

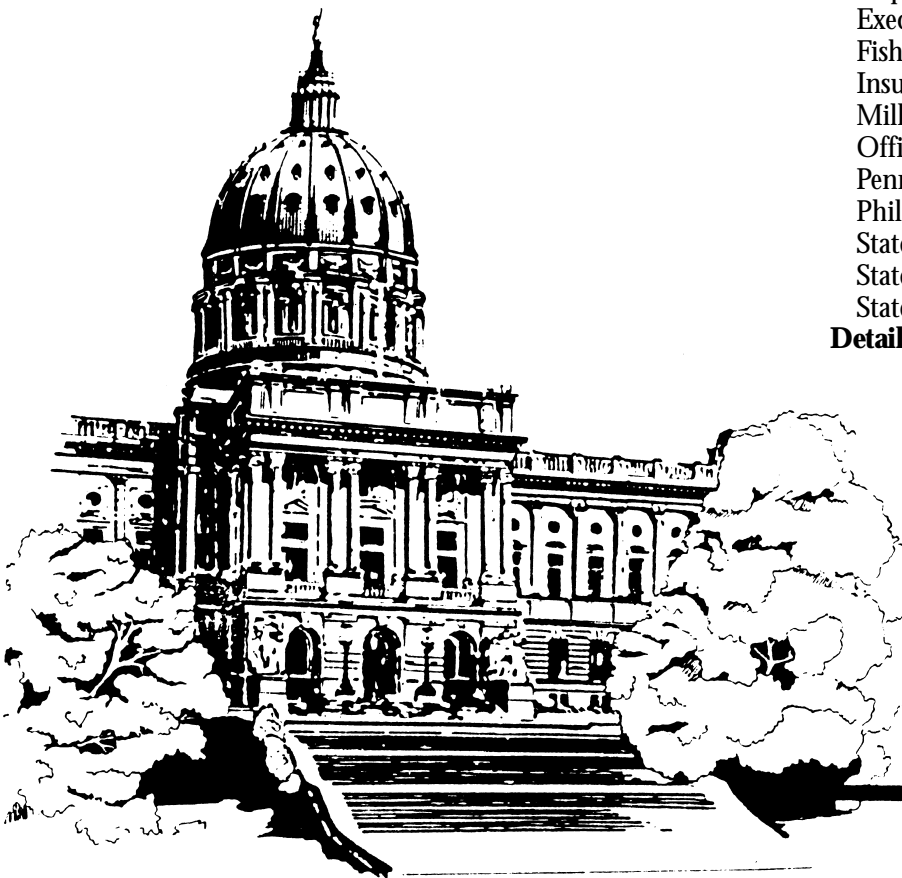
PENNSYLVANIA BULLETIN

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Delaware River Basin Commission
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Department of General Services
Department of Health
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Philadelphia Regional Port Authority
State Board of Barbers Examiners
State Board of Education
State Board of Nursing

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No. 394, September 2007

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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 Public Utility Commission; Applications and Actions before the Department of Environmental Protection; Orders of the Independent Regulatory Review Commission; and other documents authorized by law.

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

Adoption, Amendment or Repeal of Regulations

Generally an agency wishing to adopt, amend or repeal regulations must first publish in the *Pennsylvania Bulletin* a Notice of Proposed Rulemaking. There are limited instances where the agency may omit the proposal step; they 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, they must re-propose.

Citation to the *Pennsylvania Bulletin*

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

Pennsylvania Code

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

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

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

How to Find Documents

Search for your area of interest in the *Pennsylvania Code*.

The *Pennsylvania Code* contains, as Finding Aids, subject indexes for the complete *Code* and for each individual title, a list of Statutes Used As Authority for Adopting Rules and a list of annotated cases. 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*.

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

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Printing Format

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

Fiscal Notes

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

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

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List of Pa. Code Chapters Affected

The following numerical guide is a list of the chapters of each title of the *Pennsylvania Code* affected by documents published in the *Pennsylvania Bulletin* during 2007.

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THE COURTS

Title 237—JUVENILE RULES

PART I. RULES

[237 PA. CODE CHS. 1, 3 AND 5]

Order Amending Rules 160, 330, and 515; No. 423
Supreme Court Rules; Doc. No. 1

Order

Per Curiam:

Now, this 21st day of August, 2007, upon the recommendation of the Juvenile Court Procedural Rules Committee; the proposal having been published before adoption at 37 Pa.B. 527 (February 3, 2007), in the *Atlantic Reporter* (Second Series Advance Sheets, Vol. 912, February 2, 2007), and on the Supreme's Court web-page, and an Explanatory Report to be published with this *Order*:

It Is Ordered pursuant to Article V, Section 10 of the Constitution of Pennsylvania that the modifications to the Rules of Juvenile Court Procedure Rules 160, 330, and 515 are approved in the following form.

This *Order* shall be processed in accordance with Pa.R.J.A. 103(b), and shall be effective December 1, 2007.

Annex A

TITLE 237. JUVENILE RULES

PART I. RULES

Subpart A. DELINQUENCY MATTERS

CHAPTER 1. GENERAL PROVISIONS

PART C. RECORDS

PART C(1). ACCESS TO JUVENILE RECORDS

Rule 160. Inspection of Juvenile File/Records.

A. General Rule. All files and records of the court in a proceeding, including the juvenile court file as provided in Rule 166, are open to inspection only by:

- 1) the judges, masters, juvenile probation officers, and staff of the court;
- 2) the attorney for the Commonwealth, the juvenile's attorney, and the juvenile, but the persons in this category shall not be permitted to see reports revealing the names of confidential sources of information, except in the discretion of the court;
- 3) a public or private agency or institution providing supervision or having custody of the juvenile under order of the court;
- 4) a court and its probation officers and other officials or staff and the attorney for the defendant for use in preparing a pre-sentence report in a criminal case in which the defendant is convicted and the defendant previously was adjudicated delinquent;
- 5) a judge or issuing authority for use in determining bail, provided that such inspection is limited to orders of delinquency adjudications and dispositions, orders resulting from dispositional review hearings, and histories of bench warrants and escapes;
- 6) the Administrative Office of Pennsylvania Courts;
- 7) officials of the Department of Corrections or a state correctional institution or other penal institution to which an individual who was previously adjudicated delinquent

in a proceeding under the Juvenile Act has been committed, but the persons in this category shall not be permitted to see reports revealing the names of confidential sources of information contained in social reports, except in the discretion of the court;

8) a parole board, court, or county probation official in considering an individual who was previously adjudicated delinquent in a proceeding under the Juvenile Act, but the persons in this category shall not be permitted to see reports revealing the names of confidential sources of information contained in social reports, except in the discretion of the court;

9) the judges, juvenile probation officers, and staff of courts of other jurisdictions when necessary for the discharge of their official duties; [**and**]

10) the State Sexual Offenders Assessment Board for use in completing assessments; and

11) with leave of court, any other person, agency, or institution having a legitimate interest in the proceedings or in the work of the unified judicial system.

B. Public availability. Upon request, a public document shall be created by the clerk of courts if the case is designated eligible for public inspection pursuant to Rule 330 or 515.

1) For cases deemed eligible pursuant to Rule 330, the public document shall contain only the following information:

- a) the juvenile's name;
- b) the juvenile's age;
- c) the juvenile's address; and
- d) the offenses alleged in the juvenile's petition.

2) For cases deemed eligible pursuant to Rule 515, the public document shall contain only the following information:

- a) the juvenile's name;
- b) the juvenile's age;
- c) the juvenile's address;
- d) the offenses alleged in the juvenile's petition;
- e) the adjudication on each allegation; and
- f) the disposition of the case.

Comment

See the Juvenile Act, 42 Pa.C.S. § 6307, for the statutory provisions on inspection of the juvenile's file and 42 Pa.C.S. § 6352.1 for disclosure of treatment records.

This rule is meant to include the contents of the juvenile court file as described in Rule 166 and the contents of the juvenile probation records or reports. Juvenile probation records or reports, include, but are not limited to, social summaries, psychological and psychiatric evaluations, personal histories, school records and reports, mental health histories and reports, drug and alcohol evaluations, and placement facility records and reports.

Under Paragraph (B), there is one document for each eligible case that is open for public inspection. The public document should be clearly marked for employees of the clerks of courts' office as the only document available for inspection by the general

public. All other information contained in the juvenile court file is not open for public inspection but only open to inspection to the persons enumerated in paragraph (A).

See Rule 330 for designation of public availability status in the juvenile petition. See Rule 515 for designation of public availability status in the dispositional order.

Official Note: Rule 160 adopted April 1, 2005, effective October 1, 2005; amended December 30, 2005, effective immediately; **amended August 20, 2007, effective December 1, 2007.**

Committee Explanatory Reports:

Final Report explaining the provisions of Rule 160 published with the Court's Order at 35 Pa.B. 2214 (April 16, 2005).

Final Report explaining the revisions of Rule 160 published with the Court's Order at 36 Pa.B. 187 (January 14, 2006).

Final Report explaining the amendments to Rule 160 published with the Court's Order at 37 Pa.B. 4868 (September 8, 2007).

CHAPTER 3. PRE-ADJUDICATORY PROCEDURES PART C. PETITION

Rule 330. Petition: Filing, Contents, Function.

A. *Certification.* The District Attorney of any county may require that an attorney for the Commonwealth shall file all petitions. If the District Attorney elects to require an attorney for the Commonwealth to file the petition, the District Attorney shall file a certification with the court of common pleas. The certification shall:

- 1) state that an attorney for the Commonwealth shall file petitions; and
- 2) specify any limitations on the filing or classes of petitions.

B. *Filings.* In every delinquency proceeding, the attorney for the Commonwealth or the juvenile probation officer shall file a petition with the clerk of courts if it has been determined that informal adjustment or another diversionary program is inappropriate.

C. *Petition contents.* Every petition shall set forth plainly:

- 1) the name of the petitioner;
- 2) the name, date of birth, and address, if known, of the juvenile, or if unknown, a description of the juvenile;
- 3) a statement that:
 - a) it is in the best interest of the juvenile and the public that the proceedings be brought; and
 - b) the juvenile is in need of treatment, supervision, or rehabilitation;
- 4) the date when the offense is alleged to have been committed; provided, however:
 - a) if the specific date is unknown, or if the offense is a continuing one, it shall be sufficient to state that it was committed on or about any date within the period of limitations; and
 - b) if the date or day of the week is an essential element of the offense alleged, such date or day shall be specifically set forth;

5) the place where the offense is alleged to have been committed;

6) a) i) a summary of the facts sufficient to advise the juvenile of the nature of the offense alleged; and

ii) the official or customary citation of the statute and section, or other provision of law which the juvenile is alleged to have violated, but an error in such citation shall not affect the validity or sufficiency of the written allegation; or

b) a certification that the juvenile has not complied with the sentence imposed for a conviction of a summary offense.

7) the name and age of any conspirators, if known;

8) a statement that the acts were against the peace and dignity of the Commonwealth of Pennsylvania or in violation of an ordinance of a political subdivision;

9) a notation if criminal laboratory services are requested in the case;

10) a verification by the petitioner that the facts set forth in the petition are true and correct to the petitioner's personal knowledge, information, or belief, and that any false statements are subject to the penalties of the Crimes Code, 18 Pa.C.S. § 4904, relating to unsworn falsification to authorities;

11) the signature of the petitioner and the date of the execution of the petition;

12) the whereabouts of the juvenile and if taken into custody, the date and time thereof; **[and]**

13) the name and address of the juvenile's guardian, or if unknown, the name and address of the nearest adult relative; **and**

14) an averment as to whether the case is eligible pursuant to 42 Pa.C.S. § 6307 (b)(1)(ii) for limited public information.

Comment

Under paragraph (A), the District Attorney may file a certification with the court of common pleas stating that only an attorney for the Commonwealth may file a petition. If a certification has not been filed, then an attorney for the Commonwealth or a juvenile probation officer may file a petition.

A private citizen has the right to file a written allegation, not a petition. **See Rule 800.** The written allegation commences the proceedings in the juvenile system. *See Rule 200.* The case should progress in the same manner as any other case in the juvenile system. If the written allegation is disapproved, the private citizen may file a motion challenging the disapproval with the court of common pleas. *See Comment to Rule 233.*

Informal adjustment or other diversionary programs should be considered before a petition is filed. Once a petition is filed, informal adjustment is not permitted. *See Commonwealth v. J.H.B.*, 760 A.2d 27 (Pa. Super. Ct. 2000).

Petitions should be filed without unreasonable delay. *See Commonwealth v. Dallenbach*, 729 A.2d 1218 (Pa. Super. Ct. 1999).

The contents of a petition are the same as a written allegation except for the additional requirements in paragraphs (C)(12) **[and]**, (13), **and (14).**

Pursuant to paragraph (14), the petitioner is to designate whether the allegations in the juvenile's

petition make the case eligible for limited public information. *See* 42 Pa.C.S. § 6307(b)(2). When the case is designated, the clerk of courts is to mark the file clearly. For information that is available to the public in those eligible cases, see Rule 160.

Official Note: Rule 330 adopted April 1, 2005, effective October 1, 2005; amended August 20, 2007, effective December 1, 2007.

Committee Explanatory Reports:

Final Report explaining the provisions of Rule 330 published with the Court's Order at 35 Pa.B. 2214 (April 16, 2005).

Final Report explaining the amendments to Rule 330 published with the Court's Order at 37 Pa.B. 4868 (September 8, 2007).

CHAPTER 5. DISPOSITIONAL HEARING

PART B. DISPOSITIONAL HEARING AND AIDS

Rule 515. Dispositional Order.

A. *Generally.* When the court enters a disposition, the court shall issue a written order, which provides balanced attention to the protection of the community, accountability for the offenses committed, and development of the juvenile's competencies to enable the juvenile to become a responsible and productive member of the community. The order shall include:

- 1) the terms and conditions of the disposition;
- 2) the name of any agency or institution that is to provide care, treatment, supervision, or rehabilitation of the juvenile;
- 3) **a designation whether the case is eligible pursuant to 42 Pa.C.S. § 6307 (b)(1)(i) for limited public information;**
- 4) the date of the order; and
- [4] 5) the signature and printed name of the judge entering the order.**

B. *Restitution.* If restitution is ordered in a case, the dispositional order shall include:

- 1) a specific amount of restitution to be paid by the juvenile;
- 2) to whom the restitution is to be paid; and
- 3) a payment schedule, if so determined by the court.

C. *Guardian participation.* The court shall include any obligation in its dispositional order imposed upon the guardian.

Comment

Pursuant to paragraph (A)(3), the court is to determine if the case is eligible for limited public information under the requirements of 42 Pa.C.S. § 6307 (b)(1)(i). See 42 Pa.C.S. § 6307(b)(2). When the case is designated, the clerk of courts is to mark the file clearly. For information that is available to the public in those eligible cases, see Rule 160.

See 23 Pa.C.S. § 5503 and 42 Pa.C.S. § 6310.

Dispositional orders should comport in substantial form and content to the Juvenile Court Judges' Commission model orders to receive funding under the federal Adoption and Safe Families Act (ASFA) of 1997 (P. L. 105-89). The model forms are also in compliance with Title IV-B and Title IV-E of the Social Security Act. For model orders, see <http://www.jcjc.state.pa.us> or <http://www.dpw.state.pa.us> or request a copy on diskette directly from the

Juvenile Court Judges' Commission, Room 401, Finance Building, Harrisburg, PA 17120.

Official Note: Rule 515 adopted April 1, 2005, effective October 1, 2005; amended August 20, 2007, effective December 1, 2007.

Committee Explanatory Reports:

Final Report explaining the provisions of Rule 515 published with the Court's Order at 35 Pa.B. 2214 (April 16, 2005).

Final Report explaining the amendments to Rule 515 published with the Court's Order at 37 Pa.B. 4868 (September 8, 2007).

EXPLANATORY REPORT AUGUST 2007

INTRODUCTION

The Supreme Court of Pennsylvania has adopted the proposed changes to Rules 160, 330, and 515. The changes are effective December 1, 2007.

Rule 160—Inspection of Juvenile File/Record

Paragraph (B) has been added to this rule. Act 81 of 2006 amended 42 Pa.C.S. § 6307, allowing limited public access to specific information for specified juvenile cases. *See* the Act of July 7, 2006 (P. L. 378, No. 81, § 3). This amended rule sets forth the procedure on how the clerk of courts is to create a public document with the specific information if a case is deemed eligible pursuant to Rules 330 and 515. *See* 42 Pa.C.S. § 6307(b)(2).

Because the juvenile's file contains sensitive and confidential information, the Committee believed it would be easier to create a new document with limited information rather than redacting the juvenile file. The public document is to contain only the following information: 1) the juvenile's name; 2) the juvenile's age; 3) the juvenile's address; 4) the offenses alleged in the juvenile's petition; 5) the adjudication on each allegation; and 6) the disposition of the case.

Rule 330—Petition: Filing, Contents, Function

To help the clerk of courts determine if a case is eligible for public inspection pursuant to Rule 160, the contents of the petition are to include an averment as to whether the case is eligible pursuant to 42 Pa.C.S. § 6307 (b)(1)(ii) for limited public information. *See* 42 Pa.C.S. § 6307(b)(1)(ii) for the enumerated offenses that are eligible.

Rule 515—Dispositional order

To implement the new procedures of Rule 160, the dispositional order is to include a designation as to whether the case is eligible for limited public information pursuant to 42 Pa.C.S. § 6307(b)(1)(i). *See* 42 Pa.C.S. § 6307(b)(1)(i) for the enumerated offenses that are eligible.

[Pa.B. Doc. No. 07-1650. Filed for public inspection September 7, 2007, 9:00 a.m.]

RULES AND REGULATIONS

Title 58—RECREATION

FISH AND BOAT COMMISSION

[58 PA. CODE CH. 63]

Fishing; American Eels

The Fish and Boat Commission (Commission) amends Chapter 63 (relating to general fishing regulations). The Commission is publishing this final-form rulemaking under the authority of 30 Pa.C.S. (relating to the Fish and Boat Code) (code).

A. *Effective Date*

The final-form rulemaking will go into effect upon publication in the *Pennsylvania Bulletin*.

B. *Contact Person*

For further information on the final-form rulemaking, contact Laurie E. Shepler, Esq., P. O. Box 67000, Harrisburg, PA 17106-7000, (717) 705-7810. This final-form rulemaking is available on the Commission's website at www.fish.state.pa.us.

C. *Statutory Authority*

The addition of § 63.49 (relating to reporting by dealers of American eels) is published under the statutory authority of section 2102 of the code (relating to rules and regulations).

D. *Purpose and Background*

The final-form rulemaking is designed to improve, enhance and update the Commission's fishing regulations. The specific purpose of the amendment is described in more detail under the summary of change.

E. *Summary of Change*

At its February 2006 meeting in Arlington, Virginia, the American Eel Management Board of the Atlantic States Marine Fisheries Commission (ASMFC) approved Addendum I to the Interstate Fishery Management Plan for American Eel with member states implementing either Option 1A or Option 2 of the Addendum. The goal of Addendum I is to provide accurate catch and effort data for use in future stock assessments. Option 1A of the Addendum requires implementation of a license and reporting program for commercial fisheries for American eel. Option 2 requires implementation of a dealer permit with a mandatory purchase reporting requirement. This will provide an important validation of the catch and effort data being reported by harvesters. Because there is no commercial eel fishery in this Commonwealth, Option 1A does not apply. However, there are approximately 40 American eel dealers who are registered as dealers of live aquatic animals with the Department of Agriculture (Department). Therefore, the Commission decided to implement Option 2 to address dealer reporting.

The Department regulates aquaculture in this Commonwealth. Under 3 Pa.C.S. § 4222 (relating to registration for dealers of live aquatic animals), the Department requires the registration of dealers of live aquatic animals. Chapter 42 of 3 Pa.C.S. (relating to Aquacultural Development Law) (act) further provides that distribution by registered dealers is limited to species of fish approved by the Department. The Department defers to a list of species of fish that the Commission has approved for propagation in open systems. The Commission maintains

this list and updates it annually prior to January 31. The American eel is on this Commission list.

Under the act, registered dealers are subject to certain reporting and recordkeeping requirements. However, the act's reporting and recordkeeping requirements do not extend to the type of reports that the ASMFC is seeking. In addition, the act does not apply to dealers that are not required to be registered. Therefore, the Commission proposed a regulation requiring dealers of American eels to report the amounts of American eels that they buy and sell.

Reporting will be done on forms developed by the Commission and provided to the dealers by the Commission. Required information will include the date of purchase or sale, harvester, pounds purchased or sold by life stage, purpose of purchase or sale (bait, food, and the like), amount exported and other information the Commission deems necessary. This information will be required on the basis of individual purchases from harvesters or individual sales. Reports will be provided on a quarterly basis and be provided to the Commission by the 10th of the month in the next quarter. Reports will document purchases or sales for the preceding quarter on a monthly basis. The Commission will in turn maintain a database in a format acceptable to the ASMFC and provide the information on a schedule established by the ASMFC. The Commission proposed to add § 63.49 to address these reporting requirements. On final-form rulemaking, the Commission adopted the proposed addition as set forth in the proposed rulemaking.

F. *Paperwork*

The final-form rulemaking will increase paperwork and will create new paperwork requirements. Dealers of American eels in this Commonwealth will be required to provide quarterly reports to the Commission on forms developed by the Commission.

G. *Fiscal Impact*

The final-form rulemaking will have no adverse fiscal impact on the political subdivisions of the Commonwealth. The final-form rulemaking will impose no new costs on the private sector or the general public. The final-form rulemaking, however, will result in a modest increase in program costs to the Commonwealth. The costs incurred by the Commonwealth include development of the form, creation of a database, entry of data from the forms received each quarter and the preparation of an annual report.

H. *Public Involvement*

Notice of proposed rulemaking was published at 37 Pa.B. 2196 (May 12, 2007). In addition to publishing the proposed rulemaking, the Commission also sent a letter to dealers of live aquatic animals that are currently registered with the Department to make them aware of the proposed reporting requirements. The Commission did not receive public comments regarding the proposed rulemaking.

Findings

The Commission finds that:

(1) Public notice of intention to adopt the regulation adopted by this order has been given under sections 201 and 202 of the act of July 31, 1968 (P. L. 769, No. 240)

(45 P. S. §§ 1201 and 1202) and the regulations promulgated thereunder, 1 Pa. Code §§ 7.1 and 7.2.

(2) A public comment period was provided and no public comments were received.

(3) The adoption of the regulation of the Commission in the manner provided in this order is necessary and appropriate for administration and enforcement of the authorizing statutes.

Order

The Commission, acting under the authorizing statutes, orders that:

(a) The regulations of the Commission, 58 Pa. Code Chapter 63, are amended by adding § 63.49 to read as set forth at 37 Pa.B. 2196.

(b) The Executive Director will submit this order and 37 Pa.B. 2196 to the Office of Attorney General for approval as to legality as required by law.

(c) The Executive Director shall certify this order and 37 Pa.B. 2196 and deposit them with the Legislative Reference Bureau as required by law.

(d) This order shall take effect immediately upon publication in the *Pennsylvania Bulletin*.

DOUGLAS J. AUSTEN, Ph.D.,
Executive Director

Fiscal Note: Fiscal Note 48A-192 remains valid for the final adoption of the subject regulation.

[Pa.B. Doc. No. 07-1651. Filed for public inspection September 7, 2007, 9:00 a.m.]

FISH AND BOAT COMMISSION

[58 PA. CODE CH. 65]

Fishing; Special Fishing Regulations

The Fish and Boat Commission (Commission) amends Chapter 65 (relating to special fishing regulations). The Commission is publishing this final-form rulemaking under the authority of 30 Pa.C.S. (relating to the Fish and Boat Code) (code).

A. Effective Date

The final-form rulemaking will go into effect on January 1, 2008.

B. Contact Person

For further information on the final-form rulemaking, contact Jason E. Oyler, Esq., P. O. Box 67000, Harrisburg, PA 17106-7000, (717) 705-7810. This final-form rulemaking is available on the Commission's website at www.fish.state.pa.us.

C. Statutory Authority

The amendment to § 65.24 (relating to miscellaneous special regulations) is published under the statutory authority of section 2307 of the code (relating to waters limited to specific purposes).

D. Purpose and Background

The final-form rulemaking is designed to improve, enhance and update the Commission's fishing regulations. The specific purpose of the amendment is described in more detail under the summary of change.

E. Summary of Change

Sugar Lake is a 90-acre natural lake in southeastern Crawford County. A miscellaneous special regulation has been in place on this lake that provides for a 36-inch minimum size limit and 1 per day creel limit on muskellunge. The Commission recently amended Chapter 61 (relating to seasons, sizes and creel limits) to implement a 40-inch minimum size and 1 per day creel limit for muskellunge Statewide. The Commission therefore proposed that Sugar Lake be removed from management under the miscellaneous special regulations and be managed under the new Statewide regulation for muskellunge. The Commission adopted the proposed amendment as set forth in the proposed rulemaking.

F. Paperwork

The final-form rulemaking will not increase paperwork and will not create new paperwork requirements.

G. Fiscal Impact

The final-form rulemaking will have no adverse fiscal impact on the Commonwealth or its political subdivisions. The final-form rulemaking will impose no new costs on the private sector or the general public.

H. Public Involvement

A proposed rulemaking was published at 37 Pa.B. 1220 (March 17, 2007). The Commission did not receive public comments regarding the proposed rulemaking.

Findings

The Commission finds that:

(1) Public notice of intention to adopt the amendment adopted by this order has been given under sections 201 and 202 of the act of July 31, 1968 (P. L. 769, No. 240) (45 P. S. §§ 1201 and 1202) and the regulations promulgated thereunder, 1 Pa. Code §§ 7.1 and 7.2.

(2) A public comment period was provided and no public comments were received.

(3) The adoption of the amendment of the Commission in the manner provided in this order is necessary and appropriate for administration and enforcement of the authorizing statutes.

Order

The Commission, acting under the authorizing statutes, orders that:

(a) The regulations of the Commission, 58 Pa. Code Chapter 65, are amended by amending § 65.24 to read as set forth at 37 Pa.B. 1220.

(b) The Executive Director will submit this order and 37 Pa.B. 1220 to the Office of Attorney General for approval as to legality as required by law.

(c) The Executive Director shall certify this order and 37 Pa.B. 1220 and deposit them with the Legislative Reference Bureau as required by law.

(d) This order shall take effect on January 1, 2008.

DOUGLAS J. AUSTEN, Ph.D.,
Executive Director

Fiscal Note: Fiscal Note 48A-190 remains valid for the final adoption of the subject regulation.

[Pa.B. Doc. No. 07-1652. Filed for public inspection September 7, 2007, 9:00 a.m.]

PROPOSED RULEMAKING

DELAWARE RIVER BASIN COMMISSION

Interim Action Concerning Operation of the New York City Delaware Basin Reservoirs Pending Rulemaking to Implement a Flexible Flow Management Program; Notice of Public Hearing on Interim Action; Advance Notice of Proposed Rulemaking

Summary

The Delaware River Basin Commission (Commission) will hold a public hearing to receive comments on an interim New York City Delaware River Basin reservoir operations plan. An interim operations plan is proposed to be implemented pending unanimous agreement on a revised Flexible Flow Management Program (FFMP) proposal by the Parties to the United States Supreme Court Decree of 1954—the states of Delaware, New Jersey, and New York, the Commonwealth of Pennsylvania and the City of New York—and completion by the Commission of a rulemaking process on the FFMP proposal.

Dates

The public hearing will take place on Wednesday, September 26, 2007, during the Commission's regular business meeting, beginning at 1:30 p.m. at the Commission's office building, located at 25 State Police Drive, West Trenton, NJ. Directions are available on the Commission's website, www.drbc.net. Please do not rely upon MapQuest or other Internet mapping services for driving directions, as they may not provide accurate directions to the Commission. Written comments will be accepted through the close of the public hearing; however, earlier submittals would be appreciated. Written comments may be submitted by email to paula.schmitt@drbc.state.nj.us; by United States mail to Commission Secretary, DRBC, P. O. Box 7360, West Trenton, NJ 08628-0360 or by fax to (609) 883-9522. In all cases, the commentator's name, affiliation and address should be provided in the comment document, and "FFMP" should appear in the subject line. Persons wishing to testify are asked to register in advance with the Commission Secretary at (609) 883-9500, Ext. 203.

Previously Submitted Comments

Written comments submitted to the Commission during the prior comment period or presented orally or in writing at its prior scheduled hearings on the form of the FFMP that was posted on the Commission's website in February 2007 will be included in the administrative record for this action and need not be resubmitted.

Supplementary Information

The Decree Parties have considered the broad range of public comments received on an initial FFMP proposal published in February 2007. With the administrative support of the Commission staff and the Delaware River Master, the Parties continue to work towards a consensus proposal that incorporates changes made in response to those comments. The Parties' efforts are now focused on completing negotiations by early September 2007. To be implemented by the Commission, the relevant portions of any revised FFMP proposal developed by the Parties

must be promulgated as a rule or adjudicated in a docket by incorporating them into: (a) amendments to the Commission's Water Code; (b) one or more Commission dockets (similar to permits) or docket revisions; or (c) a combination of Water Code amendments and dockets. The Commission's Comprehensive Plan may also require revision.

Insufficient time remains to complete a full notice and comment rulemaking process before the Commission's next public meeting and hearing on September 26, 2007. Thus, if the Parties reach consensus on a revised FFMP on or before September 26, the Commission will consider approving an interim New York City Delaware River Basin reservoir operations plan on September 26 to be implemented pending completion of a rulemaking process on the revised FFMP. The interim action could consist of: (1) extending the current fisheries management program (Revision 7 of Docket D-77-20 CP); (2) reinstating a previous flow regime; or (3) implementing in whole or in part the consensus FFMP as proposed on an interim basis.

If the Commission acts to extend the current fisheries management program or to reinstate a previous flow regime, the program will be considered in combination with a spill mitigation program such as Revision 9 of Docket D-77-20 CP, which is currently in effect, and a program designed to ameliorate the potential effects on the tailwaters fishery of the Lake Wallenpaupack drought operating plan adopted by Resolution No. 2002-33. Any interim operations program that the Commission selects would be implemented simultaneously with a full notice and comment rulemaking process on rules to implement any FFMP proposal unanimously consented to by the Decree Parties. An interim program approved by the Commission and the Decree Parties would continue in effect until any expiration date contained in the program adopted or unless and until replaced by another program that has been approved by the Commission and the Decree Parties following notice and a public hearing.

In the event consensus is not reached on the FFMP on or before the Commission's meeting on September 26, the Commission will consider options 1 and 2 listed previously. In accordance with Section 3.3 of the Delaware River Basin Compact, 75 Statutes at Large 688, any program of the Commission that affects the diversions, compensating releases, rights, conditions, and obligations of the 1954 Supreme Court Decree in the matter of *New Jersey v. New York*, 347 U.S. 995, 74 S.Ct. 842 also requires the unanimous consent of the Decree Parties.

The current reservoir releases program, established by Resolution No. 2004-3, and the current spill mitigation program, established by Resolution No. 2006-18, both were due to expire on May 31, 2007. In light of ongoing efforts by the Decree Parties to develop a revised consensus FFMP proposal, the Commission extended both programs through September 30, 2007, by Resolution No. 2007-7 on May 10, 2007.

A notice concerning the original FFMP proposal of the Decree Parties appeared at 37 Pa.B. 785 (February 17, 2007) and in 72 FR 6509 (February 12, 2007). Subsequently, an advance notice concerning rulemaking to implement a revised FFMP proposal was published at 37 Pa.B. 3098 (July 7, 2007). That notice advised that the text of the proposed rule changes would be posted on the Commission's website on or before July 16, 2007, and

those public hearings would be held on August 14, 2007. Because the Decree Parties did not reach consensus on the revised proposal, the August 14 hearings were cancelled.

Resolutions and docket approvals relating to operation of the New York City Delaware Basin Reservoirs are available on the Commission's website at www.drbc.net or upon request from the Delaware River Basin Commission, P. O. Box 7360, West Trenton, NJ 08628-0360.

Further Information and Contact

For further information, contact Pamela M. Bush, Commission Secretary and Assistant General Counsel, DRBC, at (609) 883-9500, Ext. 203.

PAMELA M. BUSH,
Secretary

[Pa.B. Doc. No. 07-1653. Filed for public inspection September 7, 2007, 9:00 a.m.]

STATE BOARD OF EDUCATION

[22 PA. CODE CH. 16]

Special Education for Gifted Students

The State Board of Education (Board) proposes to amend Chapter 16 (relating to special education for gifted students) to read as set forth in Annex A. The Board is acting under the authority of sections 1372 and 2603-B of the Public School Code of 1949 (24 P. S. §§ 13-1372 and 26-2603-B).

Purpose

Chapter 16 sets forth requirements for gifted education programs and services in public schools in this Commonwealth. It addresses the screening and evaluation process, gifted individualized education program (GIEP), educational placement and procedural safeguards for students identified as gifted. As provided in section 1749-A of the Public School Code of 1949 (24 P. S. § 17-1749-A), the regulations do not apply to charter schools and cyber charter schools.

Requirements of the Proposed Rulemaking

Proposed amendments to § 16.4 (relating to strategic plans) add a requirement that the gifted education portion of each school district's strategic plan address the process for identifying children who are gifted and in need of specially designed instruction. It also is to outline the gifted special education programs offered by the school district.

Proposed amendments to § 16.6 (relating to general supervision) add a requirement that the Department of Education (Department) conduct onsite monitoring of school entities to ensure compliance with this chapter. The proposed rulemaking also directs the Secretary to outline the process and schedule for monitoring in a Basic Education Circular, which is available on the Department's website.

Proposed amendments to § 16.7 (relating to special education) add a requirement that a single Individualized Education Program be developed for students who are both gifted and have a disability under Chapter 14 (relating to special education services and programs).

Proposed amendments to § 16.21 (relating to general) add language that outlines the types of awareness activities that school districts are to conduct each year to inform parents about gifted education. The proposed rulemaking also adds language that deficits in memory or processing speed cannot be the sole basis for determining that a student is ineligible for gifted education services.

Proposed amendments to § 16.22 (relating to gifted multidisciplinary evaluation) require that school districts have readily available an evaluation request form that professional staff and administrators can provide to parents who request evaluations of their children. This section requires the parent be provided the evaluation request form within 5 days of the request. The proposed rulemaking adds a requirement that the gifted multidisciplinary team include, in its written report, its recommendations for each student's educational programming. This proposed rulemaking also amends the number of days in which the initial student evaluation must be completed from 45 school days to 60 school days after the school receives written parental consent for the evaluation, an order of a court or hearing officer. This aligns the time frame with the requirements of Chapter 14 so that school districts have just one standard to follow.

Proposed § 16.23(d) (relating to gifted multidisciplinary reevaluation) provides that the reevaluation be completed and presented to parents no later than 60 school days after the school district receives written permission to reevaluate.

Proposed amendments to § 16.31 (relating to general) include several revisions that update references to other applicable regulations. It also amends the section to "grandfather" students already receiving gifted education services at the time the regulation becomes effective.

Proposed amendments to § 16.32 (relating to GIEP) require present education levels to be included in both the initial and all revisions to the GIEP. The proposed rulemaking adds a requirement that a teacher of the gifted be included on the GIEP team. The proposed rulemaking also requires that the GIEP be based on the gifted multidisciplinary team's written report. New language is also added to require the school to notify teachers of their responsibilities to each of their students who are identified as gifted as provided in the students' GIEPs.

Proposed amendments to § 16.41 (relating to general) revise the total number of gifted students on an individual gifted teacher's caseload from 75 to 60. The proposed rulemaking revises the total number of gifted students on an individual teacher's class roster from 20 to 25. These changes reflect feedback provided from schools regarding the current caseload and class roster limitations.

Proposed amendments to § 16.63 (relating to impartial due process hearing) align this chapter with the proposed amendments to Chapter 14 by adding requirements that due process hearings, appeal panel proceedings and hearing officers adhere to 1 Pa. Code Part II (relating to General Rules of Administrative Practice and Procedure). See 37 Pa.B. 2961 (June 30, 2007). The proposed rulemaking also requires the Department to provide an annual report to the Board as to the activities of the due process hearings and appeal panel proceedings and to also report activities taken by the Department to strengthen the due process hearings and appeal panel proceedings.

Affected Parties

The proposed rulemaking affects the students and professional employees of the public schools, except those in charter schools and cyber-charter schools, in this Commonwealth.

Cost and Paperwork Estimates

The proposed rulemaking will not result in significant added costs or savings to the Department or school entities since it updates existing requirements. The Department will incur additional costs estimated at an initial cost of approximately \$21,000 per year to conduct compliance monitoring as provided in § 16.6. The Department already collects information about due process hearings and appeal panel proceedings so costs associated with providing an annual report the Board, as provided in § 16.63(q) are negligible.

Effective Date

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

Sunset Date

The Board will review the effectiveness of Chapter 16 every 4 years in accordance with the Board's policy and practice respecting all regulations promulgated by the Board. Thus, no sunset date is necessary.

Regulatory Review

Under section 5(a) of the Regulatory Review Act (71 P. S. § 745.5(a)), on August 23, 2007, the Board submitted a copy of this proposed rulemaking and a copy of a Regulatory Analysis Form to the Independent Regulatory Review Commission (IRRC) and to the Chairpersons of the House and Senate Committees on Education. A copy of this material is available to the public upon request.

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

Public Comments and Contact Person

Interested persons are invited to submit written comments, suggestions or objections regarding this proposed rulemaking to Jim Buckheit, Executive Director, State Board of Education, 333 Market Street, Harrisburg, PA 17126-0333, jrbuckheit@state.pa.us within 30 days following publication in the *Pennsylvania Bulletin*.

Persons with disabilities needing an alternative means of providing public comment may make arrangements by calling Jim Buckheit at (717) 787-3787 or TDD (717) 783-8445.

JIM BUCKHEIT,
Executive Director

Fiscal Note: 6-307. (1) General Fund; (2) Implementing Year 2006-07 is \$0; (3) 1st Succeeding Year 2007-08 is \$21,000; 2nd Succeeding Year 2008-09 is \$21,000; 3rd Succeeding Year 2009-10 is \$21,000; 4th Succeeding Year 2010-11 is \$21,000; 5th Succeeding Year 2011-12 is \$21,000; (4) 2005-06 Program—\$26,210,000; 2004-05 Program—\$25,060,000; 2003-04 Program—\$24,720,000; (7) General Government Operations; (8) recommends adoption.

Annex A

TITLE 22. EDUCATION

PART I. STATE BOARD OF EDUCATION

Subchapter A. MISCELLANEOUS PROVISIONS

CHAPTER 16. SPECIAL EDUCATION FOR GIFTED STUDENTS

GENERAL PROVISIONS

§ 16.4. Strategic plans.

(a) Each school district's strategic plan developed under Chapter 4 (relating to academic standards and assessments) **[shall] must** include procedures for the education of all gifted students enrolled in the district. The strategic plan shall be developed to ensure the **[support of the]** implementation of **gifted education plans [developed under subsection (b)]**.

(b) Each school district shall **[provide, as the Department may require, reports of students, personnel and program elements, including the costs of the elements, which are relevant to the delivery of gifted education.]** address the following in its gifted education plan:

(1) The process for identifying children who are gifted and in need of specially designed instruction.

(2) The gifted special education programs offered.

(c) Each school district shall provide, as the Department may require, reports of students, personnel and program elements, including the costs of the elements, which are relevant to the delivery of gifted education.

§ 16.6. General supervision.

* * * * *

(d) The Department will conduct onsite monitoring of school entities to ensure school entity implementation of this chapter. The Secretary will outline the process and schedule for this monitoring in a Basic Education Circular (BEC).

§ 16.7. Special education.

(a) Nothing in this chapter is intended to reduce the protections afforded to students who are eligible for special education as provided for under **[Chapters] Chapter 14 [and 342]** (relating to special education services and programs) and **sections 601—619** of the Individuals with Disabilities Education Act (20 U.S.C.A. §§ 1400—[**1485**] **1419**).

(b) If a student is determined to be both gifted and eligible for special education, the procedures in **[Chapters] Chapter 14 [and 342]** shall take precedence. For these students identified with dual exceptionalities, the needs established under gifted status in this chapter shall be fully addressed in the procedures required in **[Chapters] Chapter 14 [and 342]**.

(c) For students who are gifted and eligible for special education, it is not necessary for school districts to conduct separate screening and evaluations **[, develop separate IEPs,]** or use separate procedural safeguards processes to provide for a student's needs as both a gifted and an eligible student.

(d) A single IEP shall be developed and implemented, revised and modified in accordance with this chapter and Chapter 14, for students who are identified as eligible under this chapter and Chapter 14.

SCREENING AND EVALUATION PROCESS

§ 16.21. General.

* * * * *

(b) Each school district shall conduct awareness activities to inform the public of gifted education services and programs and the manner by which to request these services and programs. These awareness activities shall be designed to reach parents of students enrolled in the public schools and the parents of school age children not enrolled in the public schools. Awareness activities shall be conducted annually and include, but not be limited to, providing information in local newspapers, other media, student handbooks and on the school district website.

* * * * *

(d) Each school district shall establish procedures to determine whether a student is mentally gifted. This term includes a person who has an IQ of 130 or higher and when multiple criteria as set forth in this chapter and in Department Guidelines indicate gifted ability. Determination of gifted ability will not be based on IQ score alone. Deficits in memory or processing speed, as indicated by testing, cannot be the sole basis upon which a student is determined to be ineligible for gifted special education. A person with an IQ score lower than 130 may be admitted to gifted programs when other educational criteria in the profile of the person strongly indicate gifted ability. Determination of mentally gifted [shall] must include an assessment by a certified school psychologist.

(e) Multiple criteria indicating gifted ability include:

* * * * *

(3) Demonstrated achievement, performance or expertise in one or more academic areas as evidenced by excellence of products, portfolio or research, as well as criterion-referenced team [judgement] judgment.

* * * * *

§ 16.22. Gifted multidisciplinary evaluation.

(a) Prior to conducting an initial gifted multidisciplinary evaluation, the school district shall comply with the notice and consent requirements under §§ 16.61 and [§] 16.62 (relating to notice; and consent).

* * * * *

(c) Parents who suspect that their child is gifted may request a gifted multidisciplinary evaluation of their child at any time, with a limit of one request per school term. The request [shall] must be in writing. [If a parental request is made orally to school personnel, the personnel shall inform the parents that the request shall be made in writing and shall provide the parents with a form for that purpose.] The school district shall have readily available for this purpose an evaluation request form and if a request is made orally to any professional employee or administrator of the school district, that individual shall provide a copy of the evaluation request form to the parents within 5 school days of the oral request.

* * * * *

(h) The GMDT shall prepare a written report which brings together the information and findings from the evaluation or reevaluation concerning the student's educational needs and strengths. The report [shall] must make recommendations as to whether the student is gifted and in need of specially designed instruction, [shall] indicate the [bases] basis for those recommendations, include recommendations for the student's programming and [shall] indicate the names and positions of the members of the GMDT.

(i) [To recommend that a student who has been evaluated is a gifted student, the GMDT shall conclude that the student needs specially designed education and meets the criteria for eligibility as defined in §§ 16.1 and 16.21 (relating to definitions; and general).] The GMDT shall determine eligibility as defined in §§ 16.1 and 16.21 (relating to definitions; and general).

(j) [The following timeline applies to the completion of gifted multidisciplinary evaluations:

(1) Each district shall establish and implement procedures to complete a gifted multidisciplinary evaluation for a student referred for evaluation within 45 school days after receiving parental permission for an initial evaluation, after notifying the parents of a reevaluation or after receiving an order of a court or hearing officer to conduct a multidisciplinary evaluation.

(2) An evaluation report shall be completed within 10 school days after completion of the gifted multidisciplinary evaluation.

(3) Within 5 school days after its completion, a copy of the evaluation report shall be delivered to the parents of the student.]

The initial evaluation shall be completed and a copy of the evaluation report presented to the parents no later than 60 school days after the school district receives written parental consent for evaluation or receives an order of a court or hearing officer to conduct a multidisciplinary evaluation.

§ 16.23. Gifted multidisciplinary reevaluation.

(a) Gifted students shall be reevaluated before a change in educational placement is recommended for the student [and when the conditions under § 16.22 (b)(1) or (3) (relating to gifted multidisciplinary evaluation) are met]. In addition, gifted students may be reevaluated at any time under recommendation by the GIEP team.

* * * * *

(d) The initial evaluation shall be completed and a copy of the evaluation report presented to the parents no later than 60 school days after the school district receives written parental consent for evaluation or receives an order of a court or hearing officer to conduct a multidisciplinary evaluation.

GIEP

§ 16.31. General.

* * * * *

(c) [Every student receiving gifted education provided for in an IEP developed prior to Decem-

ber 9, 2000, shall continue to receive the gifted education under that IEP until the student's GIEP is developed. For a student also eligible under Chapters 14 and 342 (relating to special education services and programs), the student will continue to receive gifted education under that IEP until revised.

(d) Every student receiving gifted education prior to [December 9, 2000,] _____ (Editor's Note: The blank refers to the effective date of adoption of this proposed rulemaking.), shall continue to receive gifted education until the student meets one of the following conditions [exists]:

* * * * *

§ 16.32. GIEP.

(a) Each school district shall establish and implement procedures to appoint a GIEP team to review the recommendations of the GMDT and, if the GIEP team determines a student is gifted, to develop a GIEP for the student. The GIEP shall be developed at a GIEP meeting and based on data and information presented at that meeting.

(b) The GIEP team, in accordance with the requirements of this chapter shall, based upon the evaluation report, develop an initial GIEP [for a student it determines to be a gifted student,] and arrive at a determination of educational placement. Revisions to GIEPs, changes in educational placement, or continuation of educational placement for a student determined to be a gifted student shall be made by the GIEP team based upon a review of the student's GIEP and instructional activities, present education levels of educational performance, as well as on information in the most recent evaluation.

[(c)] (b) * * *

* * * * *

(6) A teacher of the gifted.

[(d)] (c) * * *

* * * * *

(e) (d) The GIEP of each gifted student shall be based on the GMDT's [recommendations] written report and [shall] contain the following:

* * * * *

[(f)] (e) * * *

(f) The school district shall notify teachers who work with a student who has been identified as gifted and in need of specially designed instruction of their responsibilities under the student's GIEP.

(g) The following timeline governs the preparation and implementation of GIEPs:

* * * * *

(3) GIEP team meetings shall be convened at least annually, or more frequently if conditions warrant [, as well as following an evaluation or reevaluation. A GIEP team meeting shall also be convened at the request of a GIEP team member, the parent, the student or the school district].

(4) A GIEP team meeting shall also be convened at the request of a GIEP team member, the parent, the student or the school district.

EDUCATIONAL PLACEMENT

§ 16.41. General.

* * * * *

(c) Districts shall adopt board policies relating to caseloads and class sizes for gifted students which:

* * * * *

(3) Limit the total number of gifted students which can be on an individual gifted teacher's caseload to a maximum of [75] 60 students.

(4) Limit the total number of gifted students which can be on an individual gifted teacher's class roster to a maximum of [20] 25 students.

* * * * *

PROCEDURAL SAFEGUARDS

§ 16.63. Impartial due process hearing.

* * * * *

(p) Impartial due process hearings, appeal panel proceedings and the hearing officers who conduct the hearings and proceedings shall be subject to 1 Pa. Code Part II (relating to General Rules of Administrative Practice and Procedure).

(q) The Department will report to the Board by September 1 each year on the number of impartial due process hearings and appeal panel proceedings held during the previous school year. The report will also provide a Statewide summary of the results of the proceedings in a manner that will not violate the confidentiality of children and families. The report will also address actions taken during the previous school year and future plans to strengthen the activities of due process hearings and appeal panel proceedings.

(r) Upon receipt of a final decision from the hearing officer, appellate panel or the court of competent jurisdiction, the school entity shall provide to the Department an assurance of its implementation of an order. The assurance shall be filed within 30 school days of the date of the final decision.

[Pa.B. Doc. No. 07-1654. Filed for public inspection September 7, 2007, 9:00 a.m.]

STATEMENTS OF POLICY

Title 4—ADMINISTRATION

PART II. EXECUTIVE BOARD

[4 PA. CODE CH. 9]

Reorganization of the Department of Conservation and Natural Resources

The Executive Board approved a reorganization of the Department of Conservation and Natural Resources effective August 21, 2007.

The organization chart at 37 Pa.B. 4877 (September 8, 2007) is published at the request of the Joint Committee on Documents under 1 Pa. Code § 3.1(a)(9) (relating to contents of code).

(Editor's Note: The Joint Committee on Documents has found organization charts to be general and permanent in nature. This document meets the criteria of 45 Pa.C.S. § 702(7) (relating to contents of Pennsylvania Code) as a document general and permanent in nature which shall be codified in the Pennsylvania Code.)

[Pa.B. Doc. No. 07-1655. Filed for public inspection September 7, 2007, 9:00 a.m.]

PART II. EXECUTIVE BOARD

[4 PA. CODE CH. 9]

Reorganization of the Department of Education

The Executive Board approved a reorganization of the Department of Education effective August 21, 2007.

The organization chart at 37 Pa.B. 4878 (September 8, 2007) is published at the request of the Joint Committee on Documents under 1 Pa. Code § 3.1(a)(9) (relating to contents of code).

(Editor's Note: The Joint Committee on Documents has found organization charts to be general and permanent in nature. This document meets the criteria of 45 Pa.C.S. § 702(7) (relating to contents of Pennsylvania Code) as a document general and permanent in nature which shall be codified in the Pennsylvania Code.)

[Pa.B. Doc. No. 07-1656. Filed for public inspection September 7, 2007, 9:00 a.m.]

PART II. EXECUTIVE BOARD

[4 PA. CODE CH. 9]

Reorganization of the State Police

The Executive Board approved a reorganization of the State Police effective August 21, 2007.

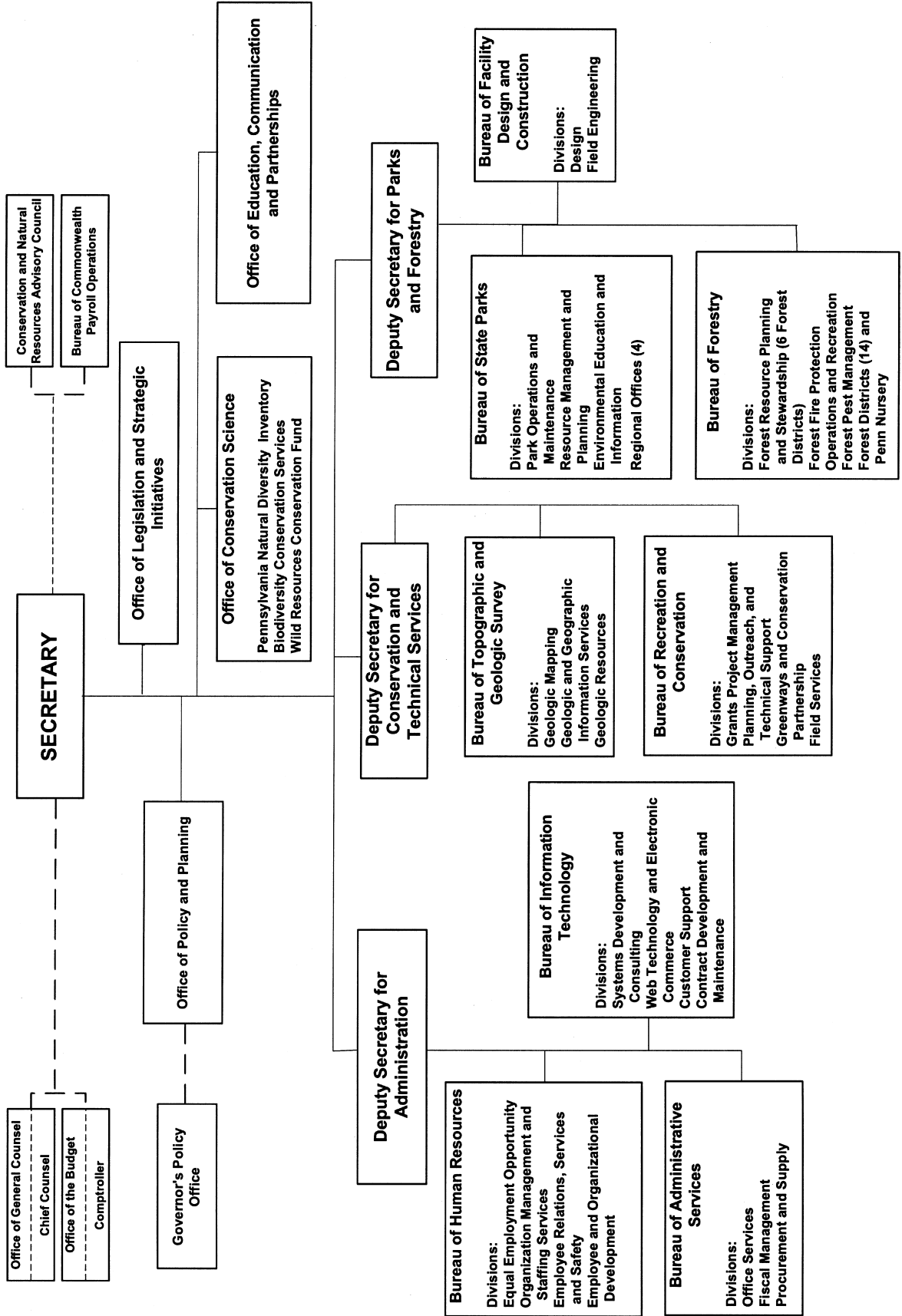
The organization chart at 37 Pa.B. 4879 (September 8, 2007) is published at the request of the Joint Committee on Documents under 1 Pa. Code § 3.1(a)(9) (relating to contents of code).

(Editor's Note: The Joint Committee on Documents has found organization charts to be general and permanent in nature. This document meets the criteria of 45 Pa.C.S. § 702(7) (relating to contents of Pennsylvania Code) as a document general and permanent in nature which shall be codified in the Pennsylvania Code.)

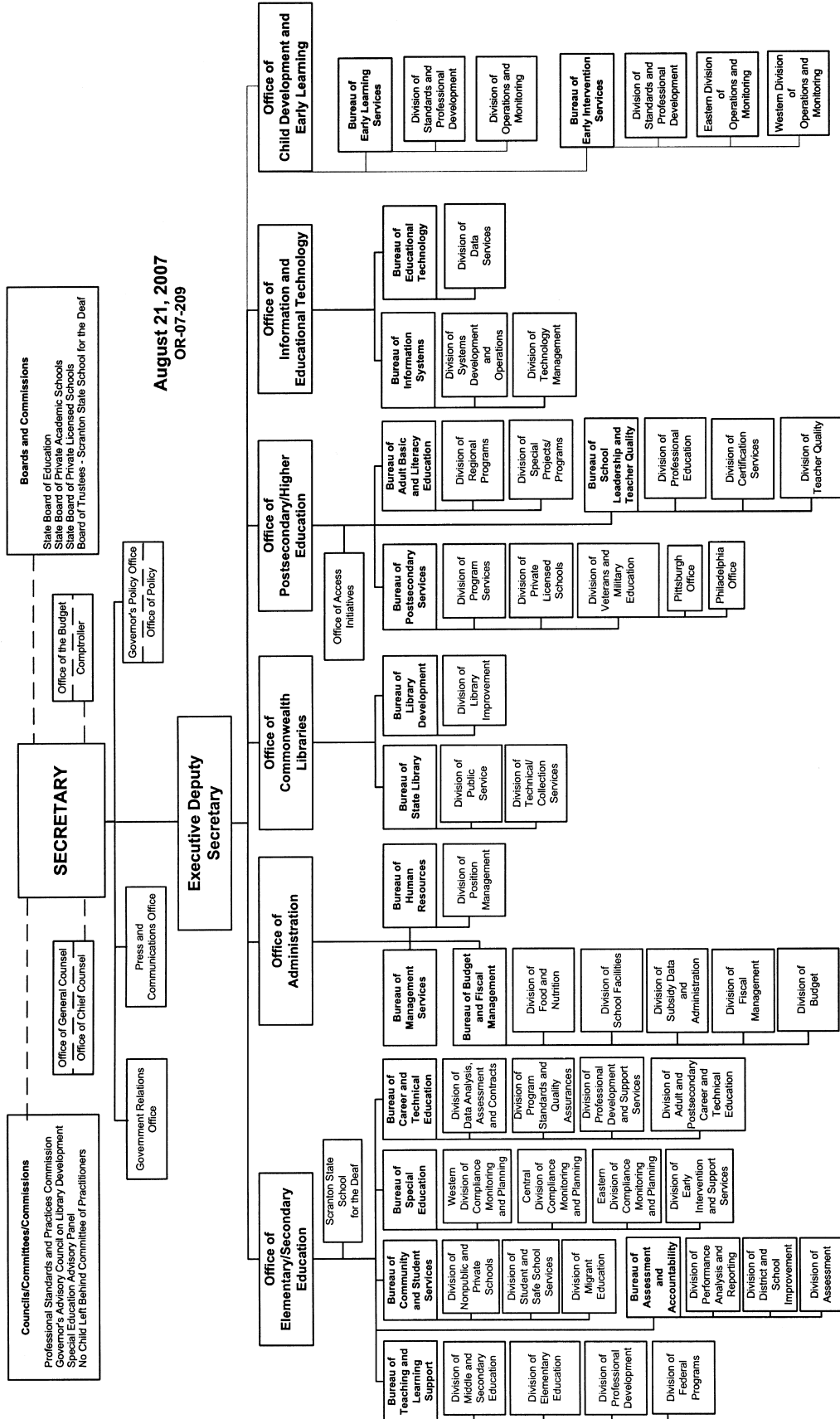
[Pa.B. Doc. No. 07-1657. Filed for public inspection September 7, 2007, 9:00 a.m.]

DEPARTMENT OF CONSERVATION AND NATURAL RESOURCES

August 21, 2007
OR-07-208

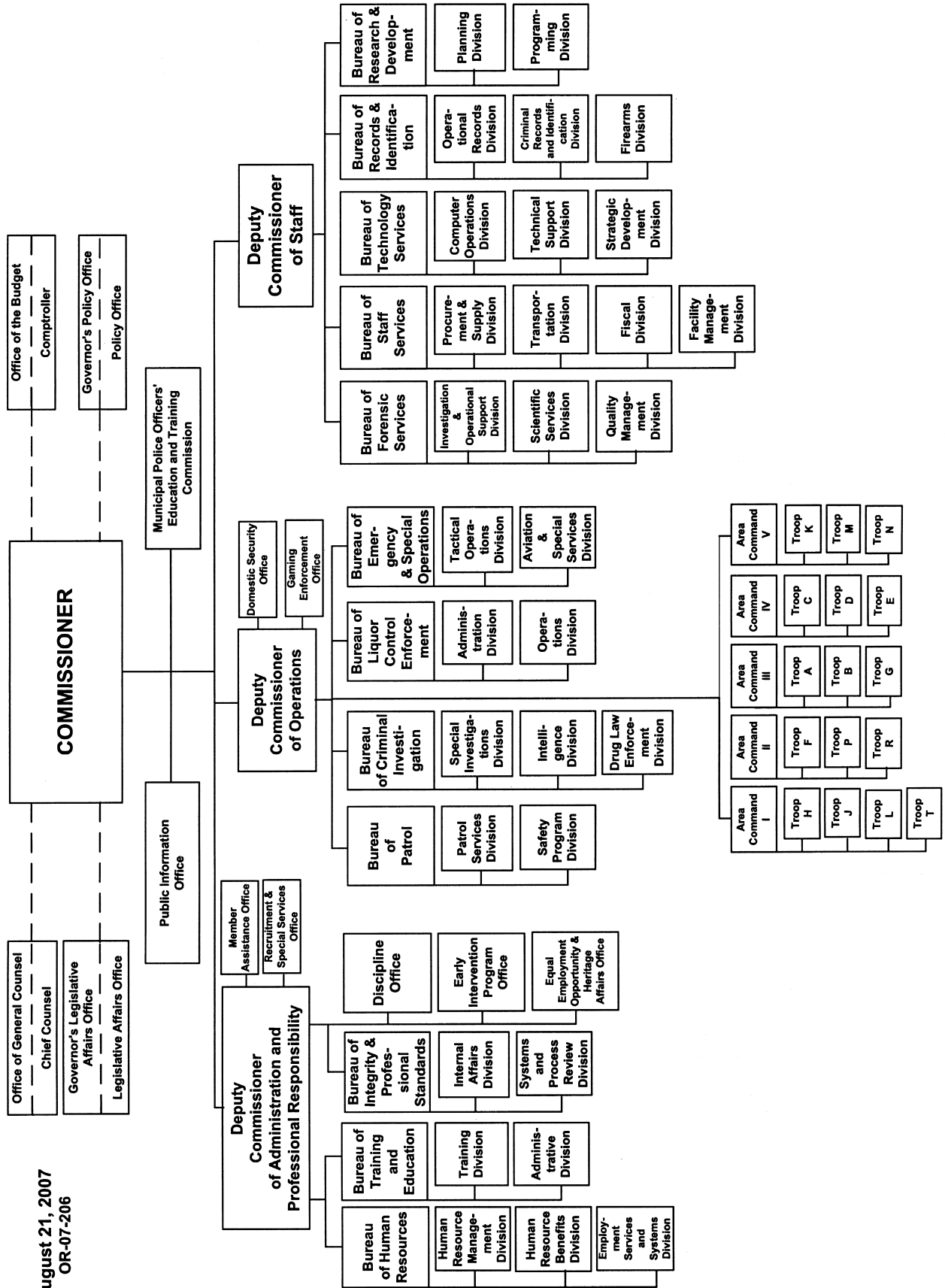


DEPARTMENT OF EDUCATION



August 21, 2007
OR-07-209

PENNSYLVANIA STATE POLICE



August 21, 2007
OR-07-206

Title 34—LABOR AND INDUSTRY

DEPARTMENT OF LABOR AND INDUSTRY [34 PA. CODE CH. 231]

Minimum Wage Increase and Training Wage

The Department of Labor and Industry (Department), through its Bureau of Labor Law Compliance (Bureau), amends §§ 231.101—231.103 (relating to minimum wage increase; small business; and training wage) to read as set forth in Annex A. The statement of policy is amended under sections 4(a)(6)—(8) and (e) and 5(c) of The Minimum Wage Act of 1968 (act) (43 P.S. §§ 333.104(a)(6)—(8) and (e) and 333.105(c)), added by the act of July 9, 2006 (P.L. 1077, No. 112) (Act 112).

A. Effective Date

The amendments to this statement of policy will be effective immediately upon publication in the *Pennsylvania Bulletin*.

B. Contact Person

The contact person for this statement of policy is James A. Holzman, Deputy Chief Counsel, Bureau of Labor Law Compliance, 10th Floor, Labor and Industry Building, 7th and Forster Streets, Harrisburg, PA 17120, (717) 787-4186, fax (717) 783-5027, jholzman@state.pa.us.

C. Statutory Authority

On July 9, 2006, amendments to sections 4(a)(6)—(8) and (e) and 5(c) of the act were approved which, among other things, raised the minimum wage, addressed the minimum wage for small business and provided a training wage for workers under 20 years of age. Following these legislative amendments, the Department published a statement of policy at 36 Pa.B. 6547 (October 28, 2006).

This statement of policy is published under the authority of section 9 of the act (43 P.S. § 333.109), which authorizes the Secretary of the Department to enforce the act and to draft and amend regulations that are deemed appropriate to carry out the act's provisions. This statement of policy contains an interpretation of the act, without enumerating further requirements, since passage of amendments to the Fair Labor Standards Act of 1938 (FLSA) (29 U.S.C.A. §§ 201—219) raising the Federal minimum wage.

D. Purpose of the Statement of Policy

On May 25, 2007, the Federal Fair Minimum Wage Act of 2007 was signed into law. This act, among other things, amended the Federal minimum wage in section 6(a)(1) of FLSA (29 U.S.C.A. § 206(a)(1)). The Federal minimum wage was raised from \$5.15 to \$5.85 per hour on July 24, 2004, to \$6.55 per hour effective July 24, 2007, and to \$7.25 per hour effective July 24, 2009.

The Commonwealth's minimum wage does not change under section 4(a.1) of the act (43 P.S. § 333.104(a.1)) except when Federal law requires a higher minimum wage as described in this statement of policy. See also section 8 of the FLSA (29 U.S.C.A. § 218) and *Manliguez v. Joseph*, 226 F. Supp. 2d. 377 (E.D. N.Y. 2002).

Section 231.101 contains the required minimum wage for most employers and the effective dates. This section is amended to incorporate the raise in the Federal minimum wage which, at \$7.25 per hour, will be 10¢ higher than the Pennsylvania minimum wage on July 24, 2009.

Accordingly, employers in this Commonwealth must utilize the higher Federal minimum wage on July 24, 2009, according to section 4(a.1) of the act.

Section 231.102 contains the interpretation of section 5(c) of the act pertaining to new minimum wage requirements for employers that have an employee complement of the equivalent of ten or less full-time employees based on a 40-hour workweek. Subsection (a) contains the minimum wage increase schedule for these employers. For clarity, this subsection is amended to reflect the increase of the Pennsylvania minimum wage to \$7.25 per hour on July 24, 2009.

Section 231.103 pertains to section 4(e) of the act when an employer may pay a 60-day training wage to an employee under 20 years of age. This training wage is based upon the Federal minimum wage under section 6(a) of the FLSA. Accordingly, this section was amended to reflect the raises in the Federal minimum wage from \$5.15 to \$5.85 per hour on July 24, 2007, and to \$6.55 per hour on July 24, 2008. The raise of the Federal minimum wage to \$7.25 effectively eliminates this training wage in this Commonwealth on July 24, 2009.

STEPHEN M. SCHMERIN,
Secretary

(Editor's Note: Title 34 of the Pa. Code is amended by amending statements of policy in §§ 231.101—231.103 to read as set forth in Annex A.)

Fiscal Note: 12-81. No fiscal impact; (8) recommends adoption.

Annex A

TITLE 34. LABOR AND INDUSTRY

PART XII. BUREAU OF LABOR STANDARDS

CHAPTER 231. MINIMUM WAGE

MINIMUM WAGE INCREASE AND TRAINING WAGE—STATEMENT OF POLICY

§ 231.101. Minimum wage increase.

(a) Under section 4(a) of the act (43 P.S. § 104(a)), an employer shall pay the following wage rates to all employees for all hours worked subject to exclusions and exemptions contained in the act and this chapter:

- (1) Until December 31, 2006, \$5.15 an hour.
- (2) Beginning January 1, 2007, \$6.25 an hour.
- (3) Beginning July 1, 2007, \$7.15 an hour.
- (4) Beginning July 24, 2009, \$7.25 an hour.

(b) The minimum wage credit for tipped employees is \$2.83 per hour under section 3(d) of the act (43 P.S. § 333.103(d)) with all of the following conditions:

- (1) An employer shall pay the difference when the employee's tips plus the credit for tipped employees does not meet the Pennsylvania minimum wage contained in subsection (a).
- (2) The tip credit applies only if an employee received over \$30 in tips for a month.

§ 231.102. Small business.

(a) Under section 5(c) of the act (43 P.S. § 333.105(c)), an employer who has an employee complement comprised of the equivalent of ten or less full-time employees shall pay the following wage rates to all employees for all hours worked subject to exclusions and exemptions contained in the act and in this chapter:

- (1) Until December 31, 2006, \$5.15 an hour.
- (2) Beginning January 1, 2007, \$5.65 an hour.
- (3) Beginning July 1, 2007, \$6.65 an hour.
- (4) Beginning July 1, 2008, \$7.15 an hour.
- (5) Beginning July 24, 2009, \$7.25 an hour.

(b) The equivalent of ten or less full-time employees is calculated on a 40-hour workweek. A workweek is a period of 7 consecutive days starting on any day selected by the employer.

(c) If the total number of hours worked by all employees in a workweek exceeds 400 hours, the employer may not utilize the minimum wage contained in subsection (a). All of the following also applies:

(1) An employer may be ineligible for the minimum wage contained in subsection (a) if the total hours worked is less than 400 hours per workweek if the employer classifies employees as full-time and the employees work less than 40 hours per week according to the employer's customary and regular practices.

(2) An employer's customary and regular practice is the employer's normal practice over time for scheduling and payment of employees.

(d) An owner is not considered an employee under this section. An employee includes all of the following:

- (1) A manager.
- (2) A supervisor.
- (3) An officer.
- (4) An individual employed by the employer.

(e) An employer is any individual, partnership, association, corporation, business trust or any person or groups of persons acting, directly or indirectly, in the interest of an employer in relation to any employee.

§ 231.103. Training wage.

(a) Under section 4(e) of the act (43 P. S. § 333.104(e)), an employer may pay a 60-day training wage to an employee under 20 years of age based upon the minimum wage required under section 6(a) of the Fair Labor Standards Act (29 U.S.C.A. § 206(a)).

(1) The training wage under section 4(e) of the act is as follows:

- (i) Until July 23, 2007, \$5.15 an hour.
- (ii) Beginning July 24, 2007, \$5.85 an hour.
- (iii) Beginning July 24, 2008, \$6.55 an hour.

(2) The training wage may not be utilized after July 23, 2009. An employer shall pay the minimum wage of \$7.25 to all employees subject to exclusions contained in the act commencing on July 24, 2009.

(b) An employer may pay an employee the training wage up to the day before the employee's 20th birthday. On and after an employee's 20th birthday, the employer shall increase the employee's pay to the minimum wage required under § 231.101 (relating to minimum wage increase) even if the 60-day period has not expired.

(c) The 60-day period is calculated as follows:

- (1) The 60-day period starts on the first day of work.
- (2) The 60-day period is counted as consecutive calendar days and not as days worked or business days.

(3) A break in employment does not affect the calculation of the 60-day period of eligibility and does not allow the employer to restart the 60-day period.

(4) An employee under 20 years old may be paid the training wage for up to 60 consecutive calendar days after initial employment with any employer and not just the first employer who hired the employee.

(5) An employee eligible for the training wage may be employed at the same time by more than one employer if the employers are separate and distinct.

(6) An employee may be initially employed only once by any one employer even if there are breaks in employment.

(d) An employer shall notify an employee at the time of hire of the training wage under this section and the right to receive the Pennsylvania minimum wage contained in § 231.101 after 60 calendar days or at the employee's 20th birthday if the employer utilizes this training wage.

(e) An employer may not take any action to displace or partially displace an existing employee to allow hiring of persons eligible for the training wage under this section. This includes any of the following:

- (1) Reducing an employee's hours.
- (2) Reducing an employee's wages or employment benefits.

(f) An employer may not do any of the following:

(1) Utilize the exclusions and exemptions contained in the act and this chapter if the employer is paying an employee the training wage under this section.

(2) Utilize the wage payment exclusions and exemptions of the act and this chapter for an employee when the 60-day training period has concluded or when the employee is ineligible for the training wage under this section. The employer shall pay the employee the minimum wage required under § 231.101 when the 60-day training period concludes or when the employee is ineligible for the training wage.

(g) An employer is not required to provide training to an employee paid the training wage under this section.

[Pa.B. Doc. No. 07-1658. Filed for public inspection September 7, 2007, 9:00 a.m.]

Title 55—PUBLIC WELFARE

DEPARTMENT OF PUBLIC WELFARE

[55 PA. CODE CH. 259]

Implementation of United States Supreme Court Decision in *Arkansas Department of Health & Human Service v. Ahlborn*

Scope

This statement of policy applies to claims by the Department of Public Welfare (Department) for reimbursement of Medical Assistance (MA) from moneys owed by third parties on tort claims brought by MA recipients.

Purpose

The purpose of this statement of policy is to state how the Department will interpret and apply section 1409 of the Public Welfare Code (code) (62 P. S. § 1409) in seeking reimbursement of MA from tort recoveries, in light of the decision of the United States Supreme Court

in *Arkansas Department of Health & Human Services v. Ahlborn*, 547 U.S. 268, 126 S.Ct. 1752 (2006) (*Ahlborn*).
Background

The Commonwealth participates in the Federal Medicaid program established under Title XIX of the Social Security Act (42 U.S.C.A. §§ 1396—1396v). The Commonwealth's Medicaid program is called Medical Assistance (MA). Section 1902(a)(25) of the Social Security Act (42 U.S.C.A. § 1396a(a)(25)) requires the Department to operate a program to recover the costs of MA expenditures from liable third parties. Section 1409 of the code implements these provisions by giving the Department the option of suing tortfeasors separately or asserting a claim against moneys owed by third parties in tort claims brought by MA recipients. Section 1912 of the Social Security Act (42 U.S.C.A. § 1396k) requires MA recipients to assign to the state the right to payment for medical care from any third party. Section 1404(b) of the code (62 P.S. § 1404(b)) implements the assignment under State law.

Prior to the Supreme Court's decision in *Ahlborn*, Federal Medicaid policy allowed states to recover from the entire amount of a tort recovery. However, in *Ahlborn*, the Supreme Court held that states could only assert claims on that portion of a tort recovery that represents the assigned right to payment for medical care from third parties. States are now prohibited from asserting Medicaid claims against that portion of a tort recovery that represents other types of damages such as lost wages, pain and suffering, and other nonmedical damages.

Discussion

In this statement of policy, the Department explains how it will interpret and apply the requirements of section 1409(b) of the code consistent with the *Ahlborn* decision. Since existing Commonwealth law is facially consistent with *Ahlborn*, this statement of policy does not announce significant changes in Department policy or recovery procedures. The main purposes of this statement of policy are to: (1) announce the Department's interpretation of section 1409 of the code consistent with *Ahlborn*; and (2) establish procedures to determine the amount of the Department's recovery in unique factual situations when application of section 1409 of the code may be inconsistent with *Ahlborn*.

Section 259.2(a) (relating to claims against moneys for which third parties are liable as a result of a tort claim allocation of tort proceeds—statement of policy) states the general rule established by *Ahlborn*. The Department will recover from only that portion of a tort recovery that represents payment of medical expenses by a third party. The Department will not recover from a portion of a tort recovery that represents payment for lost wages, pain and suffering, or other nonmedical damages.

Section 259.2(b) explains how the Department will determine the portion of a tort recovery that represents payment of medical expenses. In § 259.2(b)(1), the Department interprets section 1409(b) of the code to provide that the MA beneficiary generally recovers the Department's expenses as part of his tort claim unless the Department chooses to intervene in an action or sue separately. This has been the practice in handling MA reimbursement claims for more than 20 years and reflects the clear intention of the Legislature expressed in section 1409(b)(7) of the code that gives the Department a reimbursement claim in actions prosecuted by the beneficiary alone.

The Department explicitly states in § 259.2(b)(1) that minor beneficiaries must recover MA expenses as part of

their cause of action. Although the general rule in this Commonwealth is that the parent sues for a child's medical expenses, *In re Mikasinovich*, 110 Pa. Super 252 168 A. 506 (1933), the provisions of section 1409(b) of the code do not distinguish between minor and adult beneficiaries and a minor's estate may be liable to repay MA under certain circumstances. *Shearer v. Moore*, 255 Pa. Super 246, 386 A.2d 600 (1978). The rule announced in *Mikasinovich* and similar cases predates modern health insurance and the Department does not see sound policy reason to interpret section 1409 of the code as extending that rule to the recovery of MA owed with respect to minors. Accordingly, the Department interprets section 1409(b) of the code as providing that minors and adults, as beneficiaries of MA, recover MA expenses in the same way in tort actions. If the minor beneficiary has a viable cause of action, the recovery of MA expenses is not barred by the statute of limitations applicable to the parent's cause of action.

In § 259.2(b)(2), the Department interprets section 1409(b)(11) of the code to establish a statutory default rule of allocation for tort recoveries consistent with *Ahlborn*. Section 1409(b)(11) of the code limits the Department's reimbursement to 1/2 of a beneficiary's recovery after deducting attorney's fees, litigation costs and medical expenses regarding the injury paid by the beneficiary. The Department interprets section 1409(b)(11) of the code to mean that the Legislature has by law set aside a portion of a tort recovery for reimbursement of MA and a portion for other damages and expenses. *Ahlborn* does not affect state laws governing the allocation of tort proceeds.

In § 259.2(b)(3), the Department recognizes that there may be specific factual situations when application of section 1409 of the code might violate *Ahlborn*. Accordingly, the Department establishes a procedure for notifying the Department that the beneficiary intends to make an assertion and seek a court order limiting the availability of tort proceeds to reimburse the MA program. However, it should be noted that Commonwealth law provides that a complete settlement of a tort claim conclusively establishes the settlement as full compensation for damages and a plaintiff will not be heard to complain that he settled for less than the full value of his claim. *Goldberg v. Workmen's Compensation Appeal Board*, 620 A.2d 550 (Pa.Cmwlt. 1993); *Allstate Insurance Company v. Clarke*, 527 A.2d 1021 (Pa. Super. 1987); *Price v. Pennsylvania Property and Casualty Insurance Company*, 795 A.2d 407 (Pa. Super. 2002). Accord: *Strickler v. Desai*, 813 A.2d 650 (Pa. 2002) (Opinion announcing judgment of the court). Accordingly, motions or petitions seeking an allocation of tort proceeds after a complete settlement will be opposed by the Department. Likewise, a verdict by the court or jury after trial is normally presumed to constitute a judicial determination of all damages that have been proved. See *Paves v. Corson*, 801 A.2d 546 (Pa. 2002) (The law presumes a jury follows the court's instructions in awarding damages.).

If a prejudicial court order is entered without fair notice to the Department, the Department may contend that the order is not binding upon it or that the order should be vacated. In addition, § 259.2(b)(4) provides that the Department may consider the failure to give fair notice a violation of section 1408(a)(1) of the code (62 P.S. § 1408(a)(1)), making the person responsible for giving the notice liable for a civil money penalty or other sanctions.

Section 1409(b)(11) of the code states that the "entire amount of any settlement" is subject to the Department's

claim for reimbursement. Section 259.2(b)(5) interprets section 1409(b)(11) of the code to mean that private parties cannot allocate a settlement to put part of it beyond the reach of the Department. Section 1409(b)(11) of the code also allows the Department to recover from moneys owed to the Department that were incorrectly paid to the beneficiary or others. This provision does not authorize the Department to assert a claim against nonmedical portions of a tort recovery.

Section 259.2(b)(6) states a beneficiary may not release the Department's claim without the Department's express consent. If a tort defendant wishes to be certain that it will not be sued by the Department, it should insist that an express release of claims be obtained from the Department. Beneficiaries should be aware that section 1912(a) of the Social Security Act requires that they cooperate with the Department in pursuing liable third parties. If a beneficiary does not obtain a release of the Department's claims, but instead indemnifies the liable third parties from those claims, the beneficiary's eligibility for MA may be jeopardized.

The Department is entitled to fair notice before action is taken to limit the portion of tort proceeds available to the Department. The Department specifies what it considers fair notice in § 259.2(c). If a beneficiary seeks to exclude MA expenses from its claim, the Department must be notified at the time of filing of the lawsuit so it can intervene in the case or sue separately. If a beneficiary seeks an allocation of the tort proceeds by the court or a trier of fact, the Department must be given reason-

able advance notice so it can participate in the allocation. If the parties seek to settle a case, and the beneficiary wishes to obtain a court order allocating the proceeds so that the Department receives less than 1/2 of the net proceeds of any settlement, the beneficiary must provide the Department with reasonable advance notice of the settlement so the Department can take action to protect its interest before the settlement becomes binding. Finally, if a party files a motion to eliminate the medical expenses paid by MA from the case, the moving party must give the Department reasonable advance notice and an opportunity to intervene in the case. Thirty days advance notice will be deemed reasonable.

Effective Date

This statement of policy takes effect upon publication in the *Pennsylvania Bulletin* and applies to unresolved and open claims.

Contact

Comments and questions regarding this statement of policy should be directed to the Division of Third Party Liability, Department of Public Welfare, P. O. Box 8486, Harrisburg, PA 17105-8486, (717) 772-6604.

(*Editor's Note:* Title 55 of the *Pennsylvania Code* is amended by adding a statement of policy in § 259.2 to read as set forth in Annex A.)

ESTELLE B. RICHMAN,
Secretary

Fiscal Note: 14-BUL-074. (1) General Fund;

	<i>MA—Inpatient</i>	<i>MA—Outpatient</i>	<i>MA—Long-Term Care</i>	<i>Cash Grants</i>
(2) Implementing Year 2007-08 is	\$1,654,000	\$1,094,000	\$332,000	\$405,000
(3) 1st Succeeding Year 2008-09 is	\$1,985,000	\$1,317,000	\$400,000	\$486,000
2nd Succeeding Year 2009-10 is	\$1,985,000	\$1,317,000	\$400,000	\$486,000
3rd Succeeding Year 2010-11 is	\$1,985,000	\$1,317,000	\$400,000	\$486,000
4th Succeeding Year 2011-12 is	\$1,985,000	\$1,317,000	\$400,000	\$486,000
5th Succeeding Year 2012-13 is	\$1,985,000	\$1,317,000	\$400,000	\$486,000
(4) 2006-07 Program—	\$513,020,000	\$671,472,000	\$753,146,000	\$478,338,000
2005-06 Program—	\$478,693,000	\$945,950,000	\$817,890,000	\$434,931,000
2004-05 Program—	\$531,785,000	\$842,991,000	\$476,116,000	\$384,182,000
(7) MA—Inpatient, MA—Outpatient, MA—Long-Term Care, Cash Grants; (8) recommends adoption. Funds have been included in the Department's budget to cover this increase.				

Annex A

TITLE 55. PUBLIC WELFARE

PART II. PUBLIC ASSISTANCE MANUAL

Subpart G. RESTITUTION AND REIMBURSEMENT

CHAPTER 259. THIRD-PARTY LIABILITY

§ 259.2. Claims against moneys for which third parties are liable as a result of a tort claim allocation of tort proceeds—statement of policy.

(a) With respect to claims asserted by the MA Program against moneys owed by third parties as a result of tort

claims asserted by a beneficiary of MA benefits, the Department will only recover from that portion of a tort recovery which represents payment for medical care by the third party. The term "beneficiary" includes both present and former recipients of MA benefits, and includes individuals receiving benefits through an MA managed care organization.

(b) In determining the portion of a tort recovery that represents payment for medical care by a third party, the Department will apply the following interpretations:

(1) Unless the Department intervenes in a lawsuit or sues separately, beneficiaries, including beneficiaries who

are minors, are vested with the right to recover injury related medical expenses paid by the MA Program as part of their cause of action for other damages, and absent an express court order to the contrary are deemed to recover medical expenses as part of any tort recovery.

(2) In the absence of a court order allocating tort proceeds among categories of damages, 1/2 of the net proceeds are allocated by law to be available to repay injury-related MA expenses. The amount of the net proceeds is computed by deducting from the gross proceeds the attorney's fees, litigation costs and medical expenses relating to the injury that were paid for by the beneficiary prior to the settlement of the injured beneficiary's action or claim.

(3) If the beneficiary or other party seeks to obtain a court order limiting the portion of the tort recovery from which MA reimbursement may be paid to an amount less than 1/2 of the net proceeds, or excluding amounts paid by the MA program from the recovery, the Department shall be given fair notice and an opportunity to protect its interest.

(4) Failure to provide the Department with fair notice and an opportunity to protect its interest, prior to obtaining a court order limiting the portion of a tort recovery from which MA reimbursement may be paid, constitutes a violation of section 1408(a)(1) of the Public Welfare Code (62 P. S. § 1408(a)(1)).

(5) The Department is not bound by a private agreement between the parties to a tort claim regarding allocation of the proceeds.

(6) The Department's claims against third parties for reimbursement of MA cannot be released by a beneficiary without the Department's express consent in writing.

(c) The following procedures provide the Department with fair notice and an opportunity to protect its interest prior to entry of an order subject to subsection (b)(3):

(1) In a case when the beneficiary seeks to exclude injury-related medical expenses paid by the MA Program from the recovery, the beneficiary shall comply with the notice of suit requirements in section 1409(b)(5) of the Public Welfare Code (62 P. S. § 1409(b)(5)) and include a statement that the beneficiary will seek to exclude monies paid by the MA Program from any recovery.

(2) In a case when the beneficiary seeks an allocation of tort proceeds by the court or a trier of fact, the beneficiary shall provide the Department with reasonable advance notice and an opportunity to intervene in the case prior to the determination.

(3) In a case when the beneficiary seeks a court order limiting the portion of the tort settlement from which MA reimbursement may be paid to an amount less than 1/2 of the net proceeds of any settlement, the beneficiary shall provide the Department with reasonable advance notice of the settlement before it becomes binding.

(4) In a case when a motion is to eliminate medical expenses paid by MA from the case, the moving party shall provide the Department with reasonable advance notice and an opportunity to intervene in the case prior to adjudication of the motion.

(5) Thirty days advance notice is considered reasonable advance notice under this subsection.

(6) Notices must be in writing and sent by certified or registered mail to the Division of Third Party Liability, Department of Public Welfare, P. O. Box 8486, Harrisburg, PA 17105 and include the following information:

- (i) The name of the beneficiary.
- (ii) The beneficiary's MA identification number, if known.
- (iii) The beneficiary's date of birth.
- (iv) The name of the beneficiary's attorney, if applicable.
- (v) The insurance carriers, if applicable.
- (vi) The date and specific injuries giving rise to the claim.
- (vii) The court and docket number in which the claim is pending, if applicable.

[Pa.B. Doc. No. 07-1659. Filed for public inspection September 7, 2007, 9:00 a.m.]

NOTICES

DEPARTMENT OF ENVIRONMENTAL PROTECTION

Applications, Actions and Special Notices

APPLICATIONS

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

This notice provides information about persons who have applied for a new, amended or renewed NPDES or WQM permit, a permit waiver for certain stormwater discharges or submitted a Notice of Intent (NOI) for coverage under a general permit. The applications concern, but are not limited to, discharges related to 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 (CAFOs). This notice is provided in accordance with 25 Pa. Code Chapters 91 and 92 and 40 CFR Part 122, implementing The Clean Streams Law (35 P. S. §§ 691.1—691.1001) and the Federal Clean Water Act.

<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 a tentative determination of proposed effluent limitations and other terms and conditions for the permit applications. These determinations are published as proposed actions for comments prior to taking final actions.

Unless indicated otherwise, the 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 an NPDES application are invited to submit a statement to the regional office noted before an application within 30 days from the date of this public notice. Persons wishing to comment on a WQM permit application are invited to submit a statement to the regional 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. Comments 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 a public hearing on applications. A public hearing may be held if the responsible office considers the public response significant. If a hearing is scheduled, a notice of the hearing will be published in the *Pennsylvania Bulletin* and a newspaper of general circulation within the relevant geographical area. The Department will postpone its final determination until after a public hearing is held.

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

I. NPDES Renewal Applications

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

<i>NPDES No. (Type)</i>	<i>Facility Name & Address</i>	<i>County & Municipality</i>	<i>Stream Name (Watershed #)</i>	<i>EPA Waived Y/N ?</i>
PA0087513 (Sew)	Mapleton Area Joint Municipal Authority 13343 Smith Valley Road Mapleton Depot, PA 17052-0415	Huntingdon County Mapleton Borough Union Township	Hares Valley Creek 12-C	Y

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

<i>NPDES No. (Type)</i>	<i>Facility Name & Address</i>	<i>County & Municipality</i>	<i>Stream Name (Watershed #)</i>	<i>EPA Waived Y/N ?</i>
PA0210005	Thomas M. Bunk 608 Sharon-Bedford Road West Middlesex, PA 16159-2326	Shenango Township Mercer County	UNT to Little Deer Creek 20-A	Y

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

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

PA0050598, Sewage, SIC 4952, **Bethel Baptist Church**, 754 East Rockhill Road, Sellersville, PA 18960. This proposed facility is located in East Rockhill Township, **Bucks County**.

Description of Proposed Activity: Renewal of an NPDES permit to discharge 7,500 gpd of treated sewage into a UNT to Tohickon Creek.

The receiving stream, a UNT to Tohickon Creek, is in the State Water Plan Watershed 2D and is classified for: TSF. The nearest downstream public water supply intake for the PA American Water Company is located on the Delaware River and is 29.5 miles below the point of discharge.

The proposed effluent limits for Outfall 001 are based on a design flow of 7,500 gpd.

<i>Parameter</i>	<i>Average Monthly (mg/l)</i>	<i>Instantaneous Maximum (mg/l)</i>
CBOD ₅		
(5-1 to 10-31)	10	20
(11-1 to 4-30)	20	40
Total Suspended Solids	30	60
Ammonia (as N)		
(5-1 to 10-31)	10	20
(11-1 to 4-30)	20	40
Phosphorus (as P)	0.5	1.0
Total Residual Chlorine	0.5	1.3
Fecal Coliform	200 lbs/100 ml	1,000 lbs/100 ml
Dissolved Oxygen	Monitor and Report	
pH	Within limits of 6.0 to 9.0 Standard Units at all times	

The EPA waiver is in effect.

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

PA-0046388, Sewage, **Butler Township**, 415 West Butler Drive, Drums, PA 18222. This proposed facility is located in Butler Township, **Luzerne County**.

Description of Proposed Activity: Increase discharge of treated sewage from 0.6 mgd to 2.2 mgd.

The receiving stream, Nescopeck Creek, is in the State Water Plan Watershed No. 5D and is classified for: TSF. The nearest downstream public water supply intake for Danville Water Supply is located on Susquehanna River approximately 30 miles below the point of discharge.

The proposed effluent limits for Outfall 001 based on a design flow of 0.6 mgd.

<i>Parameter</i>	<i>Average Monthly (mg/l)</i>	<i>Average Weekly (mg/l)</i>	<i>Instantaneous Maximum (mg/l)</i>
CBOD ₅	25.0	40.0	50.0
Total Suspended Solids	30.0	45.0	60.0
NH ₃ -N			
(5-1 to 10-31)	12.0		24.0
Dissolved Oxygen	A minimum of 5.0 mg/l at all times.		
Fecal Coliform			
(5-1 to 9-30)	200/100 ml as a Geometric Mean		
(10-1 to 4-30)	2,000/100 ml as a Geometric Mean		
pH	6.0 to 9.0 Standard Units at all times.		
Total Residual Chlorine	1.0		2.0

The proposed effluent limits for Outfall 001 based on a design flow of 2.2 mgd.

<i>Parameter</i>	<i>Average Monthly (mg/l)</i>	<i>Average Weekly (mg/l)</i>	<i>Instantaneous Maximum (mg/l)</i>
CBOD ₅	25.0	40.0	50.0
Total Suspended Solids	30.0	45.0	60.0

<i>Parameter</i>	<i>Average Monthly (mg/l)</i>	<i>Average Weekly (mg/l)</i>	<i>Instantaneous Maximum (mg/l)</i>
NH ₃ -N (5-1 to 10-31)	4.7		9.3
(11-1 to 4-30)	14.0		28.0
Dissolved Oxygen	A minimum of 5.0 mg/l at all times.		
Fecal Coliform (5-1 to 9-30)	200/100 ml as a Geometric Mean		
(10-1 to 4-30)	2,000/100 ml as a Geometric Mean		
pH	6.0 to 9.0 Standard Units at all times.		
Total Residual Chlorine	0.28		0.65

Chesapeake Bay Tributary Strategy Nutrient Requirements

<i>Parameter</i>	<i>Concentration (mg/l) Monthly Average</i>	<i>Monthly Load</i>	<i>Mass (lbs) Annual Load</i>
Ammonia-N	Report	Report	Report**
Kjeldahl-N	Report	Report	
Nitrate-Nitrate as N	Report	Report	
Total Nitrogen	Report	Report	Report
Total Phosphorus	Report	Report	Report
Net Total Nitrogen		Report	40,182 lbs*/yr
Net Total Phosphorus		Report	5,351 lbs*/yr

* 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 of Environmental Protection's (Department) Trading of Nutrients and Sediment Reduction Credits Policy and Guidelines (Document #392-0900-001, December 30, 2006). The condition includes the requirement to report the application of these credits in Supplemental Discharge Monitoring Reports (DMRs) submitted to the Department.

* The compliance date for Net Total Nitrogen and Net Total Phosphorus will begin on October 1, 2010. Since these reporting requirements are annual loads, the reporting on compliance with the annual limitations will be required to be reported on the Supplemental DMR—Annual Nutrient Summary by November 28, 2011. This facility is required to monitor and report for Net Total Nitrogen and Net Total Phosphorus from the effective date of the permit until September 30, 2010.

** Total Annual Ammonia Load will be required to be reported on the Supplemental DMR—Annual Nutrient Summary by November 28, 2011.

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

1. Whole Effluent Toxicity Testing Monitoring.

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

Application No. PA 0248312, CAFO, Willow Behrer Farms, LLC, 3288 Behrer Lane, Spruce Creek, PA 16683.

Willow Behrer Farms, LLC has submitted an NPDES permit application for Willow Behrer Farm, an existing dairy operation located in Franklin Township, **Huntingdon County** that is pursuing an expansion. The CAFO is situated near a UNT of Spruce Creek (Watershed 11-A), which is classified as a HQ-CWF. The CAFO has a target animal population of approximately 1,527 animal equivalent units consisting of 1,000 adult dairy cows, 190 heifers and 150 calves.

The Department of Environmental Protection (Department) has conducted administrative and technical reviews of the application. Based on the preliminary review and application of lawful standards and regulations, the Department has made a tentative determination to issue the NPDES permit for the operation subject to the terms and conditions and monitoring and reporting requirements specified in the permit. The permit application and draft permit are on file at the Southcentral Regional Office of the Department.

Persons may make an appointment to review the Department of Environmental Protection's files by calling the file review coordinator at (717) 705-4732.

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

Application No. PA 0260461, CAFO, Mains Dairy Farm, 2893 Ritner Highway, Carlisle, PA 17404-5806.

Mains Dairy, Inc. has submitted an NPDES permit application for Mains Dairy Farm, an existing dairy operation located in West Pennsboro Township, **Cumberland County** that is pursuing an expansion. The CAFO is situated near Mount Rock Spring Creek (Watershed 7-B), which is classified as a WWF. The CAFO has a target animal population of approximately 977 animal equivalent units consisting of 775 adult dairy cows and 118 heifers.

The Department of Environmental Protection (Department) has conducted administrative and technical reviews of the application. Based on the preliminary review and application of lawful standards and regulations, the Department has made a tentative determination to issue the NPDES permit for the operation subject to the terms and conditions and monitoring and reporting requirements specified in the permit. The permit application and draft permit are on file at the Southcentral Regional Office of the Department.

Persons may make an appointment to review the Department of Environmental Protection's files by calling the file review coordinator at (717) 705-4732.

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

Application No. PA 0038415, Sewage, **East Pennsboro Township**, 98 South Enola Drive, Enola, PA 17025. This facility is located in East Pennsboro Township, **Cumberland County**.

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

The receiving stream, Conodoguinet Creek, is in Watershed 7-B, and classified for WWF, water supply, recreation and fish consumption. The nearest downstream public water supply intake for Steelton Municipal Waterworks is located on the Susquehanna River, approximately 3.85 miles downstream. The discharge is not expected to affect the water supply.

The proposed effluent limits for Outfall 001 for a design flow of 3.7 mgd are:

<i>Parameter</i>	<i>Average Monthly (mg/l)</i>	<i>Average Weekly (mg/l)</i>	<i>Instantaneous Maximum (mg/l)</i>
CBOD ₅	25	40	50
Total Suspended Solids	30	45	60
NH ₃ -N			
(5-1 to 10-31)	4.5		9.0
(11-1 to 4-30)	12		24
Total Residual Chlorine	0.5		1.6
Total Phosphorus	2.0		4.0
Dissolved Oxygen	Minimum of 5.0 at all times		
pH	From 6.0 to 9.0 inclusive		
Fecal Coliform			
(5-1 to 9-30)	200/100 ml as a Geometric Average		
(10-1 to 4-30)	2,000/100 ml as a Geometric Average		

Chesapeake Bay Requirements

	<i>Concentration (mg/l) Monthly Average</i>	<i>Monthly Mass (lbs)</i>	<i>Annual</i>
Ammonia-N	Report	Report	Report**
Kjeldahl-N	Report	Report	XXX
Nitrate-Nitrite as N	Report	Report	XXX
Total Nitrogen	Report	Report	Report
Total Phosphorus	Report	Report	Report
Net Total Nitrogen	XXX	Report	67,579*
Net Total Phosphorus	XXX	Report	9,011*

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

* Net Total Nitrogen and Net Total Phosphorus limits compliance date will begin on October 1, 2010. Since these reporting requirements are annual loads, reporting on compliance with the annual limitations will be required on the Supplemental DMR—Annual Nutrient Summary by November 28, 2011. The facility is required to monitor and report for Net Total Nitrogen and Net Total Phosphorus from the effective date of the permit until October 1, 2010.

** Total Annual Ammonia Load will be required to be reported on the Supplemental DMR—Annual Nutrient Summary by November 28, 2011.

Persons may make an appointment to review the Department of Environmental Protection's files on this case by calling the file review coordinator at (717) 705-4732.

The EPA waiver is not in effect.

Application No. PA 0026077, Sewage, **Borough of Carlisle**, 53 West South Street, Carlisle, PA 17013. This facility is located in Middlesex Township, **Cumberland County**.

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

The receiving stream, Conodoguinet Creek, is in Watershed 7-B, and classified for WWF, water supply, recreation and fish consumption. The nearest downstream public water supply intake for Pennsylvania American Water Company is located on the Conodoguinet Creek, approximately 12.8 miles downstream. The discharge is not expected to affect the water supply.

The proposed effluent limits for Outfall 001 for a design flow of 4.625 mgd are:

<i>Parameter</i>	<i>Average Monthly (mg/l)</i>	<i>Average Weekly (mg/l)</i>	<i>Instantaneous Maximum (mg/l)</i>
CBOD ₅	25	40	70
Total Suspended Solids	30	45	85

<i>Parameter</i>	<i>Average Monthly (mg/l)</i>	<i>Average Weekly (mg/l)</i>	<i>Instantaneous Maximum (mg/l)</i>
NH ₃ -N (5-1 to 10-31)	4.3		12
(11-1 to 4-30)	12.9		36
Total Residual Chlorine	0.5		1.6
Total Phosphorus	1.0		2.8
Dissolved Oxygen	Minimum of 5.0 at all times		
pH	From 6.0 to 9.0 inclusive		
Fecal Coliform (5-1 to 9-30)	200/100 ml as a Geometric Average		
(10-1 to 4-30)	2,000/100 ml as a Geometric Average		

Chesapeake Bay Requirements

<i>Parameter</i>	<i>Concentration (mg/l)</i>	<i>Mass (lbs)</i>	
	<i>Monthly Average</i>	<i>Monthly</i>	<i>Annual</i>
Ammonia-N	Report	Report	Report**
Kjeldahl-N	Report	Report	XXX
Nitrate-Nitrite as N	Report	Report	XXX
Total Nitrogen	Report	Report	Report
Total Phosphorus	Report	Report	Report
Net Total Nitrogen	XXX	Report	127,852*
Net Total Phosphorus	XXX	Report	17,047*

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

* Net Total Nitrogen and Net Total Phosphorus limits compliance date will begin on October 1, 2010. Since these reporting requirements are annual loads, reporting on compliance with the annual limitations will be required on the Supplemental DMR—Annual Nutrient Summary by November 28, 2011. The facility is required to monitor and report for Net Total Nitrogen and Net Total Phosphorus from the effective date of the permit until October 1, 2010.

** Total Annual Ammonia Load will be required to be reported on the Supplemental DMR—Annual Nutrient Summary by November 28, 2011.

Persons may make an appointment to review the Department of Environmental Protection's files on this case by calling the file review coordinator at (717) 705-4732.

The EPA waiver is not in effect.

Application No. PA 0021067, Sewage, **Mount Joy Borough Authority**, 21 East Main Street, Mount Joy, PA 17552. This facility is located in East Donegal Township, **Lancaster County**.

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

The receiving stream, Little Chickies Creek, is in Watershed 7-G, and classified for TSF, water supply, recreation and fish consumption. The nearest downstream public water supply intake for Columbia Water Company is located on the Susquehanna River, approximately 6 miles downstream. The discharge is not expected to affect the water supply.

The proposed effluent limits for Outfall 001 for a design flow of 1.53 mgd are:

<i>Parameter</i>	<i>Average Monthly (mg/l)</i>	<i>Average Weekly (mg/l)</i>	<i>Instantaneous Maximum (mg/l)</i>
CBOD ₅	25	40	50
Total Suspended Solids	30	45	60
NH ₃ -N (5-1 to 10-31)	4.5		9.0
(11-1 to 4-30)	13.5		27
Total Residual Chlorine	0.28		0.93
Total Phosphorus	2.0		4.0
Dissolved Oxygen	Minimum of 5.0 at all times		
pH	From 6.0 to 9.0 inclusive		
Fecal Coliform (5-1 to 9-30)	200/100 ml as a Geometric Average		
(10-1 to 4-30)	2,000/100 ml as a Geometric Average		

	<i>Chesapeake Bay Requirements</i>		
	<i>Concentration (mg/l)</i> <i>Monthly Average</i>	<i>Monthly</i>	<i>Mass (lbs)</i> <i>Annual</i>
Ammonia-N	Report	Report	Report**
Kjeldahl-N	Report	Report	XXX
Nitrate-Nitrite as N	Report	Report	XXX
Total Nitrogen	Report	Report	Report
Total Phosphorus	Report	Report	Report
Net Total Nitrogen	XXX	Report	27,945*
Net Total Phosphorus	XXX	Report	3,726*

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

* Net Total Nitrogen and Net Total Phosphorus limits compliance date will begin on October 1, 2010. Since these reporting requirements are annual loads, reporting on compliance with the annual limitations will be required on the Supplemental DMR—Annual Nutrient Summary by November 28, 2011. The facility is required to monitor and report for Net Total Nitrogen and Net Total Phosphorus from the effective date of the permit until October 1, 2010.

** Total Annual Ammonia Load will be required to be reported on the Supplemental DMR—Annual Nutrient Summary by November 28, 2011.

Persons may make an appointment to review the Department of Environmental Protection's files on this case by calling the file review coordinator at (717) 705-4732.

The EPA waiver is not in effect.

Application No. PA 0042269, Sewage, **Lancaster Area Sewer Authority**, 130 Centerville Road, Lancaster, PA 17603. This facility is located in Manor Township, **Lancaster County**.

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

The receiving stream, Dry Run, is in Watershed 7-J, and classified for WWF, water supply, recreation and fish consumption. The nearest downstream public water supply intake for Safe Harbor Power Plant is located on the Susquehanna River, approximately 7 miles downstream. The discharge is not expected to affect the water supply.

The proposed effluent limits for Outfall 001 for a design flow of 15.0 mgd are:

<i>Parameter</i>	<i>Average</i> <i>Monthly (mg/l)</i>	<i>Average</i> <i>Weekly (mg/l)</i>	<i>Instantaneous</i> <i>Maximum (mg/l)</i>
CBOD ₅	25	40	50
Total Suspended Solids	30	45	60
NH ₃ -N			
(5-1 to 10-31)	8.5		17
(11-1 to 4-30)	Monitor		Monitor
Total Residual Chlorine	0.5		1.6
Total Phosphorus	2.0		4.0
Dissolved Oxygen		Minimum of 5.0 at all times	
pH		From 6.0 to 9.0 inclusive	
Fecal Coliform			
(5-1 to 9-30)		200/100 ml as a Geometric Average	
(10-1 to 4-30)		2,000/100 ml as a Geometric Average	

	<i>Chesapeake Bay Requirements</i>		
	<i>Concentration (mg/l)</i> <i>Monthly Average</i>	<i>Monthly</i>	<i>Mass (lbs)</i> <i>Annual</i>
Ammonia-N	Report	Report	Report**
Kjeldahl-N	Report	Report	XXX
Nitrate-Nitrite as N	Report	Report	XXX
Total Nitrogen	Report	Report	Report
Total Phosphorus	Report	Report	Report
Net Total Nitrogen	XXX	Report	273,969*
Net Total Phosphorus	XXX	Report	36,529*

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

* Net Total Nitrogen and Net Total Phosphorus limits compliance date will begin on October 1, 2010. Since these reporting requirements are annual loads, reporting on compliance with the annual limitations will be required on the

Supplemental DMR—Annual Nutrient Summary by November 28, 2011. The facility is required to monitor and report for Net Total Nitrogen and Net Total Phosphorus from the effective date of the permit until October 1, 2010.

** Total Annual Ammonia Load will be required to be reported on the Supplemental DMR—Annual Nutrient Summary by November 28, 2011.

Persons may make an appointment to review the Department of Environmental Protection's files on this case by calling the file review coordinator at (717) 705-4732.

The EPA waiver is not in effect.

Application No. PA 0020664, Sewage, **Middletown Borough Authority**, 60 West Emaus Street, Middletown, PA 17057. This facility is located in Middletown Borough, **Dauphin County**.

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

The receiving stream, Susquehanna River, is in Watershed 7-C, and classified for WWF, water supply, recreation and fish consumption. The nearest downstream public water supply intake for Columbia Water Company is located on the Susquehanna River, approximately 18 miles downstream. The discharge is not expected to affect the water supply.

The proposed effluent limits for Outfall 001 for a design flow of 2.2 mgd are:

<i>Parameter</i>	<i>Average Monthly (mg/l)</i>	<i>Average Weekly (mg/l)</i>	<i>Instantaneous Maximum (mg/l)</i>
CBOD ₅	25	40	50
Total Suspended Solids	30	45	60
NH ₃ -N	Monitor		
Total Residual Chlorine	0.5		1.6
Total Phosphorus	2.0		4.0
Dissolved Oxygen		Minimum of 5.0 at all times	
pH		From 6.0 to 9.0 inclusive	
Fecal Coliform (5-1 to 9-30)		200/100 ml as a Geometric Average	
(10-1 to 4-30)		2,000/100 ml as a Geometric Average	

Chesapeake Bay Requirements

	<i>Concentration (mg/l) Monthly Average</i>	<i>Monthly</i>	<i>Mass (lbs)</i>	<i>Annual</i>
Ammonia-N	Report	Report		Report**
Kjeldahl-N	Report	Report		XXX
Nitrate-Nitrite as N	Report	Report		XXX
Total Nitrogen	Report	Report		Report
Total Phosphorus	Report	Report		Report
Net Total Nitrogen	XXX	Report		40,182*
Net Total Phosphorus	XXX	Report		5,358*

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

* Net Total Nitrogen and Net Total Phosphorus limits compliance date will begin on October 1, 2010. Since these reporting requirements are annual loads, reporting on compliance with the annual limitations will be required on the Supplemental DMR—Annual Nutrient Summary by November 28, 2011. The facility is required to monitor and report for Net Total Nitrogen and Net Total Phosphorus from the effective date of the permit until October 1, 2010.

** Total Annual Ammonia Load will be required to be reported on the Supplemental DMR—Annual Nutrient Summary by November 28, 2011.

Persons may make an appointment to review the Department of Environmental Protection's files on this case by calling the file review coordinator at (717) 705-4732.

The EPA waiver is not in effect.

Application No. PA 0026280, Sewage, **Lewistown Borough**, Two East Third Street, Lewistown, PA 17044-1799. This facility is located in Lewistown Borough, **Mifflin County**.

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

The receiving stream, Juniata River, is in Watershed 12-A, and classified for WWF, water supply, recreation and fish consumption. The nearest downstream public water supply intake for Newport Borough is located on the Juniata River, approximately 30 miles downstream. The discharge is not expected to affect the water supply.

The proposed effluent limits for Outfall 001 for a design flow of 2.818 mgd are:

NOTICES

<i>Parameter</i>	<i>Average Monthly (mg/l)</i>	<i>Average Weekly (mg/l)</i>	<i>Instantaneous Maximum (mg/l)</i>
CBOD ₅	25	40	50
Total Suspended Solids	30	45	60
Total Residual Chlorine	0.5		1.6
Dissolved Oxygen		Minimum of 5.0 at all times	
pH		From 6.0 to 9.0 inclusive	
Fecal Coliform		200/100 ml as a Geometric Average	
(5-1 to 9-30)		2,000/100 ml as a Geometric Average	
(10-1 to 4-30)			

Chesapeake Bay Requirements

	<i>Concentration (mg/l) Monthly Average</i>	<i>Monthly</i>	<i>Mass (lbs)</i>	<i>Annual</i>
Ammonia-N	Report	Report		Report**
Kjeldahl-N	Report	Report		XXX
Nitrate-Nitrite as N	Report	Report		XXX
Total Nitrogen	Report	Report		Report
Total Phosphorus	Report	Report		Report
Net Total Nitrogen	XXX	Report		51,470*
Net Total Phosphorus	XXX	Report		6,863*

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

* Net Total Nitrogen and Net Total Phosphorus limits compliance date will begin on October 1, 2010. Since these reporting requirements are annual loads, reporting on compliance with the annual limitations will be required on the Supplemental DMR—Annual Nutrient Summary by November 28, 2011. The facility is required to monitor and report for Net Total Nitrogen and Net Total Phosphorus from the effective date of the permit until October 1, 2010.

** Total Annual Ammonia Load will be required to be reported on the Supplemental DMR—Annual Nutrient Summary by November 28, 2011.

Persons may make an appointment to review the Department of Environmental Protection's files on this case by calling the file review coordinator at (717) 705-4732.

The EPA waiver is not in effect.

Application No. PA 0024287, Sewage, **Borough of Palmyra**, 325 South Railroad Street, Suite 3, Palmyra, PA 17078-2400. This facility is located in North Londonderry Township, **Lebanon County**.

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

The receiving stream, Killinger Creek, is in Watershed 7-D, and classified for TSF, water supply, recreation and fish consumption. The nearest downstream public water supply intake for Penn American Water Company is located on the Swatara Creek, approximately 20 miles downstream. The discharge is not expected to affect the water supply.

The proposed effluent limits for Outfall 001 for a design flow of 1.42 mgd are:

<i>Parameter</i>	<i>Average Monthly (mg/l)</i>	<i>Average Weekly (mg/l)</i>	<i>Instantaneous Maximum (mg/l)</i>
CBOD ₅			
(5-1 to 10-31)	15	22.5	30
(11-1 to 4-30)	25	40	50
Total Suspended Solids	30	45	60
NH ₃ -N			
(5-1 to 10-31)	3		6
(11-1 to 4-30)	9		18
Total Residual Chlorine	0.12		0.38
Total Phosphorus	2.0		4.0
Dissolved Oxygen		Minimum of 5.0 at all times	
pH		From 6.0 to 9.0 inclusive	
Fecal Coliform		200/100 ml as a Geometric Average	
(5-1 to 9-30)		2,000/100 ml as a Geometric Average	
(10-1 to 4-30)			

Chesapeake Bay Requirements

	<i>Concentration (mg/l)</i>		<i>Mass (lbs)</i>	
	<i>Monthly Average</i>	<i>Monthly</i>		<i>Annual</i>
Ammonia-N	Report	Report		Report**
Kjeldahl-N	Report	Report		XXX
Nitrate-Nitrite as N	Report	Report		XXX
Total Nitrogen	Report	Report		Report
Total Phosphorus	Report	Report		Report
Net Total Nitrogen	XXX	Report		25,936*
Net Total Phosphorus	XXX	Report		3,458*

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

* Net Total Nitrogen and Net Total Phosphorus limits compliance date will begin on October 1, 2010. Since these reporting requirements are annual loads, reporting on compliance with the annual limitations will be required on the Supplemental DMR—Annual Nutrient Summary by November 28, 2011. The facility is required to monitor and report for Net Total Nitrogen and Net Total Phosphorus from the effective date of the permit until October 1, 2010.

** Total Annual Ammonia Load will be required to be reported on the Supplemental DMR—Annual Nutrient Summary by November 28, 2011.

Persons may make an appointment to review the Department of Environmental Protection's files on this case by calling the file review coordinator at (717) 705-4732.

The EPA waiver is not in effect.

Application No. PA 0026191, Sewage, **Smithfield Township**, 530 Washington Street, Huntingdon, PA 16652. This facility is located in Smithfield Township, **Huntingdon County**.

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

The receiving stream, Juniata River, is in Watershed 11-B, and classified for WWF, water supply, recreation and fish consumption. The nearest downstream public water supply intake for Dauphin Consolidated Water Company is located on the Susquehanna River, approximately 103 miles downstream. The discharge is not expected to affect the water supply.

The proposed effluent limits for Outfall 001 for a design flow of 4.0 mgd are:

<i>Parameter</i>	<i>Average Monthly (mg/l)</i>	<i>Average Weekly (mg/l)</i>	<i>Instantaneous Maximum (mg/l)</i>
CBOD ₅	25	40	50
Total Suspended Solids	30	45	60
NH ₃ -N	18		36
Total Residual Chlorine	0.5		1.64
Total Phosphorus	2.0		4.0
Dissolved Oxygen		Minimum of 5.0 at all times	
pH		From 6.0 to 9.0 inclusive	
Fecal Coliform		200/100 ml as a Geometric Average	
(5-1 to 9-30)		2,000/100 ml as a Geometric Average	
(10-1 to 4-30)			

Chesapeake Bay Requirements

	<i>Concentration (mg/l)</i>		<i>Mass (lbs)</i>	
	<i>Monthly Average</i>	<i>Monthly</i>		<i>Annual</i>
Ammonia-N	Report	Report		Report**
Kjeldahl-N	Report	Report		XXX
Nitrate-Nitrite as N	Report	Report		XXX
Total Nitrogen	Report	Report		Report
Total Phosphorus	Report	Report		Report
Net Total Nitrogen	XXX	Report		73,058*
Net Total Phosphorus	XXX	Report		9,741*

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

* Net Total Nitrogen and Net Total Phosphorus limits compliance date will begin on October 1, 2010. Since these reporting requirements are annual loads, reporting on compliance with the annual limitations will be required on the Supplemental DMR—Annual Nutrient Summary by November 28, 2011. The facility is required to monitor and report for Net Total Nitrogen and Net Total Phosphorus from the effective date of the permit until October 1, 2010.

** Total Annual Ammonia Load will be required to be reported on the Supplemental DMR—Annual Nutrient Summary by November 28, 2011.

Persons may make an appointment to review the Department of Environmental Protection's files on this case by calling the file review coordinator at (717) 705-4732.

The EPA waiver is not in effect.

Application No. PA 0027316, Sewage, **City of Lebanon**, 400 South Eighth Street, Lebanon, PA 17042. This facility is located in North Cornwall Township, **Lebanon County**.

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

The receiving stream, Quittapahilla Creek, is in Watershed 7-D, and classified for TSF, water supply, recreation and fish consumption. The nearest downstream public water supply intake for Penn American Water Company is located on the Swatara Creek, approximately 17 miles downstream. The discharge is not expected to affect the water supply.

The proposed effluent limits for Outfall 001 for a design flow of 8.0 mgd are:

<i>Parameter</i>	<i>Average Monthly (mg/l)</i>	<i>Average Weekly (mg/l)</i>	<i>Instantaneous Maximum (mg/l)</i>
CBOD ₅			
(5-1 to 10-31)	10	15	30
(11-1 to 4-30)	20	30	40
Total Suspended Solids	30	45	60
NH ₃ -N			
(5-1 to 10-31)	2.5		5.0
(11-1 to 4-30)	7.5		15
Total Phosphorus	2.0		4.0
Dissolved Oxygen		Minimum of 5.0 at all times	
pH		From 6.0 to 9.0 inclusive	
Fecal Coliform		200/100 ml as a Geometric Average	
(5-1 to 9-30)		2,000/100 ml as a Geometric Average	
(10-1 to 4-30)			

Chesapeake Bay Requirements

	<i>Concentration (mg/l) Monthly Average</i>	<i>Monthly</i>	<i>Mass (lbs)</i>	<i>Annual</i>
Ammonia-N	Report	Report		Report**
Kjeldahl-N	Report	Report		XXX
Nitrate-Nitrite as N	Report	Report		XXX
Total Nitrogen	Report	Report		Report
Total Phosphorus	Report	Report		Report
Net Total Nitrogen	XXX	Report		146,117*
Net Total Phosphorus	XXX	Report		19,482*

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

* Net Total Nitrogen and Net Total Phosphorus limits compliance date will begin on October 1, 2010. Since these reporting requirements are annual loads, reporting on compliance with the annual limitations will be required on the Supplemental DMR—Annual Nutrient Summary by November 28, 2011. The facility is required to monitor and report for Net Total Nitrogen and Net Total Phosphorus from the effective date of the permit until October 1, 2010.

** Total Annual Ammonia Load will be required to be reported on the Supplemental DMR—Annual Nutrient Summary by November 28, 2011.

Persons may make an appointment to review the Department of Environmental Protection's files on this case by calling the file review coordinator at (717) 705-4732.

The EPA waiver is not in effect.

Application No. PA 0027014, Sewage, **Altoona City Authority (Easterly Plant)**, 20 Greenwood Road, Altoona, PA 16602-7114. This facility is located in Logan Township, **Blair County**.

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

The receiving stream, Little Juniata River, is in Watershed 11-A, and classified for TSF, water supply, recreation and fish consumption. The nearest downstream public water supply intake for Newport Borough Water Authority is located on the Juniata River, approximately 121 miles downstream. The discharge is not expected to affect the water supply.

The proposed effluent limits for Outfall 001 for a design flow of 9.0 mgd are:

<i>Parameter</i>	<i>Average Monthly (mg/l)</i>	<i>Average Weekly (mg/l)</i>	<i>Instantaneous Maximum (mg/l)</i>
CBOD ₅			
(5-1 to 10-31)	15	22	30
(11-1 to 4-30)	20	30	40
Total Suspended Solids	30	45	60
NH ₃ -N			
(5-1 to 10-31)	2.0		4.0
(11-1 to 4-30)	3.5		7.0
Total Phosphorus	2.0		4.0
Total Copper	0.016		0.040
Total Zinc	0.132		0.335
Dissolved Oxygen		Minimum of 5.0 at all times	
pH		From 6.0 to 9.0 inclusive	
Fecal Coliform		200/100 ml as a Geometric Average	
(5-1 to 9-30)		2,000/100 ml as a Geometric Average	
(10-1 to 4-30)			

Chesapeake Bay Requirements

<i>Parameter</i>	<i>Concentration (mg/l)</i>	<i>Mass (lbs)</i>	
	<i>Monthly Average</i>	<i>Monthly</i>	<i>Annual</i>
Ammonia-N	Report	Report	Report**
Kjeldahl-N	Report	Report	XXX
Nitrate-Nitrite as N	Report	Report	XXX
Total Nitrogen	Report	Report	Report
Total Phosphorus	Report	Report	Report
Net Total Nitrogen	XXX	Report	146,117*
Net Total Phosphorus	XXX	Report	19,482*

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

* Net Total Nitrogen and Net Total Phosphorus limits compliance date will begin on October 1, 2010. Since these reporting requirements are annual loads, reporting on compliance with the annual limitations will be required on the Supplemental DMR—Annual Nutrient Summary by November 28, 2011. The facility is required to monitor and report for Net Total Nitrogen and Net Total Phosphorus from the effective date of the permit until October 1, 2010.

** Total Annual Ammonia Load will be required to be reported on the Supplemental DMR—Annual Nutrient Summary by November 28, 2011.

Persons may make an appointment to review the Department of Environmental Protection's files on this case by calling the file review coordinator at (717) 705-4732.

The EPA waiver is not in effect.

Application No. PA 0026051. Sewage, **Chambersburg Borough**, 100 South Second Street, Chambersburg, PA 17201. This facility is located in Chambersburg Borough, **Franklin County**.

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

The receiving stream, Conococheague Creek, is in Watershed 13-C, and classified for WWF, water supply, recreation and fish consumption. The nearest downstream public water supply intake for Hagerstown, MD is located on the Potomac River, approximately 43 miles downstream. The discharge is not expected to affect the water supply.

The proposed effluent limits for Outfall 001 for a design flow of 6.8 mgd are:

<i>Parameter</i>	<i>Average Monthly (mg/l)</i>	<i>Average Weekly (mg/l)</i>	<i>Instantaneous Maximum (mg/l)</i>
CBOD ₅			
(5-1 to 10-31)	15	22	30
(11-1 to 4-30)	25	40	50
Total Suspended Solids	30	45	60
NH ₃ -N			
(5-1 to 10-31)	3.5		7.0
(11-1 to 4-30)	10		20
Dissolved Oxygen		Minimum of 5.0 at all times	
pH		From 6.0 to 9.0 inclusive	
Fecal Coliform		200/100 ml as a Geometric Average	
(5-1 to 9-30)		2,000/100 ml as a Geometric Average	
(10-1 to 4-30)			

<i>Chesapeake Bay Requirements</i>			
	<i>Concentration (mg/l)</i>		<i>Mass (lbs)</i>
	<i>Monthly Average</i>	<i>Monthly</i>	<i>Annual</i>
Ammonia-N	Report	Report	Report**
Kjeldahl-N	Report	Report	XXX
Nitrate-Nitrite as N	Report	Report	XXX
Total Nitrogen	Report	Report	Report
Total Phosphorus	Report	Report	Report
Net Total Nitrogen	XXX	Report	124,199*
Net Total Phosphorus	XXX	Report	16,560*

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

* Net Total Nitrogen and Net Total Phosphorus limits compliance date will begin on October 1, 2010. Since these reporting requirements are annual loads, reporting on compliance with the annual limitations will be required on the Supplemental DMR—Annual Nutrient Summary by November 28, 2011. The facility is required to monitor and report for Net Total Nitrogen and Net Total Phosphorus from the effective date of the permit until October 1, 2010.

** Total Annual Ammonia Load will be required to be reported on the Supplemental DMR—Annual Nutrient Summary by November 28, 2011.

Persons may make an appointment to review the Department of Environmental Protection's files on this case by calling the file review coordinator at (717) 705-4732.

The EPA waiver is not in effect.

Application No. PA 0027189, Sewage, **Lower Allen Township Authority**, 120 Limekiln Road, New Cumberland, PA 17070-2428. This facility is located in Lower Allen Township, **Cumberland County**.

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

The receiving stream, Susquehanna River, is in Watershed 7-E, and classified for WWF, water supply, recreation and fish consumption. The nearest downstream public water supply intake for Susquehanna River is located on the Susquehanna River, approximately 25 miles downstream. The discharge is not expected to affect the water supply.

The proposed effluent limits for Outfall 001 for a design flow of 6.25 mgd are:

<i>Parameter</i>	<i>Average Monthly (mg/l)</i>	<i>Average Weekly (mg/l)</i>	<i>Instantaneous Maximum (mg/l)</i>
CBOD ₅	25	40	50
Total Suspended Solids	30	45	60
Total Residual Chlorine	0.5		1.6
Total Phosphorus	2.0		4.0
Dissolved Oxygen		Minimum of 5.0 at all times	
pH		From 6.0 to 9.0 inclusive	
Fecal Coliform		200/100 ml as a Geometric Average	
(5-1 to 9-30)		2,000/100 ml as a Geometric Average	
(10-1 to 4-30)			

<i>Chesapeake Bay Requirements</i>			
	<i>Concentration (mg/l)</i>		<i>Mass (lbs)</i>
	<i>Monthly Average</i>	<i>Monthly</i>	<i>Annual</i>
Ammonia-N	Report	Report	Report**
Kjeldahl-N	Report	Report	XXX
Nitrate-Nitrite as N	Report	Report	XXX
Total Nitrogen	Report	Report	Report
Total Phosphorus	Report	Report	Report
Net Total Nitrogen	XXX	Report	114,354*
Net Total Phosphorus	XXX	Report	15,221*

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

* Net Total Nitrogen and Net Total Phosphorus limits compliance date will begin on October 1, 2010. Since these reporting requirements are annual loads, reporting on compliance with the annual limitations will be required on the Supplemental DMR—Annual Nutrient Summary by November 28, 2011. The facility is required to monitor and report for Net Total Nitrogen and Net Total Phosphorus from the effective date of the permit until October 1, 2010.

** Total Annual Ammonia Load will be required to be reported on the Supplemental DMR—Annual Nutrient Summary by November 28, 2011.

Persons may make an appointment to review the Department of Environmental Protection's files on this case by calling the file review coordinator at (717) 705-4732.

The EPA waiver is not in effect.

Application No. PA 0026441, Sewage, **Lemoyne Borough**, Three Lowther Street, Lemoyne, PA 17043. This facility is located in Lemoyne Borough, **Cumberland County**.

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

The receiving stream, Susquehanna River, is in Watershed 7-E, and classified for WWF, water supply, recreation and fish consumption. The nearest downstream public water supply intake for Wrightsville Water Supply Company is located on the Susquehanna River, approximately 27 miles downstream. The discharge is not expected to affect the water supply.

The proposed effluent limits for Outfall 001 for a design flow of 2.088 mgd are:

<i>Parameter</i>	<i>Average Monthly (mg/l)</i>	<i>Average Weekly (mg/l)</i>	<i>Instantaneous Maximum (mg/l)</i>
CBOD ₅	25	40	50
Total Suspended Solids	30	45	60
NH ₃ -N (5-1 to 10-31)	19		38
Total Residual Chlorine	0.5		1.6
Total Phosphorus	2.0		4.0
Dissolved Oxygen		Minimum of 5.0 at all times	
pH		From 6.0 to 9.0 inclusive	
Fecal Coliform (5-1 to 9-30) (10-1 to 4-30)		200/100 ml as a Geometric Average 2,000/100 ml as a Geometric Average	

Chesapeake Bay Requirements

	<i>Concentration (mg/l) Monthly Average</i>	<i>Monthly</i>	<i>Mass (lbs)</i>	<i>Annual</i>
Ammonia-N	Report	Report		Report**
Kjeldahl-N	Report	Report		XXX
Nitrate-Nitrite as N	Report	Report		XXX
Total Nitrogen	Report	Report		Report
Total Phosphorus	Report	Report		Report
Net Total Nitrogen	XXX	Report		38,136*
Net Total Phosphorus	XXX	Report		5,085*

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

* Net Total Nitrogen and Net Total Phosphorus limits compliance date will begin on October 1, 2010. Since these reporting requirements are annual loads, reporting on compliance with the annual limitations will be required on the Supplemental DMR—Annual Nutrient Summary by November 28, 2011. The facility is required to monitor and report for Net Total Nitrogen and Net Total Phosphorus from the effective date of the permit until October 1, 2010.

** Total Annual Ammonia Load will be required to be reported on the Supplemental DMR—Annual Nutrient Summary by November 28, 2011.

Persons may make an appointment to review the Department of Environmental Protection's files on this case by calling the file review coordinator at (717) 705-4732.

The EPA waiver is not in effect.

Application No. PA 0081868, Sewage, **Fairview Township Authority**, 599 Lewisberry Road, New Cumberland, PA 17070-2399. This facility is located in Fairview Township, **York County**.

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

The receiving stream, Susquehanna River, is in Watershed 7-E, and classified for WWF, water supply, recreation and fish consumption. The nearest downstream public water supply intake for Wrightsville Water Supply Company is located on the Susquehanna River, approximately 25 miles downstream. The discharge is not expected to affect the water supply.

The proposed effluent limits for Outfall 001 for a design flow of 0.726 mgd are:

<i>Parameter</i>	<i>Average Monthly (mg/l)</i>	<i>Average Weekly (mg/l)</i>	<i>Instantaneous Maximum (mg/l)</i>
CBOD ₅	25	40	50
Total Suspended Solids	30	45	60

NOTICES

<i>Parameter</i>	<i>Average Monthly (mg/l)</i>	<i>Average Weekly (mg/l)</i>	<i>Instantaneous Maximum (mg/l)</i>
Total Residual Chlorine	0.5		1.6
Total Phosphorus	2.0		4.0
Dissolved Oxygen		Minimum of 5.0 at all times	
pH		From 6.0 to 9.0 inclusive	
Fecal Coliform (5-1 to 9-30)		200/100 ml as a Geometric Average	
(10-1 to 4-30)		2,000/100 ml as a Geometric Average	

Chesapeake Bay Requirements

	<i>Concentration (mg/l) Monthly Average</i>	<i>Monthly</i>	<i>Mass (lbs) Annual</i>
Ammonia-N	Report	Report	Report**
Kjeldahl-N	Report	Report	XXX
Nitrate-Nitrite as N	Report	Report	XXX
Total Nitrogen	Report	Report	Report
Total Phosphorus	Report	Report	Report
Net Total Nitrogen	XXX	Report	13,333*
Net Total Phosphorus	XXX	Report	1,778*

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

* Net Total Nitrogen and Net Total Phosphorus limits compliance date will begin on October 1, 2010. Since these reporting requirements are annual loads, reporting on compliance with the annual limitations will be required on the Supplemental DMR—Annual Nutrient Summary by November 28, 2011. The facility is required to monitor and report for Net Total Nitrogen and Net Total Phosphorus from the effective date of the permit until October 1, 2010.

** Total Annual Ammonia Load will be required to be reported on the Supplemental DMR—Annual Nutrient Summary by November 28, 2011.

Persons may make an appointment to review the Department of Environmental Protection's files on this case by calling the file review coordinator at (717) 705-4732.

The EPA waiver is not in effect.

Application No. 0022209, Sewage, **Municipal Authority of the Borough of Bedford**, 244 West Penn Street, Bedford, PA 15522. This facility is located in Bedford Township, **Bedford County**.

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

The receiving stream, Raystown Branch Juniata River, is in Watershed 11-C, and classified for TSF, water supply, recreation and fish consumption. The nearest downstream public water supply intake for Saxton Municipal Water Authority is located on the Raystown Branch Juniata River, approximately 49 miles downstream. The discharge is not expected to affect the water supply.

The proposed effluent limits for Outfall 001 for a design flow of 1.5 mgd are:

<i>Parameter</i>	<i>Average Monthly (mg/l)</i>	<i>Average Weekly (mg/l)</i>	<i>Instantaneous Maximum (mg/l)</i>
CBOD ₅	25	40	50
Total Suspended Solids	30	45	60
NH ₃ -N (5-1 to 10-31)	7.5		15
(11-1 to 4-30)	Report		Report
Total Residual Chlorine	0.28		0.90
Total Phosphorus	2.0		4.0
Dissolved Oxygen		Minimum of 5.0 at all times	
pH		From 6.0 to 9.0 inclusive	
Fecal Coliform (5-1 to 9-30)		200/100 ml as a Geometric Average	
(10-1 to 4-30)		2,000/100 ml as a Geometric Average	

Chesapeake Bay Requirements

	<i>Concentration (mg/l) Monthly Average</i>	<i>Monthly</i>	<i>Mass (lbs) Annual</i>
Ammonia-N	Report	Report	Report**
Kjeldahl-N	Report	Report	XXX
Nitrate-Nitrite as N	Report	Report	XXX

	<i>Chesapeake Bay Requirements</i>		
	<i>Concentration (mg/l)</i> <i>Monthly Average</i>	<i>Monthly</i>	<i>Mass (lbs)</i> <i>Annual</i>
Total Nitrogen	Report	Report	Report
Total Phosphorus	Report	Report	Report
Net Total Nitrogen	XXX	Report	27,397*
Net Total Phosphorus	XXX	Report	3,653*

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

* Net Total Nitrogen and Net Total Phosphorus limits compliance date will begin on October 1, 2010. Since these reporting requirements are annual loads, reporting on compliance with the annual limitations will be required on the Supplemental DMR—Annual Nutrient Summary by November 28, 2011. The facility is required to monitor and report for Net Total Nitrogen and Net Total Phosphorus from the effective date of the permit until October 1, 2010.

** Total Annual Ammonia Load will be required to be reported on the Supplemental DMR—Annual Nutrient Summary by November 28, 2011.

Persons may make an appointment to review the Department of Environmental Protection's files on this case by calling the file review coordinator at (717) 705-4732.

The EPA waiver is not in effect.

Application No. PA 0026753, Sewage, **Swatara Township Authority**, 599 Eisenhower Boulevard, Harrisburg, PA 17111-2397. This facility is located in Swatara Township, **Dauphin County**.

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

The receiving stream, Swatara Creek, is in Watershed 7-D, and classified for WWF, water supply, recreation and fish consumption. The nearest downstream public water supply intake for Wrightsville Borough Municipal Authority is located on the Susquehanna River, approximately 27 miles downstream. The discharge is not expected to affect the water supply.

The proposed effluent limits for Outfall 001 for a design flow of 6.3 mgd are:

<i>Parameter</i>	<i>Average Monthly (mg/l)</i>	<i>Average Weekly (mg/l)</i>	<i>Instantaneous Maximum (mg/l)</i>
CBOD ₅			
(5-1 to 10-31)	19	30	38
(11-1 to 4-30)	25	40	50
Total Suspended Solids	30	45	60
NH ₃ -N			
(5-1 to 10-31)	6		12
(11-1 to 4-30)	18		36
Total Residual Chlorine	0.5		1.6
Total Phosphorus	2		4
Dissolved Oxygen		Minimum of 5.0 at all times	
pH		From 6.0 to 9.0 inclusive	
Fecal Coliform			
(5-1 to 9-30)		200/100 ml as a Geometric Average	
(10-1 to 4-30)		2,000/100 ml as a Geometric Average	

In addition to the effluent limits, the permit contains the following Chesapeake Bay Requirements:

	<i>Chesapeake Bay Requirements</i>		
	<i>Concentration (mg/l)</i> <i>Monthly Average</i>	<i>Monthly</i>	<i>Mass (lbs)</i> <i>Annual</i>
Ammonia-N	Report	Report	Report**
Kjeldahl-N	Report	Report	XXX
Nitrate-Nitrite as N	Report	Report	XXX
Total Nitrogen	Report	Report	Report
Total Phosphorus	Report	Report	Report
Net Total Nitrogen	XXX	Report	115,367*
Net Total Phosphorus	XXX	Report	15,342*

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

* Net Total Nitrogen and Net Total Phosphorus limits compliance date will begin on October 1, 2010. Since these reporting requirements are annual loads, reporting on compliance with the annual limitations will be required on the Supplemental DMR—Annual Nutrient Summary by November 28, 2011. The facility is required to monitor and report for Net Total Nitrogen and Net Total Phosphorus from the effective date of the permit until October 1, 2010.

** Total Annual Ammonia load will be required to be reported on the Supplemental DMR—Annual Nutrient Summary by November 26, 2011.

Persons may make an appointment to review the Department of Environmental Protection's files on this case by calling the file review coordinator at (717) 705-4732.

The EPA waiver is not in effect.

Application No. PA 0026484, Sewage, **Derry Township Municipal Authority (Clearwater Road WWTP)**, 670 Clearwater Road, Hershey, PA 17033-2453. This facility is located in Derry Township, **Dauphin County**.

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

The receiving stream, Swatara Creek, is in Watershed 7-D, and classified for WWF, water supply, recreation and fish consumption. The nearest downstream public water supply intake for United Water Pennsylvania is located on the Swatara Creek, approximately 2.7 miles downstream. The discharge is not expected to affect the water supply.

The proposed effluent limits for Outfall 001 for a design flow of 5.02 mgd are:

<i>Parameter</i>	<i>Average Monthly (mg/l)</i>	<i>Average Weekly (mg/l)</i>	<i>Instantaneous Maximum (mg/l)</i>
CBOD ₅			
(5-1 to 10-31)	20	32	40
(11-1 to 4-30)	25	40	50
Total Suspended Solids	30	45	60
NH ₃ -N			
(5-1 to 10-31)	7		14
(11-1 to 4-30)	21		42
Total Phosphorus	2.0		5.6
Dissolved Oxygen		Minimum of 5.0 at all times	
pH		From 6.0 to 9.0 inclusive	
Fecal Coliform			
(5-1 to 9-30)		200/100 ml as a Geometric Average	
(10-1 to 4-30)		2,000/100 ml as a Geometric Average	

In addition to the effluent limits, the permit contains the following Chesapeake Bay requirements:

	<i>Chesapeake Bay Requirements</i>		
	<i>Concentration (mg/l)</i>	<i>Mass (lbs)</i>	
	<i>Monthly Average</i>	<i>Monthly</i>	<i>Annual</i>
Ammonia-N	Report	Report	Report**
Kjeldahl-N	Report	Report	XXX
Nitrate-Nitrite as N	Report	Report	XXX
Total Nitrogen	Report	Report	Report
Total Phosphorus	Report	Report	Report
Net Total Nitrogen	XXX	Report	91,688*
Net Total Phosphorus	XXX	Report	12,225*

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

* Net Total Nitrogen and Net Total Phosphorus limits compliance date will begin on October 1, 2010. Since these reporting requirements are annual loads, reporting on compliance with the annual limitations will be required on the Supplemental DMR—Annual Nutrient Summary by November 28, 2011. The facility is required to monitor and report for Net Total Nitrogen and Net Total Phosphorus from the effective date of the permit until October 1, 2010.

** Total Annual Ammonia load will be required to be reported on the Supplemental DMR—Annual Nutrient Summary by November 28, 2011.

Persons may make an appointment to review the Department of Environmental Protection's files on this case by calling the file review coordinator at (717) 705-4732.

The EPA waiver is not in effect.

Application No. PA 0026727, Sewage, **Borough of Tyrone**, 1100 Logan Avenue, Tyrone, PA 16686. This facility is located in Snyder Township, **Blair County**.

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

The receiving stream, Little Juniata River, is in Watershed 11-A, and classified for TSE, water supply, recreation and fish consumption. The nearest downstream public water supply intake for Newport Borough Water Authority is located on the Juniata River, approximately 118 miles downstream. The discharge is not expected to affect the water supply.

The proposed effluent limits for Outfall 001 for a design flow of 9.0 mgd are:

<i>Parameter</i>	<i>Average Monthly (mg/l)</i>	<i>Average Weekly (mg/l)</i>	<i>Instantaneous Maximum (mg/l)</i>
CBOD ₅	25	40	50
Total Suspended Solids	30	45	60
NH ₃ -N			
(5-1 to 10-31)	5.5		11
(11-1 to 4-30)	12		24
Total Copper	0.024		0.6
Hexavalent Chromium	0.019		0.048
Dissolved Oxygen	Minimum of 5.0 at all times		
pH	From 6.0 to 9.0 inclusive		
Fecal Coliform	200/100 ml as a Geometric Average		
(5-1 to 9-30)	2,000/100 ml as a Geometric Average		
(10-1 to 4-30)			

Chesapeake Bay Requirements

<i>Monthly Average</i>	<i>Concentration (mg/l)</i>		<i>Mass (lbs)</i>
	<i>Monthly</i>	<i>Annual</i>	
Ammonia-N	Report	Report	Report**
Kjeldahl-N	Report	Report	XXX
Nitrate-Nitrite as N	Report	Report	XXX
Total Nitrogen	Report	Report	Report
Total Phosphorus	Report	Report	Report
Net Total Nitrogen	XXX	Report	166,231*
Net Total Phosphorus	XXX	Report	21,918*

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

* Net Total Nitrogen and Net Total Phosphorus limits compliance date will begin on October 1, 2010. Since these reporting requirements are annual loads, reporting on compliance with the annual limitations will be required on the Supplemental DMR—Annual Nutrient Summary by November 28, 2011. The facility is required to monitor and report for Net Total Nitrogen and Net Total Phosphorus from the effective date of the permit until October 1, 2010.

** Total Annual Ammonia Load will be required to be reported on the Supplemental DMR—Annual Nutrient Summary by November 28, 2011.

Persons may make an appointment to review the Department of Environmental Protection's files on this case by calling the file review coordinator at (717) 705-4732.

The EPA waiver is not in effect.

III. WQM Industrial Waste and Sewerage Applications under The Clean Streams Law (35 P. S. §§ 691.1—691.1001)

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

WQM Permit No. 0207402, Sewerage, **Indiana Township**, P. O. Box 788, 941 Route 910, Indianola, PA 15051. This proposed facility is located in Indiana Township, **Allegheny County**.

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

WQM Permit No. 0207403, Sewerage, **Leetsdale Borough Municipal Authority**, 5 Sixth Street, Leetsdale, PA 15056. This proposed facility is located in the Borough of Leetsdale, **Allegheny County**.

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

WQM Permit No. WQG016149, Sewerage, **Charles M. Goulding**, 2638 Glenchester Road, Wexford, PA 15090. This proposed facility is located in the Borough of Franklin Park, **Allegheny County**.

Description of Proposed Action/Activity: Application for the construction and operation of a single residence sewage treatment plant.

WQM Permit No. 0276461-A2, Sewerage, **Allegheny Valley Joint Sewage Authority**, 2400 Freeport Road, P. O. Box 158, Cheswick, PA 15024-0158. This existing facility is located in Harmar Township, **Allegheny County**.

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

IV. NPDES Applications for Stormwater Discharges from Municipal Separate Storm Sewer Systems (MS4)

V. Applications for NPDES Wavier Stormwater Discharges from Municipal Separate Storm Sewer Systems (MS4)

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

Northeast Region: Watershed Management Program Manager, 2 Public Square, Wilkes-Barre, PA 18711-0790.

Northampton County Conservation District: Greystone Building, Gracedale Complex, Nazareth, PA 18064-9211, (610) 746-1971.

<i>NPDES Permit No.</i>	<i>Applicant Name & Address</i>	<i>County</i>	<i>Municipality</i>	<i>Receiving Water/Use</i>
PAS10U080R	Hornstein Enterprises, Inc. 1150 South Cedar Crest Boulevard Allentown, PA 18103-7909	Northampton	Forks Township	Bushkill Creek HQ-CWF

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

<i>NPDES Permit No.</i>	<i>Applicant Name & Address</i>	<i>County</i>	<i>Municipality</i>	<i>Receiving Water/Use</i>
PAI030606013	Weis Markets, Inc. David Gill 1000 South Second Street P. O. Box 471 Sunbury, PA 17801-0471	Berks	Spring Township	UNT to Wyomissing Creek-Schuylkill River HQ-CWF

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

PAG-12	Concentrated Animal Feeding Operations (CAFOs)
PAG-13	Stormwater Discharges from Municipal Separate Storm Sewer Systems (MS4)

PUBLIC WATER SUPPLY (PWS) PERMIT

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

Persons wishing to comment on a permit application are invited to submit a statement to the office listed before the application within 30 days of this public notice. Comments received within the 30-day comment period will be considered in the formulation of the final determinations regarding the application. Comments should include the name, address and telephone number of the writer and a concise statement to inform the Department of Environmental Protection (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 any related documents are on file at the office listed before the application and are available for public review. Arrangements for inspection and copying information should be made with the office listed before the application.

Persons with a disability who 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 should contact the Department through the Pennsylvania AT&T Relay Service at (800) 654-5984.

SAFE DRINKING WATER

Applications Received under the Pennsylvania Safe Drinking Water Act

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

Permit No. 4607505, Public Water Supply.

Applicant	Superior Water Company
Township	Douglass
County	Montgomery
Responsible Official	Robert Braglio 1885 Swamp Pike Suite 109 Gilbertsville, PA 19525
Type of Facility	PWS
Consulting Engineer	Entech Engineering, Inc. 4 South Fourth Street P. O. Box 32 Reading, PA 19603
Application Received Date	August 23, 2007
Description of Action	Redrilling of an existing production well to return the yield to its original permit level.

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

Operations Permit issued to **Reading Area Water Authority**, 3060059, Ontelaunee Township, **Berks**

County on August 16, 2007 for the operation of facilities approved under Construction Permit No. 0605519.

Operations Permit issued to **Lower Dauphin School District**, 7220373, Londonderry Township, **Dauphin County** on August 22, 2007 for the operation of facilities approved under Construction Permit No. 2206507.

Operations Permit issued to **KB's Cookies**, 7380395, Bethel Township, **Lebanon County** on August 22, 2007 for the operation of facilities approved under Construction Permit No. 3807502.

Permit No. 0607513 MA, Minor Amendment, Public Water Supply.

Applicant **Miller Mobile Home Park**
Municipality **Ontelaunee Township**
County **Berks**
Type of Facility This permit approves the permanent addition of sodium hypochlorite addition as previously permitted under Emergency Permit No. 0607509 E issued on April 6, 2007. Also included was the addition of two 120 gallon storage tanks to allow for additional chlorine contact time.
Consulting Engineer James P. Cinelli, P. E.
Liberty Environmental Inc.
10 North 5th Street
Reading, PA 19601

Permit to Construct August 16, 2007
Issued:

Permit No. 6706514, Public Water Supply.

Applicant **Dillsburg Area Authority**
Municipality **Carroll Township**
County **York**
Responsible Official Dillsburg Area Authority General Manager
P. O. Box 370
98 West Church Street
Dillsburg, PA 17019
Type of Facility **Public Water Supply**
Consulting Engineer William A. LaDieu
CET Engineering Services
1240 North Mountain Road
Harrisburg, PA 17112

Application Received: August 22, 2007
Description of Action An amended application was submitted increasing the requested pumping rate for Well No. 7 from 250 gpm to 320 gpm. Treatment systems will be resized accordingly. The original application was submitted on November 13, 2006.

Permit No. 0107510, Public Water Supply.

Applicant **Gettysburg Municipal Authority**
Municipality **Cumberland Township**
County **Adams**

Responsible Official **Gettysburg Municipal Authority Manager**
601 East Middle Street
Gettysburg, PA 17325-3307
Type of Facility **Public Water Supply**
Consulting Engineer Janet R. McNally, P. E.
William F. Hill & Assoc., Inc.
207 Baltimore Street
Gettysburg, PA 17325
Application Received: August 22, 2007
Description of Action Construction of a new well with treatment at the Crossing Development.

Permit No. 2207511, Public Water Supply.

Applicant **Upper Dauphin Area School District**
Municipality **Washington Township**
County **Dauphin**
Responsible Official **Upper Dauphin Area School District Facility Manager**
5668 SR 209
Lykens, PA 17048
Type of Facility **Public Water Supply**
Consulting Engineer Thomas W. Schreffler, P. E.
Light-Heigel & Associates Inc.
430 East Main Street
Palmyra, PA 17078
Application Received: August 13, 2007
Description of Action Addition of zinc orthophosphate as lead and copper treatment.

WATER ALLOCATIONS

Applications received under the Act of June 24, 1939 (P. L. 842, No. 365) (35 P. S. § 631—641) relating to the Acquisition of Rights to Divert Waters of the Commonwealth

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

WA 01-1025, Water Allocations. **Mason Dixon Utilities, Inc., Adams County**. The applicant is requesting the right to withdraw a daily average of 255,000 gpd with an instantaneous maximum daily withdraw of 400,000 gpd from an intake to be constructed in Marsh Creek in Freedom Township, Adams County. Consulting Engineer: Rachel L. Govelovich, Gannett Fleming, Inc. Application received August 15, 2007.

WA 07-171D, Water Allocations. **Altoona City Authority, Blair County**. The Authority is requesting the right to withdraw up to a maximum of 14.5 mgd from their existing sources including Bellwood Reservoir, Homer Gap Reservoir, Lake Altoona Reservoir, William L. Cochran Impounding Dam, Upper Kittanning Reservoir, Kettle Reservoir, Allegheny Reservoir, Mill Run Reservoir, Plane Nine Reservoir, Blair Gap Reservoir, Muleshoe Reservoir, Tipton Reservoir and Loup Run Dam. Consulting Engineer: Mark V. Glenn, Gwin, Dobson & Foreman, Inc. Application received July 13, 2003.

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—6026.908).

Sections 302—305 of the Land Recycling and Environmental Remediation Standards Act (act) require the Department of Environmental Protection (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. Persons intending to use the Background Standard, Statewide Health Standard, the Site-Specific Standard or who intend to remediate a site as a special industrial area must 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, a combination of the cleanup standards or who 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 any 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 sites identified, 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. 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 before which the notice appears. 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:

Southeast Region: Environmental Cleanup Program Manager, 2 East Main Street, Norristown, PA 19401.

United Shredding Property, City of Philadelphia, **Philadelphia County**. Gilbert Marshall, Marshall Geoscience, Inc., 170 East First Avenue, Collegetown, PA 19426, Daryl Borrelli, Manko, Gold, Katcher & Fox, LLP, 401 City Avenue, Suite 500, Bala Cynwyd, PA 19004 on behalf of Howard Peck, Norman and Arlene Peck, 5102 Woodland Avenue, Philadelphia, PA 19143 has submitted a Notice of Intent to Remediate. Soil and groundwater at the site has been impacted by release of chlorinated solvents. The future use of the property will be nonresidential for light industrial purposes.

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

Former Gene Latta Ford, Hanover Borough, **York County**. Alliance Environmental Services, Inc., 1820 Linglestown Road, Harrisburg, PA 17110, on behalf of Gene Latta Ford/Buick, Inc., 1565 Carlisle Pike, Hanover, PA 17331 and You're The Man, LLC, 1830 Carlisle Pike, Hanover, PA 17331, submitted a Notice of Intent to Remediate site groundwater contaminated with PCE and MTBE. The applicant is seeking to remediate to the Site-Specific Standard. The property is and will remain an automobile body and minor repair shop.

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

Former Drive Plus Site, City of Lock Haven, **Clinton County**, Penn Environmental & Remediation, Inc., 2755 Bergey Road, Hatfield, PA 19440 on behalf of Robert Rosemeier, Drive Plus, 241 South Hanna Street, Lock Haven, PA 17745 has submitted a Notice of Intent to Remediate soil contaminated with benzene, toluene, ethylbenzene, xylenes, naphthalene, isopropyl benzene, benzo(b) fluoranthene, phenanthrene, pyrene and lead and groundwater contaminated with benzene, toluene, ethylbenzene, xylene, naphthalene, isopropyl benzene and lead. The applicant proposes to remediate the site to meet the Statewide Health Standard. The site is presently unoccupied and will be used for commercial/retail purposes in the future following the planned demolition of existing structures.

Shamokin Former MGP Site, City of Shamokin, **Northumberland County**, The Mahfood Group, LLC, 260 Miller Run Road, Bridgeville, PA 15017 on behalf of PPL Gas Utilities Corp., 2 North 9th Street, (GENTW17), Allentown, PA 18101-1179 has submitted a Notice of Intent to Remediate soil and groundwater contaminated with PAHS, benzene, toluene, ethylbenzene and xylenes. The applicant proposes to remediate the site to meet the Site-Specific Standard. Future use of the property includes maintaining the property as a natural gas regulator station.

AIR QUALITY

PLAN APPROVAL AND OPERATING PERMIT APPLICATIONS

NEW SOURCES AND MODIFICATIONS

The Department of Environmental Protection (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 all the 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 has received applications for plan approvals and/or operating permits from the following facilities.

Copies of the applications, subsequently prepared draft permits, review summaries and other support materials are available for review in the regional office identified in this notice. Persons interested in reviewing the application files should contact the appropriate regional office to schedule an appointment.

Persons wishing to receive a copy of a proposed plan approval or operating permit must indicate their interest to the Department regional office within 30 days of the date of this notice and must file protests or comments on a proposed plan approval or operating permit within 30 days of the Department providing a copy of the proposed document to that person or within 30 days of its publication in the *Pennsylvania Bulletin*, whichever comes first. Interested persons may also request that a hearing be held concerning the proposed plan approval and operating permit. Comments or protests filed with the Department regional offices must 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 identified before the application. TDD users should 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 (act) and regulations adopted under the 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.

Northeast Region: Air Quality Program, 2 Public Square, Wilkes-Barre, PA 18711-0790, Mark Wejkszner, New Source Review Chief, (570) 826-2531.

39-309-069: Lafarge North America (5160 Main Street, Whitehall, PA 18052) for construction of dust curtain on Kiln 3 at their facility in Whitehall Township, **Lehigh County**.

39-309-070: Lafarge North America (5160 Main Street, Whitehall, PA 18052) for modification of their quarry dust collector at their facility in Whitehall Township, **Lehigh County**.

40-305-027A: Mountaintop Anthracite, Inc. (1550 Crestwood Drive, Mountaintop, PA 18707) for modification of their coal processing plant at their facility in Wright Township, **Luzerne County**.

Southcentral Region: Air Quality Program, 909 Elmerton Avenue, Harrisburg, PA 17110, Ronald Davis, New Source Review Chief, (717) 705-4702.

28-05004C: Grove US, LLC (1565 Buchanan Trail East, Shady Grove, PA 17256) for installation of a

replacement paint spray booth at their Shady Grove plant in Antrim Township, **Franklin County**.

67-03083B: Utz Quality Foods, Inc. (900 High Street, Hanover, PA 17331) for construction of a continuous snack food fryer controlled by a mist eliminator at their snack food manufacturing facility in Hanover Borough, **York County**.

Northwest Region: Air Quality Program, 230 Chestnut Street, Meadville, PA 16335-3481, George Monasky, New Source Review Chief, (814) 332-6940.

24-131L: SGL Carbon, LLC (900 Theresia Street, St. Marys, PA 15857) for modification of emission limitations for Car Baking Kiln (40) (Source 126) in City of St. Marys, **Elk County**. This is a Title V facility.

61-210B: Glenn O. Hawbaker, Inc. (1041 Stevenson Road, Harrisville, PA 16823) for modification of a stack testing condition in a plan approval to construct an asphalt plant that will burn alternative fuels at their Harrisville Plant in Barkeyville Township, **Venango County**.

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

Southcentral Region: Air Quality Program, 909 Elmerton Avenue, Harrisburg, PA 17110, Ronald Davis, New Source Review Chief, (717) 705-4702.

21-03080A: Keystone Biofuels, Inc. (485 St. Johns Church Road, Shiremanstown, PA 17011) for installation of four additional biodiesel production lines in Hampden Township, **Cumberland County**. The new equipment will increase the facility's production capacity of biodiesel from one to five million gpy. VOC emissions are expected to be 7.3 tpy. Additionally, emissions of a single HAP (methanol) are expected to be 7.0 tpy. The Plan Approval will include monitoring, recordkeeping and work practice standards designed to keep the facility operating within all applicable air quality requirements.

Southwest Region: Air Quality Program, 400 Waterfront Drive, Pittsburgh, PA 15222-4745, William Charlton, New Source Review Chief, (412) 442-4174.

63-00549B: Arden Landfill, Inc.—Cherrington Corporate Center (625 Cherrington Parkway, Moon Township, PA 15108) for control of the increased production of landfill gas (LFG) expected to result from the proposed expansion in landfill capacity at their existing facility in Chartiers Township, **Washington County**.

Under 25 Pa. Code § 127.44(a), the Department of Environmental Protection (Department) intends to issue a Plan Approval to Arden Landfill, Inc. (Waste Management, 625 Cherrington Parkway, Moon Township, PA 15108) to control the increased production of LFG expected to result from a the proposed expansion in landfill capacity at their existing facility in Chartiers Township, Washington County. Emission rates from the Facility are limited as stated in the Special Conditions as listed.

Copies of the application, the Department's analysis and other documents used in evaluation of the application are available for public inspection during normal business hours at the address shown.

Department of Environmental Protection
400 Waterfront Drive
Pittsburgh, PA 15222

In order for the Department to assure compliance with all applicable standards, the Department proposes to place the following Special Conditions on the Plan Approval:

1. This Plan Approval authorizes the expansion in landfill capacity of the Arden Landfill, Inc. municipal solid waste landfill facility located in Chartiers Township, Washington County (25 Pa. Code § 127.12b).

2. The amended design capacity of this facility is established at a total of 32,964,093 megagrams (~36,336,320 tons) of municipal solid waste. This total includes the waste previously deposited in the existing landfill area and the anticipated capacity of the proposed expansion area. Any increase in the design capacity above this level is subject to permitting by both the Department's Air Quality Program and the Bureau of Waste Management (25 Pa. Code § 127.12b).

3. The Owner/Operator shall comply with the requirements of 25 Pa. Code § 123.31 regarding malodorous emissions.

4. The Owner/Operator shall comply with the requirements of 25 Pa. Code § 123.1 and 123.2 regarding fugitive emissions.

5. Waste acceptance rates at the Facility shall be limited as follows (25 Pa. Code § 127.12b):

- a. 2,400 tons per day based on a 30-day average.
- b. 2,800 at any time.
- c. 748,800 tons in any consecutive 12-month period.

1. Emissions from the Facility in any consecutive 12-month period shall be limited as follows (25 Pa. Code § 127.12b):

<i>Pollutant</i>	<i>Facility Total (tpy)</i>
VOC	20.0
HAP	7.8
NOx	71.0
CO	157.0
SO ₂	8.0
PM10	36.0

a. Prior to any increase of VOC or HAP emissions beyond the Facility total rates expressed in this Plan Approval, the Owner/Operator must demonstrate to the Department, by means of modeling or other Department approved methodology, that the total emission rates from the existing and new increases in emission rates will not pose a significant health risk to the public and will not cause malodorous emissions beyond the property line.

1. The Owner/Operator shall monitor and record LFG rates combusted by the enclosed flare at a minimum of monthly until a reading of 3,200 scfm is recorded, after which the Owner/Operator shall monitor and record LFG rates combusted by the enclosed flare at a minimum of weekly (25 Pa. Code § 127.12b).

2. The Owner/Operator shall submit an application for plan approval to control that volume of LFG production rates in excess of the enclosed flare design capacity (4,000 scfm) within a minimum of 60 days following the measurement of the LFG rates combusted by the flare of 3,600 scfm or greater. The approval by the Department of a Landfill Gas to Energy Plant would satisfy this requirement (25 Pa. Code § 127.12b).

3. This Facility is subject to the requirements of 40 CFR Part 60, § 60.750 New Source Performance Standards for Municipal Solid Waste Landfills Subpart WWW.

4. This Facility is subject to the requirements of 40 CFR Part 63, § 63.1935 National Emission Standards for HAPs for Municipal Solid Waste Landfills Subpart AAAA.

5. The Owner/Operator shall pave and maintain the permanent landfill access roadways, other vehicular haul roads inside the landfill, and all parking lots/areas; as detailed by Attachment A of the application for plan approval.

6. The Owner/Operator shall utilize the following Best Management Practices, as necessary, to prevent PM from becoming airborne (25 Pa. Code § 127.12b):

a. Clean paved roadways and parking lots/areas by vacuum sweeping, watering or other approved means.

b. The access roadways if unpaved at the unloading areas (active cells) shall have a crown so that water runs off and does not pool. Water or other chemical dust suppressants shall be applied to unpaved road surfaces.

c. Prior to leaving the landfill, the undercarriage, wheels and chassis of the vehicles which were used to transport wastes and earth shall be washed to prevent earthen carryout onto roadways.

1. The Owner/Operator shall comply with the following requirements (25 Pa. Code § 127.12b):

- a. No waste oil shall be used as dust suppressant.
- b. All trucks entering the landfill shall be covered.
- c. A speed limit of 15 miles per hour shall be posted on all paved access roadways and 10 miles per hour on all unpaved areas.

1. Road watering and sweeping shall be performed, as needed, and earth or other material transported from the site shall be removed promptly, as needed, on the paved public road to prevent visible fugitive emissions in accordance with 25 Pa. Code § 123.1(c).

2. The Owner/Operator shall keep records of the following waste acceptance rates (25 Pa. Code § 127.12b):

- a. Daily.
- b. 30-day average.
- c. Rolling consecutive 12-month period.

1. The Owner/Operator shall perform a daily inspection of the Facility for the presence of fugitive emissions. Records each inspection shall be maintained in a log and include any corrective actions taken (25 Pa. Code § 127.12b).

2. The Owner/Operator shall monitor for fugitive landfill gas emissions as required by 40 CFR Part 60, Subpart WWW. In estimating the fugitive VOC and HAP emission rate the Owner Operator shall use the results of the Landfill Gas Estimation Model (LANDGEM), the gas collection system design and operation, the annual volume flow of landfill gas collected from the entire landfill, and the results of the quarterly surface monitoring required under 40 CFR Part 60, Subpart WWW; or other method approved by the Department in writing. The calculated emission rate shall be included in the annual facility-wide emissions report (AIMS Report) which the Owner/Operator is required to submit to the Department by March 1 of each year for the previous calendar year (25 Pa. Code § 127.12b).

3. All logs and required records shall be maintained on site for a minimum of 5 years and shall be made available to the Department upon request (25 Pa. Code § 127.12b).

4. This approval to construct shall become invalid if: (1) construction is not commenced (as defined in 40 CFR 52.21(b)(8)) within 18 months after the date of this approval; or (2) if construction is discontinued for a period of 18 months or more (25 Pa. Code § 127.13(b)).

5. Plan Approval authorizes the temporary operation of the sources covered by this Plan Approval provided the following conditions are met (25 Pa. Code § 127.12b):

a. The Owner/Operator shall submit written Notice of the Completion of Construction and the Operator's intent to commence operation at least 5 days prior to the completion of construction. The Notice shall state the date when construction will be completed and the date when the Operator expects to commence operation.

b. Operation of the sources covered by this Plan Approval is authorized only to facilitate the start-up and shakedown of sources and air cleaning devices, to permit operations pending the issuance of an Operating Permit, or to permit the evaluation of the source for compliance with all applicable regulations and requirements.

c. Upon receipt of the Notice of the Completion of Construction from the Owner/Operator the Department shall authorize a 180-day Period of Temporary Operation of the sources starting on the date of commencement of operation. This Notice submitted by the Owner/Operator, prior to the expiration of this Plan Approval, shall modify the Plan Approval expiration date. The new Plan Approval expiration date shall be 180 days from the date of commencement of operation.

d. Upon determination by the Owner/Operator that the sources covered by this Plan Approval are in compliance with all conditions of the Plan Approval the Owner/Operator shall contact the Department's reviewing engineer and schedule the Initial Operating Permit Inspection.

e. Upon completion of Initial Operating Permit Inspection and determination by the Department that the sources covered by this Plan Approval are in compliance with all conditions of the Plan Approval the Owner/Operator shall submit a revision to the Title V Operating Permit (TVOP) application, at least 60 days prior to the expiration date of the Plan Approval.

f. The Owner/Operator may request an extension of the 180-day Period of Temporary Operation if compliance with all applicable regulations and Plan Approval requirements has not been established. The extension request shall be submitted in writing at least 15 days prior to the end of the Period of Temporary Operation and shall provide a description of the compliance status of the source. The extension request shall include a detailed schedule for establishing compliance and the reasons compliance has not been established. This Period of Temporary Operation may be extended for additional limited periods, each not to exceed 120-days, by submitting an extension request as described previously.

g. If, at any time, the Department has cause to believe that air contaminant emissions from the sources listed in this plan approval may be in excess of the limitations specified in, or established under this plan approval or the permittee's operating permit, the permittee may be required to conduct test methods and procedures deemed necessary by the Department to determine the actual emissions rate. Testing shall be conducted in accordance with 25 Pa. Code Chapter 139, where applicable, and in accordance with any restrictions or limitations established by the Department at the time as it notifies the company that testing is required.

Persons wishing to provide the Department with additional information that they believe should be considered prior to the issuance of the Plan Approval may submit the information to the Department of Environmental Protection at the address shown. A 30-day comment period, from the date of this publication, will exist for the submission of comments. Each written comment must contain the following:

- Name, address and telephone number of the person submitting the comments.
- Identification of the proposed Plan Approval (specify the Plan Approval number).
- Concise statements regarding the relevancy of the information or objections to issuance of the Plan Approval. Written comments should be directed to:

Mark A. Wayner, P. E.
Regional Air Quality Program Manager
Commonwealth of Pennsylvania
Department of Environmental Protection
Southwest Region—Field Operation
400 Waterfront Drive
Pittsburgh, PA 15222-4745

For additional information persons may contact the following at the same address:

Mark R. Gorog, P. E.
Air Quality Program
(412) 442-4333

*Department of Public Health, Air Management Services:
321 University Avenue, Philadelphia, PA 19104, Edward
Braun, Chief, (215) 685-9476.*

S03-010: General Services Administration (Federal Building, 600 Arch Street, Philadelphia, PA 19106) for operation of an office building in the City of Philadelphia, **Philadelphia County**. The facility's air emission source includes three 29 mmBtu/hr boilers, a 5 mmBtu/hr boiler, two 3.5 mmBtu/hr hot water heaters and three emergency generators.

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

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

OPERATING PERMITS

Intent to Issue Title V Operating Permits under the Air Pollution Control Act (35 P. S. §§ 4001—4015) and 25 Pa. Code Chapter 127, Subchapter G.

Northcentral Region: Air Quality Program, 208 West Third Street, Williamsport, PA 17701, Muhammad Zaman, Facilities Permitting Chief, (570) 327-0512.

55-00005: Wood-Mode, Inc. (1 Second Street, Kreamer, PA 17833) for renewal of a Title V Operating Permit for their kitchen cabinet manufacturing facility in Middlecreek Township, **Snyder County**.

Under 25 Pa. Code § 127.521, the Department of Environmental Protection (Department) intends to issue a renewal Title V Operating Permit to Wood-Mode Inc.'s Kreamer Plant for their wood kitchen cabinet manufacturing facility located in Middlecreek Township, Snyder County. The Wood-Mode representative to contact regarding this operating permit is Jason Dagle, Safety and Environmental Manager, Wood-Mode, Inc., 1 Second Street, Kreamer, PA 17833.

The facility's major sources include a 10.2 mmBtu/hr (heat input) wood waste fired steam boiler, a 16.5 mmBtu/hr (heat input) natural gas fired steam boiler, a 32 mmBtu/hr (heat input) wood waste/natural gas fired steam boiler, wood waste handling and woodworking operations, numerous automated and manual coating spray booths, gluing operations, veneering operations and lumber drying operations, which have the potential to emit major quantities of CO, PM/PM10, VOCs and HAPs. The facility emits NOx and SOx below the major emission thresholds. The proposed renewal Title V operating permit contains all applicable regulatory requirements including monitoring, recordkeeping and reporting conditions.

Copies of the application, the Department's analysis and other documents used in the evaluation of the application are available for public review during normal business hours at the Department of Environmental Protection, 208 West Third Street, Suite 101, Williamsport, PA 17701. Appointments for scheduling a review must be made by calling (570) 327-3693.

Written comments or requests for a public hearing should be directed to Muhammad Q. Zaman, Manager, Facilities Permitting Section, Department of Environmental Protection, Air Quality Program, Northcentral Regional Office, 208 West Third Street, Suite 101, Williamsport, PA 17701, (570) 327-0512.

Intent to Issue Operating Permits under the Air Pollution Control Act (35 P. S. §§ 4001—4015) and 25 Pa. Code Chapter 127, Subchapter F.

Southeast Region: Air Quality Program, 2 East Main Street, Norristown, PA 19428, Edward Jurdones Brown, Facilities Permitting Chief, (484) 250-5920.

15-00054: Highway Materials, Inc. (680 Morehall Road, Malvern, PA 19355) for a Non-Title V Facility, Renewal of a State-only, Synthetic Minor Permit in East Whiteland Township, **Chester County**. Highway Materials is an asphalt paving mixture and block manufacturing facility. The sources of emissions include a hot mix asphalt batch plant. The company took a tpy throughput restriction on the amount of asphalt being produced per year. Monitoring, recordkeeping and reporting requirements have been added to the permit to address applicable limitations.

15-00085: Lincoln University (1570 Baltimore Pike, Lincoln University, PA 19352) for renewal of their State-only Operating Permit in Lower Oxford Township, **Chester County**. The initial permit was issued on December 10, 2002. The facility is a college campus that has 43 boilers and 13 backup generators as primary pollution sources.

Southcentral Region: Air Quality Program, 909 Elmerton Avenue, Harrisburg, PA 17110, Ronald Davis, New Source Review Chief, (717) 705-4702.

21-05037: Union Quarries, Inc. (102 Bonnybrook Road, Carlisle, PA 17013) for operation of a batch asphalt plant and a stone crushing plant at their facility in South Middleton Township, **Cumberland County**. This is a renewal of the previous operating permit issued in 2003.

22-03031: Cremation Society of Pennsylvania (4100 Jonestown Road, Harrisburg, PA 17109) for operation of a human remains crematorium in Lower Paxton Township, **Dauphin County**. This is a renewal of the previous operating permit issued in 2003.

36-05096: McMinn's Asphalt Co., Inc. (P. O. Box 4688, Lancaster, PA 17604-4688) for operation of an asphalt plant in Paradise Township, **Lancaster County**. This is a renewal of the State-only operating permit issued in 2003.

36-05097: McMinn's Asphalt Co., Inc. (P. O. Box 4688, Lancaster, PA 17604-4688) for operation of an asphalt plant in Fulton Township, **Lancaster County**. This is a renewal of the State-only operating permit issued in 2003.

36-05099: McMinn's Asphalt Co., Inc. (P. O. Box 4688, Lancaster, PA 17604-4688) for operation of an asphalt plant in East Hempfield Township, **Lancaster County**. This is a renewal of the State-only operating permit issued in 2003.

36-05100: McMinn's Asphalt Co., Inc. (P. O. Box 4688, Lancaster, PA 17604-4688) for operation of an asphalt plant in Manheim Township, **Lancaster County**. This is a renewal of the State-only operating permit issued in 2003.

38-05004: Kountry Kraft, Inc. (291 Sheridin Road, Newmanstown, PA 17073) for operation of their cabinet manufacturing facility in Millcreek Township, **Lebanon County**. This is a permit renewal of their existing operating permit.

38-05036: Grosfillex (23 Lebanon Valley Parkway, Lebanon, PA 17042) for operation of two automated paint lines controlled by dry filters in South Lebanon Township, **Lebanon County**. Each automated line contains a natural gas fired drying oven. The State-only operating permit will include emission restrictions, monitoring and recordkeeping requirements designed to keep the facility operating within all applicable air quality requirements.

21-05037: Union Quarries, Inc. (102 Bonnybrook Road, Carlisle, PA 17013) for operation of a batch asphalt plant and a stone crushing plant at their facility in South Middleton Township, **Cumberland County**. This is a renewal of the previous operating permit issued in 2003.

Northcentral Region: Air Quality Program, 208 West Third Street, Williamsport, PA 17701, David Aldenderfer, Program Manager, (570) 327-3637.

12-00009: Fansteel—American Sintered Technologies (513 East Second Street, Emporium, PA 15834) for renewal of a State-only operating permit for operation of a sintered metal parts manufacturing facility in Emporium Borough, **Cameron County**.

The facility incorporates seven electric sintering furnaces, an oil impregnation unit, five sizing presses, nine small natural gas-fired space heaters (with a total combined heat input of 1.54 mmBtu/hr) and a solvent parts washer.

The facility has the potential to emit up to 45.62 tons of VOCs, 6.0 tons of HAPs, 4.66 tons of PM/PM10, .92 tons of NOx and .56 tons of CO per year.

The facility is not a major (Title V) facility for any air contaminant.

The Department proposes to renew State-only Operating Permit 12-00009. The Department intends to incorporate into this renewal all conditions currently contained in State-only Operating Permit 12-00009 with these exceptions, changes and additions:

1. Conditions requiring a weekly inspection of the facility for the presence of visible air contaminant emissions, visible fugitive air contaminant emissions and malodors and the maintenance of records of these inspections have been removed from the permit.

2. A condition requiring malfunctions to be reported to the Department has been revised to exclude the reporting of malfunctions which do not result in, or potentially result in, air contaminant emissions in excess of an applicable air contaminant emission limitation and/or do not result in, or potentially result in, noncompliance with any operating permit condition.

3. Five small natural gas-fired space heaters have been added to the permit along with a condition specifying the applicable 25 Pa. Code § 123.22 SOx emission limitation for all nine small natural gas-fired space heaters located onsite and a condition limiting the fuel used in the space heaters to natural gas.

4. An oil impregnation unit and five sizing presses have been added to the permit along with conditions limiting the VOC emissions from the oil impregnation unit to less than 10 tons in any 12-consecutive month period, from each of three sizing presses to less than 10 tons in any 12-consecutive month period and from each of two sizing presses to less than 2.7 tons in any 12-consecutive month period and conditions requiring the maintenance of records of the amount of each VOC-containing material used in each of these sources each month.

5. A solvents parts washer has been added to the permit along with conditions specifying the applicable 25 Pa. Code § 129.63 requirements for the parts washer and a condition prohibiting the use of halogenated solvents and solvents containing a HAP as an intentionally-added ingredient.

6. Conditions requiring the use of instack afterburners for the control of air contaminant emissions from five sintering furnaces have been removed from the permit and replaced with conditions requiring the respective furnaces to be equipped with a flame curtain and operate with at least 3% hydrogen in the furnace atmosphere, limiting the amount of organic lubricant in the parts processed through the furnaces to no more than .75%, by weight and prohibiting the processing of parts which had been treated with oil. Additionally, conditions limiting the zinc stearate and lithium stearate contents of the parts processed through two of the five sintering furnaces (No. 2 and No. 3) to .4% and .75%, by weight, respectively, have been revised to limit the zinc stearate and lithium stearate contents to .375% and .375%, by weight, respectively, and conditions limiting the zinc stearate and lithium stearate contents of the parts processed through three of the five furnaces (No. 5—7) to .25% and .75%, by weight, respectively, have been revised to limit the zinc stearate and lithium stearate contents to .375% and .375%, by weight, respectively.

7. Conditions have been added to the permit requiring a sixth sintering furnace (No. 1) to be equipped with a flame curtain and operate with at least 3% hydrogen in the furnace atmosphere, limiting the amount of organic lubricant in the parts processed through the furnace to no more than .75%, by weight and prohibiting the processing of parts that have been treated with oil. Additionally, a condition limiting the zinc stearate and lithium stearate contents of the parts processed through the furnace to .4% and .4%, by weight, respectively, has been revised to limit the zinc stearate and lithium stearate contents to .375% and .375%, by weight, respectively.

8. A condition limiting the zinc stearate and lithium stearate contents of the parts processed through a seventh sintering furnace (No. 8) to .25% and .75%, by weight, respectively, have been revised to limit the zinc stearate and lithium stearate contents to .375% and .375%, by weight, respectively.

41-00073: Penn Recycling, Inc. (2525 Trenton Avenue, Williamsport, PA 17701) for the operation of an automobile/metal shredding facility in the City of Williamsport, **Lycoming County**.

The facility incorporates a shredder and associated material separation and handling equipment, two small No. 2 fuel oil-fired space heaters (with a combined heat input of .184 mmBtu/hr and a solvent parts washer.

The NOx, CO and SOx emissions from the facility are not expected to exceed .92, .56 and .41 tpy, respectively. The PM, VOC and HAP emission rates are unknown, but there is no evidence to suggest that they are above the levels which would make the respective facility a major "Title V" source. The air contaminant emissions from the shredder are controlled by a water spray system and the air contaminant emissions from a material separation column ("Z-box") are controlled by a cyclone collector.

The Department of Environmental Protection (Department) proposes to incorporate into the operating permit to be issued conditions requiring compliance with all applicable regulatory requirements pertaining to air contamination sources and the emission of air contaminants as well as conditions previously contained in Plan Approval 41-399-026, issued on June 26, 2001.

The conditions previously contained in Plan Approval 41-399-026 include:

1. Conditions limiting the PM emissions from the exhaust of the cyclone collector associated with a product separation column ("Z-box") to .02 grains per dry standard cubic foot of effluent gas volume and the visible air contaminant emissions to less than 10% opacity for a period or periods aggregating more than 3 minutes in any 1 hour and less than 30% at any time.

2. A condition prohibiting visible fugitive air contaminant emissions other than those determined to be of minor significance by the Department.

3. A condition prohibiting the processing of gasoline tanks and other VOC-containing materials.

The Department additionally proposes to incorporate several new conditions into the operating permit to be issued including:

4. A condition limiting the fuel used in the two small No. 2 fuel oil-fired space heaters to No. 2 fuel oil to which no reclaimed/reprocessed oil, waste oil or other waste materials have been added.

5. A condition prohibiting the use in the solvent parts washer of halogenated solvents or solvents to which a volatile HAP has intentionally been added.

Northwest Region: Air Quality Program, 230 Chestnut Street, Meadville, PA 16335-3481, Matthew Williams, New Source Review Chief, (814) 332-6940.

33-00140: Dominion Transmission, Inc. (88 Laska Road, Punxsutawney, PA 15767) on August 22, 2007, to reissue a Title V Permit for a gas transmission and distribution company Perry Township, **Jefferson County**. The facility's major emission sources include Boiler No. 1, miscellaneous combustion units, compressor engines No. 1 and No. 2, auxiliary generator No. 1, miscellaneous storage tanks, compressor engines No. 3, facility pumps, valves and flanges. The facility is a major facility due to its potential to emit of VOCs and NOx. The facility is not subject to compliance assurance monitoring.

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—1406.21). Mining activity permits issued in response to applications will also address the applicable permitting requirements of the following statutes: the Air Pollution Control Act (35 P. S. §§ 4001—4015); the Dam Safety and Encroachments Act (32 P. S. §§ 693.1—693.27); and the Solid Waste Management Act (35 P. S. §§ 6018.101—6018.1003).

The following permit applications to conduct mining activities have been received by the Department of Environmental Protection (Department). A copy of an application is available for inspection at the district mining office indicated before an application. Where a 401 Water Quality Certification is needed for any aspect of a particular proposed mining activity, the submittal of the permit application will serve as the request for certification.

Written comments, objections or requests for informal conferences on applications 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 district mining office indicated before an 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.

Where any of the mining activities listed will have discharges of wastewater to streams, the Department will incorporate NPDES permits into the mining activity permits issued in response to these applications. NPDES permits will contain, at a minimum, technology-based effluent limitations as identified in this notice for the respective coal and noncoal applications. In addition, more restrictive effluent limitations, restrictions on discharge volume or restrictions on the extent of mining which may occur will be incorporated into a mining activity permit, when necessary, for compliance with water quality standards (in accordance with 25 Pa. Code Chapters 93 and 95). Persons or agencies who have requested review of NPDES permit requirements for a particular mining activity within the previously mentioned public comment period will be provided with a 30-day period to review and submit comments on the requirements.

Written comments or objections should contain the name, address and telephone number of the person submitting comments or objections; the application number; and a statement of sufficient detail to inform the Department on the basis of comment or objection and relevant facts upon which it is based. Requests for an informal conference must contain the name, address and telephone number of 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 wishes to have the conference conducted in the locality of the proposed mining activities.

Coal Applications Received

Effluent Limits—The following coal mining applications that include an NPDES permit application will be subject to, at a minimum, the following technology-based effluent limitations for discharges of wastewater to streams:

<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 ¹		greater than 6.0; less than 9.0	
Alkalinity greater than acidity ¹			

¹The parameter is applicable at all times.

A settleable solids instantaneous maximum limit of 0.5 ml/l applied to: (1) 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; and mined areas backfilled and revegetated; and (2) drainage (resulting from a precipitation event of less than or equal to a 1-year 24-hour event) from coal refuse disposal piles.

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

Permit Number 32971302 and NPDES Permit No. PA0215040, Rosebud Mining Company, 301 Market

Street, Kittanning, PA 16201, to renew the permit for the Dutch Run Mine in Washington Township, **Indiana County** and Plumcreek Township, **Armstrong County** and related NPDES permit. No additional discharges. Application received July 10, 2007.

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

56970103 and NPDES No. PA0234524, Marquise Mining Corporation, 3889 Menoher Boulevard, Johnstown, PA 15905, permit renewal for reclamation only of a bituminous surface auger mine in Shade Township, Somerset County, affecting 308.9 acres. Receiving

streams: UNT to Stonycreek River; UNT to Fallentimber Run; Fallentimber Run classified for the following use: CWF. The first downstream potable water supply intake from the point of discharge is Hooversville Borough Municipal Authority. Application received August 17, 2007.

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

33070107 and NPDES Permit No. PA0258393. Allegheny Enterprises, Inc., 3563 Roller Coaster Road, Corsica, PA 15829. Commencement, operation and restoration of a bituminous surface strip operation in Rose Township, **Jefferson County** affecting 83.7 acres. Receiving stream: Eckler Run, classified for the following use: CWF. There are no potable surface water supply intakes within 10 miles downstream. Application received August 16, 2007.

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

17070115 and NPDES No. PA0256641. Swisher Contracting, Inc., P. O. Box 1223, Clearfield, PA 16830. Commencement, operation and restoration of a bituminous surface coal mine in Bradford Township, **Clearfield County**, affecting 36.2 acres. Receiving streams: Abes Run to the West Branch Susquehanna River, classified for the following use: CWF. There are no potable water supply intakes within 10 miles downstream. Application received August 20, 2007.

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 of Environmental Protection (Department). Section 401 of the Federal Water Pollution Control Act (FWPCA) (33 U.S.C.A. § 1341) requires the State to certify that the involved projects will not violate the applicable provisions of 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 or to the issuance of a Dam Permit, Water Obstruction and Encroachment Permit or the approval of an Environmental Assessment must submit comments, suggestions or objections within 30 days of the date of this notice, as well as questions, to the regional office noted before the 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. Individuals 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 each working day at the regional office noted before the application.

Persons with a disability who wish to attend a hearing and require an auxiliary aid, service or other accommodation to participate in the proceedings should contact the

specified program. TDD users should 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 Federal Water Pollution Control Act (33 U.S.C.A. § 1341(a)).

WATER OBSTRUCTIONS AND ENCROACHMENTS

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

E02-1567. Department of Transportation, District 11-0, 45 Thoms Run Road, Bridgeville, PA 15017. To place fill with a drainage area in Marshall Township, **Allegheny County**, Pittsburgh ACOE District (Mars, PA Quadrangle N: 4.5 inches; W: 13.5 inches, Latitude: 40° 39' 18"; Longitude: 80° 5' 12" to N: 3.1 inches; W: 14.3 inches, Latitude: 40° 38' 52"; Longitude 80° 6' 52"). The applicant proposes to place and maintain fill in 310 feet of Brush Creek (WWF) floodway with a drainage area of 5 square miles, place and maintain fill in 0.037 acre of PEM wetland, and relocate 75 feet of a UNT to Brush Creek with a drainage area of 200 acres. The project is associated with the road widening and improvements needed for the Tech 21 Partners Research.

E65-915. Department of Transportation, District 12-0, 825 North Gallatin Avenue Ext., P. O. Box 459, Uniontown, PA 15401-0459. To construct and maintain construction in Derry Township, **Westmoreland County**, Pittsburgh ACOE District (Blairsville, PA Quadrangle N: 9.3 inches; W: 8.7 inches, Latitude 40° 25' 33"; Longitude 79° 18' 40" to N: 11.1 inches; W: 3.8 inches, Latitude 40° 26' 10"; Longitude 79° 16' 24").

The applicant proposes to construct and maintain:

1. A 315 ft long by 100 ft wide, 30 ft minimum underclearance, three span replacement of the existing SR 22, 280 ft long by 65 ft wide, three span bridge over Stoney Run (CWF) and associated temporary stream crossings;
2. A 55-ft long extension to an existing 65 ft long 5 ft by 5 ft concrete box culvert under the to be widened SR 22 in a UNT to the Conemaugh River (WWF);
3. A 85 ft long 7 ft by 5 ft concrete box culvert located approximately 250 ft downstream of item 2 and under the proposed Jonnett Connector North;
4. Improvements to the inlet and outlet of an existing 3 ft by 5 ft concrete box culvert located approximately 250 ft upstream of item 2;
5. A 35 ft long 48 inch diameter rcp culvert, two approximately 50 ft long 36 inch culverts and approximately 675 ft of channel relocation in drainage areas of less than 100 acres in UNTs to Stoney Run (CWF) and the Conemaugh River (WWF);
6. Road stormwater outfalls and construction associated temporary crossings;
7. In addition, a total of 0.42 acre of PEM wetland temporary impacts and 0.042 acre of permanent fill and maintenance of PEM wetlands.

Wetland mitigation is provided in the at the Sanderson Property wetland mitigation site for SR 22 sections B07 through B10. Stream mitigation is provided by improve-

ments to a car-top boat access to the Conemaugh River Lake, Conemaugh Township, Indiana County. This project, Section B10 of the phased SR 22 widening, improvement work starts approximately 0.2 mile west of Blairsville and extends west approximately 2.3 miles.

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

E42-336, McKean County Commissioners, 500 West Main Street, Smethport, PA 16749. Boyer Crossing Road bridge across Allegheny River, in Liberty Township, **McKean County**, ACOE Pittsburgh District (Roulette, PA Quadrangle N: 41° 47' 27"; W: 78° 13' 27").

To remove the existing structure and to construct and maintain a 19-foot-wide steel beam bridge and associated roadway approach fill providing a clear, normal span of 100 feet and an average underclearance of 10.7 feet

across the Allegheny River on T-415, Boyer Crossing Road approximately 0.1 mile south of SR 6.

DAM SAFETY

Central Office: Bureau of Waterways Engineering, 400 Market Street, Floor 3, P. O. Box 8554, Harrisburg, PA 17105-8554.

D40-242A. Bureau of Waterways Engineering, P. O. Box 8460, Harrisburg, PA 17105-8460. To modify, operate and maintain the Toby Creek Impounding Basin Dam across Toby Creek (TSF), impacting approximately 1,000 linear feet of stream, for the purpose of rehabilitating the existing facility to assure compliance with Department Regulations and increase spillway capacity (Kingston, PA Quadrangle N: 4.4 inches; W: 2.5 inches) in Pringle Borough, **Luzerne County**.

ACTIONS

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

The Department of Environmental Protection (Department) has taken the following actions on previously received applications for new, amended and renewed NPDES and WQM permits, applications for permit waivers and Notices of Intent (NOI) for coverage under general permits. This notice is provided in accordance with 25 Pa. Code Chapters 91 and 92 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.

<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 related to industrial, animal or sewage wastes discharges, discharges to groundwater and discharges associated with municipal separate storm sewer systems (MS4), stormwater associated with construction activities and concentrated animal feeding operations (CAFOs). Section VII contains notices for parties who have submitted NOIs for coverage under general NPDES permits. The approval for coverage under general NPDES permits is subject to applicable effluent limitations, monitoring, reporting requirements and other conditions set forth 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 set forth in the respective permit. 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, under section 4 of the Environmental Hearing Board Act (35 P. S. § 7514) and 2 Pa.C.S. §§ 501—508 and 701—704 (relating to the Administrative Agency Law), to the Environmental Hearing Board, Second Floor, Rachel Carson State Office Building, 400 Market Street, P. O. Box 8457, Harrisburg, PA 17105-8457, (717) 787-3483. TDD users should contact the Environmental Hearing Board (Board) through the Pennsylvania Relay Service, (800) 654-5984. Appeals must be filed with the Board within 30 days of publication of this notice in the *Pennsylvania Bulletin*, unless the appropriate statute provides a different time period. Copies of the appeal form and the Board's rules of practice and procedure may be obtained from the Board. The appeal form and the Board's rules of practice and procedure are also available in Braille or on audiotape from the Secretary 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, 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.

I. NPDES Renewal Permit Actions

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

<i>NPDES No. (Type)</i>	<i>Facility Name & Address</i>	<i>County & Municipality</i>	<i>Stream Name (Watershed #)</i>	<i>EPA Waived Y/N</i>
PA0217620 Sewage	Consol PA Coal Company P. O. Box J Claysville, PA 15323	Greene County Richhill Township	Crabapple Creek	Y

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

<i>NPDES No. (Type)</i>	<i>Facility Name & Address</i>	<i>County & Municipality</i>	<i>Stream Name (Watershed #)</i>	<i>EPA Waived Y/N ?</i>
PA0006378	Wheatland Tube Co.— Division of John Maneely Co.—Sharon Plant P. O. Box 608 One Council Avenue Wheatland, PA 16161	City of Sharon Mercer County	Shenango River 20-A	N

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

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

NPDES Permit No. PA0001627, Industrial Waste, **Orion Power Midwest, LP**, 121 Champion Way, Suite 200, Canonsburg, PA 15317. This existing facility is located in Springdale Borough, **Allegheny County**.

Description of Proposed Action/Activity: Permit issuance to discharge from a facility located at Cheswick Power Station to receiving waters named Allegheny River, Little Deer Creek and a UNT to Little Deer Creek.

NPDES Permit No. PA0040312-A2, Industrial Waste, **Molycorp, Inc.**, 300 Caldwell Avenue, Washington, PA 15301. This existing facility is located in Canton Township, **Washington County**.

Description of Proposed Action/Activity: Permit issuance for site remediation.

NPDES Permit No. PA0253227, Sewage, **East Franklin Township**, R. D. 3, Box 211A, Kittanning, PA 16201. This proposed facility is located in East Franklin Township, **Armstrong County**.

Description of Proposed Action/Activity: Permit issuance for a 0.018 mgd sewage treatment plant.

III. WQM Industrial Waste and Sewerage Actions under The Clean Streams Law (35 P. S. §§ 691.1—691.1001)

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

WQM Permit No. WQG01360701, Sewage, **Leroy and Mary Musser**, 1901 Cider Press Road, Manheim, PA 17545. This proposed facility is located in Rapho Township, **Lancaster County**.

Description of Proposed Action/Activity: Construction/Operation of a small flow sewage treatment system to serve their single-family residence.

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

WQM Permit No. WQG026114, Sewerage, **Marshall Township Municipal Sanitary Authority**, 525 Pleasant Hill Road, P. O. Box 2094, Warrendale, PA 15086. This proposed facility is located in Marshall Township, **Allegheny County**.

Description of Proposed Action/Activity: Permit issuance for the construction and operation of Copper Creek Subdivision sewer extension.

WQM Permit No. 465S23-A1, Sewerage, **Belle Vernon Municipal Authority**, P. O. Box 181, Main Street, Belle Vernon, PA 15012. This existing facility is located in Belle Vernon Borough, **Fayette County**.

Description of Proposed Action/Activity: Permit issuance for the construction and operation of modifications to the existing Belle Vernon STP and Pump Station.

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

WQM Permit No. 2507403, Sewerage, **DCNR, DCNR—Presque Isle Beach 6**, P. O. Box 8767, Harrisburg, PA 17105-8767. This proposed facility is located in Presque Isle State Park Township, **Erie County**.

Description of Proposed Action/Activity: This permit approves the upgrade of an existing onlot sewage treatment facility for Presque Isle State Park.

WQM Permit No. 4307402, Sewerage, **Hermitage Municipal Authority**, 800 North Hermitage Road, Hermitage PA 16148. This proposed facility is located in the City of Hermitage, **Mercer County**.

Description of Proposed Action/Activity: The proposal is to connect proposed Jefferson Township sewers to Hermitage Municipal Authority.

IV. NPDES Stormwater Discharges from MS4 Permit Actions

V. NPDES Waiver Stormwater Discharges from MS4 Actions

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

Northeast Region: Watershed Management Program Manager, 2 Public Square, Wilkes-Barre, PA 18711-0790.

<i>NPDES Permit No.</i>	<i>Applicant Name & Address</i>	<i>County</i>	<i>Municipality</i>	<i>Receiving Water/Use</i>
PAI025206003	John S. Kiesendahl R. R. 1 Box 280 Hawley, PA 18428	Pike	Lackawaxen Township	Teedyuskung Creek HQ-CWF, MF
PAI021305006	Jim Harrison 1 Fox Chase Drive Watchung, NJ 17069	Carbon	Penn Forest Township	Berry Run EV Mill Run EV
PAI023906025	Kay Builders 5930 Hamilton Boulevard Suite 10 Wescosville, PA 18106	Lehigh	Upper Macungie Township	Cedar Creek HQ-CWF
PAI023906028	Posocco Equities 2610 Walbert Avenue Allentown, PA 18104	Lehigh	South Whitehall Township	Little Cedar Creek HQ-CWF Little Lehigh Creek HQ-CWF
PAI026404002 (Subsequent Phase Phase V)	Duck Harbor Company, Inc. R. R. 1 Box 214C Equinunk, PA 18417	Wayne	Lebanon Township	Little Equinunk Creek HQ-CWF, MF

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

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

<i>NPDES Permit No.</i>	<i>Applicant Name & Address</i>	<i>County</i>	<i>Municipality</i>	<i>Receiving Water/Use</i>
PAI041406009 Revision #3	Ian Salada PSU—Office of Physical Plant 101P Physical Plant Building University Park, PA 16802	Centre	State College Borough	UNT of Spring Creek HQ-CWF

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

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

List of NPDES and/or Other General Permit Types

PAG-1	General Permit for Discharges From Stripper Oil Well Facilities
PAG-2	General Permit for Discharges of Stormwater Associated With Construction Activities (PAR)
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 Groundwater 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 Nonexceptional 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)

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

<i>Municipality & County</i>	<i>Permit No.</i>	<i>Applicant Name & Address</i>	<i>Receiving Water/Use</i>	<i>Contact Office & Phone No.</i>
Hanover Township Luzerne County	PAG2004007017	South Valley Game King R. R. 1 Box 125-B Lily Lake Road Wapwallopen, PA 18660	Solomon Creek CWF	Luzerne Co. Cons. Dist. (570) 674-7991
Amity Township Berks County	PAR10C407R	Edward H. Cressman Harleysville National Bank and Trust Company 483 Main Street P. O. Box 195 Harleysville, PA 19438	Schuylkill River WWF	Berks County Conservation District 1238 County Welfare Road Suite 200 Leesport, PA 19533-9710 (610) 372-4657, Ext. 201
Centre Township Berks County	PAG2000607008	Ronald Kunkel Mohrsville Church of the Brethren 1542 Shoey Road Mohrsville, PA 19541	Irish Creek WWF	Berks County Conservation District 1238 County Welfare Road Suite 200 Leesport, PA 19533-9710 (610) 372-4657, Ext. 201
West Pennsboro and Penn Townships Cumberland County	PAG2002107027	Newville Sewer and Water Authority Fred Potzer 4 West Street Newville, PA 17241	Big Spring Creek Conodoguinet Creek CWF-WWF	Cumberland County Conservation District 310 Allen Road Suite 301 Carlisle, PA 17013 (717) 240-7812
Earl Township Berks County	PAR10C389R	Walter T. Greth Greth Development Group P. O. Box 305 Temple, PA 19560	Manatawny Creek CWF	Berks County Conservation District 1238 County Welfare Road Suite 200 Leesport, PA 19533-9710 (610) 372-4657, Ext. 201
Bern Township Berks County	PAG2000607019	Nick Stoltzfus Descoco Design and Construction 1 Willow Street Industrial Park Fleetwood, PA 19522	Plum Creek CWF	Berks County Conservation District 1238 County Welfare Road Suite 200 Leesport, PA 19533-9710 (610) 372-4657, Ext. 201
Beale Township Juniata County	PAG2033407002	Nancy R. Campbell 240 State Park Road Newport, PA 17074	Doyle Run CWF	Juniata County Conservation District R. R. 5 Box 35 Stoney Creek Drive Mifflintown, PA 17009 (717) 436-8953, Ext. 5
Clinton County Wayne Township	PAG2001807001	Clinton County Commissioners 232 East Main Street Lock Haven, PA 17745	UNT to West Branch Susquehanna River CWF	Clinton County Conservation District 45 Cooperation Lane Mill Hall, PA 17751 (570) 726-3798
Columbia County Town of Bloomsburg	PAG2001907001	Carol Mas Town of Bloomsburg 301 East Second Street Bloomsburg, PA 17815	Susquehanna River WWF	Columbia County Conservation District 702 Sawmill Road Suite 204 Bloomsburg, PA 17815 (570) 784-1310, Ext. 102

*Facility Location:
Municipality &
County*Lycoming County
Muncy Township

Permit No.

PAG2004105010

*Applicant Name &
Address*Preeit-Rubin Op, Inc.
200 South Broad Street
Philadelphia, PA 17837*Receiving
Water/Use*Margaret Run
WWF*Contact Office &
Phone No.*Lycoming County
Conservation District
542 County Farm Road
Suite 202
Montoursville, PA 17754
(570) 433-3003Tioga County
Hamilton Township

PAG2005907009

Hamilton Township
Municipal Authority
P. O. Box 236
Morris Run, PA 16939Morris Run
CWF
Tioga River
CWFTioga County
Conservation District
50 Plaza Lane
Wellsboro, PA 16901
(570) 724-1801, Ext. 3Fayette County
Brownsville
Borough and
Luzerne Township

PAG2002607018

Jack McLain
Norfolk Southern
Railway Co.
1200 Peachtree
Street, NE
Atlanta, GA 30309-3579Monongahela River
WWFFayette County CD
(724) 438-4497Mercer County
City of Hermitage

PAG2004307007

David Smith
Preferred Communities,
Inc.
P. O. Box 9
Canfield, OH 44406Pine Hollow Run
WWFMercer Conservation
District
(724) 662-2242*General Permit Type—PAG-3**Facility Location &
Municipality*Cumberland County
Camp Hill Borough

Permit No.

PAR123561

*Applicant Name &
Address*ADM Milling Company
P. O. Box 3100
Shiremanstown, PA
17011-3100*Receiving
Water/Use*Cedar Run
CWF*Contact Office &
Phone No.*DEP—SCRO
909 Elmerton Avenue
Harrisburg, PA 17110
(717) 705-4707Dunbar Township
Fayette County

PAR606180

Butchko Brothers, Inc.
P. O. Box 675
Connellsville, PA 15425Unnamed Feeder to
Dunbar CreekSouthwest
Regional Office
Water Management
Program Manager
400 Waterfront Drive
Pittsburgh, PA
15222-4745
(412) 442-4000Borough of
Brookville
Jefferson County

PAR808325

Buffalo and Pittsburgh
Railroad, Inc.
P. O. Box 1532
Butler, PA 16001

Sandy Lick Creek

DEP—NWRO
Water Management
230 Chestnut Street
Meadville, PA 16335-3481
(814) 332-6942West Mead
Township
Crawford County

PAG048866

Richard M. Curry
8289 Tamarack Drive
Meadville, PA 16335UNT to Little Sugar
Creek
16-DDEP—NWRO
Water Management
230 Chestnut Street
Meadville, PA 16335-3481
(814) 332-6942West Salem
Township
Mercer County

PAG048860

LeMoyné E. Moffett
50 Tanner Road
Greenville, PA
16125-9205UNT of the Shenango
River
20-ADEP—NWRO
Water Management
230 Chestnut Street
Meadville, PA 16335-3481
(814) 332-6942Jackson Township
Venango County

PAG048404

Janet A. Furfahs
Wright Road
P. O. Box 449
Cooperstown, PA 16317UNT to Sugar Creek
16-GDEP—NWRO
Water Management
230 Chestnut Street
Meadville, PA 16335-3481
(814) 332-6942

<i>Facility Location & Municipality</i>	<i>Permit No.</i>	<i>Applicant Name & Address</i>	<i>Receiving Water/Use</i>	<i>Contact Office & Phone No.</i>
Hayfield Township Crawford County	PAG048520	David L. Jr. and Margaret A. Kralj 15621 Valley Road Meadville, PA 16335	UNT to Cussewago Creek 16-D	DEP—NWRO Water Management 230 Chestnut Street Meadville, PA 16335-3481 (814) 332-6942

General Permit Type—PAG-5

<i>Facility Location & Municipality</i>	<i>Permit No.</i>	<i>Applicant Name & Address</i>	<i>Receiving Water/Use</i>	<i>Contact Office & Phone No.</i>
White Township Indiana County	PAG056225	United Refining Company of Pennsylvania P. O. Box 688 15 Bradley Street Warren, PA 16365-3224	McCarthy Run	Southwest Regional Office Water Management Program Manager 400 Waterfront Drive Pittsburgh, PA 15222-4745 (412) 442-4000
Washington Township Greene County	PAG056223	Coen Oil Company P. O. Box 34 1045 West Chestnut Street Washington, PA 15301	Boyd Run	Southwest Regional Office Water Management Program Manager 400 Waterfront Drive Pittsburgh, PA 15222-4745 (412) 442-4000
Richland Township Cambria County	PAG056224	Sheetz, Inc. 5700 Sixth Avenue Altoona, PA 16602	UNT Drains to Stony Creek	Southwest Regional Office Water Management Program Manager 400 Waterfront Drive Pittsburgh, PA 15222-4745 (412) 442-4000

General Permit Type—PAG-6

<i>Facility Location: Municipality & County</i>	<i>Permit No.</i>	<i>Applicant Name & Address</i>	<i>Receiving Water/Use</i>	<i>Contact Office & Phone No.</i>
Moosic Borough Lackawanna County	PAG062202	Lackawanna River Basin Sewer Authority (Moosic Interceptor) P. O. Box 9068 Dickson City, PA 18519	Lackawanna River CWF	DEP—NERO Water Management 2 Public Square Wilkes-Barre, PA 18711 (570) 826-2511

General Permit Type—PAG-9

<i>Facility Location: Municipality & County</i>	<i>Permit No.</i>	<i>Applicant Name & Address</i>	<i>Site Name & Location</i>	<i>Contact Office & Phone No.</i>
Warsaw Township Jefferson County	PAG098301	John F. Williams 411 Williams Road Reynoldsville, PA 15851	Williams Septic & Drain Service 411 Williams Road Reynoldsville, PA 15851	DEP—NWRO Water Management 230 Chestnut Street Meadville, PA 16335-3481 (814) 332-6942

General Permit Type—PAG-10

<i>Facility Location & Municipality</i>	<i>Permit No.</i>	<i>Applicant Name & Address</i>	<i>Receiving Water/Use</i>	<i>Contact Office & Phone No.</i>
Plum Creek Township Armstrong County	PAG106112	Reliant Northeast Management Company 121 Champion Way Suite 200 Canonsburg, PA 15317	Panama Canal	Southwest Regional Office Water Management Program Manager 400 Waterfront Drive Pittsburgh, PA 15222-4745 (412) 442-4000

General Permit Type—PAG-12

<i>Facility Location & Municipality</i>	<i>Permit No.</i>	<i>Applicant Name & Address</i>	<i>Receiving Water/Use</i>	<i>Contact Office & Phone No.</i>
Adams County Huntington Township	PAG123625	Malcolm E. Boone 6988 Old Harrisburg Road York Springs, PA 17372	Bermudian Creek WWF	DEP—SCRO 909 Elmerton Avenue Harrisburg, PA 17110 (717) 705-4707
Adams County Butler Township	PAG123627	Mike Hare Crittter Hill Farm 2333 Zeiglers Outlet Taneytown, MD 21787	Quaker Run Creek TSF	DEP—SCRO 909 Elmerton Avenue Harrisburg, PA 17110 (717) 705-4707
Fulton County Bethel Township	PAG123555	Mark Mosemann Misty Mountain Farm 843 Spring Road Warfordsburg, PA 17267	Barnetts Run TSF	DEP—SCRO 909 Elmerton Avenue Harrisburg, PA 17110 (717) 705-4707

PUBLIC WATER SUPPLY (PWS) PERMITS

The Department of Environmental Protection 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, under section 4 of the Environmental Hearing Board Act (35 P. S. § 7514) and 2 Pa.C.S. §§ 501—508 and 701—704 (relating to the Administrative Agency Law), to the Environmental Hearing Board, Second Floor, Rachel Carson State Office Building, 400 Market Street, P. O. Box 8457, Harrisburg, PA 17105-8457, (717) 787-3483. TDD users should contact the Environmental Hearing Board (Board) through the Pennsylvania Relay Service, (800) 654-5984. Appeals must be filed with the Board within 30 days of publication of this notice in the *Pennsylvania Bulletin*, unless the appropriate statute provides a different time period. Copies of the appeal form and the Board's rules of practice and procedure may be obtained from the Board. The appeal form and the Board's rules of practice and procedure are also available in Braille or on audiotape from the Secretary 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, 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.

SAFE DRINKING WATER

Actions taken under the Pennsylvania Safe Drinking Water Act

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

Permit No. 4507501, Public Water Supply.

Applicant **Pennsylvania American Water**
800 West Hersheypark Drive
Hershey, PA 17033
Stroud Township

County **Monroe**
Type of Facility **PWS**
Consulting Engineer **Edward J. DiMond, P. E.**
SAIC
6310 Allentown Boulevard
Harrisburg, PA 17112
Permit to Construct Issued **August 20, 2007**

Permit No. 3480046, **Operations Permit**, Public Water Supply.

Applicant **Bethlehem Authority**
10 East Church Street
Bethlehem, PA 18018
Lehigh Township

County **Northampton**
Type of Facility **PWS**
Consulting Engineer **Delwayne P. Becker, P. E.**
RK & K, LLP
2570 Boulevard of the Generals
Suite 215
Norristown, PA 19403

Permit to Operate Issued **August 16, 2007**

Northcentral Region: Water Supply Management Program Manager; 208 West Third Street, Williamsport, PA 17701.

Permit No. M.A.—266W013—Construction, Public Water Supply.

Applicant **Wallaceton Municipal Authority**
Township or Borough **Wallaceton Borough**
County **Clearfield**
Responsible Official **Kristina Fenton**, Chairperson
Wallaceton Municipal Authority
P. O. Box 12
Wallaceton, PA 16876-0012

Type of Facility **Public Water Supply—Construction**

Consulting Engineer **Dennis Lingenfelter, P. E.**
Uni-Tec Consulting Engineers, Inc.
2007 Cato Avenue
State College, PA 16801

Permit Application Date	August 27, 2007
Description of Action	Replacement of the distribution system, rehabilitation of the existing finished water storage tank and construction of a transmission line and metering/pressure reducing station to convey finished water from Pennsylvania-American Water Company to Wallaceton Municipal Authority.
Permit No. 5907501—Construction,	Public Water Supply.
Applicant	Hamilton Township Municipal Authority
Township or Borough	Hamilton Township
County	Tioga
Responsible Official	Ralph Bender Hamilton Township Municipal Authority P. O. Box 236 Morris Run, PA 16939
Type of Facility	Public Water Supply—Construction
Consulting Engineer	William S. Bray, P. E. P. O. Box 535 Wellsboro, PA 16901
Permit Application Date	August 27, 2007
Description of Action	Construction of a transmission line and booster pump station to convey finished water from Blossburg Municipal Authority water system to Hamilton Township Municipal Authority water system.

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—6026.908).

Provisions of Chapter 3 of the Land Recycling and Environmental Remediation Standards Act (act) require the Department of Environmental Protection (Department) to publish in the *Pennsylvania Bulletin* a notice of submission of plans and reports. A final report is submitted to document cleanup of a release of a regulated substance at a site to one of the act's remediation standards. A final report provides a description of the site investigation to characterize the nature and extent of contaminants in environmental media, the basis for selecting the environmental media of concern, documentation supporting the selection of residential or nonresidential exposure factors, a description of the remediation performed and summaries of sampling analytical results which demonstrate that remediation has attained the cleanup standard selected. Submission of plans and reports, other than the final report, shall 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 refuse 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 after which the notice of receipt of plans or reports appears. If information concerning plans or reports is required in an alternative form, contact the Community Relations Coordinator at the appropriate regional office. TDD users may telephone the Department through the AT&T Relay Service at (800) 654-5984.

The Department has received the following plans and reports:

Southeast Region: Environmental Cleanup Program Manager, 2 East Main Street, Norristown, PA 19401.

Casadonti Homes Inc., Plumstead Township, **Bucks County**. Andrew Gutshall, EarthRes Group, Inc., P. O. Box 468, Pipersville, PA 18947 on behalf of Scott R. Campbell, P. G., EarthRes Group, Inc., P. O. Box 468, Pipersville, PA 18947 has submitted a Final Report concerning remediation of site soil contaminated with chlorinated solvents. The report is intended to document remediation of the site to meet the Statewide Health Standards.

DeBoer Residence, Bridgeton Township **Bucks County**. Richard D. Trimpi, Trimpi Associates, Inc., 1635 Old Plains Road, Pipersville, PA 18073 on behalf of Laurie DeBoer, 1358 Lonely Cottage Road, Upper Black Eddy, PA 18972, Christine Dimming, State Farm, P. O. Box, Concordville, PA 19331 has submitted a Final Report concerning remediation of site soil contaminated with No. 2 fuel oil. The report is intended to document remediation of the site to meet the Statewide Health Standards.

200 North Radnor Chester Road, Radnor Township, **Delaware County**. Thomas Bugey, Roux Associates, Inc., 1222 Forest Parkway, Suite 190, West Deptford, NJ 08066 on behalf of Craig Bryson, Radnor Properties—200 RCLP, 55 East Lancaster Pike, Suite 100, Radnor, PA 19087, Mark Olear, Commerce Bancorp, Inc., 1701 Route 70 East, Cherry Hill, NJ 08034 has submitted a Final Report concerning remediation of site soil and groundwater contaminated with No. 2 fuel oil. The report is intended to document remediation of the site to meet the Statewide Health Standards.

Cambridge Square Condominiums, Lower Merion Avenue, **Montgomery County**. Stephan Brower, Environmental Standards, Inc., 1140 Valley Forge Road, P. O. Box 810, Valley Forge, PA 19482 on behalf of peer Monaghan, Strategic Realty Investments, LLC, 1008 Upper Gulph Road, Suite 300, Wayne, PA 19087 has submitted a Final Report concerning remediation of site soil contaminated with No. 2 fuel oil. The report is intended to document remediation of the site to meet the Statewide Health Standards.

Fibre Metal Prop Co., Concordville Township, **Delaware County**. Jennifer Gresh, Duffield Associates, Inc., 5400 Limestone Road, Wilmington, DE 19088 has submit-

ted a Remedial Investigation Report and Final Report concerning remediation of site soil and groundwater contaminated with chlorinated solvents. The report is intended to document remediation of the site to meet the Site-Specific Standards.

Cloud Landfill, Lower Oxford Township, **Chester County**. Douglas Schott, Brickhouse Environmental, 515 South Franklin Street, West Chester, PA 19382, Michael Losito, HMR Associates, P. O. Box 485, Willow Street, Toughkenamon, PA 19374 on behalf of Francis Cloud, 461 South Street, Oxford, PA 19363 has submitted a Remedial Investigation Report and Cleanup Plan concerning remediation of site groundwater contaminated with chlorinated. The report is intended to document remediation of the site to meet the Site-Specific Standards.

Northeast Region: Ronald S. Brezinski, Regional Environmental Cleanup Program Manager, 2 Public Square, Wilkes-Barre, PA 18711-0790.

Nancy Espee Residence, Apolacon Township, **Susquehanna County**. Jim Sposito, James P. Sposito Associates, 11 Archbald Street, Carbondale, PA 18407 has submitted a Final Report (on behalf of his client, Nancy Espee, R. R. 1, Box 1243, Little Meadows, PA 18830), concerning the remediation of soils found to have been impacted with No. 2 Fuel Oil as a result of a delivery line loss to the unregulated storage tank. The report was submitted to document attainment of the Statewide Health Standard for soils. The proposed future use of the property will be residential. A public notice regarding the submittal of the Final Report was published in the *Susquehanna County Transcript* on August 1, 2007.

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

Turkey Hill 93, Lower Windsor Township, **York County**. Liberty Environmental, Inc., 10 North Fifth Street, Suite 800, Reading, PA 19601, on behalf of Turkey Hill Minit Markets, Inc., 257 Centerville Road, Lancaster, PA 17603-4059, submitted a Final Report concerning remediation of site soil contaminated with unleaded gasoline leaked from a vehicle gas tank. The report is intended to document remediation of the site to the residential Statewide Health Standard and was submitted to the Department within 90 days of the release.

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—6026.908).

Provisions of 25 Pa. Code § 250.8, administration of the Land Recycling and Environmental Remediation Standards Act (act), require the Department of Environmental Protection (Department) to publish in the *Pennsylvania Bulletin* a notice of 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 provisions of 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 refuse 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 provisions of 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 before 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:

Northeast Region: Ronald S. Brezinski, Regional Environmental Cleanup Program Manager, 2 Public Square, Wilkes-Barre, PA 18711-0790.

Cool Transport LLC, Route 33 Diesel Fuel Spill, Bethlehem Township, **Northampton County**. Andrew Sokol, Taylor GeoServices, Inc., 38 Bishop Hollow Road, Suite 200, Newtown Square, PA 19073 has submitted a Final Report and addendum (on behalf of his client, Michael McGuigan, Cool Transport, LLC, P. O. Box 262, Hatfield, PA 19440), concerning the remediation of soils found to have been impacted by an accidental release of diesel fuel from a tractor-trailer accident. The report demonstrated attainment of the Residential Statewide Health Standard for soils and was approved on August 13, 2007. The report was originally submitted within 90 days of the release.

Northwest Region: Environmental Cleanup Program Manager, 230 Chestnut Street, Meadville, PA 16335-3481.

Ogden Manufacturing Company (Chromalox Plt 2), Franklin Township, **Erie County**. WSP Environmental Strategies, LLC, 750 Holiday Drive, Suite 410, Pittsburgh, PA 15220 on behalf of Steven Clark, Emerson, 8000 Florissant Avenue, St. Lewis, MO 63136 has submitted a Remedial Investigation Report and Final Report concerning the remediation of site soil contaminated with 1,1-dichloroethylene, CIS-1,2-dichloroethylene, 1,1,1-trichloroethane, trichloroethylene (TCE) and site groundwater contaminated with acetone, benzene, carbon

disulfide, 1,1-dichloroethane, 1,2-dichloroethane, 1,1-dichloroethylene, CIS-1,2-dichloroethylene, methyl chloride, toluene, 1,1,1-trichloroethane, trichloroethylene (TCE), vinyl chloride, xylenes (TOTAL). The Final Report demonstrated attainment of the Nonresidential Statewide Health Standard for site soils and Residential Statewide Health Standard for site groundwater and was approved by the Department on August 21, 2007.

AIR QUALITY

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

Southwest Region: Air Quality Program, 400 Waterfront Drive, Pittsburgh, PA 15222-4745, William Charlton, New Source Review Chief, (412) 442-4174.

GP5-63-00923B: Great Lakes Energy Partners, LLC (300 Southpointe Boulevard, Suite 300, Canonsburg, PA 15317) on August 24, 2007, to operate the following equipment under the provisions of General Permit No. 5, "Natural Gas Production Facilities" at their Renz Station in Mount Pleasant Township, **Washington County**: One 1,340 BHP Caterpillar lean burn, natural gas-fired engine, model no. G3516TALE and one 384 bhp Ajax compressor engine, model no. DPC-2802 LE.

Northwest Region: Air Quality Program, 230 Chestnut Street, Meadville, PA 16335-3481, George Monasky, New Source Review Chief, (814) 332-6940.

GP-37-320: Alaron Corp. (2138 SR 18, Wampum, PA 16157) on August 20, 2007, for a burn off oven in New Beaver Borough, **Lawrence County**.

GP-61-194: Great Lakes Energy Partners—Toonerville Station (SR 1009, Petroleum Center Road, PA 16354) on August 21, 2007, for a natural gas fired compressor engine in Cherrytree Township, **Venango County**.

GP-43-351: South Mercer Pipeline LLC—South Mercer Compressor No. 1 Station (24 Rock School Road, Greenville, PA 16125) on August 21, 2007, for a natural gas fired compressor engine in Cherrytree Township, **Venango County**.

GP-43-350: Crawford Pipeline System LLC—Crawford Compressor No. 1 (139 Goetsch Road, Greenville, PA 16125) on August 31, 2007, for a natural gas fired compressor engine in Sugar Grove Township, **Mercer County**.

GP-27-036: PA General Energy—Salmon Creek Well 1347 (Forest Route 145, Marienville, PA 16239) on August 10, 2007, for a natural gas fired compressor engine in Jenks Township, **Forest County**.

GP-27-032: PA General Energy—Salmon Creek Well 1346 (Forest Route 145, Marionville, PA 16239) on August 31, 2007, for a natural gas fired compressor engine in Jenks Township, **Forest County**.

Plan Approvals Issued under the Air Pollution Control Act (35 P. S. §§ 4001—4015) 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.

Southcentral Region: Air Quality Program, 909 Elmerton Avenue, Harrisburg, PA 17110, Ronald Davis, New Source Review Chief, (717) 705-4702.

06-05085C: New Morgan Landfill Co., Inc. (P. O. Box 128, Mineview Road, Morgantown, PA 19543) on August 15, 2007, to install an enclosed ground flare to control emissions of VOC and nonmethane organic compounds from a municipal solid waste landfill in the New Morgan Borough, **Berks County**.

07-03051A: Sheetz, Inc. (Sheetz Way, R. R. No. 1, Box 587, Claysburg, PA 16625) on August 22, 2007, to construct a food preparation facility which includes baking ovens and donut fryers in Greenfield Township, **Blair County**.

Plan Approval Revisions Issued including Extensions, Minor Modifications and Transfers of Ownership under the Air Pollution Control Act (35 P. S. §§ 4001—4015) and 25 Pa. Code §§ 127.13, 127.13a and 127.32.

Southeast Region: Air Quality Program, 2 East Main Street, Norristown, PA 19401, Sachin Shankar, New Source Review Chief, (484) 250-5920.

09-0124B: Fairless Energy, LLC (5000 Dominion Boulevard, Glen Allen, VA 23060) on August 21, 2007, to operate a combined cycle combustion turbines in Falls Township, **Bucks County**.

46-0240: Moyer Packing Co. (P. O. Box 395, Souderton, PA 18964) on August 21, 2007, to operate a 29.9 mmBtu/hr heat input boiler in Franconia Township, **Montgomery County**.

46-0112C: Palmer International, Inc. (P. O. Box 315, Skippack, PA 19474) on August 23, 2007, to operate a thermal oxidizer in Skippack Township, **Montgomery County**.

Northeast Region: Air Quality Program, 2 Public Square, Wilkes-Barre, PA 18711-0790, Mark Wejkszner, New Source Review Chief, (570) 826-2531.

48-309-128: Todd Heller, Inc. (799 Smith Lane, Northampton, PA 18067) on August 21, 2007, to continue operation of two glass bead furnaces in Northampton Borough, **Northampton County**.

Southcentral Region: Air Quality Program, 909 Elmerton Avenue, Harrisburg, PA 17110, Ronald Davis, New Source Review Chief, (717) 705-4702.

22-05051A: The Hershey Co. (19 East Chocolate Avenue, Hershey, PA 17033) on August 20, 2007, to install a new particulate control device at their chocolate candy-manufacturing facility in Derry Township, **Dauphin County**. This plan approval was extended.

36-05099A: McMinn's Asphalt Co., Inc. (P. O. Box 4688, Lancaster, PA 17604-4688) on August 23, 2007, to replace an existing aggregate dryer and burner, knock-out box and baghouse for their East Petersburg batch asphalt plant in East Hempfield Township, **Lancaster County**. This plan approval was extended.

Northcentral Region: Air Quality Program, 208 West Third Street, Williamsport, PA 17701, David Aldenderfer, Program Manager, (570) 327-3637.

14-399-016A: Spectrum Control, Inc. (1900 West College Avenue, State College, PA 16801) on August 21, 2007, to operate various ceramic capacitor manufacturing

operations on a temporary basis until December 19, 2007, in Ferguson Township, **Centre County**. The plan approval has been extended.

49-00020B: Truck Accessories Group, Inc., d/b/a Leer East (3560 Housels Run Road, Milton, PA 17847) on August 24, 2007, to operate a mold maintenance area, a wet-out reinforcement area, a secondary lamination area, a base rail lamination area, a truck cap and tonneau cover headliner adhesive process, fiberglass reinforced plastic truck cap and tonneau cover assembly and final finish operations, an aluminum welding operation and an aluminum truck cap assembly, final finish and installation operation in a fiberglass reinforced plastic and aluminum truck cap manufacturing facility on a temporary basis until December 22, 2007, in Milton Borough, **Northumberland County**. The plan approval has been extended.

Northwest Region: Air Quality Program, 230 Chestnut Street, Meadville, PA 16335-3481, George Monasky, New Source Review Chief, (814) 332-6940.

42-178B: Glenn O. Hawbaker, Inc.—Turtle Point (711 East College Avenue, Bellefonte, PA 16823) on August 31, 2007, for an asphalt plant in Annin Township, **McKean County**.

24-083H: Carbone of America Ind. Corp. (215 Stackpole Street, St. Marys, PA 15857) on August 31, 2007, to construct four additional mixers, two mills and a pulverizer in St. Marys City, **Elk County**. The mixers will be controlled by the existing scrubber. This is a Title V facility.

24-083F: Carbone of America Ind. Corp. (215 Stackpole Street, St. Marys, PA 15857) on August 31, 2007, to construct Carbon Baking Kiln No. 34 with a thermal oxidizer and connecting to an existing scrubber in St. Marys City, **Elk County**. The mixers will be controlled by the existing scrubber. This is a Title V facility.

24-083E: Carbone of America Ind. Corp. (215 Stackpole Street, St. Marys, PA 15857) on August 31, 2007, to construct a scrubber in St. Marys City, **Elk County**. This is a Title V facility.

Title V Operating Permits Issued under the Air Pollution Control Act (35 P. S. §§ 4001—4015) and 25 Pa. Code Chapter 127, Subchapter G.

Northwest Region: Air Quality Program, 230 Chestnut Street, Meadville, PA 16335-3481, Matthew Williams, Facilities Permitting Chief, (814) 332-6940.

62-00018: Warren State Hospital (33 Main Drive, North Warren, PA 16365) on August 23, 2007, for a Title V Operating Permit to operate the combustion sources in Conewango Township, **Warren County**.

Operating Permits for Non-Title V Facilities Issued under the Air Pollution Control Act (35 P. S. §§ 4001—4015) and 25 Pa. Code Chapter 127, Subchapter F.

Southeast Region: Air Quality Program, 2 East Main Street, Norristown, PA 19401, Edward Janine Tulloch-Reid, Facilities Permitting Chief, (484) 250-5920.

46-00107: ITW Philadelphia Resins (130 Commerce Drive, Montgomeryville, PA 18936) on August 24, 2007, to manufacture a variety of adhesives and specialty coatings for industrial and marine applications in Montgomery Township, **Montgomery County**. This action is a re-

newal of the State-only Operating Permit. The initial permit was issued on July 5, 2002.

Southcentral Region: Air Quality Program, 909 Elmerton Avenue, Harrisburg, PA 17110, Ronald Davis, New Source Review Chief, (717) 705-4702.

21-05032: Domestic Casting Co., LLC (275 North Queen Street, Shippensburg, PA 17257-1414) on August 21, 2007, to operate their foundry in Shippensburg Borough, **Cumberland County**. This is a renewal of the State-only operating permit.

22-05046: Handwerk Materials, Inc. (P. O. Box 196, 2052 Lucon Road, Skippack, PA 19474-0196) on August 20, 2007, to operate the asphalt plant at their Handwerk Materials plant in Lower Swatara Township, **Dauphin County**. This is a renewal of the State-only operating permit.

36-03160: G/S/M Industrial, Inc. (3249 Hempland Road, Lancaster, PA 17601-6913) on August 21, 2007, to operate a coating booth at their manufacturing facility in East Hempfield Township, **Lancaster County**.

38-03025: Tyco Electronics Corp. (3155 SR 72, Jonestown, PA 17038-8741) on August 21, 2007, for electroplating and connector component production, two boilers, natural gas fired, 8 mmBtu/hr each and an emergency generator, natural gas fired, in Union Township, **Lebanon County**. This is a renewal of the State-only operating permit.

67-03023: LWB Refractories Co. (320 Baker Road, P. O. Box 1189, York, PA 17408) on August 8, 2007, to operate their stone crushing plant at the existing quarry in West Manchester Township, **York County**.

67-03089: John F. Keffer Funeral Home and Crematory, Inc. (902 Mt. Rose Avenue, York, PA 17403-2938) on August 16, 2007, to operate their human crematory in the City of York, **York County**. This is a renewal of the State-only operating permit.

67-03132: Voith Siemens Hydro Power Generation, Inc. (P. O. Box 712, York, PA 17405-0712) on August 22, 2007, to operate their hydro turbines and parts manufacturing facility in West Manchester Township, **York County**.

Northwest Region: Air Quality Program, 230 Chestnut Street, Meadville, PA 16335-3481, Matthew Williams, Facilities Permitting Chief, (814) 332-6940.

25-00197: TSK Partners Inc.—Erie Bronze and Aluminum Co. (6300 West Ridge Road, Erie, PA 16506-1021) on August 21, 2007, to re-issue a Natural Minor Operating Permit to operate a foundry producing aluminum and bronze castings in Fairview Township, **Erie County**. The facility's primary emission sources include sand handling, six induction furnaces, two gas crucible Aluminum furnaces, finishing operations, core ovens, a parts washer, general foundry operations, VOC use and miscellaneous natural gas use.

Operating Permit Revisions Issued including Administrative Amendments, Minor Modifications or Transfers of Ownership under the Air Pollution Control Act (35 P. S. §§ 4001—4015) and 25 Pa. Code §§ 127.412, 127.450, 127.462 and 127.464.

Southeast Region: Air Quality Program, 2 East Main Street, Norristown, PA 19401, Janine Tulloch-Reid, Facilities Permitting Chief, (484) 250-5920.

46-00206: Merck and Co., Inc. (P. O. Box 1000, UG1M-05, North Wales, PA 19454) on August 24, 2007, to

modify the Natural Minor Operating Permit in Lansdale Borough, **Montgomery County**.

46-00142: Custom Processing Services, LLC (461 State Street, East Greenville, PA 18041-1701) on August 24, 2007, to identify a change in ownership in accordance with 25 Pa. Code § 127.450(a)(4) in East Greenville Borough, **Montgomery County**.

Southcentral Region: Air Quality Program, 909 Elmerton Avenue, Harrisburg, PA 17110, Ronald Davis, New Source Review Chief, (717) 705-4702.

06-05079: United Corrstack, LLC (720 Laurel Street, Reading, PA 19602-2718) on August 23, 2007, to produce roll stock paper from recycled paper at their facility in the City of Reading, **Berks County**. This operating permit was administratively amended due to a name change. This is revision No. 1.

67-05110: New York Wire Co. (P. O. Box 1749, York, PA 17405-1749) on August 22, 2007, to operate their weaving facility in the City of York, **York County**. This operating permit was administratively amended to incorporate plan approval 67-05052B. This is revision No. 1.

Northcentral Region: Air Quality Program, 208 West Third Street, Williamsport, PA 17701, David Aldenderfer, Program Manager, (570) 327-3637.

14-00008: Bolton Metal Products Co. (P. O. Box 388, Bellefonte, PA 16823) on August 22, 2007, in accordance with the minor operating permit modification requirements of 25 Pa. Code § 127.462, to authorize the use of an alternate fabric collector to control the PM emissions from a 2,000 pound furnace used to melt up to 20 heats of lead, cadmium and antimony-containing low melt alloy scrap per year in Spring Township, **Centre County**.

Southwest Region: Air Quality Program, 400 Waterfront Drive, Pittsburgh, PA 15222-4745, Barbara Hatch, Facilities Permitting Chief, (412) 442-4174.

04-00497: Tegrant Diversified Brands, Inc. (800 Fifth Avenue, P. O. Box 448, New Brighton, PA 15066) on August 21, 2007, for an administrative amendment to their Title V operating permit for their expandable polystyrene facility in New Brighton Borough, **Beaver County**. The amendment changes the company name from SCA Packaging North America, Inc. to Tegrant Diversified Brands, Inc. This amendment is for a company name change, not a transfer of ownership.

Northwest Region: Air Quality Program, 230 Chestnut Street, Meadville, PA 16335-3481, Matthew Williams, Facilities Permitting Chief, (814) 332-6940.

61-00187: SMS Millcraft LLC (671 Colbert Avenue, Oil City, PA 16301-2288) on August 20, 2007, for an administrative amendment of the State Operating Permit to incorporate the conditions of Plan Approval 61-197C and change the responsible official and tax ID in **Venango County**.

10-00281: II VI Inc. (375 Saxonburg Boulevard, Saxonburg, PA 16056-9430) on August 17, 2007, for an administrative amendment to their facilities Natural Minor Operating Permit to incorporate the sources and conditions from Plan Approval No. 10-281H into the permit in Clinton Township, **Butler County**.

43-00290: Winner Steel, LLC (227 North Sharpsville Avenue, Sharon, PA 16146-2153) on August 16, 2007, for an administrative amendment to their Synthetic Minor Operating Permit to operate a hot dip zinc galvanizing facility the City of Sharon, **Mercer County**. This amend-

ment was for a change of Responsible Official and minor administrative modifications.

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

Southwest Region: Air Quality Program, 400 Waterfront Drive, Pittsburgh, PA 15222-4745, Barbara Hatch, Facilities Permitting Chief, (412) 442-4174.

56-00261: Robert Bosch Tool Corp. De Minimis emission increase of 0.04 ton of PM10 and 0.05 ton of VOC per year resulting from the installation of two blow mold machines and two grinder on or about August 15, 2007, at the Gilmour Somerset Plant located in Somerset Township, **Somerset County**.

04-059: IPSCO Koppel Tubulars Corp. (P. O. Box 750, Beaver Falls, PA 15010) De Minimis emission increase of 104 pounds of PM10 and 1,410 pounds of NOx per year resulting from the temporary operation of a ladle cutting operation, controlled by a baghouse on or about July 23, 2007, at the plant in Koppel Borough, **Beaver County**.

30-00099: Allegheny Energy Supply Co., LLC (800 Cabin Hill Drive, Greensburg, PA 15601) De Minimis emission increase of 0.22 ton of SO₂ and 0.12 ton of NOx per year resulting from the installation of a replacement fire pump on or about August 8, 2007, at the Hatfield Ferry Station located in Monongahela Township, **Greene County**.

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 (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—1406.21). The final action on each application also constitutes action on the request for 401 Water Quality Certification and the NPDES permit application. Mining activity permits issued in response to the applications will also address the application permitting requirements of the following statutes: the Air Quality Control Act (35 P. S. §§ 4001—4015); the Dam Safety and Encroachments Act (32 P. S. §§ 693.1—693.27); and the Solid Waste Management Act (35 P. S. §§ 6018.101—6018.1003).

Coal Applications Returned

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

17060109 and NPDES No. PA0256412. Hepburnia Coal Company, P. O. Box 1, Grampian, PA 16838, commencement, operation and restoration of a bituminous coal surface mine with auger mining in Jordan Township, **Clearfield County**, affecting 322.4 acres. Receiving streams: Stony Run; Green Run, classified for the following use: HQ-CWF. There are no potable water supply intakes within 10 miles downstream. Application received August 21, 2006. Application withdrawn August 2, 2007.

Coal Permits Actions

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

32860115 and NPDES No. PA0597864. Paul F. Becker Coal Company, 1593 Old Route 22, Duncansville, PA 16635, permit renewal for reclamation only of a bituminous surface mine in Banks Township, **Indiana County**, affecting 78.1 acres. Receiving streams: two UNTs to South Branch of Bear Run and one UNT to Straight Run classified for the following uses: CWF and HQ. There are no potable water supply intakes within 10 miles downstream. Application received May 22, 2007. Permit issued August 20, 2007.

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

02020201 and NPDES Permit No. PA0250121. Robindale Energy Services, Inc. (224 Grange Hall Road, P. O. Box 228, Armagh, PA 15920). Renewal permit for continued operation and reclamation of a coal refuse reprocessing surface mine, located in Plum Borough, **Allegheny County**, affecting 172 acres. Receiving streams: Little Plum Creek and a UNT to Little Plum Creek. Application received June 5, 2007. Permit issued August 22, 2007.

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

10860105 and NPDES Permit No. PA0107051. Mahoning Mining, Inc. (P. O. Box 44, New Bethlehem, PA 16242) Renewal of an existing bituminous strip operation in Slippery Rock and Worth Townships, **Butler County** affecting 251.0 acres. This renewal is issued for reclamation only. Receiving streams: Wolf Creek and UNTs to Slippery Rock Creek. Application received August 29, 2006. Permit Issued August 17, 2007.

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

17030105 and NPDES No. PA0243469. Hepburnia Coal Company (P. O. Box 1, Grampian, PA 16838), permit renewal for the continued operation and restoration of a bituminous surface and auger mine in Ferguson Township, **Clearfield County**, affecting 115 acres. Receiving stream: Watts Creek to West Branch Susquehanna River, classified for the following uses: HQ-CWF and CWF, respectively. There are no potable water supply intakes within 10 miles downstream. Application received June 28, 2007. Permit issued August 20, 2007.

Noncoal Permits Actions

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

26810301. Allan R. Fiore, Inc. (P. O. Box 655, Belle Vernon, PA 15012). Final bond release for small noncoal mining operation in Perry Township, **Fayette County**. Restoration of 17.1 acres completed. Receiving streams: UNT to the Youghiogheny River, to the Monongahela River, to the Ohio River. Application received May 16, 2007. Final bond release approved August 16, 2007.

ACTIONS ON BLASTING ACTIVITY APPLICATIONS

Actions on applications under the Explosives Acts of 1937 and 1957 (43 P.S. §§ 151–161); and 25 Pa. Code § 211.124 (relating to blasting activity permits). Blasting activity performed as part of a coal or noncoal mining activity will be regulated by the mining permit for that coal or noncoal mining activity.

Blasting Permits Actions

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

21074158. Abel Construction Company, Inc., P. O. Box 476, Mountville, PA 17554-0476, blasting activity permit issued for residential development in Southampton Township, **Cumberland County**. Blasting activity permit end date is August 20, 2008. Permit issued August 17, 2007.

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

02074008. J. B. Fay Company, P. O. Box 66, Russellton, PA 15076. Blasting activity permit for construction at the Allegheny River Bridge on Turnpike, located in Fawn Township, **Allegheny County**, with an expected duration of 1 year. Permit issued August 20, 2007.

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

45074150. Hayduk Enterprises, Inc., 257 Riverside Drive, Factoryville, PA 18419, construction blasting for Cobble Creek Estates in Pocono Township, **Monroe County** with an expiration date of September 30, 2008. Permit issued August 20, 2007.

48074114. American Rock Mechanics, Inc., 7531 Chestnut Street, Zionsville, PA 18092, construction blasting for Hills of Grenach Development in Lehigh Township, **Northampton County** with an expiration date of December 31, 2008. Permit issued August 20, 2007.

52074128. Hayduk Enterprises, Inc., 257 Riverside Drive, Factoryville, PA 18419, construction blasting for Highland Estates in Lehman Township, **Pike County** with an expiration date of September 28, 2008. Permit issued August 20, 2007.

46074119. Douglas Explosives, Inc., P. O. Box 77, Philipsburg, PA 16866, construction blasting for commercial development in Hatfield Township, **Montgomery County** with an expiration date of August 13, 2008. Permit issued August 21, 2007.

46074120. Schlouch, Inc., P. O. Box 69, Blandon, PA 19510, construction blasting for Summer Grove Development in Upper Pottsgrove Township, **Montgomery County** with an expiration date of August 17, 2008. Permit issued August 21, 2007.

52074129. Hayduk Enterprises, Inc., 257 Riverside Drive, Factoryville, PA 18419, construction blasting for Pocono Mountain Lake Forest Development in Delaware Township, **Pike County** with an expiration date of September 30, 2008. Permit issued August 21, 2007.

35074120. Hayduk Enterprises, Inc., 257 Riverside Drive, Factoryville, PA 18419, construction blasting for Circuit City in Covington Industrial Park, Covington Township, **Lackawanna County** with an expiration date of August 31, 2008. Permit issued August 22, 2007.

35074122. Hayduk Enterprises, Inc., 257 Riverside Drive, Factoryville, PA 18419, construction blasting for Harmony Hills Development in Moscow Borough, **Lackawanna County** with an expiration date of September 30, 2008. Permit issued August 22, 2007.

35074123. Hayduk Enterprises, Inc., 257 Riverside Drive, Factoryville, PA 18419, construction blasting for Mount Margaret Estates in Dunmore Borough, **Lackawanna County** with an expiration date of September 30, 2008. Permit issued August 22, 2007.

35074125. ER Linde Construction Corp., 9 Collan Park, Honesdale, PA 18431, construction blasting for Circuit City in Covington Industrial Park, Covington Township, **Lackawanna County** with an expiration date of August 10, 2008. Permit issued August 22, 2007.

46074121. Rock Work, Inc., 1257 DeKalb Pike, Blue Bell, PA 19422, construction blasting for The Village At Valley Forge in Upper Merion Township, **Montgomery County** with an expiration date of September 1, 2008. Permit issued August 22, 2007.

FEDERAL WATER POLLUTION CONTROL ACT SECTION 401

The Department of Environmental Protection (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 the applicable provisions of 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, under section 4 of the Environmental Hearing Board Act (35 P.S. § 7514) and 2 Pa.C.S. §§ 501—508 and 701—704 (relating to the Administrative Agency Law), to the Environmental Hearing Board, Second Floor, Rachel Carson State Office Building, 400 Market Street, P.O. Box 8457, Harrisburg, PA 17105-8457, (717) 787-3483. TDD users should contact the Environmental Hearing Board (Board) through the Pennsylvania Relay Service, (800) 654-5984. Appeals must be filed with the Board within 30 days of publication of this notice in the *Pennsylvania Bulletin*, unless the appropriate statute provides a different time period. Copies of the appeal form and the Board's rules of practice and procedure may be obtained from the Board. The appeal form and the Board's rules of practice and procedure are also available in Braille or on audiotape from the Secretary 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, 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 (35 §§ 691.1—691.702) and Notice of Final Action for Certification under section 401 of the FWPCA (33 U.S.C.A. § 1341).

Permits, Environmental Assessments and 401 Water Quality Certifications Issued

WATER OBSTRUCTIONS AND ENCROACHMENTS

Northeast Regional Office, Watershed Management Program Manager; 2 Public Square, Wilkes-Barre, PA 18711-0790, (570) 826-2511.

E39-452. Gerald L. Fry, P.E., Assistant District Executive-Design, Department of Transportation—Engineering District 5-0, 1002 Hamilton Street, Allentown, PA 18103-1013. Upper Saucon Township, **Lehigh County**, United States Army Corps of Engineers Philadelphia District.

To remove the existing structures and to construct and maintain a road crossing of SR 2045, Section 02B over Tumble Brook (CWF) consisting of dual cell, 16-foot wide by 6-foot high, reinforced concrete box culverts in Tumble Brook. The primary and secondary cells will contain fish baffles and will be depressed 1.0 foot and 0.5 foot, respectively, to promote a natural stream environment throughout the culverts (Allentown East Quadrangle N: 3.8 inches; W: 2.2 inches).

E35-390. Siniawa XII, LP, 851 Commerce Boulevard, Suite 207, Dickson City, PA 18519-1677. Dickson City Borough, **Lackawanna County**, United States Army Corps of Engineers Baltimore District.

To construct and maintain a 426-foot long stream enclosure extension of an existing 1,700-foot long stream enclosure in a tributary to the Lackawanna River (CWF) consisting of 84-inch diameter "trenchcoat" coated corrugated steel pipe, concrete endwall and a riprap basin energy dissipator. The project is located on the south side of Commerce Boulevard approximately 0.25 mile south of Route 6 (Scranton, PA Quadrangle N: 16.5 inches; W: 1.5 inches).

E45-497. Department of Transportation, Engineering District 5-0, 1002 Hamilton Street, Allentown, PA 18103, Smithfield and Middle Smithfield Townships, **Monroe County**, United States Army Corps of Engineers, Philadelphia District.

Construct and maintain 13 water obstructions and encroachments as described in the following list in and along Marshalls Creek (HQ-CWF) and tributaries thereof, Pond Creek (HQ-CWF) and tributaries thereof, impacting just over 1 acre of wetlands (0.99 acre of exceptional value wetlands) and 1,762 feet of stream. The permittee is required to provide 3.19 acres of replacement wetlands (for all phases of the project). This work is associated with Phase II of the Marshalls Creek Traffic Relief Project (SR 0209, Section 021) consisting of a four-lane, limited access highway that begins along SR 0209 near Gap View Road (East Stroudsburg, PA Quadrangle N: 3.6 inches; W: 0.6 inch) in Smithfield Township, Monroe County, continues north to SR 0402 at White Heron Lake (Bushkill, PA-NJ Quadrangle N: 11.4 inches; W: 15.8 inches) in Middle Smithfield Township and extends northeast along SR 0209 to SR 1016 (Sellersville Drive) (Bushkill PA-NJ Quadrangle N: 10.0 inches; W: 12.7 inches) in Middle Smithfield Township, Monroe County. The project also includes roadway improvements at the intersection of SR 0209 and County Bridge Road and realignment of Oak Grove Drive (Bushkill, PA-NJ Quadrangle N: 14.2 inches; W: 3.8 inches) in Middle Smithfield Township, Monroe County (Bushkill, PA-NJ Quadrangle N: 9.1 inches; W: 16.7 inches). (Start—East Stroudsburg, End—Bushkill, PA Quadrangle N: Start—3.6 inches, End—9.1 inches; W: Start—0.6 inch, End—16.7 inches).

<i>Impact No.</i>	<i>Road Station</i>	<i>Description of Impact</i>
1	SR 209 20+120	Roadway cut and extension of existing drainage pipe for UNT to Marshalls Creek (HQ-CWF)
4	County Br 34+000	0.522 acre PEM/PSS/PFO wetland (EV) impact for stormwater detention basin
5	SR 1019 20+000	UNT to Marshalls Creek impact from cut and fill for roadway construction
18	SR 209 52+300	UNT to Marshalls Creek impact from stream relocation for grading for roadway and sedimentation basin
20	SR 209 52+450	0.104 acre PFO wetland (EV) impact from roadway construction
21	SR 209 52+500	0.329 acre PSS/PFO wetland (EV) impact from roadway construction
22	SR 209 52+766	UNT to Marshalls Creek impact from roadway construction and piping of stream channel (Culvert C5)
22a	SR 209 52+766	Temporary impacts to wetlands due to tree planting
38	BUS 209 36+100	Pond Creek (HQ-CWF) impact from Oak Grove Drive (T-309) bridge (S10) removal and bank stabilization
43	BUS 209 36+600	UNT to Pond Creek impact from roadway construction and construction of detention basin
48	Oak Gr. Dr 6+500	0.026 acre mixed cover (POW/PSS/PFO) wetland and Pond Creek impact from bridge replacement (S7)
51	Columbia 31+100	0.0002 acre PSS wetland impact from roadway construction
52	Oak Gr. Dr 6+900	0.044 acre PSS wetland impact from roadway construction

Northcentral Region: Water Management Program Manager, 208 West Third Street, Williamsport, PA 17701, (570) 327-3636.

E41-577. Walter Casselberry, 31 South Main Street, Watsontown, PA 17777. Water Obstruction and Encroachment Permit Application for private residential bridge, in Mill Creek Township, **Lycoming County**, ACOE Susquehanna River Basin District (Huntersville, PA Quadrangle N: 41° 17' 27"; W: 76° 46' 55").

To construct and maintain a single span steel I-beam with clear span of 40 feet, a width of 10 feet and a minimum underclearance of 5 feet on a skew of 90° over Carpenter's Run, located 1 mile north of the intersection of SR 2051 along Tallow Bottom Road. This project proposes to permanently impact 10 linear feet of Carpenter's Run, which is, designated a WWF and does not propose to impact any jurisdictional wetlands. This permit was issued under Section 105.13(e) "Small Projects." This permit also includes 401 Water Quality Certification.

E60-183. Union County Commissioners, 155 North 15th Street, Lewisburg, PA 17837. Red Bridge, in Hartley

Township, **Union County**, ACOE Baltimore District (Harleton, PA Quadrangle N: 0.5 inch; W: 4.25 inches).

To: 1) refurbish and maintain a 147-foot clear span timber burr-arch through truss covered bridge with an underclearance of 9-feet 4.25-inches over Penns Creek; 2) two temporary clean rock causeways (0.1 acre total foot print) with four 36-inch diameter culverts in each causeway and a 30-foot wide open water gap between the causeways in Penns Creek; 3) 0.011 acre of riprap and roadway approach waterway encroachment on the right bank; 4) 0.008 acre of riprap on the north bank on the left bank; 5) 0.004 acre of permanent wetland impacts for the south roadway approach; 6) 0.005 acre of temporary wetland impacts for the temporary causeways, located on T-320 100 feet from its intersection with SR 3004. This permit was issued under Section 105.13(e) "Small Projects." This permit also includes 401 Water Quality Certification.

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

E26-341. Dunbar Township, 128 Township Drive, Dunbar, PA 15431. To remove existing structure and construct concrete bridge in Dunbar Township, **Fayette County**, Pittsburgh ACOE District. (Connellsville, PA Quadrangle N: 3.5 inches; W: 15.2 inches, Latitude: 40° 1' 09"; Longitude: 79° 36' 31"). To remove the existing structure and to construct a two lane single span concrete bridge 50.4' wide with an underclearance of 10.4' to convey T.R. 748 over Opossum Run (WWF).

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

E10-429. Slippery Rock University, Keister Road, Slippery Rock, PA 16057. Challenge Course, in Slippery Rock Township, **Butler County**, ACOE Pittsburgh District (Slippery Rock Quadrangle N: 41° 04' 04"; W: 80° 02' 33").

To restore and maintain 0.884 acre (total impact of 0.933 acre) of wetland previously filled for the construction of a walking trail 1,000 feet north of North Road and approximately 2,000 feet west of Redmond Road. The applicant will restore 0.884 acre of wetland onsite. The remaining 0.049 acre of impacted wetland not restored onsite is proposed to be mitigated through a contribution to the wetland mitigation fund.

E10-431. Melcho Properties, LP, 112 Seneca Farm Drive, Harmony, PA 16037. Sign Innovation Commercial Development, in Jackson Township, **Butler County**, ACOE Pittsburgh District (Evans City, PA Quadrangle N: 7.6 inches; W: 13.2 inches).

To fill 0.03 acre of PEM wetlands for an office, workshop and warehouse for Sign Innovation commercial development approximately 1.3 mile SE of the intersection of US Interstate 79 and SR 68.

E10-433. INDSPEC Chemical Corporation, 133 Main Street, P. O. Box 307, Petrolia, PA 16050. Acid House Control Room Project, in Petrolia Borough, **Butler County**, ACOE Pittsburgh District (Parker Quadrangle N: 41° 01' 05"; W: 79° 42' 56").

To expand/replace and maintain the existing ether feed enclosure building measuring approximately 33 feet long by 31 feet wide within the assumed 50-foot right (east) floodway of South Branch of Bear Creek (WWF) and to replace and maintain the existing aerial pipeline crossing and supports across South Branch Bear Creek adjacent to

the building approximately 330 feet north of West Main Street and approximately 210 feet east of SR 268.

E16-133, Redbank Valley Municipal Authority, 243 Broad Street, New Bethlehem, PA 16242. Water Treatment Plant and Sludge Handling Building, in New Bethlehem Borough, **Clarion County**, ACOE Pittsburgh District (New Bethlehem, PA Quadrangle N: 41° 00' 08"; W: 79° 20' 10").

To construct and maintain a water treatment plant, outfall, sludge handling building, equalization tank and associated grading and roadway work in the area downstream of the Broad Street (SR 66) bridge along the north side and within the 100-year floodway and flood plain of Redbank Creek.

E42-331, Joe Marquart, 609 West Water Street, Smethport, PA 16749. Marquart Property Driveway Across Kings Run, in Ceres Township, **McKean County**, ACOE Pittsburgh District (Bullis Mills, PA Quadrangle N: 41° 57' 2.7"; W: 78° 16' 28").

To construct and maintain three 20-foot long, 48-inch diameter culverts and clean rock fill in Kings Run (CWF) downstream of an existing ford on a private driveway extending east from Kings Run Road approximately 1,000 feet south of Lynch Hollow Road.

E62-412, Oak Hill Timber Holdings, LLC, 3556 Lakeshore Road, Suite 620, Buffalo, NY 14219. Bridge Across Sixmile Run, in Mead Township, **Warren County**, ACOE Pittsburgh District (Clarendon, PA Quadrangle N: 1.95 inches; W: 6.95 inches).

The applicant proposes to construct and maintain a steel bridge having a clear span of approximately 16 feet and a maximum underclearance of 4.5 feet across Sixmile Run in Mead Township, Warren County (Clarendon, PA Quadrangle N: 1.95 inches; W: 6.95 inches) on a forestry road approximately miles 1.3 NE of the intersection of SR 6 and T.R. 387 (Sixmile Road) to provide access to private timber holdings. Project includes the construction and maintenance of a 20-foot long, 1.33-foot diameter culvert crossing of a watercourse with a drainage area of less than 100 acres. Sixmile Run is a perennial stream classified as a HQ-CWF and wild trout stream. The project proposes to directly impact approximately 50 feet of stream.

SPECIAL NOTICES

Drinking Water State Revolving Fund Special Notice

Special Notice Under the Federal Safe Drinking Water Act (SDWA); 42 U.S.C. § 300f et seq.

Northcentral Region: Water Supply Management Program Manager, 208 West Third Street, Williamsport, PA 17701.

Project Location:

Applicant	Applicant Address	County
Madisonburg Water Works	P. O. Box 50 Madisonburg, PA 16852	Centre

Project Description: The Pennsylvania Infrastructure Investment Authority, which administers the Commonwealth's State Revolving Fund, is intended to be the funding source for this project. The Madisonburg Water Works proposes construction of a Siemens/Mencor 3L10V

microfiltration plant, disinfection and a 60,000 gallon finished water storage tank. The Department of Environmental Protection's (Department) review of the project and the information received in the Environmental Report for the project has not identified any significant, adverse environmental impact resulting from this proposal. The Department hereby approves the Environmental Assessment.

Project Location:

Applicant	Applicant Address	County
Hamilton Township Municipal Authority	P. O. Box 236 Morris Run, PA 16939	Tioga

Project Description: The Pennsylvania Infrastructure Investment Authority, which administers the Commonwealth's State Revolving Fund, is intended to be the funding source for this project. The Hamilton Township Municipal Authority proposes to install a transmission/distribution main and booster station to interconnect with the Blossburg water system. The Department of Environmental Protection's (Department) review of the project and the information received in the Environmental Report for the project has not identified any significant, adverse environmental impact resulting from this proposal. The Department hereby approves the Environmental Assessment.

[Pa.B. Doc. No. 07-1660. Filed for public inspection September 7, 2007, 9:00 a.m.]

Coastal Zone Grant Application Period for Federal Fiscal Year 2008 Grants

The Water Planning Office of the Department of Environmental Protection (Department) is accepting applications for Federal Fiscal Year 2008 Coastal Zone grants. Eligible applicants include political subdivisions, authorities, 501(c)3 nonprofit organizations and educational institutions located with defined coastal zone geographic areas of this Commonwealth. Proposals must support the Coastal Zone Program's mission to protect and enhance this Commonwealth's coastal resources.

Applications must be postmarked no later than October 22, 2007. Pending congressional funding approval, grants will be available for projects that commence on or after October 1, 2008. These Federal grants require a match (cash or in-kind services) on a one-to-one basis by the applicants.

To request an application or to obtain more information concerning Coastal Zone grants, visit the Department's website at www.depweb.state.pa.us (DEP Keyword: Coastal Zone Management Program/Coastal Zone(s)), or contact the Department of Environmental Protection, Water Planning Office, 2nd Floor, Rachel Carson State Office Building, 400 Market Street, P. O. Box 2063, Harrisburg, PA 17105-2063, (717) 772-4785, fax (717) 783-4690.

KATHLEEN A. MCGINTY,
Secretary

[Pa.B. Doc. No. 07-1661. Filed for public inspection September 7, 2007, 9:00 a.m.]

Extension of National Pollutant Discharge Elimination System (NPDES) General Permit (PAG-13) Stormwater Discharges from Small Municipal Separate Storm Sewer Systems (MS4s)

Under the authority of The Clean Streams Law (35 P. S. §§ 691.1—691.1001) and sections 1905-A, 1917-A and 1920-A of The Administrative Code of 1929 (71 P. S. §§ 510-17 and 510-20), the Department of Environmental Protection (Department) is, by this notice, extending for 12 months the availability of the current NPDES General Permit (PAG-13) Stormwater Discharges from Small Municipal Separate Storm Sewer Systems (MS4s). The current PAG-13 permit is scheduled to expire at midnight March 9, 2008, unless rescinded by the Department at an earlier date. The extension will be effective on March 10, 2008, and will expire at midnight on March 9, 2009. The Department is extending the availability of this permit to adequately complete the preparation of the renewal of PAG-13. The Department is also extending, by this notice, all existing MS4 PAG-13 permit approvals and waivers scheduled to expire. MS4s discharging, under the existing PAG-13, are authorized to continue the discharge in accordance with the terms and conditions of the PAG-13 permit and to comply with the PAG-13 permit requirements. Included in this extension is the requirement to continue implementation of the existing program and to provide annual reports on the progress of program implementation.

The existing PAG-13 permit documents will continue to be available from the Department's regional offices and local county conservation districts until they are replaced or updated. In addition, the permit documents are on file at the Department, Bureau of Watershed Management, 10th Floor, Rachel Carson State Office Building, 400 Market Street, Harrisburg, PA 17101. This package is also available on the Department's website at www.depweb.state.pa.us (DEP Keywords: Stormwater Management).

The permit documents also can be obtained by contacting Claudia Merwin at (717) 787-6827 or cmerwin@state.pa.us. Persons with a disability may use the AT&T Relay Service, (800) 654-5984 (TDD users) or (800) 654-5988 (voice users).

KATHLEEN A. MCGINTY,
Secretary

[Pa.B. Doc. No. 07-1662. Filed for public inspection September 7, 2007, 9:00 a.m.]

Extension of Pennsylvania General NPDES General Permit for Stormwater Discharges Associated with Construction (PAG-2)

Under the authority of The Clean Streams Law (35 P. S. §§ 691.1—691.1001) and sections 1905-A, 1917-A and 1920-A of The Administrative Code of 1929 (71 P. S. §§ 510-5, 510-17 and 510-20), the Department of Environmental Protection (Department) is extending for 12 months the availability of the current National Pollutant Discharge Elimination System (NPDES) General Permit for Stormwater Discharges Associated with Construction Activities (PAG-2, 2002 amendment). The current PAG-2 permit is scheduled to expire at midnight December 7, 2007. The extension will be effective on December 8, 2007, and expires at midnight December 7, 2008, unless

rescinded by the Department at an earlier date. The Department is extending the availability of this permit to adequately complete the preparation of the renewal of PAG-2.

The existing PAG-2 permit documents will continue to be available from the Department's regional offices and local county conservation districts until they are replaced or updated. In addition, the permit documents are on file at the Department of Environmental Protection, Bureau of Watershed Management, 10th Floor, Rachel Carson State Office Building, 400 Market Street, Harrisburg, PA 17101. This package is also available on the Department's website at www.depweb.state.pa.us (DEP Keyword: Stormwater Management).

The permit documents can also be obtained by contacting Claudia Merwin at (717) 787-6827 or cmerwin@state.pa.us. Persons with a disability may use the AT&T Relay Service, (800) 654-5984 (TDD users) or (800) 654-5988 (voice users).

KATHLEEN A. MCGINTY,
Secretary

[Pa.B. Doc. No. 07-1663. Filed for public inspection September 7, 2007, 9:00 a.m.]

DEPARTMENT OF GENERAL SERVICES

Real Estate for Sale Union County

The Department of General Services (Department) has State-owned real estate for sale in Millmont, PA. The Department will accept bids for the purchase of 1.8 acres of land and residence located at 18250 Old Turnpike Road, SR 45, Hartley Township, Union County. Bids are due November 26, 2007. Interested parties wishing to receive a copy of Solicitation No. 94145 should view the website at www.dgs.state.pa.us or call Victor Piro at (717) 787-5546.

JAMES P. CREEDON,
Secretary

[Pa.B. Doc. No. 07-1664. Filed for public inspection September 7, 2007, 9:00 a.m.]

DEPARTMENT OF HEALTH

Application of Clearfield Hospital for Exception

Under 28 Pa. Code § 51.33 (relating to requests for exceptions), the Department of Health (Department) gives notice that Clearfield Hospital has requested an exception to the requirements of 28 Pa. Code § 153.1 (relating to minimum standards), which requires compliance with minimum standards contained in the following publication: *Guidelines for Design and Construction of Hospital and Healthcare Facilities*. The facility specifically requests exception from the following standard contained in this publication: 5.2.1.1 (relating to corridor width).

This request is on file with the Department. Persons may receive a copy of a request for exception by requesting a copy from the Department of Health, Division of

Acute and Ambulatory Care, Room 532, Health and Welfare Building, Harrisburg, PA 17120, (717) 783-8980, fax (717) 772-2163, ra-paexcept@state.pa.us.

Persons who wish to comment on an exception request may do so by sending a letter by mail, e-mail or facsimile to the Division and address listed previously.

Comments received by the Department within 10 days after the date of publication of this notice will be reviewed by the Department before it decides whether to approve or disapprove the request for exception.

Persons with a disability who wish to obtain a copy of a request and/or provide comments to the Department and require an auxiliary aid, service or other accommodation to do so should contact the Director, Division of Acute and Ambulatory Care at (717) 783-8980 for speech and/or hearing impaired persons V/TT (717) 783-6154 or the Pennsylvania AT&T Relay Service at (800) 654-5984 (TT).

CALVIN B. JOHNSON, M. D., M.P.H.,
Secretary

[Pa.B. Doc. No. 07-1665. Filed for public inspection September 7, 2007, 9:00 a.m.]

Application of The PMA Gastroenterology Center for Exception

Under 28 Pa. Code § 51.33 (relating to requests for exceptions), the Department of Health (Department) gives notice that The PMA Gastroenterology Center has requested an exception to the requirements of 28 Pa. Code § 551.3 (relating to definitions).

The request is on file with the Department. Persons may receive a copy of a request for exception by requesting a copy from 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, paexcept@health.state.pa.us.

Persons who wish to comment on an exception request may do so by sending a letter by mail, e-mail or facsimile to the Division and address listed previously.

Comments received by the Department within 10 days after the date of publication of this notice will be reviewed by the Department before it decides whether to approve or disapprove the request for exception.

Persons with a disability who wish to obtain a copy of a request and require an auxiliary aid, service or other accommodation to do so should contact the Director, Division of Acute and Ambulatory Care at (717) 783-8980 or for speech and/or hearing impaired persons V/TT (717) 783-6154 or the Pennsylvania AT&T Relay Service at (800) 654-5984 (TT).

CALVIN B. JOHNSON, M. D., M.P.H.,
Secretary

[Pa.B. Doc. No. 07-1666. Filed for public inspection September 7, 2007, 9:00 a.m.]

Application of St. Luke's Hospital for Exception

Under 28 Pa. Code § 51.33 (relating to requests for exceptions), the Department of Health (Department) gives notice that St. Luke's Hospital has requested an exception to the requirements of 28 Pa. Code § 153.1 (relating

to minimum standards), which requires compliance with minimum standards contained in the following publication: *Guidelines for Design and Construction of Hospital and Healthcare Facilities*. The facility specifically requests exception from the following standard contained in this publication: 5.1.2.5(2) (relating to treatment room).

This request is on file with the Department. Persons may receive a copy of a request for exception by requesting a copy from the Department of Health, Division of Acute and Ambulatory Care, Room 532, Health and Welfare Building, Harrisburg, PA 17120, (717) 783-8980, fax (717) 772-2163, ra-paexcept@state.pa.us.

Persons who wish to comment on an exception request may do so by sending a letter by mail, e-mail or facsimile to the Division and address listed previously.

Comments received by the Department within 10 days after the date of publication of this notice will be reviewed by the Department before it decides whether to approve or disapprove the request for exception.

Persons with a disability who wish to obtain a copy of a request and/or provide comments to the Department and require an auxiliary aid, service or other accommodation to do so should contact the Director, Division of Acute and Ambulatory Care at (717) 783-8980 for speech and/or hearing impaired persons V/TT (717) 783-6154 or the Pennsylvania AT&T Relay Service at (800) 654-5984 (TT).

CALVIN B. JOHNSON, M. D., M.P.H.,
Secretary

[Pa.B. Doc. No. 07-1667. Filed for public inspection September 7, 2007, 9:00 a.m.]

Application of Surgery Center at Limerick for Exception

Under 28 Pa. Code § 51.33 (relating to requests for exceptions), the Department of Health (Department) gives notice that Surgery Center at Limerick has requested an exception to the requirement of 28 Pa. Code § 569.35 (relating to general safety precautions).

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, paexcept@health.state.pa.us.

The facility is requesting a waiver of the comment period, as set forth in 28 Pa. Code § 51.33(c).

Persons with a disability who wish to obtain a copy of a request and/or provide comments to the Department and require an auxiliary aid, service or other accommodation to do so should contact the Division at the previously listed address or phone number or for speech and/or hearing impaired persons V/TT (717) 783-6154 or the Pennsylvania AT&T Relay Services at (800) 654-5984.

CALVIN B. JOHNSON, M. D., M.P.H.,
Secretary

[Pa.B. Doc. No. 07-1668. Filed for public inspection September 7, 2007, 9:00 a.m.]

Applications for Exception to 28 Pa. Code § 123.25(2)

Under 28 Pa. Code § 51.33 (relating to requests for exceptions), the Department of Health (Department) gives notice that the following facility has requested an exception to the requirements of 28 Pa. Code § 123.25(2) (relating to regulations for control of anesthetic explosion hazard).

Phoenixville Hospital
Bradford Regional Medical Center
York Hospital
Divine Providence Hospital

These requests are on file with the Department. Persons may receive a copy of a request for exception by requesting a copy from the Department of Health, Division of Acute and Ambulatory Care, Room 532, Health and Welfare Building, Harrisburg, PA 17120, (717) 783-8980, fax (717) 772-2163, paexcept@health.state.pa.us.

These facilities are requesting a waiver of the comment period, as set forth in 28 Pa. Code § 51.33(c).

Persons with a disability who wish to obtain a copy of a request and/or provide comments to the Department and require an auxiliary aid, service or other accommodation to do so should contact the Division at the previously listed address or phone number or for speech and/or hearing impaired persons V/TT (717) 783-6154 or the Pennsylvania AT&T Relay Services at (800) 654-5984.

CALVIN B. JOHNSON, M. D., M.P.H.,
Secretary

[Pa.B. Doc. No. 07-1669. Filed for public inspection September 7, 2007, 9:00 a.m.]

Laboratories Approved to Determine Analyses of Blood and/or Serum for Controlled Substances

The following laboratories are licensed by the Department of Health (Department) under the Clinical Laboratory Act (35 P.S. §§ 2151—2165) and/or the Federal Clinical Laboratory Improvement Act of 1967 (42 U.S.C.A. § 263a) and are currently approved by the Department under 28 Pa. Code § 5.50 (relating to approval to provide special analytical services) to perform analyses of blood and/or serum for the determination of controlled substances. This approval is based on demonstrated proficiency in tests conducted by the Bureau of Laboratories of the Department. These laboratories are also approved and designated for purposes of the Vehicle Code, 75 Pa.C.S. §§ 1547 and 3755 (relating to chemical testing to determine amount of alcohol or controlled substance; and reports by emergency room personnel), the Fish and Boat Code, 30 Pa.C.S. § 5125 (relating to chemical testing to determine amount of alcohol or controlled substance) and the Game and Wildlife Code, 34 Pa.C.S. § 2501 (relating to hunting or furtaking prohibited while under influence of alcohol or controlled substance), as qualified to perform the types of services which will reflect the presence of controlled substances or their biotransformation products in blood and/or serum.

Depending upon their capability and performance in proficiency surveys, laboratories are approved to perform screening and/or confirmatory analyses on blood and/or serum. Laboratories approved to perform screening analy-

ses are designated on the approval list by an "S" followed by the letters "B" for blood and/or "Se" for serum. Laboratories approved to screen both blood and serum would therefore have "SBSe" listed after their laboratory name. Laboratories approved to offer confirmatory analyses will be designated on the approval list by a "C" followed by the letters "B" for blood and/or "Se" for serum. Laboratories approved to perform confirmatory analyses on both serum and blood would therefore have "CBSe" listed after the name of their laboratory.

Screening analyses provide a presumptive indication that a controlled substance is present. Confirmatory testing is used to substantiate screening results.

Persons seeking forensic blood and/or serum analysis services from any of the listed laboratories should determine that the laboratory employs techniques and procedures acceptable for the medicolegal purposes. They should also determine that the director of the facility is agreeable to performing analyses for forensic purposes. Persons seeking the analyses are responsible for specifying the extent to which the presence of a controlled substance is to be verified. That specification should be predicated upon the purpose for which the analysis is being sought.

The name of a laboratory is sometimes changed but the location, personnel and testing procedures of the facility remain unchanged. When changes of this type occur, the Clinical Laboratory Permit number does not change. If questions arise about the identity of a laboratory due to a name change, the Clinical Laboratory Permit number should be used as the primary identifier. To assist in identifying a laboratory that performed a test if the name of the facility changed, the Clinical Laboratory Permit numbers of the facilities are included in the lists of approved laboratories above the name of the laboratory at the time the list was prepared.

The list of approved laboratories will be revised approximately semiannually and published in the *Pennsylvania Bulletin*. Questions regarding this list should be directed to M. Jeffery Shoemaker, Ph.D., Director, Division of Chemistry and Toxicology, Department of Health, Bureau of Laboratories, P. O. Box 500, Exton, PA 19341-0500, (610) 280-3464.

Persons with a disability who require an alternative format of this notice (for example, large print, audiotape, Braille) should contact Dr. Shoemaker at the previously referenced address or phone number. Persons who are speech or hearing impaired may use V/TT (717) 783-6514 or the Pennsylvania AT&T Relay Service at (800) 654-5984 (TT).

000671
ALLEG CNTY CORONERS DIV OF LABS—SBSe, CBSe
542 FORBES AVENUE
ROOM 10 COUNTY OFFICE BUILDING
PITTSBURGH, PA 15219
(412) 350-6873

000452
ANALYTIC BIO-CHEMISTRIES INC—SBSe, CBSe
1680-D LORETTA AVENUE
FEASTERVILLE, PA 19053
(215) 322-9210

000266
DEPT OF PATHOLOGY & LAB MED-HUP—SSe, CSe
3400 SPRUCE STREET
PHILADELPHIA, PA 19104
(215) 662-6882

000977
 DRUGSCAN INC—SBS_e, CBS_e
 1119 MEARN'S RD, PO BOX 2969
 WARMINSTER, PA 18974
 (215) 674-9310

000654
 GUTHRIE CLINIC PATH LAB—SS_e
 GUTHRIE SQUARE
 SAYRE, PA 18840
 (570) 888-5858

024655
 HEALTH NETWORK LABORATORIES—SBS_e, CBS_e
 2024 LEHIGH STREET
 ALLENTOWN, PA 18103-4798
 (610) 402-8150

020512
 LABCORP OCCUPATIONAL TESTING SER—SBS_e,
 CBS_e
 1904 ALEXANDER DRIVE
 P. O. BOX 12652
 RESRCH TRNGL PARK, NC 27709
 (919) 572-7465

009003
 MAYO CLINIC DEPT LAB MED & PATH—SBS_e, CS_e
 200 FIRST STREET
 SW HILTON 530
 ROCHESTER, MN 55905
 (507) 284-3018

005574
 MEDTOX LABORATORIES INC—SBS_e, CBS_e
 402 WEST COUNTY ROAD D
 ST PAUL, MN 55112
 (651) 636-7466

000504
 NATIONAL MED SVCS INC/DBA NMS LABS—SBS_e,
 CBS_e
 3701 WELSH ROAD
 WILLOW GROVE, PA 19090
 (215) 657-4900

029741
 NORTHERN TIER RESEARCH—SBS_e, CBS_e
 1300 OLD PLANK ROAD
 MAYFIELD, PA 18433
 (570) 351-6153

000520
 PITTSBURGH CRIMINALISTICS LABORATORY—SBS_e,
 CBS_e
 1320 FIFTH AVENUE
 PITTSBURGH, PA 15219
 (412) 391-6118

001136
 QUEST DIAGNOSTICS NICHOLS INSTITUTE—SBS_e,
 CBS_e
 14225 NEWBROOK DRIVE
 P. O. BOX 10841
 CHANTILLY, VA 20153-0841
 (703) 802-6900

000482
 QUEST DIAGNOSTICS OF PA INC—SBS_e, CBS_e
 875 GREENTREE ROAD
 4 PARKWAY CENTER
 PITTSBURGH, PA 15220-3610
 (412) 920-7600

025461
 QUEST DIAGNOSTICS VENTURE LLC—SBS_e, CBS_e
 875 GREENTREE ROAD
 4 PARKWAY CENTER
 PITTSBURGH, PA 15220-3610
 (412) 920-7631

000151
 ST. JOSEPH QUALITY MEDICAL LAB—SBS_e, CBS_e
 2500 BERNVILLE ROAD
 READING, PA 19605-9453
 (610) 378-2200

007731
 WESTERN RESERVE CARE SYSTEM—SS_e, CS_e
 500 GYPSY LANE
 YOUNGSTOWN, OH 44501
 (330) 884-3767

000018
 WVHCS HOSP DBA PENNANT LABORATORY—SS_e
 575 NORTH RIVER STREET
 WILKES-BARRE, PA 18764
 (570) 829-8111

000141
 YORK HOSPITAL—SS_e
 1001 SOUTH GEORGE STREET
 YORK, PA 17405
 (717) 851-2345

CALVIN B. JOHNSON, M. D., M.P.H.,
Secretary

[Pa.B. Doc. No. 07-1670. Filed for public inspection September 7, 2007, 9:00 a.m.]

Laboratories Approved to Determine Blood Alcohol Content

The following laboratories are licensed by the Department of Health (Department) under the Clinical Laboratory Act (act) (35 P. S. §§ 2151—2165) and are currently approved by the Department under 28 Pa. Code §§ 5.50 and 5.103 (relating to approval to provide special analytical services; and blood tests for blood alcohol content) to perform alcohol analyses of blood and/or serum and plasma. This approval is based on demonstrated proficiency in periodic tests conducted by the Department's Bureau of Laboratories.

Since procedures for determining the alcohol content of serum and plasma are identical and results obtained from serum or plasma derived from a blood sample are the same, laboratories that demonstrate reliability in the analysis of serum proficiency testing specimens are approved to analyze both serum and plasma. These laboratories are also approved and designated under the provisions of the Vehicle Code, 75 Pa.C.S. §§ 1547 and 3755 (relating to chemical testing to determine amount of alcohol or controlled substance; and reports by emergency room personnel), the Fish and Boat Code, 30 Pa.C.S. § 5125 (relating to chemical testing to determine the amount of alcohol or controlled substance), and the Game and Wildlife Code, 34 Pa.C.S. § 2501 (relating to hunting or furtaking prohibited while under influence of alcohol or controlled substance) as qualified to perform the types of specialized services which will reflect the presence of alcohol in blood and/or serum and plasma. Laboratories located outside this Commonwealth may not provide blood and/or serum and plasma alcohol testing services in

this Commonwealth unless they are specifically licensed by the Department under the act.

Persons seeking forensic blood and/or serum and plasma analysis services from the following designated laboratories should determine that the laboratory employs techniques and procedures acceptable for forensic purposes, and that the director of the facility is agreeable to performing determinations for this purpose. The list of approved laboratories will be revised approximately semi-annually and published in the *Pennsylvania Bulletin*.

The name of a laboratory is sometimes changed but the location, personnel and testing procedures of the facility remain unchanged. When changes of this type occur, the Clinical Laboratory Permit number does not change. If questions arise about the identity of a laboratory due to a name change, the Clinical Laboratory Permit number should be used as the primary identifier. To assist in identifying a laboratory that performed a test if the name of the facility changed, the Clinical Laboratory Permit numbers of the facilities are included in the lists of approved laboratories above the name of the laboratory at the time the list was prepared.

The Department's blood alcohol and serum/plasma alcohol proficiency testing programs are approved by the United States Department of Health and Human Services in accordance with the requirements contained in the Clinical Laboratory Improvement Amendments of 1988 (42 CFR 493.901 and 493.937) which are administered by the Centers for Medicare and Medicaid Services. Participation in these programs may therefore be used to demonstrate acceptable performance for approval purposes under both Federal and Commonwealth statutes.

Questions regarding this list should be directed to Dr. M. Jeffery Shoemaker, Division of Chemistry and Toxicology, Department of Health, Bureau of Laboratories, P. O. Box 500, Exton, PA 19341-0500, (610) 280-3464.

Persons with a disability who require an alternative format of this notice (for example, large print, audiotape, Braille) should contact Dr. Shoemaker at the previously referenced address or phone number. Persons who are speech or hearing impaired may use V/TT: (717) 783-6514 or the Pennsylvania AT&T Relay Service at (800) 654-5984 (TT).

The symbols S and B indicate the following:

S = approved for serum and plasma analyses

B = approved for blood analyses

SB = approved for serum, plasma and blood analyses

000212
ABINGTON MEMORIAL HOSPITAL—S
1200 OLD YORK ROAD
ABINGTON, PA 19001
(215) 576-2350

027180
ADVANCED TOXICOLOGY NETWORK—B
3560 AIR CENTER COVE SUITE 101
MEMPHIS, TN 38118
(901) 794-5770

000233
ALBERT EINSTEIN MEDICAL CENTER—S
5501 OLD YORK ROAD
PHILADELPHIA, PA 19141
(215) 456-6100

000040
ALQUIPPA COMMUNITY HOSPITAL LABORATORY—S
2500 HOSPITAL DRIVE
PATHOLOGY DEPT
ALQUIPPA, PA 15001
(724) 857-1240

000671
ALLEG CNTY CORONERS DIV OF LABS—SB
542 FORBES AVENUE
ROOM 10 COUNTY OFFICE BUILDING
PITTSBURGH, PA 15219
(412) 350-6873

028233
ALLEGHENY GENERAL HOSP DEPT OF LAB MED—S
320 E NORTH AVENUE
PITTSBURGH, PA 15212
(412) 359-6886

000077
ALLEGHENY GENERAL HOSPITAL—S
1307 FEDERAL STREET
PITTSBURGH, PA 15212
(412) 359-3521

000094
ALLEGHENY GENERAL HOSPITAL SUBURBAN CAMPUS—S
100 SOUTH JACKSON AVENUE
BELLEVUE, PA 15202
(412) 734-6020

000100
ALLEGHENY VALLEY HOSPITAL LAB—S
1300 CARLISLE ST
NATRONA HEIGHTS, PA 15065
(724) 224-5100

000120
ALTOONA REGIONAL HEALTH SYSM-BON SECOURS CAMPUS—SB
2500 SEVENTH AVENUE
ALTOONA, PA 16602-2099
(814) 949-4495

000119
ALTOONA REGIONAL HEALTH SYSTEM LAB—SB
620 HOWARD AVENUE
ALTOONA, PA 16601-4899
(814) 946-2340

000452
ANALYTIC BIO-CHEMISTRIES INC—SB
1680-D LORETTA AVENUE
FEASTERVILLE, PA 19053
(215) 322-9210

000041
ARMSTRONG COUNTY MEMORIAL HOSP—S
1 NOLTE DRIVE
KITTINGING, PA 16201
(724) 543-8500

000047
ASSOCIATED CLINICAL LABORATORIES—SB
1526 PEACH STREET
ERIE, PA 16501
(814) 461-2400

000320
BARNES KASSON HOSPITAL LAB—S
400 TURNPIKE STREET
SUSQUEHANNA, PA 18847
(570) 853-5059

- 000002
BLOOMSBURG HOSPITAL—S
549 E FAIR STREET
BLOOMSBURG, PA 17815
(570) 387-2124
- 000033
BRADFORD REGIONAL MEDICAL CENTER—SB
116-156 INTERSTATE PKWY
BRADFORD, PA 16701-0218
(814) 362-8247
- 000296
BRANDYWINE HOSPITAL—S
201 REECEVILLE ROAD ATTN: LABORATORY
COATESVILLE, PA 19320
(610) 383-8000
- 000301
BUTLER MEMORIAL HOSPITAL—S
911 EAST BRADY STREET
BUTLER, PA 16001
(724) 284-4510
- 000107
CANONSBURG GENERAL HOSPITAL—S
100 MEDICAL BOULEVARD
CANONSBURG, PA 15317
(724) 745-3916
- 000131
CARLISLE REGIONAL MEDICAL CENTER—S
361 ALEXANDER SPRING ROAD
CARLISLE, PA 17015-9129
(717) 249-1212
- 000215
CENTRAL MONTGOMERY MEDICAL CENTER—S
100 MEDICAL CAMPUS DRIVE
LANSDALE, PA 19446
(215) 368-2100
- 000132
CHAMBERSBURG HOSPITAL DEPT OF PATHOL-
OGY—S
112 NORTH SEVENTH STREET
CHAMBERSBURG, PA 17201
(717) 267-7153
- 000310
CHARLES COLE MEMORIAL HOSPITAL—S
1001 EAST SECOND STREET
COUDERSPORT, PA 16915
(814) 274-9300
- 000198
CHESTER COUNTY HOSPITAL—S
701 E MARSHALL ST
WEST CHESTER, PA 19380
(610) 431-5182
- 000227
CHESTNUT HILL HOSPITAL—S
8835 GERMANTOWN AVENUE
DEPT OF PATHOLOGY
PHILADELPHIA, PA 19118
(215) 248-8630
- 000228
CHILDRENS HOSP OF PHILADELPHIA—S
ONE CHILDREN'S CENTER 34TH & CIVIC
PHILADELPHIA, PA 19104
(215) 590-1000
- 000329
CLARION HOSPITAL—SB
1 HOSPITAL DRIVE
CLARION, PA 16214
(814) 226-9500
- 000026
CLEARFIELD HOSPITAL LABORATORY—S
809 TURNPIKE AVE PO BOX 992
CLEARFIELD, PA 16830
(814) 768-2280
- 000005
COMMUNITY MEDICAL CENTER—S
1800 MULBERRY STREET
SCRANTON, PA 18510
(570) 969-8000
- 000125
CONEMAUGH VALLEY MEMORIAL HOSP—SB
LABORATORY DEPT
1086 FRANKLIN STREET
JOHNSTOWN, PA 15905
(814) 534-9000
- 000326
CORY MEMORIAL HOSPITAL—S
612 WEST SMITH STREET
CORY, PA 16407
(814) 664-4641
- 000201
CROZER CHESTER MED CENTER—S
1 MEDICAL CENTER BOULEVARD
UPLAND, PA 19013
(610) 447-2000
- 000209
CROZER-CHESTER MED CTR-SPRINGFLD—S
190 WEST SPROUL ROAD
SPRINGFIELD, PA 19064
(610) 447-2000
- 000204
DELAWARE COUNTY MEMORIAL HOSP—S
501 NORTH LANSDOWNE AVENUE
DREXEL HILL, PA 19026-1186
(610) 284-8100
- 000266
DEPT OF PATHOLOGY & LAB MED-HUP—SB
3400 SPRUCE STREET
PHILADELPHIA, PA 19104
(215) 662-6882
- 000194
DOYLESTOWN HOSPITAL—S
595 WEST STATE STREET
DOYLESTOWN, PA 18901
(215) 345-2250
- 000977
DRUGSCAN INC—SB
1119 MEARNS RD, PO BOX 2969
WARMINSTER, PA 18974
(215) 674-9310
- 000027
DUBOIS REG MED CTR—WEST UNIT—S
100 HOSPITAL AVE
DUBOIS, PA 15801
(814) 371-2200
- 000175
EASTON HOSPITAL—S
250 SOUTH 21ST ST
EASTON, PA 18042-3892
(610) 250-4140

000332
ELLWOOD CITY HOSPITAL—S
724 PERSHING ST
ELLWOOD CITY, PA 16117
(724) 752-0081

000164
EPHRATA COMMUNITY HOSPITAL—S
169 MARTIN AVE PO BOX 1002
EPHRATA, PA 17522
(717) 733-0311

000032
ERHC ST MARYS LABORATORY—B
763 JOHNSONBURG RD
SAINT MARYS, PA 15857
(814) 788-8525

000181
EVANGELICAL COMMUNITY HOSPITAL—S
1 HOSPITAL DRIVE
LEWISBURG, PA 17837
(570) 522-2510

000192
FRANKFORD HOSP BUCKS CO CAMPUS—S
380 NORTH OXFORD VALLEY ROAD
LANGHORNE, PA 19047-8304
(215) 934-5227

000341
FRANKFORD HOSP TC LAB—S
RED LION & KNIGHTS ROADS
ATTN P FARANO MD
PHILADELPHIA, PA 19114
(215) 612-4000

000236
FRANKFORD HOSPITAL FRANK DIV—S
FRANKFORD AVE & WAKELING ST
PHILADELPHIA, PA 19124
(215) 831-2068

000115
FRICK HOSPITAL—S
508 SOUTH CHURCH STREET
MOUNT PLEASANT, PA 15666
(724) 547-1500

000330
FULTON COUNTY MEDICAL CENTER—S
216 SOUTH FIRST STREET
MCCONNELLSBURG, PA 17233
(717) 485-3155

000173
GEISINGER MEDICAL CENTER—SB
N ACADEMY ROAD
DANVILLE, PA 17822
(570) 271-6338

000017
GEISINGER SOUTH WILKES-BARRE HOSPITAL—S
25 CHURCH STREET
WILKES-BARRE, PA 18765
(570) 826-3100

000019
GEISINGER WYOMING VALLEY MED CTR—S
1000 E MOUNTAIN DRIVE
WILKES-BARRE, PA 18711
(570) 826-7830

000237
GERMANTOWN COMM HLTH WILLOW TERR—S
ONE PENN BOULEVARD
PHILADELPHIA, PA 19144
(215) 951-8800

000122
GETTYSBURG HOSPITAL—SB
147 GETTYS STREET
GETTYSBURG, PA 17325
(717) 334-2121

000152
GNADEN HUETTEN MEMORIAL HOSP—SB
211 NORTH 12TH STREET
LEHIGHTON, PA 18235
(610) 377-7083

000299
GOOD SAMARITAN HOSPITAL—B
4TH & WALNUT STS PO BOX 1281
LEBANON, PA 17042-1218
(717) 270-7500

000182
GOOD SAMARITAN REGIONAL MED CTR—S
700 EAST NORWEGIAN STREET
POTTSVILLE, PA 17901
(570) 621-4032

000196
GRAND VIEW HOSPITAL—S
700 LAWN AVE
SELLERSVILLE, PA 18960
(215) 453-4528

000061
GROVE CITY MEDICAL CENTER—SB
631 NORTH BROAD STREET EXT
GROVE CITY, PA 16127
(724) 450-7125

000654
GUTHRIE CLINIC PATH LAB—S
GUTHRIE SQUARE
SAYRE, PA 18840
(570) 888-5858

000239
HAHNEMANN UNIVERSITY HOSPITAL—S
BROAD & VINE STS MS 113
PHILADELPHIA, PA 19102
(215) 762-1783

000046
HAMOT MEDICAL CENTER—S
201 STATE STREET
ERIE, PA 16550
(814) 877-3131

000139
HANOVER HOSPITAL LABORATORY—SB
300 HIGHLAND AVE
HANOVER, PA 17331
(717) 637-3711

000155
HARRISBURG HOSPITAL LABORATORY—SB
MEDICAL SCIENCES BUILDING
100 2ND STREET
HARRISBURG, PA 17105
(570) 782-2832

000010
HAZLETON GENERAL HOSPITAL—S
700 EAST BROAD
HAZLETON, PA 18201
(570) 501-4152

000169
HEALTH NETWORK LABORATORIES—S
1627 WEST CHEW STREET
ALLENTOWN, PA 18102
(610) 402-2236

- 000549
HEALTH NETWORK LABORATORIES—S
1200 SOUTH CEDAR CREST BLVD
ALLENTOWN, PA 18103
(610) 402-8150
- 000600
HEALTH NETWORK LABORATORIES—S
2545 SCHOENERSVILLE ROAD
BETHLEHEM, PA 18017-7384
(484) 884-2259
- 024655
HEALTH NETWORK LABORATORIES—SB
2024 LEHIGH STREET
ALLENTOWN, PA 18103-4798
(610) 402-8150
- 000166
HEART OF LANCASTER REGIONAL MEDICAL
CENTER—S
1500 HIGHLANDS DRIVE
LITITZ, PA 17543
(717) 625-5605
- 000103
HIGHLANDS HOSPITAL—S
401 EAST MURPHY AVENUE
CONNELLSVILLE, PA 15425
(724) 628-1500
- 000130
HOLY SPIRIT HOSPITAL—S
503 N 21ST STREET
CAMP HILL, PA 17011-2288
(717) 763-2206
- 000052
INDIANA REGIONAL MEDICAL CENTER—S
HOSPITAL ROAD PO BOX 788
INDIANA, PA 15701-0788
(724) 357-7167
- 000135
J C BLAIR MEMORIAL HOSPITAL—S
1225 WARM SPRINGS AVENUE
HUNTINGDON, PA 16652
(814) 643-8645
- 000054
JAMESON MEMORIAL HOSPITAL—S
1211 WILMINGTON AVENUE
NEW CASTLE, PA 16105
(724) 656-4080
- 000240
JEANES HOSPITAL—S
7600 CENTRAL AVE
PHILADELPHIA, PA 19111
(215) 728-2347
- 000038
JEFFERSON REGIONAL MED CTR—S
565 COAL VALLEY ROAD
BIBRO BLDG 4TH FLOOR
PITTSBURGH, PA 15236
(412) 469-5723
- 000200
JENNERSVILLE REGIONAL HOSPITAL—S
1015 WEST BALTIMORE PIKE
WEST GROVE, PA 19390
(610) 869-1080
- 000053
JRHS BROOKVILLE—S
100 HOSPITAL ROAD
BROOKVILLE, PA 15825
(814) 849-2312
- 000034
KANE COMMUNITY HOSPITAL—B
NORTH FRALEY STREET
KANE, PA 16735
(814) 837-4575
- 000532
KENSINGTON HOSPITAL—S
136 WEST DIAMOND STREET
PHILADELPHIA, PA 19122
(215) 426-8100
- 001088
LABCORP OF AMERICA HOLDINGS—SB
69 FIRST AVE PO BOX 500
RARITAN, NJ 08869
(908) 526-2400
- 000165
LANCASTER GENERAL HOSPITAL—S
555 N DUKE STREET
PO BOX 3555
LANCASTER, PA 17604
(717) 299-5511
- 000167
LANCASTER REGIONAL MED CENTER—S
250 COLLEGE AVENUE
PO BOX 3434
LANCASTER, PA 17604
(717) 291-8022
- 000114
LATROBE AREA HOSPITAL—S
121 W SECOND AVENUE
LATROBE, PA 15650
(724) 537-1550
- 000138
LEWISTOWN HOSPITAL—B
400 HIGHLAND AVENUE
LEWISTOWN, PA 17044
(717) 248-5411
- 000030
LOCK HAVEN HOSPITAL—B
24 CREE DRIVE
LOCK HAVEN, PA 17745
(570) 893-5000
- 000193
LOWER BUCKS HOSPITAL LABORATORY—S
501 BATH ROAD
BRISTOL, PA 19007-1
(215) 785-9300
- 000242
MAIN LINE CLIN LABS LANKENAU CP—S
100 EAST LANCASTER AVENUE
WYNNEWOOD, PA 19096
(610) 645-2615
- 000213
MAIN LINE HEALTH LAB-BRYN MAWR—S
130 BRYN MAWR AVENUE
BRYN MAWR, PA 19010
(610) 526-3554

000199
MAIN LINE HEALTH LABS-PAOLI—S
255 WEST LANCASTER AVENUE
PAOLI, PA 19301
(610) 648-1000

000004
MARIAN COMMUNITY HOSPITAL—S
100 LINCOLN AVENUE
CARBONDALE, PA 18407
(717) 281-1042

009003
MAYO CLINIC DEPT LAB MED & PATH—SB
200 FIRST STREET
SW HILTON 530
ROCHESTER, MN 55905
(507) 284-3018

000049
MEADVILLE MED CTR-LIBERTY ST—S
751 LIBERTY STREET
MEADVILLE, PA 16335
(814) 336-5000

005574
MEDTOX LABORATORIES INC—SB
402 WEST COUNTY ROAD D
ST PAUL, MN 55112
(651) 636-7466

000140
MEMORIAL HOSPITAL CLINICAL LAB—SB
325 S BELMONT ST PO BOX 15118
YORK, PA 17403
(717) 843-8623

000023
MEMORIAL HOSPITAL LAB—SB
1 HOSPITAL DRIVE
TOWANDA, PA 18848
(570) 265-2191

000203
MERCY FITZGERALD HOSPITAL—S
1500 LANSDOWNE AVENUE
DARBY, PA 19023
(610) 237-4262

000247
MERCY HEALTH LAB/MHOP—S
501 S 54TH STREET
PHILADELPHIA, PA 19143
(215) 748-9181

000219
MERCY HEALTH LAB/MSH—S
2701 DEKALB PIKE
NORRISTOWN, PA 19401
(610) 278-2090

000336
MERCY HEALTH PARTNERS—S
746 JEFFERSON AVENUE
SCRANTON, PA 18510
(570) 348-7100

000082
MERCY HOSPITAL OF PITTSBURGH—S
1400 LOCUST STREET
PITTSBURGH, PA 15219
(412) 232-7831

000113
MERCY JEANNETTE HOSPITAL—S
600 JEFFERSON AVENUE
JEANNETTE, PA 15644
(724) 527-9330

028436
METHODIST HOSP DIV TJUH INC ER LAB—S
2301 SOUTH BROAD STREET
PHILADELPHIA, PA 19148
(215) 952-9055

000245
METHODIST HOSP DIVISION/TJUH INC—S
1900 S BROAD STREET
PHILADELPHIA, PA 19145
(215) 952-9059

000231
MEYERSDALE COMMUNITY HOSPITAL—S
200 HOSPITAL DR
MEYERSDALE, PA 15552
(814) 634-5911

000269
MIDVALLEY HOSPITAL—S
1400 MAIN STREET
PECKVILLE, PA 18452
(570) 383-5520

000128
MINERS MEDICAL CENTER—S
290 HAIDA AVENUE
PO BOX 689
HASTINGS, PA 16646
(814) 247-3100

000108
MONONGAHELA VALLEY HOSPITAL INC—S
1163 COUNTRY CLUB ROAD
MONONGAHELA, PA 15063
(724) 258-1021

000217
MONTGOMERY HOSPITAL LAB—S
POWELL & FORNANCE STS
NORRISTOWN, PA 19401
(610) 270-2173

000007
MOSES TAYLOR HOSPITAL—S
700 QUINCY AVENUE
SCRANTON, PA 18510
(570) 340-2100

000214
MOSS REHAB EINSTEIN AT ELKINS PARK—S
60 EAST TOWNSHIP LINE ROAD
ELKINS PARK, PA 19027
(215) 663-6102

000025
MOUNT NITTANY MEDICAL CENTER—B
1800 EAST PARK AVENUE
STATE COLLEGE, PA 16803
(814) 234-6117

000035
MUNCY VALLEY HOSPITAL—S
215 EAST WATER ST
MUNCY, PA 17756
(570) 546-8282

000304
NASON HOSPITAL—S
105 NASON DRIVE
ROARING SPRING, PA 16673
(814) 224-2141

000504
NATIONAL MED SVCS INC/DBA NMS LABS—SB
3701 WELSH ROAD
WILLOW GROVE, PA 19090
(215) 657-4900

000248
NAZARETH HOSPITAL—S
2601 HOLME AVE
PHILADELPHIA, PA 19152
(215) 335-6245

029741
NORTHERN TIER RESEARCH—SB
1300 OLD PLANK ROAD
MAYFIELD, PA 18433
(570) 351-6153

000099
OHIO VALLEY GENERAL HOSPITAL—S
25 HECKEL RD
MCKEES ROCKS, PA 15136
(412) 777-6161

000334
PALMERTON HOSPITAL—SB
135 LAFAYETTE AVENUE
PALMERTON, PA 18071
(610) 826-3141

000258
PENN PRESBYTERIAN MEDICAL CENTER—S
51 NORTH 39TH ST
DEPT OF PATH & LAB 5TH FL RM 530
PHILADELPHIA, PA 19104-2640
(215) 662-3435

000316
PENN STATE MILTON S HERSHEY MED CTR—S
500 UNIVERSITY DRIVE
DEPT OF PATHOLOGY & LAB MEDICINE
HERSHEY, PA 17033
(717) 531-8353

022533
PENNSYLVANIA DEPT OF HEALTH—SB
110 PICKERING WAY
LIONVILLE, PA 19353
(610) 280-3464

000251
PENNSYLVANIA HOSP OF THE UNIV OF PA HLTH—S
800 SPRUCE STREETS
PHILADELPHIA, PA 19107
(215) 829-3541

000197
PHOENIXVILLE HOSPITAL LABORATORY—S
140 NUTT ROAD
DEPT OF PATHOLOGY
PHOENIXVILLE, PA 19460-0809
(610) 983-1612

000157
PINNACLEHLTH/COMM GEN OSTEO HOSP—S
4300 LONDONDERRY RD PO BOX 3000
HARRISBURG, PA 17109
(717) 657-7214

000520
PITTSBURGH CRIMINALISTICS LABORATORY—SB
1320 FIFTH AVENUE
PITTSBURGH, PA 15219
(412) 391-6118

000022
POCONO MEDICAL CENTER LAB—SB
206 EAST BROWN STREET
EAST STROUDSBURG, PA 18301
(570) 476-3544

000221
POTTSTOWN HOSPITAL COMPANY, LLC—S
1600 EAST HIGH STREET
POTTSTOWN, PA 19464
(610) 327-7000

000183
POTTSVILLE HOSP AND WARNE CLINIC—SB
420 SOUTH JACKSON STREET
POTTSVILLE, PA 17901
(570) 621-5262

000300
PUNXSUTAWNEY AREA HOSPITAL—S
81 HILLCREST DRIVE
PUNXSUTAWNEY, PA 15767
(814) 938-1800

022715
QUEST DIAGNOSTICS—SB
10101 RENNER BOULEVARD
LENEXA, KS 66219-9752
(913) 888-1770

000315
QUEST DIAGNOSTICS CLINICAL LABS INC—SB
900 BUSINESS CENTER DRIVE
HORSHAM, PA 19044
(215) 957-9300

027461
QUEST DIAGNOSTICS INC—SB
400 EGYPT ROAD
NORRISTOWN, PA 19403
(610) 631-4219

001136
QUEST DIAGNOSTICS NICHOLS INSTITUTE—SB
14225 NEWBROOK DRIVE
PO BOX 10841
CHANTILLY, VA 20153-0841
(703) 802-6900

000482
QUEST DIAGNOSTICS OF PA INC—SB
875 GREENTREE ROAD
4 PARKWAY CENTER
PITTSBURGH, PA 15220-3610
(412) 920-7600

025461
QUEST DIAGNOSTICS VENTURE LLC—SB
875 GREENTREE ROAD
4 PARKWAY CENTER
PITTSBURGH, PA 15220-3610
(412) 920-7631

000150
READING HOSPITAL & MED CTR—S
6TH AND SPRUCE STREETS
WEST READING, PA 19611
(610) 988-8080

000206
RIDDLE MEMORIAL HOSPITAL—S
BALTIMORE PIKE HIGHWAY 1
MEDIA, PA 19063
(610) 566-9400

000243
ROXBOROUGH MEMORIAL HOSPITAL—S
5800 RIDGE AVE
PHILADELPHIA, PA 19128
(215) 487-4394

- 000171
SACRED HEART HOSPITAL—S
4TH & CHEW STS
ALLENTOWN, PA 18102
(610) 776-4727
- 000087
SAINT CLAIR MEMORIAL HOSPITAL—S
1000 BOWER HILL RD
PITTSBURGH, PA 15243
(412) 561-4900
- 000174
SAINT LUKES HOSPITAL—S
801 OSTRUM STREET
BETHLEHEM, PA 18015
(610) 954-4558
- 000328
SAINT MARY MEDICAL CENTER—S
LANGHORNE—NEWTOWN RD
LANGHORNE, PA 19047
(215) 710-2162
- 000048
SAINT VINCENT HEALTH CENTER—S
232 WEST 25TH STREET
ERIE, PA 16544
(814) 452-5383
- 000101
SEWICKLEY VALLEY HOSPITAL LAB—S
BLACKBURN RD & FITCH DRIVE
SEWICKLEY, PA 15143
(412) 741-6600
- 000064
SHARON REGIONAL HEALTH SYSTEM—SB
740 EAST STATE STREET
SHARON, PA 16146
(724) 983-3911
- 000039
SOLDIERS & SAILORS MEM HOSP—S
CENTRAL AVENUE
WELLSBORO, PA 16901
(570) 723-0133
- 000297
SOMERSET HOSPITAL CENTER FOR HEALTH—B
225 S CENTER AVENUE
SOMERSET, PA 15501
(814) 443-5000
- 000105
SOUTHWEST REGIONAL MEDICAL CENTER—S
350 BONAR AVENUE
WAYNESBURG, PA 15370
(724) 627-2608
- 022376
SPECIALTY LABORATORIES INC—S
27027 TOURNEY ROAD
VALENCIA, CA 91355
(661) 799-6543
- 000361
ST CATHERINE MED CTR-FOUNTAIN SPRINGS—S
101 BROAD STREET
ASHLAND, PA 17921
(570) 875-5988
- 000260
ST CHRISTOPHERS HOSP FOR CHILDREN—S
ERIE AVENUE AT FRONT STREET
PHILADELPHIA, PA 19134
(215) 427-5337
- 000151
ST JOSEPH QUALITY MEDICAL LAB—SB
2500 BERNVILLE ROAD
READING, PA 19605-9453
(610) 378-2200
- 000261
ST JOSEPH'S HOSPITAL-DIV NPHS—S
16TH ST & GIRARD AVENUE
PHILADELPHIA, PA 19130
(215) 787-9000
- 000318
ST LUKES HOSP ALLENTOWN CAMPUS—S
1736 HAMILTON STREET
ALLENTOWN, PA 18104
(610) 770-8300
- 000180
ST LUKES MINERS MEMORIAL HOSPITAL—S
360 WEST RUDDLE STREET
PO BOX 67
COALDALE, PA 18218
(570) 645-2131
- 000195
ST LUKES QUAKERTOWN HOSPITAL—S
1021 PARK AVENUE
QUAKERTOWN, PA 18951
(215) 538-4681
- 000207
TAYLOR HOSPITAL DIV OF CCMC—S
175 EAST CHESTER PIKE
RIDLEY PARK, PA 19078
(610) 595-6450
- 000249
TEMPLE EAST INC NE—S
2301 EAST ALLEGHENY AVENUE
PHILADELPHIA, PA 19134
(215) 291-3000
- 000235
TEMPLE UNIV HOSPITAL EPISCOPAL CAMPUS—S
100 EAST LEHIGH AVENUE
PHILADELPHIA, PA 19125-1098
(215) 707-0977
- 000265
TEMPLE UNIVERSITY HOSPITAL—S
3401 N BROAD ST
PHILADELPHIA, PA 19140
(215) 707-4353
- 000205
THE MEDICAL CENTER BEAVER PA—SB
1000 DUTCH RIDGE ROAD
BEAVER, PA 15009-9700
(724) 728-7000
- 000104
THE UNIONTOWN HOSPITAL LABORATORY—S
500 WEST BERKELEY STREET
UNIONTOWN, PA 15401
(724) 430-5143
- 000085
THE WESTERN PA HOSP-FORBES REGIONAL
CAMPUS—S
2570 HAYMAKER ROAD
MONROEVILLE, PA 15146
(412) 858-2560

- 000241
THOMAS JEFFERSON UNIVERSITY HOSP—S
125 SOUTH 11TH STREET
204 PAVILION
PHILADELPHIA, PA 19107
(215) 955-6374
- 000051
TITUSVILLE AREA HOSPITAL—S
406 WEST OAK STREET
TITUSVILLE, PA 16354
(814) 827-1851
- 000313
TYLER MEMORIAL HOSPITAL—S
880 SR 6 W
TUNKHANNOCK, PA 18657-6149
(570) 836-4705
- 000124
TYRONE HOSPITAL—SB
CLAY AVENUE EXTENSION
TYRONE, PA 16686
(814) 684-0484
- 000121
UPMC BEDFORD MEMORIAL—SB
10455 LINCOLN HIGHWAY
EVERETT, PA 15537
(814) 623-3506
- 000096
UPMC BRADDOCK—S
400 HOLLAND AVENUE
BRADDOCK, PA 15104
(412) 636-5291
- 000059
UPMC HORIZON GREENVILLE—SB
110 NORTH MAIN STREET
GREENVILLE, PA 16125
(724) 588-2100
- 000057
UPMC HORIZON SHENANGO—SB
2200 MEMORIAL DRIVE
FARRELL, PA 16121
(724) 981-3500
- 000098
UPMC MCKEESPORT LABORATORY—S
1500 FIFTH AVENUE
MCKEESPORT, PA 15132
(412) 664-2233
- 000084
UPMC PASSAVANT—S
9100 BABCOCK BLVD
PITTSBURGH, PA 15237
(412) 367-6700
- 005784
UPMC PASSAVANT LABORATORY CRANBERRY—S
ONE ST FRANCIS WAY
CRANBERRY TOWNSHIP, PA 16066
(724) 772-5370
- 000083
UPMC PRESBYTERIAN SHADYSIDE CP PUH—S
ROOM 5929 MAIN TOWER CHP
200 LOTHROP STREET
PITTSBURGH, PA 15213-2582
(412) 648-6000
- 000091
UPMC SAINT MARGARET HOSPITAL—S
815 FREEPORT ROAD
PITTSBURGH, PA 15215
(412) 784-4000
- 000092
UPMC SHADYSIDE—S
5230 CENTRE AVENUE
GROUND FLOOR WEST WING
PITTSBURGH, PA 15232
(412) 623-5950
- 000093
UPMC SOUTH SIDE—S
2000 MARY STREET
PITTSBURGH, PA 15203
(412) 488-5731
- 000622
WARMINSTER HOSPITAL—S
225 NEWTOWN ROAD
WARMINSTER, PA 18974
(215) 441-6700
- 000066
WARREN GENERAL HOSPITAL—B
2 CRESCENT PARK
WARREN, PA 16365
(814) 723-3300
- 000111
WASHINGTON HOSPITAL—S
155 WILSON AVE
WASHINGTON, PA 15301
(724) 223-3136
- 000298
WAYNE MEMORIAL HOSPITAL—S
601 PARK STREET
HONESDALE, PA 18431
(570) 253-1300
- 000133
WAYNESBORO HOSPITAL—S
501 E MAIN STREET
WAYNESBORO, PA 17268
(717) 765-3403
- 000095
WESTERN PENNSYLVANIA HOSPITAL—S
4800 FRIENDSHIP AVE
PITTSBURGH, PA 15224
(412) 578-5779
- 007731
WESTERN RESERVE CARE SYSTEM—S
500 GYPSY LANE
YOUNGSTOWN, OH 44501
(330) 884-3767
- 030245
WESTFIELD HOSPITAL LABORATORY—S
4815 W TILGHMAN STREET
ALLENTOWN, PA 18104
(610) 776-1603
- 000112
WESTMORELAND REGIONAL HOSPITAL—S
532 W PITTSBURGH ST
GREENSBURG, PA 15601
(724) 832-4365
- 000037
WILLIAMSPORT HOSP & MED CENTER—SB
777 RURAL AVENUE
WILLIAMSPORT, PA 17701-3198
(570) 321-2300

000106
WINDBER HOSPITAL—B
600 SOMERSET AVE
WINDBER, PA 15963
(814) 467-6611

000018
WVHCS HOSP DBA PENNANT LABORATORY—SB
575 NORTH RIVER STREET
WILKES-BARRE, PA 18764
(570) 829-8111

025064
WVU HOSPITAL CLINICAL LABS—S
1 MEDICAL CENTER DR PO BOX 8009
MORGANTOWN, WV 26506-8009
(304) 598-4241

000141
YORK HOSPITAL—SB
1001 SOUTH GEORGE STREET
YORK, PA 17405
(717) 851-2345

CALVIN B. JOHNSON, M. D., M.P.H.,
Secretary

[Pa.B. Doc. No. 07-1671. Filed for public inspection September 7, 2007, 9:00 a.m.]

Laboratories Approved to Determine Urine Controlled Substance Content

The following laboratories are licensed by the Department of Health (Department) under the Clinical Laboratory Act (35 P.S. §§ 2151—2165) and/or the Federal Clinical Laboratory Improvement Act of 1967 (42 U.S.C.A. § 263a) and are currently approved by the Department under 28 Pa. Code § 5.50 (relating to approval to provide special analytical services) to perform analyses of urine for the determination of controlled substances or their biotransformation products. This approval is based on demonstrated proficiency in tests conducted by the Bureau of Laboratories of the Department. These laboratories are also approved and designated for purposes of the Vehicle Code, 75 Pa.C.S. §§ 1547 and 3755 (relating to chemical testing to determine amount of alcohol or controlled substance; and reports by emergency room personnel), the Fish and Boat Code, 30 Pa.C.S. § 5125 (relating to chemical testing to determine amount of alcohol or controlled substance) and the Game and Wildlife Code, 34 Pa.C.S. § 2501 (relating to hunting or furtaking prohibited while under influence of alcohol or controlled substance), as qualified to perform the types of services which will reflect the presence of controlled substances or their biotransformation products in urine.

Depending upon their capability and performance in proficiency surveys, laboratories are approved to perform screening and/or confirmatory urine drug analyses. Laboratories approved to perform screening tests only are designated on the approval list by an "S" after the laboratory's name. Laboratories approved to perform confirmatory testing only are designated by a "C" following the laboratory's name. Those approved to perform both screening and confirmatory analyses are designated by the letters "SC." Screening analyses provide a presumptive indication that a controlled substance is present. Confirmatory testing is used to substantiate screening results.

Persons seeking forensic urine drug analysis services from any of the listed laboratories should determine that the laboratory employs techniques and procedures acceptable for the purpose. They should also determine that the director of the facility is agreeable to performing analyses for that purpose. Persons seeking the analyses are responsible for specifying the extent to which the presence of a controlled substance is to be verified. That specification should be predicated upon the purpose for which the analysis is being sought.

The list of approved laboratories will be revised approximately semiannually and published in the *Pennsylvania Bulletin*. The name of a laboratory is sometimes changed but the location, personnel and testing procedures of the facility remain unchanged. When changes of this type occur, the Clinical Laboratory Permit number does not change. If questions arise about the identity of a laboratory due to a name change, the Clinical Laboratory Permit number should be used as the primary identifier. To assist in identifying a laboratory that performed a test if the name of the facility changed, the Clinical Laboratory Permit numbers of the facilities are included in the lists of approved laboratories above the name of the laboratory at the time the list was prepared.

Questions regarding this list should be directed to M. Jeffery Shoemaker, Ph.D., Director, Division of Chemistry and Toxicology, Department of Health, Bureau of Laboratories, P. O. Box 500, Exton, PA 19341-0500, (610) 280-3464.

Persons with a disability who require an alternative format of this notice (for example, large print, audiotape, Braille) should contact Dr. Shoemaker at V/TT: (717) 783-6514 or the Pennsylvania AT&T Relay Service at (800) 654-5984 (TT).

000212
ABINGTON MEMORIAL HOSPITAL—S
1200 OLD YORK ROAD
ABINGTON, PA 19001
(215) 576-2350

027908
ACM MEDICAL LABORATORY—SC
160 ELMGROVE PARK
ROCHESTER, NY 14624
(716) 429-2264

027180
ADVANCED TOXICOLOGY NETWORK—SC
3560 AIR CENTER COVE SUITE 101
MEMPHIS, TN 38118
(901) 794-5770

000233
ALBERT EINSTEIN MEDICAL CENTER—S
5501 OLD YORK ROAD
PHILADELPHIA, PA 19141
(215) 456-6100

000040
ALIQUIPPA COMMUNITY HOSPITAL
LABORATORY—S
2500 HOSPITAL DRIVE
PATHOLOGY DEPT
ALIQUIPPA, PA 15001
(724) 857-1240

000116
ALLE KISKI MED CNTR NEW KENSINGTON—S
651 FOURTH AVENUE
NEW KENSINGTON, PA 15068
(724) 337-5031

- 000671
ALLEG CNTY CORONERS DIV OF LABS—S
542 FORBES AVENUE
ROOM 10 COUNTY OFFICE BUILDING
PITTSBURGH, PA 15219
(412) 350-6873
- 028233
ALLEGHENY GENERAL HOSP DEPT OF LAB MED—S
320 E NORTH AVENUE
PITTSBURGH, PA 15212
(412) 359-6886
- 000077
ALLEGHENY GENERAL HOSPITAL—S
1307 FEDERAL STREET
PITTSBURGH, PA 15212
(412) 359-3521
- 000094
ALLEGHENY GENERAL HOSPITAL SUBURBAN
CAMPUS—S
100 SOUTH JACKSON AVENUE
BELLEVUE, PA 15202
(412) 734-6020
- 000100
ALLEGHENY VALLEY HOSPITAL LAB—S
1300 CARLISLE ST
NATRONA HEIGHTS, PA 15065
(724) 224-5100
- 000120
ALTOONA REGIONAL HEALTH SYSM-BON SECOURS
CAMPUS—S
2500 SEVENTH AVENUE
ALTOONA, PA 16602-2099
(814) 949-4495
- 000119
ALTOONA REGIONAL HEALTH SYSTEM LAB—S
620 HOWARD AVENUE
ALTOONA, PA 16601-4899
(814) 946-2340
- 030223
AMERITOX LTD—SC
9930 WEST HWY 80
MIDLAND, TX 79706
(432) 561-5091
- 026620
AMMON ANALYTICAL LABORATORY—SC
1622 SOUTH WOOD AVENUE
LINDEN, NJ 07036
(908) 862-4404
- 000452
ANALYTIC BIO-CHEMISTRIES INC—SC
1680-D LORETTA AVENUE
FEASTERVILLE, PA 19053
(215) 322-9210
- 000047
ASSOCIATED CLINICAL LABORATORIES—SC
1526 PEACH STREET
ERIE, PA 16501
(814) 461-2400
- 000320
BARNES KASSON HOSPITAL LAB—S
400 TURNPIKE STREET
SUSQUEHANNA, PA 18847
(570) 853-5059
- 021553
BENDINER & SCHLESINGER INC—SC
140 58TH STREET SUITE 8D
BROOKLYN, NY 11220
(212) 254-2300
- 027615
BIOLOGICAL SPECIALTY CORPORATION—S
2165 NORTH LINE STREET
COLMAR, PA 18915
(215) 997-8771
- 027616
BIOLOGICAL SPECIALTY CORPORATION—S
1236 NEW RODGERS RD #851
BRISTOL, PA 19007
(215) 826-9282
- 027617
BIOLOGICAL SPECIALTY CORPORATION—S
22 SOUTH 4TH STREET
READING, PA 19602
(610) 375-9862
- 022757
BIOREFERENCE LABORATORIES INC—SC
481B EDWARD H ROSS DRIVE
ELMWOOD PARK, NJ 07407
(201) 791-3600
- 000002
BLOOMSBURG HOSPITAL—S
549 E FAIR STREET
BLOOMSBURG, PA 17815
(570) 387-2124
- 000033
BRADFORD REGIONAL MEDICAL CENTER—S
116-156 INTERSTATE PKWY
BRADFORD, PA 16701-0218
(814) 362-8247
- 000296
BRANDYWINE HOSPITAL—S
201 REECEVILLE ROAD ATTN: LABORATORY
COATESVILLE, PA 19320
(610) 383-8000
- 000472
BROOKSIDE CLINICAL LAB INC—S
4000 EDMONT AVENUE
BROOKHAVEN, PA 19015
(610) 872-6466
- 000301
BUTLER MEMORIAL HOSPITAL—S
911 EAST BRADY STREET
BUTLER, PA 16001
(724) 284-4510
- 029116
CALLOWAY DRUG TESTING LABORATORIES INC—S
34 COMMERCE WAY
WOBURN, MA 01801
(781) 224-9899
- 000107
CANONSBURG GENERAL HOSPITAL—S
100 MEDICAL BOULEVARD
CANONSBURG, PA 15317
(724) 745-3916
- 000131
CARLISLE REGIONAL MEDICAL CENTER—S
361 ALEXANDER SPRING ROAD
CARLISLE, PA 17015-9129
(717) 249-1212

- 000751
CEDAR CREST EMERGICENTER—S
1101 SOUTH CEDAR CREST BOULEVARD
ALLENTOWN, PA 18103
(610) 433-4260
- 000215
CENTRAL MONTGOMERY MEDICAL CENTER—S
100 MEDICAL CAMPUS DRIVE
LANSDALE, PA 19446
(215) 368-2100
- 000132
CHAMBERSBURG HOSPITAL DEPT OF
PATHOLOGY—S
112 NORTH SEVENTH STREET
CHAMBERSBURG, PA 17201
(717) 267-7153
- 000310
CHARLES COLE MEMORIAL HOSPITAL—S
1001 EAST SECOND STREET
COUDERSPORT, PA 16915
(814) 274-9300
- 000198
CHESTER COUNTY HOSPITAL—S
701 E MARSHALL ST
WEST CHESTER, PA 19380
(610) 431-5182
- 000227
CHESTNUT HILL HOSPITAL—S
8835 GERMANTOWN AVENUE
DEPT OF PATHOLOGY
PHILADELPHIA, PA 19118
(215) 248-8630
- 000228
CHILDRENS HOSP OF PHILADELPHIA—S
ONE CHILDREN'S CENTER 34TH & CIVIC
PHILADELPHIA, PA 19104
(215) 590-1000
- 000329
CLARION HOSPITAL—S
1 HOSPITAL DRIVE
CLARION, PA 16214
(814) 226-9500
- 024916
CLINICAL SCIENCE LABORATORY INC—SC
51 FRANCIS AVENUE
MANSFIELD, MA 02048
(508) 339-6106
- 000005
COMMUNITY MEDICAL CENTER—S
1800 MULBERRY STREET
SCRANTON, PA 18510
(570) 969-8000
- 000125
CONEMAUGH VALLEY MEMORIAL HOSP—S
LABORATORY DEPT
1086 FRANKLIN STREET
JOHNSTOWN, PA 15905
(814) 534-9000
- 000326
CORY MEMORIAL HOSPITAL—S
612 WEST SMITH STREET
CORY, PA 16407
(814) 664-4641
- 000201
CROZER CHESTER MED CENTER—S
1 MEDICAL CENTER BOULEVARD
UPLAND, PA 19013
(610) 447-2000
- 000363
DE JOHN MED LABORATORY INC—S
1570 GARRETT ROAD
UPPER DARBY, PA 19082
(610) 626-2112
- 000204
DELAWARE COUNTY MEMORIAL HOSP—S
501 NORTH LANSDOWNE AVENUE
DREXEL HILL, PA 19026-1186
(610) 284-8100
- 000266
DEPT OF PATHOLOGY & LAB MED-HUP—SC
3400 SPRUCE STREET
PHILADELPHIA, PA 19104
(215) 662-6882
- 028893
DOMINION DIAGNOSTICS LLC—SC
211 CIRCUIT DRIVE
NORTH KINGSTOWN, RI 02852
(401) 667-0800
- 000194
DOYLESTOWN HOSPITAL—S
595 WEST STATE STREET
DOYLESTOWN, PA 18901
(215) 345-2250
- 000977
DRUGSCAN INC—SC
1119 MEARNS RD, PO BOX 2969
WARMINSTER, PA 18974
(215) 674-9310
- 000175
EASTON HOSPITAL—S
250 SOUTH 21ST ST
EASTON, PA 18042-3892
(610) 250-4140
- 000332
ELLWOOD CITY HOSPITAL—S
724 PERSHING ST
ELLWOOD CITY, PA 16117
(724) 752-0081
- 000164
EPHRATA COMMUNITY HOSPITAL—S
169 MARTIN AVE PO BOX 1002
EPHRATA, PA 17522
(717) 733-0311
- 000031
ERHC RIDGWAY LABORATORY—S
94 HOSPITAL STREET
RIDGWAY, PA 15853
(814) 788-8525
- 000032
ERHC ST MARYS LABORATORY—S
763 JOHNSONBURG RD
SAINT MARYS, PA 15857
(814) 788-8525
- 000181
EVANGELICAL COMMUNITY HOSPITAL—S
1 HOSPITAL DRIVE
LEWISBURG, PA 17837
(570) 522-2510

021431
FITNESS FOR DUTY CENTER—S
PPL SUSQUEHANNA LLC
769 SALEM BLVD
BERWICK, PA 18603
(570) 542-3336

000192
FRANKFORD HOSP BUCKS CO CAMPUS—S
380 NORTH OXFORD VALLEY ROAD
LANGHORNE, PA 19047-8304
(215) 934-5227

000341
FRANKFORD HOSP TC LAB—S
RED LION & KNIGHTS ROADS
ATTN P FARANO MD
PHILADELPHIA, PA 19114
(215) 612-4000

000236
FRANKFORD HOSPITAL FRANK DIV—S
FRANKFORD AVE & WAKELING ST
PHILADELPHIA, PA 19124
(215) 831-2068

000115
FRICK HOSPITAL—S
508 SOUTH CHURCH STREET
MOUNT PLEASANT, PA 15666
(724) 547-1500

020644
FRIENDS HOSPITAL—S
4641 ROOSEVELT BOULEVARD
PHILADELPHIA, PA 19124-2399
(215) 831-4600

009163
FRIENDS MEDICAL LAB INC—SC
5820 SOUTHWESTERN BLVD
BALTIMORE, MD 21227
(412) 247-4417

000330
FULTON COUNTY MEDICAL CENTER—S
216 SOUTH FIRST STREET
MCCONNELLSBURG, PA 17233
(717) 485-3155

030188
GARCIA CLINICAL LABORATORY INC—S
2195 SPRING ARBOR ROAD
JACKSON, MI 49201
(517) 787-9200

000173
GEISINGER MEDICAL CENTER—SC
N ACADEMY ROAD
DANVILLE, PA 17822
(570) 271-6338

000017
GEISINGER SOUTH WILKES-BARRE HOSPITAL—S
25 CHURCH STREET
WILKES-BARRE, PA 18765
(570) 826-3100

000019
GEISINGER WYOMING VALLEY MED CTR—S
1000 E MOUNTAIN DRIVE
WILKES-BARRE, PA 18711
(570) 826-7830

000237
GERMANTOWN COMM HLTH WILLOW TERR—S
ONE PENN BOULEVARD
PHILADELPHIA, PA 19144
(215) 951-8800

026799
GHHA OCCUPATIONAL HEALTH CENTER LAB—S
50 MOISEY DRIVE
HAZLETON, PA 18202
(570) 459-1028

000152
GNADEN HUETTEN MEMORIAL HOSP—S
211 NORTH 12TH STREET
LEHIGHTON, PA 18235
(610) 377-7083

000299
GOOD SAMARITAN HOSPITAL—S
4TH & WALNUT STS P O BOX 1281
LEBANON, PA 17042-1218
(717) 270-7500

000182
GOOD SAMARITAN REGIONAL MED CTR—S
700 EAST NORWEGIAN STREET
POTTSVILLE, PA 17901
(570) 621-4032

025957
GRAHAM-MASSEY ANALYTICAL LABS—SC
60 TODD ROAD
SHELTON, CT 06484
(203) 926-1100

000061
GROVE CITY MEDICAL CENTER—S
631 NORTH BROAD STREET EXT
GROVE CITY, PA 16127
(724) 450-7125

000654
GUTHRIE CLINIC PATH LAB—S
GUTHRIE SQUARE
SAYRE, PA 18840
(570) 888-5858

000239
HAHNEMANN UNIVERSITY HOSPITAL—S
BROAD & VINE STS MS 113
PHILADELPHIA, PA 19102
(215) 762-1783

000139
HANOVER HOSPITAL LABORATORY—S
300 HIGHLAND AVE
HANOVER, PA 17331
(717) 637-3711

000155
HARRISBURG HOSPITAL LABORATORY—S
MEDICAL SCIENCES BUILDING
100 2ND STREET
HARRISBURG, PA 17105
(570) 782-2832

000010
HAZLETON GENERAL HOSPITAL—S
700 EAST BROAD
HAZLETON, PA 18201
(570) 501-4152

000169
HEALTH NETWORK LABORATORIES—S
1627 WEST CHEW STREET
ALLENTOWN, PA 18102
(610) 402-2236

000549
HEALTH NETWORK LABORATORIES—S
1200 SOUTH CEDAR CREST BLVD
ALLENTOWN, PA 18103
(610) 402-8150

000600
HEALTH NETWORK LABORATORIES—S
2545 SCHOENERSVILLE ROAD
BETHLEHEM, PA 18017-7384
(484) 884-2259

024655
HEALTH NETWORK LABORATORIES—SC
2024 LEHIGH STREET
ALLENTOWN, PA 18103-4798
(610) 402-8150

000166
HEART OF LANCASTER REGIONAL MEDICAL
CENTER—S
1500 HIGHLANDS DRIVE
LITITZ, PA 17543
(717) 625-5605

000103
HIGHLANDS HOSPITAL—S
401 EAST MURPHY AVENUE
CONNELLSVILLE, PA 15425
(724) 628-1500

000216
HOLY REDEEMER HOSPITAL—S
1648 HUNTINGDON PIKE
MEADOWBROOK, PA 19046
(215) 947-3000

000130
HOLY SPIRIT HOSPITAL—SC
503 N 21ST STREET
CAMP HILL, PA 17011-2288
(717) 763-2206

000052
INDIANA REGIONAL MEDICAL CENTER—S
HOSPITAL ROAD PO BOX 788
INDIANA, PA 15701-0788
(724) 357-7167

022201
INTERNATIONAL MEDICAL SYSTEMS—S
1430 DEKALB STREET
MONT CO DEPT OF HEALTH LABS
NORRISTOWN, PA 19404
(610) 292-0613

000135
J C BLAIR MEMORIAL HOSPITAL—S
1225 WARM SPRINGS AVENUE
HUNTINGDON, PA 16652
(814) 643-8645

000054
JAMESON MEMORIAL HOSPITAL—S
1211 WILMINGTON AVENUE
NEW CASTLE, PA 16105
(724) 656-4080

000240
JEANES HOSPITAL—S
7600 CENTRAL AVE
PHILADELPHIA, PA 19111
(215) 728-2347

000038
JEFFERSON REGIONAL MED CTR—S
565 COAL VALLEY ROAD
BIBRO BLDG 4TH FLOOR
PITTSBURGH, PA 15236
(412) 469-5723

000200
JENNERSVILLE REGIONAL HOSPITAL—S
1015 WEST BALTIMORE PIKE
WEST GROVE, PA 19390
(610) 869-1080

000312
JERSEY SHORE HOSPITAL—S
1020 THOMPSON STREET
JERSEY SHORE, PA 17740
(570) 398-0100

000532
KENSINGTON HOSPITAL—S
136 WEST DIAMOND STREET
PHILADELPHIA, PA 19122
(215) 426-8100

026008
KROLL LABORATORY SPECIALISTS—SC
1111 NEWTON STREET
GRETNA, LA 70053
(504) 361-8989

021306
LAB CORP OCCUPATIONAL TEST SRVCS—SC
1120 STATELINE ROAD WEST
SOUTHAVEN, MS 38671
(886) 827-8042

020512
LABCORP OCCUPATIONAL TESTING SER—SC
1904 ALEXANDER DRIVE
PO BOX 12652
RESRCH TRNGL PARK, NC 27709
(919) 572-7465

001088
LABCORP OF AMERICA HOLDINGS—SC
69 FIRST AVE PO BOX 500
RARITAN, NJ 08869
(908) 526-2400

000165
LANCASTER GENERAL HOSPITAL—S
555 N DUKE STREET
PO BOX 3555
LANCASTER, PA 17604
(717) 299-5511

000167
LANCASTER REGIONAL MED CENTER—S
250 COLLEGE AVENUE
PO BOX 3434
LANCASTER, PA 17604
(717) 291-8022

000114
LATROBE AREA HOSPITAL—S
121 W SECOND AVENUE
LATROBE, PA 15650
(724) 537-1550

000138
LEWISTOWN HOSPITAL—S
400 HIGHLAND AVENUE
LEWISTOWN, PA 17044
(717) 248-5411

- 000030
LOCK HAVEN HOSPITAL—S
24 CREE DRIVE
LOCK HAVEN, PA 17745
(570) 893-5000
- 000193
LOWER BUCKS HOSPITAL LABORATORY—S
501 BATH ROAD
BRISTOL, PA 19007
(215) 785-9300
- 000639
MAGEE-WOMENS HOSPITAL OF UPMC HEALTH
SYSTEM—S
300 HALKET STREET
PITTSBURGH, PA 15213
(412) 647-4651
- 000242
MAIN LINE CLIN LABS LANKENAU CP—S
100 EAST LANCASTER AVENUE
WYNNEWOOD, PA 19096
(610) 645-2615
- 000213
MAIN LINE HEALTH LAB-BRYN MAWR—S
130 BRYN MAWR AVENUE
BRYN MAWR, PA 19010
(610) 526-3554
- 000199
MAIN LINE HEALTH LABS-PAOLI—S
255 WEST LANCASTER AVENUE
PAOLI, PA 19301
(610) 648-1000
- 000004
MARIAN COMMUNITY HOSPITAL—S
100 LINCOLN AVENUE
CARBONDALE, PA 18407
(717) 281-1042
- 027684
MARWORTH—S
BOX 36 LILLY LAKE ROAD
WAVERLY, PA 18471
(570) 563-1112
- 009003
MAYO CLINIC DEPT LAB MED & PATH—SC
200 FIRST STREET
SW HILTON 530
ROCHESTER, MN 55905
(507) 284-3018
- 000049
MEADVILLE MED CTR-LIBERTY ST—S
751 LIBERTY STREET
MEADVILLE, PA 16335
(814) 336-5000
- 005574
MEDTOX LABORATORIES INC—SC
402 WEST COUNTY ROAD D
ST PAUL, MN 55112
(651) 636-7466
- 000023
MEMORIAL HOSPITAL LAB—S
1 HOSPITAL DRIVE
TOWANDA, PA 18848
(570) 265-2191
- 000203
MERCY FITZGERALD HOSPITAL—S
1500 LANSDOWNE AVENUE
DARBY, PA 19023
(610) 237-4262
- 000247
MERCY HEALTH LAB/MHOP—S
501 S 54TH STREET
PHILADELPHIA, PA 19143
(215) 748-9181
- 000219
MERCY HEALTH LAB/MSH—S
2701 DEKALB PIKE
NORRISTOWN, PA 19401
(610) 278-2090
- 000336
MERCY HEALTH PARTNERS—S
746 JEFFERSON AVENUE
SCRANTON, PA 18510
(570) 348-7100
- 000082
MERCY HOSPITAL OF PITTSBURGH—S
1400 LOCUST STREET
PITTSBURGH, PA 15219
(412) 232-7831
- 000113
MERCY JEANNETTE HOSPITAL—S
600 JEFFERSON AVENUE
JEANNETTE, PA 15644
(724) 527-9330
- 028436
METHODIST HOSP DIV TJUH INC ER LAB—S
2301 SOUTH BROAD STREET
PHILADELPHIA, PA 19148
(215) 952-9055
- 000245
METHODIST HOSP DIVISION/TJUH INC—S
1900 S BROAD STREET
PHILADELPHIA, PA 19145
(215) 952-9059
- 000128
MINERS MEDICAL CENTER—S
290 HAIDA AVENUE
PO BOX 689
HASTINGS, PA 16646
(814) 247-3100
- 028907
MIRMONT TREATMENT CENTER—S
100 YEARSLEY MILL ROAD
LIMA, PA 19063
(610) 744-1400
- 000108
MONONGAHELA VALLEY HOSPITAL INC—S
1163 COUNTRY CLUB ROAD
MONONGAHELA, PA 15063
(724) 258-1021
- 000217
MONTGOMERY HOSPITAL LAB—S
POWELL & FORNANCE STS
NORRISTOWN, PA 19401
(610) 270-2173
- 000214
MOSS REHAB EINSTEIN AT ELKINS PARK—S
60 EAST TOWNSHIP LINE ROAD
ELKINS PARK, PA 19027
(215) 663-6102

000025
MOUNT NITTANY MEDICAL CENTER—S
1800 EAST PARK AVENUE
STATE COLLEGE, PA 16803
(814) 234-6117

000035
MUNCY VALLEY HOSPITAL—S
215 EAST WATER ST
MUNCY, PA 17756
(570) 546-8282

000304
NASON HOSPITAL—S
105 NASON DRIVE
ROARING SPRING, PA 16673
(814) 224-2141

000504
NATIONAL MED SVCS INC/DBA NMS LABS—SC
3701 WELSH ROAD
WILLOW GROVE, PA 19090
(215) 657-4900

000248
NAZARETH HOSPITAL—S
2601 HOLME AVE
PHILADELPHIA, PA 19152
(215) 335-6245

027246
NORCHEM DRUG TESTING LABORATORY—SC
1760 EAST ROUTE 66, SUITE 1
FLAGSTAFF, AZ 86004
(928) 526-1011

029741
NORTHERN TIER RESEARCH—SC
1300 OLD PLANK ROAD
MAYFIELD, PA 18433
(570) 351-6153

000099
OHIO VALLEY GENERAL HOSPITAL—S
25 HECKEL RD
MCKEES ROCKS, PA 15136
(412) 777-6161

000250
PARKWAY CLINICAL LABORATORIES—S
3494 D PROGRESS DRIVE
BENSALEM, PA 19020
(215) 245-5112

000258
PENN PRESBYTERIAN MEDICAL CENTER—S
51 NORTH 39TH ST
DEPT OF PATH & LAB 5TH FL RM 530
PHILADELPHIA, PA 19104-2640
(215) 662-3435

000316
PENN STATE MILTON S HERSHEY MED CTR—S
500 UNIVERSITY DRIVE
DEPT OF PATHOLOGY & LAB MEDICINE
HERSHEY, PA 17033
(717) 531-8353

022533
PENNSYLVANIA DEPT OF HEALTH—SC
110 PICKERING WAY
LIONVILLE, PA 19353
(610) 280-3464

000251
PENNSYLVANIA HOSP OF THE UNIV OF PA HLTH—S
800 SPRUCE STREETS
PHILADELPHIA, PA 19107
(215) 829-3541

000197
PHOENIXVILLE HOSPITAL LABORATORY—S
140 NUTT ROAD
DEPT OF PATHOLOGY
PHOENIXVILLE, PA 19460-0809
(610) 983-1612

000157
PINNACLEHLTH/COMM GEN OSTEO HOSP—S
4300 LONDONDERRY RD
PO BOX 3000
HARRISBURG, PA 17109
(717) 657-7214

000520
PITTSBURGH CRIMINALISTICS LABORATORY—SC
1320 FIFTH AVENUE
PITTSBURGH, PA 15219
(412) 391-6118

000022
POCONO MEDICAL CENTER LAB—S
206 EAST BROWN STREET
EAST STROUDSBURG, PA 18301
(570) 476-3544

000221
POTTSTOWN HOSPITAL COMPANY, LLC—S
1600 EAST HIGH STREET
POTTSTOWN, PA 19464
(610) 327-7000

000183
POTTSVILLE HOSP AND WARNE CLINIC—S
420 SOUTH JACKSON STREET
POTTSVILLE, PA 17901
(570) 621-5262

000516
PRINCETON BIOMEDICAL LABS INC—S
2921 NEW RODGERS ROAD
BRISTOL, PA 19007
(215) 785-5200

021648
PSYCHEMEDICS CORPORATION—SC
5832 UPLANDER WAY
CULVER CITY, CA 90230
(800) 522-7424

000300
PUNXSUTAWNEY AREA HOSPITAL—S
81 HILLCREST DRIVE
PUNXSUTAWNEY, PA 15767
(814) 938-1800

022715
QUEST DIAGNOSTICS—SC
10101 RENNEN BOULEVARD
LENEXA, KS 66219-9752
(913) 888-1770

000315
QUEST DIAGNOSTICS CLINICAL LABS INC—S
900 BUSINESS CENTER DRIVE
HORSHAM, PA 19044
(215) 957-9300

- 027461
QUEST DIAGNOSTICS INC—SC
400 EGYPT ROAD
NORRISTOWN, PA 19403
(610) 631-4219
- 001136
QUEST DIAGNOSTICS NICHOLS INSTITUTE—SC
14225 NEWBROOK DRIVE
PO BOX 10841
CHANTILLY, VA 20153-0841
(703) 802-6900
- 000482
QUEST DIAGNOSTICS OF PA INC—SC
875 GREENTREE ROAD
4 PARKWAY CENTER
PITTSBURGH, PA 15220-3610
(412) 920-7600
- 025461
QUEST DIAGNOSTICS VENTURE LLC—SC
875 GREENTREE ROAD
4 PARKWAY CENTER
PITTSBURGH, PA 15220-3610
(412) 920-7631
- 024249
QUINTILES LABORATORIES LTD—SC
5500 HIGHLANDS PARKWAY SUITE 600
SMYRNA, GA 30082
(770) 373-3500
- 000150
READING HOSPITAL & MED CTR—S
6TH AND SPRUCE STREETS
WEST READING, PA 19611
(610) 988-8080
- 025348
REDWOOD TOXICOLOGY LABORATORY—SC
3650 WESTWIND BOULEVARD
SANTA ROSA, CA 95403
(707) 577-7958
- 000206
RIDDLE MEMORIAL HOSPITAL—S
BALTIMORE PIKE HIGHWAY 1
MEDIA, PA 19063
(610) 566-9400
- 000243
ROXBOROUGH MEMORIAL HOSPITAL—S
5800 RIDGE AVE
PHILADELPHIA, PA 19128
(215) 487-4394
- 000171
SACRED HEART HOSPITAL—S
4TH & CHEW STS
ALLENTOWN, PA 18102
(610) 776-4727
- 000087
SAINT CLAIR MEMORIAL HOSPITAL—S
1000 BOWER HILL RD
PITTSBURGH, PA 15243
(412) 561-4900
- 000174
SAINT LUKES HOSPITAL—S
801 OSTRUM STREET
BETHLEHEM, PA 18015
(610) 954-4558
- 000328
SAINT MARY MEDICAL CENTER—S
LANGHORNE—NEWTOWN RD
LANGHORNE, PA 19047
(215) 710-2162
- 029838
SAN DIEGO REFERENCE LABORATORY—SC
6122 NANCY RIDGE DRIVE
SAN DIEGO, CA 92121
(800) 677-7995
- 024496
SCIENTIFIC TESTING LABS INC—SC
450 SOUTHLAKE BOULEVARD
RICHMOND, VA 23236
(804) 378-9130
- 028471
SECON A DIVISION OF CIVIGENICS—S
260 LA RUE FRANCE
LAFAYETTE, LA 70508
(337) 291-9501
- 029038
SECON OF NEW ENGLAND—SC
415 MAIN STREET
4TH FLOOR
WORCESTER, MA 01608
(508) 831-0703
- 000101
SEWICKLEY VALLEY HOSPITAL LAB—S
BLACKBURN RD & FITCH DRIVE
SEWICKLEY, PA 15143
(412) 741-6600
- 000185
SHAMOKIN AREA COMMUNITY HOSPITAL—S
4200 HOSPITAL ROAD
COAL TOWNSHIP, PA 17866-9697
(570) 644-4200
- 000064
SHARON REGIONAL HEALTH SYSTEM—S
740 EAST STATE STREET
SHARON, PA 16146
(724) 983-3911
- 027649
SMA MEDICAL LABORATORIES—S
940 PENNSYLVANIA BOULEVARD UNIT E
UPPER HOLLAND, PA 19053
(215) 322-6590
- 000039
SOLDIERS & SAILORS MEM HOSP—S
CENTRAL AVENUE
WELLSBORO, PA 16901
(570) 723-0133
- 000297
SOMERSET HOSPITAL CENTER FOR HEALTH—S
225 S CENTER AVENUE
SOMERSET, PA 15501
(814) 443-5000
- 022376
SPECIALTY LABORATORIES INC—S
27027 TOURNEY ROAD
VALENCIA, CA 91355
(661) 799-6543
- 000361
ST CATHERINE MED CTR-FOUNTAIN SPRINGS—S
101 BROAD STREET
ASHLAND, PA 17921
(570) 875-5988

000260
ST CHRISTOPHERS HOSP FOR CHILDREN—S
ERIE AVENUE AT FRONT STREET
PHILADELPHIA, PA 19134
(215) 427-5337

000151
ST JOSEPH QUALITY MEDICAL LAB—SC
2500 BERNVILLE ROAD
READING, PA 19605-9453
(610) 378-2200

000261
ST JOSEPH'S HOSPITAL-DIV NPHS—S
16TH ST & GIRARD AVENUE
PHILADELPHIA, PA 19130
(215) 787-9000

000318
ST LUKES HOSP ALLENTOWN CAMPUS—S
1736 HAMILTON STREET
ALLENTOWN, PA 18104
(610) 770-8300

000180
ST LUKES MINERS MEMORIAL HOSPITAL—S
360 WEST RUDDLE STREET
PO BOX 67
COALDALE, PA 18218
(570) 645-2131

029015
STERLING REFERENCE LABORATORIES—SC
2617 EAST L STREET
TACOMA, WA 98405
(253) 552-1551

000187
SUNBURY COMMUNITY HOSPITAL—S
350 NORTH 11TH STREET
SUNBURY, PA 17801
(570) 286-3333

000207
TAYLOR HOSPITAL DIV OF CCMC—S
175 EAST CHESTER PIKE
RIDLEY PARK, PA 19078
(610) 595-6450

024997
TECHNOW INC—SC
31 INDUSTRIAL HIGHWAY
ESSINGTON, PA 19029
(610) 362-0610

000249
TEMPLE EAST INC NE—S
2301 EAST ALLEGHENY AVENUE
PHILADELPHIA, PA 19134
(215) 291-3000

000235
TEMPLE UNIV HOSPITAL EPISCOPAL CAMPUS—S
100 EAST LEHIGH AVENUE
PHILADELPHIA, PA 19125-1098
(215) 707-0977

000265
TEMPLE UNIVERSITY HOSPITAL—S
3401 N BROAD ST
PHILADELPHIA, PA 19140
(215) 707-4353

000205
THE MEDICAL CENTER BEAVER PA—S
1000 DUTCH RIDGE ROAD
BEAVER, PA 15009-9700
(724) 728-7000

000104
THE UNIONTOWN HOSPITAL LABORATORY—S
500 WEST BERKELEY STREET
UNIONTOWN, PA 15401
(724) 430-5143

000085
THE WESTERN PA HOSP-FORBES REGIONAL
CAMPUS—S
2570 HAYMAKER ROAD
MONROEVILLE, PA 15146
(412) 858-2560

000241
THOMAS JEFFERSON UNIVERSITY HOSP—S
125 SOUTH 11TH STREET
204 PAVILION
PHILADELPHIA, PA 19107
(215) 955-6374

000051
TITUSVILLE AREA HOSPITAL—S
406 WEST OAK STREET
TITUSVILLE, PA 16354
(814) 827-1851

000313
TYLER MEMORIAL HOSPITAL—S
880 SR 6 W
TUNKHANNOCK, PA 18657-6149
(570) 836-4705

000121
UPMC BEDFORD MEMORIAL—S
10455 LINCOLN HIGHWAY
EVERETT, PA 15537
(814) 623-3506

000096
UPMC BRADDOCK—S
400 HOLLAND AVENUE
BRADDOCK, PA 15104
(412) 636-5291

000059
UPMC HORIZON GREENVILLE—S
110 NORTH MAIN STREET
GREENVILLE, PA 16125
(724) 588-2100

000057
UPMC HORIZON SHENANGO—S
2200 MEMORIAL DRIVE
FARRELL, PA 16121
(724) 981-3500

000098
UPMC MCKEESPORT LABORATORY—S
1500 FIFTH AVENUE
MCKEESPORT, PA 15132
(412) 664-2233

000058
UPMC NORTHWEST—S
100 FAIRFIELD DRIVE
SENECA, PA 16346
(814) 676-7120

005784
UPMC PASSAVANT LABORATORY CRANBERRY—S
ONE ST FRANCIS WAY
CRANBERRY TOWNSHIP, PA 16066
(724) 772-5370

000083
UPMC PRESBYTERIAN SHADYSIDE CP PUH—SC
ROOM 5929 MAIN TOWER CHP
200 LOTHROP STREET
PITTSBURGH, PA 15213-2582
(412) 648-6000

000091
UPMC SAINT MARGARET HOSPITAL—S
815 FREEPORT ROAD
PITTSBURGH, PA 15215
(412) 784-4000

000092
UPMC SHADYSIDE—S
5230 CENTRE AVENUE
GROUND FLOOR WEST WING
PITTSBURGH, PA 15232
(412) 623-5950

000093
UPMC SOUTH SIDE—S
2000 MARY STREET
PITTSBURGH, PA 15203
(412) 488-5731

027225
US DRUG TESTING LABORATORIES INC—SC
1700 SOUTH MOUNT PROSPECT ROAD
DES PLAINES, IL 60018
(847) 375-0770

000335
VALLEY FORGE MED CTR & HOSP—S
1033 W GERMANTOWN PIKE
NORRISTOWN, PA 19403
(610) 539-8500

000622
WARMINSTER HOSPITAL—S
225 NEWTOWN ROAD
WARMINSTER, PA 18974
(215) 441-6700

000066
WARREN GENERAL HOSPITAL—S
2 CRESCENT PARK
WARREN, PA 16365
(814) 723-3300

000133
WAYNESBORO HOSPITAL—S
501 E MAIN STREET
WAYNESBORO, PA 17268
(717) 765-3403

000095
WESTERN PENNSYLVANIA HOSPITAL—S
4800 FRIENDSHIP AVE
PITTSBURGH, PA 15224
(412) 578-5779

007731
WESTERN RESERVE CARE SYSTEM—SC
500 GYPSY LANE
YOUNGSTOWN, OH 44501
(330) 884-3767

030245
WESTFIELD HOSPITAL LABORATORY—S
4815 W TILGHMAN STREET
ALLENTOWN, PA 18104
(610) 776-1603

000112
WESTMORELAND REGIONAL HOSPITAL—S
532 W PITTSBURGH ST
GREENSBURG, PA 15601
(724) 832-4365

000037
WILLIAMSPORT HOSP & MED CENTER—S
777 RURAL AVENUE
WILLIAMSPORT, PA 17701-3198
(570) 321-2300

000018
WVHCS HOSP DBA PENNANT LABORATORY—SC
575 NORTH RIVER STREET
WILKES-BARRE, PA 18764
(570) 829-8111

000141
YORK HOSPITAL—S
1001 SOUTH GEORGE STREET
YORK, PA 17405
(717) 851-2345

CALVIN B. JOHNSON, M. D., M.P.H.,
Secretary

[Pa.B. Doc. No. 07-1672. Filed for public inspection September 7, 2007, 9:00 a.m.]

Laboratories Approved to Perform Blood Lead and/or Erythrocyte Protoporphyrin Determinations

The following laboratories are licensed in accordance with the Clinical Laboratory Act (35 P. S. §§ 2151—2165) and/or the Federal Clinical Laboratory Improvement Act of 1967 (42 U.S.C.A. § 263a), and are currently approved under 28 Pa. Code § 5.50 (relating to approval to provide special analytical services) to perform analyses of blood for lead or erythrocyte protoporphyrin content. This approval is based on demonstrated proficiency in periodic evaluations conducted by the Bureau of Laboratories of the Department of Health (Department).

Lead poisoning is a reportable noncommunicable disease. Approved laboratories which offer blood lead testing services are required to inform the Department of actual or possible incidents of this condition in accordance with 28 Pa. Code § 27.34 (relating to reporting cases of lead poisoning). These regulations specify the following requirements for reporting by clinical laboratories.

(1) A clinical laboratory shall report all blood lead test results on both venous and capillary specimens for persons under 16 years of age to the Department's Childhood Lead Poisoning Prevention Program, Division of Maternal and Child Health, Bureau of Family Health.

(2) A clinical laboratory shall report an elevated blood lead level in a person 16 years of age or older to the Department's Division of Environmental Health Epidemiology, Bureau of Epidemiology or to other locations as designated by the Department. An elevated blood lead level is defined by the National Institute for Occupational Safety and Health (NIOSH). As of January 26, 2002, NIOSH defines an elevated blood lead level as a venous blood lead level of 25 micrograms per deciliter ($\mu\text{g}/\text{dL}$) or higher. The Department will publish in the *Pennsylvania Bulletin* any NIOSH update of the definition within 30 days of NIOSH's notification to the Department.

(3) A clinical laboratory which conducts blood lead tests on 100 or more specimens per month shall submit results electronically in a format specified by the Department.

(4) A clinical laboratory which conducts blood lead tests on less than 100 blood lead specimens per month shall submit results either electronically or by hard copy in the format specified by the Department.

(5) A laboratory which performs blood lead tests on blood specimens collected in this Commonwealth shall be licensed as a clinical laboratory and shall be specifically approved by the Department to conduct those tests.

(6) Blood lead analyses requested for occupational health purposes on blood specimens collected in this Commonwealth shall be performed only by laboratories which are licensed and approved as specified in paragraph (5), and which are also approved by the Occupational Safety and Health Administration of the United States Department of Labor under 29 CFR 1910.1025(j)(2)(iii) (relating to lead).

(7) A clinical laboratory shall complete a blood lead test within 5 work days of the receipt of the blood specimen and shall submit the case report to the Department by the close of business of the next work day after the day on which the test was performed. The clinical laboratory shall submit a report of lead poisoning using either the hard-copy form or electronic transmission format specified by the Department.

(8) When a clinical laboratory receives a blood specimen without all of the information required for reporting purposes, the clinical laboratory shall test the specimen and shall submit the incomplete report to the Department.

Erythrocyte protoporphyrin determinations may be performed as an adjunct determination to substantiate blood lead levels of 25 micrograms per deciliter or higher. Since erythrocyte protoporphyrin concentrations may not increase as a result of low-level exposures to lead, direct blood lead analysis is the only reliable method for identifying individuals with blood lead concentrations below 25 micrograms per deciliter.

Persons seeking blood lead or erythrocyte protoporphyrin analyses should determine that the laboratory employs techniques and procedures acceptable for the purpose for which the analyses are sought. Laboratories offering blood lead analysis only are designated with the letter "L" following the name of the laboratory. Those offering erythrocyte protoporphyrin analysis only are designated with the letter "P." Laboratories offering both services are designated with the letters "LP."

The list of approved laboratories will be revised approximately semiannually and published in the *Pennsylvania Bulletin*. The name of a laboratory is sometimes changed but the location, personnel and testing procedures of the facility remain unchanged. When changes of this type occur, the Clinical Laboratory Permit number does not change. If questions arise about the identity of a laboratory due to a name change, the Clinical Laboratory Permit number should be used as the primary identifier. To assist in identifying a laboratory that performed a test if the name of the facility changed, the Clinical Laboratory Permit numbers of the facilities are included in the lists of approved laboratories above the name of the laboratory at the time the list was prepared.

The Department's blood lead proficiency testing program is approved by the United States Department of Health and Human Services in accordance with the

requirements contained in the Clinical Laboratory Improvement Amendments of 1988 (42 CFR 493.901 and 493.937) which are administered by the Centers for Medicare and Medicaid Services. Participation in these programs may therefore be used to demonstrate acceptable performance for approval purposes under both Federal and Commonwealth statutes.

Questions regarding this list should be directed to M. Jeffery Shoemaker, Ph.D., Director, Division of Chemistry and Toxicology, Department of Health, Bureau of Laboratories, P. O. Box 500, Exton, PA 19341-0500, (610) 280-3464.

Persons with a disability who require an alternative format of this notice (for example, large print, audiotape, Braille) should contact Dr. Shoemaker at the previously referenced address or phone number. Persons who are speech or hearing impaired may use V/TT: (717) 783-6514 or the Pennsylvania AT&T Relay Service at (800) 654-5984 (TT).

022912

ACL LABORATORIES—LP
8901 WEST LINCOLN AVE
WEST ALLIS, WI 53227
(414) 328-7945

000016

ANGELINE KIRBY MEM HEALTH CENTER—L
71 NORTH FRANKLIN STREET
WILKES-BARRE, PA 18701
(570) 823-5450

020506

CENTRAL PA ALLIANCE LABORATORY—LP
1803 MT ROSE AVENUE
SUITE C3-C4
YORK, PA 17403
(717) 851-1426

000228

CHILDRENS HOSP OF PHILADELPHIA—L
ONE CHILDREN'S CENTER 34TH & CIVIC
PHILADELPHIA, PA 19104
(215) 590-1000

027845

CLINICAL REFERENCE LABORATORY—LP
8433 QUIVIRA ROAD
LENEXA, KS 66215
(913) 492-3652

000561

EAST PENN MFG CO INC—LP
DEKA RD KELLER TECH CENTER
PO BOX 147
LYONS STATION, PA 19536
(610) 682-6361

000332

ELLWOOD CITY HOSPITAL—LP
724 PERSHING ST
ELLWOOD CITY, PA 16117
(724) 752-0081

000173

GEISINGER MEDICAL CENTER—L
N ACADEMY ROAD
DANVILLE, PA 17822
(570) 271-6338

025914

GENOVA DIAGNOSTICS—L
63 ZILICOA STREET
ASHEVILLE, NC 28801
(828) 253-0621

020802
HAGERSTOWN MEDICAL LABORATORY—L
11110 MEDICAL CAMPUS RD STE 230
HAGERSTOWN, MD 21742
(301) 790-8670

024655
HEALTH NETWORK LABORATORIES—LP
2024 LEHIGH STREET
ALLENTOWN, PA 18103-4798
(610) 402-8150

005618
LAB CORP OF AMERICA HOLDINGS—LP
6370 WILCOX ROAD
DUBLIN, OH 43016-1296
(800) 282-7300

021885
LAB CORP OF AMERICA HOLDINGS—LP
1447 YORK COURT
BURLINGTON, NC 27215
(800) 334-5161

001088
LABCORP OF AMERICA HOLDINGS—LP
69 FIRST AVE PO BOX 500
RARITAN, NJ 08869
(908) 526-2400

009523
LABORATORY CORP OF AMERICA—L
13900 PARK CENTER ROAD
HERNDON, VA 20171
(703) 742-3100

000242
MAIN LINE CLIN LABS LANKENAU CP—L
100 EAST LANCASTER AVENUE
WYNNEWOOD, PA 19096
(610) 645-2615

029685
MAYO CLINIC DEPARTMENT OF LAB MEDICINE &
PATHOLOGY—L
200 FIRST STREET SW
ROCHESTER, MN 55905
(507) 284-0453

009003
MAYO CLINIC DEPT LAB MED & PATH—P
200 FIRST STREET
SW HILTON 530
ROCHESTER, MN 55905
(507) 284-3018

029251
MAYO MEDICAL LABORATORIES NEW
ENGLAND—LP
265 BALLARDVALE STREET
WILMINGTON, MA 01887
(978) 658-3600

026302
MEDICAL ASSOCIATES PC—P
935 HIGHLAND BLVD SUITE 4400
BOZEMAN, MT 59715
(406) 587-5123

005574
MEDTOX LABORATORIES INC—LP
402 WEST COUNTY ROAD D
ST PAUL, MN 55112
(651) 636-7466

000203
MERCY FITZGERALD HOSPITAL—L
1500 LANSDOWNE AVENUE
DARBY, PA 19023
(610) 237-4262

000504
NATIONAL MED SVCS INC/DBA NMS LABS—LP
3701 WELSH ROAD
WILLOW GROVE, PA 19090
(215) 657-4900

023801
PACIFIC TOXICOLOGY LABORATORIES—LP
9348 DE SOTO AVENUE
CHATSWORTH, CA 91311
(818) 598-3110

022533
PENNSYLVANIA DEPT OF HEALTH—LP
110 PICKERING WAY
LIONVILLE, PA 19353
(610) 280-3464

000022
POCONO MEDICAL CENTER LAB—L
206 EAST BROWN STREET
EAST STROUDSBURG, PA 18301
(570) 476-3544

000324
PRIMARY CARE HLTH SERV INC LAB—L
7227 HAMILTON AVE
PITTSBURGH, PA 15208
(412) 244-4728

000255
PUBLIC HEALTH LAB CITY OF PHILA—L
500 SOUTH BROAD STREET
ROOM 359
PHILADELPHIA, PA 19146
(215) 685-6812

022715
QUEST DIAGNOSTICS—LP
10101 RENNER BOULEVARD
LENEXA, KS 66219-9752
(913) 888-1770

000315
QUEST DIAGNOSTICS CLINICAL LABS INC—LP
900 BUSINESS CENTER DRIVE
HORSHAM, PA 19044
(215) 957-9300

000669
QUEST DIAGNOSTICS INCORPORATED—L
ONE MALCOLM AVENUE
TETERBORO, NJ 07608
(201) 393-5602

001136
QUEST DIAGNOSTICS NICHOLS INSTITUTE—LP
14225 NEWBROOK DRIVE
PO BOX 10841
CHANTILLY, VA 20153-0841
(703) 802-6900

000482

QUEST DIAGNOSTICS OF PA INC—LP
875 GREENTREE ROAD
4 PARKWAY CENTER
PITTSBURGH, PA 15220-3610
(412) 920-7600

025461

QUEST DIAGNOSTICS VENTURE LLC—LP
875 GREENTREE ROAD
4 PARKWAY CENTER
PITTSBURGH, PA 15220-3610
(412) 920-7631

000150

READING HOSPITAL & MED CTR—L
6TH AND SPRUCE STREETS
WEST READING, PA 19611
(610) 988-8080

022376

SPECIALTY LABORATORIES INC—L
27027 TOURNEY ROAD
VALENCIA, CA 91355
(661) 799-6543

000151

ST JOSEPH QUALITY MEDICAL LAB—L
2500 BERNVILLE ROAD
READING, PA 19605-9453
(610) 378-2200

000104

THE UNIONTOWN HOSPITAL LABORATORY—L
500 WEST BERKELEY STREET
UNIONTOWN, PA 15401
(724) 430-5143

000083

UPMC PRESBYTERIAN SHADYSIDE CP PUH—L
ROOM 5929 MAIN TOWER CHP
200 LOTHROP STREET
PITTSBURGH, PA 15213-2582
(412) 648-6000

CALVIN B. JOHNSON, M. D., M.P.H.,
Secretary

[Pa.B. Doc. No. 07-1673. Filed for public inspection September 7, 2007, 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>
A. Gallo Contractors, Inc. and Gary S. Love, individually	427 Glendale Avenue Maple Shade, NJ 08052	8/21/2007

STEPHEN M. SCHMERIN,
Secretary

[Pa.B. Doc. No. 07-1674. Filed for public inspection September 7, 2007, 9:00 a.m.]

PennSERVE Grant Funding

PennSERVE announces the availability of grant funding for operation of local AmeriCorps programs beginning in August 2008. Eligible applicants are community and faith-based nonprofit organizations, government agencies and educational institutions. The grants support the recruitment, training and management of AmeriCorps members who meet local needs in the areas of education, the environment, public safety, homeland security and other critical needs. A cash and in-kind match is required. Complete applications are due by 3 p.m. on Friday, November 2, 2007. The AmeriCorps Application and Instructions (RFA#-2008-ACS-01) are available on the PennSERVE website located at www.pennserve.state.pa.us, PennSERVE (866) 673-7838.

STEPHEN M. SCHMERIN,
Secretary

[Pa.B. Doc. No. 07-1675. Filed for public inspection September 7, 2007, 9:00 a.m.]

DEPARTMENT OF PUBLIC WELFARE

Ongoing List of Behavioral Health Managed Care Organizations

The Department of Public Welfare (Department) is maintaining an ongoing list of qualified behavioral health managed care organizations (BH-MCO) as potential contractors for the HealthChoices Behavioral Health Program (HCBHP). New submissions are being requested, from MCOs, which are not currently on the list. The development of this list was introduced at 31 Pa.B. 888 (February 10, 2001) as the first step in a two-step process for obtaining a behavioral health contractor, should the need arise. HCBHP is a mandatory managed care program for Medicaid recipients in this Commonwealth. Additional information about HCBHP is available at the Department's website www.dpw.state.pa.us/Business/HlthChcsBH/.

The list of qualified BH-MCOs would be utilized in the following circumstances including:

- Contract negotiations with a potential contractor selected through a Request for Proposal (RFP) process fail.
- A potential contractor selected through a RFP process fails the Readiness Review process; or
- An existing contractor terminates the contract or is terminated by the Department.

As stated at 31 Pa.B. 888, the list of qualified BH-MCOs will be opened periodically to new submissions which are not currently on the list. MCOs selected for the list of qualified bidders will remain active on the list for 2 years. After 2 years they will be required to resubmit information for consideration to remain on the list.

The following is a list of requirements necessary to qualify as a potential HCBHP contractor:

- One year experience with a State behavioral health Medicaid program.
- Not currently under suspension or debarment by the Commonwealth or any other state or Federal government.
- Licensed by the Department of Health and Insurance Department.
- Management Information System (MIS) experience in processing HIPAA compliant 837 files.

To apply as a potential HCBHP contractor, submit a letter of interest on official corporate letterhead by September 24, 2007, to Mike Root, Office of Mental Health and Substance Abuse Services, Room 238, DGS Complex Annex, Beechmont Building, P. O. Box 2675, Harrisburg, PA 17105, fax (717) 772-7964.

Submit the following information by 2 p.m. on October 8, 2007, to the Department of Public Welfare, Attention Daniel Boyd, Division of Procurement, Room 525, Health and Welfare Building, Commonwealth and Forster Streets, Harrisburg, PA 17120.

List of Deliverables:

1. Describe experience in providing services to Medicaid recipients including:
 - Type of behavioral health (mental health and drug and alcohol) services covered.
 - Description of categories of aid/population covered.
 - Number of years experience with Medicaid programs.
2. Provide a report on the number of claims processed (for Medicaid population) in the most recent 6-month period, including timeliness of processing clean claims and the number of claims paid/rejected.
3. Provide a flow chart of the MIS.
4. Provide evidence of capacity to submit HIPAA compliant 837 files.
5. Provide a copy of current Commonwealth license from the Departments of Health and Insurance Department.
6. Provide a copy of the most recent audited, annual filing with a state insurance department.
7. Provide a copy of the most recent annual audited company financial statement.
8. Outline a plan to start up or expand (if currently operating in this Commonwealth) operations in this Commonwealth.
9. Provide the name, address and phone number of three references familiar with the MCOs operations (one must provide reference from a State Medicaid program).

Department staff will verify the information submitted by the MCOs. As part of the verification process, the Department may conduct an onsite visit. Each MCO will be notified of its qualification status.

The second step of the process is outlined in the event that the list is utilized to obtain a contractor. The Department will:

- Contact the vendors on the list and verify their continued interest in obtaining a HCBHP contract.
- Inform the vendors of the county or counties requiring a BH-MCO contractor.
- Release a procurement document that contains the requirements for the HCBHP to the interested vendors on the list along with instructions on how to submit a bid.
- Evaluate all responses to the procurement document and select a contractor.

The previous two-step process will not replace the RFP process to obtain a HCBHP contract in the remainder of this Commonwealth. The procurement process for the expansion of HealthChoices the HCBHP into future zones will follow a similar procedure as established in the Southeast, Southwest Lehigh/Capital, Northeast, North Central State Option and North Central County Option zones which required a response to an RFP.

Questions should be directed to Mike Root, Office of Mental Health and Substance Abuse Services, Room 238, DGS Complex Annex, Beechmont Building, P. O. Box 2675, Harrisburg, PA 17105, (717) 772-7992, fax (717) 772-7964.

Persons with a disability who require an auxiliary aid or service should submit comments using the AT&T Relay Service at (800) 654-5984 (TDD users) or (800) 654-5984 (voice users).

ESTELLE B. RICHMAN,
Secretary

[Pa.B. Doc. No. 07-1676. Filed for public inspection September 7, 2007, 9:00 a.m.]

DEPARTMENT OF REVENUE

Pennsylvania 9's in a Line '07 Instant Lottery Game

Under the State Lottery Law (72 P. S. §§ 3761-101—3761-314) and 61 Pa. Code § 819.203 (relating to notice of instant game rules), the Secretary of Revenue hereby provides public notice of the rules for the following instant lottery game:

1. *Name:* The name of the game is Pennsylvania 9's in a Line '07.
2. *Price:* The price of a Pennsylvania 9's in a Line '07 instant lottery game ticket is \$1.

3. *Play Symbols:* Each Pennsylvania 9's in a Line '07 instant lottery game ticket will contain one play area, one "PRIZE" box area and a "BONUS BOX" area. The play symbols and their captions located in the play area are: 1 (ONE), 2 (TWO), 3 (THREE), 4 (FOUR), 5 (FIVE), 6 (SIX), 7 (SEVEN), 8 (EIGHT) and 9 (NINE). The play symbols and their captions located in the "BONUS BOX" area are: NO BONUS (TRY AGAIN), TRY AGAIN (NO BONUS) and a 9X symbol (9TIMES).

4. *Prize Symbols:* The prize symbols and their captions located in the "PRIZE" area are: FREE (TICKET), \$1⁰⁰ (ONE DOL), \$3⁰⁰ (THR DOL), \$9⁰⁰ (NIN DOL), \$10⁰⁰ (TEN DOL), \$50\$ (FIFTY), \$100 (ONE HUN), \$500 (FIV HUN) and \$9,000 (NIN THO).

5. *Prizes:* The prizes that can be won in this game are: Free \$1 Ticket, \$1, \$3, \$9, \$10, \$50, \$100, \$500 and \$9,000.

6. *Approximate Number of Tickets Printed For the Game:* Approximately 12,000,000 tickets will be printed for the Pennsylvania 9's in a Line '07 instant lottery game.

7. *Determination of Prize Winners:*

(a) Holders of tickets with three matching 9 (NINE) play symbols in the same row, column or diagonal and a prize symbol of \$9,000 (NIN THO) appearing in the "PRIZE" box area, on a single ticket, shall be entitled to a prize of \$9,000.

(b) Holders of tickets with three matching 9 (NINE) play symbols in the same row, column or diagonal and a prize symbol of \$100 (ONE HUN) appearing in the "PRIZE" box area and a 9X (9TIMES) bonus play symbol in the "BONUS BOX" area, on a single ticket, shall be entitled to a prize of \$900.

(c) Holders of tickets with three matching 9 (NINE) play symbols in the same row, column or diagonal and a prize symbol of \$500 (FIV HUN) appearing in the "PRIZE" box area, on a single ticket, shall be entitled to a prize of \$500.

(d) Holders of tickets with three matching 9 (NINE) play symbols in the same row, column or diagonal and a prize symbol of \$100 (ONE HUN) appearing in the "PRIZE" box area, on a single ticket, shall be entitled to a prize of \$100.

(e) Holders of tickets with three matching 9 (NINE) play symbols in the same row, column or diagonal and a prize symbol of \$10⁰⁰ (TEN DOL) appearing in the "PRIZE" box area and a 9X (9TIMES) bonus play symbol in the "BONUS BOX" area, on a single ticket, shall be entitled to a prize of \$90.

(f) Holders of tickets with three matching 9 (NINE) play symbols in the same row, column or diagonal and a prize symbol of \$9⁰⁰ (NIN DOL) appearing in the "PRIZE" box area and a 9X (9TIMES) bonus play symbol in the "BONUS BOX" area, on a single ticket, shall be entitled to a prize of \$81.

(g) Holders of tickets with three matching 9 (NINE) play symbols in the same row, column or diagonal and a prize symbol of \$50\$ (FIFTY) appearing in the "PRIZE" box area, on a single ticket, shall be entitled to a prize of \$50.

(h) Holders of tickets with three matching 9 (NINE) play symbols in the same row, column or diagonal and a prize symbol of \$3⁰⁰ (THR DOL) appearing in the "PRIZE" box area and a 9X (9TIMES) bonus play symbol in the "BONUS BOX" area, on a single ticket, shall be entitled to a prize of \$27.

(i) Holders of tickets with three matching 9 (NINE) play symbols in the same row, column or diagonal and a prize symbol of \$10⁰⁰ (TEN DOL) appearing in the "PRIZE" box area, on a single ticket, shall be entitled to a prize of \$10.

(j) Holders of tickets with three matching 9 (NINE) play symbols in the same row, column or diagonal and a prize symbol of \$9⁰⁰ (NIN DOL) appearing in the "PRIZE" box area, on a single ticket, shall be entitled to a prize of \$9.

(k) Holders of tickets with three matching 9 (NINE) play symbols in the same row, column or diagonal and a prize symbol of \$1⁰⁰ (ONE DOL) appearing in the "PRIZE" box area and a 9X (9TIMES) bonus play symbol in the "BONUS BOX" area, on a single ticket, shall be entitled to a prize of \$9.

(l) Holders of tickets with three matching 9 (NINE) play symbols in the same row, column or diagonal and a prize symbol of \$3⁰⁰ (THR DOL) appearing in the "PRIZE" box area, on a single ticket, shall be entitled to a prize of \$3.

(m) Holders of tickets with three matching 9 (NINE) play symbols in the same row, column or diagonal and a prize symbol of \$1⁰⁰ (ONE DOL) appearing in the "PRIZE" box area, on a single ticket, shall be entitled to a prize of \$1.

(n) Holders of tickets with three matching 9 (NINE) play symbols in the same row, column or diagonal and a prize symbol of FREE (TICKET) appearing in the "PRIZE" box area, on a single ticket, shall be entitled to a prize of one Pennsylvania 9's in a Line '07 instant game ticket or one Pennsylvania Lottery instant game ticket of equivalent sale price which is currently on sale.

8. *Number and Description of Prizes and Approximate Odds:* The following table sets forth the approximate number of winners, amounts of prizes and approximate odds of winning:

Get Three "9" Symbols
In Any Row, Column
Or Diagonal And
Win With Prize(s) Of:

	Win	Approximate Odds Are 1 In:	Approximate No. of Winners Per 12,000,000 Tickets
FREE	FREE \$1 TICKET	15	800,000
\$1	\$1	15	800,000
\$3	\$3	15.79	760,000
\$1 w/9X	\$9	150	80,000
\$9	\$9	300	40,000
\$10	\$10	300	40,000
\$3 w/9X	\$27	597.01	20,100
\$50	\$50	3,000	4,000
\$9 w/9X	\$81	3,871	3,100
\$10 w/9X	\$90	6,000	2,000
\$100	\$100	9,600	1,250
\$500	\$500	120,000	100

Get Three "9" Symbols
In Any Row, Column
Or Diagonal And
Win With Prize(s) Of:

\$100 w/9X
\$9,000

Win
\$900
\$9,000

Approximate
Odds Are 1 In:
80,000
240,000

Approximate No.
of Winners Per
12,000,000 Tickets
150
50

9X (9TIMES) in Bonus Box = Win 9 times the prize won.

Prizes, including top prizes, are subject to availability at the time of purchase.

9. *Retailer Incentive Awards:* The Lottery may conduct a separate Retailer Incentive Game for retailers who sell Pennsylvania 9's in a Line '07 instant lottery game tickets. The conduct of the game will be governed by 61 Pa. Code § 819.222 (relating to retailer bonuses and incentives).

10. *Unclaimed Prize Money:* For a period of 1 year from the announced close of Pennsylvania 9's in a Line '07, prize money from winning Pennsylvania 9's in a Line '07 instant lottery game tickets will be retained by the Secretary for payment to the persons entitled thereto. If no claim is made within 1 year of the announced close of the Pennsylvania 9's in a Line '07 instant lottery game, the right of a ticket holder to claim the prize represented by the ticket, if any, will expire and the prize money will be paid into the State Lottery Fund and used for purposes provided for by statute.

11. *Governing Law:* In purchasing a ticket, the customer agrees to comply with and abide by the State Lottery Law (72 P.S. §§ 3761-101—3761-314), 61 Pa. Code Part V (relating to State Lotteries) and the provisions contained in this notice.

12. *Termination of the Game:* The Secretary may announce a termination date, after which no further tickets from this game may be sold. The announcement will be disseminated through media used to advertise or promote Pennsylvania 9's in a Line '07 or through normal communications methods.

THOMAS W. WOLF,
Secretary

[Pa.B. Doc. No. 07-1677. Filed for public inspection September 7, 2007, 9:00 a.m.]

Pennsylvania \$100,000 A Year For Life '07 Instant Lottery Game

Under the State Lottery Law (72 P.S. §§ 3761-101—3761-314) and 61 Pa. Code § 819.203 (relating to notice of instant game rules), the Secretary of Revenue hereby provides public notice of the rules for the following instant lottery game:

1. *Name:* The name of the game is Pennsylvania \$100,000 A Year For Life '07.

2. *Price:* The price of a Pennsylvania \$100,000 A Year For Life '07 instant lottery game ticket is \$10.

3. *Play Symbols:* Each Pennsylvania \$100,000 A Year For Life '07 instant lottery game ticket will contain one play area featuring a "WINNING NUMBERS" area and a "YOUR NUMBERS" area. The play symbols and their captions located in the "WINNING NUMBERS" area are: 1 (ONE), 2 (TWO), 3 (THREE), 4 (FOUR), 5 (FIVE), 6

(SIX), 7 (SEVEN), 8 (EIGHT), 9 (NINE), 10 (TEN), 11 (ELEVN), 12 (TWLV), 13 (THRTN), 14 (FORTN), 15 (FIFTN), 16 (SIXTN), 17 (SVNTN), 18 (EGHTN), 19 (NINTN), 20 (TWENT), 21 (TWYONE), 22 (TWY TWO), 23 (TWYTHR), 24 (TWYFOR), 25 (TWYFIV), 26 (TWYSIX), 27 (TWYSVN), 28 (TWYEGT), 29 (TWYNIN) and 30 (THIRTY). The play symbols and their captions located in the "YOUR NUMBERS" area are: 1 (ONE), 2 (TWO), 3 (THREE), 4 (FOUR), 5 (FIVE), 6 (SIX), 7 (SEVEN), 8 (EIGHT), 9 (NINE), 10 (TEN), 11 (ELEVN), 12 (TWLV), 13 (THRTN), 14 (FORTN), 15 (FIFTN), 16 (SIXTN), 17 (SVNTN), 18 (EGHTN), 19 (NINTN), 20 (TWENT), 21 (TWYONE), 22 (TWY TWO), 23 (TWYTHR), 24 (TWYFOR), 25 (TWYFIV), 26 (TWYSIX), 27 (TWYSVN), 28 (TWYEGT), 29 (TWYNIN), 30 (THIRTY), Cash symbol (CASH), \$100 Burst symbol (BURST) and a Star symbol (STAR).

4. *Prize Symbols:* The prize symbols and their captions located in the "YOUR NUMBERS" area are: \$5⁰⁰ (FIV DOL), \$10⁰⁰ (TEN DOL), \$15\$ (FIFTN), \$20\$ (TWENTY), \$25\$ (TWY FIV), \$50\$ (FIFTY), \$100 (ONE HUN), \$500 (FIV HUN), \$1,000 (ONE THO), \$10,000 (TEN THO), \$100,000 (ONEHUNTHO) and \$100K/YR/LF (\$100K/YR/LF).

5. *Prizes:* The prizes that can be won in this game are: \$5, \$10, \$15, \$20, \$25, \$50, \$100, \$500, \$1,000, \$10,000, \$100,000 and \$100,000 a year for life (\$2 million lifetime minimum). A player can win up to 15 times on a ticket.

6. *Approximate Number of Tickets Printed For the Game:* Approximately 14,400,000 tickets will be printed for the Pennsylvania \$100,000 A Year For Life '07 instant lottery game.

7. *Determination of Prize Winners:*

(a) Holders of tickets upon which any one of the "YOUR NUMBERS" play symbols matches any of the "WINNING NUMBERS" play symbols and a prize symbol of \$100K/YR/LF (\$100K/YR/LF) appears under the matching "YOUR NUMBERS" play symbol, on a single ticket, shall be entitled to a prize of \$100,000 a year for life (\$2 million lifetime minimum) which will be paid by an initial cash payment of \$100,000 plus equal annual payments of \$100,000 over the lifetime of the winner and continuing under the provisions of 61 Pa. Code § 811.16 (relating to prizes payable after death of prize winner) until the \$2 million minimum has been paid to the estate of the deceased. If the winner of the Pennsylvania \$100,000 A Year For Life '07 prize is younger than 18 years of age, the winner will not begin to receive the prize until the winner reaches 18 years of age. Only one claimant per ticket allowed.

(b) Holders of tickets upon which any one of the "YOUR NUMBERS" play symbols matches any of the

“WINNING NUMBERS” play symbols and a prize symbol of \$100,000 (ONEHUNTHO) appears under the matching “YOUR NUMBERS” play symbol, on a single ticket, shall be entitled to a prize of \$100,000.

(c) Holders of tickets upon which any one of the “YOUR NUMBERS” play symbols matches any of the “WINNING NUMBERS” play symbols and a prize symbol of \$10,000 (TEN THO) appears under the matching “YOUR NUMBERS” play symbol, on a single ticket, shall be entitled to a prize of \$10,000.

(d) Holders of tickets upon which any one of the “YOUR NUMBERS” play symbols is a Cash symbol (CASH), and a prize symbol of \$10,000 (TEN THO) appears under the Cash symbol (CASH), on a single ticket, shall be entitled to a prize of \$10,000.

(e) Holders of tickets upon which any one of the “YOUR NUMBERS” play symbols matches any of the “WINNING NUMBERS” play symbols and a prize symbol of \$1,000 (ONE THO) appears under the matching “YOUR NUMBERS” play symbol, on a single ticket, shall be entitled to a prize of \$1,000.

(f) Holders of tickets upon which any one of the “YOUR NUMBERS” play symbols is a Star symbol (STAR), and a prize symbol of \$50\$ (FIFTY) appears in ten of the “prize” areas, and a prize symbol of \$100 (ONE HUN) appears in five of the “prize” areas, on a single ticket, shall be entitled to a prize of \$1,000.

(g) Holders of tickets upon which any one of the “YOUR NUMBERS” play symbols matches any of the “WINNING NUMBERS” play symbols and a prize symbol of \$500 (FIV HUN) appears under the matching “YOUR NUMBERS” play symbol, on a single ticket, shall be entitled to a prize of \$500.

(h) Holders of tickets upon which any one of the “YOUR NUMBERS” play symbols is a Cash symbol (CASH), and a prize symbol of \$500 (FIV HUN) appears under the Cash symbol (CASH), on a single ticket, shall be entitled to a prize of \$500.

(i) Holders of tickets upon which any one of the “YOUR NUMBERS” play symbols is a Star symbol (STAR), and a prize symbol of \$25\$ (TWY FIV) appears in ten of the “prize” areas, and a prize symbol of \$50\$ (FIFTY) appears in five of the “prize” areas, on a single ticket, shall be entitled to a prize of \$500.

(j) Holders of tickets upon which any one of the “YOUR NUMBERS” play symbols matches any of the “WINNING NUMBERS” play symbols and a prize symbol of \$100 (ONE HUN) appears under the matching “YOUR NUMBERS” play symbol, on a single ticket, shall be entitled to a prize of \$100.

(k) Holders of tickets upon which any one of the “YOUR NUMBERS” play symbols is a \$100 Burst symbol (BURST), shall be entitled to a prize of \$100.

(l) Holders of tickets upon which any one of the “YOUR NUMBERS” play symbols is a Star symbol (STAR), and a prize symbol of \$5⁰⁰ (FIV DOL) appears in ten of the “prize” areas, and a prize symbol of \$10⁰⁰ (TEN DOL) appears in five of the “prize” areas, on a single ticket, shall be entitled to a prize of \$100.

(m) Holders of tickets upon which any one of the “YOUR NUMBERS” play symbols matches any of the “WINNING NUMBERS” play symbols and a prize symbol of \$50\$ (FIFTY) appears under the matching “YOUR NUMBERS” play symbol, on a single ticket, shall be entitled to a prize of \$50.

(n) Holders of tickets upon which any one of the “YOUR NUMBERS” play symbols is a Cash symbol (CASH), and a prize symbol of \$50\$ (FIFTY) appears under the Cash symbol (CASH), on a single ticket, shall be entitled to a prize of \$50.

(o) Holders of tickets upon which any one of the “YOUR NUMBERS” play symbols matches any of the “WINNING NUMBERS” play symbols and a prize symbol of \$25\$ (TWY FIV) appears under the matching “YOUR NUMBERS” play symbol, on a single ticket, shall be entitled to a prize of \$25.

(p) Holders of tickets upon which any one of the “YOUR NUMBERS” play symbols is a Cash symbol (CASH), and a prize symbol of \$25\$ (TWY FIV) appears under the Cash symbol (CASH), on a single ticket, shall be entitled to a prize of \$25.

(q) Holders of tickets upon which any one of the “YOUR NUMBERS” play symbols matches any of the “WINNING NUMBERS” play symbols and a prize symbol of \$20\$ (TWENTY) appears under the matching “YOUR NUMBERS” play symbol, on a single ticket, shall be entitled to a prize of \$20.

(r) Holders of tickets upon which any one of the “YOUR NUMBERS” play symbols is a Cash symbol (CASH), and a prize symbol of \$20\$ (TWENTY) appears under the Cash symbol (CASH), on a single ticket, shall be entitled to a prize of \$20.

(s) Holders of tickets upon which any one of the “YOUR NUMBERS” play symbols matches any of the “WINNING NUMBERS” play symbols and a prize symbol of \$15\$ (FIFTN) appears under the matching “YOUR NUMBERS” play symbol, on a single ticket, shall be entitled to a prize of \$15.

(t) Holders of tickets upon which any one of the “YOUR NUMBERS” play symbols is a Cash symbol (CASH), and a prize symbol of \$15\$ (FIFTN) appears under the Cash symbol (CASH), on a single ticket, shall be entitled to a prize of \$15.

(u) Holders of tickets upon which any one of the “YOUR NUMBERS” play symbols matches any of the “WINNING NUMBERS” play symbols and a prize symbol of \$10⁰⁰ (TEN DOL) appears under the matching “YOUR NUMBERS” play symbol, on a single ticket, shall be entitled to a prize of \$10.

(v) Holders of tickets upon which any one of the “YOUR NUMBERS” play symbols matches any of the “WINNING NUMBERS” play symbols and a prize symbol of \$5⁰⁰ (FIV DOL) appears under the matching “YOUR NUMBERS” play symbol, on a single ticket, shall be entitled to a prize of \$5.

8. *Number and Description of Prizes and Approximate Odds:* The following table sets forth the approximate number of winners, amounts of prizes and approximate odds of winning:

When Any Of Your Numbers Match Any Of The Winning Numbers, Win With Prize(s) Of:

Approximate No. Of Winners Per 14,400,000 Tickets:

	Win:	Approximate Odds Are 1 In:	
\$5 × 2	\$10	20	720,000
\$10	\$10	17.14	840,000
\$5 × 3	\$15	60	240,000
\$10 + \$5	\$15	60	240,000
\$15 w/CASH	\$15	60	240,000
\$15	\$15	60	240,000
\$5 × 4	\$20	120	120,000
\$5 × 2 + \$10	\$20	120	120,000
\$15 + \$5	\$20	120	120,000
\$10 × 2	\$20	120	120,000
\$20 w/CASH	\$20	120	120,000
\$20	\$20	120	120,000
\$5 × 5	\$25	300	48,000
(\$5 × 3) + \$10	\$25	300	48,000
(\$10 × 2) + \$5	\$25	300	48,000
\$25 w/CASH	\$25	300	48,000
\$25	\$25	300	48,000
\$5 × 10	\$50	200	72,000
\$10 × 5	\$50	300	48,000
\$50 w/CASH	\$50	300	48,000
\$50	\$50	200	72,000
(\$5 × 10) + (\$10 × 5) w/STAR	\$100	600	24,000
\$10 × 10	\$100	600	24,000
\$20 × 5	\$100	600	24,000
\$50 × 2	\$100	600	24,000
\$100 w/\$100 BURST	\$100	214.29	67,200
\$100	\$100	600	24,000
(\$25 × 10) + (\$50 × 5) w/STAR	\$500	10,000	1,440
\$50 × 10	\$500	10,000	1,440
\$100 × 5	\$500	10,000	1,440
\$500 w/CASH	\$500	10,000	1,440
\$500	\$500	10,000	1,440
(\$50 × 10) + (\$100 × 5) w/STAR	\$1,000	12,000	1,200
(\$50 × 10) + (\$100 × 5)	\$1,000	12,000	1,200
\$100 × 10	\$1,000	12,000	1,200
\$500 × 2	\$1,000	12,000	1,200
\$1,000	\$1,000	12,000	1,200
\$10,000 w/CASH	\$10,000	60,000	240
\$10,000	\$10,000	60,000	240
\$100,000	\$100,000	720,000	20
\$100K/ YR/LIFE	\$100,000/YR/LIFE	2,880,000	5

CASH (CASH) = Win prize shown under it automatically.
 \$100 BURST (BURST) = Win \$100 automatically.
 STAR (STAR) = Win all 15 prizes shown.

Prizes, including top prizes, are subject to availability at the time of purchase.

9. *Retailer Incentive Awards:* The Lottery may conduct a separate Retailer Incentive Game for retailers who sell Pennsylvania \$100,000 A Year For Life '07 instant lottery game tickets. The conduct of the game will be governed by 61 Pa. Code § 819.222 (relating to retailer bonuses and incentives).

10. *Unclaimed Prize Money:* For a period of 1 year from the announced close of Pennsylvania \$100,000 A Year For Life '07, prize money from winning Pennsylvania \$100,000 A Year For Life '07 instant lottery game tickets will be retained by the Secretary for payment to the persons entitled thereto. If no claim is made within 1 year of the announced close of the Pennsylvania \$100,000

A Year For Life '07 instant lottery game, the right of a ticket holder to claim the prize represented by the ticket, if any, will expire and the prize money will be paid into the State Lottery Fund and used for purposes provided for by statute.

11. *Governing Law:* In purchasing a ticket, the customer agrees to comply with and abide by the State Lottery Law (72 P. S. §§ 3761-101—3761-314), 61 Pa. Code Part V (relating to State Lotteries) and the provisions contained in this notice.

12. *Termination of the Game:* The Secretary may announce a termination date, after which no further tickets from this game may be sold. The announcement will be disseminated through media used to advertise or promote

Pennsylvania \$100,000 A Year For Life '07 or through normal communications methods.

THOMAS W. WOLF,
Secretary

[Pa.B. Doc. No. 07-1678. Filed for public inspection September 7, 2007, 9:00 a.m.]

Pennsylvania Safe Cracker Instant Lottery Game

Under the State Lottery Law (72 P. S. §§ 3761-101—3761-314) and 61 Pa. Code § 819.203 (relating to notice of instant game rules), the Secretary of Revenue hereby provides public notice of the rules for the following instant lottery game:

1. *Name:* The name of the game is Pennsylvania Safe Cracker.

2. *Price:* The price of a Pennsylvania Safe Cracker instant lottery game ticket is \$3.

3. *Play Symbols:* Each Pennsylvania Safe Cracker instant lottery game ticket will contain 6 "VAULT" areas, designated as "VAULT 1," "VAULT 2," "VAULT 3," "VAULT 4," "VAULT 5" and "VAULT 6." Each "VAULT" is played separately. There are 60 play symbols, which are the numbers 01 through 60. Each "VAULT" will contain 5 play symbols. Each ticket will also contain a "COMBINATION NUMBERS" area. The "COMBINATION NUMBERS" area will consist of twenty-one play symbols numbers in a 3 × 7 grid. The 21 play symbols that may be located in the "COMBINATION NUMBERS" area will be numbers ranging from 01 through 60.

4. *Prize Symbols:* The prize symbols and their captions located in the 6 "PRIZE" areas are: FREE (TICKET), \$3⁰⁰ (THR DOL), \$6⁰⁰ (SIX DOL), \$9⁰⁰ (NIN DOL), \$10⁰⁰ (TEN DOL), \$12\$ (TWELV), \$15\$ (FIFTN), \$20\$ (TWENTY), \$30\$ (THIRTY), \$50\$ (FIFTY), \$100 (ONE HUN), \$150 (ONEHUNFTY), \$300 (THR HUN), \$1,000 (ONE THO), \$3,000 (THR THO), \$30,000 (TRY THO) and \$60,000 (STY THO).

5. *Prizes:* The prizes that can be won in this game are: Free \$3 Ticket, \$3, \$6, \$9, \$10, \$12, \$15, \$20, \$30, \$50, \$100, \$150, \$300, \$1,000, \$3,000, \$30,000 and \$60,000. The player can win up to 6 times on a ticket.

6. *Approximate Number of Tickets Printed For the Game:* Approximately 5,400,000 tickets will be printed for the Pennsylvania Safe Cracker instant lottery game.

7. *Determination of Prize Winners:*

(a) Holders of tickets upon which three of the play symbols within a single "VAULT" match three of the "COMBINATION NUMBERS" play symbols, and a prize symbol of \$60,000 (STY THO) appears in the "PRIZE" area under that "VAULT," on a single ticket, shall be entitled to a prize of \$60,000.

(b) Holders of tickets upon which three of the play symbols within a single "VAULT" match three of the "COMBINATION NUMBERS" play symbols, and a prize symbol of \$30,000 (TRY THO) appears in the "PRIZE" area under that "VAULT," on a single ticket, shall be entitled to a prize of \$30,000.

(c) Holders of tickets upon which three of the play symbols within a single "VAULT" match three of the "COMBINATION NUMBERS" play symbols, and a prize

symbol of \$3,000 (THR THO) appears in the "PRIZE" area under that "VAULT," on a single ticket, shall be entitled to a prize of \$3,000.

(d) Holders of tickets upon which all five of the play symbols within a single "VAULT" match five of the "COMBINATION NUMBERS" play symbols, and a prize symbol of \$1,000 (ONE THO) appears in the "PRIZE" area under that "VAULT," on a single ticket, shall be entitled to a prize of \$3,000.

(e) Holders of tickets upon which three of the play symbols within a single "VAULT" match three of the "COMBINATION NUMBERS" play symbols, and a prize symbol of \$1,000 (ONE THO) appears in the "PRIZE" area under that "VAULT," on a single ticket, shall be entitled to a prize of \$1,000.

(f) Holders of tickets upon which all five of the play symbols within a single "VAULT" match five of the "COMBINATION NUMBERS" play symbols, and a prize symbol of \$300 (THR HUN) appears in the "PRIZE" area under that "VAULT," on a single ticket, shall be entitled to a prize of \$900.

(g) Holders of tickets upon which three of the play symbols within a single "VAULT" match three of the "COMBINATION NUMBERS" play symbols, and a prize symbol of \$300 (THR HUN) appears in the "PRIZE" area under that "VAULT," on a single ticket, shall be entitled to a prize of \$300.

(h) Holders of tickets upon which four of the play symbols within a single "VAULT" match four of the "COMBINATION NUMBERS" play symbols, and a prize symbol of \$150 (ONEHUNFTY) appears in the "PRIZE" area under that "VAULT," on a single ticket, shall be entitled to a prize of \$300.

(i) Holders of tickets upon which three of the play symbols within a single "VAULT" match three of the "COMBINATION NUMBERS" play symbols, and a prize symbol of \$150 (ONEHUNFTY) appears in the "PRIZE" area under that "VAULT," on a single ticket, shall be entitled to a prize of \$150.

(j) Holders of tickets upon which all five of the play symbols within a single "VAULT" match five of the "COMBINATION NUMBERS" play symbols, and a prize symbol of \$50\$ (FIFTY) appears in the "PRIZE" area under that "VAULT," on a single ticket, shall be entitled to a prize of \$150.

(k) Holders of tickets upon which three of the play symbols within a single "VAULT" match three of the "COMBINATION NUMBERS" play symbols, and a prize symbol of \$100 (ONE HUN) appears in the "PRIZE" area under that "VAULT," on a single ticket, shall be entitled to a prize of \$100.

(l) Holders of tickets upon which four of the play symbols within a single "VAULT" match four of the "COMBINATION NUMBERS" play symbols, and a prize symbol of \$50\$ (FIFTY) appears in the "PRIZE" area under that "VAULT," on a single ticket, shall be entitled to a prize of \$100.

(m) Holders of tickets upon which three of the play symbols within a single "VAULT" match three of the "COMBINATION NUMBERS" play symbols, and a prize symbol of \$50\$ (FIFTY) appears in the "PRIZE" area under that "VAULT," on a single ticket, shall be entitled to a prize of \$50.

(n) Holders of tickets upon which four of the play symbols within a single "VAULT" match four of the

“COMBINATION NUMBERS” play symbols, and a prize symbol of \$20\$ (TWENTY) appears in the “PRIZE” area under that “VAULT,” on a single ticket, shall be entitled to a prize of \$40.

(o) Holders of tickets upon which three of the play symbols within a single “VAULT” match three of the “COMBINATION NUMBERS” play symbols, and a prize symbol of \$30\$ (THIRTY) appears in the “PRIZE” area under that “VAULT,” on a single ticket, shall be entitled to a prize of \$30.

(p) Holders of tickets upon which four of the play symbols within a single “VAULT” match four of the “COMBINATION NUMBERS” play symbols, and a prize symbol of \$15\$ (FIFTN) appears in the “PRIZE” area under that “VAULT,” on a single ticket, shall be entitled to a prize of \$30.

(q) Holders of tickets upon which all five of the play symbols within a single “VAULT” match five of the “COMBINATION NUMBERS” play symbols, and a prize symbol of \$10⁰⁰ (TEN DOL) appears in the “PRIZE” area under that “VAULT,” on a single ticket, shall be entitled to a prize of \$30.

(r) Holders of tickets upon which three of the play symbols within a single “VAULT” match three of the “COMBINATION NUMBERS” play symbols, and a prize symbol of \$20\$ (TWENTY) appears in the “PRIZE” area under that “VAULT,” on a single ticket, shall be entitled to a prize of \$20.

(s) Holders of tickets upon which four of the play symbols within a single “VAULT” match four of the “COMBINATION NUMBERS” play symbols, and a prize symbol of \$10⁰⁰ (TEN DOL) appears in the “PRIZE” area under that “VAULT,” on a single ticket, shall be entitled to a prize of \$20.

(t) Holders of tickets upon which three of the play symbols within a single “VAULT” match three of the “COMBINATION NUMBERS” play symbols, and a prize symbol of \$15\$ (FIFTN) appears in the “PRIZE” area under that “VAULT,” on a single ticket, shall be entitled to a prize of \$15.

(u) Holders of tickets upon which three of the play symbols within a single “VAULT” match three of the “COMBINATION NUMBERS” play symbols, and a prize symbol of \$12\$ (TWELV) appears in the “PRIZE” area under that “VAULT,” on a single ticket, shall be entitled to a prize of \$12.

(v) Holders of tickets upon which four of the play symbols within a single “VAULT” match four of the “COMBINATION NUMBERS” play symbols, and a prize

symbol of \$6⁰⁰ (SIX DOL) appears in the “PRIZE” area under that “VAULT,” on a single ticket, shall be entitled to a prize of \$12.

(w) Holders of tickets upon which three of the play symbols within a single “VAULT” match three of the “COMBINATION NUMBERS” play symbols, and a prize symbol of \$10⁰⁰ (TEN DOL) appears in the “PRIZE” area under that “VAULT,” on a single ticket, shall be entitled to a prize of \$10.

(x) Holders of tickets upon which three of the play symbols within a single “VAULT” match three of the “COMBINATION NUMBERS” play symbols, and a prize symbol of \$9⁰⁰ (NIN DOL) appears in the “PRIZE” area under that “VAULT,” on a single ticket, shall be entitled to a prize of \$9.

(y) Holders of tickets upon which all five of the play symbols within a single “VAULT” match five of the “COMBINATION NUMBERS” play symbols, and a prize symbol of \$3⁰⁰ (THR DOL) appears in the “PRIZE” area under that “VAULT,” on a single ticket, shall be entitled to a prize of \$9.

(z) Holders of tickets upon which three of the play symbols within a single “VAULT” match three of the “COMBINATION NUMBERS” play symbols, and a prize symbol of \$6⁰⁰ (SIX DOL) appears in the “PRIZE” area under that “VAULT,” on a single ticket, shall be entitled to a prize of \$6.

(aa) Holders of tickets upon which four of the play symbols within a single “VAULT” match four of the “COMBINATION NUMBERS” play symbols, and a prize symbol of \$3⁰⁰ (THR DOL) appears in the “PRIZE” area under that “VAULT,” on a single ticket, shall be entitled to a prize of \$6.

(bb) Holders of tickets upon which three of the play symbols within a single “VAULT” match three of the “COMBINATION NUMBERS” play symbols, and a prize symbol of \$3⁰⁰ (THR DOL) appears in the “PRIZE” area under that “VAULT,” on a single ticket, shall be entitled to a prize of \$3.

(cc) Holders of tickets upon which three of the play symbols within a single “VAULT” match three of the “COMBINATION NUMBERS” play symbols, and a prize symbol of FREE (TICKET) appears in the “PRIZE” area under that “VAULT,” on a single ticket, shall be entitled to a prize of one Pennsylvania Safe Cracker instant game ticket or one Pennsylvania Lottery instant game ticket of equivalent sale price which is currently on sale.

8. *Number and Description of Prizes and Approximate Odds:* The following table sets forth the approximate number of winners, amounts of prizes and approximate odds of winning:

Match 3 Numbers To The Combination Numbers Within A Single Vault, Win With Prize(s) Of:

FREE	FREE \$3 TICKET
\$3	\$3
\$3 x 2	\$6
\$3 w/MATCH 4	\$6
\$6	\$6
\$3 w/MATCH 5	\$9
\$3 x 3	\$9
\$9	\$9
\$10	\$10

Approximate Odds Are 1 In:

14.29
50
50
50
50
200
100
100
62.50

Approximate No. of Winners Per 5,400,000 Tickets

378,000
108,000
108,000
108,000
108,000
27,000
54,000
54,000
86,400

Match 3 Numbers To The
Combination Numbers Within
A Single Vault, Win With
Prize(s) Of:

	Win:	Approximate Odds Are 1 In:	Approximate No. of Winners Per 5,400,000 Tickets
\$3 × 4	\$12	1,000	5,400
\$6 w/MATCH 4	\$12	500	10,800
\$12	\$12	500	10,800
\$3 × 5	\$15	500	10,800
\$15	\$15	333.33	16,200
\$10 × 2	\$20	166.67	32,400
\$10 w/MATCH 4	\$20	500	10,800
\$20	\$20	500	10,800
\$10 × 3	\$30	3,000	1,800
\$15 × 2	\$30	3,000	1,800
\$10 w/MATCH 5	\$30	3,000	1,800
\$15 w/MATCH 4	\$30	3,000	1,800
\$30	\$30	3,000	1,800
\$10 × 5	\$50	3,000	1,800
\$10 w/MATCH 5 + \$20	\$50	3,000	1,800
\$15 × 2 + \$20	\$50	3,000	1,800
\$15 w/MATCH 4 + \$20	\$50	3,000	1,800
\$50	\$50	3,000	1,800
\$10 w/MATCH 4 + \$20 × 4	\$100	3,529	1,530
\$20 w/MATCH 4 + \$15 × 4	\$100	3,529	1,530
\$20 w/MATCH 4 + \$20 × 3	\$100	3,529	1,530
\$50 × 2	\$100	3,529	1,530
\$50 w/MATCH 4	\$100	3,429	1,575
\$100	\$100	3,429	1,575
\$50 × 3	\$150	12,000	450
\$50 w/MATCH 4 + \$50	\$150	12,000	450
\$50 w/MATCH 5	\$150	12,000	450
\$150	\$150	12,000	450
\$50 × 6	\$300	30,000	180
\$50 w/MATCH 5 + \$50 w/MATCH 5	\$300	30,000	180
\$100 × 3	\$300	30,000	180
\$150 × 2	\$300	30,000	180
\$150 w/MATCH 4	\$300	30,000	180
\$300	\$300	30,000	180
\$300 w/MATCH 5 + \$100	\$1,000	30,000	180
\$300 × 3 + \$100	\$1,000	30,000	180
\$1,000	\$1,000	30,000	180
\$1,000 w/MATCH 5	\$3,000	120,000	45
\$1,000 × 3	\$3,000	120,000	45
\$3,000	\$3,000	120,000	45
\$30,000	\$30,000	1,080,000	5
\$60,000	\$60,000	1,080,000	5

MATCH 4 = Win double the prize shown under that VAULT.

MATCH 5 = Win triple the prize shown under that VAULT.

Only the highest prize won in each VAULT will be paid.

Prizes, including top prizes, are subject to availability at the time of purchase.

9. *Retailer Incentive Awards:* The Lottery may conduct a separate Retailer Incentive Game for retailers who sell Pennsylvania Safe Cracker instant lottery game tickets. The conduct of the game will be governed by 61 Pa. Code § 819.222 (relating to retailer bonuses and incentives).

10. *Unclaimed Prize Money:* For a period of 1 year from the announced close of Pennsylvania Safe Cracker, prize money from winning Pennsylvania Safe Cracker instant lottery game tickets will be retained by the Secretary for payment to the persons entitled thereto. If no claim is made within 1 year of the announced close of

the Pennsylvania Safe Cracker instant lottery game, the right of a ticket holder to claim the prize represented by the ticket, if any, will expire and the prize money will be paid into the State Lottery Fund and used for purposes provided for by statute.

11. *Governing Law:* In purchasing a ticket, the customer agrees to comply with and abide by the State Lottery Law (72 P. S. §§ 3761-101—3761-314), 61 Pa. Code Part V (relating to State Lotteries) and the provisions contained in this notice.

12. *Termination of the Game:* The Secretary may announce a termination date, after which no further tickets from this game may be sold. The announcement will be

disseminated through media used to advertise or promote Pennsylvania Safe Cracker or through normal communications methods.

THOMAS W. WOLF,
Secretary

[Pa.B. Doc. No. 07-1679. Filed for public inspection September 7, 2007, 9:00 a.m.]

INSURANCE DEPARTMENT

The Medical Protective Company Rate and Rule Filing; Rate Filing

On August 20, 2007, the Insurance Department (Department) received from The Medical Protective Company a filing for rate level changes for Physicians and Surgeons Professional Liability insurance. The company requests an overall rate level decrease of 6.0% to be effective January 1, 2008. The filing includes the following revisions:

- Changes to manual base rates.
- Introduction of three new classes.
- Changes to eight class relativities.
- Movement of 31 specialties from one class to another.

Unless formal administrative action is taken prior to October 4, 2007, the rates within the subject filing may be deemed into use upon the effective date, January 1, 2008, by operation of law.

A copy of the filing is available on the Department's website at www.ins.state.pa.us. To access the filings, under "Quick Links" click on "Rate Filings Published in the PA Bulletin."

A copy of the filing is also available for public inspection, by appointment, during normal working hours at the Department's Harrisburg office.

Interested parties are invited to submit written comments, suggestions or objections to Gang (Eric) Zhou, Insurance Department, Insurance Product Regulation and Market Enforcement, 1311 Strawberry Square, Harrisburg, PA 17120, gzhou@state.pa.us within 15 days after publication of this notice in the *Pennsylvania Bulletin*.

JOEL SCOTT ARIO,
Acting Insurance Commissioner

[Pa.B. Doc. No. 07-1680. Filed for public inspection September 7, 2007, 9:00 a.m.]

MILK MARKETING BOARD

Hearing and Prehearing Conference for All Milk Marketing Areas; Over-Order Premium

Under the Milk Marketing Law (31 P. S. §§ 700j-101—700j-1302), the Milk Marketing Board (Board) will conduct a public hearing for Milk Marketing Areas 1—6 at a

date, time and location to be determined, to consider the scope and expansion of the over-order premium.

The purpose of the hearing will be to receive testimony and exhibits concerning the establishment of a Class I over-order price or pricing formula for milk produced in this Commonwealth, processed in this Commonwealth and that is utilized in this Commonwealth or in a contiguous state with a state-mandated over-order price.

The staff of the Board is deemed to be a party to this hearing, and the attorney representing staff is deemed to have entered his appearance. Other persons who wish to present evidence may be included on the Board's list of parties by: (1) having their attorney file with the Board on or before 12 p.m. on September 17, 2007, a notice of appearance substantially in the form prescribed by 1 Pa. Code § 31.25 (relating to form of notice of appearance); or (2) if unrepresented by counsel, filing with the Board on or before 12 p.m. on September 17, 2007, notification of their desire to be included as a party. Parties should indicate in their notices of appearance if alternate means of service, that is, e-mail or fax, are acceptable.

The Board will hold a prehearing conference on September 18, 2007, at 1:15 p.m. in Room 202 of the Agriculture Building, 2301 North Cameron Street, Harrisburg, PA. The purpose of the prehearing conference will be to discuss a protective order regarding confidential or proprietary information that may be used to develop exhibits or testimony that will be presented at the hearing. The parties should also be prepared to discuss the meaning of the term "utilized" as in "utilized in this Commonwealth or in a contiguous state with a state-mandated over-order price."

The filing address for the Board is Milk Marketing Board, Room 110, Agriculture Building, 2301 North Cameron Street, Harrisburg, PA 17110.

KEITH BIERLY,
Secretary

[Pa.B. Doc. No. 07-1681. Filed for public inspection September 7, 2007, 9:00 a.m.]

OFFICE OF ATTORNEY GENERAL

Public Meeting

Public notice is hereby given of a meeting of the Lobbying Disclosure Regulation Committee (Committee) established under Act 134 of 2006. The meeting will be held on Thursday, September 13, 2007 at 9 a.m. in Hearing Room 8E-A, East Wing, Capitol, Harrisburg, PA.

The purpose of the meeting will be for the Committee to consider regulations under Act 134 of 2006 and to receive public comments. Please visit www.attorneygeneral.gov for more information and to view a copy of the complete agenda.

THOMAS CORBETT,
Attorney General

[Pa.B. Doc. No. 07-1682. Filed for public inspection September 7, 2007, 9:00 a.m.]

PENNSYLVANIA PUBLIC UTILITY COMMISSION

Service of Notice of Motor Carrier Applications

The following temporary authority and/or permanent authority applications for the right to render service as a common carrier or contract carrier in this Commonwealth have been filed with the Pennsylvania Public Utility Commission. Formal protests and petitions to intervene must be filed in accordance with 52 Pa. Code (relating to public utilities). A protest shall indicate whether it applies to the temporary authority application, the permanent authority application, or both. Filings must be made with the Secretary, Pennsylvania Public Utility Commission, P. O. Box 3265, Harrisburg, PA 17105-3265, with a copy served on the applicant by October 1, 2007. 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.

Application of the following for approval to *begin operating as common carriers for transportation of persons as described under the application.*

A-00124047. Franklin A. Bower. (5571 Old Philadelphia Pike, Gap, Lancaster County, PA 17527)—persons, in paratransit service, limited to persons whose personal convictions prevent them from owning or operating motor vehicles, from points in the County of Lancaster to points in Pennsylvania, and return.

JAMES J. MCNULTY,
Secretary

[Pa.B. Doc. No. 07-1683. Filed for public inspection September 7, 2007, 9:00 a.m.]

PHILADELPHIA REGIONAL PORT AUTHORITY

Request for Bids

The Philadelphia Regional Port Authority (PRPA) will accept sealed bids for Project No. 07-094.1, Install Insulated Wall Panels, Loading Dock Doors and Equipment at Pier 82 South until 3 p.m. on Thursday, October 4, 2007. The bid documents can be obtained from the Director of Procurement, PRPA, 3460 North Delaware Avenue, 2nd Floor, Philadelphia, PA 19134, (215) 426-2600 and will be available September 11, 2007. Additional information and project listings may be found at www.philaport.com. The cost of the bid document is \$35 (includes 7% PA Sales Tax). The cost is nonrefundable. PRPA is an equal opportunity employer. The contractor must comply with all applicable EEO laws. Bidders must provide to the Procurement Department in writing (24 hours prior to the meeting), the names of individuals that will be attending. Fax to (215) 426-6800, Attn: Procurement Department.

Mandatory prebid job site meeting will be held September 20, 2007, 9 a.m. at Columbus Boulevard and Entrance Gate North of Snyder Avenue, Philadelphia, PA.

JAMES T. MCDERMOTT, Jr.,
Executive Director

[Pa.B. Doc. No. 07-1684. Filed for public inspection September 7, 2007, 9:00 a.m.]

Request for Bids

The Philadelphia Regional Port Authority (PRPA) will accept sealed bids for Project No. 07-095.1, Crane Pad Construction for Turbana at Pier 82 South until 2 p.m. on Thursday, October 4, 2007. The bid documents can be obtained from the Director of Procurement, PRPA, 3460 North Delaware Avenue, 2nd Floor, Philadelphia, PA 19134, (215) 426-2600 and will be available September 11, 2007. Additional information and project listings may be found at www.philaport.com. The cost of the bid document is \$35 (includes 7% PA Sales Tax). The cost is nonrefundable. PRPA is an equal opportunity employer. The contractor must comply with all applicable EEO laws. Bidders must provide to the Procurement Department in writing (24 hours prior to the meeting), the names of individuals that will be attending. Fax to (215) 426-6800, Attn: Procurement Department.

Mandatory prebid job site meeting will be held Wednesday, September 19, 2007, 10 a.m. at Columbus Boulevard and Entrance Gate North of Snyder Avenue, Philadelphia, PA.

JAMES T. MCDERMOTT, Jr.,
Executive Director

[Pa.B. Doc. No. 07-1685. Filed for public inspection September 7, 2007, 9:00 a.m.]

Request for Bids

The Philadelphia Regional Port Authority (PRPA) will accept sealed bids for Project No. 07-096.1, Install Humidification for Refrigeration Storage at Pier 82 South until 4 p.m. on Thursday, October 4, 2007. The bid documents can be obtained from the Director of Procurement, PRPA, 3460 North Delaware Avenue, 2nd Floor, Philadelphia, PA 19134, (215) 426-2600 and will be available September 11, 2007. Additional information and project listings may be found at www.philaport.com. The cost of the bid document is \$35 (includes 7% PA Sales Tax). The cost is nonrefundable. PRPA is an equal opportunity employer. The contractor must comply with all applicable EEO laws. Bidders must provide to the Procurement Department in writing (24 hours prior to the meeting), the names of individuals that will be attending. Fax to (215) 426-6800, Attn: Procurement Department.

Mandatory prebid job site meeting will be held September 20, 2007, 10:30 a.m. at Columbus Boulevard and Entrance Gate North of Snyder Avenue, Philadelphia, PA.

JAMES T. MCDERMOTT, Jr.,
Executive Director

[Pa.B. Doc. No. 07-1686. Filed for public inspection September 7, 2007, 9:00 a.m.]

STATE BOARD OF BARBER EXAMINERS

**Bureau of Professional and Occupational Affairs v.
Michael L. Watland; Doc. No. 1577-42-07**

On July 19, 2007, Michael L. Watland, license no. BL051937, of Pittsburgh, Allegheny County, was reinstated under the Order of the Court of Common Pleas of Allegheny County, which the Court issued under 23 Pa.C.S. § 4355 (relating to denial or suspension of licenses). The reinstatement is retroactive to April 4, 2007.

Individuals may obtain a copy of the order by writing to Gerald S. Smith, Senior Counsel in Charge, State Board of Barber Examiners, P. O. Box 2649, Harrisburg, PA 17105-2649.

VINCENT IACONO,
Chairperson

[Pa.B. Doc. No. 07-1687. Filed for public inspection September 7, 2007, 9:00 a.m.]

STATE BOARD OF NURSING

**Bureau of Professional and Occupational Affairs v.
Terrance E. Brown; Doc. Nos. 1574-51-07, 1575-
51-07, 1576-51-07**

On July 19, 2007, Terrance E. Brown, license no. PN105102L, of Weshampton, NJ, was reinstated under the Order of the Court of Common Pleas of Allegheny County, which the Court issued under 23 Pa.C.S. § 4355 (relating to denial or suspension of licenses). The reinstatement is retroactive to July 17, 2007.

Persons may obtain a copy of the order by writing to Gerald S. Smith, Senior Counsel in Charge, State Board of Nursing, P. O. Box 2649, Harrisburg, PA 17105-2649.

MARY BOWEN, R. N., CRNP,
Chairperson

[Pa.B. Doc. No. 07-1688. Filed for public inspection September 7, 2007, 9:00 a.m.]
