

# NOTICES

## DEPARTMENT OF AGRICULTURE

### Order of Quarantine; Revocation of Plum Pox Virus Quarantine in the Borough of Mount Holly Springs, Cumberland County

*Recitals*

A. The Plant Pest Act (act) (3 P. S. §§ 258.1—258.27) empowers the Department of Agriculture (Department) to take various measures to detect, contain and eradicate plant pests in this Commonwealth.

B. The powers granted to the Department under section 21 of the act (3 P. S. § 258.21) include the power to establish quarantines to prevent the dissemination of plant pests within this Commonwealth.

C. Plum Pox Virus (PPV) is a serious plant pest, indigenous to Europe, that injures and damages stone fruits such as peaches, nectarines, plums and apricots by drastically reducing the fruit yields from these stone fruit trees and by disfiguring the fruit to the point that it is unmarketable.

D. As a result of the presence of PPV in several townships and boroughs, the Department has issued a series of quarantine orders establishing and adjusting a quarantine area.

E. PPV has the potential to cause serious damage to the stone fruit production industry within this Commonwealth.

F. PPV is transmitted from infected trees by aphids and by budding or grafting and can be spread into new areas by movement of infected nursery stock.

G. The movement of PPV-infected fruit trees poses a danger to stone fruit trees in noninfected areas.

H. There is no known control for PPV other than destruction of infected trees.

I. The Department conducts extensive testing of stone fruit trees in all of the quarantined areas to search for the presence of PPV. Where this testing has gone on for at least 3 years in a particular quarantined area without detecting the presence of PPV among stone fruit trees in that area, the Department is satisfied it is appropriate to rescind the PPV-related quarantine of that area.

*Order*

Under authority of section 21 of the act the Department hereby orders the following:

1. The Order of Quarantine dated October 31, 2000 (published at 30 Pa.B. 5852 (November 11, 2000)), imposing a quarantine on the Borough of Mt. Holly Springs, in Cumberland County, is hereby rescinded.

2. This Order is issued in response to the fact that 3-consecutive years of intensive sampling and testing stone fruit leaves in the Borough of Mt. Holly Springs, Cumberland County, have not yielded any additional positive detections of PPV. The Borough of Mt. Holly Springs is no longer considered a potential reservoir of the PPV virus, and is considered free of PPV.

3. The Department will continue to consult with the United States Department of Agriculture, European experts and scientific authorities with respect to the most efficacious measures by which to contain and eliminate PPV, and may, if warranted, reconsider the need for quarantine restrictions.

4. This Order is effective as of October 24, 2007.

DENNIS C WOLFF,  
*Secretary*

[Pa.B. Doc. No. 07-2062. Filed for public inspection November 9, 2007, 9:00 a.m.]

## DEPARTMENT OF BANKING

### Actions on Applications

The Department of Banking (Department), under the authority contained in the act of November 30, 1965 (P. L. 847, No. 356), known as the Banking Code of 1965; the act of December 14, 1967 (P. L. 746, No. 345), known as the Savings Association Code of 1967; the act of May 15, 1933 (P. L. 565, No. 111), known as the Department of Banking Code; and the act of December 9, 2002 (P. L. 1572, No. 207), known as the Credit Union Code, has taken the following action on applications received for the week ending October 30, 2007.

### BANKING INSTITUTIONS

#### Charter Applications

<i>Date</i>	<i>Name of Bank</i>	<i>Location</i>	<i>Action</i>
10-25-07	Federated Investors Trust Company of PA Pittsburgh Allegheny County	Federated Investors Tower 1001 Liberty Avenue Pittsburgh Allegheny County	Commenced Operations

## NOTICES

**Conversions**

<i>Date</i>	<i>Name of Bank</i>	<i>Location</i>	<i>Action</i>
10-25-07	Quakertown National Bank Quakertown Bucks County <i>To:</i> QNB Bank Quakertown Bucks County	Quakertown	Filed

Application for conversion from a Federally-chartered bank to a Pennsylvania State-chartered bank.

**Section 112 Applications**

<i>Date</i>	<i>Name of Individual</i>	<i>Location</i>	<i>Action</i>
10-22-07	Steven D. Hovde to acquire up to 13.4% of the common shares of Bucks County Bank, Doylestown.	Barrington, IL	Filed

**Consolidations, Mergers and Absorptions**

<i>Date</i>	<i>Name of Bank</i>	<i>Location</i>	<i>Action</i>
10-23-07	Fulton Bank, Lancaster, PA, and Resource Bank, Virginia Beach, VA Surviving Institution— Fulton Bank, Lancaster, PA	Lancaster	Filed
10-25-07	Federated Investors Trust Company of PA, Pittsburgh, PA, and Federated Investors Trust Company, Sicklerville, NJ Surviving Institution— Federated Investors Trust Company of PA, Pittsburgh, PA, with change in corporate name to "Federated Investors Trust Company"	Pittsburgh	Effective

Merger completes the conversion from a New Jersey State-chartered institution to a Pennsylvania State-chartered trust company.

**Branch Applications**

<i>Date</i>	<i>Name of Bank</i>	<i>Location</i>	<i>Action</i>
10-19-07	Northwest Savings Bank Warren Warren County	8221 Peters Road Plantation Broward County, FL	Authorization Surrendered

**Branch Discontinuances**

<i>Date</i>	<i>Name of Bank</i>	<i>Location</i>	<i>Action</i>
10-1-07	Stonebridge Bank Exton Chester County	1212 Churchville Road Bel Air Harford County, MD	Closed

**SAVINGS INSTITUTIONS**

No activity.

**CREDIT UNIONS**

No activity.

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

STEVEN KAPLAN,  
*Secretary*

# 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

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

<i>NPDES No. (Type)</i>	<i>Facility Name &amp; Address</i>	<i>County &amp; Municipality</i>	<i>Stream Name (Watershed #)</i>	<i>EPA Waived Y/N ?</i>
PA0061603	Eagle Lake Community Association P. O. Box 305 Gouldsboro, PA 18444-0305	Covington Township Lackawanna County	UNT to Tamarack Creek 2A	Y
PA0070203	Craftex Mills, Inc. 2100 Market Street Auburn, PA 17922	Schuylkill County West Brunswick Township	Pine Creek 3A	Y

<i>NPDES No. (Type)</i>	<i>Facility Name &amp; Address</i>	<i>County &amp; Municipality</i>	<i>Stream Name (Watershed #)</i>	<i>EPA Waived Y/N ?</i>
PA0010987	Tobyhanna Army Depot 11 Hap Arnold Boulevard AMSEL-TY-RK-E Tobyhanna, PA 18466-5086	Coolbaugh Township Monroe County	Hummler Run 2A	Y
PA0060097	Pennsylvania American Water 100 North Pennsylvania Avenue Wilkes-Barre, PA 18701	Monroe County Coolbaugh Township	East Branch Dresser Run 2A	Y

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

<i>NPDES No. (Type)</i>	<i>Facility Name &amp; Address</i>	<i>County &amp; Municipality</i>	<i>Stream Name (Watershed #)</i>	<i>EPA Waived Y/N ?</i>
PA0087734 (IW)	Marietta Gravity Water Company 1195 River Road Box 302 Marietta, PA 17547	York County Hellam Township	Dugan Run 7-I	Y
PA0082228 (SEW)	Herbert L. Hess Hilltop Acres MHP 1546 Newport Road Manheim, PA 17545	Lancaster County Rapho Township	Chickies Creek 7-G	Y

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

<i>NPDES No. (Type)</i>	<i>Facility Name &amp; Address</i>	<i>County &amp; Municipality</i>	<i>Stream Name (Watershed #)</i>	<i>EPA Waived Y/N ?</i>
PA0033782 (Sewage)	Timberland Estates, Inc. 548 Rueben Keher Road Lot 100A Muncy, PA 17756	Fairfield Township Lycoming County	UNT to Twin Run WWF	Y

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

<i>NPDES No. (Type)</i>	<i>Facility Name &amp; Address</i>	<i>County &amp; Municipality</i>	<i>Stream Name (Watershed #)</i>	<i>EPA Waived Y/N ?</i>
PA0103713	Scrubgrass Generating Company, LP 2151 Libson Road Kennerdell, PA 16374	Scrubgrass Township Venango County	Allegheny River (Outfall 001) Falling Spring Run (Outfall 002) UNT to the Allegheny River (Outfall 003) 16-G	Y
PA0034380	Quadland Corporation 7041 Truck World Boulevard Hubbard, OH 44425	Scrubgrass Township Venango County	UNT to the Allegheny River 16-G	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.*

**PA0050458**, Sewage, SIC 4952, **Little Washington Wastewater Company**, 762 West Lancaster Avenue, Bryn Mawr, PA 19010-3489. This existing facility is located in East Brandywine Township, **Chester County**.

Description of Proposed Activity: Renewal of NPDES permit to discharge treated sewage effluent from the Culbertson Run WWTP.

The receiving stream, Culbertson Run, is in the State Water Plan Watershed 3H and is classified for: HQ-TSF, MF, aquatic life, water supply and recreation. The nearest downstream public water supply intake for Downingtown Borough Municipal Water Authority is located on East Branch Brandywine Creek and is approximately 6 miles below the point of discharge.

The proposed effluent limits for Outfall 001 are based on a design flow of 0.0531 mgd.

<i>Parameter</i>	<i>Mass (lb/day)</i>		<i>Concentration (mg/l)</i>		<i>Instantaneous Maximum (mg/l)</i>
	<i>Average Monthly</i>	<i>Maximum Daily</i>	<i>Average Monthly</i>	<i>Maximum Daily</i>	
CBOD <sub>5</sub> (5-1 to 10-31)	4.4		10		20
(11-1 to 4-30)	8.8		20		40
Total Suspended Solids	8.8		20		40
NH <sub>3</sub> -N (5-1 to 10-31)	1.3		3.0		6.0
(11-1 to 4-30)	4.0		9.0		18.0
Phosphorus as P (4-1 to 10-31)	0.4		1.0		2.0
Fecal Coliform (Col/100 ml)			200		1,000
Dissolved Oxygen			5.0, I-minimum		
pH (Standard Units)			6.0, I-minimum		9.0
Total Residual Chlorine			0.2		0.4

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

1. Notification of Designation of Responsible Operator.
2. Abandon STP when Public Sewers Become Available.
3. Remedial Measures if Public Nuisance.
4. No Stormwater to Sewers.
5. Necessary Property Rights.
6. Small Stream Discharge.
7. Change in Ownership.
8. Proper Sludge Disposal.
9. Chlorine Minimization.
10. Twice per Month Sampling.
11. Maximize Subsurface Disposal System.
12. Instantaneous Maximum Limits.
13. Fecal Coliform Reporting.
14. Operator Training.
15. Operations and Maintenance Plan.
16. Laboratory Certification.

The EPA waiver is not in effect.

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

**PA-0060186**, Sewage, **Elk Meadows Homeowners Association**, P. O. Box 248, Uniondale, PA 18470. This proposed facility is located in Herrick Township, **Susquehanna County**.

Description of Proposed Activity: Renewal of NPDES Permit.

The receiving stream, UNT of Tunkhannock Creek, is in the State Water Plan Watershed 4F and is classified for: CWF. The nearest downstream public water supply intake for Danville Water Authority is located on Susquehanna River is 100 miles below the point of discharge.

The proposed effluent limits for Outfall 001 based on a design flow of 0.023 mgd.

<i>Parameter</i>	<i>Average Monthly (mg/l)</i>	<i>Maximum Daily (mg/l)</i>	<i>Instantaneous Maximum (mg/l)</i>
CBOD <sub>5</sub>	25		50
Total Suspended Solids	30		60
NH <sub>3</sub> -N (5-1 to 10-31)	4		8
(11-1 to 4-30)	12		24
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	0.3		0.7
Ammonia Nitrogen	Monitor and Report		
Kjeldahl Nitrogen	Monitor and Report		
Nitrite-Nitrate as N	Monitor and Report		
Total Nitrogen	Monitor and Report		
Total Phosphorus	Monitor and Report		

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

1. Chesapeake Bay Nutrient Requirements.

**PA-0065200**, Sewage, **Omega Homes, Inc.**, 1150 South Cedar Crest Boulevard, Allentown, PA 18103-7909. This proposed facility is located in West Penn Township, **Schuylkill County**.

Description of Proposed Activity: Issuance of a new NPDES Permit.

The receiving stream, Mahoning Creek, is in the State Water Plan Watershed 2B and is classified for: CWF. The nearest downstream public water supply intake for Northampton Borough Water Authority is located on Lehigh River 30 miles below the point of discharge.

The proposed effluent limits for Outfall 001 based on a design flow of 0.09 mgd.

<i>Parameter</i>	<i>Average Monthly (mg/l)</i>	<i>Daily Maximum (mg/l)</i>	<i>Instantaneous Maximum (mg/l)</i>
CBOD <sub>5</sub>	25		50
Total Suspended Solids	30		60
NH <sub>3</sub> -N (5-1 to 10-31)	9.8		19.6
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	0.7		1.7

**PA0026042**, Sewage, **City of Bethlehem**, 10 East Church Street, Bethlehem, PA 18018. This proposed facility is located in City of Bethlehem, **Northampton County**.

Description of Proposed Activity: Renewal of NPDES permit to discharge treated sewage.

The receiving streams, Lehigh River and Saucon Creek, are in the State Water Plan Watershed 2C and are classified for: WWF, aquatic life, water supply and recreation. The nearest downstream public water supply intake for Keystone Water Supply is located on the Delaware River approximately 40 miles below the point of discharge.

The proposed effluent limits for Outfall 001 based on a design flow of 20 mgd.

<i>Parameter</i>	<i>Average Monthly (mg/l)</i>	<i>Average Weekly (mg/l)</i>	<i>Instantaneous Maximum (mg/l)</i>
CBOD <sub>5</sub>	25	40	50
Total Suspended Solids	30	45	60
NH <sub>3</sub> -N (6-1 to 10-31)	5.0		10
(11-1 to 5-31)	15		30
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	0.5		1.3

The proposed effluent for Outfall 006 which is plant emergency discharge:

<i>Parameter</i>	<i>Average Monthly (mg/l)</i>	<i>Average Weekly (mg/l)</i>	<i>Instantaneous Maximum (mg/l)</i>
CBOD <sub>5</sub>	25	40	50
Total Suspended Solids	30	45	60
NH <sub>3</sub> -N (6-1 to 10-31)	5.0		10
(11-1 to 5-31)	15		30
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	0.5		1.3

The proposed effluent for Outfalls 003 and 004, which are plant overflows, are as follows:

<i>Parameter</i>	<i>Average Monthly (mg/l)</i>	<i>Instantaneous Maximum (mg/l)</i>
CBOD <sub>5</sub>		Monitor and Report
Total Suspended Solids		Monitor and Report
Fecal Coliform (5-1 to 9-30)		Monitor and Report
(10-1 to 4-30)		Monitor and Report
pH		Monitor and Report

Sampling shall take place on an hourly basis at each outfall location for the duration of the discharge. Uncontaminated stormwater outfall SW-001—SW-005 required Annual Inspection in lieu of monitor and report for CBOD<sub>5</sub>, COD, Oil and Grease, pH, TSS, TKN, Total Phosphorus and Iron Dissolved.

*Other Requirements:* Pretreatment condition, combined sewer overflows condition, Whole Effluent Toxicity Test Condition, stormwater condition.

The EPA waiver is not in effect.

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

**Application No. PA 0026972**, Sewage, **Exeter Township, Berks County Authority**, 4975 DeMoss Road, Reading, PA 19606. This facility is located in Exeter Township, **Berks County**.

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

The receiving stream, Schuylkill River, is in Watershed 3-D, and classified for WWF, water supply, recreation and fish consumption. The nearest downstream public water supply intake for Borough of Pottstown Water and Sewer Authority is located on the Schuylkill River, approximately 8 miles downstream. The discharge is not expected to affect the water supply.

The proposed Interim effluent limits for Outfall 001 for a design flow of 1.2 mgd are:

<i>Parameter</i>	<i>Average Monthly (mg/l)</i>	<i>Average Weekly (mg/l)</i>	<i>Instantaneous Maximum (mg/l)</i>
CBOD <sub>5</sub>	25	40	50
Total Suspended Solids	30	45	60
NH <sub>3</sub> -N	Monitor and Report		
Total Copper	0.057		0.114
Total Residual Chlorine	0.4		0.9
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)	10,000/100 ml as a Geometric Average		
(10-1 to 4-30)			

The proposed Final effluent limits for Outfall 001 for a design flow of 1.2 mgd are:

<i>Parameter</i>	<i>Average Monthly (mg/l)</i>	<i>Average Weekly (mg/l)</i>	<i>Instantaneous Maximum (mg/l)</i>
CBOD <sub>5</sub>	25	40	50
Total Suspended Solids	30	45	60
NH <sub>3</sub> -N	20		40
Total Copper	0.057		0.114
Total Residual Chlorine	0.4		0.9
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)			

The proposed Interim effluent limits for Outfall 002 for a design flow of 5.9 mgd are:

<i>Parameter</i>	<i>Average Monthly (mg/l)</i>	<i>Average Weekly (mg/l)</i>	<i>Instantaneous Maximum (mg/l)</i>
CBOD <sub>5</sub>	25	40	50
Total Suspended Solids	30	45	60
Total Copper	0.057		0.114
Total Residual Chlorine	0.4		0.9
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)	10,000/100 ml as a Geometric Average		
(10-1 to 4-30)			

The proposed Final effluent limits for Outfall 002 for a design flow of 5.9 mgd are:

<i>Parameter</i>	<i>Average Monthly (mg/l)</i>	<i>Average Weekly (mg/l)</i>	<i>Instantaneous Maximum (mg/l)</i>
CBOD <sub>5</sub>	25	40	50
Total Suspended Solids	30	45	60
NH <sub>3</sub> -N	20		40
Total Copper	0.057		0.114
Total Residual Chlorine	0.4		0.9

<i>Parameter</i>	<i>Average Monthly (mg/l)</i>	<i>Average Weekly (mg/l)</i>	<i>Instantaneous Maximum (mg/l)</i>
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	

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.

*Northcentral Region: Water Management Program Manager, 208 West Third Street, Williamsport, PA 17701 (570) 327-3664.*

**PA0229211**, Industrial Waste, SIC 2899, **Bionol Clearfield, LLC**, 99 Longwater Circle, Norwell, MA 02061. This proposed facility is located in Clearfield Borough, **Clearfield County**.

Description of Proposed Activity: This proposed action is for issuance of an NPDES permit for an existing discharge of treated industrial wastewater.

The receiving stream, West Branch Susquehanna River, is in the State Water Plan Watershed 8B and classified for: WWF. The nearest downstream public water supply intake for Reliant Energy is located on West Branch Susquehanna River is 10 miles below the point of discharge.

The proposed effluent limits for Outfall 101 based on a design flow of 0.082 mgd.

<i>Parameter</i>	<i>Mass Units (lbs/day)</i>			<i>Concentration (mg/l)</i>		
	<i>Average Monthly</i>	<i>Maximum Daily</i>	<i>Minimum</i>	<i>Average Monthly</i>	<i>Daily Maximum</i>	<i>Instantaneous Maximum</i>
pH			6.0			9.0
TSS				30	60	
Total Iron				2.0	4.0	
Total Aluminum				4.0	8.0	
Total Manganese				1.0	2.0	
Total Residual Chlorine				0.5		

The proposed effluent limits for Outfall 102 based on a design flow of 0.125 mgd.

pH		6.0			9.0
Total Residual Halogen		0.2			0.5
Temperature				Report	Report

The proposed effluent limits for Outfalls 002—004 based on a design flow of N/A mgd.

pH					Report
COD <sub>1</sub>					Report
CBOD <sub>5</sub>					Report
TSS					Report
Total Recoverable					Report
Petroleum Hydrocarbons					
Ammonia-N					Report
Total Phosphorus					Report

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

**PA0004057**, Industrial Waste, SIC 3011, **Specialty Tires of America, Inc.**, 1600 Washington Street, Indiana, PA 15701. This application is for renewal of an NPDES permit to discharge stormwater from a tire manufacturing facility in Indiana Borough, **Indiana County**.

The following effluent limitations are proposed for discharge to the receiving waters, UNT of Whites Run, classified as a CWF with existing and/or potential uses for aquatic life, water supply and recreation.

Outfalls 004 and 005: existing stormwater discharges.

<i>Parameter</i>	<i>Mass (lb/day)</i>			<i>Concentration (mg/l)</i>		
	<i>Average Monthly</i>	<i>Maximum Daily</i>	<i>Minimum</i>	<i>Average Monthly</i>	<i>Maximum Daily</i>	<i>Instantaneous Maximum</i>
Flow						
Suspended Solids				Monitor and Report		



<i>Parameter</i>	<i>Mass (lb/day)</i>		<i>Concentration (mg/l)</i>		
	<i>Average Monthly</i>	<i>Maximum Daily</i>	<i>Average Monthly</i>	<i>Maximum Daily</i>	<i>Instantaneous Maximum</i>
Oil and Grease			Monitor and Report		
pH			Monitor and Report		

*Outfall 006:* existing stormwater discharge.

<i>Parameter</i>	<i>Mass (lb/day)</i>		<i>Concentration (mg/l)</i>		
	<i>Average Monthly</i>	<i>Maximum Daily</i>	<i>Average Monthly</i>	<i>Maximum Daily</i>	<i>Instantaneous Maximum</i>
Suspended Solids			Monitor and Report		
Oil and Grease			Monitor and Report		

The EPA waiver is not in effect.

**PA0095044**, Sewage, **Northgate Townhouses Condo Association**, 380 Z Northgate Drive, Apollo, PA 15613. This application is for renewal of an NPDES permit to discharge treated sewage from Northgate Townhouses STP in Washington Township, **Westmoreland County**.

The following effluent limitations are proposed for discharge to the receiving waters, known as UNT of Pine Run, which are classified as a WWF with existing and/or potential uses for aquatic life, water supply and recreation. The first downstream potable water supply intake from this facility is the Buffalo Township Municipal Authority.

*Outfall 001:* existing discharge, design flow of 0.0042 mgd.

<i>Parameter</i>	<i>Concentration (mg/l)</i>			
	<i>Average Monthly</i>	<i>Average Weekly</i>	<i>Maximum Daily</i>	<i>Instantaneous Maximum</i>
CBOD <sub>5</sub>	25			50
Suspended Solids	30			60
Ammonia Nitrogen				
(5-1 to 10-31)	2.0			4.0
(11-1 to 4-30)	3.2			6.4
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			
Total Residual Chlorine	0.04			0.09
Dissolved Oxygen	not less than 5.0 mg/l			
pH	not less than 6.0 nor greater than 9.0			

The EPA waiver is in effect.

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

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

**WQM Permit No. 4807406**, Sewerage, **Borough of Glendon**, 24 Franklin Street, Glendon, PA 18042. This proposed facility is located in Glendon Borough, **Northampton County**.

Description of Proposed Action/Activity: This project consists of Phase III at the Glendon Business Center and will include construction of Pump Station No. 3 with 4,000 gpd of sewage flows from the four lots.

**WQM Permit No. 6407402**, Sewerage, **CBR Enterprises, LTD**, 139-23 Queens Boulevard, Jamaica, NY 11435. This proposed facility is located in Lehigh Township, **Wayne County**.

Description of Proposed Action/Activity: This project consists of construction of a wastewater treatment plant to service the Fun Station, which is a new commercial development. This family recreation center is to include a restaurant, snack bar, driving range, go carts, batting cages and other family activities. Proposed sewage flows for this development will be 7,500 gpd.

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

**WQM Permit No. 2807406**, Sewerage, **Joseph and April Rollason**, 2695 Grand Point Road, Chambersburg, PA 17202. This proposed facility is located in Greene Township, **Franklin County**.

Description of Proposed Action/Activity: Construction of an Individual Spray Irrigation System to serve their single-family residence on Lot No. 11.

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

**WQM Permit No. 1707404**, Industrial Waste, SIC 4952, Sewerage, **Bradford Township**, 2289 Barrett Road, Suite B, Woodland, PA 16881. This proposed facility is located in Bradford Township, **Clearfield County**.

Description of Proposed Action/Activity: The applicant proposes several generalized designs for Small Flow Treatment Facilities (SFTF) in Bradford Township, Clearfield County. The generalized SFTF designs will be utilized in projects within the township where construction of a SFTF is required. Each generalized design will be in accordance with the Department of Environmental Protection's Small Flow Treatment Facilities Manual. For each SFTF proposed, a separate Water Quality Management Permit Amendment will be required.

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

**WQM Permit No. 0307202**, Industrial Waste, **Reliant Energy Northeast Management Company**, 121 Champion Way, Suite 200, Canonsburg, PA 15317-5817. This proposed facility is located in Plumcreek, Burrell, Kittanning, Manor and Bethel Townships, **Armstrong County**.

Description of Proposed Action/Activity: Application for the construction and operation of a new pipeline to transport treated FGD purge water from the Keystone Generating Station to the Allegheny River.

**WQM Permit No. 0307401**, Sewerage, **North Buffalo Township**, 149 McHaddon Road, Kittanning, PA 16201. This proposed facility is located in North Buffalo Township, **Armstrong County**.

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

**WQM Permit No. 2607401**, Sewerage, **T. J. Amusement Corporation**, 6229 National Pike, Grindstone, PA 15442. This proposed facility is located in Redstone Township, **Fayette County**.

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

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

**WQM Permit No. 6107401**, Sewerage, **Highway 322 Realty Company**, P. O. Box 1030, Franklin, PA 16323. This proposed facility is located in Cranberry Township, **Venango County**.

Description of Proposed Action/Activity: In order to improve the quality of the effluent, a new treatment plant is proposed for construction along with the complete demolition of the existing WWTP. The current permitted flow will be maintained.

**WQM Permit No. 6107402**, Sewerage, **Oil Creek Township**, 16835 Shreve Run Road, Pleasantville, PA 16341. This proposed facility is located in Pleasantville Borough, **Venango County**.

Description of Proposed Action/Activity: A sewer extension project proposing to serve residents along SR 27 from Pleasantville toward Enterprise and from Pleasantville toward Titusville, Jerusalem Corners Road, North Main Street Extension, SR 227, South Main Street Extension and Route 36 in Oil Creek Township, Venango County. The wastewater will be routed to the Pleasantville Borough Sewage Treatment Plant.

**WQM Permit No. 6107403**, Sewerage, **Country Acres Personal Care Home, Inc.**, 2017 Meadville Road, Titusville, PA 16354. This proposed facility is located in Cherrytree Township, **Venango County**.

Description of Proposed Action/Activity: Construction of a new extended aeration treatment facility to repair a malfunctioning onlot septic system.

**WQM Permit No. 4301202**, Industrial Waste, Amendment No. 1, **John Koller & Son, Inc.**, Fairview Swiss Cheese, 1734 Perry Highway, Fredonia, PA 16124. This proposed facility is located in Fairview Township, **Mercer County**.

Description of Proposed Action/Activity: This is an upgrade of the current Waste Water Treatment Plant to add an anaerobic technology treatment which achieves ultra high-rate, biological treatment while minimizing energy use, sludge production and chemical utilization.

**WQM Permit No. 3307401**, Sewerage, **Department of Conservation and Natural Resources, Bureau of Facility Design & Construction**, Rachel Carson State Office Building, P. O. Box 8451, Harrisburg, PA 17105-8451. This proposed facility is located in Barnett Township, **Jefferson County**.

Description of Proposed Action/Activity: This is a construction of a new Waste Water Treatment Plant with a septic tank/recirculating sand filter system with ultraviolet disinfection. This is to treat the wastewater from a new bath house at the cabin area in the park and treat sewage flows from new flush toilet facilities.

**WQM Permit No. 4374404**, Sewerage, Amendment No. 1, **Borough of Grove City**, P. O. Box 110, Grove City, PA 16127. This proposed facility is located in Grove City Borough, **Mercer County**.

Description of Proposed Action/Activity: This will renovate the existing wastewater treatment plant as well as expand it to increase its permitted capacity for the anticipated growth in the surrounding communities served by the Borough of Grove City. The renovation is a 3.7 mgd regional WWTP utilizing the Integrated Fixed Film Activated Sludge process.

**WQM Permit No. 3307402**, Sewerage, **Winslow Township**, 1277 Yellow Brick Road, Reynoldsville, PA 15851. This proposed facility is located in Winslow Township, **Jefferson County**.

Description of Proposed Action/Activity: A sewer extension to extend a portion of the Borough of Sykesville's existing wastewater collection system to serve the Village of Soldier residential area.

**WQM Permit No. 6207401**, Sewerage, **Department of Conservation and Natural Resources, Bureau of Facility Design & Construction**, Rachel Carson State Office Building, P. O. Box 8451, Harrisburg, PA 17105-8451. This proposed facility is located in Pleasant Township, **Warren County**.

Description of Proposed Action/Activity: This project will provide residential sewage collection service to camping and recreational campsites within Chapman State Park, through pumping stations located at Campground Area (Pump Station No. 1); Concession Stand and First Aid Station (Pump Station No. 2) and Existing Restroom (Pump Station No. 3). Sewage from these three pumping stations will flow through a common force main to the eastern edge of the Park and an existing municipal gravity sewer main which then flows to the Kinzua-Warren County Joint Authority WWTP.

**WQM Permit No. 6207201**, Industrial Waste, **United Refining Company**, Box 780, Warren, PA 16365. This proposed facility is located in the City of Warren, **Warren County**.

Description of Proposed Action/Activity: This a new permit to upgrade its effluent treatment plant to improve secondary oil/water separation and to improve removal of biological solids.

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

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

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

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

<i>NPDES Permit No.</i>	<i>Applicant Name &amp; Address</i>	<i>County</i>	<i>Municipality</i>	<i>Receiving Water/Use</i>
PAI010907020	Prime Partners, Inc. 1630 Meeting House Road Hartsville, PA 18974	Bucks	Springfield Township	Cook Creek EV
PAS10G524R	Baker Residential of PA, LLC d/b/a Iacobucci Homes 2EF Raymond Drive Havertown, PA 19083	Chester	Penn Township	East Branch Big Elk Creek HQ
PAI011507047	William J. McCuen P. O. Box 609 Unionville, PA 19375-0609	Chester	Newlin Township	UNT West Branch Brandywine Creek EV-MF
PAI011507048	Maack Residential, LP 1030 West Germantown Pike P. O. Box 287 Fairview Village, PA 19409	Chester	East Coventry Township	Pigeon Creek HQ-TSF
PAI012307005	Rose Tree Media School District 308 North Olive Street Media, PA 19063	Delaware	Middletown Township	Ridley Creek HQ-TSF
PAI011507006	Masterpiece Homes 771 East Lancaster Avenue Villanova, PA 19085	Delaware	Newtown Township	Crum Creek HQ-CWF

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

*Lehigh County Conservation District: Lehigh Agricultural Center, Suite 102, 4184 Dorney Park Road, Allentown, PA 18104, (610) 391-9583.*

<i>NPDES Permit No.</i>	<i>Applicant Name &amp; Address</i>	<i>County</i>	<i>Municipality</i>	<i>Receiving Water/Use</i>
PAS10Q1252R1	James Gentile Polaris Iron Run, LP 7562 Penn Drive Allentown, PA 18106	Lehigh	Lower Macungie Township	Swabia Creek HQ-CWF
PAI023907026	Steven Morrow Coca-Cola North America 7551 Schantz Road Allentown, PA 18106	Lehigh	Upper Macungie Township	Tributary to Iron Run HQ-CWF

Wayne County Conservation District: 648 Park Street, Honesdale, PA 18431, (570) 253-0930.

NPDES Permit No.	Applicant Name & Address	County	Municipality	Receiving Water/Use
PAI026407003	Kernwood Homes, Inc. 1100 Church Street Honesdale, PA 18431	Wayne	Berlin Township	Holbert Creek HQ-CWF

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

NPDES Permit No.	Applicant Name & Address	County	Municipality	Receiving Water/Use
PAI030607007	Francis X. Hanson Atlas Minerals & Chemicals 1227 Valley Road P. O. Box 38 Mertztown, PA 19539	Berks	Longswamp Township	Toad Creek-Little Lehigh HQ

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

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

NPDES Permit No.	Applicant Name & Address	County	Municipality	Receiving Water/Use
PAI0418040032	Clinton County Economic Partnership 212 North Jay Street Lock Haven, PA 17745	Clinton	Lamar Township	UNT to Fishing Creek HQ-CWF
PAI041807002	Department of Conservation and Natural Resources Bureau of Forestry P. O. Box 8451 8th Floor RCSOB Harrisburg, PA 17105-8451	Clinton	Chapman Township	Young Womans Creek HQ-CWF

Lycoming County Conservation District: 542 County Farm Road, Suite 202, Montoursville, PA 17754, (570) 433-3003.

NPDES Permit No.	Applicant Name & Address	County	Municipality	Receiving Water/Use
PAI044107003	James Kalp Department of Conservation and Natural Resources 400 Market Street Harrisburg, PA 17105	Lycoming	Cummings Township	Lower Pine Bottom Run HQ-CWF

Montour County Conservation District: 112 Woodbine Lane, Suite 2, Danville, PA 17821, (570) 271-1140.

NPDES Permit No.	Applicant Name & Address	County	Municipality	Receiving Water/Use
PAR104725R	Hank Schmidt 565 Marjorie Mae Street State College, PA 16803	Centre	Liberty Township	Chillisquaque Creek WWF

## 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 in-

clude 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**

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

**Permit No. 2607503**, Public Water Supply.

Applicant	<b>Municipal Authority of Westmoreland County</b> 6064 Route 30 P. O. Box 730 Greensburg, PA 15601
Township or Borough	Hempfield and East Huntingdon Townships
Responsible Official	Christopher Kerr, Resident Manager Municipal Authority of Westmoreland County 6064 Route 30 P. O. Box 730 Greensburg, PA 15601
Type of Facility	Indian Creek Water treatment plant
Consulting Engineer	H. F. Lenz Company 1407 Scalp Avenue Johnstown, PA 15904
Application Received Date	October 10, 2007
Description of Action	Installation of a packaged booster pump station and a 250,000 gallon elevated water storage tank within the Westmoreland County Distribution Park.

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

**Application No. 1607501**, Public Water Supply.

Applicant	<b>Paint Township Water Authority</b>
Township or Borough	Paint Township <b>Clarion County</b>
Responsible Official	Eugene L. Bushyeager, Authority Chairman
Consulting Engineer	William G. Murphy, P. E. Maquire Group, Inc. One Court Street New Britain, CT 06051
Application Received Date	October 26, 2007

Description of Action	Construction of waterline to service residents and businesses situated along Route 66, Doe Run Road, McClain-Watson, Myers and Manor Church Roads within Township. Project involves installation of a pipeline infrastructure from existing waterline. Water source is PA American Water.
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**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:

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

**J. H. Brubaker Lumber Company**, East Hempfield Township, **Lancaster County**. Converse Consultants, 2738 West College Avenue, State College, PA 16801, on behalf of J. H. Brubaker Lumber Company, 2008 Marietta Avenue, Lancaster, PA 17603, submitted a Notice of Intent to Remediate site soils contaminated with VOCs and lead. The property is and will remain a commercial lumberyard, wood mill and home improvement supply facility. The applicant is seeking to remediate the site to the Statewide Health Standard.

**Blossom Wood Development**, Mount Joy Borough, **Lancaster County**. GCI Environmental Services, 1250 East King Street, Lancaster, PA 17602, on behalf of Lepore-Moyers Partnership, 604 New Holland Avenue, Suite J, Lancaster, PA 17602-2199, submitted a Notice of Intent to Remediate soils and groundwater contaminated with VOCs and SVOCs from an adjacent historical coal gasification plant. The property is currently a vacant lot and future use is a planned residential community. The applicant is seeking to remediate to both the background and Site-Specific Standards.

**Boyertown TCE Site**, Colebrookdale and Douglass Townships, **Berks and Montgomery Counties**. Penn E & R, Inc., 2755 Bergey Road, Hatfield, PA 19440, on behalf of Boyertown Associates, 210 North Fourth Avenue, P. O. Box 89, Royersford, PA 19468-0089, submitted a Notice of Intent to Remediate site groundwater contaminated with TCE most likely due to historical use of the property. The site was originally investigated by HSCA. Future use of the site is commercial. The applicant is seeking to remediate to the Site-Specific Standard. The Notice of Intent to Remediate is a requirement of a Consent Order and Agreement between the Department of Environmental Protection and Boyertown Associates.

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

**Trans X Limited I-80 West MM 180 Accident**, Lamar Township, **Clinton County**, Northridge Group, Inc., 1172 Ridge Road, Northumberland, PA on behalf of Trans X Limited, 2595 Inkster Boulevard, Winnipeg Manitoba, Canada R3C2E6A 17857 has submitted a Notice of Intent to Remediate soil contaminated with diesel fuel. The applicant proposes to remediate the site to meet the Statewide Health Standard. The site will remain as the median area of the interstate highway.

**National Freight Corp I-80 MM 179 Accident**, Lamar Township, **Clinton County**, Northridge Group Inc., 1172 Ridge Road, Northumberland, PA 17857 on behalf of National Freight Corp., c/o Bressler's Towing & Recovery, 2994 East Valley Road, Loganton, PA 17747 has

submitted a Notice of Intent to Remediate soil contaminated with diesel fuel. The applicant proposes to remediate the site to meet the Statewide Health Standard. The site will remain an interstate highway.

**Apex Homes, Inc.**, Monroe Township, **Snyder County**, Northridge Group, Inc., 1172 Ridge Road, Northumberland, PA 17857 on behalf of Apex Homes, Inc., 7172 SR 522, Middleburg, PA 17842 has submitted a Notice of Intent to Remediate soil contaminated with diesel fuel. The applicant proposes to remediate the site to meet the Statewide Health Standard. The area will continue to be a public roadway.

## 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 to the date of the hearing.

Persons with a disability who wish to comment and require an auxiliary aid, service or other accommodation to participate should contact the regional office 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.

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**PLAN APPROVALS**


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**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.**

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

**36-03171: New Holland Concrete—Division of Martin Limestone, Inc.** (875 East Earl Road, New Holland, PA 17557) for use of treated landfill gas in the facility's existing boiler in East Earl Township, **Lancaster County**.

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

**24-083M: INMETCO** (One INMETCO Drive, Ellwood City, PA 16117) for installation of a 156,000 acfm baghouse to replace the current venturi scrubber system for the Rotary Hearth Furnace in Ellwood City Borough, **Lawrence County**. This is a Title V facility.

**42-215A: Kane Area School District** (6965 Route 321, Kane, PA 16735) for installation of a Bio-Mass Fuel-Fired Boiler with a Multi-Cyclone control device for Particulate Equipment at their Kane facility in the Township of Kane, **McKean County**.

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

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

**46-0267: SmithKline Beecham Research Company—d/b/a GlaxoSmith Kline** (1250 South Collegeville Road, Collegeville, PA 19426) for installation of eight 2000-kW diesel/No. 2 fuel oil fired electric generators at a new Corporate Data Center in Upper Providence Township, **Montgomery County**. The facility will be limited to 173,750 gallons of diesel/No. 2 fuel oil and 22.8 tons of NO<sub>x</sub> both on a 12-month rolling sum basis. This facility will be non-Title V. The primary purpose of the generators is emergency power generation. The new generator engines will be designed with aftercooling to minimize formation of NO<sub>x</sub> and electronic and computerized combustion controls to minimize emissions of Non-methane Hydrocarbons (NMHC), PM and CO. The engines will be EPA Tier 2 compliant. The generators will comply with the sulfur content of 0.05% in the diesel/No. 2 fuel oil as required by 40 CFR Part 60, Subpart III. The owner/operator shall keep records of fuel usage and sulfur content to show compliance with the requirements of the Plan Approval.

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

**40-305-027A: Mountaintop Anthracite, Inc.** (1550 Crestwood Drive, Mountaintop, PA 18707) for modification and operation of an anthracite coal processing operations at their facility in Wright Township, **Luzerne County**. By this application, the Company has applied to obtain operational restrictions for an anthracite coal drying, screening and packaging facility to process less than 200 tons of coal per day. The coal at a rate of 10 tph will process through dryer, and other equipment for packaging. PM emissions from the dryer and fugitive PM emissions from the plant equipment will be controlled by baghouses. Expected PM emission rate will be less than 0.02 grain/dscf from each baghouse. The company will operate the facility and maintain the system in accordance with the good engineering practices to assure proper operation of the system. The Plan Approval and Operating permit will contain additional recordkeeping and operating restrictions designed to keep the facility operating within all applicable air quality requirements.

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

**49-00007E: Merck & Co., Inc.—Cherokee Plant** (P. O. Box 600, Danville, PA 17821) for a plan approval application for the establishment of a plantwide applicability limit (PAL) under 25 Pa. Code § 127.218 and to reevaluate BAT for the chemical processing equipment in an effort to allow increased flexibility to make process changes at the Cherokee plant located in Riverside Borough, **Northumberland County**. This modification includes a lower VOC emission limit (34.62 to 12.0 tpy) for the processing equipment and the establishment of a new HAP emission limit from historical process data. This modification also includes an increase in the required use of the thermal oxidizer unit at the facility. The respective facility is a major facility for which a Title V operating permit (49-00007) has been issued. There are no new sources proposed to be constructed in this application.

The Department of Environmental Protection's (Department) review of the information contained in the application indicates that the proposed operation will comply with all applicable regulatory requirements pertaining to air contamination sources and the emission of air contaminants including 40 CFR Part 63, Subpart GGG—National Emission Standards for Pharmaceuticals Production (Pharmaceutical MACT Rule), the synthesized pharmaceutical products requirements of 25 Pa. Code § 129.68 and the BAT requirements of 25 Pa. Code §§ 127.1 and 127.12. Based on this finding, the Department intends to issue a plan approval for the proposed flexibility of operation. Additionally, if the Department determines that the sources are operating in compliance with the plan approval conditions, the conditions established in the plan approval will be incorporated into the operating permit by means of an administrative amendment under 25 Pa. Code § 127.450.

The Department proposes to place in the plan approval the following conditions to ensure compliance with all applicable regulatory requirements:

1. In accordance with the PAL provisions of 25 Pa. Code § 127.218(g), the total combined VOC emissions, including fugitive emissions, from the facility shall not exceed 82.14 tons in any 12-consecutive month period. The effective period of this VOC PAL is 10 years from the issuance date of this plan approval.

2. In accordance with the PAL provisions of 25 Pa. Code § 127.218(g), if the permittee applies to renew the VOC PAL in accordance with 25 Pa. Code § 127.218(k) before the end of the PAL effective period, the PAL permit does not expire at the end of the PAL effective period. The PAL permit remains in effect until the Department issues a revised PAL permit.

3. In accordance with the PAL provisions of 25 Pa. Code § 127.218(g), emission calculations for compliance with the VOC PAL shall include emissions from startups, shutdowns and malfunctions.

4. In accordance with the PAL provisions of 25 Pa. Code § 127.218(g), upon expiration of the PAL permit, the permittee is subject to the requirements of 25 Pa. Code § 127.218(j).

5. In accordance with the PAL provisions of 25 Pa. Code § 127.218(g), the permittee shall monitor all VOC emissions at the facility in accordance with 25 Pa. Code § 127.218(m).

6. In accordance with the PAL provisions of 25 Pa. Code § 127.218(g), the permittee shall keep records of the monthly emissions of VOCs from the facility and the supporting calculations/documentation to verify compliance with the VOC PAL (includes total annual emissions in tpy based on a 12-month rolling total for each month in the reporting period), including a determination of the 12-month rolling total emissions from each emissions unit. The records shall be retained for a minimum of 5 years and shall be made available to the Department upon request.

7. In accordance with the PAL provisions of 25 Pa. Code § 127.218(g), the permittee shall submit semi-annual reports of the following:

(a) The monthly emissions of VOCs from the facility and the supporting calculations/documentation to verify compliance with the VOC PAL (includes total annual emissions in tpy based on a 12-month rolling total for each month in the reporting period).

(b) A list of the emissions units modified or added to the major facility during the preceding 6-month period.

(c) The number, duration and cause of deviations or monitoring malfunctions, other than the time associated with zero and span calibration checks, and the corrective action taken.

(d) A notification of a shutdown of a monitoring system, even if the shutdown is temporary, the reason for the shutdown, the anticipated date that the monitoring system will be fully operational or replaced with another monitoring system, whether the emissions unit monitored

by the monitoring system continued to operate, and the calculation of the emissions of the pollutant or the number determined by the method included in the permit under subsection (m)(10).

(e) A statement signed by a responsible official of the company that owns or operates the facility certifying the truth, accuracy and completeness of the information provided in the report.

The semiannual reports shall be submitted to the Department no later than March 1 and September 1.

8. In accordance with the PAL provisions of 25 Pa. Code § 127.218(g), the permittee shall submit reports of deviations and exceedances of the PAL requirements in accordance with 25 Pa. Code § 127.218(o)(3).

9. In accordance with the PAL provisions of 25 Pa. Code § 127.218(g), the emissions from a new source that requires a plan approval shall be the minimum attainable through the use of BAT. A physical change or change in method of operation at an existing emissions unit will not be subject to BAT requirements of this chapter unless the emissions unit is modified so that the fixed capital cost of new components exceeds 50% of the fixed capital cost that would be required to construct a comparable entirely new emissions unit.

10. Under the BAT provisions of 25 Pa. Code §§ 127.1 and 127.12, all point source VOC emissions from Source ID 125 (Biotech Manufacturing Area) shall not exceed a total of 0.2 ton in any 12-consecutive month period.

11. Under the BAT provisions of 25 Pa. Code §§ 127.1 and 127.12, all point source HAP emissions from Source ID 125 shall not exceed a total of 0.2 ton in any 12-consecutive month period.

12. Under the BAT provisions of 25 Pa. Code §§ 127.1 and 127.12, fugitive VOC and acetone emissions from equipment leaks from Source ID 125 equipment shall be controlled by conducting weekly inspections of process equipment, during operation, for visible, audible or olfactory indications of leaks. Records of each inspection shall be maintained for a minimum of 5 years and shall include the results of each inspection and when leaky components have been repaired or replaced. Leaky components shall be repaired or replaced as soon as practicable, but not later than 15 calendar days after it is detected. Delay of repair for VOC and acetone equipment leaks is allowed if the permittee complies with the repair requirements of 40 CFR Part 63, Subpart GGG, 63.1255(b)(4)(i).

13. (a) Source ID 125 is a group of equipment used to manufacture biotechnology chemical products and includes the following process vessels and pieces of equipment:

Centrifuge CE-A-105  
Filter Press FP-A-112  
Kettle KE-A-115  
Tank TA-A-102  
Tank TA-A-108

Fermenter FE-G-12  
Heat Exchanger HE-A-110  
Kettle KE-A-116  
Tank TA-A-103  
Tank TA-B-7

Sparkler Filter FI-A-113  
Homogenizer HM-A-106  
Tank TA-A-101  
Tank TA-A-104  
Tank TA-B-19

(b) The air contaminant emissions from CE-A-105, FP-A-112 (except during filter press cake unloading), TA-A-101, TA-A-102, TA-A-103, TA-A-104 and TA-A-108 shall be controlled by a scrubbing system (Control Device ID C126) consisting of an EST Corporation type 910 ejector venturi followed by an EST Corporation type 955 packed bed scrubber using water as the scrubbing medium.

14. The permittee shall be allowed to make process changes to Source ID 125 provided these process changes do not increase the Source ID 125 emissions above the established permitted limits and no additional HAPs are involved. The permittee shall advise the Department of these changes, but no formal approvals will be required provided the changes and resultant impact on actual and



potential emissions from these changes are summarized to the Department annually.

15. Under the BAT provisions of 25 Pa. Code §§ 127.1 and 127.12, all point source VOC emissions from Source ID 140 (Pharmaceutical/Chemical Manufacturing) shall not exceed a total of 12.0 tons in any 12-consecutive month period.

16. Under the BAT provisions of 25 Pa. Code §§ 127.1 and 127.12, all point source HAP emissions from Source ID 140 shall not exceed a total of 6.0 tons in any 12-consecutive month period.

17. The use of any HAPs other than those identified in any plan approval application (toluene, hexane, triethylamine, acetonitrile, methylene chloride, trimethyl pentane, dimethyl formamide, HCl and methanol) is prohibited unless the permittee has first requested permission, in writing, and has subsequently received Department approval to do so.

18. Under the BAT provisions of 25 Pa. Code §§ 127.1 and 127.12, fugitive VOC and acetone emissions from equipment leaks from Source ID 140 equipment shall be controlled by conducting weekly inspections of process equipment, during operation, for visible, audible or olfactory indications of leaks. Records of each inspection shall be maintained for a minimum of 5 years and shall include the results of each inspection and when leaky components have been repaired or replaced. Leaky components shall be repaired or replaced as soon as practicable, but not later than 15 calendar days after it is detected. Delay of repair for VOC and acetone equipment leaks is allowed if the permittee complies with the repair requirements of 40 CFR Part 63, Subpart GGG, 63.1255(b)(4)(i).

19. (a) Source ID 140 is a group of equipment used to manufacture pharmaceutical/chemical products and includes the following process vessels and pieces of equipment:

BN-1790	FD-1655*	ST-1240*	TA-1233	TA-1764	TA-49E*
CE-1123*	FD-2650*	ST-1245*	TA-1238*	TA-1770	TA-54*
CE-1127*	FD-2670*	ST-1415*	TA-1249*	TA-1782	TA-57
CE-1260*	FD-3100*	ST-1421*	TA-1250*	TA-18*	TA-59*
CE-1430*	FD-3110	ST-1447*	TA-1255*	TA-1804	TA-603
CE-1560	FI-1685	ST-1501*	TA-1257*	TA-1811	TA-604
CE-3033	FP-3025	ST-1510*	TA-1270*	TA-2645	TA-618*
CE-51*	HP-3150	ST-1525*	TA-1275*	TA-2665*	TA-619*
CE-75*	MI-1165	ST-1631	TA-1288*	TA-2668*	TA-62
CL-765*	MT-1121*	ST-2600*	TA-1291*	TA-2680	TA-627*
CL-1278*	PF-1440A	ST-2630*	TA-1293*	TA-2690	TA-628*
CL-1280*	PF-1440B	ST-2690*	TA-1295	TA-2705*	TA-637*
CL-1633	PF-1440C	ST-2700*	TA-1297*	TA-2715*	TA-638*
CL-1791*	PF-1648*	ST-2710*	TA-13*	TA-2720*	TA-663*
CL-1795*	PF-1649*	ST-2920*	TA-1301*	TA-2740*	TA-668*
CL-2680	PF-1709*	ST-2950*	TA-1303	TA-2745*	TA-67*
CL-2800*	PF-1767	ST-614*	TA-1305	TA-2750*	TA-68*
CL-3310	PF-38A	ST-615*	TA-1403	TA-2755*	TA-70*
CL-3340	PF-38B	ST-661*	TA-1409	TA-2770	TA-723*
CL-4000	RE-1001*	ST-780*	TA-1426*	TA-2775	TA-724*
CL-4010	RE-1004*	ST-785*	TA-1432*	TA-2810*	TA-73*
CL-4020	RE-1022*	ST-85*	TA-1435*	TA-2890*	TA-741
CL-4030	RE-1110	SU-2890	TA-1440*	TA-2905*	TA-746*
CL-701*	RE-1210*	TA-01*	TA-1444*	TA-2955*	TA-752*
CL-759*	RE-1651*	TA-02	TA-1450*	TA-2960*	TA-764*
CO-1811	RE-1676*	TA-03	TA-1473*	TA-2965*	TA-766
CR-1119*	RE-1680*	TA-06*	TA-1479	TA-2970*	TA-771*
DE-1282*	RE-1701	TA-08*	TA-1505*	TA-2975*	TA-776*
DE-1706*	RE-1730*	TA-09*	TA-1520*	TA-3000	TA-78*
DE-2815*	RE-2620*	TA-10*	TA-1522*	TA-3015	TA-790*
DE-2895*	RE-2660*	TA-1000*	TA-1530	TA-3033	TA-806*
DE-3330	RE-3010	TA-1005*	TA-1532*	TA-3035*	TA-807*
DE-3360	RE-3020	TA-1007	TA-1538*	TA-3075*	TA-811*
DE-704*	RE-3120	TA-1008	TA-1542*	TA-311*	TA-812*
DE-787*	RE-3410	TA-1012	TA-1548*	TA-3130	TA-83*
DR-1470*	RO-1755	TA-1015*	TA-1550*	TA-3300	TA-836*
DR-1625	RO-4040	TA-1025	TA-16*	TA-3380	TA-845*
DR-1671	SE-13	TA-1030	TA-1625	TA-34*	TA-858*
DR-1675*	SE-1675	TA-1031*	TA-1635	TA-3400	TA-864*
DR-1775	SE-1692	TA-1033*	TA-1639	TA-35*	TA-87*
DR-1811A	SE-1811	TA-1036*	TA-1645*	TA-3500	TA-889*
DR-1811B	SE-22*	TA-1050	TA-1650	TA-3510	TA-89*
DR-2685	SE-31	TA-1103	TA-1665	TA-39*	TA-96
EV-1230*	SE-32*	TA-1130*	TA-1668	TA-43*	TA-C2
EV-14*	SE-3320	TA-1135*	TA-1669*	TA-44	UF-1761
EV-1701	SE-3344	TA-1154*	TA-1675	TA-45*	UF-1801
EV-30*	SE-353	TA-1160*	TA-1682*	TA-47*	UF-3090
EV-735*	SE-36*	TA-12*	TA-1687*	TA-48*	UF-3140

EX-2640*	SE-702	TA-1201*	TA-1696*	TA-485	FI-F7TEMP
EX-3030	SE-737	TA-1224	TA-1747	TA-486	
EX-3040	SE-760*	TA-1225*	TA-1751		
		TA-1227*	TA-1753		

(b) Under the BAT provisions of 25 Pa. Code §§ 127.1 and 127.12, the air contaminant emissions from the above pieces of equipment marked with a \* shall be controlled by the T-Thermal No. LPV-14M thermal oxidizer (Control Device ID C500, referenced as IN-2050) equipped with two natural gas fired burners: one 13.5 mmBtu/hr modified (low NOx, LPV-14M) burner and a 1.5 mmBtu/hr HV-4018 burner, followed by the associated Sub-X water-cooled quench and Ceilcote No. SPT-54-120 packed bed scrubber (Control Device ID C501), or for backup, the T-Thermal model Sub-X fume incinerator (Control Device ID C150, referenced as IN-226) utilizing two No. 2 fuel oil-fired burners having rated capacities of 1.5 and 4.5 mmBtu/hr, followed by a Ceilcote model SPT-30-156 packed bed scrubber (Control Device ID C154, referenced as SC-225) utilizing a caustic/water solution as the scrubbing medium, associated quench tank (TA-223) and associated quench sump (TA-224).

(c) The thermal oxidizer (Control Device IDs C500 or C150) need not be used for control of air contaminant emissions from ST-661 and TA-2960 of Source ID 140 whenever there is hydrogen gas in the exhaust of ST-661 in sufficient quantity to create a potential explosion hazard.

20. Under the BAT provisions of 25 Pa. Code §§ 127.1 and 127.12 and the synthesized pharmaceutical provisions of 25 Pa. Code § 129.68, during thermal oxidizer (Control Device IDs C500 or C150) or associated scrubber (Control Device IDs C501 or C154) malfunctions, an alternative operating scenario consistent with the site's Start-up, Shutdown and Malfunction (SSM) Plan required for compliance with 40 CFR Part 63, Subpart GGG, and using vent condensers, as specified, meeting 25 Pa. Code § 129.68 requirements may be employed to complete the processing of batches or material currently in process to the next stable process hold point. However, no new batches may be charged, or processing initiated until the thermal oxidizer and associated scrubber is operational and is operating in accordance with the requirements contained in this plan approval. When the thermal oxidizer or associated scrubber is not available for control due to a malfunction, the permittee shall control the following vessels with the specified condensers at the specified coolant inlet temperatures when required for control to comply with 25 Pa. Code § 129.68:

<i>Equipment</i>	<i>Condenser**</i>	<i>Coolant Inlet Temperature</i>
TA-864	CN-864	32° C
TA-1275	CN-1275	-20° C
RE-1022	CN-1024	-10° C
TA-1645	CN-1647	-10° C
TA-1520	CN-1527	-20° C
TA-1522	CN-1527	-20° C
ST-1510	CN-1513	-20° C
DR-1470	CN-1472	-20° C
ST-661	CN-661	-20° C
ST-2710	VPs*	-20° C
ST-2630	VPs*	-20° C
ST-2600	VPs*	-20° C
RE-2660	VPs*	-20° C
EX-2640	CN-2640	-20° C
ST-2950	CN-2955	-20° C
TA-637	VPs*	-20° C

<i>Equipment</i>	<i>Condenser**</i>	<i>Coolant Inlet Temperature</i>
ST-2690	VPs*	-20° C
FD-2650	VPs*	-20° C
TA-2665	VPs*	-20° C
FD-2670	VPs*	-20° C
TA-663	VPs*	-20° C
TA-668	VPs*	-20° C
TA-618	VPs*	-20° C
TA-2970	VPs*	-20° C
TA-614	VPs*	-20° C
ST-2700	VPs*	-20° C
ST-2705	VPs*	-20° C
TA-12	CN-08	-20° C
TA-18	CN-18	+10° C
CE-51/TA-43	CN-51	-20° C
ST-85/TA-47	CN-47	-10° C
TA-59	CN-59	+10° C
TA-2960	CN-2962	+10° C

\*VP-2610, VP-2611, VP-2652, VP-2672 or VP-2678

\*\*Those condensers listed for more than one vessel shall only control one vessel at any time unless multiple approved vessels are part of an equipment train (that is, a unit operation such as distillation, steam/air stripping, extraction, and the like).

21. Under the BAT provisions of 25 Pa. Code §§ 127.1 and 127.12, during thermal oxidizer (Control Device IDs C500 or C150) or associated scrubber (Control Device IDs C501 or C154) malfunctions or during annual planned TOU and/or associated scrubber maintenance, the following type of processes may operate without TOU and associated scrubber control (that is, not subject to new batch charge stoppage and stable hold point alternative operating scenario):

(a) A process that emits less than 1.0 ton of VOCs in any 12-consecutive month period (from the sum of all process vents within a process) and emits HAPs less than the amount specified in 40 CFR 63.1254(a)(2)(i) (900 kg in any 365-day period).

(b) The sum of all process vent emissions from all processes that comply with (a) above shall be less than 2.0 tons of VOCs in any 12-consecutive month period and 1,800 kg of HAPs in any 365-day period as specified in 40 CFR 63.1254(a)(2)(ii).

22. The permittee shall be allowed to make process changes to Source ID 140 provided these process changes do not increase the Source ID 140 emissions above the established permitted limits and no additional HAPs are involved. The permittee shall advise the Department of these changes, but no formal approvals will be required provided the changes and resultant impact on actual and potential emissions from these changes are summarized to the Department annually.

23. Under the reasonably available control technology provisions of 25 Pa. Code §§ 129.57 and 129.91—129.95 and the BAT provisions of 25 Pa. Code §§ 127.1 and 127.12, each of the storage tanks of Source ID 155 (Bulk Storage Tanks) containing a VOC or HAP shall have a pressure relief valve which is maintained in good operating condition and which is set to release at no less than 0.7 psig of pressure or 0.3 psig of vacuum or the highest

possible pressure and vacuum in accordance with State or local fire codes or the National Fire Prevention Association guidelines or other national consensus standards acceptable to the Department.

24. Under the BAT provisions of 25 Pa. Code §§ 127.1 and 127.12, the following storage vessels of Source ID 155 shall not exceed the following VOC emission limits as specified:

<i>Tank</i>	<i>Maximum VOC Emissions (tons in any 12-consecutive month period)</i>
TA-104	1.18
TA-109	1.18
TA-114	1.18

25. [Compliance with the requirement specified in this streamlined permit condition assures compliance with the reasonably available control technology (RACT) VOC emission limit of 0.13 ton in any 12-consecutive month period for TA-860.]

Under the BAT provisions of 25 Pa. Code §§ 127.1 and 127.12, the air contaminant emissions from the following tanks of Source ID 155 shall be controlled by the T-Thermal model LPV-14M thermal oxidizer (Control Device ID C500, referenced as IN-2050) equipped with two natural gas fired burners: one 13.5 mmBtu/hr modified (low NO<sub>x</sub>, LPV-14M) burner and a 1.5 mmBtu/hr HV-4018 burner, followed by the associated Sub-X water-cooled quench and Ceilcote model SPT-54-120 packed bed scrubber (Control Device ID C501), or for backup, the T-Thermal model Sub-X fume incinerator (Control Device ID C150, referenced as IN-226) utilizing two No. 2 fuel oil-fired burners having rated capacities of 1.5 and 4.5 mmBtu/hr, followed by a Ceilcote model SPT-30-156 packed bed scrubber (Control Device ID C154, referenced as SC-225) utilizing a caustic/water solution as the scrubbing medium, associated quench tank (TA-223) and associated quench sump (TA-224):

TA-854, TA-101, TA-814, TA-860, TA-876, TA-862 and TA-858

26. Under the BAT provisions of 25 Pa. Code §§ 127.1 and 127.12, during thermal oxidizer (Control Device IDs C500 or C150) or associated scrubber (Control Device IDs C501 or C154) malfunctions, an alternative operating scenario consistent with the site's Start-up, Shutdown and Malfunction (SSM) Plan required for compliance with 40 CFR Part 63, Subpart GGG may be employed to complete the processing of batches or material currently in process to the next stable process hold point. However, no raw material tank filling shall be initiated for those tanks required to be controlled by the thermal oxidizer until the thermal oxidizer and associated scrubber is operational and is operating in accordance with the requirements contained in this plan approval. When the thermal oxidizer or associated scrubber is not available for control due to an unplanned outage, the permittee shall control TA-862 with a condenser (Control Device ID C166, referenced as CN-862A) and a pressure control valve (Control Device ID C167).

Copies of the application and the Department's review of the application are available for public review between 8 a.m. and 4 p.m. at the Department's Northcentral Regional Office, 208 West Third Street, Suite 101, Williamsport, PA 17701. Appointments for scheduling a review may be made by calling the Department at (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.

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

**24-119A: Advanced Heat Treating, Inc.** (1059 Trout Run Road, St. Marys, PA 15857) for installation of a Smog Hog (electrostatic precipitator) in the City of St. Marys, **Elk County**.

Under 25 Pa. Code §§ 127.44(a) and 127.424(b), the Department of Environmental Protection (Department) intends to issue a Plan Approval for their plant in the City of St. Marys, Elk County. This plan approval will authorize the applicant to install a Smog Hog (electrostatic precipitator), as described in the applicant's application of May 14, 2007. The Plan Approval will subsequently be incorporated into the company's Title V Operating Permit through an administrative amendment in accordance with 25 Pa. Code § 127.450.

Based on the information provided by the applicant and Department's own analysis, the Smog Hog will emit approximately 0.02 ton of PM per year.

Copies of the application, the Department's analysis, and other documents used in the evaluation are available for public inspection between the hours of 8 a.m. and 4 p.m. weekdays at the address shown. To make an appointment, contact Records Management at (814) 332-6340, for an appointment.

Anyone wishing to provide the Department with additional information they believe should be considered may submit the information to the address shown. Comments must be received, by the Department, within 30 days of the last day of publication. Written comments should include the following:

1. Name, address and telephone number of the person submitting comments.
2. Identification of the proposed Plan Approval; No. 24-119A.
3. Concise statement regarding the relevancy of the information or any objections to issuance of the Plan Approval.

A public hearing may be held, if the Department, in its discretion, decides that such a hearing is warranted on the comments received during the public comment period. Persons submitting comments or requesting a hearing will be notified of the decision to hold a hearing by publication in a local newspaper of general circulation or the *Pennsylvania Bulletin* or by telephone, where the Department determines such notification is sufficient. Written comments or requests for a public hearing should be directed to John Guth, Regional Air Quality Manager, Department of Environmental Protection, Northwest Regional Office, 230 Chestnut Street, Meadville, PA 16335, (814) 332-6636.

**25-0066G: Accuride Erie, LP** (1015 East 12th Street, Erie, PA 16503) for construction of two new 7,000 Ton Forge Lines at their aluminum truck wheel forging plant in Erie, **Erie County**.

In accordance with 25 Pa. Code §§ 127.44(d) and 127.424(d), the Department of Environmental Protection (Department) intends to issue a plan approval to construct two new 7,000 Ton Forge Lines at their Aluminum truck wheel forging plant in Erie, Erie County. This plan approval will restrict the facility-wide emissions of CO to 85 tpy. The facility is Natural Minor as regards potential and actual emissions. The CO restriction will allow for future increases in production and keep the facility's Natural Minor status. The source will also produce trivial amounts of NO<sub>x</sub>, VOC, PM, PM-10 and SO<sub>x</sub> from the burners. The emissions are based on a 12-month rolling total. The facility will be required to inspect the burners on a monthly basis and tune the burners on an annual basis. The permittee will be required to monitor the quantity of natural gas consumed by the burners. The plan approval will also include additional monitoring, reporting, and recordkeeping conditions and other requirements to ensure the source is operated in compliance with the Department's regulations contained in 25 Pa. Code Chapters 121—143 and the requirements of the Federal Clean Air Act. This plan approval will, in accordance with 25 Pa. Code § 127.450, be incorporated into a State-only Operating Permit through an administrative amendment at a later date. Issuance of the plan approval is recommended with the appropriate conditions in the plan approval.

**25-648D: NEPA Energy, LP** (10915 Ackerman Road, North East, PA 16428) to de-rate an existing 146 mmBtu natural gas fired boiler to 99 mmBtu and to install gas-fired nozzles limited to fire 99 mmBtu/hr in the Borough of North East, **Erie County**.

Under 25 Pa. Code §§ 127.44(a) and 127.424(b), the Department of Environmental Protection (Department) intends to issue a Plan Approval for their plant in the Borough of North East, **Erie County**. This plan approval will authorize the applicant to de-rate an existing 146 mmBtu natural gas fired boiler to 99 mmBtu and to install gas-fired nozzles limited to fire 99 mmBtu/hr. The existing Low-NO<sub>x</sub> burner with induced flue gas recirculation will remain in place for use at high fire operations. The Plan Approval will subsequently be incorporated into the company's State-only Operating Permit through an administrative amendment in accordance with 25 Pa. Code § 127.450. Normal operations will be around 50 mmBtu. The boiler's hours of operation will be dependent on the ABCO primary boiler. The Zurn boiler will only be operated if the ABCO Boiler should go down due to malfunction or servicing.

Based on the information provided by the applicant and Department's own analysis, the natural gas fired boiler will emit 43.4 tons of NO<sub>x</sub> per year and 13.9 tons of CO per year. Actual emissions will decrease for both pollutants with the de-rating. The facility does not want to take emission limitations for the site. The highest load rating occurs during the Autumn months, September through October, where the steam power generated is directed to the Welch's Food Processing Plant across the street. The Department has accepted that the emissions generated from this source will be much lower than requested in the application.

Anyone wishing to provide Department with additional information they believe should be considered may submit the information to the address shown. Comments must be received, by the Department, within 30 days of the last day of publication. Written comments should include the following:

1. Name, address and telephone number of the person submitting comments.

2. Identification of the proposed Plan Approval; No. PA-10-062C.

3. Concise statement regarding the relevancy of the information or any objections to issuance of the Plan Approval.

A public hearing may be held, if the Department, in its discretion, decides that such a hearing is warranted on the comments received during the public comment period. Persons submitting comments or requesting a hearing will be notified of the decision to hold a hearing by publication in a local newspaper of general circulation or the *Pennsylvania Bulletin* or by telephone, where the Department determines such notification is sufficient. Written comments or requests for a public hearing should be directed to John F. Guth, Regional Air Quality Manager, Department of Environmental Protection, Northeast Regional Office, 230 Chestnut Street, Meadville, PA, 16335, (814) 332-6940.

**43-142A: Salem Tube, Inc.** (951 Fourth Street, Greenville, PA 16125) for installation of a new vacuum degreasing line at their facility in Pymatuning Township, **Mercer County**.

In accordance with 25 Pa. Code §§ 127.44(b) and 127.424(b), the Department of Environmental Protection (Department) intends to issue a plan approval for installation of a new vacuum degreasing line at their facility in Pymatuning Township, Mercer County. The facility currently has a Title V Permit No. 43-00142 that was issued October 17, 2007. This plan approval will, in accordance with 25 Pa. Code § 127.450, be incorporated into the Title V operating permit through an administrative amendment at a later date.

As a general summary, the following requirements are applicable to:

1. (a) The permittee shall install and operate the system as described in the plan approval application submitted by Salem Tube to the Department dated May 8, 2007 and subsequent correspondence.

(b) The permittee shall operate and maintain the degreasing system in accordance with the manufacturer's specifications and good air pollution control practices. A copy of the manufacturer's specifications shall be kept onsite.

2. (a) The permittee may not permit to emit TCE or VOC from the degreaser more than 17Kg/m<sup>2</sup>/month (based on solvent interface area) calculated in a 3-month rolling average, and 2.5 ton of TCE or VOC in any consecutive 12-month rolling period.

(b) The facility may petition the Department in writing for a higher limit if actual operations indicate higher emissions and the Department reserves the right to impose a lower limit if actual operations indicate lower emissions.

3. Four infrared spectral photometers will be installed and operated to continuously measure solvent concentrations. They will be located:

(a) At the cleaning chamber to allow the automatic door to release only when TCE levels are below 1g/cubic meter.

(b) After the regenerable activated carbon filter to indicate TCE levels and near breakthrough.

(c) After the non-regenerable activated carbon barrel filter if installed.

(d) In the workplace around the Vacuum Cleaning and Degreasing System.

4. The maximum TCE concentration measured by the infrared spectral photometers located after the regenerable activated carbon filter, after the non-regenerable activated carbon barrel filter if installed and in the workplace around the Vacuum Cleaning and Degreasing System shall be determined within 30 days of issuance of the plan approval, and shall be indicated to the Department in writing along with calculations that show that this concentration will insure compliance with the emission limit. The maximum TCE concentrations shall become the standard operating parameter for the control device and shall be made part of the facility operating permit.

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 230 Chestnut Street, Meadville, PA 16335.

Persons wishing to provide the Department with additional information, which they believe should be considered prior to the issuance of this permit, may submit the information to the address shown in the preceding paragraph. The Department will consider any written comments received within 30 days of the publication of this notice. Each written comment must contain the following:

Name, address and telephone number of the person submitting the comments. Identification of the proposed permit No.40-142A. A concise statement regarding the relevancy of the information or objections to the issuance of the permit.

A public hearing may be held, if the Department, in its discretion, decides that such a hearing is warranted based on the comments received. All persons submitting comments or requesting a hearing will be notified of the decision to hold a hearing by publication in the newspaper or the *Pennsylvania Bulletin* or by telephone, where the Department determines the notification is sufficient. Written comments or requests for a public hearing should be directed to Cary Cooper, P. E., New Source Review, 230 Chestnut Street Meadville, PA 16335, (814) 332-6940.

Persons with a disability who wish to comment and require an auxiliary aid, service or other accommodations to do so should by contacting Cary Cooper, P. E. or the Pennsylvania AT&T Relay Service at (800) 654-5984 (TDD) to discuss how the Department may accommodate their needs.

If a plan approval has not undergone the previous public notice process, the change to an operating permit must be treated as a significant modification. In these situations the Department should follow the procedures described in §§ 127.421 to 127.431 for State-only operating permits or §§ 127.521 to 127.524 for Title V operating permits.

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

**AMS 07137: Purolite Co.** (3620 G Street, Philadelphia, PA 19134) to install a closed loop sampling system on two reactors, a condenser to control emissions from the sampling system, and to remove an eductor system in the City of Philadelphia, **Philadelphia County**. The plan approval will contain operating, testing, monitoring,

recordkeeping and reporting requirements to ensure operation within all applicable requirements.

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### PUBLIC HEARINGS

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

**40-00010: Certainteed Corp.** (1220 Oak Hill Road, Mountaintop, PA 18707) for approval of Reasonable Available Control Technology (RACT) Plans for Certainteed Corporation, Wright Township, **Luzerne County**.

The Department of Environmental Protection has made a preliminary determination to approve RACT plans and amendments to the State Implementation Plan (SIP) for Certainteed Corporation.

The proposed SIP revisions do not adopt any new regulations. They incorporate the provisions and requirements contained in RACT approvals for this facility to comply with current regulations.

The preliminary RACT determinations, if finally approved, will be incorporated into Plan Approvals/Operating Permits for the facility and will be submitted to the United States Environmental Protection Agency (EPA) as a revision to Pennsylvania's State Implementation Plan.

The main sources at the Certainteed facility are listed and a summary of the preliminary RACT determination for this facility:

M1/M2 Forming, Curing and cooling exhausting to the high stack (source S01) shall not exceed 15.5 lbs of VOC/ton of product.

MI Forming, Curing and Cooling (Source 103) shall have a maximum production rate of 80 MTPD.

M2 Forming, Curing and Cooling (source 104) shall have a maximum production rate of 125 MTPD.

A public hearing will be held for the purpose of receiving comments on the proposed Plan Approvals/Operating Permits and the proposed SIP revisions. The hearing will be held on December 11, 2007, at 1 p.m. at the Department of Environmental Protection, Northeast Regional Office, 2 Public Square, Wilkes-Barre, PA 18711. The public is invited to comment on the proposal. Persons interested in commenting are invited to appear at the public hearing.

Persons wishing to present testimony at the hearing should contact Mark Carmon, Community Relations Coordinator, at (570) 826-2511 at least 1 week in advance of the hearing to reserve a time to present testimony. Oral testimony will be limited to a maximum of 10 minutes and two written copies of the oral testimony. Each organization is requested to designate one witness to present testimony on its behalf.

Persons with disabilities who wish to attend the hearing and who require an auxiliary aid, service or other accommodation to participate in the proceedings, contact Chris Domashinski of the Department at (570) 826-2511 or the Pennsylvania AT&T Relay Service at (800) 654-5984 (TDD) to discuss how the Department may accommodate their needs.

Those unable to attend the hearing, but wish to comment, should provide written comment to Mark Wejkszner, Regional Air Quality Program Manager, 2

Public Square, Wilkes-Barre, PA 18711-0790. Comments should be submitted within 30 days of this publication in the *Pennsylvania Bulletin*.

All the pertinent documents are available for review from 8 a.m. to 4 p.m. in the Department of Environmental Protection, Northeast Regional Office, 2 Public Square, Wilkes-Barre, PA 18711-0790. Appointments for scheduling a review may be made by calling (570) 826-2511.

### 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.**

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

**40-329-001: Transcontinental Gas Pipeline Corp.** (P. O. Box 1396, Houston, TX 77251-1396) for re-activation of an existing internal combustion engine at their facility in Buck Township, **Luzerne County**. The engine has been out of service for maintenance and has been retrofitted with Low Emission Combustion Technology (LEC) to reduce emissions while operational. The engine is manufactured by Cooper-Bessemer, model number 10V-250. The unit has a maximum rated capacity of 23.5 mmBtu/hr and can operate 24 hours/day, 7 days/week. The unit fires on natural gas only. Emissions from other sources at the facility will not increase from the re-activation of this source. NO<sub>x</sub> emissions will be limited to 2.9 g/hp-hr (21.74 lbs/hr). VOC emissions will not exceed 7.5 lbs/hr. The PM emissions shall not exceed 0.04 gr/dscf, under 25 Pa. Code § 123.13. The SO<sub>2</sub> emissions in the effluent gas shall not exceed 500 ppmvd. The company currently has a Title V Permit 40-00002. The Operating Permit will include testing, monitoring, recordkeeping and reporting requirements designed to keep the sources operating within all applicable air quality requirements. The Plan Approval will, in accordance with 25 Pa. Code § 127.450, be incorporated into the Title V Operating Permit through an administrative amendment at a later date.

*Southwest Region: Air Quality Program, 400 Waterfront Drive, Pittsburgh, PA 15222-4745, Barbara Hatch, Facilities Permitting Chief, (412) 442-4174.*

**30-00072: Consol Pennsylvania Coal, Co.** (1800 Washington Road, Pittsburgh, PA 15241-1421) for a renewal of their Title V operating permit. The most significant sources of emissions at the facility are two thermal dryers and the wash plant. Coal handling and processing also contribute to emissions. The facility is subject to Title V requirements because of its potential to emit NO<sub>x</sub>, SO<sub>x</sub>, CO, PM and VOC at the Bailey Mine Coal Preparation Plant in Richhill Township, **Greene County**.

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

**16-00124: The Peoples Natural Gas Company—Truittsburg Station** (5093 Truittsburg Road, Fairmont City, PA 16224) The Peoples Natural Gas Company (PNG) air emission sources are three Clark HRA-6 engines, miscellaneous combustion sources, emergency generator, Glycol dehydrator, 65 hp air compressor, storage tanks and a parts washer in Redbank Township, **Clarion County**. The facility is both a field and storage compressor station that pumps natural gas from local production

fields and PNG's transmission system and may discharge into either transmission or local pipelines or into nearby underground storage. The facility is a Title V facility based on the potential to emit NO<sub>x</sub> and is therefore subject to the Title V Operating Permit requirements adopted in 25 Pa. Code Chapter 127, Subchapter G.

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

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

**06-03091: The Rose Corp.** (P. O. Box 15208, Reading, PA 19612-5208) for operation of a steel structure fabrication facility including a painting operation controlled by dry filters in the City of Reading, **Berks County**. This is a renewal of the State-only operating permit issued in 2002.

**06-03117: Custom Processing Services, Inc.** (2 Birchmont Drive, Reading, PA 19606-3266) for operation of a custom milling plant controlled by various fabric collectors in Exeter Township, **Berks County**. The facility is not subject to Title V (State-only operating permit). The foundry has the potential to emit 19 tpy of PM. The permit will include monitoring, work practices, recordkeeping and reporting requirements designed to keep the facility operating within all applicable air quality requirements.

**21-03022: Hempt Brothers, Inc.** (205 Creek Road, Camp Hill, PA 17011) for operation of a limestone crushing plant in Lower Allen Township, **Cumberland County**. The State-only operating permit will include emission restrictions, work practice standards, and testing, monitoring, recordkeeping and reporting requirements designed to keep the facility operating within all applicable air quality requirements. This is a renewal of the state-only operating permit issued in 2002.

**36-03124: Reading Equipment & Distribution, LLC** (P. O. Box 555, 1363 Bowmansville Road, Bowmansville, PA 17507) for operation of their custom truck assembly plant located in Brecknock Township, **Lancaster County**. This facility has a potential to emit 43 tpy of VOC's. Actual emissions are expected to be 3 tpy of VOC's. The operating permit contains testing, monitoring, recordkeeping and reporting requirements, emission restrictions and work practice standards designed to keep the facility operating within all applicable air quality requirements.

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

**24-00079: Osram Sylvania Production, Inc.** (835 Washington Street, St. Marys, PA 15857-3605) for operation of the facility's air contamination sources consisting of space heaters, cement mixer, reclaiming bagging, silica coating, SO<sub>2</sub> injection and miscellaneous emissions from dipping and coating for the assembling of incandescent electric light bulbs in the City of Saint Marys, **Elk County**.

**25-00886: Vincent Cross Paving, Inc.** (11620 Lake Pleasant Road, Union City, PA 16438) to re-issue the Synthetic Minor Operating Permit for this asphalt paving material manufacturing plant in Venango Township, **Erie County**. The facility's primary source of emissions is a hot mix asphalt batch plant and associated equipment.

**43-00309: Bucks Fabricating, Inc.** (3547 Perry Highway, Hadley, PA 16130-7237) for issuance of a Natural Minor Operating Permit to operate a facility that fabricates Steel roll off dumpsters in Sandy Creek Township, Mercer County. The facility's primary emission sources include surface coating, assembly cleaning, a steam cleaning machine, an emergency generator and propane heaters.

**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 <sup>1</sup>		greater than 6.0; less than 9.0	
Alkalinity greater than acidity <sup>1</sup>			

<sup>1</sup>The 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.

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

**33-07-11 and NPDES Permit No. PA025458.** Proposal to enter into a Government Financed Reclamation Construction Contract on a 13.9 acre site in Winslow Township, Jefferson County. The proposal includes total reclamation of 4.9 acres of abandoned deep mine

subsidence zones that include 1.4 acres of coal removal incidental and necessary to the reclamation activities. Receiving stream: Soldier Run, classified for the following use: CWF. There are no potable surface water intakes within 10 miles downstream. Application received October 19, 2007.

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

**17070116 and NPDES No. PA0256668.** Amerikohl Mining, Inc. (202 Sunset Drive, Butler, PA 16001). Commencement, operation and restoration of a bituminous surface mine in Winslow and Sandy Townships, in Jefferson and Clearfield Counties, affecting 552.0 acres. Receiving stream: Sandy Lick Creek, classified for the following use: CWF. There are no potable water supply

intakes within 10 miles downstream. Application received October 12, 2007.

**17040103 and NPDES No. PA0243744.** Hepburnia Coal Company (P. O. Box I, Grampian, PA 16838). Revision of an existing bituminous surface mine to add 3.8 acres in Knox Township, **Clearfield County**, affecting 57.1 acres. Receiving streams: UNT to Little Clearfield Creek to Clearfield Creek to West Branch Susquehanna, classified for the following uses: CWF, WWF. There are no

potable water supply intakes within 10 miles downstream. Application received October 17, 2007.

#### *Noncoal Applications Received*

*Effluent Limits*—The following noncoal 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>
Suspended solids	35 mg/l	70 mg/l	90 mg/l
Alkalinity exceeding acidity* pH*		greater than 6.0; less than 9.0	

\* The parameter is applicable at all times.

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

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

**Permit No. 44070801. Adam K. Russler**, 1057 River Road, McVeytown, PA 17051, commencement, operation and restoration of a small noncoal (industrial minerals) operation in Bratton Township, **Mifflin County**, affecting 5 acres, receiving streams: UNT to Juniata River. Application received October 18, 2007.

**Permit No. 31970301 and NPDES Permit No. PA0234583. U. S. Silica Company**, 12942 Oriskany Road, Mapleton Depot, PA 17052, renewal of NPDES Permit, in Brady Township, **Huntingdon County**. Receiving streams: UNTs to Millcreek and UNT to Saddler Creek classified for the following use: TSF. There are no potable water supply intakes within 10 miles downstream. Application received October 22, 2007.

**Permit No. 32030301 and NPDES Permit No. PA0249408. Britt Energies, Inc.**, 2450 Philadelphia Street, Indiana, PA 15701, renewal of NPDES Permit, Center Township, **Indiana County**. Receiving streams: UNT to Yellow Creek and Tearing Run classified for the following use: CWF. There are no potable water supply intakes within 10 miles downstream. NPDES renewal application received October 15, 2007.

**Permit No. 01870301 and NPDES Permit No. PA0593931. Vulcan Construction Materials LP**, 5601 Ironbridge Parkway, Suite 201, Chester, VA 23031, renewal of NPDES Permit, Berwick, Conewago and Oxford Townships, **Adams County**. Receiving streams: Slagle Run and UNT to Slagle Run classified for the following use: WWF. The first downstream potable water supply intake from the point of discharge is New Oxford Municipal Authority and Hanover Municipal Water Works. NPDES renewal application received October 17, 2007.

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

**10070304 and NPDES Permit No. PA0258466. Glacial Sand & Gravel Co.** (P. O. Box 1022, Kittanning, PA 16201). Commencement, operation and restoration of a sand and gravel, topsoil and clay operation in Worth

Township, **Butler County** affecting 77.6 acres. Receiving streams: UNTs to Black Run, classified for the following use: CWF. There are no potable surface water supply intakes within 10 miles downstream. Request for a landuse change from cropland, noncommercial forestland, residential, pastureland and unreclaimed mining to unmanaged natural habitat and unmanaged water impoundment. Application received October 22, 2007.

**4950-10070304-E-1. Glacial Sand & Gravel Co.** (P. O. Box 1022, Kittanning, PA 16201). Application for a stream encroachment to permit support facilities within the 100 foot barrier of a UNT 1 to Black Run. Receiving streams: UNTs to Black Run, classified for the following use: CWF. There are no potable surface water supply intakes within 10 miles downstream. Application received October 22, 2007.

**4950-10070304-E-2. Glacial Sand & Gravel Co.** (P. O. Box 1022, Kittanning, PA 16201). Application for a stream encroachment to place support facilities, including a haul road stream crossing, within and adjacent to UNT 3 to Black Run. Receiving streams: UNTs to Black Run, classified for the following use: CWF. There are no potable surface water supply intakes within 10 miles downstream. Application received October 22, 2007.

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

**14900301 and NPDES No. PA0206229. Glenn O. Hawbaker, Inc.** (711 East College Avenue, Bellefonte, PA 16823). Revision of an existing large, noncoal surface mine to modify water handling system in Spring Township, **Centre County**, affecting 282.1 acres. Receiving streams: Logan Branch to Spring Creek to Bald Eagle Creek to West Branch Susquehanna River, classified for the following uses: CWF, WWF. There are no potable water supply intakes within 10 miles downstream. Application received October 2, 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**

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

**E09-911. W. V. Group Holdings, LLC, Meetinghouse Business Center**, Suite 120, 120 West Germantown Pike, Plymouth Meeting, PA 19462, Hilltown Township, **Bucks County**, ACOE Philadelphia District.

To enclose and to relocate a UNT to the West Branch Neshaminy Creek (WWF, MF). In the existing condition, the UNT was enclosed in a culvert for a length of 1,442 linear feet within Department of Transportation (Department) right-of-way. This project proposes to extend the enclosed length by 2,766 linear feet upstream of the existing enclosure. Portions of the stream enclosure extension will be within the Department right-of-way. The total proposed length of enclosure will be 4,208 linear feet.

The UNT will also be relocated as part of the proposed stream enclosure. The total length of the proposed stream relocation is 3,212 linear feet. The proposed relocation will route the UNT through a stormwater detention basin (nonjurisdictional dam) and through the Department right-of-way.

This project is associated with the proposed expansion of an existing retail center. The project is located 1,400 feet north of the intersection of Route 309 (County Line Road) and Township Line Road (Telford, PA Quadrangle North: 7.4 inches; West: 2.0 inches).

**E09-923. Camp Nockamixon**, 249 Traugers Crossing Road, Kintnersville, PA 18930, Nockamixon Township, **Bucks County**, ACOE Philadelphia District.

To stabilize and maintain approximately 1,000 linear feet of streambank in and along Gallows Run (CWF). The streambank will be stabilized with R-8 riprap. This project is located approximately 6,500 feet south of the intersection Church Hill Road and SR 611 (Riegelsville, PA USGS Quadrangle N: 6.9 inches; W: 10.6 inches).

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

**E67-836: Department of Transportation Engineering District 8-0**, 2140 Herr Street, Harrisburg, PA 17103-1699, Conewago and Newberry Townships, **York County**, ACOE Baltimore District.

To: (1) remove an existing five span reinforced concrete arch bridge having a centerline clear span of 388 feet, a width of 24 feet and minimum underclearance of 16.3 feet, (2) to construct and maintain a three span P/S Concrete I-Beam bridge having a centerline clear span of 445 feet, a width of 40 feet, and a minimum underclearance of 30.3 feet carrying SR 0295, Section 001 over Conewago Creek (WWF) (Dover, PA Quadrangle N: 18.5 inches; W: 2.0 inches, Latitude 40° 06' 00.5"; Longitude: 76° 45' 49.8"); (3) construct and maintain five stormwater outfall structures with associated scour protection; (4) to construct and maintain two temporary causeways for the construction and removal of the bridges; (5) to temporarily maintain fill within 0.02 acre of PEM wetland as part of the temporary causeway; (6) to place approximately 17,709 cubic yards of fill within the floodplain of Conewago Creek; and (7) to remove 1,084 cubic yards of fill within the floodplain of Conewago Creek. The purpose of this project to replace the SR 0295, Section 001 Bridge over Conewago Creek in Conewago and Newberry Townships, York County. The project will result in 574 linear feet of temporary perennial stream impacts, 41 linear feet of permanent perennial stream impacts, and 0.02 acre temporary wetland impacts. No wetland replacement is required.

**E67-826: Jerry Watson, Barnhart Drive Associates, LP**, 30 Marianne Drive, York, PA 17406, East Manchester Township, **York County**, ACOE Baltimore District.

To fill 0.26 acre of palustrine emergent wetlands associated to a UNT to Codorus Creek (WWF) at a point just east of Route 181 and south of Manchester Borough (York Haven, PA Quadrangle N: 7.0 inches; W: 14.0 inches, Latitude: 40° 2' 19"; Longitude: 76° 43' 30") in East Manchester Township, York County. The Applicant proposes 0.52 acre of wetland mitigation.

**E07-419: Logan Township**, 800 39th Street, Altoona, PA 16602-1799, Antis Township, **Blair County**, ACOE Baltimore District.

To rehabilitate and maintain the existing Greenwood Wastewater Treatment Facility by converting the existing contact stabilization tank into aerobic digester and replacing/constructing its associated pipings and other related improvements located along the left bank of Little Juniata River (WWF) about 200 feet downstream of Riggles Gap Road bridge (Bellwood, PA Quadrangle N: 13.72 inches; W: 13.92 inches, Latitude: 40° 34' 32"; Longitude: 78° 21' 01") in Antis Township, Blair County.

**E01-271: Steven Bisbee, First Line Development Three, Inc.**, 2121 Old Gatesburg Road, Suite 200, State College, PA 16803, Straban Township, **Adams County**, ACOE Baltimore District.

To construct and maintain: 1) a 15-inch by 58.9-foot long pipe culvert crossing a stream, an 8-inch water line, an 8-inch sanitary sewer line, an 15-inch stormwater pipe, a gas line and cables for television, electric and phone; 2) an 18-inch by 18.2-foot long pipe culvert crossing a stream, an 8-inch water line, an 8-inch sewer line, a gas line and cables for television, phone and electric; 3) an 18-inch by 83.5-foot long pipe culvert crossing a stream, an 8-inch water line, an 8-inch sewer line, an 18-inch stormwater pipe, a gas line and cables for television, phone and electric; 4) a 24-inch by 93.8-foot pipe culvert crossing a stream, an 8-inch water line, an 8-inch sewer line, an 18-inch storm pipe, a gas line and cables for television, phone and electric; 5) an 18-inch by 55.8-foot long pipe culvert crossing a stream impacting 1,015 square feet of wetlands, an 8-inch water line, an 8-inch and a 4-inch sanitary sewer line and cables for television, phone and electric; 6) a 19-foot by 6-foot 3.5-inch by 69-foot steel twin arch culvert impacting 37 square feet of wetlands, an 8-inch water line, a gas line and cables for television, phone and electric; 7) an 18-inch by 91.1-foot long pipe culvert crossing a stream, an 8-inch water line, an 8-inch sewer line, a gas line and cables for television, phone and electric; 8) a 15-inch by 79.9-foot pipe culvert crossing a stream, an 8-inch water line, an 8-inch sewer line, an 18-inch storm pipe, a gas line and cables for television, phone and electric; 9) a 36-inch by 158.6-foot long pipe culvert crossing a stream; 10) three 4-inch and 8-inch sanitary sewer line crossings of streams and wetlands; 11) a wetland road crossing impacting 610 square feet of wetlands due to fill; 12) seven temporary wetland or stream crossings all impacts are to UNTs and wetlands associated with Rock Creek (WWF) (Gettysburg, PA Quadrangle N: 15.2 inches; W: 10.8 inches, Latitude: 39° 49' 60"; Longitude: 77° 12' 02") in Straban Township, Adams County. The proposed project will impact a total of 0.07 acre of wetland. The amount of permanent wetland impact is considered a de minimis impact of 0.015 acre and wetland mitigation is not required.

**E01-276: Evan O. Batts**, 3345 Carlisle Pike, New Oxford, PA 17350, Hamilton Township, **Adams County**, ACOE Baltimore District.

The Applicant proposes to fill and maintain 0.28 acre of PEM wetland in order to construct a roadway and a detention basin for a proposed housing development called Batts Subdivision located on the east side of PA 94 (Hampton, PA Quadrangle N: 0.4 inch; W: 4.2 inches, Latitude: 39° 52' 38"; Longitude: 77° 01' 48") in Hamilton Township, Adams County. The applicant will provide 0.33 acre of replacement wetlands on the property adjacent to the existing wetlands.

**E36-832: East Donegal Township**, Jeffrey Butler, 190 Rock Point Road, Marietta, PA 17547-9786, East Donegal Township, **Lancaster County**, ACOE Baltimore District.

To construct and maintain a 30.0 foot wide by 90.0 foot long concrete boat ramp, a 6.0 foot wide by 110.5 foot long wooden and aluminum boat dock and associated grading for access and parking facilities in the floodways of the Susquehanna River (WWF) and a UNT to Susquehanna River (WWF) (Columbia East, PA Quadrangle N: 10.6 inches; W: 13.3 inches, Latitude: 40° 3' 0"; Longitude: 76° 36' 30") in East Donegal Township, Lancaster County.

**E67-838: Dillsburg Area Authority**, 98 West Church Street, Dillsburg, PA 17019, Monroe Township, **Cumberland County** and Carroll Township, **York County**, ACOE Baltimore District.

To construct and maintain approximately 1,320 feet of 12-inch DIP sanitary sewer within the floodplain, install and maintain an 80-foot 12-inch DIP sanitary sewer stream crossing (Latitude: 40° 8' 51"; Longitude: 77° 1' 40"), and install and maintain a 90-foot 12-inch DIP sanitary sewer wetland crossing temporarily impacting 0.060 acre of PEM wetland (Latitude: 40° 8' 54"; Longitude: 77° 1' 37"). All impacts are associated with the Yellow Breeches Creek (CWF, TSF). The project is bound by Williams Grove Road to the west, a railroad to the south, Lucinda Lane to the east, and West Grantham Road to the north (Mechanicsburg, PA Quadrangle N: 4.1 inches; W: 3.9 inches) in Monroe Township, Cumberland County and Carroll Township, York County.

*Northcentral Region: Water Management Program Manager, 208 West Third Street, Williamsport, PA 17701, (570) 327-3636.*

**E17-438. Victory Energy Corporation**, 220 Airport Road, Indiana, PA 15701. Natural Gas Collection Pipeline Installation in Bell Township, **Clearfield County**, ACOE Baltimore District (Westover, PA Quadrangle Latitude: 40° 51' 17"; Longitude 78° 41' 41").

The applicant proposes to operate and maintain a two-inch natural gas pipeline that extends approximately 2,000-feet to connect Thompson Wells No. 109 and No. 114. This application is an after-the-fact submission to apply for authorization for the existing natural gas line. Original construction temporarily impacted 0.05 acre in two PEM/PSS wetlands. Onsite wetland restoration of 0.05 acre occurred to mitigate for the unauthorized wetland impact.

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

**3079703-A1. Allegheny Energy Supply, Co.**, 800 Cabin Hill Drive, Greensburg, PA 15601. To expand barge loading/unloading facility in Cumberland and Monongahela Townships, **Greene County**, Pittsburgh ACOE District (Masontown, PA Quadrangle N: 20.9 inches; W: 7.9 inches, Latitude: 39° 51' 54"; Longitude: 79° 55' 53"). To amend permit No. 3079703, the applicant proposes to expand the Hatfield's Ferry barge loading/unloading facility by increasing the mooring to 14.9 acres and facilities area to 5.25 acres at the left bank of Monongahela River (WWF), miles 78.1-79.1. The new structures consist of the retaining wall, and a belt conveyor that transfers limestone from the hopper to a conveyor system on shore for transport limestone across Little Whiteley Creek. Empty barges will be placed back at the mooring at the existing mooring cells. A limestone barge unloading area will be constructed immediately to the north of the northern most existing mooring cell, which requires approximately 0.45 acre facilities area and 18,000 cubic yards of excavation of the river bank.

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

Certification request initiated by the Borough of Lehigh, P. O. Box 29, Municipal Building, Second and South Streets, Lehigh, PA 18235. Beltzville Hydroelectric Project (Federal Energy Regulatory Commission (FERC) Project No. P-12455-003), on Beltzville Lake and Pohopoco Creek, Franklin Township, Carbon County, United States Army Corps of Engineers—Philadelphia District, Lehigh Quadrangle N: 17.9 inches; W: 2.3

inches. The Borough of Lehighton proposes to construct hydroelectric facilities with a generating capacity of 2.6 MW on the downstream side of the existing United States Army Corps of Engineers Beltzville Dam. The hydroelectric project would entail the installation of a steel liner in a portion of the existing dam conduit, installation of a closure gate at the end of the dam conduit, and construction of a new penstock, powerhouse, tailrace and 12kV transmission line. The Beltzville Hydroelectric Project documents are available for public review at the following locations: (1) Lehighton Area Memorial Library, 124 North Street, Lehighton, PA 18235; (2) Borough of Lehighton Municipal Building, Second Street and South Street, Lehighton, PA 18235.

### DAM SAFETY

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

**D10-122. Camp Trees Dam. Boys and Girls Club of Western PA**, 5432 Butler Street, Pittsburgh, PA 15201. To modify, operate, and maintain Camp Trees Dam across a tributary to Breakneck Creek (WWF), for the purpose of increasing spillway capacity to pass the 100-year storm event without overtopping. This dam is a previously existing unknown dam used for recreation (Mars, PA Quadrangle N: 9.20 inches; W: 1.4 inches), Adams Township, **Butler County**.

## STORAGE TANKS

### SITE-SPECIFIC INSTALLATION PERMITS

The following Storage Tank Site-Specific Installation Permit application has been received by the Department of Environmental Protection (Department) and is currently under review. Persons wishing to comment on the proposed permit are invited to submit a statement to the Bureau of Waste Management, Division of Storage Tanks, P. O. Box 8763, Harrisburg, PA 17105-8763, within 30 days from the date of this publication. Comments received within this 30-day period will be considered in the formulation of the final determinations regarding this application. Responses should include the name, address and telephone number of the writer and a concise statement to inform the Department of the exact basis of the comment and the relevant facts upon which it based.

**The following applications have been received for Storage Tank Site-Specific Installation Permits under the authority of the Storage Tank Spill Prevention Act (35 P. S. §§ 6021.304, 6021.504, 6021.1101 and 6021.1102) and under 25 Pa. Code Chapter 245, Subchapter C.**

#### SSIP

<i>Application No.</i>	<i>Applicant Name &amp; Address</i>	<i>County</i>	<i>Municipality</i>	<i>Tank Type</i>	<i>Tank Capacity</i>
07015	American Biofuels I, LLC 271 Saxony Drive Suite 200 Newtown, PA 18940 Attn: John Grabowski	Bucks	Falls Township	8 ASTs storing regulated substances	6,477,500 gallons total

## 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

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

<i>NPDES No. (Type)</i>	<i>Facility Name &amp; Address</i>	<i>County &amp; Municipality</i>	<i>Stream Name (Watershed #)</i>	<i>EPA Waived Y/N ?</i>
PA0100099 (Sewage)	Harmony Area School District 5239 Ridge Road Westover, PA 16692	Burnside Township Clearfield County	UNT to Beaver Run CWF	Y
PA0112381 (Nonmunicipal)	Columbia Investment Corporation Madison Estates 6009 Columbia Boulevard Bloomsburg, PA 17815	Columbia County Madison Township	Little Fishing Creek 5C	Y

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

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

**NPDES Permit No. PA0054704**, Sewage, **QTown Properties, LLC**, 1620 Wrightstown Road, Newtown, PA 18940. This proposed facility is located in East Rockhill Township, **Bucks County**.

Description of Proposed Action/Activity: Approval for the renewal to discharge treated sewage from the success Rehabilitation Clinic WWTP to a UNT to Tohickon Creek in Watershed 2D.

**NPDES Permit No. PA0025437**, Sewage **North Coventry Municipal Authority**, 1485 East Schuylkill Road, P. O. Box 833, Pottstown, PA 19464-0833. This proposed facility is located in North Coventry Township, **Chester County**.

Description of Proposed Action/Activity: Approval for the renewal to discharge from the Sewage Treatment Plant into the Schuylkill River in Watershed 3D—Manatawny.

**NPDES Permit No. PA0057487**, Sewage, **Oldcastle Lawn & Garden, Inc.**, 500 East Pumping Station Road, Quakertown, PA 18951. This proposed facility is located in Richland Township, **Bucks County**.

Description of Proposed Action/Activity: Approval for the renewal to discharge treated sewage and stormwater into a UNT to Tohickon Creek in Watershed 2D.

**NPDES Permit No. PA0026867, Amendment No. 1**, Sewage, **Abington Township**, 1176 Old York Road, Abington, PA 19001-3713. This proposed facility is located in Upper Dublin Township, **Montgomery County**.

Description of Proposed Action/Activity: Approval for the amendment to discharge an annual average flow of 3.91 mgd of treated sewage from the wastewater treatment plant into Sandy Run in Watershed 3F—Lower Schuylkill River.

**NPDES Permit No. PA0057011**, Sewage, **Little Washington Wastewater Company**, 762 West Lancaster Avenue, Bryn Mawr, PA 19010. This proposed facility is located in Thornbury Township, **Chester County**.

Description of Proposed Action/Activity: Approval for the renewal to discharge treated sewage from Bridlewood Farm STP into Radley Run in Watershed 3H.

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

**NPDES Permit No. PA0024457, Amendment No. 1**, Sewage, **Halifax Area Water and Sewer Authority**, P. O. Box 443, Halifax, PA 17032. This proposed facility is located in Halifax Borough, **Dauphin County**.

Description of Proposed Action/Activity: Authorization to discharge to the Susquehanna River in Watershed 6-C.

**NPDES Permit No. PA0085235**, Sewage, **DeGrazia, LLC**, 604 Memorial Drive, Fleetwood, PA 19522. This proposed facility is located in Robeson Township, **Berks County**.

Description of Proposed Action/Activity: Authorization to discharge to a UNT to Allegheny Creek in Watershed 3-C.

**NPDES Permit No. PA0009920**, Industrial Waste, **Amergen Energy Company, LLC (Three Mile Island Nuclear Station)**, Route 441 South, P. O. Box 480, Middletown, PA 17057-0480. This proposed facility is located in Londonderry Township, **Dauphin County**.

Description of Proposed Action/Activity: Authorization to discharge to Susquehanna River in Watershed 7-G.

**NPDES Permit No. PA0081850**, Industrial Waste, **Gettysburg Municipal Authority**, Water Treatment Plant, 601 East Middle Street, Gettysburg, PA 17325. This proposed facility is located in Cumberland Township, **Adams County**.

Description of Proposed Action/Activity: Authorization to discharge to a UNT of Marsh Creek in Watershed 13-D.

**NPDES Permit No. PA0260479**, Industrial Waste, **Coaldale Six Mile Run Water Corporation**, P. O. Box 152, Six Mile Run, PA 16679. This proposed facility is located in Broad Top Township, **Bedford County**.

Description of Proposed Action/Activity: Authorization to discharge to a UNT of Six Mile Run in Watershed 11-D.

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

**PA0101150 (Denied)**, Industrial Waste, SIC 4952 (Sewerage), **RIP Management Corporation—Quality Inn**, 191 United Road, DuBois, PA 15801. This facility is located in Sandy Township, **Clearfield County**.

Description of Proposed Activity: The applicant applied for renewal of its NPDES permit to discharge treated sewage to Gravel Lick Run from the treatment facility serving the Quality Inn. The renewal application was denied.

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

**NPDES Permit No. PA0103209**, Sewage, **Wattsburg Area School District**, 10782 Wattsburg Road, Erie, PA 16509. This proposed facility is located in Greene Township, **Erie County**.

Description of Proposed Action/Activity: This application is for a new NPDES permit, for an existing discharge of treated sewage from a sewage treatment plant serving the Wattsburg Area School District Campus.

### **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. 2107406**, Sewage, **Middlesex Township Municipal Authority**, 350 North Middlesex Road, Suite 2, Carlisle, PA 17013. This proposed facility is located in Middlesex Township, **Cumberland County**.

Description of Proposed Action/Activity: Permit approval for the construction/operation of sewerage facilities consisting of 15-inch diameter sewer from MH 503 and MH 501-1 to pump station, pump station with duplex pumps, propane fueled engine for emergency power, comminutor and 4-inch and 12-inch diameter force main to existing MH 403 at South Middlesex Road and I-81.

**WQM Permit No. 2205401 T-1**, Sewage, **Halifax Area Water and Sewer Authority**, P. O. Box 443, Halifax, PA 17032-0043. This proposed facility is located in Halifax Borough, **Dauphin County**.

Description of Proposed Action/Activity: Permit approval for the operation of sewerage facilities consisting of an extended aeration sewage plant related as a conventional activated sludge plant.

**WQM Permit No. 2180402, Amendment 06-1**, Sewage, **Hampden Township Sewerage Authority**, 230 South Sporting Hill Road, Mechanicsburg, PA 17055. This proposed facility is located in Hampden Township, **Cumberland County**.

Description of Proposed Action/Activity: Amendment approval for the construction/operation of sewerage facilities consisting of an expansion and upgrade of the Roth Lane STP to provide nutrient removal to meet Chesapeake Bay Tributary Strategy and receive wastewater from the abandoned Pinebrook STP by means of a force main from Pump Station No. 1.

**WQM Permit No. 0707403**, Sewage, **Duncansville Municipal Authority**, P. O. Box 502, Duncansville, PA 16635. This proposed facility is located in Duncansville Borough, **Blair County**.

Description of Proposed Action/Activity: Permit approval for the construction of sewerage facilities consisting of: replacement of the existing 12-inch interceptor from Manhole No. 44 to Manhole No. 8 with 18-inch PVC SDR 35 pipe (Area 1), replacement of the existing 12-inch interceptor from Manhole No. RS1 to Manhole 145B with 16-inch ductile iron pipe (Area 2) and replacement of existing 16-inch interceptor from Manhole No. 5A to Manhole No. 5 with 18-inch PVC SCR 35 pipe (Area 3).

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

**WQM Permit No. 1407407**, Sewerage 4952, **University Area Joint Authority**, 1576 Spring Valley Road, State College, PA 16801. This proposed facility is located in Patton Township, **Centre County**.

Description of Proposed Action/Activity: A Part II permit has been issued for the construction of a gravity interceptor system consisting of approximately 3,450 linear feet of 18" PVC sewer main. The interceptor will connect the existing sewer main along North Atherton Street to the existing sewer main under the Route 322 By-Pass near the Toftrees exit. The project will also include the abandonment of an existing pump station located at Douglas Drive.

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

**WQM Permit No. WQC018579**, Sewerage, **Gary J. Van Buren**, 18589 North Norrisville Road, Conneautville, PA 16406-5235. This proposed facility is located in Summerhill Township, **Crawford County**.

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

**WQM Permit No. 3394401**, Sewerage, Amendment No. 1, **Punxsutawney Borough, Mahoning East Civic Center**, 301 East Mahoning Street, Punxsutawney, PA 15767. This proposed facility is located in Punxsutawney Borough, **Jefferson County**.

Description of Proposed Action/Activity: To rerate current STP from 1.6 mgd to 2.4 monthly average flow. Two existing pump stations (effluent and bypass) at the STP will be modified.

**WQM Permit No. WQG018576**, Sewerage, **Cartus Corporation, c/o Caldwell Banker**, 2961 Peach Street, Erie, PA 16508. This proposed facility is located in Fairview Township, **Erie County**.

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

#### 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.*

##### NPDES

<i>Permit No.</i>	<i>Applicant Name &amp; Address</i>	<i>County</i>	<i>Municipality</i>	<i>Receiving Water/Use</i>
PAI024805011	Ron Del Dev. Company 3242 Farmersville Road Bethlehem, PA 18020	Northampton	Lower Nazareth Township	Monocacy Creek HQ-CWF
PAI024806017	Brian Regan 2019 Majestic Overlook Drive Bethlehem, PA 18015	Northampton	Lower Saucon Township	Cooks Creek EV
PAS10U168R	Jaindl Land Company 3150 Coffeetown Road Orefield, PA 18069	Northampton	Hanover Township	Monocacy Creek HQ-CWF
PAI024807010	Freemansburg Borough 600 Monroe Street Freemansburg, PA 18017	Northampton	Freemansburg Borough	Nancy Run HQ-CWF, MF
PAI024006009	SADG-2, Inc. 100 Colliery Lane Dickson City, PA 18519	Luzerne	White Haven Borough	Lehigh River HQ-CWF
PAI024506010	Bruce and Karen Ecker R. R. 4 Box 5054 Saylorsburg, PA 18353	Monroe	Hamilton Township	Tributary to Lake Creek HQ-CWF
PAS10S056R4	Sanofi Pasteur, Inc. P. O. Box 187 Discovery Drive Swiftwater, PA 18370	Monroe	Pocono Township	Scot Run HQ-CWF
PAI024506001	Sites Unlimited, Inc. P. O. Box 381 East Stroudsburg, PA 18301	Monroe	Pocono Township	Paradise Creek HQ-CWF
PAS10Q216R	Jason and Marcus Danweber 3650 Schoeneck Road Macungie, PA 18062	Lehigh	Lower Macungie Township	Little Lehigh Creek HQ-CWF
PAI023906021	Atlantic American Land Development, Inc. 401 Plymouth Road Suite 500 Plymouth Meeting, PA 19462	Lehigh	Upper Macungie Township	Iron Run HQ-CWF

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

##### NPDES

<i>Permit No.</i>	<i>Applicant Name &amp; Address</i>	<i>County</i>	<i>Municipality</i>	<i>Receiving Water/Use</i>
*PAI030605002	Manley Partners, LLC 415 Ellis Woods Road Pottstown, PA 19465	Berks	Longswamp Township	Toad Creek HQ-CWF

\* The Department proposed special conditions to protect the spadefoot toad, *Scaphiopus holbrookii*. These conditions provide for protection of approximately 8.8 acres of spade foot toad habitat, including the watersheds of the breeding ponds used by the spadefoot toad.

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


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

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


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

<i>Facility Location &amp; Municipality</i>	<i>Permit No.</i>	<i>Applicant Name &amp; Address</i>	<i>Receiving Water/Use</i>	<i>Contact Office &amp; Phone No.</i>
Plumstead Township Bucks County	PAG2000907100	Aquascapes Unlimited, Inc. P. O. Box 364 Piperville, PA 18947	Cabin Run CWF	Southeast Regional Office 2 East Main Street Norristown, PA 19401 (484) 250-5900
Bensalem Township Bucks County	PAG2000906077	Bruce Dobbs 191 Wedgewood Drive Cinnaminson, NJ 08077	Railroad Creek WWF, MF	Southeast Regional Office 2 East Main Street Norristown, PA 19401 (484) 250-5900
Ivyland Borough Bucks County	PAG2000907050	Fioravanti, Inc. 618 Street Road Southampton, PA 18956	UNT Little Neshaminy Creek WWF, MF	Southeast Regional Office 2 East Main Street Norristown, PA 19401 (484) 250-5900
Warrington Township Bucks County	PAG2000907072	Sophia Development Corporation 1243 Easton Road Suite 200 Warrington, PA 18975	UNT Neshaminy Creek WWF, MF	Southeast Regional Office 2 East Main Street Norristown, PA 19401 (484) 250-5900
Tullytown Borough Bucks County	PAR10D655R	DLC Management Corporation 580 White Plains Road Tarrytown, NY 10561	UNT Delaware River WWF	Southeast Regional Office 2 East Main Street Norristown, PA 19401 (484) 250-5900
East Caln Township Chester County	PAG2001507041	Old Boot Road Associates, Ltd. 243 Yellow Springs Road Malvern, PA 19355	Valley Creek CWF, MF	Southeast Regional Office 2 East Main Street Norristown, PA 19401 (484) 250-5900

<i>Facility Location &amp; Municipality</i>	<i>Permit No.</i>	<i>Applicant Name &amp; Address</i>	<i>Receiving Water/Use</i>	<i>Contact Office &amp; Phone No.</i>
Caln Township Chester County	PAG2001505038	South Woods, LLC 1195 McDermott Drive West Chester, PA 19380	Beaver Creek TSF, MF	Southeast Regional Office 2 East Main Street Norristown, PA 19401 (484) 250-5900
West Goshen Township Chester County	PAR10G509R	DHLP, Shadeland Woods, Ltd. 435 Devon Park Drive Wayne, PA 19087-1934	East Branch Chester Creek TSF	Southeast Regional Office 2 East Main Street Norristown, PA 19401 (484) 250-5900
Darby Township Delaware County	PAG2002307006	Pyramid Developers 8 Forest Lane Springfield, PA 19064	Hermesprot a Run/Darby Creek WWF, MF	Southeast Regional Office 2 East Main Street Norristown, PA 19401 (484) 250-5900
Thornbury Township Delaware County	PAG2002307020	Joseph A. Scandone 20 Creek Road Glen Mills, PA 19312	West Branch Chester Creek TSF, MF	Southeast Regional Office 2 East Main Street Norristown, PA 19401 (484) 250-5900
Limerick Township Montgomery County	PAG2004607092	Philly Self Storage, Inc. 1866 East High Street Pottstown, PA 19464	Schuylkill River WWF	Southeast Regional Office 2 East Main Street Norristown, PA 19401 (484) 250-5900
Lower Providence Township Montgomery County	PAG2004607019	Methacton School District 1001 Kriebel Mill Road Norristown, PA 19403	Mine Run TSF	Southeast Regional Office 2 East Main Street Norristown, PA 19401 (484) 250-5900
Conshohocken Borough Montgomery County	PAG2004607080	Washington Street Associates, IV, LP 2701 Renaissance Boulevard 4th Floor King of Prussia, PA 19406	Schuylkill River WWF, MF	Southeast Regional Office 2 East Main Street Norristown, PA 19401 (484) 250-5900
Skippack Township Montgomery County	PAG2004607084	Matt Chowns 2053 Cressman Road Skippack, PA 19474	Skippack Creek TSF	Southeast Regional Office 2 East Main Street Norristown, PA 19401 (484) 250-5900
Upper Providence Township Montgomery County	PAG20046060661	Glaxo Smith Kline 1250 South Collegeville Road Collegeville, PA 19426	Doe Run TSF	Southeast Regional Office 2 East Main Street Norristown, PA 19401 (484) 250-5900
Horsham Township Montgomery County	PAG2004605231	Popper and Deacon 659 Roberts Road Glenside, PA 19002	UNT Park Creek WWF, MF	Southeast Regional Office 2 East Main Street Norristown, PA 19401 (484) 250-5900
Springfield Township Montgomery County	PAG2004607141	Springfield Township School District 1801 Paper Mill Road Edenheim, PA 19038	Oreland Run TSF	Southeast Regional Office 2 East Main Street Norristown, PA 19401 (484) 250-5900
Lower Providence Township Montgomery County	PAG2004607140	Ridgetop Associates, LP 30 Eagleville Road Eagleville, PA 19402	Skippack Creek TSF	Southeast Regional Office 2 East Main Street Norristown, PA 19401 (484) 250-5900



## NOTICES

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<i>Facility Location &amp; Municipality</i>	<i>Permit No.</i>	<i>Applicant Name &amp; Address</i>	<i>Receiving Water/Use</i>	<i>Contact Office &amp; Phone No.</i>
Horsham Township Montgomery County	PAG2004606208	Randa Homes P. O. Box 839 Horsham, PA 19044	UNT Park Creek WWF, MF	Southeast Regional Office 2 East Main Street Norristown, PA 19401 (484) 250-5900
West Conshohocken Borough Montgomery County	PAG2004607138	PECO Energy Company 2301 Market Street S9-1 Philadelphia, PA 19103	Gulph Creek WWF	Southeast Regional Office 2 East Main Street Norristown, PA 19401 (484) 250-5900
City of Philadelphia Philadelphia County	PAG2015106079	Hedgebank Partners, LP 8327 Germantown Avenue, Rear Philadelphia, PA 19118-3403	Wissahickon Creek TSF	Southeast Regional Office 2 East Main Street Norristown, PA 19401 (484) 250-5900
North Whitehall Township Lehigh County	PAG2003907003	Peg Dissinger Omega Ridge, LP 1150 South Cedar Crest Boulevard Suite 200 Allentown, PA 18103	Tributary to Coplay Creek CWF	Lehigh County Conservation District (610) 391-9583
City of Harrisburg Dauphin County	PAG2002207049	Joseph V. Link City of Harrisburg 123 Walnut Street Suite 212G Harrisburg, PA 17101-1695	Paxton Creek WWF	Dauphin County Conservation District 1451 Peters Mountain Road Dauphin, PA 17018
Spring Grove Borough York County	PAG2006707034	York County Rail Trail Authority P. O. Box 335 Seven Valleys, PA 17360	UNT to West Branch Cordorus Creek WWF	York County Conservation District 118 Pleasant Acres Road York, PA 17402 (717) 840-7430
City of York York County	PAG2006707024	York City Sewer Authority Steven Douglas 1701 Blackbridge Road York, PA 17402	Codorus Creek WWF	York County Conservation District 118 Pleasant Acres Road York, PA 17402 (717) 840-7430
Springettsbury Township York County	PAG2006707061	Springettsbury Township John Holman 1501 Mt. Zion Road York, PA 17402	Kreutz Creek WWF	York County Conservation District 118 Pleasant Acres Road York, PA 17402 (717) 840-7430
Springettsbury Township York County	PAG2006707043	York County Rail Trail Authority P. O. Box 335 Seven Valleys, PA 17360	Codorus Creek UNTs to Codorus Creek Main Stem Oil Creek to mouth WWF	York County Conservation District 118 Pleasant Acres Road York, PA 17402 (717) 840-7430
Berwick Township Adams County	PAR100156R	Allen M. Smith D.A.K. Properties, Inc. P. O. Box 407 660 Edgegrove Road Hanover, PA 17331	Pine Run WWF	Adams County Conservation District 670 Old Harrisburg Road Suite 201 Gettysburg, PA 17325 (717) 334-0636

<i>Facility Location &amp; Municipality</i>	<i>Permit No.</i>	<i>Applicant Name &amp; Address</i>	<i>Receiving Water/Use</i>	<i>Contact Office &amp; Phone No.</i>
Mount Joy Township Adams County	PAR100044R	Richard A. Klein The Links at Gettysburg 601 Mason Dixon Road Gettysburg, PA 17325	Rock Creek WWF	Adams County Conservation District 670 Old Harrisburg Road Suite 201 Gettysburg, PA 17325 (717) 334-0636
Bern Township Berks County	PAG2000607024	James Strohecker Berks County 633 Court Street 16th Floor Reading, PA 19601	Plum Creek WWF	Berks County Conservation District 1238 County Welfare Road Suite 200 Leesport, PA 19533-9710 (610) 372-4657 Ext. 201
Bethel Township Tulpehocken Township Berks County	PAG2000607054	Mark Herring MRD Lumber Company 1070 Centre Turnpike Orwigsburg, PA 17961	Little Swatara Creek CWF	Berks County Conservation District 1238 County Welfare Road Suite 200 Leesport, PA 19533-9710 (610) 372-4657 Ext. 201
City of York York County	PAG2006707024	York City Sewer Authority 1701 Blackbridge Road York, PA 17402	Codorus Creek WWF	York County Conservation District 118 Pleasant Acres Road York, PA 17402 (717) 840-7430
Jackson Township Spring Grove Borough York County	PAG2006707034	York County Rail Trail Authority P. O. Box 335 Seven Valleys, PA 17360	Codorus Creek WB WWF	York County Conservation District 118 Pleasant Acres Road York, PA 17402 (717) 840-7430
Springettsbury Township York County	PAG2006707061	Springettsbury Township 1501 Mt. Zion Road York, PA 17402	Kreutz Creek WWF	York County Conservation District 118 Pleasant Acres Road York, PA 17402 (717) 840-7430
Dover Township York County	PAG2006707067	George Klein MGM Enterprises 1 Waterford Professional Center York, PA 17402	Little Conewago Creek TSF	York County Conservation District 118 Pleasant Acres Road York, PA 17402 (717) 840-7430
York Township York County	PAR10Y615R	S & A Homes 2121 Old Gatesburg Road State College, PA 16803	Mill Creek WWF	York County Conservation District 118 Pleasant Acres Road York, PA 17402 (717) 840-7430
Dover Township York County	PAG2006707021	J. G. Leasing Co. P. O. Box 8 York Haven, 17370	Fox Run TSF	York County Conservation District 118 Pleasant Acres Road York, PA 17402 (717) 840-7430

## NOTICES

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<i>Facility Location &amp; Municipality</i>	<i>Permit No.</i>	<i>Applicant Name &amp; Address</i>	<i>Receiving Water/Use</i>	<i>Contact Office &amp; Phone No.</i>
Springettsbury Township York County	PAG2006707058	Harry Fox, Jr. 600 Cold Springs Road Dillsburg, PA 17019	Codorus Creek WWF	York County Conservation District 118 Pleasant Acres Road York, PA 17402 (717) 840-7430
Penn Township York County	PAG2006707057	MMS Management, LLC 731 Fame Avenue Hanover, PA 17331	Gitts Run WWF	York County Conservation District 118 Pleasant Acres Road York, PA 17402 (717) 840-7430
Bradford County South Creek Township	PAG2000807007	Francis Black PA4 Sector 2 Limited Partnership d/b/a Verizon Wireless 175 Calkins Road Rochester, NY 14623	South Creek CWF	Bradford County Conservation District Stoll Natural Resource Center R. R. 5 Box 5030C Towanda, PA 18848 (570) 265-5539 Ext. 6
Lycoming County Fairfield Township	PAG2004107015	Barbara Reinard Susquehanna Gastroenterology 777 Rural Avenue Williamsport, PA 17701	Bennets Run WWF	Lycoming County Conservation District 542 County Farm Road Suite 202 Montoursville, PA 17754 (570) 433-3003
Washington County Peters Township	PAG2006307030	Williamson & Jefferson, Inc. Jeffrey Thomas 212 Sussex Way McMurray, PA 15317	UNT to Peters Creek WWF	Washington County Conservation District (724) 228-6774
Erie County Summit Township	PAG2002507014	Wal-Mart Supercenter Store No. 2278-0 Wal-Mart Real Estate Business Trust 2001 SE 10th Street Bentonville, AR 72712	McGahen Run CWF; MF	Erie County Conservation District (817) 825-6403
Erie County Summit Township	PAG2002507021	Countryside, Maleno Developers, Inc. 2340 West Grandview Boulevard Suite 1 Erie, PA 16506	UNT to Mill Creek Walnut Creek WWF; MF CWF; MF	Erie County Conservation District (817) 825-6403
Lawrence County Union Township	PAG2003707006	Butler County Community College on SR 224 Leo Golba Enterprises 149 Enclave Drive New Castle, PA 16105	UNT Mahoning River WWF	Lawrence Conservation District (724) 652-4512
Mercer County Jackson Township	PAG2004307008	Ernest D. May George J. Howe Company 629 West Main Street Grove City, PA 16127	UNT to Yellow Creek TSF	Mercer County Conservation District (724) 662-2242
Mercer County City of Hermitage	PAG2004307009	Grace Chapel Church Rev. Larry E. Haynes 120 Elm Street Sharon, PA 16146 and Paul E. O'Brien Bedford 1011, Ltd. P. O. Box 68 Brookfield, OH 44403	UNT Shenango River WWF	Mercer County Conservation District (724) 662-2242

<i>Facility Location &amp; Municipality</i>	<i>Permit No.</i>	<i>Applicant Name &amp; Address</i>	<i>Receiving Water/Use</i>	<i>Contact Office &amp; Phone No.</i>
Fayette County Saltlick Township	PAG2092607008	Bureau of Abandoned Mine Reclamation Cambria Office 286 Industrial Park Road Ebensburg, PA 15931-4119	Champion Creek CWF	Department of Environmental Protection Cambria Office 286 Industrial Park Road Ebensburg, PA 15931-4119 (814) 472-1800
<i>General Permit Type—PAG-3</i>				
<i>Facility Location &amp; Municipality</i>	<i>Permit No.</i>	<i>Applicant Name &amp; Address</i>	<i>Receiving Water/Use</i>	<i>Contact Office &amp; Phone No.</i>
Lock Haven Clinton County	PAR404808	American Color & Chemical, LLC Mount Vernan Street P. O. Box 88 Lock Haven, PA 17745	Bald Eagle Creek CWF	Northcentral Regional Office Water Management Program 208 West Third Street Suite 101 Williamsport, PA 17701 (570) 327-3664
City of Beaver Falls Beaver County	PAR216175A1	McDanel Advanced Ceramic Technologies, LLC 510 Ninth Avenue Beaver Falls, PA 15010	Walnut Bottom Run	Southwest Regional Office Water Management Program Manager 400 Waterfront Drive Pittsburgh, PA 15222-4745 (412) 442-4000
City of Bradford McKean County	PAR328303	Werzalit of America, Inc. P. O. Box 373 Bradford, PA 16701	Tunungwant Creek	DEP—NWRO Water Management 230 Chestnut Street Meadville, PA 16335-3481 (814) 332-6942
Summerhill Township Crawford County	PAG049379	Gary J. Van Buren 18589 North Norrisville Road Conneautville, PA 16406	UNT to Rundelltown Creek 16-D	DEP—NWRO Water Management 230 Chestnut Street Meadville, PA 16335-3481 (814) 332-6942
Fairview Township Erie County	PAG049375	Cartus Corporation c/o Caldwell Banker 2961 Peach Street Erie, PA 16508	Lake Erie 15	DEP—NWRO Water Management 230 Chestnut Street Meadville, PA 16335-3481 (814) 332-6942
Wilmington Township Mercer County	PAG048478	Melinda J. and John P. Holfelder, Jr. 4579 New Castle Road New Wilmington, PA 16142	UNT to West Branch Little Neshannock Creek 20-A	DEP—NWRO Water Management 230 Chestnut Street Meadville, PA 16335-3481 (814) 332-6942
Hayfield Township Crawford County	PAG048538	Herbert E. Hockenberry 16664 Ridge Road Meadville, PA 16335	UNT to Cussewago Creek 16-D	DEP—NWRO Water Management 230 Chestnut Street Meadville, PA 16335-3481 (814) 332-6942

<i>Facility Location &amp; Municipality</i>	<i>Permit No.</i>	<i>Applicant Name &amp; Address</i>	<i>Receiving Water/Use</i>	<i>Contact Office &amp; Phone No.</i>
West Salem Township Mercer County	PAG048628	Lenny W. and Mary E. White 194 Coal Hill Road Greenville, PA 16125	UNT of Big Run 20-A	DEP—NWRO Water Management 230 Chestnut Street Meadville, PA 16335-3481 (814) 332-6942
Stoneboro Borough Mercer County	PAG058378	Dye's Service Station P. O. Box 185 Stoneboro, PA 16153	Sawmill Run 16-G	DEP—NWRO Water Management 230 Chestnut Street Meadville, PA 16335-3481 (814) 332-6942
Cooper Township Clearfield County	PAG2101707002	BAMR P. O. Box 8476 Harrisburg, PA 17105-8476	UNT to Moshannon Creek CWF	BAMR P. O. Box 8476 Harrisburg, PA 17105-8476 (717) 783-1311

**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**

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

**Operations Permit issued to New Oxford Municipal Authority, 7010025, Oxford Township, Adams**

**County** on October 26, 2007, for the operation of facilities approved under Construction Permit No. 0107502 MA.

**Operations Permit issued to Bermudian Springs School District, 7010353, Huntingdon Township, Adams County** on October 26, 2007, for the operation of facilities approved under Construction Permit No. 0107504.

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

**Permit No. 5506501—Operation, Public Water Supply.**

Applicant	<b>McClure Municipal Authority</b>
Township or Borough	McClure Borough
County	<b>Snyder</b>
Responsible Official	Quentin T. Wagner, Chairperson McClure Municipal Authority P. O. Box 138 McClure, PA 17841-0138
Type of Facility	Public Water Supply—Operation
Consulting Engineer	N/A
Permit Issued Date	October 26, 2007
Description of Action	Operation of the new source of supply, Well No. 4 and transmission line to the existing treatment plant.

**Permit No. MA-1793501—Operation, Public Water Supply.**

Applicant	<b>Cooper Township Municipal Authority</b>
Township or Borough	Cooper Township
County	<b>Clearfield</b>
Responsible Official	Sharon Josefikz, Chairperson Cooper Township Municipal Authority P. O. Box 466 Winburne, PA 16879
Type of Facility	Public Water Supply—Operation

Consulting Engineer N/A  
 Permit Issued Date October 30, 2007  
 Description of Action Operation of the Kylerstown finished water storage tank.

**SEWAGE FACILITIES ACT PLAN APPROVAL**

**Plan Approvals Granted under section 5 of the Pennsylvania Sewage Facilities Act (35 P. S. § 750.5)**

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

*Plan Location: Paul and Maria Geiger.*

<i>Borough or Township</i>	<i>Borough or Township Address</i>	<i>County</i>
Heidelberg Township	6272 Route 309 P. O. Box 218 New Tripoli, PA 18066	Lehigh

*Plan Description:* The approved plan provides for a small flow treatment facility to repair a malfunctioning onlot sewage disposal system, which currently serves the residence. The proposed treatment facility will include a two-compartment septic tank with a Zabel Effluent Filter, an Ecoflo(r) ST-650 peat filter and an ultraviolet radiation disinfection unit. A 4" pvc discharge pipe from the uv unit will discharge the proposed 400 gpd of treated effluent to a UNT of the Jordan Creek. This small flow treatment facility, for which no environmentally sound and cost-effective, nondischarge alternative is available will correct an existing public health or pollution hazard, thereby satisfying the SEJ requirements in 25 Pa. Code § 93.4c(b)(1)(iii). A private well serves the residence. The proposed development is located at 8393 HawkView Road, Heidelberg Township, Lehigh County. Any required NPDES Permits or WQM Permits must be obtained in the name of Paul and Marie Geiger, as appropriate.

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

*Plan Location:*

<i>Borough or Township</i>	<i>Borough or Township Address</i>	<i>County</i>
Paradise Township	82 Beaver Creek Road Abbottstown, PA 17301	York County

*Plan Description:* Spring Run Estates, A3-67949-194-3: The approved plan provides for a 49 lot single-family residential subdivision on 84.3341 acres with total proposed sewage flows of 11,000 gpd tributary to the Abbottstown Paradise Joint Sewer Authority Wastewater Treatment Plant. The proposal also includes plans for construction of a new pump station. The proposed subdivision is located at the end of Mary Street between Country Club and Pine Roads, just south of the Lincoln Highway (US Route 30) in Paradise Township, York Country. Any required NPDES Permits or WQM Permits must be obtained in the name of the municipality or authority as appropriate.

*Plan Location:*

<i>Borough or Township</i>	<i>Borough or Township Address</i>	<i>County</i>
Windsor Township	1480 Windsor Road P. O. Box 458 Red Lion, PA 17356	York County

*Plan Description:* Dale and Barbara Torbert, A3-67966-409-2/3s: The approved plan provides for a two lot single-family residential subdivision on 10.58 acres with total proposed sewage flows of 400 gpd to be treated by an individual onlot disposal system. The proposed replacement systems for the new building lot and the residual tract are Small Flow Treatment Facilities with two separate discharges to a UNT of Fishing Creek. The proposed subdivision is located on the east and west sides of Gebhart Road, approximately 400 feet north of Craley Road in Windsor Township, York County. Any required NPDES Permits or WQM Permits must be obtained in the name of the municipality or authority as appropriate.

*Plan Location:*

<i>Borough or Township</i>	<i>Borough or Township Address</i>	<i>County</i>
Bethel Township	3015 South Pine Grove Street Fredericksburg, PA 17026	Lebanon

*Plan Description:* The approved plan provides for three separate sewer extensions to serve existing structures in the Monroe Valley Drive, Schadler Apartment and Spruce Street area. This project expands the scope of previously approved planning in Bethel Township. The Department of Environmental Protection's review of the sewage facilities update revision has not identified any significant environmental impacts resulting from this proposal. Any required NPDES Permits or WQM Permits must be obtained in the name of the municipality or authority as appropriate.

*Plan Location:*

<i>Borough or Township</i>	<i>Borough or Township Address</i>	<i>County</i>
Logan Township	800 39th Street Altoona, PA 16601	Blair County

*Plan Description:* The approved plan provides for construction of a Small Flow Treatment Facility for the Forsht Estate 2.84 acre property. The proposed sewage flows are 400 gpd with a discharge to swales along Woomer and Grandview Roads then to a UNT of the Little Juniata River. The Department of Environmental Protection's review of the sewage facilities update revision has not identified any significant environmental impacts resulting from this proposal. Any required NPDES Permits or WQM Permits must be obtained in the name of the municipality or authority as appropriate.

**SEWAGE FACILITIES ACT PLAN DISAPPROVAL**

**Plan Disapprovals Granted under section 5 of the Pennsylvania Sewage Facilities Act (35 P. S. § 750.5)**

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

*Plan Location:*

<i>Borough or Township</i>	<i>Borough or Township Address</i>	<i>County</i>
West Earl Township	P. O. Box 787 Brownstown, PA 17508	Lancaster County

*Plan Description:* The plan for the Alvin Zimmerman Subdivision, located on the south side of West Farmersville Road west of the intersection of South Farmersville Road, was disapproved because (the preliminary hydrogeologic study did not adequately characterize the background nitrate-nitrogen concentration for the portion of the study relating to Lot 3. The existing well on

Lot 2, the residual tract, was not sampled even though it is located closer to the proposed lot and would provide a more accurate representation of the groundwater under the site). The module number for this proposal is A3-36959-175-2 and the APS number is 622699.

## 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:

*Northeast Region: Ronald S. Brezinski, Regional Environmental Cleanup Program Manager; 2 Public Square, Wilkes-Barre, PA 18711-0790.*

**Francis D. Raub Middle School**, Allentown City, **Lehigh County**. Mark T. Smith, Spotts, Stevens, and McCoy, Inc., P.O. Box 6307, 1047 North Park Road, Reading, PA 19610 has submitted a Final Report (on behalf of his client, Allentown City School District, P.O. Box 328, 31 South Penn Street, Allentown, PA 18105-0328), concerning the remediation of soils found to have been impacted by No. 2 fuel oil as a possible result from tank overflow or from product piping overlying the under-

ground storage tank. The report was submitted in order to document attainment of the Statewide Health Standard. A public notice regarding the submittal of the final report was published in *The Morning Call* on October 9, 2007.

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

**The Villages at Orchard Hills/Stark Farm**, Southampton Township, **Cumberland County**. RT Environmental Services, Inc., 215 West Church Road, King of Prussia, PA 19406, on behalf of Stark Southampton 145 LLC, Pond Road Center, 4345 Route 9, Suite 28, Freehold, NJ 07728, submitted a Remedial Investigation Report and Cleanup Plan concerning remediation of site soils contaminated with arsenic and pesticides. The report is intended to document remediation of the site to the Statewide Health and Site-Specific Standards, and was grandfathered into the Act 2 program.

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

**National Freight Corp. I-80 MM 179 Accident**, Lamar Township, **Clinton County**, Northridge Group Inc., 1172 Ridge Road, Northumberland, PA 17857 on behalf of National Freight Corp., c/o Bressler's Towing & Recovery, 2994 East Valley Road, Loganton, PA 17747 has submitted a 90 day Final Report concerning remediation of site soil contaminated with diesel fuel. The report is intended to document remediation of the site to meet the Statewide Health Standard.

**Trans X Limited I-80 West MM 180 Accident**, Lamar Township, **Clinton County**, Northridge Group Inc., 1172 Ridge Road, Northumberland, PA on behalf of Trans X Limited, 2595 Inkster Boulevard, Winnipeg Manitoba, Canada R3C2E6A 17857 has submitted a Final Report concerning remediation of site soil contaminated with diesel fuel. The report is intended to document remediation of the site to meet the Statewide Health Standard.

**Apex Homes, Inc.**, Monroe Township, **Snyder County**, Northridge Group, Inc., 1172 Ridge Road, Northumberland, PA 17857 on behalf of Apex Homes, Inc., 7172 SR 522, Middleburg, PA 17842 has submitted a Final Report concerning remediation of site soil contaminated with diesel fuel. The report is intended to document remediation of the site to meet the Statewide Health Standard.

**Former Rhoads Mills Property**, Borough of Selinsgrove, **Snyder County**, Alliance Environmental Services, Inc., 1820 Linglestown Road, Harrisburg, PA 17110 on behalf of Ed Rhoads, 10 Fairway Drive, Selinsgrove, PA 17870 has submitted a combined Remedial Investigation/Final Report concerning remediation of site soil and groundwater contaminated with organophosphorous based agricultural compounds (alachlor and metalochlor), fertilizer components (nitrate/nitrite) and chloride. The report is intended to document remediation of the site to meet the Site-Specific Standard.

*Northwest Region: Environmental Cleanup Program Manager; 230 Chestnut Street, Meadville, PA 16335-3481.*

**U. S. Bronze Foundry & Machine, Inc.—South Parking Lot Site**, Woodcock Township, **Crawford County**. Pneumo Abex, LLC, 80 South Eighth Street, Minneapolis, MN 55402 on behalf of U.S. Bronze Foundry & Machine, Inc., 18649 Brake Shoe Road, Meadville, PA 16335 has submitted a Cleanup Plan concerning remediation of site soils contaminated with lead and chromium.

The report is intended to document remediation of the site to meet the Site-Specific Standard.

## LAND RECYCLING AND ENVIRONMENTAL REMEDIATION

UNDER ACT 2, 1995

### PREAMBLE 3

**The Department has taken action on the following plans and reports under the Land Recycling and Environmental Remediation Standards Act (35 P. S. §§ 6026.101—6026.908).**

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:

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

**Fehl's Home & Garden**, Muhlenberg Township, **Berks County**. Groundwater Sciences Corporation, 2601

Market Place Street, Suite 310, Harrisburg, PA 17110, on behalf of Fehl's Home & Garden, 5369 Allentown Pike, Temple, PA 19560 and Agway Liquidating Trust, LLC, 5790 Widewaters Parkway, Dewitt, NY 13214, submitted a Final Report concerning the remediation of site soils contaminated with No. 2 fuel oil from removed underground storage tanks. The final report demonstrated attainment of the Residential Statewide Health Standard, and was approved by the Department of Environmental Protection on October 23, 2007.

**PA Army National Guard Tyrone Armory**, Tyrone Borough, **Blair County**. Converse Consultants, 2738 West College Avenue, State College, PA 16801, on behalf of Department of Military and Veteran Affairs, Environmental Section, Building 0-11, Fort Indiantown Gap, Annville, PA 17003-5002, submitted a Final Report concerning the remediation of site soils contaminated with heating oil. The final report demonstrated attainment of the Residential Statewide Health Standard, and was approved by the Department of Environmental Protection on October 25, 2007.

**Hopeland Post Office/Cloister Flooring, Inc.**, Clay Township, **Lancaster County**. GemChem, Inc., 53 North Cedar Street, Lititz, PA 17543 on behalf of Marcus Kline, Cloister Flooring, Inc., 749 Rothsville Road, Lititz, PA 17543, submitted a Final Report concerning the remediation of site soils contaminated with leaded and unleaded gasoline. The final report demonstrated attainment of the Residential Statewide Health Standard, and was approved by the Department of Environmental Protection on October 25, 2007.

**WLYH Tower**, West Cornwall Township, **Lebanon County**. GeoServices, Ltd., 1525 Cedar Cliff Drive, Camp Hill, PA 17011, on behalf of Clear Channel Broadcasting, 3300 North Sixth Street, Harrisburg, PA 17110-1407, submitted a Final Report concerning the remediation of site soils contaminated with No. 2 fuel oil. The final report demonstrated attainment of the Residential Statewide Health Standard, and was approved by the Department of Environmental Protection on October 25, 2007.

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

**Rosemeier Property-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 Final Report concerning remediation of site 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 Final Report demonstrated attainment of the Nonresidential Statewide Health Standard for soil and Residential Statewide Health Standard for groundwater and was approved by the Department of Environmental Protection on October 24, 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.**



*Southeast Region: Air Quality Program, 2 East Main Street, Norristown, PA 19401, Thomas McGinley, New Source Review Chief, (484) 250-5920.*

**09-302-089GP: AE Polysilicon Corp.** (100 Passaic Avenue, Chatham, NJ 07928) on October 25, 2007, to operate a small gas/oil fired combustion Unit in Falls Township, **Bucks County**.

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

**39-399-061GP2: Buckeye Terminals, LLC** (5 TEK Park, 9999 Hamilton Boulevard, Breinigsville, PA 18031) on October 17, 2007, to install an internal floating roof on tank No. 101 at their site in Lower Macungie Township, **Lehigh County**.

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

**GP1-36-03131: Lancaster Regional Medical Center** (250 College Avenue, Lancaster, PA 17603) on October 25, 2007, for Small Gas and No. 2 Oil Fired Combustion Units under GP1 in City of Lancaster, **Lancaster County**. This is a renewal of the general permit.

**GP3-06-05087C: Haines & Kibblehouse, Inc.** (P. O. Box 196, 2052 Lucon Road, Skippack, PA 19474) on October 24, 2007, for Portable Nonmetallic Mineral Processing Plants under GP3 in Colebrookdale Township, **Berks County**.

**GP4-1-07-03044: Electric Motor & Supply, Inc.** (1000 50th Street, P. O. Box 152, Altoona, PA 16601) on October 24, 2007, for Burn Off Ovens under GP4 in City of Altoona, **Blair County**. This is a renewal of the general permit.

**GP9-06-05087A: Haines & Kibblehouse, Inc.** (P. O. Box 196, 2052 Lucon Road, Skippack, PA 19474) on October 24, 2007, for Diesel or No. 2 fuel-fired Internal Combustion Engines under GP9 in Colebrookdale Township, **Berks County**.

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

**GP5-30-00169: Atlas Pipeline Pennsylvania, LLC** (311 Rouser Road, P. O. Box 611, Moon Township, PA 15108) on October 17, 2007, a General Operating Permit to install and operate a Caterpillar Model G3508 633-bhp compressor engine and a Hanover Dehydrator rated at .5 mmBtu/hr at their Ceylon Compressor Station located at Cumberland Township, **Greene County**.

**GP9-26-00567: Shallenberger Construction, Inc.—Industrial Park Site** (2611 Memorial Boulevard, Connellsville, PA, 15425) on October 25, 2007, to operate a diesel-fired engine to provide electric power for an associated portable nonmetallic mineral processing plant in Bullsken Township, **Fayette County**.

**GP3-26-00567: Shallenberger Construction, Inc.—Industrial Park Site** (2611 Memorial Boulevard, Connellsville, PA, 15425) on October 25, 2007, to operate a portable nonmetallic mineral processing plant including a crusher with a water spray system in Bullsken Township, **Fayette County**.

**GP3-26-00566: Shallenberger Construction, Inc.—Mulch Yard Site** (2611 Memorial Boulevard, Connellsville, PA 15425) on October 25, 2007, to operate a portable nonmetallic mineral processing plant including a

crusher with a water spray system located in Connellsville Township, **Fayette County**.

**GP9-26-00566: Shallenberger Construction, Inc.—Mulch Yard Site** (2611 Memorial Boulevard, Connellsville, PA 15425) on October 25, 2007, to operate a diesel-fired engine to provide electric power for an associated portable nonmetallic mineral processing plant in Connellsville Township, **Fayette County**.

**GP9-32-00320A: Penn Run Quarry—No. 2** (456 Weston Road, Penn Run, PA 15765) on October 24, 2007, for diesel engines at the Spruce Mine in Cherryhill Township, **Indiana County**.

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

**GP-20-299: Kastle Resources Enterprises, Inc.—Pierpont Compressor Station** (Partch Road and Route 198, Linesville, PA 16424) on October 31, 2007, for a natural gas fired compressor engine BAQ/GPA/GP-5 in **Crawford County**.

**GP-42-197: Atlas Pipeline McKean, LLC—Irishtown Plant** (Route 307, Lewis Run, PA 16738) on October 23, 2007, for a natural gas fired compressor engine BAQ/GPA/GP-5 in **McKean County**.

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**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.*

**67-03083B: Utz Quality Foods, Inc.** (900 High Street, Hanover, PA 17331-1639) on October 24, 2007, to construct a continuous snack food fryer controlled by a mist eliminator at their snack food manufacturing facility in Hanover Borough, **York County**.

**67-03115A: Garrod Hydraulics, Inc.** (1050 Locust Point Road, York, PA 17402-8059) on October 22, 2007, to install a chromium electroplating system and emission controls at their existing plant in East Manchester Township, **York County**.

**67-03142A: DCP Midstream, LP** (370 17th Street, Suite 2500, Denver, CO 80202-5604) on October 25, 2007, for construction of a new propane terminal in West Manchester Township, **York County**.

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

**37-290D: Ferrotech Corp.** (526 South Jefferson Street, New Castle, PA 16101) on October 26, 2007, to install an additional fabric filter PM control device at their facility site in the City of New Castle, **Lawrence County**. This is not a Title V facility.

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**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, Thomas McGinley, New Source Review Chief, (484) 250-5920.*

**09-0105B: Naceville Materials** (P. O. Box 196, 2052 Lucon Road, Skippack, PA 19474) on October 23, 2007, to operate a 20,000 gallon storage tank in Springfiled Township, **Bucks County**.

**15-0004D: Alcoa Packaging, LLC** (520 Lincoln Avenue, Downingtown, PA 19335) on October 23, 2007, to operate four film seaming machines in Downingtown Borough, **Chester County**.

**46-0035D: SmithKline Beecham—d/b/a Glaxo-SmithKline** (709 Swedeland Road, King of Prussia, PA 19406) on October 23, 2007, to operate an incinerator in Upper Merion Township, **Montgomery County**.

**09-0175: Hanson Aggregates BMC, Inc.** (1900 Sullivan Trail, Easton, PA 18040) on October 25, 2007, to operate new pit conveyors in Wrightstown Township, **Bucks County**.

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

**22-05007B: The Harrisburg Authority** (One Keystone Plaza, Suite 104, Harrisburg, PA 17101) on October 22, 2007, to construct the Harrisburg Materials, Energy, Recycling and Recovery Facility, 1670 South 19th Street in the City of Harrisburg, **Dauphin County**. This plan approval was extended.

**67-02004: P. H. Glatfelter Company** (228 South Main Street, Spring Grove, PA 17362) on October 26, 2007, to operate three power boilers controlled by an electrostatic precipitator, a lime calciner controlled by a Venturi scrubber and a softwood fiber line and causticizing area to be controlled by a regenerative thermal oxidizer in Spring Grove Borough, **York 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.*

**49-00020B: Truck Accessories Group, Inc.—d/b/a Leer East** (3560 Housels Run Road, Milton, PA 17847) on October 24, 2007, to authorize the use of small quantities of additional VOC-containing and/or VHAPs air pollutant-containing materials in a mold maintenance area and fiberglass reinforced plastic truck cap and tonneau cover assembly and final finish operations in a fiberglass reinforced plastic and aluminum truck cap manufacturing facility in Milton Borough, **Northumberland County**.

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

**30-00166A: Greene Team Pellet Fuel Co.** (P. O. Box 74, Garards Fort, PA 15334) on November 24, 2007, for Wood Pellet Manufacturing Plant in Greene Township, **Greene County**. This is a Plan Approval Extension.

**65-00966A: Greensburg Thermal, LLC** (755 Oposum Lake Road, Carlisle, PA 17016) on November 24, 2007, for circulating fluidized bed boiler at SCI Greensburg in Hempfield Township, **Westmoreland County**. This is a Plan Approval Extension.

**04-00699F: NGC Industries, Inc.—d/b/a/ National Gypsum Co.** (2001 Rexford Road, Charlotte, NC 28211) on October 24, 2007, for cage mill at Shippingport Plant in Shippingport Borough, **Beaver County**. This is a Plan Approval Extension.

**30-00099E: Allegheny Energy Supply Co., LLC** (800 Cabin Hill Drive, Greensburg, PA 15601) on October 30, 2007, for Coal Fired Steam Electric Generation Facility at Hatfield Power station in Monongahela Township, **Greene County**. This is a Plan Approval Extension.

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

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

**10-00028: Armstrong Cement and Supply Corp.** (100 Clearfield Road, Cabot, PA 16023) on October 25, 2007, the Department of Environmental Protection re-issued a Title V Permit to operate a cement manufacturing facility in Winfield Township, **Butler County**. The facility's major emission sources include raw material stockpiles, primary and secondary crushers for raw materials, material conveyance systems, cement kilns, finish mills and miscellaneous support operations. The facility is a major facility due to its potential to emit PM, SO<sub>x</sub>, NO<sub>x</sub> and CO.

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**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.**

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*Southeast Region: Air Quality Program, 2 East Main Street, Norristown, PA 19401, Edward Jurdon Brown, Facilities Permitting Chief, (484) 250-5920.*

**46-00134: The Hill School** (717 East High Street, Pottstown, PA 19464) for a renewal and a Minor Modification to a Non-Title V Facility, State-only, Synthetic Minor Permit in Pottstown Township, **Montgomery County**. The Hill School has several combustion sources for heat, hot water and food preparation. The school has taken fuel throughput restrictions and changed some of the boilers from natural gas to No. 2 fuel oil. Monitoring, recordkeeping and reporting requirements have been added to the permit to address applicable limitations.

**09-00088: Chicago Steel (PA), LLC** (80 Roebling Road, Fairless Hills, PA 19030) on October 25, 2007, for a renewal of a Non-Title V Facility, State-only, Natural Minor Permit in Falls Township, **Bucks County**. Chicago Steel (PA), LLC is a steel manufacturing facility. The sources of emissions are from a steel cleaning process equipped with a fume scrubber. Monitoring, recordkeeping and reporting requirements have been added to the permit to address applicable limitations.

**46-00149: Armstrong-Americas-I, LLC** (250 Hansen Access Road, King of Prussia, PA 19406) On October 30, 2007, for renewal of air quality permit for two boilers in Upper Merion Township, **Montgomery County**. The permit is for a non-Title V (State-only) facility. The permit will include monitoring, recordkeeping and reporting requirements designed to keep the facility operating within all applicable air quality requirements.

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

**22-03017: Hoover Funeral Homes & Crematory, Inc.** (6011 Linglestown Road, Harrisburg, PA 17112-1208) on October 26, 2007, to operate a human crematory in Lower Paxton Township, **Dauphin County**. This is a renewal of the State-only operating permit.

**28-03027: Kurdziel Industrial Coatings Co.** (9473 Lincoln Way W, Saint Thomas, PA 17252-9710) on October 17, 2007, to operate their finish paint facility in St. Thomas Township, **Franklin County**. This is a renewal of the State-only operating permit.

**28-05020: T. B. Woods, Inc.** (440 North 5th Avenue, Chambersburg, PA 17201-1778) on October 24, 2007, to operate their gray and ductile iron foundry in Chambersburg Borough, **Franklin County**. This is a renewal of the State-only operating permit.

**36-05109: Amerimax Home Products, Inc.** (P. O. Box 4515, Lancaster, PA 17604-4515) on October 24, 2007, to operate their building shapes manufacturing facility in East Hempfield Township, **Lancaster County**. This is a renewal of the State-only operating permit.

**36-05123: Corixa Corp.—d/b/a GlaxoSmithKline Biologicals** (325 North Bridge Street, Marietta, PA 17547-1134) on October 23, 2007, to operate boilers and emergency generators at their biological manufacturing facility in East Donegal Township, **Lancaster County**. This is a renewal of the State-only operating permit.

**38-05004: Kountry Kraft, Inc.** (P. O. Box 570, Newmanstown, PA 17073-0570) on October 25, 2007, to operate their cabinet manufacturing facility in Millcreek Township, **Lebanon County**. This is a renewal of the State-only operating permit.

*Southwest Region: Air Quality Program, 400 Waterfront Drive, Pittsburgh, PA 15222-4745, Barbara Hatch, Facilities Permitting Chief, (412) 442-4174.*

**63-00874: Therm-O-Rock East, Inc.—Donora Plant** (P. O. Box 429, Pine Street, New Eagle, PA 15067) on October 18 2007, for raw material storage silos, blending and bagging stations, product bins and unpaved roadway fugitive emissions at their facility in the Borough of Donora, **Washington County**.

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

**25-00924: Erie Forge & Steel, Inc.** (1341 West 16th Street, Erie, PA 16512-1522) on October 24, 2007, to issue a Natural Minor Permit to operate an iron and steel forging manufacturing facility in City of Erie, **Erie County**. The facility's significant sources include six heat treat furnaces. Previously, the facility was major for Title V due to its' potential to emit of NOx and CO. At present, the facility is natural minor because the emission level of pollutants is below Title V threshold limit after removal of several sources.

**62-00151: CB&I Water Fabrication Facility** (1420 Lexington Avenue, Warren, PA 16365-2850) on October 24, 2007, to issue a Synthetic Minor Operating Permit to their facility in the City of Warren, **Warren County**. The Facility conducts fabrication of steel plate work. The permittee shall maintain the emission of VOC not more than 39.9 tpy based on a 12-month rolling total, maintain the emissions of each individual HAP not more than 9.9 tpy based on a 12-month rolling total and maintain the emissions of total HAPs from the Facility not more than 24.9 tpy based on a 12-month rolling total.

**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.**

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

**21-05013: Fry Communications, Inc.** (101 Fry Drive, Mechanicsburg, PA 17050-2654) on October 25, 2007, to operate their lithographic printing operation at Plant No. 1 in Mechanicsburg Borough, **Cumberland County**. This State-only operating permit has been administratively amended to incorporate plan approval 21-05013B. This is revision No. 1.

*Southwest Region: Air Quality Program, 400 Waterfront Drive, Pittsburgh, PA 15222-4745, Barbara Hatch, Facilities Permitting Chief, (412) 442-4174.*

**11-00051: Quaker Sales Corp.** (P. O. Box 880, Johnstown, PA 15907) on September 24, 2007, a Minor Operating Permit Modification to their State-only Operating Permit for Johnstown plant at West Taylor Township, **Cambria County**.

**30-00089: Dominion Transmission, Inc.** (D. L. Clark Building, Suite 400, 501 Martindale Street, Pittsburgh, PA 15212-5817) on October 17, 2007, for a Department of Environmental Protection initiated Administrative Amendment to amend the performance of monitoring requirements, correct an error in stack test calculation methods and eliminate the requirement to perform monitoring for fuel bound nitrogen at the Crayne Compressor Station located in Franklin Township, **Greene County**.

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

**42-00197: Atlas Pipeline McKean, LLC** (1550 Coraopolis Heights Road, FL 2, Moon Township, PA 15108-2973) for an administrative amendment of the State Operating Permit to change the ownership and to incorporate the conditions of General Permit (GP-5) for Source 110 Caterpillar compressor engine at their Irishtown Plant facility in Lafayette Township, **McKean 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 Permits Actions

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

**Permit Number: 30831303 and NPDES Permit No. PA0013511, Cumberland Coal Resources, LP, (148**

Portal Road, P. O. Box 1020, Waynesburg PA 15370), to revise the permit for the Cumberland Mine in Center Township, **Greene County** and related NPDES permit to construct and operate the No. 9 Air Shaft. Surface Acres Proposed 56.00. Receiving stream: Maple Run, classified for the following use: HQ-WWF. Application received April 18, 2007. Permit issued October 24, 2007.

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

**56010101 and NPDES No. PA0248924. Action Mining, Inc.**, 1117 Shaw Mines Road, Meyersdale, PA 15552, revision of an existing bituminous surface mine to add additional acres for mining in Elk Lick Township, **Somerset County**, affecting 81.0 acres. Receiving streams: UNT to the Casselman River classified for the following use: CWF. There are no potable water supply intakes within 10 miles downstream. Application received May 31, 2007. Permit issued October 19, 2007.

**56070103 and NPDES No. PA0262366. PBS Coals, Inc.**, P. O. Box 260, Friedens, PA 15541, commencement, operation and restoration of a bituminous surface mine in Stonycreek Township, **Somerset County**, affecting 338.3 acres. Receiving streams: Schrock Run and UNTs to Schrock Run classified for the following uses: CWF. The application is proposing to temporarily close a portion of T-695 during mining. A stream variance is being requested for a UNT to Schrock Run. This variance request is to mine through the headwaters of this stream and reconstruct the stream channel postmining. There are no potable water supply intakes within 10 miles downstream. Application received March 2, 2007. Permit issued October 23, 2007.

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

**33070103 and NPDES Permit No. PA0258334. Reichard Contracting, Inc.** (212 Olean Trail, New Bethlehem, PA 16242) Commencement, operation and restoration of a bituminous strip operation in Ringgold and Redbank Townships, **Jefferson and Armstrong Counties** affecting 165.5 acres. Receiving streams: UNTs to Painter Run. Application received April 27, 2007. Permit issued October 17, 2007.

**1542-33070103-E-1. Reichard Contracting, Inc.** (212 Olean Trail, New Bethlehem, PA 16242). Application for a stream encroachment to conduct mining activities within 100 feet of UNT No. 8 to Painter Run in Ringgold and Redbank Townships, **Jefferson and Armstrong Counties**. Receiving streams: UNTs to Painter Run. Application received April 27, 2007. Permit issued October 17, 2007.

**33960109 and NPDES Permit No. PA0227331. TDK Coal Sales, Incorporated** (P. O. Box 259, Brockway, PA 15824) Renewal of an existing bituminous strip and auger operation in Union Township, **Jefferson County** affecting 157.4 acres. Receiving streams: UNT to Little Mill Creek. This renewal is issued for reclamation only. Application received August 29, 2007. Permit issued October 23, 2007.

**33030106 and NPDES Permit No. PA0242373. Falls Creek Energy Co., Inc.** (568 Silvis Hollow Road, Kittanning, PA 16201). Renewal of an existing bituminous strip and auger operation in Porter Township, **Jefferson County** affecting 163.5 acres. Receiving streams: Pine Run. Application received July 10, 2007. Permit issued October 23, 2007.

#### *Noncoal Permits Actions*

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

**58070846. Stephen W. Major**, (R. R. 3, Box 3944, Montrose, PA 18801), commencement, operation and restoration of a quarry operation in Bridgewater Township, **Susquehanna County** affecting 5.0 acres, receiving stream: none. Application received July 13, 2007. Permit issued October 22, 2007.

**8275SM2A3C5 and NPDES Permit No. PA0593885. Martin Limestone, Inc.**, (P. O. Box 550, Blue Ball, PA 17506), renewal of NPDES Permit for discharge of treated mine drainage from a quarry operation in Earl and Ephrata Townships, **Lancaster County**, receiving stream: Conestoga Creek and UNT to Conestoga Creek. Application received August 31, 2007. Renewal issued October 23, 2007.

**7775SM8C4 and NPDES Permit No. PA0595748. Dyer Quarry, Inc.**, (P. O. Box 188, Birdsboro, PA 19508), renewal of NPDES Permit for discharge of treated mine drainage from a quarry operation in Robeson Township, **Berks County**, receiving stream: Indian Corn Creek and Seidel Creek. Application received September 4, 2007. Renewal issued October 23, 2007.

**7775SM9A2C8 and NPDES Permit No. PA0595659. Glen-Gery Corporation**, (P. O. Box 7001, Wyomissing, PA 19610), renewal of NPDES Permit for discharge of treated mine drainage from a quarry operation in Perry Township, **Berks County**, receiving stream: UNT to Schuylkill River. Application received September 4, 2007. Renewal issued October 23, 2007.

**8274SM6A2C6 and NPDES Permit No. PA0595349. Binkley & Ober, Inc.**, (P. O. Box 7, East Petersburg, PA 17520), renewal of NPDES Permit for discharge of treated mine drainage from a quarry operation in East Hempfield Township, **Lancaster County**, receiving stream: UNT to Little Conestoga Creek. Application received September 6, 2007. Renewal issued October 25, 2007.

**7876SM1C5 and NPDES Permit No. PA0595721. ESSROC Cement Corp.**, (Route 248 and Easton Road, Nazareth, PA 18064), renewal of NPDES Permit for discharge of treated mine drainage from a quarry operation in Whitehall Township, **Lehigh County**, receiving stream: Coplay Creek. Application received September 10, 2007. Renewal issued October 25, 2007.

**64910303C and NPDES Permit No. PA0595462. Reading Materials, Inc.**, (P. O. Box 1467, Skippack, PA 19474), renewal of NPDES Permit for discharge of treated mine drainage from a quarry operation in Palmyra Township, **Wayne County**, receiving stream: tributary to Lake Wallenpaupack. Application received September 4, 2007. Renewal issued October 26, 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.*

**28074152. David H. Martin Excavating, Inc.**, 4961 Cumberland Highway, Chambersburg, PA 17201-9655, blasting activity permit issued for commercial development in Chambersburg Borough, **Franklin County**. Blasting activity permit end date is December 17, 2008. Permit issued October 19, 2007.

**21074167. Dyno Nobel, Inc.**, 1320 Galiffa Drive, Donora, PA 15033, blasting activity permit issued for single development in Monroe Township, **Cumberland County**. Blasting activity permit end date is January 30, 2008. Permit issued October 19, 2007.

**44074103. Douglas Explosives**, P. O. Box 77, Philipsburg, PA 16866-0077, blasting activity permit issued for commercial development in Granville Township, **Mifflin County**. Blasting activity permit end date is October 30, 2008. Permit issued October 19, 2007.

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

**360741109. Keystone Blasting Service**, (381 Reifsnyder Road, Lititz, PA 17543), construction blasting for Flyaway Industrial Park in Manheim Township, **Lancaster County** with an expiration date of December 30, 2007. Permit issued October 3, 2007.

**51074002. Controlled Demolition, Inc.** (2737 Merymans Mill Road, Phoenix, MD 21131), demolition blasting at Tidewater Grain Elevator Implosion in the City of Philadelphia, **Philadelphia County** with an expiration date of November 21, 2007. Permit issued October 22, 2007.

**06074128. Warren's Excavating & Drilling, Inc.** (P. O. Box 1022, Honey Brook, PA 19344), construction blasting for Franklin Street Improvements in West Reading Borough, **Berks County** with an expiration date of October 15, 2008. Permit issued October 22, 2007.

**13074107. Explosive Services, Inc.** (7 Pine Street, Bethany, PA 18431), construction blasting for Boulder Creek Resort in Kidder Township, **Carbon County** with an expiration date of October 31, 2008. Permit issued October 22, 2007.

**52074130. Explosive Services, Inc.** (7 Pine Street, Bethany, PA 18431), construction blasting for Saw Creek Estates in Lehman and Middle Smithfield Townships, **Pike and Monroe Counties** with an expiration date of October 31, 2008. Permit issued October 22, 2007.

**360741115. Keystone Blasting Service** (381 Reifsnyder Road, Lititz, PA 17543), construction blasting for Snyder Road utilities in Manheim Township, **Lancaster County** with an expiration date of November 30, 2007. Permit issued October 23, 2007.

**38074122. Abel Construction Co., Inc.** (P. O. Box 476, Mountville, PA 17554), construction blasting for Arbor Greene Phase 4 in North and South Londonderry Townships, **Lebanon County** with an expiration date of October 26, 2008. Permit issued October 23, 2007.

**38074123. Warren's Excavating & Drilling, Inc.** (P. O. Box 1022, Honey Brook, PA 19344), construction blasting for Schaefferstown Fire Company in Heidelberg Township, **Lebanon County** with an expiration date of October 15, 2008. Permit issued October 23, 2007.

**38074124. Warren's Excavating & Drilling, Inc.** (P. O. Box 1022, Honey Brook, PA 19344), construction blasting for utilities on North Londonderry Square in North Londonderry Township, **Lebanon County** with an expiration date of October 15, 2008. Permit issued October 23, 2007.

**45074154. Warren's Excavating & Drilling, Inc.** (P. O. Box 1022, Honey Brook, PA 19344), construction blasting for Mountain View Development in Stroud Township, **Monroe County** with an expiration date of October 1, 2008. Permit issued October 23, 2007.

**46074123. Warren's Excavating & Drilling, Inc.** (P. O. Box 1022, Honey Brook, PA 19344), construction blasting for Shannon Rose Estates in New Hanover Township, **Montgomery County** with an expiration date of October 15, 2008. Permit issued October 23, 2007.

**48074116. Warren's Excavating & Drilling, Inc.** (P. O. Box 1022, Honey Brook, PA 19344), construction blasting for Hanover Housing Development in Hanover Township, **Northampton County** with an expiration date of October 15, 2008. Permit issued October 23, 2007.

**67074149. TJ Angelozzi, Inc.** (7845 Kabik Court, Woodbine, MD 21797), construction blasting for Penn's Preserve in York Township, **York County** with an expiration date of October 22, 2008. Permit issued October 23, 2007.

**46074003. Explo-Craft, Inc.** (P. O. Box 1332, West Chester, PA 19380), construction blasting at Snyder Square Shopping Center in Hatfield Township, **Montgomery County** with an expiration date of December 31, 2007. Permit issued October 24, 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**

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

**E15-752. County of Chester**, 14 East Biddle Street, 1st Floor, P. O. Box 2748, West Chester, PA 19380-2748, East Pikeland Township, **Chester County**, ACOE Philadelphia District.

To remove the existing Pickering Road Bridge, a 61.4-foot long, 14.5-foot wide structure and to replace it with a 62-foot long, 28-foot wide structure with similar vertical and horizontal alignments across Pickering Creek (HQ-TSF). The site is located approximately 100 feet north-west of intersection of Pickering Creek and Church Roads (Malvern, PA USGS Quadrangle N: 19.35 inches; W: 13.15 inches).

The issuance of this permit also constitutes approval of a Water Quality Certification under Section 401 of the Federal Water Pollution Control Act (33 U.S.C.A. 1341(a)).

**E46-1008. Montgomery Office Park, LLC**, 301 Oxford Valley Road, Suite 201A, Yardley, PA 19067, Montgomery Township, **Montgomery County**, ACOE Philadelphia District.

To perform the following water obstruction and encroachment activities associated with associated with the Montgomery Office Park Pond Project, consisting of four two-story buildings with associated parking facilities:

1. To excavate a stormwater basin and impact 0.09 acre of wetland (PEM) which will serve as a stormwater management facility.
2. To modify an existing 36-inch RCP stream enclosure that conveys flow under Horsham Road (SR 0463) by removing and replacing a segment and extending the pipe in the upstream direction to tie into Junction Box A1 of the basin noted near the Horsham Road/Stump Road intersection. The work will impact 185 linear feet of watercourse of which 145 feet is currently in a pipe.
3. To place fill within 62 linear feet of stream channel to facilitate the construction of associated parking area.

The applicant also requests an Environmental Assessment Approval for impacts associated with the construction an on-stream Nonjurisdictional Dam and its appurtenant works that will impact 150 linear feet of watercourse, which will serve as a stormwater management facility.

The site is a located at the intersection of Stump and Horsham Roads in Montgomeryville Township, Montgomery County (Ambler, PA Quadrangle N: 19.82 inches; W: 13.77 inches).

The issuance of this permit also constitutes approval of a Water Quality Certification under Section 401 of the Federal Water Pollution Control Act (33 U.S.C.A. 1341(a)).

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

**E31-212: Joseph H. and Phyllis Shearer and R. Scott and Karen Shearer**, 17 Arentzen Boulevard, Suite 206, Charleroi, PA 15022, Franklin Township, **Huntingdon County**, ACOE Baltimore District

To remove the existing vacation home and then construct and maintain a 58-foot wide by 60-foot long home within the 100-year floodway and along the left bank of Spruce Creek (HQ-CWF). The project is located in Franklinville village (Franklinville, PA Quadrangle N: 3.4 inches; W: 12.75 inches, Latitude: 40° 38' 37"; Longitude: 78° 05' 31") in Franklin Township, Huntingdon County.

**E36-828: Department of Transportation Engineering District 6-0**, 7000 Geerdes Boulevard, King of Prussia, PA 19406-1525, Sadsbury Township, **Lancaster County** and West Sadsbury Township, **Chester County**, ACOE Baltimore District

To widen SR 0041, Section ZOK between Siddonsburg Road and Zook Road involving the following activities:

1. To construct and maintain a stream enclosure involving the connection of two existing 70-foot long, 36-inch RCP's with a 22-foot section and a 15-foot extension upstream in a UNT to Pine Creek (MF/TSF) at the Siddonsburg Road and SR 0041 intersection (Parkesburg, PA Quadrangle N: 15.84 inches; W: 16.35 inches, Latitude: 39° 57' 44"; Longitude: 75° 59' 30"). This will result in 178 feet of cumulative impact to an ephemeral stream.
2. To remove an existing reinforced concrete T-beam bridge having a total span of 24.13 feet, a width of 38.14 feet and a minimum underclearance of 11.75 feet and to construct and maintain a precast spread box beam bridge having a total clear span of 65.0 feet, a width of 54.0 feet and a minimum underclearance of 10.25 feet carrying SR 0041 over Pine Creek (MF/TSF) (Parkesburg, PA Quadrangle N: 15.74 inches W: 15.88 inches Latitude: 39° 57' 42" Longitude: 75° 59' 18").
3. To relocate 71 linear feet of a UNT to Pine Creek (MF/TSF) (Parkesburg, PA Quadrangle N: 15.79 inches; W: 15.84 inches, Latitude: 39° 57' 43"; Longitude: 75° 59' 17").
4. To relocate 170 linear feet of a UNT to Pine Creek (MF/TSF) and enclose and maintain 96 feet of the tributary in a 30-inch RCP (Parkesburg, PA Quadrangle N: 15.89 inches; W: 16.35 inches, Latitude: 39° 57' 45"; Longitude: 75° 59' 30"). The channel will increase in length by 183 linear feet.
5. To place and maintain fill in four exceptional value PEM wetlands involving:
  - a. 0.01 acre permanent and 0.04 acre temporary impact (Parkesburg, PA Quadrangle N: 15.74 inches; W: 15.80 inches, Latitude: 39° 57' 42"; Longitude: 75° 59' 16").
  - b. 0.08 acre permanent impact (Parkesburg, PA Quadrangle N: 15.79 inches; W: 15.76 inches, Latitude: 39° 57' 43"; Longitude: 75° 59' 15").
  - c. 0.14 acre permanent impact (Parkesburg, PA Quadrangle N: 15.84 inches; W: 16.39 inches, Latitude: 39° 57' 44"; Longitude: 75° 59' 31").

d. 0.0001 ac permanent impact (Parkesburg, PA Quadrangle N: 15.69 inches; W: 15.76 inches, Latitude: 39° 57' 41"; Longitude: 75° 59' 15").

The applicant is required to replace a minimum of 0.23 acre of wetland and has proposed to create 0.32 acre of wetland near the Zook Road and SR 0041 intersection (Parkesburg, PA Quadrangle N: 15.69 inches; W: 15.76 inches, Latitude: 39° 57' 41"; Longitude: 75° 59' 15").

*Northcentral Region: Water Management Program Manager, 208 West Third Street, Williamsport, PA 17701, (570) 327-3636.*

**E17-436. Emigh Run-Lakeside Watershed Association**, P. O. Box 204, Morrisdale, PA 16858. Emigh Run No. 13 Acid Mine Drainage Treatment Project in Morris Township, **Clearfield County**, ACOE Baltimore District (Wallaceton, PA Quadrangle Latitude: 40° 56' 58.81"; Longitude: 78° 15' 57.09").

The applicant proposed to construct, operate and maintain a passive acid mine drainage treatment system requiring a rock outfall along Emigh Run, minor road crossing Emigh Run, fill in wetland associated to Emigh Run and rock outfall along a UNT to Emigh Run for the abatement of acid mine drainage pollution. The project is located along the southern right-of-way of SR 2033 approximately 2.3 stream miles upstream of the Emigh Run Reservoir. The Emigh Run No. 13 Acid Mine Drainage Treatment Project permanently impacts 0.06-acre of wetland, for which the Department of Environmental Protection has determined that the water quality improvements from Emigh Run No. 13 acid mine drainage treatment system serves to mitigate those permanent wetland impacts.

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

**E32-482. Indiana County Commissioners**, 825 Philadelphia Street, Indiana, PA 15701. To construct and maintain two pedestrian/bicycle bridges on Blacklick Creek (TSF) in East Wheatfield and Buffington Townships, **Indiana County**, Pittsburgh ACOE District (New Florence, PA Quadrangle N: 17.96 inches; W: 1.24 inches, Latitude: 40° 28' 26"; Longitude: 79° 0' 32"). To construct and maintain two pedestrian/bicycle bridges on Blacklick Creek (TSF). The first is a single span simply supported truss bridge with a span of approximately 115' and an underclearance of approximately 21'. The second is a three span simply supported truss bridge with each span

having a length of approximately 70', for a total span of 220.5' and an underclearance of approximately 19'. Both spans are constructed on existing abutments and the second structure will be supported on existing piers, which will be modified to accommodate the new spans. Temporary ford crossings to access the existing piers may be required and are also included. The new bridges are being constructed for the purpose of improving a pedestrian/bicycle trail. The first span is located approximately 1/2 mile north of Dilltown and the second is located approximately 3/4 mile northwest of Dilltown.

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

**E10-434. Pilot Travel Center, LLC**, 5508 Lonas Road, Knoxville, TN 37909. SF Pilot Travel Center on SR 422, in Muddycreek Township, **Butler County**, ACOE Pittsburgh District (Portersville, PA Quadrangle N: 40° 57' 55"; W: 80° 08' 17").

To fill a total of 0.33 acre of wetland for the development of a SF Pilot Travel Center including automobile and truck fueling, restaurant, access roads, parking utilities and associated grading north of SR 422 west of I-79. Project includes on site creation of 0.36 acre of replacement wetland.

**E42-330. Hancock Timberland VII QRS Trust**, P. O. Box 3304, Smethport, PA 16749-0604. Hancock Timberland VII QRS Trust Twomile Creek Stream Crossing, in Annin Township, **McKean County**, ACOE Pittsburgh District (Roulette, PA Quadrangle N: 41° 52' 1"; W: 78° 14' 50.5").

To operate and maintain a 50-foot long, 48-inch diameter plastic pipe culvert in Twomile Creek (CWF) on an access road serving as access for timber management extending northwest from Two Mile Road approximately 3.5 miles east of SR 155.

**E42-332. Atlas Resources, Inc.**, 101 McQuiston Drive, Jackson Center, PA 16133. Willow Creek Gas Pipeline Crossing, in Corydon Township, **McKean County**, ACOE Pittsburgh District (Stickney, PA Quadrangle N: 41° 57' 35.9"; W: 78° 47' 54").

To install by directional boring and maintain a 4-inch diameter plastic natural gas pipeline across Willow Creek (HQ-CWF, Wild Trout) and adjoining Exceptional Value wetland following an existing gravel roadway extending south from SR 346 approximately 4.8 miles east of SR 321.

## STORAGE TANKS

### SITE-SPECIFIC INSTALLATION PERMITS

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

SSIP Permit No.	Applicant Name & Address	County	Municipality	Tank Type	Tank Capacity
07-09-007	Advanced Lubrication Specialties 420 Imperial Court Bensalem, PA 19020 Attn: Michael Cimino	Bucks	Bensalem Township	9 ASTs storing petroleum products	315,000 gallons total

<i>SSIP Permit No.</i>	<i>Applicant Name &amp; Address</i>	<i>County</i>	<i>Municipality</i>	<i>Tank Type</i>	<i>Tank Capacity</i>
07-22-005	Eldorado Properties Corporation P. O. Box 2621 Harrisburg, PA 17105-2621 Attn: Stephen Carten	Dauphin	Lower Swatara Township	1 AST storing petroleum product	2,106,000 gallons

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## SPECIAL NOTICES

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### HAZARDOUS SITES CLEANUP UNDER THE ACT OF OCTOBER 18, 1988

#### Public Notice of Proposed Consent Order and Agreement Department of Environmental Protection Mays Hickman Road Site Robinson Township, Allegheny County

Under section 1113 of the Hazardous Sites Cleanup Act (35 P. S. § 6020.1113) (HSCA), notice is hereby given that the Department of Environmental Protection (Department) has entered into a Consent Order and Agreement (CO&A) with Mays Properties, Inc. (MPI) concerning the Department's cleanup of the Mays Hickman Road Site (Site). The proposed CO&A resolves the HSCA owner-operator liability of MPI for reimbursement of costs expended by the Department in investigating and remediating the Site, a property of approximately 8 acres located in Robinson Township, Allegheny County (Site).

Beginning in the mid-1950s and until at least 1964, Jake Phillips, Sr. hauled to the Site carbon sweepings dross and various industrial waste from the Pittsburgh Coke and Chemical facility (mid-1950s through 1959) and from the Pittsburgh Activated Carbon facility (1960 through 1964), both located on Neville Island. In September 1959, Jake Phillips, Sr. incorporated his hauling business as the Phillips Contracting Company, Inc. (PCC). The hauling from the two facilities conducted by Jake Phillips, Sr. and by PCC resulted in disposal at the Site of about 1,200 tons of carbon sweepings and industrial waste, including eight leaking 55-gallon drums.

A 1993 Environmental Protection Agency investigation and 1994 and 2001 investigations by the Department found contamination in the form of various volatile and semi-volatile organics at the Site. In 2003, to address this contamination, the Department conducted an interim response under section 501(a) of HSCA (35 P. S. § 6020.501(a)). The Department's interim response entailed the removal and proper disposal of all Site waste. As a result of its Site investigation and its interim response, the Department incurred costs in the amount of \$1,385,368.

The Department has previously settled its costs claims against Wilmington Securities, Inc., which inherited HSCA generator liability from its corporate predecessor, Pittsburgh Coke and Chemical; against Earlin Equipment Company, Inc. (Earlin), which inherited HSCA transporter liability from its corporate predecessor, PCC; and against Calgon Carbon Corporation, which inherited HSCA generator liability from its corporate predecessor, Pittsburgh Activated Carbon.

The Department's proposed CO&A with MPI calls for MPI's filing with the Allegheny County, Pennsylvania Recorder of Deeds a consensual lien in favor of the Department in the amount of \$450,000, which amount

represents MPI's reimbursement to the Department of outstanding costs of \$325,368 incurred at the Site, together with payment of accrued interest. The lien will attach to all real and personal property and any other assets owned by MPI. The lien will remain in place until MPI has made payment in full to the Department in the amount of \$450,000.

The CO&A additionally requires MPI to record with the Allegheny County Recorder of Deeds an acknowledgement of the disposal of hazardous substances and hazardous waste at the Site and a notice of property use restrictions prohibiting any use of the Site that is inconsistent with or that will negatively impact any of the investigative or remedial measures undertaken by the Department.

The specific terms of this settlement are set forth in the CO&A between the Department and MPI. Copies of the CO&A are available for inspection at the Department's Southwest Regional Office, 400 Waterfront Drive, Pittsburgh, PA 15222.

The Department will receive and consider comments relating to the CO&A for 60 days from the date of this Public Notice. The Department has the right to withdraw its consent to the CO&A if comments concerning the CO & A disclose facts or considerations which indicate that the CO&A is inappropriate, improper, or not in the public interest. After the public comment period, the Department's settlement with MPI shall be effective upon the date that the Department notifies MPI, in writing, that this CO&A is final and effective in its present form and that the Department has filed a response to significant written comments to the CO&A or that no such comments were received.

Comments should be submitted, in writing, to Terry Goodwald, Department of Environmental Protection, Hazardous Sites Cleanup, 400 Waterfront Drive, Pittsburgh, PA 15222. Further information may be obtained by contacting Terry Goodwald at (412) 442-4000. TDD users should contact the Department through the Pennsylvania Relay Services at (800) 645-5984.

[Pa.B. Doc. No. 07-2064. Filed for public inspection November 9, 2007, 9:00 a.m.]

#### Availability of Technical Guidance

Technical guidance documents are available on the Department of Environmental Protection's (Department) website at [www.depweb.state.pa.us](http://www.depweb.state.pa.us) (DEP Keywords: Technical Guidance). The "Final Documents" heading is the link to a menu of the various Department bureaus where each bureau's final technical guidance documents are posted. The "Draft Technical Guidance" heading is the link to the Department's draft technical guidance documents.

The Department will continue to revise its nonregulatory documents, as necessary, throughout 2007.



*Ordering Paper Copies of Department Technical Guidance*

The Department encourages the use of the Internet to view and download technical guidance documents. When this option is not available, persons can order a paper copy of any of the Department's draft or final technical guidance documents by contacting the Department at (717) 783-8727.

In addition, bound copies of some of the Department's documents are available as Department publications. Check with the appropriate bureau for more information about the availability of a particular document as a publication.

*Changes to Technical Guidance Documents*

Following is the current list of recent changes. Persons who have questions or comments about a particular document should call the contact person whose name and phone number is listed with each document.

*Draft Technical Guidance*

DEP ID: 257-4000-001. Title: Storage Tank Product Delivery Prohibition. Description: This guidance document describes the circumstances under which the Department may impose storage tank product delivery prohibitions in conjunction with the Department's authority to suspend, revoke or deny an operating permit, as authorized by the Storage Tank and Spill Prevention Act (35 P. S. §§ 6021.101—6021.2104) and 25 Pa. Code Chapter 245 (relating to administration of the storage tank and spill prevention program). The document also identifies the procedures the Department will use to notify the tank owner/operator and product distributors that such a delivery prohibition is in effect. Delivery prohibition includes the prohibition of delivery, deposit or acceptance of product into a storage tank that has been determined to be ineligible for receiving product. Written Comments: The Department is seeking comments on draft technical guidance No. 257-4000-001. Interested persons may submit written comments on this draft technical guidance document by December 10, 2007. Comments submitted by facsimile will not be accepted. The Department will accept comments submitted by e-mail. A return name and address must be included in each e-mail transmission. Written comments should be submitted to Charles Swokel, Department of Environmental Protection, Bureau of Waste Management, Division of Storage Tanks, Rachel Carson State Office Building, P. O. Box 8763, Harrisburg, PA 17105-8763 or cswokel@state.pa.us. Contact: Questions regarding the technical guidance document should be directed to Charles Swokel, Bureau of Waste Management, Division of Storage Tanks, (717) 772-5806 or cswokel@state.pa.us. Effective Date: Upon publication of notice as final in the *Pennsylvania Bulletin*.

KATHLEEN A. MCGINTY,  
Secretary

[Pa.B. Doc. No. 07-2065. Filed for public inspection November 9, 2007, 9:00 a.m.]

**Bid Opportunities**

**OSM 04(1820)101.1, Abandoned Mine Reclamation Project, Darlington Lake Northwest, Darlington Township, Beaver County.** The principal items of work and approximate quantities include 1,136,000 cubic yards of grading, 2,130 square yards of rock lining, 10 pounds of wetland seed mix, 107 acres of seeding and planting 6,800

trees. This project issues on November 9, 2007, and bids will be opened on December 6, 2007, at 2 p.m. Bid documents cost \$10 per set and will not be mailed until payment has been received. This project is financed by the Federal Government under the authority given it by Pub. L. No. 95-87 dated August 3, 1977, The Surface Mining Control and Reclamation Act of 1977 (act), and is subject to that act, and to the Federal grant for this project. Contact the Construction Contracts Section at (717) 787-7820 or joelmiller@state.pa.us for more information on this bid.

KATHLEEN A. MCGINTY,  
Secretary

[Pa.B. Doc. No. 07-2066. Filed for public inspection November 9, 2007, 9:00 a.m.]

**NPDES Permit Application No. PAI023907014; Notice of Public Hearing**

The Department of Environmental Protection (Department) will hold a public hearing to accept comments on Individual National Pollutant Discharge Elimination System (NPDES) Permit Application No. PAI023907014 for the discharge of stormwater from construction activities at the proposed Southbury Park Residential Subdivision in Salisbury Township, Lehigh County.

The public hearing will be conducted on Monday, December 10, 2007, at 7 p.m. in the auditorium of Salisbury High School, 500 East Montgomery Street, Allentown, PA 18103 by the Department, Watershed Management Program, Permitting and Technical Services Section, 2 Public Square, Wilkes-Barre, PA 18711-0790, (570) 826-2511. The hearing is in response to an application submitted by Myron R. Haydt Development Company, 3005 Barrington Lane, Allentown, PA 18103. The NPDES permit application proposes the discharge of stormwater from construction activities to Trout Creek (HQ-CWF) and Black River (CWF).

The Department requests that individuals wishing to testify at the hearing submit a written notice of intent to Southbury Park Residential Subdivision NPDES Public Hearing, Department of Environmental Protection, Watershed Management Program, 2 Public Square, Wilkes-Barre, PA 18711. The Department will accept notices up to the day of the hearing. The Department requests that individuals limit their testimony to 10 minutes so that all individuals have the opportunity to testify. The Department can only review comments made with regard to the NPDES Permit Application No. PAI023907014. Written copies of oral testimony are requested. Relinquishing time to others will not be allowed. Individuals attending the hearing will have the opportunity to testify if they so desire, however, individuals who preregister to testify will be given priority on the agenda.

Persons with a disability who wish to testify and require an auxiliary aid, service or other accommodation should contact Christine Domashinski at (570) 826-2511 or the Pennsylvania AT&T Relay Service at (800) 654-5984 (TDD) to discuss how the Department can meet their needs.

The NPDES permit application is available for review at the Lehigh County Conservation District office located in the Lehigh County Agricultural Center, Suite 102, 4184 Dorney Park Road, Allentown, (610) 391-9583.

For further information, contact Mark Carmon of the Department's Northeast Regional Office at (570) 826-2511.

KATHLEEN A. MCGINTY,  
*Secretary*

[Pa.B. Doc. No. 07-2067. Filed for public inspection November 9, 2007, 9:00 a.m.]

### New or Innovative Water/Wastewater Technology Grants through the Growing Greener Program; Application Deadline Extension

The Department of Environmental Protection (Department) amends its former notice, published at 37 Pa.B. 5537 (October 13, 2007), by announcing the extension of the application deadline for New or Innovative Water/Wastewater Technology Grants through the Department's Growing Greener Program. Applications for the program will now be accepted by the Department until December 15, 2007.

The Environmental Stewardship and Watershed Protection Act, 27 Pa.C.S. §§ 6101—6113, authorizes the Department to make these grants available to municipalities, municipal authorities, counties and school districts that are making improvements to existing drinking water or sewage treatment facilities using new or innovative technology. Grants for individual projects will be available up to \$500,000 under this program. Preference will be given to the following new or innovative projects:

\* Wastewater treatment that utilizes new or innovative technology to reduce energy consumption or the carbon footprint of a system when compared to conventional processes.

The grant application form is available electronically on the Department's website at [www.depweb.state.pa.us](http://www.depweb.state.pa.us) (Select "Forms and Publications" and "Water Standards and Facility Regulation"). The form number and name are: 3800-FM-WSFR0271, Application for Growing Greener Grant Assistance New or Innovative Water/Wastewater Technology.

KATHLEEN A. MCGINTY,  
*Secretary*

[Pa.B. Doc. No. 07-2068. Filed for public inspection November 9, 2007, 9:00 a.m.]

## DEPARTMENT OF REVENUE

### Pennsylvania Go For The Gus Dough 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 Go For The Gus Dough.

2. *Price:* The price of a Pennsylvania Go For The Gus Dough instant lottery game ticket is \$2.

3. *Play Symbols:* Each Pennsylvania Go For The Gus Dough instant lottery game ticket will contain one play area featuring a "WINNING NUMBERS" area, a "YOUR NUMBERS" area and a separate "GUS BONUS" area containing one prize play symbol or play symbol. 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) and 20 (TWENT). 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) and a Paw Print (PAW PRINT) symbol. The prize play and play symbols and their captions located in the "GUS BONUS" area are: \$4.<sup>00</sup> (FOR DOL), \$5.<sup>00</sup> (FIV DOL), \$10.<sup>00</sup> (TEN DOL), \$20\$ (TWENTY), \$40\$ (FORTY), \$50\$ (FIFTY), \$100 (ONE HUN), \$500 (FIV HUN), NO BONUS (TRY AGAIN) and TRY AGAIN (NO BONUS). The "GUS BONUS" area is played separately from the rest of the game.

4. *Prize Symbols:* The prize symbols and their captions located in the "YOUR NUMBERS" area are: FREE (TICKET), \$1.<sup>00</sup> (ONE DOL), \$2.<sup>00</sup> (TWO DOL), \$4.<sup>00</sup> (FOR DOL), \$5.<sup>00</sup> (FIV DOL), \$10.<sup>00</sup> (TEN DOL), \$20\$ (TWENTY), \$40\$ (FORTY), \$50\$ (FIFTY), \$100 (ONE HUN), \$500 (FIV HUN), \$1,000 (ONE THO) and \$25,000 (TWYFIVTHO).

5. *Prizes:* The prizes that can be won in this game are: Free \$2 Ticket, \$1, \$2, \$4, \$5, \$10, \$20, \$40, \$50, \$100, \$500, \$1,000 and \$25,000. The prizes that can be won in "GUS BONUS" area are limited to: \$4, \$5, \$10, \$20, \$40, \$50, \$100 and \$500. A player can win up to 10 times on a ticket.

6. *Approximate Number of Tickets Printed For the Game:* Approximately 12,000,000 tickets will be printed for the Pennsylvania Go For The Gus Dough instant lottery game.

#### 7. *Determination of Prize Winners:*

(a) Holders of tickets upon which any one of "YOUR NUMBERS" play symbols matches either of the "WINNING NUMBERS" play symbols and a prize symbol of \$25,000 (TWYFIVTHO) appears under the matching "YOUR NUMBERS" play symbol, on a single ticket, shall be entitled to a prize of \$25,000.

(b) Holders of tickets upon which any one of "YOUR NUMBERS" play symbols matches either 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.

(c) Holders of tickets upon which any one of "YOUR NUMBERS" play symbols is a Paw Print symbol (PAW PRINT), and a prize symbol of \$500 (FIV HUN) appears under the Paw Print symbol (PAW PRINT), on a single ticket, shall be entitled to a prize of \$1,000.

(d) Holders of tickets upon which any one of "YOUR NUMBERS" play symbols matches either 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.

(e) Holders of tickets with a prize play symbol of \$500 (FIV HUN) appearing in the "GUS BONUS" area, on a single ticket, shall be entitled to a prize of \$500.

(f) Holders of tickets upon which any one of "YOUR NUMBERS" play symbols is a Paw Print symbol (PAW PRINT), and a prize symbol of \$100 (ONE HUN) appears under the Paw Print symbol (PAW PRINT), on a single ticket, shall be entitled to a prize of \$200.

(g) Holders of tickets upon which any one of "YOUR NUMBERS" play symbols matches either 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.

(h) Holders of tickets with a prize play symbol of \$100 (ONE HUN) appearing in the "GUS BONUS" area, on a single ticket, shall be entitled to a prize of \$100.

(i) Holders of tickets upon which any one of "YOUR NUMBERS" play symbols matches either 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.

(j) Holders of tickets with a prize play symbol of \$50 (FIFTY) appearing in the "GUS BONUS" area, on a single ticket, shall be entitled to a prize of \$50.

(k) Holders of tickets upon which any one of "YOUR NUMBERS" play symbols matches either of the "WINNING NUMBERS" play symbols and a prize symbol of \$40 (FORTY) appears under the matching "YOUR NUMBERS" play symbol, on a single ticket, shall be entitled to a prize of \$40.

(l) Holders of tickets with a prize play symbol of \$40 (FORTY) appearing in the "GUS BONUS" area, on a single ticket, shall be entitled to a prize of \$40.

(m) Holders of tickets upon which any one of "YOUR NUMBERS" play symbols is a Paw Print symbol (PAW PRINT), and a prize symbol of \$20 (TWENTY) appears under the Paw Print symbol (PAW PRINT), on a single ticket, shall be entitled to a prize of \$40.

(n) Holders of tickets upon which any one of "YOUR NUMBERS" play symbols matches either 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.

(o) Holders of tickets with a prize play symbol of \$20 (TWENTY) appearing in the "GUS BONUS" area, on a single ticket, shall be entitled to a prize of \$20.

(p) Holders of tickets upon which any one of "YOUR NUMBERS" play symbols is a Paw Print symbol (PAW PRINT), and a prize symbol of \$10 (TEN DOL) appears under the Paw Print symbol (PAW PRINT), on a single ticket, shall be entitled to a prize of \$20.

(q) Holders of tickets upon which any one of "YOUR NUMBERS" play symbols matches either of the "WINNING NUMBERS" play symbols and a prize symbol of \$10 (TEN DOL) appears under the matching "YOUR NUMBERS" play symbol, on a single ticket, shall be entitled to a prize of \$10.

(r) Holders of tickets with a prize play symbol of \$10 (TEN DOL) appearing in the "GUS BONUS" area, on a single ticket, shall be entitled to a prize of \$10.

(s) Holders of tickets upon which any one of "YOUR NUMBERS" play symbols is a Paw Print symbol (PAW PRINT), and a prize symbol of \$5 (FIV DOL) appears under the Paw Print symbol (PAW PRINT), on a single ticket, shall be entitled to a prize of \$10.

(t) Holders of tickets upon which any one of "YOUR NUMBERS" play symbols matches either of the "WINNING NUMBERS" play symbols and a prize symbol of \$5 (FIV DOL) appears under the matching "YOUR NUMBERS" play symbol, on a single ticket, shall be entitled to a prize of \$5.

(u) Holders of tickets with a prize play symbol of \$5 (FIV DOL) appearing in the "GUS BONUS" area, on a single ticket, shall be entitled to a prize of \$5.

(v) Holders of tickets upon which any one of "YOUR NUMBERS" play symbols matches either of the "WINNING NUMBERS" play symbols and a prize symbol of \$4 (FOR DOL) appears under the matching "YOUR NUMBERS" play symbol, on a single ticket, shall be entitled to a prize of \$4.

(w) Holders of tickets with a prize play symbol of \$4 (FOR DOL) appearing in the "GUS BONUS" area, on a single ticket, shall be entitled to a prize of \$4.

(x) Holders of tickets upon which any one of "YOUR NUMBERS" play symbols is a Paw Print symbol (PAW PRINT), and a prize symbol of \$2 (TWO DOL) appears under the Paw Print symbol (PAW PRINT), on a single ticket, shall be entitled to a prize of \$4.

(y) Holders of tickets upon which any one of "YOUR NUMBERS" play symbols matches either of the "WINNING NUMBERS" play symbols and a prize symbol of \$2 (TWO DOL) appears under the matching "YOUR NUMBERS" play symbol, on a single ticket, shall be entitled to a prize of \$2.

(z) Holders of tickets upon which any one of "YOUR NUMBERS" play symbols is a Paw Print symbol (PAW PRINT), and a prize symbol of \$1 (ONE DOL) appears under the Paw Print symbol (PAW PRINT), on a single ticket, shall be entitled to a prize of \$2.

(aa) Holders of tickets upon which any one of "YOUR NUMBERS" play symbols matches either of the "WINNING NUMBERS" play symbols and a prize symbol of FREE (TICKET) appears under the matching "YOUR NUMBERS" play symbol, on a single ticket, shall be entitled to a prize of one Pennsylvania Go For The Gus Dough instant game ticket or one Pennsylvania Lottery instant game ticket of equivalent sale price which is currently on sale.

(bb) Holders of tickets upon which any one of "YOUR NUMBERS" play symbols matches either of the "WINNING NUMBERS" play symbols and a prize symbol of \$1 (ONE DOL) appears under the matching "YOUR NUMBERS" play symbol, on a single ticket, shall be entitled to a prize of \$1.

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:

<i>When Any Of Your Numbers Match Either Winning Number, Win With Prize(s) Of:</i>	<i>Win:</i>	<i>Approximate Odds Are 1 In:</i>	<i>Approximate No. Of Winners Per 12,000,000 Tickets</i>
FREE	FREE \$2 TICKET	12.5	960,000
\$2	\$2	150	80,000
\$1 × 2	\$2	150	80,000
\$1 w/PAW PRINT	\$2	150	80,000
\$4	\$4	75	160,000
\$2 × 2	\$4	75	160,000
\$2 w/PAW PRINT	\$4	60	200,000
GUS BONUS w/\$4	\$4	60	200,000
\$5	\$5	150	80,000
\$1 × 5	\$5	150	80,000
GUS BONUS w/\$5	\$5	50	240,000
\$10	\$10	500	24,000
\$2 × 5	\$10	500	24,000
\$5 × 2	\$10	500	24,000
\$5 w/PAW PRINT	\$10	300	40,000
GUS BONUS w/\$10	\$10	300	40,000
(GUS BONUS w/\$5) + \$5	\$10	250	48,000
\$20	\$20	750	16,000
\$4 × 5	\$20	1,500	8,000
\$5 × 4	\$20	1,500	8,000
\$10 × 2	\$20	1,500	8,000
\$10 w/PAW PRINT	\$20	750	16,000
GUS BONUS w/\$20	\$20	750	16,000
(GUS BONUS w/\$10) + \$10	\$20	1,500	8,000
\$40	\$40	3,000	4,000
\$4 × 10	\$40	2,667	4,500
\$10 × 4	\$40	3,000	4,000
\$20 w/PAW PRINT	\$40	1,846	6,500
GUS BONUS w/\$40	\$40	2,182	5,500
(GUS BONUS w/\$20) + \$20	\$40	2,182	5,500
\$50	\$50	3,429	3,500
\$5 × 10	\$50	3,429	3,500
\$10 × 5	\$50	3,429	3,500
(\$10 w/PAW PRINT) + (\$10 × 3)	\$50	2,667	4,500
(\$20 w/PAW PRINT) + (\$5 × 2)	\$50	2,667	4,500
GUS BONUS w/\$50	\$50	2,667	4,500
\$100	\$100	6,000	2,000
(\$10 w/PAW PRINT) + (\$10 × 8)	\$100	4,800	2,500
\$20 × 5	\$100	6,000	2,000
(\$20 w/PAW PRINT) + (\$20 × 3)	\$100	4,800	2,500
GUS BONUS w/\$100	\$100	4,138	2,900
(GUS BONUS w/\$50) + \$50	\$100	4,000	3,000
\$500	\$500	60,000	200
\$100 × 5	\$500	60,000	200
(\$100 w/PAW PRINT) + (\$100 × 3)	\$500	60,000	200
GUS BONUS w/\$500	\$500	60,000	200
\$500 w/PAW PRINT	\$1,000	40,000	300
\$1,000	\$1,000	40,000	300
\$25,000	\$25,000	600,000	20

PAW PRINT (PAW PRINT) = Win double the prize shown under it automatically.  
GUS BONUS = Reveal prize amount from \$4 to \$500 and win that prize.

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 Go For The Gus Dough instant lottery game tickets. The conduct of the game will be governed by 61 Pa. Code § 819.222 (relating to retailer bonuses and incentive).

10. *Unclaimed Prize Money:* For a period of 1 year from the announced close of Pennsylvania Go For The Gus Dough, prize money from winning Pennsylvania Go For

The Gus Dough 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 Go For The Gus Dough 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 Go For The Gus Dough or through normal communications methods.

THOMAS W. WOLF,  
*Secretary*

[Pa.B. Doc. No. 07-2069. Filed for public inspection November 9, 2007, 9:00 a.m.]

**Pennsylvania Moolah 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 Moolah.

2. *Price:* The price of a Pennsylvania Moolah instant lottery game ticket is \$1.

3. *Play Symbols:* Each Pennsylvania Moolah instant lottery game ticket will contain one play area containing nine prize play symbols and a separate “QUICK \$10” area containing one play symbol. The prize play symbols and their captions located in the play area are: FREE (TICKET), \$1<sup>.00</sup> (ONE DOL), \$2<sup>.00</sup> (TWO DOL), \$5<sup>.00</sup> (FIV DOL), \$10<sup>.00</sup> (TEN DOL), \$20\$ (TWENTY), \$30\$ (THIRTY), \$40\$ (FORTY), \$100 (ONE HUN), \$400 (FOR HUN) and \$2,000 (TWO THO). The play symbols and their captions located in the “QUICK \$10” area are: Shoe symbol (SHOE), Cherry symbol (CHERRY), Bell symbol (BELL), Star symbol (STAR), Seven symbol (SEVEN), Diamond symbol (DIAM), Coin symbol (COIN), Dollar symbol (DOLLAR), Wishbone symbol (WSHBNE), Clover symbol (CLOVER) and a Milk Carton symbol (MILKCRTN). The “QUICK \$10” area is played separately from the rest of the game.

4. *Prizes:* The prizes that can be won in this game are: Free \$1 Ticket, \$1, \$2, \$5, \$10, \$20, \$30, \$40, \$100, \$400 and \$2,000. The prize that can be won in the “QUICK \$10” area is \$10.

5. *Approximate Number of Tickets Printed For the Game:* Approximately 14,400,000 tickets will be printed

for the Pennsylvania Moolah instant lottery game. A player can win up to 2 times on a ticket.

6. *Determination of Prize Winners:*

(a) Holders of tickets with three matching prize play symbols of \$2,000 (TWO THO) in the play area, on a single ticket, shall be entitled to a prize of \$2,000.

(b) Holders of tickets with three matching prize play symbols of \$400 (FOR HUN) in the play area, on a single ticket, shall be entitled to a prize of \$400.

(c) Holders of tickets with three matching prize play symbols of \$100 (ONE HUN) in the play area, on a single ticket, shall be entitled to a prize of \$100.

(d) Holders of tickets with three matching prize play symbols of \$40\$ (FORTY) in the play area, on a single ticket, shall be entitled to a prize of \$40.

(e) Holders of tickets with three matching prize play symbols of \$30\$ (THIRTY) in the play area, on a single ticket, shall be entitled to a prize of \$30.

(f) Holders of tickets with three matching prize play symbols of \$20\$ (TWENTY) in the play area, on a single ticket, shall be entitled to a prize of \$20.

(g) Holders of tickets with three matching prize play symbols of \$10<sup>.00</sup> (TEN DOL) in the play area, on a single ticket, shall be entitled to a prize of \$10.

(h) Holders of tickets with a Milk Carton symbol (MILKCRTN) in the “QUICK \$10” area, on a single ticket, shall be entitled to a prize of \$10.

(i) Holders of tickets with three matching prize play symbols of \$5<sup>.00</sup> (FIV DOL) in the play area, on a single ticket, shall be entitled to a prize of \$5.

(j) Holders of tickets with three matching prize play symbols of \$2<sup>.00</sup> (TWO DOL) in the play area, on a single ticket, shall be entitled to a prize of \$2.

(k) Holders of tickets with three matching prize play symbols of \$1<sup>.00</sup> (ONE DOL) in the play area, on a single ticket, shall be entitled to a prize of \$1.

(l) Holders of tickets with three matching prize play symbols of FREE (TICKET) in the play area, on a single ticket, shall be entitled to a prize of one Pennsylvania Moolah instant game ticket or one Pennsylvania Lottery instant game ticket of equivalent sale price which is currently on sale.

7. *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:

<i>Win With Prize(s) Of:</i>	<i>Win:</i>	<i>Approximate Odds Are 1 In:</i>	<i>Approximate No. of Winners Per 14,400,000 Tickets</i>
3-FREE's	FREE \$1 TICKET	12	1,200,000
3-\$1's	\$1	60	240,000
3-\$2's	\$2	15	960,000
3-\$5's	\$5	42.86	336,000
3-\$10's	\$10	600	24,000
QUICK \$10 w/MILK CARTON	\$10	120	120,000
3-\$20's	\$20	600	24,000
3-\$10's + QUICK \$10 w/MILK CARTON	\$20	600	24,000
3-\$30's	\$30	2,400	6,000
3-\$20's + QUICK \$10 w/MILK CARTON	\$30	2,400	6,000

Win With Prize(s) Of:	Win:	Approximate Odds Are 1 In:	Approximate No. of Winners Per 14,400,000 Tickets
3-\$40's	\$40	3,200	4,500
3-\$30's + QUICK \$10 w/MILK CARTON	\$40	3,200	4,500
3-\$100's	\$100	2,400	6,000
3-\$400's	\$400	80,000	180
3-\$2,000's	\$2,000	1,200,000	12

QUICK \$10: MILK CARTON (MILKCRTN) = Win \$10 automatically.

Prizes, including top prizes, are subject to availability at the time of purchase.

8. *Retailer Incentive Awards:* The Lottery may conduct a separate Retailer Incentive Game for retailers who sell Pennsylvania Moolah instant lottery game tickets. The conduct of the game will be governed by 61 Pa. Code § 819.222 (relating to retailer bonuses and incentive).

9. *Unclaimed Prize Money:* For a period of 1 year from the announced close of Pennsylvania Moolah, prize money from winning Pennsylvania Moolah 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 Moolah 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.

10. *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.

11. *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 Moolah or through normal communications methods.

THOMAS W. WOLF,  
Secretary

[Pa.B. Doc. No. 07-2070. Filed for public inspection November 9, 2007, 9:00 a.m.]

## DEPARTMENT OF TRANSPORTATION

### Application for Lease of Right-of-Way

The Department of Transportation (Department), under 67 Pa. Code § 495.4(d) (relating to application procedure), gives notice that an application to lease highway right-of-way has been submitted to the Department by Allegheny General Hospital, 320 East North Avenue, Pittsburgh, PA, seeking to lease highway right-of-way located on the westerly side of Howard Street between Baravia Way and Rising Main Avenue, in the City of Pittsburgh, Allegheny County, containing 7.57 ± acre, adjacent to SR 0279 for purposes of vehicle parking.

Interested persons are invited to submit, within 30 days from the publication of this notice in the *Pennsylvania Bulletin*, written comments, suggestions and/or objections regarding the approval of this application to H. Daniel Cessna, P. E., District Executive, Engineering District 11-0, 45 Thoms Run Road, Bridgeville, PA 15017.

Questions regarding this application or the proposed use may be directed to Michael Sudar, District Property Manager, 45 Thoms Run Road, Bridgeville, PA 15017, (412) 429-4830.

ALLEN D. BIEHLER, P. E.,  
Secretary

[Pa.B. Doc. No. 07-2071. Filed for public inspection November 9, 2007, 9:00 a.m.]

## ENVIRONMENTAL HEARING BOARD

### Pocono Township v. DEP; EHB Doc. No. 2007-240-L

Pocono Township has appealed the issuance by the Department of Environmental Protection of NPDES permit to Pocono Township Supervisors for a facility in Stroud Township, Monroe County.

A date for the hearing on the appeal has not yet been scheduled.

The appeal is filed with the Environmental Hearing Board (Board) at its office on the Second Floor, Rachel Carson State Office Building, 400 Market Street, P. O. Box 8457, Harrisburg, PA 17105-8457 and may be reviewed by any interested party on request during normal business hours. If information concerning this notice is required in an alternative form, contact the Secretary to the Board at (717) 787-3483. TDD users may telephone the Board through the AT&T Pennsylvania Relay Center at (800) 654-5984.

Petitions to intervene in the appeal may be filed with the Board by interested parties under 25 Pa. Code § 1021.81 (relating to intervention). Copies of the Board's rules of practice and procedure are available upon request from the Board.

THOMAS W. RENWAND,  
Acting Chairperson

[Pa.B. Doc. No. 07-2072. Filed for public inspection November 9, 2007, 9:00 a.m.]

**Upper Gwynedd Township v. DEP; EHB Doc. No. 2007-235-MG**

Upper Gwynedd Township has appealed the issuance by the Department of Environmental Protection of an NPDES amended permit to Upper Gwynedd Township for a facility in Upper Gwynedd Township, Montgomery County.

A date for the hearing on the appeal has not yet been scheduled.

The appeal is filed with the Environmental Hearing Board (Board) at its office on the Second Floor, Rachel Carson State Office Building, 400 Market Street, P. O. Box 8457, Harrisburg, PA 17105-8457 and may be reviewed by any interested party on request during normal business hours. If information concerning this notice is required in an alternative form, contact the Secretary to the Board at (717) 787-3483. TDD users may telephone the Board through the AT&T Pennsylvania Relay Center at (800) 654-5984.

Petitions to intervene in the appeal may be filed with the Board by interested parties under 25 Pa. Code § 1021.81 (relating to intervention). Copies of the Board's rules of practice and procedure are available upon request from the Board.

THOMAS W. RENWAND,  
*Acting Chairperson*

[Pa.B. Doc. No. 07-2073. Filed for public inspection November 9, 2007, 9:00 a.m.]

**HEALTH CARE COST CONTAINMENT COUNCIL**

**Request for Proposal**

The Health Care Cost Containment Council (Council) is soliciting bids from qualified vendors to conduct a finan-

<i>Reg. No.</i>	<i>Agency/Title</i>
7-414	Environmental Quality Board Coal Mines 37 Pa.B. 4754 (September 1, 2007)
7-412	Environmental Quality Board Safe Drinking Water—General Update 37 Pa.B. 4762 (September 1, 2007)

**Environmental Quality Board  
Regulation #7-414 (IRRC #2632)**

**Coal Mines  
October 31, 2007**

We submit for your consideration the following comments on the proposed rulemaking published in the September 1, 2007 *Pennsylvania Bulletin*. Our comments are based on criteria in section 5.2 of the Regulatory Review Act (71 P. S. § 745.5b). Section 5.1(a) of the Regulatory Review Act (71 P. S. § 745.5a(a)) directs the Environmental Quality Board (EQB) to respond to all comments received from us or any other source.

cial and compliance audit of the books, records and documents of the Council, for the fiscal year periods July 1, 2006—June 20, 2008. Interested parties are requested to contact the Council Office by writing the Health Care Cost Containment Council, Suite 400, 225 Market Street, Harrisburg, PA 17101, or by calling (717) 232-6787 for copies of the Request for Proposal. Bids are due to the Council Office no later than 5 p.m. on December 10, 2007. A preproposal conference will be held at the previous address on November 20, 2007, at 10 a.m. Potential bidders are invited to submit questions in writing by November 16, 2007, to Cherie Elias at the previous address.

MARC P. VOLAVKA,  
*Executive Director*

[Pa.B. Doc. No. 07-2074. Filed for public inspection November 9, 2007, 9:00 a.m.]

**INDEPENDENT REGULATORY REVIEW COMMISSION**

**Notice of Comments Issued**

Section 5(g) of the Regulatory Review Act (71 P. S. § 745.5(g)) provides that the Independent Regulatory Review Commission (Commission) may issue comments within 30 days of the close of the public comment period. The Commission comments are based upon the criteria contained in section 5.2 of the Regulatory Review Act (71 P. S. § 745.5b).

The Commission has issued comments on the following proposed regulations. The agency must consider these comments in preparing the final-form regulation. The final-form regulation must be submitted within 2 years of the close of the public comment period or it will be deemed withdrawn.

<i>Close of the Public Comment Period</i>	<i>IRCC Comments Issued</i>
10/1/07	10/31/07
10/1/07	10/31/07

**1. Adoption by reference and enforcement of violations.**

*Protection of the public health, safety and welfare*

This rulemaking deletes 25 Pa. Code Chapter 209 and adds provisions to selectively adopt by reference portions of 30 CFR Parts 56 and 77. The United States Department of Labor, Mine Safety and Health Administration (MSHA) regulations in 30 CFR Parts 56 and 77 include about 700 sections. The EQB is adopting by reference about 130 of those sections. In the Preamble, the EQB states:

In proposing these amendments, the Department of Environmental Protection's (Department) goal is to provide the most improved safety at surface mines in

this Commonwealth in the most cost effective and the least intrusive manner. The provisions of the MSHA regulations adopted by this proposed rulemaking are those that address the most significant risk to surface miners in this Commonwealth.

Upon review of 30 CFR Parts 56 and 77, it is not clear how the EQB determined which portions of the CFR the Department of Environmental Protection (DEP) needs to enforce and which portions do not need DEP enforcement. As an example, 30 CFR Part 77, Subpart L *Fire Protection* includes 14 sections, of which the EQB is adopting 10 sections. Among the four sections not adopted are Sections 77.1100 *Fire protection; training and organization* and 77.1101 *Escape and evacuation; plan*. How did the EQB determine that DEP enforcement is not needed for requirements such as annual employee fire protection training and evacuation plans? The EQB should explain how it determined to adopt, and therefore enforce, selected sections, but chose not to adopt or enforce other sections throughout 30 CFR Parts 56 and 77.

#### *Reasonableness*

Once this rulemaking becomes effective, the DEP can enforce the safety provisions adopted by reference. However, the Preamble also explains that:

Even though the Department is not adopting all of the MSHA health and safety standards, the Department's inspectors will assist the operators in ensuring compliance with the MSHA regulations. If a Pennsylvania inspector observes a violation of a MSHA safety regulation that the Commonwealth has not adopted, the Pennsylvania inspector will, as part of the Department's compliance assistance program, point out the condition and explain that it is a violation of a MSHA regulation and needs to be addressed.

While we see merit in a compliance assistance program to improve safety, the details of a DEP inspector's actions as described in the Preamble are not clear for several reasons. The EQB should explain the following:

- How is a DEP inspector qualified to determine how MSHA would interpret its federal regulations where the EQB left sole jurisdiction to MSHA?
- What expectation does it place on an operator when a DEP inspector makes a determination that a violation under MSHA's sole jurisdiction "needs to be addressed"?
- What recourse does an operator have if the operator disagrees or a DEP inspector's interpretation differs from MSHA's interpretation?

#### **2. Section 209a.42. Accident reporting.—Need; Reasonableness.**

Essroc Cement Corporation (Essroc) commented that, as written, this section would require operators to notify the Department within 1 hour of many comparatively minor injuries. The commentator believes this section should be amended to limit reporting to serious incidents and occupational injuries. The EQB should explain the need for reporting every injury that requires "medical treatment" within 1 hour and what DEP would do with this information.

#### **3. Section 209a.43. Alternative standards.—Reasonableness.**

Subsections (a) and (b) allow alternative standards for past and future decisions by MSHA. However, this section does not address pending filings with MSHA and effec-

tively prohibits alternative standards. At the time the regulation becomes effective, an operator, that previously submitted a petition and is awaiting a response from MSHA, could not comply with the requirement in Paragraph (b)(1) to provide a copy of the petition and supporting materials to DEP "upon submission to MSHA." We recommend amending this section to allow operators with pending petitions to submit the appropriate information to DEP within a reasonable amount of time after the regulation becomes effective.

#### **4. 209a.44. Access to records.—Reasonableness; Need.**

Essroc commented that this section is too general because it gives DEP access to all records prepared to comply with 30 CFR Parts 50, 56 and 77. Essroc believes DEP should only have access to the records prepared to comply with the Federal regulations adopted by reference.

The EQB is not directly adopting 30 CFR Part 50, and is adopting a minority of the sections in 30 CFR Parts 56 and 77. The EQB should explain why it needs access to all information prepared to comply with 30 CFR Parts 50, 56 and 77 rather than just the provisions the EQB is adopting by reference in this regulation.

#### **5. Miscellaneous Clarity.**

For consistency with the rest of this regulation, Section 209a.10(b) should use the term "Department," as it is defined in 25 Pa. Code § 1.1.

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### **Environmental Quality Board Regulation #7-412 (IRRC #2633)**

#### **Safe Drinking Water—General Update**

**October 31, 2007**

We submit for your consideration the following comments on the proposed rulemaking published in the September 1, 2007 *Pennsylvania Bulletin*. Our comments are based on criteria in section 5.2 of the Regulatory Review Act (71 P. S. § 745.5b). Section 5.1(a) of the Regulatory Review Act (71 P. S. § 745.5a(a)) directs the Environmental Quality Board (Board) to respond to all comments received from us or any other source.

#### **1. General.—Fiscal impact; Consistency with other regulations; Reasonableness; Implementation procedure; Clarity.**

On September 27, 2007, Richard A. Rogers, Chief, Drinking Water Branch, U. S. Environmental Protection Agency, Region III (EPA III), submitted written comments on this proposed regulation to the Board. The EPA III comments raised several issues related directly to our criteria. Its comments contained suggestions and recommendations designed to bring the Pennsylvania regulations into greater consistency with the federal rules. We share the same comments, suggestions and recommendations expressed by EPA III and incorporate them into the Commission's comments on this proposed regulation.

The Pennsylvania State Association of Township Supervisors (PSATS) submitted written comments expressing concerns with the "cumulative impact on the cost of complying with increasingly stringent regulations." It is especially concerned with the impact on small water



systems across the state, including more than 3,300 systems that each serves fewer than 500 people. While most of the regulations are federal mandates, these added costs bear an impact, particularly on smaller systems. In developing the final-form regulation, the Board and Department of Environmental Protection (DEP) should thoroughly examine the fiscal impact of the regulations on smaller water systems.

**2. Section 109.301. General monitoring requirements.—Reasonableness; Implementation procedure; Clarity.**

In addition to EPA III, another commentator noted a concern related to waivers in Subsection (5)(viii). Paragraph (C) in this subsection reads: "A waiver is effective for one compliance period and may be renewed in each subsequent compliance period." The commentator suggests that the regulation should make it clear that the water supplier is responsible for submitting the renewal application. We agree. The final-form regulation should clarify the procedures and process for renewals of waivers.

**3. Section 109.701. Reporting and recordkeeping.—Fiscal impact; Reasonableness; Feasibility; Implementation procedure.**

This section contains new language which implements "electronic reporting" of data by public water systems to DEP by means of the internet. In its written comments, PSATS expressed concern with the cost and feasibility of this mandate for smaller systems in remote areas which may not have access to the internet. The proposed regulation contains a provision whereby water systems could assign the responsibility for submitting the required reports to an accredited laboratory. However, this would entail another new cost for these systems. The Board and DEP should consider other alternate methods for submitting this data such as allowing water systems to submit data electronically recorded on a disk to DEP. In some cases, this approach may be more cost effective to a system than hiring a laboratory to submit the reports. As stated in Issue No. 1 above, the Board and DEP should examine methods for reducing the fiscal impact of this proposed regulation on smaller systems. The Board should also consider amending the final-form regulation to increase reporting flexibility for the smaller systems.

**4. Section 109.1107. System management responsibilities.—Protection of public health and safety; Reasonableness; Need; Implementation procedures.**

This section contains a new requirement that water systems report the "sample location" with their reports on lead and copper tap monitoring results. A commentator for the Philadelphia Water Department (PWD) expressed concern with this provision. This new requirement could hinder the PWD's effort at customer recruitment and relationships with customers who volunteered to participate in the lead and copper sampling program with the assumption of privacy. PWD recommends that provisions be made to protect the privacy of sampling participants. The Board and DEP should address this concern in the final-form regulation.

ARTHUR COCCODRILLI,  
*Chairperson*

[Pa.B. Doc. No. 07-2075. Filed for public inspection November 9, 2007, 9:00 a.m.]

**Notice of Filing of Final Rulemaking**

The Independent Regulatory Review Commission (Commission) received the following regulation. It is scheduled to be considered on the date noted. The Commission's public meetings are held at 333 Market Street, 14th Floor, in Harrisburg at 10:30 a.m. To obtain a copy of the regulation, interested parties should first contact the promulgating agency. If a copy cannot be obtained from the promulgating agency, the Commission will provide a copy.

This schedule is tentative. Please contact the Commission at (717) 783-5417 or check our website at [www.irrc.state.pa.us](http://www.irrc.state.pa.us) for updates.

*Final-Form*

<i>Reg. No.</i>	<i>Agency/Title</i>	<i>Received</i>	<i>Public Meeting</i>
6-302	State Board of Education Foreign Corporation Standards	10/31/07	12/6/07

ARTHUR COCCODRILLI,  
*Chairperson*

[Pa.B. Doc. No. 07-2076. Filed for public inspection November 9, 2007, 9:00 a.m.]

**INSURANCE DEPARTMENT**

**Application for Approval to Acquire Control**

Homestead Risk Management Corporation has filed an application for approval to acquire control of Homestead Insurance Company, a Pennsylvania domiciled stock casualty insurance company. The filing was made under the Insurance Holding Companies Act (40 P. S. §§ 991.1402—991.1413). Persons wishing to comment on the acquisition are invited to submit a written statement to the Insurance Department (Department) within 30 days from the date of this issue of the *Pennsylvania Bulletin*. Each written statement must include name, address and telephone number of the interested party, identification of the application to which the statement is addressed and a concise statement with sufficient detail and relevant facts to inform the Department of the exact basis of the statement. Written statements should be directed to Robert Brackbill, Company Licensing Division, Insurance Department, 1345 Strawberry Square, Harrisburg, PA 17120, fax (717) 787-8557 or [rbrackbill@state.pa.us](mailto:rbrackbill@state.pa.us).

JOEL SCOTT ARIO,  
*Acting Insurance Commissioner*

[Pa.B. Doc. No. 07-2077. Filed for public inspection November 9, 2007, 9:00 a.m.]

**Erie Insurance Exchange; Private Passenger Auto Insurance Rate and Rule Revision; Rate Filing**

On October 22, 2007, the Insurance Department (Department) received from Erie Insurance Exchange a filing for a proposed rate level and rule change for private passenger auto insurance.

The company requests an overall 0.5% increase amounting to \$4,598,000 annually, to be effective April 1, 2008, for new business and renewal business.

Unless formal administrative action is taken prior to December 21, 2007, the subject filing may be deemed approved by operation of law.

A copy of the filing is available on the Department's website at [www.ins.state.pa.us](http://www.ins.state.pa.us). Under the Quick Links section, click on the link "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 office in Harrisburg.

Interested parties are invited to submit written comments, suggestions or objections to Xiaofeng Lu, Insurance Department, Insurance Product Regulation and Market Enforcement, Room 1311, Strawberry Square, Harrisburg, PA 17120, [xlu@state.pa.us](mailto:xlu@state.pa.us), within 30 days after publication of this notice in the *Pennsylvania Bulletin*.

JOEL SCOTT ARIO,  
*Acting Insurance Commissioner*

[Pa.B. Doc. No. 07-2078. Filed for public inspection November 9, 2007, 9:00 a.m.]

# PENNSYLVANIA INTERGOVERNMENTAL COOPERATION AUTHORITY

## Financial Statement

Under the provisions of section 207 of the Pennsylvania Intergovernmental Cooperation Authority Act for Cities of the First Class (53 P. S. §§ 12720.101—12720.709) the Pennsylvania Intergovernmental Cooperation Authority (Authority) is required to publish a "concise financial statement" annually in the *Pennsylvania Bulletin*. The Authority has issued its annual report for its fiscal year ended June 30, 2007, which includes an audit for the period performed in accordance with generally accepted auditing standards by an independent firm of certified public accountants. The complete annual report of the Authority may be obtained from the Authority's website, [www.picapa.org](http://www.picapa.org) or at 1429 Walnut Street, 14th floor, Philadelphia, PA 19102, (215) 561-9160.

ROB DUBOW,  
*Executive Director*

**PENNSYLVANIA INTERGOVERNMENTAL COOPERATION AUTHORITY  
STATEMENT OF NET ASSETS  
JUNE 30, 2007**

**ASSETS**

	<u>Governmental Activities</u>
<b>CURRENT ASSETS:</b>	
Cash, cash equivalents and short-term investments	\$ 160,819,766
PICA taxes receivable	9,073,322
Accrued interest receivable	<u>441,657</u>
Total current assets	<u>170,334,744</u>
<b>OTHER ASSETS</b>	<u>2,861,598</u>
<b>TOTAL</b>	<u>\$ 173,196,343</u>
<b>LIABILITIES AND NET ASSETS</b>	
<b>CURRENT LIABILITIES:</b>	
Accounts payable and accrued expenses	\$ 355,237
Due to the City of Philadelphia	10,422,013
Deferred revenue	25,451,561
Bonds payable—current portion	<u>48,700,000</u>
Total current liabilities	<u>84,928,811</u>
<b>BONDS PAYABLE—Long-term portion</b>	<u>573,835,000</u>
Total liabilities	<u>658,763,811</u>
<b>NET ASSETS (DEFICIT):</b>	
Restricted for debt service	83,660,607
Restricted for benefit of the City of Philadelphia	33,698,447
Restricted for subsequent PICA administration	1,558,986
Unrestricted deficit	<u>(604,485,507)</u>
Total net assets (deficit)	<u>(485,567,468)</u>
<b>TOTAL</b>	<u>\$ 173,196,343</u>

The accompanying notes are an integral part of this statement

**PENNSYLVANIA INTERGOVERNMENTAL COOPERATION AUTHORITY**  
**STATEMENT OF ACTIVITIES**  
**JUNE 30, 2007**

	<b>Governmental Activities</b>
<b>EXPENSES</b>	
Grants to the City of Philadelphia	\$245,002,470
General management and support—	
General operations	1,471,363
Interest expense on long term debt	34,937,932
Total program expenses	281,411,765
<b>PROGRAM REVENUES—</b>	
Premium amortization	1,615,281
Interest	8,938,869
Program revenues	10,554,150
Net program expenses	270,857,615
<b>GENERAL REVENUES</b>	
PICA Taxes	328,054,805
Interest	713,819
Total general revenues	328,768,624
DECREASE IN NET DEFICIT	57,911,009
NET ASSETS (DEFICIT)—Beginning of year	(543,478,477)
NET ASSETS (DEFICIT)—End of year	(\$485,567,468)

The accompanying notes are an integral part of this statement.

PENNSYLVANIA INTERGOVERNMENTAL COOPERATION AUTHORITY  
BALANCE SHEET-GOVERNMENTAL FUNDS  
JUNE 30, 2007

	General	Debt Service Funds				Rebate Fund	Expendable Trust Funds Capital Projects Fund			Total Governmental Funds
		1996	2005	1999	2003		1992	1993	1994	
<b>ASSETS</b>										
<b>CURRENT ASSETS:</b>										
Cash, cash equivalents and short-term investments	\$ 41,982,828	\$ 243	\$ 423,630	\$ 4,797,214	\$ 585,923	\$ 77,546,269	\$ 1,909,491	\$ 12,354,064	\$ 2,717,446	\$ 18,502,659
PICA Taxes receivable	102,519	1	8,235	11,573	49,886	7,068	10,059	68,489	441,662	9,073,322
Accrued interest receivable	59,350	1,316,732	1,034,986		4,450,000					6,861,068
Interfund receivable										
Total current assets	42,144,697	10,422,013	1,466,850	4,903,357	597,496	82,046,155	1,916,559	12,399,793	2,727,505	18,571,148
<b>OTHER ASSETS</b>	80,819									80,819
<b>TOTAL</b>	\$ 42,225,516	\$ 10,422,013	\$ 1,466,850	\$ 4,903,357	\$ 597,496	\$ 82,046,155	\$ 1,916,559	\$ 12,399,793	\$ 2,727,505	\$ 18,571,148
<b>LIABILITIES AND FUND EQUITY</b>										
<b>CURRENT LIABILITIES:</b>										
Accounts payable and accrued expenses	\$ 355,236	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 355,236
Due to the City of Philadelphia	9,700,000				4,450,000					10,422,013
Deferred revenue	5,600,000				1,094,336	1,667,732				14,150,000
Interfund payable										6,861,068
Total current liabilities	15,655,236	10,422,013			1,094,336	4,616,732				31,788,316
<b>FUND EQUITY:</b>										
Fund balances:										
Unreserved	6,976,167		1,466,850	4,903,357	(496,840)	75,870,437	1,916,559	12,399,793	2,727,505	18,571,148
Reserved for debt service		244								
Reserved for benefit of the City of Philadelphia										
Reserved for subsequent PICA administration										
Designated for future swap option activity										
Total fund equity	19,594,113		1,466,850	4,903,357	(496,840)	77,029,423	1,916,559	12,399,793	2,727,505	18,571,148
<b>TOTAL</b>	\$ 42,225,516	\$ 10,422,013	\$ 1,466,850	\$ 4,903,357	\$ 597,496	\$ 82,046,155	\$ 1,916,559	\$ 12,399,793	\$ 2,727,505	\$ 18,571,148

Amounts reported for governmental activities in the statement of net assets are different due to:

Long-term liabilities are not due and payable in the current period and therefore are not reported in the funds (622,535,000)

Swap premium is deferred and amortized over the life of the new debt in the statement of net assets (13,844,418)

Forward delivery agreement premium is amortized over the life of the agreement in the statement of net assets 2,542,837

Bond issuance costs are accrued and amortized in the statement of net assets 2,780,773

Net assets of governmental activities \$ (485,567,468)

The accompanying notes are an integral part of this statement

PENNSYLVANIA INTERGOVERNMENTAL COOPERATION AUTHORITY  
STATEMENT OF REVENUES, EXPENDITURES AND CHANGES IN FUND BALANCE - GOVERNMENTAL FUNDS  
YEAR ENDED JUNE 30, 2007

	General	PICA Tax Revenue	1993A	1996	Debt Service Fund 2006	1999	2003	Debt Service Reserve Fund	Rebate Fund	1992	Expendable Trust Funds Capital Projects Fund 1993	1994	Total Governmental Funds
<b>REVENUES:</b>													
PICA Taxes	\$ 132,005	\$ 327,922,800	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 327,922,800
Other	2,052,142	713,828	-	11	109,349	1,409,245	155,905	3,591,387	87,037	564,618	123,864	845,302	132,005
Interest earned on investments													9,652,688
Total revenues	2,184,147	328,636,628	-	11	109,349	1,409,245	155,905	3,591,387	87,037	564,618	123,864	845,302	337,707,493
<b>EXPENDITURES:</b>													
Grants to the City of Philadelphia	132,005	244,651,730	-	-	-	-	-	-	-	117,000	-	-	245,002,470
Debt service:													
Principal	-	4,450,000	-	-	4,450,000	6,290,000	-	-	-	-	-	-	51,770,000
Interest	-	4,532,271	-	-	4,532,271	22,198,050	7,477,092	-	-	-	-	-	34,207,412
Administration:													
Investment expenses	150	1,660	-	-	215,982	12,500	326,357	-	-	-	-	-	556,648
Operations	1,471,363	-	-	-	-	-	-	-	-	-	-	-	1,471,363
Total expenditures	1,603,518	244,653,390	-	-	9,198,252	63,246,550	14,093,449	-	-	117,000	-	-	333,007,894
<b>EXCESS OF REVENUES OVER (UNDER) EXPENDITURES</b>	580,628	83,983,238	-	11	(9,088,903)	(61,831,305)	(13,937,543)	3,591,387	87,037	447,618	123,864	743,567	4,699,599
<b>OTHER FINANCING SOURCES (USES) -</b>													
Net operating transfers in (out)	1,815,208	(83,983,238)	-	(11,493)	9,993,272	61,374,178	12,871,965	(2,039,899)	-	-	-	-	0
<b>SOURCES OVER (UNDER) EXPENDITURES AND OTHER USES</b>	2,395,836	-	-	(11,481)	904,376	(457,127)	(1,065,578)	1,531,488	87,037	447,618	123,864	743,567	4,699,599
<b>FUND BALANCES, JULY 1, 2006</b>	24,174,444	-	-	11,726	562,474	5,360,484	568,738	75,897,935	1,829,522	11,952,176	2,603,641	17,827,581	140,788,720
<b>FUND BALANCES, JUNE 30, 2007</b>	26,570,280	-	-	244	1,466,850	4,903,357	(496,840)	77,429,423	1,916,559	12,399,793	2,727,505	18,571,148	145,688,320

**Reconciliation of changes in fund balances to change in net assets:**  
Change in fund balance 4,699,599

Repayment of bond principal is an expenditure in the governmental funds, but the repayment reduces long-term liabilities in the statement of net assets 51,770,000

Swap and forward delivery agreement premiums are deferred and amortized over the life of the new debt on the statement of net assets 1,615,281

Bond issuance costs are accrued and amortized on the statement of net assets (173,871)

Change in net assets \$ 57,911,009

The accompanying notes are an integral part of this statement

# 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 December 3, 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.

### Applications of the following for approval to *begin* operating as *common carriers* for transportation of persons as described under each application.

**A-00124171. Robert E. Plank** (1574 Main Street, Box 102, Goodville, Lancaster County, PA 17528)—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.

**A-00124178. Ground and Air Resources, LLC** (1765 Goucher Street, Johnstown, Cambria County, PA 15905)—a limited liability company of the Commonwealth—persons in airport transfer service, from the Counties of Blair, Cambria, Somerset, Indiana, Westmoreland, Erie, Crawford, Mercer, Lawrence and Butler, to the Pittsburgh International Airport, located in the County of Allegheny. *Attorney:* Michael J. Parrish, Jr., Spence, Custer, Saylor, Wolfe & Rose, LLC, P. O. Box 280, Johnstown, PA 15907.

### Application of the following for approval to *begin* operating as *contract carriers* for transportation of persons as described under each application.

**A-00124177. Sierra Transportation, LLC, t/a Sierra Transportation** (21 Maytide Street, Pittsburgh, Allegheny County, PA 15227)—persons from points in Allegheny County to points in Pennsylvania, and return, for the Life Pittsburgh.

*Pennsylvania Public Utility Commission, Bureau of Transportation and Safety v. Evans Motor Car Co., Inc.; Doc. No. A-00110299C0701*

### COMPLAINT

The Pennsylvania Public Utility Commission (Commission) is a duly constituted agency of the Commonwealth of Pennsylvania empowered to regulate public utilities within the Commonwealth. The Commission has delegated its authority to initiate proceedings which are prosecutory in nature to the Bureau of Transportation and Safety and other bureaus with enforcement responsibilities. Pursuant to that delegated authority and Section 701 of the Public Utility Code, the Bureau of Transportation and Safety Prosecutory Staff hereby represents as follows:

1. That all authority issued to Evans Motor Car Co., Inc. (respondent) is under suspension effective 09/19/2007 for failure to maintain evidence of insurance on file with this Commission.

2. That respondent maintains a principal place of business at Evans Motor Car Co., Inc., P. O. Box 1214 North Drive, Wrightstown, NJ 08562.

3. That respondent was issued a Certificate of Public Convenience by this Commission on 8/18/1994 at Application Docket No. A-00110299.

4. That respondent has failed to maintain evidence of bodily injury and property damage liability insurance and cargo insurance on file with this Commission.

5. That respondent, by failing to maintain evidence of insurance on file with this Commission, violated 66 Pa.C.S. § 512, 52 Pa. Code § 32.2(c), and 52 Pa. Code § 32.11(a), § 32.12(a) or § 32.13(a).

*Wherefore*, unless respondent causes its insurer to file evidence of insurance with this Commission within twenty (20) days of the date of service of this Complaint, the Bureau of Transportation and Safety Prosecutory Staff will request that the Commission issue an Order which (1) cancels the Certificate of Public Convenience held by respondent at Docket No. A-00110299 for failure to maintain evidence of current insurance on file with the Commission, (2) orders such other remedy as the Commission may deem to be appropriate, which may include a fine and the suspension of a vehicle registration and (3) imposes an additional fine on the respondent.

Respectfully submitted,

Wendy J. Keezel, Chief of Enforcement  
Motor Carrier Services & Enforcement Division  
Bureau of Transportation and Safety  
P. O. Box 3265  
Harrisburg, PA 17105-3265

### VERIFICATION

I, Wendy J. Keezel, Chief of Enforcement for the Motor Carrier Services and Enforcement Division of the Bureau of Transportation and Safety, hereby state that the facts above set forth are true and correct to the best of my knowledge, information and belief and that I expect that the Bureau will be able to prove same at any hearing held in this matter. I understand that the statements herein are made subject to the penalties of 18 Pa.C.S. § 4904 relating to unsworn falsification to authorities.

Date: \_\_\_\_\_

Wendy J. Keezel, Chief of Enforcement  
Motor Carrier Services and Enforcement  
Division  
Bureau of Transportation and Safety

### NOTICE

A. You must file an Answer within twenty (20) days of the date of service of this Complaint. The date of service is the mailing date as indicated at the top of the Secretarial cover letter for this Complaint and Notice, 52 Pa. Code § 1.56(a). An Answer is a written explanation of circumstances wished to be considered in determining the outcome. The Answer shall raise all factual and legal arguments that you wish to claim in your defense and must include the reference number of this Complaint. Your Answer must be verified and the original and three (3) copies sent to:

James J. McNulty, Secretary  
 Pennsylvania Public Utility Commission  
 P. O. Box 3265  
 Harrisburg, PA 17105-3265

B. If you fail to answer this Complaint within twenty (20) days of the date of service, the Bureau of Transportation and Safety will request that the Commission issue an Order imposing a penalty. Pursuant to 66 Pa.C.S. § 3301(a), the penalty could include a fine of up to \$1,000 for each violation, the revocation of your Certificate of Public Convenience, or any other remedy as may be appropriate. Each day you continue to violate any regulation, direction, requirement, determination or Order of the Commission is a separate and distinct offense, subject to additional penalties.

C. You may elect not to contest this Complaint by causing your insurer to file proper evidence of current insurance in accordance with the Commission's regulations within twenty (20) days of the date of service of this Complaint. The proof of insurance must be filed with the

Compliance Office, Bureau of Transportation and Safety  
 Pennsylvania Public Utility Commission  
 P. O. Box 3265  
 Harrisburg, PA 17105-3265

Upon receipt of the evidence of insurance from your insurer, the Complaint proceeding shall be closed. *Acord Certificates of Insurance and Faxed Form Es and Hs are Unacceptable as Evidence of Insurance.*

D. If you file an Answer which admits or fails to deny the allegations of the Complaint, the Bureau of Transportation and Safety will request that the Commission issue an Order imposing a penalty, which may include the cancellation of your Certificate of Public Convenience. Should the Commission cancel your Certificate of Public Convenience, it may also impose an additional fine of up to \$1,000.

E. If you file an Answer which contests the Complaint, the matter will be assigned to an Administrative Law Judge for hearing and decision. The judge is not bound by the optional fine set forth above.

F. Alternative formats of this material are available, for persons with disabilities, by contacting the Compliance Office at (717) 787-1227.

*Pennsylvania Public Utility Commission, Bureau of Transportation and Safety V. WM. Rowen Grant Funeral Home; Doc. No. A-00095170C0701*

#### COMPLAINT

The Pennsylvania Public Utility Commission (Commission) is a duly constituted agency of the Commonwealth of Pennsylvania empowered to regulate public utilities within the Commonwealth. The Commission has delegated its authority to initiate proceedings which are prosecutory in nature to the Bureau of Transportation and Safety and other bureaus with enforcement responsibilities. Pursuant to that delegated authority and Section 701 of the Public Utility Code, the Bureau of Transportation and Safety Prosecutory Staff hereby represents as follows:

1. That WM. Rowen Grant Funeral Home, respondent, maintains a principal place of business at 1920 Sansom Street, Philadelphia, PA 19103.

2. That respondent was issued a Certificate of Public Convenience by this Commission on June 20, 1969, at Application Docket No. A-00095170.

3. That respondent abandoned or discontinued service without having first filed an application with this Commission for abandonment or discontinuance of service. Respondent has reported receiving no intrastate revenue since at least prior to 1993.

4. That respondent, by failing to file an application with this Commission prior to abandoning or discontinuing service, violated 52 Pa. Code § 3.381(a)(1)(v) and 66 Pa.C.S. § 1102(a)(2) and, by failing to maintain adequate, efficient, and safe service and reasonable facilities, violated 66 Pa.C.S. § 1501.

Wherefore, the Bureau of Transportation and Safety Prosecutory Staff hereby requests that the Commission revoke respondent's Certificate of Public Convenience at A-00095170.

Respectfully submitted,

Wendy J. Keezel, Chief of Enforcement  
 Motor Carrier Services & Enforcement Division  
 Bureau of Transportation and  
 Safety  
 P. O. Box 3265  
 Harrisburg, PA 17105-3265

#### VERIFICATION

I, Wendy J. Keezel, Chief of Enforcement for the Motor Carrier Services and Enforcement Division of the Bureau of Transportation and Safety, hereby state that the facts above set forth are true and correct to the best of my knowledge, information and belief and that I expect that the Bureau will be able to prove same at any hearing held in this matter. I understand that the statements herein are made subject to the penalties of 18 Pa.C.S. § 4904 relating to unsworn falsification to authorities.

Date: \_\_\_\_\_

Wendy J. Keezel, Chief of Enforcement  
 Bureau of Motor Carrier Services and  
 Enforcement  
 Division Bureau of Transportation and  
 Safety

#### NOTICE

A. You must file an answer within twenty (20) days of the date of service of this complaint. The date of service is the mailing date as indicated at the top of the Secretarial cover letter for this complaint and notice, 52 Pa. Code § 1.56(a). An answer is a written explanation of circumstances wished to be considered in determining the outcome. The answer shall raise all factual and legal arguments that you wish to claim in your defense and must include the reference number of this complaint. Your answer must be verified and the original and three (3) copies sent to:

James J. McNulty, Secretary  
 Pennsylvania Public Utility Commission  
 P. O. Box 3265  
 Harrisburg, PA 17105-3265



B. If you fail to answer this complaint within twenty (20) days, the Bureau of Transportation and Safety will request that the Commission issue a Secretarial Letter imposing a penalty, which will include the revocation of your Certificate of Public Convenience.

C. If you file an answer which either admits or fails to deny the allegations of the complaint, the Bureau of Transportation and Safety will request that the Commission issue an Order imposing a penalty, which may include the revocation of your Certificate of Public Convenience..

D. If you file an answer which contests the complaint, the matter will be assigned to an administrative law judge for hearing and decision.

E. Alternative formats of this material are available, for persons with disabilities, by contacting the Compliance Office at (717) 787-1227.

JAMES J. MCNULTY,  
*Secretary*

[Pa.B. Doc. No. 07-2080. Filed for public inspection November 9, 2007, 9:00 a.m.]

### Sewer Service

**A-230172F2000. High Meadows Sewer Service, Inc.** Application of High Meadows Sewer, Inc., for approval of the abandonment or discontinuance of sewage service to the public in this Commonwealth.

Formal protests and petitions to intervene must be filed in accordance with 52 Pa. Code (relating to public utilities), on or before November 26, 2007. Filings must be made with the Secretary of the Pennsylvania Public Utility Commission, P. O. Box 3265, Harrisburg, PA 17105-3265, with a copy served on the applicant. The documents filed in support of the application are available for inspection and copying at the Office of the Secretary between 8 a.m. to 4:30 p.m., Monday through Friday, and the applicant's business address

*Applicant:* High Meadows Sewer Service, Inc.  
*Through and by Counsel:* Lawrence P. Lutz, Esquire,  
Lutz and Pawk, The Morgan Center Building, 101 East  
Diamond Street, Suite 102, Butler, PA 16001.

JAMES J. MCNULTY,  
*Secretary*

[Pa.B. Doc. No. 07-2081. Filed for public inspection November 9, 2007, 9:00 a.m.]

### Telecommunications

**A-311461F7000. Verizon Pennsylvania, Inc. and Peerless Network of Pennsylvania, LLC.** Joint petition of Verizon Pennsylvania, Inc. and Peerless Network of Pennsylvania, LLC for approval of an interconnection agreement under section 252(e) of the Telecommunications Act of 1996.

Verizon Pennsylvania, Inc. and Peerless Network of Pennsylvania, LLC, by its counsel, filed on October 29, 2007, at the Pennsylvania Public Utility Commission (Commission), a joint petition for approval of an interconnection agreement under sections 251 and 252 of the Telecommunications Act of 1996.

Interested parties may file comments concerning the petition and agreement with the Secretary, Pennsylvania Public Utility Commission, P. O. Box 3265, Harrisburg, PA 17105-3265. Comments are due on or before 10 days after the date of publication of this notice. Copies of the Verizon Pennsylvania, Inc. and Peerless Network of Pennsylvania, LLC joint petition are on file with the Commission and are available for public inspection.

The contact person is Cheryl Walker Davis, Director, Office of Special Assistants, (717) 787-1827.

JAMES J. MCNULTY,  
*Secretary*

[Pa.B. Doc. No. 07-2082. Filed for public inspection November 9, 2007, 9:00 a.m.]

