code §§ 127.1 and 127.12(a)(5), the Owner or Operator shall limit the emission of ammonia for selective catalytic reduction (SCR) system exhaust to 5 ppmvd, measured dry volume corrected to 15% oxygen.

4. Pursuant to the Best Available Technology provision of 25 Pa. Code §§ 127.1 and 127.12(a)(5), visible emissions shall not exceed 10 percent opacity for periods aggregating more than 3 minutes in any 60-minute period, except during startup, when visible emissions may not exceed 20 percent opacity for periods aggregating more than 3 minutes in any 60-minute period. Visible emissions may not equal or exceed 30 percent opacity at any time.

5. The storage and handling of the material associated with the aforementioned source(s) shall not at any time result in the emission of fugitive air contaminants in excess of the limitations specified in Section 123.1 of Chapter 123 of the Rules and Regulations of the Department of Environmental Protection.

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

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

Any person(s) wishing to provide DEP with additional information, which they believe should be considered prior to the issuance of this permit, may submit the information to the address shown in the preceding paragraph. Each written comment must contain the name, address and telephone number of the person submitting the comments, identification of the proposed permit no. 39-00099A and a concise statement regarding the relevancy of the information or objections to the issuance of the permit.

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

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

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

Contact: Norman Frederick, Facilities Permitting Chief—Telephone: 570-826-2409

48-00089: Spray-Tek, LLC (3010 Avenue B, Bethlehem, PA 18017-2114) for a renewal state only operating permit for their spray drying facility in the City of Bethlehem, **Northampton County**. The facility's main sources include two (2) natural gas fired spray dryers. The facility has potential to emit particulate matter (PM), volatile organic compounds (VOCs), hazardous air pollutants (HAPs), nitrogen oxides (NO_x), sulfur oxides (SO_x) and carbon monoxide (CO) below the major emission thresholds. The proposed State Only Operating Permit contains applicable requirements for emissions limitations, monitoring, record keeping, reporting and work practice standards designed to ensure facility compliance with Federal and State air pollution regulations.

48-00093: Oldcastle APG Northeast, Inc. (800 Uhler Road, Easton, PA 18040-6617) for operation of a concrete block and brick manufacturing facility in Forks Township, **Northampton County**. The operation consists of the concrete block plant and fabric collectors for control of the particulate emissions. This is a renewal of a State-Only operating permit. The State-Only operating permit includes emission limits, work practice standards and testing, monitoring, recordkeeping and reporting requirements designed to keep the facility operating within 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.

36-03080: Rohrer's Quarry Lititz (70 Lititz Road, P. O. Box 365, Lititz, PA 17543) for operation of their quarry and stone crushing facility in Warwick 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 an Air Quality Operating Permit renewal for the abovementioned facility. The estimated potential emissions of the facility are 12 tons of PM-10 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. The facility is subject to 40 CFR Part 60, Subpart OOO—Standards of Performance for Nonmetallic Mineral Processing Plants; that applies to equipment that was constructed, modified or reconstructed before or after April 22, 2008.

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.

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

Contact: Matthew M. Williams—Telephone: 814-332-6131.

10-00375: Harmony Castings, LLC (251 Perry Highway, Harmony, PA 16037) for an initial natural minor operating permit to operate an Aluminum foundry in Harmony Borough, **Butler County**. The facility's emitting sources include: Aluminum Casting, Parts Washer, and Shot Blast. The emissions of pollutants from the facility are less than Title V threshold limits. Thus, the facility is considered a natural minor. Potential emissions from the facility are: SO_x: 0.02 TPY; NO_x: 0.41 TPY, CO: 1.42 TPY, VOC: 42.00 TPY, PM: 4.09 TPY, and, Methanol: 7.36 TPY. The facility is not currently subject to 40 CFR Part 63, Subpart ZZZZZZ because, the annual Aluminum melt production has been less than 600 tons per year (tpy) as stated in § 63.11544(a)(4).

COAL AND NONCOAL MINING ACTIVITY APPLICATIONS

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

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

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

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

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

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

Coal Applications Received

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

30831303. Cumberland Coal Resources, LP, (PO Box 1020, 158 Portal Road, Waynesburg, PA 15370). To revise the permit for the Cumberland Mine in Wayne Township, **Greene County** to install six ventilation boreholes. Surface Acres Proposed 3.91. No additional discharges. The application was considered administratively complete on August 21, 2013. Application received July 3, 2013.

17921604 and NPDES No. PA0214167. Waroquier Coal Company, (PO Box 128, Clearfield, PA 16830). To renew the permit for the Truck Tipple in Lawrence Township, **Clearfield County** and related NPDES permit. No additional discharges. The application was considered administratively complete on August 22, 2013. Application received July 2, 2013.

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

65110101 and NPDES Permit No. PA0252140. Gary Gioia Coal Company (319 Karen Drive, Elizabeth, PA 15037). Application received to revise permit to include augering at an existing bituminous surface mining site located in South Huntingdon Township, **Westmoreland**

County, affecting 188.2 acres. Receiving streams: unnamed tributary to Youghiogheny River, classified for the following use: WWF. There are no potable water supply intakes within ten miles downstream of the point of discharge. Application received: August 7, 2013.

02070105 and NPDES Permit No. PA0251275. Neiswonger Construction, Inc. (17592 Route 322, Strattanville, PA 16258). Renewal application for reclamation only to an existing bituminous surface mine, located in Jefferson Hills Borough, **Allegheny County**, affecting 56.6 acres. Receiving streams: unnamed tributaries to Monongahela River, 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: August 15, 2013.

26080101 and NPDES Permit No. PA0251313. David L. Patterson, Jr. (12 Short Cut Road, Smithfield, PA 15478). Renewal application for reclamation only to an existing bituminous surface mine, located in German Township, **Fayette County**, affecting 49.9 acres. Receiving streams: S. Branch Browns Run and Cat's Run, classified for the following use: WWF. The potable water supplies with intake within 10 miles downstream from the point of discharge: Carmichaels Municipal Authority and Southwestern PA Water Authority. Renewal application received: August 19, 2013.

02070104 and NPDES Permit No. PA0251224. Collier Land & Coal Dev., LP (One 8th Street, Braddock, PA 15104). Renewal application for continued operation and reclamation to an existing bituminous surface mine, located in Collier Township, **Allegheny County**, affecting 33.3 acres. Receiving streams: unnamed tributary to Robinson 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: August 8, 2013.

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

61980103 and NPDES Permit No. PA0227846. Bedrock Mines, LP (111 Freeport Road, Aspinwall, PA 15215) Renewal of an existing bituminous surface and limestone mine with limestone processing in Irwin Township, **Venango County** affecting 111.0 acres. Receiving streams: Unnamed tributaries to Little Scrubgrass Creek, classified for the following uses: CWF. There are no potable surface water supply intakes within 10 miles downstream. Application received: August 20, 2013.

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

22851602T. RR Coal, Inc., (PO Box 6, Lykens, PA 17048), transfer of an existing anthracite coal preparation plant operation from Meadowbrook Coal Co., Inc. in Wiconisco Township, **Dauphin County** affecting 23.4 acres, receiving stream: Wiconisco Creek, classified for the following uses: warm water and migratory fishes. Application received: August 13, 2013.

Noncoal Applications Received

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

<i>Parameter</i>	<i>Table 2 30-day Average</i>	<i>Daily Maximum</i>	<i>Instantaneous Maximum</i>
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.

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

8073SM2A1C9 and NPDES Permit No. PA0595519. Glasgow, Inc., (PO Box 1089, Glenside, PA 19038), renewal of NPDES Permit for discharge of treated mine drainage from a quarry operation in Upper Merion Township, **Montgomery County** affecting 191.7 acres, receiving stream: unnamed tributary to Schuylkill River, classified for the following uses: warm water and migratory fishes. Application received: July 18, 2013.

7175SM1A1C12 and NPDES Permit No. PA0613827. Pennsy Supply, Inc., (PO Box 3331, Harrisburg, PA 17105), renewal of NPDES Permit for discharge of treated mine drainage from a quarry operation in South Hanover Township, **Dauphin County** affecting 205.0 acres, receiving stream: Swatara Creek, classified for the following use: warm water fishes. Application received: July 19, 2013.

58010823. Kevin F. Ives, (149 Stanley Lake Road, Friendsville, PA 18818), Stage I & II bond release of a quarry operation in Forest Lake Township, **Susquehanna County** affecting 3.0 acres on property owned by Bob O'Reiley. Application received: July 19, 2013.

58930801. George G. Plomchok, (PO Box 431, Hop Bottom, PA 18824), Stage I & II bond release of a quarry operation in Lathrop Township, **Susquehanna County** affecting 1.0 acre on property owned by George G. Plomchok. Application received: July 31, 2013.

58090817. B. Dale Kelley, (428 Picket Road, Laceyville, PA 18623), Stage I & II bond release of a quarry operation in Liberty Township, **Susquehanna County** affecting 1.0 acre on property owned by Dorothy Turner. Application received: August 1, 2013.

35060801. Stafursky Paving Co., Inc., (502 North Main Street, Archbald, PA 18403), Stage I & II bond release of a quarry operation in Carbondale Township, **Lackawanna County** affecting 5.0 acres on property owned by Robert Rossi. Application received: August 5, 2013.

35022802. P. S. Ventures, Inc., (1943 Timber Lane, Clarks Summit, PA 18411), Stage I & II bond release of a quarry operation in Ransom Township, **Lackawanna County** affecting 4.0 acres on property owned by P. S. Ventures, Inc. Application received: August 13, 2013.

58000804. James W. Barber, (PO Box 157, Clifford, PA 18413), Stage I & II bond release of a quarry operation in Clifford Township, **Susquehanna County** affecting 2.0 acres on property owned by Stanley Hollowich. Application received: August 15, 2013.

MINING ACTIVITY NPDES DRAFT PERMITS

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

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

Effluent Limits for Coal Mining Activities

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

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

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

* The parameter is applicable at all times.

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

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

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

Effluent Limits for Noncoal Mining Activities

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

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

* The parameter is applicable at all times.

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

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

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

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

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

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

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

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

NPDES No. PA0262609 (Mining permit no. 56080102), Sherpa Mining Contractors, Inc., 337 Benny Road, Hooversville, PA 15936, renewal of a NPDES permit for surface mining including blasting in Shade Township, Somerset County, affecting 343.8 acres. Receiving streams: Miller Run, Unnamed Tributary to Hinson Run and Unnamed Tributary to Shade Creek, classified for the following use: cold water fisheries. These receiving streams are included in the TMDL for the Kiskiminetas-Conemaugh River Watershed. Application received July 24, 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.

The treated wastewater outfalls listed below discharge to Miller Run and unnamed tributaries to Hinson Run and Shade Creek.

<i>Outfall Nos.</i>	<i>New Outfall (Y/N)</i>
001	N

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

The proposed effluent limits for the above listed outfalls are as follows:

<i>Outfalls: 001, 003, and 004</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	3.7
Manganese (mg/l)	1.0	2.0	2.5
Aluminum (mg/l)	0.75	1.5	1.8
Total Suspended Solids (mg/l)	35.0	70.0	90.0
pH (S.U.): Must be between 6.0 and 9.0 standard units at all times			
Alkalinity must exceed acidity at all times.			

The stormwater outfalls listed below discharge to Miller Run and unnamed tributaries to Hinson Run and Shade Creek.

<i>Outfall Nos.</i>	<i>New Outfall (Y/N)</i>
005	N
006	N
007	N
008	N

The proposed effluent limits for the above listed outfalls are as follows:

<i>Outfalls: 005, 006, 007 and 008</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	3.7
Manganese (mg/l)	1.0	2.0	2.5
Aluminum (mg/l)	0.75	1.5	1.8
Total Suspended Solids (mg/l)	35.0	70.0	90.0
pH (S.U.): Must be between 6.0 and 9.0 standard units at all times			
Alkalinity must exceed acidity at all times			

The stormwater outfalls listed below discharge to: Unnamed tributary to South Branch Blacklick Creek.

<i>Outfall Nos.</i>	<i>New Outfall (Y/N)</i>
001	N
006	N

The proposed effluent limits for the above listed outfalls are as follows:

<i>Outfalls:</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)			7.0
Total Settleable Solids (ml/l)			0.5
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 listed below discharges to: Unnamed tributary to Bracken Run

<i>Outfall Nos.</i>	<i>New Outfall (Y/N)</i>
007	N

The proposed effluent limits for the above listed outfall is as follows:

<i>Outfalls:</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)			7.0
Total Settleable Solids (ml/l)			0.5
pH (S.U.): Must be between 6.0 and 9.0 standard units at all times			
Alkalinity must exceed acidity at all times			

Noncoal NPDES Draft Permits

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

NPDES No. PA0249289 (Mining permit no. 0702301), Grannas Brothers Stone and Asphalt Co., Inc., P.O. Box 488, Hollidaysburg, PA 16648, renewal of an NPDES permit for a noncoal surface mining operation in Catharine Township, **Blair County**, affecting 171.0 acres. Receiving streams: Unnamed tributary to/and Frankstown Branch of Juniata River, classified for the following use: warm water fishery and trout stock fishery. Application received November 13, 2012.

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

The outfalls listed below discharge to: Unnamed tributary to/and Frankstown Branch of Juniata River.

<i>Outfall Nos.</i>	<i>New Outfall (Y/N)</i>
001—Sediment Pond	N

The proposed effluent limits for the above listed outfall is as follows:

<i>Outfalls: Parameter</i>	<i>30-Day Average</i>	<i>Daily Maximum</i>	<i>Instant. Maximum</i>
Total Settleable Solids (m/l)	35.0	70.0	90.0
pH (S.U.): Must be between 6.0 and 9.0 standard units at all times			
Alkalinity must exceed acidity at all times			

FEDERAL WATER POLLUTION CONTROL ACT, SECTION 401

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

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

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

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

WATER OBSTRUCTIONS AND ENCROACHMENTS

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

E39-522. County of Lehigh, 260 S. Cedarbrook Road, Allentown, PA 18104, in South Whitehall Township and Whitehall Township, **Lehigh County**, U.S. Army Corps of Engineers, Philadelphia District.

To construct and maintain a stone and paved pedestrian trail within the floodway and floodplain of the

Jordan Creek, place fill in the floodway to improve the approach to an existing pedestrian bridge and to widen the deck of the existing pedestrian bridge to 8-feet. The project begins approximately 600 feet downstream from where Jordan Creek (TSF, MF) intersects Mauch Chunk Road bridge. The trail parallels the Jordan Creek from that point for approximately 3,000 linear feet downstream (Cementon, PA Quadrangle, Latitude: 40°37'37"; Longitude: -75°30'21").

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

E06-362: PA Department of Transportation Engineering District 5-0, 1002 Hamilton Street, Allentown, PA 18101, **Berks County**, ACOE Philadelphia District

To 1) remove the existing bridge structure and dam under the bridge in the Tulpehocken Creek (TSF, MF), 2) to construct and maintain a single span pre-cast reinforced concrete spread box beam bridge on a 70 degree skew, a normal span of 58.7, a minimum under clearance of 4.7 feet with a length of 29.4 feet with rock in and across the Tulpehocken Creek (TSF, MF), 3) construct and maintain four (4) rock vanes in and across the Tulpehocken Creek (TSF-MF), 4) place approximately 1000 Cubic Yards of fill in the floodplain of the Tulpehocken Creek (TSF, MF), 5) construct and maintain a stormwater outfall swale discharging to Tulpehocken Creek (TSF, MF), 6) construct and maintain a stormwater outfall swale with R-4 riprap protection to Tulpehocken Creek (TSF, MF), 7) and permanently impact 0.03 acre of Palustrine Emergent (PEM) wetland for the purpose of improving transportation safety and roadway standards. The project will involve three temporary stages of construction using temporary stream diversion for the construction and demolition of the bridge and rock vanes. The project is located along SR 3063 (Strousstown, PA Quadrangle, (N: 0.6 inch, W: 16.0 inches; Latitude 40° 22'43.4", Longitude: -76°14'19.4") in Marion township, Berks County.

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

E41-648. Pennsylvania Department of Transportation, Engineering District 3-0, PO Box 218 Montoursville, PA 17754-0218. S.R. 2001 Section 009, Unnamed Tributary to Spring Creek Bridge Replacement, Brady Township, **Lycoming County**, ACOE Non-Jurisdictional (Montoursville South, PA Quadrangle N: 41° 10' 29"; W: -76° 57' 10').

PA DOT Engineering District 3-0 proposes to replace a single span masonry arch with a single cell precast concrete box culvert. The existing bridge has a span of 20 Ft., a skew of 90 degrees, an underclearance of 5.3 Ft., a low chord of 626.10 Ft. and a hydraulic opening of 106

Ft2. The proposed box culvert has a span of 18 Ft., a skew of 75 degrees, an underclearance of 8.5 Ft., a low chord of 627.30 Ft. and a hydraulic opening of 153 Ft2. The project will temporarily impact 0.18 acre and permanently impact 0.21 acre of jurisdictional wetlands and will be debited from the Vargo wetland bank. The unnamed tributary to spring creek is classified as a Trout Stream Fishery by Title 25, Chapter 93 Water Quality Standards.

E57-128. Pennsylvania Department of Transportation, Engineering District 3-0, PO Box 218 Montoursville, PA 17754-0218. S.R. 0154 Section 041, Blackwater Run Bridge Replacement, Elkland Township, **Sullivan County**, ACOE Baltimore District (Overton, PA Quadrangle N: 41° 30' 31"; W: -76° 37' 15").

PA DOT Engineering District 3-0 proposes to replace a single span steel I-beam bridge with a single cell precast concrete box culvert. The existing bridge has a span of 12.5 Ft., a skew of 31 degrees, an underclearance of 5.25 Ft., a low chord of 1,341.34 Ft. and a hydraulic opening of 60 Ft². The proposed box culvert has a span of 14 Ft., a skew of 32 degrees, an underclearance of 6.0 Ft., a low chord of 1,341.77 Ft. and a hydraulic opening of 84 Ft². The project will not impact any jurisdictional wetlands and does not require mitigation. Blackwater Run is classified as an Exceptional Value Stream (Also Wild and Stocked Trout) by Title 25, Chapter 93 Water Quality Standards. The project will not require mitigation.

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

E0829-077: Angelina Gathering Company, LLC, 2350 N. Sam Houston Parkway Houston, TX 77032, Herrick Township, **Bradford County**, ACOE Baltimore District.

To construct, operate and maintain:

1. a 12 inch diameter natural gas line, a 16 inch diameter water line and a timber mat bridge impacting 4,356 square feet of a Palustrine Forested Wetland (Le Raysville, PA Quadrangle, Latitude: 41° 45' 33", Longitude: -76° 13' 01");

2. a 12 inch diameter natural gas line, a 16 inch diameter water line and a timber mat bridge impacting 12,632 square feet of a Palustrine Emergent Wetland and 4,792 square feet of a Palustrine Scrub-Shrub Wetland (Le Raysville, PA Quadrangle, Latitude: 41° 45' 49", Longitude: -76° 13' 12");

3. a 12 inch diameter natural gas line, a 16 inch diameter water line and a timber mat bridge impacting 3,485 square feet of a Palustrine Emergent Wetland and 4,792 square feet of Palustrine Scrub-Shrub Wetland (Le Raysville, PA Quadrangle, Latitude: 41° 46' 06", Longitude: -76° 13' 17");

The project will result in 16,117 square feet (0.37 acre) of temporary PEM wetland impacts and 4,356 (0.10 acre) of conversion impacts to a PFO wetland and 9,584 (0.22 acre) of conversion impacts to a PSS wetland all for the purpose of installing a natural gas pipelines and a water line with associated access roadways for Marcellus shale development in Herrick Township, Bradford County.

E0829-076: Chesapeake Appalachia, LLC, 14 Chesapeake Lane, Sayre, PA 18840, Wilmot Township, **Bradford County**, ACOE Baltimore District.

To construct, operate and maintain:

1. a 16 inch diameter temporary waterline and a timber mat bridge impacting 26 linear feet of an un-

named tributary to Foster Branch Sugar Run (CWF, MF) (Colley, PA Quadrangle, Latitude: 41°35'29", Longitude: -76°18'16").

2. a 16 inch temporary waterline impacting 2 linear feet of an unnamed tributary to Foster Branch Sugar Run (CWF, MF) (Colley, PA Quadrangle, Latitude: 41°35'17", Longitude: -76°18'32");

3. a 16 inch diameter temporary waterline and a timber mat bridge impacting 609 square feet of a Palustrine Emergent Wetland(EV) (Colley, PA Quadrangle, Latitude: 41°35'26", Longitude: -76°18'59").

The project will result in 28 linear feet and 269 square feet of temporary stream impacts and 609 square feet (0.01 acre) of temporary PEM wetland impacts from temporary waterlines and timber mat bridge crossings all for the purpose of establishing a temporary water supply for Marcellus well development in Wilmot Township, Bradford County.

EROSION AND SEDIMENT CONTROL PERMITS

The following parties have applied for Erosion and Sediment Control Permits for earth disturbance activities associated with either road maintenance or timber harvesting operations.

Unless otherwise indicated, on the basis of preliminary review and application of lawful standards and regulations, the Department proposes to issue a permit to discharge, subject to certain limitations in the permit conditions. These proposed determinations are tentative. Limitations are provided as erosion and sediment control best management practices which restrict the rate and quantity of sediment discharged.

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

Following the 30-day comment period, the appropriate regional office water management program manager will make a final determination regarding the proposed permit. Notice of this determination will be published in the *Pennsylvania Bulletin* at which time this determination may be appealed to the Environmental Hearing Board (Board).

The application and related documents, including the erosion and sediment control plan for the earth disturbance activity, are on file and may be inspected at the appropriate regional office.

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

Applications received under sections 5 and 402 of The Clean Streams Law (35 P.S. §§ 691.5 and 691.402)

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

ESCGP-1 # ESX13-115-0081
 Applicant Name Cabot Oil & Gas Corporation
 Contact Person Kenneth Marcum
 Address Five Penn Center West, Suite 401
 City, State, Zip Pittsburgh, PA 15276 County
 Susquehanna County Township(s) Lathrop Town-
 ship
 Receiving Stream(s) and Classification(s) UNT to Horton
 Creek (CWF/MF)

ESCGP-1 # ESX13-015-0047
 Applicant Name Appalachia Midstream Services, LLC
 Contact Person Randy DeLaune
 Address 100 IST Center
 City, State, Zip Horseheads, NY 14845
 County Bradford County
 Township(s) Wilmot Township
 Receiving Stream(s) and Classification(s) (2) UNT to
 Sugar Run Creek, Sugar Run Creek Watershed (CWF);
 Secondary: Sugar Run Creek (CWF)

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

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

<i>NPDES No. (Type)</i>	<i>Facility Name & Address</i>	<i>County & Municipality</i>	<i>Stream Name (Watershed #)</i>	<i>EPA Waived Y/N ?</i>
PA0247359—IW	Key Plastics, LLC Bryan Cooper 12367 Mount Olivet Road Felton, PA 17322-8449	York County / Winterstown Borough	UNT East Branch Codorus Creek / 7-H	Y

<i>NPDES No. (Type)</i>	<i>Facility Name & Address</i>	<i>County & Municipality</i>	<i>Stream Name (Watershed #)</i>	<i>EPA Waived Y/N ?</i>
PA0088765—SEW	Nelson & Margaret Wenger 545 Mt. Airy Road Stevens, PA 17578	Lancaster County / West Cocalico Township	Indian Run / 7-J	Y
PA0088617—SEW	Bratton Township Tressler/Collins 133 Mountain Lane McVeytown, PA 17051-8429	Mifflin County / Bratton Township	Carlisle Run / 12-A	Y
PA0262056—CAFO	Elvin Zimmerman 180 Degan Road Mifflintown, PA 17059	Juniata County / Fayette Township	Lost Creek / 12-A	Y

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

<i>NPDES No. (Type)</i>	<i>Facility Name & Address</i>	<i>County & Municipality</i>	<i>Stream Name (Watershed #)</i>	<i>EPA Waived Y/N ?</i>
PA0209376 (SFTF)	Linda Geyer Apt 2713 Carson Hill Road Dubois, PA 15801	Clearfield County Brady Township	Unnamed Tributary to Limestone Run (17-D)	Y
PA0112551 (SRSTP)	Randall B Moyer 230 E Madisonburg Pike Madisonburg, PA 16852	Centre County Miles Township	Unnamed Tributary of Elk Creek (6-A)	Y

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

<i>NPDES No. (Type)</i>	<i>Facility Name & Address</i>	<i>County & Municipality</i>	<i>Stream Name (Watershed #)</i>	<i>EPA Waived Y/N</i>
PA0219479 Sewage	Salem Ridge Village SR 136 Salem Church Rd Belle Vernon, PA 15012	Westmoreland Cnty Rostraver Twp	UNT to Pollock Run	Y
PA0204994 Sewage	Homer City STP 1451 Neal Rd Homer City, PA 15748	Indiana Cnty Center Twp	Two Lick Creek	N

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

<i>NPDES No. (Type)</i>	<i>Facility Name & Address</i>	<i>County & Municipality</i>	<i>Stream Name (Watershed #)</i>	<i>EPA Waived Y/N ?</i>
PA0238899 (IW)	Oil Creek Plastics 45619 State Highway 27 Titusville, PA 16354	Crawford County Oilcreek Township	Unnamed Tributary to Pine Creek (16-E)	Y

II. New or Expanded Facility Permits, Renewal of Major Permits and EPA Nonwaived Permit Actions

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

PA0111945 A-1, SIC Code 3321, **Ward Manufacturing LLC**, 117 Gulick Street, Blossburg, PA 16912. Facility Name: Ward Manufacturing Blossburg Foundry. This existing facility is located in Blossburg Borough, **Tioga County**.

Description of Existing Activity: The application is for an amendment to the existing NPDES permit. The proposed amendment is to consolidate and relocate two existing outfalls (001 and 03) to the Tioga River. The amendment also reconfigures internal monitoring points that are associated with the two existing outfalls. No changes to any of the other existing outfalls will occur.

The receiving stream, the Tioga River, is located in State Water Plan watershed 4-A 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 the internal monitoring points 101 and 201 are as follows:

<i>Discharge Parameter</i>	<i>Limitations</i>							
	<i>Mass (lb/day)</i>		<i>Min</i>	<i>Concentration (mg/L)</i>			<i>Monitoring</i>	
	<i>Monthly Average</i>	<i>Daily Max</i>		<i>Average Monthly</i>	<i>Daily Max</i>	<i>Instant Max</i>	<i>Minimum Frequency</i>	<i>Sample Type</i>
Flow (MGD)	Report	Report					1/day	Meter
pH (Std units)			6.0			9.0	2/month	In-Situ
Temperature					Report		1/week	In-Situ

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

- Thermal discharges may not exceed 110°F at any point accessible to the general public.

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

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

NPDES Permit No. PA0101656, Industrial Waste, **Dominion Transmission, Inc.**, 654 Carson Hill Road, Luthersburg, PA 15848-4312.

This existing facility is located in Henderson Township, **Jefferson County**.

Description of Proposed Action/Activity: Cancellation of NPDES permit.

NPDES Permit No. PA0240168, Concentrated Animal Feeding Operation (CAFO), **Bortnick Dairy LLC (Bortnick Dairy Farm)**, 21820 Palmer Road, Conneautville, PA 16406.

This existing facility is located in Beaver Township, **Crawford County**.

Description of Proposed Action/Activity: Renewal of a NPDES permit, for an existing Concentrated Animal Feeding Operation (CAFO).

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

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

WQM Permit No. 1713401, Sewage, SIC Code 4952, **Curwensville Municipal Authority** Clearfield County, 900 Susquehanna Avenue, Curwensville, PA 16833-1526.

This proposed facility is located in Curwensville Borough, **Clearfield County**.

Description of Proposed Action/Activity: Approval for modifications and upgrades to convert existing Rotating Biological Contact treatment plant to a Sequencing Batch Reactor system.

WQM Permit No. 1489412 A-1, Sewage, SIC Code 4952, **University Area Joint Authority**, 1576 Spring Valley Road, State College, PA 16801-8401.

This existing facility is located in Benner Township, **Centre County**.

Description of Proposed Action/Activity: Organic design capacity rerate of the Spring Creek Pollution Control Facility.

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

WQM Permit No. 3306201, Industrial Waste, **Dominion Transmission, Inc.**, 654 Carson Hill Road, Luthersburg, PA 15848-4312.

This existing facility is located in Henderson Township, **Jefferson County**.

Description of Proposed Action/Activity: Cancellation of WQM permit.

WQM Permit No. WQG01251309, Sewage, **Andrew Urbaniak**, 6263 Knoyle Road, Erie, PA 16510.

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

Description of Proposed Action/Activity: Single Residence Sewage Treatment Plant to replace a malfunctioning on-lot system.

WQM Permit No. WQG01201301, Sewage, **Lucas M. Silvis**, 22862 Ellis Road, Cambridge Springs, PA 16403.

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

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

IV. NPDES Stormwater Discharges from MS4 Permit Actions

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

The **Pennsylvania Department of Environmental Protection (DEP)** has issued a National Pollutant Discharge Elimination System (NPDES) Individual Permit, PAI134805, to Ferguson Township, **Centre County**, 3147 Research Drive, State College, PA 16801-2752. The permit authorizes the discharge of stormwater from regulated small Municipal Separate Storm Sewer System (MS4) outfalls to waters of the Commonwealth.

This notice is provided in accordance with 25 Pa. Code Chapter 92a implementing the Clean Streams Law (35 P. S. §§ 691.1 et seq.) and 40 CFR Part 122 implementing the Federal Clean Water Act (33 USC Section 1251 et seq.).

Special conditions in the permit include a Stormwater Management Program to satisfy six (6) Minimum Control Measures (MCMs) that meet the narrative effluent limitations required by 40 CFR § 122.34 and to comply with applicable TMDLs. Individuals interested in obtaining a copy the permit may contact DEP's File Review Coordinator at 570-327-3693.

Persons aggrieved by this action may appeal under 3 Pa.C.S. § 517, section 4 of the Environmental Hearing Board Act and 2 Pa.C.S. §§ 501—508 and 701—704 of the Administrative Agency Law to the Environmental Hearing Board, Second Floor, Rachel Carson State Office Building, 400 Market Street, P.O. Box 8457, Harrisburg, PA 17105-8457, (717)

787-3483. TDD users should contact the Environmental Hearing Board (Board) through the Pennsylvania AT&T Relay Service at (800) 654-5984. Appeals must be filed with the Board within 30 days of publication of this notice in the *Pennsylvania Bulletin*. Copies of the appeal form and the Board's rules of practice and procedure may be obtained from the Board. The appeal form and the Board's rules of practice and procedure are also available in Braille or on audiotape from the Secretary of the Board at (717) 787-3483. This paragraph does not, in and of itself, create a right of appeal beyond that permitted by applicable statutes and decision law.

For individuals who wish to challenge actions, appeals must reach the Board within 30 days. A lawyer is not needed to file an appeal with the Board. Important legal rights are at stake; however, so individuals should show this notice to a lawyer at once. Persons who cannot afford a lawyer may qualify for pro bono representation. Call the Secretary of the Board at (717) 787-3483 for more information.

V. NPDES Waiver Stormwater Discharges from MS4 Actions

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

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

<i>NPDES Permit No.</i>	<i>Applicant Name & Address</i>	<i>County</i>	<i>Municipality</i>	<i>Receiving Water/Use</i>
PAI023913002	Delta Thermo Energy A, Inc. One Northbrook Corporate Center 1210 Northbrook Drive Suite 100 Trevose, PA 19053	Lehigh County	City of Allentown	Little Lehigh Creek (HQ-CWF, MF)
PAI024012003	Mr. Mark J. Luchi 120 Klingers Road Drums, PA 18222	Luzerne County	Rice Township	Big Wapwallopen Creek (CWF, MF) Little Wapwallopen Creek (EV)

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

The EPA Region III Administrator has waived the right to review or object to this permit action under the waiver provision 40 CFR 123.23(d).

List of NPDES and/or Other General Permit Types

PAG-1	General Permit for Discharges From Stripper Oil Well Facilities
PAG-2	General Permit for Discharges of Stormwater Associated With Construction Activities
PAG-3	General Permit for Discharges of Stormwater From Industrial Activities
PAG-4	General Permit for Discharges From Small Flow Treatment Facilities
PAG-5	General Permit for Discharges From Gasoline Contaminated Ground Water Remediation Systems
PAG-6	General Permit for Wet Weather Overflow Discharges From Combined Sewer Systems (CSO)
PAG-7	General Permit for Beneficial Use of Exceptional Quality Sewage Sludge by Land Application
PAG-8	General Permit for Beneficial Use of Non-Exceptional Quality Sewage Sludge by Land Application to Agricultural Land, Forest, a Public Contact Site or a Land Reclamation Site
PAG-8 (SSN)	Site Suitability Notice for Land Application Under Approved PAG-8 General Permit Coverage
PAG-9	General Permit for Beneficial Use of Residential Septage by Land Application to Agricultural Land, Forest, or a Land Reclamation Site
PAG-9 (SSN)	Site Suitability Notice for Land Application Under Approved PAG-9 General Permit Coverage
PAG-10	General Permit for Discharge Resulting from Hydrostatic Testing of Tanks and Pipelines
PAG-11	(To Be Announced)
PAG-12	Concentrated Animal Feeding Operations (CAFOs)
PAG-13	Stormwater Discharges from Municipal Separate Storm Sewer Systems (MS4)
PAG-14	(To Be Announced)
PAG-15	General Permit for Discharges From the Application of Pesticides

*General Permit Type—PAG-02**Facility Location:*

<i>Municipality & County</i>	<i>Permit No.</i>	<i>Applicant Name & Address</i>	<i>Receiving Water/Use</i>	<i>Contact Office & Phone No.</i>
North Whitehall Township Lehigh County	PAG02003913006	Monogram Custom Homes, Inc. c/o Tony Caciolo 6366 Robin Lane Coopersburg, PA 18036	Rockdale Creek (CWF, MF)	Lehigh County Conservation District 610-391-9583

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

<i>Municipality & County</i>	<i>Permit No.</i>	<i>Applicant Name & Address</i>	<i>Receiving Water/Use</i>	<i>Contact Office & Phone No.</i>
Allegheny Township, Blair County	PAG02000713012	Window World 3431 Colonial Drive Duncansville, PA 16635	UNT to Blair Gap Run (CWF)	Blair Co Conservation District 1407 Blair St Hollidaysburg, PA 16648 814.696.0877
Carlisle Borough, Cumberland County	PAG02002113028	Carlisle Construction Materials PO Box 7000 1295 Ritner Highway Carlisle, PA 17013	Conodoguinet Creek (WWF)	Cumberland Co Conservation Dist. 310 Allen Road, Suite 301 Carlisle, PA 17013 717.240.7812
Mechanicsburg Borough, Cumberland County	PAG02002113021	M&G Realty, Inc. Tim Rutter Rutter's Store #29 2100 North George Street York, PA 17404	Trindle Spring Run (CWF)	Cumberland Co Conservation Dist. 310 Allen Road, Suite 301 Carlisle, PA 17013 717.240.7812
West Donegal Township, Lancaster County	PAG02003608017R	Timber Villa Inc 1898 Market Street Elizabethtown, PA 17022	Snitz Creek (WWF)	Lancaster Co Conservation Dist. 1383 Arcadia Road, Room 200 Lancaster, PA 17601 717.299.5361, Ext. 5
Cumberland Township, Adams County	PAG02000113008	Steve Lauriello Summit Partners, LLC 100 Colonial Way West Chester, PA 17601	Rock Creek (WWF)	Adams Co. Conservation District 670 Old Harrisburg Rd, Suite 201 Gettysburg, PA 17325 717.334.0636
Straban Township, Adams County	PAG02000113015	Kathryn Kunkel Metropolitan Edison Company 2800 Pottsville Pike Reading, PA 19612-6001	UNT to Rock Creek (WWF, MF)	Adams Co. Conservation District 670 Old Harrisburg Rd, Suite 201 Gettysburg, PA 17325 717.334.0636
Franklin Township, Adams County	PAG02000113010	Austin Rogers Biglerville (Cashtown) DPP VIII LLC 9010 Overlook Boulevard Brentwood, TN 37027	UNT to Marsh Creek (CWF)	Adams Co. Conservation District 670 Old Harrisburg Rd, Suite 201 Gettysburg, PA 17325 717.334.0636
Germany Township, Adams County	PAG02000113007	Tom Osborne Germany Township 136 Ulricktown Road Littlestown, PA 17340	Alloway Creek (WWF)	Adams Co. Conservation District 670 Old Harrisburg Rd, Suite 201 Gettysburg, PA 17325 717.334.0636
Lack Township, Juniata County	PAG02003413001	Christian Retreat Center Bud Wagner, Manager 369 CRC Drive East Waterford, PA 17021	Tuscarora Creek (CWF)	Juniata Co. Conservations District 146 Stoney Creek Drive, Suite 4 Mifflintown, PA 17059 717.436.8953

Northcentral Region: Watershed Management Program Manager, 208 West Third Street, Williamsport, PA 17701

*Facility Location:
Municipality &
County*

<i>Permit No.</i>	<i>Applicant Name & Address</i>	<i>Receiving Water / Use</i>	<i>Contact Office & Phone No.</i>
PAG02000811010R	Red Kennedy Red Bone Services LLC PO Box 887 Elk City OK 73648	Susquehanna River WWF	Bradford County Conservation District Stoll Natural Resource Center RR 5, Box 5030C Towanda, PA 18848 (570) 265-5539, X 6
PAG02000813010	Jack Coates 4649 Mercer Hill Rd Wysox PA 18854	Trib to 29981 to Rummersfield Creek WWF	Bradford County Conservation District Stoll Natural Resource Center RR 5, Box 5030C Towanda, PA 18848 (570) 265-5539, X 6
PAG02001913005	Team Green Recycling LLC 123 W 11th St Berwick PA 18603	Susquehanna River WWF, MF	Columbia County Conservation District 702 Sawmill Road Suite 204 Bloomsburg, PA 17815 (570) 784-1310, X 102

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

*Facility Location:
Municipality &
County*

<i>Permit No.</i>	<i>Applicant Name and Address</i>	<i>Receiving Water / Use</i>	<i>Contact Office and Phone No.</i>
PAG02000411010R	Zelienople Airport Authority 1857 Rt. 588 Zelienople, PA 16036	Connoquenessing Creek (WWF)	Beaver County CD 156 Cowpath Road Aliquippa, PA 15001 (724) 378-1701
PAG02001113008	PennDOT Dist. 9-0 1820 North Juniata Street Hollidaysburg, PA 16648	Elk Run (CWF) and Cheney Run (WWF)	Cambria County CD 401 Candlelight Drive Suite 229 Ebensburg, PA 15931 (814) 472- 2120
PAG02006511023R	PennDOT Dist. 12-0 PO Box 459 North Gallatin Ave Ext Uniontown, PA 15401	Little Sewickley Creek (TSF) and Brush Creek (TSF)	Westmoreland County CD 218 Donohoe Road Greensburg, PA 15601 (724) 837-5271

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

*Facility Location:
Municipality &
County*

<i>Permit No.</i>	<i>Applicant Name & Address</i>	<i>Receiving Water / Use</i>	<i>Contact Office & Phone No.</i>
PAG02001011026(2)	Sippel Enterprises 2591 Wexford Bayne Road, Suite 100 Sewickley PA 15143	Brush Creek WWF	Butler County Conservation District 724-284-5270
PAG02001613008	FOE 3807 81 Stonehouse Road Clarion PA 16214	Unt Brush Run CWF	Clarion County Conservation District 814-297-7813

General Permit Type—PAG-3

<i>Facility Location: Municipality & County</i>	<i>Permit No.</i>	<i>Applicant Name & Address</i>	<i>Receiving Water / Use</i>	<i>Contact Office & Phone No.</i>
Bedford County / Bedford Township	PAR113540	JLG Industries, Inc. 1 JLG Drive McConnellsburg, PA 17233	Raystown Branch Juniata River / TSF & MF	DEP—SCRO— Clean Water Program 909 Elmerton Avenue Harrisburg, PA 17110 717-705-4707
Lancaster County East Hempfield Township	PAR203625	GSM Industrial 3249 Hempland Road Lancaster, PA 17601-6913	Brubaker Run / WWF	DEP—SCRO— Clean Water Program 909 Elmerton Avenue Harrisburg, PA 17110 717-705-4707
Greene County Franklin Township	PAR806295	Greene County Airport 93 E High Street Waynesburg, PA 15370	Unnamed Tributary of Humms Run / WWF Unnamed Tributary to South Fork Tenmile Creek / WWF	DEP SWRO Clean Water Program 400 Waterfront Drive Pittsburgh, PA 15222-4745 412-442-4000
Athens Township Bradford County	PAR314847	Chesapeake Land Development Co. LLC PO Box 18496 Oklahoma City, OK 73154	Chemung River and Tutelow Creek—4-B (WWF)	DEP Northcentral Regional Office Clean Water Program 208 W Third Street Suite 101, Williamsport, PA 17701-6448 570.327.3664
Shamokin Township Northumberland County	PAR604843	Stoneroads Iron & Metal Inc. 699 Holly Road Paxinos, PA 17860	Shamokin Creek— 6-B	DEP Northcentral Regional Office Clean Water Program 208 W Third Street Suite 101, Williamsport, PA 17701-6448 570.327.3664
Sandy Township Clearfield County	PAR324805	American Rock Salt Co. LLC PO Box 190 Mt Morris, NY 14510	Unnamed Tributary to Sandy Lick Creek—17-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-4

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

<i>Facility Location: Municipality & County</i>	<i>Permit No.</i>	<i>Applicant Name & Address</i>	<i>Receiving Water / Use</i>	<i>Contact Office & Phone No.</i>
Greene Township Erie County	PAG041115	Andrew Urbaniak 6263 Knoyle Road Erie, PA 16510	Unnamed Tributary to Sixmile Creek 15-A	DEP NWRO Clean Water Program 230 Chestnut Street Meadville, PA 16335-3481 814/332-6942
Franklin Township Erie County	PAG041106	Lucas M. Silvis 22862 Ellis Road, Cambridge Springs, PA 16403	Goodban Run 15-A	DEP NWRO Clean Water Program 230 Chestnut Street Meadville, PA 16335-3481 814/332-6942

General Permit Type—Site Suitability Notice

Facility Location:

<i>Municipality & County</i>	<i>Applicant Name & Address</i>	<i>Site Name</i>	<i>Permit Number</i>	<i>Contact Office & Phone No.</i>
Center & Brush Valley Twps Indiana County	Synagro 171 Pittsburgh Street Derry, PA 15627	Evergreen Landfill	767481	Southwest Regional Office: Water Management Program Manager 400 Waterfront Drive Pittsburgh PA 15222-4745 (412) 442-4000

General Permit Type—PAG-13

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

<i>NPDES Permit No.</i>	<i>Applicant Name & Address</i>	<i>County</i>	<i>Municipality</i>	<i>Receiving Water/Use</i>
PAG133557	Fairview Township	York	Fairview Township	Yellow Breeches Creek, Big Spring Run, Fishing Creek, Marsh Run, Susquehanna River & UNT of Fishing Creek, Yellow Breeches Creek & Big Spring / CWF, TSF, WWF & MF
PAG133593	Conewago Township	York	Conewago Township	Fox Run, Little Conewago Creek, UNT of Little Conewago Creek / TSF, WWF & MF

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

<i>NPDES Permit No.</i>	<i>Applicant Name & Address</i>	<i>County</i>	<i>Municipality</i>	<i>Receiving Water/Use</i>	<i>DEP Protocol (Y/N)</i>
PAG138323	Mars Borough P.O. Box 395 Mars, PA 16046	Butler County	Mars Borough	Breakneck Creek and an Unnamed Tributary to Breakneck Creek	Y

STATE CONSERVATION COMMISSION

NUTRIENT MANAGEMENT PLANS RELATED TO APPLICATIONS FOR NPDES PERMITS FOR CAFOs

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

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

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

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

<i>Agricultural Operation Name and Address</i>	<i>County</i>	<i>Total Acres</i>	<i>Animal Equivalent Units</i>	<i>Animal Type</i>	<i>Special protection Waters (HQ or EV or NA)</i>	<i>Approved or Disapproved</i>
Troester Dairy 175 Cannon Road Mifflinburg PA 17844	Union	844.3	1015.4	Dairy	NA	Approved

<i>Agricultural Operation Name and Address</i>	<i>County</i>	<i>Total Acres</i>	<i>Animal Equivalent Units</i>	<i>Animal Type</i>	<i>Special protection Waters (HQ or EV or NA)</i>	<i>Approved or Disapproved</i>
Jerry Martin 121 Paradise Lane Lewisburg 17837	Union	1008.4	827.5	Swine	NA	Approved

PUBLIC WATER SUPPLY PERMITS

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

Persons aggrieved by an action may appeal that action to the Environmental Hearing Board (Board) under 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

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

Permit No. 4113504MA—Operation Public Water Supply.

Applicant	Williamsport Municipal Water Authority
Township/Borough	City of Williamsport
County	Lycoming
Responsible Official	Douglas E. Keith, Executive Director Williamsport Municipal Water Authority 253 West Fourth Street Williamsport, PA 17701
Type of Facility	Public Water Supply

Consulting Engineer	Charles Hauser, P.E. Williamsport Municipal Water Authority 253 West Fourth Street Williamsport, PA 17701
Permit Issued	August 23, 2013
Description of Action	Implementation of the tank or reservoir chemical disinfection treatment procedure described in your application, including use of the sample tap for Youngman Tank at the location shown in your application.

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

Operation Permit issued to **Pithole Water Association**, PWSID #6420031, Keating Township, **McKean County**. Permit Number 4293501-MA3 issued August 21, 2013 for the operation of 4-Log treatment of viruses for Entry Point 101. This action is taken under the requirements of the Groundwater Rule.

Operation Permit issued to **Reynolds 322 Company LTD**, PWSID #6430019, French Creek Township, **Mercer County**. Permit Number 4313502 issued August 22, 2013 for the operation of the Route 322 Mobile Home Park Public Water Supply. This permit is issued in response to an operation inspection conducted by the Department of Environmental Protection personnel on August 21, 2013.

Operation Permit issued to **Country Estates Mobile Home Park LLC**, PWSID #6430002, Jefferson Township, **Mercer County**. Permit Number 4388502-T3-MA1 issued August 21, 2013 for the operation of 4-Log treatment of viruses for Entry Point 101. This action is taken under the requirements of the Groundwater Rule.

Operation Permit issued to **Country Acres Personal Care Home, Inc.**, PWSID #6610045, Cherrytree Township, **Venango County**. Permit Number 6107501-MA1 issued August 22, 2013 for the operation of 4-Log treatment of viruses for Entry Point 101. This action is taken under the requirements of the Groundwater Rule.

Operation Permit issued to **Mark McGarrah and Beth McGarrah d/b/a Fleming Mobile Home Park**, PWSID #5100088, Clay, Concord, Center & Oakland Townships, **Butler County**. Permit Number 1007501-MA1 issued August 23, 2013 for the operation of 4-Log treatment of viruses for Entry Point 101. This action is taken under the requirements of the Groundwater Rule.

Operation Permit issued to **Miracle Mountain Ranch Missions, Inc.**, PWSID #6620371, Spring Creek Township, **Warren County**. Permit Number 6206501-MA1 issued August 23, 2013 for the operation of 4-Log treatment of viruses for Entry Point 100. This action is taken under the requirements of the Groundwater Rule.

SEWAGE FACILITIES ACT PLAN APPROVAL

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

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

Plan Location:

<i>Borough or Township</i>	<i>Borough or Township Address</i>	<i>County</i>
Knox Borough	PO Box 366,	Clarion
Beaver Township	620 Main St., Knox, PA 16232 324 Tippecanoe Road, Knox, PA 16232	

Plan Description: The approved plan provides an analysis of the flow monitoring data collected after completion of Phase 1 (replacing the sewer system and sewer laterals within the Borough). The plan further outlines the sewage treatment plant size and the collection system for the Beaver Township area to be served. The Knox Borough sewage treatment plant will have a design flow of 0.502 MGD and a permitted organic loading of 1032 lbs/day BOD₅. For the Wentlings Corner sewer extension within Beaver Township, the plan proposes the installation of 21,000 feet of low pressure sewer main to connect an initial 90 EDUs with grinder pumps. Knox Borough Council will remain the owner and operator of the Knox Borough sewage system. Beaver Township formed the Beaver Township Sewage Authority to design, construct and operate their portion of the project. The Department's review of the sewage facilities update revision has not identified any significant environmental impacts resulting from this proposal. Any required NPDES Permits or WQM Permits must be obtained in the name of the municipality or authority as appropriate.

HAZARDOUS SITES CLEAN-UP UNDER THE ACT OF OCTOBER 18, 1988

Notice of Interim Response Reading Industrial Scrap, Inc. Site Reading City/Muhlenberg Township, Berks 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 an interim response at Reading Industrial Scrap, Inc. (RISCO). This response will be initiated pursuant to Sections 501(a) and 505(b) of the HSCA (35 P. S. §§ 6020.501(a) and 6020.505(b)).

The RISCO Site is located off Route 61 along Berks Street in the City of Reading and Muhlenberg Township, Berks County. The address of the property is listed as 2001 Centre Avenue, Reading, PA 19605. The RISCO Site can be found on the United States Geological Survey (U.S.G.S.) Elverson Pennsylvania quadrangle map at north 40° 22' 6.3" latitude and west 75° 55' 48.3" longitude. The RISCO Site is located in an industrialized area. The current disposal area covers approximately 3 acres.

Several area major roadways frame the RISCO Site, including Route 61 to the west and Route 222 to the north. A set of railroad tracks lies along the eastern perimeter, a commercial building along the western perimeter, an industrial building along the southern perimeter and a large excavated pit is located inside the northern perimeter of the site.

In the summer of 2004 an initial response by the Department was deemed appropriate to secure the site to prevent direct contact health threats to the public, and promote public safety by preventing unrestricted access to the site. An eight-foot high chain link security fence was constructed around the perimeter of the site and approximately 2,000 tons of contaminated soils and 50 cubic yards of crushed drummed waste containing PCBs were removed and disposed off-site at a permitted waste disposal facility.

In spring 2008, a total of 12 soil borings from a depth of 4' to 40' below ground surface (BGS) were completed on site. In suspected areas of contamination, a total of 13 test pits were excavated from 7' to 25' BGS. An X-ray fluorescence instrument (XRF) was utilized to screen suspect soils and appropriate samples were then collected. The sample results showed that lead and chromium levels had exceeded regulatory standards for non-residential soils, 0—2' deep and iron levels had exceeded regulatory standards for non-residential soils, 2—12' deep. A composite soil sample collected for TCLP purposes showed that the sample did not leach lead from the sample. Site groundwater sampling was also conducted at four monitoring wells and no significant contamination was detected.

Lead and chromium are hazardous wastes as defined under the Solid Waste Management Act, July 7, 1980 (P. L. 380, No. 97, as amended), 35 P. S. §§ 6018.101 et seq., and a hazardous substance as defined under Section 103 of the Hazardous Sites Cleanup Act, Act of 1988, (P. L. 756, No. 108), 35 P. S. § 6020.101 et seq. Lead is an inorganic compound that is listed as a probable carcinogen. Lead is toxic by ingestion and inhalation and chronic cumulative effects of lead are exhibited in the body's nervous system.

The Department proposes an interim response at this site to protect public health and safety or the environment. This determination is based upon the following conditions that exist at the Site: (a) The actual or potential exposure via inhalation, ingestion and dermal contact to hazardous substances; and (b) Public safety issues relative to an open excavation approximately 30 feet in depth.

This response action is not a final remedial response pursuant to Section 504 of HSCA and therefore is not required to meet the cleanup standards that apply to final responses.

The Department will relocate and consolidate all surface-based (0—2 feet) contaminated waste and media in excess of regulatory standards, place the waste in the pit located in the northeastern corner of the site and then cover the waste with two feet of clean fill. Stockpiled soil piles presently located on site may be utilized as clean fill in the bottom and over the top of the pit if sampling determines that the soils meet regulatory standards. The pit will be filled with clean fill and then graded. This will remove the threat for ingestion and inhalation of the lead contamination and therefore be protective of human health as long as the soil cover is maintained. A maintenance plan will be required to provide for inspecting and replacing the soil cover. This will meet a site specific standard of the Land Recycling and Environmental Remediation Standards Act. An Environmental Covenant will be placed on the property to restrict future activities and will include both institutional and engineering controls.

This action will comply with all Applicable or Relevant and Appropriate Requirements (ARARs) and is protective of human health and safety, and the environment. The estimated cost of implementing this alternative is \$57,000. The Department has selected this action because it is protective, cost effective and meets regulatory requirements.

The Department is providing this notice under sections 505(b) and 506(b) of HSCA (35 P. S. Sections 6020.505(b) and 6020.506(b)), and the publication of this notice in the *Pennsylvania Bulletin* starts the administrative record period under HSCA. The Administrative Record which contains information about this site and which supports the Department's decision to perform this action at the site is available for public review and comment. The Administrative Record can be examined Monday through Friday from 8 a.m. to 4 p.m. at the Department's Southcentral Regional Office located at 909 Elmerton Avenue, Harrisburg, PA 17110, by contacting David Hrobuchak at 717-705-4843. The Administrative Record can also be reviewed at the Department's Reading District Office located at 1050 Crossroads Boulevard, Reading, PA, from 8 a.m. to 4 p.m.

The Administrative record will be open for comment from the date of publication of this notice in the *Pennsylvania Bulletin* on September 7, 2013, and will remain open for 90 days. Persons may submit written comments regarding this action to the Department before December 6, 2013, by mailing them to Mr. Hrobuchak at the DEP Southcentral Regional Office, 909 Elmerton Avenue, Harrisburg, PA 17110-8200.

The public will have an opportunity to present oral comments regarding the proposed action at a public hearing. The hearing has been scheduled for October 8, 2013, at 7:00 p.m. at the Department's Reading District Office located at 1005 Crossroads Boulevard, Reading, PA 19605. Persons wishing to present formal oral comments at the hearing should register before 4:00 p.m., October 7, 2013 by contacting Mr. Hrobuchak. 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 Mr. Hrobuchak or through the Pennsylvania AT&T Relay Service at 1-800-654-5984 (TDD) to discuss how the Department may accommodate their needs.

HAZARDOUS WASTE TREATMENT, STORAGE AND DISPOSAL FACILITIES

Permits issued under the Solid Waste Management Act (35 P. S. §§ 6018.101—6018.1003) and Regulations to Operate a Hazardous Waste Treatment, Storage, or Disposal Facility.

Northwest Region: Regional Solid Waste Manager, 230 Chestnut Street, Meadville, PA 16335-3481

PAD086673407. Safety-Kleen Systems Inc., 1606 Pittsburgh Avenue, Erie, PA 16505, Millcreek Township, Erie County. The existing RCRA Part B Hazardous Waste TSD permit for storage was renewed for another ten years. The permit was issued by the Northwest Regional Office on August 16, 2013 and becomes effective on August 29, 2013 as the current permit expires. The draft renewal permit was issued on June 7, 2013.

RESIDUAL WASTE GENERAL PERMITS

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 Residual Waste Regulations for a General Permit to Operate Residual Waste Processing Facilities and the Beneficial Use of Residual Waste other than Coal Ash.

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

General Permit Registration No. WMGR123NC025. RES Water-Avis, LLC. 180 Henry Street, Jersey Shore, PA 17740. Registration to operate under General Permit No. WMGR123 for a treatment facility located in Pine Creek Township, **Clinton County**, for reuse of gas well frac water and production water. The registration was approved by NorthCentral Regional Office on August 9, 2013.

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

OPERATE WASTE PROCESSING OR DISPOSAL AREA OR SITE

Applications deemed administratively complete under the Solid Waste Management Act, the Municipal Waste Planning, Recycling and Waste Reduction Act and Regulations to Operate Solid Waste Processing or Disposal area or Site.

Southcentral Region: Regional Solid Waste Manager, 909 Elmerton Avenue, Harrisburg, PA 17110-8200

Permit No. 100758 Harrisburg Materials, Energy, Recycling and Recovery Facility, **Lancaster County** Solid Waste Management Authority (LCSWMA) 1299 Harrisburg Pike Lancaster, PA 17604-4425

The application submitted is to reissue the permit for the Harrisburg Materials, Energy, Recycling and Recovery Facility, from The Harrisburg Authority to LCSWMA. The application was deemed administratively complete by the Southcentral Regional Office on August 23, 2013. The Department will accept comments from the general public recommending revisions to, and approval or denial of the application during the entire time the Department is reviewing the permit application.

Comments concerning the application should be directed to Mr. John Oren, Permits Chief, Waste Management Program, 909 Elmerton Avenue, Harrisburg, PA 17110-8200. Person interested in obtaining more information about this permit application may contact the Southcentral Regional Office at (717) 705-4706. TDD users may contact the Department through the Pennsylvania Relay Service, (800) 654-5984.

Permit No. 100759 Area "A" Ash landfill, Lancaster County Solid Waste Management Authority (LCSWMA) 1299 Harrisburg Pike Lancaster, PA 17604-4425

The application submitted is to reissue the permit for the Area "A" Ash Landfill, which is currently closed, from The Harrisburg Authority to LCSWMA. The application was deemed administratively complete by the Southcentral Regional Office on August 23, 2013. The Department will accept comments from the general public

recommending revisions to, and approval or denial of the application during the entire time the Department is reviewing the permit application.

Comments concerning the application should be directed to Mr. John Oren, Permits Chief, Waste Management Program, 909 Elmerton Avenue, Harrisburg, PA 17110-8200. Person interested in obtaining more information about this permit application may contact the Southcentral Regional Office at (717) 705-4706. TDD users may contact the Department through the Pennsylvania Relay Service, (800) 654-5984.

Permit No. 100992 Area "B" Ash landfills, Lancaster County Solid Waste Management Authority (LCSWMA) 1299 Harrisburg Pike Lancaster, PA 17604-4425

The application submitted is to reissue the permit for the Area "B" Ash Landfills from The Harrisburg Authority to LCSWMA. The application was deemed administratively complete by the Southcentral Regional Office on August 23, 2013. The Department will accept comments from the general public recommending revisions to, and approval or denial of the application during the entire time the Department is reviewing the permit application.

Comments concerning the application should be directed to Mr. John Oren, Permits Chief, Waste Management Program, 909 Elmerton Avenue, Harrisburg, PA 17110-8200. Person interested in obtaining more information about this permit application may contact the Southcentral Regional Office at (717) 705-4706. TDD users may contact the Department through the Pennsylvania Relay Service, (800) 654-5984.

AIR QUALITY

General Plan Approval and Operating Permit Usage Authorized under the Air Pollution Control Act (35 P. S. §§ 4001—4015) and 25 Pa. Code Chapter 127 to construct, modify, reactivate or operate air contamination sources and associated air cleaning devices.

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

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

GP5-17-437A: EXCO Resources (PA), LLC (3000 Ericsson Drive, Suite 200, Warrendale, PA 15086) on August 19, 2013, to construct and operate one (1) 330 bhp Caterpillar model G379NA four stroke, rich burn, natural gas-fired compressor engine, equipped with a Miratech model IQ-20-10 catalytic oxidizer and one (1) 3,150 gallon condensate water collection tank pursuant to the General Plan Approval and/or General Operating Permit for Natural Gas Compression and/or Processing Facilities (BAQ-GPA/GP-5) at the Lynn Robbins Compressor Station in Knox Township, **Clearfield County**.

GP5-59-189E: Talisman Energy USA, Inc. (50 Pennwood Place, Warrendale, PA 15086) on August 22, 2013, to operate one natural-gas-fired 1380 bhp Caterpillar model G3516ULB engine under the General Plan Approval and/or General Operating Permit for Natural Gas Compression and/or Processing Facilities (BAQ-GPA/GP-5) at their Tract 587 State Lands Compressor Station in Ward Township, **Tioga County**.

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

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

GP3-26-00597C: Bullsken Stone & Lime, LLC (P.O. Box 528, Latrobe, PA 15650) on August 20, 2013, received authorization for construction and operation of sources and controls associated with a portable non-metallic mineral processing plant at the Bullsken No. 1 Mine located in Bullsken Township, **Fayette County**.

GP9-26-00597C: Bullsken Stone & Lime, LLC (P.O. Box 528, Latrobe, PA 15650) on August 20, 2013, received authorization for construction and operation of a diesel or No. 2 fuel-fired internal combustion engine associated with a portable non-metallic mineral processing plant at the Bullsken No. 1 Mine located in Bullsken Township, **Fayette County**.

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

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

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

46-278A: Data Based Systems International, Inc.—DBSI (1000 Adams Avenue, Audubon, PA 19403) on August 21, 2013, to install and operate two (2) diesel-fired emergency generator sets, each having an electrical production capacity of 2.0 megawatts at their facility in Lower Providence Township, **Montgomery County**. The plan approval is for a non-Title V, State-only facility. DBSI provides back-up electrical power to the medical industry during utility power outages and during electrical infrastructure maintenance and is applying to install, operate, and maintain these two engines so as to be able to maintain the necessary back-up power supply that their customers demand. Aggregate NO_x emissions shall not exceed their current permitted level of 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.

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

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

36-05024A: Big Bee Steel & Tank Co. (99 Elizabethtown Road, Manheim, PA 17545) on August 20, 2013, to construct a new building to reconfigure and add to current production operations to fabricate and paint steel storage tanks at their tank manufacturing facility in Rapho Township, **Lancaster County**. The new building will house additional metal fabrication activities including hand grinding and welding stations, hydro testing, a roll-in type enclosed abrasive blast system and a new paint booth. Building heat will be provided by three propane gas-fired furnaces with a combined capacity less than 5mmBtu/hr and a propane gas-fired boiler less than 0.4 mmBtu/hr. The facility will use HVLP spray guns. The paint booth will control PM with a fabric filter system, and will control VOC by meeting VOC content limits. The abrasive blasting system will utilize a cartridge filter system that vents internally.

36-05001JD5: Armstrong World Industries (1507 River Road, Marietta, PA 17547) on August 15, 2013, to incorporate relevant provisions from 40 CFR 63, Subpart DDDDD, into the air quality permit for their ceiling tile plant in East Donegal Township, **Lancaster County**.

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

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

08-00010H: Global Tungsten & Powders Corp. (1 Hawes Street, Towanda, PA 18848) on August 20, 2013, issued a plan approval to construct a Bionomic Industries Series 5000 Model 60 Counterflow Packed Tower Scrubber to control hydrogen chloride emissions from the cobalt chemical process vessels at their Towanda Facility in North Towanda Township, **Bradford County**.

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

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

63-00982A: Arrow Material Services (2605 Nicholson Road, Building 2, Suite 302, Pittsburgh, PA 15143) on August 20, 2013, to allow the construction and temporary operation of a (railcar to truck) hydrochloric acid transloading facility to be named the Allenport, PA Terminal located in Allenport Borough, **Washington County**. Hydrochloric acid transfer is to be controlled by vapor recovery with an acid scrubber and limited to 6.3 million gallons per year.

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.

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

63-00963D: MarkWest Liberty Midstream and Resources, LLC (1515 Arapahoe Street Tower 2, Suite 700, Denver, CO 80202-2126) on August 21, 2013, to extend the period of temporary operation of the fractionator tower and natural gas-fired process heater rated at 148 MMBtu/hr authorized under plan approval PA-63-00936D, until February 27, 2013, at the Houston Gas Plant located in Chartiers Township, **Washington County**. The plan approval has been extended.

65-00837B: Dominion Transmission, Inc., Oakford Compressor Station (D.L. Clark Bldg., 501 Martindale St., Suite 400, Pittsburgh, PA, 15212) on August 21, 2013, for a plan approval extension in order to prepare and submit a revision to the Title V operating permit application so that the requirements of this plan approval can be included in Salem Township, **Westmoreland County**. The plan approval has been extended.

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

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.

67-05098: Kinsley Construction, Inc. (PO Box 2886, York, PA 17405-2886) on August 15, 2013, for the Penroc decorative stone and roofing granule manufacturing facility in West Manchester Township, **York 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

19-00019: Dillon Floral Corp. (933 Columbia Blvd., Bloomsburg, PA 17815-8844) on August 15, 2013, to issue a state only operating permit for their Bloomsburg Greenhouse in the Town of Bloomsburg, **Columbia County**. The facility's sources include one (1) wood waste-fired boiler, one (1) natural gas-fired boiler and one (1) propane-fired emergency generator. The state only operating permit contains all applicable regulatory requirements including monitoring, recordkeeping and reporting conditions.

41-00042: Eastern Wood Products Co. (P.O. Box 1056, Williamsport, PA 17703-1056) on August 20, 2013, to issue a state only operating permit for their Williamsport Lumber Mill in Old Lycoming Township, **Lycoming County**. The state only operating permit contains all applicable regulatory requirements including monitoring, recordkeeping and reporting conditions.

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

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

26-00569: Holt & Bugbee Hardwoods, Inc. (1600 Shawsheen St., P.O. Box 37, Tewksbury, MA, 01876) on August 22, 2013, to issue a Natural Minor State Only Operating Permit for the operation of a hardwood lumber drying and processing facility located in North Union Township, **Fayette County**. The subject facility uses a wood waste-fired boiler to kiln dry hardwood lumber and further process the material into dimension boards and architectural moldings. The boiler is controlled by a multi-clone dust collector that limits particulate matter emissions to 0.25 lbs/mmbtu of heat input. The facility also has an 8.4 mmbtu/hr natural gas-fired boiler that is used as a backup unit. A milling building contains the various saws and milling machines where the lumber is processed and wood waste is created. The wood waste is collected by a dedicated baghouse and pneumatically conveyed to a storage silo for feeding the boiler. The facility is subject to the applicable requirements of Pa. Code Title 25 Chapters 121 through 145. The final renewal Operating Permit contains applicable emission limits, as well as testing, monitoring, recordkeeping, reporting and work practice requirements.

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

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

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

09-00082: Quakertown Veterinary Clinic, P.C. (2250 North Old Bethlehem Pike, Quakertown, PA 18951) on August 21, 2013, for an administrative amendment to the state-only operating permit in Milford Township, **Bucks**

County. The permit is amended to add natural gas as an alternative fuel for Source ID 002. This Administrative Amendment of the State-only Operating Permit is issued under the Air Pollution Control Act (35 P. S. §§ 4001—4015) and 25 Pa. Code § 127.450.

46-00278: Data Based Systems International, LLC (1000 Adams Ave, Audubon, PA) on August 21, 2013, for operation of an electrical power back-up facility in Upper Providence Township, **Montgomery County**. This amendment is to address a change in ownership. Administrative Amendment of State-Only Operating Permit issued under the Air Pollution Control Act (35 P. S. §§ 4001—4015) and 25 Pa. Code § 127.450.

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

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

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

03-00206: Rosebud Mining Company (301 Market Street, Kittanning, PA 16201). Per Title 25 Pa. Code Section 127.449(i), this Notice is for the following de minimis emission increase at the Rosebud Mining Company, Tracy Lynne Mine facility located in Kiskiminetas Township, **Armstrong County**.

Installation and operation of a 200 tph portable crusher controlled by water sprays as needed powered by a Cummins QSM-11 diesel engine rated at 425 bhp. The emission increase at this facility will not exceed 0.8 tpy NO_x and 0.2 tpy for each other criteria and hazardous pollutant as a result of this project.

The list of de minimis increases includes only this project.

ACTIONS ON COAL AND NONCOAL MINING ACTIVITY APPLICATIONS

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

Coal Permits Issued

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

03060102 and NPDES Permit No. PA0250902. P & N Coal Company, Inc. (P.O. Box 332, Punxsutawney, PA 15767). Revision permit issued for land use change from forestland to cropland to an existing bituminous surface mine, located in Sugarcreek Township, **Armstrong**

County, affecting 252.2 acres. Receiving streams: Patterson Creek and unnamed tributaries to Patterson Creek. Application received: May 20, 2013. Permit issued: August 20, 2013.

03840110 and NPDES Permit No. PA0200999. Britt Energies, Inc. (P.O. Box 515, Indiana, PA 15701). Renewal permit for continued operation and reclamation issued to an existing bituminous surface mine, located in Wayne Township, **Armstrong County**, affecting 55.5 acres. Receiving streams: unnamed tributaries to N. Branch of South Fork Pine Creek. Application received: April 30, 2013. Permit issued: August 22, 2013.

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

17130102 and NPDES PA0269549. P & N Coal Company, Inc. (240 West Mahoning Street, Punxsutawney, PA 15767). Commencement, operation and restoration of a bituminous surface mine located in Pike Township, **Clearfield County** affecting 59.0 acres. Receiving streams: Unnamed Tributaries to Hartshorn Run and Unnamed Tributary to Anderson Creek classified for the following use(s): Cold Water Fishes. There are no potable water supply intakes within 10 miles downstream. Application received: January 29, 2013. Permit issued: August 16, 2013.

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

54910205R4. Penn Equipment Corp., (15 Main Street, Port Carbon, PA 17965), renewal of an existing anthracite coal refuse reprocessing operation in West Mahanoy Township, **Schuylkill County** affecting 12.5 acres, receiving stream: Mahanoy Creek. Application received: January 8, 2013. Renewal issued: August 21, 2013.

54910205GP104. Penn Equipment Corp., (15 Main Street, Port Carbon, PA 17965), General NPDES Stormwater Permit for stormwater discharges associated with mining activities on Surface Mining Permit No. 54910205 in West Mahanoy Township, **Schuylkill County**, receiving stream: Mahanoy Creek. Application received: January 8, 2013. Permit issued: August 21, 2013.

Noncoal Permits Issued

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

37970302. Quality Aggregates, Inc. (P.O. Box 112700, Pittsburgh, PA 15241) Renewal of existing NPDES Permit No. PA0227579 in Slippery Rock Township, **Lawrence County**. Receiving streams: Unnamed tributaries to Slippery Rock Creek. Application received: May 3, 2013. Permit Issued: August 21, 2013.

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

08940803. Bronson Construction Company, Inc. (464 Bronson Road, Troy, PA 16947-8475). Final bond release for a small industrial mineral surface mine located in Troy Township, **Bradford County**. Restoration of 4.0 acres completed. Receiving stream: Sugar Creek. Application received: July 15, 2013. Final bond release approved: August 19, 2013.

**ACTIONS ON BLASTING ACTIVITY
APPLICATIONS**

Actions on applications under the Explosives Acts of 1937 and 1957 and 25 Pa. Code § 211.124. Blasting activity performed as part of a coal or noncoal mining activity will be regulated by the mining permit for that coal or noncoal mining activity.

Blasting Permits Issued

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

63134106. Wampum Hardware Co. (636 Paden Road, New Galilee, PA 16141). Blasting activity permit for the construction of the Williams 12" pipeline, located in Chartiers Township, **Washington County**. Expiration of blasting: December 31, 2013. Blasting permit issued: July 11, 2013.

63134107. Wampum Hardware Co. (636 Paden Road, New Galilee, PA 16141). Blasting activity permit for the construction of the Noble West Finley Pond B, located in West Finley Township, **Washington County**. Expiration of blasting: December 31, 2013. Blasting permit issued: August 15, 2013.

63134108. Wampum Hardware Co. (636 Paden Road, New Galilee, PA 16141). Blasting activity permit for the construction of the Atlas Services EQT Gallager pond, located in Amwell Township, **Washington County**. Expiration of blasting: December 31, 2013. Blasting permit issued: August 15, 2013.

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

35134109. Maurer & Scott Sales, Inc., (122 Thomas Street, Coopersburg, PA 18036), construction blasting for Bell Mountain Land Development in Dickson City Borough, **Lackawanna County** with an expiration date of August 31, 2015. Permit issued: August 20, 2013.

58134141. Doug Wathen, LLC, (11934 Fairway Lakes Drive, Ft. Myers, FL 33913), construction blasting for Hooker Gas Pad in Auburn Township, **Susquehanna County** with an expiration date of August 3, 2014. Permit issued: August 20, 2013.

66134119. Holbert Explosives, Inc., (237 Mast Hope Plank Road, Lackawaxen, PA 18435), construction blasting for Strike, LLC Sick Pipeline in Windham Township, **Wyoming County** with an expiration date of August 15, 2014. Permit issued: August 20, 2013.

15134107. American Rock Mechanics, Inc., (7531 Chestnut Street, Zionsville, PA 18092), construction blasting for Philipa Brothers Electric in East Nantmeal Township, **Chester County** with an expiration date of August 19, 2014. Permit issued: August 21, 2013.

58134144. Wampum Hardware Company, (2856 Stoystown Road, Friedens, PA 15541), construction blasting for Trumbull Mordovancy Well Pad in Choconut Township, **Susquehanna County** with an expiration date of December 31, 2013. Permit issued: August 21, 2013.

58134145. Doug Wathen, LLC, (11934 Fairway Lakes Drive, Ft. Myers, FL 33913), construction blasting for R Reynolds well site & tank farm in Jessup Township, **Susquehanna County** with an expiration date of August 14, 2014. Permit issued: August 21, 2013.

58134006. Brainard Explosives LLC, (3978 State Route 2073, Kingsley, PA 18826), construction blasting for the Repine Well Pad 07-022 in Apolacon Township, **Susquehanna County** with an expiration date of December 31, 2013. Permit issued: August 22, 2013.

**FEDERAL WATER POLLUTION
CONTROL ACT SECTION 401**

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

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

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

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

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

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

Permits, Environmental Assessments and 401 Water Quality Certifications Issued:

WATER OBSTRUCTIONS AND ENCROACHMENTS

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

E40-738. Melania Serfass, 101 Lakeside Drive, Harveys Lake, PA 18612. Harveys Lake Borough, **Luzerne County**, Army Corps of Engineers Baltimore District.

To remove the existing dock and shed and to construct and maintain a 1,974 sq. ft. boathouse and dock within the basin of Harveys Lake (HQ-CWF). The project is located approximately at Pole 10, Lakeside Drive (Harveys Lake, PA Quadrangle, Latitude: 41° 21' 20"; Longitude: -76° 02' 57") Harveys Lake Borough, Luzerne County. Subbasin: 5B

E66-155. American Asphalt Paving Co., 500 Chase Road, Shavertown, PA 18708, Eaton Township, **Wyoming County**, Army Corps of Engineers Baltimore District.

To construct and maintain a road crossing consisting of a 20-foot wide bridge across Sugar Hollow Creek (HQ-CWF, MF) having a span of 45-feet and an underclearance of 5-feet (Tunkhannock, PA Quadrangle Latitude: 41°30'24.9"; Longitude: -75°59'9.2"). Subbasin: 4G

E52-237. Blooming Grove Hunting and Fishing Club, 123 Old Field Road, Hawley, PA 18428-6092. Blooming Grove Township, **Pike County**, Army Corps of Engineers Philadelphia District.

To construct and maintain a stream restoration project in a 1,100-foot reach of Shohola Creek (EV) for the purpose of providing stream bank protection and aquatic habitat with work consisting of:

1. The removal of existing in-stream dam remnants, logs, root wads, rock vane structures, mid-channel bars and embankment borrow areas;

2. The placement of in-stream fish enhancement structures including 1 log cross vane with boulder placement, 9 log j-hook arms with floodway sills, 9 rock j-hook vanes, and the backfill and minor re-grading of various channel embankments, and bank full bench areas.

3. Placement of a temporary bridge crossing.

The project begins approximately 4,000 feet upstream from where Shohola Creek intersects Interstate 84 and extends upstream from that point for approximately 1,100 linear feet (Pecks Pond, PA Quadrangle Latitude: 41° 20' 59"; Longitude: -75° 06' 12") in Blooming Grove Township, Pike County. Subbasin: 1D

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

E14-553. Clearwater Conservancy, 2555 North Atherton Street, State College, PA 16803. Hughes Farm Stream Restoration Project, in Halfmoon Township, **Centre County**, ACOE Baltimore District (Port Matilda, PA Quadrangle N: 40°45'57"; W: -78°2'30").

To construct and maintain a stream restoration project involving a combination of bank grading, channel relocation and in-stream habitat structure installation on a 1,300 linear foot reach of Halfmoon Creek in conjunction with a stream bank fencing project. This permit also includes 401 Water Quality Certification.

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

E04-343. Pine Valley Camp, 504 Chapel Drive, Ellwood City, PA 16117, North Sewickley Township, **Beaver County**; ACOE Pittsburgh District

Applicant has been given consent to encroach upon and maintain 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 Pine Valley 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.

Northcentral Region: Oil and Gas Management Program Manager, 208 West Third Street, Suite 101, Williamsport, PA 17701

E4129-052: PVR NEPA Gas Gathering, LLC, 101 West Third Street, Williamsport, PA 17701, Shrewsbury Township, **Lycoming County**, ACOE Baltimore District.

To construct, operate, and maintain:

- (1) one 8-inch natural gas pipeline, one 12-inch natural gas pipeline, and a timber mat bridge impacting 14427 square feet palustrine emergent (PEM) wetland (Picture Rocks, PA Quadrangle 41°20'01"N 76°41'04"W);

- (2) one 8-inch natural gas pipeline, one 12-inch natural gas pipeline, and a timber mat bridge impacting 3762 square feet of palustrine emergent (PEM) wetland (Picture Rocks, PA Quadrangle 41°20'03"N 76°40'56"W);

- (3) one 8-inch natural gas pipeline, one 12-inch natural gas pipeline, and a timber mat bridge impacting 8605 square feet of palustrine emergent (PEM) wetland (Picture Rocks, PA Quadrangle 41°20'02"N 76°40'54"W).

The project will result in 0.62 acre of wetland impacts all for the purpose of installing a natural gas gathering line with associated access roadways for Marcellus well development. These are additional impacts to be included along with pipeline impacts previous published to the *PA Bulletin* on 1/28/12 and 9/15/12.

E5829-049 Revised. Angelina Gathering Company, LLC; 2350 Sam Houston Parkway E., Suite 125; Houston, TX 77032; Franklin and New Milford Townships, **Susquehanna County**, ACOE Baltimore District.

To construct, operate, and maintain:

- 1) a 12-inch and 16-inch diameter natural gas pipeline, a 16-inch diameter waterline, and timber mat crossing impacting 9,406 square feet (0.22 acre) of a PEM wetland (Franklin Forks, PA Quadrangle; N 41° 53' 11" Lat., W -75° 45' 32" Long.),

- 2) a 12-inch and 16-inch diameter natural gas pipeline, a 16-inch diameter waterline, and timber mat crossing impacting 14,087 square feet (0.32 acre) of a PEM wetland (Franklin Forks, PA Quadrangle; N 41° 52' 44" Lat., W -75° 45' 23" Long.),

- 3) a 12-inch and 16-inch diameter natural gas pipeline, a 16-inch diameter waterline, and timber mat crossing impacting 1,869 square feet (0.04 acre) of a PEM wetland (Great Bend, PA Quadrangle; N 41° 52' 42" Lat., W -75° 44' 58" Long.),

- 4) a 12-inch and 16-inch diameter natural gas pipeline, a 16-inch diameter waterline, and timber mat crossing impacting 20 square feet (0.01 acre) of a PEM wetland (Franklin Forks, PA Quadrangle; N 41° 52' 42" Lat., W -75° 45' 55" Long.),

- 5) a 12-inch and 16-inch diameter natural gas pipeline, a 16-inch diameter waterline, and timber mat crossing impacting 87 square feet (0.01 acre) of a PEM wetland (Great Bend, PA Quadrangle; N 41° 52' 40" Lat., W -75° 44' 45" Long.),

- 6) a 12-inch and 16-inch diameter natural gas pipeline, a 16-inch diameter waterline, and timber mat crossing impacting 15,367 square feet (0.35 acre) of a PSS wetland (Great Bend, PA Quadrangle; N 41° 52' 40" Lat., W -75° 44' 43" Long.),

7) a 12-inch and 16-inch diameter natural gas pipeline, a 16-inch diameter waterline, and timber mat crossing impacting 3,528 square feet (0.08 acre) of a PFO wetland (Great Bend, PA Quadrangle; N 41° 52' 40" Lat., W -75° 44' 44" Long.),

8) a 12-inch and 16-inch diameter natural gas pipeline, a 16-inch diameter waterline, and timber mat crossing impacting 502 square feet (0.01 acre) of a PEM wetland (Great Bend, PA Quadrangle; N 41° 52' 37" Lat., W -75° 44' 37" Long.),

9) a 12-inch and 16-inch diameter natural gas pipeline, a 16-inch diameter waterline, and timber mat crossing impacting 7,336 square feet (0.17 acre) of a PEM wetland (Great Bend, PA Quadrangle; N 41° 52' 35" Lat., W -75° 44' 37" Long.),

10) a 12-inch and 16-inch diameter natural gas pipeline, a 16-inch diameter waterline, and timber mat crossing impacting 836 square feet (0.02 acre) of a PSS wetland (Harford, PA Quadrangle; N 41° 52' 06" Lat., W -75° 44' 07" Long.),

11) a 12-inch and 16-inch diameter natural gas pipeline, a 16-inch diameter waterline, and timber mat crossing impacting 701 square feet (0.02 acre) of a PEM wetland (Harford, PA Quadrangle; N 41° 51' 38" Lat., W -75° 43' 40" Long.),

12) a 12-inch and 16-inch diameter natural gas pipeline, a 16-inch diameter waterline, and timber mat crossing impacting 1,184 square feet (0.03 acre) of a PEM wetland (Harford, PA Quadrangle; N 41° 51' 39" Lat., W -75° 43' 30" Long.),

13) a 12-inch and 16-inch diameter natural gas pipeline, a 16-inch diameter waterline, and timber mat crossing impacting 622 square feet (0.01 acre) of a PEM wetland (Harford, PA Quadrangle; N 41° 51' 39" Lat., W -75° 43' 29" Long.),

14) a 12-inch and 16-inch diameter natural gas pipeline, a 16-inch diameter waterline, and timber mat crossing impacting 13,006 square feet (0.30 acre) of a PEM wetland (Harford, PA Quadrangle; N 41° 51' 40" Lat., W -75° 43' 26" Long.),

15) a 12-inch and 16-inch diameter natural gas pipeline, a 16-inch diameter waterline, and timber mat crossing impacting 5,875 square feet (0.13 acre) of a PSS wetland (Harford, PA Quadrangle; N 41° 51' 40" Lat., W -75° 43' 21" Long.),

16) a 12-inch and 16-inch diameter natural gas pipeline, a 16-inch diameter waterline, and timber mat crossing impacting 626 square feet (0.01 acre) of a PFO wetland (Harford, PA Quadrangle; N 41° 51' 40" Lat., W -75° 43' 20" Long.),

17) a 12-inch and 16-inch diameter natural gas pipeline, a 16-inch diameter waterline, and timber mat crossing impacting 155 square feet (0.01 acre) of a PEM wetland (Harford, PA Quadrangle; N 41° 51' 41" Lat., W -75° 43' 15" Long.),

18) a 12-inch and 16-inch diameter natural gas pipeline, a 16-inch diameter waterline, and timber mat crossing impacting 87 lineal feet of an unnamed tributary to Beaver Creek (HQ-CWF, MF) (Franklin Forks, PA Quadrangle; N 41° 53' 12" Lat., W -75° 45' 34" Long.),

19) a 12-inch and 16-inch diameter natural gas pipeline, a 16-inch diameter waterline, and timber mat crossing impacting 73 lineal feet of an unnamed tributary to Beaver Creek (HQ-CWF, MF) (Franklin Forks, PA Quadrangle; N 41° 53' 12" Lat., W -75° 45' 33" Long.),

20) a 12-inch and 16-inch diameter natural gas pipeline, a 16-inch diameter waterline, and timber mat crossing impacting 86 lineal feet of Beaver Creek (HQ-CWF, MF) (Franklin Forks, PA Quadrangle; N 41° 53' 05" Lat., W -75° 45' 31" Long.),

21) a 12-inch and 16-inch diameter natural gas pipeline, a 16-inch diameter waterline, and timber mat crossing impacting 15 lineal feet of an unnamed tributary to Meylert Creek (HQ-CWF, MF) (Harford, PA Quadrangle; N 41° 52' 07" Lat., W -75° 44' 07" Long.),

22) a 12-inch and 16-inch diameter natural gas pipeline, a 16-inch diameter waterline, and timber mat crossing impacting 75 lineal feet of an unnamed tributary to Meylert Creek (HQ-CWF, MF) (Harford, PA Quadrangle; N 41° 51' 39" Lat., W -75° 43' 33" Long.),

23) a 12-inch and 16-inch diameter natural gas pipeline, a 16-inch diameter waterline, and timber mat crossing impacting 33 lineal feet of an unnamed tributary to Meylert Creek (HQ-CWF, MF) (Harford, PA Quadrangle; N 41° 51' 39" Lat., W -75° 43' 29" Long.),

24) a 12-inch and 16-inch diameter natural gas pipeline, a 16-inch diameter waterline, and timber mat crossing impacting 30 lineal feet of an unnamed tributary to Meylert Creek (HQ-CWF, MF) (Harford, PA Quadrangle; N 41° 51' 39" Lat., W -75° 43' 29" Long.),

25) a 12-inch and 16-inch diameter natural gas pipeline, a 16-inch diameter waterline, and timber mat crossing impacting 73 lineal feet of Meylert Creek (HQ-CWF, MF) (Harford, PA Quadrangle; N 41° 51' 41" Lat., W -75° 43' 21" Long.),

26) a 12-inch and 16-inch diameter natural gas pipeline, a 16-inch diameter waterline, and timber mat crossing impacting 28 lineal feet of an unnamed tributary to Meylert Creek (HQ-CWF, MF) (Harford, PA Quadrangle; N 41° 51' 42" Lat., W -75° 43' 15" Long.),

27) a timber mat crossing impacting 819 square feet (0.02 acre) of a PEM wetland (Harford, PA Quadrangle; N 41° 52' 37" Lat., W -75° 44' 38" Long.),

28) a timber mat crossing impacting 8,368 square feet (0.19 acre) of a PEM wetland (Harford, PA Quadrangle; N 41° 51' 38" Lat., W -75° 42' 56" Long.).

The project consists of constructing approximately 4.8 miles of 12" and 16" natural gas gathering line, and a 16" waterline from the Northwest 1 well site to the CDP-1 site; located in New Milford Township, Susquehanna County. The project will result in 500 lineal feet of stream channel impact, 1.34 acres of temporary wetland impact, and 0.51 acre of wetland conversion impacts, all for the purpose of conveying Marcellus Shale natural gas to market.

E4129-067: Anadarko Marcellus Midstream, L.L.C., 33 West Third Street, Suite 200, Williamsport, PA 17701, Cogan House Township, **Lycoming County**, ACOE Baltimore District.

To construct, operate, and maintain:

1) two 6-inch natural gas pipelines, two 6-inch waterlines, one 12-inch waterline, one electric/fiber optic line, and a timber mat bridge impacting 2425 square feet of palustrine emergent (PEM) wetland (White Pine PA Quadrangle 41°26'54"N, 77°10'14"W);

2) two 6-inch natural gas pipelines, two 6-inch waterlines, one 12-inch waterline, one electric/fiber optic line, and a timber mat bridge impacting 62 lineal feet of an unnamed tributary to Wolf Run (EV, MF) and 4041

square feet of adjacent palustrine emergent (PEM) wetland (White Pine PA Quadrangle 41°26'41"N, 77°10'17"W);

3) two 6-inch natural gas pipelines, two 6-inch waterlines, one 12-inch waterline, one electric/fiber optic line, and a timber mat bridge impacting 5784 square feet of palustrine forested (PFO) wetland (White Pine PA Quadrangle 41°26'39"N, 77°10'01"W);

4) two 6-inch natural gas pipelines, two 6-inch waterlines, one 12-inch waterline, one electric/fiber optic line, and a timber mat bridge impacting 146 linear feet of an unnamed tributary to Larrys Creek (HQ-CWF, MF) (White Pine PA Quadrangle 41°26'42"N, 77°09'14"W);

5) two 6-inch natural gas pipelines, two 6-inch waterlines, one 12-inch waterline, one electric/fiber optic line, and a timber mat bridge impacting 62 linear feet of an unnamed tributary to Larrys Creek (HQ-CWF, MF) (White Pine PA Quadrangle 41°26'42"N, 77°09'08"W);

6) two 6-inch natural gas pipelines, two 6-inch waterlines, one 12-inch waterline, one electric/fiber optic line, and a timber mat bridge impacting 59 linear feet of an unnamed tributary to Larrys Creek (HQ-CWF, MF) and 467 square feet of adjacent palustrine emergent (PEM) wetland (White Pine PA Quadrangle 41°26'41"N, 77°08'35"W);

7) two 6-inch natural gas pipelines, two 6-inch waterlines, one 12-inch waterline, one electric/fiber optic line, and a timber mat bridge impacting 83 linear feet of an unnamed tributary to Larrys Creek (HQ-CWF, MF) and 2458 square feet of adjacent palustrine emergent (PEM) wetland (White Pine PA Quadrangle 41°26'36"N, 77°08'27"W);

8) two 6-inch natural gas pipelines, two 6-inch waterlines, one 12-inch waterline, one electric/fiber optic line, and a timber mat bridge impacting 57 linear feet of an unnamed tributary to Larrys Creek (HQ-CWF, MF) (White Pine PA Quadrangle 41°26'07"N, 77°08'24"W);

9) two 6-inch natural gas pipelines, two 6-inch waterlines, one 12-inch waterline, and one electric/fiber optic line impacting 111 linear feet of unnamed tributaries to Larrys Creek (HQ-CWF, MF) and 4139 square feet of palustrine forested (PFO) wetland (White Pine PA Quadrangle 41°25'42"N, 77°08'41"W).

The project will result in a total of 0.44 acres of wetland impacts and 580 feet of stream impacts all for the purpose of installing a natural gas gathering line, water pipeline, and associated access roadways for Marcellus well development.

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.

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

ESCGP-1 #ESX13-065-0003—Horizon Project

Applicant EQT Production Company

Contact John Hudak

Address 455 Racetrack Road Suite 101

City Washington State PA Zip Code 15301

County Jefferson Township(s) Washington and Snyder(s)

Receiving Stream(s) and Classification(s) UNT to Rattlesnake Run (CWF), Rattlesnake Run (CWF) and UNT to

Curry Run (CWF)

ESCGP-1 #ESX13-073-0008—Pulaski Artman Well Pad

Applicant Hilcorp Energy Company

Contact Stephanie McMurray

Address 1201 Louisiana Street, Suite 1400

City Houston State TX Zip Code 77002

County Lawrence Township(s) Pulaski(s)

Receiving Stream(s) and Classification(s) UNT to

Shenango River—WWF, Shenango River—WWF

OIL AND GAS MANAGEMENT

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

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

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

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

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

Well Permit #: 115-21402-00-00
 Well Farm Name Rosiemar SUS 1H
 Applicant Name: Chesapeake Appalachia, LLC.
 Contact Person: Eric Haskins
 Address: 14 Chesapeake Lane, Sayre, PA 18840
 County: Susquehanna
 Municipality Auburn 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: Auburn Center, UNT Nick Creek

Well Permit #: 131-20348-00-00
 Well Farm Name Sharpe Wyo 1H
 Applicant Name: Chesapeake Appalachia, LLC.
 Contact Person: Eric Haskins
 Address: 14 Chesapeake Appalachia, LLC.
 County: Wyoming
 Municipality Windham 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: Jenningsville, UNT Sugar Run Creek

Well Permit #: 081-21194-00-00
 Well Farm Name Stubler Pad A 1H
 Applicant Name: Atlas Resources, LLC.
 Contact Person: Carla L. Suszkowski
 Address: 1000 Commerce Drive, Suite 400, Pittsburgh, PA 15275

PA 15275
 County: Lycoming
 Municipality Gamble 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: Bodines, Murray Run

Well Permit #: 081-21195-00-00
 Well Farm Name Stubler Pad A 2H
 Applicant Name: Atlas Resources, LLC.
 Contact Person: Carla L. Suszkowski
 Address: 1000 Commerce Drive, Suite 400, Pittsburgh, PA 15275
 County: Lycoming
 Municipality Gamble 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: Bodines, Murray Run

Well Permit #: 081-21196-00-00
 Well Farm Name Stubler Pad A 3H
 Applicant Name: Atlas Resources, LLC.
 Contact Person: Carla L. Suszkowski
 Address: 1000 Commerce Drive, Suite 400, Pittsburgh, PA 15275
 County: Lycoming
 Municipality Gamble 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: Bodines, Murray Run

STORAGE TANKS

SITE-SPECIFIC INSTALLATION PERMITS

The following Storage Tank Site-Specific Installation Permits, under the authority of the Storage Tank Spill Prevention Act (35 P. S. §§ 6021.304, 6021.504, 6021.1101—6021.1102) and under 25 Pa. Code Chapter 245, Subchapter C, have been issued by the Bureau of Environmental Cleanup and Brownfields, Director, PO Box 8763, Harrisburg, PA 17105-8763.

<i>SSIP Permit No.</i>	<i>Applicant Name & Address</i>	<i>County</i>	<i>Municipality</i>	<i>Tank Type</i>	<i>Tank Capacity</i>
13-46-006	Data Based Systems International, LLC 3949 Schelden Circle Bethlehem, PA 18017 Attn: John Yanek	Montgomery	Lower Providence Township	1 AST storing diesel fuel	30,000 gallons
13-39-010	Samuel Adams Pennsylvania Brewery 7880 Penn Drive Breinigsville, PA 18031 Attn: George Stasko	Lehigh	Upper Macungie Township	1 AST storing sodium hydroxide	42,660 gallons

[Pa.B. Doc. No. 13-1642. Filed for public inspection September 6, 2013, 9:00 a.m.]

Bid Opportunity

OSM 49(3232)101.1, Abandoned Mine Reclamation Project, Ferndale Southwest, Coal Township, Northumberland County. The principal items of work and approximate quantities include mobilization and demobilization; implementation of the Erosion and Sediment Control Plan; clearing and grubbing; grading 490,740 cubic yards; drainage excavation 2,050 cubic yards; rock

lining 1,540 square yards; and seeding 73.1 acres. This bid issues on September 6, 2013, and bids will be opened on October 3, 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—1328) 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.

E. CHRISTOPHER ABRUZZO,
Acting Secretary

[Pa.B. Doc. No. 13-1643. Filed for public inspection September 6, 2013, 9:00 a.m.]

Bid Opportunity

OSM 03(3529)101.1, Abandoned Mine Reclamation Project, Township School East, Kittanning Township, Armstrong County. The principal items of work and approximate quantities include mobilization and demobilization; implementation of the Erosion and Sediment Control Plan; clearing and grubbing; grading 110,000 cubic yards; furrow ripping 4.5 acres; ditch excavation 136 cubic yards; subsurface drain 500 linear feet; rock apron outlet; tree plantings 3,820 each; and office facility. This bid issues on September 6, 2013, and bids will be opened on October 3, 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—1328) 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.

E. CHRISTOPHER ABRUZZO,
Acting Secretary

[Pa.B. Doc. No. 13-1644. Filed for public inspection September 6, 2013, 9:00 a.m.]

DEPARTMENT OF HEALTH

Long-Term Care Nursing Facilities; Request for Exception

The following long-term care nursing facility is seeking an exception to 28 Pa. Code § 205.67(k) (relating to electric requirements for existing and new construction):

Saint Mary's at Asbury Ridge
4855 West Ridge Road
Erie, PA 16506
FAC ID 15440201

The following long-term care nursing facility is seeking an exception to 28 Pa. Code § 205.26(e) (relating to laundry).

Lafayette Manor, Inc.
147 Lafayette Manor Road
Uniontown, PA 15401

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,
Secretary

[Pa.B. Doc. No. 13-1645. Filed for public inspection September 6, 2013, 9:00 a.m.]

DEPARTMENT OF LABOR AND INDUSTRY

Current Prevailing Wage Act Debarments

The following contractors have been determined to have intentionally violated the Pennsylvania Prevailing Wage Act (act) (43 P. S. §§ 165-1—165-17). This notice is published for the information and convenience of public bodies subject to the act. Under section 11(e) of the act (43 P. S. § 165-11(e)), these contractors, or either one of them, or any firms, corporations or partnerships in which either one of these contractors has an interest, shall be awarded no contract for 3 years after the date listed.

<i>Contractor</i>	<i>Address</i>	<i>Date of Debarment</i>
Timothy Beckowitz, d/b/a T.J. Trucking	3231 Jack's Run Road White Oak, PA 15131	8/16/2013

JULIA K. HEARTHWAY,
Secretary

[Pa.B. Doc. No. 13-1646. Filed for public inspection September 6, 2013, 9:00 a.m.]

Current Prevailing Wage Act Debarments

The following contractors have been determined to have intentionally violated the Pennsylvania Prevailing Wage Act (act) (43 P. S. §§ 165-1—165-17). This notice is published for the information and convenience of public bodies subject to the act. Under section 11(e) of the act (43 P. S. § 165-11(e)), these contractors, or either one of them, or any firms, corporations or partnerships in which either one of these contractors has an interest, shall be awarded no contract for 3 years after the date listed.

<i>Contractor</i>	<i>Address</i>	<i>Date of Debarment</i>
Blaine Forbes, LLC and Blaine Forbes, Individually FEIN No. 2915890	3340 US 422 New Castle, PA 16101	8/7/2013

JULIA K. HEARTHWAY,
Secretary

[Pa.B. Doc. No. 13-1647. Filed for public inspection September 6, 2013, 9:00 a.m.]

DEPARTMENT OF TRANSPORTATION

Committee Meetings

The Pedalcycle and Pedestrian Advisory Committee will hold a meeting on Thursday, September 12, 2013, from 1 p.m. to 3 p.m. in Conference Room 8N1, Commonwealth Keystone Building, Harrisburg, PA. For more information, contact Brian Sanders at (717) 783-6193 or bsanders@pa.gov.

The Aviation Advisory Committee will hold a meeting on Wednesday, September 18, 2013, from 11 a.m. to 3 p.m. in the Commonwealth Keystone Building. For more information, contact William Sieg at (717) 705-1253 or wisieg@pa.gov.

BARRY J. SCHOCH, P.E.,
Secretary

[Pa.B. Doc. No. 13-1648. Filed for public inspection September 6, 2013, 9:00 a.m.]

INDEPENDENT REGULATORY REVIEW COMMISSION

Action Taken by the Commission

The Independent Regulatory Review Commission met publicly at 10 a.m., Thursday, August 22, 2013, and announced the following:

Action Taken—Regulations Approved:

Department of Health #10-190: Emergency Medical Services System (deletes 28 Pa. Code Chapters 1001 to 1015 and adds Chapters 1021 to 1033)

State Board of Pharmacy #16A-5423: Cancer Drug Repository Program (amends 49 Pa. Code Chapter 27 by adding §§ 27.501—27.506)

Approval Order

Public Meeting Held
August 22, 2013

Commissioners Voting: Silvan B. Lutkewitte, III, Chairperson; George D. Bedwick, Vice Chairperson; John F. Mizner, Esq.; Lawrence J. Tabas, Esq.; Dennis A. Watson, Esq.

*Department of Health—
Emergency Medical Services System;
Regulation No. 10-190 (#2917)*

On October 11, 2011, the Independent Regulatory Review Commission (Commission) received this proposed

regulation from the Department of Health (Department). This rulemaking deletes 28 Pa. Code Chapters 1001 to 1015 and adds Chapters 1021 to 1033. The proposed regulation was published in the October 29, 2011 *Pennsylvania Bulletin* with a 30-day public comment period. The final-form regulation was submitted to the Commission on July 16, 2013.

This regulation implements Act 37 of 2009, known as the Emergency Medical Services System Act.

We have determined this regulation is consistent with the statutory authority of the Department (35 Pa.C.S.A. § 8105(b)(11)) and the intention of the General Assembly. Having considered all of the other criteria of the Regulatory Review Act, we find promulgation of this regulation is in the public interest.

By Order of the Commission:

This regulation is approved.

Approval Order

Public Meeting Held
August 22, 2013

Commissioners Voting: Silvan B. Lutkewitte, III, Chairperson; George D. Bedwick, Vice Chairperson; John F. Mizner, Esq.; Lawrence J. Tabas, Esq.; Dennis A. Watson, Esq.

*State Board of Pharmacy—
Cancer Drug Repository Program;
Regulation No. 16A-5423 (#2889)*

On March 2, 2011, the Independent Regulatory Review Commission (Commission) received this proposed regulation from the State Board of Pharmacy (Board). This rulemaking amends 49 Pa. Code Chapter 27 by adding §§ 27.501—27.506. The proposed regulation was published in the March 12, 2011 *Pennsylvania Bulletin* with a 30-day public comment period. The final-form regulation was submitted to the Commission on April 8, 2013. At its May 16, 2013 public meeting, the Commission voted to disapprove the final-form regulation. On July 24, 2013, the Board submitted its report containing the revised final-form regulation to the Commission.

This final-form rulemaking establishes the Cancer Drug Repository Program as required by the Cancer Drug Repository Act of 2008. 62 P. S. § 2921—2927.

We have determined this regulation is consistent with the statutory authority of the Board (62 P. S. §§ 2923 and 2927 and 63 P. S. § 390-6(k)(9)) and the intention of the General Assembly. Having considered all of the other criteria of the Regulatory Review Act, we find promulgation of this regulation is in the public interest.

By Order of the Commission:

This regulation is approved.

SILVAN B. LUTKEWITTE, III,
Chairperson

[Pa.B. Doc. No. 13-1649. Filed for public inspection September 6, 2013, 9:00 a.m.]

Notice of Filing of Final Rulemakings

The Independent Regulatory Review Commission (Commission) received the following regulation. It is scheduled to be considered on the date noted. The Commission's public meetings are held at 333 Market Street, 14th Floor, Harrisburg, PA at 10 a.m. To obtain a copy of the regulation, interested parties should first contact the promulgating agency. If a copy cannot be obtained from the promulgating agency, the Commission will provide a copy or a copy can be obtained from www.irrc.state.pa.us.

<i>Final-Form Reg. No.</i>	<i>Agency/Title</i>	<i>Received</i>	<i>Public Meeting</i>
16A-4822	State Board of Funeral Directors Fees	8/26/13	10/10/13

SILVAN B. LUTKEWITTE, III,
Chairperson

[Pa.B. Doc. No. 13-1650. Filed for public inspection September 6, 2013, 9:00 a.m.]

PENNSYLVANIA PUBLIC UTILITY COMMISSION

Service of Notice of Motor Carrier Applications

The following temporary authority and/or permanent authority applications for the right to render service as a common carrier or contract carrier in this Commonwealth have been filed with the Pennsylvania Public Utility Commission. Formal protests and petitions to intervene must be filed in accordance with 52 Pa. Code (relating to public utilities). A protest shall indicate whether it applies to the temporary authority application, the permanent authority application, or both. Filings must be made with the Secretary, Pennsylvania Public Utility Commission, P. O. Box 3265, Harrisburg, PA 17105-3265, with a copy served on the applicant by September 23, 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-2013-2365114. Excellent Taxi Service, LLC (75 North Kennedy Drive, McAdoo, PA 18237) for the right to begin to transport, as a common carrier, by motor vehicle, persons upon call or demand in the Borough of McAdoo and within a 15-mile radius of the borough's limits.

A-2013-2369268. Rapid Transit, Inc. (13659 Philmont Avenue, Apt. 10, Philadelphia, PA 19116) in paratransit service, limited to mobility impaired and special needs clients, between points in the Counties of Bucks and Montgomery, and the City and County of Philadelphia.

A-2013-2377578. On Call Care, LLC (6713 Conway Road, Harrisburg, PA 17111) for the right to begin to transport as a common carrier, by motor vehicle, persons requiring lift type vehicles in paratransit service, from the Counties of Cumberland and Dauphin to points in Pennsylvania, and return.

A-2013-2378802. First Class Transportation, Inc. (2101 Market Street, #3105, Philadelphia, Philadelphia County, PA 19103) for the right to transport, as a common carrier, by motor vehicle, persons in paratransit service, between points in the County of Philadelphia and from points in said county, to points in Pennsylvania, and return.

Application of the following for approval of the *beginning of the exercise of the right and privilege of operating motor vehicles as common carriers for the transportation of persons by transfer of rights as described under the application.*

A-2013-2377412. Caring Van, LLC (210 Jennifer Court, Levittown, PA 19057) for the right to begin to transport, as a common carrier, by motor vehicle, persons in paratransit service, from points in the City and County of Philadelphia, to points in Pennsylvania, and return, which is to be a transfer of all the rights authorized under the Certificate of Public Convenience issued at A-6413964 on April 11, 2012, to PJ's Transportation, LLC.

Application of the following for *amendment to the certificate of public convenience approving the operation of motor vehicles as common carriers for transportation of persons as described under the application.*

A-2013-2348819. Green's Taxi, Inc. (8200 Noblestown Road, McDonald PA 15057)—a corporation of the Commonwealth of Pennsylvania—for amendment to its common carrier certificate, which grants the right, to transport, as a common carrier, by motor vehicle, persons in paratransit service: (1) between points in the County of Washington, and from points in said county, to points in Pennsylvania, and return; and (2) from points in the County of Allegheny, to other points in Pennsylvania, and return: *So as to Permit* the transportation of persons in paratransit service, between points in the County of Allegheny. *Attorney:* William Gray, 310 Grant Street, Suite 2310, Pittsburgh, PA 15219-2383.

ROSEMARY CHIAVETTA,
Secretary

[Pa.B. Doc. No. 13-1651. Filed for public inspection September 6, 2013, 9:00 a.m.]

PHILADELPHIA PARKING AUTHORITY

Meeting

The Taxicab and Limousine Committee of the Philadelphia Parking Authority Board will meet to accept comments concerning implementation of new taxicab driver safety measures. These may include requiring installation

of security and surveillance cameras, trouble lights and development and posting of public service announcements to increase awareness.

The meeting will be held on Wednesday, September 18, 2013, at 1 p.m. at the Pennsylvania Convention Center, 12th and Arch Streets, Philadelphia, PA. The room location will be announced at a later date and posted at www.philapark.org on the Taxicab and Limousine Division web page. Written comments can be sent to cmilstein@philapark.org. Call (215) 683-9637 with questions.

VINCENT J. FENERTY, Jr.,
Executive Director

[Pa.B. Doc. No. 13-1652. Filed for public inspection September 6, 2013, 9:00 a.m.]

STATE BOARD OF NURSING

Bureau of Professional and Occupational Affairs v. Abner Roberts, IV, LPN; Doc. No. 0280-51-2013

Abner Roberts, IV, LPN, license no. PN105789L, of Pittsburgh, Allegheny County, was suspended for no less than 1 year, retroactive to February 26, 2013, based on findings he violated a previously issued order.

Individuals may obtain a copy of the adjudication by writing to Judith Pachter Schulder, Board Counsel, State Board of Nursing, P. O. Box 2649, Harrisburg, PA 17105-2649.

This final order represents the State Board of Nursing's (Board) final decision in this matter. It may be appealed to the Commonwealth Court of Pennsylvania by the filing of a petition for review with that court in accordance with the Pennsylvania Rules of Appellate Procedure. Individuals who take an appeal to the Commonwealth Court must serve the Board with a copy of their petition for review. The Board contact for receiving service of the appeals is the previously-named Board counsel.

ANN M. COUGHLIN, MBA, MSN, RN,
Chairperson

[Pa.B. Doc. No. 13-1653. Filed for public inspection September 6, 2013, 9:00 a.m.]

Commonwealth of Pennsylvania, Bureau of Professional and Occupational Affairs vs. Andrew F. Tindor, LPN, Respondent; File No. 10-51-11009; Doc. No. 1215-51-11

On July 9, 2012, the Commonwealth of Pennsylvania, Department of State, Bureau of Professional and Occupational Affairs, instituted a formal administrative action against you by filing an Order to Show Cause, before the State Board of Nursing, alleging that you have violated certain provisions of the Pennsylvania Practical Nurse Law, Act of March 2, 1956, P.L. (1955) 1211, ("Act"). Pursuant to 1 Pa. Code § 33.31 and Rule 430 of the Pennsylvania Rules of Civil Procedure, 231 Pa. Code Rule 430, providing for service of process upon you by publication.

Notice

Formal disciplinary action has been filed against you. You may lose your license, certificate, registration or permit to practice your profession or occupation. You may be subject to civil penalties of up to \$10,000 for each violation, and the imposition of costs of investigation.

If you wish to defend against the charges in the attached Order to Show Cause or to present evidence to mitigate any penalty that may be imposed, the procedures for doing so are explained in the Order to Show Cause. You may obtain a copy of the Order to Show Cause from the Prothonotary for the Department of State, 2601 North Third Street, P. O. Box 2649, Harrisburg, PA 17105, telephone number, (717) 772-2686.

You have the right to retain an attorney. Although you may represent yourself without an attorney, you are advised to seek the help of an attorney. You also have the right to have an interpreter provided should you request one.

All proceedings are conducted under the Administrative Agency Law and the General Rules of Administrative Practice and Procedures.

You are directed to respond to the charges by filing a written answer within thirty (30) days of this NOTICE. IF YOU DO NOT FILE AN ANSWER, DISCIPLINARY ACTION MAY BE TAKEN AGAINST YOU WITHOUT A HEARING. To file your answer, you must bring or send an original and three (3) copies of your answer and any pleadings or other documents related to this matter to the following address:

Prothonotary
Department of State
2601 North Third Street
P. O. Box 2649
Harrisburg, PA 17105

You must also send a separate copy of your answer and any other pleadings or documents related to this case to the prosecuting attorney named in the Order to Show Cause.

ANN M. COUGHLIN, MBA, MSN, RN,
Chairperson

[Pa.B. Doc. No. 13-1654. Filed for public inspection September 6, 2013, 9:00 a.m.]

Suspension of the License to Practice Professional Nursing of Vanessa Ann Rhodes, LPN; Doc. No. 0167-51-13; File No. 12-51-01281

On July 29, 2013, Vanessa Ann Rhodes, LPN, license no. PN271755, of Danville, Montour County, was indefinitely suspended, retroactive to March 20, 2013, based on findings that she was unable to practice practical nursing with reasonable skill and safety to patients by reason of mental or physical illness or condition or physiological or psychological dependence upon alcohol, hallucinogenic or narcotic drugs or other drugs which tend to impair judgment or coordination.

Individuals may obtain a copy of the adjudication by writing to Judith Pachter Schulder, Board Counsel, State Board of Nursing, P. O. Box 2649, Harrisburg, PA 17105-2649.

This adjudication and final order represents the State Board of Nursing's (Board) final decision in this matter. It

may be appealed to the Commonwealth Court of Pennsylvania by the filing of a petition for review with that court in accordance with the Pennsylvania Rules of Appellate Procedure. Individuals who take an appeal to the Commonwealth Court must serve the Board with a copy of their petition for review. The Board contact for receiving service of the appeals is the previously-named Board counsel.

ANN M. COUGHLIN, MBA, MSN, RN,
Chairperson

[Pa.B. Doc. No. 13-1655. Filed for public inspection September 6, 2013, 9:00 a.m.]
