

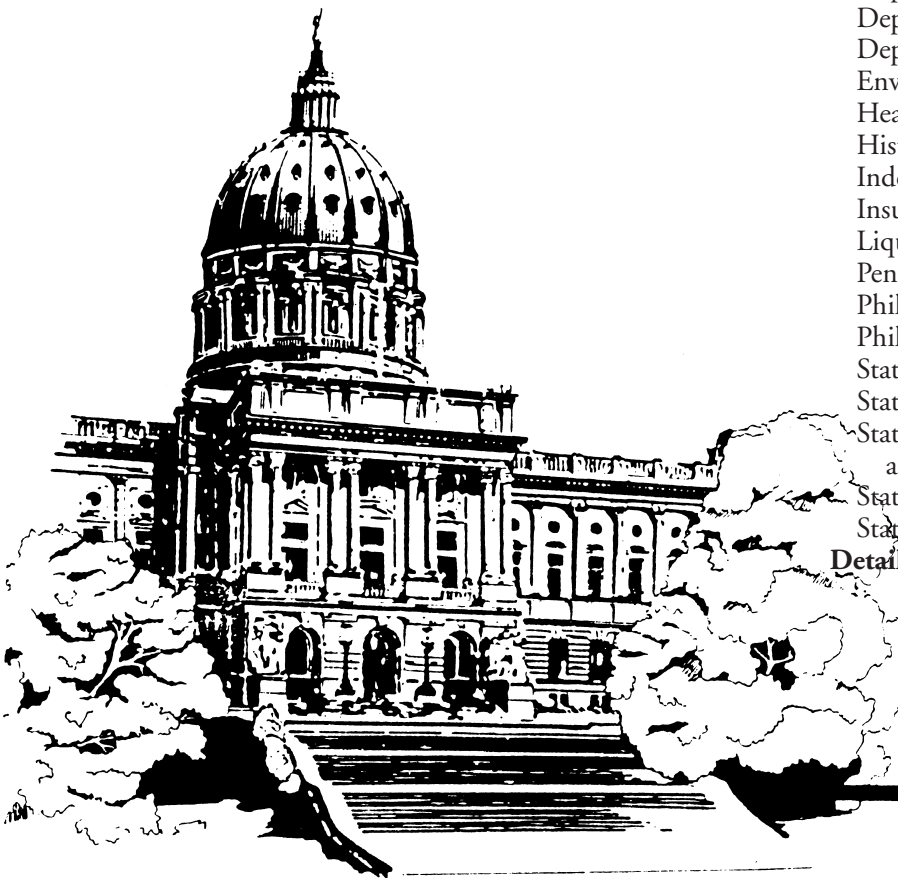
# PENNSYLVANIA BULLETIN

Volume 43  
Saturday, September 28, 2013 • Harrisburg, PA  
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**Latest Pennsylvania Code Reporters  
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**No. 466, September 2013**

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

## *Pennsylvania Bulletin*

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

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

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

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

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

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

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

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

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

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

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

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

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

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### Fiscal Notes

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

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

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# List of Pa. Code Chapters Affected

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# THE COURTS

## Title 231—RULES OF CIVIL PROCEDURE

### PART I. GENERAL

[ 231 PA. CODE CH. 1910 ]

#### Amendment of the Note to Rule 1910.10 of the Rules of Civil Procedure; No. 587 Civil Procedural Rules Doc.

#### Order

*Per Curiam*

*And Now*, this 16th day of September, 2013, upon the recommendation of the Domestic Relations Procedural Rules Committee; the proposal having been submitted without publication pursuant to Pa.R.J.A. No. 103(a)(3):

*It Is Ordered* pursuant to Article V, Section 10 of the Constitution of Pennsylvania that the Note to Rule 1910.10 of the Pennsylvania Rules of Civil Procedure is amended in the following form.

This *Order* shall be processed in accordance with Pa.R.J.A. No. 103(b), and shall be effective in 30 days on October 16, 2013.

#### Annex A

### TITLE 231. RULES OF CIVIL PROCEDURE

#### PART I. GENERAL

#### CHAPTER 1910. ACTIONS FOR SUPPORT

#### Rule 1910.10. Alternative Hearing Procedures.

\* \* \* \* \*

**Official Note:** Pursuant to Rule 1910.10, the following counties have certified to the Domestic Relations Procedural Rules Committee that their support proceedings are conducted in accordance with the rule specified below.

\* \* \* \* \*

Franklin [ 1910.11 ] 1910.12

\* \* \* \* \*

[Pa.B. Doc. No. 13-1792. Filed for public inspection September 27, 2013, 9:00 a.m.]

## Title 246—MINOR COURT CIVIL RULES

### PART I. GENERAL

[ 246 PA. CODE CH. 300 ]

#### Proposed Rule 320

The Minor Court Rules Committee is planning to recommend that the Supreme Court of Pennsylvania adopt new Rule 320 of the Minor Court Civil Rules. The Committee has not yet submitted this proposal for review by the Supreme Court of Pennsylvania.

The following explanatory Report highlights the Committee's considerations in formulating this proposal. The Committee's Report should not be confused with the

Committee's Official Notes to the rules. The Supreme Court does not adopt the Committee's Official Notes or the contents of the explanatory reports.

The text of the proposed new rule precedes the Report.

We request that interested persons submit written suggestions, comments, or objections concerning this proposal to the Committee through counsel,

Pamela S. Walker, Counsel  
Supreme Court of Pennsylvania  
Minor Court Rules Committee  
Pennsylvania Judicial Center  
P. O. Box 62635

Harrisburg, PA 17106-2635

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no later than December 2, 2013.

*By the Minor Court Rules Committee*

MARY P. MURRAY,  
*Chair*

#### Annex A

### TITLE 246. MINOR COURT CIVIL RULES

#### PART I. GENERAL

#### CHAPTER 300. CIVIL ACTION

#### Rule 320. Plaintiff Request to Withdraw Complaint; Settlement.

A(1) A plaintiff may withdraw the complaint prior to the commencement of the hearing by filing a written notice of withdrawal with the magisterial district court. Upon receipt of such notice, the magisterial district court shall note the withdrawal of the complaint on the docket, cancel any scheduled hearing, and notify the parties in writing.

(2) A withdrawal of the complaint filed prior to the commencement of the hearing shall be deemed to be without prejudice. The plaintiff may file a new complaint on the same cause of action upon payment of all applicable fees and costs.

B(1) The parties may file a written notice of settlement with the magisterial district court at any time prior to the entry of judgment. Upon receipt of such notice, the magisterial district court shall note the case settled on the docket, cancel any scheduled hearing, and notify the parties in writing.

(2) Where the parties have filed a notice of settlement with the magisterial district court and a subsequent breach of the settlement agreement occurs, a party may file a new complaint citing breach of the settlement agreement as the cause of action.

**Official Note:** A complaint filed pursuant to subparagraph A(2) or B(2) shall not be treated as a "reinstatement" of the underlying action, and is subject to all prescribed fees and costs for filing and service of a complaint. Compare with Rule 314E, which provides for reinstatement of the complaint under the limited circumstance of failure to make timely service.

This rule also applies to the withdrawal or settlement of a cross complaint. Moreover, a cross complaint will survive the withdrawal or settlement of the corresponding complaint.

Prior Rule 320, addressing continuances, was rescinded by Order of December 16, 2004, effective July 1, 2005, and its provisions were added to Rule 209.

## REPORT

### *Proposed New Rule 320 of the Minor Court Civil Rules*

#### **Plaintiff Withdrawal of Complaint; Settlement**

##### I. *Introduction*

The Minor Court Rules Committee (“Committee”) is proposing a new Rule 320<sup>1</sup> of the Minor Court Civil Rules. The goal of this proposed new rule is to establish procedures for the withdrawal of complaints by plaintiffs, the settlement of actions by the parties, and to clarify the effect of withdrawals and settlements on the action.

##### II. *Discussion*

In reviewing matters of civil case processing, the Committee identified the need for a rule based practice in the magisterial district courts for withdrawal of the complaint and settlement of the action. It was noted that the Minor Court Civil Rules do not explicitly provide for such actions, resulting in inconsistent statewide practice and uncertainty for litigants. Additionally, the Committee wanted to clarify that civil actions ended by withdrawal of the complaint or settlement by the parties are not eligible for “reinstatement,” as that term is used in Pa.R.C.P.M.D.J. No. 314E (“Rule 314E”).

##### III. *Proposed Rule Changes*

The Committee identified the need for procedures addressing withdrawal of complaints and settlement of actions. First, the Committee addressed the situation where a plaintiff seeks to withdraw a complaint. The Committee proposes a new rule establishing that a plaintiff may withdraw a complaint prior to the start of the hearing upon written notice to the magisterial district court. Following receipt of such notice, the magisterial district court would note the withdrawal on the docket, cancel any scheduled hearing, and notify the parties in writing. With respect to the future rights of the parties, the Committee proposes that a withdrawal of the complaint would be deemed to be without prejudice, and a plaintiff may file a new complaint on the same cause of action upon payment of all applicable fees and costs. Under no circumstances would a new complaint filed pursuant to this rule be treated as a “reinstatement,” as that term is used in Rule 314E in the limited circumstance of failure to make timely service of the complaint.

Next, the Committee addressed the situation where the parties seek to settle the action prior to the entry of judgment. The Committee proposes a new rule establishing that the parties may file a written notice of settlement with the magisterial district court at any time prior to the entry of judgment. Upon receipt of the written settlement notice, the magisterial district court would note the settlement on the docket, cancel any scheduled hearing, and notify the parties in writing. If a subsequent breach of the settlement agreement should occur, it would be necessary for a party to file a new complaint citing breach of the settlement agreement as the cause of action, subject to all applicable fees and costs. Under proposed Rule 320B(2), a party is not permitted to request a “reinstatement” of the original complaint.

<sup>1</sup> Prior Pa.R.C.P.M.D.J. No. 320 (“Rule 320”), addressing continuances, was rescinded by Order of December 16, 2004, effective July 1, 2005. The provisions of prior Rule 320 were added to Pa.R.C.P.M.D.J. No. 209 in order to have one rule addressing continuances.

Finally, the Committee intends that proposed Rule 320 would also apply to the withdrawal or settlement of a cross-complaint. However, because a cross-complaint “need not arise from the same transaction or occurrence from which the plaintiff’s claim arose, nor need it be the same type of claim,” the withdrawal or settlement of the plaintiff’s complaint does not operate to automatically terminate the cross-complaint. See Pa.R.C.P.M.D.J. No. 315A, providing for cross-complaints.

[Pa.B. Doc. No. 13-1793. Filed for public inspection September 27, 2013, 9:00 a.m.]

## Title 252—ALLEGHENY COUNTY RULES

### ALLEGHENY COUNTY

#### **Criminal Division Rule of the Court of Common Pleas; No. 2 of 2013 Rules Doc.**

##### **Order of Court**

*And Now*, to-wit, this 11th day of September, 2013, *It Is Hereby Ordered, Adjudged and Decreed* that the following Rule of the Court of Common Pleas of Allegheny County, Pennsylvania, Criminal Division, adopted by the Board of Judges, shall be effective thirty (30) days after publication in the *Pennsylvania Bulletin*:

#### **Rule of Criminal Procedure 507.3. Approval of Police Complaints and Arrest Warrant Affidavits by Attorney for the Commonwealth in Cases Where Victims are 65 years old or Older.**

*By the Court*

DONNA JO McDANIEL,  
*President Judge*

#### **All.C.R.Crim.P. 507.3. Approval of Police Complaints and Arrest Warrant Affidavits by Attorney for the Commonwealth in Cases Where Victims are 65 years old or Older.**

The District Attorney of Allegheny County, Stephen A. Zappala, Jr., having filed a certification pursuant to Pa.R.Crim.P. 507, criminal complaints and arrest warrant affidavits by police officers, as defined in the Rules of Criminal Procedure, charging Rape (18 Pa.C.S. § 3121), Statutory Sexual Assault (18 Pa.C.S. § 3122.1), Involuntary Deviate Sexual Intercourse (18 Pa.C.S. § 3123), Sexual Assault (18 Pa.C.S. § 3124.1), Aggravated Indecent Assault (18 Pa.C.S. § 3125), Neglect of a Care Dependent Person (18 Pa.C.S. § 2713), Aggravated Assault (18 Pa.C.S. § 2702), Robbery (18 Pa.C.S. § 3701), Theft by Deception (18 Pa.C.S. § 3922—Felony grade), Identity Theft (18 Pa.C.S. § 4120), Misapplication of Entrusted Property and Property of Government or Financial Institutions (18 Pa.C.S. § 4113), and Home Improvement Contracts (73 P.S. § 517.7), and Criminal Attempt (18 Pa.C.S. § 901), Criminal Conspiracy (18 Pa.C.S. § 903) or Criminal Solicitation (18 Pa.C.S. § 902) to commit any of the offenses listed above, where the victim is 65 years old or older, shall not hereafter be accepted by any judicial officer unless the criminal complaint and probable cause affidavit have the approval of an attorney for the Commonwealth prior to filing.

[Pa.B. Doc. No. 13-1794. Filed for public inspection September 27, 2013, 9:00 a.m.]

# Title 25—LOCAL COURT RULES

## SCHUYLKILL COUNTY

### Amend Civil Rule of Procedure 1915.3a Parent Education Program; S-1847-13

#### Order of Court

*And Now*, this 11th day of September, 2013, at 2:15 p.m., Schuylkill County Civil Rule of Procedure No. 1915.3a, Parent Education Program is amended for use in the Court of Common Pleas of Schuylkill County, Pennsylvania, Twenty-First Judicial District, Commonwealth of Pennsylvania, effective thirty days after publication in the *Pennsylvania Bulletin*.

The Prothonotary of Schuylkill County is Ordered and Directed to do the following:

1) File seven (7) certified copy of this Order and Rule with the Administrative Office of the Pennsylvania Courts.

2) Forward two (2) certified copies of this Order and Rule and a computer diskette containing the text of the local rules to the Legislative Reference Bureau for publication in the *Pennsylvania Bulletin*.

3) Forward one (1) certified copy of this Order and Rule with the Civil Procedural Rules Committee of the Supreme Court of Pennsylvania.

4) Forward one (1) copy to the Law Library of Schuylkill County for publication in the *Schuylkill Legal Record*.

5) Copies shall be kept continuously available for public inspection in the Office of the Schuylkill County Prothonotary and the Schuylkill County Law Library.

It is further *Ordered* that said rule as it existed prior to the amendment is hereby repealed and annulled on the effective date of said rule as amended, but no right acquired thereunder shall be disturbed.

*By the Court*

WILLIAM E. BALDWIN,  
*President Judge*

#### Rule 1915.3a. Parent Education Program.

(a) The Court Administrator shall determine the dates, times, and location of the Parent Education Program designated by the Court.

(b) Brochures and registration forms for the Parent Education program will be available at the Custody Office, Schuylkill County Law Library, and the Prothonotary's Office.

(c) Parties residing outside of Schuylkill County may contact the presenter for possible alternative programs or alternative scheduling if they are unable to attend the scheduled program.

(d) The presenter of the Program is authorized to approve individual requests for changes to the registration requirements and scheduling, only upon a showing of good cause.

(e) Upon successful completion of the program, the presenter shall issue a certificate of completion to the party and provide the Court Administration of Schuylkill County with a certification of completion which shall be docketed and made part of the record.

(f) The affidavit of service or the certificates of service of a complaint/modification for (shared legal custody) (sole legal custody) (partial physical custody) (primary physical custody) (shared physical custody) (sole physical custody) (supervised physical custody) of the child(ren) shall contain a statement that the opposing party or counsel of record for the opposing party has been served with the Parent Education brochure and registration form.

(g) A party to a custody proceeding who has successfully completed the Parent Education program will be excused from attending another program if the party files of record an affidavit stating that the party has attended and successfully completed the Parent Education program designated by the Court with a copy of the certificate of completion attached as an exhibit.

[Pa.B. Doc. No. 13-1795. Filed for public inspection September 27, 2013, 9:00 a.m.]

## DISCIPLINARY BOARD OF THE SUPREME COURT

### Notice of Disbarment

Notice is hereby given that Hugh D. Jaeger having been excluded from the practice of patent, trademark and other non-patent law before the United States Patent and Trademark Office by Order of the United States Patent and Trademark Office dated February 6, 2013, the Supreme Court of Pennsylvania issued an Order on September 12, 2013, ordering that Hugh D. Jaeger be Disbarred from the practice of law in this Commonwealth, effective October 12, 2013. In accordance with Rule 217(f), Pa.R.D.E., since this formerly admitted attorney resides outside of the Commonwealth of Pennsylvania, this notice is published in the *Pennsylvania Bulletin*.

ELAINE M. BIXLER,  
*Secretary*  
*The Disciplinary Board of the  
Supreme Court of Pennsylvania*

[Pa.B. Doc. No. 13-1796. Filed for public inspection September 27, 2013, 9:00 a.m.]

### Notice of Disbarment

Notice is hereby given that Kevin H. Main having been suspended from the practice of law in the State of New Jersey for a period of 2 years by Order of the Supreme Court of New Jersey dated April 24, 2013, the Supreme Court of Pennsylvania issued an Order on September 12, 2013, suspending Kevin H. Main from the Bar of this Commonwealth for a period of 2 years, effective October 12, 2013. In accordance with Rule 217(f), Pa.R.D.E., since this formerly admitted attorney resides outside of the Commonwealth of Pennsylvania, this notice is published in the *Pennsylvania Bulletin*.

ELAINE M. BIXLER,  
*Secretary*  
*The Disciplinary Board of the  
Supreme Court of Pennsylvania*

[Pa.B. Doc. No. 13-1797. Filed for public inspection September 27, 2013, 9:00 a.m.]



**Notice of Suspension**

Notice is hereby given that John Andrew Klamo having been suspended from the practice of law in the State of New Jersey for a period of 3 months by Order of the Supreme Court of New Jersey dated April 24, 2013; the Supreme Court of Pennsylvania issued an Order dated September 12, 2013 suspending John Andrew Klamo from the practice of law in this Commonwealth for a period of 3 months. In accordance with Rule 217(f), Pa.R.D.E., since this formerly admitted attorney resides outside the Commonwealth of Pennsylvania, this notice is published in the *Pennsylvania Bulletin*.

ELAINE M. BIXLER,  
*Secretary*  
*The Disciplinary Board of the*  
*Supreme Court of Pennsylvania*

[Pa.B. Doc. No. 13-1798. Filed for public inspection September 27, 2013, 9:00 a.m.]

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# RULES AND REGULATIONS

## Title 52—PUBLIC UTILITIES

PENNSYLVANIA PUBLIC UTILITY COMMISSION

[ 52 PA. CODE CH. 59 ]

[ L-2009-2107155 ]

### Meter Location; Advance Notice of Final Rulemaking

Public Meeting held  
September 12, 2013

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

*Amendment to 52 Pa. Code § 59.18 Meter Location;  
Doc. No. L-2009-2107155*

#### Advance Notice of Final Rulemaking Order

*By the Commission:*

In accordance with Section 501 of the Public Utility Code, 66 Pa.C.S. § 501, the Commission formally commenced a rulemaking process to amend its existing regulations at 52 Pa. Code § 59.18 “Meter Location.” On July 28, 2011, the Commission entered a Proposed Rulemaking Order proposing new language for the regulation. Specifically, this review was to address meter placement and location and general requirements for new service lines. Comments were filed by various interested parties. The Commission has reviewed those comments in Attachment One and issues this Advanced Notice of Final Rulemaking including Annex A.

#### *Background and Procedural History*

On August 21, 2008, the Commission directed the Bureau of Transportation, Gas Safety Division, to institute an investigation into the issue of gas meter placement and relocation in the context of service disputes between gas distribution companies and their customers. Pursuant to the Commission’s directive, the Gas Safety Division reviewed existing regulations and tariff language on meter location. The Gas Safety Division concluded that the Commission’s existing regulation is vague, inadequate, and out-of-date with respect to the federal standards which the PUC has adopted.

The issue of gas meter placement and relocation in the context of service disputes between Natural Gas Distribution Companies (NGDCs) and their customers came before the Commission in two cases. *Mitchell v. Equitable Gas Company*, Docket No. C-20077457 (Opinion and Order entered January 22, 2009); *Lucas v. Columbia Gas Company of Pennsylvania, Inc.*, Docket No. C-20065830 (Order entered June 3, 2008). In both cases, the meter relocation occurred due to a discovery and repair of leaking service lines. Each case involved a customer complaint filed after the utility charged for relocating the meter.

Specifically, customers had objected to being charged for the relocation of meters from inside their residences to an exterior location, and sought reimbursement of associated costs. The gas line from the meter outlet valve is considered customer owned property. Therefore, when the meters were relocated outside, the customer line was lengthened. Normally, a homeowner would have to con-

tract with an Operator Qualified plumber to extend the house line outside to the meter. In the instances where the customers objected to the relocation of the meters, the NGDC required the meter to be relocated due to safety concerns.

After reviewing these and other cases, the Commission approved a motion offered by Commissioner Pizzingrilli finding that its regulations and the tariff provisions of gas utilities vary significantly:

[I]t is evident that there is ambiguity with respect to meter placement and relocation . . . [and] it is critically important that our regulations and company tariffs provide clear direction on meter location issues to ensure safe and reliable service.

As much of Pennsylvania’s natural gas infrastructure is aging and a number of gas utilities are in the process of embarking on significant infrastructure replacement initiatives, it is an opportune time to assess the meter relocation policy to enable gas utilities to more efficiently address this issue in the context of these programs and to ensure safe and reliable service.<sup>1</sup>

The Commission then directed the Gas Safety Division to undertake a review of the regulations and to prepare a report with any recommendations.

Before discussing the Gas Safety Division’s report, it is noteworthy that the Commission’s only regulation governing gas meter location reads:

#### **52 Pa. Code § 59.18 Location of meters.**

Meters shall be installed in either of the following locations:

1. Inside the building, preferably in a dry, well-ventilated place not subject to excessive heat, and as near as possible to the point of entrance of the pipe supplying service to the building.
2. Outside the building at a location selected by the utility. A meter cover or housing is required if, in the judgment of the utility, conditions require the physical protection for the meter installation.

The U.S. Department of Transportation (DOT) regulations, which the Commission has adopted<sup>2</sup> and has an agreement with the Pipeline and Hazardous Material Safety Administration (PHMSA) to enforce, include the following:

#### **49 CFR § 192.353 Customer meters and regulators: Location.**

- (a) Each meter and service regulator, whether inside or outside a building, must be installed in a readily accessible location and be protected from corrosion and other damage, including, if installed outside a building, vehicular damage that may be anticipated. However, the upstream regulator in a series may be buried.
- (b) Each service regulator installed within a building must be located as near as practical to the point of service line entrance.

<sup>1</sup> Gas Meter Location, Docket No. M-2008-2058386, Motion of Commissioner Kim Pizzingrilli (August 21, 2008).

<sup>2</sup> See Ratification and Adoption of Amendments to Part 192 of Title 49 of the *Code of Federal Regulations*, Docket No. M-00001347, Order entered March 16, 2000, 2000 Pa. PUC LEXIS 4; 52 Pa. Code § 59.33 Safety.

(c) Each meter installed within a building must be located in a ventilated place and not less than 3 feet (914 millimeters) from any source of ignition or any source of heat which might damage the meter.

(d) Where feasible, the upstream regulator in a series must be located outside the building, unless it is located in a separate metering or regulating building.

**49 CFR § 192.357 Customer meters and regulators: Installation.**

(a) Each meter and each regulator must be installed so as to minimize anticipated stresses upon the connecting piping and the meter.

(b) When close all-thread nipples are used, the wall thickness remaining after the threads are cut must meet the minimum wall thickness requirements of this part.

(c) Connections made of lead or other easily damaged material may not be used in the installation of meters or regulators.

(d) Each regulator that might release gas in its operation must be vented to the outside atmosphere.

The Commission's Gas Safety Division, in conjunction with the Law Bureau, implemented an investigation regarding meter set (meter and regulator) location. The Gas Safety Division issued ten data requests to the ten largest gas utilities under PUC jurisdiction. The data requests included questions related to the number of inside/outside meter sets, inside regulators, tariff language, inside meter set leak calls, reportable incidents associated with inside meter sets, meter relocation charges, inside leak surveys, and local ordinances requiring certain meter locations. All ten gas utilities responded. The data revealed that the Pennsylvania natural gas industry has approximately 27% of all meter sets located inside of residential dwellings. This average has been consistent over the last five years.

All the tariffs for the solicited utilities have tariff rules governing the location of meter sets. Each tariff states that the utility will make the ultimate siting determination. The basis for the utility decision for meter and regulator location is safety. The majority of the tariffs include language that allows for exceptions to outside siting. Allowance for inside meter and regulator sets are based upon historic area prohibitions and areas that have high amounts of vandalism.

The Commission is also concerned about the number of reportable incidents resulting, at least partially, from locating meters and regulators inside structures. The gas distribution utilities reported more than 4,000 leaks occurring on inside meter sets over a five year period. The number of reportable incidents<sup>3</sup> (65) over the past forty years, however, is more alarming. While it appears from the data that the inside meter and regulators were not always the primary factor for accidents, locating meters and regulators inside certainly contributed to these incidents through a release of natural gas. State and federal gas safety regulations require gas utilities to perform leak surveys over service lines periodically; however, several of

the utilities reported that they could not comply with the leak survey requirements when the meter and regulator are inside a building, which prevents access. This is troubling because the state and federal regulations require leak surveys up to the meter. By not having access to the meter sets, the NGDCs cannot comply with the state and federal regulations and cannot detect inside leaks.

The state has experienced several gas explosions related to steel service lines being struck and pulled up from their stable position and subsequently pulling the service line from the inside meter set. Plastic service lines with inside meter sets do not pull away since the excavation equipment usually severs the line immediately after being struck. The combination of steel service line and inside meter set is a high risk factor for natural gas incidents.

The responding NGDCs also addressed the cost of moving meter sets from the inside to the outside. In most instances, if the customer requests a meter set relocation, the customer pays for the extension of the customer piping up to the outlet valve of the meter set. But the utilities have multiple exceptions as to who pays. Under federal regulations, Operator Qualified plumbers are the only plumbers who may perform work on service lines and meters. The Operator Qualified plumbers are certified and tested by the specific gas utility.

If a meter set is to be moved outside and the meter set was connected to a steel service line, the NGDC would replace the steel service line and move the meter set outside where practical. The cost of replacing the steel service line and moving the meter set outside is approximately \$4,000 per unit. The average cost of moving only a meter set from inside to outside is approximately \$500. UGI Utilities, Inc. (UGI) opined that most of the steel service lines with inside meter sets were connected to bare steel or unprotected steel mains which would also need to be replaced and would increase the cost.

Therefore, if an NGDC is replacing a natural gas main in accordance with its main replacement program, the NGDC should make all reasonable efforts to replace the bare or unprotected steel service lines in addition to relocating the meter set. In 2008, Columbia Gas of Pennsylvania, Inc. (Columbia) requested limited waivers of the tariff rules relating to customer service line replacement.<sup>4</sup> According to Columbia's existing tariff, certain customers are responsible for the installation, maintenance and replacement of their service lines. We agreed it would be inequitable to require these customers to replace their service lines at the customers' expense when the replacement was required by Columbia's main replacement and upgrade project. Thus, it would be prudent and more cost effective for NGDCs to coordinate their meter set relocation program (including steel service line replacement when necessary) with their main replacement program.

There are several alternatives, however, to relocation and replacement of inside meter sets and steel service lines. One alternative is to retrofit existing service lines with Excess Flow Valves (EFV). An EFV is a device that reduces gas flow in the event that a pipe fails beyond the valve. EFVs are currently mandated for all new and

<sup>3</sup> A reportable incident exists where there was a release of gas and (1) greater than \$50,000 in damages; (2) death or injury; or (3) a significant event in the determination of the distribution utility.

<sup>4</sup> See Petition of Columbia Gas of Pennsylvania, Inc. for Limited Waivers of Certain Tariff Rules Related to Customer Service Line Replacement, Docket No. P-00072337 (May 19, 2008).

replaced service lines by federal law. See 49 U.S.C. § 60110, 49 CFR § 192.383. We have adopted the Federal regulation. The cost of retrofitting a steel service line with EFV is approximately \$1,500.

Another alternative to relocation and replacement is to relocate the inside regulator to the outside. The majority of NGDCs do not allow inside regulators; however, the companies that do allow them include UGI, PECO Energy Company (PECO), and Philadelphia Gas Works (PGW). The relocation of the inside regulator costs approximately \$450.

Finally, several utilities provide service in historic districts where municipal laws may require the meter set to be located inside structures. In some instances, the utilities may be able to locate the regulator outside; however, it was represented that there are instances when the utility must locate the entire meter set inside due to zoning ordinances. In addition, some utilities may locate meter sets inside due to vandalism concerns.

After review of the state and federal regulations pertaining to meter set location, gas distribution tariffs, and after meeting with the gas utilities and reviewing the data responses, Gas Safety concluded the following:

1. The Pennsylvania regulations at § 59.18 are silent as to reimbursement costs related to relocation of meters.
2. The Commission has adopted provisions of the *Code of Federal Regulations*, which address the safety issues related to meter set location and installation and thus are in conflict with the existing Pennsylvania regulations.
3. The collected data show that Pennsylvania has experienced 65 reportable incidents associated with inside meter sets and inside regulators over the last 40 years.
4. The gas distribution utilities have had more than 4,000 leaks related to inside meter sets over the last five years.
5. Several of the gas distribution utilities assert they cannot comply with the state and federal regulations pertaining to leakage surveys because they cannot get access to inside meter sets.
6. Inside meter sets with inside regulators are a major concern due to the possibility of high pressure gas flowing into a structure if the inside meter or inside regulator is detached from the service line. Three gas distribution utilities have high numbers of inside meter sets with inside regulators that are at higher risk for failure because the inside meter and regulator are connected to a steel service line. Steel service lines are susceptible to pulling from excavation equipment. Pennsylvania has experienced several catastrophic explosions due to steel service lines pulling away from inside meter sets and inside regulators.

Ultimately, Gas Safety concluded that the Commission's existing regulation is vague, inadequate, and out-of-date with respect to the federal standards which the Commission has adopted.

Therefore, on July 28, 2011, the Commission adopted and entered a Proposed Rulemaking Order titled "Rulemaking Re Amendment to 52 Pa. Code § 59.18 Meter Location." The Order was published in the *Pennsylvania Bulletin* on June 16, 2012. Comments were filed by approximately 44 interested parties and numerous letters

were filed by individual homeowners. The Commission's review and analysis of the comments is contained in Attachment One and incorporated by reference in this Order.

#### *Summary of Issues*

Essentially, the consensus of the utility industry's comments is that changes to existing regulations are unnecessary because the Commission's regulations are already consistent with Federal regulations and that the proposed rules are inconsistent with Federal regulations and impose new additional regulatory requirements. Furthermore, some of the utilities and the Energy Association of Pennsylvania (EAP) contend that the proposed regulation is based on the Gas Piping Technology Committee's (GPTC) Guide for Gas Transmission and Distribution Piping Systems (Guide or Guide Material), which is advisory in nature and not meant to be a regulation. Moreover, NGDCs are concerned about any removal of a utility's discretion in meter placement. It was suggested that relocation should be coordinated with the utility's established main replacement program and schedule, and that, specifically, utilities should not have to replace indoor regulators connected to steel service lines by 2020, as required in the proposed regulation. Utilities also seek clarification whether this regulation, if adopted, would apply to meter sets installed after the effective date of this proposed regulation since a number of new requirements are not requirements of meter sets today.

The general comments of historical commissions and boards, private citizens, preservation groups, civic associations, and government entities and officials is that meters and regulators should remain in the basements of properties within historic districts to preserve beauty and uniqueness of these areas. Also, moving meters outside will risk damage to the units caused by vehicles hitting meters and tampering, among other occurrences. Moreover, with the development of remote meter reading devices, some of these parties believe there is not a need to make meters visible in front of historic homes.

These parties also argue against limiting historic districts to those that are federally recognized. In other words, the definition of "Historic District" should specifically include local historic districts designated by municipalities, as well as others locally significant. These parties are also looking for a process for utilities to notify property owners about projects and allow the property owners to participate and make informed decisions about where the meter will be located. It was also recommended to the Commission to develop design guidelines for the appropriate location of meters and regulators. The Pennsylvania Historical and Museum Commission (PHMC) also disagreed with a statement in the Order, asserting that it was unable to identify any locally adopted historic property regulations that stipulate the location of gas meters.

The Independent Regulatory Review Commission (IRRC) emphasized the point that the Commission established in Section 59.33 that the *Code of Federal Regulation* (CFR) and its subsequent amendments effectively supersede the Commission's regulations; and since the CFR addresses meter and regulator location, the proposed Section 59.18 raises the issue of "possible conflict with or duplication of Statutes or existing regulations." 71 P. S. § 745.5(b)(3)(i). IRRC continues its comments asking the Commission to explain how these mandates support the Commission's stated intent to make Pennsylvania's regulations consistent with federal regulations and reconcile with the Commission's statement that "the proposed



amended language imposes no additional regulatory requirements upon natural gas distribution companies (NGDCs) that these utilities are not already subject to under the federal regulations.”

IRRC further believes the proposed regulation includes only meter and regulator locations and does not address several of the other safety concerns identified by the Commission in its Order.

IRRC then notes that the Commission has not explained which state and federal provisions are inconsistent, or how the Commission’s regulations could conflict. In order to clearly establish and support this rule-making’s intent, IRRC recommends that the Commission review and revise its Preamble and responses in the Regulatory Assessment Form (RAF) prior to submitting a final regulation. IRRC questions the Commission’s support for the regulation based on safety concerns stating that the Commission has not addressed excess flow valves as alternatives to relocating inside meter sets outside, or established a direct link between reportable incidents and leaks at inside meters.

#### *Discussion*

Attachment One to this Order contains a summary of the comments from the utility industry, historical commissions and boards, private citizens, preservation groups, civic associations, and government entities and officials. In addition, the general comments of the Independent Regulatory Review Commission are summarized and then addressed in a response section. Finally, the specific issues raised by the comments to the specific subsections, paragraphs and subparagraphs of Annex A of the Proposed Rulemaking Order are addressed, discussed and resolved. In so doing, we have retained language, struck proposed language, and added new language.

Section 59.18 is currently limited with respect to providing regulatory requirements for locating meters. The regulation merely provides that meters can be installed inside or outside the building with a few location requirements. Our Proposed Rulemaking Order (page 1) acknowledged that the existing regulation is inadequate. IRRC notes that the Commission in Section 59.33 adopts the pipeline safety laws including 49 CFR Parts 191—193, 195 and 199 that address meter and regulator location. We do not believe that our adoption of these minimum safety standards in Section 59.33(b) conflicts or duplicates the proposed regulation. Section 59.33(b) is clear that the Federal regulations are the minimum safety standards that apply to natural gas public utilities.

While the CFR might address similar provisions in terms of subject matter to the proposed regulations, the specific requirements are not the same. In fact, we agree with the commentators that the proposed Section 59.18 is taken, largely, from the Guide Material and not the Federal regulations. The proposed regulation relies heavily on the Guide Material for structure and substance. That being said, we disagree that the language is inflexible and leaves no room for utility discretion. We believe that any limitation of an NGDC’s discretion through this regulation is in the public interest. We submit that specifying mandatory requirements for meter, regulator and service line locations is necessary to protect the safety of the public and, therefore, is in the public interest. However, the proposed regulation allows the utility in many instances to deviate from the general rule or requirement if it is not “feasible and practical to do so.” The utility will retain discretion in applying this regulation.

Our adoption of the CFR under Section 59.33(b) sets the minimum safety standards for all natural gas and hazardous liquid public utilities. Therefore, Section 59.33(b) does not prohibit the Commission from imposing additional regulatory safety requirements. Although there are additional requirements, we believe that the additional regulatory requirements are all in the public interest. In effect, the proposed regulation does impose additional regulatory requirements for utilities, whereas the Guide Material made them discretionary. Therefore, we agree that statements to the contrary in the RAF were incorrect and we will make the appropriate corrections.

We further note IRRC’s comment that the proposed regulation includes only meter and regulator location and does not address several other safety concerns identified in the Preamble (Order). The issue of access to inside meters to conduct leak surveys up to the meter is raised by IRRC. We believe, as explained in Attachment One, that reasonable access by the utility to its facilities should be addressed in the utility’s tariff. We also addressed the safety issue with respect to steel service lines pulled from a stable position with the regulations that provide for the placement of the regulator outside the building. Finally, the use of excess flow valves is a safety device used in the industry and, at this point, we are not concerned by any lack of use within the industry to warrant regulatory oversight. However, in addition to noting that federal law already requires EFV installation on all new and replaced service lines, we propose that excess flow valves must also be installed on all service lines when a meter is located inside.

The proposed regulations do amend existing regulations and we believe are consistent with the already adopted federal regulations. However, we did not intend to imply in response to RAF questions that we would not address other issues and safety concerns. Furthermore, it was not our intent to imply that the provisions of the CFR are in conflict with existing PUC regulations. Rather than be inconsistent, we believe the proposed regulations supplement our current regulations which adopt the federal regulations.

Moreover, we did not intend to imply that NGDCs do not have access to meter sets, and that NGDCs cannot comply with state and federal regulations. Gas utilities should always have the ability to gain access to their facilities by applying their tariff rules.

We also question whether homeowners will be adversely affected economically by the additional regulatory requirements. With respect to regulators being relocated outside buildings in historic districts, we believe that it is merely speculation to maintain that the relocated regulators would diminish the property value of the historic resource.

IRRC believes that the PUC should explain in its Final Rulemaking Order how the final regulation takes into consideration the impact of the location of meters and regulators on NGDCs, homeowners, communities, Pennsylvania’s historic resources, and local preservation programs. IRRC recommends that the PUC withdraw this regulation, and, if not, that the Commission conduct stakeholder meetings with gas utilities and commentators, including those with knowledge of ordinances regulating historic properties. If not, IRRC also recommends that the PUC publish an advance notice of final rule-making to allow the public and standing committees the opportunity to review any revisions that the PUC makes to the regulatory language before submittal of a final-form regulation. IRRC recommends that the PUC review

and revise its final rulemaking order and responses in the RAF prior to submitting a final regulation, in order to clearly establish and support the rulemaking's intent that it is in the public interest.

*Conclusion*

This order sets forth further proposed amendments to the Meter Location rules and general requirements for new service lines. IRRC strongly recommends that the Commission publish an advance notice of final rulemaking to allow the public the opportunity to review any revisions that the Commission makes to the regulatory language before submittal of a final-form regulation. We are mindful of IRRC's comments and, therefore, will issue this order as an Advance Notice of Final Rulemaking. Accordingly, this order also establishes an additional comment period that ends 30 days from the date of the publication of this order in the *Pennsylvania Bulletin*.

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

*It is Ordered That:*

1. The Secretary shall serve a copy of this Advance Notice of Final Rulemaking Order and Annex A on all jurisdictional natural gas distribution companies, the Office of Consumer Advocate, the Office of Small Business Advocate, the Energy Association of Pennsylvania and all other parties that filed comments at Docket No. L-2009-2107155. The Order, Annex A, and Attachment One shall be posted and made available electronically on the Commission's web site.

2. The Secretary shall certify this Advance Notice of Final Rulemaking Order and Annex A and deposit them with the Legislative Reference Bureau to be published in the *Pennsylvania Bulletin*.

3. An original of any written comments referencing the docket number of the proposed regulations be submitted within 30 days of publication in the *Pennsylvania Bulletin* to the Pennsylvania Public Utility Commission, Attn: Secretary, P. O. Box 3265, Harrisburg, PA 17105-3265.

4. The contact person for this proposed rulemaking is Terrence J. Buda, Assistant Counsel, Law Bureau, (717) 787-5000. Alternate formats of this document are available to persons with disabilities and may be obtained by contacting Sherri DelBiondo, Regulatory Coordinator, Law Bureau, (717) 772-4579.

5. The parties serve a courtesy copy of their comments on the contact persons mentioned above.

ROSEMARY CHIAVETTA,  
*Secretary*

*(Editor's Note:* See 42 Pa.B. 3454 (June 16, 2012) for the proposed rulemaking order.)

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

§ 59.18. [ Location of meters ] Meter, regulator and service line location.

[ Meters shall be installed in either of the following locations:

(1) **Inside the building, preferably in a dry, well-ventilated place not subject to excessive heat, and as near as possible to the point of entrance of the pipe supplying service to the building.**

(2) **Outside the building at a location selected by the utility. A meter cover or housing is required if, in the judgment of the utility, conditions require the physical protection for the meter installation. ]**

(a) *General requirements for meter and regulator location.*

(1) **Unless otherwise specified in this section, meters and regulators shall be located outside and aboveground. A utility shall provide written notice to a utility customer by first class mail or by personal delivery 30 days prior to relocating and subsequently installing a meter or regulator outside the customer's property.**

(2) **When it is necessary to install meters at multiple locations on a premises, a utility shall provide a tag or other means to indicate there are multiple meter locations.**

(3) **When selecting a meter or service regulator location, a utility shall consider potential damage by outside forces.**

(4) **The meter location must accommodate access for meter reading, inspection, repairs, testing, changing, and operation of the gas shut-off valve.**

(5) **When feasible and practical to do so, the meter location must accommodate the installation of the service line in a straight line perpendicular to the main.**

(6) **Meters and service regulators may not be installed in the following locations:**

(i) **Beneath or in front of windows or other building openings that may directly obstruct emergency fire exits.**

(ii) **Under interior stairways.**

(iii) **Under exterior stairways, unless an alternate means of egress exists and the meter and service regulator are installed in a well-vented location under stairs constructed of non-combustible material.**

(iv) **A crawl space.**

(v) **Near building air intakes pursuant to local or State building codes.**

(vi) **In contact with soil or other potentially corrosive materials.**

(7) **Unless caused by a customer's violation of applicable gas safety or tariff rules, a utility shall pay the costs of relocating a meter or regulator**

when the relocation is performed to meet utility or Commission safety requirements.

(8) Unless caused by a customer's violation of applicable gas safety or tariff rules, a utility shall pay the cost of extending customer-owned facilities to the new meter or regulator location when the relocation is performed to meet utility or Commission safety requirements.

(9) A customer requesting that a meter or regulator be moved shall pay the costs associated with relocation when the meter and regulator are currently situated in a suitable location under State and Federal guidelines.

(10) Utilities shall address meter, regulator and service line location regulations in their tariffs.

(b) *Outside meter or service regulator locations.* Outside meters or service regulators shall be installed in one of the following locations:

(1) When feasible and practical to do so, aboveground in a protected location, adjacent to the building served or as close as possible to the point where a production or transmission line is tapped.

(2) In a buried vault or meter box.

(i) The vault or meter box must be located on a customer's property, either adjacent to the building served or near the gas main.

(ii) Vaults may be located in a public right-of-way, subject to the consent of local jurisdictions as may be required.

(c) *General requirements for vaults or meter boxes.*

(1) A utility shall consider proper design and location criteria for a meter box, including:

(i) Ventilation.

(ii) Vehicular traffic.

(iii) Soil accumulation.

(iv) Surface water runoff.

(v) High water table.

(vi) Proximity to building air intakes or openings.

(vii) Proximity to an excessive heat source as defined under 49 CFR 192.353(c).

(2) Piping installed through vault walls shall be properly coated to protect from corrosion.

(3) Vaults containing gas piping may not be connected by means of a drain connection to any other underground structure.

(4) When a meter box is located outside a paved surface, a utility shall consider fill, topsoil, or sod being placed over the vault and, when feasible and practical to do so, choose an alternate location.

(d) *Inside meter locations.*

(1) Inside meter locations shall be considered only when:

(i) An outside location is not available due to one of the following restrictions:

(A) A property is listed or is eligible for listing in the National Register of Historic Places.

(B) A property is located within a historic district that is listed or is eligible for listing in the National Register of Historic Places.

(C) A property has been designated as historic under the Pennsylvania Historic District Act, Municipalities Planning Code, or municipal home rule charter.

(ii) Protection from ambient temperatures is necessary to avoid meter freeze-ups.

(iii) A utility determines that a meter is subject to a high risk of vandalism based on the utility's prior experience.

(iv) A utility determines that an outside meter location is neither feasible nor practical.

(2) Installed inside meters must be attached to an operable outside shut off valve.

(3) Meters installed within a building must be located in a ventilated place not less than 3 feet (914 millimeters) from a source of ignition or source of heat which might damage the meter.

(4) Excess flow valves must be installed on all service lines when a meter is located inside a building.

(e) *Other meter or service regulator locations.* A utility may consider a specially constructed cabinet recessed in the building wall, sealed from inside the building and vented to and accessible from outside the building.

(f) *General requirements for new service lines.*

(1) When feasible and practical to do so, a building may not have more than one service line.

(2) When feasible and practical to do so, a service line must terminate at the inlet valve of the meter set in the building in which the service line enters.

(3) When feasible and practical to do so, the service line must be installed in a straight line perpendicular to the main.

(g) *Application of regulation.*

(1) Upon its effective date, utilities shall comply with this regulation for new meter, regulator, and service line installations in new locations.

(2) Upon its effective date, utilities shall comply with this regulation when replacing existing meters, regulators and service line facilities.

(3) Utilities shall have 10 years from the effective date of this regulation to complete replacement of existing facilities in compliance with the requirements of the regulation.

[Pa.B. Doc. No. 13-1799. Filed for public inspection September 27, 2013, 9:00 a.m.]



# NOTICES

## DEPARTMENT OF AGRICULTURE

### Direct Farm Sales Grant Program; 2014 Project Year Application Period for Grants

An application period for grants under the Direct Farm Sales Grant Program (Program) is beginning. The Program is administered by the Department of Agriculture (Department), Bureau of Food Distribution (Bureau). For the 2014 Project Year, the application period is September 30, 2013, to November 18, 2013. Information about the Program and application forms can be accessed at the Department's web site at [www.agriculture.state.pa.us](http://www.agriculture.state.pa.us) under the Bureau or by contacting Sandy Hopple at (800) 468-2433.

The Program provides funds to Commonwealth-based businesses that manage or operate farm stands or farmers' markets, nonprofit organizations, farmers and local governments for projects intended to promote new or existing farmers' markets. Projects must pertain to specialty crops. The maximum grant amount per farm stand or farmers' market location shall be \$7,500 and appli-

cants shall be expected to provide 25% of the approved grant amount in matching funds or in-kinds goods or services. The anticipated date for the award of grants and notice thereof is expected to be on or before February 1, 2014. The application, work plan and budget should reflect March 1, 2014, as the project start date and the project completion date will be September 30, 2014.

Applications for the Program will be accepted by the Department beginning Monday, September 30, 2013, and continue through Monday, November 18, 2013. Applications to be hand-delivered must be received by 4 p.m. in the Bureau on Monday, November 18, 2013, the closing date. Applications which are mailed must be postmarked no later than Monday, November 18, 2013, and received no later than November 25, 2013.

Completed applications should be addressed to or delivered to Department of Agriculture, Bureau of Food Distribution, Direct Farm Sales Grant Program, 2301 North Cameron Street, Room 401, Harrisburg, PA 17110-9408.

GEORGE D. GREIG,  
Secretary

[Pa.B. Doc. No. 13-1800. Filed for public inspection September 27, 2013, 9:00 a.m.]

## 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 September 17, 2013.

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

### BANKING INSTITUTIONS

#### Conversions

<i>Date</i>	<i>Name and Location of Applicant</i>	<i>Action</i>
9-16-2013	<p><i>From:</i> Fox Chase Bank Hatboro Montgomery County</p> <p><i>To:</i> Fox Chase Bank Hatboro Montgomery County</p> <p>Application for approval to convert from a Federal savings bank to Pennsylvania State-chartered savings bank.</p>	Approved
9-16-2013	<p><i>From:</i> County Savings Bank Essington Delaware County</p>	Withdrawn

<i>Date</i>	<i>Name and Location of Applicant</i>	<i>Action</i>
	To: County Savings Bank Essington Delaware County	
	Application for approval to convert from a Federal mutual savings bank to Pennsylvania State-chartered mutual savings bank.	

#### Consolidations, Mergers and Absorptions

<i>Date</i>	<i>Name and Location of Applicant</i>	<i>Action</i>
9-16-2013	ESSA Bank and Trust Stroudsburg Monroe County	Filed
	Application for approval to purchase assets and assume liabilities of two branches of First National Community Bank, Dunmore, Pennsylvania, located at: 5120 Milford Road East Stroudsburg Monroe County	
	301 McConnell Street Stroudsburg Monroe County	

#### Branch Applications

##### De Novo Branches

<i>Date</i>	<i>Name and Location of Applicant</i>	<i>Location of Branch</i>	<i>Action</i>
9-6-2013	Merchants Bank of Bangor Bangor Northampton County	2 West Broad Street Bethlehem Northampton County	Opened

#### Branch Consolidations

<i>Date</i>	<i>Name and Location of Applicant</i>	<i>Location of Branch</i>	<i>Action</i>
9-16-2013	ESSA Bank and Trust Stroudsburg Monroe County	<i>Into:</i> 5120 Milford Road East Stroudsburg Monroe County	Filed
		<i>From:</i> 5801 Milford Road East Stroudsburg Monroe County	
9-16-2013	ESSA Bank and Trust Stroudsburg Monroe County	<i>Into:</i> 5120 Milford Road East Stroudsburg Monroe County	Filed
		<i>From:</i> 143 Seven Bridge Road Marshalls Creek Monroe County	

#### SAVINGS INSTITUTIONS

No activity.

#### CREDIT UNIONS

##### Branch Applications

##### Branch Relocations

<i>Date</i>	<i>Name and Location of Applicant</i>	<i>Location of Branch</i>	<i>Action</i>
9-10-2013	Belco Community Credit Union Harrisburg Dauphin County	<i>To:</i> Lot 9 Gateway Hanover Hanover York County	Filed
		<i>From:</i> 110 West Eisenhower Drive Hanover York County	

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*

## DEPARTMENT OF CONSERVATION AND NATURAL RESOURCES

### Execution of Oil and Gas Lease for Publicly- Owned Streambeds

Effective April 13, 2013, an Oil and Gas Lease for Publicly-Owned Streambeds, Contract No. M-2102019-08, was executed by and between the Commonwealth, acting through the Department of Conservation and Natural Resources (Department) (lessor), and R.E. Gas Development, LLC (lessee), with its principal place of business located at 476 Rolling Ridge Drive, Suite 300, State College, PA 16801.

The lease is for Streambed Tract 2019 and includes five separate parcels encompassing a total of 138 acres of submerged lands located in Forward and Jackson Townships, Butler County. The lease was recorded at the Butler County courthouse on September 5, 2013, instrument no. 201309050025777. The lease allows for the development of oil and natural gas below and between the ordinary low water marks of the Connoquenessing Creek solely by means of directional, including horizontal, drilling on a nondevelopment basis that will not disturb the river or its bed. Contract No. M-2102019-08 may be viewed online at <http://contracts.patreasury.gov/View.aspx?ContractID=239430>.

Questions regarding this lease should be directed to the Department's Bureau of Forestry, Minerals Division, (717) 787-2703.

ELLEN M. FERRETTI,  
*Acting Secretary*

[Pa.B. Doc. No. 13-1802. Filed for public inspection September 27, 2013, 9:00 a.m.]

## DEPARTMENT OF EDUCATION

### Application of Hussian School of Art, Inc. to Operate as a College

#### Notice of Opportunity for Hearing and Invitation to Protest

Under 24 Pa.C.S. § 6503(a) (relating to certification of institutions), the Department of Education (Department) will consider the application of Hussian School of Art, Inc. for a Certificate of Authority to operate as a college with authority to award the Bachelor of Fine Arts degree.

In accordance with 24 Pa.C.S. § 6503(e), the Department will act upon the application without hearing, unless within 30 days after the publication of this notice in the *Pennsylvania Bulletin* a written request for public hearing is filed with the Department, along with a notice of intervention, a petition to intervene or protest in accordance with 1 Pa. Code §§ 35.23 and 35.24 (relating to protests) or 1 Pa. Code §§ 35.27—35.32 (relating to intervention).

Petitions to intervene, protest and request for hearing shall be filed with Patricia Landis, Division Chief, Higher and Career Education, Department of Education, 333 Market Street, Harrisburg, PA 17126-0333 on or before 4 p.m. on the due date prescribed by this notice. Persons wishing to review the application should phone or write to this office to schedule a time for an in-office review. Duplicate copies of the application are not available.

Persons with a disability who wish to attend the hearing, if held, and require an auxiliary aid, service or other accommodation to participate should contact Patricia Landis at (717) 783-8228 to discuss how the Department may best accommodate their needs.

CAROLYN C. DUMARESQ, Ed.D.,  
*Acting Secretary*

[Pa.B. Doc. No. 13-1803. Filed for public inspection September 27, 2013, 9:00 a.m.]

## DEPARTMENT OF ENVIRONMENTAL PROTECTION

### Applications, Actions and Special Notices

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#### APPLICATIONS

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

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

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

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

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

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

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

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

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

## I. NPDES Renewal Applications

*Southeast Region: Clean Water Program Manager, 2 East Main Street, Norristown, PA 19401. Phone: 484.250.5970*

<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>
PA0031747 (Sewage)	Glen Mills School STP 185 Glen Mills Road Glen Mills, PA 19342	Delaware County Thornbury Township	Chester Creek 3-G	Y

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

<i>NPDES No. (Type)</i>	<i>Facility Name &amp; Address</i>	<i>County &amp; Municipality</i>	<i>Stream Name (Watershed #)</i>	<i>EPA Waived Y/N?</i>
PAS603506— Stormwater	Aumiller's Auto Wreckers, Inc. 45 Auto Parts Drive PO Box 354 Milroy, PA 17063	Mifflin County / Armagh Township	UNT Laurel Run / HQ-CWF / 12-A	Y

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

*Southeast Region: Clean Water Program Manager, 2 East Main Street, Norristown, PA 19401. Telephone 484-250-5970*

**PA0050750**, Sewage, SIC Code 4952, **UMH Properties, Inc.**, 3499 Route 9 North, Freehold, NJ 07728. Facility Name: Oxford Village MHP. This existing facility is located in 2 Dollinger Drive, West Grove, PA 19390, Penn Township, **Chester 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), East Branch Elk Creek, is located in State Water Plan watershed 7-K and is classified for High Quality Waters—Trout Stocking and 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 0.047 MGD.

Parameters	Mass (lb/day)			Concentration (mg/l)		
	Average Monthly	Daily Maximum	Instant. 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	5.0	XXX	XXX	XXX
Total Residual Chlorine	XXX	XXX	XXX	0.5	XXX	1.2
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	XXX
Total Nitrogen	XXX	XXX	XXX	XXX	Report	XXX
Ammonia-Nitrogen	XXX	XXX	XXX	20	XXX	40
Total Phosphate	XXX	XXX	XXX	XXX	Report	XXX

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

Proposed Part C Conditions:

- A. No Stormwater
- B. Acquire Necessary Property Rights
- C. Sludge Disposal Requirement
- D. Abandon STP When Municipal Sewers Available
- E. Total Residual Chlorine Requirement
- F. Notification of Designation Operator
- G. Public Nuisance
- H. Change of Ownership
- I. 2/Month Sampling
- J. Laboratory Certification
- K. Certified Operator
- L. Instantaneous Max Requirements
- M. Fecal Coliform I-max Reporting
- N. Fecal Coliform 10 Percent Rule

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

The EPA Waiver is not in effect.

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

**PA0027693**, Sewage, SIC Code 4952, **Minersville Sewer Authority**, 2 East Sunbury Street, Minersville, PA 17954. Facility Name: Minersville Sewer Authority Wastewater Treatment Plant. This existing facility is located in Minersville 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, West Branch Schuylkill River, is located in State Water Plan watershed 3-A and is classified for Cold 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 1.0 MGD.

Parameters	Mass (lb/day)			Concentration (mg/l)		
	Average Monthly	Daily Maximum	Minimum	Average Monthly	Daily Maximum	Instant. Maximum
Flow (MGD)	Report	Report	XXX	XXX	XXX	XXX
pH (S.U.)	XXX	XXX	6.0	XXX	XXX	9.0
Total Residual Chlorine (Interim)	XXX	XXX	XXX	0.96	XXX	2.2



<i>Parameters</i>	<i>Mass (lb/day)</i>			<i>Concentration (mg/l)</i>		<i>Instant. Maximum</i>
	<i>Average Monthly</i>	<i>Daily Maximum</i>	<i>Minimum</i>	<i>Average Monthly</i>	<i>Daily Maximum</i>	
(Final)	XXX	XXX	XXX	0.5	XXX	1.6
CBOD <sub>5</sub>	208	334	XXX	25	40	50
		Wkly Avg			Wkly Avg	
BOD <sub>5</sub>						
Raw Sewage Influent	Report	Report	XXX	Report	XXX	XXX
Total Suspended Solids						
Raw Sewage Influent	Report	Report	XXX	Report	XXX	XXX
Total Suspended Solids	250	375	XXX	30	45	60
		Wkly Avg			Wkly Avg	
Total Dissolved Solids	Report Avg	XXX	XXX	Report	XXX	XXX
	Quarterly			Avg Qtly		
Fecal Coliform (CFU/100 ml)						
May 1 - Sep 30	XXX	XXX	XXX	200	XXX	1,000
				Geo Mean		
Oct 1 - Apr 30	XXX	XXX	XXX	2,000	XXX	10,000
				Geo Mean		
Nitrate-Nitrite as N	Report Avg	XXX	XXX	Report	XXX	XXX
	Quarterly			Avg Qtly		
Total Nitrogen	Report Avg	XXX	XXX	Report	XXX	XXX
	Quarterly			Avg Qtly		
Ammonia-Nitrogen						
May 1 - Oct 31	100	XXX	XXX	12	XXX	24
Nov 1 - Apr 30	Report	XXX	XXX	Report	XXX	Report
Total Kjeldahl Nitrogen	Report Avg	XXX	XXX	Report	XXX	XXX
	Quarterly			Avg Qtly		
Total Phosphorus	Report Avg	XXX	XXX	Report	XXX	XXX
	Quarterly			Avg Qtly		
Total Aluminum	Report Avg	XXX	XXX	Report	XXX	XXX
	Quarterly			Avg Qtly		
Total Iron	Report Avg	XXX	XXX	Report	XXX	XXX
	Quarterly			Avg Qtly		
Total Manganese	Report Avg	XXX	XXX	Report	XXX	XXX
	Quarterly			Avg Qtly		
Total Copper	Report Avg	XXX	XXX	Report	XXX	XXX
	Quarterly			Avg Qtly		
Total Lead	Report Avg	XXX	XXX	Report	XXX	XXX
	Quarterly			Avg Qtly		
Chronic Toxicity—						
Ceriodaphnia Survival (TUc)	XXX	XXX	XXX	XXX	5.0	XXX
Ceriodaphnia Reproduction (TUc)	XXX	XXX	XXX	XXX	5.0	XXX
Pimephales Survival (TUc)	XXX	XXX	XXX	XXX	5.0	XXX
Pimephales Growth (TUc)	XXX	XXX	XXX	XXX	5.0	XXX

The proposed effluent limits for Outfall 002 (stormwater) are:

<i>Parameters</i>	<i>Mass (lb/day)</i>			<i>Concentration (mg/l)</i>		<i>Instant. Maximum</i>
	<i>Average Monthly</i>	<i>Daily Maximum</i>	<i>Minimum</i>	<i>Average Monthly</i>	<i>Daily Maximum</i>	
Total Suspended Solids	XXX	XXX	XXX	XXX	Report	XXX
Total Kjeldahl Nitrogen	XXX	XXX	XXX	XXX	Report	XXX
Total Iron	XXX	XXX	XXX	XXX	Report	XXX

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

- Combined Sewer Overflows
- Solids Management
- Whole Effluent Toxicity (WET)
- Requirements Applicable to Stormwater Outfalls.

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

**PA0020893**, Sewage, SIC Code 4952, **Manheim Borough Authority Lancaster County**, 18 E High Street, Manheim, PA 17545-1505. Facility Name: Manheim STP. This existing facility is located in Penn 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 2.3 MGD.

<i>Parameters</i>	<i>Mass (lb/day)</i>			<i>Concentration (mg/l)</i>		<i>Instant. Maximum</i>
	<i>Average Monthly</i>	<i>Weekly Average</i>	<i>Minimum</i>	<i>Average Monthly</i>	<i>Weekly Average</i>	
Flow (MGD)	Report	Report Daily Max	XXX	XXX	XXX	XXX
pH (S.U.)	XXX	XXX	6.0	XXX	XXX	9.0
Dissolved Oxygen	XXX	XXX	5.0	XXX	XXX	XXX
Total Residual Chlorine (Interim)	XXX	XXX	XXX	0.46	XXX	1.5
(Final)	XXX	XXX	XXX	0.17	XXX	0.57
CBOD <sub>5</sub> May 1 - Oct 31	383	613	XXX	20	32	40
Nov 1 - Apr 30	479	767	XXX	25	40	50
BOD <sub>5</sub> Raw Sewage Influent	Report	Report Daily Max	XXX	Report	XXX	XXX
Total Suspended Solids Raw Sewage Influent	Report	Report Daily Max	XXX	Report	XXX	XXX
Total Suspended Solids	575	863	XXX	30	45	60
Fecal Coliform (CFU/100 ml) May 1 - Sep 30	XXX	XXX	XXX	200 Geo Mean	XXX	1000
Oct 1 - Apr 30	XXX	XXX	XXX	2000 Geo Mean	XXX	10000
Ammonia-Nitrogen May 1 - Oct 31	53	XXX	XXX	2.8	XXX	5.6
Nov 1 - Apr 30	161	XXX	XXX	8.4	XXX	16
Total Phosphorus	38	XXX	XXX	2.0	XXX	4.0
Total Aluminum	XXX	XXX	XXX	Report	XXX	XXX
Total Copper	XXX	XXX	XXX	Report	XXX	XXX
Total Zinc	XXX	XXX	XXX	Report	XXX	XXX
Chronic Toxicity— Ceriodaphnia Survival (TUc)	XXX	XXX	XXX	XXX	2.13 Daily Max	XXX
Ceriodaphnia Reproduction (TUc)	XXX	XXX	XXX	XXX	2.13 Daily Max	XXX

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

<i>Parameters</i>	<i>Mass (lbs)</i>		<i>Minimum</i>	<i>Concentration (mg/l)</i>	
	<i>Monthly</i>	<i>Annual</i>		<i>Monthly Average</i>	<i>Maximum</i>
Ammonia—N	Report	Report		Report	
Kjeldahl—N	Report			Report	
Nitrate-Nitrite as N	Report			Report	
Total Nitrogen	Report	Report		Report	
Total Phosphorus	Report	Report		Report	
Net Total Nitrogen	Report	20822			
Net Total Phosphorus	Report	2776			

\* 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:

- Solids management
- Whole effluent toxicity
- Requirements for total residual chlorine
- Requirements applicable to stormwater outfalls

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

The EPA Waiver is not in effect.

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

**PA0254690**, Sewage (combined), SIC Code 9900, **Borough of Port Vue**, 1191 Romine Avenue, Port Vue, PA 15133. Facility Name: Port Vue Borough. This proposed facility is located in Port Vue Borough, **Allegheny County**.

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

The receiving stream(s), UNT to Youghioghney River and Youghioghney River is located in State Water Plan watershed 19D 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 are based on a design flow of 0.0 MGD. (BPJ and BMP apply)

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

Develop system inventories, implement the Nine Minimum Controls and Long-Term Control Plan.

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

The EPA Waiver is in effect.

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

*Southeast Region: Clean Water Program Manager, 2 East Main Street, Norristown, PA 19401, 484.250.5900*

**WQM Permit No. 4613408**, Sewage, **Lower Perkiomen Valley Sewer Authority**, 101 Station Avenue, P.O. Box 297, Oaks, PA 19456.

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

Description of Action/Activity: Installation of 42"-54" sanitary sewer interceptor.

**WQM Permit No. WQG02461314**, Sewage, **Perkiomen Township Municipal Authority**, 1 Trappe Road, Collegetown, PA 19426.

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

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

**WQM Permit No. WQG02461315**, Sewage, **TB-BDN Plymouth Apartments, LLC**, 555 East Lancaster Avenue, Suite 100, Radnor, PA 19087.

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

Description of Action/Activity: Construction and operation of a sewer extension for a proposed 398 unit multi-family apartment complex.

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

**WQM Permit No. 6413402**, Sewage, **Central Wayne Regional Authority**, 574 Bucks Cove Road, Honesdale, PA 18431.

This proposed facility is located in Honesdale Borough, **Wayne County**.

Description of Proposed Action/Activity: The project consists of the installation of an automated sluice gate in an existing manhole at the Authority's treatment plant in an effort to regulate wet-weather flows.

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

**WQM Permit No. 0713404**, Sewerage, **Point View Cottage Association**, Point View Drive, Williamsburg, PA 16693.

This proposed facility is located in Catharine Township, **Blair County**.

Description of Proposed Action/Activity: Seeking approval for the construction of a small flow treatment facility for five homes to replace a malfunctioning on-lot sewage system.

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

**WQM Permit No. 2413401**, Sewage, **Benezette Township**, P.O. Box 10, Benezette, PA 15821.

This proposed facility is located in Benezette Township, **Elk County**.

Description of Proposed Action/Activity: Application for a sanitary sewer collection extension.

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

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

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

*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>
PAI010913007	LifeQuest 2460 John Fries Highway Quakertown, PA 18951	Bucks	Milford & Richland Townships	Unami Creek HQ-TSF-MF

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

*Lehigh County Conservation District, Lehigh Ag Center, Suite 102, 4184 Dorney Park Rd., Allentown PA 18104, 610-391-9583*

<i>NPDES Permit No.</i>	<i>Applicant Name &amp; Address</i>	<i>County</i>	<i>Municipality</i>	<i>Receiving Water/Use</i>
PAI023913008	Tilghman Square Associates, LP c/o David Gardner 390 Amwell Road Building 5, Ste. 507 Hillsborough, NJ 08844	Lehigh	South Whitehall Township	Cedar Creek (HQ-CWF, MF)
PAI023910005(1)	Cumberland Gardens/Housing Partnership c/o Mark Dambly One Brewery Park 1301 N. 31st St. Philadelphia, PA 19121	Lehigh	City of Allentown	Little Lehigh Creek (HQ-CWF, MF)

*Northampton County Conserve District, 14 Gracedale Avenue Greystone Bldg., Nazareth PA 18064-9211 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>
PAI024813002	Kranson and Youwakim Properties, Inc. 523 Walnut Street Allentown, PA 18101	Northampton	Moore Township	Monocacy Creek (HQ-CWF, MF)

*Wayne County Conservation District, 648 Park Street, Honesdale Pa 18431 570-253-0930*

<i>NPDES Permit No.</i>	<i>Applicant Name &amp; Address</i>	<i>County</i>	<i>Municipality</i>	<i>Receiving Water/Use</i>
PAI026413004	Richard Prezelski 952 Wilkes-Barre Township Boulevard Wilkes-Barre, PA 18702-6162	Wayne	Cherry Ridge Township South Canaan Township	Mile Brook (HQ-CWF, MF) Pond Brook (HQ-CWF, MF)

*Southcentral Region: Waterways & Wetlands Program, 909 Elmerton Avenue, Harrisburg, PA 17110-8200, Nathan Crawford, Section Chief, 717.705.4802*

<i>Permit #</i>	<i>Applicant Name &amp; Address</i>	<i>County</i>	<i>Municipality</i>	<i>Receiving Water/Use</i>
PAI032813001	Penn State Mont Alto	Franklin	Quincy Township	West Branch Little Antietam Creek HQ-CWF, MF

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

<i>Permit No.</i>	<i>Applicant &amp; Address</i>	<i>County</i>	<i>Municipality</i>	<i>Stream Name</i>
PAI056513005	F.V.M.S. Properties, LLC. 321 Fletcher Lane Greensburg, PA 15601	Westmoreland	Delmont Borough	Beaver Run (HQ-CWF) and Turtle Creek (TSF)

*Central Office: Bureau of Abandoned Mine Reclamation, 400 Market Street, Floor 5, PO Box 8476, Harrisburg, PA 17105-8476. (717) 783-7924*

<i>NPDES Permit No.</i>	<i>Applicant Name &amp; Address</i>	<i>County</i>	<i>Municipality</i>	<i>Receiving Water/Use</i>
PAI-1014-13-001	BAMR P. O. Box 8461 Harrisburg, PA 17105-8476 717-783-7924	Centre County	Snow Shoe Township	UNT (HQ-CWF) to Black Moshannon Creek (HQ-CWF)

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

PAG-12            CAFOs

### CAFO Notices of Intent Received

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

**PAG123770**, CAFO, **Jacob Light**, 791 Greeble Road, Lebanon, PA 17046.

This proposed facility is located at 568 Shirksville Road, Jonestown, PA 17028 in Bethel Township, **Lebanon County**.

Description of Size and Scope of Proposed Operation/Activity: Seeking permit approval for a new 268 AEU poultry (pullet) operation.

The receiving stream, UNT Elizabeth Run, is in watershed 7-D, and classified for: WWF.

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

## STATE CONSERVATION COMMISSION

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

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

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

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

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

#### NUTRIENT MANAGEMENT PLAN—PUBLIC NOTICE SPREADSHEET

<i>Agricultural Operation Name and Address</i>	<i>County</i>	<i>Total Acres</i>	<i>Animal Equivalent Units</i>	<i>Animal Type</i>	<i>Special Protection Waters (HQ or EV or NA)</i>	<i>Renewal/ New</i>
Norman Hoover 765 Glenwood Dr. Ephrata, PA 17522	Lancaster	67	295.49	Broilers	NA	N

<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>
Walnut Run Farms 292 Elm Road Lititz, PA 17543	Lancaster	1,250	1,370	Dairy	NA	R

**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 18701-1915*

**Application No. 4512505, Public Water Supply.**

Applicant	<b>Delaware Water Gap Borough</b>
[Township or Borough]	Delaware Water Gap Borough, <b>Monroe County</b>
Responsible Official	Wayne MacWilliams
Type of Facility	Community Water System
Consulting Engineer	Boucher & James 1456 Ferry Road Doylestown, PA
Application Received Date	October 31, 2012

Description of Action The addition of pH adjustment and changes to the chemical feed systems for chlorination for wells 6 and 7.

**Application No. 4013512, Public Water Supply.**

Applicant	<b>Pa Dept. of Corrections (SCI Dallas)</b>
[Township or Borough]	Jackson Twp., <b>Luzerne County</b>
Responsible Official	Marcel Tassin, Director of Operations 1920 Technology Parkway Mechanicsburg, PA 17050
Type of Facility	Public Water System
Consulting Engineer	Gwin, Dobson & Foreman, Inc. Mark V. Glenn P.E 3121 Fairway Drive Altoona, PA 16602
Application Received Date	9/9/13

Description of Action Replacement of Greensand filters, changes to peroxidation and chlorination, the use of well # 1 as the primary source, and new SCADA controls.

**LAND RECYCLING AND ENVIRONMENTAL REMEDIATION**

**UNDER ACT 2, 1995  
PREAMBLE 1**

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

Sections 302—305 of the Land Recycling and Environmental Remediation Standards Act (act) (35 P. S. §§ 6026.302—6026.305) require the Department to publish in the *Pennsylvania Bulletin* an acknowledgment noting receipt of Notices of Intent to Remediate. An acknowledgment of the receipt of a Notice of Intent to Remediate is used to identify a site where a person proposes to, or has been required to, respond to a release of a regulated substance at a site. A person intending to use the background standard, Statewide health standard, the site-specific standard or intend to remediate a site as a special industrial area shall file a Notice of Intent to Remediate with the Department. A Notice of Intent to Remediate filed with the Department provides a brief description of the location of the site, a list of known or suspected contaminants at the site, the proposed remediation measures for the site and a description of the intended future use of the site. A person who demonstrates attainment of one or a combination of cleanup standards or receives approval of a special industrial area remediation identified under the act will be relieved of



further liability for the remediation of the site for contamination identified in reports submitted to and approved by the Department. Furthermore, the person shall not be subject to citizen suits or other contribution actions brought by responsible persons not participating in the remediation.

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

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

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

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

**Kumernitsky Residence**, 2863 West Scenic Drive, Moore Township, **Northampton County**, Richard Trimpi, Trimpi Associates, Inc., has submitted a Notice of Intent to Remediate on behalf of his clients, Mr. & Mrs. Frank Kumernitsky, 2863 West Scenic Drive, Danielsville, PA 18038, concerning the remediation of soil found to have been impacted by kerosene from a corrosion hole that opened on an aboveground storage tank during delivery. The applicant proposes to remediate the site to meet the Residential Statewide Health Standards for soil. The intended future use of the site is residential. A summary of the Notice of Intent to remediate was published in *The Express Times* on August 5, 2013.

*Southcentral Region: Environmental Cleanup and Brownfields Program Manager, 909 Elmerton Avenue, Harrisburg, PA 17110. Phone 717.705.4705.*

**Pine Creek Structures Retail Outlet**, 3850 Paxton Street, Harrisburg, PA 17111, Swatara Township, **Dauphin County**. Herbert, Rowland & Grubic, Inc., 369 East Park Drive, Harrisburg, PA 17111, on behalf of Pine Creek Structures, 102 East Market Street, Gratz, PA 17030, submitted a Notice of Intent to Remediate site soils and groundwater contaminated with gasoline and diesel fuel. The site was a bulk fuel storage facility from 1950 to 1991; current and future use is retail sales of

portable sheds. The site will be remediated to the Site Specific standard. The Notice of Intent to Remediate was published in *The Patriot News* on August 6, 2013.

#### DETERMINATION FOR APPLICABILITY FOR MUNICIPAL WASTE GENERAL PERMITS

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

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

**General Permit Application No. WMGM019SW001. Wood Waste Recycling, LLC.**, 111 Kelso Road, McDonald, PA 15057.

The Department of Environmental Protection, Bureau of Waste Management has received an application for a renewal of General Permit No. WMGM019SW001 from Wood Waste Recycling, LLC. located in North Fayette Township, **Allegheny County**. This general permit is for the processing and beneficial use of: (1) construction material; and (2) topsoil and mulch for commercial purposes. The Department determined the renewal of the DOA application to be administratively complete on August 22, 2013.

Written comments concerning the application should be directed to Scott E. Walters, Chief, Permits Section, Division of Municipal and Residual Waste, Bureau of Waste Management, P.O. Box 69170, Harrisburg, PA 17106-9170. TDD users may contact the Department through the Pennsylvania Relay service, (800) 654-5984. Comments may also be submitted via e-mail at rapbenuseall@pa.gov. When submitting comment via e-mail, place "Comments on General Permit Number WMGM019" in the subject line. Faxed comments will not be accepted. Public comments must be submitted within 60 days of this notice and may recommend revisions to, and approval or denial of the application. For more information, contact the Division of Municipal and Residual Waste at 717-787-7381.

#### OPERATE WASTE PROCESSING OR DISPOSAL AREA OR SITE

**Application received, under the Solid Waste Management Act, the Municipal Waste Planning, Recycling and Waste Reduction Act and regulations to operate a Solid Waste Processing or Disposal Area or Site.**

*Southwest Region: Regional Solid Waste Manager, 400 Waterfront Drive, Pittsburgh, PA 15222-4745. Telephone 412-442-4000.*

**Permit ID No. 100277. Tervita LLC**, 111 Conner Lane, Belle Vernon, PA. 15012-4519. Request for renewal a municipal waste landfill permit for operation of the Sanitary Landfill located in Rostraver Township, **Westmoreland County** was received on July 26, 2013 and accepted for technical review on August 7, 2013.



## AIR QUALITY

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

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

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

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

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

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

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

#### PLAN APPROVALS

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

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

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

**43-366A: National Fuel Gas Supply Corp.** (6363 Main Street, Williamsville, NY 14221) for installation of:

two (2) natural gas fired compressor engines rated 1,775 bhp each, one (1) natural gas fired emergency generator engine rated 1,153 bhp, eight (8) natural gas fired catalytic heaters, and three (3) storage tanks at their proposed Mercer Compressor Station in Jefferson Township, **Mercer County**.

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

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

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

**15-0141: Tin Technologies and Refining Co.** (905 Fern Hill Road, West Chester, PA 19380) for installation of a tin recycling and tin refining facility in West Goshen Township, **Chester County**. Sources at the facility will consist of several furnaces and a calciner, which all run on natural gas. The facility will also install a diesel-fired emergency electric generator. The primary pollutant of concern from the plant will be particulate matter (PM, PM-10, and PM-2.5) from the tin processing. Particulate matter emissions will be controlled by a fabric filter/dust collector with a 99.9% removal efficiency. The plant is considered a minor facility based on its potential emissions. The plan approval will include monitoring, record keeping, and reporting requirements designed to address 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.*

**28-05048A: Wipro Enterprises, Inc.** (WEI) (1101 Sheffler Drive, Chambersburg, PA 17201) for a cylinder paint booth to be installed at WEI's new hydraulic cylinder manufacturing in Chambersburg Borough, **Franklin County**.

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

Plan Approval No. 28-05048A is for a cylinder paint booth to be installed at WEI's new hydraulic cylinder manufacturing. Particulate matter (PM) emissions from the one (1) spray paint booth will be controlled by dedicated dry panel filters. The Plan Approval and Operating Permit will contain emission restrictions, work practice standards, and testing, monitoring, record keeping, and reporting requirements to ensure the facility complies with the applicable air quality requirements. The estimated potential emissions from the proposed sources will be 0.04 ton per year of PM-10, 0.002 ton per year of NO<sub>x</sub>, 0.065 ton per year of CO, 3.03 tons per year of total HAPs, and 9.3 tons per year of VOC.

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 PA DEP Air Quality Program, 909 Elmerton Avenue, Harrisburg, PA 17110.

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

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

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

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

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

**18-00030A: First Quality Tissue, LLC** (904 Woods Avenue, Lock Haven, PA 17745-3348) for a plan approval to install additional venturi scrubbers on the dry-end sections of the paper machines at their facility in Castanea Township, **Clinton County**. The respective facility is a major facility for which a Title V operating permit has been issued.

The Department's review of the information submitted by First Quality Tissue, LLC indicates that installation of the scrubbers will meet all applicable air quality regulatory requirements pertaining to air contamination sources and the emission of air contaminants including the best available technology requirements of 25 Pa. Code §§ 127.1 and 127.12. Based on these findings, the Department intends to approve the application and issue plan approval for installation of the scrubbers. Additionally, if the Department determines the scrubbers are operating in compliance with all plan approval conditions, the conditions established in the plan approval will be incorporated into a Title V operating permit.

The emission of air contaminants from the facility will not exceed the following limits in any 12 consecutive month period: NO<sub>x</sub>—143.16 tons; CO—206.45 tons; VOCs—123.99 tons; SO<sub>x</sub>—1.63 tons; PM<sub>10</sub>—220.36 tons; HAPs—2.24 tons.

In addition, the following is a summary of the types of conditions the Department intends place in the plan approval to ensure compliance with all applicable regulatory requirements:

1. Control Device C105A (C205A) shall be equipped with instrumentation which continuously monitors the differential pressure across Control Device C105A (C205A), as well as equipped with instrumentation which continuously monitors the recirculation flow of Control Device C105A (C205A).

2. Except as noted in 40 CFR Section 64.7(c), instrumentation shall continuously monitor the differential pressure across Control Device C105A (C205A), as well as continuously monitor the recirculation flow of Control Device C105A (C205A), any time Source P105 is operating and the permittee shall record these parameters at least once per 12 hour operating shift. All records generated pursuant to this condition shall be retained for a minimum of five (5) years and shall be made available to the Department upon request.

3. Pursuant to the compliance assurance monitoring requirements of 40 CFR Sections 64.6 and 64.9, the permittee shall submit the following reports on a semi-annual basis:

- Summary information on the duration and cause (including unknown cause, if applicable) of excursions of the CAM indicators and corrective actions taken.
- Summary information on the duration and cause (including unknown cause, if applicable) for monitor downtime incidents (other than downtime associated with calibration checks).

The semi-annual reports shall be submitted to the Department by no later than January 31 (for the immediately preceding July 1 through December 31 period) and July 31 (for the immediately preceding January 1 through June 30 period).

4. Pursuant to the compliance assurance monitoring requirements of 40 CFR 64.6, the permittee shall conduct the monitoring and fulfill the other obligations (i.e., proper monitor maintenance, corrective actions, etc.) specified in 40 CFR 64.7.

5. Upon detecting an excursion, as defined in 40 CFR Section 64.1, of the Compliance Assurance Monitoring (CAM) indicator ranges established herein, the permittee shall restore operation of Source P105 (P205), Control Device C105 (C205) and/or Control Device C105A (C205A) to its normal or usual manner of operation as expeditiously as practicable in accordance with good air pollution control practices for minimizing emissions. The response shall include minimizing the period of any startup, shutdown or malfunction and taking any necessary corrective actions to restore normal operation and prevent the likely recurrence of the cause of the excursion.

6. The permittee shall develop and implement a Quality Improvement Plan (QIP) as expeditiously as practicable if any of the following occur:

- Six (6) excursions occur in a six (6) month reporting period.
- The Department determines after review of all reported information that the permittee has not responded acceptably to an excursion.

The QIP should be developed within 60 days and the permittee shall provide a copy of the QIP to the Department. Furthermore, the permittee shall notify the Department if the period for completing the improvements contained in the QIP exceeds 180 days from the date on which the need to implement the QIP was determined.

The permittee shall record actions taken to implement a QIP during a reporting period and all related actions including, but not limited to, inspections, repairs, and maintenance performed on Control Device C105 (C205) and/or Control Device C105A (C205A).

In accordance with 40 CFR Section 64.8, the QIP shall include procedures for evaluating the control performance problems. Based on the results of the evaluation procedures, the permittee shall modify the QIP and provide the Department with a copy, to include procedures for conducting more frequent, or improved, monitoring in conjunction with one or more of the following:

- Improved preventive maintenance practices
- Process operation changes
- Appropriate improvements to the control methods
- Other steps appropriate to correct performance

Following implementation of a QIP, the Department will require reasonable revisions to the QIP if the plan has failed to either:

- Address the cause of the performance problems of Control Device C105 (C205) and/or Control Device C105A (C205A).
- Provide adequate procedures for correcting the performance problems of Control Device and/or Control Device C105A (C205A) in as expeditiously as practicable in accordance with good air pollution control practices for minimizing emissions.

Implementation of a QIP shall not excuse the permittee from compliance with any existing emission limitation or standard or any existing monitoring, testing, reporting or recordkeeping requirements that may apply under any federal, state, or local laws or any other applicable requirements under the Clean Air Act.

7. The recirculation flow of Control Device C105A (C205A) shall be maintained at or above 150 gallons per minute and the differential pressure across the Control Device C105A (C205A) shall be maintained at a minimum of 4 inches of water, at all times the control device is in operation.

8. All conditions contained in Title V Operating Permit 18-00030 remain in effect unless superseded or amended by conditions contained in this plan approval. If there is a conflict between a condition or requirement contained in this plan approval and a condition or requirement contained in Title V Operating Permit 18-00030, the permittee shall comply with the condition or requirement contained in this plan approval rather than the conflicting condition or requirement contained in Title V Operating Permit 18-00030.

All pertinent documents used in the evaluation of the application are available for public review during normal business hours at the Department's Northcentral Regional office, 208 West Third Street, Suite 101, Williamsport, PA 17701. Appointments for scheduling a review must be made by calling 570-327-0550.

Any person(s) wishing to provide the Department of Environmental Protection with additional information, which they believe should be considered prior to the issuance of this plan approval, may submit the information to the Department of Environmental Protection at the address shown in the preceding paragraph. A 30-day comment period from the date of this publication will exist for the submission of comments. Each written comment must contain the name, address and telephone number of the person submitting the comments, identification of the proposed plan approval (specify Plan Approval No. 18-00030) and concise statements regarding the relevancy of the information or objections to issuance of the plan approval.

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

**17-00068A: PA Waste, LLC** (175 Bustleton Pike, Feasterville, PA 19053) for construction and operation of a municipal solid waste landfill (Source P101) at their Camp Hope Run Landfill in Boggs Township, **Clearfield County**. Additional air contaminant sources at the facility include haul roads (Source P102), one (1) 475 brake-horsepower Caterpillar diesel-fired emergency generator (Source P103) and leachate treatment system (Source P104). The air contaminant emissions from Source P101 will be controlled by a 90 million Btu per hour, LFG Specialties, Inc. model EF1050I10 enclosed flare (Control Device C101). This is a State Only facility for which an operating permit has not been issued.

The Department's review of the information contained in the application submitted by PA Waste, LLC, indicates that the sources will comply with all applicable air quality requirements pertaining to air contamination sources and the emission of air contaminants, including the fugitive air contaminant emission requirement of 25 Pa. Code § 123.1, the particulate matter emission limitation of 25 Pa. Code § 123.13, the sulfur oxide emission limitation of 25 Pa. Code § 123.21 and the visible emission limitation of 25 Pa. Code § 123.41. Additionally, the Department has determined that the proposed facility satisfies best available technology (BAT) requirements pursuant to 25 Pa. Code §§ 127.1 and 127.12 as well as the Standards of Performance for Municipal Solid Waste Landfills specified in 40 CFR Part 60 Subpart WWW and the Standards of Performance for Stationary Spark Ignition Internal Combustion Engines specified in 40 CFR Part 60 Subpart IIII. Pursuant to the requirements of BAT, the enclosed flare is to achieve 98% destruction efficiency or 20 parts per million of non-methane organic compounds (NMOC) from the landfill. In addition, the compressor engine is restricted to emit emissions for the following pollutants at a rate above; 2.42 g/bhp-hr for nitrogen oxide (NO<sub>x</sub>), 1.23 g/bhp-hr for carbon monoxide (CO), 0.42 g/bhp-hr for volatile organic compounds (VOC, expressed as hydrocarbons) and 0.18 g/bhp-hr for particulate matter. To demonstrate compliance with these limitations, PA Waste, LLC will be required to conduct EPA reference method testing on enclosed flare's exhaust for NO<sub>x</sub>, CO and NMOC emissions. Continuous compliance demonstration will include monitoring of operational parameters of the enclosed flare. The plan approval, if issued, will subsequently be incorporated into a State Only operating permit via an administrative amendment in accordance with 25 Pa. Code § 127.450 at a later date.

Based on the findings above, the Department proposes to issue a plan approval with annual emission restrictions for all sources at the Camp Hope Run Landfill as well as monitoring, recordkeeping and work practice requirements to verify compliance with the annual emission restrictions.

In addition to the emission limitations above, the following is a summary of the types of conditions the Department intends to place in Plan Approval 17-00068A to ensure compliance with applicable Federal and State regulatory requirements including the best available technology requirements of 25 Pa. Code §§ 127.1 and 127.12.

Initial and subsequent testing at the exhaust of enclosed flare using Department-approved methods on an approximate annual basis

Monitoring requirement on the combustion temperature and pressure of landfill gas to demonstrate continuous compliance with the destruction efficiency of the enclosed flare.



Recordkeeping requirement of the combustion chamber temperature for the enclosed flare and operational hours for the emergency generator including the records of all required monitoring

Work practice requirement to construct and operate in accordance with the manufacturer's recommendations and good air pollution control practices to limit the emission of malodors to levels undetectable outside the property

The potential air contaminate emissions from all sources at the Camp Hope Run Landfill will be 23.99 tons per year (tpy) for NO<sub>x</sub>, 79.02 tpy for CO, 2.08 tpy for VOC, 5.90 tpy for sulfur oxide, 27.06 tpy for particulate matter (PM) including PM-10 and PM-2.5 and 71,247 tpy for carbon dioxide equivalent (CO<sub>2</sub>e).

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

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

David M. Shimmel, P.E., Chief, New Source Review Section, may be contacted at 570-327-3568, 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.

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#### PUBLIC MEETING AND PUBLIC HEARING

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##### **The Pennsylvania State University— West Campus Steam Plant Borough of State College, Centre County**

The Department of Environmental Protection (DEP) will conduct a public meeting at 6:30 p.m. on Wednesday, October 30, 2013 at the State College Area High School South Auditorium, 650 Westerly Parkway, State College, PA 16801, to discuss the proposed Air Quality plan approval (14-00003F) application submitted by the Pennsylvania State University (Penn State) for the construction of two (2) new natural gas boilers as part of the West Campus Steam Plant (WCSP) Improvement Project proposal, located in the Borough of State College, Centre County. WCSP produces steam for the University Park Campus.

Staff from DEP's Air Quality Program will explain the application review process and applicable regulations, and Penn State University officials will review the project with the audience. These presentations will be followed by a question and answer session with the local community.

Penn State submitted the Air Quality plan approval application to DEP on October 9, 2012. The proposal includes constructing two new natural gas-fired boilers and modifying two existing coal-fired boilers to use only natural gas. The plan also includes installing two distillate oil tanks to store fuel oil for back-up use in the two new boilers during gas curtailment events. Two coal-fired boilers and one natural gas-fired boiler will also be demolished as part of the project.

The proposal is part of Penn State's efforts and compliance plan for the Boiler Maximum Achievable Control Technology (MACT) rules promulgated by the Environmental Protection Agency.

DEP published a notice of intent to issue the plan approval in the *Pennsylvania Bulletin* on August 3, 2013, and asked for public comment. As directed by DEP, Penn State also published a 3-day notice of intent to issue plan approval in the *Centre Daily Times* newspaper on August 2, 3 and 4, 2013. A number of local citizens and the Ferguson Township supervisors requested that the Department hold a public meeting or public hearing to discuss the proposal.

The public meeting will be followed by a DEP public hearing beginning 8:00 p.m. during which time citizens will have an opportunity to present oral testimony regarding the proposed Air Quality plan approval. Anyone who wishes to present oral testimony during the public hearing may register that evening prior to the hearing. Citizens will have a maximum of five minutes each to present testimony. Written testimony of any length also will be accepted. The testimony will be recorded by a court reporter and transcribed into a written document. DEP will respond in writing to all relevant testimony provided during the public hearing.

Persons unable to attend the public hearing can submit a written statement to the department by the close of business on Tuesday, November 12, 2013, at 4:00 p.m. The statement should be sent to: Muhammad Zaman, Environmental Program Manager, Pennsylvania Department of Environmental Protection, Air Quality Program, 208 West Third St., Suite 101, Williamsport, Pa. 17701.

Individuals in need of an accommodation as provided for in the Americans With Disabilities Act of 1990 should contact Daniel Spadoni at 570-327-3659 or through the Pennsylvania AT&T Relay Service at 1-800-654-5984 (TDD).

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

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

**23-00017: Exelon Generation Co.—Eddystone Generating Station** (One Industrial Highway, Eddystone, PA, 19022) for a renewal of the Title V Operating Permit in Eddystone Borough, **Delaware County**. The previous permit was issued on 10-23-2008. The facility is primarily used for providing electrical energy from two fossil-fuel steam generating units. As a result of potential emissions of NO<sub>x</sub>, SO<sub>x</sub>, and PM, the facility is a major stationary source as defined in Title I, Part D of the Clean Air Act Amendments, and is therefore subject to the Title V permitting requirements adopted in 25 Pa. Code Chapter 127, Subchapter G. The proposed Title V Operating Permit Renewal does not reflect any change in air emissions from the facility. The facility is subject to Compliance Assurance Monitoring (CAM) pursuant to 40 CFR Part 64) for Particulate Matter for Sources 031 and 032, and this regulation was previously addressed in 2008. The facility is subject to the MACT regulations,

found in 40 CFR 63, Subparts DDDDD and UUUUU which have been incorporated into the TVOP. The renewal permit contains all applicable requirements including monitoring, recordkeeping and reporting.

**09-00016: Exelon Generating Co.—Croydon Generation Station** (955 River Road, Bristol, PA 19007) for renewal of the Title V Operating Permit in the Bristol Township, **Bucks County**. There have been no changes at the facility since the permit was last issued on July 8, 2008. The facility is primarily used for providing electrical energy for peak demand periods. As a result of potential emissions of NO<sub>x</sub> and SO<sub>x</sub>, the facility is a major stationary source as defined in Title I, Part D of the Clean Air Act Amendments, and is therefore subject to the Title V permitting requirements adopted in 25 Pa. Code Chapter 127, Subchapter G. The proposed Title V Operating Renewal does not adopt any new regulations and does not reflect any change in air emissions from the facility. The renewal permit contains all applicable requirements including monitoring, recordkeeping and reporting.

*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.*

**28-05028: Allegheny Energy Supply Co., LLC** (800 Cabin Hill Drive, C109, Greensburg, PA 15601) for operation of two combustion turbines to be used as a peaking station in Guilford Township, **Franklin 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 actual emissions in year 2012 were 12 tons of CO, 20.5 tons of NO<sub>x</sub>, 0 ton of SO<sub>x</sub>, 2 tons of PM, and 0.5 ton of VOC. The Operating Permit will include emission limits and work practice standards along with monitoring, recordkeeping and reporting requirements to ensure the facility complies with the applicable air quality regulations. The facility is subject to 40 CFR Part 60 Subpart GG—Standards of Performance for Stationary Gas Turbines.

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

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

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

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

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

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

**23-00102: Brandywine Veterinary Hospital** (1270 Baltimore Pike, Chadds Ford, PA 19317) for operation of their veterinary hospital in Chadds Ford Township, **Delaware County**. The permit is for a non-Title V (State only) facility. The source of air emissions is an animal crematory with an integral afterburner. No changes have taken place since the permit was last issued on November 20, 2008. The permit will include monitoring, recordkeeping and reporting requirements designed to keep the facility operating within all applicable air quality requirements.

**09-00178: Lockheed Martin Space System Co.** (100 Campus Drive, Newtown, PA 18940-1784) for a Renewal Non-Title V Facility, State-Only, Synthetic Minor Permit in Newtown Township, **Bucks County**. Lockheed Martin is a radio and TV communication equipment manufacturing facility. The facility has taken site level restriction limits of 24.9 tons per year for NO<sub>x</sub> and 24.9 tpy for VOC's. The restrictions will ensure that Lockheed Martin remains under the emission thresholds. Monitoring, record keeping and reporting requirements have been added to the permit to address applicable limitations.

**09-00186: Kinder Morgan Bulk Terminals, Inc.** (1000 South Port Road, Fairless Hills, PA 19030; Attn: Mr. Alfred Griffith) for the renewal of a Synthetic Minor Operating Permit in Falls Township, **Bucks County**. The initial operating permit was issued on April 22, 2008. Kinder Morgan Bulk Terminals, Inc. owns and operates a bulk material handling facility. The main sources of emissions are the transfer points from transferring of material, stockpiling of material, and roadway emissions. The facility has a gasoline storage tank (Source ID 107) that is subject to 40 CFR Part 63, Subpart CCCCC, which shall be added as a source in the operating permit, along with the applicable federal regulations. The facility also has a 15 kW emergency generator and two (2) waste oil heaters (each rated at 0.5 MMBtu/hr). These sources have been deemed as insignificant sources. This operating permit incorporates Plan Approval No. 09-0186C, which was issued for modifications to existing sources. RFD Nos. 3174 (Liquid Fertilizer Storage Tank) and 3529 (Ammonium Polyphosphate Storage) have also been incorporated. Potential emissions from the facility are: PM—54.54 TPY, PM<sub>10</sub>—26.51 TPY, PM<sub>2.5</sub>—5.29 TPY, NO<sub>x</sub>—7.54 TPY, CO—1.73 TPY, SO<sub>x</sub>—3.48 TPY, VOC—2.2 TPY, and HAP—1.26 TPY. In the initial operating permit, there was a limit of 99.0 tons per 12-month rolling period for PM-10 as a result of PM-10 being used as a pre-cursor for the NSR pollutant PM-2.5. This has been revised to state that PM-2.5 shall be restricted to 99.0 tons per 12-month rolling period, as PM-10 is no longer used as a pre-cursor for PM-2.5. The permit will contain monitoring, recordkeeping, reporting, and work practice standards designed to keep the facility operating within all applicable air quality requirements.



**23-00068: Cremation Specialists, Inc.** (43 East Baltimore Avenue, Media, PA 19063) for operation of a crematorium in Media Borough, **Delaware County**. This action is a renewal of the State Only Operating Permit. The original State Only Operating Permit was issued on October 25, 2002 and subsequently renewed on October 1, 2008. The renewal does not allow any new changes other than updating of source inventory and changes of minor significance. The permit renewal includes monitoring, recordkeeping and reporting requirements designed to keep the plant operating within all applicable air quality requirements.

**15-00057: Coatesville Hospital—dba Brandywine Hospital** (201 Reeceville Road, Coatesville, PA 19320) for a renewal of a State Only, Synthetic Minor Operating Permit in Caln Township, **Chester County**. The facility operates several combustion sources consisting of two (2) boilers and four (4) emergency diesel generators. Three of the generators are existing units, while one is new. The facility no longer operates its two (2) ethylene oxide sterilizers and these sources will be removed from the permit. The facility shall continue to maintain a synthetic minor operating status by limiting its total nitrogen oxide (NO<sub>x</sub>) emissions to 24.9 tons per year, or less. The permit shall continue to include monitoring, record keeping and reporting requirements designed to address all applicable air quality requirements.

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

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

**35-00036: SNF Polychemie, Inc.** (10 Stauffer Industrial Park, Taylor, PA 18517) to renew a State-only Operating Permit to operate an industrial organic chemical manufacturing facility in Taylor Borough, **Lackawanna County**. This is a renewal of State-Only Natural Minor operating permit. The State-Only operating permit includes emissions, work practice standards and testing, monitoring, recordkeeping and reporting requirements designed to keep the facility operating within all applicable air quality requirements.

**58-00010: Williams Field Services Company, LLC** (51 Warren Street, Tunkhannock, PA 18657) for a state only operating permit for a gas compression station in Springville Township, **Susquehanna County**. Potential Emissions before limitations as reported by the facility in the permit application include: NO<sub>x</sub>—74.89 tpy, CO—131.12 tpy, VOC—75.72 tpy, SO<sub>2</sub>—0.13 tpy, PM—2.21 tpy, and HAP—35.86 tpy. The facility is using oxidation catalyst control devices on four (4) compressor engines to limit emissions of Nitrogen Oxides (NO<sub>x</sub>), Carbon Monoxide (CO), Volatile Organic Compounds (VOC), and Hazardous Air Pollutants (HAPs). The proposed State Only (Synthetic Minor) Operating Permit contains applicable requirements for emissions limitations, monitoring, record keeping, reporting and work practice standards used to verify facility compliance with Federal and State Air Pollution Regulations.

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

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

**67-03035: Martins Potato Chips, Inc.** (PO Box 28, Thomasville, PA 17364) for the potato chip and popcorn manufacturing facility in Jackson Township, **York County**.

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

The potential emissions are 0.02 ton of CO, 6.0 tons of NO<sub>x</sub>, and 10.0 tons of PM. The Operating Permit will include emission limits and work practice standards along with monitoring, recordkeeping and reporting requirements to ensure the facility complies with the applicable air quality regulations.

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

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

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

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

**28-03022: Valley Quarries, Inc.** (169 Quarry Road, Chambersburg, PA 17201) for their Mt. Cydonia No. 1 sandstone crushing plant in Guilford Township, **Franklin 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 above-mentioned facility.

The subject facility employs wet suppression to control particulate matter (PM) emissions from sandstone crushing and handling. The crushing plant includes equipment subject to 40 CFR Part 60 Subpart OOO—Standards of Performance for Nonmetallic Mineral Processing Plants. The facility has the potential to emit an estimated 14 tons per year of particulate matter emissions. Actual operating hours and emissions are well below maximum levels. The Operating Permit will include emission limits and work practice standards along with monitoring, recordkeeping and reporting requirements to ensure the facility complies with the applicable air quality regulations.

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

A person may oppose the proposed operating permit, or may provide the Department with additional information

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

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

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

**36-03142: Haines & Kibblehouse, Inc.** (PO Box 196, Skippack, PA 19474) for their limestone crushing plant in Brecknock Township, **Lancaster County**.

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

The subject facility employs wet suppression and a baghouse to control particulate matter (PM) emissions from limestone crushing and handling. The crushing plant includes equipment subject to 40 CFR Part 60 Subpart OOO—Standards of Performance for Nonmetallic Mineral Processing Plants. The facility has the potential to emit an estimated 20 tons per year of particulate matter emissions. Actual operating hours and emissions are well below maximum levels. The Operating Permit will include emission limits and work practice standards along with monitoring, recordkeeping and reporting requirements to ensure the facility complies with the applicable air quality regulations.

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

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

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

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

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

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

**41-00086: LBV Professional Services, LLC** (350 Spruce Street, Montoursville, PA, 17754-1706) to issue a state only operating permit for their facility in Montoursville Borough, **Lycoming County**. The facility is currently operating under Plan Approval 41-00086A and Plan Approval 41-00086A. The facility's sources include two human crematoriums and a batch concrete plant. The facility has potential emissions of 0.82 ton per year of nitrogen oxides, 2.80 tons per year of carbon monoxide, 0.70 ton per year of sulfur oxides, 2.56 tons per year of particulate matter and 0.82 ton per year of volatile organic compounds. No emission or equipment changes are being proposed by this action. The emission restriction, testing, monitoring, recordkeeping, reporting and work practice conditions of the NMOP have been derived from the applicable requirements of 40 CFR Parts 52, 60, 63, 64, 68, 72, 73, 74, 75, 76, 96, 97, 98 and 25 Pa. Code Chapters 121—145.

All pertinent documents used in the evaluation of the application are available for public review during normal business hours at the Department's Northcentral Regional office, 208 West Third Street, Suite 101, Williamsport, PA 17701. Appointments for scheduling a review must be made by calling 570-327-0550.

Any person(s) wishing to provide the Department of Environmental Protection with additional information, which they believe should be considered prior to the issuance of this operating permit, may submit the information to the Department of Environmental Protection at the address shown in the preceding paragraph. A 30-day comment period from the date of this publication will exist for the submission of comments. Each written comment must contain the name, address and telephone number of the person submitting the comments, identification of the proposed operating permit (specify State Only Operating Permit No. 41-00086) and concise statements regarding the relevancy of the information or objections to issuance of the operating permit.

A public hearing may be held, if the Department of Environmental Protection, in its discretion, decides that such a hearing is warranted based on the information received. All persons submitting comments or requesting a hearing will be notified of the decision to hold a hearing by publication in the newspaper or by the *Pennsylvania Bulletin*, or by telephone, where the Department of Environmental Protection determines such notification is sufficient. Written comments or requests for a public hearing should be directed to David Shimmel, P.E., Chief, New Source Review, Department of Environmental Protection, Air Quality Program, Northcentral Regional Office, 208 West Third Street, Suite 101, Williamsport, PA 17701, 570-327-3568.

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

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

**26-00020: Hanson Aggregates BMC, Inc.** (2200 Springfield Pike, Connellsville, PA 15425) for crushed and broken limestone mining and quarrying at the Rich Hill Quarry in Bullsken Township, **Fayette County**. This is a State Only Operating Permit renewal application submitted.

**11-00510: Amfire Mining Co., LLC** (One Energy Place, Latrobe, PA 15650) for the operation of a coal preparation plant, known as the Madison Deep Mine Coal Preparation Plant, located in Jackson Township, **Cambria County**.

The facility contains air contamination sources consisting of a breaker, crushers, screens, conveyer, storage piles, and plant roads. Raw coal throughput of the facility is limited to 900,000 tons per year. Facility emissions are 14.4 tons per year of PM<sub>10</sub>. The facility is limited to a maximum opacity from any processing equipment of 20 percent. The facility is subject to 40 CFR 60, Subpart Y—Standards of Performance for Coal Preparation, Processing Plants, as well as state requirements. The permit includes emission limitations, and operational, monitoring, testing, reporting and recordkeeping requirements for the facility.

Those who wish to request a public hearing or provide the Department with additional written information that they believe should be considered prior to the issuance of this State Only Operating Permit may submit the information to Martin L. Hochhauser, P.E., Pennsylvania Department of Environmental Protection, 400 Waterfront Drive, Pittsburgh, PA, 15222. Each written comment must contain the name, address and telephone number of the person submitting the comments, identification of the proposed Operating Permit (specify Operating Permit OP-11-00510) and concise statements regarding the relevancy of the information or objections to issuance of the Operating Permit.

All comments and requests for a public hearing must be received prior to the close of business 30 days after the date of this publication. In accordance with 25 Pa. Code § 127.428, prior to issuing an operating permit, the Department may hold a fact-finding conference or hearing at which the petitioner, and a person who has properly filed a protest under 25 Pa. Code § 127.426 (relating to filing protests) may appear and give testimony. The Department is not required to hold a conference or hearing. The applicant, the protestant and other participants will be notified of the time, place and purpose of a conference or hearing, in writing or by publication in a newspaper or the *Pennsylvania Bulletin*, unless the Department determines that notification by telephone will be sufficient.

**32-00206: Amfire Mining Company, LLC** (One Energy Place, Latrobe, PA 15650) for the operation of a coal preparation plant, known as the Clymer Tipple, located in Cherryhill Township, **Indiana County**.

The facility contains air contamination sources consisting of a breaker, crushers, screens, conveyer, storage piles, and plant roads. Processed coal throughput of the facility is limited to 1,000,000 tons per year. Facility emissions are 10.4 tons per year of PM<sub>10</sub>. The facility is limited to a maximum opacity from any processing equipment of 20 percent. The facility is subject to 40 CFR 60, Subpart Y—Standards of Performance for Coal Preparation, Processing Plants, as well as state requirements. The permit includes emission limitations, and operational, monitoring, testing, reporting and recordkeeping requirements for the facility.

Those who wish to request a public hearing or provide the Department with additional written information that they believe should be considered prior to the issuance of this State Only Operating Permit may submit the information to Martin L. Hochhauser, P.E., Pennsylvania Department of Environmental Protection, 400 Waterfront

Drive, Pittsburgh, PA, 15222. Each written comment must contain the name, address and telephone number of the person submitting the comments, identification of the proposed Operating Permit (specify Operating Permit OP-32-00206) and concise statements regarding the relevancy of the information or objections to issuance of the Operating Permit.

All comments and requests for a public hearing must be received prior to the close of business 30 days after the date of this publication. In accordance with 25 Pa. Code § 127.428, prior to issuing an operating permit, the Department may hold a fact-finding conference or hearing at which the petitioner, and a person who has properly filed a protest under § 127.426 (relating to filing protests) may appear and give testimony. The Department is not required to hold a conference or hearing. The applicant, the protestant and other participants will be notified of the time, place and purpose of a conference or hearing, in writing or by publication in a newspaper or the *Pennsylvania Bulletin*, unless the Department determines that notification by telephone will be sufficient.

**04-00252: Alex Paris Contracting Co., Inc.** (1595 Smith Township State Road, Atlasburg, PA 15004) for operation of their waste disposal site/landfill in Hanover Township, **Beaver County**.

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

The subject facility consists of roadways (paved and unpaved haul roads), stockpiling, unloading of material, and associated earth moving equipment. The facility provided potential emission calculations based on 162,000 tons of material handled per 12 month period and AP-42 Emission Factors. The potential emissions are estimated to be 22.4 tons per year PM and 8.07 tons per year PM<sub>10</sub>. The facility is required to conduct a weekly survey to ensure compliance with the fugitive emission and malodor restrictions. Records of the weekly survey performed must be recorded. The Owner/Operator shall maintain monthly records of hours of operation for this site. Monthly dustfall reports must be submitted to the Department on a quarterly basis no later than 30 days after the end of each calendar quarter. The facility is required to maintain daily records of all roadway maintenances. All vehicles which come in contact with unpaved roadways shall be processed through an operating truck wash before exiting the facility in order to prevent any mud from being tracked onto the approach route(s). A pressurized water truck shall be available on site to minimize the generation of fugitive dust during landfill construction, filling, or covering operations. The proposed authorization is subject to State and Federal Regulations. The permit includes additional operational requirements, monitoring requirements, and recordkeeping requirements.

Those who wish to provide the Department with additional written information that they believe should be considered prior to the issuance of the Plan Approval may submit the information to Sheila Shaffer, Pennsylvania Department of Environmental Protection, 400 Waterfront Drive, Pittsburgh, PA, 15222. Written comments must contain the name, address and telephone number of the person submitting the comments, identification of the proposed Operating Permit (04-00252) and concise statements regarding the relevancy of the information or objections to issuance of the Operating 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 Sheila Shaffer, Air Quality Engineering Specialist, Department of Environmental Protection, Southwest Region, 400 Waterfront Drive, Pittsburgh, PA 15222. For additional information concerning the permit or the issuance procedure, contact Sheila Shaffer at (412) 442-5227.

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

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

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

**S12-041: Philadelphia International Airport, City of Philadelphia, Department of Commerce, Division of Aviation** (8800 Essington Avenue, Philadelphia, PA 19153), for operation of airport in the City of Philadelphia, **Philadelphia County**. The facility's air emission sources include eight (8) 31 MMBTU/hr or less boilers burning No. 2 or natural gas, fifteen (16) less than 3 MMBTU/hr burning natural gas, eleven (11) emergency generators, one (1) 350 kW non-emergency generator, and one (1) 2000 kW non-emergency generator with one (1) peak-shaving generator with SCR.

#### PLAN APPROVALS

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

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

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

**54-00066A: Silberline Manufacturing Co., Inc.** (130 Lincoln Drive, Tamaqua, PA 18252) for modification of processing equipment for the manufacture of aluminum pigments for their Tidewood facility in Rush Township, **Schuylkill County**.

In accordance with 25 Pa. Code §§ 127.44(a) and 127.45(a), the Department of Environmental Protection (DEP) has received and intends to issue a Plan Approval to Silberline Manufacturing Co., Inc. (130 Lincoln Drive, Tamaqua, PA 18252) for their Tidewood facility located in Rush Township, Schuylkill County. This Plan Approval No. 54-00066A will be incorporated into the companies State Only Permit through an administrative amendment at a later date.

Plan Approval No. 54-00066A is for the modification of processing equipment for the manufacturer of aluminum pigments. The company has proposed to install an inline devolatizing extruder on their existing silvet pigment

process operating at the facility. This will automate and streamline the existing silvet pigment process by combining multiple discrete manufacturing steps and consolidate them into a single process. VOC emissions from the plant will remain under their 50 TPY threshold limit, 12-month rolling sum. The Plan Approval and Operating permit will contain additional recordkeeping and operating restrictions designed to keep the facility operating within all applicable air quality requirements.

Copies of the application, DEP's analysis and other documents used in the evaluation of the application are available for public review during normal business hours at Air Quality Program, 2 Public Square, Wilkes-Barre, PA 18711.

Any person(s) wishing to provide DEP with additional information, which they believe should be considered prior to the issuance of this permit, may submit the information to the address shown in the preceding paragraph. Each written comment must contain the name, address and telephone number of the person submitting the comments, identification of the proposed permit No.: 54-00066A and a concise statement regarding the relevancy of the information or objections to the issuance of the permit.

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

#### COAL AND NONCOAL MINING ACTIVITY APPLICATIONS

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

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

Written comments or objections, or requests for an informal conference, or a public hearing, as applicable, on a mining permit application and request for Section 401 water quality certification application may be submitted by any person or any officer or head of any Federal, state

or local government agency or authority to the Department at the address of the district mining office indicated before each application within 30 days of this publication, or within 30 days after the last publication of the applicant's newspaper advertisement as provided by 25 Pa. Code §§ 77.121—77.123 and 86.31—86.34.

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

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

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

#### *Coal Applications Received*

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

**30810703 and NPDES No. PA0092894. Consol Pennsylvania Coal Company LLC**, (1525 Pleasant Grove Rd., P. O. Box J, Claysville, PA 15323). To renew the permit for Bailey Coal Refuse Areas No. 1 and No. 2 in Richhill Township, **Greene County** and related NPDES permit. No discharges. The application was considered administratively complete on September 11, 2013. Application received July 10, 2013.

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

**26110101 and NPDES Permit No. PA0252123. Amerikohl Mining, Inc.** (1384 State Route 711, Stahlstown, PA 15687). Revision application for land use change from forestland to post-mining land use of pastureland and/or land occasionally cut for hay to an existing bituminous surface mine, located in Wharton Township, **Fayette County**, affecting 95.4 acres. Receiving streams: unnamed tributaries to Stony Fork and Stony Fork, classified for the following use: HQ-CWF. There is no potable water supply intake within 10 miles downstream from the point of discharge. Application received: September 11, 2013.

**63020102 and NPDES Permit No. PA0250309. S & K Energy, Inc.** (5945 Pudding Stone Lane, Bethel Park, PA 15102). Renewal application for continued operation and reclamation to an existing bituminous surface mine, located in Smith Township, **Washington County**, affecting 147.6 acres. Receiving streams: unnamed tributaries to Little Raccoon Run and Raccoon Creek, classified for the following use: WWF. There is no potable water supply intake within 10 miles downstream from the point of discharge. Renewal application received: September 11, 2013.

**63080101 and NPDES Permit No. PA0251381. S & K Energy, Inc.** (5945 Pudding Stone Lane, Bethel Park, PA 15102). Renewal application for continued operation

and reclamation to an existing bituminous surface mine, located in Smith Township, **Washington County**, affecting 124.0 acres. Receiving streams: unnamed tributaries to Little Raccoon Run and Raccoon Creek, classified for the following use: WWF. There is no potable water supply intake within 10 miles downstream from the point of discharge. Renewal application received: September 11, 2013.

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

**33130102 and NPDES Permit No. PA0259411. Bedrock Mines, LP** (111 Freeport Road, Pittsburgh, PA 15215) Commencement, operation and restoration of a bituminous mine in Porter Township, **Jefferson County** affecting 85.0 acres. Receiving streams: One unnamed tributary to Nye Run, four unnamed tributaries to Pine Run and Pine Run, all classified for the following uses: CWF. There are no potable surface water supply intakes within 10 miles downstream. Application received: August 30, 2013.

**16940107. RFI Energy, Inc.** (P.O. Box 162, Sligo, PA 16255). Renewal of an existing bituminous surface and coal refuse disposal mine in Perry and Licking Townships, **Clarion County** affecting 278.0 acres. This renewal is issued for reclamation only. Receiving streams: Five unnamed tributaries to Cherry Run, classified for the following uses: CWF. There are no potable surface water supply intakes within 10 miles downstream. Application received: September 11, 2013.

**16130103 and NPDES Permit No. PA0259470. Reichard Contracting, Inc.** (212 Olean Trail, New Bethlehem, PA 16242) Commencement, operation and restoration of a bituminous surface mine in Monroe and Porter Townships, **Clarion County** affecting 34.0 acres. Receiving streams: Unnamed tributary to Leatherwood Creek, unnamed tributary to West Fork Leatherwood Creek, and unnamed tributaries to Licking Creek, all classified for the following uses: CWF. There are no potable surface water supply intakes within 10 miles downstream. Application received: September 10, 2013.

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

**54860206R5. Westwood Generation, LLC**, (67 Park Place East, Morristown, NJ 07960), renewal of an existing anthracite coal refuse reprocessing operation in Frailey and Porter Townships, **Schuylkill County** affecting 441.4 acres, receiving stream: Lower Rausch Creek. Application received: August 13, 2013.

**40-305-008GP12R. Blaschak Coal Corp.**, (PO Box 12, Mahanoy City, PA 17948), renewal application to operate a coal preparation plant whose pollution control equipment is required to meet all applicable limitations, terms and conditions of General Permit, BAQ-GPA/GP-12 on Surface Mining Permit No. 40930102 in Hazle Township, **Luzerne County**. Application received: August 18, 2013.

**49080101R. John P. Shingara**, (6624 SR 225, Shamokin, PA 17872), renewal of an existing anthracite surface mine operation in Zerbe Township, **Northumberland County** affecting 108.5 acres, receiving stream: Zerbe Run, classified for the following use: cold water fishes. Application received: August 20, 2013.



*Noncoal Applications Received*

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

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

\* The parameter is applicable at all times.

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

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

**26980601 and NPDES Permit No. PA0202193. Hanson Aggregates BMC, Inc.** (2200 Springfield Pike, Conellsville, PA 15425-9503). NPDES renewal application for continued mining to an existing large noncoal surface mine, located in Bullsken Township, **Fayette County**, affecting 708.6 acres. Receiving streams: unnamed tributary to Breakneck 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: September 6, 2013.

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

**49030301C4 and NPDES Permit No. PA0224316. Meckley's Limestone Products, Inc.**, (1543 SR 225, Herndon, PA 17830), renewal of NPDES Permit for discharge of treated mine drainage from a limestone quarry operation in Lower Mahanoy and Jordon Townships, **Northumberland County** affecting 178.3 acres, receiving stream: Upper Fidlers Run, classified for the following use: warm water fishes. Application received: August 14, 2013.

**MINING ACTIVITY NPDES DRAFT PERMITS**

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

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

*Effluent Limits for Coal Mining Activities*

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

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

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

\* The parameter is applicable at all times.

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

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

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

*Effluent Limits for Noncoal Mining Activities*

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

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

\* The parameter is applicable at all times.

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

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

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

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

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

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

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

*Coal NPDES Draft Permits*

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

**NPDES No. PA0607878 (Mining permit no. 39A77SM4), Bentley Development Company, Inc.,** P.O. Box 338, Blairsville, PA 15717, renewal of an NPDES permit for continued post mining water treatment in West Wheatfield Township, **Indiana County**, affecting 197 acres. Receiving stream(s): Unnamed Tributaries to the Conemaugh River, classified for the following use(s): Cold Water Fisheries (CWF). The receiving stream is included in the Kiski-Conemaugh River TMDL. Application received: April 4, 2011.

The outfall(s) listed below discharge to an Unnamed Tributary to the Conemaugh River:

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

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

<i>Outfalls: Parameter</i>	<i>30-Day Average</i>	<i>Daily Maximum</i>	<i>Instant. Maximum</i>
Iron (mg/l)	3.0	6.0	7.0
Manganese (mg/l)	2.0	4.0	5.0
Aluminum (mg/l)	2.0	4.0	5.0
Total Suspended Solids (mg/l)	35.0	70.0	90.0
pH (S.U.): Must be between 6.0 and 10.0 standard units at all times			
Alkalinity must exceed acidity at all times			

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

<i>Outfalls: Parameter</i>	<i>30-Day Average</i>	<i>Daily Maximum</i>	<i>Instant. Maximum</i>
Iron (mg/l)	1.5	3.0	3.7
Manganese (mg/l)	1.0	2.0	2.5
Aluminum (mg/l)	.75	1.5	1.8
Total Suspended Solids (mg/l)	35.0	70.0	90.0
pH (S.U.): Must be between 6.0 and 10.0 standard units at all times			
Alkalinity must exceed acidity at all times			

The draft permit includes the following compliance schedule:

#### Compliance Schedule

(1) The Department has determined that the water quality based effluent limitations (WQBEL) identified in Section A for outfall 001 are necessary to fulfill the present requirements of the Kiski-Conemaugh TMDL.

(2) Whereas the final WQBEL set out in Section A for outfall 001 are significantly more stringent than past effluent limits for those outfalls, and whereas the final effluent limits assigned in Section A cannot be met without modifications to the existing treatment facilities, the permittee shall comply with the interim effluent limits set forth in Section A during the compliance period and shall comply with the following paragraphs. The permittee shall:

a. Within the first six months following permit issuance, conduct an evaluation of the existing treatment facilities for Outfall 001 and determine what modifications are required to meet the effluent limitations set out in Section A. By the end of six months following permit reissuance, the permittee shall submit a report to the Department evaluating the treatment options and identifying the facility modifications required to meet the WQBEL set in Section A.

b. As part of the report described in paragraph (a), the permittee shall also submit a Treatment Plan to the Department for approval including specifications of the facility modifications, proposed schedule for construction, and demonstration that construction will be performed as soon as possible. In addition, the permittee shall submit complete applications for all permits or permit amendments necessary to install and operate the modifications to the Department for review. Following approval of the Treatment Plan and issuance of all necessary permits for the facility modifications, construction of the revised treatment systems shall commence no later than one year after reissuance of this NPDES permit. Construction and start-up of the facility modifications shall be completed, and attainment of the WQBEL set in Section A for Outfall 001 shall be achieved, by no later than eighteen months after reissuance (renewal) of this NPDES permit.

(3) The permittee shall implement the treatment facility modifications necessary to achieve the WQBEL of Section A according to the following compliance schedule:

- |  |   |
|--|---|
| a. Submit a report describing its evaluation of treatment facility modification which will assure compliance with the effluent limitations assigned in Section A.  | As soon as possible, but no later than within six months of permit reissuance.    |
| b. Submit a treatment plan and complete applications for all permits necessary for the treatment equipment to the Department for approval.   | As soon as possible, but no later than within six months of permit reissuance     |
| c. Commence construction of system modifications required to meet the WQBELS in Part A.  | As soon as possible, but no later than within one year of permit reissuance.      |
| d. Complete treatment plant modifications /additions. Compliance with final limits.  | As soon as possible, but no later than within 18 months of permit reissuance.     |
| e. Submit progress reports. Reports shall include updates, attainment, or any progress made toward milestones, summary of results of any supplemental sampling and a discussion of compliance or non-compliance with interim and final requirements. | Every 6 months after permit reissuance until completion of the compliance period. |

(4) a. Pursuant to 40 CFR § 122.62, the permittee may make request to the Department for approval of a modification of the time period for completing step (d) of the compliance schedule in the table above (completion of construction and start-up of the treatment facility modifications within eighteen months of NPDES permit reissuance). The permittee's request for approval of a modification must demonstrate that the respective compliance schedule step cannot be completed within the prescribed time period. The permittee shall also provide an alternative time frame for completion of construction and start-up of the treatment technology; the alternative must be based on completing construction as soon as possible. The permittee's economic inability to comply with any of the obligations of this Compliance Schedule shall not be grounds for any extension of time.

b. The permittee shall submit a request for modification of the compliance schedule pursuant to this paragraph in writing to the Department within 10 working days of the date the permittee becomes aware or reasonably should have become aware of the event impeding performance. The written submission shall include all necessary documentation specifying the reasons for the delay, the expected duration of the delay, and the efforts which have been made and are being made by the permittee to mitigate the effects of the event and to minimize the length of the delay. The initial written submission may be supplemented within ten working days of its submission.

c. The Department will decide whether to grant all or part of the extension requested on the basis of all documentation submitted by the permittee and any other information available to the Department and will notify the permittee if writing of its decision. In any subsequent litigation, Bentley Coal Company shall have the burden of proving that the Department's refusal to grant the requested extension was an abuse of discretion based upon the information then available.

## FEDERAL WATER POLLUTION CONTROL ACT, SECTION 401

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

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

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

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

#### WATER OBSTRUCTIONS AND ENCROACHMENTS

*Southeast Region: Waterways and Wetlands Program Manager, 2 East Main Street, Norristown, PA 19401, Telephone 484-250-5900*

**E46-1097. Pennsylvania Department of Transport, 7000 Geerdes Blvd, King of Prussia, Franconia Township, Montgomery County.** ACOE Philadelphia District

To perform the following water obstruction and encroachment activities associated the proposed roadway and intersection realignment requiring the removal and replacement of the two structures approximately 140 feet apart on State Route 1012 (SR 1012, locally known as Godshall Road and Cowpath Road):

1. To replace and maintain a twin-cell concrete box culvert carrying Skippack Creek (TSF-MF) with a cast-in-

place reinforced concrete frame bridge, aligned to the stream flow direction, skewed 64 degrees to the roadway centerline with a clear span of 24 feet. The proposed bridge has an out-to-out width of approximately 98.2 feet and a hydraulic opening of approximately 68 square feet with a minimum underclearance of 2.96 feet.

2. To replace and maintain a single-span cast-in-place concrete slab bridge over the unnamed tributary (UNT) Skippack Creek (TSF-MF) with a single cell reinforced 12' x 5' concrete box culvert. The proposed box culvert, 95 feet long, aligned to the flow direction, skewed 56 degrees to the roadway centerline, depressed 1'-2" below the existing streambed, will provide an underclearance of 3'-10" and a hydraulic opening of approximately 46 square feet.

3. To construct and maintain riprap deposits to facilitate scour protection for the two bridges as required.

4. To construct and maintain roadway and bridge approach work to accommodate roadway widening that will facilitate the realignment objectives of the project scope at the two bridges within the floodway of the streams.

5. To construct and maintain eight outfall structures and their associated aprons to accommodate the realignment design of the roadway. Four will discharge to the Skippack Creek. Three of these pipe outlets are contained within the proposed bridge structure wingwalls, while the third pipe discharges between the structures, downstream of the crossing. The other four outfall structures will discharge to the UNT Skippack Creek.

The proposed activities will impact approximately 245 feet of stream length. The project site is located approximately 228 north of the intersection of Broad Street and Godshall Road in Franconia Township, Montgomery County, (Latitude N 40° 17' 50" and Longitude W 75° 19' 58")

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

**E45-584. Douglas Kleintop, 987 Arrowhead Drive, Pocono Lake, PA 18347, in Tobyhanna Township, Monroe County, U.S. Army Corps of Engineers, Philadelphia District.**

To construct and maintain a 15-foot long by 35-foot wide pile-supported wooden dock in Arrowhead Lake (EV) with a 4-foot wide by 105-foot long wooden, pile-supported gangway elevated 1-ft above adjoining wetlands (EV). The project is located along Arrowhead Drive near its intersection with Mohican Trail Lot 2, Block A-2, Section 1 of the Arrowhead Lakes Subdivision (Thornhurst, PA Quadrangle Latitude: 41° 09' 10"; Longitude: -75° 34' 34") in Tobyhanna Township, Monroe County.

**E45-585. William Black, 513 Coldstream Drive, Berwyn, PA 19312, in Coolbaugh Township, Monroe County, U.S. Army Corps of Engineers, Philadelphia District.**

To construct and maintain a 6-ft wide x 14-ft long pile-supported aluminum dock in North Arrowhead Lake (EV). The project is located several hundred feet south-



east of the intersection of Skippack Court and North Arrowhead Drive (Thornhurst, PA Quadrangle Latitude: 41° 09' 51"; Longitude: -75° 34' 2") in Coolbaugh Township, Monroe County.

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

**E21-436: Pennsylvania Turnpike Commission**, PO Box 67676, Harrisburg, Pennsylvania, 17106-7676, West Pennsboro, North Middleton, and Middlesex Townships, and the Borough of Carlisle, **Cumberland County**, ACOE Baltimore District

The applicant proposes to:

1. remove the existing structure and install and maintain a 65 foot long, 121.38 foot wide concrete box beam bridge over Alexander Spring Creek (CWF) (Latitude 40°12'26.31", Longitude -77°14'47.89") located at mile post 221.30. The proposed will permanently impact 0.1 acre of PEM wetland and temporarily impact an additional 0.7 acre of PEM wetland. At an offsite location, 0.1 acre of wetland mitigation will be provided.

2. remove the existing structures and install and maintain: 1) a 36 inch diameter, 150 foot long, Reinforced Concrete Pipe, 2) a 36 inch diameter, 196 foot long, Reinforced Concrete Pipe, and 3) a 48 inch diameter, 46 foot long, Reinforced Concrete Pipe, in an unnamed tributary to the Letort Spring Run (CWF) located at mile post 226.7. No wetlands will be affected by this activity. (Latitude 40°13'42.39", Longitude -77°08'59.92")

3. relocate 930 lineal feet of an unnamed tributary to the Letort Spring Run (CWF). The open channel flow of the unnamed tributary will increase from 275 feet to approximately 530 feet and will have an overall 150 foot decrease of stream enclosure. No wetlands will be affected by this activity. (Latitude 40°13'42.39", Longitude -77°08'59.92")

4. Permanently impact 0.1 acre of PEM wetland located at mile post 225.3. At an offsite location, 0.1 acre of wetland mitigation will be provided. (Latitude 40°13'26.67", Longitude -77°10'27.42")

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

**E17-482. Curwensville Borough**, 900 Susquehanna Avenue, Curwensville, PA 16833-1532. Arnoldtown Sanitary Sewer and Lift-Station Installation, **Clearfield County**, ACOE Baltimore District (Curwensville, PA Quadrangle Latitude: 40° 58' 35.92"; Longitude: -78° 30' 51.37").

Curwensville Borough is seeking authorization to construct, operate and maintain 250-feet of 2-inch pressurized, steel encased, sanitary sewer, lift-station and manhole to eliminate failed on-lot sewage treatment facilities in the Arnoldtown area. The 250-feet of steel encased sanitary sewer shall be installed beneath the West Branch Susquehanna River (Warm Water Fishery); whereas, the manhole and lift-station shall be installed within the floodway. As proposed, the project poses no temporary or permanent impact to the West Branch Susquehanna River or associated wetlands. The project is located along the southern right-of-way of SR 0879 approximately 400-feet east of Bressler Road and SR 0879 intersection.

**E41-649. Williams Gas Pipeline—Transco**, 66 Faber Road, Princeton, NJ 08540. Loyalsock Creek Restoration 2013 Stabilization for the existing interstate gas pipeline stream crossing in Loyalsock and Fairfield Township, **Lycoming County**, ACOE Baltimore District (Muncy, PA Quadrangle Lat: 41° 16' 50.22"; Long: -76° 54' 56.98").

Williams-Transcontinental Gas Pipeline (Transco) has applied for a Water Obstruction and Encroachment Permit Application to construct, operate and maintain an existing gas pipeline crossing over Loyalsock Creek in Loyalsock and Fairfield Township, Lycoming County. Transco operates four (4) interstate natural gas pipelines, known as the Leidy Lines (A, B, C and D) within a 125-foot wide pipeline easement crossing the Loyalsock Creek.

The scope of this project entails stabilizing areas of active erosion along the west side island bank that is located along the eastern main flow channel of the Loyalsock Creek. This stabilization proposal is part of continuing efforts to stabilize this area following substantial damage to the stream, streambed and surrounding area that was caused by Hurricane Irene and Tropical Storm Lee in 2011.

The proposed improvements will not have any effect on the floodway, which is located on Loyalsock Creek and is classified as Exception Value (EV) waterway.

The construction of the proposed site will include establishing a temporary creek crossing in the work area, installing rip rap along the western island bank in the area of the pipeline, installing a "J-Hook" vane to redirect water flow energy currently against the bank to the thalweg located in the center of the stream. Work will be facilitated through installation of a temporary water diversion upstream to enable flow bypass and maintenance of flow in the stream and work area at all times. Upon project completion, the creek crossing and temporary diversion will be removed.

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

**E04-345. Sunoco Pipeline, L.P.**, 525 Fritztown Road, Sinking Spring, PA 19608, Darlington, South Beaver, Chippewa, Brighton Townships, **Beaver County**; ACOE Pittsburgh District

Applicant proposes to construct and maintain utility line stream crossings in three (3) wetlands that are greater than 10 acres in size, using an open trench method. Combined, these crossings will permanently impact approximately 0.129 acre of wetland (PEM), and will temporarily impact an additional 0.184 acre of wetland (PEM). In addition, the applicant will construct and maintain utility line stream crossings in nineteen (19) additional wetlands, and across twenty-six (26) watercourses, in accordance with the Department's General Permit No. 5, relating to utility line stream crossings. These stream crossings are located within the North Fork Little Beaver Creek Watershed (HQ-CWF), the Brady Run Watershed (TSF), and the Twomile Run Watershed (WWF). The utility line will carry petroleum products through a 12-inch diameter pipeline, within an existing right-of-way, for a majority of the route. This application seeks authorization for the portion of the project that is located within Darlington, South Beaver, Chippewa and Brighton Townships, Beaver County; however, the project also includes utility line stream crossings in Little Beaver



Township, Lawrence County (DEP File No. E37-193). Approximately 18 miles of this pipeline project is located within these two (2) counties, in Pennsylvania; however, the overall project extends for a total length of approximately 74 miles, from the applicant's Mogadore Junction facility, in Mogadore, OH, to its Vanport junction site, near the area of Friendship Circle, in Brighton Township, Beaver County, PA (USGS Beaver, PA Quadrangle, N: 15.33 inches; W: 10.29 inches; Latitude: 40° 42' 33.9"; Longitude: 80° 19' 27.4"). Within the two (2) counties in PA, the project will permanently impact approximately 5.19 acres of wetland (4.76 PEM, 0.04 PSS, and 0.39 PFO), will temporarily impact approximately 1.79 acres of wetland (1.62 PEM, 0.01 PSS and 0.16 PFO), will impact approximately 3,272 linear feet of various watercourses within the North Fork Little Beaver Creek (HQ-CWF), Brady Run (TSF), and Twomile Run (WWF) watersheds, and will disturb approximately 164 acres of ground.

**E02-1690. Deutscher Sport Verein Von 1924 (German Club of Pittsburgh)**, 2124 Walton Avenue, Pittsburgh, PA 15210, City of Pittsburgh, **Allegheny County**; ACOE Pittsburgh District

Applicant proposes to place and maintain fill in the floodway of Sawmill Run (WWF); in association with the construction of a new one-story, 3,781 square foot building, on Underwood Street, near the intersection of S.R. 51 and S.R. 88, in the City of Pittsburgh, Allegheny County. (Quadrangle: Pittsburgh East; N: 1.44 inches; W: 16.74 inches; Latitude: 40° 22' 58.5" N; Longitude: 79° 59' 42.8" W; Sub-basin 20F.)

**E63-649. Washington County Planning Commission**, 100 Beau Street, Suite 701, Washington, Pa 15301, California Borough and West Pike Run Township, **Washington County**; ACOE Pittsburgh District

Applicant proposes to remove the existing 58' long, 16' wide, single span, SR 2036 bridge with a 90 degree skew and to construct and maintain a new 78' long, 19' wide single span bridge with a 90 degree skew and minimum 7.5' underclearance over Pike Run (TSF) with a drainage area of 20.13 square miles; and to construct and maintain associated stormwater outfalls. The new bridge is located on an adjacent, upstream alignment with the existing bridge. (California Pa Quadrangle; N: 10.1 inches; W: 8.1 inches; Latitude 40° 2' 59"; Longitude 79° 56' 4") California Borough and West Pike Run Township, Washington County.

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

**E37-193 Sunoco Pipeline, L.P.**, 525 Fritztown Road, Sinking Spring, PA 19608, Little Beaver Township, **Lawrence County**, ACOE: Pittsburgh District, Quadrangle: New Middletown, OH, Lat: 40°54'1.5"; Long: -80°31'7.4"

To construct and maintain utility line stream crossings in two (2) wetlands that are greater than 10 acres in size, using an open trench method. Combined, these crossings will permanently impact approximately 0.88 acre of wetland (PEM), and will temporarily impact an additional 0.36 acre of wetland (PEM). In addition, the applicant will construct and maintain utility line stream crossings in two (2) additional wetlands, and across four (4) watercourses, in accordance with the Department's General Permit No. 5, relating to utility line stream crossings. These stream crossings are located within the North Fork Little Beaver Creek Watershed (HQ-CWF). The utility line will carry petroleum products through a 12-inch diameter pipeline, within an existing right-of-way, for a majority of the route. This application seeks authori-

zation for the portion of the project that is located within Little Beaver Township, Lawrence County (beginning at a point on the USGS New Middletown, OH Quadrangle, N: 4.42 inches; W: 2.59 inches; Lat: 40°54'1.5"; Long: -80°31'7.4"); however, the project also includes utility line stream crossings in Darlington, South Beaver, Chippewa, Brighton Townships, Beaver County (DEP File No. E04-345). Approximately 18 miles of this pipeline project is located within these two (2) counties, in Pennsylvania; however, the overall project extends for a total length of approximately 74 miles, from the applicant's Mogadore Junction facility, in Mogadore, OH, to its Vanport junction site, near the area of Friendship Circle, in Brighton Township, Beaver County, PA. Within the two (2) counties in PA, the project will permanently impact approximately 5.19 acres of wetland (4.76 PEM, 0.04 PSS, and 0.39 PFO), will temporarily impact approximately 1.79 acres of wetland (1.62 PEM, 0.01 PSS and 0.16 PFO), will impact approximately 3,272 linear feet of various watercourses within the North Fork Little Beaver Creek (HQ-CWF), Brady Run (TSF), and Two-mile Run (WWF) watersheds, and will disturb approximately 164 acres of ground.

This project will be reviewed by DEP Southwest Region along with E04-345.

*Wilkes-Barre: Environmental Program Manager, 2 Public Square, 5th Floor, Wilkes-Barre, PA 18701*

**EA5411-004. Pennsylvania Department of Environmental Protection**, Bureau of Abandoned Mine Reclamation, Wilkes-Barre Office, 2 Public Square, 5th Floor, Wilkes-Barre, PA 18701. Abandoned Mine Land Reclamation Project, in Tremont Township, **Schuylkill County**, Baltimore ACOE District.

The applicant proposes to perform a reclamation project on an abandoned surface mine, which includes a total of 371 linear feet of dangerous highwall. The project will include the backfilling of 0.051 acre of open water that has developed within the open surface mine pits. (Pine Grove Quadrangle N 40° 36' 47.26", W 76° 23' 22.06")

*Southwest Region: Oil and Gas Management Program Manager, 400 Waterfront Drive, Pittsburgh, Pa 15222-4745*

**E03-07-002. EQT Gathering LLC**, 455 Racetrack Road Washington, PA 15301-8910. Kiskiminetas, Parks, and Burrell Townships, **Armstrong County**, ACOE Pittsburgh District.

To construct an 8.1-mile long, 12-inch diameter natural gas pipeline and associated access roads from a proposed well pad to an existing natural gas gathering line (NITE-S004) in Kiskiminetas, Parks, and Burrell Townships, Armstrong County, Pittsburgh ACOE District, State Water Plan Basin 17-E, (Leechburg, Whitesburg and Vandergrift, PA Quadrangle; Start at Latitude: N 40° 41' 55.27"; Longitude: W 79° 28' 49.43"; End at N 40° 36' 36.29"; Longitude: W 79° 30' 29.26"), Crooked Creek Watershed. The project will consist of 36 utility line crossings of 28 streams and 8 wetlands, 42 temporary road crossings of 32 streams and 10 wetlands, and additional crossings eligible for the Department's 105.12(a)(2) waiver. This project is proposed to avoid direct impacts to a 10+ acre wetlands by using directional bore method of installation. All crossings with the exception of the 10+ acre wetland utility line crossing are eligible as General Permits. A total of 0.48 acre of wetland and 737 linear feet of numerous named and unnamed tributaries to Crooked Creek (WWF) will be temporarily impacted. The applicant has submitted a Contingency Plan if the directional drill underneath the

10+ acre wetland would fail. If the Contingency Plan is implemented, a permanent impact to 0.05 acre of PFO wetland would occur, and wetland mitigation would be required.

#### ENVIRONMENTAL ASSESSMENTS

*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*

**D10-103EA. Stephanie Livelsberger**, Bureau of State Parks, Department of Conservation and Natural Resources, 400 Market St, 8th Floor, Harrisburg, PA 17101, Franklin Township, **Butler County**, USACOE Pittsburgh District.

Project proposes to remove the Lake Arthur Waterfowl Dam for the purpose of eliminating a threat to public safety and restoring the stream to a free-flowing condition. The project is located across Muddy Creek (TSF, MF) (Prospect, PA Quadrangle; Latitude: 40.9692; Longitude: -80.0222).

**D35-005EA. Matthew R. Beaver**, Chief, Division of Operations and Recreation, Bureau of Forestry, Department of Conservation and Natural Resources, Rachel Carson State Office Building, 6th Floor, P.O. Box 8552, Harrisburg, PA 17105-8552, Jessup Borough, **Lackawanna County**, USACOE Baltimore District.

Project proposes to remove Olyphant Dam #1 for the purpose of eliminating a threat to public safety and to restoring the stream to a free-flowing condition. The

project is located across Grassy Island Creek (HQ-CWF) (Olyphant, PA Quadrangle; Latitude: 41.4639; Longitude: -75.5381).

**D46-315EA. James Logue**, Gulph Mills Golf Club, 300 Swedeland Road, King of Prussia, PA 19406, Upper Merion Township, **Montgomery County**, USACOE Philadelphia District.

Project proposes to remove approximately 1.76 acres of accumulated silts and sediments from the reservoir impounded by the Gulph Mills Country Club Dam located across Matsunk Creek (WWF, MF) (Norristown, PA Quadrangle, Latitude: 40.0797; Longitude: -75.3362).

**D46-356EA. Mark Dunn**, 1515 Jarretstown Road, Dresher, PA 19025, Upper Dublin Township, **Montgomery County**, USACOE Philadelphia District.

Project proposes to remove Dunn Dam for the purpose of eliminating a threat to public safety and restoring the stream to a free-flowing condition. The project is located across a tributary to Sandy Run (TSF, MF) (Ambler, PA Quadrangle; Latitude: 40.1550; Longitude: -75.1746).

**D62-018EA. Tia Dresher**, Township Secretary, Glade Township, 1285 Cobham Park Road, Warren, PA 16365-4464, Glade Township, **Warren County**, USACOE Pittsburgh District.

Project proposes to remove the breached remains of the Sunray Dam for the purpose of eliminating a threat to public safety and restoring the stream to a free-flowing condition. The project is located across Conewango Creek (WWF) (Russell, PA Quadrangle; Latitude: 41.8804; Longitude: -79.1405).

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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 free 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>
PA0012092 (IW)	Linde LLC 1011 E Market Street Bethlehem, PA 18017-7017	Northampton County Bethlehem City	Lehigh Coal And Navigation Canal and Unnamed Tributary to Lehigh Coal And Navigation Canal (2-C)	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>
PA0095362 Sewage	Laurelville Mennonite Church 941 Laurelville Lane Mount Pleasant, PA 15666	Westmoreland County Mount Pleasant Township	Jacobs Creek	Y
PA0218049 Sewage	Midway Sewerage Authority 8211 Noblestown Road McDonald, PA 15057	Washington County McDonald Borough	Robinson Run	Y
PA0217620 Sewage	Bailey Mine 192 Crabapple Road Wind Ridge, PA 15380	Greene County Richhill Township	Crabapple Creek	Y
PA0038792 Sewage	Village of 42 1190 Centennial Drive Windber, PA 1963	Cambria County Adams Township	Unnamed Tributary to Paint Creek	Y

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

<i>NPDES No. (Type)</i>	<i>Facility Name &amp; Address</i>	<i>County &amp; Municipality</i>	<i>Stream Name (Watershed #)</i>	<i>EPA Waived Y/N ?</i>
PA0038351 (Sewage)	PHB, Inc. Machining Division 7900 West Ridge Road Fairview, PA 16415-1807	Erie County Fairview Township	Unnamed Tributary to Trout Run (15-A)	Y

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

*Southeast Region: Clean Water Program Manager, 2 East Main Street, Norristown, PA 19401. Telephone 484-250-5970*

**NPDES Permit No. PA0244325**, Industrial, **United States Navy**, Naval Facilities Engineering Command (NAVFAC) Mid Atlantic, 4911 South Broad Street, PNBC Building 679, Philadelphia, PA 19112.

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

Description of Proposed Action/Activity: Approval for the renewal of an NPDES permit to discharge 186,000 gpd of treated groundwater from a facility known as Former NAWC Warminster Groundwater Treatment Plant to Unnamed Tributary to Little Neshaminy Creek in Watershed 2F.

**NPDES Permit No. PA0042927**, Sewage, **Owen J. Roberts School District**, 901 Ridge Road, Pottstown, PA 19465.

This proposed facility is located in South Coventry 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 Owen J. Roberts School District Main Campus STP to Unnamed Tributary to French Creek in Watershed 3-D.

**NPDES Permit No. PA0052035**, Sewage, **Upper Makefield Township**, 1076 Eagle Road, Newtown, PA 18940-2818.

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

Description of Proposed Action/Activity: Approval for the renewal of an NPDES permit to discharge treated Sewage from a facility known as Heritage Hills WWTP to Houghs Creek and Delaware River in Watershed 2-E.



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

**NPDES Permit No. PA0027146**, Sewage, **Ambridge Borough Municipal Authority**, 600 11th Street, Ambridge, PA 1500371

This existing facility is located in Ambridge Borough, **Beaver County**

Description of Existing Action/Activity: Permit issuance to discharge treated sewage.

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

**NPDES Permit No. PA0222861**, Industrial Waste, Amendment No. 1, **Georgia Pacific Panel Products LLC**, 133 Peachtree Street NE, Atlanta, GA 30303.

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

Description of Proposed Action/Activity: Transfer of existing permit from Temple Inland.

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

*Southeast Region: Clean Water Program Manager, 2 East Main Street, Norristown, PA 19401, 484.250.5900*

**WQM Permit No. WQG02091312**, Sewage, **Bucks County Water & Sewer Authority**, 1275 Almshouse Road, Warrington, PA 18976.

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

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

**WQM Permit No. WQG02091311**, Sewage, **Bailey's Square, LLC**, 76 Griffiths Miles Circle, P.O. Box 2579, Warminster, PA 18974.

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

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

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

**WQM Permit No. 0612201**, Industrial Waste, **Joseph Vasturia, Delaware County Solid Waste Authority**, 1521 North Providence Road, Media, PA 19063.

This proposed facility is located in Earl & Oley Townships, **Berks County**.

Description of Proposed Action/Activity: Permit approval for the construction and operation of a Distillation System at the Rolling Hills Landfill to treat approximately 30,000 gpd of raw leachate as a side-stream treatment for the purpose of reducing Total Dissolved Solids. The concentrate from the distiller will be disposed off-site. A new boiler is planned to heat the distiller's evaporation chambers using diverted landfill under-drain water and water from a new supply well. The treated landfill leachate will continue to be discharged to the Manatawny Creek under NPDES Permit No. PA0040860 with no change to the permit limits.

**WQM Permit No. WQG01290501 T-1**, Sewerage, **James W. Scott**, 3664 Laurel Ridge Road, Big Cove Tannery, PA 17212.

This proposed facility is located in Ayr Township, **Fulton County**.

Description of Proposed Action/Activity: Transfer of permit.

**WQM Permit No. 3813401**, Sewerage, **North Cornwall Township Authority**, 320 South 18th Street, Lebanon, PA 17042.

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

Description of Proposed Action/Activity: Seeking permit approval to for the upgrade of an existing 8" sanitary sewer main to a proposed 12" sanitary sewer main. Improvements will occur between Manhole IE9 and Manhole SC 69.

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

**WQM Permit No. 1113402**, Sewerage, **Johnstown Redevelopment Authority**, 4th Floor, Public Safety Building, 401 Washington Street, Johnstown, PA 15901-2874

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

Description of proposed Action/Activity: Permit issuance for the construction and operation of a sewer system.

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

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

**WQM Permit No. WQG018768**, Sewage, Transfer No. 1, **Brian M. & Christine L. Turner**, 15303 Ridge Road, Meadville, PA 16335.

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

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



**WQM Permit No. WQG018709**, Sewage, Transfer No. 1, **Ronald W. Sevin**, 7775 US Route 6N, Edinboro, PA 16412-9639.

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

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

**WQM Permit No. 4290201**, Industrial Waste, Transfer No. 2, **Georgia Pacific Panel Products LLC**, 133 Peachtree Street NE, Atlanta, GA 30303.

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

Description of Proposed Action/Activity: Transfer of existing permit from Temple Inland.

**WQM Permit No. WQG01251307**, Sewage, **Heidi Hilton & Robert Stephenson**, 8091 Knoyle Road, Wattsburg, PA 16442.

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

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

**WQM Permit No. 2013201**, Industrial Waste, **Apple Shamrock Dairy Farms LLC**, 32821 Guys Mills Road, Townville, PA 16380.

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

Description of Proposed Action/Activity: This permit approves the construction/operation of CAFO wastewater facilities.

#### **IV. NPDES Stormwater Discharges from MS4 Permit Actions**

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

The Pennsylvania Department of Environmental Protection (DEP) has issued a National Pollutant Discharge Elimination System (NPDES) Individual Permit, **PAI132220**, on September 11, 2013 to Plainfield Township, 6292 Sullivan Trail, Nazareth, PA 18064-9335. The permit authorizes the discharge of stormwater from regulated small Municipal Separate Storm Sewer System (MS4) outfalls to waters of the Commonwealth.

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

Special conditions in the permit include a Stormwater Management Program to satisfy six (6) Minimum Control Measures (MCMs) that meet the narrative effluent limitations required by 40 CFR § 122.34 and to comply with applicable TMDLs. Individuals interested in obtaining a copy the permit may contact DEP's File Review Coordinator at 570-826-5472.

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

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

The Pennsylvania Department of Environmental Protection (DEP) has issued a National Pollutant Discharge Elimination System (NPDES) Individual Permit, **PAI132248**, on September 10, 2013 to Catasauqua Borough, 118 Bridge Street, Catasauqua, PA 18032-2598. The permit authorizes the discharge of stormwater from regulated small Municipal Separate Storm Sewer System (MS4) outfalls to waters of the Commonwealth.

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

Special conditions in the permit include a Stormwater Management Program to satisfy six (6) Minimum Control Measures (MCMs) that meet the narrative effluent limitations required by 40 CFR § 122.34 and to comply with applicable TMDLs. Individuals interested in obtaining a copy the permit may contact DEP's File Review Coordinator at 570-826-5472.

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

from the Secretary of the Board at (717) 787-3483. This paragraph does not, in and of itself, create a right of appeal beyond that permitted by applicable statutes and decision law.

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

The Pennsylvania Department of Environmental Protection (DEP) has issued a National Pollutant Discharge Elimination System (NPDES) Individual Permit, **PAI132233**, on September 10, 2013 to Lehman Township, PO Box 262, Lehman, PA 18627. The permit authorizes the discharge of stormwater from regulated small Municipal Separate Storm Sewer System (MS4) outfalls to waters of the Commonwealth.

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

Special conditions in the permit include a Stormwater Management Program to satisfy six (6) Minimum Control Measures (MCMs) that meet the narrative effluent limitations required by 40 CFR § 122.34 and to comply with applicable TMDLs. Individuals interested in obtaining a copy the permit may contact DEP's File Review Coordinator at 570-826-5472.

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

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

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

<i>NPDES Permit No.</i>	<i>Applicant Name &amp; Address</i>	<i>County</i>	<i>Municipality</i>	<i>Receiving Water/Use</i>	<i>DEP Protocol (Y/N)</i>
PAI138307	City of Farrell 500 Roemer Boulevard, Farrell, PA 16121-1901	Mercer County	Farrell City	Shenango River, and two unnamed tributaries to the Shenango River 20-A	Y

#### **V. NPDES Waiver Stormwater Discharges from MS4 Actions**

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

<i>NPDES Permit No.</i>	<i>Applicant Name &amp; Address</i>	<i>County</i>	<i>Municipality</i>	<i>Receiving Water/Use</i>	<i>DEP Protocol (Y/N)</i>
PAG138304	Shenango Township 3439 Hubbard— West Middlesex Road, West Middlesex, PA 16159	Mercer County	Shenango Township	UNT to Shenango River	N

#### **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>
PAI01 1513007	McGettigan Dowlin Forge, LLC 344 Martingale Circle Coatesville, PA 19320	Chester	East Brandywine Township	E. Branch of the Brandywine Creek HQ-TSF-MF
PAI01 151215-1	Lakeview Development Associates, LP 305 West Bristol Road Warminster, PA 18974	Chester	Wallace Township	Marsh Creek Lake HQ-TSF-MF
PAI01 4613005	Provco Pinegood York, LP c/o Goodman Properties 636 Old York Road Jenkintown, PA 19046	Montgomery	Upper Moreland Township	War Memorial Creek Tributary to Pennypack TSF-MF

<i>NPDES Permit No.</i>	<i>Applicant Name &amp; Address</i>	<i>County</i>	<i>Municipality</i>	<i>Receiving Water/Use</i>
PAI01 5113006	Wissahickon Charter School 4700 "G" Wissahickon Avenue Philadelphia, PA 19144	Philadelphia	City of Philadelphia	Tacony-Frankford Creek WWF-MF

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

*Clinton County Conservation District: 45 Cooperation Lane, Mill Hall, PA 17751, (570) 726-3798*

<i>NPDES Permit No.</i>	<i>Applicant Name &amp; Address</i>	<i>County</i>	<i>Municipality</i>	<i>Receiving Water/Use</i>
PAI041813001	Robert J Carlson 116 S Sportsman Rd Loganton PA 17747	Clinton	Logan Township	UNT to Fishing Creek HQ-CWF, MF

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

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

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

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

#### *General Permit Type—PAG-02*

##### *Facility Location:*

<i>Municipality &amp; County</i>	<i>Permit No.</i>	<i>Applicant Name &amp; Address</i>	<i>Receiving Water/Use</i>	<i>Contact Office &amp; Phone No.</i>
Northampton Township Bucks County	PAG0200 0913031	David Stith 826 2nd Street Pike Southampton, PA 18966	Neshaminy Creek WWF	Southeast Regional Office 2 East Main Street Norristown, PA 19401 484-250-5900
Hilltown Township Bucks County	PAG0200 0913044	Calvary Church 820 Route 113 Souderton, PA 18964	Unnamed Tributary to Mill Creek TSF	Southeast Regional Office 2 East Main Street Norristown, PA 19401 484-250-5900
Upper Makefield Township Bucks County	PAG0200 0911070	Robert P. Levy 9 Crestwood Circle New Hope, PA 18938	Pidcock Creek WWF-MF	Southeast Regional Office 2 East Main Street Norristown, PA 19401 484-250-5900

## NOTICES

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<i>Facility Location: Municipality &amp; County</i>	<i>Permit No.</i>	<i>Applicant Name &amp; Address</i>	<i>Receiving Water/Use</i>	<i>Contact Office &amp; Phone No.</i>
Bensalem Township Bucks County	PAG0200 0908050-R	Bensalem Realty Enterprises, LP 1950 Street Road, Suite 204 Bensalem, PA 19020	Poquessing Creek WWF	Southeast Regional Office 2 East Main Street Norristown, PA 19401 484-250-5900
Doylestown Borough Bucks County	PAG0200 0912078	148 N. Clinton Street Associates, LP 215 Farm Lane Doylestown, PA 18901	Cooks Run WWF-MF	Southeast Regional Office 2 East Main Street Norristown, PA 19401 484-250-5900
Quakertown Borough Bucks County	PAG0200 0913046	Moreland Development 111 Presidential Blvd, Suite 209 Bala Cynwyd, PA 19004	Tohickon Creek TSF-MF	Southeast Regional Office 2 East Main Street Norristown, PA 19401 484-250-5900
Hilltown Township Bucks County	PAG0200 0913047	JAJOPE, LLC 2188 Detwiler Road Harleysville, PA 19438	North Branch Neshaminy Creek WWF	Southeast Regional Office 2 East Main Street Norristown, PA 19401 484-250-5900
Perkasie Borough Bucks County	PAG0200 0913041	Peter Zavitsanos 1218 Forest Hill Drive Gwynedd Valley, PA 19437	Unnamed Tributary to East Branch Perkiomen TSF	Southeast Regional Office 2 East Main Street Norristown, PA 19401 484-250-5900
Solebury Township Bucks County	PAG0200 0912081	Brett M. Grandin 482 Golden Gate Drive Richboro, PA 18954	Pidcock Creek WWF	Southeast Regional Office 2 East Main Street Norristown, PA 19401 484-250-5900
Upper Makefield Township Bucks County	PAG0200 0913040	Mack & Roedel Custom Builders, LLC 5910 Stovers Mill Road Doylestown, PA 18902	Jericho Creek WWF	Southeast Regional Office 2 East Main Street Norristown, PA 19401 484-250-5900
Valley Township Chester County	PAG0200 1513019	Devon Services, LLC 99 Bridge Street Phoenixville, PA 19460	Unnamed Tributary to Rock Run TSF-MF	Southeast Regional Office 2 East Main Street Norristown, PA 19401 484-250-5900
Borough of South Coatesville Chester County	PAG0200 1508056-R	Fairview Cemetery 786 Oak Street Coatesville, PA 19320	Unnamed Tributary to W. Branch Brandywine Creek WWF	Southeast Regional Office 2 East Main Street Norristown, PA 19401 484-250-5900
Schuylkill Township Chester County	PAG0200 1513012	Aqua, PA, Inc. 1050 Valley Forge Road Phoenixville, PA 19460-2657	Pickering Creek WWF-MF	Southeast Regional Office 2 East Main Street Norristown, PA 19401 484-250-5900
Yeadon Borough Delaware County	PAG0200 2313022	Yeadon Borough Church Lane and Baily Road Yeadon, PA 19050	Cobbs Creek WWF-MF	Southeast Regional Office 2 East Main Street Norristown, PA 19401 484-250-5900
Bethel Township Delaware County	PAG0200 2313023	Winterset Independent Living, LLC 9073 Nemo Street Hollywood, CA 90069	Chester Creek TSF-MF	Southeast Regional Office 2 East Main Street Norristown, PA 19401 484-250-5900
Eddystone Borough Delaware County	PAG0200 2313008	Eddystone Rail Co., LLC 1409 Hammond Avenue Superior, WI 54880	Delaware River WWF-MF	Southeast Regional Office 2 East Main Street Norristown, PA 19401 484-250-5900
Upper Providence Township Montgomery County	PAG0200 4613053	Brad Macy 2620 Egypt Road Norristown, PA 19403	Perkiomen Creek WWF-MF	Southeast Regional Office 2 East Main Street Norristown, PA 19401 484-250-5900



<i>Facility Location: Municipality &amp; County</i>	<i>Permit No.</i>	<i>Applicant Name &amp; Address</i>	<i>Receiving Water / Use</i>	<i>Contact Office &amp; Phone No.</i>
Horsham Township Montgomery County	PAG0200 4613040	Robert Lauer 600 Dresher Road Horsham, PA 19044	Unnamed Tributary TSF-MF	Southeast Regional Office 2 East Main Street Norristown, PA 19401 484-250-5900
Franconia Township Montgomery County	PAG0200 4613051	Robert Padfield 356 York Road Warminster, PA 18974	Unnamed Tributary to Skippack Creek TSF	Southeast Regional Office 2 East Main Street Norristown, PA 19401 484-250-5900
Whitemarsh Township Montgomery County	PAG0200 4613012	David Miller 2079 Sierra Road Plymouth Meeting, PA 19462	Plymouth Creek WWF	Southeast Regional Office 2 East Main Street Norristown, PA 19401 484-250-5900
Lower Merion Township Montgomery County	PAG0200 4613033	Edward Baumstein 1211 Mount Pleasant Road Villanova, PA 19085	Schuylkill River WWF-MF	Southeast Regional Office 2 East Main Street Norristown, PA 19401 484-250-5900
Worcester Township Montgomery County	PAG0200 4611019	c/o Sal Paone Jr 1120 Bethlehem Pike P.O. Box 280 Spring House, PA 19477	Stony Creek TSF-MF	Southeast Regional Office 2 East Main Street Norristown, PA 19401 484-250-5900
Upper Merion Township Montgomery County	PAG0200 4613039	Edward J O'Brien, Jr. 175 W. Valley Forge Road King of Prussia, PA 19406	Matsunk Creek WWF-MF	Southeast Regional Office 2 East Main Street Norristown, PA 19401 484-250-5900
West Norriton Township Montgomery County	PAG0200 4613036	Joe Botta 1288 Valley Forge Road #987 Unit 66 Valley Forge, PA 19482	Indian Creek WWF-MF	Southeast Regional Office 2 East Main Street Norristown, PA 19401 484-250-5900
Whitpain Township Montgomery County	PAG0200 4609006R	Jaime Garrido 340 Dekalb Pike Blue Bell, PA 19422	Stony Creek TSF	Southeast Regional Office 2 East Main Street Norristown, PA 19401 484-250-5900
Horsham Township Montgomery County	PAG0200 4611055R	Mike Nice 250 Gibraltar Road Horsham, PA 19044	Park Creek WWF-MF	Southeast Regional Office 2 East Main Street Norristown, PA 19401 484-250-5900
Towamencin Township Montgomery County	PAG0200 4608029R	Chris Canavan 404 Sumneytown Pike, Suite 200 North Wales, PA 19454	Skippack Creek TSF	Southeast Regional Office 2 East Main Street Norristown, PA 19401 484-250-5900
Upper Providence Township Montgomery County	PAG0200 4613044	Teresa Stagliano, Chairman 101 Station Avenue PO Box 297 Oaks, PA 19456	Perkiomen Creek WWF	Southeast Regional Office 2 East Main Street Norristown, PA 19401 484-250-5900
Upper Hanover Township Montgomery County	PAG0200 4605143-2R	Northgate Phase 2 345 Main Street, Suite 112 Harleysville, PA 19438	Macoby Creek TSF	Southeast Regional Office 2 East Main Street Norristown, PA 19401 484-250-5900
Foster Township Barry Township Schuylkill County	PAG02005407001R(1)	William Willard 240 Airport Road Pottsville, PA 17901	Crystal Run (CWF, MF)	Schuylkill County Conservation District 570-622-3742
North Manheim Township, Schuylkill Haven Borough Schuylkill County	PAG02005411001R	PA Department of Transportation 1002 Hamilton Street Allentown, PA 18101	Schuylkill River (CWF, MF)	Schuylkill County Conservation District 570-622-3742

## NOTICES

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<i>Facility Location: Municipality &amp; County</i>	<i>Permit No.</i>	<i>Applicant Name &amp; Address</i>	<i>Receiving Water / Use</i>	<i>Contact Office &amp; Phone No.</i>
Mahoning Township Carbon County	PAG02001306004R	William L. Grant P.O. Box 287 Broadheadsville, PA 18322	Mahoning Creek (CWF, MF)	Carbon County Conservation District 610-377-4894
Banks Township Carbon County	PAG02001313001	PSI Containers 1057 Treskow Road McAdoo, PA 18237	Catawissa Creek (CWF, MF)	Carbon County Conservation District 610-377-4894
Hanover Township Luzerne County	PAG02004013003	Michael Dziak 101 South Main Street Ashley, PA 18706	Espy Run (CWF, MF)	Luzerne County Conservation District 570-674-7991

*Waterways & Wetlands Program, 909 Elmerton Avenue, Harrisburg, PA 17110-8200, Nathan Crawford, Section Chief,  
717.705.4802*

<i>Facility Location: Municipality &amp; County</i>	<i>Permit No.</i>	<i>Applicant Name &amp; Address</i>	<i>Receiving Water / Use</i>	<i>Contact Office &amp; Phone No.</i>
Hamiltonban Township Adams County	PAG02000113017	David L. Benner 1160 Cold Springs Road Fairfield, PA 17320	UNT to Middle Creek/CWF	Adams County Conservation District
Franklin Township Adams County	PAG02000113006	PA DCNR Michaux State Forest 10099 Lincoln Way East Fayetteville, PA 17222	Upper Three Runs/ CWF	Adams County
Upper Tulpehocken Township, Berks County	PAG02000613033	Dwight Zimmerman 80 South Northkill Road Bernville, PA 19506	Northville Creek/ CWF	Berks County Conservation District
City of Altoona Blair County	PAG02000713014	Pleasant Valley Assembly of God 1001 South 1st Street Altoona, PA 16602	Brush Run/WWF	Blair County
Silver Spring Township Cumberland County	PAG02002113031	Shippensburg University Foundation 1871 Old Main Drive Shippensburg, PA 17257	UNT to Conodoguinet/WWF	Cumberland County Conservation District
Silver Spring Township Cumberland County	PAG02002113018	Millforing Estates, LP 3 Lemoyne Drive Lemoyne, PA 17043	Conodoguinet/WWF	Cumberland County Conservation District
North Newton Township Cumberland County	PAG02002113025	Raymond Hoover 515 Bullshead Road Newville, PA 17241	Big Spring Creek/ CWF	Cumberland County Conservation District
East Pennsboro Township Cumberland County	PAG02002113026	PennDOT District 8-0 2140 Herr Street Harrisburg, PA 17103	Susquehanna River/ WWF	Cumberland
Mt. Holly Springs Borough, Cumberland County	PAG02002113022	Sheetz, Inc. 5700 Sixth Avenue Altoona, PA 16602	Mountain Creek/ TSF, MF	Cumberland
Mechanicsburg Borough Cumberland County	PAG02002113034	Mechanicsburg Storage and Transfer 400 Cheryl Avenue Mechanicsburg, PA 17055	Trindle Spring Run/ CWF-MF	Cumberland
East Pennsboro Township Cumberland County	PAG02002113035	1250 Associates 4479 Chambers Hill Road Harrisburg, PA 17111	Susquehanna River/ WWF	Cumberland
Lower Swatara Township Dauphin County	PAG02002213031	Old Reliance Partnership 1403 Farmhouse Lane Middletown, PA 17057	Swatara Creek/WWF	Dauphin

<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>
Derry Township Dauphin County	PAG02002206034R	DSG Development & Abel Construction Co. PO Box 42 Hershey, PA 17033 and PO Box 476 Mountville, PA 17554	Swatara Creek/WWF	Dauphin
Lower Swatara Township Dauphin County	PAG02002213023	Middletown Area School District 55 W. Water Street Middletown, PA 17057	Swatara Creek/ WWF and Susquehanna River/ WWF	Dauphin County
Lower Paxton Township Dauphin County	PAG02002213029	Paxtonia Associates, GP 7300 Derry Street Harrisburg, PA 17111	Beaver Creek/WWF	Dauphin
Lower Swatara Township Dauphin County	PAG02002208016	James Nardo PO Box 443 Hershey, PA 17033	Susquehanna River/ WWF	Dauphin
Swatara Township Dauphin County	PAG02002208031R	The McNaughton Co. 4400 Deer Path Road Harrisburg, PA 17110	Beaver Creek/WWF	Dauphin
Antrim Township Franklin County	PAG02002811018R	Augusta Partners 55 Meridan Parkway Suite 101 Martinsburg, WV 25401	UNT to Conococheague Creek/CWF	Franklin
Antrim Township Franklin County	PAG02002813022	Norfolk Southern Lead Track 1200 Peachtree Street NE Atlanta, GA 36309	UNT Conococheague Creek/WWF	Franklin
Fannett Township Franklin County	PAG02002808012R	New Hope Swine Farm 230 Poplar Road Fleetwood, PA 19522	UNT to Tuscarora Creek/CWF-MF	Franklin
Washington Township Franklin County	PAG02002808017R	New Forge Crossing 229 Hubervillage Boulevard Suite 150 Westerville, OH 43081	Red Run/CWF	Franklin
Letterkenny Township Franklin County	PAG02002813033	Franklin Feed Grain Storage Building 5540 Coffey Avenue Chambersburg, PA 17201	Rocky Spring/TSF	Franklin
Letterkenny Township Franklin County	PAG02002813017	Rocket Motor Destruction Facility One Overcash Avenue Building 14 Chambersburg, PA 17202	Dennis Creek CWF/MF	Franklin
Guilford Township Franklin County	PAG02002813029	Leshers Chicken House 1153 Swamp Fox Road Chambersburg, PA 17202	Conococheague Creek/CWF	Franklin
East Donegal Township Lancaster County	PAG02003613050	Marietta DPP VII, LLC 9010 Overlook Boulevard Brentwood, TN 37027	Susquehanna River/ WWF, MF	Lancaster County
Warwick Township Lancaster County	PAG02003613059	Bottom Line Contracting Inc. 952 Log Cabin Road Leola, PA 17540	UNT Lititz Run/ WWF	Lancaster
Ephrata Township Lancaster County	PAG02003611091R	LNR Property LP 406 Long Lane East Earl, PA 17519	Cocalico Creek/WWF	Lancaster

<i>Facility Location: Municipality &amp; County</i>	<i>Permit No.</i>	<i>Applicant Name &amp; Address</i>	<i>Receiving Water / Use</i>	<i>Contact Office &amp; Phone No.</i>
North Lebanon Township Lebanon County	PAG02003813024	Mark B. Godshall 675 Mill Road Telford, PA 18969	Quittapahilla Creek/ TSF	Lebanon County Conservation District
South Lebanon Township Lebanon County	PAG02003813030	Warren-Wohlfaahrt/ Plastic System Packaging Millet, Inc. 21 Lebanon Valley Parkway Lebanon, PA 17042	Hazel Dyke/TSF	Lebanon County Conservation District

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

<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>
Montour Township Columbia County	PAG02001913006	Scott Sponenberg 140 Tower Dr Danville PA 17821	UNT to Montour Run CWF, MF	Columbia County Conservation District 702 Sawmill Road Suite 204 Bloomsburg, PA 17815 (570) 784-1310, X 102
Cooper Township Montour County	PAG02004713004	Daniel Horwitz & Anne Moon 2501 Red Ln Danville PA 17821	Sechler Run CWF	Montour County Conservation District 112 Woodbine Ln Ste 2 Danville PA 17821 Phone: (570) 271-1140

*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>
North Fayette Township Allegheny County	PAG02000213014	Township of North Fayette 400 North Branch Road Oakdale, PA 15071	Half Crown Run (WWF) and UNT to Robinson Run (WWF)	Allegheny County CD Lexington Technology Park Building 1 Suite 102 400 North Lexington Ave Pittsburgh, PA 15208 (412) 241-7645
Robinson Township Allegheny County	PAG02000213078	Al. Neyer, LLC 302 West 3rd Street Suite 800 Cincinnati, OH 45202	Chartiers Creek (WWF)	Allegheny County CD Lexington Technology Park Building 1 Suite 102 400 North Lexington Ave Pittsburgh, PA 15208 (412) 241-7645
Hampton Township Allegheny County	PAG02000213018	Associated Builders & Contractors, Inc. 2630 Venture Drive Pittsburgh, PA 15205	Pine Creek (TSF)	Allegheny County CD Lexington Technology Park Building 1 Suite 102 400 North Lexington Ave Pittsburgh, PA 15208 (412) 241-7645
Hampton Township Allegheny County	PAG02000213044	Hank Tumpa 3001 Old Orchard Court Gibsonia, PA 15044	UNT to Crouse Run (WWF)	Allegheny County CD Lexington Technology Park Building 1 Suite 102 400 North Lexington Ave Pittsburgh, PA 15208 (412) 241-7645
Baldwin Borough Allegheny County	PAG02000213037	A.R. Building Company, Inc. 310 Seven Fields Blvd Suite 350 Pittsburgh, PA 16046	Streets Run (WWF)	Allegheny County CD Lexington Technology Park Building 1 Suite 102 400 North Lexington Ave Pittsburgh, PA 15208 (412) 241-7645



<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>
Elizabeth Township Allegheny County	PAG02000213036	Elizabeth Township Sanitary Authority 2420 Greenock Buena Vista Road McKeesport, PA 15135	Youghiogheny River (WWF)	Allegheny County CD Lexington Technology Park Building 1 Suite 102 400 North Lexington Ave Pittsburgh, PA 15208 (412) 241-7645
Findlay Township Allegheny County	PAG02000213038-2	Allegheny County Airport Authority PTI Land Terminal PO Box 12370 Pittsburgh, PA 15231	North Fork Montour Run (TSF)	Allegheny County CD Lexington Technology Park Building 1 Suite 102 400 North Lexington Ave Pittsburgh, PA 15208 (412) 241-7645
Pine Township Allegheny County	PAG02000213050	Pine Development Co. 7202 McKnight Road Pittsburgh, PA 15237	UNT to Brush Creek (WWF)	Allegheny County CD Lexington Technology Park Building 1 Suite 102 400 North Lexington Ave Pittsburgh, PA 15208 (412) 241-7645
Richland Township Allegheny County	PAG2000207108R	Richland Holdings, LLC. 1426 Pittsburgh Road Valenica, PA 16059	UNT to Deer Creek (CWF)	Allegheny County CD Lexington Technology Park Building 1 Suite 102 400 North Lexington Ave Pittsburgh, PA 15208 (412) 241-7645
Jefferson Hills Borough Allegheny County	PAG02000211071R	Environmentally Sound Enterprises 245 Summerlawn Drive Sewickley, PA 15143	UNT to Peters Creek (TSF)	Allegheny County CD Lexington Technology Park Building 1 Suite 102 400 North Lexington Ave Pittsburgh, PA 15208 (412) 241-7645
Oakmont Borough Allegheny County	PAG02000213066	Speedway, LLC. 500 Speedway Drive Enron, OH 45323	Allegheny River (WWF)	Allegheny County CD Lexington Technology Park Building 1 Suite 102 400 North Lexington Ave Pittsburgh, PA 15208 (412) 241-7645
City of McKeesport Allegheny County	PAG02000213073	McKeesport Area School District 3590 O'Neil Blvd McKeesport, PA 15132	UNT to Crooked Run (WWF)	Allegheny County CD Lexington Technology Park Building 1 Suite 102 400 North Lexington Ave Pittsburgh, PA 15208 (412) 241-7645
City of Pittsburgh Allegheny County	PAG02000213079	Eastside Limited Partnership III 555 Smithfield Street Pittsburgh, PA 15222	Allegheny River (WWF-N)	Allegheny County CD Lexington Technology Park Building 1 Suite 102 400 North Lexington Ave Pittsburgh, PA 15208 (412) 241-7645
North Fayette Township Allegheny River	PAG02000213022	Township of North Fayette 400 North Branch Road Oakdale, PA 15071	UNT to Robinson Run (WWF)	Allegheny County CD Lexington Technology Park Building 1 Suite 102 400 North Lexington Ave Pittsburgh, PA 15208 (412) 241-7645
Marshall Township Allegheny River	PAG02000206085R	Copper Creek, LLC. 4000 Washington Road McMurray, PA 15317	Big Sewickley Creek (CWF)	Allegheny County CD Lexington Technology Park Building 1 Suite 102 400 North Lexington Ave Pittsburgh, PA 15208 (412) 241-7645

## NOTICES

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<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>
North Fayette Township Allegheny River	PAG2000207045R	Township of North Fayette 400 North Branch Road Oakdale, PA 15071	UNT to Half Crown Run (WWF)	Allegheny County CD Lexington Technology Park Building 1 Suite 102 400 North Lexington Ave Pittsburgh, PA 15208 (412) 241-7645
Robinson Township Allegheny River	PAG02000213025	Montour School District 223 Clever Road McKees Rocks, PA 15136	Moon Run (WWF)	Allegheny County CD Lexington Technology Park Building 1 Suite 102 400 North Lexington Ave Pittsburgh, PA 15208 (412) 241-7645
City of Pittsburgh Allegheny County	PAG2000209022-2	Frank B. Fuhrer Wholesale Company 3100 East Carson Street Pittsburgh, PA 15203	Monongahela River (WWF-N)	Allegheny County CD Lexington Technology Park Building 1 Suite 102 400 North Lexington Ave Pittsburgh, PA 15208 (412) 241-7645
Municipality of Mt. Lebanon Allegheny County	PAG02000213072	Municipality of Mt. Lebanon 710 Washington Road Pittsburgh, PA 15228	UNT to Sawmill Run (WWF)	Allegheny County CD Lexington Technology Park Building 1 Suite 102 400 North Lexington Ave Pittsburgh, PA 15208 (412) 241-7645
Upper St. Clair Township Allegheny County	PAG02000213027-1	Bedner Farms Estates, LP 300 Weyman Plaza Suite 210 Pittsburgh, PA 15236	Painter's Run (WWF) and McLaughlin Run (WWF)	Allegheny County CD Lexington Technology Park Building 1 Suite 102 400 North Lexington Ave Pittsburgh, PA 15208 (412) 241-7645
Moon Township Allegheny County	PAG02000213038-1	Allegheny County Airport Authority PO Box 12370 Pittsburgh, PA 15231	Montour Run (TSF)	Allegheny County CD Lexington Technology Park Building 1 Suite 102 400 North Lexington Ave Pittsburgh, PA 15208 (412) 241-7645
Findlay Township Allegheny County	PAG02000208045R	First Place Bank 3900 Market Street Youngstown, OH 44512	UNT to Montour Run (TSF)	Allegheny County CD Lexington Technology Park Building 1 Suite 102 400 North Lexington Ave Pittsburgh, PA 15208 (412) 241-7645
Greentree Borough and City of Pittsburgh Allegheny County	PAG02000208051R	Oxford Properties, LLC. PO Box 264 Carversville, PA 18913	UNT to Sawmill Run (WWF)	Allegheny County CD Lexington Technology Park Building 1 Suite 102 400 North Lexington Ave Pittsburgh, PA 15208 (412) 241-7645
City of Pittsburgh Allegheny County	PAG02000211060-1	The Buncher Company 1300 Penn Avenue Pittsburgh, PA 15222	Allegheny River (WWF-N)	Allegheny County CD Lexington Technology Park Building 1 Suite 102 400 North Lexington Ave Pittsburgh, PA 15208 (412) 241-7645
Marshall Township Allegheny County	PAG02000213046	Marshall Heights, LLC. 5309 Transportation Blvd. Cleveland, OH 44125	UNT to Brush Creek (WWF) and Brush Creek (WWF)	Allegheny County CD Lexington Technology Park Building 1 Suite 102 400 North Lexington Ave Pittsburgh, PA 15208 (412) 241-7645

<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>
Municipality of Monroeville Allegheny County	PAG2000208053R	Hanlon Electric Company 530 Old Frankstown Road Monroeville, PA 15146	Thompson Run (WWF)	Allegheny County CD Lexington Technology Park Building 1 Suite 102 400 North Lexington Ave Pittsburgh, PA 15208 (412) 241-7645
Pleasant Hills Borough Allegheny County	PAG02000213088	Bakery Barn, Inc. 111 Terence Drive Pleasant Hills, PA 15236	UNT to Lick Run (TSF)	Allegheny County CD Lexington Technology Park Building 1 Suite 102 400 North Lexington Ave Pittsburgh, PA 15208 (412) 241-7645
Neville Township Allegheny County	PAG02000213030	Penske Truck Leasing 4300 Petersburg Road Louisville, KY 40218	Ohio River (WWF-N)	Allegheny County CD Lexington Technology Park Building 1 Suite 102 400 North Lexington Ave Pittsburgh, PA 15208 (412) 241-7645
South Fayette Township Allegheny County	PAG02000212091	Bridgeville Realty Partners, LLC. 1503 King Charles Drive Pittsburgh, PA 15237	Chartiers Creek (WWF)	Allegheny County CD Lexington Technology Park Building 1 Suite 102 400 North Lexington Ave Pittsburgh, PA 15208 (412) 241-7645
O'Hara Township Allegheny County	PAG02000207089R	O'Hara Capital Partners 285 Kappa Drive Pittsburgh, PA 15238	Powers Run (WWF)	Allegheny County CD Lexington Technology Park Building 1 Suite 102 400 North Lexington Ave Pittsburgh, PA 15208 (412) 241-7645
South Park Township Allegheny County	PAG02000213074	Brian Homes, Inc. 3027 South Park Road Bethel Park, PA 15102	UNT to Sleepy Hollow Run (TSF)	Allegheny County CD Lexington Technology Park Building 1 Suite 102 400 North Lexington Ave Pittsburgh, PA 15208 (412) 241-7645
Pine Township Allegheny County	PAG02000213058	Foglio Enterprises, LLC. 323 MacIntosh Drive Mars, PA 16046	Brush Creek (WWF)	Allegheny County CD Lexington Technology Park Building 1 Suite 102 400 North Lexington Ave Pittsburgh, PA 15208 (412) 241-7645
Findlay Township Allegheny County	PAG2000208056-3	Imperial Land Corporation 4955 Steubenville Pike Suite 245 Pittsburgh, PA 15205	Potato Garden Run (WWF)	Allegheny County CD Lexington Technology Park Building 1 Suite 102 400 North Lexington Ave Pittsburgh, PA 15208 (412) 241-7645
South Park Township Allegheny County	PAG02000213065	Allegheny County Department of Public Works 501 County Office Building 524 Forbes Avenue Pittsburgh, PA 15219	Catfish Run Creek (TSF)	Allegheny County CD Lexington Technology Park Building 1 Suite 102 400 North Lexington Ave Pittsburgh, PA 15208 (412) 241-7645

*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>
PAG02003713007	Ben Weitsman and Son of New Castle LLC Attn: Adam Weitsman 15 Main Street Owega NY 13827	Neshannock Creek TSF	Lawrence County Conservation District 724-652-4512
PAG02004209003R(1)	University of Pittsburgh at Bradford 300 Campus Drive Bradford PA 16701	West Branch Tunungwant Creek CWF	McKean County Conservation District 814-887-4001
PAG02006113003	Venango County Humane Society PO Box 1045 Oil City PA 16301	Lower Two-Mile Run CWF	Venango County Conservation District 814-676-2832
PAG2090310006R(1)	Bureau of Abandoned Mine Reclamation, Cambria Office 286 Industrial Park Road Ebensburg, PA 15931-4119	Sugarcamp Run/ CWF, Unnamed Tributary to Sugarcamp Run/ CWF, Mudlick Creek/CWF, Unnamed Tributary to Mudlick Creek/ CWF	Attention: Patrick M. Webb  PA DEP Cambria Office 286 Industrial Park Road Ebensburg, PA 15931-4119 814-472-1800

*General Permit Type—PAG-3**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>
PAR203623	All Quality Aluminum Foundry PO Box 276 Smoketown, PA 17576	Mill Creek / WWF / 7-J	DEP—SCRO— Clean Water Program 909 Elmerton Avenue Harrisburg, PA 17110 717-705-4707

*General Permit Type—PAG-4**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>
PAG043709	Cheri & Douglas Wright 131 Camp Strauss Road Bethel, PA 19507	UNT Meck Creek / CWF	DEP—SCRO— Clean Water Program 909 Elmerton Avenue Harrisburg, PA 17110 717-705-4707

*Northwest Region: Clean Water Program Manager, 230 Chestnut Street, Meadville, PA 16335-3481**Facility Location:  
Municipality &  
County*

<i>Permit No.</i>	<i>Applicant Name &amp; Address</i>	<i>Receiving Water / Use</i>	<i>Contact Office &amp; Phone No.</i>
PAG049600	Brian M. & Christine L. Turner, 15303 Ridge Road, Meadville, PA 16335	Unnamed Tributary to Cussewago Creek 16-D	DEP NWRO Clean Water Program 230 Chestnut Street Meadville, PA 16335-3481 814/332-6942
PAG049532	Ronald W. Sevin 7775 US Route 6N, Edinboro, PA 16412	Unnamed Tributary to Cussewago Creek 16-D	DEP NWRO Clean Water Program 230 Chestnut Street Meadville, PA 16335-3481 814/332-6942



*Facility Location:  
Municipality &  
County*

Venango Township  
Erie County

*Permit No.*

PAG041110

*Applicant Name &  
Address*

Heidi Hilton &  
Robert Stephenson  
8091 Knoyle Road,  
Wattsburg, PA 16442

*Receiving  
Water/Use*

Unnamed Tributary  
of Alder Brook 16-A

*Contact Office &  
Phone No. Hay*

DEP  
NWRO  
Clean Water Program  
230 Chestnut Street  
Meadville, PA 16335-3481  
814/332-6942

*General Permit Type-PAG-10*

*Facility Location:  
Municipality &  
County*

Huntingdon  
County /  
Todd Township

*Permit No.*

PAG103559

*Applicant Name &  
Address*

Texas Eastern  
Transmission, LP—  
TEAM 2014 Project  
Entriiken  
Compressor Station  
890 Winter Street,  
Suite 300  
Waltham, MA 02451

*Receiving  
Water/Use*

UNT Great Trough  
Creek—TSF

*Contact Office &  
Phone No.*

DEP—SCRO—  
Clean Water Program  
909 Elmerton Avenue  
Harrisburg, PA 17110  
717-705-4707

Statewide

PAG109620

Williams Gas Pipeline  
Transco  
2800 Post Oak Boulevard  
Houston, TX 77056

Statewide

Division of Planning  
and Permits  
Bureau of Point and  
Non-Point Source  
Management  
400 Market Street,  
RCSOB  
Harrisburg, PA  
17101-8774  
717.787.8184

*General Permit Type—PAG-13*

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

*NPDES  
Permit No.*

PAG136168  
Waiver

*Applicant Name &  
Address*

Haysville Borough  
36 South Avenue  
Sewickley, PA 15143

*County*

Allegheny

*Municipality*

Haysville Borough

*Receiving  
Water/Use*

Ohio River

*DEP Protocol  
(Y/N)*

N

## 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 free pro bono representation. Call the Secretary to the Board at (717) 787-3483 for more information.

### SAFE DRINKING WATER

#### Actions taken under the Pennsylvania Safe Drinking Water Act

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

**Operations Permit # 0912520** issued to: **Ingham Mews Condominium Association**, 950 Town Center Drive, Suite-B-25, Langhorne, PA. 19047 [(PWSID)] Solebury Township, **Bucks County** on September 6, 2013 for Certification of 4-Log Treatment of Viruses at Entry Points 101 and 102.

**Operations Permit # 1513506** issued to: **Lazy Acres Mobile Home Park**, 4 Patton Drive, Honey Brook, PA 19344, [(PWSID)] Honey Brook Borough, **Chester**

County on July 31, 2013 for Operation of Wels One and Two and Certification of 4-Log Treatment of Viruses.

**Operations Permit # 1513517** issued to: **Montgomery School**, 1141 Kimberton Road, Chester Springs, PA. 19425, [(PWSID)] West Pikeland Township, **Chester County** on September 6, 2013 for the Certification of 4-Log Treatment of Viruses at Entry Point 101.

**Operations Permit # 1513519** issued to: **Barr Building**, 226 West Lancaster Avenue, Malvern, PA 19355, [(PWSID)] Malvern Township **Chester County** on September 6, 2013 for the Certification of 4-Log Treatment of Viruses at Entry Point 100.

#### SEWAGE FACILITIES ACT PLAN APPROVAL

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

*Northeast Region: Clean Water Program Manager, 2 Public Square, Wilkes-Barre, PA 18701-1915*

##### Plan Location:

<i>Borough or Township</i>	<i>Borough or Township Address</i>	<i>County</i>
Canaan Township	46 Gallik Road Waymart, PA 18472	Wayne
Waymart Borough	120 Carbondale Road Waymart, PA 18472	Wayne

*Plan Description:* The selected alternative (Alternative 1 in Plan) chosen to address the existing wastewater disposal needs of the planning area provides for rerate of the Waymart Area Authority's existing wastewater treatment plant from 0.715 MGD to 0.815 MGD, along with upgrading additional imperative facilities onsite, including: Headworks Building—Fine Screen; Upgrade Ultra-violet (UV) Disinfection; Upgrades for sludge thickening, including new sludge pump and belt filter press hopper; and Upgrade Effluent Pumps, Piping, and Valves.

The Department's review of the sewage facilities update revision has not identified any significant environmental impacts resulting from this proposal. Any required NPDES Permits or WQM Permits must be obtained in the name of the municipality or Authority as appropriate.

### LAND RECYCLING AND ENVIRONMENTAL REMEDIATION

#### UNDER ACT 2, 1995 PREAMBLE 2

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

Provisions of Sections 301—308 of the Land Recycling and Environmental Remediation Standards Act (act) (35 P. S. §§ 6026.301—6026.308) require the Department to publish in the *Pennsylvania Bulletin* a notice of submission of plans and reports. A final report is submitted to document cleanup of a release of a regulated substance at a site to one of the act's remediation standards. A final report provides a description of the site investigation to characterize the nature and extent of contaminants in environmental media, the basis for selecting the environmental media of concern, documentation supporting the selection of residential or nonresidential exposure factors, a description of the remediation performed and summaries of sampling analytical results which demonstrate that remediation has attained the cleanup standard se-

lected. Submission of plans and reports, other than the final report, will also be published in the *Pennsylvania Bulletin*. These include the remedial investigation report, risk assessment report and cleanup plan for a site-specific standard remediation. A remedial investigation report includes conclusions from the site investigation; concentration of regulated substances in environmental media; benefits of reuse of the property; and, in some circumstances, a fate and transport analysis. If required, a risk assessment report describes potential adverse effects caused by the presence of regulated substances. If required, a cleanup plan evaluates the abilities of potential remedies to achieve remedy requirements.

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

The Department has received the following plans and reports:

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

**VES Trucking, LLC**, US Route 15N (driving lane), Cogan House Township, **Lycoming County**.

Mr. David A. Bogovich, President, Northridge Group, Inc., 1172 Ridge Road, Northumberland, Pa 17857, on behalf of Mr. Van Sharpe, submitted a Final Report concerning remediation of site soils contaminated with Benzene, Toluene, Ethylbenzene, Cumene, Napthalene, 1,3,5-Trimethylbenzene, 1,2,4-Trimethylbenzene, Methyl Tertiary Butyl Ether. The report is intended to document remediation of the site to meet the Statewide Health Standard.

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

**Kumernitsky Residence**, 2863 West Scenic Drive, Moore Township, **Northampton County**, Richard Trimpi, Trimpi Associates, Inc., has submitted a Final Report on behalf of his clients, Mr. & Mrs. Frank Kumernitsky, 2863 West Scenic Drive, Danielsville, PA 18038, concerning the remediation of soil found to have been impacted by kerosene from a corrosion hole that opened on an aboveground storage tank during delivery. The report was submitted to document attainment of the Residential Statewide Health Standards for soil. A public notice regarding the submission of the Final Report was published in *The Express Times* on August 5, 2013.

*Southcentral Region: Environmental Cleanup and Brownfields Program Manager, 909 Elmerton Avenue, Harrisburg, PA 17110. Phone 717.705.4705.*

**David Weston Property**, 120 North School Lane, Lancaster, PA 17603, Lancaster Township, **Lancaster County**. Reliance Environmental, Inc., 130 East Chestnut Street, Lancaster, PA 17602, on behalf of Dr. David Weston, 120 North School Lane, Lancaster, PA 17603, submitted a Final Report concerning remediation of site soils contaminated with #2 fuel oil. The report is intended to document remediation of the site to meet the Residential Statewide Health standard.

**Ontelaunee Orchards**, 5548 Pottsville Pike, Leesport, PA 19533, Borough of Leesport and Ontelaunee Township, **Berks County**. Liberty Environmental, Inc., 50 North 5th Street, 5th Floor, Reading, PA 19601, on behalf of Ontelaunee Orchards, Inc., PO Box 1361, Reading, PA 19612 and Lift, Inc., 3745 Hempland Road, Mountville, PA 17554, submitted a Final Report concerning remediation of site soils contaminated with arsenic. The report is intended to document remediation of the site to the Site Specific standard.

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

**Sunoco Logistics Partners, L.P. Murrysville Pipeline Release**, Municipality of Murrysville, **Westmoreland County**. Hull & Associates, Inc., 701 Freeport Road, South Building, Pittsburgh, PA 15238 on behalf of Sunoco Logistics Partners, L.P., 5733 Butler Street, Pittsburgh PA 15201 has submitted a Final Report concerning the remediation of site groundwater contaminated with benzene, ethylbenzene, toluene, total xylenes, naphthalene, 1,2,3-trimethylbenzene, and 1,3,5-trimethylbenzene. The Final Report was published in the *Pittsburgh Post-Gazette* on September 6 2013.

## LAND RECYCLING AND ENVIRONMENTAL REMEDIATION

### UNDER ACT 2, 1995 PREAMBLE 3

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

Section 250.8 of 25 Pa. Code and administration of the Land Recycling and Environmental Remediation 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 & Brownfields Program Manager, 208 West Third Street, Williamsport, PA 17701*

**VES Trucking, LLC**, US Route 15N (driving lane), Cogan House Township, **Lycoming County**. Mr. David A. Bogovich, President, Northridge Group, Inc., 1172 Ridge Road, Northumberland, Pa 17857, on behalf of Mr. Van Sharpe, 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 August 8, 2013.

*Southcentral Region: Environmental Cleanup and Brownfields Program Manager, 909 Elmerton Avenue, Harrisburg, PA 17110. Phone 717.705.4705.*

**Donegal Springs Airpark**, 186 Airport Road, Marietta, PA 17547-9105, East Donegal Township, **Lancaster County**. GCI Environmental Services, 1250 East King Street, Lancaster, PA 17602, on behalf of N71, Incorporated, PO Box 269, Dameron, MD 20626, submitted a Remedial Investigation / Final Report concerning the remediation of site soils contaminated with trimethylbenzenes. The report did not demonstrate attainment of the Site Specific standard, and was disapproved by the Department on September 10, 2013.

**Homes at Thackston Park**, 335 West College Avenue, York, PA 17401, City of York, **York County**. SSM Group, Inc., 1047 North Park Road, PO Box 6307, Reading, PA 19610-0307, on behalf of Thackston Park, LP, 31 South Broad Street, York, PA 17403, submitted a Remedial Investigation / Final Report concerning remediation of site soils contaminated with chlorinated solvents and No. 2 fuel oil. The report demonstrated attainment of a combination of the Residential Statewide Health and Site Specific standards, and was approved by the Department on September 10, 2013.

**Kreiser Fuel Service / Anna Brown Residence**, 1042 Horseshoe Pike, Lebanon, PA 17042, South Annville Township, **Lebanon County**. Brickhouse Environmental, 515 South Franklin Street, West Chester, PA 19382, on behalf of Kreiser Fuel Service, Inc., 122 Race Horse Drive, Jonestown, PA 17038 and Anna Brown, 1042 Horseshoe Pike, Lebanon, PA 17042, submitted a Final Report concerning remediation of site soils contaminated



with #2 fuel oil. The Final Report demonstrated attainment of the Residential Statewide Health standard, and was approved by the Department on September 11, 2013.

**Peter Styer Residence**, 17 Church Street, Lititz, PA 17543, Warwick Township, **Lancaster County**. Reliance Environmental, Inc., 130 East Chestnut Street, Lancaster, PA 17602, on behalf of Peter Styer and Sandra Kaye Styer-Martin, 17 Church Street, Lititz, PA 17543, submitted a Final Report concerning remediation of site soils and groundwater contaminated with #2 fuel oil. The Final Report did not demonstrate attainment of Residential Statewide Health and Site Specific standards, and was disapproved by the Department on September 12, 2013.

**Fillings Dry Cleaners**, 3885 Columbia Avenue, Mountville, PA 17554, West Hempfield and Manor Townships, **Lancaster County**. Geological Services, Inc., PO Box 578, Rock Hall, MD 21661, on behalf of Fillings Clothing, 681 Harrisburg Avenue, Lancaster, PA 17603, submitted a Remedial Investigation / Final Report concerning site soils and groundwater contaminated with VOCs and chlorinated solvents. The combined report demonstrated attainment of the Site Specific standard, and was approved by the Department on September 13, 2013.

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

**Fort Pitt Business Park**, Four Coins Drive, Canonsburg Borough & North Strabane Township, **Washington County**. BAI Group Inc., 2525 Green Tech Drive, State College, PA 16803, on behalf of Stoehr Development, Inc. 325 Meadowlands Blvd, Suite 1 Washington, PA 15301, submitted a Remedial Investigation & Final Report concerning remediation of site groundwater contaminated with petroleum related compounds. The Remedial Investigation & Final Report demonstrated attainment of a site specific standard for groundwater and was approved by the Department on September 12 2013.

**Lick Run #1 OG Well**, Gameland Road, St Clair Township, **Westmoreland County**. Hull & Associates, Inc., 300 Business Center Drive, Suite 300, Pittsburgh PA 15205 on behalf of XTO Energy—Appalachian Division, submitted a Final Report concerning remediation of site soils contaminated with well-produced water. The report is intended to document remediation of the site to meet the residential statewide health standard. The Final Report demonstrated attainment of the residential statewide health standard for soils, and was approved by the Department on September 12 2013.

#### DETERMINATION FOR APPLICABILITY FOR MUNICIPAL WASTE GENERAL PERMITS

**Permits issued under the Solid Waste Management Act (35 P. S. §§ 6018.101—6018.1003), the Municipal Waste Planning, Recycling and Waste Reduction Act (53 P. S. §§ 4000.101—4000.1904) and 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. WMGM019D005. Main Line Paving Co., Inc.**, 70 Old Lancaster Road, Devon, PA 19333-1397

General Permit No. WMGM019D005 authorizes the processing of used concrete, used asphalt, yard waste, wood waste and soil for beneficial use as: (1) construction material; and (2) topsoil and mulch for commercial purposes. The facility is located in Manheim, **Lancaster County**. The general permit was issued by Central Office on September 11, 2013.

Persons interested in reviewing a general permit should be directed to Scott E. Walters at 717-787-7381, Chief, Permits Section, Division of Municipal and Residual Waste, Bureau of Waste Management, P.O. Box 69170, Harrisburg, PA 17106-9170. TDD users may contact the Department through the Pennsylvania Relay service, (800) 654-5984.

## AIR QUALITY

**General Plan Approval and Operating Permit Usage Authorized under the Air Pollution Control Act and 25 Pa. Code Chapter 127 to construct, modify, reactivate or operate air contamination sources and associated air cleaning devices.**

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

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

**GP4-46-0019: Dickson Investment Hardware, Inc.** (386 East Church Road, King of Prussia, PA 19406) on September 10, 2013, was authorized to operate a burn off oven in Upper Merion Township, **Montgomery County**.

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

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

**GP14-48-001: George G. Bensing Funeral Home, Inc.** (2165 Community Drive, Village of Moorestown, Bath, PA 18014) on June 14, 2013, to operate a crematory controlled by after burner at their facility in Moore Township, **Northampton County**.

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

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

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

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



**GP3-08-355A: Insinger Excavating, Inc.** (3046 Dushore-Overton Road, Dushore, PA 18613) on September 5, 2013, to construct and operate a 2006 vintage Terex Pegson model XR400 portable crushing plant, a 2008 vintage Terex Pegson model 4242SR Tractor portable crushing plant, a 2008 vintage Terex Pegson model XR400 portable crushing plant, a 2005 vintage Terex Pegson 1412 Tractor portable crushing plant, a 2010 vintage Terex Pegson model XR400S portable crushing plant, a 2010 vintage Terex Pegson model XR400 portable crushing plant, a 2011 vintage Terex Pegson model XH500 portable crushing plant, a 2011 vintage Terex Pegson model XA750 portable crushing plant, a 2005 vintage Terex Pegson model 428 portable crushing plant, a 2012 vintage Terex Pegson model 1300 Maxtrax portable crushing plant, a 2011 vintage Terex Pegson model XA400 portable crushing plant, a 2011 vintage Terex Pegson model 1000SR portable crushing plant, a 2005 vintage Terex Powerscreen Chieftain 1800 portable screening plant, a 2008 vintage Terex Powerscreen Warrior 1800 portable screening plant, a 2010 vintage Terex Powerscreen Chieftain 1700 portable screening plant, a 2010 vintage Terex Powerscreen Chieftain 2100 portable screening plant, a 2011 vintage Terex Powerscreen Warrior 2400 portable screening plant and four 2010 vintage telestacker conveyors pursuant to the General Plan Approval And/Or General Operating Permit For Portable Nonmetallic Mineral Processing Plants (BAQ-PGPA/GP-3) at their site in Windham Township, **Bradford County**.

**GP9-08-355A: Insinger Excavating, Inc.** (3046 Dushore-Overton Road, Dushore, PA 18613) on September 5, 2013, to construct and operate a 2006 vintage 275 brake-horsepower Caterpillar model C9 MBD01473 diesel engine, a 2008 vintage 325 brake-horsepower Caterpillar model C9 MBD06764 diesel engine, a 2008 vintage 275 brake-horsepower Caterpillar model C9 MBD07813 diesel engine, a 2005 vintage 425 brake-horsepower Caterpillar model C12 BDL03204 diesel engine, a 2010 vintage 275 brake-horsepower Caterpillar model C9 JSC13181 diesel engine, a 2010 vintage 275 brake-horsepower Caterpillar model C9 JSC13181 diesel engine, a 2011 vintage 440 brake-horsepower Caterpillar model C13 JSC13181 diesel engine, a 2011 vintage 440 brake-horsepower Caterpillar model C13 JSC13181 diesel engine, a 2005 vintage 275 brake-horsepower Caterpillar model C9 JSC13181 diesel engine, a 2012 450 brake-horsepower Scania model DC13 diesel engine, a 2011 275 brake-horsepower Scania model DC9 diesel engine, a 2011 320 brake-horsepower Scania model DC9 diesel engine, a 2005 vintage 96 brake-horsepower Deutz model BF4M2012 diesel engine, a 2008 vintage 111 brake-horsepower Caterpillar model C4.4 TA diesel engine, a 2006 vintage 96 brake-horsepower Deutz model BF4M2012 diesel engine, a 2010 vintage 111 brake-horsepower Caterpillar model C4.4 diesel engine, a 2011 vintage 192 brake-horsepower Deutz model BF4M2012 diesel engine and a 2009 vintage 40 brake-horsepower Deutz model D2011L03i diesel engine pursuant to the General Plan Approval And/Or General Operating Permit for Diesel or No. 2 fuel-fired Internal Combustion Engines (BAQ-GPA/GP-9) at their site in Windham Township, **Bradford County**.

**GP3-08-386: Insinger Excavating, Inc.** (3046 Dushore-Overton Road, Dushore, PA 18613) on September 3, 2013, to construct and operate a 2006 vintage Terex Pegson model XR400 portable crushing plant, a 2008 vintage Terex Pegson model 4242SR Tractor portable crushing plant, a 2008 vintage Terex Pegson model XR400 portable crushing plant, a 2005 vintage Terex Pegson 1412 Tractor portable crushing plant, a 2010 vintage Terex Pegson model XR400S portable crushing plant, a 2010 vintage Terex Pegson model XR400 portable crushing plant, a 2011 vintage Terex Pegson model XH500 portable crushing plant, a 2011 vintage Terex Pegson model XA750 portable crushing plant, a 2005 vintage Terex Pegson model 428 portable crushing plant, a 2012 vintage Terex Pegson model 1300 Maxtrax portable crushing plant, a 2011 vintage Terex Pegson model XA400 portable

vintage Terex Pegson model XR400S portable crushing plant, a 2010 vintage Terex Pegson model XR400 portable crushing plant, a 2011 vintage Terex Pegson model XH500 portable crushing plant, a 2011 vintage Terex Pegson model XA750 portable crushing plant, a 2005 vintage Terex Pegson model 428 portable crushing plant, a 2012 vintage Terex Pegson model 1300 Maxtrax portable crushing plant, a 2011 vintage Terex Pegson model XA400 portable crushing plant, a 2011 vintage Terex Pegson model 1000SR portable crushing plant, a 2005 vintage Terex Powerscreen Chieftain 1800 portable screening plant, a 2008 vintage Terex Powerscreen Warrior 1800 portable screening plant, a 2010 vintage Terex Powerscreen Chieftain 1700 portable screening plant, a 2010 vintage Terex Powerscreen Chieftain 2100 portable screening plant, a 2011 vintage Terex Powerscreen Warrior 2400 portable screening plant and four 2010 vintage telestacker conveyors pursuant to the General Plan Approval And/Or General Operating Permit For Portable Nonmetallic Mineral Processing Plants (BAQ-PGPA/GP-3) at a site in West Burlington Township, **Bradford County**.

**GP9-08-386: Insinger Excavating, Inc.** (3046 Dushore-Overton Road, Dushore, PA 18613) on September 3, 2013, to construct and operate a 2006 vintage 275 brake-horsepower Caterpillar model C9 MBD01473 diesel engine, a 2008 vintage 325 brake-horsepower Caterpillar model C9 MBD06764 diesel engine, a 2008 vintage 275 brake-horsepower Caterpillar model C9 MBD07813 diesel engine, a 2005 vintage 425 brake-horsepower Caterpillar model C12 BDL03204 diesel engine, a 2010 vintage 275 brake-horsepower Caterpillar model C9 JSC13181 diesel engine, a 2010 vintage 275 brake-horsepower Caterpillar model C9 JSC13181 diesel engine, a 2011 vintage 440 brake-horsepower Caterpillar model C13 JSC13181 diesel engine, a 2011 vintage 440 brake-horsepower Caterpillar model C13 JSC13181 diesel engine, a 2005 vintage 275 brake-horsepower Caterpillar model C9 JSC13181 diesel engine, a 2012 450 brake-horsepower Scania model DC13 diesel engine, a 2011 275 brake-horsepower Scania model DC9 diesel engine, a 2011 320 brake-horsepower Scania model DC9 diesel engine, a 2005 vintage 96 brake-horsepower Deutz model BF4M2012 diesel engine, a 2008 vintage 111 brake-horsepower Caterpillar model C4.4 TA diesel engine, a 2006 vintage 96 brake-horsepower Deutz model BF4M2012 diesel engine, a 2010 vintage 111 brake-horsepower Caterpillar model C4.4 diesel engine, a 2011 vintage 192 brake-horsepower Deutz model BF4M2012 diesel engine and a 2009 vintage 40 brake-horsepower Deutz model D2011L03i diesel engine pursuant to the General Plan Approval And/Or General Operating Permit for Diesel or No. 2 fuel-fired Internal Combustion Engines (BAQ-GPA/GP-9) at their site in West Burlington Township, **Bradford County**.

**GP3-57-054C: Insinger Excavating, Inc.** (3046 Dushore-Overton Road, Dushore, PA 18613) on September 5, 2013, to construct and operate a 2006 vintage Terex Pegson model XR400 portable crushing plant, a 2008 vintage Terex Pegson model 4242SR Tractor portable crushing plant, a 2008 vintage Terex Pegson model XR400 portable crushing plant, a 2005 vintage Terex Pegson 1412 Tractor portable crushing plant, a 2010 vintage Terex Pegson model XR400S portable crushing plant, a 2010 vintage Terex Pegson model XR400 portable crushing plant, a 2011 vintage Terex Pegson model XH500 portable crushing plant, a 2011 vintage Terex Pegson model XA750 portable crushing plant, a 2005 vintage Terex Pegson model 428 portable crushing plant, a 2012 vintage Terex Pegson model 1300 Maxtrax portable crushing plant, a 2011 vintage Terex Pegson model XA400 portable

crushing plant, a 2011 Terex Pegson model 1000SR portable crushing plant, a 2005 vintage Terex Powerscreen Chieftain 1800 portable screening plant, a 2008 vintage Terex Powerscreen Warrior 1800 portable screening plant, a 2010 vintage Terex Powerscreen Chieftain 1700 portable screening plant, a 2010 vintage Terex Powerscreen Chieftain 2100 portable screening plant, a 2011 vintage Terex Powerscreen Warrior 2400 portable screening plant and four 2010 vintage telestacker conveyors pursuant to the General Plan Approval And/Or General Operating Permit For Portable Nonmetallic Mineral Processing Plants (BAQ-PGPA/GP-3) at their site in Forks Township, **Sullivan County**.

**GP9-57-054C: Insinger Excavating, Inc.** (3046 Dushore-Overton Road, Dushore, PA 18613) on September 5, 2013, to construct and operate a 2006 vintage 275 brake-horsepower Caterpillar model C9 MBD01473 diesel engine, a 2008 vintage 325 brake-horsepower Caterpillar model C9 MBD06764 diesel engine, a 2008 vintage 275 brake-horsepower Caterpillar model C9 MBD07813 diesel engine, a 2005 vintage 425 brake-horsepower Caterpillar model C12 BDL03204 diesel engine, a 2010 vintage 275 brake-horsepower Caterpillar model C9 JSC13181 diesel engine, a 2010 vintage 275 brake-horsepower Caterpillar model C9 JSC13181 diesel engine, a 2011 vintage 440 brake-horsepower Caterpillar model C13 JSC13181 diesel engine, a 2011 vintage 440 brake-horsepower Caterpillar model C13 JSC13181 diesel engine, a 2005 vintage 275 brake-horsepower Caterpillar model C9 JSC13181 diesel engine, a 2012 450 brake-horsepower Scania model DC13 diesel engine, a 2011 275 brake-horsepower Scania model DC9 diesel engine, a 2011 320 brake-horsepower Scania model DC9 diesel engine, a 2005 vintage 96 brake-horsepower Deutz model BF4M2012 diesel engine, a 2008 vintage 111 brake-horsepower Caterpillar model C4.4 TA diesel engine, a 2006 vintage 96 brake-horsepower Deutz model BF4M2012 diesel engine, a 2010 vintage 111 brake-horsepower Caterpillar model C4.4 diesel engine, a 2011 vintage 192 brake-horsepower Deutz model BF4M2012 diesel engine and a 2009 vintage 40 brake-horsepower Deutz model D2011L03i diesel engine pursuant to the General Plan Approval And/Or General Operating Permit for Diesel or No. 2 fuel-fired Internal Combustion Engines (BAQ-GPA/GP-9) at a site in Forks Township, **Sullivan County**.

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**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.**

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

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

**09-0174E: Liberty Coating Co., LLC** (21 South Steel Road, Morrisville, PA 19067) on September 11, 2013, for installation of an interior abrasive blasting operation with a baghouse as a control device in **Montgomery County**. The company coats steel pipes used by utility companies. The pipes are blasted with grit. The pollutant of concern is Particulate Matter (PM). This is a synthetic minor facility and the emissions allowed in the proposed Plan Approval keeps the facility a synthetic minor. The Plan Approval and Operating permit will include monitoring, record keeping & reporting requirements designed to address 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.*

**44-05001D: Standard Steel, LLC** (500 North Walnut Street, Burnham, PA 17009) on September 10, 2013, for a melt shop upgrade at the steel manufacturing facility in Burnham Borough, **Mifflin County**. Plan Approval No. 44-05001D is for the installation of a ladle melting furnace (LMF) to replace the #3 electric arc furnace (EAF), and modification to #4 EAF with the melt shop upgrade for better quality steel, including switching the existing two baghouses between the furnaces. This plan approval is also for construction of two (2) ladle heaters (5 mmbtu/hr each), and a vacuum tank degasser (VTD), and a new recirculated water cooling system, including a mechanical draft cooling tower.

**36-05027D5: R. R. Donnelley & Sons Co.** (216 Greenfield Road, Lancaster, PA 17601-5885) on September 10, 2013, for incorporation of relevant provisions from 40 CFR 63, Subpart DDDDD, into the air quality permit for the commercial printing facility in Lancaster City, **Lancaster 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*

**32-00411: Mountain Gathering, LLC** (810 Houston Street, Fort Worth, TX 76102) on September 11, 2013, for the installation and initial temporary operation of four (4) 1,775 bhp Caterpillar G3606LE lean burn natural gas-fired compressor engines controlled by oxidation catalysts, one (1) 60MMscfd dehydrator, and associated equipment at the Homer City PP Compressor Station located in Center Township, **Indiana County**.

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

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

**10-383A: Boylan Funeral Home, Inc.** (324 East Grandview Avenue, Zelienople, PA 16063) on September 13, 2013, issued a plan approval to construct and operate a human crematory at their existing Boylan Funeral Home and Cremation Center facility at 856 Evans City Road, Renfrew, PA 16053 in Connoquenessing Township, **Butler 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*

**09-0024H: Waste Management of PA, Inc.** (1000 New Ford Mill Road, Morrisville, PA 19067) on September 4, 2013, for operation of a landfill gas fired 2233 hp IC system in Tullytown Borough, **Bucks County**.

**09-0024F: Waste Management of PA, Inc.** (1000 New Ford Mill Road, Morrisville, PA 19067) on September 4,



2013, for operation of a landfill gas collection and treatment system in Tullytown Borough, **Bucks County**.

**46-0026G: Global Packaging, Inc.** (209 Brower Avenue, Oaks, PA 19456) on September 11, 2013, for the installation of a new 10-station flexographic printing press at its Oaks facility in Upper Providence Township, **Montgomery County**. This facility is a minor facility. The facility wide VOC emissions will stay below 25 tons per year. The combined HAP emissions will be below 25 tons per year. Each HAP emissions will stay below 10 tons per year. The Plan Approval and Operating Permit will contain recordkeeping requirements and operating restrictions designed to keep the facility operating within all applicable air quality requirements.

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

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

**36-03186A: Kline's Services, Inc.** (5 Holland Street, Salunga, PA 17538) on September 10, 2013, for installation of an anaerobic digester, biogas IC engine, H<sub>2</sub>S biogas scrubbers and biogas flares for the facility in East Hempfield Township, **Lancaster County**. The plan approval was extended.

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

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

**53-00001E: Tennessee Gas Pipeline Company, LLC** (1001 Louisiana Street, Houston, TX 77002) on September 3, 2013, to extend the authorization to operate, pursuant to the terms and conditions of the plan approval, the emergency engine-generator, Source ID P309A, an additional 180 days for compliance evaluation purposes and to allow time for incorporating the unit into the Title V Operating Permit for their Station 313 facility, in Hebron Township, **Potter County**. The plan approval has been extended to March 26, 2014.

**59-00005G: Dominion Transmission, Inc.** (501 Martindale Street, Suite 400, Pittsburgh, PA 15212-5817) on September 3, 2013, to extend the authorization for construction of a 2370 horsepower, natural-gas fired reciprocating internal combustion compressor engine controlled by a prechambered combustion system, an LE-54C air/fuel ratio controller and an EAS model EN4YE28 oxidation catalyst, for the construction of a 5810 horsepower (49.98 million Btu per hour heat input), natural-gas fired compressor turbine, controlled by a dry low NO<sub>x</sub> (SoLoNO<sub>x</sub>) combustion system and a Universal Silencer oxidation catalyst and for the construction of eight 65 kilowatt model C65 NG Low NO<sub>x</sub> Capstone Micro-Turbines, at the Sabinsville Station in Clymer Township, **Tioga County** to March 2, 2014. The plan approval has been extended.

**59-00008B: Tennessee Gas Pipeline Company, LLC** (1001 Louisiana Street, Houston, TX 77002) on September 9, 2013, for authorization to operate pursuant to the terms and conditions of the plan approval the centrifugal compression process, Source ID P101A, an additional 180 days for compliance evaluation purposes allow time for incorporating the unit into the State Only operating permit for their Station 315 facility, in Charleston Township, **Tioga County**. The plan approval has been extended to March 8, 2014.

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

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

**03-00244: Dominion Transmission, Inc.** (445 West Main Street, Clarksburg, WV 26301-2886) on September 10, 2013, to authorize the continued operation of a natural gas compressor station at the Rural Valley Compressor Station, in Valley Township, **Armstrong County**. Additional time is being granted for applicant to prepare and submit an initial State Only Operating Permit application. Sources approved include: 2 Caterpillar compressor engines; 1 Model G3612, 3550 bhp and 1 Model G3606, 1775 bhp, each equipped with air/fuel ratio controls and individual cylinder ignition timing (ADEM III control system) and oxidation catalysts to control emissions, a NATCO glycol dehydration system (Model 150-275) with a 0.275 mmBtu/hr natural gas fired reboiler, emissions controlled by a 4 mmBtu/hr Questar Technology Thermal Oxidizer (Model Q100), a 690 bhp Caterpillar (Model G-3412 TA HCR) auxiliary generator for back-up power to the facility, emissions controlled by three-way oxidation catalyst, a 5,000-gallon Produced Fluids storage tank (vapor pressure greater than 1.5 psia) equipped with appropriate pressure and vacuum vents, other smaller supporting sources. Emissions from this facility are estimated to be 28.81 tons of NO<sub>x</sub>, 10.94 tons of CO, 47.52 tons of VOCs, 0.11 ton of SO<sub>2</sub>, 5.88 tons of HAPs and 1.81 tons of PM per year. The plan approval was extended.

**65-302-071: ArcelorMittal-Monessen, LLC** (345 Donner Avenue, Monessen, PA 15062) on September 10, 2013, for a plan approval extension effective September 25, 2013, with an expiration date of March 25, 2014, to allow for continued temporary operation of two (2) coke oven gas/natural gas boilers at the Monessen Coke Plant, located in the City of Monessen, **Westmoreland County**. The plan approval was extended.

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

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

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

**67-05012: Transcontinental Gas Pipe Line Co., LLC** (PO Box 1396, Houston, TX 77251-1396) on September 11, 2013, for the natural gas compressor station in Peach Bottom Township, **York County**. The Title V permit was renewed.

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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*

**46-00230: East Norriton-Plymouth-Whitpain Joint Sewer Authority** (200 Ross Street, Plymouth Meeting, PA 19462) on September 10, 2013, for operation of their sewage processing plant in Plymouth Township, **Montgomery County**. The permit is for a non-Title V (State

only) facility. Since the permit was last issued on September 9, 2008, the facility has installed a 1.67 MMBtu/hr natural gas fired boiler and a remote reservoir parts washer—each of these have been added to the operating permit. Major sources of air emissions include a sewage sludge incinerator and associated control devices. The permit will include monitoring, recordkeeping and reporting requirements designed to keep the facility operating within all applicable air quality requirements.

**46-00116: Pecora Corp.** (165 Wambold Road, Harleysville, PA 19438) on September 11, 2013, for operation of mixers and cold cleaning degreasers in Lower Salford Township, **Montgomery County**. Source IDs 102 & 103 are subject to NESHAP Subpart CCCCCC. This action is a renewal of the State Only Operating Permit (Natural Minor, the original permit was issued on August 27, 2003). The renewal contains all applicable requirements including monitoring, recordkeeping and reporting designed to keep the facility operating within all applicable air quality requirements.

**46-00254: Campania International, Inc.** (2452 Quakertown Road, Pennsburg, PA 18073) on September 13, 2013, for renewal of a State Only Operating Permit to operate concrete products manufacturing facility in Upper Hanover Township, **Montgomery County**. The facility has taken restriction to remain a synthetic minor for HAP emissions. This Operating Permit renewal includes emission restrictions, monitoring, recordkeeping and reporting requirements designed to ensure this facility complies with all applicable air quality regulations.

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

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

**40-00099: Haines & Kibblehouse, Inc.** (P.O. Box 196, 2052 Lucon Road, Skippack, PA 19474) on September 12, 2013, to operate an asphalt plant in Lehman Township, **Luzerne County**. The particulate emission will be controlled through the use of a baghouse and fabric collector. This is a renewal of 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.

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

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

**65-00598: Citizens General Hospital** (651 4th Avenue, New Kensington, PA 15068-6525) on September 17, 2013, for a Natural Minor Operating Permit renewal for the Citizens General Hospital in New Kensington, **Westmoreland County**. Equipment at this facility includes two 12.6 mmbtu/hr natural gas or #2 fuel oil-fired boilers, one 370 kW diesel powered emergency generator and one 225 kW natural gas-fired emergency generator. The proposed Operating Permit contains applicable emission limits, as well as testing, monitoring, recordkeeping, reporting and work practice requirements.

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

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

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

**08-00003: CraftMaster Manufacturing, Inc.** (PO Box 311, Towanda, PA 18848-0311) on September 11, 2013, issued an amendment of Title V operating permit for their facility located in Wysox Township, **Bradford County**. This operating permit amendment incorporates all terms and conditions specified in Plan Approvals 08-00003F, 08-00003G and 08-00003H, the terms and conditions specified in RACT Operating Permit 08-0004 and all applicable requirements specified in Subpart DDDD of the National Emission Standards for Hazardous Air Pollutants: Plywood and Composite Wood Products, 40 CFR 63.2230 through 63.2290 and in Subpart QQQQ of the National Emission Standards for Hazardous Air Pollutants: Surface Coating of Wood Building Products, 40 CFR 63.4680 through 63.4768.

**Operating Permits Denied, Terminated, Suspended or Revoked under the Air Pollution Control Act and 25 Pa. Code §§ 127.431 and 127.461.**

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

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

**41-00066: Sunoco, Inc. R&M** (1109 Milton Avenue, Syracuse, NY 13204-1023) terminated State Only (Synthetic Minor) operating permit on August 30, 2013, for their biofiltration facility in Armstrong Township, **Lycoming County**. The biofiltration facility is no longer in operation.

## ACTIONS ON COAL AND NONCOAL MINING ACTIVITY APPLICATIONS

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

### Coal Permits Issued

*California District Office: 25 Technology Drive, Coal Center, PA 15423, 724-769-1100, (Contact: Debbie Ferenci)*

**32081301 and NPDES No. PA0235946. Rosebud Mining Company,** (301 Market Street, Kittanning, PA 16201-9642). To operate the Coral-Graceton Mine in Center Township, **Indiana County** for a new underground mine and related NPDES permit. 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 (33 U.S.C.A. § 1341) and will not violate applicable Federal and State water quality standards. Surface Acres Proposed 39.4, Underground Acres Proposed 1202.0, Subsidence Control Plan Acres Proposed 1202.0. UNT #3 to Two Lick Creek, classified for the following use: CWF. The first downstream potable water supply intake from the point of discharge is Edison Mission Energy, Two Lick Creek. The application was considered administratively complete on July 1, 2008. Application received April 25, 2008. Permit issued September 13, 2013.

*Cambria District Mining Office: 286 Industrial Park Road, Ebensburg, PA 15931, 814-472-1900, (Contact: Holly Calvetti)*

**Permit No. 11110201 and NPDES No. PA0263265, Fuel Recovery, Inc.**, 254 Interpower Drive, Colver, PA 15927, commencement, operation and restoration of a bituminous surface coal refuse reprocessing mine in Portage Township, **Cambria County**, affecting 71.4 acres. Receiving streams: unnamed tributary to Bens Creek and Spring Run classified for the following use: cold water fishery. There are no potable water supply intakes within 10 miles downstream. Application received June 17, 2011. Permit issued September 4, 2013.

*Greensburg District Mining Office: Armbrust Professional Center, 8205 Route 819, Greensburg, PA 15601, 724-925-5500, (Contact: Cathy Hillman)*

**GP12-26100104. Amerikohl Mining, Inc.** (1384 State Route 711, Stahlstown, PA 15687). Approval for portable coal crusher authorized under General Permit BAQ-GP12 and is required to meet all applicable limitations, terms and conditions of authorization GP12-26100104 for an existing bituminous surface mine, located in Wharton Township, **Fayette County**. Application received: July 24, 2013. Permit issued: September 10, 2013.

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

**16120104 and NPDES Permit No. PA0259349. Ancient Sun, Inc.** (P.O. Box 129, Shippenville, PA 16254) Commencement, operation and restoration of a bituminous surface mine in Elk Township, **Clarion County** affecting 93.0 acres. Receiving streams: Unnamed tributary to Deer Creek and unnamed tributary to Canoe Creek. Application received: November 7, 2012. Permit Issued: September 10, 2013.

*Moshannon District Mining Office: 186 Enterprise Drive, Philipsburg, PA 16866, 814-342-8200, (Contact: Janet Turner)*

**17070110 and NPDES PA 0256561. Waroquier Coal Company** (P. O. Box 128, Clearfield, PA 16830). Permit renewal issued for reclamation only to an existing bituminous surface mine located in Lawrence Township, **Clearfield County** affecting 9.0 acres. Receiving stream(s): Unnamed Tributaries to Montgomery Creek classified for the following use(s): Cold Water Fishes. There are no potable water supply intakes within 10 miles downstream. Application received: August 16, 2013. Permit issued: September 6, 2013.

**17030101 and NPDES PA0243418. AMFIRE Mining Company, LLC** (One Energy Place, Latrobe, PA 15650). Permit renewal issued for reclamation only to an existing

bituminous surface and auger mine located in Penn Township, **Clearfield County** affecting 220.8 acres. Receiving stream(s): Unnamed Tributaries to Bell Run and Bell Run classified for the following use(s): Cold Water Fishes. There are no potable water supply intakes within 10 miles downstream. Application received: August 21, 2013. Permit issued: September 10, 2013.

*Pottsville District Mining Office: 5 West Laurel Boulevard, Pottsville, PA 17901, 570-621-3118, (Contact: Theresa Reilly)*

**54030103C5 and NPDES Permit No. PA0224367. Jett Contracting Company**, (231 Winfield Drive, Brockton, PA 17925), correction to add coal refuse disposal to an anthracite surface mine operation in Blythe Township, **Schuylkill County** affecting 116.0 acres, receiving stream: Morgan's Run. Application received: May 2, 2013. Correction issued: September 11, 2013.

#### *Noncoal Permits Issued*

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

**3076SM13. White Rock Silica Sand Company, Inc.** (331 Methodist Road, Greenville, PA 16125) Renewal of NPDES Permit No. PA0207535 in Hempfield Township, **Mercer County**. Receiving streams: Unnamed tributary to Shenango River. Application received: July 15, 2013. Permit Issued: September 12, 2013.

**16860310. Glen Gery Corporation** (P.O. Box 7001, Wyomissing, PA 19610) Renewal of NPDES Permit No. PA0107395 in Limestone & Monroe Townships, **Clarion County**. Receiving streams: Unnamed tributary to Little Piney Creek and unnamed tributary to Piney Creek. Application received: June 26, 2013. Permit Issued: September 12, 2013.

**10960304 and NPDES Permit No. PA0227218. Allegheny Mineral Corporation** (P.O. Box 1022, Kittanning, PA 16201) Transfer of an existing large industrial mineral surface and underground mine from Quality Aggregates, Inc. in Washington Township, **Butler County** affecting 544.6 acres. Receiving streams: Unnamed tributary to South Branch Slippery Rock Creek. Application received: June 14, 2013. Permit Issued: September 11, 2013.

**33132803. Leonard W. Zenzi** (P.O. Box 62, Anita, PA 15711) Commencement, operation and restoration of a small industrial mineral mine in McCalmont Township, **Jefferson County** affecting 6.0 acres. Receiving streams: Little Sandy Creek. Application received: May 16, 2013. Permit Issued: September 13, 2013.

*Pottsville District Mining Office: 5 West Laurel Boulevard, Pottsville, PA 17901, 570-621-3118, (Contact: Theresa Reilly)*

**58132505. Rock Lake, Inc.**, (PO Box 807, New Milford, PA 18834), commencement, operation and restoration of a General Permit for Bluestone operation in New Milford Township, **Susquehanna County** affecting 6.0 acres, receiving stream: Nine Partners Creek. Application received: April 10, 2013. Permit issued: September 16, 2013.

**58132505GP104. Rock Lake, Inc.**, (PO Box 807, New Milford, PA 18834), General NPDES Stormwater Permit for stormwater discharges associated with mining activities on Surface Mining Permit No. 58132505 in New

Milford Township, **Susquehanna County**, receiving stream: Nine Partners Creek. Application received: April 10, 2013. Permit issued: September 16, 2013.

### ACTIONS ON BLASTING ACTIVITY APPLICATIONS

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

#### *Blasting Permits Issued*

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

**26134002. DEMTECH, LLC** (2500 Noah Drive, Saxonburg, PA 16056). Blasting activity permit for the demolition of the Rt. 21 Masontown Bridge, located in Masontown Borough, **Fayette County**. The duration of blasting is expected to last 2 days, September 28 and October 12, 2013. Blasting permit issued: September 9, 2013.

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

**15134108. Brubacher Excavating, Inc.**, (P.O. Box 528, Bowmansville, PA 17507), construction blasting for Heather Wynd in East Brandywine Township, **Chester County** with an expiration date of December 31, 2013. Permit issued: September 9, 2013.

**23134107. Rock Work, Inc.**, (1257 DeKalb Pike, Blue Bell, PA 19422), construction blasting Liseter Development in Newton Township, **Delaware County** with an expiration date of September 30, 2014. Permit issued: September 9, 2013.

**35134110. Doug Wathen, LLC**, (11934 Fairway Lakes Drive, Ft. Myers, FL 33913), construction blasting Dobrinski Gas Pad in Glenburn Township, **Lackawanna County** with an expiration date of September 4, 2014. Permit issued: September 9, 2013.

**36134148. Keystone Blasting Service**, (15 Hopeland Road, Lititz, PA 17543), construction blasting for Meadow Valley Church Cemetery in Ephrata Township, **Lancaster County** with an expiration date of December 31, 2013. Permit issued: September 9, 2013.

**36134149. Maine Drilling & Blasting, Inc.**, (P.O. Box 1140, Gardiner, ME 04345), construction blasting for Mill Creek Development in West Lampeter Township, **Lancaster County** with an expiration date of September 23, 2014. Permit issued: September 9, 2013.

**36134150. M & J Explosives, Inc.**, (P.O. Box 608, Carlisle, PA 17013), construction blasting for Greystone Homes in Millersville Borough, **Lancaster County** with an expiration date of September 5, 2014. Permit issued: September 10, 2013.

**36134151. Maine Drilling & Blasting, Inc.**, (P.O. Box 1140, Gardiner, ME 04345), construction blasting for Turkey Hill Dairy in Manor Township, **Lancaster County** with an expiration date of September 5, 2014. Permit issued: September 10, 2013.

**45134108. Explosive Services, Inc.**, (7 Pine Street, Bethany, PA 18431), construction blasting for Castle Rock

Acres in Middle Smithfield Township, **Monroe County** with an expiration date of September 3, 2014. Permit issued: September 10, 2013.

**45134109. Silver Valley Drilling & Blasting, Inc.**, (RR 4 Box 4196, Saylorsburg, PA 18353), construction blasting for Camelback Lodge and Waterpark in Pocono Township, **Monroe County** with an expiration date of September 30, 2014. Permit issued: September 10, 2013.

**46134116. American Rock Mechanics, Inc.**, (7531 Chestnut Street, Zionsville, PA 18092), construction blasting for County Meadows in New Hanover Township, **Montgomery County** with an expiration date of September 5, 2014. Permit issued: September 11, 2013.

**46134117. Schlouch, Inc.**, (P.O. Box 69, Blandon, PA 19510), construction blasting for The Hill School Stadium in Pottstown Borough, **Montgomery County** with an expiration date of April 23, 2014. Permit issued: September 11, 2013.

**40134115. Maine Drilling & Blasting, Inc.**, (P.O. Box 1140, Gardiner, ME 04345), construction blasting for Center Point in Jenkins and Pittston Townships, **Luzerne County** with an expiration date of September 30, 2014. Permit issued: September 12, 2013.

**48134103. Schlouch, Inc.**, (P.O. Box 69, Blandon, PA 19510), construction blasting for Madison Farms in Bethlehem Township, **Northampton County** with an expiration date of September 3, 2014. Permit issued: September 12, 2013.

**48134104. Maine Drilling & Blasting, Inc.**, (P.O. Box 1140, Gardiner, ME 04345), construction blasting for SR 33 Interchange in Palmer Township, **Northampton County** with an expiration date of September 4, 2014. Permit issued: September 12, 2013.

**66134122. Maine Drilling & Blasting, Inc.**, (P.O. Box 1140, Gardiner, ME 04345), construction blasting for Brewer Well Site in Meshoppen and Washington Townships, **Wyoming County** with an expiration date of November 30, 2013. Permit issued: September 12, 2013.

**46134118. American Rock Mechanics, Inc.**, (7531 Chestnut Street, Zionsville, PA 18092), construction blasting for Hanover Woods in New Hanover Township, **Montgomery County** with an expiration date of September 4, 2014. Permit issued: September 16, 2013.

**67134112. Maine Drilling & Blasting, Inc.**, (P.O. Box 1140, Gardiner, ME 04345), construction blasting for Mill Crossing in Hallam Borough, **York County** with an expiration date of September 12, 2014. Permit issued: September 16, 2013.

### FEDERAL WATER POLLUTION CONTROL ACT SECTION 401

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

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



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

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

Important legal rights are at stake, however, so individuals should show this notice to a lawyer at once. Persons who cannot afford a lawyer may qualify for free 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: Waterway and Wetlands Program Manager, 2 East Main Street, Norristown, PA 19401, Telephone 484-250-5900.*

**E51-258. Philadelphia Water Department**, 1101 Market Street, Philadelphia, PA 19107, City and County of Philadelphia, ACOE Philadelphia District.

To perform the following water obstruction and encroachment activities along the Delaware River (WWF) waterfront associated with the Laurel Street Combined Sewer Outfall Improvement Project:

1. To replace and maintain a 66-foot section of deteriorating timber and rock crib bulkhead along the Delaware River. The new bulkhead will be a cast-in-place concrete structure that incorporates an updated combined sewer outfall. Work will also include the placement and maintenance of 60 feet of steel sheet pile walls at the interface with the existing timber and rock crib bulkheads in the vicinity of Piers 43 and 44 North.

2. To replace and maintain the existing brick outfall with a series of three 11-foot high by 11-foot wide cast-in-place concrete box culverts.

3. To incorporate and maintain an existing 27-inch diameter separate storm sewer outfall into the new bulkhead.

4. To incorporate and maintain a new 48-inch diameter separate storm sewer outfall into the new bulkhead.

5. To construct and maintain a new 30-foot wide cast-in-place concrete outfall apron along the new bulkhead to prevent the undercutting of the new outfall structure and bulkhead.

6. To restore and maintain the surface along the bulkhead and piers in preparation for potential use as part of a public greenway.

7. To install and maintain a temporary in-water cofferdam and other appurtenances during the construction.

The site is located at the end of the former Laurel Street between Piers 43N and Pier 44N, near the existing Sugar House Casino (Philadelphia, PA USGS, Lat; 39° 57' 47"; Long; -75° 7' 59").

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)].

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

**E28-376: Antrim Business Park, L.P.**, 10 East Baltimore Street, Suite 1501, Baltimore, MD 21202 in Antrim Township, Franklin County, ACOE Baltimore District

To 1) construct and maintain a 30' x 24' Conspan Arch Bridge for road and rail access, thereby placing and maintain 662 cubic yards of fill in the floodway and permanently impacting 150 lineal feet of an Unnamed Tributary to Conococheague Creek (WWF) (Latitude: 39°45'20", Longitude: -77°44'23"); 2) construct and maintain an 18" water line sleeve, a 6" gas line sleeve, a 6" electric line sleeve, and an 18" sanitary sewer sleeve, thereby placing and maintaining 50 cubic yards of fill in the floodway and permanently impacting 80 lineal feet of an Unnamed Tributary to Conococheague Creek (WWF) (Latitude: 39°45'20", Longitude: -77°44'23"); 3) restoration of the floodway to reduce erosion, thereby permanently impacting 245 lineal feet of an Unnamed Tributary to Conococheague Creek (WWF) (Latitude: 39°45'20", Longitude: -77°44'23"); 4) construct and maintain a 4' x 4' box culvert for road access, thereby placing and maintaining 840 cubic yards of fill in the floodway and permanently impacting 460 lineal feet of an Unnamed Tributary to Conococheague Creek (WWF) (Latitude: 39°45'09", Longitude: -77°43'47"); and 5) realign, restore, and maintain 2,425 linear feet of Conococheague Creek (WWF) through the creation of floodplain benches, toe wood stabilization, rock cross vanes and J-hook rock vanes (Latitude: 39°45'09", Longitude: -77°43'47") for the purposes of reestablishing the stream's original flow pattern, with an incidental impact to 0.07 acre of wetlands. This project is being proposed for the purpose of preparing a site for a future warehouse and road and rail service. The project is located at 405 Milnor Road, Greencastle, Pennsylvania (Latitude: 39°45'15", Longitude: -77°44'15") in Antrim Township, Franklin County. To compensate for the wetlands impacts, the Permittee proposes to create 0.077 acre of wetlands onsite.

**E67-900: Codorus Ventures, LLC**, 113 Westminster Road, Suite 200, Reistertown, MD 21136 in Codorus Township, York County, ACOE Baltimore District

To 1. construct and maintain a 40.0-foot long, 12.0-foot X 6.21-foot galvanized steel, open bottom arch culvert with depressed rip rap aprons extending 10.0 feet upstream and 30.0-foot downstream in and unnamed tributary to Codorus Creek (TSF, MF); 2. construct and maintain a 84.0-foot long, 15.0-foot X 6.13-foot galvanized

steel, open bottom arch culvert with depressed rip rap aprons extending 10.0 feet upstream and 30.0-foot downstream in and unnamed tributary to Codorus Creek (TSF, MF); 3. construct and maintain a 6.0-foot wide, single span pedestrian bridge have a normal span of 23.0 feet and an underclearance of 4.0 feet across an unnamed tributary to Codorus Creek (TSF, MF); 4. install and maintain (2) two, 8.0-inch sewer lines in and across an unnamed tributary to Codorus Creek (TSF, MF), temporarily impacting 0.03 acre wetland; and 5. install a channel block and restore the streambanks to a 6:1 side slope along a 460.0-foot section of an unnamed tributary to Codorus Creek (TSF, MF), all for the purpose of constructing a residential development. The project is located at 5137 Sinsheim Road, Spring Grove, PA 17362 (Seven Valleys, PA Quadrangle, Latitude: 39°48'36.9", Longitude: 76°51'9.1") in Codorus Township, York County.

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

**E17-483. City of DuBois.** 16 West Scribner Avenue, PO Box 408, DuBois, PA 15801-0408. Showers Field Reisinger Run Floodway and Floodfringe Development, in the City of DuBois, **Clearfield County**. USACOE Pittsburgh District (Dubois, PA Quadrangle Latitude: 41° 07' 0.5"; Longitude: -78° 45' 16.1").

This authorization gives consent to construct, operate and maintain Shower Fields public parking areas and stormwater management facilities within the 100-year floodway and flood fringe of Reisinger Run. Construction, operation and maintenance of the parking areas and stormwater management facilities shall be performed at existing elevations with no placement of fill. The project is located along the eastern right-of-way of South 3rd Street approximately 350-feet north of Maple Avenue and South 3rd Street intersection in the City of DuBois, Clearfield County. This permit was issued under Section 105.13(e) "Small Projects."

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

**E5829-054. Carrizo (Marcellus), LLC;** P.O. Box 231, Drifting, PA 16834; Bridgewater and Jessup Townships, **Susquehanna County**, ACOE Baltimore District.

To construct, operate, and maintain:

1) a 12-inch natural gas pipeline, two—16 inch buried water pipelines, two—16 inch on-grade water pipelines, and timber bridge crossing impacting 51 lineal feet of an unnamed tributary to East Branch Wyalusing Creek (CWF-MF) (Montrose West, PA Quadrangle; N 41° 49' 51" Lat., W - 75° 54' 32" Long.),

2) a 12-inch natural gas pipeline, two—16 inch buried water pipelines, two—16 inch on-grade water pipelines, and timber bridge crossing impacting 11,184 sq. ft. (0.26 acre) of PEM wetlands (> 10 acres) (Montrose West, PA Quadrangle; N 41° 49' 52" Lat., W - 75° 54' 33" Long.),

3) a 12-inch natural gas pipeline, two—16 inch buried water pipelines, two—16 inch on-grade water pipelines, and timber bridge crossing impacting 53 lineal feet of East Branch Wyalusing Creek (CWF-MF) (Montrose West, PA Quadrangle; N 41° 49' 52" Lat., W - 75° 54' 35" Long.),

4) a 12-inch natural gas pipeline, two—16 inch buried water pipelines, two—16 inch on-grade water pipelines, and timber bridge crossing impacting 7,132 sq. ft. (0.16 acre) of PEM wetlands (> 10 acres) (Montrose West, PA Quadrangle; N 41° 49' 52" Lat., W - 75° 54' 36" Long.),

5) a timber bridge crossing impacting 60 lineal feet of Beebe Creek (CWF-MF) (Montrose West, PA Quadrangle; N 41° 50' 02" Lat., W - 75° 54' 39" Long.),

6) a 12-inch natural gas pipeline, two—16 inch buried water pipelines, two—16 inch on-grade water pipelines, and timber bridge impacting 169 lineal feet of an unnamed tributary to East Branch Wyalusing Creek (CWF-MF) (Montrose West, PA Quadrangle; N 41° 49' 46" Lat., W - 75° 55' 08" Long.),

7) a 12-inch natural gas pipeline, two—16 inch buried water pipelines, and two—16 inch on-grade water pipelines crossing impacting 55 lineal feet of an unnamed tributary to East Branch Wyalusing Creek (CWF-MF) (Montrose West, PA Quadrangle; N 41° 49' 48" Lat., W - 75° 55' 25" Long.),

8) a 12-inch natural gas pipeline, two—16 inch buried water pipelines, and two—16 inch on-grade water pipelines impacting 56 lineal feet of an unnamed tributary to East Branch Wyalusing Creek (CWF-MF) (Montrose West, PA Quadrangle; N 41° 49' 48" Lat., W - 75° 55' 26" Long.),

9) a timber bridge crossing impacting 104 lineal feet of an unnamed tributary to East Branch Wyalusing Creek (CWF-MF) (Montrose West, PA Quadrangle; N 41° 49' 50" Lat., W - 75° 55' 26" Long.),

10) a timber bridge crossing impacting 64 lineal feet of an unnamed tributary to East Branch Wyalusing Creek (CWF-MF) (Montrose West, PA Quadrangle; N 41° 49' 51" Lat., W - 75° 55' 27" Long.).

The project consists of constructing approximately 2 miles of 12" natural gas gathering line and two—16" buried waterlines from the Ricci Well Pad routed in a westerly direction to the Bonnie Well Pad in Bridgewater and Jessup Townships, Susquehanna County. Additionally, there will be two—16" waterlines placed on grade, within the permanent 30' pipeline right-of-way corridor, upon completion of the buried utility line installations. The project will result in 612 lineal feet of stream impacts and 0.42 acre of wetland impact, all for the purpose of conveying Marcellus Shale natural gas to market.

**E4129-071: Pennsylvania General Energy Company, LLC,** 120 Market Street, Warren, PA 16365, Cummings Township, **Lycoming County**, ACOE Baltimore District.

To construct, operate, and maintain:

1. Two 24-inch gas lines, two 6-inch water lines, a 4-inch conduit, and a timber mat bridge impacting 955 square feet of a palustrine emergent (PEM) wetland adjacent to Okome Road (Cammal, PA Quadrangle 41°22'53"N 77°23'04"W).

The project will result in 0.2 acre of temporary wetland impacts all for the purpose of installing a natural gas gathering line, water line, and temporary access roadways for Marcellus well development.

**E5729-058: Carrizo Marcellus, LLC,** 251 Drainlick Road, P.O. Box 231, Drifting, PA 16834, Fox Township, **Sullivan County**, ACOE Baltimore District.



To construct, operate, and maintain:

1) a permanent access road using a 24 inch diameter HDPE pipe, a 16 inch diameter gas line, a 16 inch diameter waterline, and a 16 inch diameter temporary above ground waterline impacting 70 linear feet of an unnamed tributary to Schrader Creek (EV) and 426 square feet of an exceptional value palustrine scrub shrub (EV-PSS) wetland (Grover, PA Quadrangle 41°34'28"N, 76°47'09"W);

2) a permanent access road using a 36 inch diameter HDPE pipe, a 16 inch diameter gas line, a 16 inch diameter waterline, and a 16 inch diameter temporary above ground waterline impacting 107 linear feet of an unnamed tributary to Schrader Creek (EV) (Grover, PA Quadrangle 41°34'21"N, 76°47'16"W);

3) a permanent access road using a 15 inch diameter HDPE pipe, a 16 inch diameter gas line, a 16 inch diameter waterline, and a 16 inch diameter temporary above ground waterline impacting 65 linear feet of an unnamed tributary to Schrader Creek (EV) and 289 square feet of an exceptional value palustrine forested (EV-PFO) wetland (Grover, PA Quadrangle 41°34'14"N, 76°47'16"W);

4) a permanent access road using a 24 inch diameter HDPE pipe, a 16 inch diameter gas line, a 16 inch diameter waterline, and a 16 inch diameter temporary above ground waterline impacting 74 linear feet of an unnamed tributary to Schrader Creek (EV) and 213 square feet of an exceptional value palustrine forested (EV-PFO) wetland (Grover, PA Quadrangle 41°34'12"N, 76°47'16"W);

5) a permanent access road using a 24 inch diameter HDPE pipe, a 16 inch diameter gas line, a 16 inch diameter waterline, and a 16 inch diameter temporary above ground waterline impacting 66 linear feet of an unnamed tributary to Rock Run (EV) and 508 square feet of an exceptional value palustrine scrub shrub (EV-PSS) wetland (Grover, PA Quadrangle 41°33'51"N, 76°47'11"W);

6) a permanent access road using a 24 inch diameter HDPE pipe, a 16 inch diameter gas line, a 16 inch diameter waterline, and a 16 inch diameter temporary above ground waterline impacting 60 linear feet of an unnamed tributary to Rock Run (EV) (Grover, PA Quadrangle 41°33'47"N, 76°47'09"W);

7) a permanent access road using a 24 inch diameter HDPE pipe, a 16 inch diameter gas line, a 16 inch diameter waterline, and a 16 inch diameter temporary above ground waterline impacting 80 linear feet of Rock Run (EV) (Grover, PA Quadrangle 41°33'40"N, 76°47'12"W);

8) a permanent access road using a 18 inch diameter HDPE pipe, a 16 inch diameter gas line, a 16 inch diameter waterline, and a 16 inch diameter temporary above ground waterline impacting 76 linear feet of an unnamed tributary to Rock Run (EV) (Grover, PA Quadrangle 41°33'28"N, 76°47'31"W);

9) a permanent access road using a 18 inch diameter HDPE pipe, a 16 inch diameter gas line, a 16 inch diameter waterline, and a 16 inch diameter temporary above ground waterline impacting 77 linear feet of an unnamed tributary to Rock Run (EV) (Grover, PA Quadrangle 41°33'28"N, 76°47'35"W);

10) Stream bank stabilization impacting 675 linear feet of an unnamed tributary to Schrader Creek (EV) (Grover, PA Quadrangle 41°34'16"N, 76°47'16"W);

The project will result in 1,010 square feet (0.02 acre) of temporary wetland impacts, 426 square feet of permanent wetland impacts, 1,083 linear feet of permanent stream impacts, and 257 linear feet of temporary stream impacts will result from the stream bank stabilization and the installation of an access road to the Baumunk Lake South Well Pad in Fox Township, Sullivan County.

**E5729-059: 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 6 inch diameter gathering line impacting 123 linear feet of an unnamed tributary to Little Loyalsock Creek (EV) and 16,516 square feet of an exceptional value palustrine emergent (EV-PEM) wetland (Colley, PA Quadrangle 41°31'17"N, 76°20'21"W);

2) A temporary access road using a timber mat bridge and a 6 inch diameter gathering line impacting 95 linear feet of an unnamed tributary to Birch Creek (EV), 125 linear feet of an unnamed tributary to Birch Creek (EV), and 4,377 square feet of an exceptional value palustrine scrub shrub (EV-PSS) wetland (Colley, PA Quadrangle 41°30'23"N, 76°20'34"W);

3) A temporary access road using a timber mat bridge and a 6 inch diameter gathering line impacting 12,120 square feet of an exceptional value palustrine emergent (EV-PEM) wetland and 787 square feet of an exceptional value palustrine scrub shrub (EV-PSS) wetland (Colley, PA Quadrangle 41°30'21"N, 76°20'39"W);

4) A temporary access road using a timber mat bridge and a 6 inch diameter gathering line impacting 2,874 square feet of a palustrine emergent (PEM) wetland (Colley, PA Quadrangle 41°30'21"N, 76°20'45"W);

5) A temporary access road using timber mats and a 6 inch diameter gathering line impacting 1,162 square feet of an exceptional value palustrine forested (EV-PFO) wetland (Colley, PA Quadrangle 41°30'21"N, 76°20'57"W);

The project will result in 343 linear feet of temporary stream impacts, 36,674 square feet (0.84 acre) of temporary wetland impacts, and 1,162 square feet (0.03 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 0.03 acre of compensatory mitigation at the Wilmot Site (Colley, PA Quadrangle 41°36'44"N 76°17'27"W) in Wilmot Township, Bradford County.

#### ENVIRONMENTAL ASSESSMENTS

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

**EA67-022: Codorus Creek Watershed Association**, PO Box 2881, York, PA 17405 in Codorus and Springfield Townships, York County, ACOE Baltimore District

To construct and maintain two (2) rock cross vanes, five (5) log vane deflectors, two (2) J-hook rock vane deflectors, 272 linear feet of rock toe protection, 135 linear feet of toe wood protection, 941 linear feet of stream relocation and bank grading, and one temporary stream crossing, all for the purpose of restoring and stabilizing 755 linear feet of South Branch Codorus Creek (WWF). The project is located on a reach of stream located just upstream of

Springfield Road along the border of Springfield and Codorus Townships, York County (York, PA Quadrangle, Latitude: 39° 48' 40", Longitude: -76° 45' 10").

**EA67-021: Codorus Creek Watershed Association**, PO Box 2881, York, PA 17405 in Codorus and Springfield Townships, **York County**, ACOE Baltimore District

To construct and maintain three (3) rock cross vanes, seven (7) log vane deflectors, eleven (11) J-hook rock vane deflectors, one (1) J-hook log vane deflector, one (1) stone deflector, 200 linear feet of modified mud sill, 590 linear feet of toe wood protection, 2,230 linear feet of bank grading, and three temporary stream crossings, all for the purpose of restoring and stabilizing 2,900 linear feet of South Branch Codorus Creek (WWF). The project is located on a reach of stream located just downstream of Springfield Road along the border of Springfield and Codorus Townships, York County (York, PA Quadrangle, Latitude: 39° 48' 59", Longitude: -76° 45' 20").

#### 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 free pro bono representation. Call the Secretary to the Board at (717) 787-3483 for more information.

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

ESCGP-1 #ESX13-083-0002A—Warrant 3122 Project-

Major Modification

Applicant Catalyst Energy Inc

Contact Martin Willix

Address 424 South 27th Street, Suite 304

City Pittsburgh State PA Zip Code 15203

County Mckean Township(s) Wetmore(s)

Receiving Stream(s) and Classification(s) South Branch Kinzua Creek-HQ

ESCGP-1 #ESX13-019-0043—Bass Compressor Station

Applicant EQT Gathering LLC

Contact Brian Clauto

Address 455 Racetrack Road

City Washington State PA Zip Code 15301

County Butler Township(s) Clinton(s)

Receiving Stream(s) and Classification(s) Lardintown Run/Lower Allegheny River Watershed-TSF

*Southwest Region: Oil & Gas Program Mgr. 400 Waterfront Dr. Pittsburgh PA*

5/13/13

ESCGP-2 No: ESX13-125-0036

Applicant Name: Rice Drilling B LLC

Contact Person Ms Tonya R Winkler

Address: 171 Hillpointe Drive Suite 301

City: Canonsburg State: PA Zip Code: 15317

County: Washington Township: West Pike Run and Somerset

Receiving Stream(s) And Classifications: 24054 Pigeon Creek 28665 Pike Run; Other WWF, TSF

5/9/13

ESCGP-2 No.: ESX13-059-0023

Applicant Name: Energy Corporation of America

Contact Person: Mr Mark A Fry

Address: 101 Heritage Run Road Suite 1

City: Indiana State: PA Zip Code: 15701-2490

County: Greene Township(s): Jefferson

Receiving Stream(s) and Classifications: Eaton Hollow & UNT 1 to Eaton Hollow/Lower Monongahela Watershed; Other WWF

4/24/13

ESCGP-2 No.: ESX12-129-0016 MAJOR REVISION

Applicant Name: CNX Gas Company LLC

Contact Person: Mr Jonathan Madill

Address: 280 Indian Springs Road Suite 333

City: Indiana State: PA Zip Code: 15701

County: Westmoreland Township(s): Washington

Receiving Stream(s) and Classifications: Trib 42938 & 42944 to Beaver Run / Beaver Run Watershed; Other TSF

#### OIL AND GAS MANAGEMENT

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

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

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

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

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

Well Permit #: 115-21419-00-00  
Well Farm Name Mead B 1  
Applicant Name: Cabot Oil & Gas Corp.  
Contact Person: Kenneth L. Marcum  
Address: Five Penn Center West, Suite 401, Pittsburgh,  
PA 15276  
County: Susquehanna  
Municipality Bridgewater 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: Montrose East.

Well Permit #: 115-21420-00-00  
Well Farm Name Mead B 5  
Applicant Name: Cabot Oil & Gas Corp.  
Contact Person: Kenneth L. Marcum  
Address: Five Penn Center West, Suite 401, Pittsburgh,  
PA 15276  
County: Susquehanna  
Municipality Bridgewater 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: Montrose East.

Well Permit #: 115-21421-00-00  
Well Farm Name Mead B 7  
Applicant Name: Cabot Oil & Gas Corp.  
Contact Person: Kenneth L. Marcum  
Address: Five Penn Center West, Suite 401, Pittsburgh,  
PA 15276  
County: Susquehanna  
Municipality Bridgewater 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: Montrose East

Well Permit #: 115-21422-00-00  
Well Farm Name Mead B 8  
Applicant Name: Cabot Oil & Gas Corp.  
Contact Person: Kenneth L. Marcum  
Address: Five Penn Center West, Suite 401, Pittsburgh,  
PA 15276  
County: Susquehanna  
Municipality Bridgewater 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: Montrose East.

Well Permit #: 115-21473-00-00  
Well Farm Name Rosiemar SUS 3H  
Applicant Name: Chesapeake Appalachia, LLC.  
Contact Person: Eric Haskins  
Address: 14 Chesapeake Lane, Sayre, PA 18840  
County: Susquehanna  
Municipality Auburn Township:  
Name of Stream, Spring, Body of Water as identified on  
the most current 7 1/2 minute topographic quadrangle  
map of the United States Geologic Survey subject to the  
Section 3215(b)(4) waiver: Auburn Center, UNT Nick  
Creek

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## SPECIAL NOTICE

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### Water Obstruction and Encroachment Permit Application and Water Quality Certification Request

*California District Office: 25 Technology Drive, Coal  
Center, PA 15423, 724-769-1100, (Contact: Debbie Ferenci)*

**CDO-004. Rosebud Mining Company**, 301 Market Street, Kittanning, PA 16201. Coral-Graceton Mine Wetland Mitigation Site-Coy Mitigation Site in Center Township, **Indiana County**, Pittsburgh ACOE District (Indiana, PA Quadrangle, Coy Mitigation project area centroid latitude 40° 31' 49.2", Longitude 79° 08' 24.6"). The applicant proposes impacts to existing wetlands to develop a larger wetland mitigation site. 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 provision 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 February 11, 2013. Permit Issued September 13, 2013

### Public Hearing for a Bituminous Surface Mine and Corresponding NPDES Application

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

**10120107 and NPDES Permit No. PA0259403. Amerikohl Mining, Inc.** (202 Sunset Drive, Butler, PA 16001) A public hearing for a bituminous surface mine and corresponding NPDES application will be held at the Worthington-West Franklin Fire Hall in Worthington, Pa. on October 17, 2013, at 6:00 pm. If you wish to present oral testimony during the hearing, you should contact Sonia Pavlekovsky at 814-797-1191 by September 30, 2013.

[Pa.B. Doc. No. 13-1804. Filed for public inspection September 27, 2013, 9:00 a.m.]

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### Availability of Technical Guidance

Technical guidance documents are available on the Department of Environmental Protection's (Department) web site at [www.elibrary.dep.state.pa.us](http://www.elibrary.dep.state.pa.us). The "Technical Guidance Final Documents" heading is the link to a menu of the various Department bureaus where each bureau's final technical guidance documents are posted. The "Technical Guidance Draft Documents" heading is the link to the Department's draft technical guidance documents.

#### *Ordering Paper Copies of Department Technical Guidance*

The Department encourages the use of the Internet to view and download technical guidance documents. When this option is not available, persons can order a paper copy of any of the Department's draft or final technical guidance documents by contacting the Department at (717) 783-8727.

In addition, bound copies of some of the Department's documents are available as Department publications. Check with the appropriate bureau for more information about the availability of a particular document as a publication.



### *Changes to Technical Guidance Documents*

Following is the current list of recent changes. Persons who have questions or comments about a particular document should call the contact person whose name and phone number is listed with each document.

#### *Draft Technical Guidance Document—Substantive Revision*

DEP ID: 263-0900-011. *Title:* Storage Tank Modification and Maintenance Issues. *Description:* This technical guidance document assists certified tank installers in determining what constitutes modification and maintenance activities. The Definitions section in the document was revised to be consistent with the regulatory language and edited for clarity. Several definitions contained in regulation were added to the document (Containment Structure or Facility, Emergency Containment and Excavation Zone). Lastly, the definitions were ordered alphabetically. In the Technical Guidance section of the document, regulatory text was added for additional guidance on tank handling activity, conflict of interest, under dispenser containment, and report submission deadlines. Diagrams were also repositioned and several recommended practice documents are now mentioned. Changes to the Examples section include adding definitions for major and minor modification, revising language in existing examples to aid in clarity and deleting outdated terminology or terms. Finally, several specific examples of what are considered Major Modification, Minor Modification and Maintenance Activities were added and/or updated.

*Written Comments:* Interested persons may submit written comments by October 28, 2013. Comments submitted by facsimile will not be accepted. Comments, including comments submitted by electronic mail must include the originator's name and address. Written comments should be submitted to Adam Krichmar, Department of Environmental Protection, Bureau of Environmental Cleanup and Brownfields, Rachel Carson State Office Building, P. O. Box 8471, Harrisburg, PA 17105-8471, (717) 772-5831, akrichmar@pa.gov.

*Contact:* Questions regarding this action should be directed to Kris Shiffer at (717) 772-5809 or kshiffer@pa.gov.

*Effective Date:* Upon publication as final in the *Pennsylvania Bulletin*.

E. CHRISTOPHER ABRUZZO,  
*Acting Secretary*

[Pa.B. Doc. No. 13-1805. Filed for public inspection September 27, 2013, 9:00 a.m.]

### **Bid Opportunity**

**OSM 17(6462)101.1, Abandoned Mine Reclamation Project, Upper Morgan Run No. 2, Woodward Township, Clearfield County.** The principal items of work and approximate quantities include mobilization and demobilization; implementation of the Erosion and Sediment Control Plan; subsurface drain 1,720 linear feet; grading 219,300 cubic yards; alkaline addition 2,400 tons; seeding 24 acres. This bid issues on September 27, 2013, and bids will be opened on October 24, 2013, at 2 p.m. Bid documents cost \$10 per set and will not be mailed until payment has been received. This project is financed by the Federal government under the authority given it by the Surface Mining Control and Reclamation Act of

1977 (act) (30 U.S.C.A. §§ 1201—1328) and is subject to the act and to the Federal grant for this project. Contact the Construction Contracts Section at (717) 787-7820 or joelmiller@state.pa.us for more information on this bid.

E. CHRISTOPHER ABRUZZO,  
*Acting Secretary*

[Pa.B. Doc. No. 13-1806. Filed for public inspection September 27, 2013, 9:00 a.m.]

### **Draft Assessment and Listing Methodology; Availability for Public Comment**

The Department of Environmental Protection (Department) is making available for public comment its draft Assessment and Listing Methodology (methodology). Sections 303(d) and 305(b) of the Federal Clean Water Act (33 U.S.C.A. §§ 1313(d) and 1315(b)) require states to report on the condition of all their waters in the biennial Integrated Report (report). The report combines the comprehensive Section 305(b) report status of water quality in this Commonwealth and the Section 303(d) list of waters for which Total Maximum Daily Loads are required.

Stream and lake evaluations presented in the report must be supported by assessment methodologies based on sound science and technical procedures that are clear and complete. The methodology is a compilation of the protocols being used to assess waters that will appear in the 2014 Pennsylvania Integrated Water Quality Monitoring and Assessment Report.

The protocols comprising the methodology describe the field data collection procedures and data analysis methods used to obtain and evaluate water quality data. The individual protocols apply to a wide range of water resource types, data sources and environmental indicators.

The draft methodology is available on the Department's web site at [http://www.portal.state.pa.us/portal/server.pt/community/dep\\_home/5968](http://www.portal.state.pa.us/portal/server.pt/community/dep_home/5968). Select "Water" in the left side menu, then "Bureau of Point and Non-Point Source Management" in the left side menu, then "Water Quality Standards" on the right side menu and "2013 Assessment Methodology." The previous 2009 Assessment Methodology is also available for comparison. Because of the large number of pages, the methodology will not be available in hardcopy.

The Department will accept comments on the following new assessment documents as part of the 2013 Assessment Methodology: Streambed Sediment Collection Protocol, Continuous Instream Monitoring Field Methods, Wadeable Semi-quantitative Fish Sampling Protocol for Streams, Periphyton Standing Crop and Species Assemblages, Habitat Assessment, Benthic Macroinvertebrates, Fish Community Sampling Methods, Surface Water Collection and Taxonomy Reference List. The Department will also accept comments on the following amended assessment methods from the 2009 Assessment Methodology: An Index of Biotic Integrity for Benthic Macroinvertebrate Communities in Pennsylvania's Wadeable, Freestone, Riffle/Run Streams; Water Use Assessment Decision-Making Based on Physicochemical and Bacteriological Sampling; and Impairment Cause Definitions and Impairment Source Definitions.

Persons wishing to comment on the draft methodology may do so in writing to the Division of Water Standards



or by e-mail no later than November 20, 2013. Comments should be mailed or e-mailed to Molly Pulket, Division of Water Quality Standards, P. O. Box 8774, Harrisburg, PA 17105-8774, (717) 787-9637, RA-WQAssessments@pa.gov. Comments received by facsimile will not be accepted.

The Department will consider all public comments regarding the appropriateness of the narrative, collection methods and data analyses protocols contained in the methodology.

Persons in need of accommodations as provided for in the American with Disabilities Act of 1990 should contact Molly Pulket at (717) 787-9637 or through the Pennsylvania AT&T Relay Service at (800) 654-5894 (TTD) to discuss how the Department may accommodate their needs.

E. CHRISTOPHER ABRUZZO,  
*Acting Secretary*

[Pa.B. Doc. No. 13-1807. Filed for public inspection September 27, 2013, 9:00 a.m.]

### **Draft NPDES General Permit for Discharges from Petroleum Product Contaminated Groundwater Remediation Systems (PAG-05)**

The Department of Environmental Protection (Department) is announcing the availability of a draft National Pollutant Discharge Elimination System (NPDES) General Permit for Discharges from Petroleum Product Groundwater Remediation Facilities (PAG-05).

To access the draft General Permit and related documents, visit [www.elibrary.dep.state.pa.us](http://www.elibrary.dep.state.pa.us) and select "Permit and Authorization Packages," "Point and Non-Point Source Management," "(National Pollutant Discharge Elimination System-NPDES)," "General Permits" and "PAG-05 (Draft)."

The PAG-05 General Permit is intended to provide NPDES permit coverage to petroleum product contaminated groundwater remediation systems (PPCGRS) that discharge treated effluent to waters of this Commonwealth. PPCGRSs are systems installed to remove pollutants from groundwater to acceptable standards under State or Federal regulatory programs. The existing PAG-05 in effect at this time, which has been administratively extended, will expire on December 28, 2013. The Department is proposing to reissue a final PAG-05 General Permit on or before that date.

The draft PAG-05 General Permit includes the following proposed significant changes in comparison to the existing PAG-05 General Permit:

- Once covered by the PAG-05 General Permit, a permittee would not need to submit a Notice of Intent (NOI) for renewal of coverage unless required by the Department. This determination was based on the expected nature of PPCGRS discharges and the level of treatment required and performed by these systems. The determination was also based on the expected volume of the discharges, the potential for toxic or conventional pollutants in the discharges and other methods of identifying discharges covered under this permit.

- The Department proposes to reduce monitoring frequency, in general, from two times per month to one time per month for most parameters. Oil and Grease monitoring would be increased from two times per year to one time a month.

- Effluent limits for Naphthalene and Fluorene have been removed for groundwater contaminated with other petroleum products.

- Monitoring requirements for Toluene, Ethylbenzene and Total Xylenes have been eliminated for groundwater contaminated with gasoline. Monitoring requirements for Toluene, Ethylbenzene, Pyrene, Cumene, Chrysene and Phenanthrene have been eliminated for groundwater contaminated with other petroleum products.

- The permit language has been updated to conform to 25 Pa. Code Chapter 92a (relating to National Pollutant Discharge Elimination System permitting, monitoring and compliance) as published at 40 Pa.B. 5767 (October 9, 2010).

- Permittees with PAG-05 General Permit coverage would need to submit monitoring results to the Department electronically.

- An annual report would be required by December 31.

The proposed NOI fee for coverage under this General Permit is \$100 per year the PPCGRS is in operation. The NOI fee will be paid in installments, with the initial fee of \$100 submitted with the NOI for permit coverage and an installment of \$100 to be submitted with the annual report, if the PPCGRS will be in operation the following year. The Department anticipates that once coverage under the General Permit is authorized, coverage will continue without the need to submit an NOI for renewal of coverage as long as the PAG-05 General Permit is renewed, unless the Department specifically requires the submission of an NOI in writing.

*Written Comments:* The Department is seeking comments on the draft PAG-05 General Permit, Document No. 3800-PM-BPNPSM0171a-g for a period of 30 days. Interested persons may submit written comments on these documents by October 28, 2013. Comments submitted by facsimile will not be accepted. The Department will accept comments submitted by e-mail. A return name and address must be included in each e-mail transmission. Written comments should be submitted to Sean M. Furjanic, P.E., Department of Environmental Protection, Bureau of Point and Non-Point Source Management, Rachel Carson State Office Building, 11th Floor, P. O. Box 8774, Harrisburg, PA 17105-8774 or [sefurjanic@pa.gov](mailto:sefurjanic@pa.gov). Written comments submitted during the 30-day comment period will be retained by the Department and considered in making a final determination. The Department will provide an opportunity for any interested person or group of persons, any affected State, any affected interstate agency, the United States Environmental Protection Agency or any interested agency, to request or petition for a public hearing with respect to the proposed General Permit. The request or petition for public hearing, which must be filed within the 30-day period allowed for filing of written comments, must indicate the interest of the party filing the request and the reasons why a hearing is warranted. A hearing will be held if there is significant public interest.

*Contact:* Questions regarding the draft PAG-05 General Permit for Petroleum Product Contaminated Groundwater Remediation Systems should be directed to Sean M. Furjanic, P.E. at (717) 787-2137 or [sefurjanic@pa.gov](mailto:sefurjanic@pa.gov).

E. CHRISTOPHER ABRUZZO,  
*Acting Secretary*

[Pa.B. Doc. No. 13-1808. Filed for public inspection September 27, 2013, 9:00 a.m.]

## DEPARTMENT OF HEALTH

### Application of Sharon Regional Health System for Exception

Under 28 Pa. Code § 51.33 (relating to requests for exceptions), the Department of Health (Department) gives notice that Sharon Regional Health System has requested an exception to the requirements of 28 Pa. Code § 107.62 (relating to oral orders).

This request is on file with the Department. Persons may receive a copy of a request for exception by requesting a copy from the Department of Health, Division of Acute and Ambulatory Care, Room 532, Health and Welfare Building, Harrisburg, PA 17120, (717) 783-8980, fax (717) 772-2163, ra-paexcept@pa.gov.

Persons who wish to comment on an exception request may do so by sending a letter by mail, e-mail or facsimile to the Division at the address listed previously.

Comments received by the Department within 10 days after the date of publication of this notice will be reviewed by the Department before it decides whether to approve or disapprove the request for exception.

Persons with a disability who wish to obtain a copy of a request and/or provide comments to the Department and require an auxiliary aid, service or other accommodation to do so should contact the Division at the previously listed address or phone number, or for speech and/or hearing impaired persons V/TT (717) 783-6154, or the Pennsylvania AT&T Relay Service at (800) 654-5984.

MICHAEL WOLF,  
*Secretary*

[Pa.B. Doc. No. 13-1809. Filed for public inspection September 27, 2013, 9:00 a.m.]

### Renal Disease Advisory Committee Meeting

The Renal Disease Advisory Committee, established by section 4 of the act of June 23, 1970 (P. L. 419, No. 140) (35 P. S. § 6204), will hold a public meeting on Friday, October 18, 2013, from 10 a.m. to 1 p.m. in Conference Room 907, Health and Welfare Building, 625 Forster Street, Harrisburg, PA 17120.

For additional information or for persons with a disability who wish to attend the meeting and require an auxiliary aid, service or other accommodation to do so contact Carolyn S. Cass, Director, (717) 772-2762. For speech and/or hearing impaired persons call V/TT (717) 783-6514, or the Pennsylvania AT&T Relay Service at (800) 654-5984.

This meeting is subject to cancellation without notice.

MICHAEL WOLF,  
*Secretary*

[Pa.B. Doc. No. 13-1810. Filed for public inspection September 27, 2013, 9:00 a.m.]

## DEPARTMENT OF LABOR AND INDUSTRY

### Current Prevailing Wage Act Debarments

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

<i>Contractor</i>	<i>Address</i>	<i>Date of Debarment</i>
Executive Painting and Contracting, Inc. and Martin Blake, Individually	215 Woodhaven Road Columbia, SC 29203	9/4/2013

JULIA K. HEARTHWAY,  
*Secretary*

[Pa.B. Doc. No. 13-1811. Filed for public inspection September 27, 2013, 9:00 a.m.]

## DEPARTMENT OF REVENUE

### Method of Filing; Employer Quarterly Return of Income Tax Withheld, PA-W3

The Secretary of the Department of Revenue (Department) issues this notice under the provisions of section 10 of The Fiscal Code (72 P. S. § 10). This notice applies to Employer Quarterly Returns of Income Tax Withheld (Form PA-W3) that are required to be filed on or after January 1, 2014.

*Employer Quarterly Return of Income Tax Withheld, ("PA-W3")*

For all calendar years following a calendar year in which a third party preparer prepares 11 or more PA-W3's, the third party preparer is required to electronically file (e-file) in the manner prescribed by Departmental instructions all such PA-W3's. Once a third party preparer is subject to this filing mandate, the third party preparer shall continue to be subject to the mandate regardless of how many PA-W3's he or she prepares during a calendar year.

A third party preparer who is subject to this filing mandate must have tax software that is compatible with Department e-filing requirements.

#### *Rules applicable to the Filing Mandate*

(a) *Third Party Preparer.* For purposes of this notice, the phrase "third party preparer" means any natural person, fiduciary, corporation or other entity who or that prepares for remuneration, or who employs one or more persons to prepare for remuneration, any return for a tax administered by the Department or is assigned a Preparer Tax Identification Number (PTIN) by the Internal Revenue Service. None of the following, however, are

considered third party preparers for remuneration: (1) Tax return preparers who voluntarily prepare the returns of others for no pecuniary benefit. (2) Persons who merely provide mechanical assistance such as typing. (3) Regular employees of an employer who prepare returns for other regular employees of the employer or the employer's officers and regular employees. (4) Fiduciaries who prepare returns for the trusts or estates that they serve.

(b) *11 Return Threshold.* A third party preparer must include all PA-W3's that the third party preparer or his or her members, or employees prepare and submit to the Department. This amount includes all original and amended returns. If a third party preparer has multiple business locations, the combined total of all the returns for all locations are included.

#### *Penalty*

A third party preparer who fails to file PA-W3's by the method required under this notice shall be subject to a penalty of one percent of the tax due on the improperly filed return up to a maximum of five hundred dollars (\$500), but not less than ten dollars (\$10).

#### *Penalty Waiver*

(a) The Department will waive the penalty applicable to a return that is not filed pursuant to this filing mandate in the following situations:

(1) The taxpayer has specifically directed the third party preparer to file the return pursuant to a different filing method than mandated in this notice. This directive must be in a written form, signed by an officer of the corporation, and provided to the Department upon request.

(2) The preparer's tax software does not support e-filing of a required attachment to the return.

(b) The Department, at its discretion, may waive the penalties applicable to returns that are not filed as prescribed in this notice, if the Department determines the filing mandate of this notice constitutes undue hardship on the third party preparer. The third party preparer must submit a written request for the waiver for every calendar year. The request must clearly explain why the filing method causes an undue hardship. A request for a waiver must be mailed to the Pennsylvania Department of Revenue at the following address by November 1st of the preceding calendar year for which the waiver is requested: Pennsylvania Department of Revenue, Bureau of Business Trust Fund Taxes, Director's Office, P. O. Box 280900, Harrisburg, PA 17128-0900.

DANIEL MEUSER,  
*Secretary*

[Pa.B. Doc. No. 13-1812. Filed for public inspection September 27, 2013, 9:00 a.m.]

### **Method of Filing; PA S Corporation/Partnership Information Return, PA-20S/PA-65 Change to Return Threshold for Third Party Preparers**

Under the provisions of section 10 of The Fiscal Code (72 P. S. § 10) (Act 2009-50), the Secretary of Revenue hereby provides public notice of changes to the filing mandate for third party preparers of PA S Corporation/Partnership Information Returns (Form PA-20S/PA-65). Act 71 of July 18, 2013 reduces the third party preparers' return threshold from 50 to 11. This notice applies to PA

S Corporation/Partnership Information Returns (Form PA-20S/PA-65) that are required to be filed on or after January 1, 2014, and supersedes the notice previously published at 43 Pa.B. 3599 (June 29, 2013).

#### *Filing Mandate—PA S Corporation/Partnership Information Return, PA-20S/PA-65*

For all calendar years following a calendar year in which a third party preparer prepares 11 or more PA S Corporation/Partnership Information Returns, the third party preparer is required to electronically file (e-file) in the manner prescribed by Departmental instructions all such PA S Corporation/Partnership Information Returns and associated schedules (including RK-1 and NRK-1 forms) and attachments. Once a third party preparer is subject to this filing mandate, the third party preparer shall continue to be subject to the mandate regardless of how many PA S Corporation/Partnership Information Returns he or she prepares during a calendar year.

A third party preparer who is subject to this filing mandate must have software that is compatible with Department e-filing requirements.

#### *Rules applicable to the Filing Mandate*

(a) *Third Party Preparer.* For purposes of this notice, the phrase "third party preparer" means any natural person, fiduciary, corporation or other entity who or that prepares for remuneration, or who employs one or more persons to prepare for remuneration, any return for a tax administered by the Department or is assigned a Preparer Tax Identification Number (PTIN) by the Internal Revenue Service. None of the following, however, are considered third party preparers for remuneration: (1) Tax return preparers who voluntarily prepare the returns of others for no pecuniary benefit. (2) Persons who merely provide mechanical assistance such as typing. (3) Regular employees of an employer who prepare returns for other regular employees of the employer or the employer's officers and regular employees. (4) Fiduciaries who prepare returns for the trusts or estates that they serve.

(b) *11 Return Threshold.* A third party preparer must include all PA S Corporation/Partnership Information Returns that the third party preparer or his or her members, or employees prepare and submit to the Department. This amount includes all original and amended returns, or short year returns to the extent that such return can be e-filed with the Department. If a third party preparer has multiple business locations, the combined total of all the returns for all locations are included for purposes of calculating the 11 return threshold.

#### *Penalty*

A third party preparer who fails to file PA S Corporation/Partnership Information Returns by the method required under this notice shall be subject to a penalty of ten dollars (\$10) for each improperly filed return.

#### *Penalty Waiver*

(a) The Department will waive the penalty applicable to a return that is not filed pursuant to this filing mandate in the following situations:

(1) The taxpayer has specifically directed the third party preparer to file the return pursuant to a different filing method than mandated in this notice. This directive must be in a written form, signed by an officer of the corporation, and provided to the Department upon request.



(2) The preparer's tax software does not support e-filing of a required attachment to the return.

(b) The Department, at its discretion, may waive the penalties applicable to returns that are not filed as prescribed in this notice, if the Department determines the filing mandate of this notice constitutes undue hardship on the third party preparer. The third party preparer must submit a written request for the waiver for every calendar year. The request must clearly explain why the filing method causes an undue hardship. A request for a waiver must be mailed to the Pennsylvania Department of Revenue at the following address by November 1st of the preceding calendar year for which the waiver is requested: Pennsylvania Department of Revenue, Pass Through Business Office, Director's Office, P. O. Box 1240, Harrisburg, PA 17128-1240.

DANIEL MEUSER,  
*Secretary*

[Pa.B. Doc. No. 13-1813. Filed for public inspection September 27, 2013, 9:00 a.m.]

### Method of Filing; Pennsylvania Corporate Tax Report, RCT-101

The Secretary of the Department of Revenue (Department) issues this notice under the provisions of section 10 of The Fiscal Code (72 P. S. § 10). This notice is effective immediately and applies to reports filed for tax years beginning on or after January 1, 2013, during calendar years beginning on or after January 1, 2014.

#### *Filing Mandate—Pennsylvania Corporate Tax Report, RCT-101*

For all calendar years following a calendar year in which a third party preparer prepares 11 or more Pennsylvania Corporate Tax Reports, the third party preparer is required to electronically file (e-file) in the manner prescribed by Departmental instructions all such Pennsylvania Corporate Tax Reports. Once a third party preparer is subject to this filing mandate, the third party preparer shall continue to be subject to the mandate regardless of how many Pennsylvania Corporate Tax Reports he or she prepares during a calendar year.

A third party preparer who is subject to this filing mandate must have tax software that is compatible with Department e-filing requirements.

#### *Rules applicable to the Filing Mandate*

(a) *Third Party Preparer.* For purposes of this notice, the phrase "third party preparer" means any natural person, fiduciary, corporation or other entity who or that prepares for remuneration, or who employs one or more persons to prepare for remuneration, any return for a tax administered by the Department or is assigned a Preparer Tax Identification Number (PTIN) by the Internal Revenue Service. None of the following, however, are considered third party preparers for remuneration: (1) Tax return preparers who voluntarily prepare the returns of others for no pecuniary benefit. (2) Persons who merely provide mechanical assistance such as typing. (3) Regular employees of an employer who prepare returns for other regular employees of the employer or the employer's officers and regular employees. (4) Fiduciaries who prepare returns for the trusts or estates that they serve.

(b) *11 Report Threshold.* A third party preparer must include all Pennsylvania Corporate Tax Reports that the third party preparer, or his or her members, or employees prepare and submit to the Department. This amount includes all original and amended, resident or non-resident, full-year or part-year reports to the extent that such report can be e-filed with the Department. If a third party preparer has multiple business locations, the combined total of all the reports for all locations are included.

#### *Penalty*

A third party preparer who fails to file Pennsylvania Corporate Tax Reports by the method required under this notice shall be subject to a penalty of one percent of the tax due on the improperly filed report up to a maximum of five hundred dollars (\$500), but not less than ten dollars (\$10).

#### *Penalty Waiver*

(a) The Department will waive the penalty applicable to a report that is not filed pursuant to this filing mandate in the following situations:

(1) The taxpayer has specifically directed the third party preparer to file the report pursuant to a different filing method than mandated in this notice. This directive must be in a written form, signed by an officer of the corporation, and provided to the Department upon request.

(2) The preparer's tax software does not support e-filing of a required attachment to the report.

(b) The Department, at its discretion, may waive the penalties applicable to reports that are not filed as prescribed in this notice if the Department determines the filing mandate of this notice constitutes undue hardship on the third party preparer. The third party preparer must submit a written request for the waiver for every calendar year. The request must clearly explain why the filing method causes an undue hardship. A request for a waiver shall be mailed to the Pennsylvania Department of Revenue at the following address by November 1st of the preceding calendar year for which the waiver is requested: Pennsylvania Department of Revenue, Bureau of Corporation Taxes, Director's Office, P. O. Box 280700, Harrisburg, PA 17128-0700.

DANIEL MEUSER,  
*Secretary*

[Pa.B. Doc. No. 13-1814. Filed for public inspection September 27, 2013, 9:00 a.m.]

### Method of Filing; Pennsylvania Liquid Fuels and Fuels Tax Report, REV-1096(a)

The Secretary of the Department of Revenue (Department) issues this notice under the provisions of section 10 of The Fiscal Code (72 P. S. § 10). This notice applies to Liquid Fuels and Fuels Tax Reports (REV-1096(a)) that are required to be filed on or after January 1, 2014.

#### *Filing Mandate—Pennsylvania Liquid Fuels and Fuels Tax Report, REV-1096(a)*

For all calendar years following a calendar year in which a third party preparer prepares 11 or more Pennsylvania Liquid Fuels and Fuels Tax Reports, the third party preparer is required to electronically file (e-file) in



the manner prescribed by Departmental instructions all such Pennsylvania Liquid Fuels and Fuels Tax Reports. Once a third party preparer is subject to this filing mandate, the third party preparer shall continue to be subject to the mandate regardless of how many Pennsylvania Liquid Fuels and Fuels Tax Reports he or she prepares during a calendar year.

A third party preparer who is subject to this filing mandate must have tax software that is compatible with Department e-filing requirements.

#### *Rules Applicable to the Filing Mandate*

(a) *Third Party Preparer.* For purposes of this notice, the phrase “third party preparer” means any natural person, fiduciary, corporation or other entity who or that prepares for remuneration, or who employs one or more persons to prepare for remuneration, any report for a tax administered by the Department or is assigned a Preparer Tax Identification Number (PTIN) by the Internal Revenue Service. None of the following, however, are considered third party preparers for remuneration: (1) Tax report preparers who voluntarily prepare the reports of others for no pecuniary benefit; (2) Persons who merely provide mechanical assistance such as typing; (3) Fiduciaries who prepare reports for the trusts or estates that they serve.

(b) *11 Report Threshold.* A third party preparer must include all Pennsylvania Liquid Fuels and Fuels Tax Reports that the third party preparer or his or her members, or employees prepare and submit to the Department. This amount includes all original and amended, full-month or part-month reports to the extent that such report can be e-filed with the Department. If a third party preparer has multiple business locations, the combined total of all the reports for all locations are included.

#### *Penalty*

A third party preparer who fails to file a Pennsylvania Liquid Fuels and Fuels Tax Report by the method required under this notice shall be subject to a penalty of one percent of the tax due on the improperly filed report up to a maximum of five hundred dollars (\$500), but not less than ten dollars (\$10).

#### *Penalty Waiver*

(a) The Department will waive the penalty applicable to a report that is not filed pursuant to this filing mandate in the following situations:

(1) The taxpayer has specifically directed the third party preparer to file the report pursuant to a different filing method than mandated in this notice. This directive must be in a written form, signed by an officer of the corporation, and provided to the Department upon request.

(2) The preparer’s tax software does not support e-filing of a required attachment to the report.

(b) The Department, at its discretion, may waive the penalties applicable to reports that are not filed as prescribed in this notice, if the Department determines the filing mandate of this notice constitutes undue hardship on the third party preparer. The third party preparer must submit a written request for the waiver for every calendar year. The request must clearly explain why the filing method causes an undue hardship. A request for a

waiver shall be mailed to the Department at the following address by November 1st of the preceding calendar year for which the waiver is requested: Department of Revenue, Bureau of Motor Fuel Taxes, Director’s Office, DEPT 280646, Harrisburg, PA 17128-0646.

DANIEL MEUSER,  
*Secretary*

[Pa.B. Doc. No. 13-1815. Filed for public inspection September 27, 2013, 9:00 a.m.]

### **Method of Filing; Pennsylvania Personal Income Tax Return, PA-40**

The Secretary of the Department of Revenue (Department) issues this notice under the provisions of section 10 of The Fiscal Code (72 P. S. § 10). This notice is effective immediately and applies to returns filed in calendar years beginning on or after January 1, 2014.

#### *Filing Mandate—Pennsylvania Personal Income Tax Return, PA-40*

For all calendar years following a calendar year in which a third party preparer prepares 11 or more Pennsylvania Personal Income Tax Returns, the third party preparer is required to electronically file (e-file) in the manner prescribed by Departmental instructions all such Pennsylvania Personal Income Tax Returns. Once a third party preparer is subject to this filing mandate, the third party preparer shall continue to be subject to the mandate regardless of how many Pennsylvania Personal Income Tax Returns he or she prepares during a calendar year.

A third party preparer who is subject to this filing mandate must have tax software that is compatible with Department e-filing requirements.

#### *Rules applicable to the Filing Mandate*

(a) *Third Party Preparer.* For purposes of this notice, the phrase “third party preparer” means any natural person, fiduciary, corporation or other entity who or that prepares for remuneration, or who employs one or more persons to prepare for remuneration, any return for a tax administered by the Department or is assigned a Preparer Tax Identification Number (PTIN) by the Internal Revenue Service. None of the following, however, are considered third party preparers for remuneration: (1) Tax return preparers who voluntarily prepare the returns of others for no pecuniary benefit. (2) Persons who merely provide mechanical assistance such as typing. (3) Regular employees of an employer who prepare returns for other regular employees of the employer or the employer’s officers and regular employees. (4) Fiduciaries who prepare returns for the trusts or estates that they serve.

(b) *11 Return Threshold.* A third party preparer must include all Pennsylvania Personal Income Tax Returns that the third party preparer or his or her members, or employees prepare and submit to the Department. This amount includes all original and amended, resident or non-resident, full-year or part-year returns to the extent that such return can be e-filed with the Department. If a third party preparer has multiple business locations, the combined total of all the returns for all locations are included.

*Penalty*

A third party preparer who fails to file a Pennsylvania Personal Income Tax Return by the method required under this notice shall be subject to a penalty of one percent of the tax due on the improperly filed return up to a maximum of five hundred dollars (\$500), but not less than ten dollars (\$10).

*Penalty Waiver*

(a) The Department will waive the penalty applicable to a return that is not filed pursuant to this filing mandate in the following situations:

(1) The taxpayer has specifically directed the third party preparer to file the return pursuant to a different filing method than mandated in this notice. The taxpayer's directive must be indicated on the return.

(2) The preparer's tax software does not support e-filing of a required attachment to the return.

(b) The Department, at its discretion, may waive the penalties applicable to returns that are not filed as prescribed in this notice, if the Department determines the filing mandate of this notice constitutes undue hardship on the third party preparer. The third party preparer must submit a written request for the waiver for every calendar year. The request must clearly explain why the filing method causes an undue hardship. A request for a waiver must be mailed to the Pennsylvania Department of Revenue at the following address by November 1st of the preceding calendar year for which the waiver is requested: Pennsylvania Department of Revenue, Bureau of Individual Taxes, Director's Office, DEPT 280605, Harrisburg, PA 17128-0605.

DANIEL MEUSER,  
*Secretary*

[Pa.B. Doc. No. 13-1816. Filed for public inspection September 27, 2013, 9:00 a.m.]

### **Method of Filing; Pennsylvania Sales, Use and Hotel Occupancy Tax Return, PA-3**

The Secretary of the Department of Revenue (Department) issues this notice under the provisions of section 10 of The Fiscal Code (72 P. S. § 10). This notice applies to Sales, Use and Hotel Occupancy Tax Returns (Form PA-3) that are required to be filed on or after January 1, 2014.

#### *Filing Mandate—Pennsylvania Sales, Use and Hotel Occupancy Tax Return, PA-3*

For all calendar years following a calendar year in which a third party preparer prepares 11 or more Pennsylvania Sales, Use and Hotel Occupancy Tax Returns, the third party preparer is required to electronically file (e-file) in the manner prescribed by Departmental instructions all such Pennsylvania Sales, Use and Hotel Occupancy Tax Returns. Once a third party preparer is subject to this filing mandate, the third party preparer shall continue to be subject to the mandate regardless of how many Pennsylvania Sales, Use and Hotel Occupancy Tax Returns he or she prepares during a calendar year.

A third party preparer who is subject to this filing mandate must have tax software that is compatible with Department e-filing requirements.

*Rules applicable to the Filing Mandate*

(a) *Third Party Preparer.* For purposes of this notice, the phrase "third party preparer" means any natural person, fiduciary, corporation or other entity who or that prepares for remuneration, or who employs one or more persons to prepare for remuneration, any return for a tax administered by the Department or is assigned a Preparer Tax Identification Number (PTIN) by the Internal Revenue Service. None of the following, however, are considered third party preparers for remuneration: (1) Tax return preparers who voluntarily prepare the returns of others for no pecuniary benefit. (2) Persons who merely provide mechanical assistance such as typing. (3) Fiduciaries who prepare returns for the trusts or estates that they serve.

(b) *11 Return Threshold.* A third party preparer must include all Pennsylvania Sales, Use and Hotel Occupancy Tax Returns that the third party preparer or his or her members, or employees prepare and submit to the Department. This amount includes all original and amended returns to the extent that such return can be e-filed with the Department. If a third party preparer has multiple business locations, the combined total of all the returns for all locations are included.

*Penalty*

A third party preparer who fails to file a Pennsylvania Sales, Use and Hotel Occupancy Tax Return by the method required under this notice shall be subject to a penalty of one percent of the tax due on the improperly filed return up to a maximum of five hundred dollars (\$500), but not less than ten dollars (\$10).

*Penalty Waiver*

(a) The Department will waive the penalty applicable to a return that is not filed pursuant to this filing mandate in the following situations:

(1) The taxpayer has specifically directed the third party preparer to file the return pursuant to a different filing method than mandated in this notice. This directive must be in a written form, signed by an officer of the corporation, and provided to the Department upon request.

(2) The preparer's tax software does not support e-filing of a required attachment to the return.

(b) The Department, at its discretion, may waive the penalties applicable to returns that are not filed as prescribed in this notice, if the Department determines the filing mandate of this notice constitutes undue hardship on the third party preparer. The third party preparer must submit a written request for the waiver for every calendar year. The request must clearly explain why the filing method causes an undue hardship. A request for a waiver must be mailed to the Pennsylvania Department of Revenue at the following address by November 1st of the preceding calendar year for which the waiver is requested: Pennsylvania Department of Revenue, Bureau of Business Trust Fund Taxes, Director's Office, P. O. Box 280900, Harrisburg, PA 17128-0900.

DANIEL MEUSER,  
*Secretary*

[Pa.B. Doc. No. 13-1817. Filed for public inspection September 27, 2013, 9:00 a.m.]

### Powerball

In accordance with 61 Pa. Code § 871.21 (relating to future changes to Powerball), the Secretary of Revenue (Secretary) announces the following changes to the Powerball regulations. This amendment adds definitions for Licensee Lottery and MUSL Finance and Audit Committee. Additionally, this amendment further provides for the instances where the set prizes, including the power play set prizes, may become parimutuel prizes. Finally, this amendment provides clarification and further descriptions of the prize pool accounts and the prize reserve accounts.

These changes will affect ticket sales beginning October 1, 2013. The changes to the regulation will be codified as paragraph (6) in 61 Pa. Code § 871.22 (relating to changes to Powerball):

(6) Changes effective for Powerball tickets sold on or after October 1, 2013:

(i) *Section 871.3 (relating to definitions).*

*Licensee Lottery*—A State lottery or lottery of a political subdivision or entity which is not a Party Lottery but has agreed to comply with all applicable MUSL and MUSL Powerball Product Group requirements and has been authorized by the MUSL and by the MUSL Powerball Product Group to sell the Powerball game.

*MUSL Finance and Audit Committee*—The committee established by the Muti-State Lottery Association which, among other things, establishes the reserve accounts balances.

*Editor's note:* This is a partial listing of the definitions applicable to Powerball. See § 871.3 (relating to definitions) for additional definitions.

(ii) *Section 871.8(c) (relating to expected prize payout percentages).* The number of plays determined by the MUSL to be winners of the second through ninth prize categories will be paid as set cash prizes, except as provided in paragraphs (1) through (4).

(1) Except as otherwise provided in section 871.8(c)(4), if the total of the set prizes awarded in a Powerball drawing exceeds the set prize pool which is 18.0244% of gross sales, the amount needed to fund the set prizes, including Power play prizes, shall be drawn from the following sources in the following order:

(i) The amount allocated to the set prize tiers and carried forward from previous draws, if any.

(ii) An amount from the MUSL set prize reserve account, if available, not to exceed \$40,000,000 per Powerball drawing.

(2) Except as otherwise provided in section 871.8(c)(4), if the sources set forth in paragraph (1) are depleted and there still are not sufficient funds to pay the set prizes, including Power play prizes, for a particular Powerball drawing, the highest set prize shall become a parimutuel prize. If the amount of the highest set prize, when paid as a parimutuel prize, is less than or equal to the next highest set prize and there are still not sufficient funds to pay the remaining set prizes, the next highest set prize shall become a parimutuel prize. If necessary, and under the same test conditions set forth in the preceding sentence, each succeeding set prize level shall be converted to a parimutuel prize, in order, until all set prizes become parimutuel.

(3) Except for winning prizes sold by the California Lottery, if all, or any portion of the set prize pool is not awarded in the current Powerball drawing, that portion of the set prize pool shall be carried forward to subsequent Powerball drawings.

(4) By agreement with the Licensee Lotteries, the Licensee Lotteries shall independently calculate their set parimutuel prize amounts. The Party Lotteries and the Licensee Lotteries shall then agree to set the parimutuel prize amounts for all lotteries selling the game at the lesser of the independently-calculated prize amounts.

(iii) *Section 871.14(b) (relating to pari-mutuel prize pool).* An amount equal to up to 5% of a party lottery's sales shall be deducted from a party lottery's grand prize pool and placed in trust in one or more prize pool accounts and prize reserve accounts until the prize pool accounts and party lottery's share of the prize reserve accounts reaches the amounts designated by the MUSL Powerball Product Group. The MUSL Powerball Product Group has established the following prize reserve accounts for the Powerball game: the Prize Reserve Account, which is used to guarantee the payment of valid, but unanticipated, Grand Prize claims that may result from a system error or other reason; and the Set Prize Reserve Account, which is used to fund deficiencies in low-tier prize payments, subject to the limitations of these rules. The MUSL Powerball Product Group has established the following prize pool accounts for the Powerball game; the Grand Prize pool, which is used to fund the immediate Grand Prize, the Set-Aside Account, which is used to guarantee payment of the minimum or starting Grand Prize; the Power play pool account, which is described in § 871.20 (relating to power play promotion) of these rules; and the Low-Tier Prize Pool Account, which holds the temporary balances that may result from having fewer than expected winners in the low-tier prize categories. The source of the Low-Tier Prize Pool is the Party Lottery's weekly prize contributions less actual set prize liability. Once the prize pool accounts and the party lottery's share of the prize reserve accounts exceeds the designated amounts, the excess shall become part of the grand prize pool. The MUSL Powerball Product Group, with the approval of the Finance and Audit Committee, may establish a maximum balance for the prize pool accounts and prize reserve accounts. The MUSL Powerball Product Group may determine to expend all or a portion of the funds in the prize pool accounts, except the Grand Prize pool account, and the prize reserve accounts for the purpose of indemnifying the Party Lotteries and Licensee Lotteries in the payment of prizes to be made by the participating lotteries, subject to the approval of the MUSL Board and for the payment of prizes or special prizes in the game, subject to the approval of the MUSL Finance and Audit Committee. The prize reserve shares of a party lottery may be adjusted with refunds to the party lottery from the prize reserve accounts as may be needed to maintain the approved maximum balance and shares of the party lotteries. Any amount remaining in the prize pool accounts or prize reserve accounts at the end of this game shall be carried forward to a replacement prize reserve account or expended in a manner as directed by the members of the MUSL Powerball Product Group in accordance with State law.

(iv) *Section 871.20(e) (relating to power play promotion).* The Power play prize pool for power play set prizes shall consist of up to 49.96% of power play sales. The



Power play prize pool shall be carried forward to subsequent power play drawings if all or a portion of the percentage is not required to pay the power play prizes for the current power play drawing and held in the Power Play Pool Account.

(v) *Section 871.20(f) (relating to power play promotion).* An additional 0.04% of power play sales may be collected and placed in the power play pool account, for the purpose of paying Power Play prizes. Any amount remaining in the power play pool account at the end of the power play promotion shall be returned to all lotteries participating in the account after the end of all claim periods of all selling lotteries, carried forward to a replacement game, or expended in a manner as directed by the MUSL Powerball Product Group in accordance with State law.

(vi) *Section 871.20(g) (relating to power play promotion).* Except as otherwise provided in section 871.20(m), if, with respect to a single Powerball drawing, the total of the Powerball set prizes without the power play option and the Powerball set prizes increased by the power play option exceeds the percentage of the prize pools allocated to the set prizes, the amount needed to fund those combined set prizes shall be drawn from the following sources in the following order:

(1) The amount allocated to the set prizes and carried forward from previous Powerball drawings, if any.

(2) The amount allocated to the Powerball Set-Prize Reserve Account, if available in the account, not to exceed forty million dollars (\$40,000,000.00) per drawing.

(vii) *Section 871.20(h) (relating to power play promotion).* Except as otherwise provided in section 871.20(m), if the sources set forth in subsection (g) are depleted and there still are not sufficient funds to pay the set prizes, including the power play prizes, for a particular Powerball drawing, the highest set prize, including the prize increased by the power play option, shall become a parimutuel prize. If the amount of the highest set prize, when paid as a parimutuel prize, is less than or equal to the next highest set prize and there are still not sufficient funds to pay the remaining prizes, the next highest set prize, including the prize increased by the power play option, shall become a parimutuel prize. If necessary under the same test set forth in the preceding sentence, each succeeding set prize level shall be converted to a parimutuel prize, in order, until all set prizes become parimutuel. If all set prizes are converted to parimutuel prizes, the money available from the funding sources listed in subsection (g) shall be divided among the winning plays in proportion to their respective prize percentages.

(viii) *Section 871.20(m) (relating to power play promotion).* By agreement with the Licensee Lotteries, the Licensee Lotteries shall independently calculate their set parimutuel prize amounts, including the power play prize amounts. The Party Lotteries and the Licensee Lotteries shall then agree to set the pari-mutuel prize amounts for all lotteries selling the game at the lesser of the independently-calculated prize amounts.

DANIEL MEUSER,  
Secretary

[Pa.B. Doc. No. 13-1818. Filed for public inspection September 27, 2013, 9:00 a.m.]

## ENVIRONMENTAL HEARING BOARD

### Pennridge Wastewater Treatment Authority v. DEP; EHB Doc. No. 2013-165-M

Pennridge Wastewater Treatment Authority has appealed the issuance by the Department of Environmental Protection of an NPDES permit to Pennridge Wastewater Treatment Authority for a facility in West Rockhill Township, Bucks County.

A date for the hearing on the appeal has not yet been scheduled.

The appeal is filed with the Environmental Hearing Board (Board) at its office on the Second Floor, Rachel Carson State Office Building, 400 Market Street, P. O. Box 8457, Harrisburg, PA 17105-8457, and may be reviewed by any interested party on request during normal business hours. If information concerning this notice is required in an alternative form, contact the Secretary to the Board at (717) 787-3483. TDD users may telephone the Board through the Pennsylvania AT&T Relay Center at (800) 654-5984.

Petitions to intervene in the appeal may be filed with the Board by interested parties under 25 Pa. Code § 1021.81 (relating to intervention). Copies of the Board's rules of practice and procedure are available upon request from the Board.

THOMAS W. RENWAND,  
Chairperson

[Pa.B. Doc. No. 13-1819. Filed for public inspection September 27, 2013, 9:00 a.m.]

## HEALTH CARE COST CONTAINMENT COUNCIL

### Data Submission and Collection

Under section 6(a)(2) of the Health Care Cost Containment Act (act) (35 P. S. § 449.6(a)(2)), the Health Care Cost Containment Council is required to publish a list of diseases, procedures and medical conditions, not to exceed 35, for which data under section 6(c)(21) and (d) of the act shall be required.

The list of 35 diseases, procedures and medical conditions follows:

1. Heart Attack
2. Heart Failure
3. Chest Pain
4. Abnormal Heartbeat
5. Coronary Bypass
6. Heart Valve Replacement
7. Percutaneous Transluminal Coronary Angioplasty
8. Pneumonia
9. Asthma
10. Respiratory Failure
11. Blood Clot in Lung
12. Lung Repair
13. Hypotension



- 14. Blood Clot in Extremities
- 15. Vascular Repair
- 16. Stroke
- 17. Removal of Blockage in Head and Neck Vessel
- 18. Craniotomy
- 19. Diabetes
- 20. Digestive Disease
- 21. Liver Disease
- 22. Colorectal Repair
- 23. Gallbladder Removal
- 24. Stomach and Small Intestine Repair
- 25. Kidney Failure
- 26. Kidney and Urinary Tract Infection
- 27. Prostatectomy
- 28. Medical Back
- 29. Major Joint Repair
- 30. Neck/Back Repair
- 31. Breast Cancer
- 32. Hysterectomy
- 33. Infectious Disease
- 34. Ventilation for Respiratory Disease
- 35. Tracheostomy

JOE MARTIN,  
*Executive Director*

[Pa.B. Doc. No. 13-1820. Filed for public inspection September 27, 2013, 9:00 a.m.]

## HISTORICAL AND MUSEUM COMMISSION

### National Register Nomination to be Reviewed by the Historic Preservation Board

The Historic Preservation Board (Board) will hold a meeting on October 1, 2013, at 9:45 a.m. followed by the nominations at 12:15 p.m. at the Rachel Carson State Office Building, Harrisburg, PA. For individuals with a disability who wish to attend this meeting, and require an auxiliary aid, service or other accommodation to participate, contact Cheri Garrett at (717) 783-9933 or through the Pennsylvania AT&T Relay Service at (800) 654-5984 (TDD) to discuss how the Board can accommodate their needs. For persons who have any questions or comments, contact the National Register Office of the Bureau for Historic Preservation at (717) 783-8947.

1. The Beehive, 1375 South Concord Road, Thornbury Township, Chester County, No. 065256.
2. A.J. Reach Company Complex, 1701-1707 Tulip Street, 1721-1731 Tulip Street, 1714-1718 Memphis Street, Philadelphia, No. 100078.
3. Juvenile and Domestic Branches of the Municipal Court, 1801 Vine Street, Philadelphia, No. 086814.
4. Dr. Norman and Doris Fisher House, 197 East Mill Road, Hatboro, Montgomery County, No. 157289.

JAMES M. VAUGHAN,  
*Executive Director*

[Pa.B. Doc. No. 13-1821. Filed for public inspection September 27, 2013, 9:00 a.m.]

## INDEPENDENT REGULATORY REVIEW COMMISSION

### Notice of Filing of Final Rulemakings

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

<i>Final-Omit Reg. No.</i>	<i>Agency/Title</i>	<i>Received</i>	<i>Public Meeting</i>
54-77	Pennsylvania Liquor Control Board Repeals	9/11/13	11/7/13

SILVAN B. LUTKEWITTE, III,  
*Chairperson*

[Pa.B. Doc. No. 13-1822. Filed for public inspection September 27, 2013, 9:00 a.m.]

## INSURANCE DEPARTMENT

### Application for Approval to Acquire Control of OneBeacon Insurance Company and Potomac Insurance Company; Reopening of Public Comment Period

The Insurance Department (Department) published notice of receipt of the application of Trebuchet US Holdings, Inc. requesting approval to acquire control of OneBeacon Insurance Company, a domestic stock casualty

insurance company, and Potomac Insurance Company, a domestic stock casualty insurance company. The notice afforded persons the opportunity to provide written comments on the filing to the Department for a period that expired on April 24, 2013 (see 43 Pa.B. 1157 (February 23, 2013)). Through a subsequent notice, the public comment period was reopened for a period that expired on July 9, 2013 (see 43 Pa.B. 2970 (May 25, 2013)). The purpose of this notice is to announce that the Department will again reopen the comment period to afford the public the opportunity to comment on additional filing materials.

The filing and related materials are available on the Department's web site at [www.insurance.pa.gov](http://www.insurance.pa.gov).

Persons wishing to comment on the acquisition are invited to submit a written statement to the Department within 60 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 Steven L. Yerger, Company Licensing Division, Insurance Department, 1345 Strawberry Square, Harrisburg, PA 17120, fax (717) 787-8557 or [syerger@pa.gov](mailto:syerger@pa.gov).

MICHAEL F. CONSEDINE,  
*Insurance Commissioner*

[Pa.B. Doc. No. 13-1823. Filed for public inspection September 27, 2013, 9:00 a.m.]

### Homeowner Insurers; Rate Filing Reforms; Informational Notice

The Insurance Department (Department), Office of Insurance Product Regulation, is streamlining the process by which it reviews and approves filings for homeowner insurance rate changes. This effects the supporting requirements for the top 20 insurers of homeowner insurance, as measured by premium volume market share, as well as all other insurers providing homeowner coverage when filing proposed rate changes.

Effective immediately, the Department's review process of these rate filings will entail the following:

- For routine homeowner rate filings of the top 20 insurers and for all homeowner rate filings of other insurers, the Department will no longer make the data demands it has in the past. With these filings, the Department will conduct a review to fulfill its statutory obligation of prior review and approval of rate changes to ensure they are not excessive, inadequate or unfairly discriminatory. Any filing has to satisfy four broad categories: rates must be fully disclosed; they must be compliant with Commonwealth law; they must fully disclose all disruptions on all insureds (the variance on distributions); and they must provide adequate support for the proposed changes.

- o "Adequate support" means the techniques and data used to develop and justify a change, not just the change itself—the standard elements and techniques insurers develop, use and file across the country.

- o Insurers should give particular attention to demonstrating that distributions are arrived at consistently across all territories.

- "Routine" filings of the top 20 insurers shall be those with annual increases at or below 7.5% in the aggregate (including all decreases) and not greater than 30% on distributions to any individual policy in addition to the aggregate increase. For top 20 insurers making filings that exceed these levels, the Department will now request the following data as part of the supporting justification. The new streamlined "data request" is the following:

1. A summary exhibit of the proposed changes, both in dollars and as a percent of change. This information must detail the proposed changes separately by:

- A) Company or program
- B) All companies or programs combined
- C) Territory
- D) Statewide
- E) Form

Responses should include an exhibit of the current and proposed base rates and percent of change, by form, territory and company or program, or both.

2. Frequency distributions (histograms) showing both the percentage change impact and the dollar change impact of the proposed changes on policyholders, by company. Individuals should also report the maximum dollar and percentage increases any insured would receive as a result of the changes contained in the filing.

3. A rate history, expressed both in dollars and as a percent, which includes the dates and amounts of each rate and rule change spanning the 6 most recent accident years through the current rate level. This history must detail the changes separately by:

- A) Company or program
- B) Form

4. An exhibit of the following Pennsylvania premium and exposure data for each of the 5 most recent accident years separately by company or program, or both, and form:

- A) Written house years
- B) Earned house years
- C) Earned premiums at collected rate level
- D) Earned premiums at current rate level

Data should be consistent for rate-making purposes with the experience periods used in the filing to derive the rate change indications.

5. An exhibit of the following expense and expense related items separately by company or program, or both, and form separately for each of the 3 most recent calendar years:

- A) Direct written premiums
- B) Direct earned premiums
- C) Direct commission and brokerage
- D) Direct general expenses
- E) Direct other acquisition, field supervision and collection expenses
- F) Taxes, licenses and fees
- G) Incurred losses, excluding IBNR
- H) Paid losses
- I) Direct paid unallocated loss adjustment expenses
- J) Direct paid allocated loss adjustment expenses
- K) Direct incurred allocated loss adjustment expenses, excluding IBNR

Items (A) and (B) should be submitted on both a Pennsylvania basis and a countrywide basis.

Items (C) and (F) should be submitted on a Pennsylvania basis only. All other items may be submitted on either a Pennsylvania basis or countrywide basis, or both.

6. An exhibit of the following Pennsylvania loss development data both with and without catastrophe experience for the 5 most recent accident years separately by form:

- A) Cumulative reported claims
- B) Cumulative claims closed with payment
- C) Cumulative claims closed without payment
- D) Cumulative paid losses (excluding loss adjustment expense)
- E) Cumulative paid allocated loss adjustment expense
- F) Incurred losses on a case, formula or reported basis, that is, excluding IBNR or bulk reserves, or both, and loss adjustment expenses
- G) Incurred allocated loss adjustment expenses on a case, formula or reported basis: that is, excluding IBNR or bulk reserves, or both

Data should be consistent for rate-making purposes with the experience periods used in the filing to derive the rate change indications. Data should show development or emergence at subsequent annual stages of reporting, or both. Also, provide the most recent diagonal for all items separately by company or program, or both.

7. As discussed in the "Statement of Principles Regarding Property and Casualty Loss and Loss Adjustment Expense Reserves" promulgated by the Casualty Actuarial Society, discuss any considerations that may have had a substantive impact on the loss development data. Also, discuss any considerations that may have a substantive impact on future loss development and how the data should be adjusted to reflect expected future conditions.

8. As discussed in the "Statement of Principles Regarding Property and Casualty Insurance Ratemaking" promulgated by the Casualty Actuarial Society, discuss any considerations that may have had a substantive impact on any of the data contained in the filing (or provided in response to this data request), on the analysis and on the proposed changes. Also, discuss any considerations that may have a substantive impact in the future on any of the data contained in the filing (or provided in response to this data request), on the analysis and on the proposed changes and how the data should be adjusted to reflect expected future conditions.

Individuals should discuss any business considerations that may have a substantive impact on the filed homeowners rates and rules. For example, has the company changed or does it expect to change its underwriting selection standards or commission schedules during the period spanning the underlying experience through the time the proposed rates will be in effect? If so, individuals should include a copy of the old and new underwriting selection standards or commission schedules, or both and an explanation of the changes.

9. The definition of the Pennsylvania catastrophe losses. Also, provide an exhibit of the following Pennsylvania catastrophe loss data for the last 20 accident years separately by form:

- A) Catastrophe incurred losses
- B) Total incurred losses

Data should be consistent for rate-making purposes with the experience periods used in the filing to derive the rate change indications.

Questions regarding these changes can be directed to the Director of the Property and Casualty Bureau, Mark Lersch, [mlersch@pa.gov](mailto:mlersch@pa.gov).

MICHAEL F. CONSEDINE,  
*Insurance Commissioner*

[Pa.B. Doc. No. 13-1824. Filed for public inspection September 27, 2013, 9:00 a.m.]

## LIQUOR CONTROL BOARD

### Expiration of Leases

The Liquor Control Board seeks the following new site:  
Allegheny County, Wine & Spirits Store #0283 (Relocation), Natrona Heights, PA

*Lease will expire on:* April 30, 2014

Lease retail commercial space to the Commonwealth. Proposals are invited to provide the Liquor Control Board with approximately 4,000 to 5,000 net useable square feet of new or existing retail commercial space in a shopping center environment along Freeport Road in Harrison Township, Natrona Heights, PA. Storeroom should have access to free parking and be able to accommodate tractor trailer deliveries.

*Proposals due:* October 11, 2013, at 12 p.m.

**Department:** Liquor Control Board  
**Location:** Bureau of Real State  
Real Estate Region #3  
158 Purity Road, Suite B  
Pittsburgh, PA 15235-4441  
**Contact:** George D. Danis  
(412) 723-0124  
[gdanis@pa.gov](mailto:gdanis@pa.gov)

JOSEPH E. BRION,  
*Chairperson*

[Pa.B. Doc. No. 13-1825. Filed for public inspection September 27, 2013, 9:00 a.m.]

## PENNSYLVANIA PUBLIC UTILITY COMMISSION

### Eligible Telecommunications Carriers; Federal Universal Service Program

The Pennsylvania Public Utility Commission (Commission) invites comment on the following pending wireless carrier's petition for designation as an eligible telecommunications carriers (ETC) for purposes of receiving support from the Federal universal service program to only provide Lifeline services:

American Broadband and Telecommunications Company; Doc. No. P-2013-2362571

The Commission, at its July 29, 2010, public meeting adopted a final policy statement on ETC designation and ETC annual recertification and reporting requirements for all telecommunications carriers. This notice informs telecommunications providers and interested parties that the Commission intends to act on the previously-referenced ETC petition pending before the Commission.



Interested parties are invited to file comments at the relevant docket number within 20 days of publication of this notice. Reply comments of the carrier are due within 10 days thereafter. Interested parties may review the pending petition at the Commission web site <http://www.puc.state.pa.us/> or hard copies are available for a fee by means of written request to the Secretary of the Commission, Pennsylvania Public Utility Commission, Rosemary Chiavetta, Secretary, P. O. Box 3265, Harrisburg, PA 17105-3265.

The contact for questions regarding this notice is David E. Screven, Assistant Counsel, Law Bureau (717) 787-5000.

ROSEMARY CHIAVETTA,  
Secretary

[Pa.B. Doc. No. 13-1826. Filed for public inspection September 27, 2013, 9:00 a.m.]

### Eligible Telecommunications Carriers; Federal Universal Service Program

The Pennsylvania Public Utility Commission (Commission) invites comment on the following pending wireless carrier's petition for designation as an eligible telecommunications carriers (ETC) for purposes of receiving support from the Federal universal service program to only provide Lifeline services:

Buffalo-Lake Erie Wireless Systems Co., LLC, d/b/a Blue Wireless; Doc. No. P-2013-2382739

The Commission, at its July 29, 2010, public meeting adopted a final policy statement on ETC designation and ETC annual recertification and reporting requirements for all telecommunications carriers. This notice informs telecommunications providers and interested parties that the Commission intends to act on the previously-referenced ETC petition pending before the Commission.

Interested parties are invited to file comments at the relevant docket number within 20 days of publication of this notice. Reply comments of the carrier are due within 10 days thereafter. Interested parties may review the pending petition at the Commission web site <http://www.puc.state.pa.us/> or hard copies are available for a fee by means of written request to the Secretary of the Commission, Pennsylvania Public Utility Commission, Rosemary Chiavetta, Secretary, P. O. Box 3265, Harrisburg, PA 17105-3265.

The contact for questions regarding this notice is David E. Screven, Assistant Counsel, Law Bureau (717) 787-5000.

ROSEMARY CHIAVETTA,  
Secretary

[Pa.B. Doc. No. 13-1827. Filed for public inspection September 27, 2013, 9:00 a.m.]

### Service of Notice of Motor Carrier Applications

The following temporary authority and/or permanent authority applications for the right to render service as a common carrier or contract carrier in this Commonwealth have been filed with the Pennsylvania Public Utility Commission (Commission). Formal protests and petitions

to intervene must be filed in accordance with 52 Pa. Code (relating to public utilities). A protest shall indicate whether it applies to the temporary authority application, the permanent authority application, or both. Filings must be made with the Secretary, Pennsylvania Public Utility Commission, P. O. Box 3265, Harrisburg, PA 17105-3265, with a copy served on the applicant by October 15, 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.

**(Revised) A-2013-2356789. Wilderness Voyageurs, Inc.** (P. O. Box 97, Ohiopyle, Fayette County, PA 15470) persons in paratransit service, from points in the Counties of Allegheny, Fayette, Somerset and Westmoreland, to points in Pennsylvania, and return; limited to persons seeking bike tour related transportation to the Great Allegheny Passage Rail Trail and to hikers seeking transportation to the Laurel Highlands Hiking Trail.

**Amended A-2013-2371143. Providence Transportation, Inc.** (29 North 4th Street, Emmaus, Lehigh County, PA 18049) for the right to begin to transport, as a common carrier, by motor vehicle, persons in paratransit service, between points within Lehigh County.

**A-2013-2375687. Excelsior EMS, LLC** (7 West Bethany Road, Newmanstown, PA 17073) for the right to begin to transport, as a common carrier, by motor vehicle, persons in paratransit service, limited to wheelchair transports from hospitals and nursing homes to doctor appointments, from points in Berks, Lebanon, Lancaster and Dauphin Counties, to points in Pennsylvania, and return.

**A-2013-2379085. Back Mountain Errands 4 U, Inc.** (60 Walnut Street, Harveys Lake, Luzerne County, PA 18618) persons in paratransit service, limited to persons whose personal convictions prevent them from owning or operating motor vehicles, from points in Luzerne County, to points in Pennsylvania, and return.

**A-2013-2379483. Heather Wickard** (299 Ridge Road, Shippensburg, Cumberland County, PA 17257) persons in paratransit service, limited to persons whose personal convictions prevent them from owning or operating motor vehicles, from points in Cumberland County, to points in Pennsylvania, and return.

**A-2013-2379664. Prestigious Transportation, Inc.** (6617 Hegerman Street, Philadelphia, PA 19135) persons in paratransit service, for the purpose of visits to medical facilities, limited to persons whose personal convictions prevent them from owning or operating motor vehicles, from points in the City and County of Philadelphia, to points in Pennsylvania, and return.

**A-2013-2379860. Capital Health, Inc.** (465 Pike Road, Huntingdon Valley, Montgomery County, PA 19006) persons in paratransit service, from points in the Counties of Bucks, Montgomery, Chester, Delaware and the City and County of Philadelphia to points in Pennsylvania, and return. *Attorney:* David P. Temple, 1760 Market Street, Suite 1100, Philadelphia, PA 19103.

**A-2013-2379871. Griffith Transportation, Inc.** (221 Pelesky Road, Boswell, Somerset County, PA 15531) persons in paratransit service, for the purpose of visits to medical facilities, limited to persons whose personal



convictions prevent them from owning or operating motor vehicles, from points in the Counties of Cambria and Somerset, to points in Pennsylvania, and return.

**Application of the following for approval to begin operating as a broker for transportation of persons as described under the application.**

**A-2013-2380631. PTM Transportation, LLC** (201 35th Street, Unit #B, Ocean City, NJ 08226) for a brokerage license, evidencing the Commission's approval of the beginning of the right and privilege to operate as a broker, to arrange for the transportation of persons, between points in Pennsylvania. *Attorney:* Charles E. Thomas, III, Thomas, Long, Niesen & Kennard, 212 Locust Street, Suite 500, P. O. Box 9500, Harrisburg, PA 17108-9500.

ROSEMARY CHIAVETTA,  
*Secretary*

[Pa.B. Doc. No. 13-1828. Filed for public inspection September 27, 2013, 9:00 a.m.]

### Telecommunications

**A-2013-2383814. Windstream Pennsylvania, LLC, Windstream D&E, Inc., Windstream Conestoga, Inc., Windstream Buffalo Valley, Inc. and Lumos Networks of West Virginia, Inc.** Joint petition of Windstream Pennsylvania, LLC, Windstream D&E, Inc., Windstream Conestoga, Inc., Windstream Buffalo Valley, Inc. and Lumos Networks of West Virginia, Inc. for approval of an interconnection agreement under section 252(e) of the Telecommunications Act of 1996.

Windstream Pennsylvania, LLC, Windstream D&E, Inc., Windstream Conestoga, Inc., Windstream Buffalo Valley, Inc. and Lumos Networks of West Virginia, Inc., by its counsel, filed on September 13, 2013, at the Pennsylvania Public Utility Commission (Commission), a joint petition for 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. The documents filed in support of Windstream Pennsylvania, LLC, Windstream D&E, Inc., Windstream Conestoga, Inc., Windstream Buffalo Valley, Inc. and Lumos Networks of West Virginia, Inc. joint petition are available for inspection and copying at the Office of the Secretary between 8 a.m. and 4:30 p.m., Monday through Friday, at the Commission's web site at [www.puc.pa.gov](http://www.puc.pa.gov), and at the applicant's business address.

The contact person is Cheryl Walker Davis, Director, Office of Special Assistants, (717) 787-1827.

ROSEMARY CHIAVETTA,  
*Secretary*

[Pa.B. Doc. No. 13-1829. Filed for public inspection September 27, 2013, 9:00 a.m.]

## PHILADELPHIA PARKING AUTHORITY

### Motor Carrier Medallion Transfer Application for Service in the City of Philadelphia

Permanent 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) at Docket A-13-08-04 by the following named applicant. The company has applied to transfer the rights held by Ch. Ata Cab Co. (CPC No. 1000545-01, Medallion P-0881 and P-0883), 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.

**Ch. Razia Cab Co.**, 780 East Adams Avenue, Philadelphia, PA 19124 registered with the Department of State on March 17, 2003.

Formal protests must be filed in accordance with 52 Pa. Code Part II (relating to Philadelphia Parking Authority). Filings must be made at the offices of the TLD with the Clerk, 2415 South Swanson Street, Philadelphia, PA 19148, with a copy served on the applicant by October 15, 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. 13-1830. Filed for public inspection September 27, 2013, 9:00 a.m.]

### Motor Carrier Transfer Application for Limousine Service in the City of Philadelphia

Permanent 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 Alexa Limo, Inc. (CPC No. 10010260-07, Limousine Service) to transport persons in luxury limousine service between points within the City of Philadelphia and from points in the City of Philadelphia to points in Pennsylvania, and return.

**Millennium Car Service, Inc.**, 4679 Darrah Street, PA 19124, registered with the Commonwealth on November 2, 2009.

*Attorney for Applicant:* Michael S. Henry, 2336 South Broad Street, Philadelphia, PA 19145.

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 October 15, 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. 13-1831. Filed for public inspection September 27, 2013, 9:00 a.m.]

### Motor Carrier Transfer Application for Limousine Service in the City of Philadelphia

Permanent 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 Crystal Limousine, Inc. (CPC No. 1013116-07) to transport persons in luxury limousine service between points within the City of Philadelphia and from points in the City of Philadelphia to points in Pennsylvania, and return.

**Delaware County Transportation Services, Inc.**, 370 Crooked Lane, King of Prussia, PA 19406, registered with the Commonwealth on June 30, 1978.

*Attorney for Applicant:* David Temple, 1760 Market Street, Suite 1000, Philadelphia, PA 19103.

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 October 15, 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. 13-1832. Filed for public inspection September 27, 2013, 9:00 a.m.]

### Motor Carrier Transfer Application for Limousine Service in the City of Philadelphia

Permanent 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 Walshie, Inc. (CPC No. 1010254-07) to transport persons in luxury limousine service between points within the City of Philadelphia and from points in the City of Philadelphia to points in Pennsylvania, and return.

**E & M Trans, Inc.**, 2601 South Muhlfeld Street, Philadelphia, PA 19142, registered with the Commonwealth on July 19, 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 October 15, 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. 13-1833. Filed for public inspection September 27, 2013, 9:00 a.m.]

### Out of Service Notice; Doc. No. C-13-08-061

Joseph F. Parente, d/b/a Sapphire Coach and Limousine, CPC No. 1023657-07

Mr. Joseph Parente, President  
Last Known Address  
107 Pennington Avenue  
Morton, PA 19070

Re: *Philadelphia Parking Authority v. Joseph F. Parente, d/b/a Sapphire Coach & Limousine*; Docket No. C-13-08-061—Hearing Notice

Dear Mr. Joseph Parente:

Pursuant to the hearing held on Docket No. O-13-08-01, please be advised that a hearing has been scheduled on the formal complaint, citation T-15812 issued on 8/12/13. You are scheduled to appear at the Taxicab & Limousine Division Headquarters, at 2415 S. Swanson St., Philadelphia, PA 19148 on 10/10/13 at 2:30 p.m.

You are hereby advised you have the right to be represented by an attorney if you wish to engage one. If you desire to be represented by an attorney, the attorney must also appear on the date scheduled. You may also choose to represent yourself. For an individual to represent an entity, an appearance resolution or a notarized letter from the entity's secretary confirming the individual's authorization must be presented prior to the hearing.

Please prepare to arrive at least 15 minutes early to avoid any untimely delays. If you fail to appear, you may be found in your absence liable for the offense that you were charged with and you may incur additional fines or penalties as a result of the decision.

All subsequent filings and requests for rescheduling must be received in writing to the Office of the Clerk at 2415 S. Swanson St., Philadelphia, PA 19148. If you have any questions or need further assistance, please contact me at (215) 683-9498 or email me at TLDclerk@philapark.org.

Sincerely,

Heidi Robb  
Office of the Clerk  
Taxicab & Limousine Division  
Philadelphia Parking Authority

VINCENT J. FENERTY, Jr.,  
*Executive Director*

[Pa.B. Doc. No. 13-1834. Filed for public inspection September 27, 2013, 9:00 a.m.]

## PHILADELPHIA REGIONAL PORT AUTHORITY

### Request for Bids

The Philadelphia Regional Port Authority will accept sealed bids for Project No. 13-084.S, On-Call Hydrographic Surveying Services, until 2 p.m. on Thursday, October 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. 13-1835. Filed for public inspection September 27, 2013, 9:00 a.m.]

## STATE BOARD OF CHIROPRACTIC

**Bureau of Professional and Occupational Affairs v.  
Bill Adams, DC; Doc. No. 1578-43-10; File No.  
10-43-05712**

On November 16, 2006, the license of Bill Adams, DC, license number DC007794L, of Erie, Erie County, was revoked, based upon his convictions for health care fraud and for making fraudulent statements in the practice of chiropractic, submitting to third-party payers claims for service or treatment not actually provided, committing immoral or unprofessional conduct and failing to report this conviction to the State Board of Chiropractic.

Individuals may obtain a copy of the adjudication by writing to Jason E. McMurry, Board Counsel, State Board of Chiropractic, P. O. Box 2649, Harrisburg, PA 17105-2649.

KATHLEEN G. McCONNELL, DC,  
*Chairperson*

[Pa.B. Doc. No. 13-1836. Filed for public inspection September 27, 2013, 9:00 a.m.]

## STATE BOARD OF MEDICINE

**Bureau of Professional and Occupational Affairs v.  
Van Edward Scott, MD; Doc. No. 1188-49-13; File  
No. 10-49-03508**

On January 7, 2013, Van Edward Scott, MD, license no. MD064157L, of New Castle, Lawrence County, had his license suspended based on his multiple felony convictions

under The Controlled Substance, Drug, Device and Cosmetic Act (35 P. S. §§ 780-101—780-144).

Individuals may obtain a copy of the final order by writing to Wesley J. Rish, Board Counsel, State Board of Medicine, P. O. Box 2649, Harrisburg, PA 17105-2649.

ANDREW J. BEHNKE, MD,  
*Chairperson*

[Pa.B. Doc. No. 13-1837. Filed for public inspection September 27, 2013, 9:00 a.m.]

## STATE BOARD OF VEHICLE MANUFACTURERS, DEALERS AND SALESPERSONS

**Bureau of Professional and Occupational Affairs v.  
David H. London; Doc. No. 1412-60-11; File No.  
09-60-06015**

On August 13, 2013, David H. London, of Oil City, Venango County, was ordered to pay a civil penalty of \$1,000 because he engaged in the business of vehicle sales without a license to do so.

Individuals may obtain a copy of the adjudication by writing to Christopher K. McNally, Board Counsel, State Board of Vehicle Manufacturers, Dealers and Salespersons, P. O. Box 2649, Harrisburg, PA 17105-2649.

FRANK SNYDER,  
*Chairperson*

[Pa.B. Doc. No. 13-1838. Filed for public inspection September 27, 2013, 9:00 a.m.]

**Bureau of Professional and Occupational Affairs v.  
Nicole M. Young; Doc. No. 1411-60-11; File No.  
09-60-06016**

On August 13, 2013, the license of Nicole M. Young, license number MV212306, of Oil City, Venango County, was revoked and she was ordered to pay a civil penalty of \$1,000 because she engaged in unprofessional conduct in connection with the sale of vehicles.

Individuals may obtain a copy of the adjudication by writing to Christopher K. McNally, Board Counsel, State Board of Vehicle Manufacturers, Dealers and Salespersons, P. O. Box 2649, Harrisburg, PA 17105-2649.

FRANK SNYDER,  
*Chairperson*

[Pa.B. Doc. No. 13-1839. Filed for public inspection September 27, 2013, 9:00 a.m.]

## STATE CONSERVATION COMMISSION

### Action on Odor Management Plans for Concentrated Animal Operations and Concentrated Animal Feeding Operations and Volunteers Complying with the Commonwealth's Facility Odor Management Program

The State Conservation Commission has taken the following actions on previously received applications for Odor Management Plans under 3 Pa.C.S. §§ 501—522 (relating to nutrient management and odor management).

Persons aggrieved by any action may appeal under 3 Pa.C.S. § 517 (relating to appealable actions), section 4 of the Environmental Hearing Board Act (35 P.S. § 7514) and 2 Pa.C.S. §§ 501—508 and 701—704 (relating to Administrative Agency Law) to the Environmental Hearing Board, Second Floor, Rachel Carson State Office Building, 400 Market Street, P. O. Box 8457, Harrisburg, PA 17105-8457, (717) 787-3483. TDD users should contact the Environmental Hearing Board (Board) through the Pennsylvania AT&T Relay Service 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 any right of appeal beyond that permitted by applicable statutes and decision law.

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

Important legal rights are at stake, so individuals interested in challenging this action 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.

#### Odor Management Plan—Public Notice Spreadsheet—Actions

<i>Ag Operation Name, Address</i>	<i>County/Township</i>	<i>Animal Equivalent Units</i>	<i>Animal Type</i>	<i>New or Amended</i>	<i>Action Taken</i>
Paul Dotterer & Sons, Inc. 410 Kryder Road Millhall, PA 17751	Clinton County/ Porter Township	654.3	Dairy	Amended	Approved
Lloyd Ray Weaver 395 South Farmersville Road Ephrata, PA 17522	Lancaster County/ West Earl Township	73.3	Broilers	New	Approved
Randy Brubaker 1908 Valley Road Manheim, PA 17545	Lancaster County/ Ralpho Township	164	Swine	New	Approved
Joshua M. Zimmerman 15 Gift Road Hamburg, PA 19526	Berks County/ Richmond Township	165.6	Broilers	New	Approved

GEORGE D. GREIG,  
*Chairperson*

[Pa.B. Doc. No. 13-1840. Filed for public inspection September 27, 2013, 9:00 a.m.]

## STATE ETHICS COMMISSION

### Public Meeting

Under 65 Pa.C.S. §§ 1101—1113 (relating to Public Official and Employee Ethics Act) (act), the State Ethics Commission (Commission) is required to hold at least two public hearings each year to seek input from persons and organizations who represent any individual subject to the act and from other interested parties.

The Commission will conduct a public meeting at the Bedford Springs Resort, 2198 Sweet Root Road, Bedford, PA 15522 on October 9, 2013, beginning at 9 a.m. for

purposes of receiving input and for the conduct of other Commission business. Public officials, public employees, organizations and members of the general public may attend.

Persons seeking to testify or present any statement, information or other comments in relation to the act, the regulations of the Commission or Commission operations should contact Heather Mulhollan at (717) 783-1610 or (800) 932-0936. Written copies of any statement should be provided at the time of the meeting.

ROBERT P. CARUSO,  
*Executive Director*

[Pa.B. Doc. No. 13-1841. Filed for public inspection September 27, 2013, 9:00 a.m.]



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Harrisburg, PA 17120-0033	Harrisburg, PA 17120-0033

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Full Name	Complete Mailing Address

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 Has Changed During Preceding 12 Months (Publisher must submit explanation of change with this statement)

PS Form 3526, August 2012 (Page 1 of 3 (Instructions Page 3)) PSN: 7530-01-000-9931 PRIVACY NOTICE: See our privacy policy on www.usps.com

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	(2) Free or Nominal Rate In-County Copies Included on PS Form 3541	0	0
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I certify that all information furnished on this form is true and complete. I understand that anyone who furnishes false or misleading information on this form or who omits material or information requested on the form may be subject to criminal sanctions (including fines and imprisonment) and/or civil sanctions (including civil penalties).

PS Form 3526, August 2012 (Page 2 of 3)