

# 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 December 4, 2012.

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

#### BANKING INSTITUTIONS

##### Branch Applications

##### De Novo Branches

<i>Date</i>	<i>Name and Location of Applicant</i>	<i>Location of Branch</i>	<i>Action</i>
11-28-2012	Northwest Savings Bank Warren Warren County	118 South Main Street Zelienople Butler County	Filed

#### SAVINGS INSTITUTIONS

No activity.

#### CREDIT UNIONS

No activity.

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

GLENN E. MOYER,  
*Secretary*

[Pa.B. Doc. No. 12-2474. Filed for public inspection December 21, 2012, 9:00 a.m.]

## DEPARTMENT OF COMMUNITY AND ECONOMIC DEVELOPMENT

### Manufactured Housing Installation Program; Approved Training Curriculum for Construction Code Officials

Under 12 Pa. Code § 149.5(d) (relating to building code official training), the Department of Community and Economic Development (Department) publishes the list of approved training curriculum for those code officials who inspect the installation of manufactured homes. Persons that have successfully completed the training curriculum listed will have satisfied the requirement in 12 Pa. Code § 149.5(e).

*IRC 101—International Residential Code Building Essentials* administered by the Pennsylvania Construction Codes Academy.

*IRC 103—How to Inspect Manufactured and Modular Housing* administered by the Pennsylvania Construction Codes Academy.

*BCO 101—Building Code Official Course and Exam* administered by the Pennsylvania Construction Codes Academy.

*BCO 111—The ABC's of Permitting Manufactured and Industrialized Structures* administered by the Pennsylvania Construction Codes Academy.

*Manufactured Housing Program and Basic Installer Training* administered by Department of Community and Economic Development, Housing Standards Division.

*Manufactured Housing Installer Update Training* administered by Department of Community and Economic Development, Housing Standards Division.

In addition to the approved training programs listed, the Department may provide a workshop for code officials who request training. Code officials may contact the Department to request more information on scheduling a workshop.

Program inquiries should be directed to Mark A. Conte, Chief, Housing Standards Division, Department of Community and Economic Development, 4th Floor, Commonwealth Keystone Building, 400 North Street, Harrisburg, PA 17120-0225, (717) 720-7416, mconte@pa.gov.

C. ALAN WALKER,  
*Secretary*

[Pa.B. Doc. No. 12-2475. Filed for public inspection December 21, 2012, 9:00 a.m.]

### Manufactured Housing Installation Program; Approved Training Curriculum for Installers

Under 12 Pa. Code § 149.4(a)(4) (relating to installer training and certification), the Department of Community and Economic Development publishes the list of approved training curriculum for those persons seeking certification as installers of manufactured homes. Persons that have successfully completed the training curriculum listed will be eligible to apply for certification as an installer as defined in section 3 of the Manufacturing Housing Improvement Act (35 P. S. § 1658.3).

*Manufactured Housing Program and Basic Installer Training* administered by the Department of Community and Economic Development, Housing Standards Division.

Persons already certified as installers are required to complete a specified training curriculum every 3 years as provided for in 12 Pa. Code § 149.4(b)(iii). The following training curriculum is approved for those installers:

*Manufactured Housing Installer Update Training* administered by Department of Community and Economic Development, Housing Standards Division.

*Manufactured Housing Program and Basic Installer Training* administered by Department of Community and Economic Development, Housing Standards Division.

Program inquiries should be directed to Mark A. Conte, Chief, Housing Standards Division, Department of Community and Economic Development, 4th Floor, Commonwealth Keystone Building, 400 North Street, Harrisburg, PA 17120-0225, (717) 720-7416, mconte@pa.gov.

C. ALAN WALKER,  
*Secretary*

[Pa.B. Doc. No. 12-2476. Filed for public inspection December 21, 2012, 9:00 a.m.]

## DEPARTMENT OF EDUCATION

### Application of Ronald D. Roda for Reinstatement of Teaching Certificates; Doc. No. RE 12-03

#### Notice of Hearing

Under the Professional Educator Discipline Act (act) (24 P. S. §§ 2070.1a—2070.18a), the Professional Standards and Practices Commission (Commission) has initiated hearing procedures to consider the application of Ronald D. Roda for reinstatement of his teaching certificates.

On or about July 26, 2012, Ronald D. Roda filed an application for reinstatement of his teaching certificates

under section 16 of the act (24 P. S. § 2070.16), 1 Pa. Code §§ 35.1 and 35.2 (relating to applications) and 22 Pa. Code § 233.123 (relating to reinstatements). Under section 16 of the act, the Department of Education on November 26, 2012, recommended to the Commission that the application be denied.

In accordance with the act and 1 Pa. Code Part II (relating to General Rules of Administrative Practice and Procedure), the Commission will appoint a hearing examiner to serve as presiding officer to conduct the proceedings and hearings as might be necessary, and to prepare a proposed report to the Commission containing findings of fact, conclusions of law and a recommended decision on the application.

Interested parties who wish to participate in these hearing procedures must file a notice of intervention or a petition to intervene in accordance with 1 Pa. Code §§ 35.27—35.32 (relating to intervention) within 30 days after publication of this notice in the *Pennsylvania Bulletin*. Persons objecting to the approval of the application may also, within 30 days after publication of this notice in the *Pennsylvania Bulletin*, file a protest in accordance with 1 Pa. Code § 35.23 (relating to protest generally).

Notices and petitions to intervene and protest shall be filed with Carolyn Angelo, Executive Director, Professional Standards and Practices Commission, 333 Market Street, Harrisburg, PA 17126-0333, on or before 4 p.m. on the due date prescribed by this notice. Persons with a disability who wish to attend the hearings and require an auxiliary aid, service or other accommodation to participate should contact Suzanne Markowicz at (717) 787-6576 to discuss how the Commission may best accommodate their needs.

CAROLYN ANGELO,  
*Executive Director*

[Pa.B. Doc. No. 12-2477. Filed for public inspection December 21, 2012, 9:00 a.m.]

### Hearing Regarding Request for Cyber Charter Amendment

The Department of Education (Department) has scheduled a public hearing regarding Achievement House Cyber Charter School's request to amend its cyber charter. The amendment request was received on October 4, 2012. The hearing will be held on Thursday, February 7, 2013, beginning at 9 a.m. in Heritage Room A, lobby level, 333 Market Street, Harrisburg, PA. The purpose of the hearing is to gather information from the cyber charter school about the request to amend its cyber charter and receive comments from interested persons regarding the request. The request can be viewed on the Department's web site at [www.education.state.pa.us](http://www.education.state.pa.us).

The cyber charter school will have 30 minutes to present information about the requested amendment to its cyber charter. Persons who wish to provide comments during the hearing must send the Department and the cyber charter school a copy of the comments on or before January 14, 2013. Failure to comply with this deadline will preclude the respective person from providing verbal comments at the hearing. Verbal comments may be limited, based on the number of persons requesting time to provide comments and may also be limited if the comments are duplicative or repetitive of another person's comments.

The hearing will be conducted by the panel of individuals who have completed an initial review of the request. The panel members may question the cyber charter school regarding issues identified during their review, as well as issues raised in the written comments filed before the hearing date. Panel members may also question persons who offer verbal comments. Commentators will not be permitted to question either the cyber charter school or the panel members. Persons who are unable to attend the hearing may also provide the Department and the cyber charter school with written comments on or before January 23, 2013. Written comments provided to the Department by this deadline will become part of the certified record.

Comments sent to the Department should be addressed to Marlene Kanuck, Bureau of Teaching and Learning, 333 Market Street, 5th Floor, Harrisburg, PA 17126-0333.

An agenda will be prepared after January 28, 2013, when the Department is aware of the number of persons who wish to provide verbal comments at the hearing. That agenda will provide the order of presentation, as well as specify the amount of time allotted to each commentator. The agenda will be posted on the Department's web site [http://www.portal.state.pa.us/portal/server.pt/community/charter\\_schools/7356/applying\\_to\\_become\\_a\\_charter\\_school\\_in\\_pa/508181](http://www.portal.state.pa.us/portal/server.pt/community/charter_schools/7356/applying_to_become_a_charter_school_in_pa/508181) under Public Hearing Notices.

For questions regarding this hearing, contact Marlene Kanuck at (717) 783-9294 or [mkanuck@pa.gov](mailto:mkanuck@pa.gov).

RONALD J. TOMALIS,  
*Secretary*

[Pa.B. Doc. No. 12-2478. Filed for public inspection December 21, 2012, 9:00 a.m.]

## DEPARTMENT OF ENVIRONMENTAL PROTECTION

### Applications, Actions and Special Notices

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#### APPLICATIONS

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

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

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

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

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

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

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

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

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

### I. NPDES Renewal Applications

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

NPDES No. (Type)	Facility Name & Address	County & Municipality	Stream Name (Watershed No.)	EPA Waived Y/N?
PA0044920 (IW)	Lehighon Electronics Inc. 15 Blakeslee Blvd West (Route 443 and Seneca Ave) Lehighon, PA 18235-0328	Carbon County Mahoning Township	Mahoning Creek (2-B)	Y

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

NPDES No. (Type)	Facility Name & Address	County & Municipality	Stream Name (Watershed #)	EPA Waived Y/N?
PA0261092 (Sew)	Graham & Carla Snyder 1144 Piketown Road Harrisburg, PA 17112	Dauphin County / West Hanover Township	UNT Beaver Creek / 7D	Y
PA0082163 (Sew)	New Life For Girls PO Box 170 Dover, PA 17315	York County Conewago Township	UNT Laurel Run / 7-F	Y
PA0246522 (Sew)	Richard L. Wright Heritage Cove Resort 1172 River Road PO Box 118 Saxton, PA 16678	Bedford County Liberty Township	Raystown Branch Juniata River / 11-D	Y
PA0084476 (Sew)	Girl Scouts in the Heart of Pennsylvania Camp Small Valley 350 Hale Avenue Harrisburg, PA 17104	Dauphin County Jefferson Township	UNT to Armstrong Creek / 6-C	Y
PA0085669 (Sew)	Centerport Borough Municipal Authority 110 Callowhill Road PO Box 248 Centerport, PA 19516	Berks County Centerport Borough	Irish Creek / 3-B	Y

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

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

**PA0051365**, IW, SIC Code 4941, **Aqua Pennsylvania Inc.**, and 762 W. Lancaster Avenue, Bryn Mawr, PA 19010-3402. Facility Name: Ingrams Mill WTP. This existing facility is located in East Bradford Township, **Chester County**.

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

The receiving stream(s), East Branch Brandywine Creek, is located in State Water Plan watershed 3H 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 filter backwash water and sedimentation wastewater flow of 0.22 MGD.

Parameters	Mass (lb/day)			Concentration (mg/l)		
	Average Monthly	Daily Maximum	Minimum	Average Monthly	Daily Maximum	Instant. Maximum
Flow (MGD)	Report	Report	XXX	XXX	XXX	XXX
pH (S.U.)	XXX	XXX	6.0	XXX	XXX	9.0
Dissolved Oxygen	XXX	XXX	XXX	Report	Report	XXX
Total Residual Chlorine	XXX	XXX	XXX	0.35	0.70	0.73

Parameters	Mass (lb/day)			Concentration (mg/l)		
	Average Monthly	Daily Maximum	Minimum	Average Monthly	Daily Maximum	Instant. Maximum
CBOD <sub>5</sub>	Report	XXX	XXX	Report	Report	XXX
Total Suspended Solids	XXX	XXX	XXX	20	40	50
Turbidity	XXX	XXX	XXX	Report Daily Avg	XXX	Report
Nitrate-Nitrite as N	Report	XXX	XXX	Report	Report	XXX
Total Nitrogen	Report	XXX	XXX	Report	Report	XXX
Ammonia-Nitrogen	Report	XXX	XXX	Report	Report	XXX
Total Kjeldahl Nitrogen	Report	XXX	XXX	XXX	XXX	XXX
Total Phosphorus	Report	XXX	XXX	Report	Report	XXX
Total Aluminum	XXX	XXX	XXX	4.0	8.0	10.0
Total Iron	XXX	XXX	XXX	2.0	4.0	5.0
Total Manganese	XXX	XXX	XXX	1.0	2.0	2.5
Chlorodibromomethane	XXX	XXX	XXX	Report	Report	XXX
Dichlorobromomethane	XXX	XXX	XXX	Report	Report	XXX
Chloroform	XXX	XXX	XXX	Report	Report	XXX

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

- A. Remedial Measures if Unsatisfactory Effluent
- B. BAT/ELG Reopener
- C. Change of Ownership
- D. Sludge Disposal Requirement
- E. TMDL/WLA Analysis
- F. I-Max
- G. Laboratory Certification
- H. TRC Requirement
- I. Sedimentation Basin Cleaning
- J. Chemical Additives

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

The EPA Waiver is in effect.

**PA0021857**, Sewage, SIC Code 4952, **Souderton Borough Montgomery County**, 31 W. Summit Street, Souderton, PA 18964. Facility Name: Souderton Borough STP. This existing facility is located in Souderton Borough, **Montgomery County**.

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

The receiving stream(s), Unnamed Tributary to Skippack Creek, is located in State Water Plan watershed 3-E and is classified for Trout Stocking, aquatic life, water supply and recreation. The discharge is not expected to affect public water supplies.

The proposed effluent limits for Outfall 001 are based on a design flow of 2 MGD.

Parameters	Mass (lb/day)			Concentration (mg/l)		
	Average Monthly	Weekly Average	Inst. Minimum	Average Monthly	Weekly Average	Instant. Maximum
Flow (MGD)	Report	Report Daily Max	XXX	XXX	XXX	XXX
pH (S.U.)	XXX	XXX	6.0	XXX	XXX	9.0
Dissolved Oxygen	XXX	XXX	5.0	Report	XXX	XXX
Total Residual Chlorine	XXX	XXX	XXX	0.012	XXX	0.038
CBOD <sub>5</sub>						
(May 1 - Oct 31)	250	383	XXX	15	23	30
(Nov 1 - Apr 30)	417	667	XXX	25	40	50
Total Suspended Solids	500	750	XXX	30	45	60
Fecal Coliform (CFU/100 ml)						
May 1 - Sep 30	XXX	XXX	XXX	200 Geo Mean	XXX	1,000
Oct 1 - Apr 30	XXX	XXX	XXX	200 Geo Mean	XXX	1,000*

Parameters	Mass (lb/day)			Concentration (mg/l)		
	Average Monthly	Weekly Average	Inst. Minimum	Average Monthly	Weekly Average	Instant. Maximum
Ammonia-Nitrogen (May 1 - Oct 31)	30.0	XXX	XXX	1.8	XXX	3.6
(Nov 1 - Apr 30)	60.0	XXX	XXX	3.6	XXX	7.2
Total Phosphorus (Apr 1 - Oct 31)	16.5	XXX	XXX	1.0	XXX	2.0
(Nov 1 - Mar 31)	33.0	XXX	XXX	2.0	XXX	4.0
Total Copper (Interim)	XXX	XXX	XXX	Report	Report Daily Max	Report
(Final)	XXX	XXX	XXX	0.014	0.022 Daily Max	XXX

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

- Fecal Coliform DRBC Requirements
- WET Test Requirements
- Storm water Requirements

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

The EPA Waiver is not in effect.

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

**PA0026476**, Sewage, SIC Code 4952, **Coaldale-Lansford-Summit Hill Sewer Authority**, 162 W Ridge Street, Lansford, PA 18232-1310. Facility Name: Coaldale Lansford Summit Hill Sewer Authority. This existing facility is located in Coaldale Borough, **Schuylkill County**.

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

The receiving stream(s), Nesquehoning Creek, Panther Creek and Unnamed Tributary to Panther Creek, is located in State Water Plan watershed 2-B and 3-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 Outfall 001 are based on a design flow of 1.65 MGD.

Parameters	Mass (lb/day)			Concentration (mg/l)		
	Average Monthly	Weekly Average	Minimum	Average Monthly	Weekly Average	Instant. Maximum
Flow (MGD)	Report	Report Daily Max	XXX	XXX	XXX	XXX
pH (S.U.)	XXX	XXX	6.0	XXX	XXX	9.0
Dissolved Oxygen	XXX	XXX	5.0 Inst Min	XXX	XXX	XXX
Total Residual Chlorine	XXX	XXX	XXX	.5	XXX	1.2
CBOD <sub>5</sub>	340	550	XXX	25.0	40.0	50.0
Total Suspended Solids	410	620	XXX	30.0	45.0	60.0
Fecal Coliform (CFU/100 ml)						
May 1 - Sep 30	XXX	XXX	XXX	200 Geo Mean	XXX	1,000
Oct 1 - Apr 30	XXX	XXX	XXX	2,000 Geo Mean	XXX	10,000
Total Aluminum	Report	Report	XXX	Report	Report	XXX
Total Iron	Report	Report	XXX	Report	Report	XXX
Total Manganese	Report	Report	XXX	Report	Report	XXX

Point sources 002—007 serve as combined sewer reliefs necessitated by stormwater entering the sewer system and exceeding the hydraulic capacity of the sewers and/or the treatment plant. In accordance with the Department of Environmental Protection's EPA approved CSO strategy, a special permit requirement is included in Part C of this permit.

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

Management and Control of Combined Sewer Overflows, Whole Effluent Toxicity Testing.

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.*

**PA0070360**, Sewage, SIC Code 5541, **Pilot Travel Center LLC**, 5508 Lonas Road, Knoxville, TN 37909. Facility Name: Pilot Travel Center No. 518. This existing facility is located in Bethel Township, **Berks County**.

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

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

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

Parameters	Mass (lb/day)			Concentration (mg/l)		Instant. Maximum
	Average Monthly	Total Annual	Minimum	Average Monthly		
Flow (MGD)	Report	Report Daily Max	XXX	XXX	XXX	XXX
pH (S.U.)	XXX	XXX	6.0	XXX	XXX	9.0
Dissolved Oxygen	XXX	XXX	5.0	XXX	XXX	XXX
Total Residual Chlorine	XXX	XXX	XXX	0.5	XXX	1.6
CBOD <sub>5</sub>	XXX	XXX	XXX	25	XXX	50
Total Suspended Solids	XXX	XXX	XXX	30	XXX	60
Fecal Coliform (CFU/100 ml)						
May 1 - Sep 30	XXX	XXX	XXX	200 Geo Mean	XXX	1,000
Oct 1 - Apr 30	XXX	XXX	XXX	2,000 Geo Mean	XXX	10,000
Total Nitrogen	XXX	Report	XXX	Report Annl Avg	XXX	XXX
Ammonia-Nitrogen						
May 1 - Oct 31	XXX	XXX	XXX	11	XXX	22
Nov 1 - Apr 30	XXX	XXX	XXX	20	XXX	40
Total Phosphorus	XXX	Report	XXX	Report Annl Avg	XXX	XXX

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

The EPA Waiver is in effect.

**PA0248070**, SIC Code 4941, **Mifflintown Borough Municipal Authority Juniata County**, PO Box 36, Mifflintown, PA 17059-0036. Facility Name: Mifflintown Water System. This existing facility is located in Milford Township, **Juniata County**.

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

The receiving stream(s), Dry Swale to Juniata River, is located in State Water Plan watershed 12-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 Outfall 001 are based on a design flow of 0.085 MGD.

Parameters	Mass (lb/day)			Concentration (mg/l)		Instant. Maximum
	Average Monthly	Daily Maximum	Minimum	Average Monthly	Daily Maximum	
Flow (MGD)	Report	Report	XXX	XXX	XXX	XXX
pH (S.U.)	XXX	XXX	6.0	XXX	XXX	9.0
Total Residual Chlorine	XXX	XXX	XXX	0.5	XXX	1.6
Total Suspended Solids	Report	Report	XXX	30	60	75
Total Nitrogen	XXX	Report	XXX	Report Annl Avg	XXX	XXX
Total Phosphorus	XXX	Total Annual Report	XXX	Report Annl Avg	XXX	XXX
Total Aluminum	Report	Report	XXX	4.0	8.0	9.0
Total Iron	Report	Report	XXX	2.0	4.0	5.0
Total Manganese	Report	Report	XXX	1.0	2.0	2.5

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

The EPA Waiver is in effect.

**PA0081299**, Sewage, SIC Code 4952, **Model Enterprises Inc.**, 630 Delp Road, Lancaster, PA 17601-3077. Facility Name: Rolling Hills MHP. This existing facility is located in Rapho Township, **Lancaster County**.

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

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

The proposed effluent limits for Outfall 001 are based on a design flow of 0.02 MGD.

Parameters	Mass (lb/day)			Concentration (mg/l)		Instant. Maximum
	Annual Average	Total Annual	Minimum	Average Monthly		
Flow (MGD)	Report Avg Mo	Report Daily Max	XXX	XXX	XXX	XXX
pH (S.U.)	XXX	XXX	6.0	XXX	XXX	9.0
Dissolved Oxygen	XXX	XXX	5.0	XXX	XXX	XXX
Total Residual Chlorine (Interim)	XXX	XXX	XXX	1.0	XXX	2.0
(Final)	XXX	XXX	XXX	0.5	XXX	1.6
CBOD <sub>5</sub>	XXX	XXX	XXX	25	XXX	50
Total Suspended Solids	XXX	XXX	XXX	30	XXX	60
Fecal Coliform (CFU/100 ml)						
May 1 - Sep 30	XXX	XXX	XXX	200	XXX	1,000
Oct 1 - Apr 30	XXX	XXX	XXX	Geo Mean 2,000	XXX	10,000
Nitrate-Nitrite as N	Report	XXX	XXX	Report	XXX	XXX
Total Nitrogen	Report	XXX	XXX	Annl Avg Report	XXX	XXX
Total Nitrogen	XXX	Report	XXX	XXX	XXX	XXX
Total Kjeldahl Nitrogen	Report	XXX	XXX	Report	XXX	XXX
Total Phosphorus	XXX	XXX	XXX	Annl Avg 2.0	XXX	4.0
Total Phosphorus	XXX	122	XXX	XXX	XXX	XXX
Total Phosphorus	Report Total Mo	XXX	XXX	XXX	XXX	XXX

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

The EPA Waiver is in effect.

**PA0084115**, Sewage, SIC Code 5541, **Pilot Travel Center LLC**, 5508 Lonas Drive, Knoxville, TN 37909. Facility Name: Pilot Travel Center No. 517. This existing facility is located in Reed Township, **Dauphin County**.

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

The receiving stream(s), Susquehanna River, is located in State Water Plan watershed 6-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 0.008 MGD.

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

Parameters	Mass (lb/day)			Concentration (mg/l)		
	Average Monthly	Annual Annual	Minimum	Average Monthly	Report Annl Avg	Instant. Maximum
Total Nitrogen	XXX	Report	XXX	Report Annl Avg	XXX	XXX
Total Phosphorus	XXX	Report	XXX	Report Annl Avg	XXX	XXX

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

The EPA Waiver is in effect.

**PA0080314**, Sewage, SIC Code 4952, **Hampden Township**, 230 S Sporting Hill Road, Mechanicsburg, PA 17050-3097. Facility Name: Hampden Township Roth Lane STP. This existing facility is located in Hampden Township, **Cumberland County**.

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

The receiving stream(s), Sears Run, is located in State Water Plan watershed 7-B and is classified for Warm Water Fishes, 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 5.69 MGD.

Parameters	Mass (lb/day)			Concentration (mg/l)		
	Average Monthly	Daily Maximum	Minimum	Average Monthly	Weekly Average	Instant. Maximum
Flow (MGD)	Report	Report	XXX	XXX	XXX	XXX
pH (S.U.)	XXX	XXX	6.0	XXX	XXX	9.0
Dissolved Oxygen	XXX	XXX	5.0	XXX	XXX	XXX
CBOD <sub>5</sub> (Interim)	603	884	XXX	15	22	40
(Final)	711	Wkly Avg 1044	XXX	15	22	40
BOD <sub>5</sub> Raw Sewage Influent (Final)	Report	Report	XXX	Report	XXX	XXX
Total Suspended Solids (Interim)	1206	1809	XXX	30	45	81
(Final)	1423	Wkly Avg 2135	XXX	30	45	81
Raw Sewage Influent (Final)	Report	Report	XXX	Report	XXX	XXX
Fecal Coliform (CFU/100 ml) May 1 - Sep 30 (Final)	XXX	XXX	XXX	200 Geo Mean	XXX	1000
Oct 1 - Apr 30 (Final)	XXX	XXX	XXX	2000 Geo Mean	XXX	10000
Ammonia-Nitrogen May 1 - Oct 31 (Interim)	72	XXX	XXX	1.8	XXX	4.8
Nov 1 - Apr 30 (Interim)	217	XXX	XXX	5.4	XXX	14
May 1 - Oct 31 (Final)	76	XXX	XXX	1.6	XXX	4.3
Nov 1 - Apr 30 (Final)	227	XXX	XXX	4.8	XXX	13
Total Phosphorus (Final)	70.7	XXX	XXX	2.0	XXX	5.4
Total Zinc	XXX	XXX	XXX	Report	XXX	XXX

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

Parameters	Mass (lbs)			Concentration (mg/l)	
	Monthly	Annual	Minimum	Monthly Average	Maximum
Ammonia—N	Report	Report		Report	
Kjeldahl—N	Report			Report	
Nitrate-Nitrite as N	Report			Report	
Total Nitrogen	Report	Report		Report	
Total Phosphorus	Report	Report		Report	
Net Total Nitrogen (Interim)	Report	114558			
(Interim)	Report	98872			

<i>Parameters</i>	<i>Mass (lbs)</i>		<i>Concentration (mg/l)</i>		
	<i>Monthly</i>	<i>Annual</i>	<i>Minimum</i>	<i>Monthly Average</i>	<i>Maximum</i>
(Final) Net Total Phosphorus	Report	117696			
(Interim)	Report	12359			
(Interim)	Report	14094			
(Final)	Report	14441			

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

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

- Requirements applicable to stormwater outfalls
- Whole effluent toxicity (WET)
- Solids management

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.

**PA0083399**, Sewage, SIC Code 7033, **MHC Gettysburg Farm LP**, 2 North Riverside Plaza, Suite 800, Chicago, IL 60606-2682. Facility Name: Gettysburg Farm Campground. This existing facility is located in Dover Township, **York County**.

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

The receiving stream, Conewago Creek, is located in State Water Plan watershed 7-F and is classified for Warm Water Fishes, aquatic life, water supply and recreation. The discharge is not expected to affect public water supplies.

The proposed effluent limits for Outfall 001 are based on a design flow of 0.05 MGD.

<i>Parameters</i>	<i>Mass (lb/day)</i>			<i>Concentration (mg/l)</i>		
	<i>Average Monthly</i>	<i>Daily Maximum</i>	<i>Minimum</i>	<i>Average Monthly</i>	<i>Daily Maximum</i>	<i>Instant. Maximum</i>
Flow (MGD)	Report	Report	XXX	XXX	XXX	XXX
pH (S.U.)	XXX	XXX	6.0	XXX	XXX	9.0
Dissolved Oxygen	XXX	XXX	5.0	XXX	XXX	XXX
Total Residual Chlorine	XXX	XXX	XXX	0.50	XXX	1.0
CBOD <sub>5</sub>	XXX	XXX	XXX	25	XXX	50
Total Suspended Solids	XXX	XXX	XXX	30	XXX	60
Fecal Coliform (CFU/100 ml)						
May 1 - Sep 30	XXX	XXX	XXX	200 Geo Mean	XXX	1,000
Oct 1 - Apr 30	XXX	XXX	XXX	2,000 Geo Mean	XXX	10,000

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

The EPA Waiver is in effect.

**PA0030511**, Sewage, SIC Code 8211, **Bermudian Springs School District**, 7335 Carlisle Pike, York Springs, PA 17372-0501. Facility Name: Bermudian Springs School District WWTP. This existing facility is located in Huntingdon Township, **Adams County**.

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

The receiving stream, Unnamed Tributary to North Branch Mud Run, is located in State Water Plan watershed 7-F and is classified for Warm Water Fishes, aquatic life, water supply and recreation. The discharge is not expected to affect public water supplies.

The proposed effluent limits for Outfall 001 are based on a design flow of 0.03 MGD.

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

Parameters	Mass (lb/day)			Concentration (mg/l)		
	Average Monthly	Daily Maximum	Minimum	Average Monthly	Daily Maximum	Instant. Maximum
Dissolved Oxygen	XXX	XXX	5.0	XXX	XXX	XXX
Total Residual Chlorine	XXX	XXX	XXX	0.42	XXX	1.37
CBOD <sub>5</sub>	XXX	XXX	XXX	10	XXX	20
Total Suspended Solids	XXX	XXX	XXX	10	XXX	20
Fecal Coliform (CFU/100 ml)						
May 1 - Sep 30	XXX	XXX	XXX	200 Geo Mean	XXX	1,000
Oct 1 - Apr 30	XXX	XXX	XXX	2,000 Geo Mean	XXX	10,000
Ammonia-Nitrogen						
May 1 - Oct 31	XXX	XXX	XXX	3.0	XXX	6.0
Nov 1 - Apr 30	XXX	XXX	XXX	9.0	XXX	18

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

The EPA Waiver is in effect.

**PA0247600**, Concentrated Animal Feeding Operation (CAFO), **Martin David H (David Martin Farm Cafo)**, 420 Nottingham Road, Nottingham, PA 19362-9024.

Martin David H has submitted an application for an Individual NPDES permit for an existing CAFO known as David Martin Farm Cafo, located in Little Britain Township, **Lancaster County**.

The CAFO is situated near Little Conowingo Creek and Unnamed Tributary to Little Conowingo Creek in Watershed 7-K, which is classified for High Quality Waters—Cold Water Fishes, and High Quality Waters—Cold Water Fishes. The CAFO is designed to maintain an animal population of approximately 698.7 animal equivalent units (AEUs) consisting of 4,400 swine, 18,000 pullets and 155 heifers. Manure is collected in a underneath storage for the swine and pullets and as solid penpack for the heifers when they are not in pasture. 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 for the heifers and pullets and a 25-year, 24-hour storm event for the swine.

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

**PA0111741 A-1**, Sewage, SIC Code 4952, **Lewis Township**, 1428 Rovendale Drive, Watsontown, PA 17777. Facility Name: Warrior Run School District WWTP. This existing facility is located in Lewis Township, **Northumberland County**.

Description of Existing Activity: The application is for a transfer / amendment of an NPDES permit for an existing discharge of treated Sewage. The permit has also been amended to change the permit type from non-municipal to publicly owned treatment works (POTW).

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

The proposed effluent limits for Outfall 001 are based on a design flow of 0.026 MGD.

Parameters	Mass (lb/day)			Concentration (mg/l)		
	Average Monthly	Daily Maximum	Minimum	Average Monthly	Weekly Average	Instant. Maximum
Flow (MGD)	Report	Report	XXX	XXX	XXX	XXX
pH (S.U.)	XXX	XXX	6.0	XXX	XXX	9.0
Total Residual Chlorine	XXX	XXX	XXX	1.0	XXX	2.3
CBOD <sub>5</sub>	XXX	XXX	XXX	25	40	50
Total Suspended Solids	XXX	XXX	XXX	30	45	60
Fecal Coliform (CFU/100 ml)						
May 1 - Sep 30	XXX	XXX	XXX	200 Geo Mean	XXX	1,000
Oct 1 - Apr 30	XXX	XXX	XXX	2,000 Geo Mean	XXX	10,000

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.

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

**PA0094226**, SIC Code 4941, **Wilkinsburg Penn Joint Water Authority**, 2200 Robinson Boulevard, Wilkinsburg, PA 15221-1112. Facility Name: Wilkinsburg Penn Joint Water Authority. This existing facility is located in Penn Hills Township, **Allegheny County**.

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

The receiving stream(s), Allegheny River, is located in State Water Plan watershed 18-A and is classified for Warm Water Fishes, aquatic life, water supply and recreation. The discharge is not expected to affect public water supplies.

The proposed effluent limits for Outfall 001 are based on a design flow of 0.445 MGD.

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

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

The EPA Waiver is in effect.

**PA0218685**, Sewage, SIC Code 1241, **RoxCoal Inc.**, PO Box 260, Friedens, PA 15541. Facility Name: Geronimo Mine STP. This existing facility is located in Jenner Township, **Somerset County**.

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

The receiving stream(s), Unnamed Tributary to Quemahoning Creek, is located in State Water Plan watershed 18-E and is classified for Cold Water Fishes, aquatic life, water supply and recreation. The discharge is not expected to affect public water supplies.

The proposed effluent limits for Outfall 001 are based on a design flow of 0.00161 MGD.

<i>Parameters</i>	<i>Mass (lb/day)</i>			<i>Concentration (mg/l)</i>		
	<i>Average Monthly</i>		<i>Minimum</i>	<i>Average Monthly</i>		<i>Instant. Maximum</i>
Flow (MGD)	0.00161	XXX	XXX	XXX	XXX	XXX
pH (S.U.)	XXX	XXX	6.0	XXX	XXX	9.0
Dissolved Oxygen	XXX	XXX	3.0	XXX	XXX	XXX
Total Residual Chlorine	XXX	XXX	XXX	Report	XXX	Report
CBOD <sub>5</sub>	XXX	XXX	XXX	25	XXX	50
Total Suspended Solids	XXX	XXX	XXX	30	XXX	60
Fecal Coliform (CFU/100 ml)						
May 1 - Sep 30	XXX	XXX	XXX	200	XXX	1,000
Oct 1 - Apr 30	XXX	XXX	XXX	Geo Mean 2,000 Geo Mean	XXX	10,000
Ammonia-Nitrogen						
May 1 - Oct 31	XXX	XXX	XXX	8	XXX	16
Nov 1 - Apr 30	XXX	XXX	XXX	24	XXX	48

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

The EPA Waiver is in effect.

**PA0091243**, Sewage, **Allegheny Trails Council**, Flag Plaza, 1275 Bedford Avenue, Pittsburgh, PA 15219. Facility Name: Heritage Reservation STP. This existing facility is located in Wharton Township, **Fayette County**.

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

The treatment plant discharges to a swale that leads to receiving stream, Unnamed Tributary to Little Sandy Creek, located in State Water Plan watershed 19-G and is classified for High Quality Waters—Cold Water Fishes, aquatic life, water supply and/or 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 0.017 MGD.

<i>Parameters</i>	<i>Mass (lb/day)</i>			<i>Concentration (mg/l)</i>		
	<i>Average Monthly</i>		<i>Minimum</i>	<i>Average Monthly</i>		<i>Instant. Maximum</i>
Flow (MGD)	0.017	XXX	XXX	XXX	XXX	XXX
pH (S.U.)	XXX	XXX	6.0	XXX	XXX	9.0
Dissolved Oxygen	XXX	XXX	3.0	XXX	XXX	XXX
Total Residual Chlorine						
(Interim)	XXX	XXX	XXX	1.4	XXX	3.3
(Final)	XXX	XXX	XXX	0.022	XXX	0.050
CBOD <sub>5</sub>	XXX	XXX	XXX	10	XXX	20
Total Suspended Solids	XXX	XXX	XXX	10	XXX	20
Fecal Coliform (CFU/100 ml)						
May 1 - Sep 30	XXX	XXX	XXX	200	XXX	1,000
Oct 1 - Apr 30	XXX	XXX	XXX	Geo Mean 2,000	XXX	10,000
Nitrite and Nitrate	XXX	XXX	XXX	10	XXX	20
Ammonia-Nitrogen						
May 1 - Oct 31	XXX	XXX	XXX	2.0	XXX	4.0
Nov 1 - Apr 30	XXX	XXX	XXX	3.5	XXX	7.0

The EPA Waiver is in effect.

**PA0098183**, Sewage, SIC Code 4952, **Gary A. Sipple**, 2591 Wexford Bayne Road, Suite 100, Sewickley, PA 15143. Facility Name: Stone Mansion STP. This existing facility is located in Franklin Park Borough, **Allegheny County**.

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

The receiving stream(s), Swale to Unnamed Tributary of East Branch Big Sewickley Creek, is located in State Water Plan watershed 20-G and is classified for Trout Stocking, aquatic life, water supply and recreation. The discharge is not expected to affect public water supplies.

The proposed effluent limits for Outfall 001 are based on a design flow of 0.03583 MGD.

<i>Parameters</i>	<i>Mass (lb/day)</i>			<i>Concentration (mg/l)</i>		
	<i>Average Monthly</i>		<i>Minimum</i>	<i>Average Monthly</i>		<i>Instant. Maximum</i>
Flow (MGD)	0.03583	XXX	XXX	XXX	XXX	XXX
pH (S.U.)	XXX	XXX	6.0	XXX	XXX	9.0
Dissolved Oxygen	XXX	XXX	3.0	XXX	XXX	XXX
Total Residual Chlorine						
(Interim)	XXX	XXX	XXX	1.4	XXX	3.3
(Final)	XXX	XXX	XXX	0.02	XXX	0.04
CBOD <sub>5</sub>	XXX	XXX	XXX	10	XXX	20
Total Suspended Solids	XXX	XXX	XXX	10	XXX	20
Fecal Coliform (CFU/100 ml)						
May 1 - Sep 30	XXX	XXX	XXX	200	XXX	1,000
Oct 1 - Apr 30	XXX	XXX	XXX	Geo Mean 2,000	XXX	10,000
Ammonia-Nitrogen						
May 1 - Oct 31	XXX	XXX	XXX	2.0	XXX	4.0
Nov 1 - Apr 30	XXX	XXX	XXX	3.0	XXX	6.0

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

The EPA Waiver is in effect.

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


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

**WQM Permit No. 4812403**, Sewerage, SIC Code 4952, **Borough Of Northampton**, 1401 Laubach Avenue, Northampton, PA 18067.

This proposed facility is located in Northampton Borough, **Northampton County**.

Description of Proposed Action/Activity: Replacement of the aging Smith Lane Pump Station

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

**WQM Permit No. 0696410, Amendment 12-1**, Sewerage, **Karen Kuhn**, 1685 Route 143, Lenhartsville, PA 19534.

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

Description of Proposed Action/Activity: Upgrades to existing single family sewage treatment system.

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

**WQM Permit No. 1412403**, Sewerage [4952], **Moshannon Valley Joint Sewer Authority**, Herbert Rowland & Grubic, 474 Windmere Drive, Suite 100, State College, PA

This proposed facility is located in Rush Township, **Centre County**.

Description of Proposed Action/Activity: General modifications and upgrades to the treatment process and equipment.

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

**WQM Permit No. 1112404**, Sewerage, **City of Johnstown**, 401 Main Street, Johnstown, PA 15901

This proposed facility is located in the City of Johnstown, **Cambria County**

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

The Pennsylvania Infrastructure Investment Authority (Pennvest) which administers Pennsylvania's State Revolving Fund has been identified as a possible funding source. The Department's review of the sewage facilities plan revision has not identified any significant environmental impacts resulting from this proposal.

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


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


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


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

<i>NPDES Permit No.</i>	<i>Applicant Name &amp; Address</i>	<i>County</i>	<i>Municipality</i>	<i>Receiving Water/Use</i>
PAI01 151240	Green Warrior Farms, LLC 2075 Grantham Avenue Berwyn, PA 19312-2119	Chester	East Vincent Township	Unnamed Tributary French Creek (EV)
PAI01 151241	220 Chestnut Street Apartments 55 Country Club Drive Suite 200 Downingtown, PA 19335	Chester	West Chester Borough	Chester Creek (TSF)
PAI01 231208	Elwyn, Inc. 111 Elwyn Road Media, PA 19063	Delaware	Middletown Township	Ridley Creek (HQ-TSF-MF)

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

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

<i>NPDES Permit No.</i>	<i>Applicant Name &amp; Address</i>	<i>County</i>	<i>Municipality</i>	<i>Receiving Water/Use</i>
PAI024512009	Brodhead Creek Regional Authority 410 Mill Creek Rd. East Stroudsburg, PA 18301	Monroe	Pocono Twp., Hamilton Twp., Stroud Twp., Smithfield Twp., Stroudsburg Borough	Brodhead Creek (Middle Branch to LR 45060 Bridge), HQ-CWF, MF; Brodhead Creek UNTs (Middle Branch to LR 45060 Bridge), HQ-CWF, MF; Rocky Run, HQ-CWF, MF; UNTs to Rocky Run, HQ-CWF, MF; Little Pocono, HQ-CWF, MF; UNTs to Little Pocono HQ-CWF, MF; Scot Run, HQ-CWF, MF; UNTs to Scot Run, HQ-CWF, MF; Bulgiers Run, HQ-CWF, MF; UNTs to Bulgiers Run, HQ-CWF, MF; Cranberry Creek, HQ-CWF, MF; UNTs to Cranberry Creek, HQ-CWF, MF; Reeders Run, HQ-CWF, MF; UNTs to Reeders Run, HQ-CWF, MF; Wigwam Run, HQ-CWF, MF; UNTs to Wigwam Run, HQ-CWF, MF; Flagler Run, HQ-CWF, MF; UNTs to Flagler Run, HQ-CWF, MF; Big Meadow Run, HQ-CWF, MF; UNTs to Big Meadow Run, HQ-CWF, MF; McMichael's Creek (Pocono Creek to Mouth), TSF, MF; UNTs to McMichael's Creek (Pocono Creek to Mouth), TSF, MF; Marshall Creek, HQ-CWF, MF; UNTs to Marshall Creek, HQ-CWF, MF; Swiftwater Creek, HQ-CWF, MF; UNTs to Swiftwater Creek, HQ-CWF, MF; Brodhead Creek (LR 45060 Bridge to Mouth), TSF, MF;

<i>NPDES Permit No.</i>	<i>Applicant Name &amp; Address</i>	<i>County</i>	<i>Municipality</i>	<i>Receiving Water/Use</i>
				Brodhead Creek UNTs (LR 45060 Bridge to Mouth), TSF, MF; Sambo Creek, CWF, MF; UNTs to Sambo Creek, CWF, MF; McMichael's Creek (T 434 to Pocono Creek), HQ-CWF, MF; UNTs to McMichael's Creek (T 434 to Pocono Creek), HQ-CWF, MF; Pocono Creek, HQ-CWF, MF; UNTs to Pocono Creek, HQ-CWF, MF

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

<i>NPDES Permit No.</i>	<i>Applicant Name &amp; Address</i>	<i>County</i>	<i>Municipality</i>	<i>Receiving Water/Use</i>
PAS10U168R	Jaindl Land Co. David Jaindl 3150 Coffeetown Rd. Orefield, PA 18069	Northampton	Hanover Twp.	Monocacy Creek, HQ-CWF, MF

*Wyoming County Conservation District: One Hollowcrest Complex, Tunkhannock, PA 18657, 570-836-2589.*

<i>NPDES Permit No.</i>	<i>Applicant Name &amp; Address</i>	<i>County</i>	<i>Municipality</i>	<i>Receiving Water/Use</i>
PAI02006608001(3)	Mehoopany Wind Farm LLC 455 2nd Street SE Suite 400 Charlottesville, VA 22902	Wyoming	Noxen Twp., Forkston Twp., Washington Twp., Eaton Twp., Mehoopany Twp.	Bowmans Creek, HQ-CWF, MF; Stone Run, HQ-CWF, MF; Kasson Brooke, HQ-CWF, MF; SB Roaring Run, HQ-CWF, MF; Roaring Run, HQ-CWF, MF; Newton Run, HQ-CWF, MF; Sugar Hollow Creek, HQ-CWF, MF; Hettesheimer Run, HQ-CWF, MF; York Run, HQ-CWF, MF; Bowman Hollow, HQ-CWF, MF

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

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

<i>NPDES Permit No.</i>	<i>Applicant Name &amp; Address</i>	<i>County</i>	<i>Municipality</i>	<i>Receiving Water/Use</i>
PAI041412008	John E. Glantz 19366 Little Valley Rd Saxton PA 16678	Centre	Patton Township	Waddle Run HQ-CWF

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

PAG-12 CAFOs

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

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

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

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

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

**NUTRIENT MANAGEMENT PLAN—PUBLIC NOTICE SPREADSHEET**

<i>Agricultural Operation Name and Address</i>	<i>County</i>	<i>Total Acres</i>	<i>Animal Equivalent Units</i>	<i>Animal Type</i>	<i>Special Protection Waters (HQ or EV or NA)</i>	<i>Renewal/ New</i>
Kerwin King Farm 375 Forest Manor Cochranville, PA 19330	Chester	230.5	137.12	Ducks and Cows	HQ	New
Martin Farms 167 Overcash Rd. Chambersburg, PA 17202	Franklin	1142.4	1393.15	Dairy Cows	HQ	Renewal

**PUBLIC WATER SUPPLY (PWS)  
PERMITS**

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

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

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

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

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

**SAFE DRINKING WATER**

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

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

**Application No. 5212503, Public Water Supply.**

Applicant	<b>Pennsylvania-American Water Co.</b>
[Township or Borough]	Delaware Township <b>Pike County</b>
Responsible Official	David R. Kaufman, PE VP Engineering Pennsylvania-American Water Co. 800 West Hershey Park Drive Hershey, PA 17033
Type of Facility	Community Water System

Consulting Engineer Jeremy A. Nelson, PE  
 Pennsylvania-American Water Co.  
 100 North Pennsylvania Avenue  
 Wilkes-Barre, PA 18701  
 570-830-6538

Application Received November 2, 2012  
 Date

Description of Action Application for addition of sodium hydroxide for pH adjustment at the Marcel Lake Well Nos. 3 & 4 treatment station.

**Application No. 3912505**, Public Water Supply.

Applicant **Lehigh County Authority**  
 [Township or Weisenberg Township  
 Borough] **Lehigh County**  
 Responsible Official Aurel M. Arndt, General Manager  
 Lehigh County Authority  
 1053 Spruce Street  
 P. O. Box 3348  
 Allentown, PA 18106

Type of Facility Community Water System

Consulting Engineer Charles E. Volk, PE  
 T & M Associates  
 74 West Broad Street, Suite 240  
 Bethlehem, PA 18018  
 610-625-2999

Application Received November 28, 2012  
 Date

Description of Action Application for modification of the Arcadia West Pump Station to include replacement of existing booster pumps, installation of a diesel fire pump and installation of a corrosion control chemical feed system.

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

**Application No. 1912501—Bulk Water Hauling**  
 Public Water Supply.

Applicant **Tom Bowman Trucking, Inc.**  
 [Township or Orangeville Borough  
 Borough]

County **Clearfield**

Responsible Official Thomas Bowman, President  
 Tom Bowman Trucking, Inc.  
 281 Bowmans Mill Road  
 Orangeville, PA 17859

Type of Facility Public Water Supply

Consulting Engineer J. Greg Myers  
 DMS Environmental Services  
 103 South Spring Street  
 Bellefonte, PA 16823

Application Received December 5, 2012

Description of Action Withdraw water from permitted public water systems for bulk water deliveries. United Water of Pa Bloomsburg OP and Blossburg Mun. Auth.

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

**Permit No. 2512509**, Public Water Supply

Applicant **Albion Borough**  
 Township or Borough Albion Borough  
 County **Erie**  
 Responsible Official Becky Fehr  
 Type of Facility Public Water Supply  
 Consulting Engineer August E. Maas, P.E.  
 Hill Engineering, Inc.  
 8 Gibson Street  
 North East, PA 16428

Application Received November 19, 2012  
 Date

Description of Action Addition to Gage Road and Pont Road Water Treatment Improvements.

**Permit No. 2512510**, Public Water Supply

Applicant **Municipal Authority of the Borough of Waterford**

Township or Borough Waterford Borough  
 County **Erie**

Responsible Official Bruce Coffin  
 Type of Facility Public Water Supply

Consulting Engineer August E. Maas, P.E.  
 Hill Engineering, Inc.  
 8 Gibson Street  
 North East, PA 16428

Application Received November 27, 2012  
 Date

Description of Action Transmission main from Hazel Street to West 2nd Street; Press filtration system at West 2nd Street.

**Permit No. 2412503**, Public Water Supply

Applicant **Jay Township Water Authority**  
 Township or Borough Jay Township

County **Elk**  
 Responsible Official John Friday

Type of Facility Public Water Supply  
 Consulting Engineer Peter C. Buss

Gibson-Thomas Engineering Co., Inc.  
 1004 Ligonier Street  
 Latrobe, PA 15650

Application Received November 1, 2012  
 Date

Description of Action Replacement of filter media and installation of raw water flow metering.

**MINOR AMENDMENT**

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

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

**Application No. 3480021MA**

Applicant **Bethlehem Authority**

[Township or Borough] East Allen Township  
**Northampton County**

Responsible Official David Brong, Water & Sewer Resources Director  
Bethlehem Authority  
10 East Church Street  
Bethlehem, PA 18017

Type of Facility Community Water System

Consulting Engineer NA

Application Received Date November 29, 2012

Description of Action Application for transfer of East Allen Township Municipal Authority PWS operation permit No. 3480021, issued February 19, 1999, to Bethlehem Authority.

Responsible Official David Brong, Water & Sewer Resources Director  
Bethlehem Authority  
10 East Church Street  
Bethlehem, PA 18017

Type of Facility Community Water System

Consulting Engineer NA

Application Received Date November 29, 2012

Description of Action Application for transfer of East Allen Township Municipal Authority PWS operation permit No. 3480021, issued November 10, 2011, to Bethlehem Authority.

## LAND RECYCLING AND ENVIRONMENTAL REMEDIATION

### UNDER ACT 2, 1995 PREAMBLE 1

#### Application No. 3480021MA

Applicant **Bethlehem Authority**

[Township or Borough] East Allen Township  
**Northampton County**

Responsible Official David Brong, Water & Sewer Resources Director  
Bethlehem Authority  
10 East Church Street  
Bethlehem, PA 18017

Type of Facility Community Water System

Consulting Engineer NA

Application Received Date November 29, 2012

Description of Action Application for transfer of East Allen Township Municipal Authority PWS operation permit No. 3480021, issued June 14, 2002, to Bethlehem Authority.

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

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

#### Application No. 3480021MA

Applicant **Bethlehem Authority**

[Township or Borough] East Allen Township  
**Northampton County**

Responsible Official David Brong, Water & Sewer Resources Director  
Bethlehem Authority  
10 East Church Street  
Bethlehem, PA 18017

Type of Facility Community Water System

Consulting Engineer NA

Application Received Date November 29, 2012

Description of Action Application for transfer of East Allen Township Municipal Authority PWS operation permit No. 3480021, issued September 20, 2004, to Bethlehem Authority.

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

#### Application No. 3480021MA

Applicant **Bethlehem Authority**

[Township or Borough] East Allen Township  
**Northampton County**

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

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

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

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

**Sheridan Residence**, 3650 Walt Whitman Lane, Hanover Township, **Northampton County**, Jeremy Bolyn, Environmental Maintenance Co., Inc., has submitted a Notice of Intent to Remediate on behalf of his client, Mr. Larry Sheridan, 3650 Walt Whitman Lane, Bethlehem, PA 18017, concerning the remediation of soil found to have been impacted by No. 2 fuel oil as a result of an overflow of approximately 35 gallons of fuel oil that leaked to a concrete basement floor. The applicant proposes to remediate the site to meet the Residential Statewide Health Standard for soil. The intended future use of the site is residential. A summary of the Notice of Intent to remediate was published in *The Morning Call*, on October 24, 2012. A Final Report was simultaneously submitted.

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

**Bakery Square**, 129 Denniston Avenue, City of Pittsburgh **Allegheny County**. American Geosciences, Inc., 3925 Reed Blvd., Suite 400, Murrysville, PA on behalf of Ira Weiss, Esquire, care of Pittsburgh Public Schools, 341 South Bellefield Avenue, Pittsburgh, PA 15213 has submitted a Notice of Intent to Remediate site soil impacted by arsenic and groundwater impacted by chlorinated solvent compounds. The planned future use of the property is a combination of single family homes and office buildings.

#### MUNICIPAL WASTE GENERAL PERMITS

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

*Central Office: Division of Municipal and Residual Waste, Rachel Carson State Office Building, 14th Floor, 400 Market Street, Harrisburg, PA 17106-9170.*

**General Permit Application No. WMGM017D001. Two Particular Acres**, 248 Rittenhouse Rd. Royersford, PA 19468. This permit renewal application is for the processing and beneficial use of compost of manure, yard waste, source separated food scraps from food markets, grocery stores, food banks, food distribution centers, school cafeterias and institutions, source-separated newspaper and source-separated corrugated paper as soil substitute, soil conditioner, fertilizer, mulch or soil

amendment. The application for renewal was received by the Department on March 21, 2012.

Persons with questions may contact Scott E. Walters, Chief, Permits Section, Division of Municipal and Residual Waste, Bureau of Waste Management, P. O. Box 69170, Harrisburg, PA 17106-9170, 717-787-7381. TDD users may contact the Department through the Pennsylvania Relay service, (800) 654-5984.

## 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.

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**Intent to Issue Plan Approvals and Intent to Issue or Amend Operating Permits under the Air Pollution Control Act (35 P. S. §§ 4001—4015) and 25 Pa. Code Chapter 127, Subchapter B. These actions may include the administrative amendments of an associated operating permit.**

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

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

**45-00012: Royal Chemical Co.** (1755 Enterprise Parkway, Twinsburg, OH 44087) for the administrative amendment of the operating permit to include request for determinations and increased recordkeeping at the soap and detergent manufacturing facility in East Stroudsburg Borough, **Monroe County**. The source is considered a minor emission source of volatile organic compound emissions. This is a State-Only operating permit. The State-Only operating permit includes conditions designed to keep the facility operating within all applicable air quality requirements.

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

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

**08-313-004L: Global Tungsten & Powders Corp.** (1 Hawes Street, Towanda, PA 18848) to revise Section D, Condition No. 9 to modify the minimum scrubber circulation rate from 145 gallons/min to 125 gallons/min in Towanda Borough, **Bradford County**. No increase in allowable emissions is associated with the proposed plan approval revision.

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

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

**43-319C: John Maneely Company, Wheatland Tube Division, Church Street Plant** (P. O. Box 608, Wheatland, PA 16161), for construction of a natural gas fired annealing furnace, a natural gas fueled atmosphere generator and expansion of the application of rust inhibitor. These changes will take place at the facility located at 20 Church Street, in Wheatland Borough, **Mercer County**.

Pursuant to 25 Pa. Code §§ 127.44(b) and 127.424(b), the Department of Environmental Protection (DEP) intends to issue Plan Approval 43-319C to John Maneely Company for the construction of a natural gas fired annealing furnace, a natural gas fueled atmosphere generator and expansion of the application of rust inhibitor. This facility is located in Wheatland Borough, Mercer County. The Plan Approval will subsequently be incorporated into a facility Operating Permit through an administrative amendment in accordance with 25 Pa. Code § 127.450.

Plan Approval No. 43-319C is for the construction of a natural gas fired annealing furnace, a natural gas fueled atmosphere generator and expansion of the application of rust inhibitor. Based on the information provided by the applicant and DEP's own analysis, the combined subject sources will have the projected actual emissions of approximately 39 tons per year (tpy) of nitrogen oxides, 23.4 tpy of carbon monoxide, 13.8 tpy of volatile organic compounds, 0.8 tpy of particulate matter and 0.2 tpy of sulfur oxides.

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

**62-172B: Glenn O Hawbaker Inc., Brokenstraw Facility** (711 East College Avenue, Bellefonte, PA 16823), for modifications to state only operating permit 62-00172. The proposed changes include an increase in hourly throughput for sources 105, 106 and 107, from 350 tons per hour to 500 tons per hour and that sources 031, 032 and 034 be permitted as non-road engines. This request is for the Brokenstraw Facility (Plant 22), which is located at 110 Muzzle Loaders Lane, Pittsfield, PA 16340. This facility is located in Pittsfield Township, **Warren County**.

Pursuant to 25 Pa. Code §§ 127.44(b) and 127.424(b), the Department of Environmental Protection (DEP) intends to issue Plan Approval 62-172B to Glenn O Hawbaker Inc. for modifications to state only operating permit 62-00172. This facility is located in Pittsfield Township, Warren County. The Plan Approval will subsequently be incorporated into a facility Operating Permit through an administrative amendment in accordance with 25 Pa. Code § 127.450.

Plan Approval No. 62-172B is for modifications to state only operating permit 62-00172. Based on the information provided by the applicant and DEP's own analysis, the combined sources at this facility will have the potential to emit approximately 73.04 tons per year of nitrogen oxides, 16.27 tons per year of carbon monoxide, 41.72 tons per year of particulate matter (PM<sub>10</sub>), 10.08 tons per year of sulfur oxides and 0.43 tons per year of volatile organic compounds.

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

### OPERATING PERMITS

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

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

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

**63-00550: USA South Hills Landfill** (3100 Hill Road, South Park Township, PA 15129) for a solid waste landfill at the South Hills Landfill in Union Township, **Washington County**. This is a Title V Operating Permit renewal application submittal.

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

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

**16-00124: Peoples Natural Gas Company LLC—Truittsburg Station** (5093 Truittsburg Road, Fairmont City, PA 16224), intends to issue a Title V Operating Permit (renewal) for the facility located in Redbank Township, **Clarion County**. PNG pumps natural gas from local production fields and / or PNG's transmission systems and distributes to the gas to pipelines or underground storage fields. The facility's major emission sources include 4 engines, dehydration systems, an emer-

agency generator, air compressor, miscellaneous process equipment, a parts washer, and methanol storage tanks. The facility is a major stationary source as defined in Title I, Part D of the Clean Air Act Amendments due to the facility's potential to emit NO<sub>x</sub> and VOCs. The facility is therefore subject to the Title V Operating Permit requirements adopted in 25 Pa. Code Chapter 127, Subchapter G.

The Spark Ignition (SI) stationary Reciprocating Internal Combustion Engines (RICE) are subject to the National Emission Standards for Hazardous Air Pollutant (NESHAP) in 40 CFR Part 63 Subpart ZZZZ (for Sources 101, 102, 103, 104, 108, and 110). The glycol dehydration units are subject to 40 CFR 63 Subpart HH. The facility is major for Nitrogen Oxide (NO<sub>x</sub>) and therefore subject to Reasonably Available Control Technology (RACT) requirements of 25 Pa. Code §§ 129.91—129.95. The RACT requirements were established in a previous authorization.

Copies of the application, the Department's analysis and other documents used in the evaluation of the application are available for public inspection during normal business hours at the Department of Environmental Protection, 230 Chestnut Street, Meadville, PA 16335.

Any person wishing to provide the Department of Environmental Protection with additional information they believe should be considered prior to the issuance of this permit may submit the information to the Department at the address shown above. A 30-day comment period, from the date of this publication, will exist for the submission of comments. Each written comment must contain the name, address and telephone number of the person submitting the comments, identification of the proposed permit (specify Permit # TV 16-00124) and concise statements regarding the relevancy of the information in the proposed permit or objections to issuance of the permit.

A public hearing may be held, if the Department, in its discretion, decides that such a hearing is warranted based on the information received. All persons submitting comments or requesting a hearing will be notified of the decision to hold a hearing by publication in the newspaper or by the *Pennsylvania Bulletin*, or by telephone, where the Department determines such notification by telephone is sufficient. Written comments or requests for a public hearing should be directed to Mr. John F. Guth, Program Manager, Air Quality, Department of Environmental Protection, Northwest Region, 230 Chestnut Street, Meadville, PA 16335. For additional information concerning the permit or the issuance procedure, contact Mr. Matthew M. Williams, Facilities Section Chief, Air Quality Program, at the same address or phone at (814) 332-6940.

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

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

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

**07-03002: Pittsburgh Glass Works, LLC** (P. O. Box 307, Tipton, PA 16684-0307) for glass screen-printing, bending and tempering operation located in Antis Township, **Blair County**.

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

The subject facility has actual emissions of 2.9 tons per year NO<sub>x</sub>, 0.6 tons per year carbon monoxide, 8.8 tons per year of volatile organic compounds, 0.5 tons per year sulfur oxides, and 0.21 tons per year particulate matter. The Operating Permit will include emission limits and work practice standards along with monitoring, record-keeping and reporting requirements to ensure the facility complies with the applicable air quality regulations.

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

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

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

Thomas J. Hanlon, P.E., Facility Permitting Chief, may be contacted at 717-705-4863, or at PA DEP Air Quality Program, 909 Elmerton Avenue, Harrisburg, PA 17110, for additional information or for the submission of comments, protests or requests for a public hearing.

**67-05062: Gerard Daniel Worldwide—Keystone Facility** (34 Barnhart Drive, Hanover, PA 17331) for operation of their industrial steel wire cloth manufacturing facility in Hanover Borough, **York County**.

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

Actual 2011 emissions at the facility are estimated to be 4.8 tons of VOCs and less than one ton each of PM<sub>10</sub>, PM<sub>2.5</sub>, CO, SO<sub>x</sub>, NO<sub>x</sub> and combined HAPs. The Operating Permit will include emission limits and work practice standards along with monitoring, recordkeeping and reporting requirements to ensure the facility complies with the applicable air quality regulations. Among other items, the conditions include provisions derived from 25 Pa. Code § 129.77—Control of emissions from the use or application of adhesives, sealants, primers and solvents.

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

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

the name, address and telephone number of the person submitting the comments, identification of the proposed permit by the permit number listed above and a concise statement regarding the relevancy of the information or objections to the issuance of the permit. A 30-day comment period, from the date of publication of this notice in the *Pennsylvania Bulletin*, will exist for the submission of comments, protests or requests for a public hearing.

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

**67-03079: Hercon Pharmaceuticals, LLC** (101 Sinking Spring Lane, Emigsville PA 17318) for operation of transdermal coating line with VOC control in Manchester Township, **York County**. This is a renewal of their State-Only Operating Permit issued in 2007.

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

The subject facility has the potential-to-emit approximately 15 tpy VOC and less than 1 tpy combined HAPs. The Operating Permit will include emission limits and work practice standards along with monitoring and recordkeeping requirements to ensure the facility complies with the applicable air quality regulations.

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

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

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

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

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

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

**53-00013: C.A. Elliott Lumber Company** (PO Box 272, Roulette, PA 16746) for their lumber facility in Roulette Township, **Potter County**. In accordance with 25 Pa. Code §§ 127.424 and 127.425 the Department of Environmental Protection (DEP) has received an application and intends to issue a renewal of an Air Quality Operating Permit for the abovementioned facility. The subject facility has the following potential emissions: 10.30 TPY of NO<sub>x</sub>; 12.62 TPY of CO; 0.61 TPY of VOC; 10.44 TPY of PM/PM10 and 0.53 TPY of SO<sub>x</sub>. The

operating permit will include emission limits and work practice standards along with monitoring, record keeping and reporting requirements to ensure the facility complies with all applicable air quality regulations.

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

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

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

Muhammad Q. Zaman, Environmental Program Manager, may be contacted at 570-327-3648, or at PA DEP Air Quality Program, 208 West Third Street, Suite 101, Williamsport, Pa 17701, for additional information or for the submission of comments or protests.

**08-00027: Oak Hill Veneer, Inc.** (PO Box 304, Troy, PA 16947) for their veneer manufacturing facility located in Troy Township, **Bradford County**. In accordance with 25 Pa. Code §§ 127.424 and 127.425 the Department of Environmental Protection (DEP) has received an application and intends to issue a renewal of an Air Quality Operating Permit for the abovementioned facility. The subject facility has the following potential emissions: 7.86 TPY of NO<sub>x</sub>; 97.97 TPY of CO; 1.78 TPY of VOC; 45.56 TPY of PM/PM10 and 1.79 TPY of SO<sub>x</sub>. The operating permit will include emission limits and work practice standards along with testing, monitoring, record keeping and reporting requirements to ensure the facility complies with all applicable air quality regulations.

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

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

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

Muhammad Q. Zaman, Environmental Program Manager, may be contacted at 570-327-3648, or at PA DEP Air Quality Program, 208 West Third Street, Suite 101, Williamsport, Pa 17701, for additional information or for the submission of comments or protests.

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

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

**43-00354: Terralinks, Inc.** (478 Beaver Road, West Pittsburgh, PA 16160) to issue a new State Only Operating Permit for their sand processing facility in Jackson Township, **Mercer County**. The primary sources at the facility are a fluidized bed dryer and truck traffic and loading and unloading of trucks. Particulate matter emissions from the dryer are controlled by a cyclone and a baghouse. The facility is a Natural Minor. Potential emissions are as follows: PM 19 tpy; NO<sub>x</sub> 1 tpy; SO<sub>x</sub> less than 1 tpy; CO 1 tpy; VOC less than 1 tpy; and HAPs less than 1 tpy. The permit contains emission restrictions, recordkeeping, work practice, and additional requirements to ensure compliance with the Clean Air Act and the Air Pollution Control Act.

### COAL AND NONCOAL MINING ACTIVITY APPLICATIONS

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

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

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

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

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

When an NPDES number is listed, the mining activity permit application was accompanied by an application for

an individual NPDES permit. A separate notice will be provided after the draft NPDES permit is prepared.

#### Coal Applications Received

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

**30831303. Cumberland Coal Resources, LP**, (P. O. Box 1020, 158 Portal Road, Waynesburg, PA 15370). To revise the permit for the Cumberland Mine in Wayne Township, **Greene County** to add acreage to the subsidence control permit area for development mining. Subsidence Control Plan Acres Proposed 3016.0. No additional discharges. The application was considered administratively complete on December 6, 2012. Application received: September 18, 2012.

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

**32070104 and NPDES No. PA0262404. P & N Coal Company, Inc.**, P. O. Box 332, Punxsutawney, PA 15767, revision of an existing bituminous surface mine to add 2.7 acres to the SMP boundary, 1.4 acre projected for coal removal in Banks Township, **Indiana County**, affecting 37.3 acres. Receiving stream(s): unnamed tributaries to South Branch of Bear Run, unnamed tributary to Cush Creek, UT to Brady Run classified for the following use(s): cold water fishery. There are no potable water supply intakes within 10 miles downstream. Application received: November 20, 2012.

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

**63070102 and NPDES Permit No. PA0251186. Oxford Mining Co., LLC** (544 Chestnut Street, P. O. Box 427, Coshocton, OH 43812). Renewal application for reclamation only to an existing bituminous surface mine, located in Jefferson Township, **Washington County**, affecting 99.7 acres. Receiving streams: unnamed tributaries to Scott 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: November 29, 2012.

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

**33080105 and NPDES Permit No. PA0258547. Original Fuels, Inc.** (P. O. Box 343, Punxsutawney, PA 15767) Renewal of an existing bituminous surface mine in Perry & Young Townships, **Jefferson County** affecting 435.4 acres. Receiving streams: Three unnamed tributaries to Mahoning Creek, classified for the following uses: CWF. There are no potable surface water supply intakes within 10 miles downstream. Application received: December 4, 2012.

#### Noncoal Applications Received

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

**26072802. Bullskin Stone & Lime, LLC** (P. O. Box 528, Latrobe, PA 15650). Renewal application to a permitted small noncoal surface mine for commencement, operation and reclamation, located in Bullskin Township, **Fayette County**, affecting 5.0 acres. Receiving stream: unnamed tributary to Latta Run, classified for the following use: CWF. There is no potable water supply intake within 10 miles downstream from the point of discharge. Renewal application received: November 21, 2012.

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

**37930306. Three Rivers Aggregates, Inc.** (225 North Shore Drive, Pittsburgh, PA 15212) Revision to an existing large industrial minerals mine to add 1.6 acres in Plain Grove Township, **Lawrence County** affecting 128.6 acres. Receiving streams: Unnamed tributary to Taylor Run, classified for the following uses: CWF. There are no potable surface water supply intakes within 10 miles downstream. Application received: November 29, 2012.

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

**58062808. Meshoppen Stone, Inc.**, (P. O. Box 127, Meshoppen, PA 18630), Stage I & II bond release from a quarry operation in Forest Lake Township, **Susquehanna County** affecting 4.0 acres on property owned by Mary Alice Hawley (Estate of Julie B. Capwell). Application received: November 14, 2012.

### MINING ACTIVITY NPDES DRAFT PERMITS

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

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

#### *Effluent Limits for Coal Mining Activities*

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

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

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

\* The parameter is applicable at all times.

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

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

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

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

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

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

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

*Coal NPDES Draft Permits*

*California District Office: 25 Technology Drive, Coal Center, PA 15423, 724.769.1100*

**NPDES No. PA0235512 (Mining Permit No. 11031702), ArcelorMittal Pristine Resources, Inc.**, (P. O. Box 36, 129 Bethlehem Road, Revloc, PA 15948). A renewal to the NPDES and mining activity permit for the Mine 77 AMD Plant in East Taylor Township, **Cambria County** for post-mining discharge water treatment. Receiving stream: Unnamed Tributary to Little Conemaugh River, classified for the following use: WWF. Kiskiminetas-Conemaugh River Watersheds TMDL. The application was considered administratively complete on October 27, 2009. Application received: October 6, 2009.

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

*Outfall 001* discharges to: Unnamed Tributary to Little Conemaugh River

The proposed effluent limits for *Outfall 001* (Lat: 40° 22' 48" Long: 78° 50' 58") are:

<i>Parameter</i>	<i>Minimum</i>	<i>30-Day</i>	<i>Daily</i>	<i>Instant.</i>
		<i>Average</i>	<i>Maximum</i>	<i>Maximum</i>
<i>Flow (mgd)</i>		-	1.58	-
Iron (mg/l)		1.5	3.0	3.8
Manganese (mg/l)		1.0	2.0	2.5
Aluminum (mg/l)		0.38	0.75	0.94
Settleable Solids (ml/l)		0.2	0.4	0.5
Total Suspended Solids (mg/l)		35	70	90

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

**NPDES No. PA058976 (Mining permit no. 56900112), Rosebud Mining Company**, 301 Market Street, Kittanning, PA 16201, renewal of an NPDES permit for a bituminous coal surface mining operation in Summit Township, **Somerset County**, affecting 650 acres. Receiving stream(s): Stony Batter Run and Shafer Run, classified for the following use(s): cold water fishery. This receiving stream is included in the Casselman River TMDL. Application received: December 20, 2010.

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

The outfall(s) listed below discharge to Stony Batter Run and Shafer Creek.

<i>Outfall Nos.</i>	<i>New Outfall (Y/N)</i>
001—Treatment Facility 2	N
003—Treatment Facility 5	N
006—Treatment Facility 7	N
015—Treatment Facility 4	N
016—Treatment Facility 6	N
007—Sediment Pond 2	N
008—Sediment Pond 4	N
009—Sediment Pond 5	N
010—Sediment Pond 1	N
011—Sediment Pond 3	N

<i>Outfall Nos.</i>	<i>New Outfall (Y/N)</i>
013—Sediment Pond 3	N
014—Sediment Pond 7	N

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

<i>Outfalls: 001, 002</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)	3.0	6.0	7.0
Manganese (mg/l)	2.0	4.0	5.0
Aluminum (mg/l)	0.75	1.5	1.9
Osmotic Pressure (milliosmoles/kg)	50.0	50.0	50.0
pH (S.U.): Must be between 6.0 and 9.0 standard units at all times			
Alkalinity must exceed acidity at all times			

<i>Outfalls: 006</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)	3.0	6.0	7.0
Manganese (mg/l)	2.0	4.0	5.0
Aluminum (mg/l)	0.85	1.7	2.1
Total Suspended Solids (mg/l)	35.0	70.0	90.0
Osmotic Pressure (milliosmoles/kg)	50.0	50.0	50.0
pH (S.U.): Must be between 6.0 and 9.0 standard units at all times			
Alkalinity must exceed acidity at all times			

<i>Outfalls: 015, 016</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)	3.0	6.0	7.0
Manganese (mg/l)	2.0	4.0	5.0
Aluminum (mg/l)	1.6	3.2	4.0
Osmotic Pressure (milliosmoles/kg)	50.0	50.0	50.0
pH (S.U.): Must be between 6.0 and 9.0 standard units at all times			
Alkalinity must exceed acidity at all times			

<i>Outfalls: 007, 008, 009, 010, 011, 013, 014</i>	<i>Instant.</i>
<i>Parameter</i>	<i>Maximum</i>
Iron (mg/l)	7.0
Manganese (mg/l)	5.0
Aluminum (mg/l)	4.0
Total Suspended Solids (mg/l) Total Settleable Solids	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*

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

**NPDES No. PA0613312 on Surface Mining Permit No. 7674SM1. Pennsy Supply, Inc.**, (P. O. Box 3331, Harrisburg, PA 17105), revision and renewal of an NPDES Permit for a Limestone Quarry Operation in South Lebanon and Jackson Townships, **Lebanon County**, affecting 461.60 acres. Receiving stream: Tulpehocken Creek, classified for the following use: cold water fishes (No TMDL). Application received: August 17, 2012.

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

The outfall(s) listed below discharge to Tulpehocken Creek.

<i>Outfall No.</i>	<i>New Outfall Y/N</i>	<i>Type</i>
001	No	Ground Water/Pit Dewatering
002	No	Ground Water/Pit Dewatering
003	Yes	Ground Water/Pit Dewatering

**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.*

**E35-443. Pennsylvania American Water Company,** 800 West Hershey Park Drive, Hershey, PA 17033, in City of Scranton, **Lackawanna County**, U.S. Army Corps of Engineers, Baltimore District.

To fill approximately 270 feet of an isolated watercourse and a de minimus area of isolated wetlands equal to 0.05 acre located in the Lackawanna River Watershed (CWF, MF) for the purpose of constructing a project known as the Stafford Avenue Operations Center. The project is located on the northwest side of Stafford Avenue approximately 0.20 mile northeast of its intersection with Kane Street (Avoca, PA Quadrangle, Latitude: 41°22'30.0"; Longitude: -75°40'40.8").

**E13-174. Pennsylvania Department of Transportation, Engineering District 5-0,** 1002 Hamilton Street, Allentown, PA 18103-1013, in Jim Thorpe Borough, **Carbon County**, U.S. Army Corps of Engineers, Philadelphia District.

To remove the existing structure; and to construct and maintain a 58-foot wide four-span continuous steel plate girder bridge with reinforced concrete abutments and wingwalls approximately 900 feet upstream of the existing structure. The structure will have a span of 963 feet and an approximate under-clearance of 100 feet over the Lehigh River (HQ-CWF, MF) and the Lehigh Canal. The project is located along S.R. 903, Section 03B, Segment 0010, Offset 00024 (Lehigh, PA Quadrangle, Latitude: 40°52'12"N; Longitude: 75°44'17"W").

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

**E22-572: Royalton Borough Authority,** 101 Northumberland Street, Royalton, Pennsylvania 17057, in Royalton Borough, **Dauphin County**, ACOE Baltimore District

To construct and maintain a 300.0-square foot concrete block building and associated access drive in the floodplain of Swatara Creek (WWF, MF) for the purpose of providing increased water pressures to residences in the Upper Ward of the Borough. The project is located immediately west of the intersection of Grubb Street and Edgewater Drive (Middletown, PA Quadrangle; N: 12.0 inches, W: 14.4 inches; Latitude: 40(11'29", Longitude: -76(43'41") in Royalton Borough, Dauphin County.

**E36-900: Columbia Heritage River Cottage Association, Inc.,** PO Box 618, Columbia, Pennsylvania 17512, in Columbia Borough, **Lancaster County**, ACOE Baltimore District

To maintain the following existing docking facilities in and along the Susquehanna River (WWF, MF):

1) 532.0-square foot Temporary Wooden Dock (Latitude: 40°01' 45.1", Longitude: -76°30'26.5"),

2) 16.0-foot by 24.0-foot Temporary Wooden Dock (Latitude: 40°01'44.9", Longitude: -76°30'25.4"),

3) 16.0-foot by 35.0-foot Permanent Concrete Dock with a 4.0-foot by 16.0-foot and a 12.0-foot by 12.0-foot Temporary Wooden Docks (Latitude: 40°01'44.2", Longitude: -76°30'24.3"),

4) 12.0-foot by 17.0-foot Permanent Concrete Dock with a 4.0-foot by 20.0-foot Temporary Wooden Dock (Latitude: 40°01'43.4", Longitude: -76°30'23"),

5) 6.0-foot by 10.0-foot Permanent Concrete Dock with an 11.0-foot by 20.0-foot Temporary Wooden Dock (Latitude: 40°01'42.9", Longitude: -76°30'22.6"),

6) 10.0-foot by 18.0-foot and 10.0-foot by 38.0-foot Permanent Concrete Docks with a 4.0-foot by 4.0-foot Temporary Wooden Dock (Latitude: 40°01'42.7", Longitude: -76°30'22.2"),

7) 15.0-foot by 20.0-foot Permanent Concrete Dock (Latitude: 40°01'42.3", Longitude: -76°30'21.1"),

8) 14.0-foot by 48.0-foot Permanent Concrete Dock with a 16.0-foot by 24.0-foot Temporary Wooden Dock (Latitude: 40°01'42", Longitude: -76°30'20.6"),

9) 10.0-foot by 34.0-foot Permanent Concrete Dock with a 22.0-foot by 30.0-foot Temporary Wooden Dock (Latitude: 40°01'41.7", Longitude: -76°30'20.1"),

10) 13.0-foot by 63.0-foot Permanent Concrete Dock with a 20.0-foot by 23.0-foot Temporary Wooden Dock (Latitude: 40°01'41.5", Longitude: -76°30'19.7"),

11) 10.0-foot by 30.0-foot Permanent Concrete Dock with a 15.0-foot by 18.0-foot Temporary Wooden Dock (Latitude: 40°01'41.3", Longitude: -76°30'19.3"),

12) 10.0-foot by 15.0-foot Permanent Rock Dock with a 10.0-foot by 18.0-foot Aluminum and Wooden Dock (Latitude: 40°01'41", Longitude: -76°30'18.8"),

13) 7.0-foot by 35.0-foot Permanent Concrete Dock (Latitude: 40°01'40.6", Longitude: -76°30'18.0"),

14) 7.0-foot by 14.0-foot Permanent Concrete Dock with an 8.0-foot by 20.0-foot and a 4.0-foot by 7.5.0-foot Temporary Steel and Wooden Docks (Latitude: 40°01'40.5", Longitude: -76°30'17.9"),

15) 10.0-foot by 33.0-foot Permanent Concrete Dock with a 16.0-foot by 30.0-foot Temporary Wooden Dock (Latitude: 40°01'40.3", Longitude: -76°30'17.7"),

16) 12.0-foot by 50.0-foot Permanent Concrete Dock with a 10.0-foot by 24.0-foot Temporary Wooden Dock (Latitude: 40°01'40.1", Longitude: -76°30'17.4"),

17) 25.0-foot by 50.0-foot Permanent Concrete Dock (Latitude: 40°01'39.7", Longitude: -76°30'16.8"),

18) 9.0-foot by 25.0-foot and 15.0-foot by 30.0-foot Permanent Concrete Docks (Latitude: 40°01'39.4", Longitude: -76°30'16.5"),

19) 6.0-foot by 12.0-foot Permanent Concrete Dock (Latitude: 40°01'38.6", Longitude: -76°30'15.5"),

20) 26.0-foot by 54.0-foot Permanent Concrete Dock with a 3.0-foot by 10.0-foot Temporary Wooden Dock (Latitude: 40°01'38", Longitude: -76°30'14.9"),

21) 12.0-foot by 16.0-foot Permanent Concrete Dock with a 2.0-foot by 16.0-foot Temporary Wooden Dock (Latitude: 40°01'37", Longitude: -76°30'14"),

22) 20.0-foot by 75.0-foot and 11.0-foot by 22.0-foot Permanent Concrete Docks with a 6.0-foot by 10.0-foot, a 12.0-foot by 16.0-foot, and a 3.0-foot by 10.0-foot Temporary Wooden Docks (Latitude: 40°01'36.3", Longitude: -76°30'13.4"),

23) 18.0-foot by 24.0-foot Permanent Concrete Dock with a 3.0-foot by 10.0-foot Temporary Wooden Dock (Latitude: 40°01'35.6", Longitude: -76°30'11.7"),

24) 11.0-foot by 26.0-foot Permanent Concrete Dock (Latitude: 40°01'35.3", Longitude: -76°30'10.9"),

25) 15.0-foot by 23.0-foot Permanent Concrete Dock with a 5.0-foot by 10.0-foot Temporary Plastic Dock (Latitude: 40°01'35", Longitude: -76°30'10"),

26) 16.0-foot by 17.0-foot Permanent Concrete Dock (Latitude: 40°01'34.7", Longitude: -76°30'8.4"),

27) 14.0-foot by 24.0-foot Permanent Concrete Dock (Latitude: 40°01'34.6", Longitude: -76°30'7.9"), and

28) 12.0-foot by 20.0-foot and 12.0-foot by 14.0-foot Permanent Concrete Docks (Latitude: 40°01'34.5", Longitude: -76°30'7.5").

The facilities require a Submerged Land License Agreement to be executed.

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

**E18-480. SEDA-COG Joint Rail Authority**, 201 Furnace Road, Lewisburg, PA 17837. Woodward Avenue Extension, in Pine Creek Township, **Clinton County**, ACOE Baltimore District (Jersey Shore, PA Quadrangle N: 41°10'31"; W: -77°19'25").

To construct and maintain:

1) 2,600 linear feet of 18-foot wide cartway and accompanying parallel storm water system that create a net cut of 187 cubic yards of fill in the left 100-year FEMA floodway of the West Branch Susquehanna River,

2) 800 square foot impact to wetlands as a result of the road construction,

3) replace an existing 36-foot long by 36-inch culvert with a 97-foot long by 36-inch HDPE culvert and,

4) a 22-foot by 24-inch HDPE extension to an existing 40-foot long by 21-inch CMP culvert in an unnamed tributary to the Susquehanna River, all of which is located between the Avis exit of SR 220 and the Village of South Avis.

The applicant proposes to: 1) temporarily impact 916 square feet of wetlands, 2) permanently impact 818 square feet of wetlands, 3) 125 linear feet of an unnamed tributary to the Susquehanna River that is classified as a Cold Water Fishery.

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

**E10-478, Evans City Water and Sewer Authority**, 204 B South Jackson Street, Evans City, PA 16033. Evans City Borough Sewage Treatment Plant Improvement Project, in Evans City Borough and Jackson Township, **Butler County**, ACOE Pittsburgh District (Evans City, PA Quadrangle N: 40°, 46', 18.5"; W: 80°, 04', 08.1").

To remove the existing sewage treatment plant on North Washington Street Extension and to construct and maintain a new sewage treatment plant including buildings, tanks, stormwater basins and associated grading within the 100-year flood plain of Breakneck Creek and to construct and maintain a sanitary sewer effluent and stormwater outfalls to Breakneck Creek.

**E10-480, VA Butler Partners Company, LLC**, 5301 Grant Avenue, Suite 100, Cleveland, OH 44125. Butler VA Outpatient Care Facility, in Butler Township, **Butler County**, ACOE Pittsburgh District (Butler, PA Quadrangle N: 40°, 52', 03"; W: 79°, 56', 50.4").

To construct an outpatient care facility and associated access roads and parking lots adjacent to the existing Butler VA hospital. Project proposes to permanently fill 0.77 acre of wetland (0.516ac PEM, 0.067ac PSS, 0.187ac PFO) and 35 LF of UNT Little Connoquenessing Creek. Mitigation includes the construction of 0.72 acre of wetland onsite (0.16ac PEM, 0.56ac PFO) and an additional payment into the PA Wetland Replacement Fund of \$15,000.

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

**E5829-045. Susquehanna Gathering Company 1, LLC**, PO Box 839, New Milford, PA 18834; Jackson Township, **Susquehanna County**, ACOE Baltimore District.

To construct, operate, and maintain:

1) a 12 inch diameter natural gas steel gathering line, 16 inch diameter waterline, and a temporary timber bridge crossing impacting 65 lineal feet of an unnamed tributary to Tunkhannock Creek (CWF, MF) (Thompson, PA Quadrangle; N 41° 52' 04" Lat., W -75° 36' 14" Long.),

2) a 12 inch diameter natural gas steel gathering line, 16 inch diameter waterline, and a temporary timber bridge crossing impacting 53 lineal feet of an unnamed tributary to Tunkhannock Creek (CWF, MF) (Thompson, PA Quadrangle; N 41° 51' 06" Lat., W -75° 36' 12" Long.),

3) an 8 inch diameter natural gas steel gathering line, 16 inch diameter waterline, and a temporary timber bridge crossing impacting 52 lineal feet of an unnamed tributary to Tunkhannock Creek (CWF, MF) (Thompson, PA Quadrangle; N 41° 51' 06" Lat., W -75° 36' 00" Long.),

4) a 12 inch diameter natural gas steel gathering line, 16 inch diameter waterline, and a temporary timber bridge crossing impacting 51 lineal feet of an unnamed tributary to Tunkhannock Creek (CWF, MF) (Thompson, PA Quadrangle; N 41° 50' 47" Lat., W -75° 36' 24" Long.),

5) a 12 inch diameter natural gas steel gathering line, 16 inch diameter waterline, and a temporary timber bridge crossing impacting 55 lineal feet of an unnamed tributary to Tunkhannock Creek (CWF, MF) (Thompson, PA Quadrangle; N 41° 50' 32" Lat., W -75° 36' 42" Long.),

6) a 12 inch diameter natural gas steel gathering line, 16 inch diameter waterline, and a temporary timber mat

crossing impacting 3,049 square feet (0.07 acre) of PFO wetland (Thompson, PA Quadrangle; N 41° 52' 14" Lat., W -75° 36' 32" Long.),

7) a 12 inch diameter natural gas steel gathering line, 16 inch diameter waterline, and a temporary timber mat crossing impacting 1,742 square feet (0.04 acre) of PFO wetland (Thompson, PA Quadrangle; N 41° 52' 04" Lat., W -75° 36' 14" Long.),

8) an 8 inch diameter natural gas steel gathering line, 16 inch diameter waterline, and a temporary timber mat crossing impacting 436 square feet (0.01 acre) of PFO wetland (Thompson, PA Quadrangle; N 41° 51' 06" Lat., W -75° 36' 00" Long.),

9) a 12 inch diameter natural gas steel gathering line, 16 inch diameter waterline, and a temporary timber mat crossing impacting 1,742 square feet (0.04 acre) of PSS wetland (Thompson, PA Quadrangle; N 41° 50' 46" Lat., W -75° 36' 24" Long.),

10) a 12 inch diameter natural gas steel gathering line, 16 inch diameter waterline, and a temporary timber mat crossing impacting 5,227 square feet (0.12 acre) of PFO wetland (Thompson, PA Quadrangle; N 41° 50' 47" Lat., W -75° 36' 23" Long.),

11) a 12 inch diameter natural gas steel gathering line, 16 inch diameter waterline, and a temporary timber mat crossing impacting 4,792 square feet (0.11 acre) of PEM wetland (Thompson, PA Quadrangle; N 41° 50' 31" Lat., W -75° 36' 43" Long.),

12) an 8 inch diameter natural gas steel gathering line, 16 inch diameter waterline, and a temporary timber mat crossing impacting 6,098 square feet (0.14 acre) of PFO wetland (Thompson, PA Quadrangle; N 41° 50' 24" Lat., W -75° 36' 34" Long.),

13) a 12 inch diameter natural gas steel gathering line, 16 inch diameter waterline, and a temporary timber mat crossing impacting 7,840 square feet (0.18 acre) of PFO wetland (Thompson, PA Quadrangle; N 41° 50' 05" Lat., W -75° 37' 02" Long.),

14) a 12 inch diameter natural gas steel gathering line, 16 inch diameter waterline, and a temporary timber mat crossing impacting 871 square feet (0.02 acre) of PFO wetland (Thompson, PA Quadrangle; N 41° 49' 51" Lat., W -75° 37' 06" Long.).

The project consists of connecting 5 well sites to the Bluestone Pipeline utilizing approximately 5.23 miles of gathering line (1.07 miles of 8" and 4.16 miles of 12") and waterline in Jackson Township, Susquehanna County. The project will result in the impact of 276 lineal feet (1,013 square feet) of unnamed tributaries to Tunkhannock Creek and 0.73 acre (31,799 square feet) of wetlands impacts, all for the purpose of conveying Marcellus Shale natural gas to market.

**E5829-041. Susquehanna Gathering Company 1, LLC;** PO Box 839, New Milford, PA 18834; New Milford Township, **Susquehanna County**, ACOE Baltimore District.

To construct, operate, and maintain:

1) a 12 inch diameter natural gas steel gathering line, a 16 inch diameter waterline, and a temporary timber bridge crossing impacting 55 lineal feet of an unnamed tributary to Gibson Creek (CWF, MF) (Harford, PA Quadrangle; N 41° 50' 54" Lat., W -75° 40' 35" Long.),

2) a 12 inch diameter natural gas steel gathering line, 16 inch diameter waterline, and a temporary timber mat

crossing impacting 4,032 square feet (0.09 acre) of PEM wetland (Harford, PA Quadrangle; N 41° 50' 54" Lat., W -75° 40' 35" Long.),

3) a 12 inch diameter natural gas steel gathering line, a 16 inch diameter waterline, and a temporary timber bridge crossing impacting 54 lineal feet of an unnamed tributary to Gibson Creek (CWF, MF) (Harford, PA Quadrangle; N 41° 50' 51" Lat., W -75° 40' 41" Long.),

4) a 12 inch diameter natural gas steel gathering line, a 16 inch diameter waterline, and a temporary timber bridge crossing impacting 51 lineal feet of an unnamed tributary to Gibson Creek (CWF, MF) (Harford, PA Quadrangle; N 41° 50' 43" Lat., W -75° 40' 49" Long.),

5) a 16 inch diameter waterline, and a temporary timber mat crossing impacting 1,602 square feet (0.04 acre) of PEM wetland (Harford, PA Quadrangle; N 41° 50' 54" Lat., W -75° 40' 35" Long.).

The project consists of connecting 3 well sites to an approved pipeline utilizing approximately 1.82 miles of natural gas gathering line and waterline in New Milford Township, Susquehanna County. The project will result in the impact of 160 lineal feet (372 square feet) of unnamed tributaries to Gibson Creek and 0.13 acre (5,634 square feet) of wetlands impacts, all for the purpose of conveying Marcellus Shale natural gas to the Bluestone pipeline.

**E4129-061: PVR Marcellus Gas Gathering, LLC,** 100 Penn Tower Square, Suite 201 & 202, 25 West Third Street, Williamsport, PA 17701, McNett Township, **Lycoming County**, ACOE Baltimore District.

To construct, operate, and maintain:

(1) one 24 inch natural gas pipeline, one 16 inch natural gas pipeline, one 12 inch waterline, and a timber mat bridge impacting 110 linear feet of an unnamed tributary to Towanda Creek (CWF) (Grover Quadrangle 41°35'27"N 76°50'27"W);

(2) one 24 inch natural gas pipeline, one 16 inch natural gas pipeline, one 12 inch waterline, and a timber mat bridge impacting 210 linear feet of an unnamed tributary to North Branch Rock Run (EV, MF) (Grover Quadrangle 41°35'00"N 76°50'07"W);

(3) one 24 inch natural gas pipeline, one 16 inch natural gas pipeline, one 12 inch waterline, and a timber mat bridge impacting 32 linear feet an unnamed tributary to North Branch Rock Run (EV, MF) and 98 square feet of adjacent palustrine emergent (PEM) wetland (Grover Quadrangle 41°35'01"N 76°50'00"W);

(4) one 24 inch natural gas pipeline, one 16 inch natural gas pipeline, one 12 inch waterline, and a timber mat bridge impacting 1,407 square feet of palustrine scrub-shrub (PSS) wetland (Grover Quadrangle 41°35'16"N 76°49'21"W);

(5) one 24 inch natural gas pipeline, one 16 inch natural gas pipeline, one 12 inch waterline, and a timber mat bridge impacting 914 square feet of palustrine emergent (PEM) wetland (Grover Quadrangle 41°34'58"N 76°49'12"W);

(6) one 24 inch natural gas pipeline, one 16 inch natural gas pipeline, one 12 inch waterline, and a timber mat bridge impacting 84 linear feet of Schrader Creek (EV, MF) and 3,935 square feet of adjacent palustrine emergent (PEM) wetland (Grover Quadrangle 41°35'00"N 76°48'50"W);

(7) one 24 inch natural gas pipeline, one 16 inch natural gas pipeline, one 12 inch waterline, and a timber

mat bridge impacting 932 square feet of palustrine emergent (PEM) wetland (Grover Quadrangle 41°34'59"N 76°48'48"W);

(8) one 24 inch natural gas pipeline, one 16 inch natural gas pipeline, one 12 inch waterline, and a timber mat bridge impacting 479 square feet of palustrine scrub-shrub (PSS) wetland (Grover Quadrangle 41°34'59"N 76°48'46"W);

(9) one 24 inch natural gas pipeline, one 16 inch natural gas pipeline, one 12 inch waterline, and a timber mat bridge impacting 450 square feet of palustrine scrub-shrub (PSS) wetland (Grover Quadrangle 41°35'00"N 76°48'44"W);

(10) one steel plate and timber mat bridge over an existing culvert impacting 20 linear feet of an unnamed tributary to Rock Run (EV, MF) (Grover Quadrangle 41°33'20"N 76°48'18"W);

(11) one 24 inch natural gas pipeline, one 16 inch natural gas pipeline, one 12 inch waterline, and a timber mat bridge impacting 132 linear feet of Rock Run (EV, MF) and an unnamed tributary to Rock Run (EV, MF) (Grover Quadrangle 41°32'39"N 76°48'28"W);

(12) one 24 inch natural gas pipeline, one 16 inch natural gas pipeline, one 12 inch waterline, and a timber mat bridge impacting 76 linear feet of an unnamed tributary to Rock Run (EV, MF) and 1,072 square feet of adjacent palustrine scrub-shrub (PSS) wetland (Grover Quadrangle 41°32'38"N 76°48'29"W);

(13) one 24 inch natural gas pipeline, one 16 inch natural gas pipeline, one 12 inch waterline, and a timber mat bridge impacting 100 linear feet of an unnamed tributary to Rock Run (EV, MF) (Grover Quadrangle 41°32'35"N 76°48'30"W);

(14) one steel plate and timber mat bridge over four existing culverts impacting 43 linear feet of Rock Run (EV, MF) and an unnamed tributary to Rock Run (EV, MF) (Grover Quadrangle 41°32'39"N 76°48'28"W);

(15) one timber mat bridge impacting 21 linear feet of an unnamed tributary to Rock Run (EV, MF) (Grover Quadrangle 41°32'32"N 76°48'47"W).

The project will result in 828 linear feet of stream impacts and 0.2 acre of wetland impacts all for the purpose of installing a natural gas gathering line and freshwater pipeline with associated access roadways for Marcellus well development. These impacts are associated with the impacts of E5729-046.

**E5729-046: PVR Marcellus Gas Gathering, LLC**, 100 Penn Tower Square, Suite 201 & 202, 25 West Third Street, Williamsport, PA 17701, Fox Township, **Sullivan County**, ACOE Baltimore District.

To construct, operate, and maintain:

(1) one 24 inch natural gas pipeline, one 16 inch natural gas pipeline, one 12 inch waterline, and a timber mat bridge impacting 1,391 square feet of palustrine forested (PFO) wetland (Grover Quadrangle 41°34'59"N 76°48'33"W);

(2) one steel plate and timber mat bridge over an existing culvert impacting 83 linear feet of an unnamed tributary to Schrader Creek (EV, MF) and 425 square feet of palustrine emergent (PEM) wetland (Grover Quadrangle 41°35'13"N 76°47'42"W);

(3) one steel plate and timber mat bridge over an existing culvert impacting 26 linear feet of an unnamed tributary to Schrader Creek (EV, MF) (Grover Quadrangle 41°35'08"N 76°48'08"W);

(4) one 24 inch natural gas pipeline, one 16 inch natural gas pipeline, one 12 inch waterline, and a timber mat bridge impacting 7,213 square feet of palustrine forested (PFO) wetland (Grover Quadrangle 41°34'59"N 76°48'30"W);

(5) one 24 inch natural gas pipeline, one 16 inch natural gas pipeline, one 12 inch waterline, and a timber mat bridge impacting 181 linear feet of Schrader Creek (EV, MF) and an unnamed tributary to Schrader Creek (EV, MF) (Grover Quadrangle 41°34'51"N 76°48'19"W);

(6) one 24 inch natural gas pipeline, one 16 inch natural gas pipeline, one 12 inch waterline, and a timber mat bridge impacting 53 linear feet of an unnamed tributary to Schrader Creek (EV, MF) (Grover Quadrangle 41°34'39"N 76°48'21"W);

(7) one 24 inch natural gas pipeline, one 16 inch natural gas pipeline, one 12 inch waterline, and a timber mat bridge impacting 47 linear feet of an unnamed tributary to Schrader Creek (EV, MF) (Grover Quadrangle 41°34'35"N 76°48'21"W);

(8) one 24 inch natural gas pipeline, one 16 inch natural gas pipeline, one 12 inch waterline, and a timber mat bridge impacting 86 linear feet of an unnamed tributary to Schrader Creek and 586 square feet of adjacent palustrine emergent (PEM) wetland (Grover Quadrangle 41°34'34"N 76°48'22"W);

(9) one steel plate and timber mat bridge and a 12 inch culvert impacting 21 linear feet of an unnamed tributary to Schrader Creek (Grover Quadrangle 41°34'24"N 76°48'17"W);

(10) 16 inches of fill for a permanent roadway impacting 1,494 square feet of palustrine emergent (PEM) wetland (Grover Quadrangle 41°34'20"N 76°48'11"W);

(11) one 24 inch natural gas pipeline, one 16 inch natural gas pipeline, one 12 inch waterline, and a timber mat bridge impacting 2,925 square feet of palustrine emergent (PEM) wetland (Grover Quadrangle 41°34'24"N 76°48'25"W);

(12) one 24 inch natural gas pipeline, one 16 inch natural gas pipeline, one 12 inch waterline, and a timber mat bridge impacting 290 square feet of palustrine emergent (PEM) wetland (Grover Quadrangle 41°33'43"N 76°48'11"W).

The project will result in 497 linear feet of stream impacts and 0.3 acre of wetland impacts all for the purpose of installing a natural gas gathering line and freshwater pipeline with associated access roadways for Marcellus well development. These impacts are associated with the impacts of E4129-061.

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

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

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

**E6629-011, Amendment #1: PVR NEPA Gas Gathering, LLC**, 100 Penn Tower, Suites 201 & 202, 25 West

Third Street, Williamsport, PA 17701, Eaton and Forkston Townships, **Wyoming County**, ACOE Baltimore District.

To construct, operate and maintain an additional 8-inch well pipeline associated with the Severcool Compressor and Natural Gas Pipeline. The original permit action was published in *Pennsylvania Bulletin*, Vol. 42, No. 37, on September 15, 2012. This amendment will impact previously permitted areas of impacts as follows:

1. 72.0 linear feet of a UNT to Bowman Hollow (HQ-CWF, MF) (S\_057\_MJS) and 1,405 square feet of Exceptional Value Palustrine Emergent (PEM) Wetlands (W\_194\_MRV) via open cut trenching and temporary timber matting (Meshoppen, PA Quadrangle, Latitude: N41°31'06.9", Longitude: W76°06'30.8");

2. 18 square feet of Palustrine Emergent/Open Water (PEM/POW) Wetlands (W\_193\_MRV) via open cut trenching and temporary timber matting (Meshoppen, PA Quadrangle, Latitude: N41°31'07.5", Longitude: W76°06'30.9");

3. 600 square feet of Exceptional Value Palustrine Emergent (PEM) Wetlands (W\_192\_MRV) via open cut trenching and temporary timber matting (Meshoppen, PA Quadrangle, Latitude: N41°31'08.0", Longitude: W76°06'31.0");

4. 31.0 linear feet of Bowman Hollow (HQ-CWF, MF) (S\_150\_MJS) via open cut trenching and temporary timber matting (Meshoppen, PA Quadrangle, Latitude: N41°31'11.9", Longitude: W76°06'29.9");

5. 862 square feet of Exceptional Value Palustrine Emergent (PEM) Wetlands (W\_009\_MJL) via open cut trenching and temporary timber matting (Meshoppen, PA Quadrangle, Latitude: N41°31'13.7", Longitude: W76°06'28.6");

6. 1,635 square feet of Exceptional Value Palustrine Emergent (PEM) Wetlands (W\_010\_MJL) via open cut trenching and temporary timber matting (Meshoppen, PA Quadrangle, Latitude: N41°31'16.6", Longitude: W76°06'28.5"); and

7. 33 square feet of Exceptional Value Palustrine Emergent (PEM) Wetlands (W\_248\_MRV) via open cut trenching and temporary timber matting (Meshoppen, PA Quadrangle, Latitude: N41°31'17.9", Longitude: W76°06'28.5").

This amendment will result in no increases to the previously permitted impacts associated with this project, which is all for the purpose of installing of a natural gas compressor site with a permanent access road, one 16-inch natural gas trunkline, and one 8-inch well pipeline with associated temporary construction accesses.

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

To construct, operate, and maintain:

1) A temporary access road using timber mats and a 16 inch diameter gathering line impacting 4,927 square feet of a palustrine emergent/scrub shrub (PEM/PSS) wetland (Shunk, PA Quadrangle 41°32'27"N, 76°39'19"W);

2) A temporary access road using a timber mat bridge and a 16 inch diameter gathering line impacting 203 linear feet of an unnamed tributary to Elk Creek (EV) (Shunk, PA Quadrangle 41°32'27"N, 76°39'19"W).

The project will result in 203 linear feet of temporary stream impacts and 4,927 square feet of temporary

wetland impacts for the purpose of installing a gathering line for Marcellus well development in Elkland Township, Sullivan County.

**E1729-007: Fairman Corporation**, PO Box 288, DuBois, PA, 15801, Union Township, **Clearfield County**, ACOE Baltimore District.

To construct, operate and maintain a temporary timber mat working platform for the plugging and abandonment of an existing natural gas well located at Latitude: N41°06'34.0", Longitude: W78°38'48.5" (Luthersburg, PA Quadrangle).

The project will result in 842 square feet (0.02 acre) of temporary impacts to Exceptional Value (EV) Palustrine Scrub/Shrub (PSS) Wetlands for the purpose of plugging and abandonment of an existing natural gas well.

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

To construct, operate, and maintain:

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

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

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

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

5) A temporary access road using a timber mat bridge and a 16 inch diameter gathering line impacting 213 linear feet of Mill Creek (EV) (Dushore, PA Quadrangle 41°31'58"N, 76°27'91"W).

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

**E5729-049: Appalachia Midstream Services, LLC**, 100 IST Center, Horseheads, NY 14845, Cherry Township, **Sullivan County**, ACOE Baltimore District. To construct, operate, and maintain:

1) A temporary access road using timber mats and a 16 inch diameter gathering line impacting 192 linear feet of an unnamed tributary to Little Loyalsock Creek (EV) (Colley, PA Quadrangle 41°31'16"N, 76°22'17"W);

2) A temporary access road using timber mats and a 16 inch diameter gathering line impacting 2,463 square feet of an exceptional value palustrine scrub shrub (EV-PSS) wetland (Colley, PA Quadrangle 41°31'15"N, 76°22'19"W);

3) A temporary access road using a timber mat bridge and a 16 inch diameter gathering line impacting 202 linear feet of an unnamed tributary to Payne Run (EV) (Dushore, PA Quadrangle 41°30'21"N, 76°22'37"W);

4) A temporary access road using a timber mat bridge and a 16 inch diameter gathering line impacting 197 linear feet of an unnamed tributary to Payne Run (EV) (Dushore, PA Quadrangle 41°30'21"N, 76°22'38"W);

5) A temporary access road using a timber mat bridge and a 16 inch diameter gathering line impacting 117 linear feet of an unnamed tributary to Payne Run (EV) (Dushore, PA Quadrangle 41°30'21"N, 76°22'39"W);

6) A temporary access road using timber mats and a 16 inch diameter gathering line impacting 4,082 square feet of a palustrine emergent (PEM) wetland (Dushore, PA Quadrangle 41°30'12"N, 76°24'19"W);

7) A temporary access road using timber mats and a 16 inch diameter gathering line impacting 782 square feet of an exceptional value palustrine emergent (EV-PEM) wetland (Dushore, PA Quadrangle 41°30'17"N, 76°24'31"W);

8) A temporary access road using timber mats and a 16 inch diameter gathering line impacting 191 linear feet of an unnamed tributary to Payne Run (EV) and 806 square feet of an exceptional value palustrine emergent (EV-PEM) wetland (Dushore, PA Quadrangle 41°30'17"N, 76°24'33"W);

9) a 16 inch diameter gathering line impacting 9 linear feet of an unnamed tributary to Payne Run (EV) (Dushore, PA Quadrangle 41°30'18"N, 76°24'36"W);

10) A temporary access road using timber mats and a 16 inch diameter gathering line impacting 5,939 square feet of an exceptional value palustrine emergent (EV-PEM) wetland (Dushore, PA Quadrangle 41°30'59"N, 76°24'47"W);

11) A temporary access road using a timber mat bridge and a 16 inch diameter gathering line impacting 193 linear feet of Little Loyalsock Creek (EV) (Dushore, PA Quadrangle 41°31'00"N, 76°24'50"W).

The project will result in 1,101 linear feet of temporary stream impacts, 14,072 square feet (0.32 acre) of temporary wetland impacts all for the purpose of installing a gathering line for Marcellus well development in Cherry Township, Sullivan County. The permittee will provide 0.56 acre of compensatory mitigation at the Wilmot Site (Colley, PA Quadrangle 41°36'44"N 76°17'27"W) in Wilmot Township, Bradford County.

#### DAM SAFETY

*Central Office: Bureau of Waterways Engineering and Wetlands, Rachel Carson State Office Building, Floor 3, 400 Market Street, P. O. Box 8460, Harrisburg, PA 17105-8460*

**D63-140. Ohio Valley Lutheran Bible Camp Association.** P. O. Box 115, Hickory, PA 15340. To modify Camp Agape Dam across a tributary to South Fork Cross Creek (HQ-WWF) for the purpose of recreation. The top of dam elevation will be lowered so that the maximum depth of water is less than 15 feet. Upon completion of the modifications, the dam will be non-jurisdictional. (Midway, PA Quadrangle; Latitude: 40.275N, Longitude: 80.341W) in Mount Pleasant Township, **Washington County**.

**D30-078. Cumberland Coal Resources, LP.** P. O. Box 1020, 158 Portal Road, Waynesburg, PA 15370. To modify Cumberland No. 1 Sedimentation Pond across a tributary to Whiteley Creek (TSF) for the purpose of sedimentation control. The existing sediment pond will be modified to accommodate additional storm runoff from Cumberland No. 1 CRDA. (Oak Forest, PA Quadrangle; Latitude: 39.799N, Longitude: 80.151W) in Whiteley Township, **Greene County**.

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## ACTIONS

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

#### FINAL ACTIONS TAKEN FOR NPDES PERMITS AND WQM PERMITS

The Department has taken the following actions on previously received applications for new, amended and renewed NPDES and WQM permits, applications for permit waivers and NOIs for coverage under General Permits. This notice of final action is provided in accordance with 25 Pa. Code Chapters 91 and 92a and 40 CFR Part 122, implementing provisions of The Clean Streams Law (35 P. S. §§ 691.1—691.101) and the Federal Clean Water Act (33 U.S.C.A. §§ 1251—1376).

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

Sections I—VI contain actions regarding industrial, animal or sewage wastes discharges, discharges to groundwater, and discharges associated with MS4, stormwater associated with construction activities and CAFOs. Section VII contains notices for parties who have submitted NOIs for Coverage under General NPDES Permits. The approval for coverage under these General NPDES Permits is subject to applicable effluent limitations, monitoring, reporting requirements and other conditions in each General Permit. The approval of coverage for land application of sewage sludge or residential septage under applicable general permit is subject to pollutant limitations, pathogen and vector attraction reduction requirements, operational standards, general requirements, management practices and other conditions in the respective permit. The permits and related documents, effluent limitations, permitting requirements and other information are on file and may be inspected and arrangements made for copying at the contact office noted before the action.

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

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

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

### I. NPDES Renewal Permit Actions

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

<i>NPDES No. (Type)</i>	<i>Facility Name &amp; Address</i>	<i>County &amp; Municipality</i>	<i>Stream Name (Watershed No.)</i>	<i>EPA Waived Y/N?</i>
PA0062880 (Sewage)	KidsPeace Orchard Hills Campus 5300 KidsPeace Drive Orefield, PA 18069	Lehigh County North Whitehall Township	Jordan Creek (2-C)	Y
PA0061115 (Sewage)	Paradise Stream Resort WWTP Route 940 Mount Pocono, PA 18344	Monroe County Paradise Township	Paradise Creek (01E)	Y
PA0063894 (Industrial Waste)	Minersville Borough Municipal Authority WTP Water Dam Road Minersville, PA 17954	Schuylkill County Cass Township	Dryer Run Reservoir (3-A) Cold Water Fishes	N
PA0062821 (Industrial Waste)	Schuylkill County Municipal Authority Indian Run WTP Route 901 Pottsville, PA 17901	Schuylkill County Branch Township	West Branch Schuylkill River Cold Water Fishes (3-A)	N
PA0065013 (Industrial Waste)	Blythe Township Municipal Authority Silver Creek WTP Silver Creek Road To New Philadelphia, PA 17959	Schuylkill County Blythe Township	Silver Creek Cold water Fishes (3-A)	Y

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

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

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

<i>NPDES No. (Type)</i>	<i>Facility Name &amp; Address</i>	<i>County &amp; Municipality</i>	<i>Stream Name (Watershed #)</i>	<i>EPA Waived Y/N</i>
PA0253057 Sewage	Testa SR STP 239 Roaring Run Road Champion, PA 15622	Westmoreland County Donegal Township	Roaring Run	Y

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

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

**NPDES Permit No. PA0051993**, Sewage, **Giambone Enterprises, L.P.**, 1030 N West End Boulevard, Quakertown, PA 18951.

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

Description of Proposed Action/Activity: Approval for the renewal of an NPDES permit to discharge 8,000 gpd of treated sewage from a facility known as Giambrone Enterprises, L.P. WWTP to Unnamed Tributary to Tohickon Creek in Watershed 2-D.

**NPDES Permit No. PA0051292**, IW, **Municipal Authority of the Borough of Morrisville**, 35 Union Street, Morrisville, PA 19067.

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

Description of Proposed Action/Activity: Approval for the renewal of an NPDES permit to discharge 0.15 MGD of filter backwash water and settling lagoon supernatant from the water filtration plant from a facility known as Morrisville Water Treatment Plant to Delaware River in Watershed 2-E.

**NPDES Permit No. PA0053392**, Stormwater, **UPS, Inc.**, 1 Hog Island Road, Philadelphia, PA 19153-3996.

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

Description of Proposed Action/Activity: Approval for the renewal of an NPDES permit to discharge Stormwater from a facility known as UPS Air Terminal and Distribution Center to Delaware River in Watershed 3-F.

**NPDES Permit No. PA0027421 A-1**, Sewage, **Norristown Municipal Waste Authority**, 235 East Airy Street, 2nd Floor, Norristown, PA 19401.

This proposed facility is located in Norristown Borough, **Montgomery County**.

Description of Proposed Action/Activity: Approval for the amendment of an NPDES permit to discharge treated sewage from a facility known as Norristown Municipality STP to Schuylkill River in Watershed 3-F.

**NPDES Permit No. PA0029343**, Sewage, **Chatham Acres Nursing Center**, 315 East London Grove Road, West Grove, PA 19390.

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

Description of Proposed Action/Activity: Approval for the renewal of an NPDES permit to discharge treated sewage from a facility known as Chatham Acres Nursing Center to Unnamed Tributary to East Branch White Clay Creek in Watershed 3-I.

**NPDES Permit No. PA0043966**, Sewage, **Valley Forge Group Limited Partnership, Newbury Management Company d.b.a. Valley Forge Crossing**, 31200 Northwestern Highway, Farmington Hills, MI 48334.

This proposed facility is located in Lower Providence Township, **Montgomery County**.

Description of Proposed Action/Activity: Approval for the renewal of an NPDES permit to discharge 0.045 mgd of treated sewage from a facility known as Valley Forge Crossing MHP WWTP to Unnamed Tributary to Schuylkill River in Watershed 3-F.

**NPDES Permit No. PA0053716**, Sewage, **Jeffery Allen & Lori Ann Scott**, 800 North Tower Road, Quakertown, PA 18951.

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

Description of Proposed Action/Activity: Approval for the renewal of an NPDES permit to discharge 500 gpd of treated sewage from a facility known as Scott SRSTP to Unnamed Tributary of Butter Creek in Watershed 3-E.

**NPDES Permit No. PA0026531**, Sewage, **Downingtown Area Region Authority**, 6 West Lancaster Avenue, Downingtown, PA 19335.

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

Description of Proposed Action/Activity: Approval for the renewal of an NPDES permit to discharge treated sewage from a facility known as Downingtown Area Region Authority STP to East Branch Brandywine Creek in Watershed 3-H.

**NPDES Permit No. PA0244031**, Sewage, **Chadds Ford Township Sewer Authority Delaware County**, P. O. Box 816, 10 Ring Road, Chadds Ford, PA 19317-0628.

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

Description of Proposed Action/Activity: Approval for the renewal of an NPDES permit to discharge 0.14 mgd of treated sewage from a facility known as Turners Mill STP to Harvey Run in Watershed 3H.

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

**NPDES Permit No. PA0007498**, Industrial Waste, SIC Code 2096, **Wise Foods Inc.**, 228 Rasely Street, Berwick, PA 18603-4533.

This existing facility is located in Berwick Borough, **Columbia County**.

Description of Existing Action/Activity: Issuance of an NPDES Permit for an existing discharge of treated industrial wastewater.

**NPDES Permit No. PA0037966 A-1**, Sewage, SIC Code 4952, **Moshannon Valley Joint Sewer Authority**, 829 North 9th Street, Philipsburg, PA 16866.

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

Description of Existing Action/Activity: Issuance of an amended NPDES Permit for an existing discharge of treated Sewage.

**PA0028631**, Sewage, SIC Code 4952, **Mid Cameron Municipal Authority**, 421 N Broad Street, Emporium, PA 15834-1401. Facility Name: Mid Cameron Authority Sewer System STP.

This existing facility is located in Emporium Borough, **Cameron County**.

Description of Activity: The action is for the renewal of an NPDES permit for an existing discharge of treated Sewage.

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

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

**WQM Permit No. 2812403**, Sewerage, **Ron Sailhamer**, 494 East King Street, Shippensburg, PA 17257.

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

Description of Proposed Action/Activity: Permit approval for the construction / operation of sewage facilities consisting of 1,250 gallon dual chamber septic tank with solids retainer, 500 gallon dosing tank, 750 ft<sup>2</sup> buried sand filter, tablet chlorinator, 250 gallon chlorine contact tank and 4" outfall line to east side of Burnt Mill Road.

**WQM Permit No. 2812404**, Sewerage, **Ron Sailhamer**, 494 East King Street, Shippensburg, PA 17257.

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

Description of Proposed Action/Activity: Permit approval for the construction / operation of sewage facilities consisting of 1,250 gallon dual chamber septic tank with solids retainer, 500 gallon dosing tank, 750 ft<sup>2</sup> buried sand filter, tablet chlorinator, 250 gallon chlorine contact tank and 4" outfall line to east side of Burnt Mill Road.

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

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

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

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

**WQM Permit No. 02171203**, SIC Code 4952, **Woodland-Bigler Area Authority**, P. O. Box 27, Woodland, PA 16881-0027.

This proposed facility will be located in Bradford Township, **Clearfield County**.

Description of Proposed Action/Activity: Permit issued approving the construction of a sewer extension.

**WQM Permit No. 4912201**, Industrial Waste, SIC Code 0252, **Donald G. Cotner**, 127 Rushtown Road, Danville, PA 17821.

This proposed facility is located in Rush Township, **Northumberland County**.

Description of Proposed Action/Activity: Construction of an egg-washing treatment system comprised of a waste transfer system, a 1,500 gallon, two compartment settling tank, an effluent filter, a 3,000 gallon SBR tank, a 3,000 gallon holding tank, and a land application system consisting of a Vegetative Treatment Area of at least 1.9 acres. The SBR is a PekaSys Clearrex Bubbler, model CBR1 system that is designed to handle 700 gpd.

**WQM Permit No. 4112406**, Sewage, SIC Code 4952, **West Branch Regional Authority**, 35 S Main Street, Montgomery, PA 17752-1120.

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

Description of Proposed Action/Activity: Construction of a new regional wastewater treatment plant and a realignment/upgrade to the existing conveyance system.

**WQM Permit No. 1712403**, SIC Code 4952, **Decatur Township Clearfield County**, 575 Fairview Road, Osceola Mills, PA 16666.

This proposed facility is located in Decatur Township, **Clearfield County**.

Description of Proposed Action/Activity: Renovate Graham Station prison pump station and replace existing force main with a larger force main

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

**WQM Permit No. 0270466**, Sewerage, **Robinson Township Municipal Authority**, PO Box 15539, Pittsburgh, PA 15244

This existing facility is located in Robinson Township, **Allegheny County**

Description of Proposed Action/Activity: Permit amendment issuance.

**WQM Permit No. 1110412-A1**, Sewerage, **West Branch Sewer Authority**, 901 Maple Avenue, Northern Cambria, PA 15714

This existing facility is located in Barr Township, **Cambria County**

Description of Proposed Action/Activity: Permit amendment issuance.

**IV. NPDES Stormwater Discharges from MS4 Permit Actions****V. NPDES Waiver Stormwater Discharges from MS4 Actions****VI. NPDES Discharges of Stormwater Associated with Construction Activities Individual Permit Actions**

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

<i>NPDES Permit No.</i>	<i>Applicant Name &amp; Address</i>	<i>County</i>	<i>Municipality</i>	<i>Receiving Water/Use</i>
PAI011506004-R	Longview Swinehart, LP 1055 Westlakes Dr, Ste 170 Berwyn, PA 19312	Chester	West Brandywine Township	Beaver Creek (CWF); Culbertson Run (HQ-TSF-MF)

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

<i>NPDES Permit No.</i>	<i>Applicant Name &amp; Address</i>	<i>County</i>	<i>Municipality</i>	<i>Receiving Water/Use</i>
PAI024806007R	Altman Management Company, Inc. 240 New York Drive, Suite 1 Fort Washington, PA 19034	Northampton	Plainfield Township	Little Bushkill Creek, HQ-CWF, MF
PAI024805024R	Nic Zawarski & Sons Builders, Inc. 1441 Linden St. Bethlehem, PA 18018	Northampton	City of Bethlehem	Monocacy Creek, HQ-CWF, MF
PAI024010004(2)	PPL Electric Utilities Corp. Two North Ninth St. Plaza 3 Allentown, PA 18101	Pike	Palmyra Twp., Blooming Grove Twp., Greene Twp., Porter Twp., Lehman Twp.	Shohola Creek, HQ-CWF, MF; Bushkill Creek HQ-CWF, MF Main Stem of Bushkill Creek, HQ-TSF, MF; Saw Creek, HQ-CWF, MF; Decker Creek, HQ-CWF, MF; Wallenpaupack Creek, HQ-CWF, MF; Blooming Grove Creek, HQ-CWF, MF; UNT to Lackawaxen River, HQ-CWF, MF;

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

*Clearfield County Conservation District: 650 Leonard Street, Clearfield, PA 16830, (814) 765-2629*

<i>NPDES Permit No.</i>	<i>Applicant Name &amp; Address</i>	<i>County</i>	<i>Municipality</i>	<i>Receiving Water/Use</i>
PAI041711003	Eagle Environmental II LP 354 Alexander Spring Rd Ste 3 Carlisle PA 17015	Clearfield	Chest Township	Pine Run EV, MF Chest Creek CWF, MF

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

<i>NPDES Permit No.</i>	<i>Applicant Name &amp; Address</i>	<i>County</i>	<i>Municipality</i>	<i>Receiving Water/Use</i>
PAI050412001	Castlebrook Development Co, LLC. 2593 Wexford-Bayne Road Sewickley, PA 15143	Beaver	Chippewa Township	UNT to North Fork Little Beaver Creek (HQ-CWF)
PAI055611007	Kantner Iron & Steel 365 Bassett Road Hooversville, PA 15936	Somerset	Quemahoning Township	Beaverdam Creek (HQ-CWF) Stonycreek River (TSF)

**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).

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**List of NPDES and/or Other General Permit Types**


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

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

<i>Municipality &amp; County</i>	<i>Permit No.</i>	<i>Applicant Name &amp; Address</i>	<i>Receiving Water / Use</i>	<i>Contact Office &amp; Phone No.</i>
Clarion Township Clarion County	PAG-02 101612009	BAMR P. O. Box 8461 Harrisburg, PA 17105-8461	Brush Run (CWF) to Piney Creek (CWF) to Clarion River (WWF)	BAMR P. O. Box 8461 Harrisburg, PA 17105-8461 717-783-7924
Nockamixon Township Bucks County	PAG0200 0912079	Pennsylvania Department of Transportation 7000 Geerdes Boulevard King of Prussia, PA 19406	Gallows Run (CWF-MF)	Southeast Regional Office 2 East Main Street Norristown, PA 19401 484-250-5900
Marple Township Delaware County	PAG0200 23120022	Beneficial Savings Bank 530 Walnut Street Philadelphia, PA 19106-3696	Darby Creek (WWF)	Southeast Regional Office 2 East Main Street Norristown, PA 19401 484-250-5900
Ridley Township Delaware County	PAG0200 2308052-1	Rhino Ridley 650 Parkway Drive Broomall, PA 19008	Little Crum Creek (WWF)	Southeast Regional Office 2 East Main Street Norristown, PA 19401 484-250-5900
Upper Dublin Township Montgomery County	PAG0200 4612081	Timothy Clauss 311 Zane Avenue Jenkintown, PA 19046	Tributary Wissahickon Creek (WWF)	Southeast Regional Office 2 East Main Street Norristown, PA 19401 484-250-5900

## NOTICES

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*Facility Location:  
Municipality &  
County*

<i>Facility Location: Municipality &amp; County</i>	<i>Permit No.</i>	<i>Applicant Name &amp; Address</i>	<i>Receiving Water / Use</i>	<i>Contact Office &amp; Phone No.</i>
Skippack Township Montgomery County	PAG0200 462132-R1	Mike Downs 4 Hillman Drive, Suite 120 Chadds Ford, PA 19317	Perkiomen Creek (TSF)	Southeast Regional Office 2 East Main Street Norristown, PA 19401 484-250-5900
City of Philadelphia Philadelphia County	PAG0201 511205-1	Zoological Society of Philadelphia 3400 West Girard Avenue Philadelphia, PA 19104-1196	Schuylkill River (WWF-MF)	Southeast Regional Office 2 East Main Street Norristown, PA 19401 484-250-5900
Lower Saucon Twp., Northampton County	PAG02004812014	Lower Saucon Township 3700 Old Philadelphia Pike Bethlehem, PA 18015	Lehigh River, WWF, MF	Northampton Co. Cons. Dist. 610-746-1971
Ransom Twp., Lackawanna County	PAG02003512020	T&D Power Inc. Peter Demars 927 North State St. Clarks Summit, PA 18411	Unnamed Tributary to Susquehanna River, CWF, MF	Lackawanna Co. Cons. Dist. 570-281-9495
Whitehall Twp., Lehigh County	PAG02003912011	Lehigh Valley Health Network Brian Hardner F&C Dept., 3rd Flr. 2100 Mack Blvd. Allentown, PA 18103	Coplay Creek, CWF, MF	Lehigh County Cons. Dist. 610-391-9583

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

*Facility Location:  
Municipality &  
County*

<i>Facility Location: Municipality &amp; County</i>	<i>Permit No.</i>	<i>Applicant Name &amp; Address</i>	<i>Receiving Water / Use</i>	<i>Contact Office &amp; Phone No.</i>
Littlestown Borough Adams County	PAG02000110016R	Dale Werner Alpha Fire Company No. 1 40 East King Street Littlestown, PA 17340	Marsh—Rock Creeks/WWF	Adams Co. Conservation District 670 Old Harrisburg Rd, Suite 201 Gettysburg, PA 17325 717.334.0636
Amity Township Berks County	PAG02000608002(1)	David Hope American Crane & Equipment Co. 531 Old Swede Road Douglassville, PA 19518	Leaf Creek/WWF	Berks County Conservation Dist. 1238 County Welfare Rd, Ste 200 Leesport, PA 19533-9710 610.372.4657, Ext. 142
Earl Township Lancaster County	PAG02003607076R	Lee Day Soco Enterprises Co. 1330 Charlestown Road Phoenixville, PA 19460	Mill Creek/CWF	Lancaster Co Conservation Dist. 1383 Arcadia Road, Room 200 Lancaster, PA 17601 717.299.5361, Ext. 5
Millersville Borough Lancaster County	PAG02003610076R	Student Lodging, Inc. 21 South George Street Millersville, PA 17551	UNT Conestoga River/WWF, MF	Lancaster Co Conservation Dist. 1383 Arcadia Road, Room 200 Lancaster, PA 17601 717.299.5361, Ext. 5

<i>Facility Location: Municipality &amp; County</i>	<i>Permit No.</i>	<i>Applicant Name &amp; Address</i>	<i>Receiving Water/Use</i>	<i>Contact Office &amp; Phone No.</i>
East Hempfield Township Lancaster County	PAG02003611094(1)	5100 Main Realty, LP 5260 Main Street, PO Box 404 East Petersburg, PA 17520	Little Conestoga Creek/WWF	Lancaster Co Conservation Dist. 1383 Arcadia Road, Room 200 Lancaster, PA 17601 717.299.5361, Ext. 5
East Lampeter Township Lancaster County	PAG02003612044	Sheetz, Inc. 351 Sheetz Way Claysburg, PA 16625	Mill Creek/WWF	Lancaster Co Conservation Dist. 1383 Arcadia Road, Room 200 Lancaster, PA 17601 717.299.5361, Ext. 5
West Hempfield Township Lancaster County	PAG02003612074	M & G Realty, Inc. 2100 North George Street York, PA 17404	West Branch Little Conestoga Creek/TSF	Lancaster Co Conservation Dist. 1383 Arcadia Road, Room 200 Lancaster, PA 17601 717.299.5361, Ext. 5
Conoy Township Lancaster County	PAG02003612076	LCSWMA 1299 Harrisburg Pike, Box 4425 Lancaster, PA 17604	Susquehanna River/WWF	Lancaster Co Conservation Dist. 1383 Arcadia Road, Room 200 Lancaster, PA 17601 717.299.5361, Ext. 5
Manheim Township Lancaster County	PAG02003612077	The Stonehouse Group 616 Paxton Place, Suite 100 Lititz, PA 17543	Little Conestoga Creek/TSF	Lancaster Co Conservation Dist. 1383 Arcadia Road, Room 200 Lancaster, PA 17601 717.299.5361, Ext. 5
Elizabeth Township Lancaster County	PAG02003612078	Amos Stoltzfus 333 Monterey Road Bird In Hand, PA 17505	UNT Hammer Creek/TSF, MF	Lancaster Co Conservation Dist. 1383 Arcadia Road, Room 200 Lancaster, PA 17601 717.299.5361, Ext. 5
Mount Joy Township Lancaster County	PAG02003612083	Giuseppe Ferrarelli 624 Rockwood Drive Elizabethtown, PA 17022	Conewago Creek/TSF	Lancaster Co Conservation Dist. 1383 Arcadia Road, Room 200 Lancaster, PA 17601 717.299.5361, Ext. 5
Leacock Township Lancaster County	PAG02003612087	Andrew L. Beiler 338 Beechdale Road Bird In Hand, PA 17505	Muddy Run/WWF, MF	Lancaster Co Conservation Dist. 1383 Arcadia Road, Room 200 Lancaster, PA 17601 717.299.5361, Ext. 5
Ephrata Township Lancaster County	PAG02003612091	Akron Road, LLC 471 North Reading Road Ephrata, PA 17522	UNT Cocalico Creek/WWF	Lancaster Co Conservation Dist. 1383 Arcadia Road, Room 200 Lancaster, PA 17601 717.299.5361, Ext. 5

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Northcentral Region: Waterways & Wetlands Program Manager, 208 W Third Street, Williamsport, Pa 17701 570.327.3636

<i>Facility Location: Municipality &amp; County</i>	<i>Permit No. Applicant Name &amp; Address</i>	<i>Receiving Water/Use</i>	<i>Contact Office &amp; Phone No.</i>
Scott Township Columbia County	PAG02001907013R Gregory Sarangoulis Lion's Gate Town Houses LP 328 Buttonwood St Reading PA 19601		Neal's Run CWF Columbia County Conservation District 702 Sawmill Rd Ste 204 Bloomsburg PA 17815 (570) 784-1310

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

<i>Facility Location: Municipality &amp; County</i>	<i>Permit No.</i>	<i>Applicant Name and Address</i>	<i>Receiving Water/Use</i>	<i>Contact Office and Phone No.</i>
East Taylor Township Cambria County	PAG02001112015	Conemaugh Valley School District 1451 Frankstown Road Johnstown, PA 15902	UNT to Little Conemaugh River (CWF)	Cambria County CD 401 Candlelight Drive, Suite 221 Ebensburg, PA 15931 (814) 472-2120
Springhill Township Fayette County	PAG02002612011	SBA Communications, Inc. 5900 Broken Sound Pkwy. Boca Raton, FL 33487	UNT to Grassy Run (WWF)	Fayette County CD 10 Nickman Plaza Lemont Furnace, PA 15456 (724) 438-4497
Indiana Borough Indiana County	PAG02003212012	Indiana University of Pennsylvania 1011 South Drive Indiana, PA 15705	Marsh Run (CWF) Whites Run (CWF)	Indiana County CD 625 Kolter Drive Suite 8 Indiana, PA 15701 (724) 471-4751
Brothersvalley Township Somerset County	PAG02005612009	Dovan Farms 582 Rocky Lane Berlin, PA 15530	Buffalo Creek (CWF)	Somerset County CD 6024 Glades Pike Suite 103 Somerset, PA 15601 (724) 837-5271
Larimer Township Somerset County	PAG02005612011	CSX Transportation, Inc. 500 Water Street, J-275 Jacksonville, PA 32202	Flaugherty Creek (CWF)	Somerset County CD 6024 Glades Pike Suite 103 Somerset, PA 15601 (724) 837-5271
Cranberry Township Butler County	PAG02001012050	Mountain Top Excavation LLC 260 Hunt Valley Road New Kensington PA 15068	UNT Brush Creek WWF	Butler County Conservation District 724-284-5270
Harborcreek Township Erie County	PAG02002512020	Erie DPP, LLC 9010 Overlook Blvd. Brentwood TN 37067	Lake Erie	Erie County Conservation District 814-825-6403
Borough of Grove City Mercer County	PAG02004312013	Grove City Town Homes LP 4949 Galaxy Parkway, Ste. S Warrensville OH 44128	UNT Wolf Creek CWF	Mercer County Conservation District 724-662-2242

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

*Facility Location:  
Municipality &  
County*

<i>Permit No.</i>	<i>Applicant Name &amp; Address</i>	<i>Receiving Water / Use</i>	<i>Contact Office &amp; Phone No.</i>
PAG02-1140-12-006	PA DEP Bureau of Abandoned Mine Reclamation 2 Public Square Fifth Floor Wilkes-Barre, PA 18701-0790	Susquehanna River (CWF)	PA DEP Bureau of Abandoned Mine Reclamation 2 Public Square Fifth Floor Wilkes-Barre, PA 18701-0790 (570) 826-2371

*General Permit Type—PAG-03*

*Facility Location:  
Municipality &  
County*

<i>Permit No.</i>	<i>Applicant's Name &amp; Address</i>	<i>Receiving Water / Use</i>	<i>Contact Office &amp; Telephone No.</i>
PAR900001	Waste System Authority of Eastern Montgomery County P. O. Box 311 Norristown, PA 19404	Sandy Run—3F	Southeast Region Clean Water Program 484.250.5970
PAR232243	Sealy, Inc. 25 Elmwood Road Mountaintop, PA 18707	Watering Run, CWF, MF	PA DEP Northeast Regional Office 2 Public Square Wilkes-Barre, PA 18701-1915 570-826-2511
PAR232211	The Dial Corporation a Henkel Company 125 Jaycee Drive West Hazleton, PA 18202	Black Creek Basin, CWF	PA DEP Northeast Regional Office 2 Public Square Wilkes-Barre, PA 18701-1915 570-826-2511
PAR113556	Valk Manufacturing Co. 66 East Main Street PO Box 428 New Kingston, PA 17072-0428	Hogestown Run / CWF	DEP-SCRO 909 Elmerton Avenue Harrisburg, PA 17110-8200 717-705-4707
PAR123556	Dairy Farmers of America, Inc. 4825 Old Gettysburg Road Mechanicsburg, PA 17055	Cedar Run / CWF	DEP-SCRO 909 Elmerton Avenue Harrisburg, PA 17110-8200 717-705-4707
PAR203620	PA Precision Cast Parts Inc. 521 North 3rd Avenue Lebanon, PA 17046	Quittapahilla Creek / TSF	DEP-SCRO 909 Elmerton Avenue Harrisburg, PA 17110-8200 717-705-4707
PAR314840	FTS International Services LLC 3300 Wahoo Drive Williamsport, PA 17701-9204	Unnamed Tributary to Daughtery Run—10-A	DEP Northcentral Regional Office Clean Water Program 208 W Third Street Suite 101, Williamsport, PA 17701-6448 570.327.3664

## NOTICES

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<i>Facility Location: Municipality &amp; County</i>	<i>Permit No.</i>	<i>Applicant's Name &amp; Address</i>	<i>Receiving Water / Use</i>	<i>Contact Office &amp; Telephone No.</i>
Wysox Township Bradford County	PAR804866	Welles Mill Co. Inc. 340 Golden Mile Road Towanda, PA 18848	Unnamed Tributary to Susquehanna River—4-D	DEP Northcentral Regional Office Clean Water Program 208 W Third Street Suite 101, Williamsport, PA 17701-6448 570.327.3664
Sheshequin Township Bradford County	PAR314839	Washita Valley Enterprises RR6 P O Box 270 Towanda, PA 18848	Snyder Creek—4-B	DEP Northcentral Regional Office Clean Water Program 208 W Third Street Suite 101, Williamsport, PA 17701-6448 570.327.3664
Mansfield Borough Tioga County	PAR314836	Bronco Oilfield Services 88 East Buffalo Church Road Washington, PA 15301	Unnamed Tributary to North Elk Run—4-A	DEP Northcentral Regional Office Clean Water Program 208 W Third Street Suite 101, Williamsport, PA 17701-6448 570.327.3664
Braddock Borough Allegheny County	PAR606124	Josh Steel Company, Inc. 46 Sixth Street Braddock, PA 15104-1948	Monongahela River	Southwest Regional Office: Water Management Program Manager 400 Waterfront Drive Pittsburgh, PA 15222-4745 412-442-4000
Unity Township Westmoreland County	PAR806143	Westmoreland County Airport Authority 148 Aviation Lane Suite 103 Arnold Palmer Regional Airport Latrobe, PA 15650-4611	Monastery Run	Southwest Regional Office: Water Management Program Manager 400 Waterfront Drive Pittsburgh, PA 15222-4745 412-442-4000
Bethel Park Borough Allegheny County	PAR806172	PA American Water 300 Galley Road McMurray, PA 15317	Lick Run	Southwest Regional Office: Water Management Program Manager 400 Waterfront Drive Pittsburgh, PA 15222-4745 412-442-4000
Paint Township Somerset County	PAR606113	Ronald Honkus 2030 Seanor Road Windber, PA 15963	Kaufman Run	Southwest Regional Office: Water Management Program Manager 400 Waterfront Drive Pittsburgh, PA 15222-4745 412-442-4000

*General Permit Type—PAG-4**Facility Location:*

<i>Municipality &amp; County</i>	<i>Permit No.</i>	<i>Applicant Name &amp; Address</i>	<i>Receiving Water / Use</i>	<i>Contact Office &amp; Phone No.</i>
Plainfield Township Northampton County	PAG042227	HA Berkheimer Inc./Creditech Inc. 1883 Jory Road Pen Argyl, PA 18072	Waltz Creek Cold Water Fishes Watershed 1F	DEP Northeast Regional Office Clean Water Program 2 Public Square, Wilkes-Barre, PA 18701-1915 570.826.2511

*General Permit Type—PAG-5**Facility Location:*

<i>Municipality &amp; County</i>	<i>Permit No.</i>	<i>Applicant Name &amp; Address</i>	<i>Receiving Water / Use</i>	<i>Contact Office &amp; Phone No.</i>
Lower Merion Township Montgomery County	PAG050080	Righters Ferry Associates, L.P. 2701 Renaissance Boulevard, 4th Floor King of Prussia, PA 19406	Schuylkill River 3-F	Southeast Region Clean Water Program 2 E. Main Street Norristown, PA 19401 484-250-5970
Canonsburg Borough Washington County	PAG056192	Coen Oil Company PO Box 34 1045 West Chestnut Street Washington, PA 15301	Chartiers Creek	Southwest Regional Office: Water Management Program Manager 400 Waterfront Drive Pittsburgh PA 15222-4745 (412) 442-4000
Mount Pleasant Township Washington County	PAG056217	Coen Oil Company PO Box 34 1045 West Chestnut Street Washington, PA 15301	Chartiers Run	Southwest Regional Office: Water Management Program Manager 400 Waterfront Drive Pittsburgh PA 15222-4745 (412) 442-4000

*General Permit Type—PAG-8**Facility Location:*

<i>Municipality &amp; County</i>	<i>Permit No.</i>	<i>Applicant's Name &amp; Address</i>	<i>Contact Office &amp; Telephone No.</i>
Telford Borough Authority Telford Borough Montgomery & Bucks County	PAG080006	Telford Borough Authority 122 Penn Avenue Telford, PA 18969	Southeast Region Clean Water Program 484.250.5970
Upper Gwynedd-Towamencin Municipal Authority Towamencin Township Montgomery County	PAG080008	Upper Gwynedd-Towamencin Municipal Authority 2225 Kriebel Road Lansdale, PA 19446	Southeast Region Clean Water Program 484.250.5970

*General Permit Type—PAG-8 (SSN)**Facility Location:*

<i>Municipality &amp; County</i>	<i>Permit No.</i>	<i>Applicant Name &amp; Address</i>	<i>Site Name &amp; Location</i>	<i>Contact Office &amp; Phone No.</i>
Clay Township Lancaster County	PAG083565 PAG083566	Ephrata Borough Authority 124 South State Street Ephrata, PA 17522	Earl Ray Zimmerman Farm 730 Flintstone Road Ephrata, PA 17522	DEP-SCRO 909 Elmerton Avenue Harrisburg, PA 17110-8200 717-705-4707

*Facility Location:  
Municipality &  
County*

	<i>Permit No.</i>
Southampton Township Cumberland County	PAG080016 PAG083556 PAG083605

*Applicant Name &  
Address*  
Merrell Bros., Inc.  
8811 West 500 North  
Kokomo, IN 46901

*Site Name &  
Location*  
Rodney Monn Farm  
1246 Baltimore  
Road  
Shippensburg, PA  
17257

*Contact Office &  
Phone No.*  
DEP-SCRO  
909 Elmerton  
Avenue  
Harrisburg, PA  
17110-8200  
717-705-4707

*General Permit Type—PAG-10*

*Facility Location:  
Municipality &  
County*

	<i>Permit No.</i>
Wyalusing Township Bradford County	PAG104834

*Applicant Name &  
Address*  
Tennessee Gas Pipeline LLC  
1001 Louisiana Street  
Houston, TX 77002

*Receiving Water /  
Use*  
Wyalusing  
Creek—4-D

*Contact Office &  
Phone No.*  
DEP Northcentral  
Regional Office  
Clean Water  
Program  
208 W Third Street  
Suite 101,  
Williamsport, PA  
17701-6448  
570.327.3664

	<i>Permit No.</i>
Troy Township Bradford County	PAG104833

*Applicant Name &  
Address*  
Tennessee Gas Pipeline LLC  
1001 Louisiana Street  
Houston, TX 77002

*Receiving Water /  
Use*  
Unnamed Tributary  
to South Branch  
Sugar Creek—4-C

*Contact Office &  
Phone No.*  
DEP Northcentral  
Regional Office  
Clean Water  
Program  
208 W Third Street  
Suite 101,  
Williamsport, PA  
17701-6448  
570.327.3664

**STATE CONSERVATION COMMISSION**

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

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

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

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

**NUTRIENT MANAGEMENT PLAN PUBLIC NOTICE SPREADSHEET—ACTIONS**

<i>Agricultural Operation Name and Address</i>	<i>County</i>	<i>Total Acres</i>	<i>Animal Equivalent Units</i>	<i>Animal Type</i>	<i>Special Protection Waters (HQ or EV or NA)</i>	<i>Approved or Disapproved</i>
J. Earl Breneman 1700 Prospect Road Washington Boro, PA 17582	Lancaster	400	1457.11	Dairy/Broilers	N/A	Approved
Longacre Farm Path Valley Road Dry Run, PA 17220	Franklin	51, 0 acres available for manure	576.82	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

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

**Permit No. 2112515 MA, Minor Amendment, Public Water Supply.**

Applicant	<b>Sandy Point Properties, LTD</b>
Municipality	North Middleton Township
County	<b>Cumberland</b>
Responsible Official	Terry Leiby PO Box 1384 Carlisle, PA 17013
Type of Facility	Hillside Mobile Home Park- Installation of one 120-gallon chlorine contact tank and demonstration of 4-log treatment of viruses.
Consulting Engineer	Not Available
Permit to Construct Issued:	12/10/2012

**Operations Permit** issued to: **Schoolhouse Apartments**, 7360029, Rapho Township, **Lancaster County** on 12/10/2012 for the operation of facilities submitted under Application No. 3612543 MA.

**Operations Permit** issued to: **Lupfer Grove Mobile Home Park and Campground**, 7500032, Carroll Town-

ship, **Perry County** on 12/10/2012 for the operation of facilities submitted under Application No. 5012509 MA.

**Operations Permit** issued to: **Leola Sewer Authority**, 7360140, Upper Leacock Township, **Lancaster County** on 12/6/2012 for the operation of facilities approved under Construction Permit No. 3612518 MA.

**Operations Permit** issued to: **W. L. Zimmerman & Sons, Inc.**, 7360671, Leacock Township, **Lancaster County** on 12/10/2012 for the operation of facilities approved under Construction Permit No. 3612519.

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

**Operation Permit** issued to **Sandy Lake Borough**, PWSID #6430052, Sandy Lake Borough, **Mercer County**. Permit Number 4311502 issued December 7, 2012 for the operation of the Sandy Lake Borough Water Treatment Plant located off of Patton Road in Sandy Lake Township, Mercer County, Pennsylvania. This permit is issued in response to an operation inspection conducted by the Department of Environmental Protection personnel on November 29, 2012.

<b>Permit No. 1612501</b> Public Water Supply	
Applicant	<b>Piney Creek Limited Partnership</b>
Township or Borough	Piney Township
County	<b>Clarion</b>
Type of Facility	Public Water Supply
Consulting Engineer	Rulison Evans, P.E. Gannett Fleming, Inc. 601 Holiday Drive Pittsburgh, PA 15220
Permit to Construct Issued	December 10, 2012

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

### Yuhas Dump Site—Phase 2 Pocono Township, Monroe County

The Pennsylvania Department of Environmental Protection ("Department"), under the authority of the Hazardous Sites Cleanup Act, 35 P. S. Sections 6020.101 et. seq., reopens the administrative record on December 22, 2012, pursuant to Section 506(h) of HSCA, 35 P. S. Section 6020.506(h), to provide the public the opportunity to comment on the proposed addition to the previously selected interim response.

The Department reopens the administrative record pursuant to Section 506(g) and (h) of HSCA, 35 P. S. Sections 6020.506(g) and 6020.506(h). The Department is adding the following to the interim response selected in the January 25, 2012, Statement of Decision (SOD): demolition of the existing house (former Yuhas house) and the recycling and/or offsite disposal at a permitted facility of the demolition debris and any other excess wastes or recyclable materials generated during the interim response. The selected interim response in the approved SOD includes relocation of a portion of the Dry Sawmill Run away from the toe of the Construction and Demolition ("C&D") waste pile, stabilization of the waste pile with the construction of a Mechanically Stabilized Embankment ("MSE Wall") and the grading, covering and vegetation of the waste pile material.

The Department and Pocono Township have determined that the former Yuhas house should be demolished due to safety concerns and the Department needs additional space for the safe movement of equipment and for storage during site work. The house has suffered damage and deterioration as a result of fire, water, wind, vandals and appears unfit for human habitation; dangerous to life and safety; and the structure does not appear to be capable of being properly repaired. Neither the Department nor the Township has been able to contact the current owner of record, LIG Investments, Inc. The LIG/Yuhas property was for sale at the May 2, 2012 Judicial Tax Sale due to delinquent taxes. The property was not sold and is now on the Monroe County Repository Tax Sale List. On July 16, 2012, Pocono Township adopted a Dangerous Structures Ordinance, 2012-03, which would authorize the demolition of the dilapidated Yuhas house. On August 6, 2012, Pocono Township adopted Resolution No. 622, which provides for emergency action under Section 9 of Ordinance 2012-03 to allow the immediate demolition of the Yuhas house.

The new information is available within the administrative record for public review and comment. The administrative record is located at Pocono Township Municipal Building, P. O. Box 197 (Route 611), Tannersville, PA 18372 and is available for review Monday through Friday from 8:30 AM to 12:00 PM and 1:00 PM to 4:00 PM. The Township Building is closed from 12:00 PM until 1:00 PM for lunch.

The new information contained in the administrative record will be open for comment for 60 days from the date published in the *Pennsylvania Bulletin*. The administrative record will be open for comment from December 22, 2012 through February 20, 2013. Persons may submit written comments regarding the new information entered into the record during this time only, by sending their comments to Meg Boyer, Project Officer, at the Department's Bethlehem District Office at 4530 Bath Pike, Bethlehem, PA 18017, or by delivering them to that office in person Monday through Friday from 8:00 AM and 4:00 PM.

In addition, persons may present oral comments, for inclusion in the administrative record, at a Public Hearing. The Department has scheduled the hearing for February 6, 2013 at 10:30 AM at the Pocono Township Municipal Building. The testimony at the public hearing will be limited to the proposed addition to the interim response, which involves the demolition of the former Yuhas house and the recycling and/or offsite disposal at a permitted facility of the demolition debris and any other excess wastes or recyclable materials generated during the interim response. Persons wishing to present testimony at the February 6, 2013 Public Hearing regarding the addition to the interim response should register with Meg Boyer by telephone at (610) 861-2070, or in writing to Meg Boyer at the Department's Bethlehem District Office.

Persons with a disability who wish to attend the February 6, 2013 hearing and require auxiliary aid, service or other accommodations to participate in the proceedings, should contact Meg Boyer or the Pennsylvania AT&T Relay Service at 1-800-654-5984 (TDD) to discuss how the Department may accommodate their needs.

## LAND RECYCLING AND ENVIRONMENTAL REMEDIATION

UNDER ACT 2, 1995

### PREAMBLE 2

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

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

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

The Department has received the following plans and reports:

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

**Sheridan Residence**, 3650 Walt Whitman Lane, Hanover Township, **Northampton County**, Jeremy Bolyn, Environmental Maintenance Co., Inc., has submitted a Final Report on behalf of his client, Mr. Larry Sheridan, 3650 Walt Whitman Lane, Bethlehem, PA 18017, concerning the remediation of soil found to have been impacted by No. 2 fuel oil as a result of an overflow of approximately 35 gallons of fuel oil that leaked to a concrete basement floor. The applicant proposes to remediate the site to meet the Residential Statewide Health Standard for soil. The intended future use of the site is residential. A public notice regarding the submission of the Final Report was published in *The Morning Call*, on October 24, 2012. A Notice of Intent to remediate was simultaneously submitted and published in *The Morning Call*, on October 24, 2012.

**Former Excel Storage Facility**, Route 447, Stroud Township, **Monroe County**, Mary King, Civil & Environmental Consultants, Inc., has submitted an Remedial Investigation Report and Cleanup Report on behalf of her client, Robert Riegler, Route 244 Storage Center, LLC, Route 447, East Stroudsburg, PA 18301, concerning the remediation of trichloroethene (TCE), tetrachloroethene (PCE) and cis-1,2-dichloroethene (c-1,2-DCE) in shallow exterior soils and below the interior floor slab at concentrations. The applicant proposes to remediate the site to meet the Non-Residential Site Specific Standard for soil and groundwater. The intended future use of the site is for warehousing.

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

**Pennzoil Quaker-State Bulk Plant**, Tunnel Avenue & Traverse Street, Stoneycreek Township, **Cambria County**. URS Corporation, 681 Anderson Drive, Foster Plaza 6, Suite 400, Pittsburgh, PA 15220 on behalf of Pennzoil-Quaker State Company, 700 Milan Street, 30th Floor, Houston, TX 77067 has submitted a Final Report concerning the remediation of site soil and groundwater contaminated with petroleum constituents from a refined petroleum release.

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

**U.S. Express**, Bloomsburg, **Columbia County**. Northridge Group, Inc., 1172 Ridge Road, Northumberland, Pa 17857 on behalf of US Express/Total Transport, 6001 Cochran Road, Suite 300, Solon OH 44139 has submitted a Final Report concerning remediation of site soils contaminated with Benzene, Toluene, Ethylbenzene, Cumene, Napthalene, 1,3,5-Trimethylbenzene, 1,2,4-Trimethylbenzene, and Methyl tertiary Butyl Ether. The report is intended to document remediation of the site to meet the Statewide Health Standard.

**Hurley Road Release**, Union Township, **Tioga County**. Golder Associates, Inc., 209 North Main Street, Horseheads, NY 14845 on behalf of Talisman Energy USA, Inc., 337 Daniel Zenker Drive, Horseheads, NY 14845 has submitted a Final Report concerning remediation of site soil contaminated with Barium and compounds. The report is intended to document remediation of the site to meet the Statewide Health Standard.

## LAND RECYCLING AND ENVIRONMENTAL REMEDIATION

### UNDER ACT 2, 1995

#### PREAMBLE 3

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

Section 250.8 of 25 Pa. Code and administration of the Land Recycling and Environmental Remediation Standards Act (act) require the Department to publish in the *Pennsylvania Bulletin* a notice of its final actions on plans and reports. A final report is submitted to document cleanup of a release of a regulated substance at a site to one of the remediation standards of the act. A final report provides a description of the site investigation to characterize the nature and extent of contaminants in environmental media, the basis of selecting the environmental media of concern, documentation supporting the selection

of residential or nonresidential exposure factors, a description of the remediation performed and summaries of sampling methodology and analytical results which demonstrate that the remediation has attained the cleanup standard selected. Plans and reports required by the act for compliance with selection of remediation to a site-specific standard, in addition to a final report, include a remedial investigation report, risk assessment report and cleanup plan. A remedial investigation report includes conclusions from the site investigation; concentration of regulated substances in environmental media; benefits of reuse of the property; and, in some circumstances, a fate and transport analysis. If required, a risk assessment report describes potential adverse effects caused by the presence of regulated substances. If required, a cleanup plan evaluates the abilities of potential remedies to achieve remedy requirements. A work plan for conducting a baseline remedial investigation is required by the act for compliance with selection of a special industrial area remediation. The baseline remedial investigation, based on the work plan, is compiled into the baseline environmental report to establish a reference point to show existing contamination, describe proposed remediation to be done and include a description of existing or potential public benefits of the use or reuse of the property. The Department may approve or disapprove plans and reports submitted. This notice provides the Department's decision and, if relevant, the basis for disapproval.

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

The Department has received the following plans and reports:

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

**Fed Ex Freight**, Lamar Township, **Clinton County**. Northridge Group, Inc., 1172 Ridge Road, Northumberland, Pa 17857 on behalf of Fed Ex Freight, Inc., 2200 Forward Drive, Harrison, AR 72601 has submitted a Final Report concerning the remediation of site soils contaminated with Benzene, Toluene, Ethylbenzene, Cumene, Napthalene, 1,3,5-Trimethylbenzene, 1,2,4-Trimethylbenzene, Methyl tertiary Butyl Ether. The Final Report demonstrated attainment of the Statewide Health Standard and was approved by the Department on November 27, 2012.

**Hurley Road Release**, Union Township, **Tioga County**. Golder Associates, Inc., 209 North Main Street, Horseheads, NY 14845 on behalf of Talisman Energy USA, Inc., 337 Daniel Zenker Drive, Horseheads, NY 14845 has submitted a Final Report concerning the remediation of site soil contaminated with Barium and compounds. The Final Report demonstrated attainment of the Statewide Health Standard and was approved by the Department on November 28, 2012.

**U.S. Express**, Bloomsburg, **Columbia County**. Northridge Group, Inc., 1172 Ridge Road, Northumberland, Pa 17857 on behalf of US Express/Total Transport, 6001 Cochran Road, Suite 300, Solon, OH 41439 has submitted a Final Report concerning the remediation of site soils contaminated with Benzene, Toluene,

Ethylbenzene, Cumene, Naphthalene, 1,3,5-Trimethylbenzene, 1,2,4-Trimethylbenzene, and Methyl tertiary Butyl Ether. The Final Report demonstrated attainment of the Statewide Health Standard and was approved by the Department on December 4, 2012.

#### HAZARDOUS WASTE TREATMENT, STORAGE AND DISPOSAL FACILITIES

**Draft permits issued, revised or withdrawn 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*

**PAD005033055. General Electric Transportation System Inc.**, 2901 East Lake Road, Erie, PA 16351, Lawrence Park Township, **Erie County**. General Electric Transportation Systems in Erie is seeking to renew their current Hazardous Waste TSD permit for storage. The existing permit expires December 19, 2012. The draft renewal permit was issued on July 2, 2012.

#### REGISTRATION FOR GENERAL PERMIT—RESIDUAL WASTE

**Registration issued Under the Solid Waste Management Act; the Residual Waste Planning, Recycling and Waste Reduction Act (53 P. S. §§ 4000.101–4000.1904); and Residual Waste Regulations for a General Permit to Operate Residual Waste Processing Facilities and/or the Beneficial Use of Residual Waste Other Than Coal Ash.**

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

**General Permit Registration No. WMGR123NC022. Shell Appalachia, SWEPI LP**, 190 Thorn Hill Road, Warrendale, PA 15086. Registration to operate under General Permit No. WMGR123 for a treatment facility located in Sullivan Township, **Tioga County**, for reuse of gas well frac water and production water. The registration was approved by NorthCentral Regional Office on December 10, 2012.

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

**Permit(s) Issuance Under the Solid Waste Management Act, the Municipal Waste Planning, Recycling and Waste Reduction Act (53 P. S. §§ 4000.101–4000.1904) and Regulations to Operate Solid Waste Processing or Disposal Area or Site.**

**In accordance with 25 Pa. Code § 287.152(a)(4), the Department will publish a notice in the *Pennsylvania Bulletin* of justification of overriding county or host municipality recommendations regarding an application for a permit modification under section 504 of the act (35 P. S. § 6018.504).**

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

**Permit No. 301355. Eagle Environmental II, L.P./ Interstate Waste Services**, 354 Alexander Spring Road, Suite 3, Carlisle, PA 17015, Chest Township, **Clearfield County**. The permit is for the construction of a new site, Harmony Landfill, to accept approved residual waste. The site can accept an average of 1,500 tons/day with a maximum of 2,500 tons/day of waste. The permit was issued by Northcentral Regional Office on October 9, 2012.

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

#### Justification for Overriding County's Recommendations

On September 5, 2008, the Department received comments from the Clearfield County Commissioners concerning the new permit application. After a full review of the permit application and the Commissioner's comments, the Department issued the Waste Management and Watersheds permits. Following are relevant comments pertaining to the application and the basis for overriding these comments:

*Comment # 1:* The proposed landfill is materially inconsistent with the County's Comprehensive Plan.

*Response:* The County's Comprehensive Plan addresses the development of new landfills in Chapter 2: "Citizen Participation/ Visioning." This chapter is a compilation of a public survey. However, Chapter 8: "Community Services and Utility Facilities" refers to the County's Municipal Waste Management Plan. These plans are not required to address Residual Waste Facilities. Municipal zoning permits a residual waste facility. The Department did not consider the landfill to be inconsistent with the County's Comprehensive Plan or its land use policy.

*Comment # 2:* The proposed landfill would negatively impact our developing tourism industry.

*Response:* Impact on developing tourism is not a factor in the Department's application review.

*Comment # 3:* The proposed landfill would be detrimental to proposed "West Branch" scenic byway.

*Response:* The traffic impacts of this project were reviewed in detail and approved by PaDOT and have been addressed and concurred in by the Department.

*Comment # 4:* The proposed landfill would create traffic-associated impacts.

*Response:* The traffic impacts of this project were reviewed in detail and approved by PaDOT and have been addressed and concurred in by the Department.

*Comment # 5:* The proposed landfill could create environmental impacts to an exceptional value watershed.

*Response:* The proximity and possible impacts to the exceptional value waters have been evaluated in depth by the Department. The setbacks required by the regulations have been met and the potential impacts to the watershed have been minimized to the Department's satisfaction.

*Comment # 6:* The harms from the proposed landfill materially outweigh the benefits.

*Response:* The Department conducted an Environmental Assessment Analysis in which the information submitted by the applicant was utilized and independently reviewed by the Department. The Department performed the Environmental Assessment Analysis as required by the Department's regulations and concluded that the benefits of the project outweighed the harms. To see the specific analysis encompassed in the Environmental Assessment dated December 2011 which addresses the specific concerns outlined by the County, contact DEP's Northcentral Regional Office.

## 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*

**GP5-59-206C: Mainesburg Gathering System, LP** (5613 DTC Parkway, Suite 310, Greenwood Village, CO 80111) on November 13, 2012, to authorize the construction and operation of two (2) 1,340 brake horsepower Caterpillar model G3516LE, lean-burn natural gas-fired engines with oxidation catalysts to control the air contaminant emissions pursuant to the General Plan Approval And/Or General Operating Permit for Natural Gas, Coal Bed Methane or Gob Gas Production or Recovery Facilities (BAQ-GPA/GP5) at their Mainesburg Compressor Station in Sullivan Township, **Tioga County**.

**GP3-08-337: Glenn O. Hawbaker, Inc.** (711 East College Avenue, Bellefonte, PA 16823) on December 3, 2012, to authorize the relocation of a Metso Lokotrack model ST272 mobile screening plant to the Greens Landing facility pursuant to the General Plan Approval And/Or General Operating Permit for Portable Nonmetallic Mineral Processing Plant (BAQ-GPA/GP-3) in Athens Township, **Bradford County**.

**GP11-08-337: Glenn O. Hawbaker, Inc.** (711 East College Avenue, Bellefonte, PA 16823) on December 3, 2012, to authorize the relocation of a 167 bhp Deutz model TCD2013L04 diesel-fired engine to their Greens Landing facility in Athens Township, **Bradford County** pursuant to the General Plan Approval And/Or General Operating Permit for Nonroad Engines (BAQ-GPA/GP-11).

**GP3-08-374: Meshoppen Stone, Inc.** (PO Box 127, Meshoppen, PA 18630) on December 3, 2012, to construct and operate a portable 200 ton/hour BL Pegson 3244 stone crusher with associated water spray dust suppression system pursuant to the General Plan Approval And/Or General Operating Permit For Portable Nonmetallic Mineral Processing Plants (BAQ-GPA/GP-3) at the SW Energy Greenzweig #9 site in Herrick and Orwell Townships, **Bradford County**.

**GP9-08-374: Meshoppen Stone, Inc.** (PO Box 127, Meshoppen, PA 18630) on December 3, 2012, to construct and operate one 425 brake horsepower, CAT C9 diesel-fired engine pursuant to the General Plan Approval And/Or General Operating Permit (BAQ-GPA/GP-9): Diesel or No. 2 Fuel-fired Internal Combustion Engines at the SW Energy Greenzweig No. 9 site in Herrick and Orwell Townships, **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*

**GP5-30-00215: Coal Gas Recovery, LLC** (158, Portal Road, P. O. Box 1020, Waynesburg, PA 15370) on December 7, 2012, to authorize the installation and operation of a Waukesha Compressor Engine, rated at 400 bhp; Seven (7) fixed roof above ground storage tanks to store brine water, and One (1) ancillary mine dewatering pump driven by 15 bhp ICE at their DD-2/3 Compressor Station located in Center Township, **Greene 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*

**23-0047F: Evonik Degussa Corp.** (1200 West Front Street, Chester, PA 19013) on December 3, 2012, for installation of a spray dryer, Silo, & Granulator System all individually controlled by their baghouse in Chester, City of Chester, **Delaware County**. The company manufactures silica from sodium silicate. The pollutant of concern is Particulate Matter (PM). The Plan Approval and Operating permit will include monitoring, record keeping & reporting requirements designed to address all applicable air quality requirements.

**09-0027H: Fres-Co System USA, Inc.** (3005 State Road, Telford, PA 18969) on December 3, 2012, for a Title V Plan Approval application for a 6 ton per year VOC emission increase on Press 203 in West Rockhill Township, **Bucks County**. The Plan Approval will contain monitoring, recordkeeping and operating restrictions designed to minimize emissions and keep the facility operating within all applicable air quality requirements.

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

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

**06-05073A: Dyer Quarry, Inc.** (P. O. Box 188, Rock Hollow Road, Birdsboro, PA 19508) on November 29, 2012, for installation of a primary crusher, scalping screen, and two (2) conveyors at their quarry and stone crushing facility in Robeson Township, **Berks County**. The crusher and screen will be controlled by wet suppression.

**06-05095A: Unicast Co.** (241 North Washington Street, Boyertown, PA 19512-1114) on November 27, 2012, for construction of two (2) Coreless Electric Induction Furnaces at their foundry in Boyertown Borough, **Berks County**.

**01-05016Q: Specialty Granules, Inc.** (1455 Old Waynesboro Road, PO Box O, Blue Ridge Summit, PA 17214-0914) on December 3, 2012, for installation and temporary operation of a fabric filter to control the undersize materials and conveying system at their roofing granules manufacturing facility and quarry in Hamiltonban Township, **Adams County**. The source was previously controlled by wet suppression for particulate emissions.

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

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

**41-00086A: LBV Professional Services, LLC** (350 Spruce Street, Montoursville, PA 17754-1706) on December 5, 2012, for construction of a human crematorium at their facility in Montoursville Borough, **Lycoming County**.

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

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

**20-307A: Fisher & Ludlow, Inc.** (607 Erie Street, Saegertown, PA 16433) on December 5, 2012, for existing surface coating and welding operations at their facility in Saegertown Borough, **Crawford County**. The Plan Approval will subsequently be incorporated into the facility's Operating Permit through an administrative amendment in accordance with 25 Pa. Code Section 127.450.

**43-359A: GE Transportation—Grove City UX Facility** (1503 West Main Street Extension, Grove City, PA 16127) on November 30, 2012, for construction of a paint booth, an emergency generator, natural gas fired heaters and ovens and the use of various solvents to be at 660 Barkeyville Road, in Grove City, Pennsylvania (16127-4802) in Pine Township, **Mercer County**.

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

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

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

**46-0200C: John Middleton Co.** (475 North Lewis Road, Limerick, PA 19468) on December 3, 2012, to operate a 700hp natural gas-fired boiler in Upper Merion Township, **Montgomery County**.

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

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

**08-00031A: Appalachia Midstream Services, LLC** (6100 N. Western Avenue, Oklahoma City, OK 73154-1368) on November 16, 2012, to extend the authorization to operate the sources pursuant to the plan approval an additional 180 days from November 26, 2012 to May 25, 2013 in Granville Township, **Bradford County**. The plan approval has been extended.

**14-00014C: Glenn O. Hawbaker, Inc.** (711 E College Avenue, Bellefonte, PA 16823) on November 16, 2012 to extend the authorization to operate the sources pursuant to the plan approval an additional 180 days from November 17, 2012 to May 16, 2013 in Spring Township, **Centre County**. The plan approval has been extended.

**08-313-004L: Global Tungsten & Powders Corp.** (1 Hawes Street, Towanda, PA 18848) on December 3, 2012, to extend the date by which stack testing must be performed by an additional 120 days from December 13, 2012 to April 12, 2013 and to extend the authorization to operate the sources pursuant to the plan approval an

additional 120 days from July 27, 2013 to November 20, 2013 Towanda Borough, **Bradford County**. The plan approval has been extended.

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

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

**04-00730: Lindy Paving, Inc.** (1811 Shenango Road, New Galilee, PA 16141) on December 13, 2012, for a Plan Approval extension with an expiration date of June 13, 2013, which authorizes continued temporary operation of air contamination sources and controls at its asphalt plant Big Beaver Borough, **Beaver County**.

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

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

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

**55-00001: Sunbury Generation LP** (Old Trail Road, PO Box 517, Shamokin Dam, PA 17876) on November 30, 2012, issued a renewal Title V and Title IV (Acid Rain) Operating Permits for operation of their electricity generating facility in Shamokin Dam Borough, **Snyder County**. The facility operates utility boilers, combustion turbines, diesel generators and an ash handling and storage system. The emission limitations, testing, monitoring, recordkeeping, reporting and work practice conditions of the TVOP have been derived from the applicable requirements of 40 CFR Parts 52, 60, 63, 64, 68, 72, 73, 74, 75, 76, 96, 97, 98 and Pa. Code Title 25, Article III, Chapters 121 through 145. The Title V operating permit will expire on November 29, 2017.

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

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

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

**46-00199: Alcom Printing Group, Inc.** (140 Christopher Lane, Harleysville, PA 19438) on December 3, 2012, for operation of seven (7) lithographic printing presses at Alcom Printing in Lower Salford Township, **Montgomery County**. The renewal permit is for a non-Title V (State-only) facility. Facility-wide potential to emit volatile organic compound (VOC) emissions are less 25 tons per year; therefore, the facility is a Natural Minor. The facility is an area source for hazardous air pollutants (HAP) emissions. Press 7 (Source ID 107), previously operating under General Permit No. GP10-46-0040, will be incorporated into the facility wide permit with this renewal. There are no applicable federal requirements for this facility. The renewal permit will include monitoring, recordkeeping and reporting requirements designed to keep the facility operating within all applicable air quality requirements.

**15-00108: Refractory Minerals Company, Inc.** (150 S Jennersville Rd, West Grove, PA 19390-9430) on December 3, 2012, for operation of an alumina processing facility in Penn Township, **Chester County**. The renewal permit is for a non-Title V (State only) facility and no

changes have taken place since the permit was last issued on November 27, 2007. The permit will include monitoring, recordkeeping and reporting requirements designed to keep the facility operating within all applicable air quality requirements.

**23-00031: Mercy Fitzgerald Hospital** (1500 Lansdowne Avenue, Darby, PA 19023-1291) on December 6, 2012, for renewal of a State Only, Synthetic Minor Operating Permit in Lower Darby Borough, **Delaware County**. The facility operates three boilers and three emergency generators. This proposed renewal of the Operating Permit does not authorize any increase in air emissions of regulated pollutants above previously approved levels. The facility maintains a synthetic minor operating status by maintaining total NO<sub>x</sub> emissions to less than 25 tons per year. The permit includes monitoring, recordkeeping and reporting requirements designed to keep the facility operating within all applicable air quality requirements.

**46-00186: Tri-Valley Crematory** (667 Harleysville Pike, Franconia, PA) on December 5, 2012, for operation of a human crematory in Franconia Township, **Montgomery County**. The renewal permit is for a non-Title V (State only) facility. The major source of air emissions is one (1) propane-fired human crematory unit. No changes have taken place at the facility and there have been no new regulations since the permit was last issued in November 2007. The permit will include monitoring, recordkeeping and reporting requirements designed to keep the facility operating within all applicable air quality requirements.

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

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

**58-00008: Pennfield Corp.** (1 Mill Street, PO Box 222, South Montrose, PA 18843) on December 4, 2012, for operation of an animal food manufacturing facility in Bridgewater Township, **Susquehanna County**. The source consists of pelleting and flaking equipment, grain elevators, storage bins, three (3) cyclones, and three (3) baghouses for particulate control. The source is considered a minor emission source of particulate emissions. This is a State-Only operating permit. The State-Only operating permit includes emissions, work practice standards and testing, monitoring, recordkeeping and reporting requirements designed to keep the facility operating within all applicable air quality requirements.

*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.*

**31-03003: New Enterprise Stone & Lime Co., Inc.** (PO Box 77, New Enterprise, PA 16664-0077) on November 29, 2012 for their limestone crushing operations at the Orbisonia Quarry in Cromwell Township, **Huntingdon County**. The State-only permit was renewed.

**31-03033: Stone Valley Welding, LLC** (11582 Guyer Road, Huntingdon, PA 16652-9019) on December 4, 2012, for their steel roll-off box fabrication and painting facility in Jackson Township, **Huntingdon County**. The State-only permit was renewed.

**06-05090: Toppa Interamerica, Inc.** (PO Box 470, Morgantown, PA 19543-0470) on December 4, 2012, for their rotogravure graphic arts printing facility in Caernarvon Township, **Berks County**. The State-only permit was renewed.

**07-03058: NPC, Inc.** (13710 Dunning Highway, Claysburg, PA 16625-7802) on December 4, 2012, for their printing facility in Greenfield Township, **Blair County**.

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

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

**41-00079: Eureka Resources, LLC** (454 Pine Street, Williamsport, PA 17701) on December 5, 2012, for a state only operating permit for their facility in Williamsport, **Lycoming County**. The state only operating permit contains all applicable regulatory requirements including monitoring, recordkeeping and reporting conditions.

**41-00051: Wirerope Works, Inc.** (100 Maynard Street, Williamsport, PA 17701) on December 10, 2012, for operation of their Williamsport Plant facility in the City of Williamsport, **Lycoming County**.

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

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

**32-00101: Halliburton Energy Services, Inc.—Indiana Plant** (101 Lucerne Road, Homer City, PA 15748) on December 6, 2012, for a State Only Operating Permit for the operation of a cement and fly ash storage facility for the oil and gas industry located in Homer City Borough, **Indiana County**. The subject facility consists of six cement storage tanks, one fly ash storage tank, one waste storage tank, one scale storage tank, one blend tank, two hydrochloric storage tanks and one acid rain return storage tank used to store materials used for oil and gas well isolation. The facility is required to conduct a weekly survey of the facility during daylight hours while the facility is operating to ensure compliance with the visible emission, fugitive emission and malodor restrictions. Records of the weekly survey performed must be recorded. Monthly preventative maintenance inspections are to be performed on the control devices and recorded in an on-site log. The facility is also required to water all in-plant roads once per day, dependent on the weather, maintain a set vehicle pattern, post speed limit sign of 15 mph as well as promptly remove earth or other material from paved roads onto with earth or other material has been transported by trucking or earth moving equipment, or other means. Particulate matter emissions are not to exceed 0.04 gr/dscf. The proposed authorization is subject to State and Federal Regulations. The permit includes operation requirements, monitoring requirements, and recordkeeping requirements.

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

*Contact: Edward Orris, New Source Review Chief—Telephone: 814-332-616636*

**10-00152: Triangle Gasoline Co.** (1100 North Main Street Extension, Butler, PA 16001-1958) on December 6, 2012, to renew the State Only Operating Permit for their bulk gasoline plant (three gasoline storage tanks) with vapor recovery system in Butler Township, **Butler County**. The facility also has a small parts washer. The facility is subject to the NESHAPs for Area Sources for

Gasoline Bulk Plants in 40 CFR 63 Subpart BBBBBB. The gasoline throughput from the facility is less than 20,000 gallons per day. The potential VOC emissions from the facility are approximately 3 TPY. The renewal permit contains emission restrictions, recordkeeping, work practice, and additional requirements to ensure compliance with the Clean Air Act and the Air Pollution Control Act.

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

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

**N12-035: Kuusakoski Philadelphia LLC.** (3150 Orthodox Street., Philadelphia, PA 19137) on December 10, 2012, to operate an electronics scrap recycling plant in the City of Philadelphia, **Philadelphia County**. The facility's air emission sources include a process which consists of a pre-treatment crusher with a 275 HP diesel-fired internal combustion engine and a ring crusher with an electric motor. Ring crusher emissions vent to a cyclone and a fabric filter.

**N12-036: Verizon-Pennsylvania, Inc.—Locust Central Office** (1631 Arch Street, Philadelphia, PA 19103) on December 10, 2012, to operate a telecommunications facility in the City of Philadelphia, **Philadelphia County**. The facility's air emission sources include two (2) 1500-kilowatt emergency generators firing diesel fuel oil.

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**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.**

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

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

**60-00014: Evangelical Community Hospital** (One Hospital Drive, Lewisburg, PA 17837-9314) issued an amendment of state only operating permit on December 4, 2012 for their facility located in Kelly Township, **Union County**. This operating permit amendment incorporates all terms and conditions specified in Plan Approval 60-00014A.

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**Operating Permits Denied, Terminated, Suspended or Revoked under the Air Pollution Control Act and 25 Pa. Code §§ 127.431 and 127.461.**

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

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

**37-00027: Lindy Paving Inc./West Pittsburg Plant** (2340 2nd Avenue, Pittsburgh, PA 15219), on December 6, 2012, for revocation of their State Only Operating Permit for the operation of the batch asphalt facility in Taylor Township, **Lawrence County**. This operating permit was revoked because of a permanent shutdown of operations at the West Pittsburg Plant.

## 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).

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### *Coal Applications Returned*

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

**32980101 and NPDES No. PA234656. M. B. Energy, Inc.**, 175 McKnight Road, Blairsville, PA 15717, permit renewal for reclamation only of a bituminous surface mine in Brushvalley Township, **Indiana County**, affecting 140.0 acres. Receiving stream(s): unnamed tributaries to Brush Creek and unnamed tributary to Yellow Creek classified for the following use(s): cold water fishery. There are no potable water supply intakes within 10 miles downstream. Application received: November 19, 2012. Application returned: December 6, 2012.

### *Coal Permits Actions*

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

**56841328 and NPDES No. PA0033677. Rosebud Mining Company**, (301 Market Street, Kittanning, PA 16201). To revise the permit for Mine 78 in Adams Township, **Cambria County** and related NPDES permit for the St. Michael Treatment Plan surface facility. NPDES discharge point 005 will be added to discharge the treated mine water. Surface Acres Proposed 4.8. Receiving stream: Unnamed Tributary to South Fork Little Conemaugh River, classified for the following use: CWF. The application was considered administratively complete on December 29, 2011. Application received: September 2, 2011. Permit issued: December 5, 2012.

**30753712. Emerald Coal Resources, LP**, (158 Portal Road, P. O. Box 1020, Waynesburg, PA 15370). To revise the permit for the Emerald Mine No. 1—Coal Refuse Disposal Facility No. 1 in Franklin Township, **Greene County** to add acreage for development of a soil borrow area for site reclamation. Coal Refuse Disposal Support Acres Proposed 22.5. No additional discharges. The application was considered administratively complete on April 19, 2011. Application received: November 23, 2010. Permit issued: December 7, 2012.

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

**32070105 and NPDES No. PA0262412. Bedrock Mines, LP**, 111 Freeport Road, Pittsburgh, PA 15215, permit renewal for the continued operation and restora-

tion of a bituminous surface mine in Washington Township, **Indiana County**, affecting 35.0 acres. Receiving stream(s): South Branch Plum Creek classified for the following use(s): cold water fishery. There are no potable water supply intakes within 10 miles downstream. Application received: July 25, 2012. Permit issued: November 29, 2012.

**05110101 and NPDES No. PA0263231. Robindale Energy Services, Inc.**, 224 Grange Hall Road, Armagh, PA 15920, commencement, operation and restoration of a bituminous surface mine in Broadtop Township, **Bedford County**, affecting 216.0 acres. Receiving stream(s): Shreves Run and Longs Run classified for the following use(s): warm water fishery. There are no potable water supply intakes within 10 miles downstream. Application received: April 20, 2011. Permit issued: November 27, 2012.

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

**16110104 and NPDES Permit No. PA0259161. Neiswonger Construction, Inc.** (17592 Route 322, Strattanville, PA 16258) Commencement, operation and restoration of a bituminous surface mine in Clarion Township, **Clarion County** affecting 11.0 acres. Receiving streams: Unnamed tributaries to the Clarion River. This application includes a post-mining land use change from forestland to pastureland or land occasionally cut for hay on the property of Joseph P. Izzi. Application received: September 8, 2011. Permit Issued: December 5, 2012.

**6774-16110104-E-1. Neiswonger Construction, Inc.** (17592 Route 322, Strattanville, PA 16258) Application for a stream encroachment to construct a permanent crossing over an unnamed tributary B to the Clarion River in Clarion Township, **Clarion County**. Receiving streams: Unnamed tributaries to the Clarion River. In conjunction with this approval, the Department is granting a 401 Water Quality Certification certifying that the approved activities will comply with the applicable provisions of Sections 301—303, 306 and 307 of the Federal Water Pollution Control Act (33 U.S.C.A. § 1341) and will not violate applicable Federal and State water quality standards. Application received: September 8, 2011. Permit Issued: December 5, 2012.

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

**17020103 and NPDES No. PA 0243221. River Hill Coal Co., Inc.** (P. O. Box 141, Kylertown, PA 16847). Permit renewal for the continued operation and restoration of a bituminous surface and auger mine in Chest Township, **Clearfield County**, affecting 560.7 acres. Receiving streams: Wilson Run and McMasters Run to Wilson Run to Chest Creek classified for the following use: Cold Water Fishes. There are no potable water supply intakes within 10 miles downstream. Application received: May 31, 2012. Permit issued: November 29, 2012.

**14860103 and NPDES No. PA0115576. Keystone Coal Co.** (1375 Jackson St., Suite 401, Fort Myers, FL 33901). Renewal for reclamation only of an existing bituminous surface mine located in Snow Shoe Township, **Centre County** affecting 199.0 acres. Receiving stream: Unnamed Tributary to Beech Creek classified for Cold Water Fishes. There are no potable water supply intakes within 10 miles downstream. Application received: April 23, 2012. Permit issued: November 29, 2012.

**17010106 and NPDES No. PA0243086. AMFIRE Mining Co, LLC** (One Energy Place, Latrobe, PA 15650). Permit renewal for the continued operation and restoration of a bituminous surface and auger mine located in Woodward Township, **Clearfield County** affecting 299.0 acres. Receiving stream: Unnamed Tributary to Upper Morgan Run classified for Cold Water Fishes. There are no potable supply intakes within 10 miles downstream. Application received: May 7, 2012. Permit issued: December 5, 2012.

**17060112 and NPDES No. PA0238376. AMFIRE Mining Co, LLC** (One Energy Place, Latrobe, PA 15650). Permit renewal for the continued operation and restoration of a bituminous surface and auger mine located in Bell Township, **Clearfield County** affecting 367.0 acres. Receiving streams: Laurel Run and Lost Run classified for Cold Water Fishes. There are no potable water supply intakes within 10 miles downstream. Application received: April 26, 2012. Permit issued: December 5, 2012.

**17010110 and NPDES No. PA 0243132. River Hill Coal Co., Inc.** (P. O. Box 141, Kylertown, PA 16847). Permit renewal for the continued operation and restoration of a bituminous surface and auger mine in Bigler Township, **Clearfield County**, affecting 320.0 acres. Receiving streams: Upper Morgan Run and Tributaries to Upper Morgan Run, classified for the following use: Cold Water Fishes. There are no potable water supply intakes within 10 miles downstream. Application received: May 31, 2012. Permit issued: November 29, 2012.

**14040103 and NPDES No. PA0243876. River Hill Coal Co., Inc.**, (P. O. Box 141, Kylertown, PA 16847). Permit renewal for the continued operation and restoration of a bituminous surface mine in Snow Shoe Township, **Centre County**, affecting 46.7 acres. Receiving streams: Unnamed Tributaries to Beech Creek, Beech Creek, classified for the following use: Cold Water Fishes. There are no potable water supply intakes within 10 miles downstream. Application received: May 30, 2012. Permit issued: November 29, 2012.

**17960122 and NPDES No. PA0220493. Forcey Coal, Inc.** (P. O. Box 225, 475 Banian Road Madera, PA 16661). Permit renewal for reclamation only of an existing bituminous surface and auger mine, and Coal Ash Beneficial Use permit located in Bigler Township, **Clearfield County**, affecting 122.0 acres. Receiving streams: Banian Run and Muddy Run classified for the following use: Cold Water Fishes. There are no potable water supply intakes within 10 miles downstream. Application received: August 23, 2012. Permit issued: December 6, 2012.

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

**54851601R5. Superior Coal Preparation Co-Op, LLC**, (184 Schwenks Road, Hegins, PA 17938), renewal of an existing anthracite coal preparation plant operation in Hegins and Porter Townships, **Schuylkill County** 19.0 acres, receiving stream: Pine Creek Watershed. Application received: March 9, 2011. Renewal issued: December 6, 2012.

**54851601GP104. Superior Coal Preparation Co-Op, LLC**, (184 Schwenks Road, Hegins, PA 17938), NPDES General Permit for stormwater discharges associated with mining activities on Surface Mining Permit No. 54851601 in Hegins and Porter Townships, **Schuylkill County**, receiving stream: Pine Creek Watershed. Application received: September 7, 2011. Permit issued: December 6, 2012.

**49871603R4. D. Dale Lenig**, (883 Lower Road, Shamokin, PA 17872), renewal of an existing anthracite coal preparation plant operation in Little Mahanoy Township, **Northumberland County** affecting 2.1 acres, receiving stream: Mahanoy Creek Watershed. Application received: August 18, 2011. Renewal issued: December 7, 2012.

**49871603GP104. D. Dale Lenig**, (883 Lower Road, Shamokin, PA 17872), NPDES General Permit for stormwater discharges associated with mining activities on Surface Mining Permit No. 49871603 in Little Mahanoy Township, **Northumberland County**, receiving stream: Mahanoy Creek Watershed. Application received: July 3, 2012. Permit issued: December 7, 2012.

**54663021R5. Reading Anthracite Company**, (P. O. Box 1200, Pottsville, PA 17901), renewal of an existing anthracite surface mine and coal refuse reprocessing operation in New Castle Township, **Schuylkill County** affecting 693.0 acres, receiving stream: West Branch Schuylkill River. Application received: October 4, 2010. Renewal issued: December 7, 2012.

**54663021GP104. Reading Anthracite Company**, (P. O. Box 1200, Pottsville, PA 17901), NPDES General Permit for stormwater discharges associated with mining activities on Surface Mining Permit No. 54663021 in New Castle Township, **Schuylkill County**, receiving stream: West Branch Schuylkill River. Application received: December 21, 2011. Permit issued: December 7, 2012.

**54-305-022GP12. Reading Anthracite Company**, (P. O. Box 1200, Pottsville, PA 17901), general operating permit to operate a coal preparation plant on Surface Mining Permit No. 54663021 in New Castle Township, **Schuylkill County**. Application received: July 25, 2012. Permit issued: December 7, 2012.

**40940203R3 and NPDES Permit No. PA0224731. Hudson Anthracite, Inc.**, (215 East Saylor Avenue, Laffin, PA 18702), renewal of an existing anthracite surface mine, coal refuse reprocessing, refuse disposal and preparation plant operation in Jenkins Township, **Luzerne County** affecting 174.1 acres, receiving stream: Susquehanna River. Application received: January 5, 2010. Renewal issued: December 10, 2012.

**40900203R4. Northampton Fuel Supply Co., Inc.**, (1 Horwith Drive, Northampton, PA 18067), renewal of an existing anthracite coal refuse reprocessing operation in Newport Township, **Luzerne County** affecting 49.5 acres, receiving stream: Newport Creek. Application received: April 15, 2011. Renewal issued: December 10, 2012.

**40900203GP104. Northampton Fuel Supply Co., Inc.**, (1 Horwith Drive, Northampton, PA 18067), NPDES General Permit for stormwater discharges associated with mining activities on Surface Mining Permit No. 40900203 in Newport Township, **Luzerne County**, receiving stream: Newport Creek. Application received: April 15, 2011. Permit issued: December 10, 2012.

#### *Noncoal Applications Returned*

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

**10060304 and NPDES Permit No. PA0258181. Quality Aggregates, Inc.** (4955 Steubenville Pike, Suite 245, Pittsburgh, PA 15205) Commencement, operation and restoration of a large industrial minerals mine in Marion Township, **Butler County** affecting 46.0 acres. Receiving streams: Three unnamed tributaries to Blacks Creek and Blacks Creek, one unnamed tributary to North Branch

Slippery Rock Creek. Application received: July 31, 2006. Application Withdrawn: December 3, 2012.

**5380-10060304-E-1. Quality Aggregates, Inc.** (4955 Steubenville Pike, Suite 245, Pittsburgh, PA 15205) Application for a stream encroachment to mine through 600 feet and reconstruct approximately 1,840 feet of unnamed tributary No. 2 to Blacks Creek in Marion Township, **Butler County**. Receiving streams: Three unnamed tributaries to Blacks Creek and Blacks Creek, one unnamed tributary to North Branch Slippery Rock Creek. Application received: July 31, 2006. Application Withdrawn: December 3, 2012.

**5380-10060304-E-2. Quality Aggregates, Inc.** (4955 Steubenville Pike, Suite 245, Pittsburgh, PA 15205) Application for a stream encroachment to mine through approximately 250 feet of unnamed tributary No. 3 to Blacks Creek in Marion Township, **Butler County**. Receiving streams: Three unnamed tributaries to Blacks Creek and Blacks Creek, one unnamed tributary to North Branch Slippery Rock Creek. Application received: July 31, 2006. Application Withdrawn: December 3, 2012.

**5380-10060304-E-3. Quality Aggregates, Inc.** (4955 Steubenville Pike, Suite 245, Pittsburgh, PA 15205) Application for a stream encroachment to mine through 200 feet of unnamed tributary No. 4 to Blacks Creek in Marion Township, **Butler County**. Receiving streams: Three unnamed tributaries to Blacks Creek and Blacks Creek, one unnamed tributary to North Branch Slippery Rock Creek. Application received: July 31, 2006. Application Withdrawn: December 3, 2012.

#### *Noncoal Permits Actions*

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

**20050804. Del A. Pikula** (1900 Myer Avenue, McKeesport, PA 15133) Transfer of an existing small industrial minerals mine from Joseph G. & M. Shirley Pikula in Cussewago Township, **Crawford County** affecting 5.0 acres. Receiving streams: Cussewago Creek. Application received: August 29, 2012. Permit Issued: December 4, 2012.

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

**08050805GP-104. T. G. Mountain Stone**, (358 Loder Street, Sayre, PA 18840), hereby approves the Notice of Intent (NOI) submitted for coverage to discharge stormwater associated with NPDES permit to the following surface waters in Monroe Township, **Bradford County**. Receiving streams: Kent Run, Unnamed Tributary to South Branch Towanda Creek classified as Cold Water Fishes. Application received April 16, 2012. Permit issued: December 6, 2012.

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

**64122501 and NPDES Permit No. PA0225240, Tim Kohrs**, (1031 Bethany Turnpike, Honesdale, PA 18431), commencement, operation and restoration of a quarry operation and NPDES Permit for discharge of treated mine drainage in Texas Township, **Wayne County** affecting 10.0 acres, receiving stream: Indian Orchard Brook. Application received: December 28, 2011. Permit issued: December 6, 2012.

**38870301C12 and NPDES Permit No. PA0595543. Pennsy Supply, Inc.**, (P. O. Box 3331, Harrisburg, PA 17105), correction to an existing quarry operation to revised the location of the underground portal and up-

dated monitoring requirements in Annville, North Annville, South Annville and North Londonderry Townships, **Lebanon County** affecting 1039.9 acres, receiving stream: Killinger and Quittaphilla Creeks. Application received: May 11, 2012. Correction issued: December 10, 2012.

#### ACTIONS ON BLASTING ACTIVITY APPLICATIONS

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

##### *Blasting Permits Actions*

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

**03124002. Ion Integrated Seismic Solutions** (2104 City West Blvd, Suite 900, Houston, TX 77042-2837). Blasting activity permit for the Ground Hog 3D seismic explorations located in Manor, Bethel, etc. Townships, **Armstrong County**; Bell, Loyalhanna, etc. Townships, **Westmoreland County**; and Conemaugh Township, **Indiana County**. The duration of blasting is expected to last one year. Blasting permit issued: December 4, 2012.

**26124002. CGGVeritas Land (US) Inc.** (1198 Connellsville Rd., Lemont Furnace, PA 15456). Blasting activity permit for the Dog Bone 3D seismic explorations located in Perry, German, etc. Townships, **Fayette County**; Rostraver, S. Huntingdon, etc. Townships, **Westmoreland County**; Centerville, etc. Townships, **Washington County**; and Cumberland, etc. Townships, **Greene County**. The duration of blasting is expected to last one year. Blasting permit issued: December 4, 2012.

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

**20124004. Dynamic Drilling, LLC** (10373 Taylor Hawks Road., Herron, MI 49744) Blasting activity permit for seismic exploration in Conneaut Township, **Crawford County**. This blasting activity permit expires on April 1, 2013. Permit Issued: December 4, 2012.

**33124002. Geokinetics, Inc.** (P. O. Box 44, Brockway, PA 15824) Blasting activity permit for seismic exploration in Washington & Snyder Townships, **Jefferson County**. This blasting activity permit expires on July 31, 2013. Permit Issued: December 4, 2012.

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

**36124166. Abel Construction Co., Inc.** (P. O. Box 476, Mountville, PA 17554), construction blasting for Norfolk Southern at Dillerville Yard Phase 2 West in Manheim Township and City of Lancaster, **Lancaster County** with an expiration date of August 30, 2013. Permit issued: December 4, 2012.

**40124120. Hayduk Enterprises, Inc.** (257 Riverside Drive, Factoryville, PA 18419), construction blasting for Susquehanna Roseland 500k V T Line in Exeter, Newton and Ransom Townships, **Luzerne** and **Lackawanna Counties** with an expiration date of December 14, 2014. Permit issued: December 4, 2012

**46124116. MD Drilling & Blasting, Inc.** (88 Goldledge Avenue, Suite 2, Auburn, NH 03032), construction blasting for Graterford Prison in Skippack Township,

**Montgomery County** with an expiration date of November 21, 2013. Permit issued: December 4, 2012.

**38124128. Maine Drilling & Blasting, Inc.** (P. O. Box 1140, Gardiner, ME 04345), construction blasting for Prescott Road Pump Station in Heidelberg Township, **Lebanon County** with an expiration date of December 3, 2013. Permit issued: December 6, 2012.

**38124129. Keystone Blasting Service**, (15 Hopeland Road, Lititz, PA 17543), construction blasting for Annville United Christian Church in Annville Township, **Lebanon County** with an expiration date of January 30, 2013. Permit issued: December 6, 2012.

**58124197. Brubacher Excavating, Inc.** (P. O. Box 528, Bowmansville, PA 17507), construction blasting for Nota West Well in Franklin Township, **Susquehanna County** with an expiration date of December 1, 2013. Permit issued: December 6, 2012.

**58124198. Brubacher Excavating, Inc.** (P. O. Box 528, Bowmansville, PA 17507), construction blasting for Bolles South Well Pad in Franklin Township, **Susquehanna County** with an expiration date of December 1, 2013. Permit issued: December 6, 2012.

**36124167. Keystone Blasting Service**, (15 Hopeland Road, Lititz, PA 17543), construction blasting for David Smucker Manure Pit in Caernarvon Township, **Lancaster County** with an expiration date of March 30, 2013. Permit issued: December 7, 2012.

**40124123. Explosive Services, Inc.** (7 Pine Street, Bethany, PA 18431), construction blasting for Eckley Miners Village Sewage Treatment Plant in Foster Township, **Luzerne county** with an expiration date of December 6, 2013. Permit issued: December 10, 2012.

#### FEDERAL WATER POLLUTION CONTROL ACT SECTION 401

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

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

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

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

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

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

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

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

**WATER OBSTRUCTIONS AND ENCROACHMENTS**

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

**E09-964. Paul Keller**, 110 South Sugan Road, New Hope, PA 18938, New Hope Borough, **Bucks County**, ACOE Philadelphia District.

To construct and maintain a 6-inch sanitary sewer stream crossing, and a 15-inch diameter outfall structure in and along Aquetong Creek (EV).

The site is located at 110 South Sugan Road (Lambertville, PA, USGS Quadrangle; N: 11.2 inches; W: 6.2 inches).

The issuance of this permit also constitutes approval of a Water Quality Certification under Section 401 of the Federal Water Pollution Control Act [33 U.S.C.A. 1341(a)].

**E09-965. Aqua PA, Inc.**, 762 W. Lancaster Avenue, Bryn Mawr, PA 19010-3489, Bryn Mawr, PA 19010-3489, Bristol Township, **Bucks County**, ACOE Philadelphia District.

To modify and maintain the existing water treatment facility located in and along the 100-year floodplain of the Delaware River.

The site is located at 400 Radcliffe Street (Bristol, PA, USGS quadrangle N: 17.5 inches; W: 14.1 inches).

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

**E48-416. Borough of Walnutport**, 417 Lincoln Avenue, Walnutport, PA 18088. Borough of Walnutport, **Northampton County**, Army Corps of Engineers Philadelphia District.

To restore and maintain the Lehigh Canal, Lock 23, with work consisting of removing portions of the existing lock, removal of debris from the canal, excavation of the lock spillway area, construction of a new concrete spillway and restoration of the canal banks. The project is located on the west side of South Canal Street approximately 0.15 mile south of Main Street (Palmerton, PA Quadrangle Latitude: 40°45'4.9"; Longitude:-75°36'00.2"). Subbasin: 2C

**E45-577. Jackson Township**, P. O. Box 213 Reeders, PA 18352. Jackson, **Monroe County**, Army Corps of Engineers Philadelphia District.

To construct and maintain a stormwater outfall in the floodway of Kettle Creek (HQ-CWF-MF) consisting of a 29"x45" reinforced concrete pipe, concrete flared end section and a riprap apron. The project is located on the east side of Twin Pine Road at its intersection with Running Valley Road (Saylorsburg, PA Quadrangle Latitude: 40° 59' 04"; Longitude:-75° 18' 23") in Jackson Township, Monroe County. Subbasin: 1E

**E40-732. Plymouth Township**, 925 West Main Street Plymouth, PA 18651. Plymouth Township, **Luzerne County**, Army Corps of Engineers Baltimore District.

To place and maintain fill in the floodway fringe of Harvey's Creek (CWF, MF) for the purpose of constructing a secondary access road to the Tilbury Estates Development. The project is located immediately north of the intersection of East Poplar Street and Allen Street (Nanticoke, PA Quadrangle Latitude: 41° 13' 22.0"; Longitude:-76° 00' 48.7") in Plymouth Township, Luzerne County. Subbasin: 5B

**E52-236. Delaware Valley School District**, 258 Route 6 & 209 Milford, PA 18337. Westfall Township, **Pike County**, Army Corps of Engineers Philadelphia District.

To construct and maintain a stormwater outfall in the floodway of Rosetown Creek (HQ-CWF, MF) consisting of a 24-inch diameter smooth-lined corrugated polyethylene pipe, flared end section and rock outlet protection. The outfall is associated with the Delaware Valley High School Gym Addition. The project is located on the south side of Route 6 & 209 approximately 1 mile west of the Interstate-84, Exit 53 Interchange (Port Jervis South, NY-NJ-PA Quadrangle Latitude: 41° 20' 59"; Longitude:-74° 44' 08") in Westfall Township, Pike County. Subbasin: 1D

**E40-728. Mobile Environmental Analytical, Inc.**, 1365 Ackerman Road, Bangor, PA 18013. Dallas Borough, **Luzerne County**, Army Corps of Engineers Baltimore District.

To construct and maintain a temporary utility bridge across Toby Creek (TSF, MF) consisting of a single 2"x 8" pressure treated wood beam spanning bank to bank having a 16-foot span and a 6.5-foot approximate underclearance and to construct and maintain a temporary water line crossing of Tobys Creek attached to the utility bridge consisting of a 4-inch diameter PVC conduit housing 1-inch diameter polypropylene tubing and a 3/8-inch diameter air line. The project is located on the north side of S.R. 0415 (Memorial Highway) approximately 300 feet west of its intersection with Machell Avenue (Kingston, PA Quadrangle Latitude: 41° 20' 11.3"; Longitude:-75° 57' 54.2"). Subbasin: 5B

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

**E06-679. PPL Electric Utilities Corporation**, 344 South Poplar Street, Hazleton, Pennsylvania 18201-7199, in Lower Heidelberg, South Heidelberg, and Spring Townships, **Berks County**, ACOE Philadelphia District

To construct and maintain: 1) a temporary wetland crossing with dimensions of 16.0 feet wide by 72.0 feet long utilizing timber matting, temporarily affecting 0.025 acre of Exceptional Value (EV) Palustrine Emergent (PEM) wetland (Latitude: 40°20'19", Longitude:-

76°1.0'26.4"), 2) a temporary wetland crossing with dimensions of 16.0 feet wide by 213.0 feet long utilizing timber matting, temporarily affecting 0.075 acre of EV PEM wetland (Latitude: 40°20'19.3", Longitude:-76°1.0'22.4"), 3) a temporary wetland crossing with dimensions of 16.0 feet wide by 82.0 feet long utilizing timber matting, temporarily affecting 0.027 acre of EV PEM wetland (Latitude: 40°20'11.0", Longitude:-76°2.0'5.6"), 4) a temporary wetland crossing with dimensions of 16.0 feet wide by 1,115.0 feet long utilizing timber matting, temporarily affecting 0.409 acre of EV PEM wetland (Latitude: 40°20'9.2", Longitude:-76°2.0'15"), 5) a temporary wetland crossing with dimensions of 16.0 feet wide by 251.0 feet long utilizing timber matting, temporarily affecting 0.087 acre of EV PEM wetland (Latitude: 40°20'7.1", Longitude:-76°2.0'25.1"), 6) a temporary wetland crossing with dimensions of 16.0 feet wide by 1,382.0 feet long utilizing timber matting, temporarily affecting 0.508 acre of EV Palustrine Emergent/Scrub Shrub/Forested (PEM/SS/FO) wetland (Latitude: 40°20'2.8", Longitude:-76°2.0'42"), 7) a temporary wetland crossing with dimensions of 16.0 feet wide by 69.0 feet long utilizing timber matting, temporarily affecting 0.025 acre of EV PEM/SS/FO wetland (Latitude: 40°19'59.2", Longitude:-76°2.0'55"), 8) a temporary wetland crossing with dimensions of 16.0 feet wide by 56.0 feet long utilizing timber matting, temporarily affecting 0.020 acre of EV PEM/SS/FO wetland (Latitude: 40°19'57.7", Longitude:-76°2.0'58.2"), 9) a temporary wetland crossing with dimensions of 16.0 feet wide by 139.0 feet long utilizing timber matting, temporarily affecting 0.050 acre of EV PEM/SS/FO wetland (Latitude: 40°19'56.6", Longitude:-76°3.0'1.1"), 10) a temporary wetland crossing with dimensions of 16 feet wide by 109 feet long utilizing timber matting, temporarily affecting 0.040 acre of EV PEM/SS/FO wetland (Latitude: 40°19'54.1", Longitude:-76°3.0'7.9"), 11) a temporary wetland crossing with dimensions of 16.0 feet wide by 84.0 feet long utilizing timber matting, temporarily affecting 0.031 acre of EV PEM/SS/FO wetland (Latitude: 40°19'53", Longitude:-76°3.0'10.4"), and 12) a temporary wetland crossing with dimensions of 16.0 feet wide by 10.0 feet long utilizing timber matting, temporarily affecting 0.003 acre of EV PEM/SS/FO wetland (Latitude: 40°19'52.1", Longitude:-76°3.0'12.3"); all adjacent to the Little Cacoosing Creek (WWF, MF) for the purpose of replacing 21.0 wooden electric utility poles to maintain an existing aerial electric utility line in Lower Heidelberg, South Heidelberg, and Spring Townships, Berks County.

As part of the overall project, PPL Electric Utilities Corporation proposes to construct and maintain the following activities for which the requirement for a permit is waived in accordance with Pa. Code Title 25 Section 105.12(a)(3): 1) remove 19.0 single wooden aerial electric utility poles in EV PEM wetland, and 2) construct and maintain 19.0 single steel aerial electric utility poles in EV PEM wetland; all adjacent to Little Cacoosing Creek

(WWF, MF) in Lower Heidelberg, South Heidelberg, and Spring Townships, Berks County (Latitude: 40°20'19.0" to 40°19'52.1", Longitude:-76°1.0'26.4" to -76°3.0'12.3").

**E22-584: Susquehanna Area Regional Airport Authority**, One Terminal Drive, Middletown, Pennsylvania 17057, in Lower Swatara Township, **Dauphin County**, ACOE Baltimore District

To: 1) grade, stabilize, and maintain 190.0 linear feet of streambank along Stoner Run (WWF, MF), 2) remove 2,660.0 cubic yards of sediment from a palustrine emergent (PEM) wetland, impacting 1.1 acres of wetland, and 3) remove 613.0 linear feet of sanitary sewer line in the PEM; all for the purpose of providing additional flood storage capacity. The project is located 0.1 mile west of the intersection of Rosedale Avenue and West Harrisburg Pike in Lower Swatara Township, Dauphin County.

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

**E17-465. Eagle Environmental II, LP**, 354 Alexander Spring Road-Suite 3, Carlisle, PA 17105. Harmony Residual Waste Landfill and Leachate Transmission Line, Chest Township, **Clearfield County**, ACOE Baltimore District (Westover, PA Quadrangle Latitude: 40°45'52.97"; Longitude: 78°37'58.21").

Eagle Environmental II LP proposes to construct, operate and maintain a residual waste landfill and leachate transmission line requiring wetland impacts for the landfill and two leachate transmission line crossings beneath Chest Creek and a wetland associated to an unnamed tributary to Chest Creek. Construction of the leachate transmission line shall be completed by directional drilling beneath the Chest Creek and open trenching through wetlands that results in temporary floodplain impacts for boring launch and wetland impacts for the trenching. The applicant shall construct 0.42-acre of replacement wetlands for mitigation of the 0.17-acre isolated wetland impacts incurred for construction of the landfill. The project is located along the northeastern right-of-way of SR 3006 approximately 4500-feet northwest of SR 3003 and SR 3006 intersection.

**E17-478. Troutville Borough**, 130 Grant Road, Troutville, PA 15866. Troutville Borough Public Wastewater Conveyance System in Brady Township and Troutville Borough, **Clearfield County**, ACOE Pittsburgh District (DuBois, PA Quadrangle Latitude: 41°01'29.00"; Longitude: 78°47'13").

Troutville Borough is seeking authorization to construct, operate and maintain 31,000-feet of 4-inch diameter pressure sanitary sewer to convey wastewater to a publicly owned wastewater treatment facility in Sykesville Borough, Jefferson County. Construction of the new sanitary sewer system in Brady Township and Troutville Borough, Clearfield County, requires the following three (3) streams and five (5) wetland encroachments:

<i>Activity ID</i>	<i>Activity</i>	<i>Latitude</i>	<i>Longitude</i>	<i>Resource</i>	<i>Impact</i>
Wetland Crossing (E)	Pipeline	41° 01' 55"	78° 47' 58"	Wetland Poose Run	90.0-feet
Stream Crossing (E)	Pipeline	41° 01' 55"	78° 47' 58"	Poose Run	10.0-feet
Wetland Crossing (WE-F)	Pipeline	41° 01' 15"	78° 47' 37"	Wetland Tributary Beaver Run	5-feet

<i>Activity ID</i>	<i>Activity</i>	<i>Latitude</i>	<i>Longitude</i>	<i>Resource</i>	<i>Impact</i>
Stream Crossing (F)	Pipeline	41° 01' 15"	77° 47' 37"	Tributary Beaver Run	5-feet
Wetland Crossing (WE-G)	Pipeline	41° 01' 18"	78° 47' 34"	Wetland Tributary Beaver Run	185-feet
Stream Crossing (G)	Pipeline	41° 01' 18"	77° 47' 34"	Tributary Beaver Run	5-feet
Wetland Crossing (GE-S)	Pipeline	41° 01' 29"	78° 47' 20"	Wetland Tributary Beaver Run	75-feet
Wetland Crossing (GE-R)	Pipeline	41° 01' 18"	78° 47' 34"	Wetland Tributary Beaver Run	185-feet

All above listed sanitary sewer crossings of streams and wetlands shall be constructed by boring. Since sanitary sewer construction shall be bored at stream and wetland crossings, no permanent impacts will be incurred and mitigation shall not be required. The project is located along southern right-of-ways of SR 0410 in Troutville Borough and SR 4001 in Brady Township.

**E41-636. Paul N. Urich**, 412 Beaumont Circle, West Chester, PA 19380. P. Urich Elevated Floodway Foundation in Plunkett's Creek Township, **Lycoming County**, ACOE Baltimore District (Barbours, PA Quadrangle N: 41(23'16"; W: -76(5'16" inches).

To construct and maintain: 1) a 24-foot by 36-foot vacation home with a 10-foot by 34-foot attached covered porch and access staircase, built on eighteen, 18-inch diameter concrete piers with a finished first floor elevated 11 feet above the ground and a 6-inch concrete pad under the house and porch, 2) 100-foot long by 7-foot tall R-7 riprap on the left elevated flood bench stream bank, all of which is located in the left 100-year floodway of Loyalsock Creek on the island west of Lower Manor Road (Barbours, PA Quadrangle N: 41°23'16"; W: -76°05'16" inches) in Plunkett's Creek Township, Lycoming County. This permit was issued under Section 105.13(e) "Small Projects."

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

**E02-1660. South Fayette Conservation Group**, 515 Millers Run Road, South Fayette Township, PA 15017, South Fayette Township, **Allegheny County**; ACOE Pittsburgh District

Applicant has been given consent to construct, and maintain a stream sealing project that will include installation of stream liners and/or injecting grout to restore stream flow in two stream channels. Two sections of Fishing Run (WWF) will be restored with a total length of 1,684 feet of temporary and permanent impacts. One section of UNT to Millers Run (WWF) will be restored with a total length of 965 feet of temporary and permanent impacts. The project is located near the intersection of PA 978 and Millers Run Road in South Fayette Township, Allegheny County. (Canonsburg, PA quadrangle; N: 19.5 inches, W: 8.7 inches; Latitude: 40° 21' 27"; Longitude: 80° 16' 16" and ending at USGS Canonsburg, PA quadrangle; N: 13.7", W: 0"; Latitude: 40° 19' 29"; Longitude: 80° 11' 15").

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

**E0829-057: Chesapeake Appalachia, LLC**, 101 North Main Street, Athens, PA 18810, Tuscarora Township, **Bradford County**, ACOE Baltimore District.

To construct, operate and maintain:

1. two 16 inch diameter temporary waterlines and a timber mat bridge impacting 23 linear feet of an unnamed tributary to Little Tuscarora Creek (CWF, MF) (Laceyville, PA Quadrangle Latitude: 41°41'11", Longitude:-76°10'31");

2. two 16 inch temporary waterlines and a timber mat bridge impacting 24 linear feet of an unnamed tributary to Little Tuscarora Creek (CWF, MF) and impacting 1,572 square feet of an adjacent Palustrine Emergent Wetland (Laceyville, PA Quadrangle, Latitude: 41°41'24", Longitude:-76°10'45");

3. two 16 inch temporary waterlines and a timber mat bridge impacting 1,466 square feet of a Palustrine Emergent Wetland (Laceyville, PA Quadrangle, Latitude: 41°41'30", Longitude:-76°10'58");

4. two 16 inch temporary waterlines and a timber mat bridge impacting 21 linear feet of Little Tuscarora Creek (CWF, MF) and impacting 353 square feet of an adjacent Palustrine Emergent Wetland (Laceyville, PA Quadrangle, Latitude: 41°41'34", Longitude:-76°11'30");

5. two 16 inch temporary waterlines and a timber mat bridge impacting 2,357 square feet of a Palustrine Emergent Wetland (Laceyville, PA Quadrangle, Latitude: 41°41'34", Longitude:-76°11'34");

6. two 16 inch diameter temporary waterlines and a timber mat bridge impacting 4 linear feet of an unnamed tributary to Little Tuscarora Creek (CWF, MF) (Laceyville, PA Quadrangle Latitude: 41°41'38", Longitude:-76°12'00");

7. two 16 inch temporary waterlines and a timber mat bridge impacting 843 square feet of a Palustrine Emergent Wetland (Laceyville, PA Quadrangle, Latitude: 41°41'44", Longitude:-76°12'15");

The project will result in 72 linear feet and 502 square feet of temporary stream impacts and 6,591 square feet (0.15 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.

**E0829-060: Chesapeake Appalachia, LLC**, 101 North Main Street, Athens, PA 18810, Tuscarora Township, **Bradford County**, ACOE Baltimore District.

To construct, operate and maintain:

1. two 16 inch temporary waterlines and a timber mat bridge impacting 20 linear feet of Transue Creek (CWF,

MF) and impacting 4,478 square feet of an adjacent Palustrine Emergent Wetland and Palustrine Scrub-Shrub Wetland (Auburn Center, PA Quadrangle, Latitude: 41°40'18", Longitude:-76°07'00");

The project will result in 20 linear feet and 154 square feet of temporary stream impacts and 4,478 square feet (0.10 acre) of temporary PEM and PSS wetland impacts from temporary waterlines and timber mat bridge crossings all for the purpose of establishing a temporary water supply for Marcellus well development. This project is associated with permit application number E5829-038.

**E5829-038: Chesapeake Appalachia, LLC**, 101 North Main Street, Athens, PA 18810, Auburn Township, **Susquehanna County**, ACOE Baltimore District.

To construct, operate and maintain:

1. two 16 inch temporary waterlines and a timber mat bridge impacting 286 square feet of a Palustrine Emergent Wetland and Palustrine Scrub-Shrub (Auburn Center, PA Quadrangle, Latitude: 41°40'17", Longitude:-76°07'00");

2. two 16 inch diameter temporary waterlines and a timber mat bridge impacting 22 linear feet of an unnamed tributary to Transue Creek (CWF, MF) (Auburn Center, PA Quadrangle Latitude: 41°40'12", Longitude:-76°06'51");

3. two 16 inch diameter temporary waterlines and a timber mat bridge impacting 34 linear feet of an unnamed tributary to Transue Creek (CWF, MF) (Auburn Center, PA Quadrangle Latitude: 41°40'05", Longitude:-76°06'40");

The project will result in 56 linear feet and 237 square feet of temporary stream impacts and 286 square feet (0.01 acre) of temporary PEM and PSS wetland impacts from temporary waterlines and timber mat bridge crossings all for the purpose of establishing a temporary water supply for Marcellus well development. This project is associated with permit application number E0829-060.

**E0829-054: Angelina Gathering Company, LLC**, 2350 N. Sam Houston Parkway Houston, TX 77032, Herrick and Orwell Township, **Bradford County**, ACOE Baltimore District.

To construct, operate and maintain:

1. A 16 inch and a 12 inch diameter natural gas line, a 16 inch diameter water line and a timber mat bridge impacting 4,661 square feet of a Palustrine Emergent Wetland (PEM) (Rome, PA Quadrangle, Latitude: 41°49'21", Longitude:-76°17'05");

2. A 16 inch and a 12 inch diameter natural gas line, a 16 inch diameter water line and a timber mat bridge impacting 77 linear feet of an unnamed tributary to Cold Creek (WWF, MF) (Rome, PA Quadrangle, Latitude: 41°49'21", Longitude: -76°17'23");

3. A 16 inch and a 12 inch diameter natural gas line, a 16 inch diameter water line and a timber mat bridge impacting 7,972 square feet of a Palustrine Emergent Wetland (PEM) (Rome, PA Quadrangle, Latitude: 41°49'20", Longitude:-76°17'34");

4. A 16 inch and a 12 inch diameter natural gas line, a 16 inch diameter water line and a timber mat bridge impacting 1,742 square feet of a Palustrine Emergent Wetland (PEM) (Rome, PA Quadrangle, Latitude: 41°49'20", Longitude:-76°17'36");

The project will result in 78 linear feet and 312 square feet of temporary stream impacts, and 14,375 square feet

(0.33 acre) of temporary PEM wetland impacts all for the purpose of installing a natural gas pipeline and a water line with associated access roadways for Marcellus shale development.

**E6629-013: PVR NEPA Gas Gathering, LLC**, 100 Penn Tower Square, Suites 201 & 202, Williamsport, PA 17701, Nicholson Borough & Nicholson Township, **Wyoming County**, ACOE Baltimore District.

To construct, operate and maintain the Polovitch East to Jerauld 12-inch Extension Natural Gas Pipeline, which consists of one 12-inch, natural gas pipeline with associated temporary construction accesses, with impacts as follows:

1. 2,689 square feet of Palustrine Emergent (PEM) Wetlands via open cut trenching and temporary timber matting (Hop Bottom, PA Quadrangle, Latitude: N41°38'03.91", Longitude: W75°48'05.94");

2. 29 square feet of Palustrine Emergent (PEM) Wetlands via temporary timber matting (Hop Bottom, PA Quadrangle, Latitude: N41°38'08.66", Longitude: W75°47'39.67");

3. 43 square feet of Palustrine Emergent (PEM) Wetlands via temporary timber matting (Hop Bottom, PA Quadrangle, Latitude: N41°38'07.83", Longitude: W75°47'38.90");

4. 61.0 linear feet of Horton Creek (CWF, MF) via open cut trenching and temporary timber matting (Hop Bottom, PA Quadrangle, Latitude: N41°38'08.27", Longitude: W75°47'36.53");

5. 62.0 linear feet of a UNT to Horton Creek (CWF, MF) via open cut trenching and temporary timber matting (Hop Bottom, PA Quadrangle, Latitude: N41°38'05.37", Longitude: W75°47'31.94");

6. 60.0 linear feet of Martin Creek (CWF, MF) and 1,058 square feet of Palustrine Scrub/Shrub (PSS) Wetlands via Horizontal Directional Drilling (Hop Bottom, PA Quadrangle, Latitude: N41°37'58.40", Longitude: W75°46'55.91");

7. 40 square feet of Palustrine Emergent (PEM) Wetlands via temporary timber matting (Hop Bottom, PA Quadrangle, Latitude: N41°37'52.27", Longitude: W75°46'50.29");

8. 1,253 square feet of a Palustrine Open Water (POW) Wetlands via Horizontal Directional Drilling (Hop Bottom, PA Quadrangle, Latitude: N41°37'56.92", Longitude: W75°46'46.55");

9. 238 square feet of Palustrine Emergent (PEM) Wetlands via Horizontal Directional Drilling (Hop Bottom, PA Quadrangle, Latitude: N41°37'57.26", Longitude: W75°46'45.71");

10. 62.0 linear feet of a UNT to Tunkhannock Creek (CWF, MF) via open cut trenching and temporary timber matting (Hop Bottom, PA Quadrangle, Latitude: N41°37'56.84", Longitude: W75°46'12.63");

11. 147.0 linear feet of a UNT to Tunkhannock Creek (CWF, MF) via open cut trenching and temporary timber matting (Hop Bottom, PA Quadrangle, Latitude: N41°37'57.64", Longitude: W75°46'11.16");

12. 334 square feet of Palustrine Emergent (PEM) Wetlands via temporary timber matting (Hop Bottom, PA Quadrangle, Latitude: N41°37'58.51", Longitude: W75°46'08.94");

13. 74.0 linear feet of a UNT to Tunkhannock Creek (CWF, MF) and 522 square feet of Palustrine Scrub/Shrub

(PSS) Wetlands via open cut trenching and temporary timber matting (Hop Bottom, PA Quadrangle, Latitude: N41°38'13.34", Longitude: W75°45'59.48");

14. 1,445 square feet of Palustrine Scrub/Shrub (PSS) Wetlands via open cut trenching and temporary timber matting (Hop Bottom, PA Quadrangle, Latitude: N41°38'14.24", Longitude: W75°45'58.67"); and

15. 30.0 linear feet of a UNT to Willow Brook (CWF, MF) via temporary timber matting (Hop Bottom, PA Quadrangle, Latitude: N41°38'28.06", Longitude: W75°45'07.30").

The project will result in 496.0 linear feet of permanent stream impacts, 3,373 square feet (0.08 acre) of impacts to Palustrine Emergent (PEM) Wetlands, 3,025 square feet (0.07 acre) of impacts to Palustrine Scrub/Shrub (PSS) Wetlands, and 1,253 square feet (0.03 acre) of impacts to Palustrine Open Water (POW) Wetlands, all for the purpose of installing one 12-inch, natural gas pipeline with associated temporary construction accesses for the development of the Marcellus Shale.

**E0829-053: Angelina Gathering Company, LLC**, 2350 N. Sam Houston Parkway Houston, TX 77032, Stevens Township, **Bradford County**, ACOE Baltimore District.

To construct, operate and maintain:

1. A 16 inch and a 12 inch diameter natural gas line, a 16 inch diameter water line and a timber mat bridge impacting 11,805 square feet of a Palustrine Emergent Wetland (PEM) (Le Raysville, PA Quadrangle, Latitude: 41° 46'30", Longitude: -76° 10'38");

2. A 16 inch and a 12 inch diameter natural gas line, a 16 inch diameter water line and a timber mat bridge impacting 14,026 square feet of a Palustrine Emergent Wetland (PEM) (Le Raysville, PA Quadrangle, Latitude: 41° 46'34", Longitude: -76° 10'47");

3. A 16 inch and a 12 inch diameter natural gas line, a 16 inch diameter water line and a timber mat bridge impacting 1,176 square feet of a Palustrine Emergent Wetland (PEM) (Le Raysville, PA Quadrangle, Latitude: 41° 46'40", Longitude: -76° 10'55");

4. A 16 inch and a 12 inch diameter natural gas line, a 16 inch diameter water line and a timber mat bridge impacting 1,176 square feet of a Palustrine Emergent Wetland (PEM) (Le Raysville, PA Quadrangle, Latitude: 41° 46'38", Longitude: -76° 11'09");

5. A 16 inch and a 12 inch diameter natural gas line, a 16 inch diameter water line and a timber mat bridge impacting 77 linear feet of an unnamed tributary to Cold Creek (WWF, MF) and impacting 1,960 square feet of a Palustrine Emergent Wetland (Le Raysville, PA Quadrangle, Latitude: 41°46'32", Longitude:-76°11'25");

The project will result in 77 linear feet and 246 square feet of temporary stream impacts, and 30,144 square feet (0.69 acre) of temporary PEM wetland impacts all for the purpose of installing a natural gas pipeline and a water line with associated access roadways for Marcellus shale development.

**E5929-031: SWEPI LP.**, 190 Thorn Hill Road, Warrendale, PA 15086, Sullivan Township, **Tioga County**, ACOE Baltimore District.

To construct, operate, and maintain:

1) a temporary road crossing using a 20 foot long, 36 inch diameter corrugated metal pipe, a 10 inch diameter fresh waterline, an 8 inch diameter natural gas line, and a fiber optic cable impacting 197 linear feet an unnamed tributary to Corey Creek (CWF) (Roseville, PA Quadrangle 41°47'50"N 76°59'36"W);

2) a temporary road crossing using a wood mat bridge, a 10 inch diameter fresh waterline, an 8 inch diameter natural gas line, and a fiber optic cable impacting 1,280 square feet a palustrine emergent (PEM) wetland (Roseville, PA Quadrangle 41°47'51"N 76°59'40"W);

3) a temporary road crossing using a wood mat bridge, a 10 inch diameter fresh waterline, an 8 inch diameter natural gas line, and a fiber optic cable impacting 428 square feet a palustrine emergent (PEM) wetland (Roseville, PA Quadrangle 41°47'46"N 76°59'22"W);

4) a 10 inch diameter fresh waterline, an 8 inch diameter natural gas line, and a fiber optic cable impacting 860 square feet a palustrine emergent (PEM) wetland (Roseville, PA Quadrangle 41°47'46"N 76°58'59"W);

5) a temporary road crossing using wood mat bridges, a 10 inch diameter fresh waterline, an 8 inch diameter natural gas line, and a fiber optic cable impacting 29,829 square feet a palustrine emergent/scrub-shrub/forested (PEM/PSS/PFO) wetland (Roseville, PA Quadrangle 41°47'46"N 76°58'53"W).

The project will result in 197 linear feet of temporary stream impact, a total of 32,397 square feet (0.74 acre) of temporary wetland impacts, all for the purpose of installing a fresh waterline, a natural gas line, a fiber optic cable, and associated access roadways in Sullivan Township, Tioga County.

**ENVIRONMENTAL ASSESSMENTS**

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

**EA18-004. Robbins Hollow 10A/10B Passive Abandoned Mine Drainage Treatment System**, Robbins Road, Renovo, PA 17764. Trout Unlimited abandoned mine drainage abatement project along Robbins Hollow, Noyes Township, **Clinton County**, ACOE Baltimore District. The applicant proposes to construct a passive treatment system for the Robbins Hollow 10A and 10B acidic discharges from previous mining operations. The system, which is authorized under a restoration waiver, will consist of a small collection system, limestone bed and settling pond. The limestone bed is designed to settle and retain precipitated metals and discharge water with a pH of 6-7. The settling pond will discharge to the same roadside ditch that currently carries the flow. The channel that carries the discharge to Robbins Hollow will not be impacted. There will be two wetland impacts associated with the work:

<i>Activity</i>	<i>Latitude</i>	<i>Longitude</i>	<i>Resource</i>	<i>Impact</i>
Construct AMD system	41° 20' 15.6" N	77° 51' 1.4" W	AMD kill zone wetland	0.22 acre
Install AMD collection pipe	41° 20' 15.8" N	77° 50' 59.1" W	Wetland	<0.01 acre

(Renovo West Quadrangle; Latitude 41° 54' 14.8" N; Longitude 77° 51' 1.4" W).

*Central Office: Bureau of Waterways Engineering and Wetlands, Rachel Carson State Office Building, Floor 3, 400 Market Street, Harrisburg, PA 17105*

**E4014-002. Borough of Ashley**, 10 North Main Street, Ashley, PA 18706, Installation of Rectangular Concrete Channel on Sulfur Run, Ashley Borough, **Luzerne County**, USACOE Baltimore District.

This permit is requested to construct and maintain a concrete channel along an unnamed tributary to Solomon Creek, known locally as Sulfur Run. The flood protection project is known as the Installation of Rectangular Concrete Channel on Sulfur Run DGS 181-20 (DEP C40:12). The project area will be impacted during construction and a total of 0.49 acres below Ordinary High Water will be disturbed. Reference the USGS "WILKES-BARRE WEST" Quadrangle North 16.7 inches, West 3.5 inches. The following activities are associated with the construction of this project:

- Construct approximately 65 LF of trapezoidal grouted riprap channel.
- Construct approximately 225 LF of concrete open channel.
- Construct approximately 2,400 LF of precast concrete box culvert.

Anticipated construction time is 24 to 30 months.

**E4014-005. Department of General Services, Bureau of Engineering and Architecture**, 18th and Herr Streets, Harrisburg, PA 17125, Rehabilitation of Flood Protection Project, Borough of Duryea, **Luzerne County**, USACOE Baltimore District.

The applicant proposes to rehabilitate and maintain the Duryea Borough Flood Protection Project along approximately 1,100 linear feet (approximately 0.30 acre) of the Lackawanna River (CWF, MF). The rehabilitation work includes: 1) the construction and maintenance of 1003 feet of steel sheet pile wall, 2) the removal of approximately 180 cubic yards of earthen levee, 3) the installation and maintenance of two (2) drainage structures with Type 1 cast-in-place concrete inlet boxes with sluice gates, 24" reinforced concrete outlet pipe and 2 cast-in-place reinforced concrete outlet structures with flapgates, and 4) the repair and maintenance of approximately 5,000 square yards of existing riprap bank protection along 1,100 feet of the Lackawanna River. The project begins at the existing levee downstream of Stephenson Street (Pittston, PA Quadrangle, N: 18.8 inches, W: 2.3 inches, Latitude: 41° 21' 12.46"N, Longitude: 75° 45' 58.6"W) and extends downstream to just below the Holy Rosary Cemetery (Pittston, PA Quadrangle, N: 18.3 inches, W: 2.7 inches, Latitude: 41° 21' 4"N, Longitude: 75° 46' 8.7"W).

#### DAM SAFETY

*Central Office: Bureau of Waterways Engineering and Wetlands, Rachel Carson State Office Building, Floor 3, 400 Market Street, Harrisburg, PA 17105*

**D02-136. Ross Township**, 1000 Ross Municipal Drive, Pittsburgh, PA 15237. To construct Cemetery Lane Storm Water Management Dam across an unnamed tributary to Girdys Run (WWF) for the purpose of creating a storm water management facility. The dam will be constructed of roller compacted concrete. The proposed dam will impact 185 lineal feet of stream. (Emsworth, PA Quadrangle N: 2.65 inches, W: 1.85 inches; Latitude: 40° 30' 52", Longitude: -80° 0' 40") Ross Township, **Allegheny County**.

#### EROSION AND SEDIMENT CONTROL

The following Erosion and Sediment Control permits have been issued.

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

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

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

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

ESCGP-1 # Esx09-115-0016 (02)

Applicant Name Williams Field Services Company, LLC  
Contact Person Tom Page

Address 1605 Coraopolis Heights Road  
City, State, Zip Moon Township, PA 15108  
County Susquehanna County  
Township(s) Brooklyn, Dimock, and Springville Townships

Receiving Stream(s) and Classification(s) Horton Creek, Meshoppen Creek, and UNTs to Horton and Meshoppen Creeks (CWF/MF)

ESCGP-1 # ESX12-081-0154

Applicant Name PVR Marcellus Gas Gathering, LLC  
Contact Person Kevin Roberts

Address 100 Penn Tower, Suite 201-202, 25 W. Third Street  
City, State, Zip Williamsport, PA 17701

County Bradford, Lycoming and Sullivan Counties  
Township(s) Canton, McNett and Fox Townships

Receiving Stream(s) and Classification(s) Direct discharge and UNTs to Towanda Creek (CWF/MF), North Branch Rock Run (HQ-CWF/EV), Schrader Creek (EV/MF), Rock Run (HQ-CWF/EV)

ESCGP-1 # ESX12-113-0042

Applicant Name Chesapeake Appalachia, LLC  
Contact Person Eric Haskins

Address 101 North Main Street  
City, State, Zip Athens, PA 18810  
County Sullivan County

Township(s) Cherry Township

Receiving Stream(s) and Classification(s) UNT to Bowman Creek (CWF);

Secondary: S. Branch Towanda Creek (CWF)

ESCGP-1 # ESX12-115-0205

Applicant Name WPX Energy Appalachia, LLC

Contact Person David Freudenrich  
Address 6000 Town Center Blvd, Ste 300  
City, State, Zip Canonsburg, PA 15317  
County Susquehanna County  
Township(s) Liberty Township  
Receiving Stream(s) and Classification(s) UNT Snake  
Creek, Rhiney Creek (CWF);  
Secondary: Snake Creek (CWF)

ESCGP-1 # ESX12-015-0210  
Applicant Name Angelina Gathering Company, LLC  
Contact Person Danny Spaulding  
Address 2350 N. Sam Houston Pkwy. E., Suite 125  
City, State, Zip Houston, TX 77032  
County Bradford County  
Township(s) Orwell Township  
Receiving Stream(s) and Classification(s) South Creek,  
Johnson Creek (CWF/MF), Rummerfield Creek (WWF/  
MF)

ESCGP-1 # ESX12-081-0158  
Applicant Name EXCO Resources (PA), LLC  
Contact Person Brian Rushe  
Address 3000 Ericsson Drive, Suite 200  
City, State, Zip Warrendale, PA 15086  
County Lycoming County  
Township(s) Penn Township  
Receiving Stream(s) and Classification(s) UNT to Greg's  
Run, Greg's Run (CWF/MF)

ESCGP-1 # ESX12-115-0183  
Applicant Name Carrizo Marcellus, LLC  
Contact Person Gary Byron  
Address 251 Drain Lick Road, P. O. Box 231  
City, State, Zip Drifting, PA 16834  
County Susquehanna County  
Township(s) Bridgewater Township  
Receiving Stream(s) and Classification(s) UNT to Pettis  
Creek (WWF), East Branch Wyalusing Creek

ESCGP-1 # ESX12-115-0204  
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) Lenox Township  
Receiving Stream(s) and Classification(s) Willow Brook,  
Martins Creek, UNT to Martins Creek (CWF)

ESCGP-1 # ESX12-081-0161  
Applicant Name EXCO Resources (PA), LLC  
Contact Person Gregg Stewart  
Address 3000 Ericsson Drive, Suite 200  
City, State, Zip Warrendale, PA 15086  
County Lycoming County  
Township(s) Franklin Township  
Receiving Stream(s) and Classification(s) Little Muncy  
Creek, Beaver Run (Both CWF/MF)

ESCGP-1 # ESX12-081-0159  
Applicant Name EXCO Resources (PA), LLC  
Contact Person Gregg Stewart  
Address 3000 Ericsson Drive, Suite 200  
City, State, Zip Warrendale, PA 15086  
County Lycoming County  
Township(s) Penn Township  
Receiving Stream(s) and Classification(s) UNT to Beaver  
Run/Beaver Run (CWF)

ESCGP-1 # ESX12-015-0215  
Applicant Name Appalachia Midstream Services, LLC  
Contact Person Greg Floerke  
Address 100 1st Center

City, State, Zip Horseheads, NY 14845  
County Bradford County  
Township(s) Wilmot Township  
Receiving Stream(s) and Classification(s) North Fork  
Mehoopany Creek, UNT to North Fork Mehoopany  
Creek, Foster Branch Sugar Run, Six UNTs to Foster  
Branch Sugar Run (All CWF);  
Secondary: Mehoopany Creek (HQ/CWF), Sugar Run  
(CWF)

ESCGP-1 # ESX12-115-0201  
Applicant Name Susquehanna Gathering Company 1,  
LLC  
Contact Person John Miller  
Address P. O. Box 839, 1299 Oliver Road  
City, State, Zip New Milford, PA 18834-0839  
County Susquehanna County  
Township(s) Jackson Township  
Receiving Stream(s) and Classification(s) Drinker Creek,  
Lewis Creek, Salt Lick Creek (All EV/CWF)

ESCGP-1 # ESX12-015-0211  
Applicant Name EOG Resources, Inc.  
Contact Person Greg Shaffer  
Address 191 Beaver Drive  
City, State, Zip Dubois, PA 15801  
County Bradford County  
Township(s) Springfield Township  
Receiving Stream(s) and Classification(s) Mill Creek  
(Other);  
Secondary: Sugar Creek

ESCGP-1 # ESX12-081-0096 (01)  
Applicant Name NFG Midstream Trout Run, LLC  
Contact Person Duane Wassum  
Address 6363 Main Street  
City, State, Zip Williamsville, NY 14221  
County Lycoming County  
Township(s) McIntyre & Lewis Townships  
Receiving Stream(s) and Classification(s) Grays Run,  
Splash Dam Run, Bartoff Hollow, Darr Hollow, Trib  
20652 to Lycoming Creek, Trib 20701 to Heylmmun Run  
(HQ);  
Secondary: Lower Susquehanna Penns

ESCGP-1 # EX10-081-0104 (01)  
Applicant Name EXCO Resources (PA), LLC  
Contact Person Larry Sanders  
Address 3000 Ericsson Drive, Suite 200  
City, State, Zip Warrendale, PA 15086  
County Lycoming County  
Township(s) Penn Township  
Receiving Stream(s) and Classification(s) Beaver Run,  
UNT to Marsh Run (EV);  
Secondary: Little Muncy Creek (EV)

ESCGP-1 # ESX12-081-0157  
Applicant Name Atlas Resources, LLC  
Contact Person Carla Suszkowski  
Address 1000 Commerce Drive, 4th Floor  
City, State, Zip Pittsburgh, PA 15275  
County Lycoming County  
Township(s) Gamble Township  
Receiving Stream(s) and Classification(s) Miller Run,  
UNTs to Miller Run, Murray Run, UNTs to Murray  
Run, Mill Creek, UNTs to Mill Creek, West Branch  
Murray Run, UNTs to West Branch Murray Run (All  
EV)

ESCGP-1 # ESX12-115-0202  
Applicant Name WPX Energy Marcellus Gathering, LLC  
Contact Person Randall Reimold  
Address 6000 Town Center Blvd, Suite 300

City, State, Zip Canonsburg, PA 15317  
 County Susquehanna County  
 Township(s) Liberty Township  
 Receiving Stream(s) and Classification(s) UNT 31821 to  
 Snake Creek (CWF/MF);  
 Secondary: Snake Creek

ESCGP-1 # ESX12-115-0165  
 Applicant Name Williams Field Services Company, LLC  
 Contact Person John Quinlisk  
 Address 1605 Coraopolis Heights Road  
 City, State, Zip Moon Township, PA 15108-4310  
 County Susquehanna County  
 Township(s) Gibson Township  
 Receiving Stream(s) and Classification(s) Rock Creek,  
 Tunkhannock Creek, Tribs to Tunkhannock Creek, Bell  
 Creek, Tribs to Bell Creek (HQ-Other)

ESCGP-1 # ESX12-115-0206  
 Applicant Name Susquehanna Gathering Company, LLC  
 Contact Person John Miller  
 Address PO Box 839 1299 Oliver Road  
 City, State, Zip New Milford, PA 18834-0839  
 County Susquehanna County  
 Township(s) Thompson Township  
 Receiving Stream(s) and Classification(s) South Branch  
 Canawacta Creek (CWF)

ESCGP-1 # ESX12-115-0203  
 Applicant Name Cabot Oil & Gas Company  
 Contact Person Kenneth Marcum  
 Address Five Penn Center West, Suite 401  
 City, State, Zip Pittsburgh, PA 15276  
 County Susquehanna County  
 Township(s) Springville Township  
 Receiving Stream(s) and Classification(s) North Branch  
 Meshoppen Creek, UNTs Meshoppen Creek, Thomas  
 Creek (All CWF);  
 Secondary: Meshoppen Creek (CWF)

ESCGP-1 # ESX12-115-0184  
 Applicant Name Cabot Oil & Gas Corp  
 Contact Person Kenneth Marcum  
 Address Five Penn Center West, Suite 401  
 City, State, Zip Pittsburgh, PA 15276  
 County Susquehanna  
 Township(s) Lathrop  
 Receiving Stream(s) and Classification(s) Unnamed  
 Tributaries to Horton Creek- CWF/MF  
 Secondary: Tunkhannock Creek—TSF

ESCGP-1 # ESX12-115-0172  
 Applicant Name Cabot Oil & Gas Corp  
 Contact Person Kenneth Marcum  
 Address Five Penn Center West, Suite 401  
 City, State, Zip Pittsburgh, PA 15276  
 County Susquehanna Township(s) Lenox  
 Receiving Stream(s) and Classification(s) Unnamed  
 Tributary Millard Creek—Other

ESCGP-1 # ESX12-081-0140  
 Applicant Name EXCO Resources PA LLC  
 Contact Person Brian Rushe  
 Address 3000 Ericsson Drive, Ste 200  
 City, State, Zip Warrendale, PA 15086  
 County Lycoming  
 Township(s) Penn  
 Receiving Stream(s) and Classification(s) Big Run, Jakes  
 Run, Derr Run—Other  
 Secondary: Little Muncy Creek

ESCGP-1 # ESX12-115-0182  
 Applicant Name Southwestern Energy Production Com-  
 pany

Contact Person Mr. Dave Sweeley  
 Address 917 State Route 92 North  
 City, State, Zip Tunkhannock, PA 18657  
 County Susquehanna  
 Township(s) Jackson  
 Receiving Stream(s) and Classification(s) UNT to Salt  
 Lick Creek—HQ/CWF UNT to Lewis Creek—CWF  
 Lewis Creek—CWF  
 Secondary: Susquehanna River—WWF

ESCGP-1 # ESX12-115-0179  
 Applicant Name WPX Energy Appalachia LLC  
 Contact Person David Freudenrich  
 Address 6000 Town Center Blvd, Ste 300  
 City, State, Zip Canonsburg, PA 15317  
 County Susquehanna  
 Township(s) Franklin  
 Receiving Stream(s) and Classification(s) UNT 31922 to  
 Snake Creek—CWF UNT 31926 to Snake Creek—  
 CWF  
 Secondary: Susquehanna River

ESCGP-1 # ESX12-015-0201  
 Applicant Name Chesapeake Appalachia LLC  
 Contact Person Eric Haskins  
 Address 101 N Main St  
 City, State, Zip Athens, PA 18810  
 County Bradford  
 Township(s) Asylum  
 Receiving Stream(s) and Classification(s) UNT to Durell  
 Creek—WWF/MF  
 Secondary: Susquehanna River—WWF/MF

ESCGP-1 # ESX12-035-0020  
 Applicant Name Anadarko E&P Company LP  
 Contact Person Nathan S Bennett  
 Address 33 W Third St, Suite 200  
 City, State, Zip Williamsport, PA 17701  
 County Clinton  
 Township(s) Noyes  
 Receiving Stream(s) and Classification(s) UNT to Boggs  
 Run—EV/MF  
 Secondary: Botts Run—EV/MF

ESCGP-1 # ESX12-035-0021  
 Applicant Name Anadarko E&P Company LP  
 Contact Person Rane A Wilson  
 Address 33 W Third St, Suite 200  
 City, State, Zip Williamsport, PA 17701  
 County Clinton  
 Township(s) Grugan  
 Receiving Stream(s) and Classification(s) UNT East  
 Branch Hyner Run—HQ, CWF/MF Johnson Run—  
 HQ, CWF/MF  
 Secondary: East Branch Hyner Run—HQ, CWF/MF  
 West Branch Susquehanna River—WWF

ESCGP-1 # ESX12-115-0167  
 Applicant Name Cabot Oil & Gas Corp  
 Contact Person Kenneth Marcum  
 Address Five Penn Center West, Suite 401  
 City, State, Zip Pittsburgh, PA 15276  
 County Susquehanna  
 Township(s) Lenox  
 Receiving Stream(s) and Classification(s) Millard Creek—  
 Other

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

*Fayette County Conservation District: 10 Nickman Plaza,  
 Lemont furnace, PA 15456. (724-438-4497).*

<i>ESCGP-1 No.</i>	<i>Applicant Name &amp; Address</i>	<i>County</i>	<i>Municipality</i>	<i>Receiving Water/Use</i>
26-10-08-01	Ronald Heuer Spectra Energy Transmission, LLC 5400 Westheimer County 5D-65 Houston, TX 77056	Fayette	North Union Twp.	Unnamed tributary to Cove Run (WWF)
<hr/>				
	<i>Northwest Region: Oil and Gas Program Manager, 230 Chestnut St., Meadville, PA 16335</i>			
ESCGP-1 #Meyer Pipeline Major Modification—ESX12-019-0139A	Applicant MarkWest Liberty Bluestone, LLC Contact Rick Lowry Address 601 Technology Drive, Suite 300 City Canonsburg State PA Zip Code 15317 County Butler Township(s) Jackson(s) Receiving Stream(s) and Classification(s) UNT to Breakneck Creek and Breakneck Creek—WWF, Connoquenessing Creek			
	<i>Southwest Region: Oil &amp; Gas Program Mgr. 400 Waterfront Dr. Pittsburgh PA</i>			
10/15/12	ESCGP-1 No: ESX12-125-0059 MAJOR REVISION Applicant Name: MARKWEST LIBERTY MIDSTREAM & RESOURCES LLC Contact Person MR RICK LOWRY Address: 601 TECHNOLOGY DRIVE SUITE 300 City: CANONSBURG State: PA Zip Code: 15317 County: WASHINGTON Township: SMITH Receiving Stream (s) And Classifications: UNTs TO RACCOON CREEK (WWF), RACCOON CREEK (WWF), UNTs TO BURGETTS FORK (WWF), UNT TO CHERRY RUN (WWF)/RACCOON CREEK WATERSHED; OTHER			
10/9/12	ESCGP-1 No.: ESX12-125-0072 MAJOR REVISION Applicant Name: MARKWEST LIBERTY MIDSTREAM & RESOURCES LLC Contact Person: MR RICK LOWRY Address: 824 MORGANZA ROAD City: CANONSBURG State: PA Zip Code: 15317 County: WASHINGTON Township(s): ROBINSON AND SMITH Receiving Stream(s) and Classifications: LITTLE RACCOON RUN AND ROBINSON RUN (WARM WATER FISHES); OTHER			
5/21/12	ESCGP-1 No.: ESX10-125-0041 MAJOR REVISION Applicant Name: RICE DRILLING B LLC Contact Person: MR JOHN LAVELLE Address: 171 HILLPOINTE DRIVE SUITE 301 City: CANONSBURG State: PA Zip Code: 15317 County: WASHINGTON Township(s): AMWELL Receiving Stream(s) and Classifications: LITTLE TENMILE CREEK (TSF); OTHER			
5/21/12	ESCGP-1 No.: ESX10-125-0035 MAJOR REVISION Applicant Name: MR JOHN LAVELLE Contact Person: RICE DRILLING B LLC Address: 171 HILLPOINTE DRIVE SUITE 301 City: CANONSBURG State: PA Zip Code: 15317 County: WASHINGTON Township(s): AMWELL Receiving Stream(s) and Classifications: LITTLE TENMILE CREEK (TSF); OTHER			
11-7-12	ESCGP-1 No.: ESX12-059-0051 Applicant Name: VANTAGE ENERGY APPALACHIA LLC Contact Person: MR NICK MONGELLUZZO Address: 226 ELM DRIVE SUITE 102 City: WAYNESBURG State: PA Zip Code: 15370 COUNTY GREENE Township(s): JEFFERSON Receiving Stream(s) and Classifications: UNT TO SOUTH FORK TENMILE CREEK, UNT TO MUDDY CREEK; OTHER			
11/6/12	ESCGP-1 No.: ESX12-007-0017 Applicant Name: CHESAPEAKE APPALACHIA LLC Contact Person: MR ERIC W HASKINS Address: 101 NORTH MAIN STREET City: ATHENS State: PA Zip Code: 18810 County: BEAVER Township(s): SOUTH BEAVER Receiving Stream(s) and Classifications: BRUSH RUN AND MCELROY RUN; HQ; OTHER			
9/27/12	ESCGP-1 No.: ESX12-129-0020 Applicant Name: CHEVRON APPALACHIA LLC Contact Person: MR JEREMY HIRTZ Address: 800 MOUNTAIN VIEW DRIVE City: SMITHFIELD State: PA Zip Code 15478 County: WESTMORELAND Township(s): SOUTH HUNTINGDON Receiving Stream(s) and Classifications: UNT TO YOUGHIOGHENY RIVER, WWF/OHIO RIVER BASIN, WWF; OTHER			
9/4/12	ESCGP-1 No.: ESX12-007-0015 Applicant Name: CHESAPEAKE APPALACHIA LLC Contact Person: MR ERIC W HASKINS Address: 101 NORTH MAIN STREET City: ATHENS State: PA Zip Code: 18810 County: BEAVER Township(s): CHIPPEWA Receiving Stream(s) and Classifications: UNT TO NORTH BRANCH BRADY RUN—TSF			
4/16/12	ESCGP-1 No.: ESX12-005-0007 Applicant Name: EXCO RESOURCES (PA) LLC Contact Person: MR SCOTT SWEDER Address: 3000 ERICSSON DRIVE SUITE 200 City: WARRENDALE State: PA Zip Code: 15086 County: ARMSTRONG Township(s): RAYBURN Receiving Stream(s) and Classifications: UNT TO COWANSHANNOCK CREEK; OTHER			
<b>OIL AND GAS MANAGEMENT</b>				
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				

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

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

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

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

Well Permit #: 015-21929-00-00  
Well Farm Name Haralambous 03-074-04 G 4H  
Applicant Name: Talisman Energy USA Inc.  
Contact Person: Shane Gagliardi  
Address: 50 Pennwood Place, Warrendale, PA 15086  
County: Bradford

Municipality Columbia 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: Roseville

Well Permit #: 015-22359-00-00  
Well Farm Name Carr S Bra 2H  
Applicant Name: Chesapeake Appalachia LLC  
Contact Person: Eric Haskins  
Address: 101 North Main Street, Athens, PA 18810  
County: Bradford

Municipality Wilmot Township  
Name of Stream, Spring, Body of Water as identified on the most current 7 1/2 minute topographic quadrangle map of the United States Geologic Survey subject to the Section 3215(b)(4) waiver: Colley, Unnamed Tributary to Foster Branch Sugar Run which is a tributary to Sugar Run Creek

Well Permit #: 015-22342-00-00  
Well Farm Name Duffield Bra 3H  
Applicant Name: Chesapeake Appalachia LLC.  
Contact Person: Eric Haskins  
Address: 101 North Main Street, Athens, PA 18810  
County: Bradford

Municipality Tuscarora 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: Laceyville, Mill Creek.

Well Permit #: 015-22384-00-00  
Well Farm Name Bacorn Bra 5H  
Applicant Name: Chesapeake Appalachia LLC  
Contact Person: Eric Haskins  
Address: 101 North Main Street, Athens, PA 18810  
County: Bradford  
Municipality Overton Township:

Name of Stream, Spring, Body of Water as identified on the most current 7 1/2 minute topographic quadrangle map of the United States Geologic Survey subject to the Section 3215(b)(4) waiver: Dushore, Unnamed tributary to Black Creek, which is tributary to Little Loyalsock Creek.

*Southwest District Oil and Gas Operations, Program Manager, 400 Waterfront Drive, Pittsburgh, PA 15222-4745*

Well Permit #: 129-28828-00  
Well Farm Name: Keller Unit 4H  
Applicant Name: Penneco Oil Company  
Contact Person: D. Marc Jacobs, Jr.  
Address: 6608 US Route 22 Delmont, PA 15626-2408  
County: Westmoreland  
Municipality Name/City, Borough, Township: Upper Burrell Twp

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: Tributary #42434 to Pucketa Creek

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## SPECIAL NOTICES

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### Water Obstruction and Encroachment Permit Application and 401 Water Quality Certification Request

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

**CDO-003. Cumberland Coal Company, LP**, 158 Portal Road, P. O. Box 1020, Waynesburg, PA 15370. Whiteley Creek Wetland Mitigation Project in Whiteley Township, **Greene County**, Pittsburgh ACOE District (Garards Fort, PA Quadrangle (Whiteley Creek) project area centroid N: 9.79 inches, W: 15.02 inches). The applicant proposes to mitigate a loss of wetlands within the Cumberland Mine permit boundary. This is a Chapter 105 Water Obstruction and Encroachment permit application and 401 Water Quality Certification request. In conjunction with this approval, the Department is granting 401 Water Quality Certification certifying that the approved activities will comply with the applicable provisions of sections 301—303, 306, and 307 of the Federal Water Pollution Control Act and will not violate applicable Federal and State water quality standards. Application received: February 13, 2012. Permit issued: December 5, 2012.

### General NPDES Permit for Stormwater Discharges Associated with Construction Activities

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

**PAG2-2756-12-001, Earth Shapers, LLC**, 266 Scout Dam Road, Ebensburg, PA 15931. General NPDES Permit for Stormwater Discharges Associated with Construction Activities on Flight 93 AMD Rehab Project in Stonycreek Township, **Somerset County**. Receiving stream: Lamberts Run classified for the following uses: cold water fishery. There are no potable water supplies located within 10 miles downstream. Notice of Intent for Coverage received: October 29, 2012. Coverage approved: December 5, 2012.

### Request for Comments on the Proposed Total Maximum Daily Loads (TMDLs) Developed for the Limestone Run Watershed in Northumberland County and Montour County, Pennsylvania

The Department of Environmental Protection will accept comments on the proposed TMDLs developed for the

Limestone Run Watershed in Northumberland County and Montour County, PA. These TMDLs were established in accordance with the requirements of Section 303(d) of the Clean Water Act. The Pennsylvania Integrated Water Quality Monitoring and Assessment Report included impaired stream segments in this watershed. The listings of these waterbodies were due to use impairments caused by excessive siltation.

There currently are no state or federal instream numerical water quality criteria for siltation. Therefore, the Department utilized a reference watershed approach to

implement the applicable narrative criteria. These proposed TMDLs set allowable loadings of sediment in the Limestone Run Watershed. The sediment loading was allocated among cropland, hay/pasture land, transitional land and streambank categories present in the watershed. Data used in establishing these TMDLs was generated using a water quality analysis model (AVGWLF) designed by the Pennsylvania State University.

The following table shows the estimated current sediment loading for the watershed. Overall load reductions necessary in order to meet the TMDLs are also identified.

**Summary of TMDL Based Load Reductions in the Limestone Run Watershed**

<i>Pollutant</i>	<i>Existing Load (lbs./yr.)</i>	<i>Existing Load (lbs./day)</i>	<i>TMDL (lbs./yr.)</i>	<i>TMDL (lbs./day)</i>	<i>Percent Reduction</i>
Sediment	3,352,600	9,185	2,914,156	7,984	13.1

The data and all supporting documentation used to develop the proposed TMDLs are available from the Department. The proposed TMDLs and information on the TMDL program can be viewed on the Department's website ([www.dep.state.pa.us/watermanagement\\_apps/tmdl/](http://www.dep.state.pa.us/watermanagement_apps/tmdl/)). To request a copy of any of the proposed TMDLs contact Scott Alexander, Water Program Specialist, Bureau of Point and Non-Point Source Management, Central Office, Pennsylvania Department of Environmental Protection, Rachel Carson State Office Building, Harrisburg, PA 17105, Phone: 717-772-5670, e-mail: [salexander@pa.gov](mailto:salexander@pa.gov) The Department will consider all comments in developing the final TMDLs, which will be submitted to EPA for approval. Written comments will be accepted at the above address and must be postmarked by 30 days after publication in the *PA Bulletin*. A public meeting to discuss the technical merits of the TMDL will be held upon request.

[Pa.B. Doc. No. 12-2479. Filed for public inspection December 21, 2012, 9:00 a.m.]

**Coal Mining Reclamation Fee Amount for 2013**

The Department of Environmental Protection announces the amount of the Reclamation Fee for 2013. This notice is required by 25 Pa. Code § 86.17 (relating to permit and reclamation fees). Effective January 1, 2013, the Reclamation Fee for calendar year 2013 will be \$0. While the fee will not be assessed in 2013, the regulations require annual adjustments. The fee amount for subsequent years will be calculated in accordance with 25 Pa. Code § 86.17. Refer to this section of the regulations for further information about the process.

This is the result of calculations presented in a report that contains a financial analysis of the revenue and expenditures from the account for Fiscal Year 2011-2012 and provides projections for FY 2012-2013. The report was reviewed with the Mining and Reclamation Advisory Board on October 25, 2012.

The report is available at the following web site address [www.portal.state.pa.us/portal/server.pt/community/reports/20866](http://www.portal.state.pa.us/portal/server.pt/community/reports/20866).

MICHAEL L. KRANCER,  
*Secretary*

[Pa.B. Doc. No. 12-2480. Filed for public inspection December 21, 2012, 9:00 a.m.]

exception to the requirements of 28 Pa. Code § 103.31 (relating to the chief executive officer).

The request is on file with the Department. Persons may receive a copy of a request for exception by requesting a copy from the Department of Health, Division of Acute and Ambulatory Care, Room 532, Health and Welfare Building, Harrisburg, PA 17120, (717) 783-8980, fax (717) 772-2163, [ra-paexcept@pa.gov](mailto:ra-paexcept@pa.gov).

Persons who wish to comment on an exception request may do so by sending a letter by mail, e-mail or facsimile to the Division at the address listed previously.

Comments received by the Department within 10 days after the date of publication of this notice will be reviewed by the Department before it decides whether to approve or disapprove the request for exception.

Persons with a disability who wish to obtain a copy of a request and/or provide comments to the Department and require an auxiliary aid, service or other accommodation to do so should contact the Division at the previously listed address or phone number, or for speech and/or hearing impaired persons V/TT (717) 783-6154, or the Pennsylvania AT&T Relay Service at (800) 654-5984.

MICHAEL WOLF,  
*Acting Secretary*

[Pa.B. Doc. No. 12-2481. Filed for public inspection December 21, 2012, 9:00 a.m.]

**DEPARTMENT OF HEALTH**

**Application of Allegheny General Hospital for Exception**

Under 28 Pa. Code § 51.33 (relating to requests for exceptions), the Department of Health (Department) gives notice that Allegheny General Hospital has requested an

**Application of American Access Care of South Philadelphia for Exception**

Under 28 Pa. Code § 51.33 (relating to requests for exceptions), the Department of Health (Department) gives notice that American Access Care of South Philadelphia

has requested an exception to the requirements of 28 Pa. Code § 571.1 (relating to minimum standards), which requires compliance with minimum standards contained in the following publication: *Guidelines for Design and Construction of Hospitals and Healthcare Facilities*. The facility specifically requests exemption from the following standards contained in this publication: 3.1-3.6.7.2, 3.7-3.4.2.1(5)(a), 3.7-7.2.2.1 and 3.7-7.2.2.3(1)(b).

This facility is also requesting exception to 28 Pa. Code § 551.21(d)(1) and (3) (relating to criteria for ambulatory surgery).

This request is on file with the Department. Persons may receive a copy of a request for exception by requesting a copy from the Department of Health, Division of Acute and Ambulatory Care, Room 532, Health and Welfare Building, Harrisburg, PA 17120, (717) 783-8980, fax (717) 772-2163, ra-paexcept@pa.gov.

Persons who wish to comment on an exception request may do so by sending a letter by mail, e-mail or facsimile to the Division at the address listed previously.

Comments received by the Department within 10 days after the date of publication of this notice will be reviewed by the Department before it decides whether to approve or disapprove the request for exception.

Persons with a disability who wish to obtain a copy of a request and/or provide comments to the Department and require an auxiliary aid, service or other accommodation to do so should contact the Director, Division of Acute and Ambulatory Care at (717) 783-8980, for speech and/or hearing impaired persons V/TT (717) 783-6154, or the Pennsylvania AT&T Relay Service (800) 654-5984 (TT).

MICHAEL WOLF,  
*Acting Secretary*

[Pa.B. Doc. No. 12-2482. Filed for public inspection December 21, 2012, 9:00 a.m.]

### **Application of Canonsburg General Hospital for Exception**

Under 28 Pa. Code § 51.33 (relating to requests for exceptions), the Department of Health (Department) gives notice that Canonsburg General Hospital has requested an exception to the requirements of 28 Pa. Code § 103.31 (relating to the chief executive officer).

The request is on file with the Department. Persons may receive a copy of a request for exception by requesting a copy from the Department of Health, Division of Acute and Ambulatory Care, Room 532, Health and Welfare Building, Harrisburg, PA 17120, (717) 783-8980, fax (717) 772-2163, ra-paexcept@pa.gov.

Persons who wish to comment on an exception request may do so by sending a letter by mail, e-mail or facsimile to the Division at the address listed previously.

Comments received by the Department within 10 days after the date of publication of this notice will be reviewed by the Department before it decides whether to approve or disapprove the request for exception.

Persons with a disability who wish to obtain a copy of a request and/or provide comments to the Department and require an auxiliary aid, service or other accommodation to do so should contact the Division at the previously listed address or phone number, or for speech and/or

hearing impaired persons V/TT (717) 783-6154, or the Pennsylvania AT&T Relay Service at (800) 654-5984.

MICHAEL WOLF,  
*Acting Secretary*

[Pa.B. Doc. No. 12-2483. Filed for public inspection December 21, 2012, 9:00 a.m.]

### **Application of Children's Surgery Center of Malvern, LLC for Exception**

Under 28 Pa. Code § 51.33 (relating to requests for exceptions), the Department of Health (Department) gives notice that Children's Surgery Center of Malvern, LLC has requested an exception to the requirements of 28 Pa. Code § 551.21 (relating to criteria for ambulatory surgery).

The request is on file with the Department. Persons may receive a copy of a request for exception by requesting a copy from the Department of Health, Division of Acute and Ambulatory Care, Room 532, Health and Welfare Building, Harrisburg, PA 17120, (717) 783-8980, fax (717) 772-2163, ra-paexcept@pa.gov.

Persons who wish to comment on an exception request may do so by sending a letter by mail, e-mail or facsimile to the Division at the address listed previously.

Comments received by the Department within 10 days after the date of publication of this notice will be reviewed by the Department before it decides whether to approve or disapprove the request for exception.

Persons with a disability who wish to obtain a copy of a request and/or provide comments to the Department and require an auxiliary aid, service or other accommodation to do so should contact the Division at the previously listed address or phone number, or for speech and/or hearing impaired persons V/TT (717) 783-6154, or the Pennsylvania AT&T Relay Service at (800) 654-5984.

MICHAEL WOLF,  
*Acting Secretary*

[Pa.B. Doc. No. 12-2484. Filed for public inspection December 21, 2012, 9:00 a.m.]

### **Application of The Crozer Keystone Surgery Center at Brinton Lake for Exception**

Under 28 Pa. Code § 51.33 (relating to requests for exceptions), the Department of Health (Department) gives notice that The Crozer Keystone Surgery Center at Brinton Lake has requested an exception to the requirements of 28 Pa. Code § 551.21 (relating to criteria for ambulatory surgery).

The request is on file with the Department. Persons may receive a copy of a request for exception by requesting a copy from the Department of Health, Division of Acute and Ambulatory Care, Room 532, Health and Welfare Building, Harrisburg, PA 17120, (717) 783-8980, fax (717) 772-2163, ra-paexcept@pa.gov.

Persons who wish to comment on an exception request may do so by sending a letter by mail, e-mail or facsimile to the Division at the address listed previously.

Comments received by the Department within 10 days after the date of publication of this notice will be

reviewed by the Department before it decides whether to approve or disapprove the request for exception.

Persons with a disability who wish to obtain a copy of a request and/or provide comments to the Department and require an auxiliary aid, service or other accommodation to do so should contact the Division at the previously listed address or phone number, or for speech and/or hearing impaired persons V/TT (717) 783-6154, or the Pennsylvania AT&T Relay Service at (800) 654-5984.

MICHAEL WOLF,  
*Acting Secretary*

[Pa.B. Doc. No. 12-2485. Filed for public inspection December 21, 2012, 9:00 a.m.]

### Application of East Stroudsburg Ambulatory Surgery Center for Exception

Under 28 Pa. Code § 51.33 (relating to requests for exceptions), the Department of Health (Department) gives notice that East Stroudsburg Ambulatory Surgery Center has requested an exception to the requirements of 28 Pa. Code § 551.21 (relating to criteria for ambulatory surgery).

The request is on file with the Department. Persons may receive a copy of a request for exception by requesting a copy from the Department of Health, Division of Acute and Ambulatory Care, Room 532, Health and Welfare Building, Harrisburg, PA 17120, (717) 783-8980, fax (717) 772-2163, ra-paexcept@pa.gov.

Persons who wish to comment on an exception request may do so by sending a letter by mail, e-mail or facsimile to the Division at the address listed previously.

Comments received by the Department within 10 days after the date of publication of this notice will be reviewed by the Department before it decides whether to approve or disapprove the request for exception.

Persons with a disability who wish to obtain a copy of a request and/or provide comments to the Department and require an auxiliary aid, service or other accommodation to do so should contact the Division at the previously listed address or phone number, or for speech and/or hearing impaired persons V/TT (717) 783-6154, or the Pennsylvania AT&T Relay Service at (800) 654-5984.

MICHAEL WOLF,  
*Acting Secretary*

[Pa.B. Doc. No. 12-2486. Filed for public inspection December 21, 2012, 9:00 a.m.]

### Application of Einstein Montgomery Surgery Center for Exception

Under 28 Pa. Code § 51.33 (relating to requests for exceptions), the Department of Health (Department) gives notice that Einstein Montgomery Surgery Center has requested an exception to the requirements of 28 Pa. Code § 571.1 (relating to minimum standards), which requires compliance with minimum standards contained in the following publication: *Guidelines for Design and Construction of Hospitals and Healthcare Facilities*. The facility specifically requests exemption from the following standards contained in this publication: 3.7-3.4.2.1(5)(a),

3.7-3.4.2.2(1)(a) and 3.7-3.8.1.1(1) (relating to pediatric recovery stations; post-anesthesia recovery positions; and outpatient surgery change area).

This request is on file with the Department. Persons may receive a copy of a request for exception by requesting a copy from the Department of Health, Division of Acute and Ambulatory Care, Room 532, Health and Welfare Building, Harrisburg, PA 17120, (717) 783-8980, fax (717) 772-2163, ra-paexcept@pa.gov.

Persons who wish to comment on an exception request may do so by sending a letter by mail, e-mail or facsimile to the Division at the address listed previously.

Comments received by the Department within 10 days after the date of publication of this notice will be reviewed by the Department before it decides whether to approve or disapprove the request for exception.

Persons with a disability who wish to obtain a copy of a request and/or provide comments to the Department and require an auxiliary aid, service or other accommodation to do so should contact the Director, Division of Acute and Ambulatory Care at (717) 783-8980, for speech and/or hearing impaired persons V/TT (717) 783-6154, or the Pennsylvania AT&T Relay Service (800) 654-5984 (TT).

MICHAEL WOLF,  
*Acting Secretary*

[Pa.B. Doc. No. 12-2487. Filed for public inspection December 21, 2012, 9:00 a.m.]

### Application for Exception to 28 Pa. Code § 569.35

Under 28 Pa. Code § 51.33 (relating to requests for exceptions), the Department of Health (Department) gives notice that the following facilities have requested an exception to the requirement of 28 Pa. Code § 569.35 (relating to general safety precautions):

American Access Care of South Philadelphia  
Einstein Montgomery Surgery Center  
Mt. Lebanon Surgical Center

These requests are on file with the Department. Persons may receive a copy of a request for exception by requesting a copy from the Department of Health, Division of Acute and Ambulatory Care, Room 532, Health and Welfare Building, Harrisburg, PA 17120, (717) 783-8980, fax (717) 772-2163, ra-paexcept@pa.gov.

The facilities are requesting a waiver of the comment period, as set forth in 28 Pa. Code § 51.33(c).

Persons with a disability who wish to obtain a copy of a request and/or provide comments to the Department and require an auxiliary aid, service or other accommodation to do so should contact the Division at the previously listed address or phone number, or for speech and/or hearing impaired persons V/TT (717) 783-6154, or the Pennsylvania AT&T Relay Service at (800) 654-5984.

MICHAEL WOLF,  
*Acting Secretary*

[Pa.B. Doc. No. 12-2488. Filed for public inspection December 21, 2012, 9:00 a.m.]

### Application of Geisinger Medical Center—Danville for Exception

Under 28 Pa. Code § 51.33 (relating to requests for exceptions), the Department of Health (Department) gives notice that Geisinger Medical Center—Danville has requested an exception to the requirements of 28 Pa. Code § 153.1 (relating to minimum standards), which requires compliance with minimum standards contained in the following publication: *Guidelines for Design and Construction of Hospitals and Healthcare Facilities*. The facility specifically requests exception from the following standards contained in this publication: 2.2-3.5.6.2 and 2.2-3.5.7.1 (relating to patient prep, holding and recovery; and staff clothing).

This request is on file with the Department. Persons may receive a copy of a request for exception by requesting a copy from the Department of Health, Division of Acute and Ambulatory Care, Room 532, Health and Welfare Building, Harrisburg, PA 17120, (717) 783-8980, fax (717) 772-2163, ra-paexcept@pa.gov.

Persons who wish to comment on an exception request may do so by sending a letter by mail, e-mail or facsimile to the Division at the address listed previously.

Comments received by the Department within 10 days after the date of publication of this notice will be reviewed by the Department before it decides whether to approve or disapprove the request for exception.

Persons with a disability who wish to obtain a copy of a request and/or provide comments to the Department and require an auxiliary aid, service or other accommodation to do so should contact the Director, Division of Acute and Ambulatory Care at (717) 783-8980, for speech and/or hearing impaired persons V/TT (717) 783-6154, or the Pennsylvania AT&T Relay Service (800) 654-5984 (TT).

MICHAEL WOLF,  
Acting Secretary

[Pa.B. Doc. No. 12-2489. Filed for public inspection December 21, 2012, 9:00 a.m.]

### Application of Geisinger Wyoming Valley Medical Center for Exception

Under 28 Pa. Code § 51.33 (relating to requests for exceptions), the Department of Health (Department) gives notice that Geisinger Wyoming Valley Medical Center has requested an exception to the requirements of 28 Pa. Code § 153.1 (relating to minimum standards), which requires compliance with minimum standards contained in the following publication: *Guidelines for Design and Construction of Hospitals and Healthcare Facilities*. The facility specifically requests exception from the following standards contained in this publication: 2.2-3.6.3.4 (relating to patient prep, holding and recovery area).

This request is on file with the Department. Persons may receive a copy of a request for exception by requesting a copy from the Department of Health, Division of Acute and Ambulatory Care, Room 532, Health and Welfare Building, Harrisburg, PA 17120, (717) 783-8980, fax (717) 772-2163, ra-paexcept@pa.gov.

Persons who wish to comment on an exception request may do so by sending a letter by mail, e-mail or facsimile to the Division at the address listed previously.

Comments received by the Department within 10 days after the date of publication of this notice will be reviewed by the Department before it decides whether to approve or disapprove the request for exception.

Persons with a disability who wish to obtain a copy of a request and/or provide comments to the Department and require an auxiliary aid, service or other accommodation to do so should contact the Director, Division of Acute and Ambulatory Care at (717) 783-8980, for speech and/or hearing impaired persons V/TT (717) 783-6154, or the Pennsylvania AT&T Relay Service (800) 654-5984 (TT).

MICHAEL WOLF,  
Acting Secretary

[Pa.B. Doc. No. 12-2490. Filed for public inspection December 21, 2012, 9:00 a.m.]

### Application of Highlands Hospital for Exception

Under 28 Pa. Code § 51.33 (relating to requests for exceptions), the Department of Health (Department) gives notice that Highlands Hospital has requested an exception to the requirements of 28 Pa. Code § 153.1 (relating to minimum standards), which requires compliance with minimum standards contained in the following publication: *Guidelines for Design and Construction of Hospitals and Healthcare Facilities*. The facility specifically requests exception from the following standards contained in this publication: 2.5-2.2.2.4 and 2.5-2.2.2.6(3) (relating to patient privacy; and hand washing station).

This request is on file with the Department. Persons may receive a copy of a request for exception by requesting a copy from the Department of Health, Division of Acute and Ambulatory Care, Room 532, Health and Welfare Building, Harrisburg, PA 17120, (717) 783-8980, fax (717) 772-2163, ra-paexcept@pa.gov.

Persons who wish to comment on an exception request may do so by sending a letter by mail, e-mail or facsimile to the Division at the address listed previously.

Comments received by the Department within 10 days after the date of publication of this notice will be reviewed by the Department before it decides whether to approve or disapprove the request for exception.

Persons with a disability who wish to obtain a copy of a request and/or provide comments to the Department and require an auxiliary aid, service or other accommodation to do so should contact the Director, Division of Acute and Ambulatory Care at (717) 783-8980, for speech and/or hearing impaired persons V/TT (717) 783-6154, or the Pennsylvania AT&T Relay Service (800) 654-5984 (TT).

MICHAEL WOLF,  
Acting Secretary

[Pa.B. Doc. No. 12-2491. Filed for public inspection December 21, 2012, 9:00 a.m.]

### Application of Magee—Womens Hospital of UPMC for Exception

Under 28 Pa. Code § 51.33 (relating to requests for exceptions), the Department of Health (Department) gives notice that Magee—Womens Hospital of UPMC has requested an exception to the requirements of 28 Pa. Code § 153.1 (relating to minimum standards), which requires compliance with minimum standards contained in the

following publication: *Guidelines for Design and Construction of Hospitals and Healthcare Facilities*. The facility specifically requests exception from the following standards contained in this publication: 2.2-2.12.6.4 and 2.2-2.12.6.5 (relating to soiled holding; and environmental services room).

This request is on file with the Department. Persons may receive a copy of a request for exception by requesting a copy from the Department of Health, Division of Acute and Ambulatory Care, Room 532, Health and Welfare Building, Harrisburg, PA 17120, (717) 783-8980, fax (717) 772-2163, ra-paexcept@pa.gov.

Persons who wish to comment on an exception request may do so by sending a letter by mail, e-mail or facsimile to the Division at the address listed previously.

Comments received by the Department within 10 days after the date of publication of this notice will be reviewed by the Department before it decides whether to approve or disapprove the request for exception.

Persons with a disability who wish to obtain a copy of a request and/or provide comments to the Department and require an auxiliary aid, service or other accommodation to do so should contact the Director, Division of Acute and Ambulatory Care at (717) 783-8980, for speech and/or hearing impaired persons V/TT (717) 783-6154, or the Pennsylvania AT&T Relay Service (800) 654-5984 (TT).

MICHAEL WOLF,  
*Acting Secretary*

[Pa.B. Doc. No. 12-2492. Filed for public inspection December 21, 2012, 9:00 a.m.]

### Application of Pine Grove Ambulatory Surgical Center, LLC for Exception

Under 28 Pa. Code § 51.33 (relating to requests for exceptions), the Department of Health (Department) gives notice that Pine Grove Ambulatory Surgical Center, LLC has requested an exception to the requirements of 28 Pa. Code § 555.32(2) (relating to administration of anesthesia).

The request is on file with the Department. Persons may receive a copy of a request for exception by requesting a copy from the Department of Health, Division of Acute and Ambulatory Care, Room 532, Health and Welfare Building, Harrisburg, PA 17120, (717) 783-8980, fax (717) 772-2163, ra-paexcept@pa.gov.

Persons who wish to comment on an exception request may do so by sending a letter by mail, e-mail or facsimile to the Division at the address listed previously.

Comments received by the Department within 10 days after the date of publication of this notice will be reviewed by the Department before it decides whether to approve or disapprove the request for exception.

Persons with a disability who wish to obtain a copy of a request and/or provide comments to the Department and require an auxiliary aid, service or other accommodation to do so should contact the Division at the previously listed address or phone number, or for speech and/or hearing impaired persons V/TT (717) 783-6154, or the Pennsylvania AT&T Relay Service at (800) 654-5984.

MICHAEL WOLF,  
*Acting Secretary*

[Pa.B. Doc. No. 12-2493. Filed for public inspection December 21, 2012, 9:00 a.m.]

### Application of Pinnacle Health at Harrisburg Hospital for Exception

Under 28 Pa. Code § 51.33 (relating to requests for exceptions), the Department of Health (Department) gives notice that Pinnacle Health at Harrisburg Hospital has requested an exception to the requirements of 28 Pa. Code § 153.1 (relating to minimum standards), which requires compliance with minimum standards contained in the following publication: *Guidelines for Design and Construction of Hospitals and Healthcare Facilities*. The facility specifically requests exception from the following standards contained in this publication: 2.2-2.6.2.3, 2.2-2.6.2.4 and 2.2-3.3.3.3(2) (relating to windows; patient privacy; and direct access).

This request is on file with the Department. Persons may receive a copy of a request for exception by requesting a copy from the Department of Health, Division of Acute and Ambulatory Care, Room 532, Health and Welfare Building, Harrisburg, PA 17120, (717) 783-8980, fax (717) 772-2163, ra-paexcept@pa.gov.

Persons who wish to comment on an exception request may do so by sending a letter by mail, e-mail or facsimile to the Division at the address listed previously.

Comments received by the Department within 10 days after the date of publication of this notice will be reviewed by the Department before it decides whether to approve or disapprove the request for exception.

Persons with a disability who wish to obtain a copy of a request and/or provide comments to the Department and require an auxiliary aid, service or other accommodation to do so should contact the Director, Division of Acute and Ambulatory Care at (717) 783-8980, for speech and/or hearing impaired persons V/TT (717) 783-6154, or the Pennsylvania AT&T Relay Service (800) 654-5984 (TT).

MICHAEL WOLF,  
*Acting Secretary*

[Pa.B. Doc. No. 12-2494. Filed for public inspection December 21, 2012, 9:00 a.m.]

### Application of St. Joseph Medical Center for Exception

Under 28 Pa. Code § 51.33 (relating to requests for exceptions), the Department of Health (Department) gives notice that St. Joseph Medical Center has requested an exception to the requirements of 28 Pa. Code § 127.32 (relating to written orders).

The request is on file with the Department. Persons may receive a copy of a request for exception by requesting a copy from the Department of Health, Division of Acute and Ambulatory Care, Room 532, Health and Welfare Building, Harrisburg, PA 17120, (717) 783-8980, fax (717) 772-2163, ra-paexcept@pa.gov.

Persons who wish to comment on an exception request may do so by sending a letter by mail, e-mail or facsimile to the Division at the address listed previously.

Comments received by the Department within 10 days after the date of publication of this notice will be reviewed by the Department before it decides whether to approve or disapprove the request for exception.

Persons with a disability who wish to obtain a copy of a request and/or provide comments to the Department and

require an auxiliary aid, service or other accommodation to do so should contact the Division at the previously listed address or phone number, or for speech and/or hearing impaired persons V/TT (717) 783-6154, or the Pennsylvania AT&T Relay Service at (800) 654-5984.

MICHAEL WOLF,  
Acting Secretary

[Pa.B. Doc. No. 12-2495. Filed for public inspection December 21, 2012, 9:00 a.m.]

### Application of UPMC Bedford for Exception

Under 28 Pa. Code § 51.33 (relating to requests for exceptions), the Department of Health (Department) gives notice that UPMC Bedford has requested an exception to the requirements of 28 Pa. Code § 153.1 (relating to minimum standards), which requires compliance with minimum standards contained in the following publication: *Guidelines for Design and Construction of Hospitals and Healthcare Facilities*. The facility specifically requests exception from the following standards contained in this publication: 3.1-3.2.2.2(2), 3.1-7.2.2.1, 3.6-3.2.5 and 3.6-3.6.10.1.

This request is on file with the Department. Persons may receive a copy of a request for exception by requesting a copy from the Department of Health, Division of Acute and Ambulatory Care, Room 532, Health and Welfare Building, Harrisburg, PA 17120, (717) 783-8980, fax (717) 772-2163, ra-paexcept@pa.gov.

Persons who wish to comment on an exception request may do so by sending a letter by mail, e-mail or facsimile to the Division at the address listed previously.

Comments received by the Department within 10 days after the date of publication of this notice will be reviewed by the Department before it decides whether to approve or disapprove the request for exception.

Persons with a disability who wish to obtain a copy of a request and/or provide comments to the Department and require an auxiliary aid, service or other accommodation to do so should contact the Director, Division of Acute and Ambulatory Care at (717) 783-8980, for speech and/or hearing impaired persons V/TT (717) 783-6154, or the Pennsylvania AT&T Relay Service (800) 654-5984 (TT).

MICHAEL WOLF,  
Acting Secretary

[Pa.B. Doc. No. 12-2496. Filed for public inspection December 21, 2012, 9:00 a.m.]

### Application of Warren General Hospital for Exception

Under 28 Pa. Code § 51.33 (relating to requests for exceptions), the Department of Health (Department) gives notice that Warren General Hospital has requested an exception to the requirements of 28 Pa. Code § 153.1 (relating to minimum standards), which requires compliance with minimum standards contained in the following publication: *Guidelines for Design and Construction of Hospitals and Healthcare Facilities*. The facility specifically requests exception from the following standards contained in this publication: 2.1-3.2.2.3(2) (relating to hand washing stations).

This request is on file with the Department. Persons may receive a copy of a request for exception by requesting a copy from the Department of Health, Division of Acute and Ambulatory Care, Room 532, Health and Welfare Building, Harrisburg, PA 17120, (717) 783-8980, fax (717) 772-2163, ra-paexcept@pa.gov.

Persons who wish to comment on an exception request may do so by sending a letter by mail, e-mail or facsimile to the Division at the address listed previously.

Comments received by the Department within 10 days after the date of publication of this notice will be reviewed by the Department before it decides whether to approve or disapprove the request for exception.

Persons with a disability who wish to obtain a copy of a request and/or provide comments to the Department and require an auxiliary aid, service or other accommodation to do so should contact the Director, Division of Acute and Ambulatory Care at (717) 783-8980, for speech and/or hearing impaired persons V/TT (717) 783-6154, or the Pennsylvania AT&T Relay Service (800) 654-5984 (TT).

MICHAEL WOLF,  
Acting Secretary

[Pa.B. Doc. No. 12-2497. Filed for public inspection December 21, 2012, 9:00 a.m.]

### Application of Williamsport Regional Medical Center for Exception

Under 28 Pa. Code § 51.33 (relating to requests for exceptions), the Department of Health (Department) gives notice that Williamsport Regional Medical Center has requested an exception to the requirements of 28 Pa. Code § 153.1 (relating to minimum standards), which requires compliance with minimum standards contained in the following publication: *Guidelines for Design and Construction of Hospitals and Healthcare Facilities*. The facility specifically requests exception from the following standards contained in this publication: 2.2-2.6.2.2(1) and (2), 2.2-2.13.4.2, 2.2-2.13.5, 2.2-2.13.6 and 2.2-2.13.6.2(1).

This request is on file with the Department. Persons may receive a copy of a request for exception by requesting a copy from the Department of Health, Division of Acute and Ambulatory Care, Room 532, Health and Welfare Building, Harrisburg, PA 17120, (717) 783-8980, fax (717) 772-2163, ra-paexcept@pa.gov.

Persons who wish to comment on an exception request may do so by sending a letter by mail, e-mail or facsimile to the Division at the address listed previously.

Comments received by the Department within 10 days after the date of publication of this notice will be reviewed by the Department before it decides whether to approve or disapprove the request for exception.

Persons with a disability who wish to obtain a copy of a request and/or provide comments to the Department and require an auxiliary aid, service or other accommodation to do so should contact the Director, Division of Acute and Ambulatory Care at (717) 783-8980, for speech and/or hearing impaired persons V/TT (717) 783-6154, or the Pennsylvania AT&T Relay Service (800) 654-5984 (TT).

MICHAEL WOLF,  
Acting Secretary

[Pa.B. Doc. No. 12-2498. Filed for public inspection December 21, 2012, 9:00 a.m.]

**Correction to Amendments to Charges for Medical Records**

Because of an inadvertent error in the notice published at 42 Pa.B. 7348 (December 1, 2012), the Department of Health (Department) is reprinting the document in its entirety to correct the listing of fees and ensure accuracy of the information contained in this document.

Under 42 Pa.C.S. §§ 6152 and 6155 (relating to subpoena of records; and rights of patients), the Secretary of Health (Secretary) is directed to adjust annually the amounts which may be charged by a health care facility or health care provider upon receipt of a request or subpoena for production of medical charts or records. These charges apply to any request for a copy of a medical chart or record except as follows:

(1) Flat fees (as listed in this notice) apply to amounts that may be charged by a health care facility or health care provider when copying medical charges or records either: (a) for the purpose of supporting any claim or appeal under the Social Security Act or any Federal or State financial needs based program; or (b) for a district attorney.

(2) An insurer shall not be required to pay for copies of medical records required to validate medical services for which reimbursement is sought under an insurance contract, except as provided in: (a) the Workers' Compensation Act (77 P. S. §§ 1—1041.1 and 2501—2506) and the regulations promulgated thereunder; (b) 75 Pa.C.S. Chapter 17 (relating to Motor Vehicle Financial Responsibility Law) and the regulations promulgated thereunder; or (c) a contract between an insurer and any other party.

The charges listed in this notice do not apply to an X-ray film or any other portion of a medical record which is not susceptible to photostatic reproduction.

Under 42 Pa.C.S. § 6152.1 (relating to limit on charges), the Secretary is directed to make a similar adjustment to the flat fee which may be charged by a health care facility or health care provider for the expense of reproducing medical charts or records where the request is: (1) for the purpose of supporting a claim or appeal under the Social Security Act or any Federal or State financial needs based benefit program; or (2) made by a district attorney.

The Secretary is directed to base these adjustments on the most recent changes in the Consumer Price Index reported annually by the Bureau of Labor Statistics of the United States Department of Labor. For the annual period of October 31, 2011, through October 31, 2012, the Consumer Price Index was 2.2%.

Accordingly, the Secretary provides notice that, effective January 1, 2013, the following fees may be charged by a health care facility or health care provider for production of records in response to subpoena or request:

	<i>Not to Exceed</i>
Amount charged per page for pages 1—20	\$1.42
Amount charged per page for pages 21—60	\$1.05
Amount charged per page for pages 61—end	\$.35
Amount charged per page for microfilm copies	\$2.09
Flat fee for production of records to support any claim under Social Security or any Federal or State financial needs based program	\$26.70

*Not to Exceed*

Flat fee for supplying records requested by a district attorney	\$21.08
* Search and retrieval of records	\$21.08

The fees listed previously shall apply for paper copies or reproductions on electronic media whether the records are stored on paper or in electronic format.

In addition to the amounts listed previously, charges may also be assessed for the actual cost of postage, shipping and delivery of the requested records.

The Department is not authorized to enforce these charges.

Questions or inquiries concerning this notice should be sent to James T. Steele, Jr., Deputy Chief Counsel, Room 825, Health and Welfare Building, 625 Forster Street, Harrisburg, PA 17120, (717) 783-2500.

Persons with a disability who require an alternative format of this notice (for example, large print, audiotape, Braille) should contact James T. Steele, Jr. 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 at (800) 654-5984.

\**Note:* Federal regulations enacted under the Health Insurance Portability and Accountability Act at 45 CFR Parts 160—164 state that covered entities may charge a reasonable cost based fee that includes only the cost of copying, postage and summarizing the information (if the individual has agreed to receive a summary) when providing individuals access to their medical records. The Department of Health and Human Services has stated that the fees may not include costs associated with searching for and retrieving the requested information. For further clarification on this issue, inquiries should be directed to the Office of Civil Rights, United States Department of Health and Human Services, 200 Independence Avenue, S.W., Room 509F, HHH Building, Washington, D.C. 20201, (866) 627-7748, <http://www.hhs.gov/ocr/hipaa>.

MICHAEL WOLF,  
*Acting Secretary*

[Pa.B. Doc. No. 12-2499. Filed for public inspection December 21, 2012, 9:00 a.m.]

**Special Supplemental Nutrition Program for Women, Infants and Children (WIC Program); Maximum Allowable Prices and Competitive Prices**

**Maximum Allowable Prices and Competitive Prices for Type 1 Stores in Regular Cost Counties**

Under 28 Pa. Code §§ 1103.4(5) and 1105.3(a)(1) (relating to selection criteria for authorization and reauthorization; and terms and conditions of participation) and 7 CFR 246.12 (relating to food delivery systems), the WIC Program hereby publishes notice of the Maximum Allowable Prices and Competitive Prices for Type 1 Stores in Regular Cost Counties.

*Maximum Allowable Prices*

Effective January 1, 2013, through March 31, 2013, the Maximum Allowable Prices the Department of Health

(Department) will pay Type 1 Stores in Regular Cost Counties for WIC allowable foods are as follows:

<i>Description</i>	<i>Maximum Allowable Price</i>
Beans, Canned—15.5/16 oz. ....	\$1.33
Beans/Peas—Dry—16 oz. ....	\$2.18
Canned Fish—Pink Salmon ....	\$2.50
Canned Fish—Sardines ....	\$1.61
Canned Fish—Tuna ....	\$1.28
Cereal (per oz.) ....	\$0.32
Cheese, 16 oz. ....	\$7.26
Eggs ....	\$2.16
Gerber Infant Cereal—8 oz. ....	\$2.16
Infant Fruits, 100%—4 oz. ....	\$0.65
Infant Vegetables, 100%—4 oz. ....	\$0.65
Infant Meats, 100%—2.5 oz. ....	\$1.00
Juice—11.5/12 oz. ....	\$2.36
Juice—48 oz. ....	\$3.04
Juice—64 oz. ....	\$3.97
Kosher Cheese—16 oz. ....	\$8.58
Kosher Low Fat Milk—quart ....	\$1.70
Kosher Low Fat Milk—1/2 gallon ....	\$3.25
Kosher Whole Milk—quart ....	\$1.72
Kosher Whole Milk—1/2 gallon ....	\$3.33
Milk, Dry—9.6 oz. ....	\$4.38
Milk, Dry—25.6 oz. ....	\$9.41
Milk, Evaporated—12 oz. ....	\$1.43
Milk, Low Fat—quart ....	\$1.44
Milk, Low Fat—1/2 gallon ....	\$2.67
Milk, Low Fat Lactose Free—quart ....	\$2.49
Milk, Low Fat Lactose Free—1/2 gallon ....	\$4.08
Milk, Whole—quart ....	\$1.45
Milk, Whole—1/2 gallon ....	\$2.69
Milk, Whole Lactose Free—quart ....	\$2.51
Milk, Whole Lactose Free—1/2 gallon ....	\$4.11
Peanut Butter—18 oz. ....	\$3.43
Soy Beverage—Pacific Natural Foods 32 oz. ....	\$3.49
Soy Beverage—8th Continent 64 oz. ....	\$3.27
Tofu—16 oz. ....	\$2.62
Whole Grain—Bread, 16 oz. ....	\$3.71
Whole Grain—Bread, 24 oz. ....	\$4.04
Whole Grain—Brown Rice, 16 oz. ....	\$2.14
Whole Grain—Brown Rice, 24 oz. ....	\$3.67
Whole Grain—Oats, 16 oz. ....	\$2.85
Whole Grain—Oats, 24 oz. ....	\$5.54
Whole Grain—Soft Corn or Whole Wheat Tortillas, 16 oz. ....	\$2.54
Boost RTF Formula—8 oz. ....	\$2.12
EnfaCare RTF Formula—32 oz. ....	\$7.27
EnfaCare w/Iron Powder Formula—12.8 oz. ....	\$15.51
Enfamil Premium Infant Concentrate Formula—13 oz. ....	\$4.60
Enfamil Premium Infant RTF Formula—32 oz. ....	\$6.88
Enfamil Premium Infant Powder Formula—12.5 oz. ....	\$15.01
Good Start Gentle Concentrate—Orange Formula—12.1 oz. ....	\$4.78
Good Start Gentle RTF—Orange Formula—4-count, 8.45 oz. (33.8 oz.) ....	\$6.98
Good Start Gentle Powder—Orange Formula—12.7 oz. ....	\$15.22
Good Start Soothe Powder—Purple Formula—12.4 oz. ....	\$16.11
Good Start Soy Concentrate—Blue Formula—12.1 oz. ....	\$4.90
Good Start Soy RTF—Blue Formula—4-count, 8.45 oz. (33.8 oz.) ....	\$6.96

<i>Description</i>	<i>Maximum Allowable Price</i>
Good Start Soy Powder—Blue Formula—12.9 oz. ....	\$16.11
Good Start Gerber Graduate Soy Powder Formula—24 oz. ....	\$22.32
Good Start Gerber Graduate Gentle Powder Formula—22 oz. ....	\$23.15
Good Start Gerber Graduate Protect Powder Formula—22 oz. ....	\$24.74
Good Start Protect Powder Formula—12.4 oz. ....	\$15.66
Nutramigen Concentrate Formula—13 oz. ....	\$7.22
Nutramigen RTF Formula—32 oz. ....	\$9.20
Nutramigen w/Enflora Powder Formula—12.6 oz. ....	\$23.93
Pediasure RTF Formula—8 oz. ....	\$1.93
Pediasure w/Fiber RTF Formula—8 oz. ....	\$1.92
Pediasure Sidekicks RTF Formula—8 oz. ....	\$2.28
Similac Advance Concentrate Formula—13 oz. ....	\$4.75
Similac Advance RTF Formula—32 oz. ....	\$6.93
Similac Advance w/Iron Powder Formula—12.4 oz. ....	\$15.10
Similac Expert Care Alimentum RTF Formula—32 oz. ....	\$9.14
Similac Expert Care Alimentum Powder Formula—16 oz. ....	\$27.25
Similac Expert Care for Diarrhea RTF Formula—32 oz. ....	\$6.97
Similac Expert Care NeoSure RTF Formula—32 oz. ....	\$7.58
Similac Expert Care NeoSure Powder Formula—13.1 oz. ....	\$15.84
Store Brand Milk Based Concentrate Formula—13 oz. ....	\$3.67
Store Brand Milk Based RTF Formula—32 oz. ....	\$5.37
Store Brand Milk Based Powder Formula—25.75 oz. ....	\$16.13

A store must permit purchase of WIC allowable foods that exceed the maximum allowable price to WIC participants using a WIC check; however, the amounts that exceed the maximum allowable price of any WIC allowable foods sold to WIC participants will be billed to the store on a quarterly basis in accordance with 28 Pa. Code § 1105.2 (relating to price adjustment).

*Competitive Prices*

To remain WIC Authorized, each store must maintain the minimum inventory of the following WIC food items at, or below, the Competitive Prices listed for the store's peer group. Effective January 1, 2013, through March 31, 2013, the Competitive Prices for WIC Authorization for Type 1 Stores in Regular Cost Counties are as follows:

<i>Description</i>	<i>Competitive Prices</i>
Beans, Canned—15.5/16 oz. ....	\$1.23
Beans/Peas—Dry—16 oz. ....	\$2.00
Canned Fish—Pink Salmon ....	\$2.45
Canned Fish—Sardines ....	\$1.51
Canned Fish—Tuna ....	\$1.14
Cereal (per oz.) ....	\$0.30
Cheese, 16 oz. ....	\$6.02
Eggs ....	\$2.06
Gerber Infant Cereal—8 oz. ....	\$2.16
Infant Fruits, 100%—4 oz. ....	\$0.64
Infant Vegetables, 100%—4 oz. ....	\$0.64
Infant Meats, 100%—2.5 oz. ....	\$0.95
Juice—11.5/12 oz. ....	\$2.26

<i>Description</i>	<i>Competitive Prices</i>
Juice—48 oz. ....	\$2.94
Juice—64 oz. ....	\$3.62
Kosher Cheese—16 oz. ....	\$8.00
Kosher Low Fat Milk—1/2 gallon ....	\$3.07
Kosher Whole Milk—1/2 gallon ....	\$3.16
Milk, Low Fat—1/2 gallon ....	\$2.51
Milk, Whole—1/2 gallon ....	\$2.56
Peanut Butter—18 oz. ....	\$3.33
Whole Grain—Bread, 16 oz. ....	\$3.58
Whole Grain—Brown Rice, 16 oz. ....	\$2.08
Whole Grain—Oats, 16 oz. ....	\$2.62
Whole Grain—Soft Corn or Whole Wheat Tortillas, 16 oz. ....	\$2.48
Good Start Gentle Concentrate—Orange Formula—12.1 oz. ....	\$4.78
Good Start Gentle Powder—Orange Formula— 12.7 oz. ....	\$15.22
Good Start Soy Concentrate—Blue Formula— 12.1 oz. ....	\$4.90
Good Start Soy Powder—Blue Formula— 12.9 oz. ....	\$16.11

**Maximum Allowable Prices and Competitive Prices for Type 2 Stores in Regular Cost Counties**

Under 28 Pa. Code §§ 1103.4(5) and 1105.3(a)(1) and 7 CFR 246.12, the WIC Program hereby publishes notice of the Maximum Allowable Prices and Competitive Prices for Type 2 Stores in Regular Cost Counties.

*Maximum Allowable Prices*

Effective January 1, 2013, through March 31, 2013, the Maximum Allowable Prices the Department will pay Type 2 Stores in Regular Cost Counties for WIC allowable foods are as follows:

<i>Description</i>	<i>Maximum Allowable Price</i>
Beans, Canned—15.5/16 oz. ....	\$1.38
Beans/Peas—Dry—16 oz. ....	\$2.23
Canned Fish—Pink Salmon ....	\$2.58
Canned Fish—Sardines ....	\$1.69
Canned Fish—Tuna ....	\$1.39
Cereal (per oz.) ....	\$0.33
Cheese, 16 oz. ....	\$7.26
Eggs ....	\$2.16
Gerber Infant Cereal—8 oz. ....	\$2.30
Infant Fruits, 100%—4 oz. ....	\$0.77
Infant Vegetables, 100%—4 oz. ....	\$0.77
Infant Meats, 100%—2.5 oz. ....	\$1.09
Juice—11.5/12 oz. ....	\$2.56
Juice—48 oz. ....	\$3.18
Juice—64 oz. ....	\$4.21
Kosher Cheese—16 oz. ....	\$8.58
Kosher Low Fat Milk—quart ....	\$1.70
Kosher Low Fat Milk—1/2 gallon ....	\$3.25
Kosher Whole Milk—quart ....	\$1.72
Kosher Whole Milk—1/2 gallon ....	\$3.33
Milk, Dry—9.6 oz. ....	\$4.55
Milk, Dry—25.6 oz. ....	\$9.57
Milk, Evaporated—12 oz. ....	\$1.53
Milk, Low Fat—quart ....	\$1.44
Milk, Low Fat—1/2 gallon ....	\$2.67
Milk, Low Fat Lactose Free—quart ....	\$2.54
Milk, Low Fat Lactose Free—1/2 gallon ....	\$4.44
Milk, Whole—quart ....	\$1.45
Milk, Whole—1/2 gallon ....	\$2.69

<i>Description</i>	<i>Maximum Allowable Price</i>
Milk, Whole Lactose Free—quart ....	\$2.55
Milk, Whole Lactose Free—1/2 gallon ....	\$4.47
Peanut Butter—18 oz. ....	\$3.46
Soy Beverage—Pacific Natural Foods 32 oz. ....	\$3.69
Soy Beverage—8th Continent 64 oz. ....	\$3.54
Tofu—16 oz. ....	\$2.73
Whole Grain—Bread, 16 oz. ....	\$3.71
Whole Grain—Bread, 24 oz. ....	\$4.08
Whole Grain—Brown Rice, 16 oz. ....	\$2.14
Whole Grain—Brown Rice, 24 oz. ....	\$3.67
Whole Grain—Oats, 16 oz. ....	\$2.85
Whole Grain—Oats, 24 oz. ....	\$5.89
Whole Grain—Soft Corn or Whole Wheat Tortillas, 16 oz. ....	\$2.54
Boost RTF Formula—8 oz. ....	\$2.16
EnfaCare RTF Formula—32 oz. ....	\$7.27
EnfaCare w/Iron Powder Formula—12.8 oz. ....	\$16.33
Enfamil Premium Infant Concentrate Formula— 13 oz. ....	\$4.82
Enfamil Premium Infant RTF Formula—32 oz. ....	\$7.12
Enfamil Premium Infant Powder Formula— 12.5 oz. ....	\$15.01
Good Start Gentle Concentrate—Orange Formula—12.1 oz. ....	\$5.04
Good Start Gentle RTF—Orange Formula—4-count, 8.45 oz. (33.8 oz.) ....	\$6.98
Good Start Gentle Powder—Orange Formula— 12.7 oz. ....	\$15.97
Good Start Soothe Powder—Purple Formula— 12.4 oz. ....	\$16.11
Good Start Soy Concentrate—Blue Formula— 12.1 oz. ....	\$5.04
Good Start Soy RTF—Blue Formula—4-count, 8.45 oz. (33.8 oz.) ....	\$6.96
Good Start Soy Powder—Blue Formula— 12.9 oz. ....	\$16.11
Good Start Gerber Graduate Soy Powder Formula—24 oz. ....	\$23.04
Good Start Gerber Graduate Gentle Powder Formula—22 oz. ....	\$23.47
Good Start Gerber Graduate Protect Powder Formula—22 oz. ....	\$25.03
Good Start Protect Powder Formula—12.4 oz. ....	\$15.66
Nutramigen Concentrate Formula—13 oz. ....	\$7.60
Nutramigen RTF Formula—32 oz. ....	\$9.20
Nutramigen w/Enflora Powder Formula— 12.6 oz. ....	\$23.98
Pediasure RTF Formula—8 oz. ....	\$2.13
Pediasure w/Fiber RTF Formula—8 oz. ....	\$2.09
Pediasure Sidekicks RTF Formula—8 oz. ....	\$2.36
Similac Advance Concentrate Formula—13 oz. ....	\$4.78
Similac Advance RTF Formula—32 oz. ....	\$7.14
Similac Advance w/Iron Powder Formula— 12.4 oz. ....	\$15.25
Similac Expert Care Alimentum RTF Formula—32 oz. ....	\$9.43
Similac Expert Care Alimentum Powder Formula—16 oz. ....	\$27.58
Similac Expert Care for Diarrhea RTF Formula—32 oz. ....	\$6.97
Similac Expert Care NeoSure RTF Formula— 32 oz. ....	\$7.75
Similac Expert Care NeoSure Powder Formula— 13.1 oz. ....	\$16.24
Store Brand Milk Based Concentrate Formula— 13 oz. ....	\$3.67

<i>Description</i>	<i>Maximum Allowable Price</i>
Store Brand Milk Based RTF Formula—32 oz. . . . .	\$5.37
Store Brand Milk Based Powder Formula— 25.75 oz. . . . .	\$16.16

A store must permit purchase of WIC allowable foods that exceed the maximum allowable price to WIC participants using a WIC check; however, the amounts that exceed the maximum allowable price of any WIC allowable foods sold to WIC participants will be billed to the store on a quarterly basis in accordance with 28 Pa. Code § 1105.2.

*Competitive Prices*

To remain WIC Authorized, each store must maintain the minimum inventory of the following WIC food items at, or below, the Competitive Prices listed for the store's peer group. Effective January 1, 2013, through March 31, 2013, the Competitive Prices for WIC Authorization for Type 2 Stores in Regular Cost Counties are as follows:

<i>Description</i>	<i>Competitive Prices</i>
Beans, Canned—15.5/16 oz. . . . .	\$1.28
Beans/Peas—Dry—16 oz. . . . .	\$2.07
Canned Fish—Pink Salmon . . . . .	\$2.53
Canned Fish—Sardines . . . . .	\$1.59
Canned Fish—Tuna . . . . .	\$1.27
Cereal (per oz.) . . . . .	\$0.31
Cheese, 16 oz. . . . .	\$6.04
Eggs . . . . .	\$2.06
Gerber Infant Cereal—8 oz. . . . .	\$2.30
Infant Fruits, 100%—4 oz. . . . .	\$0.76
Infant Vegetables, 100%—4 oz. . . . .	\$0.76
Infant Meats, 100%—2.5 oz. . . . .	\$1.08
Juice—11.5/12 oz. . . . .	\$2.45
Juice—48 oz. . . . .	\$3.08
Juice—64 oz. . . . .	\$3.91
Kosher Cheese—16 oz. . . . .	\$8.48
Kosher Low Fat Milk—1/2 gallon . . . . .	\$3.07
Kosher Whole Milk—1/2 gallon . . . . .	\$3.16
Milk, Low Fat—1/2 gallon . . . . .	\$2.51
Milk, Whole—1/2 gallon . . . . .	\$2.56
Peanut Butter—18 oz. . . . .	\$3.36
Whole Grain—Bread, 16 oz. . . . .	\$3.69
Whole Grain—Brown Rice, 16 oz. . . . .	\$2.08
Whole Grain—Oats, 16 oz. . . . .	\$2.62
Whole Grain—Soft Corn or Whole Wheat Tortillas, 16 oz. . . . .	\$2.48
Good Start Gentle Concentrate—Orange Formula—12.1 oz. . . . .	\$5.04
Good Start Gentle Powder—Orange Formula— 12.7 oz. . . . .	\$15.97
Good Start Soy Concentrate—Blue Formula— 12.1 oz. . . . .	\$5.04
Good Start Soy Powder—Blue Formula— 12.9 oz. . . . .	\$16.11

**Maximum Allowable Prices and Competitive Prices for Type 3 Stores in Regular Cost Counties**

Under 28 Pa. Code §§ 1103.4(5) and 1105.3(a)(1) and 7 CFR 246.12, the WIC Program hereby publishes notice of the Maximum Allowable Prices and Competitive Prices for Type 3 Stores in Regular Cost Counties.

*Maximum Allowable Prices*

Effective January 1, 2013, through March 31, 2013, the Maximum Allowable Prices the Department will pay Type 3 Stores in Regular Cost Counties for WIC allowable foods are as follows:

<i>Description</i>	<i>Maximum Allowable Price</i>
Beans, Canned—15.5/16 oz. . . . .	\$1.38
Beans/Peas—Dry—16 oz. . . . .	\$2.26
Canned Fish—Pink Salmon . . . . .	\$2.58
Canned Fish—Sardines . . . . .	\$1.69
Canned Fish—Tuna . . . . .	\$1.41
Cereal (per oz.) . . . . .	\$0.36
Cheese, 16 oz. . . . .	\$7.26
Eggs . . . . .	\$2.16
Gerber Infant Cereal—8 oz. . . . .	\$2.37
Infant Fruits, 100%—4 oz. . . . .	\$0.81
Infant Vegetables, 100%—4 oz. . . . .	\$0.81
Infant Meats, 100%—2.5 oz. . . . .	\$1.20
Juice—11.5/12 oz. . . . .	\$2.56
Juice—48 oz. . . . .	\$3.20
Juice—64 oz. . . . .	\$4.30
Kosher Cheese—16 oz. . . . .	\$8.58
Kosher Low Fat Milk—quart . . . . .	\$1.87
Kosher Low Fat Milk—1/2 gallon . . . . .	\$3.39
Kosher Whole Milk—quart . . . . .	\$1.87
Kosher Whole Milk—1/2 gallon . . . . .	\$3.36
Milk, Dry—9.6 oz. . . . .	\$4.70
Milk, Dry—25.6 oz. . . . .	\$9.60
Milk, Evaporated—12 oz. . . . .	\$1.58
Milk, Low Fat—quart . . . . .	\$1.51
Milk, Low Fat—1/2 gallon . . . . .	\$2.67
Milk, Low Fat Lactose Free—quart . . . . .	\$2.54
Milk, Low Fat Lactose Free—1/2 gallon . . . . .	\$4.44
Milk, Whole—quart . . . . .	\$1.54
Milk, Whole—1/2 gallon . . . . .	\$2.69
Milk, Whole Lactose Free—quart . . . . .	\$2.55
Milk, Whole Lactose Free—1/2 gallon . . . . .	\$4.47
Peanut Butter—18 oz. . . . .	\$3.46
Soy Beverage—Pacific Natural Foods 32 oz. . . . .	\$3.69
Soy Beverage—8th Continent 64 oz. . . . .	\$3.71
Tofu—16 oz. . . . .	\$2.73
Whole Grain—Bread, 16 oz. . . . .	\$3.71
Whole Grain—Bread, 24 oz. . . . .	\$4.08
Whole Grain—Brown Rice, 16 oz. . . . .	\$2.17
Whole Grain—Brown Rice, 24 oz. . . . .	\$3.67
Whole Grain—Oats, 16 oz. . . . .	\$2.85
Whole Grain—Oats, 24 oz. . . . .	\$6.13
Whole Grain—Soft Corn or Whole Wheat Tortillas, 16 oz. . . . .	\$2.61
Boost RTF Formula—8 oz. . . . .	\$2.16
EnfaCare RTF Formula—32 oz. . . . .	\$7.27
EnfaCare w/Iron Powder Formula—12.8 oz. . . . .	\$16.33
Enfamil Premium Infant Concentrate Formula— 13 oz. . . . .	\$4.99
Enfamil Premium Infant RTF Formula—32 oz. . . . .	\$7.54
Enfamil Premium Infant Powder Formula— 12.5 oz. . . . .	\$15.36
Good Start Gentle Concentrate—Orange Formula—12.1 oz. . . . .	\$5.06
Good Start Gentle RTF—Orange Formula—4-count, 8.45 oz. (33.8 oz.) . . . . .	\$7.45
Good Start Gentle Powder—Orange Formula— 12.7 oz. . . . .	\$16.50
Good Start Soothe Powder—Purple Formula— 12.4 oz. . . . .	\$16.58

<i>Description</i>	<i>Maximum Allowable Price</i>
Good Start Soy Concentrate—Blue Formula—12.1 oz. ....	\$5.26
Good Start Soy RTF—Blue Formula—4-count, 8.45 oz. (33.8 oz.). ....	\$7.10
Good Start Soy Powder—Blue Formula—12.9 oz. ....	\$16.58
Good Start Gerber Graduate Soy Powder Formula—24 oz. ....	\$23.69
Good Start Gerber Graduate Gentle Powder Formula—22 oz. ....	\$23.89
Good Start Gerber Graduate Protect Powder Formula—22 oz. ....	\$25.03
Good Start Protect Powder Formula—12.4 oz. ....	\$15.84
Nutramigen Concentrate Formula—13 oz. ....	\$7.69
Nutramigen RTF Formula—32 oz. ....	\$9.81
Nutramigen w/Enflora Powder Formula—12.6 oz. ....	\$24.13
Pediasure RTF Formula—8 oz. ....	\$2.30
Pediasure w/Fiber RTF Formula—8 oz. ....	\$2.30
Pediasure Sidekicks RTF Formula—8 oz. ....	\$2.51
Similac Advance Concentrate Formula—13 oz. ....	\$4.80
Similac Advance RTF Formula—32 oz. ....	\$8.02
Similac Advance w/Iron Powder Formula—12.4 oz. ....	\$15.50
Similac Expert Care Alimentum RTF Formula—32 oz. ....	\$9.51
Similac Expert Care Alimentum Powder Formula—16 oz. ....	\$28.07
Similac Expert Care for Diarrhea RTF Formula—32 oz. ....	\$7.93
Similac Expert Care NeoSure RTF Formula—32 oz. ....	\$8.22
Similac Expert Care NeoSure Powder Formula—13.1 oz. ....	\$16.24
Store Brand Milk Based Concentrate Formula—13 oz. ....	\$3.67
Store Brand Milk Based RTF Formula—32 oz. ....	\$5.37
Store Brand Milk Based Powder Formula—25.75 oz. ....	\$17.59

A store must permit purchase of WIC allowable foods that exceed the maximum allowable price to WIC participants using a WIC check; however, the amounts that exceed the maximum allowable price of any WIC allowable foods sold to WIC participants will be billed to the store on a quarterly basis in accordance with 28 Pa. Code § 1105.2.

*Competitive Prices*

To remain WIC Authorized, each store must maintain the minimum inventory of the following WIC food items at, or below, the Competitive Prices listed for the store's peer group. Effective January 1, 2013, through March 31, 2013, the Competitive Prices for WIC Authorization for Type 3 Stores in Regular Cost Counties are as follows:

<i>Description</i>	<i>Competitive Prices</i>
Beans, Canned—15.5/16 oz. ....	\$1.28
Beans/Peas—Dry—16 oz. ....	\$2.10
Canned Fish—Pink Salmon ....	\$2.53
Canned Fish—Sardines ....	\$1.59
Canned Fish—Tuna ....	\$1.29
Cereal (per oz.) ....	\$0.34
Cheese, 16 oz. ....	\$6.04
Eggs ....	\$2.06
Gerber Infant Cereal—8 oz. ....	\$2.37

<i>Description</i>	<i>Competitive Prices</i>
Infant Fruits, 100%—4 oz. ....	\$0.79
Infant Vegetables, 100%—4 oz. ....	\$0.79
Infant Meats, 100%—2.5 oz. ....	\$1.18
Juice—11.5/12 oz. ....	\$2.51
Juice—48 oz. ....	\$3.10
Juice—64 oz. ....	\$4.00
Kosher Cheese—16 oz. ....	\$8.48
Kosher Low Fat Milk—1/2 gallon ....	\$3.38
Kosher Whole Milk—1/2 gallon ....	\$3.35
Milk, Low Fat—1/2 gallon ....	\$2.51
Milk, Whole—1/2 gallon ....	\$2.57
Peanut Butter—18 oz. ....	\$3.36
Whole Grain—Bread, 16 oz. ....	\$3.69
Whole Grain—Brown Rice, 16 oz. ....	\$2.09
Whole Grain—Oats, 16 oz. ....	\$2.62
Whole Grain—Soft Corn or Whole Wheat Tortillas, 16 oz. ....	\$2.55
Good Start Gentle Concentrate—Orange Formula—12.1 oz. ....	\$5.06
Good Start Gentle Powder—Orange Formula—12.7 oz. ....	\$16.50
Good Start Soy Concentrate—Blue Formula—12.1 oz. ....	\$5.26
Good Start Soy Powder—Blue Formula—12.9 oz. ....	\$16.58

**Maximum Allowable Prices and Competitive Prices for Type 1 Stores in High Cost Counties**

Under 28 Pa. Code §§ 1103.4(5) and 1105.3(a)(1) and 7 CFR 246.12, the WIC Program hereby publishes notice of the Maximum Allowable Prices and Competitive Prices for Type 1 Stores in High Cost Counties.

*Maximum Allowable Prices*

Effective January 1, 2013, through March 31, 2013, the Maximum Allowable Prices the Department will pay Type 1 Stores in High Cost Counties for WIC allowable foods are as follows:

<i>Description</i>	<i>Maximum Allowable Price</i>
Beans, Canned—15.5/16 oz. ....	\$1.34
Beans/Peas—Dry—16 oz. ....	\$2.18
Canned Fish—Pink Salmon ....	\$2.64
Canned Fish—Sardines ....	\$1.88
Canned Fish—Tuna ....	\$1.30
Cereal (per oz.) ....	\$0.33
Cheese, 16 oz. ....	\$7.34
Eggs ....	\$2.26
Gerber Infant Cereal—8 oz. ....	\$2.26
Infant Fruits, 100%—4 oz. ....	\$0.66
Infant Vegetables, 100%—4 oz. ....	\$0.66
Infant Meats, 100%—2.5 oz. ....	\$1.05
Juice—11.5/12 oz. ....	\$2.40
Juice—48 oz. ....	\$3.14
Juice—64 oz. ....	\$4.05
Kosher Cheese—16 oz. ....	\$8.98
Kosher Low Fat Milk—quart ....	\$1.70
Kosher Low Fat Milk—1/2 gallon ....	\$3.25
Kosher Whole Milk—quart ....	\$1.72
Kosher Whole Milk—1/2 gallon ....	\$3.33
Milk, Dry—9.6 oz. ....	\$4.38
Milk, Dry—25.6 oz. ....	\$9.61
Milk, Evaporated—12 oz. ....	\$1.43
Milk, Low Fat—quart ....	\$1.46
Milk, Low Fat—1/2 gallon ....	\$2.75

<i>Description</i>	<i>Maximum Allowable Price</i>	<i>Description</i>	<i>Maximum Allowable Price</i>
Milk, Low Fat Lactose Free—quart	\$2.56	Similac Expert Care NeoSure Powder Formula—13.1 oz.	\$16.11
Milk, Low Fat Lactose Free—1/2 gallon	\$4.08	Store Brand Milk Based Concentrate Formula—13 oz.	\$3.67
Milk, Whole—quart	\$1.47	Store Brand Milk Based RTF Formula—32 oz.	\$5.37
Milk, Whole—1/2 gallon	\$2.77	Store Brand Milk Based Powder Formula—25.75 oz.	\$16.13
Milk, Whole Lactose Free—quart	\$2.58		
Milk, Whole Lactose Free—1/2 gallon	\$4.11		
Peanut Butter—18 oz.	\$3.46		
Soy Beverage—Pacific Natural Foods 32 oz.	\$3.49		
Soy Beverage—8th Continent 64 oz.	\$3.41		
Tofu—16 oz.	\$2.69		
Whole Grain—Bread, 16 oz.	\$3.71		
Whole Grain—Bread, 24 oz.	\$4.14		
Whole Grain—Brown Rice, 16 oz.	\$2.16		
Whole Grain—Brown Rice, 24 oz.	\$3.89		
Whole Grain—Oats, 16 oz.	\$2.85		
Whole Grain—Oats, 24 oz.	\$5.54		
Whole Grain—Soft Corn or Whole Wheat Tortillas, 16 oz.	\$2.54		
Boost RTF Formula—8 oz.	\$2.15		
EnfaCare RTF Formula—32 oz.	\$7.47		
EnfaCare w/Iron Powder Formula—12.8 oz.	\$16.01		
Enfamil Premium Infant Concentrate Formula—13 oz.	\$4.70		
Enfamil Premium Infant RTF Formula—32 oz.	\$6.92		
Enfamil Premium Infant Powder Formula—12.5 oz.	\$15.06		
Good Start Gentle Concentrate—Orange Formula—12.1 oz.	\$4.79		
Good Start Gentle RTF—Orange Formula—4-count, 8.45 oz. (33.8 oz.)	\$6.98		
Good Start Gentle Powder—Orange Formula—12.7 oz.	\$15.65		
Good Start Soothe Powder—Purple Formula—12.4 oz.	\$16.11		
Good Start Soy Concentrate—Blue Formula—12.1 oz.	\$4.96		
Good Start Soy RTF—Blue Formula—4-count, 8.45 oz. (33.8 oz.)	\$6.96		
Good Start Soy Powder—Blue Formula—12.9 oz.	\$16.11		
Good Start Gerber Graduate Soy Powder Formula—24 oz.	\$22.45		
Good Start Gerber Graduate Gentle Powder Formula—22 oz.	\$23.17		
Good Start Gerber Graduate Protect Powder Formula—22 oz.	\$25.03		
Good Start Protect Powder Formula—12.4 oz.	\$15.66		
Nutramigen Concentrate Formula—13 oz.	\$7.51		
Nutramigen RTF Formula—32 oz.	\$9.21		
Nutramigen w/Enflora Powder Formula—12.6 oz.	\$24.17		
Pediasure RTF Formula—8 oz.	\$2.01		
Pediasure w/Fiber RTF Formula—8 oz.	\$1.98		
Pediasure Sidekicks RTF Formula—8 oz.	\$2.51		
Similac Advance Concentrate Formula—13 oz.	\$4.85		
Similac Advance RTF Formula—32 oz.	\$7.14		
Similac Advance w/Iron Powder Formula—12.4 oz.	\$15.15		
Similac Expert Care Alimentum RTF Formula—32 oz.	\$9.33		
Similac Expert Care Alimentum Powder Formula—16 oz.	\$27.39		
Similac Expert Care for Diarrhea RTF Formula—32 oz.	\$6.97		
Similac Expert Care NeoSure RTF Formula—32 oz.	\$7.58		

A store must permit purchase of WIC allowable foods that exceed the maximum allowable price to WIC participants using a WIC check; however, the amounts that exceed the maximum allowable price of any WIC allowable foods sold to WIC participants will be billed to the store on a quarterly basis in accordance with 28 Pa. Code § 1105.2.

#### *Competitive Prices*

To remain WIC Authorized, each store must maintain the minimum inventory of the following WIC food items at, or below, the Competitive Prices listed for the store's peer group. Effective January 1, 2013, through March 31, 2013, the Competitive Prices for WIC authorization for Type 1 Stores in High Cost Counties are as follows:

<i>Description</i>	<i>Competitive Prices</i>
Beans, Canned—15.5/16 oz.	\$1.23
Beans/Peas—Dry—16 oz.	\$2.02
Canned Fish—Pink Salmon	\$2.59
Canned Fish—Sardines	\$1.76
Canned Fish—Tuna	\$1.15
Cereal (per oz.)	\$0.31
Cheese, 16 oz.	\$6.12
Eggs	\$2.16
Gerber Infant Cereal—8 oz.	\$2.26
Infant Fruits, 100%—4 oz.	\$0.64
Infant Vegetables, 100%—4 oz.	\$0.64
Infant Meats, 100%—2.5 oz.	\$1.03
Juice—11.5/12 oz.	\$2.27
Juice—48 oz.	\$3.12
Juice—64 oz.	\$3.72
Kosher Cheese—16 oz.	\$8.88
Kosher Low Fat Milk—1/2 gallon	\$3.07
Kosher Whole Milk—1/2 gallon	\$3.16
Milk, Low Fat—1/2 gallon	\$2.56
Milk, Whole—1/2 gallon	\$2.67
Peanut Butter—18 oz.	\$3.36
Whole Grain—Bread, 16 oz.	\$3.69
Whole Grain—Brown Rice, 16 oz.	\$2.08
Whole Grain—Oats, 16 oz.	\$2.74
Whole Grain—Soft Corn or Whole Wheat Tortillas, 16 oz.	\$2.48
Good Start Gentle Concentrate—Orange Formula—12.1 oz.	\$4.79
Good Start Gentle Powder—Orange Formula—12.7 oz.	\$15.65
Good Start Soy Concentrate—Blue Formula—12.1 oz.	\$4.96
Good Start Soy Powder—Blue Formula—12.9 oz.	\$16.11

#### **Maximum Allowable Prices and Competitive Prices for Type 2 Stores in High Cost Counties**

Under 28 Pa. Code §§ 1103.4(5) and 1105.3(a)(1) and 7 CFR 246.12, the WIC Program hereby publishes notice of the Maximum Allowable Prices and Competitive Prices for Type 2 Stores in High Cost Counties.

Maximum Allowable Prices

Effective January 1, 2013, through March 31, 2013, the Maximum Allowable Prices the Department will pay Type 2 Stores in High Cost Counties for WIC allowable foods are as follows:

Description	Maximum Allowable Price
Beans, Canned—15.5/16 oz.	\$1.38
Beans/Peas—Dry—16 oz.	\$2.27
Canned Fish—Pink Salmon	\$2.64
Canned Fish—Sardines	\$1.88
Canned Fish—Tuna	\$1.39
Cereal (per oz.)	\$0.35
Cheese, 16 oz.	\$7.34
Eggs	\$2.26
Gerber Infant Cereal—8 oz.	\$2.37
Infant Fruits, 100%—4 oz.	\$0.79
Infant Vegetables, 100%—4 oz.	\$0.79
Infant Meats, 100%—2.5 oz.	\$1.13
Juice—11.5/12 oz.	\$2.56
Juice—48 oz.	\$3.25
Juice—64 oz.	\$4.27
Kosher Cheese—16 oz.	\$8.98
Kosher Low Fat Milk—quart	\$1.70
Kosher Low Fat Milk—1/2 gallon	\$3.25
Kosher Whole Milk—quart	\$1.72
Kosher Whole Milk—1/2 gallon	\$3.33
Milk, Dry—9.6 oz.	\$4.65
Milk, Dry—25.6 oz.	\$9.61
Milk, Evaporated—12 oz.	\$1.54
Milk, Low Fat—quart	\$1.51
Milk, Low Fat—1/2 gallon	\$2.75
Milk, Low Fat Lactose Free—quart	\$2.56
Milk, Low Fat Lactose Free—1/2 gallon	\$4.46
Milk, Whole—quart	\$1.52
Milk, Whole—1/2 gallon	\$2.77
Milk, Whole Lactose Free—quart	\$2.58
Milk, Whole Lactose Free—1/2 gallon	\$4.49
Peanut Butter—18 oz.	\$3.46
Soy Beverage—Pacific Natural Foods 32 oz.	\$3.69
Soy Beverage—8th Continent 64 oz.	\$3.67
Tofu—16 oz.	\$2.75
Whole Grain—Bread, 16 oz.	\$3.71
Whole Grain—Bread, 24 oz.	\$4.14
Whole Grain—Brown Rice, 16 oz.	\$2.16
Whole Grain—Brown Rice, 24 oz.	\$3.89
Whole Grain—Oats, 16 oz.	\$3.05
Whole Grain—Oats, 24 oz.	\$5.89
Whole Grain—Soft Corn or Whole Wheat Tortillas, 16 oz.	\$2.65
Boost RTF Formula—8 oz.	\$2.16
EnfaCare RTF Formula—32 oz.	\$7.47
EnfaCare w/Iron Powder Formula—12.8 oz.	\$16.33
Enfamil Premium Infant Concentrate Formula—13 oz.	\$4.92
Enfamil Premium Infant RTF Formula—32 oz.	\$7.12
Enfamil Premium Infant Powder Formula—12.5 oz.	\$15.31
Good Start Gentle Concentrate—Orange Formula—12.1 oz.	\$5.04
Good Start Gentle RTF—Orange Formula—4-count, 8.45 oz. (33.8 oz.)	\$6.99
Good Start Gentle Powder—Orange Formula—12.7 oz.	\$16.23
Good Start Soothe Powder—Purple Formula—12.4 oz.	\$16.35

Description	Maximum Allowable Price
Good Start Soy Concentrate—Blue Formula—12.1 oz.	\$5.09
Good Start Soy RTF—Blue Formula—4-count, 8.45 oz. (33.8 oz.)	\$6.96
Good Start Soy Powder—Blue Formula—12.9 oz.	\$16.35
Good Start Gerber Graduate Soy Powder Formula—24 oz.	\$23.17
Good Start Gerber Graduate Gentle Powder Formula—22 oz.	\$23.89
Good Start Gerber Graduate Protect Powder Formula—22 oz.	\$25.03
Good Start Protect Powder Formula—12.4 oz.	\$16.33
Nutramigen Concentrate Formula—13 oz.	\$7.60
Nutramigen RTF Formula—32 oz.	\$9.21
Nutramigen w/Enflora Powder Formula—12.6 oz.	\$24.30
Pediasure RTF Formula—8 oz.	\$2.30
Pediasure w/Fiber RTF Formula—8 oz.	\$2.38
Pediasure Sidekicks RTF Formula—8 oz.	\$2.51
Similac Advance Concentrate Formula—13 oz.	\$4.85
Similac Advance RTF Formula—32 oz.	\$7.45
Similac Advance w/Iron Powder Formula—12.4 oz.	\$15.30
Similac Expert Care Alimentum RTF Formula—32 oz.	\$9.74
Similac Expert Care Alimentum Powder Formula—16 oz.	\$28.22
Similac Expert Care for Diarrhea RTF Formula—32 oz.	\$7.65
Similac Expert Care NeoSure RTF Formula—32 oz.	\$8.03
Similac Expert Care NeoSure Powder Formula—13.1 oz.	\$16.55
Store Brand Milk Based Concentrate Formula—13 oz.	\$3.67
Store Brand Milk Based RTF Formula—32 oz.	\$5.37
Store Brand Milk Based Powder Formula—25.75 oz.	\$16.77

A store must permit purchase of WIC allowable foods that exceed the maximum allowable price to WIC participants using a WIC check; however, the amounts that exceed the maximum allowable price of any WIC allowable foods sold to WIC participants will be billed to the store on a quarterly basis in accordance with 28 Pa. Code § 1105.2.

Competitive Prices

To remain WIC Authorized, each store must maintain the minimum inventory of the following WIC food items at, or below, the Competitive Prices listed for the store's peer group. Effective January 1, 2013, through March 31, 2013, the Competitive Prices for WIC Authorization for Type 2 Stores in High Cost Counties are as follows:

Description	Competitive Prices
Beans, Canned—15.5/16 oz.	\$1.28
Beans/Peas—Dry—16 oz.	\$2.11
Canned Fish—Pink Salmon	\$2.59
Canned Fish—Sardines	\$1.76
Canned Fish—Tuna	\$1.27
Cereal (per oz.)	\$0.33

<i>Description</i>	<i>Competitive Prices</i>
Cheese, 16 oz. ....	\$6.20
Eggs .....	\$2.16
Gerber Infant Cereal—8 oz. ....	\$2.37
Infant Fruits, 100%—4 oz. ....	\$0.78
Infant Vegetables, 100%—4 oz. ....	\$0.78
Infant Meats, 100%—2.5 oz. ....	\$1.11
Juice—11.5/12 oz. ....	\$2.45
Juice—48 oz. ....	\$3.23
Juice—64 oz. ....	\$3.97
Kosher Cheese—16 oz. ....	\$8.88
Kosher Low Fat Milk—1/2 gallon .....	\$3.07
Kosher Whole Milk—1/2 gallon .....	\$3.16
Milk, Low Fat—1/2 gallon .....	\$2.56
Milk, Whole—1/2 gallon .....	\$2.67
Peanut Butter—18 oz. ....	\$3.36
Whole Grain—Bread, 16 oz. ....	\$3.69
Whole Grain—Brown Rice, 16 oz. ....	\$2.08
Whole Grain—Oats, 16 oz. ....	\$2.95
Whole Grain—Soft Corn or Whole Wheat Tortillas, 16 oz. ....	\$2.58
Good Start Gentle Concentrate—Orange Formula—12.1 oz. ....	\$5.04
Good Start Gentle Powder—Orange Formula— 12.7 oz. ....	\$16.23
Good Start Soy Concentrate—Blue Formula— 12.1 oz. ....	\$5.09
Good Start Soy Powder—Blue Formula— 12.9 oz. ....	\$16.35

**Maximum Allowable Prices and Competitive Prices for Type 3 Stores in High Cost Counties**

Under 28 Pa. Code §§ 1103.4(5) and 1105.3(a)(1) and 7 CFR 246.12, the WIC Program hereby publishes notice of the Maximum Allowable Prices and Competitive Prices for Type 3 Stores in High Cost Counties.

*Maximum Allowable Prices*

Effective January 1, 2013, through March 31, 2013, the Maximum Allowable Prices the Department will pay Type 3 Stores in High Cost Counties for WIC allowable foods are as follows:

<i>Description</i>	<i>Maximum Allowable Price</i>
Beans, Canned—15.5/16 oz. ....	\$1.41
Beans/Peas—Dry—16 oz. ....	\$2.27
Canned Fish—Pink Salmon .....	\$2.64
Canned Fish—Sardines .....	\$1.88
Canned Fish—Tuna .....	\$1.41
Cereal (per oz.) .....	\$0.36
Cheese, 16 oz. ....	\$7.92
Eggs .....	\$2.26
Gerber Infant Cereal—8 oz. ....	\$2.50
Infant Fruits, 100%—4 oz. ....	\$0.81
Infant Vegetables, 100%—4 oz. ....	\$0.81
Infant Meats, 100%—2.5 oz. ....	\$1.20
Juice—11.5/12 oz. ....	\$2.56
Juice—48 oz. ....	\$3.25
Juice—64 oz. ....	\$4.30
Kosher Cheese—16 oz. ....	\$9.14
Kosher Low Fat Milk—quart .....	\$2.01
Kosher Low Fat Milk—1/2 gallon .....	\$3.39
Kosher Whole Milk—quart .....	\$1.87
Kosher Whole Milk—1/2 gallon .....	\$3.36
Milk, Dry—9.6 oz. ....	\$4.70

<i>Description</i>	<i>Maximum Allowable Price</i>
Milk, Dry—25.6 oz. ....	\$9.61
Milk, Evaporated—12 oz. ....	\$1.59
Milk, Low Fat—quart .....	\$1.63
Milk, Low Fat—1/2 gallon .....	\$2.89
Milk, Low Fat Lactose Free—quart .....	\$2.56
Milk, Low Fat Lactose Free—1/2 gallon .....	\$4.46
Milk, Whole—quart .....	\$1.60
Milk, Whole—1/2 gallon .....	\$2.91
Milk, Whole Lactose Free—quart .....	\$2.58
Milk, Whole Lactose Free—1/2 gallon .....	\$4.49
Peanut Butter—18 oz. ....	\$3.46
Soy Beverage—Pacific Natural Foods 32 oz. ....	\$3.69
Soy Beverage—8th Continent 64 oz. ....	\$3.71
Tofu—16 oz. ....	\$2.75
Whole Grain—Bread, 16 oz. ....	\$3.71
Whole Grain—Bread, 24 oz. ....	\$4.14
Whole Grain—Brown Rice, 16 oz. ....	\$2.31
Whole Grain—Brown Rice, 24 oz. ....	\$3.89
Whole Grain—Oats, 16 oz. ....	\$3.05
Whole Grain—Oats, 24 oz. ....	\$6.13
Whole Grain—Soft Corn or Whole Wheat Tortillas, 16 oz. ....	\$2.65
Boost RTF Formula—8 oz. ....	\$2.16
EnfaCare RTF Formula—32 oz. ....	\$8.27
EnfaCare w/Iron Powder Formula—12.8 oz. ....	\$16.40
Enfamil Premium Infant Concentrate Formula— 13 oz. ....	\$5.37
Enfamil Premium Infant RTF Formula—32 oz. ..	\$7.66
Enfamil Premium Infant Powder Formula— 12.5 oz. ....	\$15.63
Good Start Gentle Concentrate—Orange Formula—12.1 oz. ....	\$5.53
Good Start Gentle RTF—Orange Formula—4-count, 8.45 oz. (33.8 oz.) .....	\$7.86
Good Start Gentle Powder—Orange Formula— 12.7 oz. ....	\$17.99
Good Start Soothe Powder—Purple Formula— 12.4 oz. ....	\$17.61
Good Start Soy Concentrate—Blue Formula— 12.1 oz. ....	\$5.39
Good Start Soy RTF—Blue Formula—4-count, 8.45 oz. (33.8 oz.) .....	\$7.10
Good Start Soy Powder—Blue Formula— 12.9 oz. ....	\$17.61
Good Start Gerber Graduate Soy Powder Formula—24 oz. ....	\$23.69
Good Start Gerber Graduate Gentle Powder Formula—22 oz. ....	\$23.89
Good Start Gerber Graduate Protect Powder Formula—22 oz. ....	\$25.03
Good Start Protect Powder Formula—12.4 oz. ...	\$16.49
Nutramigen Concentrate Formula—13 oz. ....	\$7.80
Nutramigen RTF Formula—32 oz. ....	\$9.88
Nutramigen w/Enflora Powder Formula— 12.6 oz. ....	\$24.30
Pediasure RTF Formula—8 oz. ....	\$2.30
Pediasure w/Fiber RTF Formula—8 oz. ....	\$2.42
Pediasure Sidekicks RTF Formula—8 oz. ....	\$2.51
Similac Advance Concentrate Formula—13 oz. ...	\$5.22
Similac Advance RTF Formula—32 oz. ....	\$8.03
Similac Advance w/Iron Powder Formula— 12.4 oz. ....	\$15.99
Similac Expert Care Alimentum RTF Formula—32 oz. ....	\$9.81
Similac Expert Care Alimentum Powder Formula—16 oz. ....	\$29.55

<i>Description</i>	<i>Maximum Allowable Price</i>
Similac Expert Care for Diarrhea RTF Formula—32 oz. ....	\$8.30
Similac Expert Care NeoSure RTF Formula—32 oz. ....	\$8.49
Similac Expert Care NeoSure Powder Formula—13.1 oz. ....	\$16.71
Store Brand Milk Based Concentrate Formula—13 oz. ....	\$3.90
Store Brand Milk Based RTF Formula—32 oz. ..	\$5.37
Store Brand Milk Based Powder Formula—25.75 oz. ....	\$17.59

A store must permit purchase of WIC allowable foods that exceed the maximum allowable price to WIC participants using a WIC check; however, the amounts that exceed the maximum allowable price of any WIC allowable foods sold to WIC participants will be billed to the store on a quarterly basis in accordance with 28 Pa. Code § 1105.2.

*Competitive Prices*

To remain WIC Authorized, each store must maintain the minimum inventory of the following WIC food items at, or below, the Competitive Prices listed for the store's peer group. Effective January 1, 2013, through March 31, 2013, the Competitive Prices for WIC Authorization for Type 3 Stores in High Cost Counties are as follows:

<i>Description</i>	<i>Competitive Prices</i>
Beans, Canned—15.5/16 oz. ....	\$1.37
Beans/Peas—Dry—16 oz. ....	\$2.11
Canned Fish—Pink Salmon ....	\$2.59
Canned Fish—Sardines ....	\$1.76
Canned Fish—Tuna ....	\$1.29
Cereal (per oz.) ....	\$0.35
Cheese, 16 oz. ....	\$6.20
Eggs ....	\$2.16
Gerber Infant Cereal—8 oz. ....	\$2.50
Infant Fruits, 100%—4 oz. ....	\$0.79
Infant Vegetables, 100%—4 oz. ....	\$0.79
Infant Meats, 100%—2.5 oz. ....	\$1.18
Juice—11.5/12 oz. ....	\$2.51
Juice—48 oz. ....	\$3.23
Juice—64 oz. ....	\$4.00
Kosher Cheese—16 oz. ....	\$9.04
Kosher Low Fat Milk—1/2 gallon ....	\$3.38
Kosher Whole Milk—1/2 gallon ....	\$3.35
Milk, Low Fat—1/2 gallon ....	\$2.79
Milk, Whole—1/2 gallon ....	\$2.81
Peanut Butter—18 oz. ....	\$3.36
Whole Grain—Bread, 16 oz. ....	\$3.69
Whole Grain—Brown Rice, 16 oz. ....	\$2.23
Whole Grain—Oats, 16 oz. ....	\$2.95
Whole Grain—Soft Corn or Whole Wheat Tortillas, 16 oz. ....	\$2.59
Good Start Gentle Concentrate—Orange Formula—12.1 oz. ....	\$5.53
Good Start Gentle Powder—Orange Formula—12.7 oz. ....	\$17.99
Good Start Soy Concentrate—Blue Formula—12.1 oz. ....	\$5.39
Good Start Soy Powder—Blue Formula—12.9 oz. ....	\$17.61

Persons with a disability who require an alternative format of this listing (for example, large print, audiotape, Braille) should contact Chris Harr, Department of Health, Division of WIC, 2150 Herr Street, 1st Floor, Harrisburg, PA 17105, (717) 783-1289, or for speech and/or hearing impaired persons V/TT (717) 783-6514 or the Pennsylvania AT&T Relay Service at (800) 654-5984.

MICHAEL WOLF,  
*Acting Secretary*

[Pa.B. Doc. No. 12-2500. Filed for public inspection December 21, 2012, 9:00 a.m.]

## DEPARTMENT OF LABOR AND INDUSTRY

### Current Prevailing Wage Act Debarments

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

<i>Contractor</i>	<i>Address</i>	<i>Date of Debarment</i>
On Call Contracting Services, LLC and John Ott, individually FEIN 20-8628213	2262 Mt. Carmel Avenue Glenside, PA 19037	11/29/2012

JULIA K. HEARTHWAY,  
*Secretary*

[Pa.B. Doc. No. 12-2501. Filed for public inspection December 21, 2012, 9:00 a.m.]

## DEPARTMENT OF REVENUE

### Interest Rate Notice

Under sections 806 and 806.1 of The Fiscal Code (72 P.S. §§ 806 and 806.1), the Secretary of Revenue announces that, for the year beginning January 1, 2013, all underpayments of tax which became due and payable to the Commonwealth on and after January 1, 1982, shall bear interest at the rate of 3% per annum. All overpayments of the tax imposed under Article III of the Tax Reform Code of 1971 (72 P.S. §§ 7301—7361), which became due and payable to the Commonwealth on and after January 1, 1982, shall bear interest at the rate of 3% per annum. All other overpayments of tax which became due and payable to the Commonwealth on and after January 1, 1982, shall bear interest at the rate of 1% per annum. These rates will remain constant until December 31, 2013. These rates will be codified under 61 Pa. Code § 4.2(a) (relating to rate of interest).

These rates have been established based upon the rate established by the Secretary of the Treasury of the United

States under section 6621(a)(2) of the Internal Revenue Code to be effective January 1, 2013.

Although the Tax Reform Act of 1986 amended section 6621 of the Internal Revenue Code by requiring that the Secretary of the Treasury of the United States establish quarterly rates of interest to become effective for Federal purposes on the first month of each calendar quarter, these amendments do not affect Commonwealth law. The Fiscal Code requires that the interest rate be established effective January 1 of each calendar year without regard to any change in the Federal interest rate during the calendar year.

DANIEL MEUSER,  
*Secretary*

[Pa.B. Doc. No. 12-2502. Filed for public inspection December 21, 2012, 9:00 a.m.]

**Notice of Taxable and Exempt Property**

The Department of Revenue is hereby giving notice to the public, in accordance with 61 Pa. Code §§ 52.1 and 58.1 (relating to purchases of medicines, medical supplies, medical equipment and prosthetic or therapeutic devices; and publication of list of taxable and exempt tangible personal property), of additions, deletions and revisions to the list of taxable and exempt property under the sales and use tax provisions of the Tax Reform Code of 1971 published at 39 Pa.B. 7256 (December 26, 2009) with a correction published at 40 Pa.B. 574 (January 23, 2010). Under 61 Pa. Code §§ 52.1 and 58.1, this list is required to be published by notice at least once every 3 years. In addition, quarterly the Department will publish notice of any additions, deletions or revisions to the list.

Copies of the Retailers' Information Booklet may be obtained by calling the 24-hour answering service numbers for forms ordering: Nationwide (800) 362-2050; and TT only (800) 447-3020.

**Index to Categories**

<i>Title</i>	<i>Category</i>
Books and Stationery	(1)
Business Supplies and Equipment	(2)
Clothing and Accessories	(3)
Cosmetics and Toilet Goods	(4)
Farming Supplies and Equipment	(5)
Flowers, Seeds, Fertilizers, etc.	(6)
Food and Beverages Sold From a Caterer or Establishment Serving Ready-to-Eat Food	(7)
Food and Beverages Sold From Other than a Caterer or Establishment Selling Ready-to-Eat Food	(8)
Hair Goods and Notions	(9)
Hobby Supplies, Toys, Games, Radios, etc.	(10)
Home Sewing, Millinery and Craft Supplies	(11)
Household Goods and Supplies	(12)
A. Soaps and Detergents	
B. Cleaning and Polishing Preparations	
C. Paper Goods	
D. Wrapping Supplies	

<i>Title</i>	<i>Category</i>
Infant Supplies	(13)
Jewelry	(14)
Luggage, Handbags, Carrying Bags, Wallets, Etc.	(15)
Medicine, Drugs and Medical Supplies; Prosthetic and Therapeutic Devices	(16)
Miscellaneous	(17)
Optical Goods	(18)
Pets	(19)
Religious Articles	(20)
Restaurant Equipment and Supplies	(21)
Shoes and Shoe Accessories	(22)
Sporting Equipment, Clothing, Supplies and Recreational Equipment	(23)
Tobacco Products	(24)
Utilities and Fuel	(25)
Tires, Motor Vehicle, Leases and Rental (PTA Tax)	(26)
Vehicle Rental Tax (VRT)	(27)

**Listing of Taxable and Exempt Property**

**T—TAXABLE**

**NT—NONTAXABLE**

**\*—INDICATES CHANGE OR CLARIFICATION**

**\*\*—INDICATES NEW ITEM**

(1) *Books and Stationery*

Tax is imposed on books, stationery and stationery supplies, including Bibles and religious publications sold by religious groups.

- T—Bibles
- T—Comic books
- T—Crossword, game books
- T—Dictionaries
- T—Greeting Cards
- T—Instruction books for needle-craft, embroidery, knitting, etc.
- NT—Mail order catalogues
- NT—Newspapers of general circulation qualified to carry a legal advertisement
- T—Periodicals and magazines not purchased by subscription
- NT—Periodicals and magazines purchased by subscription
- T—School supplies, except when sold directly to a school district or qualified nonprofit educational institution
- NT—Textbooks, when sold by a school or an authorized book store

(2) *Business Supplies and Equipment*

Generally, sales of business supplies and equipment used in construction, repair, etc., of real estate are taxable.

- T—Amusement and record playing devices
- T—Building materials, supplies, and equipment used in construction, repair, etc., of real estate, except building machinery and equipment purchased by or for certain exempt entities
- T—Business forms such as invoices, order books, etc.
- T—Cash register receipt paper
- \*T—Canned computer software and licenses to use, regardless of method of delivery or access

NT—Direct mail advertising materials, including calendars, matchbooks, etc.

T—Display cases and merchandising equipment

NT—Dry ice, when sold for internal packaging with the sale of property to others

T—Fans

T—Signs, circulars, show cards and posters

T—Vending machines and equipment

NT—Wrapping supplies used in connection with the sale of products

### (3) *Clothing and Accessories*

Generally, clothing is nontaxable except the following: (1) Formal day or evening apparel; (2) Articles made of real, imitation, or synthetic fur, where the fur is more than three times the value of the next most valuable component material; and (3) Sporting goods and clothing normally worn or used when engaged in sports (See Category 23).

T—Accessories and ornamental wear

NT—Aprons

NT—Belts and suspenders

T—Biking clothing

NT—Boots and shoes, designed for everyday wear

T—Bridal apparel and accessories

T—Corsages and boutonnières

T—Costumes—Halloween, Christmas, etc.

NT—Dress shields

T—Formal clothing, including mother of the bride and flower girl dresses.

T—Fur, articles made of fur on hide or pelt, or any material imitative of fur, and articles of which fur, real, imitation, or synthetic, is the component material of chief value; and fur trimmed articles, if the value of fur is more than three times the value of the next most valuable component material. Felt, wool, or fabric is not taxable unless it resembles fur on the hide.

NT—Garters and garter belts

NT—Girdles

T—Gloves, baseball, golf, racquet, etc.

NT—Gloves, cloth, leather, kid, for everyday wear

T—Gloves, sheepskin, fur, rubber

T—Graduation caps and gowns

NT—Gym suits

T—Handkerchiefs

\*NT—Headwear for everyday wear

\*\*T—Helmets

NT—Hosiery, pantyhose, and peds

NT—Hunting clothing, including camouflage and blaze orange

NT—Leotards and tights

NT—Leather wearing apparel

NT—Lingerie

NT—Maternity clothing for everyday wear

NT—Neckwear, ties

NT—Nightgowns

T—Prom dresses

NT—Rainwear

NT—Receiving blankets

NT—Repairing of wearing apparel

T—Safety clothing—(See Category 17)

NT—Scarves, for headwear and neckwear

NT—Scout uniforms and camp clothes

T—Sheepskin coats

NT—Stockings, including support-hose

NT—Suspenders

NT—T-shirts, imprinted

T—Tuxedos

T—Umbrellas

NT—Underclothing

NT—Work clothes, work uniforms

NT—Yard goods (to make clothing)

### (4) *Cosmetics and Toilet Goods*

T—After shave creams, lotions, powders

T—Antiperspirants

T—Aromatherapy products (Candles, oils, washes, etc.)

T—Atomizers containing perfume and other liquids

T—Bath milks, oils, powders, salts, tablets, crystals, etc.

T—Bath and shower gels, and body shampoos

T—Bleach creams and lotions

T—Blush, rouges

T—Body lotion and creams

T—Breath fresheners and breath sprays

T—Bubble bath preparations

T—Cocoa butter, if advertised or labeled for toilet purposes

T—Colognes

T—Compacts containing blush or powder, compact refills

T—Cosmetics

T—Creams, protective (having cosmetic claims or use as skin creams, antiperspirants)

T—Creams, cleansing, beauty or cold

T—Cuticle softeners and removers

T—Deodorants (even though having a medicinal or curative value, if advertised or labeled for use as a body deodorant)

T—Deodorants (for use in closets, bureau drawers, etc., for imparting fragrance to clothing)

NT—Deodorants, colostomy

T—Dusting powders

T—Eyebrow pencils

T—Eyelash mascara and eyelash and brow dyes

T—Eye shadows, eyeliner

T—Face lotions, facial oils, face creams

T—Face packs

T—Face powders, in loose or cake and liquid form

T—Foundation makeup

T—Freckle removers, vanishing creams

T—Hair conditioners and rinses

T—Hairdressings, lotions, tonics, and pomades (regardless of whether they are colored or scented)

T—Hair dyes, colorings, tints, rinses, and bleaches

T—Hair gels and mousse

T—Hair oils

T—Hair removers

NT—Hair restorative medications

T—Hairsprays

T—Hair straighteners

T—Hand lotions, creams, and sanitizers

T—Lip balm and ointments

T—Lipsticks, lipstick refills, liquid lip color, lip liner, and lip gloss

T—Lotions, cleansing and beauty

T—Manicure preparations and kits

T—Mask preparations

T—Massage creams

T—Makeup remover

T—Mouthwashes

T—Nail bleaches

T—Nail polish removers

T—Nail polishes, nail lacquers, nail enamel

T—Perfumes and perfume ingredient kits

T—Perfume novelties, containing perfume

T—Permanent waving creams, lotions, neutralizer, and kits

T—Powder bases (liquid, cream, and pressed)

T—Sachets containing powder or aroma producing materials

T—Scalp lotions, which are used or intended for use as a

- treatment for dry or oily hair
- T—Shampoos
- T—Shaving preparations, creams, lotions, powders, including medicated preparations
- T—Skin balms, bleaches, creams, fresheners, lotions, oils, tonics, or whiteners
- T—Sun allergy cream
- T—Sunburn preventives—suntan creams, lotions, oils, sunblock, etc.
- NT—Sunburn treatment, lotions or creams
- T—Talcum powder
- NT—Toothbrush, electric
- NT—Toothbrush, toothpaste, tooth cleaners, dental floss, and replacement brushes for electric toothbrush
- T—Water Piks
- T—Wave set, paste, powder, or lotion
- T—Wrinkle removing and concealing preparations

(5) *Farming Supplies and Equipment*

The tax is not imposed upon the sale of property to a farmer to be used or consumed directly in the business of producing agricultural products. Home gardening is not considered farming. See REV-1729, Tax Information for Farmers, for additional information.

- NT—Artificial breeding equipment and supplies
- NT—Blacksmith/farrier services for commercial racehorses or horses used directly in farming
- T—Building supplies and materials used to build and repair barns, sheds, coops, etc.
- NT—Cleaners and disinfectants used in cleaning milking equipment and to sterilize milk cans to prevent spoilage. (Property used for general farm cleaning and maintenance is taxable)
- NT—Equipment used to extract a product from productive animals or from the soil, such as harvesters, combines, binders, forage blowers, milking equipment, egg collecting equipment, corn shuckers, threshers, manure handling equipment
- NT—Equipment such as barn shovels, ensilage forks, wheelbarrows and feed carts
- NT—Feed and feed additives for productive animals
- \*T—Fencing
- NT—Fertilizer and chemical additives to be added to soil
- T—Fire prevention and safety equipment
- NT—Fuel for use in heating poultry brooder and greenhouses
- NT—Fumigation services upon agricultural commodities or containers used for agricultural commodities
- T—Greenhouses and mushroom houses (if permanently installed to the real estate)
- NT—Grooming materials, equipment, and supplies when necessary for the health of productive animals
- NT—Harnesses used to control productive animals on the farm
- NT—Ice
- NT—Livestock equipment to dispense chemicals, medicines, and feed additives
- NT—Livestock feeding equipment such as tubs, buckets, cans, etc., feed scoops, and portable watering devices
- T—Maintenance facilities including tools, machinery and equipment to maintain machinery, equipment or building property, such as chain hoists, tire spreaders, drills, sanders, lumber, nails, wrenches, brooms, welding equipment, paint brushes and sprayers
- NT—Milk strainers and strainer discs and towels (dispensers to store and dispense the discs are taxable)
- T—Motor vehicles, if required to be licensed by the Dept. of Transportation
- NT—Pest control services for agricultural purposes
- NT—Property which becomes an ingredient or constituent

of a farm product or is consumed by productive animals or plant growth, such as seeds, fertilizer, chemical additives, etc., and property such as seeders, planters, plows, harrows, cultivators, sprayers, and similar equipment used to till soil, plant, seed, and care for productive plants.

- NT—Property used to handle, store, or preserve farm products or productive animals on farm premises such as chemicals, grooming equipment (dehorners, debeakers, hoof trimmers, calf weaners, etc.)
- T—Property used to transport or convey the farm product after the final farming operation
- NT—Refrigeration or cooling equipment used to store farm products
- NT—Replacement parts such as tires, motors, belts, cutting edges, air filters, gears, and similar replacement parts installed on exempt equipment. Motor fuels, lubricants, compressed air, distilled water, abrasives, and similar supplies when used in operating exempt machinery are not taxable. Tools and equipment to apply parts and supplies are taxable.
- NT—Seeds
- NT—Silos
- T—Water heater for cleaning dairy equipment and supplies
- NT—Water pump for farm use
- NT—Wrapping supplies and containers which are non-returnable to deliver self-produced farm products.

(6) *Flowers, Seeds, Fertilizers, etc.*

The tax is imposed upon the sale of property which is purchased by persons not engaged in the business of farming.

- T—Fertilizer, sprays, insecticides
- T—Gardening supplies
- T—Seeds and bulbs
- T—Vegetable seeds, vegetable plants, flowers, and fruit trees
- NT—Vegetable seeds, vegetable plants, and fruit trees purchased with food stamps

(7) *Food and Beverages Sold From a Caterer or Establishment Serving Ready-to-Eat Food*

Generally, tax is imposed on food and beverages for consumption on or off the premises, or on a take-out or to-go basis, or delivered to the purchaser or consumer, when purchased from a caterer or an eating establishment from which ready-to-eat foods and beverages are sold, such as a restaurant, cafe, lunch counter, private or social club, tavern, dining car, hotel, night club, fast food operation, pizzeria, fair, carnival, lunch cart, ice cream stand, snack bar, lunch truck, cafeteria, employee cafeteria, theatre, stadium, arena, amusement park, juice stand, carryout shop, coffee shop, popcorn stand, and other establishments, whether mobile or immobile.

- NT—Alcohol, malt or brewed beverages, and wines. Tax is paid at time of purchase from a Liquor Control Board store or licensed malt beverage distributor.
- NT—Candy and gum
- T—All food and beverages, in any quantity, including both food and beverages prepared on the premises, and prepackaged food and beverages.
- T—Food supplements and substitutes
- NT—Ice
- T—Nonalcoholic beverages
- NT—Water

(8) *Food and Beverages Sold From Other Than a Caterer or Establishment Selling Ready-to-Eat Food*

A vending machine, delicatessen, grocery store, super-market, farmers market, bakery, donut shop, pastry shop, convenience store and other similar establishments selling the following taxable items, whether sold for consumption on or off the premises or on a take-out or to-go basis, or delivered is considered to be an eating establishment:

- \*NT—Beer, six packs (unless sold by a distributor)
- NT—Bitters and grenadine
- T—Brewed coffee
- NT—Candy apples
- NT—Candy and gum
- NT—Caramel corn
- \*\*NT—Coffee beans, whole bean or ground
- NT—Coffee, cold bottled, and flavored
- \*T—Coffee, hot
- NT—Deli items such as meats and cheeses, potato salad, macaroni salad, etc.
- NT—Food, fruit drinks, soft drinks, and sandwiches purchased with food stamps
- NT—Food supplements in any form
- NT—Fruit drinks, noncarbonated or reconstituted, containing at least 25% natural fruit juice
- T—Fruit drinks, noncarbonated or reconstituted, containing less than 25% natural fruit juice
- T—Hot beverages
- T—Hot food items
- T—Hot soup
- T—Hot pizza
- NT—Ice
- T—Ice cream, yogurt, and other ice based products when hand dipped or hand served
- T—Kettle Korn
- T—Kool Aid
- T—Meals—not including prepackaged frozen Meals
- \*\*NT—Milk
- T—Nonalcoholic beverages
- NT—Party trays, vegetable, cheese, seafood, meat
- T—Pumpkins—for decoration
- NT—Pumpkins—for food
- T—Salad bars, self-service
- T—Sandwiches
- T—Soft drinks, bottled and nonbottled (including soft drink mixes and powder, liquid or tablet form)
- NT—Soy milk
- T—Sports drinks
- \*\*T—Sushi
- NT—Sweeteners, artificial
- NT—Tea, all forms including liquid and powdered tea
- NT—Water, including nonflavored mineral water
- \*T—Water, flavored, including vitamin water

(9) *Hair Goods and Notions*

Generally, hair goods are taxable unless the item qualifies as clothing.

- T—Hair goods and notions, such as barrettes, hair pins, hair nets, curlers, clips, hair bow holders, combs, brushes, chignons, bandeaux
- T—Shower caps
- T—Wigs and toupees (the service of cleaning, styling, etc., also is taxable)

(10) *Hobby Supplies, Toys, Games, Radios, etc.*

- T—Audio players, components and accessories, records, compact discs
- T—Baseball, football cards, etc.
- T—Bicycles and parts

- T—Boats and equipment
- T—Computer games and equipment
- T—Games
- T—Hobby supplies
- T—Musical instruments and sheet music
- T—Photographic and projection equipment and supplies
- T—Photographic services, film developing, printing, processing, mounting, coloring, etc.
- T—Playing cards
- T—Pocket knives
- T—Radios, TV sets, receiving equipment
- T—Tape recorders and tapes
- T—Toys
- T—Video cassettes and discs, recorders, and cameras

(11) *Home Sewing, Millinery and Craft Supplies*

Goods and items which are to become a component part of clothing are not taxable. Goods and items which become a component of articles other than clothing, such as formal wear and crafts, are taxable. Equipment and supplies used in sewing are taxable. Clothing is defined as articles designed for everyday wear.

- T—Artificial flowers
- NT—Buckles for clothing
- T—Buckles for articles other than clothing
- NT—Buttons for clothing
- T—Buttons for articles other than clothing
- T—Dress forms
- NT—Dress patterns
- NT—Fabrics for clothing
- T—Fabrics for articles other than clothing
- NT—Dye, clothing fabric
- NT—Elastics for clothing
- T—Elastics for articles other than clothing
- NT—Embroidery of clothing
- T—Embroidery hoops
- T—Embroidery of formalwear and other items
- NT—Hooks and eyes for clothing
- T—Hooks and eyes for articles other than clothing
- NT—Knitting yarn for clothing
- T—Knitting yarn for articles other than clothing
- NT—Laces, ribbons, edgings, trimmings for clothing
- T—Laces, ribbons, edgings, trimmings for articles other than clothing
- T—Needle-craft instruction books
- T—Needles
- T—Rug yarns
- T—Scissors
- T—Sewing kits
- NT—Shoulder pads
- T—Tape measures
- T—Thimbles
- NT—Thread for clothing
- T—Thread for articles other than clothing
- NT—Yard goods for clothing
- T—Yard goods for articles other than clothing
- T—Yarn holders
- NT—Zippers for clothing
- T—Zippers for articles other than clothing

(12) *Household Goods and Supplies*

- T—Air fresheners
- T—Ant traps
- T—Basin stoppers
- T—Batteries
- T—Bedding
- T—Books
- T—Boot caddy
- T—Brooms
- T—Buckets

T—Candles  
 T—Charcoal  
 T—Cloth dish towels  
 T—Cloth hand and bath towels  
 T—Cloth laundry bags  
 T—Clothesline  
 T—Clothespins  
 T—Coat hangers  
 T—Cookware, pots and pans  
 T—Cutlery  
 T—Decorations  
 T—Dinnerware  
 T—Dishpans  
 T—Dispensers  
 T—Door mat  
 T—Drinking glasses  
 T—Easter egg color/paint  
 T—Extension cords  
 T—Filters, disposable air  
 T—Fire extinguishers  
 T—Fly swatters  
 T—Fly tapes  
 T—Furnishings, appliances, fittings, ornaments, furniture, equipment, and accessories. Furnishings including bedding, rugs, lamps, hardware, electrical goods, mirrors, pillows, scarves for furniture, bookends, clocks, glassware, crockery, silverware, flatware, and other household wares.  
 T—Fuses  
 T—Glue  
 T—Grill utensils, scrapers  
 T—Grill replacement parts  
 T—Hardware and tools  
 T—Household linens, blankets  
 T—Insecticide sprays  
 T—Ironing board and covers  
 T—Jars for canning and jar lids  
 T—Light bulbs  
 T—Lubricating oils  
 T—Matches  
 T—Metal and plastic cooking utensils and flatware  
 T—Mops  
 T—Moth balls and moth flakes  
 T—Mouse traps  
 T—Needles  
 T—Notebooks  
 T—Oilcloth  
 T—Paints, brushes, and painting equipment  
 T—Paint removers  
 T—Plants, vegetable and flower (see Category 6)  
 T—Polishing cloths  
 T—Refrigerator deodorants  
 T—Rubber gloves  
 T—Rug shampoo applicators  
 T—Salt, water softeners  
 T—Sandpaper  
 T—Scrub brushes  
 T—Seeds, vegetable and flower (see Category 6)  
 T—Shoe brushes  
 T—Sponges  
 T—Stationery  
 T—Static control spray, sheets  
 T—Thermometers  
 T—Thimbles  
 T—Tie racks  
 T—Toothpicks  
 T—Turpentine and paint thinner  
 T—Vacuum bottles  
 T—Vacuum cleaner bags, disposable  
 T—Vacuum cleaner parts

T—Ventilating fans and equipment  
 T—Water filters, replacement  
 T—Wax applicators  
 T—Wax paraffin

#### A. Soaps and Detergents

T—Bleaches  
 T—Cleaner, septic tank, hand, oven, toilet bowl, or tile  
 T—Cleansers  
 T—Detergents  
 T—Drain opener  
 T—Dry cleaning kits  
 T—Pre-soaks  
 T—Rug shampoo  
 T—Soaps, scented and unscented  
 T—Softeners (fabric)  
 T—Spot removers and stain treatments  
 T—Starch  
 T—Whiteners

#### B. Cleaning and Polishing Preparations

T—Car cleaners and waxes  
 T—Glass cleaner  
 T—Polishes, floor, furniture, silver and similar items  
 T—Removers, rust or wax  
 T—Scouring pads  
 T—Steel wool

#### C. Paper Goods

T—Cups, paper, plastic or styrene  
 NT—Disposable diapers and incontinence products  
 T—Drop cloths, paper and plastic  
 T—Facial tissue  
 T—Filters, coffee  
 T—Napkins  
 T—Place mats  
 T—Plates, paper, plastic, or styrofoam  
 NT—Sanitary napkins, tampons, or similar items used for feminine hygiene  
 T—Shelf paper, liners  
 T—Straws  
 T—Tablecloths  
 NT—Toilet tissue  
 T—Towels  
 NT—Wet-wipes

#### D. Wrapping Supplies

T—Aluminum foil  
 T—Food bags  
 T—Plastic wraps  
 T—Tape, masking, scotch, plastic, freezer, duct  
 T—Trash bags, paper and plastic  
 T—Twine  
 T—Wax paper  
 T—Wrapping paper, including gift wrapping, ribbons, etc.

#### (13) Infant Supplies

T—Accessories, nursing bottles, nipples, teething beads, teethingers  
 NT—Bibs  
 T—Car seats, infant  
 T—Crib blankets  
 T—Diaper bags  
 NT—Diaper cream  
 NT—Diaper pins  
 NT—Diapers, cloth and disposable  
 NT—Diaper Service  
 NT—Formula  
 T—Furniture including cribs, high chairs and booster seats  
 T—Liners, (nursing bottles)

T—Monitors  
 NT—Receiving blankets for infants  
 NT—Rubber pants

(14) *Jewelry*

\*\*T—Beads, materials used in jewelry-making  
 T—Earring backs  
 T—Jewelry, including those with religious symbols incorporated  
 T—Ornaments and pins for hats and dresses  
 T—Jewelry repair

(15) *Luggage, Handbags, Carrying Bags, Wallets, etc.*

T—Bags, carrying, athletic, book, etc.  
 T—Handbags, pocketbooks and purses  
 T—Knitting bags  
 T—Leather goods, except clothing  
 T—Luggage, briefcases  
 T—Wallets and billfolds

(16) *Medicine, Drugs and Medical Supplies; Prosthetic and Therapeutic Devices*

The tax is not imposed on prescription or nonprescription medicines and drugs or medical supplies, crutches, and wheelchairs for the use of people with disabilities, artificial limbs, artificial eyes, and artificial hearing devices, when designed to be worn on the person of the purchaser or user, false teeth and materials used by a dentist in dental treatment, eyeglasses, when especially designed or prescribed by an ophthalmologist, oculist or optometrist for the personal use of the owner or purchaser, and artificial braces and supports designed solely for the use of people with disabilities, or any other therapeutic, prosthetic or artificial device designed for the use of a particular individual to correct or alleviate a physical incapacity, including, but not limited to, hospital beds, iron lungs, and kidney machines.

T—Acne cleaners and acne pads  
 NT—Acne treatments, lotions, creams  
 T—Adhesive removers  
 NT—Adhesives used for medical treatment  
 T—Air cleaners and electrostatic machines  
 NT—Alcohol, rubbing, swabs and wipes  
 NT—Analgesics  
 NT—Antacids  
 NT—Antiseptics, for external use only  
 NT—Applicators (See “Cotton applicators”)  
 NT—Arch supports  
 NT—Arm slings  
 NT—Artificial eyes  
 NT—Artificial limbs  
 NT—Aspirin  
 T—Autoclave  
 NT—Automobile accessories, when noted by the Department of Transportation upon the motor vehicle operator’s license of the purchaser that such accessories are necessary, and when charges for accessories are stated separately by the vendor on the sales invoice.  
 NT—Automobile wheelchair lifts  
 T—Baby powder  
 NT—Bandages, dressings, gauze, and cotton  
 T—Bath tub and bathroom safety devices  
 T—Batteries, unless purchased for use in medical equipment and from a medical supply house  
 NT—Bed boards  
 NT—Bed drain bags  
 NT—Bed pans  
 NT—Bed trapeze bars  
 NT—Benzoin  
 T—Bidet toilet seats

T—Blankets  
 T—Blood agar plates  
 NT—Blood glucose monitors used to treat diabetes (therapeutic devices)  
 NT—Blood pack units  
 T—Blood pressure testing apparatus  
 NT—Bone pins  
 NT—Braces and supports worn on the body to correct or alleviate a physical incapacity  
 NT—Braille teaching texts  
 T—Breast pumps  
 NT—Breathing units, intermittent positive pressure  
 NT—Burn ointment and lotion  
 NT—Calamine lotion  
 NT—Canes  
 NT—Cardiac emergency kit  
 NT—Cardiac pacemakers and electrodes  
 NT—Castor oil  
 NT—Catheters and accessories  
 T—Chemical agents and related supplies for analysis of patients’ specimens  
 NT—Cod liver oil  
 NT—Colostomy appliances  
 NT—Colostomy deodorants  
 NT—Commodes, chair bedside  
 NT—Commode seats, elevated for use by incapacitated persons  
 NT—Contact lenses, and wetting solutions  
 T—Contact lenses cleaning solutions  
 NT—Corn pads and plasters for the removal of corns  
 NT—Cotton applicators, cotton rolls, cotton balls and cotton swabs  
 NT—Cough and cold items, cough drops, cough syrups  
 NT—Crutches  
 NT—Crutch pads  
 NT—Defibrillators  
 T—Dehumidifiers  
 NT—Dental floss  
 NT—Dental materials used in dental treatment, including x-ray film, cotton, impression and materials  
 T—Dentist chair  
 NT—Dentist drills, disposable  
 NT—Dentist materials which are transferred to the patient, including dentures, fillings, crowns, inlays, bridges and lingual or palatal bars  
 T—Dentist replacement burs, drills, reusable  
 NT—Denture products, including denture cleaners and adhesives  
 T—Deodorants, personal and room  
 T—Diagnostic equipment  
 T—Diagnostic glassware and diagnostic testing materials  
 NT—Dialysis machines  
 NT—Diathermy machines  
 NT—Dietary supplements and substitutes, in any form  
 NT—Diet pills  
 T—Disinfectants  
 NT—Drapes, paper  
 T—Ear plugs  
 T—EKG mounts and EKG paper  
 NT—Elastic bandages and braces  
 T—Electrocardiocorder  
 NT—Emesis basins or pans  
 NT—Epsom salts  
 T—Esophageal dilator  
 T—Eucalyptus oil  
 NT—Examining table paper  
 T—Exercise equipment, including exercise bikes and treadmill exercisers  
 NT—Eye ointment  
 NT—Eye pads

- NT—Eye washes  
 NT—Eyeglasses, prescription  
 NT—False teeth  
 NT—First aid kits  
 NT—Fluidic breathing assistor  
 NT—Food substitutes  
 NT—Foot pads, insoles, all types  
 NT—Foot products for treatment of infections  
 NT—Gauze  
 NT—Gloves, surgical, disposable  
 NT—Glucose tablets  
 NT—Glycerine  
 NT—Gowns, medical  
 NT—Hearing aids and batteries  
 T—Heaters, portable, room  
 NT—Heating pads  
 NT—Hospital beds, having side rails, electric and non-electric with attachments  
 NT—Hot water bottles  
 T—Humidifiers  
 NT—Hygienic needs, douche powder, vaginal preparations  
 NT—Hydrocortisone cream  
 NT—Hydrogen peroxide  
 NT—Ice bags  
 NT—Ileostomy bags  
 NT—Incontinence products, including incontinence pants  
 NT—Infusion pumps  
 NT—Inhalation therapy equipment and equipment used to provide emergency breathing assistance  
 NT—Insulin  
 T—Intravenous stand  
 NT—IUD devices  
 T—Laboratory testing and analysis equipment and supplies  
 NT—Lactose intolerance medication  
 NT—Lamps, ultraviolet and infrared  
 NT—Lancets  
 NT—Laxatives and cathartics  
 \*\*NT—Lice shampoo  
 NT—Lifters, patient  
 NT—Lubricating jelly  
 NT—Lymphedema pumps  
 T—MRI equipment  
 T—Mattresses, air  
 NT—Mattresses, alternating positive pressure  
 NT—Mattresses and covers for hospital beds  
 T—Medical alert cards  
 T—Medical alert systems  
 NT—Medicated powder  
 NT—Medicine cups, disposable  
 T—Microscopes  
 NT—Milk of magnesia  
 T—Mouthwashes  
 NT—Muscle stimulator, electronic for physical therapy  
 NT—Nasal cannula  
 T—Nasal speculum  
 T—Needle holder  
 NT—Needles, disposable  
 T—Needles and syringes, reusable  
 NT—Orthodontic brackets  
 T—Orthodontic trays  
 NT—Orthopedic splints  
 T—Overbed tables  
 NT—Oxygen and oxygen equipment, when used for medical treatment  
 NT—Pads, moist heat pad, alternating positive pressure pad, flotation pad, lambs wool pad  
 NT—Paraffin bath units, standard or portable  
 T—Percussors  
 NT—Pet medicines  
 NT—Petroleum jelly  
 NT—Physical therapy equipment, when designed exclusively for use in correcting or alleviating a physical incapacity  
 T—Plaque remover  
 T—Pore cleaners, medicated, pore strips  
 NT—Postural drainage boards  
 NT—Postural support chairs  
 NT—Pre-moistened wipes  
 NT—Prophylactics  
 NT—Prostheses (mammary, malar, chin, urinary, incontinence, etc.)  
 T—Pumice powder  
 NT—Pump, diaphragm, pressure vacuum  
 T—Razor blades, unless disposable and used for medical procedure preparation  
 NT—Rectal preparations  
 T—Safety grab bars  
 NT—Sanitary napkins, tampons, and similar items  
 T—Sanitizer, air  
 T—Sauna baths  
 T—Scissors  
 T—Shaving products  
 T—Sheets, cloth  
 NT—Sheets, disposable  
 NT—Shoe insoles, orthopedically designed  
 NT—Sitz bath  
 NT—Smoking deterrents, gum and patch  
 T—Soaps  
 NT—Specimen containers, disposable  
 T—Sphygmomanometer  
 T—Sphygmostat  
 NT—Stair gliders for persons having a physical disability, installed in the purchaser's home and pursuant to a physician's prescription  
 T—Stethoscope  
 NT—Styptic pencils  
 T—Suction machines and pumps  
 NT—Sunburn treatment lotions or creams  
 T—Sunglasses (unless prescription)  
 T—Suntan lotion, sunblock  
 NT—Suppositories  
 T—Surgical instruments  
 NT—Surgical instruments and supplies, single use disposable  
 NT—Surgical masks, disposable  
 NT—Sutures  
 NT—Syringes, disposable  
 T—Syringes, reusable  
 T—Tables, bedside  
 T—Tables, examining  
 T—Talcum powder  
 T—Teeth whitening strips  
 T—Telecaption equipment  
 NT—Test strips used in treatment of diabetes  
 T—Testing kits, pregnancy, UTI  
 NT—Thermal pads, disposable  
 T—Thermometer, medical  
 NT—Thermometer covers, disposable  
 NT—Tongue depressor, disposable  
 NT—Toothache drops  
 NT—Toothbrushes  
 NT—Toothpaste  
 T—Tooth whitening kits  
 NT—Tourniquets  
 NT—Trachea tubes  
 NT—Traction units, including bed stand, anklet, extension, pelvic or cervical units, head holder, fracture unit with trapeze bar set, weights, weight bags, pelvic lacing belt, and over door traction equipment

NT—Tubing, intravenous  
 NT—Urine drain bag  
 T—Vacutainers  
 NT—Vaginal diaphragms  
 T—Vapona strips  
 T—Vaporizers  
 NT—Vitamins  
 NT—Walking bars and walkers  
 NT—Wheelchairs, manual and motorized, scooters, and batteries  
 T—Whirlpool baths and whirlpool pumps  
 T—Wigs  
 T—X-ray equipment and machines  
 T—X-ray film and chemicals not used by dentists

(17) *Miscellaneous*

T—Antiques  
 NT—Bullion, investment metal  
 NT—Body tattooing and piercing  
 NT—Caskets, burial vaults, markers, cremation urns and tombstones for human graves, including foundations  
 T—Christmas trees  
 T—Coin banks and coin holders  
 NT—Coins, investment (numismatic coins and legal tender)  
 T—Compressed air, dispensed  
 T—Corkage fee  
 NT—Coupon books sold to individual consumers  
 T—Dry ice, except when sold as an internal packaging material to retailer, manufacturer, or processor  
 NT—Safety equipment and devices designed and worn by production personnel employed in manufacturing, processing, mining, public utility, farming, and dairying. Examples: asbestos suits, gloves, aprons, boots, masks, helmets, goggles, and similar items  
 T—Equipment and devices worn by nonproduction personnel  
 T—Fencing materials  
 \*NT—Flags of the U.S. and Commonwealth. Bunting and other flags are taxable.  
 T—Flags kits, that include poles or brackets  
 T—Fuel for motor vehicles, except when subject to Liquid Fuel or Fuel Use Tax  
 T—Global positioning satellite, equipment and service  
 NT—Gift cards  
 NT—Health club membership fees  
 T—Hot tubs and spas, regardless of physician recommendation  
 T—Lunch kits, vacuum bottles, and replacement parts  
 T—Motor vehicle repair services (including labor), accessories, parts, supplies, lubricants, equipment, vehicle and emission inspection  
 T—Paper money, which is not legal tender in U.S.A., is taxable on full purchase price  
 T—Paper money, which is legal tender in U.S.A., is taxable on amount in excess of face value  
 NT—Parking fees  
 T—Party favors  
 NT—Pony rides and trail rides  
 T—Prepaid telephone cards  
 T—Religious articles  
 T—Scout supplies and training manuals, except when sold to a scout troop  
 \*\*T—Sheds, unless purchaser has a building permit  
 T—Souvenirs  
 T—Stamps, uncanceled U.S.A. stamps are taxable on amount in excess of face value  
 T—Stamps, cancelled U.S.A. stamps and all foreign stamps are taxable on the full purchase price

NT—Tanning booth fees  
 T—Trading stamp redemption for taxable property

(18) *Optical Goods*

NT—Contact lenses, and wetting solutions  
 T—Contact lenses cleaning solutions  
 NT—Eyeglasses, prescription  
 T—Magnifying glasses  
 T—Opera glasses and field glasses  
 T—Sunglasses (prescription sunglasses are exempt)

(19) *Pets*

NT—Boarding, sitting, or walking  
 T—Clippers and clipper lubricants  
 T—Equipment (collars, leashes, etc.)  
 T—Farrier services for pet horses  
 NT—Flea collars, flea powder, flea and tick soap, and tick sprays  
 T—Food, including food supplements and prescription food  
 T—Grooming, unless performed by a veterinarian for the purpose of or incidental to medical treatment  
 NT—Medicines and medical supplies  
 T—Pet caskets and urns  
 NT—Pet cremation and burial services  
 T—Sale or rental of pets, or adoption from shelters, which includes fees for shots and spaying or neutering  
 T—Shampoo  
 T—Veterinarian equipment  
 NT—Veterinarian services  
 T—Vitamins

(20) *Religious Articles*

Bibles, religious publications, and religious articles are subject to tax unless purchased by organizations qualifying as institutions of purely public charities which hold an exemption number prefixed by the number 75, and government entities.

T—Bibles  
 T—Candles used in religious worship  
 T—Holy water bottles  
 T—Clergy vestments and choir and altar server clothing  
 T—Nativity scenes  
 T—Religious statues, medals and symbols used in religious worship  
 T—Religious publications sold by religious groups  
 T—Rosaries  
 T—Wines used in religious services

(21) *Restaurant Equipment and Supplies*

Equipment, implements and similar property for use in the preparation and service of food is taxable.

T—Carbonator for soda fountain operation  
 NT—Carbon dioxide for soda fountain  
 NT—Chef Hats  
 T—Disposable trays  
 T—Equipment used to prepare and serve food and beverages  
 T—Ice making equipment  
 T—Latex gloves  
 T—Napkins, wooden or plastic spoons, forks, straws, and similar articles for use in restaurants, vending machines, and other eating places  
 T—Placemats  
 T—Toothpicks  
 T—Vending machines and equipment  
 NT—Work uniforms  
 NT—Wrapping supplies, paper or plastic plates, cups, and similar articles for the delivery of food, used by restaurants or in vending machines

(22) *Shoes and Shoe Accessories*

Generally shoes designed for everyday wear are exempt. However, shoes designed for formal wear or sporting activities are taxable.

- T—Bathing (swimming) shoes
- NT—Overshoes
- NT—Safety shoes
- T—Shoe brushes, applicators, and shoe trees
- T—Shoe clips
- NT—Shoe dye
- NT—Shoe laces
- NT—Shoe polish
- NT—Shoe repairs
- T—Shoes for baseball, bowling, football, golf, soccer, hockey, dance, etc.
- T—Shoes for formal wear, such as metallic cloth, brocade, satin, or silver leather, primarily for formal wear.
- NT—Slippers
- NT—Shoe soles and heels for shoe repair
- NT—Shower clogs
- NT—Sneakers, jogging, tennis and aerobic shoes
- \*\*NT—Toe sneakers

(23) *Sporting Equipment, Clothing, Supplies and Recreational Equipment*

Tax is imposed on sporting and recreational equipment, clothing and supplies which are designed to be worn and are normally worn only when engaged in sports.

- T—Accessories such as ammunition belts, hip waders, and fly vests
- \*\*T—Ballet shoes
- NT—Baseball caps and tee shirts
- T—Bathing caps
- T—Bathing suits
- T—Beach coats
- T—Bicycles, parts, accessories, and supplies
- T—Boats, pleasure boats, and equipment and parts
- NT—Bowling shirts
- T—Bowling shoes, purchase and rental
- T—Equipment and supplies for baseball, football, hockey, basketball, and other sports
- T—Exercise equipment
- T—Guns and ammunition

- NT—Gym suits, outfits
- T—Helmets
- T—Hunting accessories
- NT—Hunting clothing, including camouflage and blaze orange
- NT—Jogging outfits, running shoes
- T—Mats, floor
- T—Protective equipment, knee pads, elbow pads, forearm pads, etc.
- T—Sleeping bags
- NT—Sneakers, jogging, tennis and aerobic shoes, etc.
- NT—Snowmobile suits
- T—Uniforms, baseball, football, soccer, basketball, hockey etc.
- NT—Warm-up suits, cloth sweat suits
- T—Weights
- T—Skates, ice, roller, in-line and sharpening

(24) *Tobacco Products*

- \*T—Chewing tobacco, all types
- T—Cigarettes, little cigars
- \*\*T—Cigars, all types
- T—Smoking accessories
- \*T—Tobacco, all types

(25) *Utilities and Fuel*

- NT—Coal
- NT—Coin-operated telephone charges
- T—Corn and corn pellets
- T—Firelogs, processed
- NT—Firewood, kindling and wood pellets for residential use
- NT—Fuel oil, gas, steam, or electricity purchased for residential use
- T—Fuel oil, gas, steam, or electricity purchased for commercial use
- T—Interstate and intrastate telephone services for residential or commercial use
- NT—Basic telephone service and subscriber line charges for residential use
- T—Basic telephone service and subscriber line charges for commercial use
- T—Utilities for office or business within home

(26) *Tires and Motor Vehicle Leases and Rentals*  
*Subject to Public Transportation Assistance*  
*Fund Taxes and Fees (PTA) (61 Pa. Code § 47.19).*

The following items are subject to a Public Transportation Assistance Fund Taxes or Fees as follows. The tax or fee is in addition to any Sales or Use Tax which may be due. However, the Sales, Use, PTA Taxes or PTA Fees shall not be included within the tax base when imposing such taxes or fees.

<i>Item</i>	<i>PTA Tax/Fee</i>	<i>Exemption</i>
Tires, new tires for highway use (used tires and tires for off highway use are not subject to the fee)	\$1 fee upon the sale of each new tire.	Exempt only if purchased by a government entity.
Rentals of Motor Vehicles (the term rental shall mean the transfer of the possession of a motor vehicle for a period of less than 30 days)	\$2 fee upon each rental day or part thereof.	Exempt, if lessee qualifies for Sales Tax Exemption.

<i>Item</i>	<i>PTA Tax/Fee</i>	<i>Exemption</i>
Leases of Motor Vehicles (the term lease shall mean the transfer of possession of a motor vehicle for a period of 30 or more days)	3% tax upon the total lease payment including down payment and accelerated lease payments.	Exempt, if lessee qualifies for Sales Tax Exemption.

(27) *Vehicle Rental Tax (VRT)*  
(61 Pa. Code § 47.20)

Rental companies that have available for rental 5 or more motor vehicles designed to carry 15 or less passengers, or a truck, trailer, or semi-trailer used in the transportation of property, other than commercial freight that is rented without a driver, are responsible for collecting an additional 2% tax. This tax is imposed on the purchase price, as calculated for Sales Tax purposes, of each rental contract for a period of 29 consecutive days or less. The VRT is separate from, and in addition to, any applicable state or local Sales Tax or the \$2.00 daily PTA fees.

Rental companies may claim a refund up to the amount of tax remitted for licensing and titling fees paid to the Commonwealth during a previous calendar year.

DANIEL MEUSER,  
*Secretary*

[Pa.B. Doc. No. 12-2503. Filed for public inspection December 21, 2012, 9:00 a.m.]

(5) KR-10SP, Stationary Radar (identified on the radar housing as KR-10SP). Manufactured by Kustom Signals, Incorporated, 9325 Pflumm, Lenexa, KS 66215.

(6) KR-10SP, Stationary Radar (identified on the radar housing as KR-10). Manufactured by Kustom Electronics, Incorporated, 8320 Nieman Road, Lenexa, KS 66214.

(7) Pro 1000(DS), Manufactured by Kustom Signals, Incorporated, 1010 West Chestnut, P. O. Box 947, Chanute, KS 66720.

(8) Genesis-I. Manufactured by Decatur Electronics, Incorporated/a Soncell NA Company 3433 East Wood Street, Phoenix, AZ 85040.

(9) Genesis-II Select. Manufactured by Decatur Electronics, Incorporated/a Soncell NA Company, 3433 East Wood Street, Phoenix, AZ 85040.

(10) Genesis Handheld (GHS). Manufactured by Decatur Electronics, Incorporated/a Soncell NA Company 3433 East Wood Street, Phoenix, AZ 85040.

(11) Genesis GHD Hand-held model. Manufactured by Decatur Electronics, Incorporated/a Soncell NA Company 3433 East Wood Street, Phoenix, AZ 85040.

(12) Genesis GVP-D battery operated model. Manufactured by Decatur Electronics, Incorporated/a Soncell NA Company 3433 East Wood Street, Phoenix, AZ 85040.

(13) Raptor RP-1. Manufactured by Kustom Signals Incorporated, 9652 Loiret Boulevard, Lenexa, KS 66219.

(14) Scout Handheld. Manufactured by Decatur Electronics, Incorporated/a Soncell NA Company, 3433 East Wood Street, Phoenix, AZ 85040.

(15) Stalker Dual. Manufactured by Applied Concepts, Incorporated, 2609 Technology Drive, Plano, TX 75074.

(16) Stalker Dual SL. Manufactured by Applied Concepts, Incorporated, 2609 Technology Drive, Plano, TX 75074.

(17) Stalker Dual DSR. Manufactured by Applied Concepts, Incorporated, 2609 Technology Drive, Plano, TX 75074.

(18) Stalker. Manufactured by Applied Concepts, Incorporated, 2609 Technology Drive, Plano, TX 75074.

(19) Eagle Plus. Manufactured by Kustom Signals, Incorporated, 9325 Pflumm, Lenexa, KS 66215-3347.

Under 75 Pa.C.S. § 3368(c)(3), the Department has approved, for use by any police officer, the following electronic speed-timing devices (nonradar) which measure elapsed time between measured road surface points by using two sensors:

(1) Electrical Speed Timing System. Manufactured by Richard Hageman, 98 South Penn Dixie Road, Nazareth, PA 18064.

(2) Model TK 100, Excessive Speed Preventor. Manufactured by Systems Innovation, Incorporated, Steam Hollow Road, R. D. 2, Hallstead, PA 18822.

## DEPARTMENT OF TRANSPORTATION

### Approved Speed-Timing Devices and Appointment of Maintenance and Calibration Stations

The Department of Transportation (Department), Bureau of Motor Vehicles (Bureau), under 75 Pa.C.S. § 3368 (relating to speed timing devices), has approved for use, until the next comprehensive list is published, subject to interim amendment, the following electronic speed-timing devices (radar); electronic speed-timing devices (nonradar), which measure elapsed time between measured road surface points by using two sensors; and electronic speed-timing devices (nonradar), which calculate average speed between any two points.

Under 75 Pa.C.S. § 3368(c)(2), the Department has approved, for use only by members of the State Police, the following electronic speed-timing devices (radar) when used in the stationary mode only:

(1) Falcon Radar (identified on the radar housing as FALCON). Manufactured by Kustom Signals, Incorporated, 9325 Pflumm, Lenexa, KS 66215.

(2) Falcon HR—Hand-held model. Manufactured by Kustom Signals, Incorporated, 9325 Pflumm, Lenexa, KS 66215.

(3) KR-10, Stationary Radar (identified on the radar housing as KR-10). Manufactured by Kustom Signals, Incorporated, 9325 Pflumm, Lenexa, KS 66215.

(4) KR-10, Stationary Radar (identified on the radar housing as KR-10). Manufactured by Kustom Electronics, Incorporated, 8320 Nieman Road, Lenexa, KS 66214.

(3) Model TK 100, Excessive Speed Preventor. Manufactured by Targetron, Incorporated, 190 Angletown Road, Muncy, PA 17756.

(4) Speed Chek (identified on the housing as Speed Chek model one, Mfd. for: The Union Agency, Unionville, PA 19375). Manufactured by Sterner Lighting Systems, Incorporated, 351 Lewis Avenue, Winsted, MN 55395.

(5) Model TK 100, Excessive Speed Preventor Infrared. Manufactured by Systems Innovation, Incorporated, Steam Hollow Road, R.D. 2, Hallstead, PA 18822.

(6) Model TK 100, Excessive Speed Preventor Infrared. Manufactured by Targetron, Incorporated, 190 Angletown Road, Muncy, PA 17756.

(7) Enradd, Model EJU-91. Manufactured by Y.I.S. Incorporated, 1100 North Hartley Street, York, PA 17404.

(8) Enradd, Model EJU-91 with Non-Contact Road Switch System. Manufactured by Y.I.S. Incorporated, 1100 North Hartley Street, York, PA 17404.

(9) Enradd, Model EJU-91 Wireless System. Manufactured by Y.I.S. Incorporated, 1100 North Hartley Street, York, PA 17404.

Under 75 Pa.C.S. § 3368(c)(1) and (3), the Department has approved the use of electronic and mechanical stopwatches as speed-timing devices for use by any police officer. The Department has approved these speed-timing devices upon submission of a certificate of stopwatch accuracy indicating that a stopwatch has been successfully tested in accordance with the requirements of 67 Pa. Code Chapter 105 (relating to mechanical, electrical and electronic speed-timing devices). The Department issues an approved speed-timing device certificate for the device, as required by 67 Pa. Code § 105.72 (relating to equipment approval procedure). The Department does not publish a listing of these approved speed-timing devices because they are approved individually by serial number and police department. Therefore, if a citation is contested, it is necessary for the police department to show both the certificate of stopwatch accuracy, which was issued within 60 days of the citation, and an approved speed-timing device certificate issued by the Bureau.

Under 75 Pa.C.S. § 3368(c)(3), the Department has approved, for use by any police officer, the following electronic speed-timing device (nonradar) which calculates average speed between any two points:

(1) VASCAR-plus. Manufactured by Traffic Safety Systems, a division of Power Systems & Controls, Incorporated, 3206 Lanvale Avenue, Richmond, VA 23230.

(2) VASCAR-plus II. Manufactured by Traffic Safety Systems, a division of Power Systems & Controls, Incorporated, 3206 Lanvale Avenue, Richmond, VA 23230.

(3) VASCAR-plus III. Manufactured by Traffic Safety Systems a division of Power Systems & Controls, Incorporated, 3206 Lanvale Avenue, Richmond, VA 23230.

(4) VASCAR-plus IIIc. Manufactured by Traffic Safety Systems a division of Power Systems & Controls, Incorporated, 3206 Lanvale Avenue, Richmond, VA 23230.

(5) V-SPEC—Manufactured by Y.I.S. Incorporated, 1100 North Hartley Street, York, PA 17404.

(6) Tracker by Patco. Manufactured by Kustom Signals, Incorporated, 9325 Pflumm, Lenexa, KS 66215.

The Department, under 75 Pa.C.S. § 3368(d) has appointed the following stations for calibrating and testing speed-timing devices until the next comprehensive list is published, subject to interim amendment.

The Department has appointed, under 75 Pa.C.S. § 3368(d), the following official Electronic Device Testing Stations for radar devices, which may only be used by members of the State Police:

Davidheiser's Speedometer Repair, Incorporated, 181 Ridge Road, Telford, Montgomery County, PA 18969. (Appointed: 12/22/01, Station R8).

Guth Laboratories, Incorporated, 590 North 67th Street, Harrisburg, Dauphin County, PA 17111-4511 (Appointed: 01/27/97, Station R2).

S & D Calibration Services, 29 Prosperity Street, Monongahela, Washington County, PA 15063. (Appointed: 08/15/03, Station R11).

Simco Electronics, 2125 South West 28th Street, Allentown, Lehigh County, PA 18103. (Appointed: 09/19/96, Station R9).

Wisco Calibration Services, Inc., 820 Washington Boulevard, Pittsburgh, Allegheny County, PA 15206. (Appointed: 07/14/99, Station R10).

Y.I.S., Inc., 1100 North Hartley Street, York, York County, PA 17404. (Appointed: 01/14/75, Station R3).

Y.I.S./Cowden Group, Inc., 1100 North Hartley Street, York, York County, PA 17404. (Appointed: 8/20/04 Station R12).

The Department has appointed, under 75 Pa.C.S. § 3368(b), the following Official Speedometer Testing Stations:

Auto Electric & Speedometer Service, 7019 Beaver Dam Road, Levittown, Bucks County, PA 19057. (Appointed: 03/14/74, Station S54).

Briggs-Hagenlocher, 1110 Chestnut Street, Erie, Erie County, PA 16501. (Appointed: 03/25/93, Station S39).

Davidheiser's Speedometer Repair, Incorporated, 181 Ridge Road, Telford, Montgomery County, PA 18969—Also authorized to use mobile units. (Appointed: 11/25/63, Station S19).

George's Garage, 868 Providence Road, Scranton, Lackawanna County, PA 18508. (Appointed: 04/15/98, Station S8).

K & M Automotive Electric Service, 1004-24th Street, Beaver Falls, Beaver County, PA 15010. (Appointed: 11/13/67, Station S23).

Mahramus Specialty Auto Service, 286 Muse Bishop Road, Canonsburg, Washington County, PA 15317. (Appointed: 01/03/84, Station S7).

Maruti Auto Service, Inc., 4030 New Falls Road, Bristol, Bucks County, PA 19007. (Appointed 11/4/2008, Station S11).

Powl's Speedometer Service, Incorporated, 2340 Dairy Road, Lancaster, Lancaster County, PA 17601—Also authorized to use mobile units. (Appointed: 06/09/97, Station S82).

Rabold's Services, 2034 Boas Street, Harrisburg, Dauphin County, PA 17103—Also authorized to use mobile units. (Appointed: 06/29/62, Station S67).

S & D Calibration Services, 1963 Route 837, Monongahela, Washington County, PA 15063—Also authorized to use mobile units. (Appointed: 03/22/83, Station S35).

Y.I.S./Cowden Group Inc., 1100 North Hartley Street, York, York County, PA 17404—Also authorized to use mobile units. (Appointed: 8/20/04, Station S9).

The Department has appointed, under 75 Pa.C.S. § 3368(d), the following official Electronic Device Testing Stations for non-radar devices, which measure elapsed time between measured road surface points by using two sensors:

Davidheiser's Speedometer Repair, Incorporated, 181 Ridge Road, Telford, Montgomery County, PA 18969—Also authorized to use mobile units. (Appointed: 04/07/93, Station EL3).

Rabolds Services, 2034 Boas Street, Harrisburg, Dauphin County, PA 17103—Also authorized to use mobile units. (Appointed: 02/27/92, Station EL22).

S & D Calibration Services, 29 Prosperity Street, Monongahela, Washington County, PA 15063—Also authorized to use mobile units. (Appointed: 03/14/02, Station EL1).

S & D Calibration Services, 115 Joyce Drive, McMurray, Washington County, PA 15317—Also authorized to use mobile units. (Appointed: 09/14/82, Station EL11).

Targetron, Incorporated, 190 Angletown Road, Muncy, Lycoming County, PA 17756—Also authorized to use mobile units (Appointed: 05/07/91, Station EL21).

Mahramus Specialty Auto Service, 286 Muse Bishop Road, Cannonsburg, Washington County, PA 15317. (Appointed: 07/31/97, Station EL18).

Y.I.S./Cowden Group, 1100 North Hartley Street, York, York County, PA 17404—Also authorized to use mobile units. (Appointed: 02/20/80, Station EL7).

The Department has appointed, under 75 Pa.C.S. § 3368(d), the following Official Stopwatch Testing Stations:

Cal Tech Labs, 501 Mansfield Avenue, Pittsburgh, Allegheny County, PA 15205. (Appointed: 12/22/07, Station W70).

Department of General Services, Bureau of Procurement, 2221 Forster Street Harrisburg, Dauphin County, PA 17125. (Appointed: 03/09/79, Station W18).

Davidheiser's Speedometer Repair, Incorporated, 181 Ridge Road, Telford, Montgomery County, PA 18969—Also authorized to use mobile units. (Appointed: 10/28/77, Station W29).

Leitzel's Jewelry, 607 East Lincoln Avenue, Myerstown, Lebanon County, PA 17067. (Appointed: 09/01/87, Station W58).

Precision Watch Repair Company, 1015 Chestnut Street, Room 1010, Philadelphia, Philadelphia County, PA 19107. (Appointed: 09/24/80, Station W54).

Rabold's Services, 2034 Boas Street, Harrisburg, Dauphin County, PA 17103—Also authorized to use mobile units. (Appointed: 09/15/86, Station W56).

R & R Timing, 203 Shuster Hollow Road, Leechburg, Westmoreland County, PA 15656. (Appointed: 6/16/04 Station W10).

S & D Calibration Services, 29 Prosperity Street, Monongahela, Washington County, PA 15063—Also authorized to use mobile units. (Appointed: 03/14/02, Station W1).

S & D Calibration Services, 115 Joyce Drive, McMurray, Washington County, PA 15317—Also authorized to use mobile units. (Appointed: 10/10/89, Station W61).

Servinsky Jewelers, 610 Second Street, Cresson, Cambria County, PA 16630. (Appointed: 05/18/78, Station W40).

Targetron, Incorporated, 190 Angletown Road, Muncy, Lycoming County, PA 17756—Also authorized to use mobile units. (Appointed: 05/07/91, Station W64).

Y.I.S./Cowden Group, 1100 North Hartley Street, York, York County, PA 17404—Also authorized to use mobile units. (Appointed: 08/30/89, Station W60).

The Department has appointed, under 75 Pa.C.S. § 3368(d), the following official Electronic Device Testing Stations for nonradar devices which calculates average speed between any two points:

Davidheiser's Speedometer Repair, Incorporated, 181 Ridge Road, Telford, Montgomery County, PA 18969—Also authorized to use mobile units. (Appointed: 02/11/93, Station EM23).

Rabolds Services, 2034 Boas Street, Harrisburg, Dauphin County, PA 17103—Also authorized to use mobile units. (Appointed: 02/27/92, Station EM22).

S & D Calibration Services, 29 Prosperity Street, Monongahela, Washington County, PA 15063—Also authorized to use mobile units. (Appointed: 03/14/02, Station EM1).

S & D Calibration Services, 115 Joyce Drive, McMurray, Washington County, PA 15317—Also authorized to use mobile units. (Appointed: 09/14/82, Station EM6).

Mahramus Specialty Auto Service, 286 Muse Bishop Road, Canonsburg, Washington County, PA 15317 (Appointed: 08/13/97, Station EM12).

Targetron, Incorporated, 190 Angletown Road, Muncy, Lycoming County, PA 17756—Also authorized to use mobile units. (Appointed: 05/07/91, Station EM21).

Y.I.S./Cowden Group, 1100 North Hartley Street, York, York County, PA 17404—Also authorized to use mobile units. (Appointed: 12/20/80, Station EM5).

Comments, suggestions or questions may be directed to Michael Smith, Manager, Administrative and Technical Support Section, Vehicle Inspection Division, Bureau of Motor Vehicles, Riverfront Office Center, 1101 South Front Street, Harrisburg, PA 17104, (717) 783-7016.

BARRY J. SCHOCH, P.E.,  
Secretary

[Pa.B. Doc. No. 12-2504. Filed for public inspection December 21, 2012, 9:00 a.m.]

## Finding Venango County

Under section 2002(b) of The Administrative Code of 1929 (71 P. S. § 512(b)), the Director of the Bureau of Project Delivery as delegated by the Secretary of Transportation makes the following written finding:

The Department of Transportation (Department) is planning to replace the Woolen Mill Bridge, which carries Township Route 372 over Lake Creek in Cooperstown Borough, Venango County.

The proposed project will require a use of approximately 0.03 acre from each of two Borough owned parks, Alumni Park and Mitchel Field. The proposed project will

also require the use of the Woolen Mill Bridge, which is eligible for listing on the National Register of Historic Places.

In accordance with section 2002 of The Administrative Code of 1929 establishing the Department, an Environmental Document has been developed for this project. In addition, a "Determination of Section 4(f) De Minimis Use, Section 2002 No Adverse Use" document and a "Nationwide/Programmatic Section 4(f) Evaluation for Projects that Necessitate the Use of Historic Bridges" document have been developed to evaluate the potential environmental impacts caused by the subject project. The Section 4(f) documents also serve as the Section 2002 Evaluation. The approved documents are available in the CE/EA Expert System.

Based upon studies, there is no feasible and prudent alternative to the proposed action. Mitigation measures will be taken to minimize harm as stipulated in the Environmental Document and the Section 4(f)/Section 2002 documents.

The environmental, economic, social and other effects of the proposed project, as enumerated in section 2002 of The Administrative Code of 1929 have been considered. It has been concluded that there is no feasible and prudent alternative to the project as designed and all reasonable steps have been taken to minimize the effects.

CHERYL MOON-SIRIANNI, P.E.,  
*Acting Director*  
*Bureau of Project Delivery*

[Pa.B. Doc. No. 12-2505. Filed for public inspection December 21, 2012, 9:00 a.m.]

## FISH AND BOAT COMMISSION

### Temporary Changes to Fishing Regulations; Shenango River, Mercer County and Youghio- gheny River, Allegheny, Fayette, Somerset and Westmoreland Counties

The Executive Director of the Fish and Boat Commission (Commission), acting under the authority of 58 Pa. Code § 65.25 (relating to temporary changes to fishing regulations), has taken immediate action to amend 58 Pa. Code § 65.24 (relating to miscellaneous special regulations) to remove Early Season Stocked Trout Water restrictions on the Shenango River, Mercer County, and Youghioghenny River, Somerset, Fayette, Westmoreland and Allegheny Counties. Currently, the Shenango River from the dam downstream to SR 3025, a distance of 1.5 miles and the Youghioghenny River from the Reservoir downstream to the confluence with the Casselman River are subject to the following miscellaneous special regulations in 58 Pa. Code § 65.24:

Closed season on trout: April 1 until 8 a.m., first Saturday after April 11. Daily limit—First Saturday after April 11 until Labor Day: 5 trout per day; day after Labor Day to midnight, March 31 of the following year—3 trout per day. Inland regulations apply to warmwater/coolwater species.

The language of these miscellaneous special regulations is consistent with 58 Pa. Code § 65.10 (relating to Early Season Trout Stocked Waters Program), which allows

fishing on designated waters from March 1 until 12 a.m., March 31, with a daily limit of three combined species during the period from the day after Labor Day until 12 a.m., March 31 of the following year. By notice published at 42 Pa.B. 6737 (October 20, 2012), the Commission previously removed the Shenango and Youghioghenny Rivers from the Early Season Trout Stocked Waters Program, effective January 1, 2013. Therefore, to be consistent with the Commission's prior action, the Executive Director is removing the miscellaneous special regulations on these waters.

The Executive Director will cause these temporary modifications to fishing regulations to be posted in the vicinity of the waters and the modified regulations will be fully effective and enforceable. The Executive Director has found that this action is necessary and appropriate for the management of fish and to conserve and preserve fishing opportunities.

The temporary modifications will go into effect on January 1, 2013, and will remain in effect until the Commission, by appropriate action, amends 58 Pa. Code § 65.24.

JOHN A. ARWAY,  
*Executive Director*

[Pa.B. Doc. No. 12-2506. Filed for public inspection December 21, 2012, 9:00 a.m.]

## INSURANCE DEPARTMENT

### Allianz Life Insurance Company of North America; Rate Increase Filing for Several LTC Forms

Allianz Life Insurance of Company of North America is requesting approval to increase the premium 25% on 155 policyholders with the following individual LTC policy form numbers: 7-P-Q-PA, 7-P-Q-PA-1, 7-P-F-Q-PA, 7-P-F-Q-PA-1, N-4040-P-PA(Q), N-4040-P-PA(NQ), N-4041-P-PA(Q) and N-4041-P-PA(NQ).

Unless formal administrative action is taken prior to March 7, 2013, the subject filing may be deemed approved by operation of law.

A copy of the filing is available on the Insurance Department's (Department) web site at [www.insurance.pa.gov](http://www.insurance.pa.gov). Under the tab "How to Find . . ." click on the link "PA Bulletin."

Copies of the filing are also available for public inspection, by appointment, during normal working hours at the Department's Harrisburg Office.

Interested parties are invited to submit written comments, suggestions or objections to James Laverty, Actuary, Insurance Department, Insurance Product Regulation and Market Enforcement, Room 1311, Strawberry Square, Harrisburg, PA 17120, [jlaverty@pa.gov](mailto:jlaverty@pa.gov) within 30 days after publication of this notice in the *Pennsylvania Bulletin*.

MICHAEL F. CONSEDINE,  
*Insurance Commissioner*

[Pa.B. Doc. No. 12-2507. Filed for public inspection December 21, 2012, 9:00 a.m.]

### Application for Approval to Acquire Control of Aegis Security Insurance Company and American Sentinel Insurance Company

K2 Insurance Services has filed an application to acquire control of Aegis Security Insurance Company, a Pennsylvania domiciled stock property insurance company, and American Sentinel Insurance Company, a Pennsylvania domiciled stock casualty insurance company. The filing was made under Article XIV of The Insurance Company Law of 1921 (40 P. S. §§ 991.1401—991.1413).

Persons wishing to comment on the acquisition are invited to submit a written statement to the Insurance Department (Department) within 5 days from the date of this issue of the *Pennsylvania Bulletin*. Each written statement must include name, address and telephone number of the interested party; identification of the application to which the statement is addressed; and a concise statement with sufficient detail and relevant facts to inform the Department of the exact basis of the statement. Written statements should be directed to Robert Brackbill, Company Licensing Division, Insurance Department, 1345 Strawberry Square, Harrisburg, PA 17120, fax (717) 787-8557 or rbrackbill@pa.gov.

MICHAEL F. CONSEDINE,  
*Insurance Commissioner*

[Pa.B. Doc. No. 12-2508. Filed for public inspection December 21, 2012, 9:00 a.m.]

## LIQUOR CONTROL BOARD

### Expiration of Leases

The Liquor Control Board seeks the following new sites:

Bucks County, Wine & Spirits Store #0909 (Relocation), Newtown, PA 18940

*Lease expires:* February 28, 2014

Lease retail commercial space to the Commonwealth. Proposals are invited to provide the Liquor Control Board with approximately 10,500 to 12,000 net useable square feet of new or existing retail commercial space within a 0.50-mile radius of 200 North Sycamore Street, Newtown, PA

*Proposals due:* January 11, 2013, at 12 p.m.

**Department:** Liquor Control Board  
**Location:** Bureau of Real Estate  
Real Estate Region #1  
7116 Ridge Avenue  
Philadelphia, PA 19128-3250  
**Contact:** James M. Bradley  
(215) 482-9670  
jabradley@pa.gov

Monroe County, Wine & Spirits Store #4511 (Relocation), Brodheadsville, PA 18322

*Lease expires:* October 31, 2013

Lease retail commercial space to the Commonwealth. Proposals are invited to provide the Liquor Control Board with approximately 4,500 to 5,500 net useable square feet of new or existing retail commercial space within a 1.50-mile radius of the intersection of Weir Lake Road and Rt. 209, Brodheadsville, PA

*Proposals due:* January 11, 2013, at 12 p.m.

**Department:** Liquor Control Board  
**Location:** Bureau of Real Estate  
Central Real Estate Office  
Northwest Office Building, RM #313  
910 Capital Street  
Harrisburg, PA 17124-0001  
**Contact:** Justin Shoemaker  
(717) 439-9143  
justin@jcbprop.com

Chester County, Wine & Spirits Store (#TBD) (New Store), Malvern, PA

Lease retail commercial space to the Commonwealth. Proposals are invited to provide the Liquor Control Board with approximately 6,000 to 8,000 net useable square feet of new or existing retail commercial space within a 1-mile radius of South Morehall Road and Wyeth Drive, East Whiteland Township, Malvern, PA.

*Proposals due:* January 11, 2013, at 12 p.m.

**Department:** Liquor Control Board  
**Location:** Bureau of Real Estate  
Real Estate Region #1  
7116 Ridge Avenue  
Philadelphia, PA 19128-3250  
**Contact:** Eugene Tartaglione  
(215) 482-9670  
etartaglio@pa.gov

JOSEPH E. BRION,  
*Chairperson*

[Pa.B. Doc. No. 12-2509. Filed for public inspection December 21, 2012, 9:00 a.m.]

## PENNSYLVANIA PUBLIC UTILITY COMMISSION

### Petition of the North American Numbering Plan Administrator on Behalf of the Pennsylvania Telecommunications Industry for Approval of Numbering Plan Area Relief Planning for the 570 Numbering Plan Area

Public Meeting held  
December 5, 2012

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

*Petition of the North American Numbering Plan Administrator on behalf of the Pennsylvania Telecommunications Industry for Approval of Numbering Plan Area Relief Planning for the 570 NPA; P-2009-2117193*

*By the Commission:*

Before the Commission for its consideration is the Joint Carriers'<sup>1</sup> Petition to Modify the Commission's July 19, 2010 Order implementing area code relief for the 570

<sup>1</sup> Verizon Pennsylvania, Inc., Verizon North LLC, MCImetro Access Transmission Services LLC d/b/a Verizon Access Transmission Services (collectively "Verizon"), AT&T Communications of Pennsylvania, LLC, TCG Pittsburgh, TCG Delaware Valley, Inc., New Cingular Wireless PCS, LLC, d/b/a AT&T Mobility (collectively, "AT&T"), T-Mobile Northeast LLC, VoiceStream Pittsburgh (collectively, "T-Mobile"), Sprint Communications Company, L.P., Sprint Spectrum, L.P., Nextel Communications of the Mid-Atlantic, Inc., and NPCR, Inc. (collectively, "Sprint"), and Verizon Wireless.

Numbering Plan Area (NPA) or area code. Specifically, the Joint Carriers are requesting a limited modification of the July 19, 2010 Order (July 19th Order) in order to extend the customer education and permissive dialing period from three months to six months in light of the extended forecast for the 570 area code. The Commission grants in part and denies in part the Joint Carrier's Petition to Modify.

#### Background

On June 28, 1996, the telecommunications industry asked the Commission to decide how to relieve the shortage of numbering resources in the original 717 area code as the industry could not reach a consensus. Accordingly, the Commission opened a docket at P-00961071 that ultimately led to the creation of the 570 area code on May 21, 1998.<sup>2</sup> The 570 NPA was a geographic split<sup>3</sup> of the original 717 area code and was activated on April 8, 1999. The geographic area covered by the new 570 area code is comprised of 21 north-central counties and includes the cities of Williamsport, Wilkes-Barre, Hazleton, Scranton, and Stroudsburg.

The North American Numbering Plan Administrator ("NANPA"), NeuStar, Inc. (Neustar), had projected that the 570 NPA would have a life of approximately six years before the numbering resources would exhaust. Nevertheless, on May 4, 2000, or approximately one year later, the Commission was notified that relief planning for the 570 NPA was necessary yet again. According to the NANPA, the projected exhaust date for the 570 area code was now the first quarter of 2002.<sup>4</sup> Accordingly, a 570 NPA Relief Meeting was held on June 1, 2000, where the industry reached a consensus<sup>5</sup> to implement an all-services distributed overlay for the 570 area code with implementation of this overlay to begin on October 2, 2000.

On July 19, 2000, NeuStar filed the petition with the Commission requesting approval of its relief plan to implement an overlay for the geographic area covered by the 570 NPA ("July 19th Petition"). After receipt of this petition, the Commission requested comments from interested parties on the July 19th Petition and scheduled public input hearings regarding what type of relief should be implemented in the 570 NPA and when this relief should be implemented.

During the course of its deliberations regarding the July 19th petition, the Commission had received from the Federal Communications Commission ("FCC") the authority to implement such number conservation measures as 1,000-block number pooling<sup>6</sup> and NXX code reclamation<sup>7</sup> in the 570 area code.<sup>8</sup> Furthermore, the FCC had man-

dated that all wireless carriers participate in pooling as of November 24, 2002.<sup>9</sup> Thus, wireless carriers began participating in Pennsylvania's mandatory pools, including the pool in 570. As a result of the implementation of these various number conservation measures, the 570 area code experienced an unprecedented, efficient use of its numbering resources, which, in turn, lengthened the life expectancy of the 570 area code.

In May of 2003, the NANPA, after taking into account the effects of the number conservation measures, revised the projected exhaust date for the 570 NPA to the third quarter of 2008. A relief plan may be withdrawn prior to its approval if it is determined that the NPA will not exhaust in the next five years.<sup>10</sup> Accordingly, by Order entered August 1, 2003, at P-00961071F002, the Commission concluded that the data on which the 570 relief plan had been filed was outdated and that the various number conservation measures that had been implemented had resulted in more numbers becoming available in the 570 area code. Consequently, the Commission determined that there was good cause to dismiss the July 19th Petition.

Subsequently, on March 30, 2009, the NANPA again notified the Industry and the Commission that it needed to meet to discuss relief alternatives for the 570 NPA. According to the April Number Resource Utilization Forecast ("NRUF") and NPA Exhaust Analysis April 24, 2009 Update ("2009 NRUF Report"),<sup>11</sup> the 570 NPA was projected to exhaust all available NXX codes during the third quarter 2011. Further, the 570 NPA was declared to be in jeopardy on April 1, 2009.<sup>12</sup>

The Industry met via conference call May 27, 2009, to discuss various relief alternatives proposed by the NANPA. At this meeting, the NANPA proposed four relief alternatives to alleviate the situation in the 570 NPA. Two of the proposed relief alternatives were two-way geographic splits and the other two were all-services distributed overlays. The industry reached a consensus to recommend an all-services distributed overlay as the form of relief for the 570 NPA for several reasons.

Thereafter, on July 1, 2009, NeuStar filed a petition with the Commission requesting approval of its consensus plan for the 570 Numbering Plan Area ("NPA" or "area code").<sup>13</sup> By an Order entered July 29, 2009, the Commission denied the industry's overlay recommendation and requested written comments from interested parties on the four relief alternatives that had initially been presented by Neustar to the telecommunications industry. By Order entered December 23, 2009, the Commission scheduled five public input hearings in various cities located throughout the 570 NPA.<sup>14</sup>

The Commission reviewed the written comments and the transcripts of the public input hearings regarding

<sup>2</sup> Petition of NPA Relief Coordinator Re: 717 Area Code Relief Plan, Docket No. P-00961071 (Order entered May 21, 1998).

<sup>3</sup> A geographic split occurs when an existing area code is divided into two or more separate geographic areas where one area retains the existing NPA and the others receive new NPAs.

<sup>4</sup> Pursuant to the INC Guidelines, the NANPA was required to prepare relief options for an NPA that was projected to exhaust within 36 months and to conduct an industry meeting with the goal of reaching industry consensus regarding the form of relief for the area code. See INC Guidelines at §§ 5.0, 5.5.

<sup>5</sup> A consensus is established when substantial agreement has been reached. Substantial agreement means more than a simple majority, but not necessarily unanimity. CLC Principles and Procedures, May 1998, at § 6.8.8.

<sup>6</sup> Thousand-block number pooling is the process by which a 10,000 block of numbers is separated into ten sequential blocks of 1,000 numbers and allocated separately to providers within a rate center.

<sup>7</sup> NXX code reclamation involves the return of unused NXX codes to the NANPA. Within six months of receiving an NXX code, a carrier must assign at least one number to an end user or the entire NXX code must be returned to the NANPA. 47 C.F.R. § 52.15(g)(iii).

<sup>8</sup> The Commission implemented NXX code reclamation in the 570 NPA in August 2000, while mandatory 1,000-block pooling was implemented in February 2002. See Petition of Representative Keith R. McCall and Members of the Northeast Delegation of the Pennsylvania House of Representatives Requesting that Additional Authority be Delegated to the Pennsylvania Public Utility Commission to Implement Additional Number Conservation Measures, CC Docket No. 99-200 and NSD-L-01-113 (Order released December 28, 2001). By order entered on August 9, 2001, at Docket No.

M-00001427, the Commission, with the consensus of the industry, ordered the implementation of a voluntary pool in 570, which subsequently became mandatory at the direction of the FCC in the *McCall Order*.

<sup>9</sup> In the Matter of Verizon Wireless' Petition For Partial Forbearance From the Commercial Mobile Radio Services Number Portability Obligation and Telephone Number Portability, WT Docket 01-84, CC Docket No. 95-116 (Order adopted July 16, 2002).

<sup>10</sup> INC Guidelines at § 5.10.

<sup>11</sup> Federal rules that went into effect on July 17, 2000, require all carriers to report to the NANPA their historical and forecast utilization data. 47 C.F.R. § 52.15(f). These reports are made semi-annually and are referred to as the "NRUF Reports." Using this data along with the rate of assignment of NXX codes in the NPA, the NANPA predicts the exhaust date for all NPAs in its NPA Exhaust Analysis. These reports can be found at [www.nanpa.com](http://www.nanpa.com).

<sup>12</sup> According to the Central Office Code (NXX) Assignment Guidelines, "A jeopardy condition exists when the forecasted and/or actual demand for NXX resources will exceed the known supply during the planning/implementation interval for relief."

<sup>13</sup> If the industry reaches a consensus, then its consensus plan is filed with the Commission and the Commission has an opportunity to take action at that point. See NPA Code Relief Planning & Notification Guidelines, INC97-0404-016, reissued November 8, 1999, at § 5.6.

<sup>14</sup> The public input hearings were held in the cities of Wilkes-Barre, Jim Thorpe, Williamsport, Scranton and Lock Haven.

which form of area code relief should be implemented upon exhaust of the 570 NPA and the timeframe for the implementation. Thus, by Order entered July 19, 2010, the Commission directed the implementation of an all-services distributed overlay as the form of area code relief for the 570 NPA. Additionally, the Commission established an implementation schedule for the overlay. The Commission directed that all network preparation for the implementation of the new overlay be completed within eight months or no later than March 1, 2011 at 12:01a.m (EST). Furthermore, the Commission directed Neustar not activate<sup>15</sup> the new NPA or assign any NXX or central office codes from the new overlay until three months to NXX code exhaust in the 570 area code and that once the "three months to exhaust" threshold has been reached, the permissive dialing period may begin, in which the telecommunications industry can start customer education programs for the new NPA.

NANPA informed the Commission that the "272" area code number will be assigned as the overlay code for the 570 area code. On October 26, 2012, the FCC released the latest area code projections set forth in the October 2012 NRUF report. The October 2012 NRUF data indicates that the latest projected exhaust date for the 570 NPA is the third quarter of 2013.

#### *Joint Carriers' Petition*

On February 21, 2012, the Joint Carriers filed a petition in which they requested the Commission to modify its implementation schedule for the overlay from the three-month customer education and permissive dialing period to the more generally-accepted industry practice of a six-month customer education and permissive dialing period. The Joint Petitioners assert that their collective experience has shown that six months is the minimum period necessary for customers who are accustomed to dialing seven digits for local calls to adapt to dialing ten digits for such calls before mandatory ten-digit dialing begins. The Joint Carriers further assert that a six-month interval is the minimum amount of time needed by alarm companies to make required changes to customer premises auto-dialers, by businesses and PBX customers to prepare for and make their equipment and data base changes, by consumers to reprogram other types of equipment like life safety systems, speed dialing buttons on home and wireless phone and any remote call forwarding settings, and by carriers to complete preparation for the mandatory dialing change.

The Joint Carriers assert that providing only three months for customer education would disrupt the schedule for staged customer communications and reinforcement messages customers typically receive in overlay implementations, and would essentially limit the industry to a single outreach to customers, instead of the two outreaches that the industry typically has made in other overlay implementations across the country in recent years. The Joint Carriers state that limiting the outreach to only one communication could be detrimental to a smooth customer transition to ten-digit dialing and increase the chances that some customers will not be fully informed. The Joint Carriers state that since the overlay in the 570 NPA will be an initial overlay in the region, it will require a longer permissive dialing and customer education period to acclimate the customers to the change to mandatory ten-digit dialing. The Joint Carriers note that the three other overlays implemented in Pennsylvania (the NPAs 267 and 484 in 1998, and 878 in 2001) all

involved longer customer education and permissive dialing periods than the Commission has permitted here.

The Joint Carriers served the Petition to Modify on various parties including the Office of Consumer Advocate (OCA). The OCA filed its answer to the Petition in which it stated that it supported the Joint Carriers' request that the customer education and permissive dialing period be extended from three months to six months. OCA states that it supports a process that allows consumers greater time to adapt to the ten-digit dialing format. OCA Petition at 3. However, OCA notes that the projected exhaust date for the 570 area code has been modified twice since the issuance of the Commission's July 19th Order. Accordingly, OCA states that the Commission should not identify a specific start date for the six month consumer education and permissive dialing period to begin. Id. at 4.

#### *Discussion*

The Joint Carriers are requesting the Commission to modify the implementation schedule for the 272 overlay code that is being imposed over the 570 area code to allow for six months of customer education and permissive dialing instead of just three months. The Commission notes that the OCA supports this proposition.

In the July 1, 2009, petition, the telecommunications industry had reached consensus on a thirteen-month implementation timeframe for the overlay area code being imposed over the 570 area code. At that time, due the timing of its decision on what should be the appropriate form of area code relief for the 570 area code, the Commission purposefully shortened the thirteen-month implementation timeframe. However, the Commission, at this time, is now amenable to extending the customer education and permissive dialing period that had originally been established in its previous order.

The latest NRUF forecast projects indicate that the 570 area code is set to exhaust its remaining NXX codes by the third quarter of 2013. The Commission's past experience with area code overlays is that they have been fully implemented within as little as six months and we note that the network preparation for the 272 overlay code has already been accomplished.

When introducing a new area code, there is an adjustment period commonly known as a permissive dialing period. During the permissive dialing period, customers may reach numbers in the area that is to be overlaid by either dialing the area code plus the number or the old way by using the seven-digit number. During the permissive period, customers are encouraged to make calls using ten-digits. At the end of the permissive period, the mandatory dialing period commences and all calls must be made using the area code plus the seven-digit number. If only the seven-digit number is dialed at this time, the customer will reach a recorded announcement stating they must hang up and redial the number using the area code plus the seven-digit number. This recording will be available permanently.

The Commission agrees with the concept that a longer permissive dialing and customer education period will increase the chances that the customers in the region are fully informed about ten-digit dialing and result in a smoother customer transition to mandatory ten-digit dialing. Accordingly, the Commission will extend the permissive dialing period from three months that had initially been established to the requested six months.

We direct Neustar to continue to provide the Commission with monthly updates on the projected exhaust date

<sup>15</sup> New customers or existing customers requesting additional numbers may be assigned numbers from the new area code upon its activation.

of the 570 NPA. Thereupon, the Commission will inform all NXX code holders in Pennsylvania when the 570 NPA is six months away from exhaust. Once the 'six months to exhaust' threshold mentioned above has been reached, the permissive dialing period will begin and the telecommunications industry can start customer education programs for the new NPA, including the fact that when the new overlay area code is finally activated that the FCC requires that all calls be made dialing ten digits, dialing the area code and the seven-digit number.

However, in view of the well-documented disruption to customers caused by changes in their area code, it is in the public interest to assure that new area codes are opened only when it is necessary, and only after the existing number resources in the existing area code are close to exhaustion. Accordingly, we continue to direct that Neustar not activate the new NPA or assign any NXX or central office codes from the new overlay until three months to NXX code exhaust in the 570 area code. We believe this is sufficient time to ensure that NXX code holders in Pennsylvania will not be without adequate numbering resources to meet customer demand. We also still believe that the requirement of mandatory ten-digit dialing should continue to be suspended for the new overlay NPA until the actual assignment of an NXX code from the new overlay NPA; *Therefore,*

*It Is Ordered That:*

1. The Joint Carriers' Petition to Modify the Commission July 19, 2010 Order is granted in part and denied in part consistent with the body of this Order.

2. All NXX code holders in Pennsylvania shall not commence their customer education program for the new overlay code until the Commission informs them that the 570 area code will exhaust within six months.

3. From the effective date of this Order, the North American Numbering Plan Administrator shall continue to provide this Commission with monthly updates on the projected exhaust date of the 570 NPA. Time to exhaust in months shall be calculated and based on actual carrier demand for numbers. The monthly updates shall be addressed to Mr. Christopher Hepburn, Bureau of Technical Utility Services.

4. The Commission shall inform all NXX code holders in Pennsylvania when the 570 NPA is six months to NXX code exhaust so that the Commission can ensure that all carriers, including non-pooling carriers, will have non-discriminatory access to numbers when needed to meet customer demand.

5. A copy of this order shall be published in the *Pennsylvania Bulletin* and also posted on the Commission's website at <http://www.puc.pa.gov>.

6. A copy of this order shall be served to all NXX code holders in Pennsylvania, the Office of Consumer Advocate, the Office of Small Business Advocate, the Pennsylvania Telephone Association, and Neustar-NANPA.

ROSEMARY CHIAVETTA,  
*Secretary*

[Pa.B. Doc. No. 12-2510. Filed for public inspection December 21, 2012, 9:00 a.m.]

**Railroad  
With Hearing**

**C-2011-2274074. Pittston Township vs. Reading Blue Mountain & Northern Railroad.** A complaint filed by Pittston Township alleging the at-grade crossing where Oak Street (SR 2019) crosses the track of Reading Blue Mountain and Northern Railroad in Pittston Township, Luzerne County, is in unsatisfactory condition and presents a safety hazard to vehicular traffic traveling through the crossing.

A hearing on this matter will be held on Wednesday, January 9, 2013, at 10 a.m. in Room 318, Scranton State Office Building, 100 Lackawanna Avenue, Scranton, PA, when and where all persons may appear and be heard, if they so desire.

ROSEMARY CHIAVETTA,  
*Secretary*

[Pa.B. Doc. No. 12-2511. Filed for public inspection December 21, 2012, 9:00 a.m.]

**Service of Notice of Motor Carrier Applications**

The following temporary authority and/or permanent authority applications for the right to render service as a common carrier or contract carrier in this Commonwealth have been filed with the Pennsylvania Public Utility Commission. Formal protests and petitions to intervene must be filed in accordance with 52 Pa. Code (relating to public utilities). A protest shall indicate whether it applies to the temporary authority application, the permanent authority application, or both. Filings must be made with the Secretary, Pennsylvania Public Utility Commission, P. O. Box 3265, Harrisburg, PA 17105-3265, with a copy served on the applicant by January 7, 2013. Documents filed in support of the applications are available for inspection and copying at the Office of the Secretary between 8 a.m. and 4:30 p.m., Monday through Friday, and at the business address of the respective applicant.

**Applications of the following for approval to *begin operating as common carriers for transportation of persons as described under each application.***

**A-2012-2294868. John D. Hebert, t/a J D Hebert Transportation** (149 Lisa Circle, York, York County, PA 17406)—for the right to begin to transport, as a common carrier, by motor vehicle, persons in paratransit service, limited to persons whose personal convictions prevent them from owning or operating motor vehicles, from points in the Counties of Berks, Chester, Cumberland, Dauphin, Juniata, Lancaster, Lebanon, Perry and York, to points in Pennsylvania, and return.

**A-2012-2301506. Bonnie L. Anderson** (P. O. Box 178, 2478 Route 35 South, East Waterford, Juniata County, PA 17021)—for the right to begin to transport, as a common carrier, by motor vehicle, persons in paratransit service, limited to persons whose personal convictions prevent them from owning or operating motor vehicles, from points in the Counties of Center, Dauphin, Lancaster, Northumberland and Perry, to points in Pennsylvania, and return.

**A-2012-2325962. Signature Sedan Service, Inc.** (3103 Philmont Avenue, Suite 400, Huntingdon Valley, Montgomery County, PA 19006) for the right to begin to transport, as a common carrier by motor vehicle, persons

in limousine service, between points in the Counties of Bucks, Chester, Delaware, Lehigh and Montgomery.

**A-2012-2326022. Denise Barrett, t/a Luv & Care Transportation Services** (3601 Conshohocken Avenue, Apartment 424, Philadelphia County, Philadelphia, PA 19131), for the right to begin to transport as a common carrier, by motor vehicle, persons in paratransit service between points in Pennsylvania, and return.

**Applications of the following for the approval of the right and privilege to *discontinue/abandon* operating as *common carriers* by motor vehicle and for cancellation of the certificate of public convenience as described under each application.**

**A-2012-2324082. Honesdale Volunteer Ambulance Corps, Inc., t/a Honesdale EMS, a 501(c)(3) non-profit corporation of the Commonwealth of Pennsylvania** (3298 Lake Ariel Highway, Honesdale, Wayne County, PA 18431)—for the discontinuance of service and cancellation of the certificate as a common carrier, by motor vehicle, primarily wheelchair bound persons for both medical and nonmedical reasons, in paratransit service, from points in Pike and Wayne Counties, to points in Pennsylvania, and return.

**A-2012-2326281. Eugene R. Mowery** (23 Dennis Drive, New Providence, Lancaster County, PA 17560)—for the discontinuance of service and cancellation of his Certificate of Public Convenience as a common carrier, by motor vehicle, at A-00119508 authorizing the transportation of persons in paratransit service, whose personal convictions prevent them from owning or operating motor vehicles, between points in the County of Lancaster, and from points in said county, to points in Pennsylvania and return.

**A-2012-2328427. South Central Emergency Medical Services, Inc.** (8065 Allentown Boulevard, Harrisburg, Dauphin County, PA 17112)—for the discontinuance of service and cancellation of its Certificate of Public Convenience as a common carrier, by motor vehicle, at A-00118278 authorizing the transportation of persons in paratransit service, between points in the County of Dauphin, and from points in said county, to points in Pennsylvania, and return.

ROSEMARY CHIAVETTA,  
*Secretary*

[Pa.B. Doc. No. 12-2512. Filed for public inspection December 21, 2012, 9:00 a.m.]

## Smart Meter Procurement and Installation

Public Meeting held  
December 5, 2012

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

*Smart Meter Procurement and Installation;*  
*Doc. No. M-2009-2092655*

### Final Order

*By the Commission:*

The Pennsylvania General Assembly (General Assembly), through Act 129 of 2008 (Act 129) has directed that electric distribution companies (EDCs) with more than 100,000 customers file smart meter technology procure-

ment and installation plans with the Commission for approval. 66 Pa.C.S. § 2807(f). Furthermore, Act 129 requires these EDCs to make available to customers and their designated third parties, including electric generation suppliers (EGSSs) and providers of conservation and load management services (CSPs), access to the meter and electronic meter data. 66 Pa.C.S. § 2807(f)(3). With this Final Order, the Commission requires the covered EDCs to implement electronic data interchange (EDI) and other standards consistent with the directives set forth in this Order.

The Commission recognizes that the smart meter technology required by Act 129 provides more information about a customer's electricity use than previous technology. The Commission also recognizes that while this information is intended to empower electricity customers, it can be used for other purposes that raise privacy and security concerns. In fact, the Commission has always been cognizant of customer privacy and security concerns and has promulgated regulations, such as 52 Pa. Code § 54.8 that restrict access to customer information. Specifically, Section 54.8 of the Code restricts an electric company or electric supplier may not release private customer information to a third party, including an affiliate of the electric company or electric supplier, unless the customer has been notified of the intent and has been given a convenient method of notifying the entity of the customer's desire to restrict the release of the private information. 52 Pa. Code § 54.8(a). Furthermore, electric generation suppliers are required to maintain the confidentiality of a consumer's personal information, including the customer's name, address, telephone number and historic payment information. See 52 Pa. Code § 54.43(d). In addition, the Commission has declared that all electric utility customers shall have the right to withhold all customer account and usage data from the Eligible Customer List that is made available to Commission-licensed Electric Generation Suppliers. See Interim Guidelines for Eligible Customer Lists, Final Order on Reconsideration, at Docket No. M-2010-2183412, entered November 15, 2011.

The Commission has also directed its staff and the electric utilities to participate in efforts by national standards groups to address and define business practices and technical requirements, such as data communications, that will preserve the integrity, reliability and security of the national grid, local distribution systems, meters and consumer data. Such groups include the National Institute of Standards and Technology (NIST), the North American Energy Standards Board (NAESB), and the Utility Communications Architecture International Users Group (UCAIUG). See Smart Meter Procurement and installation Implementation Order at Docket No. M-2009-2092655, entered June 24, 2009, at 27.

By adopting this Order, the Commission is in no way revising, limiting or reducing the previously established Commission rules, regulations or precedent regarding the security, confidentiality or use of private customer information, to include the customers personal and electric usage information. The intent of this Order is to facilitate the establishment of a standard electronic format for providing customers and their designated third-party representatives with direct electronic access to the customer's electric usage and price data, with the customer's consent.

### Background

On June 18, 2009, the Commission adopted a Smart Meter Procurement and Installation Implementation Or-

der<sup>1</sup> (Implementation Order) to establish the standards each smart meter technology procurement and installation plan must meet and to provide guidance on the procedures to be followed for submittal, review and approval of all aspects of filed plans. The Implementation Order also directed EDCs to work through the Electronic Data Exchange Working Group (EDEWG) process to develop EDI transactions to fully achieve the capabilities of smart meter technology.<sup>2</sup>

Specifically, the Commission directed that all covered EDCs must provide customers and their designated representatives access that fulfills the following requirements:<sup>3</sup>

1. Non-discriminatory access for retail electric suppliers and third-parties, such as EGSs, and conservation and load management service providers;
2. Open, non-proprietary two-way access for electric suppliers and third-parties, such as EGSs, and conservation and load management service providers; and
3. Full electronic access to customers and their representatives to meter data upon customer consent.

Additionally, the Commission directed the EDCs to address standards and formats for electronic data communications with customers and third parties by implementing EDI enrollment of EGS customers who elect real-time (RT) or time-of-use (TOU) rate programs; develop a new EDI historical interval usage (HIU) transaction for 12-months of data that has been recorded at the meter; and develop and implement a new EDI transaction for monthly, bill-quality interval usage (IU) data recorded at the meter level.<sup>4</sup> To achieve these requirements the Commission directed the EDCs to collaborate with the EDEWG to develop appropriate EDI capabilities.<sup>5</sup>

The EDCs obligated to deploy smart meter technology under Act 129 include the Duquesne Light Company (Duquesne); Metropolitan Edison Company, Pennsylvania Electric Company, Pennsylvania Power Company, West Penn Power Company (collectively FirstEnergy); PECO Energy Company (PECO); and PPL Electric Utilities Corporation (PPL). All of these EDCs have filed a Smart Meter Technology Procurement and Installation Plan (smart meter plan) with the Commission for approval. All of these EDCs have received Commission approval of their respective smart meter plans.<sup>6</sup>

On December 7, 2009, EDEWG submitted a Preliminary Proposal for the Development of Smart Meter Data Exchange Standards (EDEWG Preliminary Proposal). The EDEWG Preliminary Proposal was developed by an EDEWG sub-team consisting of representatives from Duquesne, FirstEnergy, PECO and PPL. The initial draft version of the EDEWG Preliminary Proposal was published on the EDEWG List Serve for review by all EDEWG participants. The EDEWG Preliminary Proposal was then reviewed and discussed at the December 3, 2009, EDEWG meeting, after which the EDEWG Preliminary Proposal was submitted to the Commission on December 7, 2009.

On June 30, 2011, the Commission adopted a Tentative Order at this docket proposing further direction and clarification for the development of standards and formats

for smart meters and access to meter data.<sup>7</sup> Comments were due thirty (30) days from the date the Tentative Order was published in the *Pennsylvania Bulletin*, with reply comments due twenty (20) days thereafter.<sup>8</sup> The following parties filed comments: the Demand Response and Smart Grid Coalition<sup>9</sup> (DRSG); Duquesne; the Energy Association of Pennsylvania (EAP); the Electronic Data Exchange Working Group Leadership<sup>10</sup> (EDEWG Leadership); FirstEnergy; PECO and PPL. The following parties filed reply comments: PECO and FirstEnergy Solutions Corporation (FirstEnergy Solutions). After consideration of the initial and reply comments, we are requiring EDCs to implement EDI and other standards consistent with the directives set forth in this Order.

#### Discussion

The Tentative Order proposed requirements and provided additional clarification to address the following three topics presented in the EDEWG Preliminary Proposal: (1) data exchange standards for current business processes; (2) data exchange standards for new business processes; and (3) a smart meter standards development process. We will discuss each topic below.

#### Data Exchange Standards for Current Business Processes

##### 1. Real-Time and Time-of-Use Prices

The EDEWG Preliminary Proposal maintains that changes to existing EDI transactions are not required to establish customers in new rate programs, including RT or TOU programs. Specifically, the EDEWG Preliminary Proposal explains that existing transactions for current business processes, such as enrollment using the EDI 814 E (EDI enrollment transaction) and billing using the EDI 810 (EDI billing transaction), are capable of supporting EGSs' customers under RT/TOU programs and can be satisfied under three billing scenarios currently approved by the Commission: (1) EDC Consolidated Billing/Rate-Ready (Rate-Ready); (2) EDC Consolidated Billing/Bill-Ready (Bill-Ready); and (3) Dual Billing.<sup>11</sup> "Rate-Ready" refers to the practice in which the non-billing party provides rate information to the billing party sufficient to calculate the non-billing party's charges. "Bill-Ready" is a billing practice in which the billing party receives the calculated charge amount(s) directly from the non-billing party in lieu of the billing party calculating it directly from the rate; and "Dual Billing" is the billing option in which the EDC and EGS render separate customer bills for the products and services each provides.<sup>12</sup>

As proposed in the EDEWG Preliminary Proposal, if a customer elects service on a RT or TOU rate, under Rate-Ready the EGS would specify on the EDI enrollment transaction a Rate-Ready rate code associated with the elected RT or TOU program—a process that assumes that the EDC is capable of billing these complex rates on behalf of the supplier in order to produce a single bill. Under Bill-Ready the EGS would specify on the EDI enrollment transaction that it will calculate its own

<sup>7</sup> See Smart Meter procurement and Installation, Tentative Order at Docket No. M-2009-2092655, entered on July 8, 2011.

<sup>8</sup> The Tentative Order was published in the *Pennsylvania Bulletin* on July 23, 2011 at 41 Pa. Bull. 4066, thus comments were due August 22, 2011, with reply comments due September 12, 2011.

<sup>9</sup> The Demand Response and Smart Grid Coalition filed its comments on September 29, 2011, along with a request that its comments be accepted as a late filing, noting that it has sent its comments to Commission staff via email on August 22, 2011. We will grant the request of the Demand Response and Smart Grid Coalition and will accept and consider its comments as part of the record in this proceeding.

<sup>10</sup> EDEWG Leadership includes EDC Co-Chair Susan Scheetz (PPL), EGS Co-Chair Matthew Sigg (Constellation NewEnergy, Inc.), and EDI Change Control Manager Brandon Siegel (ISTA North America).

<sup>11</sup> Preliminary Proposal at 1.

<sup>12</sup> Glossary of EDEWG and EDI Terms, "Electronic Data Exchange Standards for Electric Deregulation in The Commonwealth of Pennsylvania," at 18-19, approved by Tentative Order entered December 8, 2008 at Docket No. M-00960890, F0015.

<sup>1</sup> This order was entered on June 24, 2009, at Docket No. M-2009-2092655.

<sup>2</sup> Implementation Order at 24-28.

<sup>3</sup> Id. at 24.

<sup>4</sup> Id. at 25.

<sup>5</sup> Id.

<sup>6</sup> The status of each EDC's Smart Meter Plan can be obtained by reviewing the proceedings at the following dockets: Duquesne—M-2009-2123948; FirstEnergy—M-2009-2123950 and M-2009-2123951 (West Penn Power Company); PECO—M-2009-2123944 and PPL—M-2009-2123945.

charges to be consolidated with the bill produced by the EDC and provide the EDC with a Bill-Ready EDI billing transaction. Under Dual Billing the EDC and the EGS each would calculate their own charges and separately bill the customer, hence no special coding is needed on the EDI enrollment transaction and use of the EDI billing transaction is eliminated.

In the Tentative Order the Commission concurred with the use of these existing EDI transactions for enrollment and billing of EGS customers that elect to participate in an RT or TOU program. The Commission, however, proposed an additional requirement for an EDC to submit any appropriate EDI change control request within 30 days of the entry of a Final Order in this proceeding.<sup>13</sup> To clarify, the purpose of this additional requirement was to address the possibility that under the Rate-Ready scenario, an EDC may not currently be able to accept and process an EGS's special rate code on the existing EDI enrollment transaction.

DRSG comments that it does not recommend any changes to current business processes unless the new standards are more cost-effective or otherwise beneficial. DRSG notes that it is aware of standards under development for exchanging pricing and usage information by the NAESB Energy Services Provider Interface (ESPI) Task Force (NAESB standards). In addition, DRSG notes that the NIST has published in its Smart Grid Standards Catalog a data model for use with electric usage and pricing data known as Priority Action Plan 10 (PAP10) (NIST standards). DRSG suggests the ESPI and PAP10 standards be among those considered for use in Pennsylvania.<sup>14</sup>

Duquesne supports approval of Bill-Ready and Dual Billing processes set forth in the Tentative Order, provided that Duquesne may continue its current practice of providing Rate-Ready billing utilizing the appropriate Rate-Ready rate code. Duquesne, however, disagrees with the proposed 30-day deadline to submit an EDI change control request and recommends that any deadline be incorporated into each EDC's smart meter plan.<sup>15</sup> FirstEnergy explains that it is currently programmed to function under the Bill-Ready and Dual Billing options and that there is no reason for them to submit an EDI transaction change request.<sup>16</sup> EAP agrees with and incorporates by reference the concerns and solutions voiced by its EDC members to that portion of the Tentative Order under the Data Exchange Standards for Current Business Processes heading.<sup>17</sup>

With regard to current EDI business processes in general, EDEWG Leadership comments that data exchange standards for existing business processes are already defined and that only a small adjustment would be required. EDEWG Leadership asks the Commission to provide further clarification for the Tentative Order directives relating to EDEWG's expanded role, which historically has been to create and maintain EDI for EDCs and EGSs and not for data exchanges between EDCs and their customers, and EDEWG's integration with the separate EDC smart meter plans.<sup>18</sup>

PECO supports Bill-Ready billing, which it believes would eliminate the need for EGS notification of any rate or pricing option that may be selected by the customer. PECO adds that if an EGS wants bill quality interval

data and the EGS configures the existing EDI enrollment transaction with a flag, the transaction requires no modification. PECO asserts that EDEWG, not the EDC, should determine the extent that the EDI enrollment transaction must be modified and suggests that EDEWG be given 90 days to develop any required modifications.<sup>19</sup> PECO emphasizes the need for implementation timelines to reflect scheduled deployments under an EDC's smart meter plan to avoid the creation of uncertainty regarding the implementation of those plans. PECO also asks the Commission to clarify that approved EDC smart meter plans are not subject to revision by EDEWG.<sup>20</sup>

PPL comments that the existing practice for Bill-Ready and Dual Billing scenarios should be approved to support EGS customer participation in RT or TOU pricing programs. PPL states that it does not currently offer Rate-Ready for RT or TOU pricing programs, which it asserts would require significant changes to its customer information and billing systems. PPL maintains that even if it were to offer this billing option in the future, no changes would be required of any EDI transaction.<sup>21</sup>

Of relative importance are PPL's comments relating to bill quality interval usage. PPL states that advanced metering technologies are being provided by EDCs and not the marketplace and that the company knows of no current complex pricing programs that employ meter level data that would justify an accelerated schedule. PPL recommends that any modifications undertaken be incorporated into each EDC's smart meter plan.<sup>22</sup>

FirstEnergy Solutions agrees that the EDI enrollment transaction allows an EGS to enroll a customer who chooses RT or TOU service, regardless of whether that customer is under Bill-Ready or Dual Billing. FirstEnergy Solutions also agrees with PPL's statement that no change is required of any EDI transaction for this purpose.<sup>23</sup>

After review of each of the parties' comments the Commission is convinced that Bill Ready and Dual Billing capabilities present the best option for attaining TOU and RT pricing capabilities for EDCs covered by the smart meter mandate. The Commission acknowledges that Rate Ready systems can provide a solution that can support RT and TOU pricing. However, since almost all EDCs subject to the smart meter provisions already offer Bill Ready and Dual Billing, we believe it would be best to promote uniformity and direct that all EDCs subject to the smart meter provisions propose Bill Ready and Dual Billing functionalities as part of their smart meter plans. If an EDC has already filed its completed smart meter plan, that EDC shall make a filing within 120 days explaining how and when it will incorporate this requirement into its smart meter plan. This directive does not preclude an EDC from creating or maintaining a Rate Ready system with RT and TOU rate functionality. Additionally, this directive does not preclude EDCs from researching and implementing potential non-EDI data sharing platforms at their own discretion as long as Bill Ready and Dual Billing systems are also offered.

## 2. Historical Interval Usage

In the Tentative Order we proposed that alternatives to the use of the existing EDI 867 Historical Interval Usage (EDI 867 HIU) transaction be explored for communicating 12 months of interval data that is recorded at the meter

<sup>13</sup> Tentative Order at 5.

<sup>14</sup> DRSG Comments at 1-2.

<sup>15</sup> Duquesne Comments at 5.

<sup>16</sup> FirstEnergy Comments at 3.

<sup>17</sup> EAP Comments at 4.

<sup>18</sup> EDEWG Leadership Comments at 1 and 2.

<sup>19</sup> PECO Comments at 3 and 4.

<sup>20</sup> PECO Reply Comments at 1.

<sup>21</sup> PPL Comments at 5 and 6.

<sup>22</sup> PPL Comments at 9.

<sup>23</sup> FirstEnergy Solutions Reply Comments at 1 and 2.

level. We further proposed that EDEWG and the covered EDCs should work together to identify a solution that can be implemented within 180 days of the entry date of this Final Order.<sup>24</sup>

DRSG comments that if new standards are to be considered for any new business processes, the NAESB ESPI and NIST PAP10 standards should be among those considered for use in Pennsylvania.<sup>25</sup> Duquesne does not object to exploring alternate solutions for the provision of historic interval usage data at the meter level, adding that a viable solution pursued by EDEWG or any other group should be via the web in a standardized environment and that implementation should be based upon an EDC's smart meter plan.<sup>26</sup> EAP comments that 180 days is not an adequate period of time to allow for EDEWG to conduct an analysis of complex customer information and billing system modifications and have EDCs implement the agreed upon solutions.<sup>27</sup> EDEWG Leadership states that EDEWG has not developed or maintained standards for communication of customer data directly to EDC customers and notes that this is outside the traditional scope of EDEWG.<sup>28</sup>

FirstEnergy comments that the use of an alternative to the EDI 867 HIU is practical due to the sheer volume of data for 12 months of 15-minute interval meter reads. To address this need FirstEnergy has placed hourly interval usage data on a secured section of its supplier services website as an efficient short-term solution that it believes is prudent in light of the on-going activities at the NIST. FirstEnergy recommends that a customer portal may be a viable long-term solution and that implementation of such a portal would likely extend beyond 180 days of the Final Order. In addition, FirstEnergy questions if EDEWG is the appropriate organization to explore alternative solutions.<sup>29</sup> PPL concurs that an alternative means of transmitting large volumes of historical interval usage data is appropriate, but it believes it is inappropriate to require EDCs to install complex customer information and billing system modifications within a 180-day window.<sup>30</sup>

PECO supports the proposal to explore alternative solutions for the provision of 12 months of historical interval usage at the meter level. PECO agrees that the use of national standards development organizations such as the NAESB should be leveraged to the extent possible. In particular, PECO suggests that an appropriate role for EDEWG would be to develop implementation level guidelines based on a national standard rather than to create an entirely new standard solely for Pennsylvania. PECO asks the Commission to seek ways to engage additional stakeholders who are not actively involved with EDEWG. PECO believes 180 days may not be adequate to develop and implement this standard.<sup>31</sup> PECO also points out that no EGS commented on the appropriate method or timeline for making historical interval usage data available at the meter level. PECO adds that meter level data may not be as helpful for large end-use customers where multiple meters are linked to a single account, asserting that it may be prudent to offer this data only upon request by customers and EGSs.<sup>32</sup>

FirstEnergy Solutions agrees with the comments of EDCs that the current EDI 867 HIU transaction is not

useful. FirstEnergy Solutions believes that alternatives, such as a web-based solution, would facilitate interactions among customers, EDCs and EGSs. FirstEnergy Solutions believes that it is of the utmost importance that EGSs be consulted in developing potential alternative solutions to ensure functionality and practicality from a supplier and customer choice standpoint.<sup>33</sup>

In resolving this issue we will address pre-smart meter and post-smart meter implementation separately. Concerning pre-smart meter implementation, the Commission understands the challenges presented by data volume associated with historical interval usage data sharing via EDI. However, we believe the present capabilities of a number of EDCs to share 12-months of historical interval data is a significant asset to the market. Consequently, the Commission directs all EDCs covered by the smart meter mandates to install the capability to share a minimum of 12 months of historical interval account level or meter level usage via EDI. These EDCs are directed to file within 120 days under its respective smart meter plan docket, a supplement outlining the EDC's current capability to provide a minimum of 12-months of historical account level or meter level usage data via EDI or which details the EDC's plan to provide this capability within one year.

Concerning post-smart meter implementation, we have determined that the use of a standardized, secure web-based portal will enable interactions among all parties for communicating 12-months of historical interval data on the meter and account level and provide meter or account level data as requested by the customer or the customer's third-party representative. We agree with DRSG, Duquesne, FirstEnergy and PECO that the efforts of national standards organizations should be leveraged to ensure broad industry participation over the long-term. Additionally, the Commission believes that a secure web-based portal presents a viable long-term solution for the sharing of bill quality interval usage data within 24 to 48 hours after daily meter reads.

As such, we direct that the EDEWG to initiate a web-portal working group of all EDCs covered by the smart meter mandate and any other interested stakeholders to develop a standardized solution for acquisition of interval usage data via a secure web-portal. The Commission expects the shorter-term solution will be a system that offers 12-months of HIU data via a secure web platform. The Commission expects the longer-term solution will be a system that provides billing quality interval data within 24 to 48 hours of daily meter reads. We further direct the EDEWG working group to leverage any appropriate NIST and NAESB standards in the development of this secure web-portal. The EDEWG working group shall complete its development standards for the HIU solution by March 1, 2014, after which the EDEWG working group shall have till no later than March 1, 2015 to complete its development standards for the bill quality IU solution. The EDCs shall propose the solutions formed within these EDEWG working groups as part of their smart meter implementation plans.

We note that these directives shall not preclude EDCs from continuing any presently operating or planned website or other non-EDI functionality that permits authorized entities and customers to access historical interval usage data or interval usage data. In fact, the Commission encourages EDEWG to leverage any such EDC initiatives, to the extent possible, within the EDEWG web-portal working group. However, EDCs shall

<sup>24</sup> Tentative Order at 5.

<sup>25</sup> DRSG Comments at 1 and 2.

<sup>26</sup> Duquesne Comments at 5 and 6.

<sup>27</sup> EAP Comments at 5.

<sup>28</sup> EDEWG Leadership Comments at 2.

<sup>29</sup> FirstEnergy Comments at 3-5.

<sup>30</sup> PPL Comments at 7.

<sup>31</sup> PECO Comments at 5.

<sup>32</sup> PECO Reply Comments at 2.

<sup>33</sup> FirstEnergy Solutions Reply Comments at 2-4.

continue to offer such data via EDI as an interim solution until a long-term solution based on national standards is implemented.

### 3. Bill Quality Interval Usage

In the Tentative Order we proposed the use of a modified EDI 867 Interval Usage (EDI 867 IU) transaction to provide monthly bill-quality interval usage data at the meter level. In addition, we proposed that the deadline for deployment be 12 months in advance of the expiration of the EDCs' 30-month grace period.<sup>34</sup>

Duquesne comments that it currently provides data at the account level and not at the meter level. Duquesne states that the company is in the process of enhancing its customer care and billing system and asks that the proposed deadline for implementing a modified EDI 867 IU be rolled out as part of its smart meter plan with an expected date of completion of 2013.<sup>35</sup>

DRSG comments that it does not recommend any changes to current business processes unless new standards are more cost-effective or otherwise beneficial. DRSG suggests that if new standards are to be considered for any new business processes, the ESPI and PAP10 standards should be among those considered for use in Pennsylvania.<sup>36</sup>

EAP comments that the timeframe for implementing a modified version of the existing EDI 867 IU transaction is problematic. With the exception of West Penn Power Company, EAP states that all EDC grace periods expire in October 2012. EAP recommends that, at a minimum, implementation should be set for a date that aligns with the expiration of individual EDC grace periods.<sup>37</sup>

FirstEnergy comments that the EDI 867 IU transaction is already designed to communicate monthly bill-quality interval usage that was recorded at the meter. FirstEnergy points out, however, that the provision of meter level detail is optional using this transaction. FirstEnergy adds that for its companies, the account level and meter level are generally the same, except in rare meter installations where multiple meters are totaled for billing all charges in accordance with its tariff. In these rare instances, FirstEnergy asks the Commission to consider the totalized meter data to be meter level data.<sup>38</sup>

PECO notes that the term "bill quality" was not clearly defined and submits that the data that was sourced from an EDC's meter data management system and that has completed the VEE process (has been verified, estimated and edited) associated with such systems should be considered bill quality data. Additionally, PECO recommends that the Commission allow at least six months after the close of the 30-month grace period for implementation of this requirement. PECO notes that this time will be needed for EDCs and EGSs to perform extensive testing of the modified systems before they can become operational. PECO believes that additional input from EGSs is critical, as some EGSs may prefer to continue to receive data at the account level to simplify their data processing.<sup>39</sup> PECO emphasizes that it would be prudent to offer bill quality interval data at the meter level only upon request by the EGS. PECO agrees with other EDCs regarding the need to extend implementation timeframes for providing interval data solutions and to coordinate with each EDC's smart meter technology deployment

schedules.<sup>40</sup> FirstEnergy Solutions supports PECO's suggestion for additional input from EGSs to determine whether certain functionalities are even desired.<sup>41</sup>

PPL supports the EDEWG Preliminary Proposal for EDEWG to act to make meter level detail a requirement with an apparent effective date that coincides with an EDC's smart meter plan and 30-month grace period. Nevertheless, PPL recommends that any required system modifications be incorporated into each EDC's smart meter plan to assure coordination with other smart meter projects and cost recovery.<sup>42</sup>

Initially, we note that we will adopt PECO's definition for the term "bill quality," in so far as it is in agreement with the use of this term by NAESB and NIST. We will adopt PECO's definition of "bill quality data" and shall define "bill quality data" as data that is sourced from an EDC's meter data management system that has completed the process of being verified, estimated and edited, in association with such systems. Furthermore, we will accept the concept of totalized meter data for meter-level data, as requested by FirstEnergy, for IU transactions occurring during the pre-smart meter implementation period.

We also agree with the EDEWG Preliminary Proposal recommendation to make meter level IU data a requirement for the EDCs. In addition, we agree with PPL's proposal to have this requirement incorporated into each EDC's smart meter plan. Furthermore, such meter level data shall only be provided upon request by a customer or the customer's chosen third-party. Consequently, the Commission directs all EDCs to incorporate meter level IU data capabilities within their respective smart meter plan. If an EDC has already filed its completed smart meter plan, that EDC shall make a filing within 120 days explaining how and when it will incorporate this requirement into its smart meter plan.

We stress that this requirement shall not prevent an EDC from providing customers and their designated agents with bill quality interval data more frequently than on a monthly basis. In particular, the Commission continues to endorse the capability to share such information within 24 to 48 hours of daily meter reads, as we did in the Implementation Order.<sup>43</sup> We reiterate our expectation that the EDEWG web-portal working group will develop a standardized platform for incorporation into EDC smart meter plans which will provide bill quality IU data within 24 to 48 hours of daily meter reads.

### *Data Exchange Standards for New Business Processes*

In the Tentative Order we proposed that the identification and development of new standards and formats to support Act 129 smart meter statutory requirements, along with the ongoing maintenance of existing standards and processes for this purpose, be developed by EDEWG and presented to the Commission for review. We further proposed that the development and ongoing maintenance of these standards and processes be done in a manner that includes all EDEWG participants, specifically, all EDCs, licensed EGSs, registered CSPs, and all other interested parties.<sup>44</sup>

Duquesne commits to being an active participant in this analysis and believes it is prudent to follow the standards set forth by NAESB, which is currently exam-

<sup>34</sup> Tentative Order at 6.

<sup>35</sup> Duquesne Comments at 6 and 7.

<sup>36</sup> DRSG Comments at 1 and 2.

<sup>37</sup> EAP Comments at 5 and 6.

<sup>38</sup> FirstEnergy Comments at 6 and 7.

<sup>39</sup> PECO Comments at 6-8.

<sup>40</sup> PECO Reply Comments at 2.

<sup>41</sup> FirstEnergy Solutions Reply Comments at 4.

<sup>42</sup> PPL Comments at 8 and 9.

<sup>43</sup> See Smart Meter Procurement and Installation Implementation Order at Docket No. M-2009-2092655, entered June 24, 2009, at 23.

<sup>44</sup> Tentative Order at 6-8.

ining standardization for third-party access.<sup>45</sup> As noted with respect to their comments on current business processes, DRSG also suggests that the NAESB and NIST standards be among those considered relative to new business processes as well.<sup>46</sup>

EAP commends the Commission for adopting that portion of the EDEWG Preliminary Proposal which recommends that, moving forward, EDEWG should include EDCs and other third parties such as EGSs and CSPs to develop any new system data capabilities that are recognized as necessary and justifiable by EDCs in their respective smart meter plans.<sup>47</sup> The EAP asks the Commission to encourage EDEWG to adopt existing national standards where appropriate and provide any necessary Pennsylvania implementation guidelines rather than develop new standards specific to Pennsylvania.<sup>48</sup>

EDEWG Leadership seeks clarification with regard to integrating the expanded technological scope of the EDEWG with the separate EDC smart meter plans. EDEWG Leadership believes such guidance will be helpful for eliminating barriers previously encountered in the EDEWG sub-team, when EDC representatives eager to move smart meter data access forward were unable to reach consensus as a result of conflicts with their approved smart meter plans.<sup>49</sup>

PECO agrees that EDEWG should adopt smart meter standards being developed by national organizations such as NAESB rather than writing Pennsylvania-specific standards. PECO notes that EDEWG already set a precedent for adapting national standards when it adopted the Gas Industry Standards Board (a precursor to NAESB) standard for Internet EDI, modifying certain language to comport with Commission orders rather than rewrite the standard. PECO also names three NAESB standards either completed or, nearing completion, that may be useful in the context of Pennsylvania's smart meter implementation. PECO suggests that EDEWG consider inviting experts from the relevant national standards development teams to provide guidance on how the standards were developed and how they can be used.<sup>50</sup> PECO asserts that the initial comments reflect substantial consensus among EDCs including the importance of avoiding the creation of uncertainty associated with implementation of smart meter plans and the inherent problems in the scope of work proposed for EDEWG.<sup>51</sup>

PPL reiterates conclusions presented in the EDEWG Preliminary Proposal, including that it is not possible for EDEWG to develop data exchange standards for undefined business processes. PPL believes that the Tentative Order appears to accept the approach described in the EDEWG Preliminary Proposal, but asks that the Final Order makes clear what is to be delivered by EDEWG.<sup>52</sup>

FirstEnergy Solutions reiterates its previous statement that it is absolutely critical that input and communication from the EGS community be given serious consideration when discussing smart meter implementation. FirstEnergy Solutions also emphasizes that any sub-teams or groups that may be established should include EGS representatives when considering or discussing possible smart meter processes that relate to customers or retail choice in general. FirstEnergy Solutions agrees

with EAP's suggestion that EDEWG should include EDCs and other third parties such as EGSs and CSPs to develop any new system data capabilities that are recognized as necessary and justifiable by EDCs in their respective smart meter plans.<sup>53</sup>

We agree that national standards being developed for smart meters should be considered where applicable. As such, we direct the EDCs to propose appropriate NAESB and NIST standards in coordination with their respective smart meter plans. We encourage covered EDCs to actively participate in the ongoing development of applicable national standards, including those being addressed by the ESPI Task Force of NAESB. We further encourage covered EDCs to investigate other NAESB and NIST standards, including web-based meter data access initiatives such as NAESB/ESPI PAP20<sup>54</sup> for sharing with the EDEWG and potential implementation within their smart meter plans. The Commission believes that active participation by EDCs in the appropriate national standards development organizations will inform the EDCs of any significant impacts that these national standards will have upon the successful deployment of smart meter technology.

In response to comments about the need to clarify the Commission's expectations of EDEWG, we agree with the recommendations of EAP and PECO that it is appropriate for EDEWG to prepare and update statewide implementation guidelines as necessary for the deployment of national standards by EDCs in accordance with their respective Commission approved smart meter plans.

#### *Smart Meter Data Standards Development Process*

The EDEWG Preliminary Proposal included a timeline for the development of smart meter data exchange standards that comports with the smart meter 30-month grace period established for covered EDCs in the Implementation Order. The Tentative Order provided clarification of our expectations of the EDEWG Sub-Team that is working on smart meter interaction with customers and authorized third parties.

In the Tentative Order we proposed to specifically task the EDEWG team to review each EDC's respective smart meter plan and identify how customers were to be provided the Act 129 required functionality. Specifically, we proposed that EDEWG report on how the EDCs plan to provide customers with direct access to hourly usage and price information, provide support for automatic control of a customer's electric consumption by the customer, the utility or a customer's agent and provide direct meter access and electronic access to customer meter data by third parties with customer consent. Furthermore, we proposed that EDEWG provide detailed descriptions of any proposed statewide standardized transactions or protocols, if any, for each of the EDCs for providing the required functionality. EDEWG was also to provide estimated system and operational costs, both total and annual, for each utility to provide the required functionality, as well as the ability for a statewide solution with associated costs to provide such required functionality.<sup>55</sup>

Finally, in the Tentative Order we proposed that this review and analysis be completed with a report to the Commission within 90 days of the entry of a final order. Additionally, to ensure continued EGS engagement in EDC system upgrades and installations, we proposed that EDEWG incorporate these required smart meter

<sup>45</sup> Duquesne Comments at 7.

<sup>46</sup> DRSG Comments at 2.

<sup>47</sup> Tentative Order at 6 and 7.

<sup>48</sup> EAP Comments at 6 and 7.

<sup>49</sup> EDEWG Leadership Comments at 3.

<sup>50</sup> PECO Comments at 8 and 9.

<sup>51</sup> PECO Reply Comments at 1.

<sup>52</sup> PPL Comments at 10 and 11.

<sup>53</sup> FirstEnergy Solutions Reply Comments at 4 and 5.

<sup>54</sup> Green Button is an example of a web-based, end-user meter data access application that is based upon the NAESB/ESPI standards.

<sup>55</sup> Tentative Order at 9.

functionalities within its current documentation, to include its Implementation Guidelines, Testing and Certification Plans, Revised Plan, Annual Plans, Change Control Request forms and other documentation as deemed necessary by EDEWG.<sup>56</sup>

Duquesne comments that it needs to progress with its own analysis and developing solutions to propose to the Commission for adoption. Duquesne submits that as statewide or EDEWG solutions become available, Duquesne will decide, with Commission input if needed or advisable, whether it should alter its plan and adopt different options.<sup>57</sup>

DRSG agrees with the proposal to include all EDEWG participants in the development and ongoing maintenance of new standards and formats to support Act 129 requirements. Regarding standardization efforts, DRSG suggests that ESPI and PAP 10 standards be among those considered and further suggests that a review of other jurisdictions and markets may offer useful examples or lessons learned. DRSG explains that smart meter data is being exchanged among multiple entities today in Texas and Ontario, Canada, with California directing its utilities to implement data exchange with third parties with authorization by consumers.<sup>58</sup>

DRSG comments that “direct access” should mean access by a device in a home or business to information directly from the meter through short-range wireless, power line carrier, or other local communications link. DRSG further comments that “electronic access” is understood to mean access to data that was backhauled to the EDC data center, then exchanged via an Internet connection between the EDC and a third party. Regarding automatic control, DRSG presents two primary communications options that are in use in pilot and commercial implementations, a Home Area Network (HAN) and the Internet. DRSG suggests that private wireless or power line carrier networks are other options.<sup>59</sup>

EAP questions the proposed review of EDC plans by EDEWG, which it believes introduces risk and uncertainty into plans now underway. EAP contends that EDEWG members are technical analysts not policy or cost-benefit analysts and should not be directed to identify data requirements that support identified current and new business processes. EAP expresses concern about tasking a volunteer working group with a 90-day deadline to suggest modifications to smart meter plans.<sup>60</sup>

EDEWG Leadership asks if it is the Commission’s intent to expand the purview of EDEWG to create and maintain new smart meter standards between EDCs and their customers, which to date the sub-group was unable to establish since this is beyond the traditional scope of the EDEWG. EDEWG Leadership comments that standards cannot be defined or fully known until pilot programs are completed or for some EDCs, until their 30-month grace period has expired, since selected technology is being tested during those periods. EDEWG Leadership further comments that EDEWG is confident it can provide descriptions and data exchange standards for newly defined business processes; however, a financial analysis would be beyond the expertise and resources of the volunteers at EDEWG.<sup>61</sup>

FirstEnergy expresses concern as to whether EDEWG is the appropriate forum for developing smart meter

systems or solutions. FirstEnergy suggests that a strategic planning group, such as the collaborative formed at Docket No. I-2011-2237952, relating to the investigation of Pennsylvania’s Retail Electricity Market, or a joint venture by EDCs to cover cost sharing, project management, third-party vendor selection and dispute resolution would be better suited for this task. FirstEnergy submits that whatever forum is assigned the task, 90 days is insufficient time for producing a report.<sup>62</sup>

PECO lists examples of platforms being developed to address direct access information. PECO notes it has invested substantial resources in the implementation of its smart meter plan and to avoid uncertainty among its vendors, contractors and customers, asks that the plan not be subject to revision by EDEWG.<sup>63</sup> PECO requests that the Commission clarify whether the Commission is seeking a uniform statewide IT solution or statewide business rules that are more uniform. Even if the request is the analysis of IT aspects of a statewide solution, PECO maintains that 90 days is unrealistic for EDEWG to sort through the differences among the EDCs’ internal processes and provide a report. PECO notes that EDEWG lacks the expertise to perform a cost-benefit analysis on the various options and that additional resources or expertise is critical to a meaningful analysis of a statewide solution.<sup>64</sup> PECO agrees with the comments of PPL that any new data exchange or access requirements should be incorporated into each EDC’s plan and asks that this be accomplished through a focused amendment proceeding that will not subject entire smart meter plans to review and revision.<sup>65</sup>

PPL is concerned that the activities and timeline proposed by in the Tentative Order are inconsistent with its smart meter plan. PPL believes that only the proposed task relating to standardized transactions and protocols is appropriate for EDEWG and that EDEWG is unable to perform the second task relating to the estimation of PPL’s system and operation costs for providing the required functionalities. PPL believes that any effort to develop standards must be driven by the completion of pilots, demonstration of favorable cost-benefit and a decision to proceed with broader implementation in the context of the approved smart meter plans.<sup>66</sup>

FirstEnergy Solutions asserts that it is imperative to include EGS participation when developing the implementation of smart meter procurement and installation plans. FirstEnergy Solutions supports the implementation of smart meter technology so long as the process takes into account the interests of all stakeholders in the Pennsylvania retail electricity markets.<sup>67</sup>

After careful consideration of all comments, we find three issues are raised by the parties, the role of EDEWG, the identification of new standards, and the modification of EDCs’ smart meter plans. Regarding the role of EDEWG, we believe we sufficiently address this issue and resolve it in the discussions in the preceding section of this Order. We also address and identify potential new standards to be considered for statewide implementation. Specifically, we encourage covered EDCs to engage in the development of NAESB and NIST standards and to incorporate these standards into their respective smart meter plans.

<sup>56</sup> Tentative Order at 9 and 10.

<sup>57</sup> Duquesne Comments at 8.

<sup>58</sup> DRSG Comments at 2.

<sup>59</sup> DRSG Comments at 3.

<sup>60</sup> EAP Comments at 6-9.

<sup>61</sup> EDEWG Leadership Comments at 1-3.

<sup>62</sup> FirstEnergy Comments at 8-10.

<sup>63</sup> PECO Comments at 9 and 10.

<sup>64</sup> PECO Comments at 11 and 12.

<sup>65</sup> PECO Reply Comments at 3 and 4.

<sup>66</sup> PPL Comments at 11-15.

<sup>67</sup> FirstEnergy Solutions Reply Comments at 5.

We also strongly encourage EGSs, CSPs and other interested parties to participate in the national standards-setting organizations that are drafting models and standards for direct access and electronic access to smart meters and data for retail markets. Specifically, we encourage EDCs, EGSs, CSPs and other interested parties to actively participate in the NAESB Retail Electric Quadrant Executive Committee's Smart Grid Standards Development Subcommittee, the Smart Grid Standards Subcommittee on Priority Action Plan 10, the Energy Services Provider Interface Task Force, and the joint retail electric/gas Information Requirements and Technical Electronic Implementation Subcommittee (IR/TEIS).<sup>68</sup>

As PECO comments and others suggest, NAESB has already completed or nearly completed standards that may be useful in the context of Pennsylvania's smart meter implementation.<sup>69</sup> The work on the standardized information model for energy usage known as PAP 10 was completed and continues to evolve awaiting technical specifications from the NAESB Retail Energy Quadrant Executive Committee's Information Requirements and Technical Electronic Implementation Subcommittee. In addition, the NAESB\ESPI Task Force is engaged in the standardization of the Open ADE specification, which describes communications between utilities, customers and third-party service providers. The NAESB/ESPI effort is closely coordinated with numerous entities, and the Office of Science and Technology Policy has expressed interest in the standard and has encouraged major utilities to consider it in their implementation efforts.<sup>70</sup>

We also endorse the Green Button<sup>71</sup> initiative and encourage covered EDCs to respond to this endorsement by creating a similar application on their websites.<sup>72</sup> Green Button is an industry-led effort based on a common technical standard developed in collaboration with a public-private partnership supported by the NIST.<sup>73</sup> Green Button is designed around an open data standard to provide secure customer access to electronic energy usage information.<sup>74</sup> It was reported that 20 utilities and major electricity suppliers across the United States and Canada have signed onto this initiative, providing meter data access capability to more than 27 million households secure access to their energy data with a click of an online Green Button.<sup>75</sup>

Finally, the third issue relates to modifications to EDCs' smart meter plans. The Commission agrees with EAP, PECO and PPL that it is disconcerting to have invested time, money and resources to implement an approved smart meter plan and then have those plans subject to changes and subsequent risks and costs. The Implementation Order provides guidelines and a blueprint for our expectations regarding compliance with Act 129 and the EDCs' smart meter plans. The Implementation Order directed EDCs to work with EDEWG and incorporate identified EDI capabilities in the proposed smart meter plans EDCs would file with the Commission for review. We agree with the comments of EDEWG Leadership and the EDCs, that the approved EDCs' smart meter plans are works-in-progress. Consequently,

we will retract our recommendation to have EDEWG review each EDC's smart meter plan for compliance with meeting the required functionalities. We believe that is an issue that should be analyzed by the stakeholders within the context of each EDCs smart meter proceedings. Further, we will retract our recommendation to have EDEWG provide an estimate on the costs incurred by utilities to provide said functionalities.

#### Conclusion

All smart meter plans were reviewed and approved based upon one or more references by EDCs that they will work with EDEWG on standardization of system capabilities that would be tested or implemented within the 30-month grace period. We look forward to the EDCs providing detailed plans on how they intend to meet all of the Act 129 requirements, including providing customers and their designated third-party representatives with direct electronic access to the customer's electric usage and price data. *Therefore,*

#### *It Is Ordered That:*

1. Electric distribution companies required to submit smart meter technology and implementation plans propose, as part of those plans, Bill Ready and Dual Billing functionalities. If an electric distribution company has already filed its completed smart meter plan, that electric distribution company is directed to file within 120 days under its respective smart meter technology and implementation plan docket a supplement outlining how and when it will incorporate Bill Ready and Dual Billing functionalities into its smart meter implementation.

2. Electric distribution companies required to submit smart meter technology and implementation plans file within 120 days under its respective smart meter technology and implementation plan docket a supplement outlining the EDC's current capability to provide a minimum of 12-months of historical account or meter level usage data via electronic data interchange or which details the EDC's plan to provide this capability within one year.

3. The Electronic Data Exchange Working Group shall convene a web-portal working group including all electric distribution companies required to submit smart meter technology and implementation plans and other interested stakeholders to develop a standardized solution for the acquisition of historical interval usage and billing quality interval usage data via a secure web-portal, as specifically detailed within this Order, for incorporation within each electric distribution company's smart meter technology and implementation plan.

4. Electric distribution companies required to submit smart meter technology and implementation plans propose, as part of those plans, meter level interval usage data capabilities. If an electric distribution company has already filed its completed smart meter plan, that electric distribution company is directed to file within 120 days under its respective smart meter technology and implementation plan docket a supplement outlining how and when it will incorporate meter level interval usage data capabilities into its smart meter implementation.

5. Any directive, requirement, disposition or the like contained in the body of this Final Order that is not the subject of an individual Ordering Paragraph, shall have the full force and effect as if it was fully contained in this part.

<sup>68</sup> For information on the various NAESB smart grid activities visit: <http://www.naesb.org/req/default.asp>. For information on how to participate in NAESB visit: [www.naesb.org](http://www.naesb.org).

<sup>69</sup> PECO Comments at 8.

<sup>70</sup> NAESB Bulletin Volume 4, Issue 3 (September-December 2011) at 2.

<sup>71</sup> For information on the Green Button initiative visit: <http://www.greenbuttondata.org/greenabout.html>.

<sup>72</sup> PUC Chairman, Commissioner Encourage Electric Utilities to Participate in Federal 'Green Button' Initiative, Pa. PUC Press Office (April 12, 2012).

<sup>73</sup> Peter Behr, E&E reporter, "Grid: Downloading energy usage could be one 'green' click away," *ClimateWire* (January 18, 2012).

<sup>74</sup> Green Button How To at <http://www.greenbuttondata.org/greenabout.html>.

<sup>75</sup> "Administration Announces New Tools to Help Consumers," *Smartgrid.gov*, U. S. Department of Energy news.

6. This Order shall be published in the *Pennsylvania Bulletin* and served upon the Office of Consumer Advocate, the Office of Small Business Advocate, the Bureau of Investigation and Enforcement, all jurisdictional electric distribution companies, all licensed electric generation suppliers, the Electronic Data Exchange Working Group leadership, and all parties who participated in proceedings at Docket Nos. M-2009-2123944, M-2009-2123945, M-2009-2123948, M-2009-2123950 and M-2009-2123951.

ROSEMARY CHIAVETTA,  
*Secretary*

[Pa.B. Doc. No. 12-2513. Filed for public inspection December 21, 2012, 9:00 a.m.]

### Telecommunications

**A-2012-2338581. Commonwealth Telephone Company, d/b/a Frontier Communications Commonwealth Telephone Company and Southwestern Bell Mobile Systems, LLC, d/b/a Cingular Wireless.** Joint petition of Commonwealth Telephone Company, d/b/a Frontier Communications Commonwealth Telephone Company and Southwestern Bell Mobile Systems, LLC, d/b/a Cingular Wireless for approval of an interconnection agreement under section 252(e) of the Telecommunications Act of 1996.

Joint petition of Commonwealth Telephone Company, d/b/a Frontier Communications Commonwealth Telephone Company and Southwestern Bell Mobile Systems, LLC, d/b/a Cingular Wireless, by its counsel, filed on December 11, 2012, at the Pennsylvania Public Utility Commission (Commission), a joint petition for the approval of an interconnection agreement under sections 251 and 252 of the Telecommunications Act of 1996.

Interested parties may file comments concerning the petition and agreement with the Secretary, Pennsylvania Public Utility Commission, P. O. Box 3265, Harrisburg, PA 17105-3265. Comments are due on or before 10 days after the date of publication of this notice. Copies of the Commonwealth Telephone Company, d/b/a Frontier Communications Commonwealth Telephone Company and Southwestern Bell Mobile Systems, LLC, d/b/a Cingular Wireless joint petition are on file with the Commission and are available for public inspection.

The contact person is Cheryl Walker Davis, Director, Office of Special Assistants, (717) 787-1827.

ROSEMARY CHIAVETTA,  
*Secretary*

[Pa.B. Doc. No. 12-2514. Filed for public inspection December 21, 2012, 9:00 a.m.]

## PHILADELPHIA PARKING AUTHORITY

### Motor Carrier Medallion Transfer Application for Service in the City of Philadelphia

Permanent or temporary authority to render services as a common carrier in the City of Philadelphia has been filed with the Philadelphia Parking Authority (PPA) Taxicab and Limousine Division (TLD) by the following

named applicant. The company has applied to transfer the rights held by Black Star Cab Co. (CPC No. 1000078-01, Medallion P-0898) to transport persons in taxicab service between points within the City of Philadelphia and from points in the City of Philadelphia to points in Pennsylvania, and return.

**Pier Taxi, LLC**, 2351 South Swanson Street, Philadelphia, PA 19148, registered with the Commonwealth on November 21, 2012.

Formal protests must be filed in accordance with 52 Pa. Code Part II (relating to Philadelphia Parking Authority). Filings must be made at the offices of the TLD with the Clerk, 2415 South Swanson Street, Philadelphia, PA 19148 by January 7, 2013. Documents filed in support of the application are available for inspection at the TLD office (contact Charles Milstein) between 9 a.m. and 4:30 p.m. Monday to Friday or may be inspected at the business address of the applicant. The protest fee is \$2,500 (certified check or money order payable to PPA).

VINCENT J. FENERTY, Jr.,  
*Executive Director*

[Pa.B. Doc. No. 12-2515. Filed for public inspection December 21, 2012, 9:00 a.m.]

### Out of Service Notice; Doc. No. O-12-11-03

Dominic Yanni  
Chestnut Hill Limousine  
Last Known Address  
4975 Swamp Road  
Fountainville, Pa. 18923

Citation No's.:  
T-13376: 1051.4; Taxicab and Limousine Regulations;  
Failure to Pay Assessment  
T-13377: 1051.12; Taxicab and Limousine Regulations;  
Failure to Report Interruption of Service

Dear Mr. Yanni,

Please be advised that, pursuant to 53 Pa. CS §5701, et. seq., and Title 52, of the Pennsylvania Code, Public Utilities, Taxicab and Limousine Regulations, the Enforcement Department of The Philadelphia Parking Authority ("Authority") Taxicab and Limousine Division ("TLD") has placed your limousine certificate out of service and intends to request a revocation on Certificate of Public Convenience Number 1015356-07.

Limousine certificates expire on June 30 of each year. 52 Pa. §1051.3 (c) requires limousine certificate renewal forms to be submitted on or before April 1st of each year. 52 Pa. §1051.4 (a), (b) and (c) require payment of assessment by certificate holders by June 30 of each year. Chestnut Hill Limousine has not submitted the required filing and has not submitted the assessment payment and therefore, its certificate is expired. 52 Pa. § Code 1051.12 requires a discontinuance of service for more than five (5) consecutive days be reported to the Enforcement Department. Chestnut Hill Limousine has never reported the discontinuance in service. Communications and announcements issued by the TLD Administrative Department regarding these requirements and the renewal process have gone unanswered.

Based upon the above referenced violations of the TLD regulations and the corresponding threat to public safety, Certificate of Public Convenience Number 1015356-07 has been placed out-of-service, pursuant to 52 Pa. Code § 1003.32.

The Philadelphia Parking Authority  
Taxicab and Limousine Division  
By: William P. Schmid  
Deputy Director of the TLD  
VINCENT J. FENERTY, Jr.,  
*Executive Director*

[Pa.B. Doc. No. 12-2516. Filed for public inspection December 21, 2012, 9:00 a.m.]

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## PHILADELPHIA REGIONAL PORT AUTHORITY

### Request for Bids

The Philadelphia Regional Port Authority will accept sealed bids for Project No. 12-107.6, Replacement of Sprinkler and Fire Alarm Systems at Pier 84, until 2 p.m. on Thursday, January 17, 2013. Information (including mandatory prebid information) can be obtained from the web site [www.philaport.com](http://www.philaport.com) under Procurement, or call (215) 426-2600.

JAMES T. McDERMOTT, Jr.,  
*Executive Director*

[Pa.B. Doc. No. 12-2517. Filed for public inspection December 21, 2012, 9:00 a.m.]

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