

NOTICES

DEPARTMENT OF AGRICULTURE

Farmers' Market Development Matching Grant Program

The application period for grants under the Farmers' Market Development Matching Grant Program (Program) administered by the Department of Agriculture (Department) has commenced. For the 2008 Matching Grant Project Year, the application period is January 7, 2008, to February 6, 2008. Information about the Program and application forms can be accessed at www.agriculture.state.pa.us or by contacting the Bureau of Food Distribution at (800) 468-2433.

The Program provides matching funds to Pennsylvania based businesses that manage or operate farmers' markets, nonprofit organizations, farmers and local governments for projects intended to promote new or existing farmers' markets. The maximum grant amount per farmers' market location is \$10,000. Each applicant shall provide at least 10% of the approved Grant amount in matching funds or in-kind goods or services. The anticipated date for the award of grants and notice thereof is expected to be on or before March 1, 2008. The application, work plan and budget should reflect March 1, 2008, as the project start date and the project completion date will be May 31, 2008.

Applications for the Program will be accepted by the Department beginning Monday, January 7, 2008, and continue through Wednesday, February 6, 2008. Applications that are hand-delivered must be received by 4 p.m. in the Bureau of Food Distribution on Wednesday, February 6, 2008, the closing date. Applications that are mailed must be postmarked no later than February 6, 2008, and received no later than February 9, 2008. Completed applications should be addressed to or delivered to Geoffrey Dunaway, Director, Bureau of Food Distribution, Department of Agriculture, 2301 North Cameron Street, Room 401, Harrisburg, PA 17110-9408.

DENNIS C WOLFF,
Secretary

[Pa.B. Doc. No. 08-13. Filed for public inspection January 4, 2008, 9:00 a.m.]

Partial Revocation of Plum Pox Virus Nursery Quarantine

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 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. It 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. PPV has the potential to cause serious damage to the stone fruit production industry within this Commonwealth. It 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. The movement of PPV-infected fruit trees poses a danger to stone fruit trees in noninfected areas. There is no known control for PPV other than destruction of infected trees.

E. 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. This series of orders included a January 5, 2005, order published at 35 Pa.B. 552 (January 22, 2005) establishing a PPV Nursery Quarantine Area.

F. The Department has determined that it is appropriate to release the PPV Nursery Quarantine with respect to those areas where testing has failed to detect the presence of PPV within the last 6 years.

Order

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

1. The following local government units are hereby released from the PPV Nursery Quarantine Area established by Order of January 5, 2005, published at 35 Pa.B. 552 (January 22, 2005) as there has been no detected presence of PPV in these areas for at least 3 years after more expansive PPV-related quarantine restrictions have been rescinded:

In Cumberland County

- Southampton Township, except for the eastern corner of that township that lies within an 11.5 kilometer radius of Menallen Township (Adams County), where PPV has been detected within the preceding 3 years

In Franklin County

- Quincy Township
- The Borough of Mont Alto

In York County

- Washington Township

2. Nursery owners may do the following, without restriction, within the local government units listed in Paragraph No. 1:

- a. propagate and grow nursery stock;
- b. use *Prunus* as a source of propagative material; and
- c. plant *Prunus* nursery stock in the ground, to be dug and sold.

Propagators are advised to contact the Department for testing of *Prunus* before it is used for propagation.

3. The following local government units remain subject to the Order described in Paragraph No. 1:

In Adams County

- Huntington Township
- Latimore Township
- That portion of Menallen Township as designated by the Order published in 35 Pa.B. 6543 (December 3, 2005)

- That portion of Franklin Township as designated by the Order published in 36 Pa.B. 6108 (October 7, 2006)
- That portion of Butler Township as designated by the Order published in 33 Pa.B. 5087 (October 11, 2003)
- That portion of Tyrone Township located to the north of Cranberry Road.
- The Borough of York Springs

In Cumberland County

- Dickinson Township
- South Middleton Township
- The eastern corner of Southampton Township that that lies within an 11.5 kilometer radius of Menallen Township (Adams County)
- The Borough of Mt. Holly Springs

In York County

- Conewago Township
- Franklin Township
- Monaghan Township

Any area within 11.5 kilometers (7.15 miles) of any location from which a PPV-positive sample has been detected within the preceding 3 years. These PPV-positive locations and the 11.5-kilometer radius from these loca-

tions are identified on maps that are available from the Department upon request. The 11.5-kilometer radius is determined using location readings received from global positioning satellites (GPS) and the computer-assisted calculations of a geographical information system. The Department shall, upon request, visit any site to take GPS readings and determine whether that site is within the quarantine area.

4. The conditions of the Quarantine established in the Orders referenced in Paragraph Nos. 1 and 3 shall remain in effect in a given local government unit for at least 3 years after a primary quarantine is rescinded, and until the Department issues an Order releasing that local government unit from quarantine.

5. 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.

6. This Order is effective as of December 19, 2007.

DENNIS C WOLFF,
Secretary

[Pa.B. Doc. No. 08-14. Filed for public inspection January 4, 2008, 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 December 18, 2007.

BANKING INSTITUTIONS

Holding Company Acquisitions

<i>Date</i>	<i>Name of Corporation</i>	<i>Location</i>	<i>Action</i>
12-14-07	Toronto-Dominion Bank, Toronto, Canada, and its subsidiaries TD US P & C Holdings ULC, Calgary, Canada, Cardinal Top Co., New York, NY, and Cardinal Intermediate Co., New York, NY, to acquire 100% of Commerce Bancorp, Inc., Cherry Hill, NJ, and thereby indirectly acquire Commerce Bank, National Association, Philadelphia, PA	Toronto, Canada	Filed

Section 112 Applications

<i>Date</i>	<i>Name of Corporation</i>	<i>Location</i>	<i>Action</i>
12-14-07	Boston Private Financial Holdings, Inc., Boston, MA, to acquire 80.1% of Davidson Trust Company, Devon, PA	Boston, MA	Filed

<i>Date</i>	<i>Name of Corporation</i>	<i>Location</i>	<i>Action</i>
12-14-07	Toronto-Dominion Bank, Toronto, Canada, and its subsidiaries TD US P & C Holdings ULC, Calgary, Canada, Cardinal Top Co., New York, NY, and Cardinal Intermediate Co., New York, NY, to acquire up to 14.82% of Pennsylvania Commerce Bancorp, Inc., Harrisburg, PA, and thereby indirectly acquire an interest in Commerce Bank/Harrisburg, National Association, Harrisburg, PA	Toronto, Canada	Filed

Branch Applications

<i>Date</i>	<i>Name of Bank</i>	<i>Location</i>	<i>Action</i>
11-1-07	Abington Savings Bank Jenkintown Montgomery County	800 Bethlehem Pike Springhouse Montgomery County	Opened

Branch Relocations

<i>Date</i>	<i>Name of Bank</i>	<i>Location</i>	<i>Action</i>
12-14-07	Citizens Bank of Pennsylvania Philadelphia Philadelphia County	<i>To:</i> 229 North West End Boulevard, Suite D-1 Quakertown Montgomery County <i>From:</i> 255 North West End Boulevard Quakertown Montgomery County	Approved
12-14-07	Reliance Savings Bank Altoona Blair County	<i>To:</i> 401 Logan Boulevard Altoona Blair County <i>From:</i> 109 Logan Boulevard Altoona Blair County	Approved

Branch Discontinuances

<i>Date</i>	<i>Name of Bank</i>	<i>Location</i>	<i>Action</i>
11-16-07	Susquehanna Bank PA Lititz Lancaster County	Lititz	Effective
	Susquehanna Bank PA discontinued the following six branch offices due to purchase of assets/assumption of liabilities by Susquehanna Bank, Hagerstown, MD:		
	4501 Hanover Pike Manchester Carroll County, MD	275 Clifton Boulevard Westminster Carroll County, MD	
	10455 Mill Run Circle Owings Mills Baltimore County, MD	10802 Red Run Boulevard Owings Mills Baltimore County, MD	
	8620 Snowden River Parkway Columbia Howard County, MD	8801 Columbia 100 Parkway Columbia Howard County, MD	

NOTICES

SAVINGS INSTITUTIONS

No activity.

CREDIT UNIONS

Consolidations, Mergers and Absorptions

<i>Date</i>	<i>Name of Credit Union</i>	<i>Location</i>	<i>Action</i>
12-17-07	Pennsylvania State Employees Credit Union, Harrisburg, and GF Employees Credit Union, Camp Hill Surviving Institution— Pennsylvania State Employees Credit Union, Harrisburg	Harrisburg	Filed

Articles of Amendment

<i>Date</i>	<i>Name of Credit Union</i>	<i>Purpose</i>	<i>Action</i>
12-13-07	Pittsburgh Teachers Credit Union Pittsburgh Allegheny County	Amendment to the 1st Article of the Articles of Incorporation	Approved and Effective

Amendment to the 1st Article of the Articles of Incorporation provides for a change in the name of the credit union to "Riverset Credit Union."

The Department's website at www.banking.state.pa.us includes public notices for more recently filed applications.

STEVEN KAPLAN,
Secretary

[Pa.B. Doc. No. 08-15. Filed for public inspection January 4, 2008, 9:00 a.m.]

Actions on Applications

The Department of Banking (Department) under to 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 December 25, 2007.

BANKING INSTITUTIONS**Branch Applications**

<i>Date</i>	<i>Name of Bank</i>	<i>Location</i>	<i>Action</i>
12-8-07	Beneficial Mutual Savings Bank Philadelphia Philadelphia County	1600 Sumneytown Pike Lansdale Montgomery County	Opened
12-19-07	Beneficial Mutual Savings Bank Philadelphia Philadelphia County	Chew and Wister Streets Philadelphia Philadelphia County	Filed
12-19-07	MoreBank Philadelphia Philadelphia County	1222 North Welsh Road North Wales Montgomery County	Filed
12-19-07	Asian Bank Philadelphia Philadelphia County	815—837 Arch Street Philadelphia Philadelphia County	Approved

Branch Discontinuances

<i>Date</i>	<i>Name of Bank</i>	<i>Location</i>	<i>Action</i>
12-19-07	Susquehanna Bank DV Bryn Mawr Montgomery County	500 Shiloh Pike Bridgeton Cumberland County, NJ	Filed

SAVINGS INSTITUTIONS

No activity.

CREDIT UNIONS**Consolidations, Mergers and Absorptions**

<i>Date</i>	<i>Name of Credit Union</i>	<i>Location</i>	<i>Action</i>
12-19-07	White Rose Credit Union, York and ACCO York Federal Credit Union, York Surviving Institution— White Rose Credit Union, York	York	Filed

The Department's website at www.banking.state.pa.us includes public notices for more recently filed applications.

STEVEN KAPLAN,
Secretary

[Pa.B. Doc. No. 08-16. Filed for public inspection January 4, 2008, 9:00 a.m.]

DEPARTMENT OF CONSERVATION AND NATURAL RESOURCES

Snowmobile and ATV Advisory Committee Meeting

The Snowmobile and ATV Advisory Committee of the Department of Conservation and Natural Resources (Department) will hold a meeting on Thursday, January 24, 2008, at 9 a.m. in Room 105, Rachel Carson State Office Building, Harrisburg, PA.

Questions concerning this meeting or agenda items can be directed to John Quigley at (717) 787-9632.

Persons in need of accommodations as provided for in the Americans With Disabilities Act of 1990 should contact John Quigley at (717) 787-9632 or through the Pennsylvania AT&T Relay Service at (800) 654-5984 (TDD) to discuss how the Department may accommodate their needs.

MICHAEL DIBERARDINIS,
Secretary

[Pa.B. Doc. No. 08-17. Filed for public inspection January 4, 2008, 9:00 a.m.]

DEPARTMENT OF ENVIRONMENTAL PROTECTION

Applications, Actions and Special Notices

APPLICATIONS

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

This notice provides information about persons who have applied for a new, amended or renewed NPDES or WQM permit, a permit waiver for certain stormwater discharges or submitted a Notice of Intent (NOI) for coverage under a general permit. The applications concern, but are not limited to, discharges 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

<i>Location</i>	<i>Permit Authority</i>	<i>Application Type or Category</i>
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 & Address</i>	<i>County & Municipality</i>	<i>Stream Name (Watershed #)</i>	<i>EPA Waived Y/N ?</i>
PA0061310	Marian High School 166 Marian Avenue Tamaqua, PA 18252-9789	Schuylkill County Rush Township	Little Schuylkill River Watershed 3A CWF	Y
PA0044920	Lehighon Electronics, Inc. P. O. Box 328 208 Memorial Drive Lehighon, PA 18235-0328	Mahoning Township Carbon County	Mahoning Creek 02B	Y

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

<i>NPDES No. (Type)</i>	<i>Facility Name & Address</i>	<i>County & Municipality</i>	<i>Stream Name (Watershed #)</i>	<i>EPA Waived Y/N ?</i>
PA0115312 (Municipal)	Loyalsock Township Board of Supervisors 2501 East Third Street Williamsport, PA 17701-4096	Lycoming County Loyalsock Township	UNT to Grafius Run SWP 10B	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.

PA0050865, Industrial Waste, **Gessner Products Company, Inc.**, 241 North Main Street, P. O. Box 389, Ambler, PA 19002-0389. This existing facility is located in Ambler Borough, **Montgomery County**.

Description of Proposed Activity: Renewal of NPDES permit to discharge noncontact cooling water from a plastics manufacturing facility.

The receiving stream, Rose Valley Creek, is in the State Water Plan Watershed 3F and is classified for: TSE, aquatic life, water supply and recreation. The nearest downstream public water supply intake for Philadelphia Water Department is located on the Schuylkill River and is approximately 14 miles below the point of discharge.

The proposed effluent limits for Outfall 001 are based on a design flow of 0.0695 mgd.

Parameters	Mass (lb/day)		Concentration (mg/l)		
	Average Monthly	Maximum Daily	Average Monthly	Maximum Daily	Instantaneous Maximum
Temperature (° F)					110
pH (Standard Units)			6.0, minimum		9.0

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

1. Remedial Measures if Public Nuisance.
2. Temperature Requirement.
3. No Chemical Addition.
4. Change in Ownership.

NPDES Permit No. PA0244295, Sewage, SIC 4952, **Franconia Sewer Authority Wastewater Treatment Plant**, 671 Allentown Road, Franconia, PA 18924.

Description of Proposed Activity: A new sewage treatment plant's NPDES permit to discharge effluent to Skippack Creek.

The receiving water, Skippack Creek, is in the State Water Plan Watershed 3E—Perkiomen and is classified for: TSF. The nearest downstream public water supply intake is located on the Schuylkill River and is approximately 18 miles below the point of discharge.

The proposed effluent limits for Outfall 001 are based on an approved annual average flow of 0.150 mgd.

Parameters	Average Monthly (mg/l)	Average Weekly (mg/l)	Maximum Daily (mg/l)	Instantaneous Maximum (mg/l)
CBOD ₅	10	15		20
Total Suspended Solids	10	15		20
Ammonia as N				
(5-1 to 10-31)	1.5			3.0
(11-1 to 4-30)	3.0			6.0
Phosphorus as P	0.1			0.2
Total Nitrogen	6.0			
Total Dissolved Solids	Monitor and Report			
Fecal Coliform	200 lbs/100 ml			1,000 lbs/100 ml
Dissolved Oxygen	6.0 (Minimum)			
pH (Standard Units)	6.0 (Minimum)			9.0 (Maximum)

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

1. Small Stream Discharge.
2. Proper Sludge Disposal.
3. Certified Operator.
4. No Stormwater into Sanitary Sewers.
5. Operations and Maintenance Plan.
6. Ultraviolet Disinfection System.

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

PA0205443, Industrial Waste, SIC 1442, **Hanson Aggregates PMA, Inc.**, 2200 Springfield Pike, Connellsville, PA 15425. This application is for renewal of an NPDES permit to discharge treated process water and stormwater from the Lower Burrell Facility in Lower Burrell Township, **Westmoreland County**.

The following effluent limitations are proposed for discharge to the receiving waters, Allegheny River, classified as a WWF with existing and/or potential uses for aquatic life, water supply and recreation. The first existing/proposed downstream potable water supply is the Oakmont Borough Municipal Authority, located at Oakmont, PA, 4.6 miles below the discharge point.

Outfall 001: existing discharge, design flow varies.

Parameter	Mass (lb/day)		Concentration (mg/l)		
	Average Monthly	Maximum Daily	Average Monthly	Maximum Daily	Instantaneous Maximum
Flow (mgd)	Monitor and Report				
Total Suspended Solids			60		110
Oil and Grease			15		30
pH	not less than 6.0 nor greater than 9.0				

The EPA waiver is in effect.

PA0217107, Industrial Waste, SIC 5093, **EMF Development Corp.**, 365 Bassett Road, Hooversville, PA 15936-7608. This application is for renewal of an NPDES permit to discharge treated and untreated stormwater from the Franklin Facility in Franklin Township, **Cambria County**.

The following effluent limitations are proposed for discharge to the receiving waters, Conemaugh River, classified as a WWF with existing and/or potential uses for aquatic life, water supply and recreation. The first existing/proposed downstream potable water supply is Buffalo Township Municipal Authority, located at Freeport, 82 miles below the discharge point.

Outfall 101: existing discharge, design flow varies (mgd).

Parameter	Mass (lb/day)		Concentration (mg/l)		
	Average Monthly	Maximum Daily	Average Monthly	Maximum Daily	Instantaneous Maximum
Flow	Monitor and Report				
pH	not less than 6.0 nor greater than 9.0				

Outfall 122: existing discharge, design flow varies (mgd)

Parameter	Mass (lb/day)		Concentration (mg/l)		
	Average Monthly	Maximum Daily	Average Monthly	Maximum Daily	Instantaneous Maximum
Flow	Monitor and Report				
Oil and Grease			15	30	
Total Suspended Solids			Monitor and Report		
pH	not less than 6.0 nor greater than 9.0				

The EPA waiver is in effect.

PA0097411, Sewage, **Glendale School District**, 1466 Beaver Valley Road, Flinton, PA 16640-8900. This application is for renewal of an NPDES permit to discharge treated sewage from Glendale School District STP in White Township, **Cambria County**.

The following effluent limitations are proposed for discharge to the receiving waters, known as UNT of Dutch Run, which are classified as a CWF 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 PA-American Water Company on West Branch Susquehanna River near Milton.

Outfall 001: existing discharge, design flow of 0.01 mgd.

Parameter	Concentration (mg/l)			
	Average Monthly	Average Weekly	Maximum Daily	Instantaneous Maximum
CBOD ₅	25			50
Suspended Solids	30			60
Ammonia Nitrogen (5-1 to 10-31)	2.5			5.0
(11-1 to 4-30)	6.0			12.0
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	0.15			0.35
Dissolved Oxygen	not less than 6.0 mg/l			
pH	not less than 6.0 nor greater than 9.0			

The EPA waiver is in effect.

PA0217824, Sewage, **YMCA Camp Kon-O-Kwee**, 126 Nagel Road, Fombell, PA 16123-1198. This application is for renewal of an NPDES permit to discharge treated sewage from Camp Kon-O-Kwee Sewage Treatment Plant in Marion Township, **Beaver County**.

The following effluent limitations are proposed for discharge to the receiving waters, known as Connoquenessing Creek, 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 Beaver Falls Municipal Authority on the Beaver River.

Outfall 001: existing discharge, design flow of 0.03 mgd.

Parameter	Concentration (mg/l)			
	Average Monthly	Average Weekly	Maximum Daily	Instantaneous Maximum
CBOD ₅	25			50
Suspended Solids	30			60

Parameter	Concentration (mg/l)			
	Average Monthly	Average Weekly	Maximum Daily	Instantaneous Maximum
Phosphorus	2			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	1.4			3.3
pH	not less than 6.0 nor greater than 9.0			

The EPA waiver is in effect.

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

PA0240044, Sewage, **Brookdale Family Campground**, 25164 State Highway 27, Meadville, PA 16335. This proposed facility is located in East Mead Township, **Crawford County**.

Description of Proposed Activity: New discharge of treated sewage.

For the purpose of evaluating effluent requirements for TDS, NO₂-NO₃, fluoride, phenolics, sulfate and chloride, the existing/proposed downstream potable water supply, considered during the evaluation is the General Authority of Franklin intake from French Creek, located in Franklin, PA and is approximately 30 miles below point of discharge.

The receiving stream, the Little Sugar Creek, is in Watershed 16-D and classified for: CWF, aquatic life, water supply and recreation.

The proposed effluent limits for Outfall 001 are based on a design flow of 0.010 mgd.

Parameter	Concentrations		
	Average Monthly (mg/l)	Average Weekly (mg/l)	Instantaneous Maximum (mg/l)
Flow	XX		
CBOD ₅	25		50
Total Suspended Solids	30		60
NH ₃ -N (5-1 to 10-31)	10		21
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		
Total Residual Chlorine	1.2		2.8
pH	6.0 to 9.0 Standard Units at all times		

XX—Monitor and report on monthly DMRs.

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)

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

WQM Permit No. 1507418, Sewerage, **East Whiteland Township**, 209 Conestoga Road, Frazer, PA 19355. This proposed facility is located East Whiteland Township, **Chester County**.

Description of Action/Activity: Construction of a sanitary sewer extension to serve the Whiteland Village.

WQM Permit No. 1507419, Sewerage, **Whiteland Village, LLC**, 800 Springdale Drive, Suite 100, Exton, PA 19341. This proposed facility is located East Whiteland Township, **Chester County**.

Description of Action/Activity: Construction of a sanitary sewer extension.

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

WQM Permit No. 3005402-A2, Sewerage, **Dana Mining Company of PA, LLC**, 308 Dents Run Road, Morgantown, WV 26501. This existing facility is located in Dunkard Township, **Greene County**.

Description of Proposed Action/Activity: Application for 4 West Deep Mine STP expansion.

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

WQM Permit No. 2507406, Sewage, **Washington Township Sewer Authority**, 11800 Edinboro Road, Edinboro, PA 16412. This proposed facility is located in the Edinboro Borough, **Erie County**.

Description of Proposed Action/Activity: This project involves converting the existing Angling Road Sewage Treatment Plant to a lift station which will convey sewage to the Edinboro Borough Sewage Treatment Plant.

WQM Permit No. 1092202, Industrial Waste, Amendment No. 1, **Waste Management Disposal Services of PA, Inc.**, 1436 West Sunbury Road, West Sunbury, PA 16061. This proposed facility is located in the Clay Borough, **Butler County**.

Description of Proposed Action/Activity: This project modifies its current sludge treatment and handling process to remove excess moisture from the sludge cake, which is then disposed of in the landfill.

WQM Permit No. WQG018599, Sewage, **Walter Dittmer**, 219 Cooper Road, Slippery Rock, PA 16067-4519. This proposed facility is located in Worth Township, **Butler County**.

Description of Proposed Action/Activity: A single residence sewage treatment plant.

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

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

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

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

NPDES

<i>Permit No.</i>	<i>Applicant Name & Address</i>	<i>County</i>	<i>Municipality</i>	<i>Receiving Water/Use</i>
PAS10G538R	Upper Uwchlan Township 140 Pottstown Pike Chester Springs, PA 19425	Chester	Upper Uwchlan	Pickering Creek HQ-TSF
PAI011507057	The Devereux Foundation 444 Devereux Drive Villanova, PA 19085-1932	Chester	Willistown Township	UNT Crum Creek HQ-CWF
PAI011507058	West Chester Area School District 1181 McDermott Drive West Chester, PA 19380	Chester	West Goshen Township	UNT Goose Creek TSF, MF
PAI011507059	Roosevelt Hairston, LLC 385 Conestoga Road Malvern, PA 19355	Chester	West Vincent Township	Pickering Creek HQ-TSF
PAI014607005	Federal Highway Administration 21400 Ridgetop Circle Sterling, VA 20166	Montgomery	Upper Merion Township	Valley Creek EV

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

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

NPDES

<i>Permit No.</i>	<i>Applicant Name & Address</i>	<i>County</i>	<i>Municipality</i>	<i>Receiving Water/Use</i>
PAI024507013	Brick City Associates, LLC 140 Dilley Street Forty Fort, PA 18704	Monroe	Coolbaugh and Tobyhanna Townships	Indian Run EV
PAI024507014	Noor E. Abdel-All R. R. 1 Box 1684 Cresco, PA 18326	Monroe	Paradise Township	Tributary to Paradise Creek HQ-CWF

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

NPDES

<i>Permit No.</i>	<i>Applicant Name & Address</i>	<i>County</i>	<i>Municipality</i>	<i>Receiving Water/Use</i>
PAI023907030	Robert Sperling Allentown School District 1301 Sumner Avenue Allentown, PA 18102	Lehigh	City of Allentown	Trout Creek HQ-CWF

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

NPDES

<i>Permit No.</i>	<i>Applicant Name & Address</i>	<i>County</i>	<i>Municipality</i>	<i>Receiving Water/Use</i>
PAI030607002	American One Homes P. O. Box 20 Oley, PA 19547	Berks	Rockland Township	Bieber Creek EV

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

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

PUBLIC WATER SUPPLY (PWS) PERMIT

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

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

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

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

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

SAFE DRINKING WATER

Applications received under the Pennsylvania Safe Drinking Water Act

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

Permit No. 3607517, Public Water Supply.

Applicant **Columbia Water Company**
 Municipality West Hempfield Township
 County **Lancaster**
 Responsible Official Columbia Water Company
 General Manager
 220 Locust Street
 Columbia, PA 17512
 Type of Facility Public Water Supply
 Consulting Engineer David T. Lewis, P. E.
 Columbia Water Company
 220 Locust Street
 Columbia, PA 17512
 Application Received: November 13, 2007

Description of Action Construction of a new booster pumping station.
Southeast Region: Water Supply Management Program Manager, 2 East Main Street, Norristown, PA 19401.

Application No. 1507507, Public Water Supply.

Applicant **Michael C. Dellaquila, Sr.**
 Township Schuylkill Township
 County **Chester**
 Responsible official Michael C. Dellaquila
 1330 Charlestown Road
 Phoenixville, PA 19460
 Type of Facility PWS
 Consulting Engineer RT Environmental Service, Inc.
 215 West Church Road
 King of Prussia, PA 19406

Application Received Date November 7, 2007

Description of Action Modify water treatment system. Change from using soda ash to MnO2 for corrosion and pH control.

Application No. 0907522, Public Water Supply.

Applicant **Harrow Station, LLC**
 Township Nockamixon Township
 County **Bucks**
 Responsible official Glenn Neebe
 265 Frogtown Road
 Kintnersville, PA 18930
 Type of Facility PWS
 Consulting Engineer Erwiler & Walter, Inc.
 7036 Easton Road
 Unit B
 Pipersville, PA 18947

Applicatoin Received Date December 5, 2007

Description of Action Community water system to serve existing commercial/retail center and proposed 36-unit adult community.

WATER ALLOCATIONS

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

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

WA48-1000B, Water Allocation, **Lower Saucon Authority**, 3706 Old Philadelphia Pike, Bethlehem, PA 18015-5426, Lower Saucon Township, **Northampton County**. The applicant is requesting the renewal of an allocation for purchase of water from the City of Bethlehem system with a quantity of allocation of 1,125,000 gpd. Lower Saucon Authority is currently a reseller of treated water purchased from the City of Bethlehem.

LAND RECYCLING AND ENVIRONMENTAL REMEDIATION

UNDER ACT 2, 1995

PREAMBLE 1

Acknowledgment of Notices of Intent to Remediate Submitted under the Land Recycling and Environmental Remediation Standards Act (35 P. S. §§ 6026.101—6026.908).

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

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

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

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

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

Coventry House Incorporation, Cheltenham Township, **Montgomery County**. Brain Evans, B & B Diversified Enterprises, Inc., P. O. Box 188, Gwynedd, PA 19436 on behalf of Marvin Schuman, Coventry House, Inc., 7301 Coventry Avenue, Melrose Park, PA 19027 has submitted a Notice of Intent to Remediate. Groundwater and soil at the site has been impacted by release of No. 2 fuel oil. It is anticipated that the site will continue to be utilized for commercial/residential uses. A summary of the Notice of Intent to Remediate was reported to have been published in the *Times Chronicle/Glenside News* on October 31, 2007.

Multifamily Residence, City of Philadelphia, **Philadelphia County**. Robert Marion, GCI Environmental Services, 1250 East King Street, Lancaster, PA 17602 on behalf of Daniel J. Lasdon, 1700-002 North 5th LLP, 700 East Erie Avenue, PA 19134-1211 has submitted a Notice of Intent to Remediate. Groundwater at the site has been impacted by release of No. 6 fuel oil. The property will remain residential. A summary of the Notice of Intent to Remediate was reported to have been published in *The Philadelphia Daily News* on November 8, 2007.

Brasalind Property, City of Philadelphia, **Philadelphia County**. Michael Welsh, P. E., Applied Environmental Management, Inc., 16 Chester County Commons, Malvern, PA 19355 on behalf of James Moretti, Brasalind Properties, Inc., 201 East Gay Street, West Chester, PA 19380 has submitted a Notice of Intent to Remediate. Soil at the site has been impacted by release of No. 6 fuel oil. The property is currently a commercial business; however, future use of the property may be residential.

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

Canal Commons, LLC, Lebanon City, **Lebanon County**. WC Environmental, LLC, 1085C Andrew Drive, West Chester, PA 19380-4266, on behalf of Canal Commons, LLC, 411 Chestnut Street, Lebanon, PA 17042-6142, submitted a Notice of Intent to Remediate site soils contaminated with arsenic from a former iron ore processing plant. The future use of the property is residential. The applicant is seeking to remediate to the Site-Specific Standard.

350 North Duke Street/Sovereign Bank Stadium, York City, **York County**. Spotts, Stevens, and McCoy, Inc., 1047 North Park Road, P. O. Box 6307, Reading, PA 19601, on behalf of Redevelopment Authority of the County of York, 144 Roosevelt Avenue, Suite 100, York, PA 17404-3333, submitted a revised Notice of Intent to Remediate site soils and groundwater contaminated by No. 2 fuel oil from removed underground storage tanks. The property is part of the York Outdoor Recreation Complex. The applicant is seeking to remediate to a combination of Statewide Health and Site-Specific Standards.

OPERATE WASTE PROCESSING OR DISPOSAL AREA OR SITE

Permit application received under the Solid Waste Management Act (35 P. S. §§ 6018.101—6018.1003), the Municipal Waste Planning, Recycling and Waste Reduction Act (53 P. S. §§ 4000.101—4000.1904) and Regulations to Operate Solid Waste Processing or Disposal Area or Site.

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

Permit No. 100955. Clinton County Solid Waste Authority, 264 Landfill Lane, P. O. Box 209, McElhattan,

PA 17748-0209, located in Wayne Township, **Clinton County**. The Major permit modification for the expansion of the Wayne Township Landfill was received by the Williamsport Regional Office on November 30, 2007.

Comments concerning the application should be directed to David Garg, P. E., Facilities Manager, Williamsport Regional Office, 208 West Third Street, Suite 101, Williamsport, PA 17701. Persons interested in obtaining more information about the permit application may contact the Williamsport Regional Office at (570) 327-3740. TDD users may contact the Department of Environmental Protection through the Pennsylvania Relay Service at (800) 654-5984.

AIR QUALITY

PLAN APPROVAL AND OPERATING PERMIT APPLICATIONS

NEW SOURCES AND MODIFICATIONS

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

The Department has received applications for plan approvals and/or operating permits from the following facilities.

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

Persons wishing to receive a copy of a proposed plan approval or operating permit must indicate their interest to the Department regional office within 30 days of the date of this notice and must file protests or comments on a proposed plan approval or operating permit within 30 days of the Department providing a copy of the proposed document to that person or within 30 days of its publication in the *Pennsylvania Bulletin*, whichever comes first. Interested persons may also request that a hearing be held concerning the proposed plan approval and operating permit. Comments or protests filed with the Department regional offices must include a concise statement of the objections to the issuance of the Plan approval or operating permit and relevant facts which serve as the basis for the objections. If the Department schedules a hearing, a notice will be published in the *Pennsylvania Bulletin* at least 30 days prior the date of the hearing.

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

Final plan approvals and operating permits will contain terms and conditions to ensure that the source is constructed and operating in compliance with applicable requirements in 25 Pa. Code Chapters 121—143, the Federal Clean Air Act (act) and regulations adopted under the act.

PLAN APPROVALS

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

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

06-05007F: Carpenter Technologies Corp. (P. O. Box 14662, Reading, PA 19612-4662) for construction of two natural gas fired heating furnaces at their specialty steel facility in the City of Reading and Muhlenberg Township, **Berks County**. The facility is a Title V facility.

31-05018A: Texas Eastern Transmission, Inc.—Entriaken Compressor Station (2601 Market Place, Suite 400, Harrisburg, PA 17110) for modification to a redundant continuous emissions monitoring requirement in the existing synthetic minor operating permit in Todd Township, **Huntingdon County**.

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

65-983A: Dominion Transmission, Inc. (445 West Main Street, Clarksburg, WV 26301) for operation of natural gas pipelines, compressor station and measuring and regulating station at their Rock Spring Compressor Station in Salem Township, **Westmoreland County**.

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

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

09-0164A: Haines and Kibblehouse, Inc. (300 Skunk Hollow Road, Chalfont, PA 18914) for the replacement of two crushers as well as the reconfiguration of the existing equipment within the secondary and tertiary circuits of their crushing plant in Hilltown Township, **Bucks County**. This facility is a non-Title V facility. The proposed modification/reconfiguration will not result in a net increase of PM emissions. The Plan Approval and Operating Permit will contain recordkeeping requirements and operating restrictions designed to keep the facility operating within all applicable air quality requirements.

23-0026A: Glasgow, Inc.—Freeborn Asphalt Plant (531 Eagle Road, Springfield, PA 19064) for the replacement of the rotary drum on the Asphalt Plant Dryer in Springfield Township, **Delaware County**. The installation of the replacement drum is occurring because the existing drum has reached the end of its useful life. No emissions increase will occur since the production rate of asphalt will remain at the current maximum level of 150 tons per hour. PM will continue to be controlled by the existing knock-out box and baghouse, which are limited to emissions of 0.02 gr/dscf. The company shall continue to comply with existing limits of NO_x, VOC, PM, SO₂ and CO in its current State-only operating Permit. A stack test shall be conducted, after the replacement of the

drum, to confirm compliance with the emissions limits. The company shall comply with good air pollution control practices, monitoring and recordkeeping procedures designed to keep the facility operating within all applicable air quality requirements.

15-0067E: Herr Foods, Inc. (273 Old Baltimore Pike, Nottingham, PA 19362-0300) for installation of a new Cheese Curl Production Line at their facility in West Nottingham Township, **Chester County**. Herr Foods, Inc. is a Synthetic Minor facility, operating under SMOP 15-00067. The new cheese curl oven will increase the facilities PM emissions by less than 0.25 tpy. The slight increase in emissions still allows Herr Foods to remain a Synthetic Minor Operating Permit. The Plan Approval will contain monitoring, recordkeeping and operating restrictions designed to minimize emissions and keep the facility operating within all applicable air quality requirements.

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

40-313-047: Alcoa KAMA Corp. (600 Dietrich Avenue, Hazleton, PA 18201) for re-activation and operation of their polystyrene polymerization plant 2 which will be controlled by the use of a thermal oxidizer at their facility in Hazleton, **Luzerne County**. Plant 2 will have VOC emissions of less than 1.0 tpy. The plant will have NOx emissions of 1.3 tpy. 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.

39-309-071: Lafarge North America, Inc. (5160 Main Street, Whitehall, PA 18052) for replacement/installation of the induced draft fan for the No. 2 cement kiln at their Whitehall Plant in Whitehall Township, **Lehigh County**. The facility currently has a Title V Operating Permit No. 39-00011. 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.

The cement kiln can be fired by either a combination of coke and bituminous coal; or a combination of coke and bituminous coal with tire-derived fuel (TDF) and/or plastic-derived fuel (PDF). The emissions will not exceed the following emission limits (unchanged from the issued Plan Approval No. 39-309-063 for PDF, the issued Plan Approval No. 39-309-064 for the Cadence mixing fan, the issued Plan Approval No. 39-309-067 for the relocation of the TDF feed chute and the installation of a "dust curtain," and the current Title V operating permit) listed:

Pollutant	Lbs/Hour
Arsenic	0.00151
Cadmium	0.00525
Hexavalent Chromium	0.00135
Lead	0.07
Mercury	0.00744
Nickel	0.0189
Zinc	0.38689
Total VOCs	5.4
SO ₂	362.0 (3-hr Block Average)
NOx (with TDF/PDF)	260.5 (30-day Rolling Average)
NOx (No TDF/PDF)	297.7 (30-day Rolling Average)
Particulates	14.8
HCl	2.23
HCN	0.059
Chlorine	0.077

The Plan Approval will contain additional recordkeeping, testing and operating restrictions designed to keep the facility operating within all applicable air quality requirements. The company will be required to continue to operate and maintain a Continuous Emission Monitoring System, which is certified by the Department of Environmental Protection, for opacity, SO₂ and NOx. In addition, the company is required to conduct annual stack testing for arsenic, cadmium, hexavalent chromium, lead, mercury, nickel, zinc, total VOCs, PM, CO, HCl, HCN and chlorine due to the kiln being fired by PDF and/or TDF.

48-304-034: Victaulic Co. (4901 Kesslersville Road, Easton, PA 18040) for replacement/installation of an air cleaning device (fabric collector) for the melt department at their Forks Facility in Forks Township, **Northampton County**. The PM emissions from the fabric collector will not exceed the BAT standard of 0.01 grain/dscf and will result in a maximum PM emission rate of 25.7 tpy. The Plan Approval and Operating Permit will contain testing, monitoring, recordkeeping, reporting and work practice requirements and emission restrictions designed to keep the facility operating within all applicable air quality requirements. The facility currently has a Title V Operating Permit No. 48-00009. 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.

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

36-05120A: Nessco Ent, LLC—t/b/a Meridian Products (124 Earland Drive, New Holland, PA 17557) for construction of two spray booths with filters for control of PM emissions and two drying tunnels at their wood working facility in East Earl Township, **Lancaster County**. VOC, PM and HAP emissions are estimated to be 25, 0.13 and 12 tpy, respectively. The plan approval will have appropriate conditions designed to keep the facility operating within all applicable air quality requirements.

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

PA-65-00981A: Solar Power Industries, Inc. (440 Jonathan Willey Road, Belle Vernon, PA 15012) to allow the construction and operation of a solar cell and panel manufacturing facility at their existing facility in Rostraver Township, **Westmoreland County**.

Under 25 Pa. Code § 127.44(a), the Department of Environmental Protection (Department) intends to issue a Plan Approval to Solar Power Industries, Inc. (440 Jonathan Willey Road, Belle Vernon, PA 15012) to allow the construction and operation of a solar cell and panel manufacturing facility at their existing facility located in Rostraver Township, Westmoreland County. The facility will produce up to 200 MW of solar cell and panel capacity annually, and have the potential to emit 34.9 tons of NOx, 8.6 tons of CO, 4.0 tons of VOC, 0.3 ton of SOx, 1.4 tons of PM10, 1.7 tons of TSP and 2.7 tons of HAP per year.

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

Department of Environmental Protection
400 Waterfront Drive
Pittsburgh, PA 15222

The Department assures compliance with all applicable standards, the Department proposes to place the following General and Special Conditions on the Plan Approval:

General Conditions

1. Words and terms that are not otherwise defined in this plan approval shall have the meanings set forth in section 3 of the Air Pollution Control Act (Act) (35 P. S. § 4003) and 25 Pa. Code § 121.1 (25 Pa. Code § 121.1).

2. The issuance of this plan approval does not prevent the future adoption by the Department of any rules, regulations or standards, or the issuance of orders necessary to comply with the requirements of the Federal Clean Air Act (CAA) or the Act, or to achieve or maintain ambient air quality standards. The issuance of this plan approval shall not be construed to limit the Department's enforcement authority (25 Pa. Code § 127.12b(a)(b)).

3. This plan approval authorizes temporary operation of the sources covered by this plan approval provided the following conditions are met.

(a) When construction, installation, modification or reactivation is being conducted, the permittee should provide written notice to the Department of the completion of the activity approved by this plan approval and the permittee's intent to commence operation at least 5 working days prior to the completion of said activity. The notice shall state when the activity will be completed and when the permittee expects to commence operation. When the activity involves multiple sources on different time schedules, notice is required for the commencement of operation of each source.

(b) Under 25 Pa. Code § 127.12b(d), temporary operation of the sources is authorized to facilitate the shake-down of sources and air cleaning devices, to permit operations pending the issuance of a permit under 25 Pa. Code Chapter 127, Subchapter F or Subchapter G (relating to operating permit requirements; and Title V operating permits) or to permit the evaluation of the air contaminant aspects of the source.

(c) This plan approval authorizes a temporary operation period not to exceed 180 days from the date of commencement of operation, provided the Department receives notice from the permittee under paragraph (a).

(d) The permittee may request an extension of the 180-day shakedown period if further evaluation of the air contamination aspects of the sources is necessary. The request for an extension should be submitted, in writing, to the Department at least 15 days prior to the end of the initial 180-day shakedown period and shall provide a description of the compliance status of the source, a detailed schedule for establishing compliance and the reasons compliance has not been established. This temporary operation period will be valid for a limited time and may be extended for additional limited periods, each not to exceed 120 days. If, at any time, the Department has cause to believe that air contaminant emissions from the sources listed in this plan approval may be in excess of the limitations specified in, or established under this plan approval or the permittee's operating permit, the permittee may be required to conduct test methods and procedures deemed necessary by the Department to determine the actual emissions rate. Such testing shall be conducted in accordance with 25 Pa. Code Chapter 139, where applicable, and in accordance with any restrictions or limitations established by the Department at such time as it notifies the company that testing is required (25 Pa. Code § 127.12b).

4. The permittee shall maintain and operate the sources and associated air cleaning devices in accordance with good engineering practice as described in the plan approval application submitted to the Department (25 Pa. Code § 127.12(a)(10)).

5. (a) The records, reports or information obtained by the Department or referred to at public hearings shall be available to the public, except as provided in paragraph (b) of this condition.

(b) Upon cause shown by the permittee that the records, reports or information, or a particular portion thereof, but not emission data, to which the Department has access under the act, if made public, would divulge production or sales figures or methods, processes or production unique to that person or would otherwise tend to affect adversely the competitive position of that person by revealing trade secrets, including intellectual property rights, the Department will consider the record, report or information, or particular portion thereof confidential in the administration of the act. The Department will implement this section consistent with sections 112(d) and 114(c) of the CAA (42 U.S.C.A. §§ 7412(d) and 7414(c)). Nothing in this section prevents disclosure of the report, record or information to Federal, State or local representatives as necessary for purposes of administration of Federal, State or local air pollution control laws, or when relevant in a proceeding under the act (25 Pa. Code § 127.12(c) and (d) and 35 P. S. § 4013.2).

6. (a) This plan approval will be valid for a limited time, as specified by the expiration date contained on Page 1 of this plan approval. Except as provided in 25 Pa. Code §§ 127.11a and 127.215 (relating to reactivation of sources; and reactivation), at the end of the time, if the construction, modification, reactivation or installation has not been completed, a new plan approval application or an extension of the previous approval will be required.

(b) If construction has commenced, but cannot be completed before the expiration of this plan approval, an extension of the plan approval must be obtained to continue construction. To allow adequate time for departmental action, a request for the extension should be postmarked at least 30 days prior to the expiration date. The Department will not issue an extension after the plan approval expires. The request for an extension should include the following:

(i) A justification for the extension,

(ii) A schedule for the completion of the construction.

If construction has not commenced before the expiration of this plan approval, then a new plan approval application must be submitted and approval obtained before construction can commence.

(c) If the construction, modification or installation is not commenced within 18 months of the issuance of this plan approval or if there is more than an 18-month lapse in construction, modification or installation, a new plan approval application that meets the requirements of 25 Pa. Code Chapter 127, Subchapters B, D and E shall be submitted (25 Pa. Code § 127.13).

7. (a) This plan approval may not be transferred from one person to another except when a change of ownership is demonstrated to the satisfaction of the Department and the Department approves the transfer of the plan approval in writing.

(b) Section 127.12a (relating to compliance review) applies to a request for transfer of a plan approval. A compliance review form shall accompany the request.

(c) This plan approval is valid only for the specific source and the specific location of the source as described in the application (25 Pa. Code § 127.32).

8. (a) Under 35 P. S. § 4008, no person shall hinder, obstruct, prevent or interfere with the Department or its personnel in the performance of any duty authorized under the Act.

(b) The permittee shall also allow the Department to have access at reasonable times to said sources and associated air cleaning devices with such measuring and recording equipment, including equipment recording visual observations, as the Department deems necessary and proper for performing its duties and for the effective enforcement of the Act and regulations adopted under the act.

(c) Nothing in this plan approval condition shall limit the ability of the Environmental Protection Agency to inspect or enter the premises of the permittee in accordance with Section 114 or other applicable provisions of the CAA (25 Pa. Code § 127.12(4) and 35 P. S. § 4008 and section 114 of the CAA).

9. This plan approval may be terminated, modified, suspended or revoked and reissued if one or more of the following applies:

(a) The permittee constructs or operates the source subject to the plan approval in violation of the act, the CAA, the regulations promulgated under the act or the CAA, a plan approval or permit or in a manner that causes air pollution.

(b) The permittee fails to properly or adequately maintain or repair an air pollution control device or equipment attached to or otherwise made a part of the source.

(c) The permittee fails to submit a report required by this plan approval.

(d) The Environmental Protection Agency determines that this plan approval is not in compliance with the CAA or the regulations thereunder (25 Pa. Code § 127.13a).

10. (a) The permittee, or any other person, may not circumvent the new source review requirements of 25 Pa. Code Chapter 127, Subchapter E by causing or allowing a pattern of ownership or development, including the phasing, staging, delaying or engaging in incremental construction, over a geographic area of a facility which, except for the pattern of ownership or development, would otherwise require a permit or submission of a plan approval application.

(b) No person may permit the use of a device, stack height which exceeds good engineering practice stack height, dispersion technique or other technique which, without resulting in reduction of the total amount of air contaminants emitted, conceals or dilutes an emission of air contaminants which would otherwise be in violation of this plan approval, the Act or the regulations promulgated thereunder, except that with prior approval of the Department, the device or technique may be used for control of malodors (25 Pa. Code §§ 121.9 and 127.216).

11. Reports, test data, monitoring data, notifications shall be submitted to the:

Regional Air Program Manager
Department of Environmental Protection
(At the address given on the plan approval transmittal letter or otherwise notified.) (25 Pa. Code § 127.12c)

12. (a) If required by section 112(r) of the CAA, the permittee shall develop and implement an accidental release program consistent with requirements of the CAA,

40 CFR Part 68 (relating to chemical accident prevention provisions) and the Federal Chemical Safety Information, Site Security and Fuels Regulatory Relief Act (Pub. L. No. 106-40).

(b) The permittee shall prepare and implement a Risk Management Plan (RMP) which meets the requirements of section 112(r) of the CAA, 40 CFR Part 68 and the Federal Chemical Safety Information, Site Security and Fuels Regulatory Relief Act when a regulated substance listed in 40 CFR 68.130 is present in a process in more than the listed threshold quantity at the facility. The permittee shall submit the RMP to the Environmental Protection Agency according to the following schedule and requirements:

(1) The permittee shall submit the first RMP to a central point specified by the Environmental Protection Agency no later than the latest of the following:

(i) Three years after the date on which a regulated substance is first listed under 40 CFR 68.130; or,

(ii) The date on which a regulated substance is first present above a threshold quantity in a process.

(2) The permittee shall submit any additional relevant information requested by the Department or the Environmental Protection Agency concerning the RMP and shall make subsequent submissions of RMPs in accordance with 40 CFR 68.190.

(3) The permittee shall certify that the RMP is accurate and complete in accordance with the requirements of 40 CFR Part 68, including a checklist addressing the required elements of a complete RMP.

(c) As used in this plan approval condition, the term "process" shall be as defined in 40 CFR 68.3. The term "process" means any activity involving a regulated substance including any use, storage, manufacturing, handling or onsite movement of such substances or any combination of these activities. For purposes of this definition, any group of vessels that are interconnected, or separate vessels that are located such that a regulated substance could be involved in a potential release, shall be considered a single process (25 Pa. Code § 127.12(9) and 40 CFR Part 68).

Special Conditions

1. This Plan Approval is to allow the construction and operation of a solar cell and panel manufacturing facility by Solar Power Industries, Inc. at their Belle Vernon Plant located in Rostraver Township, Westmoreland County (25 Pa. Code § 127.12b).

2. Air contamination sources covered by this plan approval include the following (25 Pa. Code § 127.12b):

- Texturization Lines (2 RENA Intex Lines) each rated at 2,400 wafers per hour.

- Duffision Lines (5 POCL₃ Lines) each rated at 1,600 cells per hour.

- HF Falcon Benches (2) each rated at 2,400 cells per hour.

- Intralab HF Wetbench (1) rated at 2,400 cells per hour.

- Anti Reflective Coating Lines:

- OTB Lines (3) each rated at 1,440 cells per hour.

- Twyn Line (1) rated at 800 cells per hour.

- Coyote Lines (3) each rated at 1,440 cells per hour.

- Sola Line (1) rated at 1,440 cells per hour.

- Baccini Lines (4) each rated at 1,410 cells per hour.
- Above Ground Storage Tanks (4); 500 gal. diesel fuel, 25 gal. waste HCL/HF, 6,500 gal. waste HNO₃/HF, 6,500 gal. waste water.
- Boilers (3) each rated at 2.0 mmBtu/hr.
- No. 2 Diesel Fired Emergency Generator (1) rated at 335 bhp.
- Hot Water Heater (1) rated at 0.3 mmBtu/hr.
- VOC Fugitive Emissions.
- Paved Roads.

3. Air pollution control equipment at the Facility includes the following (25 Pa. Code § 127.12b):

- Scrubber 1; 2,800 scfm design inlet volume 2-Stage Counterflow Scrubber controlling the RENA Intex Lines (2) and Intralab HF Wetbench (1).
- Scrubber 2; 10,200 scfm design inlet volume 2-Stage Counterflow Scrubber controlling the POCL₃ Lines (5), HF Falcon Benches (2), OTB Lines (3), Twyn Line (1), Coyote Lines (3) and Sola Line (1).
- Regenerative thermal oxidizer; 15,000 scfm design inlet volume natural gas-fired thermal oxidizer controlling the Baccini Lines (4).

4. Visible emissions from each stack at the facility shall not equal or exceed 20% opacity for a period or periods aggregating more than 3 minutes in any one hour or equal or exceed 60% opacity at any time (25 Pa. Code § 123.41).

5. The Owner/Operator shall not permit the emission into the outdoor atmosphere of any malodorous air contaminants from any source, in such a manner that the malodors are detectable outside the property of the facility (25 Pa. Code § 123.31).

6. There shall be no fugitive emissions from the facility contrary to 25 Pa. Code §§ 123.1 and 123.2.

7. The Scrubber 1 liquid recirculation flow rate shall be maintained at 130 GPM or greater and Scrubber 1 liquid pH shall be maintained at 12 or greater (25 Pa. Code § 127.12b).

8. The Scrubber 2 liquid recirculation flow rate shall be maintained at 130 gpm or greater and Scrubber 2 liquid pH range shall be maintained between 6—8 (25 Pa. Code § 127.12b).

9. Equipment to continuously monitor and record the temperature maintained in the regenerative thermal oxidizer combustion chambers shall be installed. The minimum temperature maintained in the combustion chambers during normal operation and during exhaust bed switch shall be maintained at 1,500° F or greater (25 Pa. Code § 127.12b).

10. The Owner/Operator may perform stack testing for VOC (as propane) on the regenerative thermal oxidizer to demonstrate the temperatures at which a minimum of 98% overall VOC control efficiency or a maximum of 20 ppmv VOC and proper operation of the regenerative thermal oxidizer is achieved. Stack testing shall be performed in accordance with the provisions of 25 Pa. Code Chapter 139 and the Department's Source Testing Manual by the Environmental Protection Agency (EPA) Method 25A or an alternative Method approved by the Department. The regenerative thermal oxidizer shall be retested a minimum of once every 5 years thereafter (25 Pa. Code § 127.12b):

a. The Owner/Operator shall submit a pretest protocol for review at least 60 days prior to performance of stack tests.

b. The Owner/Operator shall notify the Department at least 2 weeks prior to stack tests so an observer may be present at the time of the tests.

c. The Owner/Operator shall submit two copies of the stack test report to the Department within 60 days of testing.

d. The Owner/Operator may apply to the Department to modify the minimum temperature maintained in the combustion chambers requirement based on the results of the test.

11. The Owner/Operator shall maintain to each scrubber and the regenerative thermal oxidizer by the manufacturer's recommendation. The maintenance schedule for each unit and records of all maintenance activities performed on for each unit shall be maintained in a log (25 Pa. Code § 127.12(b)).

12. Hours of operation in any consecutive 12-month period of the No. 2 Diesel Fired Emergency Generator shall not exceed 500 hours (25 Pa. Code § 127.12b).

13. At a minimum, the Owner/Operator shall perform a weekly Facility-Wide inspection for the presence of visible stack emissions, fugitive emissions and malodorous emissions. Records of the inspections shall be maintained in a log and include any corrective actions taken (25 Pa. Code § 127.12b).

14. At a minimum, the Owner/Operator shall maintain records of the following (25 Pa. Code § 129.52):

- a. Daily production rates.
- b. Daily liquid pH reading for each scrubber.
- c. Daily liquid recirculation flow rates for each scrubber.
- d. Regenerative thermal oxidizer chamber temperature.
- e. Weekly Facility-Wide visible stack emission, fugitive emission and malodorous emission inspection.
- f. Monthly operating hours of the No. 2 Diesel Fired Emergency Generator.
- g. Monthly cleanup solvent usage.

h. The maintenance schedule for, and records of, all maintenance activities performed on each scrubber and the regenerative thermal oxidizer.

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

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

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

(b) Operation of the sources covered by this Plan Approval is authorized only to facilitate the start-up and shakedown of sources and air cleaning devices, to permit operations pending the issuance of an Operating Permit,

or to permit the evaluation of the source for compliance with all applicable regulations and requirements.

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

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

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

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

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

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

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

Mark A. Wayner, P. E.
Regional Air Quality Program Manager
Commonwealth of Pennsylvania

Department of Environmental Protection
Southwest Region—Field Operation
400 Waterfront Drive
Pittsburgh, PA 15222-4745

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

Mark R. Gorog, P. E.
Environmental Engineer Manager
(412) 442-4163

11-00521A: Fuel Recovery, Inc. (2593 Wexford-Bayne Road, Suite 100, Sewickley, PA 15143) to allow construction and operation of a coal refuse processing plant in Washington Township, **Cambria County**. The facility will process up to 200,000 tons of coal refuse annually, and have the potential to emit 5.4 tons of PM10 per year.

Under 25 Pa. Code § 127.44(a), the Department of Environmental Protection (Department) intends to issue a Plan Approval to Fuel Recovery, Inc. (2593 Wexford-Bayne Road, Suite 100, Sewickley, PA 15143) to allow the construction and operation of a coal refuse processing plant located in Washington Township, Cambria County. The facility will process up to 200,000 tons of coal refuse annually, and have the potential to emit 5.4 tons of PM10 per year.

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

Department of Environmental Protection
400 Waterfront Drive
Pittsburgh, PA 15222

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

General Conditions:

1. Words and terms that are not otherwise defined in this plan approval shall have the meanings set forth in section 3 of the Air Pollution Control Act (Act) (35 P. S. § 4003) and 25 Pa. Code § 121.1 (25 Pa. Code § 121.1).
2. The issuance of this plan approval does not prevent the future adoption by the Department of any rules, regulations or standards or the issuance of orders necessary to comply with the requirements of the Federal Clean Air Act (CAA) or the Act, or to achieve or maintain ambient air quality standards. The issuance of this plan approval shall not be construed to limit the Department's enforcement authority (25 Pa. Code § 127.12b(a)(b)).
3. This plan approval authorizes temporary operation of the sources covered by this plan approval provided the following conditions are met.

(a) When construction, installation, modification or re-activation is being conducted, the permittee should provide written notice to the Department of the completion of the activity approved by this plan approval and the permittee's intent to commence operation at least 5 working days prior to the completion of said activity. The notice shall state when the activity will be completed and when the permittee expects to commence operation. When the activity involves multiple sources on different time schedules, notice is required for the commencement of operation of each source.

(b) Under 25 Pa. Code § 127.12b(d), temporary operation of the sources is authorized to facilitate the shake-down of sources and air cleaning devices, to permit operations pending the issuance of a permit under 25

Pa. Code Chapter 127, Subchapter F or G (relating to operating permit requirements; and Title V operating permits) or to permit the evaluation of the air contaminant aspects of the source.

(c) This plan approval authorizes a temporary operation period not to exceed 180 days from the date of commencement of operation, provided the Department receives notice from the permittee under paragraph (a).

(d) The permittee may request an extension of the 180-day shakedown period if further evaluation of the air contamination aspects of the sources is necessary. The request for an extension should be submitted, in writing, to the Department at least 15 days prior to the end of the initial 180-day shakedown period and shall provide a description of the compliance status of the source, a detailed schedule for establishing compliance, and the reasons compliance has not been established. This temporary operation period will be valid for a limited time and may be extended for additional limited periods, each not to exceed 120 days. If, at any time, the Department has cause to believe that air contaminant emissions from the sources listed in this plan approval may be in excess of the limitations specified in, or established under this plan approval or the permittee's operating permit, the permittee may be required to conduct test methods and procedures deemed necessary by the Department to determine the actual emissions rate. The testing shall be conducted in accordance with 25 Pa. Code Chapter 139, where applicable, and in accordance with any restrictions or limitations established by the Department at such time as it notifies the company that testing is required (25 Pa. Code § 127.12b).

4. The permittee shall maintain and operate the sources and associated air cleaning devices in accordance with good engineering practice as described in the plan approval application submitted to the Department (25 Pa. Code § 127.12(a)(10)).

5. (a) The records, reports or information obtained by the Department or referred to at public hearings shall be available to the public, except as provided in paragraph (b) of this condition.

(b) Upon cause shown by the permittee that the records, reports or information, or a particular portion thereof, but not emission data, to which the Department has access under the act, if made public, would divulge production or sales figures or methods, processes or production unique to that person or would otherwise tend to affect adversely the competitive position of that person by revealing trade secrets, including intellectual property rights, the Department will consider the record, report or information, or particular portion thereof confidential in the administration of the act. The Department will implement this section consistent with §§ 112(d) and 114(c) of the act (42 U.S.C.A. §§ 7412(d) and 7414(c)). Nothing in this section prevents disclosure of the report, record or information to Federal, State or local representatives as necessary for purposes of administration of Federal, State or local air pollution control laws, or when relevant in a proceeding under the act (25 Pa. Code §§ 127.12(c) and (d) and 35 P.S. § 4013.2).

6. (a) This plan approval will be valid for a limited time, as specified by the expiration date contained on Page 1 of this plan approval. Except as provided in §§ 127.11a and 127.215 (relating to reactivation of sources; and reactivation), at the end of the time, if the construction, modification, reactivation or installation has not been completed, a new plan approval application or an extension of the previous approval will be required.

(b) If construction has commenced, but cannot be completed before the expiration of this plan approval, an extension of the plan approval must be obtained to continue construction. To allow adequate time for departmental action, a request for the extension should be postmarked at least 30 days prior to the expiration date. The Department will not issue an extension after the plan approval expires. The request for an extension should include the following:

(i) A justification for the extension,

(ii) A schedule for the completion of the construction.

If construction has not commenced before the expiration of this plan approval, then a new plan approval application must be submitted and approval obtained before construction can commence.

(c) If the construction, modification or installation is not commenced within 18 months of the issuance of this plan approval or if there is more than an 18-month lapse in construction, modification or installation, a new plan approval application that meets the requirements of 25 Pa. Code Chapter 127, Subchapters B, D and E (relating to plan approval requirements; prevention of significant deterioration of air quality; and new source review) shall be submitted (25 Pa. Code § 127.13).

7. (a) This plan approval may not be transferred from one person to another except when a change of ownership is demonstrated to the satisfaction of the Department and the Department approves the transfer of the plan approval in writing.

(b) Section 127.12a (relating to compliance review) applies to a request for transfer of a plan approval. A compliance review form shall accompany the request.

(c) This plan approval is valid only for the specific source and the specific location of the source as described in the application (25 Pa. Code § 127.32).

8. (a) Under 35 P.S. § 4008, no person shall hinder, obstruct, prevent or interfere with the Department or its personnel in the performance of any duty authorized under the act.

(b) The permittee shall also allow the Department to have access at reasonable times to said sources and associated air cleaning devices with such measuring and recording equipment, including equipment recording visual observations, as the Department deems necessary and proper for performing its duties and for the effective enforcement of the Act and regulations adopted under the act.

(c) Nothing in this plan approval condition shall limit the ability of the Environmental Protection Agency (EPA) to inspect or enter the premises of the permittee in accordance with section 114 or other applicable provisions of the CAA (25 Pa. Code § 127.12(4) and 35 P.S. § 4008 and § 114 of the CAA).

9. This plan approval may be terminated, modified, suspended or revoked and reissued if one or more of the following applies:

(a) The permittee constructs or operates the source subject to the plan approval in violation of the act, the CAA, the regulations promulgated under the act or the CAA, a plan approval or permit or in a manner that causes air pollution.

(b) The permittee fails to properly or adequately maintain or repair an air pollution control device or equipment attached to or otherwise made a part of the source.

(c) The permittee fails to submit a report required by this plan approval.

(d) The EPA determines that this plan approval is not in compliance with the CAA or the regulations thereunder (25 Pa. Code § 127.13a).

10. (a) The permittee, or any other person, may not circumvent the new source review requirements of 25 Pa. Code Chapter 127, Subchapter E by causing or allowing a pattern of ownership or development, including the phasing, staging, delaying or engaging in incremental construction, over a geographic area of a facility which, except for the pattern of ownership or development, would otherwise require a permit or submission of a plan approval application.

(b) No person may permit the use of a device, stack height which exceeds good engineering practice stack height, dispersion technique or other technique which, without resulting in reduction of the total amount of air contaminants emitted, conceals or dilutes an emission of air contaminants which would otherwise be in violation of this plan approval, the Act or the regulations promulgated thereunder, except that with prior approval of the Department, the device or technique may be used for control of malodors (25 Pa. Code §§ 121.9 and 127.216).

11. Reports, test data, monitoring data, notifications shall be submitted to the:

Regional Air Program Manager
Department of Environmental Protection
(At the address given on the plan approval transmittal letter or otherwise notified.) (25 Pa. Code § 127.12c)

12. (a) If required by section 112(r) of the CAA, the permittee shall develop and implement an accidental release program consistent with requirements of the CAA, 40 CFR Part 68 (relating to chemical accident prevention provisions) and the Federal Chemical Safety Information, Site Security and Fuels Regulatory Relief Act (Pub. L. No. 106-40).

(b) The permittee shall prepare and implement a Risk Management Plan (RMP) which meets the requirements of section 112(r) of the CAA, 40 CFR Part 68 and the Federal Chemical Safety Information, Site Security and Fuels Regulatory Relief Act when a regulated substance listed in 40 CFR 68.130 is present in a process in more than the listed threshold quantity at the facility. The permittee shall submit the RMP to the EPA according to the following schedule and requirements:

(1) The permittee shall submit the first RMP to a central point specified by the EPA no later than the latest of the following:

(i) Three years after the date on which a regulated substance is first listed under 40 CFR 68.130; or,

(ii) The date on which a regulated substance is first present above a threshold quantity in a process.

(2) The permittee shall submit any additional relevant information requested by the Department or the EPA concerning the RMP and shall make subsequent submissions of RMPs in accordance with 40 CFR 68.190.

(3) The permittee shall certify that the RMP is accurate and complete in accordance with the requirements of 40 CFR Part 68, including a checklist addressing the required elements of a complete RMP.

(c) As used in this plan approval condition, the term "process" shall be as defined in 40 CFR 68.3. The term "process" means any activity involving a regulated substance including any use, storage, manufacturing, han-

dling or onsite movement of such substances or any combination of these activities. For purposes of this definition, any group of vessels that are interconnected, or separate vessels that are located that a regulated substance could be involved in a potential release, shall be considered a single process (25 Pa. Code § 127.12(9) and 40 CFR Part 68).

Special Conditions:

1. This Plan Approval is to allow the construction and operation of a Coal Preparation Plant by Fuel Recovery, Inc. at their Lilly Coal Refuse Site located in Washington Township, Cambria County (25 Pa. Code § 127.12b).

2. Air contamination sources at the facility are as follows: (25 Pa. Code § 127.12b)

- Trucking raw and product coal (unpaved roads).
- Refuse coal screen and conveyors:
 - Screen, Finlay 790 Trommel, 200 tph or equivalent.
 - Feed, oversize and product conveyors.
- Oversize refuse stockpile.
- Product stockpile.
- Truck loadout by front-end loaders.
- Site preparation and grading.
- Roadways.

3. Air pollution prevention equipment at the facility includes the following: (25 Pa. Code § 127.12b)

- Pressurized water truck with pressurized spray gun; stockpile and roadway control.
- Paving or periodic chipping and truck tarping; roadway control.
- Partial enclosures of conveyors, full enclosure of screen; transfer point and screen control.
- Truck loadout by front-end loaders; coal moisture greater than 5% for fugitive emission control.

4. The throughput at the facility shall be limited to 200,000 tons of raw coal in any consecutive 12-month period (25 Pa. Code § 127.12b).

5. There shall be no fugitive emissions from the facility contrary to 25 Pa. Code §§ 123.1 and 123.2.

6. There shall be no malodors from the facility in accordance 25 Pa. Code § 123.31.

7. A pressurized water truck shall be maintained onsite and shall be used for dust suppression purposes (25 Pa. Code § 127.12b).

8. Coal shall be stockpiled in such a manner that it may be adequately wetted by the onsite pressurized water truck to control fugitive emissions. All coal shall be adequately wetted prior to, during and after processing, as necessary, to control fugitive emissions (25 Pa. Code § 127.12b).

9. All conveying equipment and front-end loaders used to stockpile, transfer and load coal shall maintain a minimal amount of drop height at all times so as to prevent fugitive emissions (25 Pa. Code § 127.12b).

10. The Owner/Operator shall employ the use of existing vegetation as wind barriers around coal storage piles (25 Pa. Code § 127.12b).

11. The plant access roads shall be paved or periodically delineated with gravel or crushed stone, as neces-

sary to prevent fugitive emissions from crossing the property line (25 Pa. Code § 127.12b).

12. In-plant roads and areas of vehicle traffic shall be watered and swept, as needed on a preventative basis, such that visible fugitive emissions do not cross the property line in accordance with 25 Pa. Code §§ 123.1 and 123.2. Other methods of dust control shall be used when weather conditions make in-plant road watering hazardous, as necessary, to prevent visible fugitive emissions from crossing the property line in accordance with 25 Pa. Code §§ 123.1 and 123.2.

13. Road watering and sweeping shall be performed, as needed, and earth or other material transported from the site shall be removed promptly, as needed, on the paved public road (T-417 or Memorial Drive) to prevent visible fugitive emissions in accordance with 25 Pa. Code § 123.1(c).

14. Truck loadout from the facility may be by front-end loader (25 Pa. Code § 127.12b).

15. The Owner/Operator shall post the following: (25 Pa. Code § 127.12b).

a. A requirement stating, "All loaded trucks entering or exiting the plant property shall be properly tarpaulin covered."

b. A speed limit of 15 mph or less on all plant access roads.

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

17. The Owner/Operator shall maintain records of the amount of coal refuse processed at the facility in tons on a 12-month rolling basis (25 Pa. Code § 127.12b).

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

19. The facility is subject to New Source Performance Standards for Coal Preparation Plants (40 CFR Part 60, Subpart Y). In accordance with 40 CFR 60.4, copies of all requests, reports, applications, submittals and other communications shall be forwarded to both Environmental Protection Agency (EPA) and the Department at the addresses listed unless otherwise noted.

Director
Air Toxics and Radiation
US EPA, Region III
1650 Arch Street
Philadelphia PA 19103-2029

Department of Environmental Protection
Bureau of Air Quality
400 Waterfront Drive
Pittsburgh, PA 15222-4745

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

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

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

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

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

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

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

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

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

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

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

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

Sharene Shealey
Air Quality Engineering Specialist
(412) 442-5807

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

25-951B: American Enterprises MPT, LP (1802 Cranberry Street, Erie, PA 16502-1551) for installation of two baghouses, as described in the applicant's application of September 14, 2007 in the City of Erie, **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 City of Erie, Erie County. This plan approval will authorize the applicant to install two baghouses, as described in the applicant's application of September 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.

The two baghouses are being installed to control fugitive emissions from the torch cutting operation. Based on the information provided by the applicant and the Department's own analysis, the two baghouses will reduce the emissions from the torch cutting operation to 0.01 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 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. 25-951B.
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. All 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) 332-6940.

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.

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

06-05071: Sealed Air Corp. (450 Riverfront Drive, Reading, PA 19602-2600) for operation of a recycled paper manufacturing plant in the City of Reading, **Berks County**. One of the boilers at the plant is subject to 40 CFR Part 60, Subpart Dc, Standards of Performance for New Stationary Sources. This action is a renewal of the Title V operating permit issued in 2003.

22-05014: Ames True Temper, Inc. (1500 South Cameron Street, Harrisburg, PA 17104) for operation of their steel tub wheelbarrow manufacturing facility in the City of Harrisburg, **Dauphin County**. This is a renewal of the Title V permit issued to the facility in 2003.

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

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

23-00094: CCL Label, LLC (1515 Garnet Mine Road, Boothwyn, PA 19061) for operation of the rotogravure printing press and automated parts washer equipment at their plant located in Boothwyn Township, **Delaware County**. The permit is for a non-Title V (State-only) facility. The proposed permit will incorporate conditions from the previously issued Plan Approval Nos. 23-0094 and 23-0094A. It will include monitoring, recordkeeping and reporting requirements designed to keep the facility operating within all applicable air quality requirements.

23-00027: 3M—Dyneon, LLC (50 Milton Drive, Aston, PA 19014) for a renewal non-Title V Facility, State-only, Synthetic Minor Permit in Chester Township, **Delaware County**. 3M—Dyneon, LLC are a manufacturing custom compound purchased resins facility. The facility has taken a site level restriction of 10 tpy of VOC's on a 12-month rolling period. Monitoring, recordkeeping and reporting requirements have been added to the permit to address applicable limitations.

23-00058: Haverford College (370 Lancaster Avenue, Haverford, PA 19041) for renewal of the State-only Operating Permit in Haverford Township, **Delaware County**. The original SOOP was issued February 24, 2003. The air pollutant emission sources at the campus includes three-1,000 kilowatt (kW) Peak Shaving Generators and five boilers that have the capacity to combust natural gas only or either natural gas or No. 2 fuel. The generators can use either diesel oil and/or No. 2 oil as fuel. The boilers are used to provide heat and hot water for the academic and residential buildings and the generators are used to generate power for lighting and communication.

15-00092: Mainline Hospital, Inc.—d/b/a Paoli Hospital (255 West Lancaster Avenue, Paoli, PA 19301) for a renewal non-Title V Facility, State-only, Synthetic Minor Permit in Willistown Township, **Chester County**. Mainline Hospital provides general medical and surgical ser-

vices. The facility has taken a site level restriction of 24.9 tpy of NO_x, on a 12-month rolling basis. Monitoring, recordkeeping and reporting requirements have been added to the permit to address applicable limitations.

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

29-03008: Lafarge North America (300 East Joppa Road, Suite 200, Towson, MD 21286) for operation of a limestone crushing plant in Bethel Township, **Fulton County**. The plant includes equipment subject to 40 CFR Part 60, Subpart OOO—Standards of Performance for Nonmetallic Mineral Processing Plants. This action is a property transfer from the previous owners, H. B. Mellott Estate, Inc.

36-03061: IFS Industries, Inc. (400 Orrton Avenue, P. O. Box 1053, Reading, PA 19603) for operation of an adhesives manufacturing facility in the City of Reading, **Berks County**. This is for renewal of the existing permit. The State-only operating permit will include monitoring, recordkeeping, reporting requirements, emission restrictions and work practice standards designed to keep the facility operating within all applicable air quality requirements.

36-05090: The Hershey Company, Y & S Candies, Inc. (400 Running Pump Road, Lancaster, PA 17603) for operation of their candy manufacturing facility in East Hempfield Township, **Lancaster County**. This is a renewal of the State-only operating permit issued in 2003.

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

65-00932: C-K Composites, Inc. (361 Bridgeport Street, Mount Pleasant, PA 15666) for manufacture of resin-impregnated wood, filament-wound tubes and cast and molded epoxy resin at their facility in Mount Pleasant Township, **Westmoreland County**. Emissions from this facility shall not exceed 100 tons SO₂, 100 tons NO_x, 100 tons PM₁₀, 50 tons VOCs, 10 tons of a single HAP and/or 25 tons of all HAPs combined. This is a State-only Operating Permit Renewal.

30-00109: Equitrans (200 Allegheny Center Mall, Pittsburgh, PA 15212) for operation of a natural gas transmission station at their facility in Center Township, **Greene County**. Emissions from this facility shall not exceed 100 tons SO₂, 100 tons NO_x, 100 tons PM₁₀, 50 tons VOCs, 10 tons of a single HAP and/or 25 tons of all HAPs combined. This is a State-only Operating Permit Application.

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

10-00047: BASF Corp. (1424 Mars-Evans City Road, Evans City, PA 16033) for re-issuance of the Natural Minor Permit to operate an industrial inorganic chemicals manufacturing facility. The facility's major emission sources include boilers, miscellaneous natural gas combustion, super oxide process, MDEB and TEB process, batch borane chemical synthesis, drum cleaning and lab hoods, borane derivatives, bag filling station, hydrogen production, heated T-butanol storage tanks, alkali metals oxide production, dryer/pack off system, pilot plant, diesel generator, potassium production, vacuum cylinder cleaning, dust loading packoff, tank farm and truck loading and miscellaneous emergency generators. The facility is located in Forward Township, **Butler County**. The facil-

ity is natural minor because the emission of pollutants from the facility is less than Title V threshold limit.

42-00111: Ethan Allen, Inc.—Eldred Division (3289 Route 446, Eldred, PA 16731) a Natural Minor Operating Permit for the operation of the facility's air contamination sources consisting of: wood working operation, six (0.5 mmBtu/hr) ovens, seven spray booths and an emergency generator for the manufacturing of wood household furniture in the Borough of Eldred, **McKean County**.

43-00259: Grove City Medical Center (631 North Broad Street Extension, Grove City, PA 16127) for a re-issuance Natural Minor Permit to operate a general medical hospital with surgical facilities in Township of Pine, **Mercer County**. Emissions sources associated with this facility include dual fuel steam boilers, natural gas fired hot water boilers, hot water heaters and one emergency generator. The facility is natural minor because the emission of pollutants from the facility is less than the Title V threshold limits. The previous name of this facility was United Community Hospital.

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)	3.0mg/l	6.0mg/l	7.0mg/l
Manganese (total)	2.0mg/l	4.0mg/l	5.0mg/l
Suspended solids	35 mg/l	70 mg/l	90 mg/l
pH ¹		greater than 6.0;	less than 9.0
Alkalinity greater than acidity ¹			

¹ 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.

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

Permit Number 32951301 and NPDES Permit No. PA0215821, Rosebud Mining Company, (301 Market Street, Kittanning, PA 16201), to transfer the permit and related NPDES permit for the Toms Run Mine in Burrell Township, **Indiana County** from Penn American Coal, LP and change the operation name from Burrell Mine. No additional discharges. Application received November 13, 2007.

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

11970106. Laurel Sand & Stone, Inc., (P. O. Box 556, Ligonier, PA 15658-0556), permit renewal for reclamation only of a bituminous surface mine in Jackson Township, **Cambria County**, affecting 85.2 acres. Receiving streams: UNT to South Branch Blacklick Creek classified for the following use: CWF. There are no potable water supply intakes within 10 miles downstream. Application received December 3, 2007.

56920106. Sherpa Mining Contractors, Inc., (337 Benny Road, Hooversville, PA 15936), transfer of an existing bituminous surface mine from Cooney Brothers Coal Company, P. O. Box 246, Cresson, PA 16630, located in Shade Township, **Somerset County**, affecting 276 acres. Receiving streams: UNTs to Hinson Run, Shade Creek and Stonycreek River classified for the following use: CWF. There are no potable water supply intakes within 10 miles downstream. Application received December 6, 2007.

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

02070105 and NPDES Permit No. PA0251275. Neiswonger Construction, Inc. (17592 Route 322,

Strattanville, PA 16258). Application for commencement, operation and reclamation of a bituminous surface mine, located in Jefferson Hills Borough, **Allegheny County**, affecting 51.7 acres. Receiving streams: UNTs to Monongahela River, classified for the following use: WWF. There is no potable water supply intake within 10 miles downstream from the point of discharge. Application received November 27, 2007.

03030106 and NPDES Permit No. PA0250431. Thomas J. Smith, Inc. (2340 Smith Road, Shelocta, PA 15774). Renewal application for reclamation only of an existing bituminous surface mine, located in Redbank Township, **Armstrong County**, affecting 66 acres. Receiving streams: UNTs to Sugar Camp Run. There is no potable water supply intake within 10 miles downstream from the point of discharge. Application received December 13, 2007.

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

24960101 and NPDES Permit No. PA0227120. AMFIRE Mining Company, LLC (One Energy Place, Suite 2800, Latrobe, PA 15650). Transfer of an existing bituminous surface strip, auger and use of coproduct operation in Horton Township, **Elk County** affecting 235.0 acres. Receiving streams: Mead Run and UNTs to Mead Run, classified for the following use: CWF. There are no potable surface water supply intakes within 10 miles downstream. Transfer from Energy Resources, Inc. Application received December 17, 2007.

24990101 and NPDES Permit No. PA0241491. AMFIRE Mining Company, LLC (One Energy Place, Suite 2800, Latrobe, PA 15650). Transfer of an existing bituminous surface strip and auger operation in Horton Township, **Elk County** affecting 588.0 acres. Receiving streams: UNTs of Mead Run and Mead Run; UNTs of Little Toby Creek and Little Toby Creek, classified for the following use: CWF. There are no potable surface water supply intakes within 10 miles downstream. Transfer from Energy Resources, Inc. Application received December 17, 2007.

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

17070117 and NPDES No. PA0256676. Strishock Coal Company (220 Hillcrest Drive, DuBois, PA 15801),

commencement, operation and restoration of a bituminous surface and auger mine in Knox Township, **Clearfield County**, affecting 180.8 acres. Receiving stream: Potts Run, classified for the following use: CWF. There are no potable water supply intakes within 10 miles downstream. Application received November 30, 2007.

17970112 and NPDES No. PA0220680. Hilltop Coal Company (12 Dutchtown Road, Houtzdale, PA 16651), permit renewal for the continued operation and restoration of a bituminous surface and auger mine in Bigler Township, **Clearfield County**, affecting 212.4 acres. Receiving stream: UNT to Muddy Run, classified for the following use: CWF. There are no potable water supply intakes within 10 miles downstream. Application received December 14, 2007.

17663136 and NPDES No. PA0126870. EnerCorp, Inc. (1310 Allport Cutoff, Morrisdale, PA 16858), revision of an existing bituminous surface mine to change land use in Graham Township, **Clearfield County**, affecting 202.0 acres. Receiving streams: Flat Run and Mons Run to Alder Run to West Branch Susquehanna to Susquehanna River, classified for the following uses: CWF, WWF. There are no potable water supply intakes within 10 miles downstream. Application received December 10, 2007.

17010110 and NPDES No. PA0243132. River Hill Coal Company, Inc. (Memorial Street, P. O. Box 141, Kylertown, PA 16847), permit renewal for the continued

operation and restoration of a bituminous surface mine in Bigler Township, **Clearfield County**, affecting 320.0 acres. Receiving streams: Upper Morgan Run and tributaries to Upper Morgan Run, classified for the following use: CWF. There are no potable water supply intakes within 10 miles downstream. Application received December 7, 2007.

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

54683043C11. Jeddo-Highland Coal Company, (46 Public Square, Suite 600, Wilkes-Barre, PA 18701), correction to an existing anthracite surface mine operation to include coal refuse reprocessing in Mahanoy Township, **Schuylkill County**, affecting 1,328.0 acres, receiving stream: none. Application received December 6, 2007.

54850201T. Joe Kuperavage Coal Company, (916 Park Avenue, Port Carbon, PA 17965), transfer of an existing anthracite coal refuse reprocessing operation from Ginther Coal Company in Blythe Township, **Schuylkill County** affecting 31.1 acres, receiving stream: none. Application received December 7, 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.

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

03052001 and NPDES Permit No. PA0250651. M & M Lime Co., Inc. (215 Nichola Road, Worthington, PA 16262). Application received to revise permit to add 60.6 acres of underground mining to an existing noncoal surface mining site located in West Franklin Township, **Armstrong County**, affecting 77.4 surface mining acres. Receiving streams: UNT to Buffalo Creek, classified for the following use: TSF. There are no potable water supply intakes within 10 miles downstream of the point of discharge. Application received December 14, 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.

E51-226. Philadelphia Water Department, 1101 Market Street, Aramark Tower, 2nd Floor, Philadelphia, PA 19107-2994, City of Philadelphia, **Philadelphia County**, ACOE Philadelphia District.

To perform the following water obstruction and encroachment activities within Venice Island which is situated between the Schuylkill River (WWF, MF) and the Manayunk Canal:

- a. To construct and maintain a 3 million gallon off line storage tank to capture combined sewer overflows.
- b. To place fill within the 100-year floodway at two locations, 12,781 and 11,850 cubic yards respectively, to facilitate construction of two proposed buildings. Work will also involve the removal of 931 cubic yards of fill in the floodway in the general vicinity.
- c. To construct and maintain two stormwater outfalls to the Schuylkill River.

This project is located approximately 1,000 feet east of the intersection Main Street and Shurs Ave Avenue (Delaware Avenue) (Germantown, PA USGS Quadrangle N: 4.15 inches; W: 13.4 inches).

E15-768 and E15-778. Heritage Building Group, Inc., 2500 York Road, Furlong, PA 18929, South Coventry Township, **Chester County**, ACOE Philadelphia District.

To re-open the permit file E15-768. To perform the following water obstruction and encroachments activities associated with the proposed Symons Farm Subdivision and Land Development, a combination commercial and residential development. The project is located on the west side of PA Route 100 approximately 1,900 feet south of PA Route 23 (Pottstown, PA Quadrangle N: 5.6 inches; W: 8.1 inches).

1. To relocate 306 linear feet of a UNT of French Creek (EV) and to place fill within the abandoned channel to facilitate construction of Road A, an access to the proposed development from SR 0100.
2. To construct and maintain a 30-foot span bridge across the relocated channel noted previously.
3. To install and maintain utility line crossings; 12-inch diameter water line, an 8-inch diameter sanitary sewer lines and 2-inch diameter sanitary force main, within the footprint of the bridge.

4. To install and maintain outfalls EW5, EW8 and EW9 along the relocated channel.

The project will also include the extension of the existing box culvert under SR 0100 by Department of Transportation and permit No E15-778 was assigned to this activity.

Northeast Region: Watershed Management Program Manager, 2 Public Square, Wilkes-Barre, PA 18711-0790, (570) 826-2511.

E39-484. Horizon Builders and Development, LLC, N. Thomas Papay, 4145 Friedens Road, Slatington, PA 18080-3810, in Slatington Borough, Washington Township, **Lehigh County**, United States Army Corps of Engineers, Philadelphia District.

To place fill in 2.0 acres of wetland/abandoned quarry pit for the purpose of a residential development. The project is located at approximately 300 yards north of the intersection of 7th and West Church Streets (Cementon, PA Quadrangle N: 22.74 inches; W: 16.25 inches).

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

E38-158: North Cornwall Township, 320 South 18th Street, Lebanon, PA 17042, North Cornwall Township, **Lebanon County**, ACOE Baltimore District.

To construct and maintain one softball field and two Little League baseball fields each with a 35-foot wide backstop, four pavilions, two volleyball courts and a parking lot all completely located in the floodplain, and a 16.0-foot wide by 650-foot long grass lined swale for the conveyance of stormwater, 8 foot wide by 2,625 linear feet long of walking path located in the floodway and 8 foot wide by 3,071 linear feet long walking path located in the floodplain, and two soccer fields partially located in the floodplain and partially located in the floodway of Snitz Creek (TSF) (Lebanon, PA Quadrangle N: 13.39"; W: 10.54", Latitude: 40° 19' 23"; Longitude: 76° 27' 2.5" W) located just off of Oak Street in North Cornwall Township, Lebanon County. The purpose of the project is to create a recreational area for the public to utilize. No impacts to wetlands are proposed.

E06-632: Metropolitan Edison Co.—Schuylkill River Crossing, Kathryn Kunkel, 2800 Pottsville Pike, P. O. Box 16001, Reading, PA 19612-6001, Cumru Township and Reading Borough, **Berks County**, ACOE Baltimore District.

To construct and maintain an aerial electric line consisting of two single steel poles and four wires, all having a span of 644.0 feet and underclearances of 36.10 feet, 46.70 feet, 57.30 feet and 69.30 feet, over the Schuylkill River (WWF) (Reading, PA Quadrangle N: 16.0 inches; W: 8.5 inches, Latitude: 40° 19' 25"; Longitude: 75° 55' 17") Cumru Township and the Borough of Reading, Berks County.

E22-527: Cedar-Clock Tower, LLC, Blue Mountain Commons, Chris Fencel, 3307 Trindle Road, Camp Hill, PA 17011, Susquehanna Township, **Dauphin County**, ACOE Baltimore District.

To fill a 1.089 acre pond and a 0.184 acre stormwater detention facility for the purpose of constructing a commercial building and related parking areas. The proposed impacts are associated with a UNT to the Paxton Creek (WWF). The project is located 2300 Linglestown Road (Harrisburg East, PA Quadrangle N: 15.10; W: 15.30, Latitude: 40° 20' 0"; Longitude: 76° 51' 36") in Susquehanna Township, Dauphin County.

E22-528: Steelton Terminals Corporation, Steve Carten, P. O. Box 2621, Harrisburg, PA 17105, Steelton Borough, Swatara Township, Lower Swatara Township, **Dauphin County**, ACOE Baltimore District.

To install and maintain six 12-inch steel pipes encased in concrete in a UNT to Laurel Run (WWF) and in Laurel

Run (WWF). The project is located north of SR 230 approximately 1 1/4 miles south of its intersection with I-76 (Steelton, PA Quadrangle N: 18.1 inches; W: 7.1 inches, Latitude: 40° 13' 29"; Longitude: 76° 48' 2") in Steelton Borough, Swatara and Lower Swatara Townships, Dauphin County. The project purpose is to convey petroleum from an existing facility to proposed storage tanks.

E01-278: Porto Vecchio Properties, LLC, 113 Westminster Road, Suite 200, Reisterstown, MD 21136, Hampton Village, Reading Township, **Adams County**, ACOE Baltimore District.

To construct and maintain: (1) a 6.0-foot by 2.5-foot by 74.0-foot long box culvert and its associated rip-rap and a 2-inch diameter sanitary sewer force main in a UNT to Conewago Creek (WWF) (Hampton, PA Quadrangle N: 10.1 inches; W: 7.0 inches, Latitude: 39° 55' 50"; Longitude: 77° 3' 00"); (2) a 12.0-foot by 5.0-foot by 58.0-foot long box culvert and its associated rip-rap and a 8-inch diameter sanitary sewer line in a UNT to Conewago Creek (WWF) (Hampton, PA Quadrangle N: 9.7 inches; W: 7.4 inches, Latitude: 39° 55' 41"; Longitude: 77° 3' 13"); (3) a 6.0-foot diameter by 87-foot long RCP and its associated rip-rap in a UNT to Conewago Creek (WWF) (Hampton, PA Quadrangle N: 9.2 inches; W: 7.2 inches, Latitude: 39° 55' 28"; Longitude: 77° 3' 6"); and (4) a 6.0-foot wide pedestrian bridge with a single span of 50 feet with an underclearance of 6.0 feet across a UNT to Conewago Creek (WWF) and a 8.0-inch diameter sanitary sewer line strapped at the downstream end of the bridge (Hampton, PA Quadrangle N: 9.3 inches; W: 6.8 inches, Latitude: 39° 55' 33"; Longitude: 77° 2' 55"), all for the purpose of constructing a residential development called Shemon Property located about 2,000 feet southeast of the PA 394 and PA 94 intersection in Hampton Village, Reading Township, Adams County.

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

E16-135: Equitable Gas Company, 225 North Shore Drive, Pittsburgh, PA 15212-5861. Limestone Compressor Station and Pipeline in Limestone Township, **Clarion County**, ACOE Pittsburgh District (Strattanville, PA Quadrangle N: 41° 7' 37.5"; W: 79° 18' 58.2").

To conduct the following activities associated with the construction of a natural gas compressor station:

1. To place fill and construct structures within the 100-year flood plain of Piney Creek for the construction of a natural gas compressor station southwest of the intersection of Limestone and Kossman Roads.

2. To install and maintain a natural gas pipeline across Piney Creek southwest of the intersection of Limestone and Kossman Roads.

3. To install and maintain an 8-inch natural gas pipeline across three tributaries to Piney Creek within an existing abandoned railroad grade embankment north of Piney Creek between Kossman Road and Forest Drive, a total distance of approximately 1.6 miles.

E20-565: Department of Transportation, District 1-0, 255 Elm Street, Oil City, PA 16301. SR 0089, Segment 0060, Offset 1165 over Church Run, in Oil Creek Township, **Crawford County**, ACOE Pittsburgh District (Titusville North, PA Quadrangle N: 41° 39' 2.69"; W: 79° 39' 20.5").

To remove the existing 96 inch CMP and to construct and maintain a 100-foot long, 121 inch by 77 inch

elliptical reinforced concrete culvert and to realign approximately 0.5 mile of SR 0089 and to relocate 280 feet of Church Run, approximately 1.5 miles NE of Titusville and to place and maintain fill in 0.037 acre of PEM/PSS wetlands.

The 0.037 acre of wetland impacts will be deducted from the Department of Transportation, District 1-0 wetland banking site at the Polk Wetland Replacement Area.

E33-229: P C Exploration, Inc., 502 Keystone Drive, Warrendale, PA 15086. Calvin Shaffer Road across Rose Run in Perry Township, **Jefferson County**, ACOE Pittsburgh District (Valier, PA Quadrangle N: 40° 57' 17"; W: 79° 2' 42.6").

To install and maintain a 30-foot long, 48-inch arch culvert and a natural gas pipeline across Rose Run and de minimis impact to adjacent wetland on a driveway to serve as access for well plugging and a private access to property extending east from Harper Road approximately 0.4 mile south of SR 536.

E42-338: Paul Wittenbrink, 434 Hammock Drive, Orchard Park, NY 14127. Wittenbrink Residence Small Flow Treatment Facility Outfall to Chandler Run, in Corydon Township, **McKean County**, ACOE Pittsburgh District (Stickney, PA-NY Quadrangle N: 41° 58' 55.8"; W: 78° 49' 7.4").

To construct and maintain a 4-inch diameter PVC outfall pipe from a small flow treatment facility along the left side of Chandler Run (HQ-CWF) at a private residence along the east side of Wolf Run Road approximately 4.5 miles north of SR 346.

E61-282: Donald E. Hall, Department of Transportation Engineering District 1-0, 255 Elm Street, P. O. Box 398, Oil City, PA 16301. Cooperstown Bridge Replacement SR 0427 Section B01 over Sugar Creek (CWF), in Cooperstown Borough, **Venango County**, ACOE Pittsburgh District (Franklin, PA Quadrangle N: 41° 29' 55.5"; W: 79° 52' 12.5").

To remove the existing steel multi-girder bridge having two spans of 61.42' each, a minimum underclearance of 11.42' and a 90° skew and to re-align the roadway approaches and to construct and maintain a concrete spread box beam bridge having two equal spans of 65.175' a minimum underclearance of 11.42' and a 75° skew.

E61-283: Venango County Conservation District, 1793 Cherrytree Road, Franklin, PA 16323-7539. Sugar Creek Stream Protection, in Sugar Creek Borough, **Venango County**, ACOE Pittsburgh District (Utica, PA Quadrangle N: 41° 27' 15"; W: 79° 53' 31").

The applicant proposes to construct and maintain a stream stabilization and habitat improvement project for a length of approximately 500 feet of Sugar Creek utilizing log vanes, log sills, habitat rocks, native rock riprap, plantings and a bankfull bench. Project includes construction of a fishing access ramp. Sugar Creek is a perennial stream classified as a CWF.

ENVIRONMENTAL ASSESSMENTS

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

EA56-004. Shade Creek Watershed Association, 314 Central Avenue, Suite 205, Central City, PA 15926. To place limestone sand along several watercourses in Shade Township, **Somerset County**, Pittsburgh ACOE District.

The applicant proposes to place approximately 23 or 46 tons of limestone sand annually in and/or along several headwater watercourses, within the Dark Shade Creek Watershed, to improve water quality and aquatic life, in the upper portion of this basin, which is affected by acid mine drainage and acid deposition. In the initial year of application, the dosage of limestone sand will be 2 to 3 times greater than the aforementioned dosage, in order to prime the watershed. The watercourses selected to receive dosage applications include Coal Run (CWF), Panther Run (local name), Shingle Run (CWF), Snoden Run (local name), Beaverdam Run (HQ/CWF), Berkebile Run (local name), Laurel Run (CWF), Miller Run (CWF) and the main stem of Dark Shade Creek (CWF). Except for the Miller Run sites, applications will be located above the confluence of Dark Shade Creek and Laurel Run (Central City, PA Quadrangle Latitude: 40° 7' 7.5"; Longitude: 78°

48' 38.2"). This was originally published in the 37 Pa.B. 5829 (October 27, 2007), under Environmental Assessment application.

DAM SAFETY

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

D45-220. William M. Balliet, Jr., 3210 North Second Street, Whitehall, PA 18052. To construct, operate and maintain the Lake Jamie Dam across the Leavitt Branch Brodhead Creek (HQ-CWF), impacting 175 linear feet of the stream channel, for the purpose of reconstructing the previously breached dam (Buck Hill Falls, PA Quadrangle N: 21.5 inches; W: 4.45 inches) in Barrett Township, **Monroe 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 & Address</i>	<i>County</i>	<i>Municipality</i>	<i>Tank Type</i>	<i>Tank Capacity</i>
07016	Emil Rarick Fuel Delivery 250 Tremont Road Pine Grove, PA 17963 Attn: Emil Rarick	Schuylkill	Pine Grove Township	4 ASTs storing regulated substances	60,000 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

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

<i>NPDES No. (Type)</i>	<i>Facility Name & Address</i>	<i>County & Municipality</i>	<i>Stream Name (Watershed #)</i>	<i>EPA Waived Y/N ?</i>
PA0061328 (Minor Sewage)	Lake Wynonah Municipal Authority 686 Berne Drive Auburn, PA 17922	South Manheim Township Schuylkill County	Plum Creek 03A	Y
PA0062529 (Minor Industrial Waste)	Schuylkill County Municipal Authority (Broad Mountain Water Treatment Plant) 221 South Centre Street Pottsville, PA 17901	Blythe Township Schuylkill County	Wolf Creek 03A	Y
PA0028908	Department of Agriculture Region III P. O. Box C Tunkhannock, PA 18657-0318	Tunkhannock Township Wyoming County	North Branch Susquehanna River 4G	Y
PA0070246	Parkland School District Kernsville Elementary School 2219 North Cedar Crest Boulevard Allentown, PA 18104	Lehigh County North Whitehall Township	Jordan Creek 02C	Y
PA0062243	Borough of Nesquehoning 114 West Catawissa Street Nesquehoning, PA 18240-1511	Nesquehoning Borough Carbon County	Nesquehoning Creek 2B	Y

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

<i>NPDES No. (Type)</i>	<i>Facility Name & Address</i>	<i>County & Municipality</i>	<i>Stream Name (Watershed #)</i>	<i>EPA Waived Y/N ?</i>
PA0032964 (SEW)	Department of Conservation and Natural Resources Bureau of State Parks P. O. Box 8551 Harrisburg, PA 17105-8551	Fulton County Todd Township	South Branch Little Aughwick Creek 12-C	Y
PA0246620 (IW)	Norfolk Southern Railway Company 110 Franklin Road S.E. Box 13 Roanoke, VA 24042-0013	Dauphin County Swatara Township	UNT to Spring Creek 7-C	Y

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

<i>NPDES No. (Type)</i>	<i>Facility Name & Address</i>	<i>County & Municipality</i>	<i>Stream Name (Watershed #)</i>	<i>EPA Waived Y/N ?</i>
PAS224801 IW	Patterson Lumber Co., Inc. P. O. Box 57 Wellsboro, PA 16901	West Branch Township Potter County	West Branch Pine Creek 9A	Y

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

<i>NPDES No. (Type)</i>	<i>Facility Name & Address</i>	<i>County & Municipality</i>	<i>Stream Name (Watershed #)</i>	<i>EPA Waived Y/N</i>
PA0219134 Industrial Waste	Allegheny Energy Units 3—5, LLC 800 Cabin Hill Drive Greensburg, PA 15601	Allegheny County Springdale Township	Allegheny River	Y
PA0095044 Sewage	Northgate Townhouses Condo Association 380 Z Northgate Drive Apollo, PA 15613	Westmoreland County Washington Township	UNT of Pine Run	Y

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

<i>NPDES No. (Type)</i>	<i>Facility Name & Address</i>	<i>County & Municipality</i>	<i>Stream Name (Watershed #)</i>	<i>EPA Waived Y/N ?</i>
PA0103713	Scrubgrass Generating Company, LP	Scrubgrass Township Venango County	Allegheny River (Outfall 001) Falling Spring Run (Out fall 002) and the UNT to the Allegheny River (Outfall 003) 16-G	Y

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

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

NPDES Permit No. PA0082015, Amendment No. 1, Sewage, Meadows Sewer Company, 2846 Main Street, 12A, Morgantown, PA 19543-9490. This proposed facility is located in Middlesex Township, **Cumberland County**.

Description of Proposed Action/Activity: Authorization to discharge to the Conodoguinet Creek in Watershed 7-B.

NPDES Permit No. PA0055328, Amendment No. 06-1, Industrial Waste, New Morgan Landfill Company, Inc., 420 Quarry Road, Morgantown, PA 19543. This proposed facility is located in New Morgan Borough, **Berks County**.

Description of Proposed Action/Activity: Authorization to discharge to the Conestoga River in Watershed 7-J.

WATER OBSTRUCTIONS AND ENCROACHMENTS

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

E10-437, G. L. McKnight, Inc., P. O. Box 774, 600 Centreville Pike, Slippery Rock, PA 16057. Weathervane Hill Pedestrian Bridge, in Slippery Rock Township, **Butler County**, ACOE Pittsburgh District (Slippery Rock, PA Quadrangle N: 41° 02' 57"; W: 80° 01' 48").

To construct and maintain 4-foot wide timber bridge having for spans for a total of 83 feet and a maximum underclearance of about 10 feet across a tributary to Slippery Rock Creek (CWF) and adjoining wetlands for a scenic walkway connecting Phases 1 and 2 to Phase 3 of the Weathervane Hill residential development along Harmony Road (T-376) approximately 1,500 feet north of SR 173.

E25-513A, Lauderdale Estates Improvement Association, P. O. Box 5241, Conneaut Lake, PA 16316. Marina 1 and 2 Upgrade, in Summit Township, **Crawford County**, ACOE Pittsburgh District (Harmonsborg, PA Quadrangle N: 3.2 inches; W: 7.75 inches).

The applicant is proposing to amend Permit E25-513 which authorized the Lauderdale Estates Improvement Association to repair, operate and maintain walls, bulkheads, docks and other appurtenant structures, including maintenance dredging, associated with three boat docking areas for Lauderdale Estates located along the east side of a canal tributary to the north end of Conneaut Lake west of East Canal Drive (Harmonsborg, PA Quadrangle N: 3.2 inches; W: 7.75 inches) in Summit Township, Crawford County.

The applicant is proposing to amend Permit E25-513 to authorize the Lauderdale Estates Improvement Association to conduct the following activities in Lauderdale Estates ports 1—3 located along the east side of a canal tributary to the north end of Conneaut Lake west of East Canal Drive (Harmonsborg, PA Quadrangle N: 3.2 inches; W: 7.75 inches) in Summit Township, Crawford County: 1) replace the existing walls, bulkheads, and docks in ports 1 and 2 with vinyl sheet piling and floating docks; 2) to repair, operate and maintain the bulkheads, walls and docks in ports 1—3 and 3) to

conduct dredging of ports 1 and 2 (approximately 1,000 cubic yards of material). Project includes construction of a temporary dewatering area for the dredged material located within the 100-year floodplain of Conneaut Lake on the Lauderdale Estates beach.

E25-712, Michael J. Bray, 8223 Mill Street, Girard, PA 16417-9301. Michael Bray Bridge, in Washington Township, **Erie County**, ACOE Pittsburgh District (Cambridge Springs, PA Quadrangle N: 41° 51' 30"; W: 80° 03' 35").

The applicant proposes to construct a private residence including a 2,400-foot long driveway approximately 1.5 miles NE of the intersection of Krietz Road and SR 1027 involving to construct and maintain: 1) a bridge over Little Conneauttee Creek having a clear span of approximately 60 feet and an underclearance of approximately 10 feet; 2) a 16-foot long, 3-foot diameter culvert pipe crossing of a UNT to Little Conneauttee Creek; 3) five driveway wetland crossings having lengths of 118 feet, 490 feet, 15 feet, 20 feet and 580 feet respectively; and 4) 0.26 acre of mitigation wetland onsite. Little Conneauttee Creek and the tributary are perennial streams classified as a CWF. The project proposes to directly impact approximately 60 feet of stream and 0.26 acre of wetland.

E33-228, Department of Transportation, Engineering District 10-0, 2550 Oakland Avenue, P. O. Box 429, Indiana, PA 15701-0429. SR 0028 Sec 510 Game School Road 3R, in Warsaw Township, **Jefferson County**, ACOE Pittsburgh District (Hazen and Falls Creek, PA Quadrangle N: 41° 14' 10"; W: 78° 53' 45").

To place and maintain fill in 0.29 acre of PEM wetlands and to remove/replace and maintain five culverts having a combined existing length of 286 feet and a combined proposed length of 400' in UNTs to Mill Creek (CWF) as a part of a 3R roadway project located on SR 0028 Section 510.

The applicant is required to provide 0.29 acre of wetland banking as compensation for this project.

E42-334, Tuna Valley Trail Association, 20 Russell Boulevard, Bradford, PA 16701. Tuna Valley North Trail—Crook Farm Loop, in Foster Township, **McKean County**, ACOE Pittsburgh District (Bradford, PA Quadrangle N: 41° 59' 00"; W: 78° 37' 30").

To construct and maintain approximately 7,500 feet of pedestrian/bicycle trail measuring approximately 10 feet wide and constructed at grade along the east bank and within the 100-year floodway of Tunungwant Creek extending upstream from SR 356 to Tuna Cross Road including a steel beam bridge having a span of 75 feet and an underclearance of 12.6 feet across Foster Brook approximately 100 feet upstream of its confluence with Tunungwant Creek.

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. 6707411, Sewage, **Dillsburg Area Authority**, 98 West Church Street, Dillsburg, PA 17019. This proposed facility is located in Monroe Township, **Cumberland County** and Carroll Township, **York County**.

Description of Proposed Action/Activity: Permit approval for the construction/operation of sewerage facilities consisting of approximately 3,060 LF of 12-inch and 15-inch diameters from Berkshire Hills crossing Yellow Breeches Creek and a wetland to connect with existing interceptor for conveyance to Yellow Breeches pump station.

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

WQM Permit No. WQG01410702, Sewerage, SIC 4952, **Jason C. Harris**, 597 White Church Road, Muncy, PA 17756. This proposed facility is located in Fairfield Township, **Lycoming County**.

Description of Proposed Action/Activity: A permit has been issued authorizing the design of a Small Flow Treatment Facility serving the Harris Residence. The facility consists of a 1,050 gallon dual compartment septic tank, a 648 square foot subsurface sand filter, an erosion chlorinator and chlorine contact tank. Approximately 400 gpd will be discharged to a UNT to Twin Run, a WWF.

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

WQM Permit No. 0307203, Industrial Waste, **Dominion Transmission, Inc.**, DL Clark Building, 501 Martindale Street, Suite 400, Pittsburgh, PA 15212. This proposed facility is located in South Bend Township, **Armstrong County**.

Description of Proposed Action/Activity: Permit issuance for precipitation and filtration of dissolved iron from groundwater infiltrate.

WQM Permit No. 0407401, Sewerage, **Janice Polito**, 256 Park Lane, Darlington, PA 16115. This proposed facility is located in Big Beaver Borough, **Beaver County**.

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

WQM Permit No. 6505412, Sewerage, **Hempfield Township Municipal Authority**, R. D. 6, Box 501, Greensburg, PA 15601. This proposed facility is located in Hempfield Township, **Westmoreland County**.

Description of Proposed Action/Activity: Permit issuance for the construction and operation of sanitary sewers and pump stations to serve the Andrew Run Area of Hempfield Township.

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

WQM Permit No. WQG018580, Sewerage, **Richard and Heidi Warner**, 110 Hobart Boulevard, Slippery Rock, PA 16057. This proposed facility is located in Brady Township, **Butler County**.

Description of Proposed Action/Activity: A single residence sewage treatment plant.

WQM Permit No. WQG018583, Sewerage, **Josephine C. Altman**, 821 Shenango Stop Road, New Castle, PA 16101. This proposed facility is located in Shenango Township, **Lawrence County**.

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

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

WQM Permit No. 1507414, Sewerage, **East Fallowfield Township**, 2264 Strasburg Road, East Fallowfield, PA 19320. This proposed facility is located in East Fallowfield Township, **Chester County**.

Description of Action/Activity: Construction and operation of a wastewater pump station to serve 25 units of a proposed subdivision.

WQM Permit No. 2307201, Sewerage, **Cott Beverage, Inc.**, 1 Aldan Avenue, P. O. Box 626, Concordville, PA 19331. This proposed facility is located in Concord Township, **Delaware County**.

Description of Action/Activity: Addition of a 100,000 gallon equalization tank at the head of the wastewater treatment plant expandable to 177,000.

IV. NPDES Stormwater Discharges from MS4 Permit Actions

V. NPDES Waiver Stormwater Discharges from MS4 Actions

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

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

NPDES

<i>Permit No.</i>	<i>Applicant Name & Address</i>	<i>County</i>	<i>Municipality</i>	<i>Receiving Water/Use</i>
PAS10G524R	Baker Residential of PA, LLC d/b/a Iacobucci Homes 2 EF Raymond Drive Havertown, PA 19083	Chester	Penn Township	East Branch Big Elk Creek HQ
PAI011507005	Pond Works c/o Bucholtz Associates, Inc. 2263 Romig Road Pottstown, PA 19464	Chester	Wallace Township	East Branch Brandywine Creek HQ-TSF-MF
PAI011507011	AMCC Properties III, Inc. P. O. Box 549 Norristown, PA 19404	Chester	East Coventry Township	UNT Pigeon Creek and Schuylkill River HQ-TSF
PAI011507043	WaWa, Inc. 260 Baltimore Pike Red Roof Office WaWa, PA 19063	Chester	Westtown Township	Chester and Ridley Creeks TSF-MF-HQ-TSF
PAI012303009	Gray Creighton 475 Highland Avenue Media, PA 19063	Delaware	Upper Providence Township	Ridley Creek HQ-TSF
PAI011506082	Whiteland Village, LLC 850 Springdale Drive Exton, PA 19341	Chester	East and West Whiteland Townships	West Branch Valley and Valley Creeks CWF-EV
PAI015107005	WV Group Holdings, LLC 120 West Germantown Pike Plymouth Meeting, PA 19462	Philadelphia	City of Philadelphia	Frankford and Tacony Creeks and Delaware River WWF

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

NPDES

<i>Permit No.</i>	<i>Applicant Name & Address</i>	<i>County</i>	<i>Municipality</i>	<i>Receiving Water/Use</i>
PAI032807001	Briarpatch, LLC Arnie Shank 730 Norland Avenue Chambersburg, PA 17201	Franklin	Guilford Township	Falling Spring Creek HQ-CWF
PAI032107001	Traditions of America-Anderson 1233 Locust Street 4th Floor Philadelphia, PA 19107	Cumberland	South Middleton Township	Letort Spring Run/EV

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

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

List of NPDES and/or Other General Permit Types

PAG-1	General Permit for Discharges From Stripper Oil Well Facilities
PAG-2	General Permit for Discharges of Stormwater Associated With Construction Activities (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 Ground Water Remediation Systems
PAG-6	General Permit for Wet Weather Overflow Discharges From Combined Sewer Systems (CSO)
PAG-7	General Permit for Beneficial Use of Exceptional Quality Sewage Sludge by Land Application
PAG-8	General Permit for Beneficial Use of 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 & Municipality</i>	<i>Permit No.</i>	<i>Applicant Name & Address</i>	<i>Receiving Water/Use</i>	<i>Contact Office & Phone No.</i>
West Chester Borough Chester County	PAG2001507065	University Student Housing, LLC 101 Filano Hall 628 South High Street West Chester, PA 19383	Plum Run WWF, MF	Southeast Regional Office 2 East Main Street Norristown, PA 19401 (484) 250-5900
East Fallowfield Township Chester County	PAG2001507062	PECO Energy Company 1040 West Swedesford Road Berwyn, PA 19312	West Branch Brandywine Creek WWF	Southeast Regional Office 2 East Main Street Norristown, PA 19401 (484) 250-5900
West Caln Township Chester County	PAG2001507047	Moher Madarst and Maroun Abriand 1571 Caln Meetinghouse Road Downingtown, PA 19335	West Branch Brandywine Creek TSF, MF	Southeast Regional Office 2 East Main Street Norristown, PA 19401 (484) 250-5900
City of Philadelphia Philadelphia County	PAG2015107050	Philadelphia Regional Port Authority 3460 North Delaware River Philadelphia, PA 19134	Delaware River WWF, MF	Southeast Regional Office 2 East Main Street Norristown, PA 19401 (484) 250-5900
East Rockhill Township Bucks County	PAG2000907116	Draper DBS, Inc. 1803 North Fifth Street Perkasie, PA 18944	East Branch Perkiomen Creek TSF	Southeast Regional Office 2 East Main Street Norristown, PA 19401 (484) 250-5900
Upper Salford Township Montgomery County	PAG2004607123	Hiram and Mary Jane Hershey 1191 Sumneytown Pike Route 63 Harleysville, PA 19438	Vauhn Run TSF	Southeast Regional Office 2 East Main Street Norristown, PA 19401 (484) 250-5900
Upper Providence Township Montgomery County	PAG2004607116	Providence Business Park, LLC 1030 West Germantown Pike East Norriton, PA 19403	UNT Schuylkill River WWF	Southeast Regional Office 2 East Main Street Norristown, PA 19401 (484) 250-5900

<i>Facility Location & Municipality</i>	<i>Permit No.</i>	<i>Applicant Name & Address</i>	<i>Receiving Water/Use</i>	<i>Contact Office & Phone No.</i>
Lower Gwynedd Township Montgomery County	PAG2004607136	Gwynedd Mercy College 1325 Summeytown Pike Gwynedd Valley, PA 19437	Trewellyn Creek TSF	Southeast Regional Office 2 East Main Street Norristown, PA 19401 (484) 250-5900
Upper Pottsgrove Township Montgomery County	PAG2004607017	Rich Mingy 63 Chestnut Road Paoli, PA 19301	Sprogels Run WWF	Southeast Regional Office 2 East Main Street Norristown, PA 19401 (484) 250-5900
Montgomery Township Montgomery County	PAG2004607125	Montgomery Square United Methodist Church P. O. Box 1294 918 Bethlehem Pike North Wales, PA 19454	Little Neshaminy Creek MF, WWF	Southeast Regional Office 2 East Main Street Norristown, PA 19401 (484) 250-5900
Upper Mahantongo Township Schuylkill County	PAG2005407006	J. Randall Blick 1479 Westbranch Highway Winfield, PA 17889	Mahantongo Creek CWF	Schuylkill County Conservation District (570) 622-3742
Lenox Township Susquehanna County	PAG2005807002	Jens C. Sorensen R. R. 1 Box 1151 Nicholson, PA 18446	Tributary to Tunkhannock Creek CWF	Susquehanna County Conservation District (570) 278-4600
Upper Allen Township Cumberland County	PAG2002107040	James Macdonald II Cottage Brook 202 North Baltimore Street Dillsburg, PA 17019	Yellow Breeches Creek CWF	Cumberland County Conservation District 310 Allen Road Suite 301 Carlisle, PA 17013 (717) 240-7812
Cumru Township Berks County	PAG2000607078	Allen Henn Williams Group, LLC 1 High Meadow Lane Leesport, PA 19533	Angelica Creek CWF	Berks County Conservation District 1238 County Welfare Road Suite 200 Leesport, PA 19533-9710 (610) 372-4657 Ext. 201
Centre Township Centerport Borough Berks County	PAG2000605077	William T. Fitzgerald Patriot Professionals Inc. P. O. Box 203 Temple, PA 19560	Irish Creek and Schuylkill Rivers WWF	Berks County Conservation District 1238 County Welfare Road Suite 200 Leesport, PA 19533-9710 (610) 372-4657 Ext. 201
Bedford Township Bedford County	PAG2000507009	WalMart Food Distribution 2001 SE 10th Street SWDC Beytonville, AR 72716	Dunning Creek CWF	Bedford County Conservation District 702 West Pitt Street Suite 3 Fairlawn Court Bedford, PA 15522
New Buffalo Borough Perry County	PAG2035007005	New Buffalo Borough P. O. Box 245 New Buffalo, PA 17069	Buffalo Run WWF	Perry County Conservation District P. O. Box 36 31 West Main Street New Bloomfield, PA 17068 (717) 582-5119

NOTICES

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<i>Facility Location & Municipality</i>	<i>Permit No.</i>	<i>Applicant Name & Address</i>	<i>Receiving Water/Use</i>	<i>Contact Office & Phone No.</i>
Hamilton Township Adams County	PAR100155R	Saleta Stewart Pine Run, Inc. 1880 Pine Run Road Abbottstown, PA 17301	UNT to Conewago Creek (Pine Run) WWF	Adams County Conservation District 670 Old Harrisburg Road Suite 201 Gettysburg, PA 17325 (717) 334-0636
Hamiltonban Township Adams County	PAG2000107031	Joseph A. Wagerman 2744 Iron Springs Road Fairfield, PA 17320	Miney Branch CWF	Adams County Conservation District 670 Old Harrisburg Road Suite 201 Gettysburg, PA 17325 (717) 334-0636
Conewago Township Adams County	PAG2000107038	William S. Shipley III Real Places, LLC 415 Norway Street P. O. Box 946 York, PA 17405 and Andrew Brough Conewago Enterprises 610 Edgegrove Road Hanover, PA 17331	Plum Creek WWF	Adams County Conservation District 670 Old Harrisburg Road Suite 201 Gettysburg, PA 17325 (717) 334-0636
Armstrong County Plumcreek, Burrell, Kittanning, Manor and Bethel Townships	PAG2000307009	Reliant Energy Northeast Management Company 121 Champion Way Suite 200 Canonsburg, PA 15327-5817	UNT to Crooked Creek, UNT to Sugar Run, UNT to Fagley Run, UNT to Pine Run, Horney Camp Run and UNTs, UNT to Elbow Run, Campbell Run and UNTs, Crooked Creek and UNTs, Allegheny River and UNTs WWF Cherry Run and UNTs and North Branch of Cherry Run and UNTs CWF	Armstrong County CD (724) 548-3425
Butler County Cranberry Township	PAG2001007023	Mine Safety Appliances Company P. O. Box 426 Pittsburgh, PA 15230	Brush Creek WWF	Butler Conservation District (724) 284-5515
Erie County Millcreek Township	PAR10K206R	Maleno Developers Inc. 2340 West Grandview Avenue Erie, PA 16506	UNT to Millcreek WWF	Erie Conservation District (814) 825-6403
Mercer County Pine Township	PAG2004307012	Donald Duerring Mallard Lake Development, LLC P. O. Box 286 Portersville, PA 16051	Swamp Run CWF	Mercer Conservation District (724) 662-2242

General Permit Type—PAG-3

<i>Facility Location & Municipality</i>	<i>Permit No.</i>	<i>Applicant Name & Address</i>	<i>Receiving Water/Use</i>	<i>Contact Office & Phone No.</i>
Somerset Township Somerset County	PAR806135	New Enterprise Stone & Lime Co., Inc. P. O. Box 77 New Enterprise, PA 16664	Coxes Creek	Southwest Regional Office Water Management Program Manager 400 Waterfront Drive Pittsburgh, PA 15222-4745 (412) 442-4000
Oil Creek Township Crawford County	PAR608346	Salvage Direct P. O. Box 306 Titusville, PA 16354	Oil Creek	DEP—NWRO Water Management 230 Chestnut Street Meadville, PA 16335-3481 (814) 332-6942
Karns City Butler County	PAR808321	Superior Carriers, Inc. 711 Jorie Boulevard Suite 101 North Oakbrook, IL 60523	South Branch Bear Creek	DEP—NWRO Water Management 230 Chestnut Street Meadville, PA 16335-3481 (814) 332-6942

General Permit Type—PAG-4

<i>Facility Location & Municipality</i>	<i>Permit No.</i>	<i>Applicant Name & Address</i>	<i>Receiving Water/Use</i>	<i>Contact Office & Phone No.</i>
Lancaster County West Cocalico Township	PAG043629	Timothy J. and Pamela L. Boronow 25 Railroad Street Denver, PA 17517	Little Cocalico Creek TSF	DEP—SCRO 909 Elmerton Avenue Harrisburg, PA 17110 (717) 705-4707
Lycoming County Fairfield Township	PAG045247	Jason C. Harris 597 White Church Road Muncy, PA 17756	UNT to Twin Run WWF	Northcentral Regional Office Water Management Program 208 West Third Street Suite 101 Williamsport, PA 17701 (570) 327-3664
Vernon Township Crawford County	PAG048542	Marvin N. Hamilton 13860 Hickory Lane Conneaut Lake, PA 16316	Watson Run 16-D	DEP—NWRO Water Management 230 Chestnut Street Meadville, PA 16335-3481 (814) 332-6942
Brady Township Butler County	PAG049380	Richard and Heidi Warner 110 Hobart Boulevard Slippery Rock, PA 16057	UNT to Slippery Rock Creek 20-C	DEP—NWRO Water Management 230 Chestnut Street Meadville, PA 16335-3481 (814) 332-6942
Shenango Township Lawrence County	PAG049383	Josephine C. Altman 821 Shenango Stop Road New Castle, PA 16101	UNT to Big Run 20-A	DEP—NWRO Water Management 230 Chestnut Street Meadville, PA 16335-3481 (814) 332-6942
Forward Township Butler County	PAG048882	Michael Blank 551 Watters Station Road Evans City, PA 16033	Glade Run 20-C	DEP—NWRO Water Management 230 Chestnut Street Meadville, PA 16335-3481 (814) 332-6942

General Permit Type—PAG-12

<i>Facility Location & Municipality</i>	<i>Permit No.</i>	<i>Applicant Name & Address</i>	<i>Receiving Water/Use</i>	<i>Contact Office & Phone No.</i>
Lancaster County West Lampeter Township	PAG123641	Randall Andrews Spring Maple Farm 421 Penn Grant Avenue Lancaster, PA 17602	7J	DEP—Watershed Program 909 Elmerton Avenue Harrisburg, PA 17110 (717) 705-4802
Lancaster County Warwick Township	PAG123639	Mark Will Lexington Farm, LLC 400 North Cedar Street Lititz, PA 17543	7F	DEP—Watershed Program 909 Elmerton Avenue Harrisburg, PA 17110 (717) 705-4802
Lancaster County Strasburg Township	PAG123644	Duane Martin 46 Refton Road Refton, PA 17568	7K	DEP—Watershed Program 909 Elmerton Avenue Harrisburg, PA 17110 (717) 705-4802
Lancaster County Strasburg Township	PAG123638	John Good Lime Valley Farms, Inc. 1307 Lime Valley Road Lancaster, PA 17602	7K	DEP—Watershed Program 909 Elmerton Avenue Harrisburg, PA 17110 (717) 705-4802
Berks County Upper Tulpehocken Creek	PAG123649	Michael Werner Joe Jurgielewicz & Son, Ltd. P. O. Box 257 Shartlesville, PA 19554	7J	DEP—Watershed Program 909 Elmerton Avenue Harrisburg, PA 17110 (717) 705-4802
Lancaster County Manor Township	PAG123637	Jay Bleacher 1173 Breneman Road Conestoga, PA 17516	7J	DEP—Watershed Program 909 Elmerton Avenue Harrisburg, PA 17110 (717) 705-4802
York County Conewago Township	PAG123645	John Sloat 170 Daugherty Road York, PA 17404	7F	DEP—Watershed Program 909 Elmerton Avenue Harrisburg, PA 17110 (717) 705-4802
Dauphin County Londonderry Township	PAG123640	Melvin Nissley 1621 Pecks Road Middletown, PA 17057	7G	DEP—Watershed Program 909 Elmerton Avenue Harrisburg, PA 17110 (717) 705-4802
Lancaster County East Donegal Township	PAG123632	Robert Shearer 806 Anderson Ferry Road Mount Joy, PA 17552	7G	DEP—Watershed Program 909 Elmerton Avenue Harrisburg, PA 17110 (717) 705-4802
Lancaster County East Donegal Township	PAG123634	Robert Hess 686 Rock Point Road Mount Joy, PA 17552	7G	DEP—Watershed Program 909 Elmerton Avenue Harrisburg, PA 17110 (717) 705-4802
Lancaster County West Lampeter Township	PAG123633	Douglas Rohrer 1728 Bridge Road Lancaster, PA 17602	7K	DEP—Watershed Program 909 Elmerton Avenue Harrisburg, PA 17110 (717) 705-4802

PUBLIC WATER SUPPLY (PWS) PERMITS

The Department of Environmental Protection has taken the following actions on applications received under the

Pennsylvania Safe Drinking Water Act (35 P. S. §§ 721.1—721.17) for the construction, substantial modification or operation of a public water system.

Persons aggrieved by an action may appeal, under section 4 of the Environmental Hearing Board Act (35

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

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

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

SAFE DRINKING WATER

Actions taken under the Pennsylvania Safe Drinking Water Act

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

Permit No. 0907517, Public Water Supply.

Applicant	Sellersville Borough
Township	Sellersville Borough
County	Bucks
Type of Facility	PWS
Consulting Engineer	Cowan Associates 120 Penn-Am Drive P. O. Box 949 Quakertown, PA 18951
Permit to Construct Issued	December 3, 2007

Permit No. 1507510, Public Water Supply.

Applicant	Warwick Land Development, Inc.
Township	Warwick
County	Chester
Type of Facility	PWS
Consulting Engineer	The Arrow Group 270 Granite Run Drive Lancaster, PA 17601
Permit to Construct Issued	December 14, 2007

Permit No. 0907516, Public Water Supply.

Applicant	Plumstead Township
Township	Plumstead
County	Bucks
Type of Facility	PWS

Consulting Engineer	Ebert Engineering 4092 Skippack Pike Skippack, PA 19474
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Permit to Construct Issued	December 19, 2007
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4592506MA, Minor Amendment, Public Water Supply.

Applicant	Pennsylvania American Water 800 West Hersheypark Drive Hershey, PA 17033 Hamilton Township
County	Monroe
Type of Facility	PWS
Consulting Engineer	Scott Thomas, P. E. Pennsylvania American Water 852 Wesley Drive Mechanicsburg, PA 17055

Permit to Construct Issued	December 17, 2007
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Permit No. 4086503MA, Minor Amendment, Public Water Supply.

Applicant	Pennsylvania American Water 800 West Hersheypark Drive Hershey, PA 17033 Conyngham Township
County	Luzerne
Type of Facility	PWS
Consulting Engineer	Scott Thomas, P. E. Pennsylvania American Water 852 Wesley Drive Mechanicsburg, PA 17055

Permit to Construct Issued	December 17, 2007
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Southeast Region: Water Supply Management Program Manager, 2 East Main Street, Norristown, PA 19401.

Permit No. 4607508, Public Water Supply.

Applicant	Schwenksville Borough Authority
Township	Schwenksville Borough
County	Montgomery
Type of Facility	PWS
Consulting Engineer	Arro Consulting, Inc. 649 North Lewis Road Limerick, PA 19468

Permit to Construct Issued	November 27, 2007
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Permit No. 0907517, Public Water Supply.

Applicant	Sellersville Borough
Township	Sellersville Borough
County	Bucks
Type of Facility	PWS
Consulting Engineer	Cowan Associates 120 Penn-Am Drive P. O. Box 949 Quakertown, PA 18951

Permit to Construct Issued December 3, 2007

Permit No. 1507510, Public Water Supply.

Applicant **Warwick Land Development, Inc.**

Township Warwick

County **Chester**

Type of Facility PWS

Consulting Engineer The Arrow Group
270 Granite Run Drive
Lancaster, PA 17601

Permit to Construct Issued December 14, 2007

Permit No. 0907516, Public Water Supply.

Applicant **Plumstead Township**

Township Plumstead

County **Bucks**

Type of Facility PWS

Consulting Engineer Ebert Engineering
4092 Skippack Pike
Skippack, PA 19474

Permit to Construct Issued December 19, 2007

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

Permit No. 0107508, Public Water Supply.

Applicant **Chesapeake Estates Mobile Home Park**

Municipality Mt. Pleasant Township

County **Adams**

Type of Facility Construction of a new storage tank and booster pump station.

Consulting Engineer Janet R. McNally, P. E.
William F. Hill & Assoc., Inc.
207 Baltimore Street
Gettysburg, PA 17325

Permit to Construct Issued December 17, 2007

Operations Permit issued to **Greenfield Township Municipal Authority**, Greenfield, **Blair County** on December 17, 2007, for the operation of facilities approved under Construction Permit No. 0701503 MA.

Operations Permit issued to **R.P.R. Recreation Limited Partnership**, 4310821, Lincoln Township, **Huntingdon County** on November 28, 2007, for the operation of facilities approved under Construction Permit No. 3105502.

Operations Permit issued to **Dutchman's Country Market, Inc., d/b/a Dutch-Way Farm Market**, 7380337, Heidelberg Township, **Lebanon County** on December 10, 2007, for the operation of facilities approved under Construction Permit No. 3807503.

Operations Permit issued to **Crazy Horse Steakhouse**, 7010930, Berwick Township, **Adams County** on December 10, 2007, for the operation of facilities approved under Construction Permit No. 0107511.

Operations Permit issued to **United Water Pennsylvania**, 7210054, Upper Allen Township, **Cumberland County** on November 16, 2007, for the operation of facilities approved under Construction Permit No. 2107504 MA.

Operations Permit issued to **West Manchester Township Authority**, 7670101, West Manchester Township, **York County** on November 8, 2007, for the operation of facilities approved under Construction Permit No. 6707506 MA.

Operations Permit issued to **Glen Rock Water Authority**, 7670050, Glen Rock Borough, **York County** on September 28, 2007, for the operation of facilities approved under Construction Permit No. 6707507.

Operations Permit issued to **Splashes Swim Club**, 7360660, Bart Township, **Lancaster County** on August 13, 2007, for the operation of facilities approved under Construction Permit No. 3607505.

Operations Permit issued to **United Water Pennsylvania**, 7210054, Upper Allen Township, **Cumberland County** on October 24, 2007, for the operation of facilities approved under Construction Permit No. 2107503 MA.

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

Permit No. M.A.—Operation, Public Water Supply.

Applicant **PA American Water Company**

Township or Borough Bradford Township

County **Clearfield**

Responsible Official Dave Kaufman
PA American Water Company
800 West Hersheypark Drive
Hershey, PA 17033

Type of Facility Public Water Supply—Operation

Consulting Engineer Jasun Stanton
PA-American Water Company
300 Galley Road
McMurray, PA 15317

Permit Issued Date December 17, 2007

Description of Action Replacement of the existing Emigh Run Run Booster Station.

Permit No. 4107502—Construction, Public Water Supply.

Applicant **Collomsville Mutual Waterworks Association**

Township or Borough Limestone Township

County **Lycoming**

Responsible Official Dale Winter, Trustee
Collomsville Mutual Waterworks Association
342 Wells Road
Williamsport, PA 17701

Type of Facility Public Water Supply—Construction

Consulting Engineer Britt Bassett, P. E.
Bassett Engineering, Inc.
1440 Broad Street
Montoursville, PA 17754

Permit Issued Date December 19, 2007

Description of Action Construction of Well No. 2, treatment of Well No. 2 and a transmission line.

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

Operations Permit issued to **Volant Borough**, PWSID No. 6370042, Volant Borough, **Lawrence County**, Permit No. 3279-MA1, issued December 5, 2007, for the operation of the new 100,000 gallon potable water storage tank to be utilized as a filter backwash holding tank for the currently under design water treatment plant.

Operations Permit issued to **Bucholz Mobile Home Park**, PWSID No. 6610009, Frenchcreek Township, **Venango County**, issued November 30, 2007, for the operation of the public water supply system at Bucholz Mobile Home Park, according to specifications approved by construction permit No. 6106502, issued May 16, 2007.

SEWAGE FACILITIES ACT PLAN APPROVAL

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

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

Plan Location:

<i>Borough or Township</i>	<i>Borough or Township Address</i>	<i>County</i>
Sandy Lake Township	3086 Sandy Lake-Grove City Road P. O. Box 205 Sandy Lake, PA 16145	Mercer

Plan Description: The approved plan provides for a sewer extension tributary to the Lakeview Joint Sewer Authority to service areas of existing need along PA Route 845 and US Route 62. 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>
Butler Township, City of Butler Summit, Oakland and Center Townships, East Butler Borough and Connoquenessing Township	Butler Area Sewer Authority (BASA) 100 Litman Road Butler, PA 16001	Butler

Plan Description: The seven special studies were prepared to assist the Butler Area Sewer Authority (BASA) estimate the future sewage needs of all the tributary municipalities. This will allow BASA to prepare a comprehensive 537 Plan to eliminate wet weather overflows as well as assuring adequate capacity for future growth in surrounding communities.

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, (717) 705-4707.

Plan Location: Located on the south side of Swartz Valley Road (SR 2018), .5 mile east of the Village of Laschs in Monroe Township, Juniata County.

<i>Borough or Township</i>	<i>Borough or Township Address</i>	<i>County</i>
Monroe Township	P. O. Box 126 Richfield, PA 17086	Juniata

Plan Description: The planning module, entitled John S. Rothrock Subdivision, proposing four residential lots using onlot sewage disposal systems, was disapproved because it was unclear whether or not the onlot sewage disposal systems were individual or community systems. According to Department Regulations, Component 1 planning modules are strictly used for individual residential onlot sewage disposal systems. In addition, the lot density was greater than one EDU per acre and the municipality did not provide adequately for the long term sewage disposal needs of this subdivision due to this marginal condition.

Plan Location: Located on the east side of Chicken Plant Road (SR 3005), 1.2 miles north of the Port Royal bridge in Walker Township, Juniata County.

<i>Borough or Township</i>	<i>Borough or Township Address</i>	<i>County</i>
Walker Township	R. R. 2, Box 193-W Thompsontown, PA 17094	Juniata

Plan Description: The planning module, entitled Gerald H. Clark Subdivision, proposing one residential lot using an individual onlot sewage disposal system, was disapproved because the quality of water supplies within 1/4 mile of the proposed site exceeds five parts per million nitrate-nitrogen and a preliminary hydrogeologic study is required under 25 Pa. Code § 71.62(c)(2)(iii). The preliminary hydrogeologic study must be done in concert with a Component 2 planning module.

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, documenta-

tion supporting the selection of residential or nonresidential exposure factors, a description of the remediation performed and summaries of sampling analytical results which demonstrate that remediation has attained the cleanup standard selected. Submission of plans and reports, other than the final report, shall also be published in the *Pennsylvania Bulletin*. These include the remedial investigation report, risk assessment report and cleanup plan for a Site-Specific Standard remediation. A remedial investigation report includes conclusions from the site investigation, concentration of regulated substances in environmental media; benefits of refuse of the property and, in some circumstances, a fate and transport analysis. If required, a risk assessment report describes potential adverse effects caused by the presence of regulated substances. If required, a cleanup plan evaluates the abilities of potential remedies to achieve remedy requirements.

For further information concerning plans or reports, contact the Environmental Cleanup Program manager in the Department regional office after which the notice of receipt of plans or reports appears. If information concerning plans or reports is required in an alternative form, contact the Community Relations Coordinator at the appropriate regional office. TDD users may telephone the Department through the AT&T Relay Service at (800) 654-5984.

The Department has received the following plans and reports:

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

Blue Grass Plaza, City of Philadelphia, **Philadelphia County**. Samuel Kucia, Environmental Consulting, Inc., 500 East Washington Street, Norristown, PA 19401 on behalf of Lennard Katz, Blue Gras Mall Associates, 45-17 Marathon Parkway, Little Neck, NY 11362 has submitted a Remedial Investigation/Risk Assessment/Cleanup Plan concerning remediation of site groundwater contaminated with chlorinated solvents. The report is intended to document remediation of the site to meet the Site-Specific Standards.

Penflex, Inc., East Whiteland Township, **Chester County**. Dennis Libenson, 500 East Washington Street, Suite 375, Norristown, PA 19401 on behalf of Ray Brown, 271 LP, 1404 Thrush Lane, West Chester, PA 19382 has submitted a Remedial Investigation/Risk Assessment/Cleanup Plan concerning remediation of site groundwater contaminated with chlorinated solvents. The report is intended to document remediation of the site to meet the Site-Specific Standards.

Commercial Property, Whitmarsh Township, **Montgomery County**. Karl M. Pfizenmayer, Strob Environmental, Inc., 410 North Eaton Road, Willow Grove, PA 19090 on behalf of Meryle and Robert Solomon, 716 North Third Street, Philadelphia, PA 19123 has submitted a Final Report concerning remediation of site soil contaminated with leaded gasoline. The report is intended to document remediation of the site to meet the Statewide Health Standard.

John Barry Elementary School, City of Philadelphia, **Philadelphia County**. Gloria Hunsberger, Kleinfelder East, Inc., 800 East Washington, West Chester, PA 19380 on behalf of Francine Locke, School District, of Philadelphia, 440 North Broad, Philadelphia, PA 19130 has submitted a Final Report concerning

remediation of site soil contaminated with release of organic. The report is intended to document remediation of the site to meet the Statewide Health Standard.

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

Lyman Witmer Residence, Pine Grove Township, **Schuylkill County**. Ryan C. Winnan, Storb Environmental, Inc., 410 North Easton Road, Willow Grove, PA 19090 has submitted a Final Report (on behalf of his client, Lyman Witmer, 212 Tremont Road, Pine Grove, PA 17963) concerning the remediation of soils found to have been impacted as a result of an accidental release of No. 2 fuel oil. The report was submitted in order to document attainment of the Residential Statewide Health Standard. A summary of the Notice of Intent to Remediate and a public notice regarding the submittal of the Final Report were simultaneously published in *The Citizen-Standard* on April 4, 2007.

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

Good Residence, West Cornwall Township, **Lebanon County**. Marshall Miller & Associates, Inc., 3913 Hartzdale Drive, Suite 1306, Camp Hill, PA 17011, on behalf of Clifford Good, 300 Horseshoe Pike, Lebanon, PA 17042-8905 and Response Environmental, Inc. representing Senn Freight Lines, 912 Spring Circle, Mechanicsburg, PA 17055, submitted a Final Report concerning remediation of site soils contaminated with diesel fuel from a truck accident. The report is intended to document remediation of the site to the Statewide Health Standard and was submitted within 90 days of the release which occurred on October 24, 2007. The property is and will remain a private residence.

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

Eldred Check (P-94), Eldred Township, **McKean County**. PPL Services Corporation, Two North Ninth Street, GENTW17, Allentown, PA 18101-1179 has submitted a Notice of Intent to Remediate and a Final Report concerning remediation of site soil contaminated with mercury. The Notice of Intent to Remediate was published in *The Bradford Era* on October 10, 2007. The Final Report is intended to document remediation of the site to meet the Statewide Health Standard.

Kane Gas—Hazelhurst (P-86), Hamlin Township, **McKean County**. PPL Services Corporation, Two North Ninth Street, GENTW17, Allentown, PA 18101-1179 has submitted a Notice of Intent to Remediate and a Final Report concerning remediation of site soil contaminated with mercury. The Notice of Intent to Remediate was published in *The Bradford Era* on October 10, 2007. The Final Report is intended to document remediation of the site to meet the Statewide Health Standard.

Norton Check (P-16), Annin Township, **McKean County**. PPL Services Corporation, Two North Ninth Street, GENTW17, Allentown, PA 18101-1179 has submitted a Notice of Intent to Remediate and a Final Report concerning remediation of site soil contaminated with mercury. The Notice of Intent to Remediate was published in *The Bradford Era* on October 10, 2007. The Final Report is intended to document remediation of the site to meet the Statewide Health Standard.

LAND RECYCLING AND ENVIRONMENTAL REMEDIATION

UNDER ACT 2, 1995

PREAMBLE 3

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

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:

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

US Steel Fairless Works 71—Acre Parcel, Falls Township, **Bucks County**. Jeffery Smith, Langan Engineering and Env. Svc., Inc., 30 South 17th Street, Suite

1300, Philadelphia, PA 19103 on behalf of Kathleen Mayher, United States Steel Corporation, 600 Grant Street, Pittsburgh, PA 15219 has submitted a Remedial Investigation/Final Report concerning the remediation of site soil contaminated with chlorinated solvents. The Remedial Investigation/Final report was approved by the Department of Environmental Protection on December 14, 2007.

PECO Doylestown Former MGP, Doylestown Township, **Bucks County**. Bruce Middleman, Jacques Whitford Company, Inc., 450 South Graves Road, Suite 105, Plymouth Meeting, PA 19462, Ben Henry, Peco Energy Company, 2301 Market Street, S9-1, Philadelphia, PA 19101 on behalf of Jack Stein, Keystone Motors, 235 South Main Street, Doylestown, PA 18901, Irv Stein, Keystone Motors, 235 South Main Street, Doylestown, PA 18901 has submitted a Final Report concerning the remediation of site soil and groundwater contaminated with lead, inorganics, Paks and other inorganics. The Final Report demonstrated attainment of the Statewide Health Standards and was approved by the Department of Environmental Protection on December 12, 2007.

500 Easton Road, Lot A, Warrington Township, **Bucks County**. Toby Kessler, Gimlore & Associates, Inc., 350 East Butler Avenue, New Britain, PA 18901 on behalf of Richard Gallivan, Restaurant Sites, 28 Somers Road, Hampden, MA 01036 has submitted a Final Report concerning the remediation of site soil contaminated pesticides. The Final Report demonstrated attainment of the Statewide Health Standards and was disapproved by the Department of Environmental Protection on December 14, 2007.

Nicolet & Reading Parcels, Norristown Borough, **Montgomery County**. Steve Brower, Environmental Standards, Inc., 1140 Valley Forge Road, Valley Forge, PA 19482, on behalf of Darryl Burrell, Manko, Gold, Katcher & Fox, LLP, 401 City Avenue, Suite 500, Bala Cynwyd, PA 19004 has submitted a Remedial Investigation/Cleanup Plan concerning the remediation of site soil and groundwater contaminated with Paks. The Remedial Investigation/Cleanup Plan was approved by the Department of Environmental Protection on November 19, 2007.

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

Altoona Metro Transit Authority/Glucroft Corporation, former Roaring River Mills Property, Altoona City, **Blair County**. Mountain Research, LLC, 825 25th Street, Altoona, PA 16601, on behalf of Glucroft Corporation, Sixth Avenue and 35th Street, Altoona, PA 16602, submitted a Baseline Remedial Investigation Work Plan concerning remediation of site soils and groundwater contaminated with VOCs, SVOCs, PCBs and metals. The site is being remediated as a Special Industrial Area. The Work Plan was approved on December 18, 2007.

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

Susquehanna Trailways Rt. 15S. Accident Cleanup Site, East Buffalo Township, **Union County**. Northridge Group, Inc., 1172 Ridge Road, Northumberland, PA 17857 on behalf of Susquehanna Trailways, P. O. Box U and Avis, PA 17721 has submitted a Final Report. The Final Report demonstrated attainment of the Statewide Health Standard and was approved by the Department of Environmental Protection on December 14, 2007.

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

Andres Estate Property, Sugarcreek Borough, **Venango County**. Moody & Associates, Inc., Foxpointe Centre, 199 Johnson Road, Building No. 2, Suite 101, Houston, PA 15342 on behalf of the Estate of Edward Andres, 403 Grant Street, Franklin, PA 16323 has submitted a Baseline Environmental Study Work Plan concerning the remediation of site soil and groundwater contaminated with heavy metals, petroleum hydrocarbons, VOCs and polyaromatic hydrocarbons. The Baseline Environmental Study Work Plan was approved by the Department of Environmental Protection on November 14, 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, Sachin Shankar, New Source Review Chief, (484) 250-5920.

09-310-075GP: J.D.M. Materials Co., Inc. (851 County Line Road, Huntington Valley, PA 19006) on December 13, 2007, to operate a portable nonmetallic mineral in Langhorne Borough, **Bucks County**.

09-329-006GP: J.D.M. Materials Co., Inc. (851 County Line Road, Huntington Valley, PA 19006) on December 13, 2007, to operate a fuel-fired internal combustion in Langhorne Borough, **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.

58-399-002GP5: Cabot Oil & Gas Corp. (900 Lee Street East, Charleston, WV 25301) on December 18, 2007, to construct and operate a Natural Gas Compressor Station at their Teel Compressor Station site in Springville Township, **Susquehanna County**.

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

GP3-44-03018: Glenn O. Hawbaker, Inc. (711 East College Avenue, Bellefonte, PA 16823) on December 13, 2007, for Portable Nonmetallic Mineral Processing Plants under GP3 in Armagh Township, **Mifflin County**.

GP11-07-03054: Fiberblade, LLC (400 Gamesa Drive, Fairless Hills, PA 19030) on December 12, 2007, for Nonroad Engines under GP11 in Logan Township, **Blair County**.

GP11-44-03018: Glenn O. Hawbaker, Inc. (711 East College Avenue, Bellefonte, PA 16823) on December 13, 2007, for Nonroad Engines under GP11 in Armagh Township, **Mifflin County**.

GP14-07-03053: Keystone Cremation Center, LLC (R. D. 3, Old 220 North, Tyrone, PA 16686) on December 14, 2007, for Human or Animal Crematories under GP14 in Snyder Township, **Blair County**.

GP14-38-03053: Kreamer Funeral Home, Inc. (618 East Main Street, Annville, PA 17003-1597) on December 13, 2007, for Human or Animal Crematories under GP14 in Union Township, **Lebanon County**.

Plan Approvals Issued under the Air Pollution Control Act (35 P. S. §§ 4001—4015) and regulations in 25 Pa. Code Chapter 127, Subchapter B relating to construction, modification and reactivation of air contamination sources and associated air cleaning devices.

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

46-0032C: SPS Technologies, LLC (301 Highland Avenue, Jenkintown, PA 19046) on December 19, 2007, for re-evaluation of limitations for the vapor degreaser on trichloroethylene in Abington Township, **Montgomery County**. The limitation was changed from a 12-ton trichloroethylene per year throughput limit to a 12-ton trichloroethylene per year emission limit.

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

06-05007E: Carpenter Technology Corp. (P. O. Box 14662, Reading, PA 19612-4662) on December 17, 2007, to transfer emission reduction credits to offset the cumulative net increased emissions of NOx and VOC at their facility in the City of Reading, **Berks County**.

06-05085B: New Morgan Landfill Co., Inc. (P. O. Box 128, Mineview Road, Morgantown, PA 19543-0128) on December 14, 2007, for expansion of the existing municipal solid waste landfill controlled by a gas collection system and three ground flares in New Morgan Borough, **Berks County**.

67-03043A: Envirite of PA, Inc. (730 Vogelsong Road, York, PA 17404-6707) on December 17, 2007, to install a filter cake dryer at their facility in the City of York, **York County**.

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

25-066G: Accuride Corp. (1015 East 12th Street, Erie, PA 16503) on December 13, 2007, for submittal of a plan approval to install two new aluminum wheel pressing lines and a Venturi Scrubber for emission controls at the Erie Facility in the City of Erie, **Erie County**.

25-648D: NEPA Energy, LP (South Lake Street, North East, PA 16428) on December 17, 2007, a plan approval to modify of an existing Zurn Boiler at the North East Plant, in the Borough of North East, **Erie County**.

Plan Approval Revisions Issued including Extensions, Minor Modifications and Transfers of Ownership under the Air Pollution Control Act (35 P. S. §§ 4001—4015) and 25 Pa. Code §§ 127.13, 127.13a and 127.32.

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

15-0009B: AGA Chemical Americans, Inc. (255 South Bailey Road, Downingtown, PA 19335) on December 17, 2007, to operate a fluid bed dryer Caln Township, **Chester County**.

15-0098B: Cephalon, Inc. (145 Brandywine Parkway, West Chester, PA 19380) on December 18, 2007, to operate a 100-gallon reactor in Charlestown Township, **Chester County**.

46-0248: Pottstown Borough Authority (100 East High Street, Pottstown, PA 19464) on December 19, 2007, a thermal fluid dryer in Pottstown Borough, **Montgomery County**.

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

18-315-001: First Quality Tissue, LLC (904 Woods Avenue, Lock Haven, PA 17745) on December 18, 2007, to authorize the use of a 9 mmBtu/hr natural gas-fired burner instead of a 13 mmBtu/hr burner on the second stage dryers of two paper machines and to authorize the second stage dryer of one of these paper machines (No. 2 paper machine) to be exhausted into the machine's first stage dryer instead of directly to atmosphere in Castanea Township, **Clinton County**.

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

16-132E: Clarion Boards, Inc. (143 Fiberboard Road, Shippensburg, PA 16254) on November 30, 2007, to install a finishing line in Paint Township, **Clarion County**.

24-083E: Carbone of America Ind. Corp. (215 Stackpole Street, St. Marys, PA 15857) on December 31, 2007, to construct a scrubber in St. Marys City, **Elk County**. This is a Title V facility.

24-083F: Carbone of America Ind. Corp. (215 Stackpole Street, St. Marys, PA 15857) on December 31, 2007, to construct a Carbon Baking Kiln No. 34 with a thermal oxidizer and connecting to an existing scrubber in St. Marys City, **Elk County**. The mixers will be controlled by the existing scrubber. This is a Title V facility.

24-083G: Carbone of America Graphite Materials Div. (1032 Trout Run Road, St. Marys, PA 15857) on November 30, 2007, to construct a CBH Kiln in Benzinger Township, **Elk County**.

24-083H: Carbone of America Ind. Corp. (215 Stackpole Street, St. Marys, PA 15857) on December 31, 2007, to construct four additional mixers, two mills and a pulverizer in St. Marys City, **Elk County**. The mixers will be controlled by the existing scrubber. This is a Title V facility.

24-083I: Carbone of America—Graphite Materials Div. (1032 Trout Run Road, St. Marys, PA 15857) on November 30, 2007, for Scrubber A emission limits in Benzinger Township, **Elk County**.

25-069K: BASF Catalyst, LLC (1729 East Avenue, Erie, PA 16503) November 30, 2007, for the permanent operation of a Palladium Acetate Process with a Wet Scrubber control device for NOx emissions in Erie City, **Erie County**.

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

Southeast Region: Air Quality Program, 2 East Main Street, Norristown, PA 19401, Janine Tulloch-Reid, Facilities Permitting Chief, (484) 250-5920.

15-00019: McAvoy Vitrified Brick Co. (75 McAvoy Lane, Phoenixville, PA 19640) on December 18, 2007, for renewal of Title V Operating Permit Number, 15-00091 in Schuylkill Township, **Chester County**. The original Title V Operating Permit was issued on June 4, 2002, and became effective on July 1, 2002. The facility's major

emission points include brick kilns, drying ovens and a crusher. The renewed Title V operating permit will contain sufficient monitoring, recordkeeping, reporting and work practice standards to keep the facility operating within all applicable air quality requirements. No sources at this facility are subject to CAM (40 CFR Part 64).

Southcentral Region: Air Quality Program, 909 Elmerton Avenue, Harrisburg, PA 17110, Yasmin Neidlinger, Facilities Permitting Chief, (717) 705-4702.

34-05001: Armstrong Cabinet Products (R. R. 2, Box 171C, Thompsontown, PA 17094-9735) on December 7, 2007, to construct an offline spray booth in Delaware Township, **Juniata County**. This Title V Operating Permit was administratively amended to incorporate plan approval 34-05001C. This is revision No. 2.

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 Co.—Truittsburg Station (5093 Truittsburg Road, Fairmont City, PA 16224) on December 17, 2007, to re-issue the Title V Operating Permit, for operation of the facility's air contamination sources consisting of: three Clark HRA-6 engines, miscellaneous combustion sources, emergency generator, Glycol dehydrator, 65 hp air compressor, storage tanks and a parts washer in Fairmont City, **Clarion**. The facility is a Title V facility based on the potential to emit NOx and is therefore subject to the Title V Operating Permit requirements adopted in 25 Pa. Code Chapter 127, Subchapter G.

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

Southeast Region: Air Quality Program, 2 East Main Street, Norristown, PA 19401, Janine Tulloch-Reid, Facilities Permitting Chief, (484) 250-5920.

46-00251: Anders Detweiler Funeral Home (130 East Broad Street, Souderton, PA 18964) on December 18, 2007, for a human crematory in Souderton Borough, **Montgomery County**. The initial operating permit is for a non-Title V (State-only) facility. The source of emissions is a dual chamber crematory unit fired by natural gas and designed with BAT. The permit contains emission restrictions on visible emissions, odors and PM. Anders Detweiler will follow good air pollution control practices, 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.

36-05073: Bollman Hat Co. (110 East Main Street, Adamstown, PA 19501) on December 12, 2007, for operation of a hat manufacturing plant in Adamstown Borough, **Lancaster County**. This is a renewal of the State-only operating permit.

36-05086: Donsco, Inc. (P. O. Box 2001, Wrightsville, PA 17368-0040) on December 12, 2007, for operation of their grey and ductile iron foundry in Mount Joy Borough, **Lancaster 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.

04-00724: DCP Midstream, LP (370 17th Street, Suite 2500, Denver, CO 80202) on December 11, 2007, for its new propane storage and delivery terminal the Midland Terminal Facility in Industry Borough, **Beaver County**. This is a State-only Operating Permit.

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

20-00262: Generant Co., Inc. (18254 Technology Drive, Meadville, PA 16335) on December 18, 2007, to re-issue a Natural Minor Permit to operate a valves and pipe fittings manufacturing facility in the City of Meadville, **Crawford County**. The significant sources included: 1) Passivation and Brass bright dip line; 2) Lubrication booth; 3) Miscellaneous degreaser units (2). This facility is a natural minor because the emission levels for the affected pollutants are lower than the Title V threshold limits.

20-00272: Universal Stainless & Alloy Products (121 Caldwell Street, Titusville, PA 16354) on December 18, 2007, to re-issue a Natural Minor Permit to operate cold rolling steel mill facility in the City of Titusville, **Crawford County**. The significant sources are included 1) Rolling mill; 2) Annealing furnace; 3) Dip tank heater; 4) Vacuum pumps; 5) Grinding room; 6) Mold cleaning unit; 7) Miscellaneous natural gas usage and 8) Degreaser units (4).

25-00958 Ridg-U-Rak—State Line Plant (12340 Gay Road, North East, PA 16428) on December 18, 2007, to re-issue a State-only, Natural Minor Operating Permit to operate a Metal Shelving Manufacturing Facility, in North East Township, **Erie County**. The emissions from this facility have been reduced to well below major source levels.

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

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

56-00167: North American Hoganas, Inc. (111 Hoganas Way, Hollsopple, PA 15935) the list of de minimis increases authorized by 25 Pa. Code § 127.449 for the Stony Creek Plant located in Quemahoning Township, **Somerset County** is as follows: 1. Oxfuel Burner Installation.

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 03061301 and NPDES Permit No. PA0235687, TJS Mining, Inc., (2340 Smith Road, Shelota, PA 15774), to operate the TJS No. 6 Deep Mine in Plumcreek Township, **Armstrong County**, a new underground mine and related NPDES permit. Surface Acres Proposed: 25.5, Underground Acres Proposed: 1,530.5, Subsidence Control Plan Acres Proposed: 1,502.8. Receiving stream: Plum Creek, classified for the following use: TSF. Application received August 7, 2006. Permit issued December 13, 2007.

Permit Number 32061301 and NPDES Permit No. PA0235679, Parkwood Resources, Inc., (P. O. Box 552, Somerset, PA 15501-0552), to operate the Starford Mine in Green and Cherryhill Townships, **Indiana County**, a new underground mine and related NPDES permit. Receiving stream: Pompey Run, classified for the following use: CWF. Application received January 6, 2006. Permit issued December 18, 2007.

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

03020102. D. J. & W. Mining, Inc. (P. O. Box 425, Indiana, PA 15701). Permit renewal issued for reclamation activities only at a bituminous surface mining operation located in North Buffalo Township, **Armstrong County**, affecting 48.9 acres. Receiving streams: UNTs to Allegheny River. Application received November 8, 2007. Renewal issued December 19, 2007.

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

33850118 and NPDES Permit No. PA0106682. Alvin Gearhart (307 Treasure Lake, DuBois, PA 15801) Renewal of an existing bituminous strip operation in Winslow Township, **Jefferson County** affecting 220.0 acres. Receiving streams: Three UNTs to Soldier Run. Application received June 15, 2007. Permit issued December 17, 2007.

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

17860140 and NPDES No. PA0115673. Waroquier Coal Company (P. O. Box 128, Clearfield, PA 16830), permit renewal for reclamation only of a bituminous surface mine in Beccaria Township, **Clearfield County**, affecting 323.0 acres. Receiving streams: UNT to Cofinan Run and UNT to Muddy Run. There are no potable water supply intakes within 10 miles downstream. Application received November 1, 2007. Permit issued December 3, 2007.

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

22851601R3. Rausch Creek Land, LP, (978 Gap Street, Valley View, PA 17983), renewal of an existing anthracite breaker operation for reclamation activities only in Wiconisco Township, **Dauphin County** affecting 13.0 acres, receiving stream: none. Application received January 3, 2002. Renewal issued December 19, 2007.

22851601T2. Rausch Creek Land, LP, (978 Gap Street, Valley View, PA 17983), transfer of an existing anthracite breaker operation in Wiconisco Township,

Dauphin County affecting 13.0 acres, receiving stream: none. Application received December 5, 2005. Renewal issued December 19, 2007.

22851601R4. Rausch Creek Land, LP, (978 Gap Street, Valley View, PA 17983), renewal of an existing anthracite breaker operation for reclamation activities only in Wiconisco Township, **Dauphin County** affecting 13.0 acres, receiving stream: none. Application received January 22, 2007. Renewal issued December 19, 2007.

54763013R4. Rausch Creek Land, LP, (978 Gap Street, Valley View, PA 17983), renewal of an existing anthracite surface mine operation for reclamation activities only in Hegins, Frailey and Porter Townships, **Schuylkill County** affecting 658.0 acres, receiving stream: none. Application received November 21, 2005. Renewal issued December 19, 2007.

54763013T2. Rausch Creek Land, LP, (978 Gap Street, Valley View, PA 17983), transfer of an existing anthracite surface mine operation in Hegins, Frailey and Porter Townships, **Schuylkill County** affecting 658.0 acres, receiving stream: none. Application received December 9, 2005. Renewal issued December 19, 2007.

54713018T and R3. Rausch Creek Land, LP, (978 Gap Street, Valley View, PA 17983), transfer of an existing anthracite surface mine operation for reclamation activities only in Tremont Township, **Schuylkill County** affecting 600.0 acres, receiving stream: none. Applications received December 9, 2005. Transfer and Renewal issued December 19, 2007.

54841304T. Rausch Creek Land, LP, (978 Gap Street, Valley View, PA 17983), transfer of an existing anthracite underground mine operation in Hegins Township, **Schuylkill County** affecting 57.2 acres, receiving stream: none. Application received October 29, 2004. Transfer issued December 19, 2007.

54841304R3. Rausch Creek Land, LP, (978 Gap Street, Valley View, PA 17983), renewal of an existing anthracite underground mine operation for reclamation activities only in Hegins Township, **Schuylkill County** affecting 57.2 acres, receiving stream: none. Application received December 9, 2005. Renewal issued December 19, 2007.

54841304R4. Rausch Creek Land, LP, (978 Gap Street, Valley View, PA 17983), renewal of an existing anthracite underground mine operation for reclamation activities in Hegins Township, **Schuylkill County** affecting 57.2 acres, receiving stream: none. Application received January 22, 2007. Renewal issued December 19, 2007.

54820203T2, R4 and NPDES Permit No. PA0612286. Rausch Creek Land, LP, (978 Gap Street, Valley View, PA 17983), transfer and renewal of an existing anthracite coal refuse reprocessing operation for reclamation activities only in Hegins and Porter Townships, **Schuylkill County** affecting 200.0 acres, receiving stream: East Branch Rausch Creek. Applications received December 9, 2005. Transfer and Renewal issued December 19, 2007.

54970103T and R. Rausch Creek Land, LP, (978 Gap Street, Valley View, PA 17983), transfer and renewal of an existing anthracite surface mine operation for reclamation activities only in Porter Township, **Schuylkill County** affecting 213.0 acres, receiving stream: none. Applications received December 5, 2005. Transfer and Renewal issued December 19, 2007.

Noncoal Permits Actions

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

08062808. Robert J. Johnson (R. R. 4, Box 4055, Wyalusing, PA 18853), commencement, operation and restoration of a flagstone/bluestone quarry in Stevens Township, **Bradford County**, affecting 2.0 acres. Receiving streams: Rockwell Creek, tributary to Wyalusing Creek. Application received October 23, 2006. Permit issued December 5, 2007.

55072801. Dave Gutelius Excavating, Inc. (291 North Eighth Street, Mifflinburg, PA 17844), commencement, operation and restoration of a shale/fill dirt quarry in Monroe Township, **Snyder County**, affecting 4.5 acres. Receiving streams: UNT to Susquehanna River. Application received July 27, 2007. Permit issued December 4, 2007.

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

8275SM5C7 and NPDES Permit No. PA0595381. 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 East Cocalico Township, **Lancaster County**, receiving stream: Stoney Run. Application received October 31, 2007. Renewal issued December 17, 2007.

40070301 and NPDES Permit No. PA0224596. Earth Conservancy, (101 Main Street, Ashley, PA 18706), commencement, operation and restoration of a quarry operation in the City of Nanticoke, **Luzerne County** affecting 74.0 acres, receiving stream: Susquehanna River. Application received May 9, 2007. Permit issued December 18, 2007.

66060810. Shawn L. Adams, (R. R. 1, Box 152, Sugar Run, PA 18846-9767), commencement, operation and restoration of a quarry operation in Meshoppen Township, **Wyoming County** affecting 5.0 acres, receiving stream: none. Application received August 28, 2006. Permit issued December 18, 2007.

64070821. Timothy B. Kenyon, Sr., (178 Duran Road, Equinunk, PA 18417), commencement, operation and restoration of a quarry operation in Manchester Township, **Wayne County** affecting 5.0 acres, receiving stream: none. Application received September 28, 2007. Permit issued December 18, 2007.

64070822. Timothy B. Kenyon, Sr., (178 Duran Road, Equinunk, PA 18417), commencement, operation and restoration of a quarry operation in Manchester Township, **Wayne County** affecting 5.0 acres, receiving stream: none. Application received September 28, 2007. Permit issued December 18, 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.

28074159. David H. Martin Excavating, Inc., 4961 Cumberland Highway, Chambersburg, PA 17201-9655, blasting activity permit issued for residential development in Washington Township, **Franklin County**. Blasting activity permit end date is June 4, 2009. Permit issued December 10, 2007.

21074173. Newville Construction Services, Inc., 408 Mohawk Road, Newville, PA 17241-9424, blasting activity permit issued for residential development in Carlisle Borough, **Cumberland County**. Blasting activity permit end date is December 12, 2008. Permit issued December 14, 2007.

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

22074126. Warren's Excavating & Drilling, Inc., (P. O. Box 1022, Honey Brook, PA 19344), construction blasting for South Point Meadows in Derry Township, **Dauphin County** with an expiration date of December 1, 2008. Permit issued December 13, 2007.

35074140. Geological Technologies, Inc., (P. O. Box 70, Falling Waters, WV 25419), construction blasting for Taylor Commons in Taylor Borough, **Lackawanna County** with an expiration date of December 5, 2008. Permit issued December 13, 2007.

360741130. Keystone Blasting Service, (381 Reifsnyder Road, Lititz, PA 17543), construction blasting for Lincoln Meadows in Ephrata Township, **Lancaster County** with an expiration date of December 30, 2008. Permit issued December 13, 2007.

40074139. Geological Technologies, Inc., (P. O. Box 70, Falling Waters, WV 25419), construction blasting for Mericle Lot 19 in the City of Wilkes-Barre, **Luzerne County** with an expiration date of December 8, 2008. Permit issued December 13, 2007.

45074163. Ed Wean Drilling & Blasting, Inc., (112 Ravine Road, Stewartsville, NJ 08886), construction blasting for Penn Estates in Stroud Township, **Monroe County** with an expiration date of December 7, 2008. Permit issued December 13, 2007.

48074118. American Rock Mechanics, Inc., (7531 Chestnut Street, Zionsville, PA 18092), construction blasting for Weyerhaeuser Warehouse in Forks Township, **Northampton County** with an expiration date of December 31, 2008. Permit issued December 13, 2007.

06074133. Warren's Excavating & Drilling, Inc., (P. O. Box 1022, Honey Brook, PA 19344), construction blasting for Stonecroft Village in Marion Township, **Berks County** with an expiration date of December 1, 2008. Permit issued December 14, 2007.

360741129. M & J Explosives, Inc., (P. O. Box 608, Carlisle, PA 17013), construction blasting for Stauffer's of Kissel Hill stormwater management system in East Hempfield Township, **Lancaster County** with an expiration date of December 31, 2008. Permit issued December 14, 2007.

67074154. Warren's Excavating & Drilling, Inc., (P. O. Box 1022, Honey Brook, PA 19344), construction blasting for Blossom Hill in York Township, **York County** with an expiration date of December 1, 2008. Permit issued December 14, 2007.

67074155. Warren's Excavating & Drilling, Inc., (P. O. Box 1022, Honey Brook, PA 19344), construction blasting for Sage Hill in York Township, **York County** with an expiration date of December 1, 2008. Permit issued December 14, 2008.

67074156. Keystone Blasting Service, (381 Reifsnyder Road, Lititz, PA 17543), construction blasting for Eagle View in Manchester Township, **York County** with an expiration date of December 30, 2008. Permit issued December 14, 2007.

36074005. Explosives Experts, Inc., (P. O. Box 879, Sparks, MD 21152), construction blasting for the New Home Depot in West Earl Township, **Lancaster County** with an expiration date of August 30, 2007. Permit issued December 19, 2007.

15074124. Brubacher Excavating, Inc., (P. O. Box 528, Bowmansville, PA 17507), construction blasting for Applecross Golf Course in East Brandywine Township, **Chester County** with an expiration date of December 31, 2008. Permit issued December 18, 2007.

23074105. Allan A. Myers, Inc. d/b/a Independence Construction Materials, (P. O. Box 98, Worcester, PA 19490), construction blasting for Haverford Reserve in Haverford Township, **Delaware County** with an expiration date of December 1, 2008. Permit issued December 18, 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.

E23-459. Gray Creighton, 475 Highland Avenue, Media, PA 19063, Upper Providence Township, **Delaware County**, ACOE Philadelphia District.

To perform the following water obstruction and encroachment activities associated with the proposed Creighton Tract subdivision:

1. To excavate soils within the assumed floodway of a UNT to Ridley Creek (HQ-TSF) associated with the construction of a proposed stormwater management facility.
2. To install and maintain two stormwater outfalls (Endwall No. 59 and Basin 3A) to a UNT to Ridley Creek (HQ, TSF) for associated stormwater drainage.

This permit also includes an Environmental Assessment approval for impacts associated with the construction of a nonjurisdictional dam within the headwaters of a UNT to Ridley Creek (HQ, TSF) associated with the construction of a proposed stormwater management facility.

The proposed project is located adjacent to the intersection of Kirk Lane and Highland Avenue, PA (Media, PA Quadrangle N: 8.5 inches; W: 3.7 inches).

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

E15-762. Whiteland Village, LLC, 740 Springdale Drive, Exton, PA 19341, East Whiteland Township, **Chester County**, ACOE Philadelphia District.

To perform a sanitary sewer extension associated with the Whiteland Village Project. Work will consist of nine utility line crossings; eight will cross/traverse a UNT to

Valley Creek (EV) and one will cross an adjacent wetland. All impacts will be temporary. The work will follow along the Chester County Trail from the East and West Whiteland Townships' line to the Mill Lane Pump Station. This project is situated approximately 2,000 feet northwest of the intersection of the intersection SR 202 and SR 30 (Malvern, PA USGS Quadrangle N: 7 inches; W: 12.5 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.

E67-821: Codorus Creek Watershed Association, P. O. Box 2881, York, PA 17405, Heidelberg Township, **York County**, ACOE Baltimore District

To construct and maintain a 2,700 linear foot stream restoration project on Oil Creek (WWF) using rock vanes, J-hooks, cross rock vanes, bank grading, rock toe protection, floodplain restoration, stormwater bmps, invasive plant removal and riparian planting to stabilize streambanks and improve sediment transport and aquatic habitat and to construct and maintain three agricultural crossings at the center and ends of the project and streambank fencing around the restored reach. The project is located on the Earl Fuhrman Farm (beginning at Hanover, PA Quadrangle N: 12.2"; W: 9.9", 39° 49' 4.21" N; 76° 56' 35.94" W and ending at Hanover, PA Quadrangle N: 13.0"; W: 9.8", 39° 49' 20.94" N; 76° 56' 35.94" W) in Heidelberg Township, York County. There is 0.01 acre of PEM wetland impact associated with the project. The applicant has agreed to provide 0.11 acre of wetland replacement adjacent to the stream channel on site.

E21-389: Turnpike Commission, P. O. Box 67676, Harrisburg, PA 17106-7676, Lower Mifflin, Upper Mifflin, Upper Frankford and West Pennsboro Townships, **Cumberland County**, ACOE Baltimore District

The project consists of total reconstruction of the Turnpike from milepost 211 to milepost 215 involving the following activities in Lower Mifflin, Upper Mifflin, Upper Frankford and West Pennsboro Townships, Cumberland County. The project will result in 3,073 linear feet of perennial stream impact and 0.63 acre permanent wetland impact. The permittee is required to replace a minimum of 0.63 acre wetland.

<i>ACTIVITY</i>	<i>Impact Detail with Location</i>	<i>Resource</i>
1. Culvert	To extend and maintain a 30-inch by 60-foot long RCP by 25 feet and scour protection for a cumulative impact of 125 feet (Newville, PA Quad N: 11.96"; W: 9.68", 40° 11' 27" N; 77° 26' 40" W).	UNT to Conodoguinet Creek WWF
2. Wetland fill	48 SF (0.001 ac) permanent fill (Newville, PA Quad N: 12.19"; W: 9.01", 40° 11' 31" N; 77° 26' 18" W).	PEM wetland
3. Stream enclosure	To extend and maintain a 75-foot long RCP with an additional 36-inch by 50-foot long RCP for a cumulative impact of 125 feet (Newville, PA Quad N: 12.15"; W: 8.98", 40° 11' 31" N; 77° 26' 18" W).	UNT to Conodoguinet Creek CWF
4. Stream enclosure	To extend and maintain a 125-foot long RCP with an 18-inch by 30-foot long RCP and scour protection for a cumulative impact of 165 feet (Newville, PA Quad N: 12.15"; W: 8.98", 40° 11' 31" N; 77° 26' 18" W).	UNT to Conodoguinet Creek CWF

<i>ACTIVITY</i>	<i>Impact Detail with Location</i>	<i>Resource</i>
5. Stream enclosure	To extend and maintain an 8-foot by 7-foot by 120-foot concrete arch culvert with a precast concrete culvert extension of 80 feet to the north of Asper Road and between Asper and the Turnpike and 40 feet to the south of the Turnpike, with scour protection for a cumulative impact of 250 feet (Newville, PA Quad N: 12.24"; W: 8.40", 40° 11' 32" N; 77° 26' 06" W).	UNT to Conodoguinet Creek WWF
6. Wetland fill	2,004 SF (0.05 ac) permanent fill (Newville, PA Quad N: 12.34; W: 8.48, 40° 11' 33" N; 77° 26' 07" W).	PEM wetland
7. Wetland fill	1,315 SF (0.03 ac) permanent fill (Newville, PA Quad N: 12.24"; W: 8.34", 40° 11' 32" N; 77° 26' 04" W).	PEM wetland
8. Stream enclosure	To extend and maintain a 36-inch by 125-foot long RCP with an additional 20 feet and scour protection for a cumulative impact of 155 feet (Newville, PA Quad N: 12.33"; W: 7.77", 40° 11' 34" N; 77° 25' 51" W).	UNT to Conodoguinet Creek WWF
9. Stream enclosure	To extend and maintain a 36-inch by 120-foot long RCP with an additional 6 feet and scour protection for a cumulative impact of 141 feet (Newville, PA Quad N: 12.44"; W: 7.44", 40° 11' 37" N; 77° 25' 42" W).	UNT to Conodoguinet Creek WWF
10. Wetland fill	555 SF (0.01 ac) permanent fill (Newville, PA Quad N: 12.65"; W: 6.90", 40° 11' 40" N; 77° 25' 28" W)	PEM Wetland
11. Channel change	To relocate 70 linear feet of perennial stream channel due to roadway widening (Newville, PA Quad N: 12.59", W: 6.86"; 40° 11' 39" N, 77° 25' 27" W).	Back Creek WWF
12. Stream enclosure	To extend and maintain a 30-foot by 15-foot by 172-foot long concrete arch culvert with an additional 35 feet and scour protection for a cumulative impact of 242 feet (Newville, PA Quad N: 12.59"; W: 6.86", 40° 11' 39" N; 77° 25' 27" W).	Back Creek WWF
13. Fill	To remove a pipe and permanently fill 75 feet of a mill race adjacent to Doubling Gap Creek for roadway widening (Newville, PA Quad N: 12.80"; W: 5.89", 40° 11' 43" N; 77° 25' 06" W).	Doubling Gap Creek WWF
14. Wetland fill	1,528 SF (0.04 ac) permanent fill (Newville, PA Quad N: 12.76"; W: 5.88", 40° 11' 42" N; 77° 25' 04" W).	PEM wetland
15. Wetland fill	1,415 SF (0.03 ac) permanent fill (Newville, PA Quad N: 12.76", W: 5.83"; 40° 11' 42" N, 77° 25' 00" W).	PEM wetland
16. Wetland fill	1,014 SF (0.02 ac) permanent fill (Newville, PA Quad N: 12.89", W: 5.88"; 40° 11' 46" N, 77° 25' 02" W).	PEM wetland
17. Stream enclosure	To extend and maintain a 42-foot by 17-foot by 135-foot long concrete arch twin cell culvert with an additional 35 feet and scour protection for a cumulative impact of 205 feet (Newville, PA Quad N: 12.83"; W: 5.73", 40° 11' 44" N; 77° 24' 58" W).	Doubling Gap Creek WWF
18. Wetland fill	150 SF (0.003 ac) permanent fill (Newville, PA Quad N: 12.87"; W: 5.33", 40° 11' 46" N; 77° 24' 42" W).	PFO Wetland
19. Wetland fill	4,623 SF (0.11 ac) permanent fill (Newville, PA Quad N: 13.19"; W: 4.14", 40° 11' 52" N; 77° 24' 16" W).	PEM Wetland
20. Stream enclosure	To remove a 10-foot by 7-foot by 100-foot long concrete arch culvert and replace and maintain it with a 10-foot by 7-foot by 192-foot long box culvert and scour protection for a cumulative impact of 242 feet (Newville, PA Quad N: 13.20"; W: 3.93", 40° 11' 52" N; 77° 24' 12" W).	UNT to Conodoguinet Creek WWF
21. Stream enclosure	To extend and maintain a 36-inch by 170-foot long RCP with an additional 25 feet and scour protection for a cumulative impact of 205 feet (Newville, PA Quad N: 13.52"; W: 2.73", 40° 11' 54" N; 77° 23' 52" W).	UNT to Conodoguinet Creek WWF
22. Wetland fill	1,917 SF (0.04 ac) permanent fill (Newville, PA Quad N: 13.77"; W: 3.24", 40° 11' 55" N; 77° 23' 53" W).	PEM Wetland
23. Wetland fill	20 SF (0.001 ac) permanent fill (Newville, PA Quad N: 13.44"; W: 2.76", 40° 11' 56" N; 77° 23' 42" W).	PEM Wetland
24. Stream enclosure	To extend and maintain a 54-inch by 154-foot long CMP with an additional 30 feet upstream and 27 feet downstream and scour protection for a cumulative impact of 221 feet (Newville, PA Quad N: 13.47"; W: 2.32", 40° 11' 57" N; 77° 23' 41" W).	UNT to Conodoguinet Creek WWF

<i>ACTIVITY</i>	<i>Impact Detail with Location</i>	<i>Resource</i>
25. Stream enclosure	To remove a 48-inch by 160-foot long CMP and replace and maintain it with a 48-inch by 200-foot long CMP with scour protection for a cumulative impact of 257 feet (Newville, PA Quad N: 13.60"; W: 2.33", 40° 12' 02" N; 77° 23' 11" W).	UNT to Conodoguinet Creek WWF
26. Wetland fill	930 SF (0.02 ac) permanent fill (Newville, PA Quad N: 13.60"; W: 2.30", 40° 12' 01" N; 77° 23' 11" W).	PEM Wetland
27. Stream enclosure	To extend and maintain a 36-inch by 150-foot long PCP with an additional 30 feet and scour protection for a cumulative impact of 190 feet (Newville, PA Quad N: 13.74"; W: 1.62", 40° 12' 02" N; 77° 23' 11" W).	UNT to Conodoguinet Creek WWF
28. Wetland fill	490 SF (0.01 ac) permanent fill (Plainville, PA Quad N: 14.23"; W: 16.77", 40° 12' 12" N; 77° 22' 15" W).	PEM Wetland
29. Wetland fill	10 SF (0.001 ac) permanent fill (Plainville, PA Quad N: 14.23"; W: 16.73", 40° 12' 12" N; 77° 22' 14" W).	PEM Wetland
30. Wetland fill	340 SF (0.01 ac) permanent fill (Plainville, PA Quad N: 14.17"; W: 16.67", 40° 12' 10" N; 77° 22' 12" W).	PEM Wetland
31. Stream enclosure	To extend and maintain a 24-foot wide by 10-foot high concrete arch culvert 135-feet long with an additional 35 feet and scour protection for a cumulative impact of 205 feet (Plainville, PA Quad N: 14.20"; W: 16.70", 40° 12' 11" N; 77° 22' 14" W).	Rock Run WWF
32. Wetland fill	3,975 SF (0.09 ac) permanent fill (Plainville, PA Quad N: 14.16"; W: 15.70", 40° 12' 12" N; 77° 21' 48" W).	PEM Wetland
33. Wetland fill	130 SF (0.03 ac) permanent fill (Plainville, PA Quad N: 14.29"; W: 15.70", 40° 12' 13" N; 77° 21' 50" W).	PEM Wetland
34. Bridge	To remove an existing 3-span steel girder bridge having a clear span of 198.0 feet, a width of 84 feet and an underclearance of 17.7-feet and to construct and maintain a two span steel girder bridge, having a clear span of 238.5-feet, a width of 120 feet and an underclearance of 16.7-feet, utilizing a temporary causeway and cofferdams resulting in a cumulative impact of 200 feet (Plainville, PA Quad N: 14.26"; W: 15.60", 40° 12' 12" N; 77° 21' 44" W).	Conodoguinet Creek WWF
35. Wetland fill	1,560 SF (0.04 ac) permanent fill (Plainville, PA Quad N: 14.23"; W: 15.52", 40° 12' 12" N; 77° 21' 42" W).	PEM Wetland
36. Wetland fill	3,945 SF (0.09 ac) permanent fill (Plainville, PA Quad N: 14.28"; W: 15.52", 40° 12' 13" N, 77° 21' 42" W).	PEM Wetland

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

E19-265. H. H. Knoebel and Sons Inc., P. O. Box 317, Route 487, Elysburg, PA 17824. Bridge and roadway construction, in Cleveland and Ralpho Townships, **Columbia County**, Northumberland County, ACOE Baltimore District (Danville, PA Quadrangle N: 40° 52' 37"; W: 76° 30' 23").

To construct and maintain a bridge and access roadway. The bridge will be a prestressed adjacent box beam bridge with a single clear span of 53.3 feet, a curb to curb width of 22 feet, a centerline underclearance of 3.96 feet and a skew of 62°. The bridge will have pile abutments with a reinforced concrete pile cap located outside the stream channel. The stream channel banks and abutments will be protected with R-6 Rip-Rap. The access road will be located in the floodway of the South Branch of Roaring Creek. The access road will lead from Knoebels Boulevard to the Knoebels Campground. The access road will cross a small UNT to the South Branch of Roaring Creek, which will utilize four 24 inch reinforced concrete pipes to maintain drainage flow. The South Branch of roaring Creek is a HQ-CWF (Danville, PA Quadrangle N: 40° 52' 37"; W: 76° 30' 23") Cleveland Township, Columbia County and Ralpho Township, Northumberland County. This permit also includes 401 Water Quality Certification.

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

E02-1554. Win-Pinercreek, LTD (P.W. Campbell), 115 Federal Street, Suite 200, Pittsburgh, PA 15212. To construct a bank in floodway in McCandless Township, **Allegheny County**, Pittsburgh ACOE District (Emsworth, PA Quadrangle N: 6.25 inches; W: 15.8 inches, Latitude: 40° 32' 03"; Longitude: 80° 06' 49"). To remove the existing structures and to construct and maintain a First Commonwealth Bank and an adjacent coffee shop and its associated fill in the floodway on the left bank of Pine Creek (CWF). The project is located on the east side of Perry Highway (SR 19), just northeast from the intersection of Perry Highway (SR 19) and Pine Creek Road.

E11-328. Cambria County Conservation District, 401 Candlelight Drive, Suite 221, Ebensburg, PA 15931. To construct and maintain stream bank in Lilly Borough, **Cambria County**, Pittsburgh ACOE District. (Cresson, PA Quadrangle N: 9.0 inches; W: 16.0 inches, Latitude: 40° 25' 31"; Longitude: 78° 36' 50"). To construct and maintain approximately 175-ft of stabilized stream bank, along the southern bank of Bear Rock Run (CWF), using R-7 rock riprap for a 7-ft high base and live stacking above this base. The southern stream bank will be cut back to a 2:1 side slope and the channel will be reshaped. The project site is located behind the residences along Jones Street, approximately 1,100-ft from the intersection of this road with SR 53.

E63-590. David P. Hapchuk, 226 Rankin Road, Washington, PA 15301. To operate and maintain stream enclosures in South Strabane Township, **Washington County**, Pittsburgh ACOE District (Washington East, PA Quadrangle N: 7.5 inches; W: 4.6 inches, Latitude: 40° 9' 50"; Longitude: 80° 9' 14"). To operate and maintain stream enclosures on a UNT to Little Chartiers Creek (HQ-WWF) as follows: 103' of 18" pipe, 72' of 18" pipe, 95' of 24" pipe, for a total of 270' of pipe, to regrade approximately 600' of stream channel and remove existing stream enclosures, by plugging and abandoning in place approximately 152' of 18" pipe and relocating the channel around the pipe; and to operate and maintain four drainage channels from Rankin Road (LR 62088) to said tributary, as follows: approximately 261' of 15" diameter pipe, approximately 265' of 15" diameter pipe, approximately 270' of 15" diameter pipe and approximately 240' of 15" diameter pipe to convey roadway drainage from Rankin Road (LR 62088) to said tributary, all for the purpose of maintaining access to fields.

**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.

<i>SSIP Permit No.</i>	<i>Applicant Name & Address</i>	<i>County</i>	<i>Municipality</i>	<i>Tank Type</i>	<i>Tank Capacity</i>
07-62-003	United Refining Company 15 Bradley Street Warren, PA 16365-3299 Attn: Timothy D. Ruth	Warren	City of Warren	1 AST storing Naphtha	3,627,081 gallons
				1 AST storing Sulfuric Acid	31,093 gallons

SPECIAL NOTICES

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

Notice of Projects under the Environmental Good Samaritan Act

The Environmental Good Samaritan Act (27 Pa.C.S. §§ 8001—8114) provides certain protections and immunities from civil liability for landowners and persons who voluntarily undertake reclamation and abatement projects to address land and water adversely affected by mining or oil or gas extraction or exploration for natural resources and left in an unreclaimed condition or left discharging water pollution. For landowners and persons to qualify for immunity, the projects must be approved by the: Department of Environmental Protection, Moshannon District Office, 186 Enterprise Road, Philipsburg, PA 16866, Attention: Watershed Manager.

The following project proposals have been received by the Department of Environmental Protection (Department). A copy of the proposals is available for inspection at the office indicated. Written comments or objections may be submitted by any person or any office or head of any Federal, State or local government agency or authority to the Department at the same address listed previously within 30 days of this publication. Written comments or objections should contain the name, address and telephone number of the person submitting comments or objections; the proposal identification number; and a statement of sufficient detail to inform the Department of the basis of the comment or objection and the relevant facts upon which it is based.

Environmental Good Samaritan Project Proposals Received

EGS17001. Clearfield County Conservation District, 650 Leonard Street, Clearfield, PA. A Growing Greener bond fund project to construct the MR TUFF

passive treatment system to treat Acid Mine Drainage pollution from abandoned mines in the headwaters of Morgan Run. Decatur Township, **Clearfield County**, affecting acres 3. Project proposal received October 24, 2007.

EGS17002. Clearfield County Conservation District, 650 Leonard Street, Clearfield, PA. A Growing Greener bond fund project to construct the MR FROG passive treatment system to treat Acid Mine Drainage pollution from abandoned mines in the headwaters of Morgan Run. Decatur Township, **Clearfield County**, affecting acres 3. Project proposal received October 24, 2007.

Bureau of Mine Safety; Request for Variance

The Department of Environmental Protection (Department), Bureau of Mine Safety (Bureau), has received a request for variance from Rosebud Mining Company. The following notification contains a summary of this request. A complete copy of the variance request may be obtained from Cathy Dunn, (724) 439-7469 or from the BMS web site at www.depweb.state.pa.us/deepminesafety/site/default.asp

The Department is publishing a summary of the request in order to solicit comments from affected parties on the proposed variance request. Comments may be used by the Bureau to assist in its investigation of the variance request. Comments will be accepted for 30 days following the publication of this notice. All comments should be addressed to: Joseph A. Scaffoni, Director, Bureau of Mine Safety, Fayette County Health Center, 100 New Salem Road, Room 167, Uniontown, PA 15401.

Section 702 of the Pennsylvania Bituminous Coal Mine Act (act) (52 P. S. § 701-702), provides a mechanism for operators to obtain variances from specific requirements of the act to accommodate the adoption of new machinery, equipment, tools, supplies, methods or processes.

Section 290(d) of the act states that every gassy mine shall have at least four main entries, two of which shall lead from the main opening and two from the second opening into the body of the mine.

Summary of the Request: Rosebud Mining Company requests a variance to reduce the number of main entries in the D Mains Section at the Dutch Run Mine.

[Pa.B. Doc. No. 08-18. Filed for public inspection January 4, 2008, 9:00 a.m.]

DEPARTMENT OF GENERAL SERVICES

Real Estate for Sale

Westmoreland County

The Department of General Services (Department) will accept bids for the purchase of 2.86-acres of land and building formerly known as the Ligonier National Guard Armory located at 358 West Main Street, Borough of Ligonier, Westmoreland County. Bids are due Thursday, February 14, 2008. Interested parties wishing to receive a copy of Solicitation No. 94158 should view the Department's website at www.dgs.state.pa.us or call Lisa Kettering at (717) 787-1321.

JAMES P. CREEDON,
Secretary

[Pa.B. Doc. No. 08-19. Filed for public inspection January 4, 2008, 9:00 a.m.]

DEPARTMENT OF HEALTH

Pennsylvania Cancer Control, Prevention and Research Advisory Board Meeting

The Pennsylvania Cancer Control, Prevention and Research Advisory Board, established under the Pennsylvania Cancer Control, Prevention and Research Act (35 P. S. § 5633), will hold a telephone conference meeting on Wednesday, January 9, 2008, from 10 a.m. to 11:30 a.m.

For additional information, contact Kathleen A. Zitka, Chief, Department of Health, Comprehensive Cancer Control Section, Room 1011, Health and Welfare Building, Harrisburg, PA at (717) 787-5251.

The meeting will be a meeting by means of telephone conference. Persons wishing to attend this telephone conference or persons with a disability who wish to attend the meeting and require an auxiliary aid, service or other accommodation to do so contact Kathleen A. Zitka at (717) 787-5251 or V/TT (717) 783-6514 or the Pennsylvania AT&T Relay Services at (800) 654-5984 (TT) for speech and/or hearing impaired persons.

CALVIN B. JOHNSON, M. D., M.P.H.,
Secretary

[Pa.B. Doc. No. 08-20. Filed for public inspection January 4, 2008, 9:00 a.m.]

DEPARTMENT OF TRANSPORTATION

Application for Lease of Right-of-Way

Under 67 Pa. Code § 495.4(d) (relating to application procedure), an application to lease highway right-of-way has been submitted to the Department of Transportation by Biagio and Kimberly Iannuzzi, of 920 Armstrong Road, Carlisle, PA 17013.

Seeking to lease highway right-of-way located at 6617 Carlisle Pike, Mechanicsburg, PA 17050, Silver Spring Township, Cumberland County, formerly a part of tax parcel No. 38-18-1332-048, 8,873.84 square feet (0.2027 acre) adjacent to SR 0011 LR 34 section 13, for parking purposes only.

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 Barry G. Hoffman, P. E., District Engineer, Engineering District 8-0, 2140 Herr Street, Harrisburg, PA 17103-1699.

Questions regarding this application or the proposed use may be directed to Paulette Broody Alexander, Right-of-Way Representative, 2140 Herr Street, Harrisburg, PA 17103-1699, (717) 787-1419.

ALLEN D. BIEHLER, P. E.,
Secretary

[Pa.B. Doc. No. 08-21. Filed for public inspection January 4, 2008, 9:00 a.m.]

HEALTH CARE COST CONTAINMENT COUNCIL

Meetings Scheduled

The Health Care Cost Containment Council has scheduled the following meetings: Wednesday, January 9, 2008, Audit Committee—9 a.m.; Data Systems Committee—10 a.m.; Education Committee—1 p.m.; Mandated Benefits Review Committee—3 p.m.; Executive Committee meeting—4 p.m.; Thursday, January 10, 2008, Council Meeting—10 a.m. and Payment Data Advisory Group—1 p.m. The meetings will be held in the conference room at the Council Office, 225 Market Street, Suite 400, Harrisburg, PA 17101. The public is invited to attend. Persons who need accommodations due to a disability and want to attend the meetings should contact Cherie Elias, Health Care Cost Containment Council, 225 Market Street, Harrisburg, PA 17101, (717) 232-6787 at least 24 hours in advance so that arrangements can be made.

MARC P. VOLAVKA,
Executive Director

[Pa.B. Doc. No. 08-22. Filed for public inspection January 4, 2008, 9:00 a.m.]

INDEPENDENT REGULATORY REVIEW COMMISSION

Action Taken by the Commission

The Independent Regulatory Review Commission met publicly at 10:30 a.m., Thursday, December 20, 2007, and announced the following:

Regulation Approved:

State Board of Social Workers, Marriage and Family Therapists and Professional Counselors #16A-699: Licensure Technical Amendments (amends 49 Pa. Code Chapters 47 and 49).

Approval Order

Public Meeting held
December 20, 2007

Commissioners Voting: Arthur Coccodrilli, Chairperson;
David J. DeVries, Esq.; John F. Mizner, Esq.

*State Board of Social Workers,
Marriage and Family Therapists and
Professional Counselors—
Licensure Technical Amendments;
Regulation No. 16A-699 (#2493)*

On September 26, 2005, the Independent Regulatory Review Commission (Commission) received this proposed regulation from the State Board of Social Workers, Marriage and Family Therapists and Professional Counselors (Board). This rulemaking amends 49 Pa. Code Chapters 47 and 49. The proposed regulation was published in the October 8, 2005 *Pennsylvania Bulletin* with a 30-day public comment period. The final-form regulation was submitted to the Commission on November 7, 2007.

This final-form rulemaking amends licensure requirements for social workers and makes editorial changes to the Board's regulations.

We have determined this regulation is consistent with the statutory authority of the Board (63 P. S. § 1906(2)) and the intention of the General Assembly. Having considered all of the other criteria of the Regulatory Review Act, we find promulgation of this regulation is in the public interest.

By Order of the Commission:

This regulation is approved.

ARTHUR COCCODRILLI,
Chairperson

[Pa.B. Doc. No. 08-23. Filed for public inspection January 4, 2008, 9:00 a.m.]

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>Reg. No.</i>	<i>Agency/Title</i>	<i>Close of the Public Comment Period</i>	<i>IRRC Comments Issued</i>
16A-5318	State Board of Osteopathic Medicine Prescriptive Privileges for Physician Assistants 37 Pa.B. 5598 (October 20, 2007)	11/19/07	12/19/07
7-407	Environmental Quality Board Safe Drinking Water; Public Notification Revisions 37 Pa.B. 5158 (September 22, 2007)	11/21/07	12/21/07

State Board of Osteopathic Medicine Regulation #16A-5318 (IRRC #2644)

Prescriptive Privileges for Physician Assistants

December 19, 2007

We submit for your consideration the following comments on the proposed rulemaking published in the October 20, 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 State Board of Osteopathic Medicine (Board) to respond to all comments received from us or any other source.

1. Possible conflict with existing regulations.

This regulation will allow osteopathic physicians to delegate the prescribing, dispensing and administering of drugs and therapeutic devices to physician assistants. Under current regulations of the State Board of Medicine found at 49 Pa. Code §§ 18.158 and 18.159, medical doctors can delegate this authority to physician assistants. As noted by the Board, this situation has caused confusion in health care settings.

Commentators have stressed the importance of aligning this proposed rulemaking exactly with the existing regulations of the State Board of Medicine. This would eliminate any confusion that two different sets of regulations would create amongst the regulated community. We

agree and urge the Board to amend the following sections of the proposed rulemaking to be consistent with the State Board of Medicine's regulations: § 25.177(a)(3); § 25.177(c); § 25.177(d)(1); § 25.177(d)(4); and § 25.178.

2. Written agreement.—Clarity.

The phrase "written agreement" is used in §§ 25.177(a)(4) and 25.177(d)(5). This phrase is not defined in 49 Pa. Code Chapter 25. We note that the phrase is defined in § 18.122 of the State Board of Medicine's regulations on physician assistants. We suggest that a definition of "written agreement" be added to this rulemaking.

Environmental Quality Board Regulation #7-407 (IRRC #2637)

Safe Drinking Water; Public Notification Revisions December 21, 2007

We submit for your consideration the following comments on the proposed rulemaking published in the September 22, 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; Protection of public health and safety; Reasonableness; Consistency or conflict with other regulations; Implementation procedures; Feasibility; Need; Clarity.

The following paragraphs identify issues, concerns or questions relating to more than one section in the proposed regulation.

Fiscal impact, need, feasibility, implementation procedure

In item No. 24 on page 7 of the Regulatory Analysis Form (RAF) for this proposed regulation, the RAF states: "All the provisions are more stringent than federal regulations." Both the RAF and Preamble indicate that the proposed regulation will impose additional costs on water systems. Some water systems claim it is not feasible for them to quickly comply with the regulation. They will need time to generate funding, and develop and implement components of the proposed regulation. There are two areas of related questions and concerns.

First, what negative impacts on public health and safety occurred due to shortcomings in the current notification system under the existing regulations in Pennsylvania? What were the economic impacts? This information should accompany the final-form regulation submittal.

Second, why does this regulation need to be effective immediately upon final publication in the *Pennsylvania Bulletin*? When new regulations require significant change, promulgating agencies often give existing facilities a specific time period in which they can bring their operations into compliance. The Board should consider amending the final-form regulation to include a grace period or additional time for water systems to upgrade their notification programs. In addition, the Board should fully investigate all methods or alternatives that reduce the proposed regulation's fiscal impact.

Probable

In the existing regulations, the term "probable emergency situations" is used only in Section 109.707(a)(1) relating to emergency response plans. The proposed regu-

lation adds the word "probable" to the words "emergency situation" in §§ 109.407(a)(6), 109.408(a)(7) and 109.701(a)(3)(iii), all of which pertain to responses to emergencies. Preparing for "probable" emergencies in developing an emergency response plan as required by Section 109.707 is understandable.

Commentators expressed concern that other language in the proposed regulation expands what constitutes an emergency situation and unduly increases the frequency of reporting and public notices. The insertion of the word "probable" may further expand what constitutes an emergency and require additional reporting and notices. What is the intent? Is the Board asking water systems to report situations that **may** become emergencies as well as actual emergencies? How do water system operators determine the level of probability that would require reporting? Existing language already describes Tier 1 emergencies as events with "significant potential to have serious adverse effects on human health." Is the word "probable" necessary in other sections beyond Section 109.707?

Coordination with other state agencies

In addition to the Board, another agency is proposing revisions to its notification requirements for water utilities. On October 14, 2006, the Pennsylvania Public Utility Commission (PUC) published a notice of proposed rulemaking to amend notification requirements specifically for water utilities. Not every water system is subject to oversight by the PUC. However, commentators encouraged the Board and Department of Environmental Protection (DEP) to work with the PUC to develop consistent notification procedures and reduce confusion and conflicts that may place duplicative and unnecessary burdens on the regulated community. We agree.

Furthermore, to assist water systems during disruptions caused by natural disasters or similar emergencies, the Board and DEP should consider consulting the Pennsylvania Emergency Management Agency (PEMA) in order to coordinate water systems' emergency response plans with PEMA as well as local emergency management agencies. PEMA and local emergency management agencies may already have contact networks in place which would assist water systems in notifying the public and with other contingencies related to emergencies.

2. Section 109.407. General public notification requirements.—Clarity.

In Subsection (c)(4), the proposed regulation directs water systems to notify "additional recipients" identified in its "emergency response plan under § 109.707(a)." The required contacts are listed in Section 109.707(a)(2). The citation in Section 109.407(c)(4) should be specific and refer to Section 109.707(a)(2).

3. Section 109.408. Tier 1 public notice—categories, timing and delivery of notice.—Implementation procedure; Clarity.

Subsection (c) contains new options for delivery of Tier 1 public notices including hand delivery, electronic mail and "automatic telephone dialing systems or other best available technology." In the existing regulations, Section 109.411 sets forth content requirements for the public notice and also includes provisions in Section 109.411(c)(2) for public notices in languages other than English. However, it is unclear how these multilingual provisions would apply to new delivery options such as electronic mail or "automatic telephone dialing systems." In addition, it is unclear what steps a water system may need to take in delivering notices to persons with disabilities. The final-form regulation should provide direction

for the new delivery options to address the needs of consumers for whom English is a second language and consumers with disabilities.

The second sentence of Subsection (c) begins with the phrase: "To reach all persons served . . ." Commentators suggested that the word "served" be replaced with "affected." This would direct public notice of emergency to the consumers that would be affected rather than all the consumers served by the water supplier. There is no need to contact consumers who are not affected and such a contact would only cause unnecessary confusion. This change should be included in the final-form regulation.

Subsections (c)(1)(i)(C), (c)(1)(ii)(C), (c)(1)(iv)(C), (c)(2)(ii), and (c)(4) provide that alternative forms or methods for delivery of public notification may be approved in writing by DEP. Is there an application process that water systems use for this approval? What standards or criteria will DEP use in evaluating the applications? If the application process and review standards or criteria are set forth elsewhere in existing regulations, cross-references to those provisions should be included in this subsection. If not, then the process and criteria or standards should be included in the final-form regulation.

4. Section 109.411. Content of a public notice.— Feasibility; Implementation procedure; Clarity.

Subsection (b)(4) requires that a water system's abbreviated notice include "a telephone number or website address, or both, where consumers can obtain the entire notice." In its comments, the Office of Consumer Advocate suggested that the first "or" should be changed to "and," and the phrase "or both" should be changed to "if available" because not everyone has access to the internet. Hence, a telephone number should always be provided. We agree.

5. Section 109.701. Reporting and recordkeeping.— Fiscal impact; Reasonableness; Feasibility; Need; Implementation procedures; Clarity.

In Subsection (a)(3) relating to one-hour reporting requirements, commentators suggested that the phrase "within 1 hour of discovery" should be changed to reflect language used by the PUC in its existing regulations at 52 Pa. Code § 67.1(c). The PUC provision requires telephone reporting "within one hour after preliminary assessment of conditions." In many situations, water systems may get an alarm from an unmanned facility indicating an event that may be an emergency situation. However, an operator must travel to the unmanned facility to verify whether the alarm is valid. Commentators are concerned that this existing language, combined with the new conditions defining emergency situations, will force water systems to make unnecessary calls to DEP and take other required steps before assessing whether a real emergency exists. The final-form regulation should address this concern.

Commentators questioned the need for the new language in Subsections (a)(3)(iii)(F) and (G) relating to one-hour reporting for "an overfeed" of a chemical or "negative water pressure in any portion of the distribution system." Commentators claim there is no conclusive evidence to demonstrate that such events are a threat to public health and safety. In addition, commentators indicate that incidents involving negative water pressure and chemical overfeeds occur frequently (in excess of 20,000 times annually across the state). However, almost every incident is managed and corrected in ways that pose no threat to the water system consumers. Hence, mandating reporting and public notices in these situations is unne-

cessary, would cause undue alarm and confusion among consumers, and would erode public confidence in public water systems. The Board and DEP should work with all segments of the regulated community and the DEP's Technical Assistance Center for Small Systems Advisory Board to refine these provisions in the final-form regulation to precisely target events that pose serious threats and will adversely affect the quality or quantity of drinking water.

Finally, commentators referred to a guidance document or a "draft policy document" that DEP is developing in conjunction with this proposed regulation. Under the section labeled as "Section E. Summary of Regulatory Requirements" in the Preamble, it states that DEP "will be developing guidance to provide additional information about situations that require 1-hour reporting." What types of situations will the guidance address? Any provisions in a guidance document that create a binding norm or impose a standard on water systems should be included in a regulation rather than a policy statement or guidance document.

6. Section 109.707. Emergency response plan.— Reasonableness; Implementation procedures; Clarity.

In Subsection (a)(2)(i) relating to communication procedures and contact information, water systems are required to have contact persons and phone numbers for "local emergency management agencies" within their systems' jurisdiction. There are two questions.

First, does the term "local emergency management agencies" apply only to county and larger city emergency management agencies, or does it also include "local emergency coordinators" in each municipality (e.g., townships and boroughs)? This should be clarified in the final-form regulation.

Second, what is the process for contacting other local officials? As a result of the fluoride overfeed that affected parts of Cumberland and York counties in December 2005, press reports indicated that local government officials did not receive satisfactory notice. Under the proposed regulation, would water systems be responsible for contacting local government officials in the affected areas? An alternative would be to see if the "local emergency management agencies" already have contact networks in place for all the municipalities in their regions.

ARTHUR COCCODRILLI,
Chairperson

[Pa.B. Doc. No. 08-24. Filed for public inspection January 4, 2008, 9:00 a.m.]

INSURANCE DEPARTMENT

Alleged Violation of Insurance Laws; Herlen C. Porterfield, III; Doc. No. SC07-12-006

Notice is hereby given of the Order to Show Cause issued on December 18, 2007, by the Deputy Insurance Commissioner of the Commonwealth in the previously-referenced matter. Violation of the following is alleged: 40 P. S. §§ 310.11 and 310.78-A.

Respondent shall file a written answer to the Order to Show Cause within 20 days of the date of issue. If respondent files a timely answer, a formal administrative hearing shall be held in accordance with the 2 Pa.C.S. §§ 510—508 and 701—704 (relating to the Administrative Agency Law), 1 Pa. Code Part II (relating to the General Rules of Administrative Practice and Procedure), 31 Pa. Code Chapter 51 (relating to special rules of administrative practice and procedure) and other relevant procedural provisions of law.

Answers, motions preliminary to those at hearing, protests, petitions to intervene or notices of intervention, if any, must be filed in writing with the Hearings Administrator, Insurance Department, Administrative Hearings Office, 901 North 7th Street, Harrisburg, PA 17102.

Persons with a disability who wish to attend the previously referenced administrative hearing and require an auxiliary aid, service or other accommodation to participate in the hearing contact Kathryn J. Culbertson, Disability Services Coordinator at (717) 787-4298.

JOEL SCOTT ARIO,
Acting Insurance Commissioner

[Pa.B. Doc. No. 08-25. Filed for public inspection January 4, 2008, 9:00 a.m.]

Leanne C. Cardelli; Prehearing

Under Section 64 of the PA Assigned Risk Plan; 75 Pa.C.S. § 1741; Doc. No. P07-12-004

Under the Pennsylvania Assigned Risk Plan (Plan), Section 64, that was adopted by the Insurance Commissioner under 75 Pa.C.S. § 1741 (relating to establishment), notice is hereby given that Leanne C. Cardelli has requested a hearing on the decision by the Pennsylvania Assigned Risk Plan Governing Committee concerning the suspension of her certification by the Plan. The suspension imposed by the Pennsylvania Assigned Risk Governing Committee is stayed pending further order.

A prehearing telephone conference initiated by this office is scheduled for January 8, 2008, at 10:30 a.m. Each party shall provide the Hearings Office on or before January 4, 2008, a telephone number to be used for the telephone conference. A date for a hearing shall be determined, if necessary, at the prehearing telephone conference.

Motions preliminary to those at hearing, protests, petitions to intervene or notices of intervention, if any, must be filed on or before January 15, 2008, with the Hearings Administrator, Administrative Hearings Office, Capitol Associates Building, Room 200, 901 North Seventh Street, Harrisburg, PA 17102. Answers to petitions to intervene, if any, shall be filed on or before January 22, 2008.

JOEL SCOTT ARIO,
Acting Insurance Commissioner

[Pa.B. Doc. No. 08-26. Filed for public inspection January 4, 2008, 9:00 a.m.]

Harold J. Davis, M. D.; Prehearing

Appeal of Harold J. Davis, M. D. under the Medical Care Availability and Reduction of Error (MCARE) Act (40 P. S. §§ 1303.101—1303.910); Doc. No. MM07-12-005

On or before January 11, 2008, the appellant shall file a concise statement setting forth the factual and/or legal basis for the disagreement with MCARE's November 30, 2007, determination. The statement may be in narrative form or in numbered paragraphs, but in either event shall not exceed two pages. A prehearing telephone conference initiated by this office is scheduled for January 17, 2008. Each party shall provide a telephone number to be used for the telephone conference to the Hearings Administrator on or before January 4, 2008. A hearing date shall be determined, if necessary, at the prehearing telephone conference.

Motions preliminary to those at hearing, protests, petitions to intervene or notices of intervention, if any, must be filed on or before January 14, 2008, with the Hearings Administrator, Administrative Hearings Office, Capitol Associates Building, Room 200, 901 North Seventh Street, Harrisburg, PA 17102. Answer to petitions to intervene, if any shall be filed on or before January 24, 2008.

JOEL SCOTT ARIO,
Acting Insurance Commissioner

[Pa.B. Doc. No. 08-27. Filed for public inspection January 4, 2008, 9:00 a.m.]

Life Investors Insurance Company; 25% Rate In- crease Filing for Several LTC Policy Forms; Rate Filing

Life Investors Insurance Company is requesting approval to increase the premium 25% on several long-term care policy forms issued in this Commonwealth. The increase will only affect policies with a benefit period of 4 years or more.

The company is requesting a 25% increase on the following forms which were originally issued by Life Investors: KLTCP 1 (PA) 490, LI-LTCP (PA) 192, LI-LTCP (PA) 195, LI-LTCP (PA-FR) 195, LI-LTCP TQ (PA) 898, LI-LTCP TQ (PA-FR) 898, GP001 796, GC001 NH (PA) 796, GC001 LTC (PA) 796 and GC001 HHC (PA) 796. The company is also requesting a 25% increase on the following forms which were originally issued by Bankers United Life: GCPLUS 1290 (PA), GCPLUS 2 1290 (PA), GCPRO (PA) 193, GCPRO (PA-FR) 193, GCPRO (PA) 995, GCPRO (PA-FR) 995, GCPRO-II (PA) 794, GCPRO-II (PA-FR) 794, GCPRO-II (PA) 995 and GCPRO-II (PA-FR) 995. A total of 224 Pennsylvania policyholders will be affected by this rate adjustment.

Unless formal administrative action is taken prior to March 20, 2008, the subject filing may be deemed approved by operation of law.

A copy of the filing is available on the Insurance Department's (Department) website at www.ins.state.pa.us. Scroll down the home page and click on "Consumer Information" located on the left side. Next, scroll down to "General Information," located in the middle of the page, and click on "Notices." The pdf copy of this filing is located at the link "Filing.pdf" following the name of the filing.

Copies of the filing are also available for public inspection, by appointment, during normal working hours at the Department's Harrisburg office.

Interested parties are invited to submit written comments, suggestions or objections to James Laverty, Actuary, Insurance Department, Insurance Product Regulation and Market Enforcement, Room 1311, Strawberry Square, Harrisburg, PA 17120, e-mail jlaverty@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. 08-28. Filed for public inspection January 4, 2008, 9:00 a.m.]

Osmalia's Shell; Hearing

Appeal of Osmalia's Shell under the Storage Tank and Spill Prevention Act; Underground Storage Tank Indemnification Fund; USTIF File No. 07-0073(S); Doc. No. UT07-12-003

The proceedings in this matter will be governed by 2 Pa.C.S. §§ 501—508 and 701—704 (relating to the Administrative Agency Law), 1 Pa. Code Part II (relating to General Rules of Administrative Practice and Procedure) and any other relevant procedure provisions of law.

A prehearing telephone conference shall be held on February 5, 2008. A hearing shall occur on February 25, 2008, in the Administrative Hearings Office, Room 200, Capitol Associates Building, 901 North Seventh Street, Harrisburg, PA 17102. Motions preliminary to those at hearing, protests, petitions to intervene, notices of appearance or notices of intervention, if any, must be filed with the Hearings Administrator at the previously listed address on or before February 1, 2008. Answers to petitions to intervene, if any, shall be filed on or before February 11, 2008.

Persons with a disability who wish to attend the previously-referenced administrative hearing and require an auxiliary aid, service or other accommodation to participate in the hearing, contact Kathryn Culbertson, Agency Coordinator at (717) 705-4194.

JOEL SCOTT ARIO,
Acting Insurance Commissioner

[Pa.B. Doc. No. 08-29. Filed for public inspection January 4, 2008, 9:00 a.m.]

Transamerica Life Insurance Company; 25% Rate Increase Filing for Several LTC Policy Forms; Rate Filing

Transamerica Life Insurance Company is requesting approval to increase the premium 25% on several long-term care policy forms issued in this Commonwealth. The company is requesting a 25% increase on the following forms: IP-70-PA-494, IP-71-PA-494, FP-70-PA-494, FP-71-PA-494, 6222 (PA) 289, LTC 2 (PA) 1290, LTC 3 (PA) 1091, LTC 3 (PA) 1091 (GR194), LTC 3 (PA) 1091 (GR195), LTC 3 (PA) 1091 (REV195), LTC 5 TQ NH (PA) 1096, LTC 5 TQ COM (PA) 1096, LTC 5 TQ NH (PA-FR)

1096 and LTC 5 TQ COM (PA-FR) 1096. A total of 230 Pennsylvania policyholders will be affected by this rate adjustment.

Unless formal administrative action is taken prior to March 20, 2008, the subject filing may be deemed approved by operation of law.

A copy of the filing is available on the Insurance Department's (Department) website at www.ins.state.pa.us. Scroll down the home page and click on "Consumer Information" located on the left side. Next, scroll down to "General Information," located in the middle of the page and click on "Notices." The pdf copy of this filing is located at the link "Filing.pdf" following the name of the filing.

Copies of the filing are also available for public inspection, by appointment, during normal working hours at the Department's Harrisburg office.

Interested parties are invited to submit written comments, suggestions or objections to James Laverty, Actuary, Insurance Department, Insurance Product Regulation and Market Enforcement, Room 1311, Strawberry Square, Harrisburg, PA 17120, e-mail jlaverty@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. 08-30. Filed for public inspection January 4, 2008, 9:00 a.m.]

Susan Triggiani; Prehearing

Under Section 64 of the PA Assigned Risk Plan; 75 Pa.C.S. § 1741; Doc. No. P07-12-002

Under the Pennsylvania Assigned Risk Plan (Plan), Section 64, that was adopted by the Insurance Commissioner under 75 Pa.C.S. § 1741 (relating to establishment), notice is hereby given that Susan Triggiani has requested a hearing on the decision by the Pennsylvania Assigned Risk Plan Governing Committee concerning the suspension of her certification by the Plan. The suspension imposed by the Pennsylvania Assigned Risk Governing Committee is stayed pending further order.

A prehearing telephone conference initiated by this office is scheduled for January 8, 2008, at 10 a.m. Each party shall provide the Hearings Office on or before January 4, 2008, a telephone number to be used for the telephone conference. A date for a hearing shall be determined, if necessary, at the prehearing telephone conference.

Motions preliminary to those at hearing, protests, petitions to intervene or notices of intervention, if any, must be filed on or before January 15, 2008, with the Hearings Administrator, Administrative Hearings Office, Capitol Associates Building, Room 200, 901 North Seventh Street, Harrisburg, PA 17102. Answers to petitions to intervene, if any, shall be filed on or before January 22, 2008.

JOEL SCOTT ARIO,
Acting Insurance Commissioner

[Pa.B. Doc. No. 08-31. Filed for public inspection January 4, 2008, 9:00 a.m.]

MILK MARKETING BOARD

Hearing and Presubmission Schedule for All Milk Marketing Areas; Over-Order Premium

Under the Milk Marketing Law (31 P. S. §§ 700j-101—700j-1302), the Milk Marketing Board (Board) will conduct a public hearing for Milk Marketing Areas 1—6 on March 13, 2008, commencing at 9:30 a.m. in the Pennsylvania Room, Farm Show Complex and Expo Center, 2300 North Cameron Street, Harrisburg, PA.

The purpose of the hearing is to receive testimony and exhibits concerning the establishment of a Class I over-order price or pricing formula for milk produced in this Commonwealth, processed in this Commonwealth and that is utilized in this Commonwealth or in a contiguous state with a state-mandated over-order price.

The staff of the Board is deemed to be a party to this hearing, and the attorney representing staff is deemed to have entered his appearance. Other persons who wish to present evidence may be included on the Board's list of parties by: (1) having their attorney file with the Board on or before 4 p.m. on January 23, 2008, a notice of appearance substantially in the form prescribed by 1 Pa. Code § 31.25 (relating to form of notice of appearance); or (2) if unrepresented by counsel, filing with the Board on or before 4 p.m. on January 23, 2008, notification of their desire to be included as a party. Parties may indicate in their notices of appearance if alternate means of service, that is, e-mail or fax, are acceptable.

The parties shall observe the following requirements for advance filing of witness information and exhibits.

1. By 4 p.m. on January 25, 2008, the petitioners shall file with the Board, in person or by mail, one original and eight copies and ensure receipt by all other parties of one copy of:

a. A list of witnesses who will testify for the petitioner, along with a statement of the subjects concerning which each witness will testify. A witness who will be offered as an expert shall be so identified, along with the witness's area or areas of proposed expertise. For expert witnesses there shall also be filed a statement of the substance of the facts and opinions to which the expert is expected to testify and a summary of the grounds for each opinion.

b. Each exhibit to be presented, including testimony to be offered in written form.

2. By 4 p.m. on February 15, 2008, each responding party shall file and serve as set forth in paragraph 1 information concerning rebuttal witnesses and copies of rebuttal exhibits.

3. By 4 p.m. on March 6, 2008, the petitioner shall file and serve as set forth in paragraph 1 information concerning surrebuttal witnesses and copies of surrebuttal exhibits.

Parties that wish to offer in evidence documents on file with the Board, public documents or records in other proceedings before the Board, or who wish the Board to take official notice of facts, shall comply with, respectively, 1 Pa. Code § 35.164, § 35.165, § 35.167 or § 35.173. Whenever these rules require production of a document as an exhibit, copies shall be provided to each Board member and to all other parties; in addition, at least 20 copies shall be available for distribution to nonparties attending the hearing.

Requests by parties for Board staff to provide data pertinent to the hearing shall be made in writing and received in the Board office by 4 p.m. on February 25, 2008.

The filing address for the Board is Milk Marketing Board, Room 110, Agriculture Building, 2301 North Cameron Street, Harrisburg, PA 17110.

KEITH BIERLY,
Secretary

[Pa.B. Doc. No. 08-32. Filed for public inspection January 4, 2008, 9:00 a.m.]

Hearing and Presubmission Schedule; Milk Marketing Area No. 1; General Price Hearing

Under the Milk Marketing Law (31 P. S. §§ 700j-101—700j-1302), the Milk Marketing Board (Board) will conduct a public hearing for Milk Marketing Area No. 1 on February 11, 2008, commencing at 9:30 a.m. in Room 309 of the Agriculture Building, 2301 North Cameron Street, Harrisburg, PA.

The purpose of the hearing is to receive evidence to establish minimum wholesale and minimum retail prices in Milk Marketing Area No. 1.

The staff of the Board is deemed to be a party to this hearing, and the attorney representing staff is deemed to have entered his appearance. Other persons who wish to present evidence may be included on the Board's list of parties by: (1) having their attorney file with the Board on or before 4 p.m. on January 10, 2008, a notice of appearance substantially in the form prescribed by 1 Pa. Code § 31.25 (relating to form of notice of appearance); or (2) if unrepresented by counsel, filing with the Board on or before 4 p.m. on January 10, 2008, notification of their desire to be included as a party. Parties may indicate in their notices of appearance if alternate means of service, that is, e-mail or fax, are acceptable.

The parties shall observe the following requirements for advance filing of witness information and exhibits:

1. By 4 p.m. on January 11, 2008, each party shall file with the Board, in person or by mail, one original and eight copies and ensure receipt by all other parties of one copy of:

a. A list of witnesses who will testify for the party, along with a statement of the subjects concerning which each witness will testify. A witness who will be offered as an expert shall be so identified, along with the witness's area or areas of proposed expertise. For expert witnesses there shall also be filed a statement of the substance of the facts and opinions to which the expert is expected to testify and a summary of the grounds for each opinion.

b. Each exhibit to be presented, including testimony to be offered in written form.

2. By 4 p.m. on January 25, 2008, each responding party shall file and serve as set forth in paragraph 1 information concerning rebuttal witnesses and copies of rebuttal exhibits.

3. By 4 p.m. on February 6, 2008, each party shall file and serve as set forth in paragraph 1 information concerning surrebuttal witnesses and copies of surrebuttal exhibits.

Parties that wish to offer in evidence documents on file with the Board, public documents or records in other

proceedings before the Board, or who wish the Board to take official notice of facts, shall comply with, respectively, 1 Pa. Code § 35.164, § 35.165, § 35.167 or § 35.173. Whenever these rules require production of a document as an exhibit, copies shall be provided to each Board member and to all other parties; in addition, at least 20 copies shall be available for distribution to nonparties attending the hearing.

Requests by parties for Board staff to provide data pertinent to the hearing shall be made in writing and received in the Board office by 4 p.m. on January 31, 2008.

The filing address for the Board is Milk Marketing Board, Room 110, Agriculture Building, 2301 North Cameron Street, Harrisburg, PA 17110.

KEITH BIERLY,
Secretary

[Pa.B. Doc. No. 08-33. Filed for public inspection January 4, 2008, 9:00 a.m.]

PATIENT SAFETY AUTHORITY

Public Meeting

The Patient Safety Authority (Authority), established by section 303 of the Medical Care Availability and Reduction of Error (MCARE) Act (40 P. S. § 1303.303), enacted on March 20, 2002, will hold a meeting of the Authority's Board of Directors on Tuesday, January 8, 2008, at 10:30 a.m. in the Wildwood Conference Center, Harrisburg Area Community College, One HAAC Drive, Harrisburg, PA.

Individuals having questions regarding this meeting, which is open to the public, should contact the Authority at (717) 346-0469.

MICHAEL C. DOERING,
Executive Director

[Pa.B. Doc. No. 08-34. Filed for public inspection January 4, 2008, 9:00 a.m.]

PENNSYLVANIA PUBLIC UTILITY COMMISSION

Rate Stabilization Plan

TN 100. PPL Electric Utilities Corporation. Petition of PPL Electric Utilities Corporation for approval of a Rate Stabilization Plan.

Formal protests, petitions to intervene and answers must be filed in accordance with 52 Pa. Code (relating to public utilities). 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 petitioner and a copy provided to the Administrative Law Judge, on or before January 25, 2008. The documents filed in support of the petition are available for inspection and copying at the Office of the Secretary between 8 a.m. and 4:30 p.m., Monday through Friday, and at the petitioner's business address.

Applicant: PPL Electric Utilities Corporation

Through and By Counsel: David B. MacGregor, Michael W. Hassell, Post & Schell, PC, 17 North Second Street, 12th Floor, Harrisburg, PA 17101-1601

Notice

A prehearing conference on the previously-captioned case will be held as follows:

Type: Initial Prehearing Conference

Date: Wednesday, January 30, 2008

Time: 10 a.m.

Location: Hearing Room 4
Plaza Level
Commonwealth Keystone Building
400 North Street
Harrisburg, PA 17120

Presiding: Administrative Law Judge David A. Salapa
P. O. Box 3265
Harrisburg, PA 17105-3265

JAMES J. MCNULTY,
Secretary

[Pa.B. Doc. No. 08-35. Filed for public inspection January 4, 2008, 9:00 a.m.]

SUSQUEHANNA RIVER BASIN COMMISSION

Public Hearing and Meeting

The Susquehanna River Basin Commission (Commission), held a regular business meeting on December 5, 2007, in Lancaster, PA, the Commission: 1) recognized former Pennsylvania State Senator Noah Wenger and outgoing New York Alternate Member Scott Foti; 2) heard a report on hydrologic conditions in the basin; 3) adopted a final rule making action and a companion resolution regarding agricultural consumptive use; 4) approved a new aquifer testing guidance for project sponsors proposing groundwater withdrawals; 5) accepted the Fiscal Year 2007 audit report; and 6) approved a grant and three contracts. The Commission also conducted a public hearing to approve certain water resources projects, to accept three settlement agreements, to deny a request for an administrative hearing, to extend two emergency water withdrawal certificates, and to adopt a revised project fee schedule. See the Supplementary Information section that follows for more details on these actions.

For further information contact Richard A. Cairo, General Counsel, (717) 238-0423, Ext. 306, fax (717) 238-2436, rcairo@srbc.net or Deborah J. Dickey, Secretary to the Commission, (717) 238-0422, Ext. 301, fax (717) 238-2436; ddickey@srbc.net. Regular mail inquiries may be sent to the Susquehanna River Basin Commission, 1721 North Front Street, Harrisburg, PA 17102-2391.

Supplementary Information: The final rulemaking action amends the consumptive use provisions of 18 CFR Part 806 relating to agricultural water use and Part 808 relating to an erroneous authority citation, and a companion resolution determines that certain projects supported by the Commission's member states provide sufficient mitigation for agricultural consumptive use. Also, the Commission approved a grant for Chesapeake Bay nutri-

ent monitoring and contracts for the development of a Yield Analysis Tool, the production of New York State inundation maps, and the commencement of a comprehensive water resources study for the Morrison Cove area of the Juniata Subbasin.

The Commission also convened a public hearing and took the following actions:

Public Hearing—Projects Approved

1. Project Sponsor and Facility: Village of Waverly (Well 4), Tioga County, NY. Modification of groundwater approval (Doc. No. 20030207).

2. Project Sponsor and Facility: Sno Mountain, LLC, Scranton City, Lackawanna County, PA. Application to transfer approvals for surface water withdrawal of 7.300 mgd and consumptive water use of up to 1.600 mgd (Doc. No. 20030405).

3. Project Sponsor: Graymont (PA), Inc. Project Facility: Pleasant Gap Facility, Spring Township, Centre County, PA. Modification of consumptive water use approval (Doc. No. 20050306).

4. Project Sponsor: Glenn O. Hawbaker, Inc. Project Facility: Pleasant Gap Facility, Spring Township, Centre County, PA. Modification of consumptive water use approval (Doc. No. 20050307).

5. Project Sponsor: Parkwood Resources, Inc. Project Facility: Cherry Tree Mine, Burnside Township, Indiana and Clearfield Counties, PA. Application for consumptive water use of up to 0.225 mgd.

6. Project Sponsor and Facility: Mountainview Thoroughbred Racing Association, Inc., East Hanover Township, Dauphin County, PA. Modification of consumptive water use approval (Doc. No. 20020819).

7. Project Sponsor and Facility: King Drive Corp., Middle Paxton Township, Dauphin County, PA. Modification of consumptive water use approval (Doc. No. 20020615).

8. Project Sponsor and Facility: York Plant Holding, LLC, Springettsbury Township, York County, PA. Application for consumptive water use of up to 0.575 mgd.

Public Hearing—Enforcement Actions Approved:

Settlement agreements were accepted for the following projects:

1. Project Sponsor and Facility: Cooperstown Dreams Park, Inc. (Doc. No. 20060602), Town of Hartwick, Otsego County, NY.

2. Project Sponsor: Sand Springs Development Corp. (Doc. No. 20030406). Project Facility: Sand Springs Golf Community, Butler Township, Luzerne County, PA.

3. Project Sponsor and Facility: BC Natural Chicken, LLC (Doc. No. 20040305), Bethel Township, Lebanon County, PA.

Public Hearing—Denial of Request for Administrative Hearing:

Under section 808.2 of the Commission's Regulation relating to administrative appeals, the Commission denied a request for an administrative hearing concerning the following project: Project Sponsor—PPL Susquehanna, LLC; Project Facility—Susquehanna Steam Electric Station, Salem Township, Luzerne County, PA (Doc. No. 19950301).

Public Hearing—Extension of Emergency Water Withdrawal Certificates:

Emergency water withdrawal certificates were extended for the following projects:

1. Project Sponsor and Facility: City of Lock Haven, Wayne Township, Clinton County, PA.

2. Project Sponsor and Facility: Houtzdale Municipal Authority (Doc. No. 19950101), Rush Township, Centre County, PA.

Public Hearing—Fee Schedule Revision

The Commission adopted a revised project fee schedule that includes categorical fee adjustments for inflation and the addition of a fee category for withdrawals of less than 100,000 gpd involving a consumptive use. The revised schedule takes effect on January 1, 2008 and remains in effect until December 31, 2008.

Authority: Pub. L. No. 91-575, 84 Stat. 1509 et seq., 18 CFR Parts 806—808. Dated: December 13, 2007.

Paul O. Swartz,
Executive Director

[Pa.B. Doc. No. 08-36. Filed for public inspection January 4, 2008, 9:00 a.m.]