

# NOTICES

## DEPARTMENT OF AGRICULTURE

### Fertilizer Nutrient Values

The Secretary of Agriculture, under the authority of 3 Pa.C.S. § 6710 (relating to commercial value) establishes the commercial values per pound of nitrogen, available phosphate and soluble potash.

The values are established as follows:

Nitrogen	\$0.44 per pound
Available phosphate	\$0.44 per pound
Soluble potash	\$0.26 per pound

Further information is available by contacting Erin K. Bubb, Agronomic Program Specialist, Division of Agronomic and Regional Services, Bureau of Plant Industry, Department of Agriculture, 2301 North Cameron Street, Harrisburg, PA 17110-9408, (717) 787-4843.

These commercial values are effective commencing July 1, 2008, and shall remain effective until further notice.

DENNIS C WOLFF,  
*Secretary*

[Pa.B. Doc. No. 08-1199. Filed for public inspection June 27, 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 June 17, 2008.

### BANKING INSTITUTIONS

#### Holding Company Acquisitions

<i>Date</i>	<i>Name of Corporation</i>	<i>Location</i>	<i>Action</i>
6-13-2008	F.N.B. Corporation, Hermitage, to acquire 100% of Iron and Glass Bancorp, Inc., Pittsburgh, and thereby indirectly acquire Iron and Glass Bank, Pittsburgh, which will be merged with and into First National Bank of Pennsylvania, Greenville, a wholly-owned subsidiary of F.N.B. Corporation	Hermitage	Filed

#### Consolidations, Mergers and Absorptions

<i>Date</i>	<i>Name of Bank</i>	<i>Location</i>	<i>Action</i>
6-11-2008	Sharon Savings Bank, Darby, and Morton Savings Bank, Morton Surviving Institution: Sharon Savings Bank, Darby	Darby	Filed

#### Branch Applications

<i>Date</i>	<i>Name of Bank</i>	<i>Location</i>	<i>Action</i>
6-5-2008	Susquehanna Bank PA Lititz Lancaster County	700 Norland Avenue Chambersburg Franklin County	Authorization Surrendered
6-5-2008	Susquehanna Bank PA Lititz Lancaster County	Grayson View 150 Kempton Avenue Harrisburg Dauphin County	Authorization Surrendered
6-11-2008	PeoplesBank, A Codorus Valley Company York York County	124 North Main Street Bel Air Harford County, MD	Filed

**Branch Discontinuances**

<i>Date</i>	<i>Name of Bank</i>	<i>Location</i>	<i>Action</i>
6-13-2008	Earthstar Bank Southampton Bucks County	48 West Skippack Pike Ambler Montgomery County	Filed

**SAVINGS INSTITUTIONS**

No activity.

**CREDIT UNIONS****Branch Applications**

<i>Date</i>	<i>Name of Credit Union</i>	<i>Location</i>	<i>Action</i>
6-16-2008	Belco Community Credit Union Harrisburg Dauphin County	452 South Duke Street Lancaster Lancaster County	Approved

**Articles of Amendment**

<i>Date</i>	<i>Name of Credit Union</i>	<i>Purpose</i>	<i>Action</i>
6-9-2008	NBA Credit Union Bristol Bucks County	Amendment to Article IV, Section 3, of the Articles of Incorporation decreases the Board of Directors from 11 to 9 members and eliminates the Supervisory Committee.	Filed
6-17-2008	Crayola, LLC Employees Credit Union Easton Northampton County	Amendment to Article 8 of the Articles of Incorporation provides for the inclusion of "minor grandchildren at a different address" in the credit union's field of membership.	Filed

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

STEVEN KAPLAN,  
*Secretary*

[Pa.B. Doc. No. 08-1200. Filed for public inspection June 27, 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) meeting scheduled for Thursday, July 17, 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 Vanyla Tierney at (717) 783-2654.

Persons in need of accommodations as provided for in the Americans With Disabilities Act of 1990 should contact Vanyla Tierney at (717) 783-2654 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. 08-1201. Filed for public inspection June 27, 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
Section V	NPDES	MS4 permit waiver
Section VI	NPDES	Individual permit stormwater construction
Section VII	NPDES	NOI for coverage under NPDES general permits

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

For applications for new NPDES permits and renewal applications with major changes in Section II, as well as applications for MS4 individual permits and individual stormwater construction permits in Sections IV and VI, the Department, based upon preliminary reviews, has made a tentative determination of proposed effluent limitations and other terms and conditions for the permit applications. These determinations are published as proposed actions for comments prior to taking final actions.

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

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

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

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

#### I. NPDES Renewal Applications

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

<i>NPDES No. (Type)</i>	<i>Facility Name &amp; Address</i>	<i>County &amp; Municipality</i>	<i>Stream Name (Watershed #)</i>	<i>EPA Waived Y/N ?</i>
PA-0051896	Dixie Consumer Products, LLC 605 Kueber Road Easton, PA 18040	Forks Township Northampton County	Dry Swale to Bushkill Creek Watershed 1F HQ-CWF	Y

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

<i>NPDES No. (Type)</i>	<i>Facility Name &amp; Address</i>	<i>County &amp; Municipality</i>	<i>Stream Name (Watershed #)</i>	<i>EPA Waived Y/N ?</i>
PA0029602 (Sew)	Juniata Valley School District 7775 Juniata Valley Pike Alexandria, PA 16611-0318	Huntingdon County Porter Township	Frankstown Branch Juniata River 11-A	Y
PA0031992 (Sew)	Department of Conservation and Natural Resources Greenwood Furnace State Park 15795 Greenwood Road Huntingdon, PA 16652-5831	Huntingdon County Jackson Township	East Branch Standing Stone Creek 11-B	Y

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

<i>NPDES No. (Type)</i>	<i>Facility Name &amp; Address</i>	<i>County &amp; Municipality</i>	<i>Stream Name (Watershed #)</i>	<i>EPA Waived Y/N ?</i>
PA0209589 SP	Girard Township P. O. Box 36 LeContes Mills, PA 16850-0036	Clearfield County Girard Township	Bald Hill Run 8C	Y
PA0111538 (Sewage)	Pine Valley Associates, LP Pine Valley Mobile Home Park 215 West Church Road Suite 105 King of Prussia, PA 19406	West Buffalo Township Union County	North Branch Buffalo Creek HQ-CWF	Y
PA0114766 (Sewage)	Behavioral Specialists, Inc. 184 East Village Drive Williamsport, PA 17702	Susquehanna Township Lycoming County	Bender Run CWF	Y

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

<i>NPDES No. (Type)</i>	<i>Facility Name &amp; Address</i>	<i>County &amp; Municipality</i>	<i>Stream Name (Watershed #)</i>	<i>EPA Waived Y/N ?</i>
PA0103896	County Landfill, Inc. 5600 Niagara Falls Boulevard Niagara Falls, NY 14304-1532	Farmington Township Clarion County	UNT to Walley Run 16-F	N

## **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.*

**PA0011533A1**, Industrial Waste, SIC 2911, **Sunoco, Inc. (R & M)**, 3144 Passyunk Avenue, Philadelphia, PA 19145.

The application is for amendment of an NPDES permit to replace Chem Treat chemical additives with Baker Petrolite chemical additives. These chemical additives are used in cooling tower, boiler and wastewater treatment processes. The amendment also includes monitoring and Pollution Minimization Plan, of Polychlorinated Biphenyls (PCBs), based on Delaware Estuary Total Maximum Daily Load for PCB.

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

**PA0001473**, Sewage, **Mon River Sewage Corporation**, 1428 Delberts Drive, Monongahela, PA 15063. This application is for renewal of an NPDES permit to discharge treated sewage from Mon River Sewage Corporation STP in Forward Township, **Allegheny County**.

The following effluent limitations are proposed for discharge to the receiving waters, known as Monongahela River, 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 PA American Water Company.

*Outfall 001:* existing discharge, design flow of 0.014 mgd.

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

**PA0033405**, Sewage, **Thomas P. Berch**, 1434 Greensberg Pike, West Newton, PA 15089. This application is for renewal of an NPDES permit to discharge treated sewage from Sewickley Pines Manor STP in Sewickley Township, **Westmoreland County**.

The following effluent limitations are proposed for discharge to the receiving waters, known as UNT of Sewickley 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 McKeesport Municipal Water Authority.

*Outfall 001:* existing discharge, design flow of 0.015 mgd.

<i>Parameter</i>	<i>Concentration (mg/l)</i>			
	<i>Average Monthly</i>	<i>Average Weekly</i>	<i>Maximum Daily</i>	<i>Instantaneous Maximum</i>
CBOD <sub>5</sub>	25			50
Suspended Solids	30			60
Ammonia Nitrogen				
(5-1 to 10-31)	2.2			4.4
(11-1 to 4-30)	5.0			10.0
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	0.1			0.22
Dissolved Oxygen	not less than 5.0 mg/l			
pH	not less than 6.0 nor greater than 9.0			

The EPA waiver is in effect.

**PA0042587**, Sewage, **MLM Enterprises**, 12 North Jefferson Avenue, Canonsburg, PA 15317. This application is for renewal of an NPDES permit to discharge treated sewage from MLM Enterprises STP in North Strabane Township, **Washington County**.

The following effluent limitations are proposed for discharge to the receiving waters, known as UNT of Little Chartiers Creek, which are classified as a HQ-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 West View Borough Municipal Authority.

*Outfall 001:* existing discharge, design flow of 0.025 mgd.

<i>Parameter</i>	<i>Concentration (mg/l)</i>			
	<i>Average Monthly</i>	<i>Average Weekly</i>	<i>Maximum Daily</i>	<i>Instantaneous Maximum</i>
CBOD <sub>5</sub>	10			20
Suspended Solids	10			20
Ammonia Nitrogen				
(5-1 to 10-31)	3.0			6.0
(11-1 to 4-30)	9.0			18.0
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	1.4			3.3
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.

**PA0253715**, Sewage, **PBS Coal, Inc.**, 182 Coal Road, Berlin, PA 15530. This application is for issuance of an NPDES permit to discharge treated sewage from Cambria Fuel Preparation Plant in Stonycreek Township, **Somerset County**.

The following effluent limitations are proposed for discharge to the receiving waters, known as Schrock 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 Hooversville Municipal Authority.

Outfall 001: new discharge, design flow of 0.003 mgd.

Parameter	Concentration (mg/l)			
	Average Monthly	Average Weekly	Maximum Daily	Instantaneous Maximum
CBOD <sub>5</sub>	25			50
Suspended Solids	30			60
Fecal Coliform	200/100 ml as a Geometric Mean			
(5-1 to 9-30)	2,000/100 ml as a Geometric Mean			
(10-1 to 4-30)				
Total Residual Chlorine	1.4			3.3
Dissolved Oxygen	not less than 3.0 mg/l			
pH	not less than 6.0 nor greater than 9.0			

The EPA waiver is in effect.

**PA0046426**, Sewage, **Franklin Township Sewer Authority**, 570 Rolling Meadows Road, Waynesburg, PA 15370. This application is for renewal of an NPDES permit to discharge treated sewage from Franklin Township Wastewater Treatment Plant in Franklin Township, **Greene County**.

The following effluent limitations are proposed for discharge to the receiving waters, known as South Fork Tenmile 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 Tri-County Joint Municipal Authority.

Outfall 001: existing discharge, design flow of 1.25 mgd.

Parameter	Concentration (mg/l)			
	Average Monthly	Average Weekly	Maximum Daily	Instantaneous Maximum
CBOD <sub>5</sub>	25	37.5		50
Suspended Solids	30	45		60
Ammonia Nitrogen	200/100 ml as a Geometric Mean			
(5-1 to 10-31)	2.5	3.8		5.0
(11-1 to 4-30)	4.0	6.0		8.0
Fecal Coliform	200/100 ml as a Geometric Mean			
(5-1 to 9-30)	2,000/100 ml as a Geometric Mean			
(10-1 to 4-30)				
Total Residual Chlorine	0.3			1.1
Dissolved Oxygen	not less than 5 mg/l			
pH	not less than 6.0 nor greater than 9.0			

The EPA waiver is not in effect.

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

**PA0240141**, Sewage, **Stephen Sherk**, 20 Yohe Road, Bradford, PA 16701. This proposed facility is located in Corydon Township, **McKean County**.

Description of Proposed Activity: a new permit discharge of treated sewage.

The receiving water is the UNT to Willow Creek. The receiving stream is in State Water Plan 16-B and is classified for the following uses: HQ-CWF, aquatic life, water supply and recreation. The nearest downstream potable water supply, Pennsylvania-New York State border, is located on the Allegheny River and is approximately 4.5 miles below the point of discharge.

The proposed effluent limits for Outfall 001 are based on a design flow of 0.0004 mgd.

Parameter	Concentrations		
	Average Monthly (mg/l)	Average Weekly (mg/l)	Instantaneous Maximum (mg/l)
Flow	XX		
CBOD <sub>5</sub>	10		20
Total Suspended Solids	20		40
Fecal Coliform	200/100 ml as a Geometric Average		
pH	6.0 to 9.0 Standard Units at all times		

XX—Monitor and report.

The EPA waiver is in effect

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


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

**WQM Permit No. 3908402**, Sewerage, **Paul and Maria Geiger**, 8393 Hawkview Road, Germansville, PA 18053. This proposed facility is located in Heidelberg Township, **Lehigh County**.

Description of Proposed Action/Activity: This project is for a single-family small flow sewage treatment plant.

**WQM Permit No. 4508402**, Sewerage, **Steven Parisi**, P. O. Box 655, Brodheads ville, PA 18322. This proposed facility is located in Polk Township, **Monroe County**.

Description of Proposed Action/Activity: This project is for the construction of a wastewater treatment plant with design flows of 25,000 gpd and sewage collection system to service The Woods residential subdivision. Treated effluent will be disinfected, discharged to holding pond and land applied by means of spray irrigation.

**WQM Permit No. 4008403**, Sewerage, **State Correctional Institute at Dallas**, Follies Road, Drawer K, Dallas, PA 18612-0286. This proposed facility is located in Jackson Township, **Luzerne County**.

Description of Proposed Action/Activity: This project is for the upgrading and replacement of the existing 450,000 gpd wastewater treatment facility with a sequencing batch wastewater treatment facility including new headworks with fine screening and new disinfection facilities utilizing ultraviolet disinfection.

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

**WQM Permit No. 562S29, Amendment 08-1**, Sewerage, **Juniata County School District**, P. O. Box 60, Cocolamus, PA 17014-0060. This proposed facility is located in Fayette Township, **Juniata County**.

Description of Proposed Action/Activity: Seeking approval for the construction/operation of disinfection modifications at East Juniata High School.

**WQM Permit No. 3677401, Amendment 08-1**, Sewerage, **Lititz Sewer Authority**, 7 South Broad Street, Lititz, PA 17543. This proposed facility is located in Warwick Township, **Lancaster County**.

Description of Proposed Action/Activity: Seeking approval for the construction/operation of a wastewater treatment plant upgrade to a five stage BNR treatment process.

**WQM Permit No. 0108201**, CAFO, **Hillandale Gettysburg, LP**, 370 Spicer Road, Gettysburg, PA 17325. This proposed facility is located in Tyrone Township, **Adams County**.

Description of Proposed Action/Activity: Seeking approval for the construction/operation of an egg processing facility, layer houses, egg washwater storage pond, manure storage buildings and maintenance building at Hillandale Site No. 5.

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

**WQM Permit No. WQG016163**, Sewerage, **Vincent Wolf**, 2730 Beaver Grade Road, Moon Township, PA 15108. This proposed facility is located in Moon Township, **Allegheny County**.

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

**WQM Permit No. 0208406**, Sewerage, **Marshall Township Municipal Sanitary Authority**, P. O. Box 2063, Warrendale, PA 15086. This proposed facility is located in Marshall Township, **Allegheny County**.

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

**WQM Permit No. 6308403**, Sewerage, **Independence Cross Creek Joint Sewer Authority**, P. O. Box 156, 16 Campbell Street, Avella, PA 15312. This proposed facility is located in Independence and Cross Creek Townships, **Washington County**.

Description of Proposed Action/Activity: Application for the construction and operation of a sewage treatment plant, pump station, sewage collection and conveyance lines.

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

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

**WQM Permit No. 4208401**, Sewerage, **Stephen Sherk**, 20 Yohe Road, Bradford, PA 16701. This proposed facility is located in Corydon Township, **McKean County**.

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

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


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


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


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NOTICES

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

*Lackawanna County Conservation District: 1300 Old Plank Road, Mayfield, PA 18433, (570) 281-9495.*

<i>NPDES Permit No.</i>	<i>Applicant Name &amp; Address</i>	<i>County</i>	<i>Municipality</i>	<i>Receiving Water/Use</i>
PAI023508003	Robert Latzanich 611 Belmont Avenue Mt. Pocono, PA 18344	Lackawanna	Covington Township	Meadow Brook HQ-CWF Tamarack Creek HQ-CWF Lehigh River HQ-CWF

*Pike County Conservation District: HC 6, Box 6770, Hawley, PA 18428, (570) 226-8220.*

<i>NPDES Permit No.</i>	<i>Applicant Name &amp; Address</i>	<i>County</i>	<i>Municipality</i>	<i>Receiving Water/Use</i>
PAI025208009	Buist Road, LP 3801 52nd Street, N.W. Washington, D.C. 20016	Pike	Dingman Township	Saw Kill Creek EV Sloat Brook EV

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

<i>NPDES Permit No.</i>	<i>Applicant Name &amp; Address</i>	<i>County</i>	<i>Municipality</i>	<i>Receiving Water/Use</i>
PAI023908007	Jennifer Zellner Miller Road Farms, LLC 8730 Claussville Road Fogelsville, PA 18051	Lehigh	Lynn Township	School Creek EV
PAI023908010	Aurel Arndt Lehigh County Authority 1653 Spruce Street P. O. Box 3348 Allentown, PA 18106	Lehigh	Upper Macungie and Lower Macungie Townships	Iron Run Creek HQ-CWF

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

<i>NPDES Permit No.</i>	<i>Applicant Name &amp; Address</i>	<i>County</i>	<i>Municipality</i>	<i>Receiving Water/Use</i>
PAI033608005	R. Thomas Bowman Northview Stallion Station, Inc. 55 Northern Dancer Drive Box 89 Chesapeake City, MD 21915	Lancaster	Fulton Township	UNT to Conowingo Creek HQ-CWF
PAI032103001-R	The Diehl Partnership Donald E. Diehl 4 East High Street Carlisle, PA 17013	Cumberland	South Middleton Township	Yellow Breeches Creek HQ-CWF
PAI036708003	Gerald Mitchell TwoTon, Inc. 1743 Roherstown Road Lancaster, PA 17601	York	Hopewell Township	Deer Creek CWF-EV

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

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

<i>NPDES Permit No.</i>	<i>Applicant Name &amp; Address</i>	<i>County</i>	<i>Municipality</i>	<i>Receiving Water/Use</i>
PAI041708001	Karthaus-Burnside Joint Sewerage Authority Shane Barnyak, Chairman P. O. Box 97 Karthaus, PA 16845	Clearfield	Karthaus Township	Mosquito Creek HQ-CWF West Branch Susquehanna River WWF



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


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

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**CAFO Notices of Intent Received**


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

**Application No. PA0240168, CAFO, Bortnick Dairy, LLC, 21820 Palmer Road, Conneautville, PA 16406.**

Bortnick Dairy, LLC has submitted an application for an Individual NPDES permit for an existing CAFO known as Bortnick Dairy, LLC, located at 21820 Palmer Road, Conneautville, PA in Beaver Township, **Crawford County**.

The CAFO is situated near Crazy Run, Stone Run, West Branch of Conneaut Creek, Conneaut Creek, East Branch of Conneaut Creek, Middle Branch of East Branch of Conneaut Creek, East Branch of Ashtabula and West Branch of Ashtabula Rivers (entirely in Ohio) in Watershed 15. The CAFO will be designed to maintain an animal population of approximately 3,440 animal equivalent units consisting of 1,350 Holsteins, 200 dry cows, 1,500 heifers and 200 calves. The animals will be housed in free stall barns. Manure is stored in an earthen pond. The total capacity of the manure storage facilities is 3.8 million gallons. A release or discharge to waters of the Commonwealth under normal operating conditions is not expected. Normal operating conditions are defined as conditions below a 25-year, 24-hour storm event.

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

Persons wishing to comment on the proposed permit are invited to submit written comments to the previously listed address within 30 days from the date of this public notice. Comments received within this 30-day period will be considered in formulating the Department's final determination regarding the application. All comments should include the name, address and telephone number of the writer and a concise statement to inform the Department of the basis of the comment and the relevant facts upon which it is based.

Following the 30-day comment period, the Water Management Program Manager will make a final determination regarding the proposed permit. Notice of this determination will be published in the *Pennsylvania Bulletin* at which time the determination may be appealed to the Environmental Hearing Board.

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

**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**

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


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

**Application No. 4008504, Public Water Supply.**

Applicant	<b>Aqua Pennsylvania Inc. (Shickshinny Lake Water System)</b> Union Township <b>Luzerne County</b>
Responsible Official	Patrick Burke Aqua Pennsylvania, Inc. 50 East Woodhaven Drive White Haven, PA
Type of Facility	Public Water System
Consulting Engineer	CET Engineering Services 1240 North Mountain Road Harrisburg, PA
Application Received Date	May 30, 2008
Description of Action	The construction of a diffused aeration (bubble type) air stripper to remove hydrogen sulfide from the Cherokee well water.

**Application No. 5408505**, Public Water Supply.

Applicant **Jackson and Ethel Perry**  
Wayne Township  
**Schuylkill County**

Responsible Official Jackson Perry  
1703 Panther Valley Road  
Pine Grove, PA 17963

Type of Facility Bulk Water Hauling Facility

Consulting Engineer Edward E. Davis, P. E.  
Forino Company, LP  
555 Mountain Home Road  
Sinking Spring, PA 19608

Application Received Date June 6, 2008

Description of Action Applicant proposes installation of a second 20,000 gallon storage silo, 5 micron filter and ozonator to an existing finished water bulk hauling facility.

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

**Permit No. 3608506**, Public Water Supply.

Applicant **Penn Manor School District**

Municipality Martic Township

County **Lancaster County**

Responsible Official Denny R. Coleman, Director of Buildings and Grounds  
2950 Charlestown Road  
P. O. Box 1001  
Millersville, PA 17554

Type of Facility Public Water Supply

Consulting Engineer William E. Fleischer, P. E.  
Moore Engineering Company  
3637 Columbia Avenue  
Lancaster, PA 17603

Application Received: June 6, 2008

Description of Action Installation of a softener and nitrate removal system.

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

**Application No. 3708502**, Public Water Supply.

Applicant **Pennsylvania American Water Company New Castle**

Township or Borough Mahoning Township  
**Lawrence County**

Responsible Official William Lage, Project Manager

Consulting Engineer Jerry Hankey, P. E.  
Design Engineer  
PA American Water Company  
1909 Oakland Avenue  
Indiana, PA 15701

Application Received Date June 13, 2008

Description of Action Installation of booster pump at the proposed Valley View Downs Racetrack and Casino facility to provide domestic water and fire protection service.

**MINOR AMENDMENT**

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

**Application No. 8771-W-T1-MA3, Minor Amendment.**

Applicant **Pennsylvania American Water**

Township or Borough Clarion Township  
**Clarion County**

Responsible Official William H. Lage, Project Manager  
2736 Ellwood Road  
New Castle, PA 16101

Type of Facility Public Water System, distribution storage tank

Application Received Date June 11, 2008

Description of Action Install vortex style mixer to assist with turnover of product.

**RESIDUAL WASTE GENERAL PERMITS**

**Applications Received under the Solid Waste Management Act (35 P. S. §§ 6018.101—6018.1003); the Municipal Waste Planning, Recycling and Waste Reduction Act (53 P. S. §§ 4000.101—4000.1904); and Residual Waste Regulations for a General Permit to Operate Residual Waste Processing Facilities and the Beneficial Use of Residual Waste other than Coal Ash.**

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

**General Permit Number WMGR029.** General Permit Number WMGR029 authorizes the operation of a transfer facility prior to beneficial use of waste oil, spent anti-freeze and waste oil/water mixtures. The following renewal applications have been received:

**WMGR029 Safety-Kleen Corporation.** The renewal application was determined to be administratively complete by Central Office on June 10, 2008. The following Safety-Kleen facilities were included in the renewal application:

WMGR029C	1606 Pittsburgh Avenue, Erie, PA 16505
WMGR029D	77 Towpath Road, Fairless Hills, PA 19030
WMGR029E	10 Eleanor Drive, New Kingstown, PA 17072
WMGR029F	1140 Greenhill Road, West Chester, PA 19380
WMGR029G	650 Noble Drive, West Mifflin, PA 15122
WMGR029H	600 Stewart Road, Wilkes-Barre, PA 18706
WMGR029I	150 Allenbill Drive, Johnstown, PA 15904

**WMGR029D001 Hydrocarbon Recovery Services.** The renewal application was determined to be administratively complete by Central Office on June 17, 2008. The following Hydrocarbon Recovery Services facilities were included in the renewal application:

WMGR029D001C 201 Lindsay Road, Zelenople, PA  
06063

WMGR029D001D 5140 Paxton Street, Harrisburg, PA  
17111

**WMGR029D002 Ernie's Waste Oil, LLC.** The renewal application was determined to be administratively complete by Central Office on June 12, 2008. The facility is located at 155-C Swiontek Road, R. D. 3, Aliquippa, PA 15001.

Comments concerning the application should be directed to Ronald C. Hassinger, Chief, General Permits/Beneficial Use Section, Division of Municipal and Residual Waste, Bureau of Waste Management, P. O. Box 8472, Harrisburg, PA 17105-8472, (717) 787-7381. TDD users may contact the Department of Environmental Protection through the Pennsylvania Relay Service, (800) 654-5984. Public comments must be submitted within 60 days of this notice and may recommend revisions to, and approval or denial of the application.

## 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 operat-

ing 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.**

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

**10-171C: Butler Color Press** (119 Bonnie Drive, Butler, PA 16003) for construction of a new web offset lithography press line with a integrated dryer and afterburner in Summit Township, **Butler County**. This is a State-only facility.

**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.*

**09-0173: P & R Industries, Inc.** (3826 Old Easton Road, Doylestown, PA 18901) for modification of an existing paint spray booth to exhaust to an existing afterburner at their Arbonite facility in Buckingham Township, **Bucks County**. The facility is a non-Title V facility.

The modification is being performed to reduce the overall weight of VOCs emitted into the outdoor atmosphere from the usage of a noncompliant coating to below the applicable standard specified in 25 Pa. Code § 129.52, Table I. The VOC emissions from usage of the noncompliant coating figure to be approximately 300 lbs/yr. The plan approval will include monitoring, recordkeeping, reporting and work practice requirements designed to keep the facility operating within all applicable air quality requirements.

**09-0204: Biofuel Advanced Research and Development, LLC** (Sinter Road, Fairless Hills, PA 19030) for installation and operation of a biodiesel processing plant in Falls Township, **Bucks County**. BARD is in the business of producing biodiesel as an alternative fuel. A chemical process is employed to extract oil from soybeans and process the soybean oil for production as biodiesel. The pollutants of concern from the proposed operation include PM, hexane and methanol emissions. These emissions will have the potential to exceed Title V thresholds, however, the facility will utilize air pollution control devices to maintain emissions below major levels. The Plan Approval will contain recordkeeping and operating restrictions designed to keep the facility operating within the allowable emissions and all applicable air quality requirements.

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

**48-309-130: Hercules Cement Co.** (501 Hercules Drive, P. O. Box 69, Stockertown, PA 18083) for installation of a selective noncatalytic reduction (SNCR) system for the No. 1 cement kiln at their Stockertown Plant in Stockertown Borough, **Northampton County**. The facility currently has a Title V Operating Permit No. 48-00005. 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.

Plan Approval No. 48-309-130 is for the installation of a SNCR system for the No. 1 cement kiln. The plan approval also includes the SNCR system previously installed on the No. 3 cement kiln that was approved through a Request for Determination several years ago. The SNCR system for each kiln will be used to trim NO<sub>x</sub> emissions from the kiln. Since both kilns exhaust their emissions from a common fabric collector through a single stack, total NO<sub>x</sub> emissions are limited to 492 lbs/hr (30-day rolling average) and an annual limit of 2,155 tpy. Both emission limits remain unchanged from the current Title V operating permit.

The Plan Approval will include emission restrictions and testing, monitoring, recordkeeping and reporting requirements 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, for NO<sub>x</sub>.

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

**10-021R: INDSPEC Chemical Corp.** (133 Main Street, Petrolia, PA 16050-0307) for installation of a venturi scrubber with a cyclonic mist eliminator to further control Sources 163 and 191 in Petrolia Borough, **Butler County**. This is a Title V facility. The public notice is required for sources required to obtain a Plan Approval at Title V facilities in accordance with 25 Pa. Code § 127.44. 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 source shall comply with the following conditions, which will satisfy the requirements of 25 Pa. Code § 127.12b (pertaining to plan approval terms and conditions) and will demonstrate BAT for the source:

- Emissions shall with 25 Pa. Code §§ 123.1, 123.31 and 123.41 for fugitive, odor and visible emissions respectively.
- The PM emissions from the outlet of the scrubber (C163) shall not exceed the following:
  - 0.02 gr/dscf
  - 1.26 #/hr based on a maximum flow rate of 7,350 dscfm
  - 5.52 tpy based on a consecutive 12-month period
- The VOC emissions from the outlet of the scrubber (C163) shall not exceed 0.31 tpy based on a consecutive 12-month period.
- The uncontrolled organic HAP emissions from nonreactor batch process vents shall not exceed 0.25 tpy based on a consecutive 12-month period. The facility shall

demonstrate that organic HAP emissions for the collection of nonreactor batch process vents within the affected source are less than 0.25 tpy.

- Subject to 40 CFR 63 Subpart OOO
- The resin production shall not exceed 19,124,000 pounds per year (on a 12-month rolling basis) as indicated in the application.
- The permittee shall perform checks of each scrubber associated with this source as follows:
  - Scrubber gas flow rate (measured as fan amperage or Hz)—daily
  - Scrubber liquid pressure or scrubber liquid flow rate—daily
  - Scrubber pressure drop—daily
  - Scrubber outlet gas temperature—daily
- The permittee shall maintain a record of all preventive maintenance of the control devices. The records of the preventative maintenance shall include, at a minimum, the dates of the inspections, the name of the person performing the inspection, any problems or defects identified, any actions taken to correct the problems or defects, and any routine maintenance performed.
- The permittee shall record the following operational data from the control devices (these records may be done with strip charts recorders, data acquisition systems, or manual log entries):
  - Scrubber gas flow rate (measured as fan amperage or Hz)—daily
  - Scrubber liquid pressure or scrubber liquid flow rate—daily
  - Scrubber pressure drop—daily
  - Scrubber outlet gas temperature—daily
- The facility shall keep a record of the following and maintain for a minimum of 5 years:
  - Resin production—monthly
  - VOC emissions—monthly
  - PM emissions—monthly
  - The facility shall keep a record of the PM emissions based on a 12-month rolling total. The rolling total emissions shall be calculated by multiplying the emission rate in pounds per hour from the most recent emission test times the hours of operation.
- The permittee shall perform a daily operational inspection of the control devices.
- All gauges employed by the permittee to monitor the required scrubber operating parameters shall have a scale such that the expected normal reading shall be no less than 20% of full scale and be accurate within +/- 2% of full scale reading.
- Control device operating parameters, including gas flow rate (measures as fan amperage or Hz), liquid pressure or flow rate, pressure drop, and outlet gas temperature, shall be operated in a range defined by the manufacturer or in a range developed during compliant stack testing. The operating ranges shall be determined within 90 days after startup of the control device and shall be indicated to the Department of Environmental Protection in writing prior to administratively amending into the facility operating permit. The operating ranges shall be made part of the facility operating permit.

- The permittee shall operate the control devices associated with this source at all times that the source is in operation.

- The source and control devices associated with this source shall be operated in accordance with the manufacturer's specifications and in accordance with good air pollution control practices.

- Option 1 from plan approval 10-021M is no longer applicable.

**16-094B: IA Construction Corp.—Clarion Plant** (19000 Paint Boulevard, Shippenville, PA 16254) for modification of a plan approval to burn alternative fuels including No. 2 and Nos. 4—6, reprocessed/recycled fuel oil, bio-diesel fuel, natural gas, liquid propane or any blend of No. 2 and Nos. 4—6, reprocessed/recycled fuel oil and bio-diesel fuel at their Clarion plant in Paint Township, **Clarion County**.

In accordance with 25 Pa. Code §§ 127.44(b) and 127.424(b), the Department of Environmental Protection intends to issue a plan approval to for modification of a plan approval to burn alternative fuels including No. 2 and Nos. 4—6, reprocessed/recycled fuel oil, bio-diesel fuel, natural gas, liquid propane or any blend of No. 2 and Nos. 4—6, reprocessed/recycled fuel oil and bio-diesel fuel at the Clarion plant in Paint Township, Clarion County. This plan approval will, in accordance with 25 Pa. Code § 127.450, be incorporated into a State-only operating permit through an administrative amendment at a later date.

**61-204E: Franklin Bronze & Alloy Co., Inc.** (655 Grant Street, Franklin, PA 16323) for a minor modification to a plan approval to include a new source that is ducted to an existing dust collector and to include previously omitted drop out boxes, installed prior to the dust collectors, in the investment casting process in the City of Franklin, **Venango County**.

In accordance with 25 Pa. Code §§ 127.44(b) and 127.424(b), that the Department of Environmental Protection intends to issue a minor modification to a plan approval to include a new source that is ducted to an existing dust collector and to include previously omitted drop out boxes, installed prior to the dust collectors, in the investment casting process in the City of Franklin, Venango County. This plan approval will, in accordance with 25 Pa. Code § 127.450, be incorporated into the State-only operating permit through an administrative amendment at a later date.

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

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

**46-00200: John Middleton Co.** (418 West Church Road, King of Prussia, PA 19406) for an administrative amendment to the issued State-only Operating Permit (Synthetic Minor) 46-00200 in Upper Merion Township, **Montgomery County**. The facility operates two steam-heated tobacco dryers, a thermal oxidizer equipped with a 20 mmBtu/hr waste heat (recovery) boiler, a Top Dressing Storage and Mixing area, a Top Dressing Application and Flavor Retention area and a 200-horsepower Boiler.

The issued State-only Operating Permit has been amended to facilitate a change of ownership and a company name change (such as, John Middleton Company).

Comments will only be taken on the changes covered in this notice.

**09-00048: Haines & Kibblehouse, Inc.** (2052 Lucon Road, Skippack, PA 19474) for operation of a Batch Asphalt Plant in Hilltown Township, **Bucks County**. This action is a renewal of the original State-only Operating Permit (Synthetic Minor), which was issued on June 6, 2003, and was amended on June 27, 2007. Several typographical changes have been made to the permit. Otherwise, there have been no other changes made to the permit since it was last amended on June 27, 2007. The permit includes 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, William R. Weaver, New Source Review Chief, (717) 705-4702.*

**36-03116: Cargill Cocoa and Chocolate** (48 North Broad Street, Lititz, PA 17543) for an operating permit for their chocolate manufacturing facility in Mount Joy Borough, **Lancaster County**. There is a potential to emit approximately 55 tpy of PM, 24 tpy of SO<sub>x</sub>, 12 tpy of NO<sub>x</sub>, 14 tpy of VOCs and less than 7 tpy of CO. The operating permit shall contain standard recordkeeping and operating restrictions designed to keep the facility operating within all applicable air quality requirements. This is a renewal of the operating permit issued in 2003.

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

**14-00019: John B. Brown Funeral Home, Inc.** (2401 South Atherton Street, State College, PA 16801) for the renewal of a State-only operating permit for the operation of a human crematory facility at the Koch Funeral Home in College Township, **Centre County**.

The facility incorporates a human remains crematory incinerator. The air contaminant emissions from the facility are not expected to exceed 1.53 tons of NO<sub>x</sub>, .23 ton of CO, .09 ton of PM/PM<sub>10</sub>, .06 ton of VOCs and .02 ton of SO<sub>x</sub> per year.

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

The Department of Environmental Protection (Department) proposes to renew State-only Operating Permit 14-00019. The Department intends to incorporate into the renewal all conditions currently contained in State-only Operating Permit 14-00019 except for these changes:

1. A condition restricting the fuel used in the crematory incinerator to propane has been modified to also allow the use of natural gas.

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

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

**16-00122: Northwestern PA Crematory** (330 Wood Street, Clarion, PA 16214-1341) to issue a Natural Minor Operating Permit to operate a human cremator in Clarion Borough, **Clarion County**. The facility's primary emission source is a cremator.

**43-00343: Woodcraft Industries, Inc.** (62 Grant Road, Greenville, PA 16125) to issue a Natural Minor Operating Permit for operation of their facility's air contamination source consisting of: a 14.3 mmBtu/hr wood-fired boiler, a wood predryer, five wood kilns and wood working operation (sawing, grinding, planning, and the like) for the manufacturing of hardwood components in Pymatuning Township, **Mercer County**.

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

**N08-001: WuXi AppTec, Inc.** (4751 League Island Boulevard, Philadelphia, PA 19112) for operation of a biopharmaceutical facility in the City of Philadelphia, **Philadelphia County**. The facility's air emission sources include two 8.165 mmBtu/hr Cleaver-Brooks boilers, 11 McQuay air handling units, one 1,000 Kw emergency generator, and small bench-scale equipment, fume hoods and bio-safety cabinets.

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

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

**COAL AND NONCOAL MINING  
ACTIVITY APPLICATIONS**

Applications under the Surface Mining Conservation and Reclamation Act (52 P. S. §§ 1396.1—1396.19a); the Noncoal Surface Mining Conservation and Reclamation Act (52 P. S. §§ 3301—3326); The Clean Streams Law (35 P. S. §§ 691.1—691.1001); the Coal Refuse Disposal Control Act (52 P. S. §§ 30.51—30.66); and The Bituminous Mine Subsidence and Land Conservation Act (52 P. S. §§ 1406.1—1406.21). Mining activity permits issued in response to applications will also address the applicable permitting requirements of the following statutes: the Air Pollution Control Act (35 P. S. §§ 4001—4015); the Dam Safety and Encroachments Act (32 P. S. §§ 693.1—693.27); and the Solid Waste Management Act (35 P. S. §§ 6018.101—6018.1003).

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

Written comments, objections or requests for informal conferences on applications may be submitted by any person or any officer or head of any Federal, State or local government agency or authority to the Department at the district mining office indicated before an application within 30 days of this publication, or within 30 days after the last publication of the applicant's newspaper advertisement, as provided by 25 Pa. Code §§ 77.121—77.123 and 86.31—86.34.

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

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

*Coal Applications Received*

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

<i>Parameter</i>	<i>30-Day Average</i>	<i>Daily Maximum</i>	<i>Instantaneous Maximum</i>
Iron (total)	3.0 mg/l	6.0 mg/l	7.0 mg/l
Manganese (total)	2.0 mg/l	4.0 mg/l	5.0 mg/l
Suspended solids	35 mg/l	70 mg/l	90 mg/l
pH <sup>1</sup>		greater than 6.0; less than 9.0	
Alkalinity greater than acidity <sup>1</sup>			

<sup>1</sup> The parameter is applicable at all times.

A settleable solids instantaneous maximum limit of 0.5 ml/l applied to: (1) surface runoff (resulting from a precipitation event of less than or equal to a 10-year 24-hour event) from active mining areas; active areas disturbed by coal refuse disposal activities; and mined areas backfilled and revegetated; and (2) drainage (resulting from a precipitation event of less than or equal to a 1-year 24-hour event) from coal refuse disposal piles.

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

**32020107 and NPDES No. PA0249092. KMP Associates, Inc.**, 1094 Lantz Road, Avonmore, PA 15618, permit renewal for reclamation only of a bituminous surface and auger mine in Blacklick Township, **Indiana County**, affecting 59.1 acres. Receiving streams: Two unknown tributaries to Aultman Run, Aultman's Run classified for the following use: TSF. The first downstream potable water supply intake from the point of discharge is Saltsburg Borough Indiana County Municipal Waterworks Conemaugh River SWI. There are no potable water supply intakes within 10 miles downstream. Application received June 10, 2008.

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

**03050105 and NPDES Permit No. PA0250821. Amerikohl Mining, Inc.** (202 Sunset Drive, Butler, PA 16001). Revision application to add 16.5 acres to an existing bituminous surface mine, located in Madison Township, **Armstrong County**, affecting 305.4 acres. Receiving streams: UNTs to Mahoning Creek and Mahoning Creek, classified for the following use: CWF. There is no potable water supply intake within 10 miles downstream from the point of discharge. Revision application received June 6, 2008.

**03050103 and NPDES Permit No. PA0250961. Original Fuels, Inc.** (P. O. Box 343, Punxsutawney, PA 15767). Application received for transfer of permit currently issued to Mountain Coal Co., Inc., for continued operation and reclamation of a bituminous surface/auger mining site located in Madison Township, **Armstrong County**, affecting 140.8 acres. Receiving streams: UNT to Allegheny River and Allegheny River, classified for the following use: WWF. The first downstream potable water supply intake within 10 miles from the point of discharge is Allegheny Power. Transfer application received June 9, 2008.

**03900109 and NPDES Permit No. PA0200476. Short Brothers, Inc.** (15 Rayne Run Road, Marion Center, PA 15759). Renewal application for continued operation and reclamation of a bituminous surface mine, located in Kittanning Township, **Armstrong County**, affecting 92.5 acres. Receiving stream: Campbell Run Road, classified for the following use: WWF. There is no potable water supply intake within 10 miles downstream from the point of discharge. Renewal application received June 11, 2008.

**03860111 and NPDES Permit No. PA0589144. State Industries, Inc.** (P. O. Box 1022, Kittanning, PA 16201). Renewal application for continued operation and reclamation of a bituminous surface mine, located in East Franklin Township, **Armstrong County**, affecting 667.4 acres. Receiving stream: UNTs to Allegheny River, classified for the following use: WWF. There is no potable

water supply intake within 10 miles downstream from the point of discharge. Renewal application received June 11, 2008.

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

**17030101 and NPDES No. PA0243418. AMFIRE Mining Co., LLC** (One Energy Place, Latrobe, PA 15650). Permit renewal for the continued operation and restoration of a bituminous surface and auger mine in Penn Township, **Clearfield County**, affecting 220.8 acres. Receiving stream: Bell Run and UNTs classified for the following use: CWF. There are no potable water supply intakes within 10 miles downstream. Application received June 3, 2008.

**17020110 and NPDES No. PA0243311. RAMM Coal, Inc.** (1092 Spruce Hill Road, Rockton, PA 15856). Permit renewal for the continued operation and restoration of a bituminous surface and auger mine in Sandy-Brady Townships, **Clearfield County**, affecting 145.3 acres. Receiving streams: UNT to LaBorde Branch and LaBorde Branch, classified for the following use: CWF. There are no potable water supply intakes within 10 miles downstream. Application received August 29, 2007.

**17930117 and NPDES No. PA0219584. RES Coal, LLC** (224 Grange Hall Road, Armagh, PA 15920). Transfer of an existing bituminous surface mine from Sky Haven Coal, Inc. (5510 State Park Road, Penfield, PA 15849), located in Goshen Township, **Clearfield County**, affecting 329.8 acres. Receiving stream: Surveyor Run, classified for the following use: CWF. There are no potable water supply intakes within 10 miles downstream. Application received May 20, 2008.

**17050108 and NPDES No. PA0256277. King Coal Sales, Inc.** (P. O. Box 712, Philipsburg, PA 16866). Revision of an existing bituminous surface mine for Incidental Boundary Correction of 6.9 acres in Graham Township, **Clearfield County**, affecting 91.2 acres. Receiving stream: Moravian Run, classified for the following use: CWF. There are no potable water supply intakes within 10 miles downstream. Application received March 12, 2008.

**17060108 and NPDES No. PA0256404. RES Coal, LLC** (224 Grange Hall Road, Armagh, PA 15920). Transfer of an existing bituminous surface mine from Sky Haven Coal, Inc. (5510 State Park Road, Penfield, PA 15849), located in Morris Township, **Clearfield County**, affecting 67.8 acres. Receiving streams: Emigh Run and UNTs, classified for the following use: CWF. There are no potable water supply intakes within 10 miles downstream. Application received June 4, 2008.

**17990110 and NPDES No. PA0238333. AMFIRE Mining Co., LLC** (One Energy Place, Latrobe, PA 15650). Permit renewal for the continued operation and restoration of a bituminous surface mine in Chest Township, **Clearfield County**, affecting 350 acres. Receiving streams: Chest Creek to West Branch Susquehanna, classified for the following uses: CWF, WWF. There are no potable water supply intakes within 10 miles downstream. Application received May 5, 2008.

#### *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.

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

**43820309. Roger Hoffman** (22 McMillan Road, Mercer, PA 16137). Renewal of NPDES Permit No. PA0601101, Findley Township, **Mercer County**. Receiving streams: UNT to Cool Spring Creek, classified for the following use: TSF. The first downstream potable water supply intake from the point of discharge is Mercer Water and Gas Co. NPDES Renewal application received June 9, 2008.

### 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.*

**E23-472. Buccini Pollin Group, Inc.**, 101 East Hector Street, Conshohocken, PA 19428, Chester City, **Delaware County**, United States Army Corps of Engineers, Philadelphia District.

To perform the following activities in and along the 100-year floodplain of the Delaware River (WWF/MF):

1. To construct and maintain an approximately 18,500 seat professional soccer stadium.
2. To construct and maintain approximately 3,200 linear feet of a proposed trail.
3. To rehabilitate and maintain approximately 350 linear feet of the existing bulkhead.
4. To construct and maintain approximately 1,200 linear feet of proposed bulkhead.
5. To stabilize approximately 500 linear feet of the existing shoreline.
6. To place 0.5 acre of fill in the existing tidal channel associated with the relocation of the existing Combined Sanitary Sewer Overflow outfall structure.

This work permanently impacts 0.85 acre of open waters. The site is located approximately 800 feet south of the intersection of Byram Road and Front Street, adjacent to Commodore Barry Bridge (SR 0433) (Marcus Hook, PA USGS Quadrangle N: 15.25 inches; W: 0.75 inch).

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

**E22-536: James R. Gingrich, Farr's Pump Station, Lower Swatara Municipal Authority, James R. Gingrich**, 1499 Spring Garden Drive, Middletown, PA 17057, **Dauphin County**, United States Army Corps of Engineers, Baltimore District.

To install and maintain a vault structure for a grinder pump and to permit operator access to influent sewer flow and to expand an existing concrete wet well support platform located in the floodplain of the Swatara Creek (WWF). The project is located at 1301 Swatara Park Drive (Middletown, PA Quadrangle N: 15.9 inches; W: 13.7 inches, Latitude: 40° 12' 46"; Longitude: 76° 43' 20") in Swatara Township, Dauphin County. The purpose of the project is to upgrade the existing Farr's pump station.



**E21-405: Lower Allen Community Park, Lower Allen Township**, Daniel Flint, 1993 Hummel Avenue, Camp Hill, PA 17011, Lower Allen Township, **Cumberland County**, United States Army Corps of Engineers, Baltimore District.

To rehabilitate and maintain four soccer fields, construct and maintain a 24.0-inch diameter pipe, its outfall and its outlet channel, and construct and maintain a walking trail located along the 100-year floodplain of Yellow Breeches Creek in the Village of Lisburn (Lemoine, PA Quadrangle N: 8.45 inches; W: 5.4 inches, Latitude: 40° 10' 18"; Longitude: 76° 54' 49") in Lower Allen Township, Cumberland County.

**E67-856: P.H. Glatfelter Company**, Jackson Township, **York County**, United States Army Corps of Engineers, Baltimore District.

To install and maintain approximately 480.0 feet of chain-link fencing in the floodway of Codorus Creek (WWF). The project is located at 228 South Main Street (Seven Valleys, PA Quadrangle N: 28.45 inches; W: 20.13 inches, Latitude: 39° 52' 17" N; Longitude: 76° 52' 22" W) in Jackson Township, York County. The purpose of the project is for site security.

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

**E02-1585. Pennsylvania-American Water**, 300 Galley Road, McMurray, PA 15317. To construct Becks Run Raw Water Pump Station in the City of Pittsburgh and Baldwin Borough, **Allegheny County**, United States Army Corps of Engineers, Pittsburgh District (East Pittsburgh, PA Quadrangle N: 6.4 inches; W: 11.0 inches, Latitude: 40° 24' 37"; Longitude: 79° 57' 14"). The applicant proposes to construct Becks Run Raw Water Pump Station at the confluence of Becks Run with the Monongahela River (WWF), which consists of the following:

1. Construction of a raw water intake structure consisting of two 42-inch diameter raw water intake pipes in the bank of the Monongahela River.
2. Construction of two Dolphins in the river.
3. Construction of two 42-inch diameter intake pipes below the Becks Run Culvert.
4. Construction of a 36-inch discharge transmission main under the stream bed of Becks Run.

The project is located near the intersection of East Carson Street and Becks Run Road in the City of Pittsburgh and Baldwin Borough.

**E32-485. Department of Transportation, District 10-0**, P. O. Box 429, 2530 Oakland Avenue, Indiana, PA 15701-0429. To fill and maintain wetlands in Conemaugh Township, **Indiana County**, United States Army Corps of Engineers, Pittsburgh District (Avonmore, PA Quadrangle N: 5.0 inches; W: 2.8 inches, Latitude 40° 31' 40"; Longitude: 79° 23' 42"). The applicant proposes to fill and maintain 0.022 acre of PEM wetlands for the purpose of constructing a 2.5 acre advanced wetland compensation site located adjacent to SR 286.

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

**E20-570. Department of Conservation and Natural Resources**, Bureau of State Parks, Pymatuning State Park, 2660 Williamsfield Road, Jamestown, PA 16134-0425. Linesville Spillway ADA Access, in Pine and North Shenango Townships, **Crawford County**, United States Army Corps of Engineers, Pittsburgh District (Linesville, PA Quadrangle N: 41° 37' 49"; W: 80° 26' 29").

The applicant proposes to construct and maintain a riprap stone ADA fishing access on the North side of the Linesville Spillway in Pymatuning Lake having a length of 240 feet and a width of 8 feet. Pymatuning Lake is a body of water classified as WWF. The project proposes to directly impact 0.045 acre of Pymatuning Lake.

**E37-178, Plain Grove Township Supervisors**, 850 Old Ash Road, Volant, PA 16156. Burns Road Bridge Replacement, in Plain Grove Township, **Lawrence County**, United States Army Corps of Engineers, Pittsburgh District (Harlansburg, PA Quadrangle N: 41° 2' 42"; W: 80° 8' 13").

The applicant proposes to remove the existing structure and to construct and maintain an approximately 60-foot long, 34-foot wide by 10-foot high steel arch culvert in Jamison Run on Burns Road approximately 0.5 mile East of the intersection of Burns Road (T537) and Plain Grove Road (T600). Project includes 0.03 acre (de minimis) of permanent wetland impact. Jamison Run is a perennial stream classified as a CWF. The project proposes to directly impact 0.03 acre of wetland.

#### ENVIRONMENTAL ASSESSMENTS

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

**EA36-020: Daniel Hershberger**, 227 Center Road, Quarryville, PA, 17566, East Drumore Township, **Lancaster County**, United States Army Corps of Engineers, Baltimore District.

To construct and maintain a 6.0-inch SDR-35 pipe outfall structure and install a 12.0-foot wide, 6.0-inch base cattle walkway along a UNT to Conowingo Creek (HQ-CWF) for the purpose of discharging roof runoff around a heavy cattle use area and stabilizing an existing cattle crossing area at a point just west of the intersection of Stoney Hill and Center Roads (PA Quadrangle Wakefield N: 19.0 inches; W: 9.5 inches, Latitude: 39° 51' 10"; Longitude: 76° 11' 02") East Drumore Township, Lancaster County.

**EA36-019: Jay Horst**, 50 Valley View Drive, Ephrata, PA 17522 and Nevin Burkholder, 134 Valley View Drive, Ephrata, PA 17522, Ephrata and East Cocalico Townships, **Lancaster County**, United States Army Corps of Engineers, Baltimore District.

To construct and maintain stream restoration activities including creating a low flow flood bench, bank stabilization, and buffer areas impacting 2.6 acres of earth disturbance along 2,570.0-feet of Coover Run (WWF) at a point just south of the intersection of State Street and Valley View Drive (Ephrata, PA Quadrangle Latitude: N: 40° 11' 28.44"; Longitude: W: 76° 8' 32.87") in Ephrata and East Cocalico Townships, Lancaster County.

*Central Office: Bureau of Waterways Engineering, Rachel Carson State Office Building, Floor 3, 400 Market Street, Harrisburg, PA 17105.*

**EA45-005CO. The Hamlet Recreation Club**, P. O. Box 69, Canadensis, PA 18325. Price Township, **Monroe County**, United States Army Corps of Engineers, Philadelphia District.

To rehabilitate and maintain Dormoy Lake Dam across a tributary to Stony Run (EV, WT) for recreation. Repair of the nonjurisdictional dam will impact 70 lineal feet of watercourse. The project is located approximately 400 feet south of the intersection of Blue Ridge Drive and Yellow Birch Road (Skytop, Quadrangle Latitude: 41° 10' 06"; Longitude: 75° 11' 39").

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**ACTIONS**


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**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.

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**I. NPDES Renewal Permit Actions**


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

<i>NPDES No. (Type)</i>	<i>Facility Name &amp; Address</i>	<i>County &amp; Municipality</i>	<i>Stream Name (Watershed #)</i>	<i>EPA Waived Y/N ?</i>
PAS802209 (Industrial Stormwater)	Swallow Associates 3003 Turner Street Allentown, PA 18104	Upper Macungie Township Lehigh County	UNT to Cedar Creek 2C	Y
PA0063436 Sewage—SFRSTP	Elmer Brown R. R. 1 Box 1579 Hallstead, PA 18822	Liberty Township Susquehanna County	Rhiney Creek 4E	Y

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

<i>NPDES No. (Type)</i>	<i>Facility Name &amp; Address</i>	<i>County &amp; Municipality</i>	<i>Stream Name (Watershed #)</i>	<i>EPA Waived Y/N ?</i>
PA0081868 (Sew)	Fairview Township Authority 599 Lewisberry Road New Cumberland, PA 17070-2349	York County Fairview Township	Susquehanna River 7-E	Y
PA0086878 (IW)	Hamburg Municipal Authority 61 North Third Street Hamburg, PA 19526	Berks County Windsor Township	Furnace Creek 3-B	Y
PA0082198 (Sew)	Peters Township Board of Supervisors—Upton Village STP 5000 Steele Avenue P. O. Box 88 Lemasters, PA 17321-0088	Franklin County Peters Township	UNT Conococheague Creek 13-C	Y
PA0083879 (IW)	WSI—Sandy Run Landfill, Inc. 995 Landfill Road Hopewell, PA 16650	Broad Top Township Bedford County	Sandy Run 11-D	Y

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

<i>NPDES No. (Type)</i>	<i>Facility Name &amp; Address</i>	<i>County &amp; Municipality</i>	<i>Stream Name (Watershed #)</i>	<i>EPA Waived Y/N ?</i>
PAS804802	Flying J Travel Plaza 5603 Nittany Valley Drive Mill Hall, PA 17752	Clinton County Porter Township	Fishing Creek SWP 9C	Y

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

<i>NPDES No. (Type)</i>	<i>Facility Name &amp; Address</i>	<i>County &amp; Municipality</i>	<i>Stream Name (Watershed #)</i>	<i>EPA Waived Y/N</i>
PA0026352 Sewage	Riverview Sanitary Authority 3100 University Boulevard Coraopolis, PA 15108	Allegheny County Moon Township	Ohio River	N

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

<i>NPDES No. (Type)</i>	<i>Facility Name &amp; Address</i>	<i>County &amp; Municipality</i>	<i>Stream Name (Watershed #)</i>	<i>EPA Waived Y/N ?</i>
PA0239321	Robert J. Wahlmark P. O. Box 137 31970 Guys Mills Road Townsville, PA 16360	Randolph Township Crawford County	UNT to Muddy Creek 16-A	Y

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

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

**NPDES Permit No. PA0012777**, Industrial Waste, **Rohm & Haas Chemicals, LLC**, 5000 Richmond Street, Philadelphia, PA 19137. This proposed facility is located in City of Philadelphia, **Philadelphia County**.

Description of Proposed Action/Activity: Approval for the renewal to discharge noncontact cooling water stream condensate and stormwater runoff from the facility into the Frankford Inlet/Delaware Estuary Zone 3.

**NPDES Permit No. PA0026859**, Sewage, **Pennsylvania American Water Company**, 4 Wellington Boulevard, Wyomissing, PA 19610. This proposed facility is located in South Coatesville Borough, **Chester County**.

Description of Proposed Action/Activity: Approval for the renewal to discharge treated sewage from Coatesville STP into the West Branch of Brandywine Creek in Watershed 3H.

**NPDES Permit No. PA0042927**, Sewage, **Owen J. Roberts School District**, 901 Ridge Road, Pottstown, PA 19465. This proposed facility is located in South Coventry Township, **Chester County**.

Description of Proposed Action/Activity: Approval for the renewal to discharge treated sewage into a UNT to French Creek in Watershed 3D.

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

**NPDES Permit No. PA0101745**, Sewage, **Clarview Nursing and Rehabilitation Center**, 14663 Route 68, Sligo, PA 16255. This proposed facility is located in Piney Township, **Clarion County**.

Description of Proposed Action/Activity: This permit was published as a renewal; however, this permit is actually for a new minor NPDES (Part I) Permit for an existing treated nonmunicipal sewage discharge serving a nursing home.

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

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

**WQM Permit No. 4508401**, Sewerage, **East Stroudsburg Borough**, 24 Analomink Street, East Stroudsburg, PA 18301. This proposed facility is located in East Stroudsburg Borough, **Monroe County**.

Description of Proposed Action/Activity: Issuance of Water Quality Management Permit for the replacement and relocation of an existing gravity sewer line with a new gravity sewer line.

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

**WQM Permit No. 2105402**, Sewerage, **Shippensburg Borough Authority**, 111 North Fayette Street, Shippensburg, PA 17257-0129. This proposed facility is located in Shippensburg Borough, **Cumberland County**.

Description of Proposed Action/Activity: Approval for the construction/operation of sewerage facilities consisting of: a septage receiving station with a 400 gpm rotary septage screen unit, conversion of unused Secondary Clarifier No. 1 to septage treatment/storage tank and a 1,200 gpm septage recirculation pump for mixing and aeration. System capacity is 10,000 gpd.

**WQM Permit No. 2808403**, Sewerage, **Franklin County General Authority**, 5540 Coffey Avenue, Chambersburg, PA 17201-8380. This proposed facility is located in Greene Township, **Franklin County**.

Description of Proposed Action/Activity: Approval for the construction of sewerage facilities consisting of: a submersible pump station and force main to serve a portion of Cumberland Valley Business Park (PS 508B).

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

**WQM Permit No. 1808402**, Sewerage, SIC 4952, **Bald Eagle Township Authority**, 12 Fairpoint Road, Mill Hall, PA 17751. This proposed facility is located in Bald Eagle Township, **Clinton County**.

Description of Proposed Action/Activity: A permit has been issued for improvements to the Fort Meadows Pump Station and installation of approximately 2,500 linear feet of 6" PVC force main that will discharge to the Bald Eagle Township Authority sewage collection system upstream of the Route 150 Pump Station. The improvements to the pump station will include new controls, a pumping platform and the installation of a new emergency generator. A section of the force main will cross beneath Bald Eagle Creek.

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

**WQM Permit No. 5604405-A1**, Sewerage, **Somerset Township Municipal Authority**, P. O. Box 247, Somerset, PA 15501. This existing facility is located in Somerset Township, **Somerset County**.

Description of Proposed Action/Activity: Permit issuance for expansion of sewage treatment plant.

**WQM Permit No. 0271412-A4**, Sewerage, **Leetsdale Borough Municipal Authority**, 5 Sixth Street, Leetsdale, PA 15056. This existing facility is located in Leetsdale Borough, **Allegheny County**.

Description of Proposed Action/Activity: Permit issuance for construction and operation of sewage treatment plant and sanitary sewer collection system.

**WQM Permit No. 5606403-A2**, Sewerage, **SCI at Laurel Highlands**, P. O. Box 631, 5706 Glades Pike, Somerset, PA 15501. This existing facility is located in Somerset Township, **Somerset County**.

Description of Proposed Action/Activity: Permit issuance to upgrade WWTP sludge handling facilities.

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

**WQM Permit No. WQG018631**, Sewerage, **Evelyn W. and Thomas T. Buser**, 4 Peach Street, Warren, PA 16365. This proposed facility is located in Limestone Township, **Warren County**.

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

**WQM Permit No. 1008201**, Industrial Waste, **Seneca Landfill, Inc.**, P. O. Box 1080, Mars, PA 16046. This proposed facility is located in Jackson Township, **Butler County**.

Description of Proposed Action/Activity: Seneca is submitting this Water Quality Management Permit Application in support of planned upgrades to the leachate treatment plant to increase the treatment capacity. By eliminating bottlenecks created by some of the treatment system components and adding some new equipment, Seneca will be able to process up to 129,600 gpd.

**WQM Permit No. 42017402**, Sewerage, **Paul V. Wittenbrink**, 434 Hammock Drive, Orchard Park, NY 14127-1685. This proposed facility is located in Corydon Township, **McKean County**.

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

**WQM Permit No. 6207201**, Industrial Waste, **United Refining Company**, 15 Bradley Street, Warren, PA 16365-3299. This proposed facility is located in the City of Warren, **Warren County**.

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

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

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

<i>NPDES Permit No.</i>	<i>Applicant Name &amp; Address</i>	<i>County</i>	<i>Municipality</i>	<i>Receiving Water/Use</i>
PAI025207006	Turkey Hill Minit Markets, Inc. 257 Centerville Road Lancaster, PA 17603	Pike	Palmyra Township	Wallenpaupack Creek HQ-WWF

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

<i>NPDES Permit No.</i>	<i>Applicant Name &amp; Address</i>	<i>County</i>	<i>Municipality</i>	<i>Receiving Water/Use</i>
PAI032108001	Cumberland County Patrick Slattery One Courthouse Square Carlisle, PA 17013	Cumberland	Middlesex Township	Letort Spring Run HQ-CWF

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

*Allegheny County Conservation District, Lexington Technology Park, Building 1, Suite 102, 400 North Lexington Avenue, Pittsburgh, PA 15208, (412) 241-7645.*

<i>NPDES Permit No.</i>	<i>Applicant Name &amp; Address</i>	<i>County</i>	<i>Municipality</i>	<i>Receiving Water/Use</i>
PAS10A117-R	Ronald W. Wolf, President Maronda Homes, Inc. 202 Park West Drive Pittsburgh, PA 15275	Allegheny	North Versailles Township	Jacks Run HQ

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

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

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

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

## NOTICES

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*General Permit Type—PAG-2**Facility Location:  
Municipality &  
County**Permit No.**Applicant Name &  
Address**Receiving  
Water/Use**Contact Office &  
Phone No.*

Schuylkill Haven Borough Schuylkill County	PAG2005408002	Paul Bedway 398 East Liberty Street Schuylkill Haven, PA 17972	Schuylkill River CWF	Schuylkill County Conservation District (570) 622-3742
Wayne Township Schuylkill County	PAG2005408008	Wayne Township Municipal Authority Attn: James C. Cook, Chairperson P. O. Box 97 Friendsburg, PA 17933	Long Run, Tributary to Schuylkill River CWF	Schuylkill County Conservation District (570) 622-3742
Plains Township Luzerne County	PAG2004008003	Valley Crest Nursing, Inc. c/o Complete Healthcare Resources Attn: Peter Licari 200 Dryden Road Suite 2000 Dresher, PA 19025	Laurel Run CWF	Luzerne County Conservation District (570) 674-7991
Smithfield Township Monroe County	PAG2004508001	East Stroudsburg University 200 Prospect Street East Stroudsburg, PA 18301	Brodhead Creek TSF, MF	Monroe County Conservation District (570) 629-3060
Throop Borough Lackawanna County	PAG2003508010	Bernard Fagnani Kennedy Plaza Archbald, PA 18403	Eddy Creek WWF	Lackawanna County Conservation District (570) 281-9495
Hamilton Township Franklin County	PAG2002803019R	Laurich Town Hill Estates Richard Rockwell 3745 Lincoln Way West Chambersburg, PA 17202	Conococheague WWF	Franklin County Conservation District 100 Sunset Boulevard West Chambersburg, PA 17201 (717) 264-8074, Ext. 5
Greene Township Franklin County	PAG2002805049-1	Greene Township Park Dave Jamison P. O. Box 215 Scotland, PA 17254	Conococheague CWF	Franklin County Conservation District 100 Sunset Boulevard West Chambersburg, PA 17201 (717) 264-8074, Ext. 5
Hamilton Township Franklin County	PAG2002803020-R	Laurich Gem South Richard Rockwell 3745 Lincoln Way West Chambersburg, PA 17202	UNT to Back Creek TSF	Franklin County Conservation District 100 Sunset Boulevard West Chambersburg, PA 17201 (717) 264-8074, Ext. 5
North Middleton Township Cumberland County	PAG2002107028	Gettys Development Fred Gettys 1950 Chestnut Court Camp Hill, PA 17011	Wertz Run—Cornman Run WWF	Cumberland County Conservation District 310 Allen Road Suite 301 Carlisle, PA 17013 (717) 240-7812
Lower Mifflin Township Cumberland County	PAG2002108020	Jay Spahr 88 Mohawk Road Newville, PA 17241	Doubling Gap Creek CWF	Cumberland County Conservation District 310 Allen Road Carlisle, PA 17013 (717) 240-7812
Monroe Township Juniata County	PAG2033401001	Jay Cheran 524 Keefer Road Lewisburg, PA 17837	West Branch Mahatango Creek	Juniata County Conservation District R. R. 2 Box 35 Stoney Creek Drive Mifflintown, PA 17059 (717) 436-8953, Ext. 5

<i>Facility Location: Municipality &amp; County</i>	<i>Permit No.</i>	<i>Applicant Name &amp; Address</i>	<i>Receiving Water/Use</i>	<i>Contact Office &amp; Phone No.</i>
Washington Township Bally Borough Berks County	PAG2000608016	Michael Bedard ARCADIS U.S., Inc. 6 Terry Drive Suite 300 Newtown, PA 18940	UNT to West Branch Perkiomen— Schuylkill Watershed WWF	Berks County Conservation District 1238 County Welfare Road Suite 200 Leesport, PA 19533-9710 (610) 372-4657, Ext. 201
Union Township Lebanon County	PAG2003808001	Lickdale Associates, LP c/o Vision Properties, LLC Attn: Jeffrey C. Camp 2250 Hickory Road Suite 110 Plymouth Meeting, PA 19462	Swatara Creek WWF	Lebanon County Conservation District 2120 Cornwall Road Suite 5 Lebanon, PA 17042-9788 (717) 272-3908, Ext. 4
Bedford Township Bedford County	PAG2000508007	Ray Jennings P. O. Box 155 Bedford, PA 15522	UNT to Dunnings Creek WWF	Bedford County Conservation District 702 West Pitt Street Suite 3 Fairlawn Court Bedford, PA 15522 (814) 623-7900, Ext. 3
Muhlenberg Township Berks County	PAG2000608017	Melvin Wagner Good Shepherd UCC of Tuckerton 100 Tuckerton Road Reading, PA 19605	Schuylkill River WWF	Berks County Conservation District 1238 County Welfare Road Suite 200 Leesport, PA 19533-9710 (610) 372-4657, Ext. 201
Napier Township Bedford County	PAG2000508008	Aaron Martin 6231 Lincoln Highway Bedford, PA 15522	Raystown Branch Juniata River TSF	Bedford County Conservation District 702 West Pitt Street Suite 3 Fairlawn Court Bedford, PA 15522 (814) 623-7900, Ext. 3
North Woodbury Township Blair County	PAG2000708014	Harold Martin R. R. 1 Box 492 Martinsburg, PA 16662	Plum Creek WWF	Blair County Conservation District 1407 Blair Street Hollidaysburg, PA 16648 (814) 696-0877, Ext. 5
Huntingdon Borough Huntingdon County	PAG2003108005	Jeff Meadows 1700 Moore Street Huntingdon, PA 16652	UNT to Juniata River WWF	Huntingdon County Conservation District 10605 Raystown Road Suite A Huntingdon, PA 16652-9603 (814) 627-1627
East Prospect Borough York County	PAG2006708013	Scott Naylor American Dream Homes 8381 Lehman Road Dallastown, PA 17313	Cabin Creek WWF	York County Conservation District 118 Pleasant Acres Road York, PA 17402 (717) 840-7430
Hanover Borough York County	PAG2006708015	ACTS 617 Group 10 Clover Lane Downingtown, PA 19335	South Branch Conewago Creek WWF	York County Conservation District 118 Pleasant Acres Road York, PA 17402 (717) 840-7430

## NOTICES

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<i>Facility Location: Municipality &amp; County</i>	<i>Permit No.</i>	<i>Applicant Name &amp; Address</i>	<i>Receiving Water/Use</i>	<i>Contact Office &amp; Phone No.</i>
West Providence Township Bedford County	PAG2000508010	Shaun Akers 715 Church Street Saxton, PA 16678	Bloody Run WWF	Bedford County Conservation District 702 West Pitt Street Suite 3 Fairlawn Court Bedford, PA 15522 (814) 623-7900, Ext. 3
Hellam Township York County	PAG2006708010	Jim Baugh Hellam Township 44 Walnut Springs Road Hellam, PA 17406	UNT to Kreutz Creek WWF	York County Conservation District 118 Pleasant Acres Road York, PA 17402 (717) 840-7430
Blair Township Blair County	PAG2000708011	A. Craig LeCrone 912 Blair Street Hollidaysburg, PA 16648	UNT to Dry Run UNT to Poplar Run WWF-CWF	Blair County Conservation District 1407 Blair Street Hollidaysburg, PA 16648 (814) 696-0877, Ext. 5
Springfield Township York County	PAG2006706023-1	Springfield Township 9211 Susquehanna Trail South Seven Valleys, PA 17342	UNT to East Branch Codorus Creek CWF	York County Conservation District 118 Pleasant Acres Road York, PA 17402 (717) 840-7430
Jackson Township York County	PAG2006707087	Bruce Ruhlman LakePoint Associates, LP 65 Musselman Road Hanover, PA 17337	Bunch Creek WWF	York County Conservation District 118 Pleasant Acres Road York, PA 17402 (717) 840-7430
South Lebanon Township Lebanon County	PAG2003808003	Clair Zimmerman 85 Furnace Hills Road Denver, PA 17517	Quittapahilla Creek TSF	Lebanon County Conservation District 2120 Cornwall Road Suite 5 Lebanon, PA 17042-9788
Altoona City Allegheny Township Blair County	PAG2000708010	Pennsylvania Investor Enterprises, LLC 5506 Sixth Avenue Rear Altoona, PA 16602	Burgoon Run UNT to Burgoon Run TSF-WWF	Blair County Conservation District 1407 Blair Street Hollidaysburg, PA 16648 (814) 696-0877, Ext. 5
Conewago and Newberry Townships York County	PAG2006707003	Department of Transportation Engineering District 8-0 Attn: Michael Gillespie 2140 Herr Street Harrisburg, PA 17103	Conewago Creek WWF	York County Conservation District 118 Pleasant Acres Road York, PA 17402 (717) 840-7430
Monroe Township Cumberland County	PAG2002106043	Dan Piscioneri Wyndham Manor, LLC 3315 Market Street Camp Hill, PA 17011	UNT to Hogestown Run CWF	Cumberland County Conservation District 310 Allen Road Suite 301 Carlisle, PA 17013-9131 (717) 240-7812
Porter Township Huntingdon County	PAG2003108006	James D. Foster 7775 Juniata Valley Pike P. O. Box 318 Alexandria, PA 16611	Frankstown Branch Juniata River WWF	Huntingdon County Conservation District 10605 Raystown Road Suite A Huntingdon, PA 16652-9603 (814) 627-1627
Logan Township Blair County	PAG2000708012	Logan Township Board of Supervisors 800 39th Street Altoona, PA 16602	Mill Run WWF	Blair County Conservation District 1407 Blair Street Hollidaysburg, PA 16648 (814) 696-0877, Ext. 5



<i>Facility Location: Municipality &amp; County</i>	<i>Permit No.</i>	<i>Applicant Name &amp; Address</i>	<i>Receiving Water/Use</i>	<i>Contact Office &amp; Phone No.</i>
Smithfield Township Huntingdon County	PAG2003108004	Marion Kruiise STEDCO 11301 Henderson Overlook Road Huntingdon, PA 16652	UNT to Juniata River WWF	Huntingdon County Conservation District 10605 Raystown Road Suite A Huntingdon, PA 16652-9603 (814) 627-1627
Tyrone Borough Blair County	PAG2000708009	Grace Baptist Church 1553 Columbia Avenue Tyrone, PA 16686	Bald Eagle Creek TSF	Blair County Conservation District 1407 Blair Street Hollidaysburg, PA 16648 (814) 696-0877, Ext. 5
West Manchester Township York County	PAG2006708028	Jerry L. Watson 3001 West Market Street, LP 3001 West Market Street York, PA 17404	UNT to Codorus Creek WWF	York County Conservation District 118 Pleasant Acres Road York, PA 17402 (717) 840-7430
Logan Township Blair County	PAG2000708008	Cayuga Realty, LP 305 Cayuga Avenue Altoona, PA 16602	Mill Run WWF	Blair County Conservation District 1407 Blair Street Hollidaysburg, PA 16648 (814) 696-0877, Ext. 5
Jackson Township York County	PAG2006707087	Bruce Ruhlman LakePoint Associates, LLC 65 Musselman Road Hanover, PA 17337	Bunch Creek WWF	York County Conservation District 118 Pleasant Acres Road York, PA 17402 (717) 840-7430
Hellam Township York County	PAG2006708025	Tim Rutter CHR Corp. 2295 Susquehanna Trail Suite C York, PA 17404	UNT to Kreutz Creek WWF	York County Conservation District 118 Pleasant Acres Road York, PA 17402 (717) 840-7430
Cass Township Huntingdon County	PAG2003108003	Douglas Carowich HC1 SR 3027 Calvin, PA 16622	UNT to Little Trough Creek TSF	Huntingdon County Conservation District 10605 Raystown Road Suite A Huntingdon, PA 16652-9603 (814) 627-1627
Huntingdon Borough Huntingdon County	PAG2003108005	Jeff Meadows 1700 Moore Street Huntingdon, PA 16652	UNT to Juniata River WWF	Huntingdon County Conservation District 10605 Raystown Road Suite A Huntingdon, PA 16652-9603 (814) 627-1627
Centre County Benner Township	PAG2001403017R	Dr. Gerald Clair Lyn Lee Farms 568 Rock Road State College, PA 16801	UNT to Spring Creek CWF	Centre County Conservation District 414 Holmes Avenue Suite 4 Bellefonte, PA 16823 (814) 355-6817
Union County East Buffalo Township	PAG2006008005	Charles Benoit 164 Beth Ellen Drive Lewisburg, PA 17837	UNT to Turtle Creek WWF	Union County Conservation District Union County Government Center 155 North 15th Street Lewisburg, PA 17837 (570) 524-3860
Greene County Monongahela Township	PAG2003008008	AMD Reclamation, Inc. 306 Dent's Run Road Morgantown, WV 26501	Dunkard Creek WWF	Greene County Conservation District (724) 852-5278

*Facility Location:  
Municipality &  
County*

<i>Facility Location: Municipality &amp; County</i>	<i>Permit No.</i>	<i>Applicant Name &amp; Address</i>	<i>Receiving Water/Use</i>	<i>Contact Office &amp; Phone No.</i>
Greene County Richhill Township	PAG2003008009	Texas Eastern Transmission 890 Winter Street Suite 300 Waltham, MA 02451	Trib to Barney's Run TSF Trib to Dunkad Fork of Wheeling Creek WWF	Greene County Conservation District (724) 852-5278
Butler County Slippery Rock Borough	PAG2001007024	Joe Durso Slippery Rock Associates The Colonies 278 Cameron Drive Slippery Rock, PA 16057	UNT Wolf Creek CWF	Butler County Conservation District (724) 284-5270
Clarion County Clarion Borough	PAG2061608001	Clarion University of PA Payne Street Parking Lot Thorn II Building 840 Wood Street Clarion, PA 16214	Trout Run CWF	Department of Environmental Protection Watershed (814) 332-6984
Crawford County West Mead Township	PAG002008004	Morris Waid Crawford County Fair Board 903 Diamond Park Meadville, PA 16335	UNT Woodcock Creek CWF	Crawford Conservation District (814) 763-5269
Erie County North East Township	PAG2002508015	Bay Valley Foods 11160 Parkway Drive North East, PA 16428	UNT to Lake Erie CWF	Erie County Conservation District (814) 825-6403
Lawrence County Mahoning Township	PAG2003708005	Garrett Scharton Valley View Downs 10 West Market Street Suite 200 Indianapolis, IN 46204	UNT Shenango River WWF	Lawrence County Conservation District (724) 652-4512
McKean County Bradford City and Foster Township	PAG2004208002	Department of Transportation 1924 Daisy Street Extension Clearfield, PA 16830 District 2-0	Tunungwant Creek WWF UNT Tunungwant Creek CWF Foster Brook CWF Boliver Run CWF	McKean County Conservation District (814) 887-4001

*General Permit Type—PAG-3**Facility Location &  
Municipality*

<i>Facility Location &amp; Municipality</i>	<i>Permit No.</i>	<i>Applicant Name &amp; Address</i>	<i>Receiving Water/Use</i>	<i>Contact Office &amp; Phone No.</i>
Lancaster County West Donegal Township	PAR903508	Elizabethtown Borough 600 South Hanover Street Elizabethtown, PA 17022-2522	Conoy Creek TSF	DEP—SCRO 909 Elmerton Avenue Harrisburg, PA 17110 (717) 705-4707
Limestone Township Warren County	PAG049442	Evelyn W. and Thomas T. Buser 4 Peach Street Warren, PA 16365	UNT to the Allegheny River 16-F	DEP—NWRO Water Management 230 Chestnut Street Meadville, PA 16335-3481 (814) 332-6942

*General Permit Type—PAG—5**Facility Location:  
Municipality &  
County*

<i>Facility Location: Municipality &amp; County</i>	<i>Permit No.</i>	<i>Applicant Name &amp; Address</i>	<i>Receiving Water/Use</i>	<i>Contact Office &amp; Phone No.</i>
Bristol Township Bucks County	PAG050040	Getty Properties Corporation 125 Jericho Turnpike Suite 202 Jericho, NY 11753	Mill Creek 2E	Southeast Region Office 2 East Main Street Norristown, PA 19401

*General Permit Type—PAG-8*

<i>Facility Location &amp; Municipality</i>	<i>Permit No.</i>	<i>Applicant Name &amp; Address</i>	<i>Site Name &amp; Location</i>	<i>Contact Office &amp; Phone No.</i>
Washington, DC	PAG08-9906	District of Columbia Water and Sewer Authority 5000 Overlook Avenue, SW Washington, DC 20032	Blue Plains Advanced Wastewater Treatment Facility 5000 Overlook Avenue, SW Washington, DC 20032	BWSWM (717) 787-8184

*General Permit Type—PAG-12*

<i>Facility Location &amp; Municipality</i>	<i>Permit No.</i>	<i>Applicant Name &amp; Address</i>	<i>Receiving Water/Use</i>	<i>Contact Office &amp; Phone No.</i>
Astle Farm 643 Street Road Oxford, PA 19363 Lower Oxford Township Chester County	PAG120005	Arthur A. Astle 643 Street Road Oxford, PA 19363	Pequea 7K	Southeast Region Watershed Management (484) 250-5970

**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. 3390349, Operations Permit, Public Water Supply.**

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Applicant	<b>Southern Lehigh School District Lower Milford Elementary School</b> 5775 Main Street Center Valley, PA 18034 Lower Milford Township
County	<b>Lehigh</b>
Type of Facility	PWS
Consulting Engineer	George Ruby, P. E. Ruby Engineering 3605 Island Club Drive Unit No. 9 North Port, FL 34288-6611
Permit to Operate Issued	May 30, 2008

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

**Permit No. 3807504, Public Water Supply.**

Applicant	<b>Harpers Tavern</b>
Municipality	East Hanover Township
County	<b>Lebanon</b>
Type of Facility	Installation of nitrate treatment along with softening and UV disinfection.
Consulting Engineer	James P. Cinelli, P. E. Liberty Environmental, Inc. 10 North 5th Street Reading, PA 19601
Permit to Construct Issued	June 16, 2008

**Permit No. 3607518, Public Water Supply.**

Applicant	<b>JoAnn Realty Associates, Ltd.</b>
Municipality	Salisbury Township
County	<b>Lancaster</b>

Type of Facility Construction of a new community water system known as Houston Run with two wells, disinfection, storage tank and pump station.

Consulting Engineer Daniel S. Hershey  
ELA Group, Inc.  
743 South Broad Street  
Lititz, PA 17543

Permit to Construct June 10, 2008  
Issued

**Permit No. 3608501**, Public Water Supply.

Applicant **Conestoga MHP, Inc.**

Municipality Conestoga Township

County **Lancaster**

Type of Facility Installation of a new storage tank and booster pumping system.

Consulting Engineer Charles A. Kehew II, P. E.  
James A. Holley & Associates, Inc.  
18 South George Street  
York, PA 17401

Permit to Construct May 23, 2008  
Issued

**Operations Permit** issued to **Heritage Building Group Land Division**, 3060136, Union Township, **Berks County** on June 2, 2008, for the operation of facilities approved under Construction Permit No. 0603512.

**Operations Permit** issued to **Gettysburg Municipal Authority**, 7010019, Cumberland Township, **Adams County** on June 2, 2008, for the operation of facilities approved under Construction Permit No. 0105501.

**Operations Permit** issued to **Christ United Church of Christ**, 7010987, Union Township, **Adams County** on May 19, 2008, for the operation of facilities approved under Construction Permit No. 0105509.

**Operations Permit** issued to **Gettysburg Municipal Authority**, 7010019, Cumberland Township, **Adams County** on June 2, 2008, for the operation of facilities approved under Construction Permit No. 0106513 MA.

**Operations Permit** issued to **Yogi Bear's Jellystone Park**, 7360909, East Drumore Township, **Lancaster County** on June 16, 2008, for the operation of facilities approved under Construction Permit No. 3607513.

**Operations Permit** issued to **North Heidelberg Water Co.**, 3060115, North Heidelberg Township, **Berks County** on June 9, 2008, for the operation of facilities approved under Construction Permit No. 0608507 E.

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

**Permit No. 4496557—Operation**, Public Water Supply.

Applicant **Glacier Water Services, Inc.**

Township or Borough Mount Carmel Borough

County **Northumberland**

Responsible Official Steven L. Murphy, Sr. VP and  
COO  
G W Service, Inc., d/b/a Glacier  
Water  
1385 Park Center Drive  
Vista, CA 92081

Type of Facility Public Water Supply—Operation

Consulting Engineer N/A

Permit Issued Date June 10, 2008

Description of Action Operate a water vending machine with a backflow device at Boyers Food Market using Aqua PA water as a source. Entry Point 101.

**Permit No. M. A. 1989501—Operation**, Public Water Supply.

Applicant **Pleasant View Mobile Home Park**

Township or Borough North Centre Township

County **Columbia**

Responsible Official Martin Mancini  
ARC 1, Mark Lane  
Honeybrook, PA 19344

Type of Facility Public Water Supply—Operation

Consulting Engineer Brent Cowan  
CSC Technology, Inc.  
170 Netherwood Drive  
Coatesville, PA 19320

Permit Issued Date June 16, 2008

Description of Action Operation of two ion exchange units for arsenic removal on Wells No. 1 and No. 2.

**Permit No. M. A. 2-1989501—Operation**, Public Water Supply.

Applicant **Pleasant View Mobile Home Park**

Township or Borough North Centre Township

County **Columbia**

Responsible Official Martin Mancini  
ARC 1, Mark Lane  
Honeybrook, PA 19344

Type of Facility Public Water Supply—Operation

Consulting Engineer Brent Cowan  
CSC Technology, Inc.  
170 Netherwood Drive  
Coatesville, PA 19320

Permit Issued Date June 16, 2008

Description of Action Backwashing of the Adsorbisia™ media. The waste water is tied to the sewage treatment plant onsite.

**Permit No. 4107502—Operation**, 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—Operation

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

Permit Issued Date June 17, 2008

Description of Action Operation of Well No. 2, pH  
adjustment of Well No. 2 and the  
transmission line.

**SEWAGE FACILITIES ACT PLAN APPROVAL**

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

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

*Plan Location:* Lehigh Gap Nature Center

<i>Borough or Township</i>	<i>Borough or Township Address</i>	<i>County</i>
Washington Township	Municipal Building P. O. Box 27 Slatedale, PA 18079	Lehigh County

*Plan Description:* The approved plan provides for an expansion to the existing Osprey House building at the Nature Center on a 13 acre tract. The expansion will include office space, an environmental education center with two public restrooms (800 gpd) and two rooms to serve as living quarters for two summer interns (400 gpd). An additional 600 gpd of sewage flows is included for planning and system design which would accommodate a possible future expansion to include an additional public restroom (400 gpd) and one additional room for another intern (200 gpd). A small flow treatment facility is proposed for the 1,800 gpd project. Soil testing for an onlot sewage disposal system demonstrated insufficient area with acceptable slopes to site a system. The proposed small flow treatment system will include two 2,300 gallon Norweco Aerobic Treatment Tanks in parallel, each capable of treating 1,000 gpd, a 600 square foot subsurface recirculating sand filter and a 1,000 gallon chlorine contact tank. A 4" PVC discharge line will discharge to the Lehigh River through an easement from Lehigh County. A private well serves water to the site. The proposed development is located at Paint Mill Road, Washington Township, Lehigh County.

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

*Plan Location:* At the northwest corner of the intersection of Shank Road and Carlisle Pike in Oxford Township, **Adams County.**

<i>Borough or Township</i>	<i>Borough or Township Address</i>	<i>County</i>
Oxford Township	P. O. Box 86 780 Hanover Street New Oxford, PA 17350-0086	Adams County

*Plan Description:* The approved plan provides for 293 units on approximately 124 acres. The project includes

both single and multifamily dwellings and will be served by the construction of new collection lines and a new pump station tributary to the New Oxford Authority Sewage Treatment Plant. The name of the project is Summerfield and the Department of Environmental Protection (Department) code No. is A3-01927-118-3. The Department's review of the sewage facilities update revision has not identified any significant environmental impacts resulting from this proposal. Any required NPDES Permits or WQM Permits must be obtained in the name of the municipality, authority or owner as appropriate.

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

**Settlement Under the Comprehensive Environmental Response, Compensation and Liability Act and the Hazardous Sites Cleanup Act Notice of Settlement under HSCA**

The Department of Environmental Protection (Department), under the authority of the Hazardous Sites Cleanup Act (HSCA) (35 P. S. §§ 6020.101—6020.1305) and the Comprehensive Environmental Response, Compensation and Liability Act (CERCLA) (42 U.S.C.A. §§ 9601—9675), has entered into a Consent Order and Agreement (Agreement) with Connell Limited Partnership (Connell), Fort Hill Square, One International Place, Boston, MA regarding the Modena Yard Site in Chester County, PA. The Modena Yard Site is located on an approximately 20-acre parcel of land situated in the Borough of Modena and East Fallowfield Township, Chester County, PA. The Site was formerly used as a scrap yard.

Beginning in August of 1988, the United States Environmental Protection Agency (EPA) undertook response actions at the Site under its authority under the CERCLA. EPA determined that there was a release or threat of release of hazardous substances at the Site and, as a result, the EPA selected certain response actions to be implemented at the Site. These included the excavation and grading of contaminated soils and the installation of a 30-inch final cover consisting of a grading layer, a geosynthetic liner, a soil layer and a topsoil layer.

On September 29, 1999, the EPA entered into a settlement agreement with Connell to perform removal response actions. Following implementation of response actions, Connell developed a Post-Removal Control Plan designed to provide inspection, maintenance and repair to the response actions implemented at the Site. The Plan was subsequently approved by the EPA. On September 29, 2006, the EPA entered into another settlement with Connell providing for Connell to enter into an arrangement with the Commonwealth for maintenance and oversight of the response actions at the Site.

The Department has entered into this Agreement to provide for oversight and maintenance of the Site. Under the terms and conditions of the Agreement, Connell agrees to reimburse the Department for periodic inspections of the Site. Long-term engineering and institutional controls at the Site have been secured through the issuance of a HSCA Section 512 Order to Connell and to the Chester County Recorder of Deeds.

This notice is provided under section 1113 of HSCA (35 P. S. § 6020.1113). The Agreement may be examined from 8 a.m. to 4 p.m. at the Department's Office at 2 East Main Street, Norristown, PA 19401 by contacting either

George Horvat at (484) 250-5717 or Ragesh Patel (484) 250-5719. A public comment period on the Agreement will extend for a period of 60 days from the date of publication of this Notice. Interested persons may submit written comments regarding the Prospective Purchaser Agreement to the Department by submitting them to George Horvat at the previous address.

#### Notice of Settlement under HSCA and CERCLA

The Department of Environmental Protection (Department), under the authority of the Hazardous Sites Cleanup Act (HSCA) (35 P. S. §§ 6020.101—6020.1305) and the Comprehensive Environmental Response, Compensation and Liability Act (CERCLA) (42 U.S.C.A. §§ 9601—9675), has entered into a Prospective Purchaser Agreement (PPA) with West Caln Township, 721 West Kings Highway, Wagontown, PA 19376, relating to the William Dick Lagoons Superfund Site in West Caln Township.

The William Dick Lagoons Site is a National Priority List Site under CERCLA of approximately 4.5 acres located along Telegraph and North Sandy Hill Roads in West Caln Township, PA. The Site makes up a small portion of a 170 acre tract of property (Armstrong Tract), the latter of which is being purchased by West Caln Township from Richard and Susan Dole Armstrong (Armstrongs) with proceeds from the Natural Lands Trust for preservation as open space in Chester County. The Site consists of significant soils and groundwater contamination associated with former hazardous waste disposal operations in lagoons located on the Site. The United States Environmental Protection Agency, in conjunction with the Department, has implemented several remedial response actions at the Site, including the installation of a public water supply system to affected residences and various soil and groundwater treatment remedies.

West Caln Township has asserted and the Department has no information to indicate otherwise, that West Caln Township neither caused, contributed to, nor is otherwise liable for any contamination at the William Dick Lagoons Site. West Caln Township intends to purchase the Armstrong Tract with proceeds from the Natural Lands Trust and thereafter maintain and preserve the Armstrong Tract for use by future generations as open space in Chester County. Under the terms of the PPA with the Department, West Caln Township agrees: (1) to make a contribution towards the Department's response costs for the William Dick Lagoons Site; (2) not to exacerbate any existing contamination at the Site; and (3) to provide access and right of entry to the Department for the performance of any future response actions related to the William Dick Lagoons Site in exchange for a covenant not to sue and contribution protection from the Commonwealth.

This notice is provided under section 1113 of HSCA (35 P. S. § 6020.1113). The PPA may be examined from 8 a.m. to 4 p.m. at the Department's Office at 2 East Main Street, Norristown, PA 19401 by contacting either Ragesh Patel at (484) 250-5719 or Anderson Lee Hartzell at (484) 250-5866. A public comment period on the PPA will extend for a period of 60 days from the date of publication of this Notice. Interested persons may submit written comments regarding the PPA to the Department by submitting them to Ragesh Patel at the previous address.

## LAND RECYCLING AND ENVIRONMENTAL REMEDIATION

UNDER ACT 2, 1995

### PREAMBLE 2

**The following plans and reports were submitted under the Land Recycling and Environmental Remediation Standards Act (35 P. S. §§ 6026.101—6026.908).**

Provisions of Chapter 3 of the Land Recycling and Environmental Remediation Standards Act (act) require the Department of Environmental Protection (Department) to publish in the *Pennsylvania Bulletin* a notice of submission of plans and reports. A final report is submitted to document cleanup of a release of a regulated substance at a site to one of the act's remediation standards. A final report provides a description of the site investigation to characterize the nature and extent of contaminants in environmental media, the basis for selecting the environmental media of concern, documentation supporting the selection of residential or nonresidential exposure factors, a description of the remediation performed and summaries of sampling analytical results which demonstrate that remediation has attained the cleanup standard selected. Submission of plans and reports, other than the final report, shall also be published in the *Pennsylvania Bulletin*. These include the remedial investigation report, risk assessment report and cleanup plan for a Site-Specific Standard remediation. A remedial investigation report includes conclusions from the site investigation, concentration of regulated substances in environmental media; benefits of refuse of the property and, in some circumstances, a fate and transport analysis. If required, a risk assessment report describes potential adverse effects caused by the presence of regulated substances. If required, a cleanup plan evaluates the abilities of potential remedies to achieve remedy requirements.

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

The Department has received the following plans and reports:

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

**D. J. Franzen, Inc. I 80 MM190.5E Accident**, Greene Township, **Clinton County**, Northridge Group, Inc., 1172 Ridge Road, Northumberland, PA 17857 on behalf of D. J. Franzen, Inc., D. J. Franzen, Inc., 1200 Pleasant Hill Road, Pleasant Hill, IA 50327 has submitted a Final Report concerning remediation soil contaminated with diesel fuel. The report is intended to document remediation of the site to meet the Statewide Health Standard.

**Marie A. Reed Property**, Point Township, **Northumberland County**, Northridge Group, Inc., 1172 Ridge Road, Northumberland, PA 17857 on behalf of Marie A. Reed, 157 Bird Lane, Northumberland, PA 17857 has submitted a Final Report concerning remediation of site soil contaminated with No. 2 heating oil. The report is intended to document remediation of the site to meet the Statewide Health Standard.

**Morgan Advanced Materials and Testing, Inc.—Pure Carbon Facility**, Eulalia Township, **Potter County**, ATC Associates, Inc., 103 North Meadows Drive, Suite 215, Wexford, PA on behalf of Advanced Materials and Testing, Inc., 411 Hall Avenue, St. Mary's, PA 15857 has submitted a Final Report concerning remediation of site groundwater contaminated with dissolved-phased antimony. The report is intended to document remediation of the site to meet the Statewide Health Standard.

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

**Honeywell Farmers Valley South of Cole Creek**, Keating Township, **McKean County**, MACTEC Engineering and Consulting, Inc., 800 North Bell Avenue, Suite 200, Pittsburgh, PA 15106 on behalf of Honeywell International, Inc., 101 Columbia Road, Morristown, NJ 07962 and Shell Lubricants, 260 Elm Street, P. O. Box 99, Oil City, PA 16301 has submitted a Remedial Investigation Report and a Risk Assessment Report concerning remediation of site soil and site groundwater contaminated with compounds related to petroleum refining. The Remedial Investigation Report and Risk Assessment Report are intended to document remediation of the site to meet Statewide Health and Site-Specific Standards.

## 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.*

**Pier 60**, City of Philadelphia, **Bucks County**, William F. Schmidt, P. E., Pennoni Associates, Inc., 3000 Market Street, 2nd Floor, Philadelphia, PA 19104, Paul Martino, P. G., Pennoni Associates, Inc., 3000 Market Street, 2nd Floor, Philadelphia, PA 19104 on behalf of James Dougherty, Philadelphia Entertainment and Development Partner, 39 Norwich Westerly Road, Mashantucket, CT 06338 has submitted a Final Report concerning the remediation of site soil and groundwater contaminated with PAHs lead, arsenic. The Final Report did not demonstrate attainment of the Site-Specific Standard and was disapproved by the Department of Environmental Protection on June 4, 2008.

**Boiler Erection & Repair Company, Inc.**, Ambler Borough, **Montgomery County**, Jeffery Goudsward, Langan Engineering & Environmental Services, P. O. Box 1569 on behalf of John Carey, Sr., Industrial Management Associates, Inc., 200 South Main Street, Ambler, PA 19002 has submitted a Final Report concerning the remediation of site soil contaminated with PAHs. The Final Report demonstrated attainment of the Statewide Health Standard and was approved by the Department of Environmental Protection on June 2, 2008.

**Warrington Shopping Center**, Warrington Township, **Bucks County**, Thomas Jones, Penn Environmental & Remediation, Inc., 2755 Bergery Road, Hatfield, PA 19440 on behalf of Joan D'Agostino, Juniper Warrington Associates, 624 Harpers Lane, Huntington Valley, PA 19006 has submitted a Final Report concerning the remediation of site soil and groundwater contaminated with chlorinated solvents. The Final Report did not demonstrate attainment of the Statewide Health Standard and was disapproved by the Department of Environmental Protection on May 23, 2008.

**Keystone Bank Site**, Ridley Township, **Delaware County**, Joseph Diamadi, Marshall Geoscience, Inc., 170 First Avenue, Collegeville, PA 19426 on behalf of Richard Cutler, Charles Edward Realty LP, 191 Presidential Boulevard, Apt. 809, Bala Cynwyd, PA 19004 has submitted a Final Report concerning the remediation of site soil contaminated with No. 2 fuel oil. The Final Report demonstrated attainment of the Statewide Health Standard and was approved by the Department of Environmental Protection on May 29, 2008.

**Jim Rolli Building/Haly Oil Spill**, Lower Merion Township, **Montgomery County**, Richard Trimpi, Trimpi Associates Inc., 1635 Old Plains Road, Pennsburg, PA

18073 on behalf of James Rolli, 222 West Lancaster Avenue, Ardmore, PA 19003 has submitted a Final Report concerning the remediation of site soil contaminated with petroleum. The Final Report demonstrated attainment of the Statewide Health Standard and was approved by the Department of Environmental Protection on May 30, 2008.

**William Property**, West Goshen Township, **Chester County**. Michael Sarcinello, Aquaterra Technologies, Inc., P. O. Box 744, West Chester, PA 19381 on behalf of Francine Williams, 1004 North New Street, West Chester, PA 19381 has submitted a 90-day Final Report concerning the remediation of site soil contaminated with No. 2 fuel oil. The 90-day Final report demonstrated attainment of the Statewide Health Standard and was approved by the Department of Environmental Protection on May 16, 2008.

**US Steel Fairless Works Facility**, Falls Township, **Bucks County**. Francis Adams, Golder Associates, Inc., 200 Century Parkway, Suite C, Mt. Laurel, NJ 08054 on behalf of Kathy Mayher, United States Steel Corporation, 600 Grant Street, Pittsburgh, PA 15219 has submitted a Risk Assessment and Cleanup Plan concerning the remediation of site soil contaminated with chlorinated solvents. The Risk Assessment and Cleanup Plan were approved by the Department of Environmental Protection on May 21, 2008.

**Belmont Cleaners**, Lower Merion Township, **Montgomery County**. Michael Christie, Penn Environmental & Remediation, Inc., 2755 Bergey Road, on behalf of Michael Kirschner, Kirschner Brother Company, 518 West Lancaster Avenue, P. O. Box 525, Haverford, PA 19041 has submitted a Remedial Investigation Report and Final Report concerning the remediation of site groundwater and soil contaminated with chlorinated solvents and mtbe. The Remedial Investigation Report and Final Report were approved by the Department of Environmental Protection on January 4, 2008.

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

**CPO 2 Inc.**, Mifflinburg Borough, **Union County**. Molesevich Environmental, LLC, P. O. Box 654, Lewisburg, PA 17837 on behalf of CPO 2, Inc., 200 East Chestnut Street, Mifflinburg, PA 17844 has submitted a Final Report concerning remediation of site groundwater contaminated with No. 2 fuel oil and leaded gasoline. The Final Report demonstrated attainment of Statewide Health Standard and was approved by the Department of Environmental Protection on June 12, 2008.

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

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

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

**Permit ID No. PAD987270725, Siemens Water Technologies**, 432 Green Street, Sewickley, PA 15143. Approval of a Class 2 permit modification to operate a new residual waste storage tank area at its spent carbon regeneration plant located at 118 Park Road, Darlington Township, **Beaver County** on June 13, 2008.

**Permit ID No. PAD000736942, Calgon Carbon Corporation**, P. O. Box 717, Pittsburgh, PA 15230-0717. Permit application for renewal and modification of a hazardous and residual waste permit for a spent carbon regeneration plant located at 200 Neville Road in Neville Township, **Allegheny County** on June 13, 2008.

### 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.**

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

**GP3-22-03079: Pennsy Supply, Inc.** (1001 Paxton Street, Harrisburg, PA 17105) on June 12, 2008, for Portable Nonmetallic Mineral Processing Plants under GP3 in South Hanover Township, **Dauphin County**.

**GP9-21-03086: Pennsy Supply, Inc.** (P. O. Box 3331, 1001 Paxton Street, Harrisburg, PA 17105-3331) on June 12, 2008, for Diesel or No. 2 Fuel-fired Internal Combustion Engines under GP9 in Penn Township, **Cumberland County**.

**GP9-22-03079: Pennsy Supply, Inc.** (1001 Paxton Street, Harrisburg, PA 17105) on June 12, 2008, for Diesel or No. 2 fuel-fired Internal Combustion Engines under GP9 in South Hanover Township, **Dauphin County**.

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

**GP-33-165A: Snyder Brothers, Inc.—Shields Station** (Brocius Road, Brookville, PA 15857) on June 30, 2008, for a natural gas fired compressor engine (BAQ-GPA/GP-5) in Clover Township, **Jefferson County**.

**GP-33-173A: Snyder Brothers, Inc.—Sheesley Station** (SR 2004, Bowersville, PA 15715) on June 30, 2008, for a natural gas fired compressor engine (BAQ-GPA/GP-5) in Gaskill Township, **Jefferson County**.

**GP-42-198A: Elkhorn Gas Processing, LLC—Kane** (6307 Route 6, Kane, PA 16701) on June 11, 2008, for a natural gas fired compressor engine (BAQ-GPA/GP-5) in Wetmore Township, **McKean County**.

**GP-42-217A: Glenn O. Hawbaker, Inc.—Port Allegheny** (257 Glass Place, Port Allegheny, PA 16743) on June 11, 2008, for a Portable Nonmetallic Mineral Processing Plant (BAQ-GPA/GP-3) in Liberty Township and Port Allegheny Borough, **McKean County**.

**GP-42-217B: Glenn O. Hawbaker, Inc.—Port Allegheny** (257 Glass Place, Port Allegheny, PA 16743) on June 11, 2008, for a Diesel or No. 2 fuel-fired Internal Combustion Engine (BAQ-GPA-GP-9) in Liberty Township and Port Allegheny Borough, **McKean County**.

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



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

**05-03019A: Steckman Ridge, LP** (890 Winter Street, Waltham, MA 02451-1470) on June 9, 2008, to construct a natural gas compressor station with two engine compressors controlled by an oxidation catalyst and dehydration units controlled by a thermal oxidizer and associated equipment at Monroe Township, **Bedford County**.

**28-05004D: Grove US, LLC** (1565 Buchanan TRL E, P. O. Box 21, Shady Grove, PA 17256) on June 10, 2008, to install a paint spray booth at their Shady Grove plant in Antrim Township, **Franklin County**.

**ER-36-05027A: R. R. Donnelley—Lancaster East Facility** (2216 Greenfield Road, Lancaster, PA 17601) on June 10, 2008, for an Air Quality Emission Reduction Credit approval of 18.3 tons of VOCs resulting from the November 30, 2005 and December 31, 2005, shutdown of two printing presses in the City of Lancaster, **Lancaster County**.

**67-05091B: Metropolitan Edison Co.** (P. O. Box 16001, Reading, PA 19612-6001) on June 9, 2008, to construct nine portable 2,000 kW diesel-fired peak electrical generating units at their Yorkana Substation in Lower Windsor Township, **York County**.

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

**10-281M: II—VI, Inc.** (375 Saxonburg Boulevard, Saxonburg, PA 16056) on June 11, 2008, to construct an additional Hydrogen Selenide production process in the existing DH building in Saxonburg, **Butler County**. This is a State-only V facility.

**24-083N: Carbone of America Ind. Corp.** (215 Stackpole Street, St. Marys, PA 15857) on June 11, 2008, to install a regenerative thermal oxidizer and SO<sub>2</sub> scrubber to replace existing oxidizers (C129 and C129A) for the control of sources 129, 129A and 404 in St. Marys City, **Elk County**. This is a Title V facility.

**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.**

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

**28-05011A: Waste Management Services of PA, Inc.** (9446 Letzburg Road, Greencastle, PA 17225-9317) on June 1, 2008, to add a new enclosed ground flare to their existing Mountain View Reclamation facility in Antrim Township, **Franklin County**. This plan approval was extended.

*Southwest Region: Air Quality Program, 400 Waterfront Drive, Pittsburgh, PA 15222-4745, M. Gorog and B. Hatch, Environmental Engineer Managers, (412) 442-4163/5226.*

**32-00375A: Rosebud Mining Co.** (301 Market Street, Kittanning, PA 16201) on July 1, 2008, to transfer plan approval from Britt Energies, Inc. to Rosebud Mining Company and to extend the plan approval to allow the installation of a new coal crusher/screen powered by a diesel engine and assorted supporting equipment at the mouth of Lowry Deep Mine in White Township, **Indiana County**.

**04-00033: NOVA Chemicals, Inc.** (400 Frankfort Road, Monaca, PA 15061-2298) on July 2, 2008, for the D2 PES/ARCEL at their Beaver Valley Plant in Monaca, **Beaver County**. This Plan Approval has been extended.

**Title V Operating Permits Issued 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, Yasmin Neidlinger, Facilities Permitting Chief, (717) 705-4702.*

**21-05009: PPL Martins Creek, LLC** (2 North 9th Street, Allentown, PA 18101-1139) on June 11, 2008, to operate a combustion turbine site in Lower Allen Township, **Cumberland County**. This is a renewal of the Title V operating permit.

**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.*

**65-00769: Raven Industries, Inc.** (5049 Center Drive, Latrobe, PA 15650) on June 11, 2008, for a toner and developer manufacturing operation at their Latrobe facility in Unity Township, **Westmoreland County**. Emissions from this facility shall not exceed 100 tons SO<sub>2</sub>, 100 tons NO<sub>x</sub>, 100 tons PM<sub>10</sub>, 50 tons VOC, 10 tons of a single HAP and 25 tons of all HAP combined. This is a State-only Operating Permit.

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

**31-03004: New Enterprise Stone and Lime Co., Inc.** (P. O. Box 77, New Enterprise, PA 16664-0077) on June 12, 2008, to operate a limestone crushing plant and a concrete plant in Warriors Mark Township, **Huntingdon County**.

**36-05003: Armstrong World Industries, Inc.** (2500 Columbia Avenue, P. O. Box 3001, Lancaster, PA 17604-3001) on June 12, 2008, to operate their company's corporate campus (including R & D activities) in Manor Township, **Lancaster County**. This is a renewal of the State-only operating permit.

**38-05028: Curwood Specialty Films Lebanon, Inc.** (5 Keystone Drive, Lebanon Valley Business Park, Lebanon, PA 17042) on June 10, 2008, to operate a meat derived food stuff processing plant in the City of Lebanon, **Lebanon County**. This is a renewal of the State-only operating permit.

**67-03055: Vulcan Construction Materials, LP** (322 North Baker Road, York, PA 17404-5802) on June 11, 2008, to operate a limestone crushing plant at their Baker Quarry in West Manchester Township, **York 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.*

**65-00769: Raven Industries, Inc.** (5049 Center Drive, Latrobe, PA 15650) on June 11, 2008, for a toner and developer manufacturing operation at their Latrobe facility in Unity Township, **Westmoreland County**. Emissions from this facility shall not exceed 100 tons SO<sub>2</sub>, 100 tons NO<sub>x</sub>, 100 tons PM<sub>10</sub>, 50 tons VOC, 10 tons of a single HAP and 25 tons of all HAP combined. This is a State-only Operating Permit.

sions from this facility shall not exceed 100 tons SO<sub>2</sub>, 100 tons NO<sub>x</sub>, 100 tons PM<sub>10</sub>, 50 tons VOC, 10 tons of a single HAP and 25 tons of all HAP combined. This is a State-only Operating Permit.

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

*Southeast Region: Air Quality Program, 2 East Main Street, Norristown, PA 19404, Janine Tulloch-Reid, Facilities Permitting Chief, (484) 250-5920.*

**TVOP-23-00003: ConocoPhillips Co. Trainer—PA Refinery** (4101 Post Road, Trainer, PA 19061) a facility located in Trainer Borough, **Delaware County**. The facility's major emission points include refinery operations, which emits major levels of all criteria pollutants.

The requested de minimis increase is for the temporary operation to cool the hot slurry oil product from the fluidized catalytic cracker. Typically, the operation has this hot oil product being blended with heavy cycle oil to make No. 6 Fuel Oil. Due to the current market conditions, the hot slurry oil will be segregated for storage and shipping. ConocoPhillips Company plans to install and operate a temporary cooling system consisting of heat exchangers, pumps, a cooling tower and ancillary hoses and fittings until a detailed analysis of the facility cooling water balance is performed and a permanent solution is engineered. The volatile organic emissions from the hot oil slurry and the cooling tower operations are considered to be negligible due to the physical and operational properties of the proposed system. The PM emissions from the proposed cooling tower will be increased by 0.17 tpy as calculated using the procedures outlined in AP-42 5th Edition, Volume 1, Chapter 13.4.

The previous emissions increases qualify as de minimis increases under 25 Pa. Code § 127.449.

The permit will include monitoring, recordkeeping and reporting requirements designed to keep the facility within all applicable air quality requirements.

**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 04971301 and NPDES Permit No. PA0215074**, Rosebud Mining Company, (301 Market

Street, Kittanning, PA 16201), to renew the permit for the Beaver Valley Mine in Greene Township and Shippingport Borough, **Beaver County** and related NPDES permit. No additional discharges. Application received December 24, 2007. Permit issued June 10, 2008.

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

**11970201 and NPDES No. PA0234648. Maple Coal Company**, 2593 Wexford-Bayne Road, Suite 100, Sewickley, PA 15143, permit renewal for the continued operation and restoration of a bituminous surface refuse reprocessing and beneficial use of ash mine in Barr and Blacklick Townships, **Cambria County**, affecting 471.1 acres. Receiving streams: UNT to/and Elk Creek classified for the following use: CWF. There are no potable water supply intakes within 10 miles downstream. Application received January 22, 2008. Permit issued June 9, 2008.

**11960107 and NPDES No. PA0234184. T. J. Mining, Inc.**, P. O. Box 370, Carrolltown, PA 15722, revision of an existing bituminous surface and auger mine to change land use from forestland and wildlife habitat to unmanaged natural habitat and industrial/commercial in Creson Township, **Cambria County**, affecting 62.0 acres. Receiving streams: UNT to Burgeon Run classified for the following use: CWF. There are no potable water supply intakes within 10 miles downstream. Application received March 12, 2008. Permit issued June 9, 2008.

**11020103 and NPDES No. PA0249335. Gator Coal LP**, P. O. Box 418, Elderton, PA 15736, permit renewal for the continued operation and restoration of a bituminous surface and auger mine in Susquehanna Township, **Cambria County**, affecting 324.5 acres. Receiving streams: Douglas Run, Peg Run, West Branch of Susquehanna River classified for the following uses: CWF, WWF. There are no potable water supply intakes within 10 miles downstream. Application received January 16, 2008. Permit issued June 12, 2008.

**56930102 and NPDES Permit No. PA0212407. Cooney Brothers Coal Company**, P. O. Box 246, Creson, PA 16630, permit renewal for reclamation only of a bituminous surface and auger mine in Shade Township, **Somerset County**, affecting 178.6 acres. Receiving streams: Hinson Run, UNT to Hinson Run and two UNTs to Shade Creek and Shade Creek classified for the following use: CWF. There are no potable water supply intakes within 10 miles downstream. Application received February 20, 2008. Permit issued June 13, 2008.

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

**26080102 and NPDES Permit No. PA0251321. Patterson Coal Company** (20 Elizabeth Drive, Smithfield, PA 15478). Permit issued for commencement, operation and reclamation of a bituminous surface mining site located in German Township, **Fayette County**, affecting 41.3 acres. Receiving streams: UNTs to North Branch Browns Run to Browns Run. Application received February 13, 2008. Permit issued June 12, 2008.

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

**33020104 and NPDES Permit No. PA0242161. AMFIRE Mining Company, LLC** (One Energy Place, Suite 2800, Latrobe, PA 15650) Renewal of an existing bituminous strip and auger operation in Snyder Township, **Jefferson County** affecting 207.4 acres. Receiving

streams: Walburn Run. Application received April 24, 2008. Permit issued June 11, 2008.

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

**17060102. Strishock Coal Company** (220 Hillcrest Drive, DuBois, PA 15801). Commencement, operation and restoration of a bituminous surface mine in Brady Township, **Clearfield County**, affecting 140.0 acres. Receiving streams: UNT to Beech Run, Beech Run and East Branch Mahonning, classified for the following use: HQ-CWF. The first downstream potable water supply intake from the point of discharge is East Branch Mahonning Creek. Application received March 16, 2006. Permit issued June 9, 2008.

**17050109 and NPDES No. PA0256293. Forcey Coal, Inc.** (P. O. Box 225, Madera, PA 16661). Revision of an existing bituminous surface mine to increase the mining area to 77.9 acres in Bloom Township, **Clearfield County**, affecting 116.0 acres. Receiving streams: UNT to Little Anderson Creek and UNT to Bell Run, classified for the following use: CWF. There are no potable water supply intakes within 10 miles downstream. Application received March 28, 2008. Permit issued June 11, 2008.

*Noncoal Permits Actions*

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

**4672SM10. I. A. Construction Corporation** (158 Lindsay Road, Zelenople, PA 16063) Renewal of NPDES Permit No. PA0089184 in Limestone Township, **Warren County**. Receiving streams: Myers Run and Allegheny River. Application received April 21, 2008. Permit issued June 11, 2008.

**37970302. Quality Aggregates, Inc.** (200 Neville Road, Neville Island, PA 15225) Renewal of NPDES permit No. PA0227579 in Slippery Rock Township, **Lawrence County**. Receiving streams: UNTs to Slippery Rock Creek. Application received April 24, 2008. Permit issued June 11, 2008.

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

**08040810. Donald E. Johnson, Jr.** (R. R. 2, Box 278C, Towanda, PA 18848). Noncoal mining operation in Asylum Township, **Bradford County**. Restoration of 1.0 acre completed. Application received May 30, 2008. Final bond release June 12, 2008.

**17050801. Jody L. Thompson** (5143 Philipsburg Bigler Highway, West Decatur, PA 16878). Noncoal mining operation in Decatur Township, **Clearfield County**. Restoration of 5.0 acres completed. Application received June 6, 2008. Final bond release June 16, 2008.

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

**35910301C4 and NPDES Permit No. PA0595209. West Mountain Sand, Stone & Aggregates, Ltd.** (P. O. Box 389, Skippack, PA 19474), renewal of NPDES Permit for discharge of treated mine drainage in Newton and Ransom Townships, **Lackawanna County**, receiving stream: Keyser Creek. Application received April 25, 2008. Renewal issued June 10, 2008.

**45020301C2 and NPDES Permit No. PA0224235. Haines & Kibblehouse, Inc.**, (P. O. Box 196, Skippack, PA 19474), renewal of NPDES Permit for discharge of treated mine drainage in Smithfield Township, **Monroe County**, receiving stream: Marshall Creek. Application received April 25, 2008. Renewal issued June 10, 2008.

**7975SM1C10 and NPDES Permit No. PA0045047. Haines & Kibblehouse, Inc.**, (P. O. Box 196, Skippack, PA 19474), renewal of NPDES Permit for discharge of treated mine drainage in Hilltown Township, **Bucks County**, receiving stream: UNT to Morris Run. Application received April 25, 2008. Renewal issued June 10, 2008.

**58080814. Todd W. Conroe, Sr.**, (R. R. 1, Box 1033, Nicholson, PA 18446), commencement, operation and restoration of a quarry operation in Lenox Township, **Susquehanna County** affecting 5.0 acres, receiving stream: none. Application received February 7, 2008. Permit issued June 12, 2008.

**58070864. Kevin Millard**, (R. R. 2, Box 2128, Montrose, PA 18801), commencement, operation and restoration of a quarry operation in Jessup Township, **Susquehanna County** affecting 5.0 acres, receiving stream: none. Application received October 26, 2007. Permit issued June 12, 2008.

**ACTIONS ON BLASTING ACTIVITY APPLICATIONS**

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**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.**

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*Blasting Permits Actions*

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

**21084134. Warrens Excavating & Drilling, Inc.**, P. O. Box 1022, Honey Brook, PA 19344-0902, blasting activity permit issued for residential development in Hampden Township, **Cumberland County**. Blasting activity permit end date is May 1, 2009. Permit issued June 2, 2008.

**21084135. Douglas Explosives, Inc.**, P. O. Box 77, Philipsburg, PA 16866-0077, blasting activity permit issued for residential development in Upper Allen Township, **Cumberland County**. Blasting activity permit end date is June 3, 2009. Permit issued June 4, 2008.

**01084108. M & J Explosives, Inc.**, P. O. Box 608, Carlisle, PA 17013-0608, blasting activity permit issued for residential development in Cumberland Township, **Adams County**. Blasting activity permit end date is June 30, 2009. Permit issued June 4, 2008.

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

**36084168. Warren's Excavating & Drilling, Inc.**, (P. O. Box 1022, Honey Brook, PA 19344), construction blasting for Newport Square Subdivision in Warwick Township and Lititz Borough, **Lancaster County** with an expiration date of June 1, 2009. Permit issued June 9, 2008.

**45084126. Explosive Services, Inc.**, (7 Pine Street, Bethany, PA 18431), construction blasting for Pocono Highland Estates in Pocono Township, **Monroe County** with an expiration date of June 30, 2009. Permit issued June 9, 2008.

**45084127. Explosive Services, Inc.,** (7 Pine Street, Bethany, PA 18431), construction blasting for Twin Lake Estates in Smithfield Township, **Monroe County** with an expiration date of June 30, 2009. Permit issued June 9, 2008.

**45084128. Explosive Services, Inc.,** (7 Pine Street, Bethany, PA 18431), construction blasting for Lake in the Pines in Middle Smithfield Township, **Monroe County** with an expiration date of June 30, 2009. Permit issued June 9, 2008.

**48084108. Austin Powder Company,** (25800 Science Park Drive, Cleveland, OH 44122), construction blasting for Hanover Corporate Center in Hanover and Lower Nazareth Townships, **Northampton County** with an expiration date of December 31, 2009. Permit issued June 9, 2008.

**52084112. Explosive Services, Inc.,** (7 Pine Street, Bethany, PA 18431), construction blasting for Hemlock Farms in Blooming Grove, Dingman and Porter Townships, **Pike County** with an expiration date of June 30, 2009. Permit issued June 9, 2008.

**52084113. Explosive Services, Inc.,** (7 Pine Street, Bethany, PA 18431), construction blasting for a single dwelling on Timothy Lake Road in Lehman Township, **Pike County** with an expiration date of June 6, 2009. Permit issued June 9, 2008.

**64084105. Hayduk Enterprises, Inc.,** (257 Riverside Drive, Factoryville, PA 18419), construction blasting for Wallenpaupack Estates in Paupack Township, **Wayne County** with an expiration date of June 30, 2009. Permit issued June 9, 2008.

**67084118. Warren's Excavating & Drilling, Inc.,** (P. O. Box 1022, Honey Brook, PA 19344), construction blasting for The Orchards in Hellam Township, **York County** with an expiration date of June 1, 2009. Permit issued June 9, 2008.

**67084119. Warren's Excavating & Drilling, Inc.,** (P. O. Box 1022, Honey Brook, PA 19344), construction blasting for Winter Ridge in Lower Windsor Township, **York County** with an expiration date of June 1, 2009. Permit issued June 9, 2008.

**52084111. Holbert Explosives, Inc.,** (237 Mast Hope Plank Road, Lackawaxen, PA 18435), construction blasting for Lake in the Clouds West in Greene Township, **Pike County** with an expiration date of June 1, 2009. Permit issued June 10, 2008.

**67084001. Kinsley Construction Company,** (231 Main Street, Loganville, PA 17432) and D. C. Guelich Explosives, (1442-18 Hollow Road, Clearfield, PA 16830), construction blasting for SR 0214-006 Project in Springfield Township, **York County** with an expiration date of July 1, 2009. Permit issued June 11, 2008.

**06084112. Warren's Excavating & Drilling, Inc.,** (P. O. Box 1022, Honey Brook, PA 19344), construction blasting for Brookfield Manor in Sinking Spring Borough, **Berks County** with an expiration date of June 1, 2009. Permit issued June 11, 2008.

**06084113. Warren's Excavating & Drilling, Inc.,** (P. O. Box 1022, Honey Brook, PA 19344), construction blasting for The Hills at Woodgate in Exeter Township, **Berks County** with an expiration date of June 1, 2009. Permit issued June 11, 2008.

**13084102. Austin Powder Company,** (25800 Science Park Drive, Cleveland, OH 44122), construction blasting at Penns Peak in Franklin Township, **Carbon County** with an expiration date of June 4, 2009. Permit issued June 11, 2008.

**36084169. Warren's Excavating & Drilling, Inc.,** (P. O. Box 1022, Honey Brook, PA 19344), construction blasting for Windy Hill in West Lampeter Township, **Lancaster County** with an expiration date of June 1, 2009. Permit issued June 11, 2008.

**36084170. Warren's Excavating & Drilling, Inc.,** (P. O. Box 1022, Honey Brook, PA 19344), construction blasting for Hunters Ridge in West Lampeter Township, **Lancaster County** with an expiration date of June 1, 2009. Permit issued June 11, 2008.

**36084171. Warren's Excavating & Drilling, Inc.,** (P. O. Box 1022, Honey Brook, PA 19344), construction blasting for Kolbacre Ridge in East Lampeter Township, **Lancaster County** with an expiration date of June 1, 2009. Permit issued June 11, 2008.

**36084174. Warren's Excavating & Drilling, Inc.,** (P. O. Box 1022, Honey Brook, PA 19344), construction blasting for Penns Crossing in Manheim Township, **Lancaster County** with an expiration date of June 1, 2009. Permit issued June 11, 2008.

**36084176. Warren's Excavating & Drilling, Inc.,** (P. O. Box 1022, Honey Brook, PA 19344), construction blasting for Brighton Development in Manheim Township, **Lancaster County** with an expiration date of June 1, 2009. Permit issued June 11, 2008.

**15084108. Brubacher Excavating, Inc.,** (P. O. Box 528, Bowmansville, PA 17507), construction blasting for CVS Frazer in East Whiteland Township, **Chester County** with an expiration date of June 1, 2009. Permit issued June 12, 2008.

**22084106. Warren's Excavating & Drilling, Inc.,** (P. O. Box 1022, Honey Brook, PA 19344), construction blasting for Wyndhurst Manor in Lower Paxton Township, **Dauphin County** with an expiration date of June 1, 2009. Permit issued June 12, 2008.

**22084107. Warren's Excavating & Drilling, Inc.,** (P. O. Box 1022, Honey Brook, PA 19344), construction blasting for The Preserve at Bow Creek in East Hanover Township, **Dauphin County** with an expiration date of June 1, 2009. Permit issued June 12, 2008.

**36084172. Warren's Excavating & Drilling, Inc.,** (P. O. Box 1022, Honey Brook, PA 19344), construction blasting for Hampton Chase in Manor Township, **Lancaster County** with an expiration date of June 1, 2009. Permit issued June 12, 2008.

**36084175. Warren's Excavating & Drilling, Inc.,** (P. O. Box 1022, Honey Brook, PA 19344), construction blasting for Farmington Way in Warwick Township, **Lancaster County** with an expiration date of June 1, 2009. Permit issued June 12, 2008.

**38084113. Warren's Excavating & Drilling, Inc.,** (P. O. Box 1022, Honey Brook, PA 19344), construction blasting for Creekside Development in North Cornwall Township, **Lebanon County** with an expiration date of June 1, 2009. Permit issued June 12, 2008.

**64084106. Explosive Services, Inc.,** (7 Pine Street, Bethany, PA 18431), construction blasting at Honesdale High School in Honesdale Borough, **Wayne County** with an expiration date of June 7, 2009. Permit issued June 13, 2008.

## 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.*

**E46-1015. New Hanover Township**, 2943 North Charlotte Street, Gilbertsville, PA 19525-9718, New Hanover Township, **Montgomery County**, United States Army Corps of Engineers, Philadelphia District.

To perform the following water obstruction and encroachment activities associated with the Westwood Maguire Tract Stream Relocation Project:

1. To relocate 240 linear feet of a UNT to the West Branch of Swamp Creek under a roadway widening

project associated with the construction of an adjacent residential subdivision situated southeast of Rhoads Road.

2. Work will include the placement of fill and associated grading with the existing stream and to excavate and perform grading associated with the construction of the new relocated stream.

The site is located on the east side of Rhodes Road and ends where the road crosses over the West Branch of Swamp Creek in New Hanover Township, Montgomery County (Sassamansville, PA Quadrangle N: 5.04 inches; W: 13.02 inches).

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

**E09-917. Department of Transportation**, 7000 Geerdes Boulevard, King of Prussia, PA 19406, Tinicum Township, **Bucks County**, United States Army Corps of Engineers, Philadelphia District.

To perform the following activities across a UNT to Tinicum Creek (EV) associated with the Red Hill Road bridge replacement and roadway improvement project:

1. To remove an existing simple span bridge and to construct and maintain, in its place, a 53-foot long single span bridge and associated rip-rap impacting 0.07 acre of EV wetland (PEM). The proposed structure will have a clear span of 49 feet and an underclearance of 5.56 feet.

2. To extend an existing 42-foot long, 24-inch diameter RCP culvert located approximately 70 feet northwest of the proposed bridge associated with approach roadway widening. The culvert will be extended approximately 9.5 feet on its downstream side.

3. To construct and maintain a temporary cofferdam associated with the diversion of stream flow through the project area.

The project will permanently impact approximately 0.03 acre of wetlands and temporarily impact 0.04 acre of wetlands. The project is located approximately 500 feet north of the intersection of Red Hill Road (SR 1009) and Hollow Horn Road in Tinicum Township, Bucks County (Bedminster, PA USGS Quadrangle N: 15.36 inches; W: 0.06 inch).

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

**E09-915. Department of Transportation**, 7000 Geerdes Boulevard, King of Prussia, PA 19406, Bedminster Township, **Bucks County**, United States Army Corps of Engineers, Philadelphia District.

To replace the existing three-span 73 feet long Kellers Church Road Bridge with a single-span 78.5 feet bridge over Deep Run (WWF). The bridge replacement involves the following water obstruction and encroachments:

1. To excavate approximately 118 square feet of streambed and conduct grading to remove center piers associated with existing bridge and to return the streambed to original grade.

2. To excavate approximately 26 square feet within the stream to accommodate the replacement of existing abutments and piers.

3. To construct in place rock slope protection to control upstream meandering of the stream at the designated areas as per the design drawings.

4. To construct a temporary road crossing to facilitate the easy access across the stream during construction.

5. To provide for and place within the stream and at various other areas within the floodway sandbags cofferdams, concrete barriers devices, J-hook vanes and other auxiliary water control structures to facilitate the construction design scheme.

6. To construct approximately 60 linear feet of rip rap scour protection at the entrance and exit points of the proposed bridge abutments as energy dissipaters.

The project will permanently impact approximately 241 linear feet of stream, fill in a net area of approximately 745 cubic yards of floodway and temporarily impact 417 linear feet of stream. The project is located approximately 159 feet south of the Meadow Lane and Kellers Church Road intersection in Bedminster Township, Bucks County (Bedminster, PA Quadrangle N: 6.81 inches; W: 7.04 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)).

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

**E17-443. Mark and Mary Stern**, 221 West Main Street, Lock Haven, PA 17745. Water Obstruction and Encroachment Joint Permit Application for Proposed private residence on Lot 731, Section 14c in Treasure Lake, Sandy Township, **Clearfield County**, United States Army Corps of Engineers, Pittsburgh District (Sabula, PA Quadrangle N: 10.45 inches; W: 15.15 inches).

The applicant is authorized to place and maintain fill within 0.04 acre of PEM/PFO wetlands for the purposes of constructing a single-family residence within the existing Treasure Lake Development. The watershed has a Chapter 93 water use protection designation of CWF and the wetlands are classified as "other wetlands" by the Department of Environmental Protection (Department). Wetland replacement by the permittee will not be required as the wetland impacts are de minimis.

**E19-270. Department of Transportation**, Engineering District 3-0, P. O. Box 218, Montoursville, PA 17754-0218. SR 42-047 Intersection Improvement Project in Hemlock and Mt. Pleasant Townships, **Columbia County**. Susquehanna River Basin District (Bloomsburg, PA Quadrangle N: 4.89 inches; W: 14.48 inches).

To replace the existing SR 4009 (Millville Road) bridge over Little Fishing Creek and reconstruction of the intersection (SR 0042 and SR 4009) just north of the bridge. Improvement of this intersection will also involve the addition of a traffic signal and highway widening for additional lanes on SR 0042 and SR 4009. Additionally, the intersection of existing township road, T-360 (Creek Road) with SR 0042 will be eliminated with construction of a new cul-de-sac on T-360 near the existing intersection and the profile on SR 0042 (Mall Boulevard) will be adjusted to improve sight distance.

The intent of the project is to improve motorist safety, increase the capacity of the intersection (reduce congestion) and update the existing bridge, which is deteriorating and obsolete. The various safety improvements in-

clude: the addition of two dedicated left turn lanes on northbound SR 4009 to southbound SR 0042, a dedicated right turn lane on northbound SR 0042 to southbound SR 4009, the addition of a traffic signal, intersection lighting, a wider bridge, access controls at two properties, constructing a cul-de-sac to eliminate the Creek Road intersection and improving the sight distance by modifying the existing crest vertical curve on Mall Boulevard. Also included will be the installation of new drainage facilities and the construction of a stormwater management basin to be located between Mall Boulevard and the proposed Creek Road cul-de-sac.

This project proposes to have a minimal impact on Little Fishing Creek, which is designated a CWF. This project does propose to permanently impact 0.276 acre of jurisdictional wetlands. Mitigation for the permanent impact will be made by payment to the Pennsylvania Wetlands Replacement Project. This permit also includes 401 Water Quality Certification.

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

**E02-1567. Department of Transportation**, District 11-0, 45 Thoms Run Road, Bridgeville, PA 15017. To place fill with a drainage area in Marshall Township, **Allegheny County**, United States Army Corps of Engineers, Pittsburgh District (Mars, PA Quadrangle N: 4.5 inches; W: 13.5 inches, Latitude: 40° 39' 18"; Longitude: 80° 5' 12" to N: 3.1 inches; W: 14.3 inches, Latitude: 40° 39' 18"; Longitude 80° 5' 12" to N: 3.1 inches; W: 124.3 inches, Latitude: 40° 38' 52"; Longitude: 80° 6' 52"). To place and maintain fill in 320 feet of Brush Creek (WWF) floodway with a drainage area of 5 square miles, place and maintain fill in 0.036 acre of PEM wetland, relocate 124 feet of a UNT to Brush Creek with a drainage area of 130 acres, a temporary crossing for the construction of the stream relocation and associated stormwater outfalls. The applicant has provided wetland mitigation in the form of a payment to the Wetland Replacement Fund. The project is associated with the road widening and improvements needed for the Tech 21 Partners Research Park.

**E02-1569. Allegheny County Airport Authority**, Landside Terminal, 4th Floor, Mezzanine Level, Pittsburgh, PA 15231-0370. To construct a culvert and place fill in wetlands in Findlay Township, **Allegheny County**, United States Army Corps of Engineers, Pittsburgh District (Aliquippa, PA Quadrangle N: 1.3 inches; W: 2.2 inches, Latitude: 40° 30' 21"; Longitude: 80° 15' 18"). To construct and maintain and an approximately 200-ft. long stream enclosure, consisting of a 60-inch diameter culvert and to place and maintain fill in adjacent wetlands in association with extending Halverson Drive. These structures will affect approximately 274-ft. of a UNT within the Montour Run Watershed (TSF) and 0.33 acre of wetland (PEM). In addition, to construct and maintain a 42-inch diameter culvert and to place and maintain fill in adjacent watercourses and associated wetlands in association with providing roadway access from Clinton Road to the Dick's Sporting Goods Corporate Campus. These structures will affect approximately 366-ft. of unnamed watercourses within the Raredon Run Watershed (WWF) and 0.02 acre of wetland (PEM). The construction and maintenance of interior roads, retaining walls, embankments, a stormwater management basin, an airplane hanger and other associated infrastructure for the new headquarters complex will affect an additional 338-ft. of watercourse and 0.06 acre of wetland (PEM) within these

two watersheds. The project is located on the south side of Business Route 60, just south from the intersection of Business Route 60 and Moon Clinton Road (Aliquippa, PA Quadrangle N: 1.3 inches; W: 2.2 inches, Latitude: 40° 30' 21"; Longitude: 80° 15' 18") and will permanently and cumulatively impact 0.41 acre of wetlands (PEM) and 978 linear feet of watercourse. These impacts will be compensated for, by 152-ft. of stream mitigation along Raredon Run Road (Aliquippa, PA Quadrangle N: 8.53 inches; W: 7.14 inches, Latitude: 40° 32' 49"; Longitude: 80° 18' 5") and 826-ft of stream mitigation along Raccoon Creek Road (Aliquippa, PA Quadrangle N: 8.93 inches; W: 9.42 inches, Latitude: 40° 32' 57"; Longitude: 80° 19' 4") and 0.41 acre of replacement wetland (PEM) at the permittee's site 10.2 wetland replacement area (Clinton, PA Quadrangle N: 16.6 inches; W: 3.28 inches, Latitude: 40° 27' 59"; Longitude: 80° 16' 25"). In addition, additional utility lines will be extended through an existing right-of-way access across Raredon Run and approximately 0.3 acre of adjacent wetland. Trench plugs will be installed along wetland crossings. After construction, this area will be restored to original grade.

#### ENVIRONMENTAL ASSESSMENTS

*Central Office: Bureau of Waterways Engineering, Rachel Carson State Office Building, Floor 3, 400 Market Street, Harrisburg, PA 17105.*

**D14-120EA. Ferguson Township**, 3147 Research Drive, State College, PA. Ferguson Township, **Center County**, United States Army Corps of Engineers, Baltimore District.

Project proposes to breach and remove Ferguson Township Debris Basin 1 Dam across Slab Cabin Run (CWF) for the purpose of eliminating a threat to public safety and restoring the stream to a free flowing condition. The project will restore approximately 210 feet of stream channel. The dam is located approximately 750 feet north of the intersection of SR 45 and SR 26 (Pine Grove Mills, PA Quadrangle Latitude: 40° 44' 09"; Longitude: 77° 53' 08").

**D21-021EA. Department of Corrections**, 2120 Lisburn Road, Camp Hill, PA 17011. Lower Allen Township, Cumberland County, Fairview Township, **York County**, United States Army Corps of Engineers, Baltimore District.

Project proposes to breach and remove Upper Mill Dam across Yellow Breeches Creek (CWF) for the purpose of eliminating a threat to public safety and restoring the stream to a free flowing condition. The project will restore approximately 1,500 lineal feet of stream channel. The dam is located approximately 3,000 feet southeast of the intersection of Lisburn and Spanglers Mill Roads (Lemoyne, PA Quadrangle Latitude: 40° 12' 36"; Longitude: 76° 54' 24").

**D26-128EA and D26-129EA. Western Pennsylvania Conservancy**, Route 381, Mill Run, PA 15464. Stewart Township, **Fayette County**, United States Army Corps of Engineers, Pittsburgh District.

Project proposes to breach and remove Upper Bear Run Dam and Lower Bear Run Dam across Bear Run (EV) for the purpose of eliminating a threat to public safety and restoring the stream to a free flowing condition. The dams are also being removed to eliminate a barrier to resident fish species. The project will restore approximately 200 feet of stream channel. The dams are located approximately 1.3 miles northeast of the intersection of SR 381 and Maple Hill Road (SR 2017) (Mill Run, PA Quadrangle Latitude: 39° 53' 57"; Longitude: 79° 27' 31").

**D67-481EA. Woodhaven Building & Development, Inc.**, 4175 Hanover Pike, Manchester, MD 21102. Penn and West Manheim Townships, **York County**, United States Army Corps of Engineers, Baltimore District.

Project proposes to breach and remove an unnamed dam across Indian Run (WWF) for the purpose of eliminating a threat to public safety and restoring the stream to a free flowing condition. The project will restore approximately 550 lineal feet of stream channel. The dam is located approximately 1,300 feet northwest of the intersection of Blue Hill and Beck Mill Roads (Hanover, PA Quadrangle Latitude: 39° 45' 48"; Longitude: 76° 58' 54").

[Pa.B. Doc. No. 08-1202. Filed for public inspection June 28, 2008, 9:00 a.m.]

#### Availability of Technical Guidance

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

The Department will continue to revise its nonregulatory documents, as necessary, throughout 2008.

#### *Ordering Paper Copies of Department Technical Guidance*

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

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

#### *Changes to Technical Guidance Documents*

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

#### *Interim Final Guidance*

DEP ID: 383-0400-114. Title: Pennsylvania Capability Enhancement Program. Description: This document provides guidance to all community, nontransient noncommunity and transient drinking water systems, as well as the Department's staff on the guidelines and implementation of Pennsylvania's Capability Enhancement Program. The purpose of this document is to establish a rational methodology to implement, track and allocate appropriate resources needed to meet the Federal requirements for a state capacity development strategy for all public water systems. Substantive revisions are proposed to the guidance in order to facilitate more effective use of grant funds from the United States Environmental Protection



Agency by adding source water protection as a component of the program and to incorporate principles for sustainable infrastructure. Written Comments: The Department is seeking comments on the substantive revisions to interim final technical guidance No. 383-0400-114. Interested persons may submit written comments on this guidance document by July 28, 2008. Comments submitted by facsimile will not be accepted. The Department will accept comments submitted by e-mail. A return name and address must be included in each e-mail transmission. Written comments should be submitted to Veronica Kasi, Department of Environmental Protection, Bureau of Water Standards and Facility Regulation, Rachel Carson State Office Building, 11th Floor, P. O. Box 8467, Harrisburg, PA 17105-8467, vbkasi@state.pa.us. Contact: Questions regarding the draft technical guidance document should be directed to Veronica Kasi at (717) 772-4053, vbkasi@state.pa.us. Interim Final Effective Date: June 28, 2008.

KATHLEEN A. MCGINTY,  
*Secretary*

[Pa.B. Doc. No. 08-1203. Filed for public inspection June 27, 2008, 9:00 a.m.]

### Hybrid Electric Vehicle Rebate Program

The Department of Environmental Protection (Department) announces an opportunity for individuals to qualify for rebates under the Department's Hybrid Electric Vehicle Rebate Program. The program, authorized through the Alternative Fuel Incentive Act (Act 178 of 2004), provides \$500 rebates to assist with the incremental costs of purchasing or leasing a new hybrid electric vehicle. The total of both the EPA city miles per gallon (MPG) and the EPA highway MPG must meet or exceed 55 MPG to achieve the fuel efficiency requirements. The hybrid vehicle must also have a carbon footprint of less than 7.0 tons/year of CO<sub>2</sub> as accounted by [www.fueleconomy.gov](http://www.fueleconomy.gov). The program was established to help reduce the Commonwealth's dependence on imported oil and to improve the environmental quality by using alternative fuels.

To qualify for the \$500 rebate, the hybrid electric vehicle must be registered in Pennsylvania and primarily operated within the Commonwealth. A list of eligible vehicles may be obtained from the Department's web site at [www.depweb.state.pa.us](http://www.depweb.state.pa.us) (DEP Keyword: "Hybrid Vehicle Rebates"). The rebates will be offered on a first-come, first-served basis as long as funds are available. A total of \$1.5 million is available for allocation under the program. Rebate request forms and required documentation must be postmarked no later than 6 months after the vehicle is purchased or leased.

Rebate forms, along with additional information about the program, may be obtained on the Department's web site at [www.depweb.state.pa.us](http://www.depweb.state.pa.us) (DEP Keyword: "Alternative Fuels") or by contacting the Hybrid Electric Vehicle Program at (866) 294-3854, (717) 214-3492 or [epafinfo@state.pa.us](mailto:epafinfo@state.pa.us).

KATHLEEN A. MCGINTY,  
*Secretary*

[Pa.B. Doc. No. 08-1204. Filed for public inspection June 27, 2008, 9:00 a.m.]

## DEPARTMENT OF HEALTH

### Application of Clinical Nephrology Associates, Ltd. for Exception

Under 28 Pa. Code § 51.33 (relating to requests for exceptions), the Department of Health (Department) hereby gives notice that Clinical Nephrology Associates, Ltd. has requested an exception to the requirements of 28 Pa. Code § 571.1 (relating to minimum standards), which requires compliance with minimum standards contained in the following publication: *Guidelines for Design and Construction of Hospital and Healthcare Facilities*. The facility specifically requests exemption from the following standards contained in this publication: 3.7-2.4.2.1(1) (relating to phase II recovery), 3.7-2.5.1 (relating to restricted corridor control station) and 3.7-2.5.7.4 (relating to stretcher storage).

The request is on file with the Department. Persons may receive a copy of a request for exception by requesting a copy from the Department of Health, Division of Acute and Ambulatory Care, Room 532, Health and Welfare Building, Harrisburg, PA 17120, (717) 783-8980, fax (717) 772-2163, [dditlow@state.pa.us](mailto:dditlow@state.pa.us).

Those persons who wish to comment on an exception request may do so by sending a letter by mail, e-mail or facsimile to the division and address listed previously.

Comments received by the Department within 10 days after the date of publication of this notice will be reviewed by the Department before it decides whether to approve or disapprove the request for exception.

Persons with a disability who wish to obtain a copy of the request and require an auxiliary aid service or other accommodation to do so should contact the Director, Division of Acute and Ambulatory Care at (717) 783-8980 V/TT (717) 783-6154 for speech and/or hearing impaired persons or the Pennsylvania AT&T Relay Service at (800) 654-5984 (TT).

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

[Pa.B. Doc. No. 08-1205. Filed for public inspection June 27, 2008, 9:00 a.m.]

### Application of Clinical Nephrology Associates, Ltd. for Exception

Under 28 Pa. Code § 51.33 (relating to requests for exceptions), the Department of Health (Department) gives notice that Clinical Nephrology Associates, Ltd. has requested an exception to the requirements of 28 Pa. Code §§ 551.3 and 553.31(a) (relating to definitions; and licensure).

These requests are on file with the Department. Persons may receive a copy of a request for exception by requesting a copy from the Department of Health, Division of Acute and Ambulatory Care, Room 532, Health and Welfare Building, Harrisburg, PA 17120, (717) 783-8980, fax (717) 772-2163, [paexcept@health.state.pa.us](mailto:paexcept@health.state.pa.us).

Those persons who wish to comment on an exception request may do so by sending a letter by mail, e-mail or facsimile to the Division and address listed previously.



Comments received by the Department within 10 days after the date of publication of this notice will be reviewed by the Department before it decides whether to approve or disapprove the request for exception.

Persons with a disability who wish to obtain a copy of a request and/or provide comments to the Department and require an auxiliary aid, service or other accommodation to do so should contact the Division at the previously listed address or phone numbers or for speech and/or hearing impaired persons VTT (717) 783-6154 or the Pennsylvania AT&T Relay Service at (800) 654-5984.

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

[Pa.B. Doc. No. 08-1206. Filed for public inspection June 27, 2008, 9:00 a.m.]

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### **Application of Eastern Pennsylvania Nephrology Associates, P.C. for Exception**

Under 28 Pa. Code § 51.33 (relating to requests for exceptions), the Department of Health (Department) gives notice that Eastern Pennsylvania Nephrology Associates, P.C. has requested an exception to the requirements of 28 Pa. Code §§ 551.3 and 553.31(a) (relating to definitions; and licensure).

These requests are on file with the Department. Persons may receive a copy of a request for exception by requesting a copy from the Department of Health, Division of Acute and Ambulatory Care, Room 532, Health and Welfare Building, Harrisburg, PA 17120, (717) 783-8980, fax (717) 772-2163, paexcept@health.state.pa.us.

Those persons who wish to comment on an exception request may do so by sending a letter by mail, e-mail or facsimile to the Division and address listed previously.

Comments received by the Department within 10 days after the date of publication of this notice will be reviewed by the Department before it decides whether to approve or disapprove the request for exception.

Persons with a disability who wish to obtain a copy of a request and/or provide comments to the Department and require an auxiliary aid, service or other accommodation to do so should contact the Division at the previously listed address or phone numbers or for speech and/or hearing impaired persons V/TT (717) 783-6154 or the Pennsylvania AT&T Relay Services at (800) 654-5984.

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

[Pa.B. Doc. No. 08-1207. Filed for public inspection June 27, 2008, 9:00 a.m.]

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### **Application of The Hospital of the University of Pennsylvania/Radiation Oncology Unit for Exception**

Under 28 Pa. Code § 51.33 (relating to requests for exceptions), the Department of Health (Department) gives notice that The Hospital of the University of Pennsylvania/Radiation Oncology Unit has requested an exception to the requirements of 28 Pa. Code § 127.31(b) (relating to policies and procedures).

These requests are on file with the Department. Persons may receive a copy of a request for exception by requesting a copy from the Department of Health, Division of Acute and Ambulatory Care, Room 532, Health and Welfare Building, Harrisburg, PA 17120, (717) 783-8980, fax (717) 772-2163, paexcept@health.state.pa.us.

Those persons who wish to comment on an exception request may do so by sending a letter by mail, e-mail or facsimile to the Division and address listed previously.

Comments received by the Department within 10 days after the date of publication of this notice will be reviewed by the Department before it decides whether to approve or disapprove the request for exception.

Persons with a disability who wish to obtain a copy of a request and/or provide comments to the Department and require an auxiliary aid, service or other accommodation to do so should contact the Division at the previously listed address or phone numbers or for speech and/or hearing impaired persons V/TT (717) 783-6154 or the Pennsylvania AT&T Relay Services at (800) 654-5984.

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

[Pa.B. Doc. No. 08-1208. Filed for public inspection June 27, 2008, 9:00 a.m.]

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### **Application of Metropolitan Nephrology Associates, P.C. for Exception**

Under 28 Pa. Code § 51.33 (relating to requests for exceptions), the Department of Health (Department) gives notice that Metropolitan Nephrology Associates, P.C. has requested an exception to the requirements of 28 Pa. Code §§ 551.3 and 553.31(a) (relating to definitions; and licensure).

These requests are on file with the Department. Persons may receive a copy of a request for exception by requesting a copy from the Department of Health, Division of Acute and Ambulatory Care, Room 532, Health and Welfare Building, Harrisburg, PA 17120, (717) 783-8980, fax (717) 772-2163, paexcept@health.state.pa.us.

Those persons who wish to comment on an exception request may do so by sending a letter by mail, e-mail or facsimile to the Division and address listed previously.

Comments received by the Department within 10 days after the date of publication of this notice will be reviewed by the Department before it decides whether to approve or disapprove the request for exception.

Persons with a disability who wish to obtain a copy of a request and/or provide comments to the Department and require an auxiliary aid, service or other accommodation to do so should contact the Division at the previously listed address or phone numbers or for speech and/or hearing impaired persons V/TT (717) 783-6154 or the Pennsylvania AT&T Relay Services at (800) 654-5984.

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

[Pa.B. Doc. No. 08-1209. Filed for public inspection June 27, 2008, 9:00 a.m.]

### Application of Metropolitan Nephrology Associates, PC for Exception

Under 28 Pa. Code § 51.33 (relating to requests for exceptions), the Department of Health (Department) gives notice that Metropolitan Nephrology Associates, PC has requested an exception to the requirements of 28 Pa. Code § 571.1 (relating to minimum standards), which requires compliance with minimum standards contained in the following publication: *Guidelines for Design and Construction of Hospital and Healthcare Facilities*. The facility specifically requests exemption from the following standards contained in this publication: 3.7-2.4.2.1(1) (relating to phase II recovery), 3.7-2.5.1 (relating to restricted corridor control station) and 3.7-2.5.7.4 (relating to stretcher storage).

The request is on file with the Department. Persons may receive a copy of a request for exception by requesting a copy from the Department of Health, Division of Acute and Ambulatory Care, Room 532, Health and Welfare Building, Harrisburg, PA 17120, (717) 783-8980, fax (717) 772-2163, dditlow@state.pa.us.

Those persons who wish to comment on an exception request may do so by sending a letter by mail, e-mail or facsimile to the Division and address listed previously.

Comments received by the Department within 10 days after the date of publication of this notice will be reviewed by the Department before it decides whether to approve or disapprove the request for exception.

Persons with a disability who wish to obtain a copy of the request and require an auxiliary aid, service or other accommodation to do so should contact the Director, Division of Acute and Ambulatory Care at (717) 783-8980, V/TT (717) 783-6154 for speech and/or hearing impaired persons or the Pennsylvania AT&T Relay Service at (800) 654-5984 (TT).

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

[Pa.B. Doc. No. 08-1210. Filed for public inspection June 27, 2008, 9:00 a.m.]

### Application of Nephrology/Hypertension Associates of Lehigh Valley for Exception

Under 28 Pa. Code § 51.33 (relating to requests for exceptions), the Department of Health (Department) gives notice that Nephrology/Hypertension Associates of Lehigh Valley has requested an exception to the requirements of 28 Pa. Code §§ 551.3 and 553.31(a) (relating to definitions; and licensure).

These requests are on file with the Department. Persons may receive a copy of a request for exception by requesting a copy from the Department of Health, Division of Acute and Ambulatory Care, Room 532, Health and Welfare Building, Harrisburg, PA 17120, (717) 783-8980, fax (717) 772-2163, paexcept@health.state.pa.us.

Those persons who wish to comment on an exception request may do so by sending a letter by mail, e-mail or facsimile to the Division and address listed previously.

Comments received by the Department within 10 days after the date of publication of this notice will be reviewed by the Department before it decides whether to approve or disapprove the request for exception.

Persons with a disability who wish to obtain a copy of a request and/or provide comments to the Department and require an auxiliary aid, service or other accommodation to do so should contact the Division at the previously listed address or phone numbers or for speech and/or hearing impaired persons V/TT (717) 783-6154 or the Pennsylvania AT&T Relay Services at (800) 654-5984.

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

[Pa.B. Doc. No. 08-1211. Filed for public inspection June 27, 2008, 9:00 a.m.]

### Application of The Washington Hospital for Exception

Under 28 Pa. Code § 51.33 (relating to requests for exceptions), the Department of Health (Department) gives notice that The Washington Hospital has requested an exception to the requirements of 28 Pa. Code § 107.26(b)(2) (relating to additional committees).

This request is on file with the Department. Persons may receive a copy of a request for exception by requesting a copy from the Department of Health, Division of Acute and Ambulatory Care, Room 532, Health and Welfare Building, Harrisburg, PA 17120, (717) 783-8980, fax (717) 772-2163, paexcept@health.state.pa.us.

Those persons who wish to comment on an exception request may do so by sending a letter by mail, e-mail or facsimile to the Division and address listed previously.

Comments received by the Department within 10 days after the date of publication of this notice will be reviewed by the Department before it decides whether to approve or disapprove the request for exception.

Persons with a disability who wish to obtain a copy of a request and/or provide comments to the Department and require an auxiliary aid, service or other accommodation to do so should contact the Division at the previously listed address or phone numbers or for speech and/or hearing impaired persons V/TT (717) 783-6154 or the Pennsylvania AT&T Relay Services at (800) 654-5984.

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

[Pa.B. Doc. No. 08-1212. Filed for public inspection June 27, 2008, 9:00 a.m.]

### Chronic Renal Disease Advisory Committee Meeting

The Renal Disease Advisory Committee, established by section 4 of the act of June 23, 1970 (P. L. 419, No. 14) (35 P. S. § 6204), will hold a public meeting on Friday, July 25, 2008, from 11 a.m. to 3 p.m. The meeting will be held in the Health and Welfare Building, Conference Room 327, Seventh and Forster Streets, Harrisburg, PA 17120.

For additional information, contact Carolyn S. Cass, Director, Division of Child and Adult Health Services, Department of Health, Health and Welfare Building, Seventh Floor, East Wing, Seventh and Forster Streets, Harrisburg, PA 17120 or (717) 772-2762. Persons who wish to attend this meeting, or a person with a disability

and desire to attend the meeting and require an auxiliary aid, service or other accommodation to do so should contact Carolyn Cass at the previous number or for alternative formats such as audiotape, Braille or TDD contact V/TT at (717) 783-6514 or the Pennsylvania AT&T Relay Services at (800) 654-5984.

This meeting is subject to cancellation without notice.

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

[Pa.B. Doc. No. 08-1213. Filed for public inspection June 27, 2008, 9:00 a.m.]

**Human Immunodeficiency Virus (HIV) Community Prevention Planning Committee; Public Meetings**

The Statewide HIV Community Prevention Planning Committee, established by the Department of Health (Department) under sections 301 and 317 of the Public Health Service Act (42 U.S.C.A. §§ 241(a) and 247(b)), will hold a public meeting on Wednesday, July 16, 2008, from 9 a.m. to 4 p.m. and Thursday, July 17, 2008, from 9 a.m. until 2 p.m. at the Harrisburg Holiday Inn West, 5401 Carlisle Pike, Mechanicsburg, PA 17050.

For additional information, contact Kenneth McGarvey, Department of Health, Bureau of Communicable Diseases, Room 1010, Health and Welfare Building, Harrisburg, PA 17120, (717) 783-0572.

Persons with a disability who desire to attend the meeting and require an auxiliary aid, service or other accommodation to do so should also contact Kenneth McGarvey at the previous number or at V/TT (717) 783-6514 for speech and/or hearing impaired persons or the Pennsylvania AT&T Relay Services at (800) 654-5984 (TT).

The Department reserves the right to cancel this meeting without prior notice.

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

[Pa.B. Doc. No. 08-1214. Filed for public inspection June 27, 2008, 9:00 a.m.]

**Special Supplemental Nutrition Program for Women, Infants and Children (WIC Program); Maximum Allowable Prices and Competitive Prices**

**Maximum Allowable Prices and Competitive Prices for Type 1 Stores in Regular Cost Counties**

Under 28 Pa. Code §§ 1103.4(5) and 1105.3(a)(1) (relating to selection criteria for authorization and reauthorization; terms and conditions of participation) and 7 CFR 246.12, the WIC Program hereby publishes notice of the Maximum Allowable Prices and Competitive Prices for Type 1 Stores in Regular Cost Counties.

**Maximum Allowable Prices**

Effective July 1, 2008, through September 30, 2008, the maximum allowable prices the Department of Health (Department) will pay Type 1 Stores in Regular Cost Counties for WIC Allowable Foods are as follows:

<i>Description</i>	<i>Maximum Allowable Price</i>
1/2 gal. of Milk: Whole, Reduced Fat, Low Fat or Skim .....	\$2.55
12 oz. Evaporated Milk .....	\$1.17
16 oz. Dry Milk .....	\$6.01
1 qt. Lactose Reduced Milk .....	\$2.11
1/2 gal. Kosher Milk .....	\$2.81
4 oz. Kosher Infant Juice .....	\$0.70
8 oz. Kosher Infant Cereal .....	\$1.98
1 doz. Grade A Eggs .....	\$2.02
1 lb. Fresh Carrots .....	\$1.08
14 to 20 oz. Canned Carrots .....	\$1.08
1 lb. Cheese .....	\$7.58
1 lb. Kosher Cheese .....	\$7.80
1 lb. Dry Beans or Peas .....	\$1.76
1 oz. Adult WIC Cereal .....	\$0.33
8 oz. Gerber Infant Cereal .....	\$1.98
15 to 18 oz. Peanut Butter .....	\$3.19
46 oz. Single Strength Juice or 11.5 or 12 oz. Juice Concentrate .....	\$3.12
6 oz. Cans Juice .....	\$1.61
6 to 6.5 oz. Chunk Light Tuna Packed in Water ..	\$1.05
4 oz. Gerber Infant Juice .....	\$0.70
32 oz. Alimentum Advance Ready-to-Feed Formula .....	\$8.91
16 oz. Alimentum Advance Powder Formula .....	\$25.27
12.8 oz. EnfaCare LIPIL w/Iron Powder Formula .....	\$13.86
13 oz. Isomil Advance Concentrate Formula .....	\$4.82
32 oz. Isomil Advance Ready-to-Feed Formula .....	\$5.97
12.9 oz. Isomil Advance Powder Formula .....	\$14.48
12.9 oz. Similac Go & Grow Soy .....	\$12.61
24 oz. Similac Go & Grow Soy .....	\$22.58
13 oz. Isomil with Iron Concentrate Formula .....	\$4.56
12.9 oz. Isomil with Iron Powder Formula .....	\$13.03
32 oz. Isomil DF Ready-to-Feed Formula .....	\$6.21
13 oz. Nutramigen Lipil Concentrate Formula .....	\$7.01
32 oz. Nutramigen Lipil Ready-to-Feed Formula ..	\$8.98
16 oz. Nutramigen Lipil Powder Formula .....	\$25.26
8 oz. Pediasure Ready-to-Feed Formula .....	\$1.80
8 oz. Pediasure with Fiber Ready-to-Feed Formula .....	\$1.84
13 oz. Similac Advance Concentrate Formula .....	\$4.32
32 oz. Similac Advance Ready-to-Feed Formula ..	\$6.25
12.9 oz. Similac Advance Powder Formula .....	\$13.20
12.9 oz. Similac Go & Grow Milk .....	\$12.44
24 oz. Similac Go & Grow Milk .....	\$22.27
13 oz. Similac with Iron Concentrate Formula .....	\$4.19
32 oz. Similac with Iron Ready-to-Feed Formula ..	\$5.60
12.9 oz. Similac with Iron Powder Formula .....	\$12.75
13 oz. Similac Sensitive Concentrate Formula .....	\$4.83
32 oz. Similac Sensitive Ready-to-Feed Formula ..	\$5.94
32 oz. Similac Sensitive RS Ready-to-Feed Formula .....	\$5.96
12.9 oz. Similac Sensitive Powder .....	\$14.62
12.8 oz. Similac Neosure Advance Powder Formula .....	\$15.03
32 oz. Similac Neosure Advance RTF Formula .....	\$7.40

A store must permit purchase of WIC allowable foods that exceed the maximum allowable price to WIC participants using a WIC check; however, the amounts that exceed the maximum allowable price of any WIC allowable foods sold to WIC participants will be billed to the store on a quarterly basis in accordance with 28 Pa. Code § 1105.2 (relating to price adjustment).

**Competitive Prices**

To remain WIC Authorized, each store must maintain the minimum inventory of the following WIC food items at, or below, the Competitive Prices listed for the store's peer group. Effective July 1, 2008, through September 30, 2008, the Competitive Prices for WIC Authorization for Type 1 Stores in Regular Cost Counties are as follows:

<i>Description</i>	<i>Competitive Prices</i>
1/2 gal. of Milk: Whole, Reduced Fat, Low Fat or Skim .....	\$2.36
1/2 gal. of Kosher Milk: Whole, Reduced Fat, Low Fat or Skim .....	\$2.41
12 oz. Evaporated Milk .....	\$1.10
16 oz. Dry Milk .....	\$5.69
1 doz. Grade A Eggs .....	\$1.91
1 lb. Fresh Carrots .....	\$1.03
14 to 20 oz. Canned Carrots .....	\$0.96
1 lb. Cheese .....	\$6.69
1 lb. Kosher Cheese .....	\$7.73
1 lb. Dry Beans or Peas .....	\$1.54
1 oz. Adult WIC Cereal .....	\$0.33
8 oz. Gerber Infant Cereal .....	\$1.98
15 to 18 oz. Peanut Butter .....	\$2.84
46 oz. Single Strength Juice or 11.5 or 12 oz. Juice Concentrate .....	\$2.85
6 to 6.5 oz. Chunk Light Tuna Packed in Water ..	\$0.98
4 oz. Gerber Infant Juice .....	\$0.70
13 oz. Isomil Advance Concentrate Formula .....	\$4.82
32 oz. Isomil Advance Ready-to-Feed Formula ...	\$5.97
12.9 oz. Isomil Advance Powder Formula .....	\$14.48
13 oz. Similac Advance Concentrate Formula ....	\$4.32
32 oz. Similac Advance Ready-to-Feed Formula ..	\$6.25
12.9 oz. Similac Advance Powder Formula .....	\$13.20

**Maximum Allowable Prices and Competitive Prices for Type 2 Stores in Regular Cost Counties**

Under 28 Pa. Code §§ 1103.4(5) and 1105.3(a)(1) and 7 CFR 246.12, the WIC Program hereby publishes notice of the Maximum Allowable Prices and Competitive Prices for Type 2 Stores in Regular Cost Counties.

**Maximum Allowable Prices**

Effective July 1, 2008, through September 30, 2008, the maximum allowable prices the Department will pay Type 2 Stores in Regular Cost Counties for WIC Allowable Foods are as follows:

<i>Description</i>	<i>Maximum Allowable Price</i>
1/2 gal. of Milk: Whole, Reduced Fat, Low Fat or Skim .....	\$2.55
12 oz. Evaporated Milk .....	\$1.33
16 oz. Dry Milk .....	\$6.01
1 qt. Lactose Reduced Milk .....	\$2.17
1/2 gal. Kosher Milk .....	\$2.81
4 oz. Kosher Infant Juice .....	\$0.74
8 oz. Kosher Infant Cereal .....	\$2.05
1 doz. Grade A Eggs .....	\$2.07
1 lb. Fresh Carrots .....	\$1.08
14 to 20 oz. Canned Carrots .....	\$1.10
1 lb. Cheese .....	\$7.58
1 lb. Kosher Cheese .....	\$8.78
1 lb. Dry Beans or Peas .....	\$1.96
1 oz. Adult WIC Cereal .....	\$0.36
8 oz. Gerber Infant Cereal .....	\$2.05
15 to 18 oz. Peanut Butter .....	\$3.19

*Maximum Allowable Price*

<i>Description</i>	<i>Maximum Allowable Price</i>
46 oz. Single Strength Juice or 11.5 or 12 oz. Juice Concentrate .....	\$3.31
6 oz. Cans Juice .....	\$1.61
6 to 6.5 oz. Chunk Light Tuna Packed in Water ..	\$1.11
4 oz. Gerber Infant Juice .....	\$0.74
32 oz. Alimentum Advance Ready-to-Feed Formula .....	\$9.43
16 oz. Alimentum Advance Powder Formula .....	\$26.86
12.8 oz. EnfaCare LIPIL w/Iron Powder Formula .....	\$14.44
13 oz. Isomil Advance Concentrate Formula .....	\$4.95
32 oz. Isomil Advance Ready-to-Feed Formula ...	\$6.16
12.9 oz. Isomil Advance Powder Formula .....	\$14.83
12.9 oz. Similac Go & Grow Soy .....	\$12.66
24 oz. Similac Go & Grow Soy .....	\$22.67
13 oz. Isomil with Iron Concentrate Formula ....	\$4.81
12.9 oz. Isomil with Iron Powder Formula .....	\$13.88
32 oz. Isomil DF Ready-to-Feed Formula .....	\$6.34
13 oz. Nutramigen Lipil Concentrate Formula ...	\$7.30
32 oz. Nutramigen Lipil Ready-to-Feed Formula ..	\$9.20
16 oz. Nutramigen Lipil Powder Formula .....	\$26.93
8 oz. Pediasure Ready-to-Feed Formula .....	\$2.06
8 oz. Pediasure with Fiber Ready-to-Feed Formula .....	\$2.09
13 oz. Similac Advance Concentrate Formula ....	\$4.49
32 oz. Similac Advance Ready-to-Feed Formula ..	\$6.38
12.9 oz. Similac Advance Powder Formula .....	\$13.72
12.9 oz. Similac Go & Grow Milk .....	\$12.44
24 oz. Similac Go & Grow Milk .....	\$22.27
13 oz. Similac with Iron Concentrate Formula ...	\$4.23
32 oz. Similac with Iron Ready-to-Feed Formula ..	\$5.60
12.9 oz. Similac with Iron Powder Formula .....	\$13.20
13 oz. Similac Sensitive Concentrate Formula ...	\$5.21
32 oz. Similac Sensitive Ready-to-Feed Formula ..	\$6.18
32 oz. Similac Sensitive RS Ready-to-Feed Formula .....	\$6.32
12.9 oz. Similac Sensitive Powder .....	\$15.07
12.8 oz. Similac Neosure Advance Powder Formula .....	\$15.89
32 oz. Similac Neosure Advance RTF Formula ...	\$7.65

A store must permit purchase of WIC allowable foods that exceed the maximum allowable price to WIC participants using a WIC check; however, the amounts that exceed the maximum allowable price of any WIC allowable foods sold to WIC participants will be billed to the store on a quarterly basis in accordance with 28 Pa. Code § 1105.2.

**Competitive Prices**

To remain WIC Authorized, each store must maintain the minimum inventory of the following WIC food items at, or below, the Competitive Prices listed for the store's peer group. Effective July 1, 2008, through September 30, 2008, the Competitive Prices for WIC Authorization for Type 2 Stores in Regular Cost Counties are as follows:

<i>Description</i>	<i>Competitive Prices</i>
1/2 gal. of Milk: Whole, Reduced Fat, Low Fat or Skim .....	\$2.36
1/2 gal. of Kosher Milk: Whole, Reduced Fat, Low Fat or Skim .....	\$2.41
12 oz. Evaporated Milk .....	\$1.24
16 oz. Dry Milk .....	\$5.69
1 doz. Grade A Eggs .....	\$1.98
1 lb. Fresh Carrots .....	\$1.05

<i>Description</i>	<i>Competitive Prices</i>
14 to 20 oz. Canned Carrots .....	\$1.00
1 lb. Cheese .....	\$6.69
1 lb. Kosher Cheese .....	\$8.67
1 lb. Dry Beans or Peas .....	\$1.73
1 oz. Adult WIC Cereal .....	\$0.33
8 oz. Gerber Infant Cereal .....	\$2.05
15 to 18 oz. Peanut Butter .....	\$2.84
46 oz. Single Strength Juice or 11.5 or 12 oz. Juice Concentrate .....	\$2.98
6 to 6.5 oz. Chunk Light Tuna Packed in Water ..	\$1.04
4 oz. Gerber Infant Juice .....	\$0.74
13 oz. Isomil Advance Concentrate Formula .....	\$4.95
32 oz. Isomil Advance Ready-to-Feed Formula ...	\$6.16
12.9 oz. Isomil Advance Powder Formula .....	\$14.83
13 oz. Similac Advance Concentrate Formula ....	\$4.49
32 oz. Similac Advance Ready-to-Feed Formula ..	\$6.38
12.9 oz. Similac Advance Powder Formula .....	\$13.72

**Maximum Allowable Prices and Competitive Prices for Type 3 Stores in Regular Cost Counties**

Under 28 Pa. Code §§ 1103.4(5) and 1105.3(a)(1) and 7 CFR 246.12, the WIC Program hereby publishes notice of the Maximum Allowable Prices and Competitive Prices for Type 3 Stores in Regular Cost Counties.

**Maximum Allowable Prices**

Effective July 1, 2008, through September 30, 2008, the maximum allowable prices the Department will pay Type 3 Stores in Regular Cost Counties for WIC allowable foods are as follows:

<i>Description</i>	<i>Maximum Allowable Price</i>
1/2 gal. of Milk: Whole, Reduced Fat, Low Fat or Skim .....	\$2.55
12 oz. Evaporated Milk .....	\$1.33
16 oz. Dry Milk .....	\$6.01
1 qt. Lactose Reduced Milk .....	\$2.17
1/2 gal. Kosher Milk .....	\$2.81
4 oz. Kosher Infant Juice .....	\$0.77
8 oz. Kosher Infant Cereal .....	\$2.18
1 doz. Grade A Eggs .....	\$2.09
1 lb. Fresh Carrots .....	\$1.09
14 to 20 oz. Canned Carrots .....	\$1.10
1 lb. Cheese .....	\$7.58
1 lb. Kosher Cheese .....	\$8.78
1 lb. Dry Beans or Peas .....	\$1.96
1 oz. Adult WIC Cereal .....	\$0.37
8 oz. Gerber Infant Cereal .....	\$2.18
15 to 18 oz. Peanut Butter .....	\$3.19
46 oz. Single Strength Juice or 11.5 or 12 oz. Juice Concentrate .....	\$3.31
6 oz. Cans Juice .....	\$1.61
6 to 6.5 oz. Chunk Light Tuna Packed in Water ..	\$1.11
4 oz. Gerber Infant Juice .....	\$0.77
32 oz. Alimentum Advance Ready-to-Feed Formula .....	\$9.43
16 oz. Alimentum Advance Powder Formula .....	\$26.99
12.8 oz. EnfaCare LIPIL w/Iron Powder Formula .....	\$14.44
13 oz. Isomil Advance Concentrate Formula .....	\$5.45
32 oz. Isomil Advance Ready-to-Feed Formula ...	\$7.39
12.9 oz. Isomil Advance Powder Formula .....	\$16.09
12.9 oz. Similac Go & Grow Soy .....	\$12.66
24 oz. Similac Go & Grow Soy .....	\$22.67
13 oz. Isomil with Iron Concentrate Formula ....	\$5.41

<i>Description</i>	<i>Maximum Allowable Price</i>
12.9 oz. Isomil with Iron Powder Formula .....	\$14.74
32 oz. Isomil DF Ready-to-Feed Formula .....	\$8.19
13 oz. Nutramigen Lipil Concentrate Formula ...	\$7.79
32 oz. Nutramigen Lipil Ready-to-Feed Formula ..	\$9.20
16 oz. Nutramigen Lipil Powder Formula .....	\$28.36
8 oz. Pediasure Ready-to-Feed Formula .....	\$2.58
8 oz. Pediasure with Fiber Ready-to-Feed Formula .....	\$2.63
13 oz. Similac Advance Concentrate Formula ....	\$5.17
32 oz. Similac Advance Ready-to-Feed Formula ..	\$7.18
12.9 oz. Similac Advance Powder Formula .....	\$15.02
12.9 oz. Similac Go & Grow Milk .....	\$12.44
24 oz. Similac Go & Grow Milk .....	\$22.27
13 oz. Similac with Iron Concentrate Formula ...	\$4.60
32 oz. Similac with Iron Ready-to-Feed Formula ..	\$6.95
12.9 oz. Similac with Iron Powder Formula .....	\$14.64
13 oz. Similac Sensitive Concentrate Formula ...	\$5.21
32 oz. Similac Sensitive Ready-to-Feed Formula ..	\$6.63
32 oz. Similac Sensitive RS Ready-to-Feed Formula .....	\$7.50
12.9 oz. Similac Sensitive Powder .....	\$15.12
12.8 oz. Similac Neosure Advance Powder Formula .....	\$15.89
32 oz. Similac Neosure Advance RTF Formula ...	\$9.23

A store must permit purchase of WIC allowable foods that exceed the maximum allowable price to WIC participants using a WIC check; however, the amounts that exceed the maximum allowable price of any WIC allowable foods sold to WIC participants will be billed to the store on a quarterly basis in accordance with 28 Pa. Code § 1105.2.

**Competitive Prices**

To remain WIC Authorized, each store must maintain the minimum inventory of the following WIC food items at, or below, the Competitive Prices listed for the store's peer group. Effective July 1, 2008, through September 30, 2008, the Competitive Prices for WIC Authorization for Type 3 Stores in Regular Cost Counties are as follows:

<i>Description</i>	<i>Competitive Prices</i>
1/2 gal. of Milk: Whole, Reduced Fat, Low Fat or Skim .....	\$2.36
1/2 gal. of Kosher Milk: Whole, Reduced Fat, Low Fat or Skim .....	\$2.41
12 oz. Evaporated Milk .....	\$1.25
16 oz. Dry Milk .....	\$5.69
1 doz. Grade A Eggs .....	\$1.98
1 lb. Fresh Carrots .....	\$1.08
14 to 20 oz. Canned Carrots .....	\$1.02
1 lb. Cheese .....	\$6.69
1 lb. Kosher Cheese .....	\$8.67
1 lb. Dry Beans or Peas .....	\$1.73
1 oz. Adult WIC Cereal .....	\$0.34
8 oz. Gerber Infant Cereal .....	\$2.18
15 to 18 oz. Peanut Butter .....	\$2.84
46 oz. Single Strength Juice or 11.5 or 12 oz. Juice Concentrate .....	\$3.00
6 to 6.5 oz. Chunk Light Tuna Packed in Water ..	\$1.04
4 oz. Gerber Infant Juice .....	\$0.77
13 oz. Isomil Advance Concentrate Formula .....	\$5.45
32 oz. Isomil Advance Ready-to-Feed Formula ...	\$7.39
12.9 oz. Isomil Advance Powder Formula .....	\$16.09
12.9 oz. Similac Advance Powder Formula .....	\$16.09
13 oz. Similac Advance Concentrate Formula ....	\$5.17
32 oz. Similac Advance Ready-to-Feed Formula ..	\$7.18

<i>Description</i>	<i>Competitive Prices</i>
12.9 oz. Similac Advance Powder Formula .....	\$15.02

**Maximum Allowable Prices and Competitive Prices for Type 1 Stores in High Cost Counties**

Under 28 Pa. Code §§ 1103.4(5) and 1105.3(a)(1) and 7 CFR 246.12, the WIC Program hereby publishes notice of the Maximum Allowable Prices and Competitive Prices for Type 1 Stores in High Cost Counties.

**Maximum Allowable Prices**

Effective July 1, 2008, through September 30, 2008, the maximum allowable prices the Department will pay Type 1 Stores in High Cost Counties for WIC allowable foods are as follows:

<i>Description</i>	<i>Maximum Allowable Price</i>
1/2 gal. of Milk: Whole, Reduced Fat, Low Fat or Skim .....	\$2.57
12 oz. Evaporated Milk .....	\$1.27
16 oz. Dry Milk .....	\$6.01
1 qt. Lactose Reduced Milk .....	\$2.15
1/2 gal. Kosher Milk .....	\$2.81
4 oz. Kosher Infant Juice .....	\$0.74
8 oz. Kosher Infant Cereal .....	\$2.03
1 doz. Grade A Eggs .....	\$2.20
1 lb. Fresh Carrots .....	\$1.09
14 to 20 oz. Canned Carrots .....	\$1.09
1 lb. Cheese .....	\$7.84
1 lb. Kosher Cheese .....	\$7.80
1 lb. Dry Beans or Peas .....	\$1.91
1 oz. Adult WIC Cereal .....	\$0.33
8 oz. Gerber Infant Cereal .....	\$2.03
15 to 18 oz. Peanut Butter .....	\$3.38
46 oz. Single Strength Juice or 11.5 or 12 oz. Juice Concentrate .....	\$3.30
6 oz. Cans Juice .....	\$1.61
6 to 6.5 oz. Chunk Light Tuna Packed in Water ..	\$1.24
4 oz. Gerber Infant Juice .....	\$0.74
32 oz. Alimentum Advance Ready-to-Feed Formula .....	\$9.18
16 oz. Alimentum Advance Powder Formula .....	\$26.21
12.8 oz. EnfaCare LIPIL w/Iron Powder Formula .....	\$14.39
13 oz. Isomil Advance Concentrate Formula .....	\$4.88
32 oz. Isomil Advance Ready-to-Feed Formula ...	\$6.00
12.9 oz. Isomil Advance Powder Formula .....	\$14.68
12.9 oz. Similac Go & Grow Soy .....	\$12.81
24 oz. Similac Go & Grow Soy .....	\$22.93
13 oz. Isomil with Iron Concentrate Formula ....	\$4.61
12.9 oz. Isomil with Iron Powder Formula .....	\$13.28
32 oz. Isomil DF Ready-to-Feed Formula .....	\$6.32
13 oz. Nutramigen Lipil Concentrate Formula ...	\$7.17
32 oz. Nutramigen Lipil Ready-to-Feed Formula ..	\$9.02
16 oz. Nutramigen Lipil Powder Formula .....	\$26.02
8 oz. PediaSure Ready-to-Feed Formula .....	\$1.85
8 oz. PediaSure with Fiber Ready-to-Feed Formula .....	\$1.92
13 oz. Similac Advance Concentrate Formula ....	\$4.43
32 oz. Similac Advance Ready-to-Feed Formula ..	\$6.34
12.9 oz. Similac Advance Powder Formula .....	\$13.60
12.9 oz. Similac Go & Grow Milk .....	\$12.62
24 oz. Similac Go & Grow Milk .....	\$22.59
13 oz. Similac with Iron Concentrate Formula ...	\$4.23
32 oz. Similac with Iron Ready-to-Feed Formula ..	\$5.62
12.9 oz. Similac with Iron Powder Formula .....	\$12.99

<i>Description</i>	<i>Maximum Allowable Price</i>
13 oz. Similac Sensitive Concentrate Formula ...	\$4.94
32 oz. Similac Sensitive Ready-to-Feed Formula ..	\$6.10
32 oz. Similac Sensitive RS Ready-to-Feed Formula .....	\$6.14
12.9 oz. Similac Sensitive Powder .....	\$14.86
12.8 oz. Similac Neosure Advance Powder Formula .....	\$15.60
32 oz. Similac Neosure Advance RTF Formula ...	\$7.62

A store must permit purchase of WIC allowable foods that exceed the maximum allowable price to WIC participants using a WIC check; however, the amounts that exceed the maximum allowable price of any WIC allowable foods sold to WIC participants will be billed to the store on a quarterly basis in accordance with 28 Pa. Code § 1105.2.

**Competitive Prices**

To remain WIC Authorized, each store must maintain the minimum inventory of the following WIC food items at, or below, the Competitive Prices listed for the store's peer group. Effective July 1, 2008, through September 30, 2008, the Competitive Prices for WIC Authorization for Type 1 Stores in High Cost Counties are as follows:

<i>Description</i>	<i>Competitive Prices</i>
1/2 gal. of Milk: Whole, Reduced Fat, Low Fat or Skim .....	\$2.40
1/2 gal. of Kosher Milk: Whole, Reduced Fat, Low Fat or Skim .....	\$2.41
12 oz. Evaporated Milk .....	\$1.17
16 oz. Dry Milk .....	\$5.69
1 doz. Grade A Eggs .....	\$2.09
1 lb. Fresh Carrots .....	\$1.06
14 to 20 oz. Canned Carrots .....	\$1.00
1 lb. Cheese .....	\$6.69
1 lb. Kosher Cheese .....	\$7.73
1 lb. Dry Beans or Peas .....	\$1.66
1 oz. Adult WIC Cereal .....	\$0.33
8 oz. Gerber Infant Cereal .....	\$2.03
15 to 18 oz. Peanut Butter .....	\$2.99
46 oz. Single Strength Juice or 11.5 or 12 oz. Juice Concentrate .....	\$2.97
6 to 6.5 oz. Chunk Light Tuna Packed in Water ..	\$1.11
4 oz. Gerber Infant Juice .....	\$0.74
13 oz. Isomil Advance Concentrate Formula .....	\$4.88
32 oz. Isomil Advance Ready-to-Feed Formula ...	\$6.00
12.9 oz. Isomil Advance Powder Formula .....	\$14.68
13 oz. Similac Advance Concentrate Formula ....	\$4.43
32 oz. Similac Advance Ready-to-Feed Formula ..	\$6.34
12.9 oz. Similac Advance Powder Formula .....	\$13.60

**Maximum Allowable Prices and Competitive Prices for Type 2 Stores in High Cost Counties**

Under 28 Pa. Code §§ 1103.4(5) and 1105.3(a)(1) and 7 CFR 246.12, the WIC Program hereby publishes notice of the Maximum Allowable Prices and Competitive Prices for Type 2 Stores in High Cost Counties.

**Maximum Allowable Prices**

Effective July 1, 2008, through September 30, 2008, the maximum allowable prices the Department will pay Type 2 Stores in High Cost Counties for WIC allowable foods are as follows:

<i>Description</i>	<i>Maximum Allowable Price</i>
1/2 gal. of Milk: Whole, Reduced Fat, Low Fat or Skim .....	\$2.57
12 oz. Evaporated Milk .....	\$1.35
16 oz. Dry Milk .....	\$6.01
1 qt. Lactose Reduced Milk .....	\$2.21
1/2 gal. Kosher Milk .....	\$3.05
4 oz. Kosher Infant Juice .....	\$0.78
8 oz. Kosher Infant Cereal .....	\$2.18
1 doz. Grade A Eggs .....	\$2.20
1 lb. Fresh Carrots .....	\$1.14
14 to 20 oz. Canned Carrots .....	\$1.14
1 lb. Cheese .....	\$7.84
1 lb. Kosher Cheese .....	\$8.78
1 lb. Dry Beans or Peas .....	\$1.96
1 oz. Adult WIC Cereal .....	\$0.36
8 oz. Gerber Infant Cereal .....	\$2.18
15 to 18 oz. Peanut Butter .....	\$3.38
46 oz. Single Strength Juice or 11.5 or 12 oz. Juice Concentrate .....	\$3.32
6 oz. Cans Juice .....	\$1.61
6 to 6.5 oz. Chunk Light Tuna Packed in Water ..	\$1.24
4 oz. Gerber Infant Juice .....	\$0.78
32 oz. Alimentum Advance Ready-to-Feed Formula .....	\$9.74
16 oz. Alimentum Advance Powder Formula .....	\$27.51
12.8 oz. EnfaCare LIPIL w/Iron Powder Formula .....	\$15.12
13 oz. Isomil Advance Concentrate Formula .....	\$5.24
32 oz. Isomil Advance Ready-to-Feed Formula ..	\$6.47
12.9 oz. Isomil Advance Powder Formula .....	\$15.48
12.9 oz. Similac Go & Grow Soy .....	\$13.21
24 oz. Similac Go & Grow Soy .....	\$23.58
13 oz. Isomil with Iron Concentrate Formula .....	\$5.00
12.9 oz. Isomil with Iron Powder Formula .....	\$14.29
32 oz. Isomil DF Ready-to-Feed Formula .....	\$6.34
13 oz. Nutramigen Lipil Concentrate Formula ..	\$7.51
32 oz. Nutramigen Lipil Ready-to-Feed Formula ..	\$9.20
16 oz. Nutramigen Lipil Powder Formula .....	\$27.39
8 oz. Pediasure Ready-to-Feed Formula .....	\$2.17
8 oz. Pediasure with Fiber Ready-to-Feed Formula .....	\$2.22
13 oz. Similac Advance Concentrate Formula .....	\$4.70
32 oz. Similac Advance Ready-to-Feed Formula ..	\$6.71
12.9 oz. Similac Advance Powder Formula .....	\$14.44
12.9 oz. Similac Go & Grow Milk .....	\$13.04
24 oz. Similac Go & Grow Milk .....	\$23.27
13 oz. Similac with Iron Concentrate Formula ..	\$4.35
32 oz. Similac with Iron Ready-to-Feed Formula ..	\$5.81
12.9 oz. Similac with Iron Powder Formula .....	\$13.61
13 oz. Similac Sensitive Concentrate Formula ..	\$5.21
32 oz. Similac Sensitive Ready-to-Feed Formula ..	\$6.51
32 oz. Similac Sensitive RS Ready-to-Feed Formula .....	\$6.56
12.9 oz. Similac Sensitive Powder .....	\$15.58
12.8 oz. Similac Neosure Advance Powder Formula .....	\$16.68
32 oz. Similac Neosure Advance RTF Formula ..	\$7.93

A store must permit purchase of WIC allowable foods that exceed the maximum allowable price to WIC participants using a WIC check; however, the amounts that exceed the maximum allowable price of any WIC allowable foods sold to WIC participants will be billed to the store on a quarterly basis in accordance with 28 Pa. Code § 1105.2.

**Competitive Prices**

To remain WIC Authorized, each store must maintain the minimum inventory of the following WIC food items at, or below, the Competitive Prices listed for the store's peer group. Effective July 1, 2008, through September 30, 2008, the Competitive Prices for WIC Authorization for Type 2 Stores in High Cost Counties are as follows:

<i>Description</i>	<i>Competitive Prices</i>
1/2 gal. of Milk: Whole, Reduced Fat, Low Fat or Skim .....	\$2.40
1/2 gal. of Kosher Milk: Whole, Reduced Fat, Low Fat or Skim .....	\$2.64
12 oz. Evaporated Milk .....	\$1.27
16 oz. Dry Milk .....	\$5.79
1 doz. Grade A Eggs .....	\$2.09
1 lb. Fresh Carrots .....	\$1.12
14 to 20 oz. Canned Carrots .....	\$1.02
1 lb. Cheese .....	\$6.69
1 lb. Kosher Cheese .....	\$8.67
1 lb. Dry Beans or Peas .....	\$1.73
1 oz. Adult WIC Cereal .....	\$0.36
8 oz. Gerber Infant Cereal .....	\$2.18
15 to 18 oz. Peanut Butter .....	\$2.99
46 oz. Single Strength Juice or 11.5 or 12 oz. Juice Concentrate .....	\$3.07
6 to 6.5 oz. Chunk Light Tuna Packed in Water ..	\$1.11
4 oz. Gerber Infant Juice .....	\$0.78
13 oz. Isomil Advance Concentrate Formula .....	\$5.24
32 oz. Isomil Advance Ready-to-Feed Formula ..	\$6.47
12.9 oz. Isomil Advance Powder Formula .....	\$15.48
13 oz. Similac Advance Concentrate Formula .....	\$4.70
32 oz. Similac Advance Ready-to-Feed Formula ..	\$6.71
12.9 oz. Similac Advance Powder Formula .....	\$14.44

**Maximum Allowable Prices and Competitive Prices for Type 3 Stores in High Cost Counties**

Under 28 Pa. Code §§ 1103.4(5) and 1105.3(a)(1) and 7 CFR 246.12, the WIC Program hereby publishes notice of the Maximum Allowable Prices and Competitive Prices for Type 3 Stores in High Cost Counties.

**Maximum Allowable Prices**

Effective July 1, 2008, through September 30, 2008, the maximum allowable prices the Department will pay Type 3 Stores in High Cost Counties for WIC allowable foods are as follows:

<i>Description</i>	<i>Maximum Allowable Price</i>
1/2 gal. of Milk: Whole, Reduced Fat, Low Fat or Skim .....	\$2.57
12 oz. Evaporated Milk .....	\$1.35
16 oz. Dry Milk .....	\$6.01
1 qt. Lactose Reduced Milk .....	\$2.28
1/2 gal. Kosher Milk .....	\$3.27
4 oz. Kosher Infant Juice .....	\$0.82
8 oz. Kosher Infant Cereal .....	\$2.34
1 doz. Grade A Eggs .....	\$2.20
1 lb. Fresh Carrots .....	\$1.14
14 to 16 oz. Canned Carrots .....	\$1.14
1 lb. Cheese .....	\$7.84
1 lb. Kosher Cheese .....	\$8.90
1 lb. Dry Beans or Peas .....	\$1.96
1 oz. Adult WIC Cereal .....	\$0.38
8 oz. Gerber Infant Cereal .....	\$2.34
15 to 18 oz. Peanut Butter .....	\$3.38

<i>Description</i>	<i>Maximum Allowable Price</i>
46 oz. Single Strength Juice or 11.5 or 12 oz. Juice Concentrate .....	\$3.32
6 oz. Cans Juice .....	\$1.61
6 to 6.5 oz. Chunk Light Tuna Packed in Water ..	\$1.24
4 oz. Gerber Infant Juice .....	\$0.82
32 oz. Alimentum Advance Ready-to-Feed Formula .....	\$10.33
16 oz. Alimentum Advance Powder Formula .....	\$30.11
12.8 oz. EnfaCare LIPIL w/Iron Powder Formula .....	\$17.26
13 oz. Isomil Advance Concentrate Formula .....	\$6.03
32 oz. Isomil Advance Ready-to-Feed Formula ...	\$8.26
12.9 oz. Isomil Advance Powder Formula .....	\$17.42
12.9 oz. Similac Go & Grow Soy .....	\$15.16
24 oz. Similac Go & Grow Soy .....	\$27.14
13 oz. Isomil with Iron Concentrate Formula ....	\$6.10
12.9 oz. Isomil with Iron Powder Formula .....	\$16.08
32 oz. Isomil DF Ready-to-Feed Formula .....	\$8.22
13 oz. Nutramigen Lipil Concentrate Formula ...	\$8.63
32 oz. Nutramigen Lipil Ready-to-Feed Formula ..	\$10.94
16 oz. Nutramigen Lipil Powder Formula .....	\$30.29
8 oz. PediaSure Ready-to-Feed Formula .....	\$2.64
8 oz. PediaSure with Fiber Ready-to-Feed Formula .....	\$2.63
13 oz. Similac Advance Concentrate Formula ...	\$5.59
32 oz. Similac Advance Ready-to-Feed Formula ..	\$8.04
12.9 oz. Similac Advance Powder Formula .....	\$16.51
12.9 oz. Similac Go & Grow Milk .....	\$15.07
24 oz. Similac Go & Grow Milk .....	\$26.76
13 oz. Similac with Iron Concentrate Formula ...	\$5.58
32 oz. Similac with Iron Ready-to-Feed Formula ..	\$7.91
12.9 oz. Similac with Iron Powder Formula .....	\$16.18
13 oz. Similac Sensitive Concentrate Formula ...	\$6.03
32 oz. Similac Sensitive Ready-to-Feed Formula ..	\$8.42
32 oz. Similac Sensitive RS Ready-to-Feed Formula .....	\$8.43
12.9 oz. Similac Sensitive Powder .....	\$17.38
12.8 oz. Similac Neosure Advance Powder Formula .....	\$19.19
32 oz. Similac Neosure Advance RTF Formula ...	\$9.99

A store must permit purchase of WIC allowable foods that exceed the maximum allowable price to WIC participants using a WIC check; however, the amounts that exceed the maximum allowable price of any WIC allowable foods sold to WIC participants will be billed to the store on a quarterly basis in accordance with 28 Pa. Code § 1105.2.

**Competitive Prices**

To remain WIC Authorized, each store must maintain the minimum inventory of the following WIC food items at, or below, the Competitive Prices listed for the store's peer group. Effective July 1, 2008, through September 30, 2008, the Competitive Prices for WIC Authorization for Type 3 Stores in High Cost Counties are as follows:

<i>Description</i>	<i>Competitive Prices</i>
1/2 gal. of Milk: Whole, Reduced Fat, Low Fat or Skim .....	\$2.53
1/2 gal. of Kosher Milk: Whole, Reduced Fat, Low Fat or Skim .....	\$2.88
12 oz. Evaporated Milk .....	\$1.27
16 oz. Dry Milk .....	\$5.91
1 doz. Grade A Eggs .....	\$2.09
1 lb. Fresh Carrots .....	\$1.12

<i>Description</i>	<i>Competitive Prices</i>
14 to 20 oz. Canned Carrots .....	\$1.08
1 lb. Cheese .....	\$6.69
1 lb. Kosher Cheese .....	\$8.67
1 lb. Dry Beans or Peas .....	\$1.73
1 oz. Adult WIC Cereal .....	\$0.38
8 oz. Gerber Infant Cereal .....	\$2.34
15 to 18 oz. Peanut Butter .....	\$2.99
46 oz. Single Strength Juice or 11.5 or 12 oz. Juice Concentrate .....	\$3.07
6 to 6.5 oz. Chunk Light Tuna Packed in Water ..	\$1.11
4 oz. Gerber Infant Juice .....	\$0.82
13 oz. Isomil Advance Concentrate Formula .....	\$6.03
32 oz. Isomil Advance Ready-to-Feed Formula ...	\$8.26
12.9 oz. Isomil Advance Powder Formula .....	\$17.42
13 oz. Similac Advance Concentrate Formula ....	\$5.59
32 oz. Similac Advance Ready-to-Feed Formula ..	\$8.04
12.9 oz. Similac Advance Powder Formula .....	\$16.51

Persons with a disability who require an alternative format of this listing (for example, large print, audiotape, Braille), should contact Chris Harr, Department of Health, Division of WIC, 2150 Herr Street, 1st Floor, Harrisburg, PA 17105, (717) 783-1289 or for speech and/or hearing impaired persons V/TT (717) 783-6514 or the Pennsylvania AT&T Relay Service at (800) 654-5984.

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

[Pa.B. Doc. No. 08-1215. Filed for public inspection June 27, 2008, 9:00 a.m.]

## DEPARTMENT OF PUBLIC WELFARE

### Additional Class of Payments to Qualifying Acute Care General Hospitals

The purpose of this notice is to announce the Department of Public Welfare's (Department) intent to distribute funding for Fiscal Year (FY) 2007-2008 disproportionate share hospital (DSH) payments to certain qualifying acute care general hospitals enrolled in the Medical Assistance (MA) Program that provide a high volume of MA births.

There will be no change to the qualifying criteria for determining eligibility for these one-time payments.

In making these one-time payments, the Department will ensure that no acute care general hospital will receive any DSH payment that is in excess of its hospital-specific DSH upper payment limit and the Commonwealth will not exceed its aggregate annual DSH allotment.

*Fiscal Impact*

For FY 2007-2008, the fiscal impact related to these payments is \$2.722 million (\$1.25 million in State funds).

*Public Comment*

Interested persons are invited to submit written comments regarding this notice to the Department at the following address Department of Public Welfare, Office of Medical Assistance Programs, c/o Regulations Coordinator, Room 515, Health and Welfare Building, Harrisburg,



PA 17120. Comments received within 30 days will be reviewed and considered for any subsequent revision of the notice.

Persons with a disability who require an auxiliary aid or service may submit comments using the AT&T Relay Service at (800) 654-5984 (TDD users) or (800) 654-5988 (voice users).

ESTELLE B. RICHMAN,  
*Secretary*

**Fiscal Note:** 14-NOT-563. (1) General Fund; (2) Implementing Year 2007-08 is \$1,250,000; (3) 1st Succeeding Year 2008-09 is \$0; 2nd Succeeding Year 2009-10 is \$0; 3rd Succeeding Year 2010-11 is \$0; 4th Succeeding Year 2011-12 is \$0; 5th Succeeding Year 2012-13 is \$0; (4) 2006-07 Program—\$0; 2005-06 Program—\$0; 2004-05 Program—\$0; (7) Facilities and Services Enhancements; (8) recommends adoption. Funds have been included in the budget to cover this increase.

[Pa.B. Doc. No. 08-1216. Filed for public inspection June 27, 2008, 9:00 a.m.]

### Availability of the Low-Income Home Energy Assistance Program; Proposed State Plan and Public Hearing Schedule

#### *Purpose of Notice*

The Department of Public Welfare (Department) is making available for public review and comment the Fiscal Year (FY) 2008-2009 Low-Income Home Energy Assistance Program (LIHEAP) proposed State Plan. Comments on this notice and testimony received at public hearings will be used to formulate the Department's Final State Plan for using Federal funds in the FY 2008-2009 LIHEAP.

The Department has made the proposed State Plan available to the public through the Department web site at [www.dpw.state.pa.us/ServicesPrograms/LIHEAP/](http://www.dpw.state.pa.us/ServicesPrograms/LIHEAP/). Individuals who would like copies can obtain them by contacting their local county assistance office.

The Department will hold three public hearings throughout this Commonwealth to allow testimony on the proposed State Plan and fulfill the Federal mandate for public input into the planning process. This mandate appears in Title XXVI (The Low-Income Home Energy Assistance Act of 1981) of the Omnibus Budget Reconciliation Act of 1981 (Pub. L. No. 97-35, 42 U.S.C.A. §§ 8621—8629) as amended by the Human Services Reauthorization Act of 1984 (Pub. L. No. 98-558), the Human Services Reauthorization Act of 1986 (Pub. L. No. 99-425), the Augustus F. Hawkins Human Services Reauthorization Act of 1990 (Pub. L. No. 101-501), the National Institutes of Health Revitalization Act of 1993 (Pub. L. No. 103-43), the Low-Income Home Energy Assistance Amendments of 1994 (Pub. L. No. 103-252), the Coats Human Services Reauthorization Act of 1998 (Pub. L. No. 105-285) and the Energy Policy Act of 2005 (Pub. L. No. 109-58).

#### *Public Hearing Schedule:*

July 10, 2008  
10 a.m.—1 p.m.  
Philadelphia State Office Building  
Rooms 602 and 604, 6th Floor  
1400 Spring Garden Street  
Philadelphia, PA

July 11, 2008  
9:30 a.m.—1 p.m.  
Health and Welfare Building  
Room 812, 8th Floor  
Commonwealth and Forster Streets  
Harrisburg, PA

July 17, 2008  
9 a.m.—12 p.m.  
Allegheny County Courthouse  
Gold Room, 4th Floor  
436 Grant Street  
Pittsburgh, PA

This notice shall take effect upon publication in the *Pennsylvania Bulletin*.

#### *Public Comment*

Persons who wish to testify on the proposed State Plan at a public hearing should arrange a time by telephoning (717) 772-7906. Persons from outside the Harrisburg area should call (800) 692-7462 or send a written request, including telephone number, to Tammy Sampson, Federal Programs and Program Management, Room 224, Willow Oak Building No. 42, DGS Annex Complex, P. O. Box 2675, Harrisburg, PA 17105-2675.

Persons with a disability who require auxiliary aid or service may submit comments using the AT&T Relay Service at (800) 654-5984 (TDD users) or (800) 654-5988 (voice users).

ESTELLE B. RICHMAN,  
*Secretary*

[Pa.B. Doc. No. 08-1217. Filed for public inspection June 27, 2008, 9:00 a.m.]

### Payment for Nursing Facility Services; General Nursing Facility Supplemental Payment and County Nursing Facility MA Day One Incentive Payment

The purpose of this announcement is to provide advance notice that the Department of Public Welfare (Department) intends to make changes in its methods and standards for payment of Medical Assistance (MA) nursing facility services beginning in Fiscal Year (FY) 2008-2009.

#### *Background*

Under the act of September 30, 2003 (P. L. 169, No. 25) (Act 25) directed the Department to "implement a monetary assessment" on nonpublic licensed nursing facilities beginning July 1, 2003, and ending June 30, 2007, (hereafter referred to as the "Assessment Program"). See sections 801-A and 815-A of Act 25. The act of June 30, 2007 (P. L. 49, No. 16) (Act 16) directed the Department to continue the Assessment Program beginning FY 2007-2008 through 2011-2012 and also provided the Department with the authority to include the county nursing facilities in the Assessment Program beginning July 1, 2007. See sections 801-A, 802-A, 813-A and 815-A of Act 16.

The Commonwealth budget for MA long-term care services for FY 2008-2009 estimates that \$378.315 million will be derived from State revenue collected from the

Assessment Program and related Federal matching funds. A portion of the revenue generated from the assessment will enable the Department to continue to set rates for MA nursing facility services under the payment methodologies contained in 55 Pa. Code Chapters 1187 and 1189 (relating to nursing facility services; and county nursing facility services) and the Commonwealth's State Plan.

For general nursing facilities, in addition to reimbursing the MA allowable assessment cost, the Department intends to use a portion of the revenue to continue the supplemental payments as described in the Department's currently approved State Plan.

For county nursing facilities, a portion of the revenue generated by the assessment will be used to increase the funding level for the county nursing facility MA Day One Incentive Payments (MDOI) provided for in the Department's currently approved State Plan. To authorize the increase in the funding level for the MDOI for FY 2008-2009, the Department will submit a State Plan amendment to CMS.

If CMS approves the State Plan amendment for the increase in the MDOI payments, the Department will have the authority to pay the increased MDOI payments to county nursing facilities.

The increased MDOI payments to county nursing facilities will provide incentives to county nursing facilities to admit individuals who are MA eligible on the day of admission. Nursing facilities are often reluctant to admit residents whose only source of coverage for nursing facility services is MA. County nursing facilities have traditionally acted as the safety net for those residents who have been denied admission to other nursing facilities. The MDOI payments are intended to assure that county nursing facilities continue to provide access to care for these individuals. These payments provide an incentive to county nursing facilities to continue to operate as safety net providers for the poor and indigent citizens of Pennsylvania.

#### *Fiscal Impact*

As a result of this proposed policy change, the Department estimates that the annual aggregate assessment fees for nonexempt nursing facilities will total \$378.315 million for FY 2008-2009. All of the revenue derived from the assessment fees and associated Federal matching funds will be used to make payments to qualified MA nursing facility providers in accordance with applicable law and regulations.

#### *Public Comment*

Interested persons are invited to submit written comments regarding this notice to the Department of Public Welfare, Office of Long-Term Living, Attention: Gail Weidman, P. O. Box 2675, Harrisburg, PA 17105. Comments received within 30 days will be reviewed and considered for any subsequent revision of the notice.

Persons with disability who require an auxiliary aid or service may submit comments using AT&T Relay Service at (800) 654-5984 (TDD users) or (800) 654-5988 (voice users).

ESTELLE B. RICHMAN,  
*Secretary*

**Fiscal Note:** 14-NOT-558. No fiscal impact; (8) recommends adoption. The amount of \$378,315,000 which includes both increased revenue and matching Federal funds is expected to be generated for Fiscal Years 2008-09, 2009-10, 2010-11 and 2011-12.

[Pa.B. Doc. No. 08-1218. Filed for public inspection June 27, 2008, 9:00 a.m.]

### **Payment for Nursing Facility Services Provided by County and Nonpublic Nursing Facilities; Notice of Change in Methods and Standards of Setting Payment Rates**

The purpose of this announcement is to provide advance notice that the Department of Public Welfare (Department) intends to change its methods and standards for payment of Medical Assistance (MA) nursing facility services for Fiscal Years (FY) 2008-2011 to authorize the continued use of a budget adjustment factor (BAF).

#### *Proposed Change in Methods and Standards*

Under the proposed State Plan Amendment, the Department will apply a BAF and make adjustments to county and nonpublic nursing facility payment rates in each fiscal year during the period of July 1, 2008, through June 30, 2011. The BAF for each fiscal year will limit the estimated Statewide day-weighted average payment rate for that fiscal year so that the aggregate increase in the Statewide day-weighted average payment rate over the period commencing July 1, 2005, and ending June 30 of the fiscal year in which the BAF is applied does not exceed the percentage rate of increase permitted by the funds appropriated for nursing facility services in the General Appropriations Acts for those fiscal years.

Once the Department determines the percentage rate of increase permitted by the General Appropriations Act for a fiscal year, the Department will use the following formula to determine the BAF which it will apply in setting rates for nonpublic nursing facilities:

- (nonpublic nursing facilities' share of total appropriated funds + estimated annual patient pay amount) divided by
- estimated acuity-adjusted annual payments.

The Department will use the following formula to determine the BAF which will apply in setting rates for county nursing facilities:

- $BAF = 1.00 + \text{the percent increase permitted by the General Appropriations Act.}$

If the General Assembly appropriates the level of funding set forth in the Governor's Proposed Budget for FY 2008-2009, the Department estimates that the Statewide day-weighted average payment rate over the 4-year period commencing July 1, 2005, and ending June 30, 2009, will increase in the aggregate by 10.12% from the Statewide day-weighted average payment rate for MA nursing facility services in FY 2004-2005. Based on this percentage rate of increase, the Department estimates that the BAF for nonpublic nursing facility payment rates will equal .90551 and the BAF for county nursing facility payment rates will equal 1.00.

For FY 2008-2009, a nonpublic nursing facility's case-mix per diem rate for an MA resident day will be the sum of the nursing facility's three net operating components and its capital rate component, multiplied by the nonpublic BAF. A county nursing facility's per diem rate for an MA resident will be the facility's July 1, 2007, per diem rate as calculated under Chapter 1189, Subchapter D (relating to rate setting) and § 1189.91(b) (relating to per diem rates for county nursing facilities) multiplied by the county BAF.

The Department will recalculate the BAF once the General Assembly has enacted a General Appropriations Act for FY 2008-2009 and will include the BAF in its notice announcing final MA nursing facility payment rates for the rate-setting year. For future rate years the Department will announce the BAF for nonpublic and county nursing facilities as part of the rate setting process.

#### *Fiscal Impact*

No fiscal impact is anticipated as a result of these changes in FY 2008-2009.

#### *Public Comment*

Interested persons are invited to submit written comments regarding the BAF formula to the Department of Public Welfare, Office of Long-Term Living, Attention: Gail Weidman, P. O. Box 2675, Harrisburg, PA 17105. Comments received within 30 days will be reviewed and considered for any subsequent revision of the notice.

Persons with a disability who require an auxiliary aid or service may submit comments using the AT&T Relay Services at (800) 654-5984 (TDD users) or (800) 654-5988 (voice users).

ESTELLE B. RICHMAN,  
*Secretary*

**Fiscal Note:** 14-NOT-555. No fiscal impact; (8) recommends adoption.

[Pa.B. Doc. No. 08-1219. Filed for public inspection June 27, 2008, 9:00 a.m.]

### **Payment for Nursing Facility Services Provided by Nonpublic Nursing Facilities; Notice of Change in Methods and Standards of Setting Payment Rates**

The purpose of this announcement is to provide advance notice that the Department of Public Welfare (Department) intends to amend the Commonwealth's Title XIX State Plan provisions to make changes in its methods and standards for payment of Medical Assistance (MA) nursing facility services for nonpublic nursing facilities for Fiscal Year (FY) 2008-2009.

#### *Background*

In July 2006, the Department changed its methods and standards for payments to county nursing facilities to recognize the costs that are incurred by county nursing facilities to provide nursing facility services to MA eligible residents as MA Program expenditures, so long as the costs are allowable under Department regulations and the costs are reported and certified by the county nursing facilities in a form and manner specified by the Department.

To implement this change, the Department promulgated 55 Pa. Code Chapter 1189 (relating to county nursing facility services) for county nursing facilities. Chapter 1189 sets forth the methods and standards that the Department uses to reimburse county nursing facilities. Corresponding amendments were also made to 55 Pa. Code Chapter 1187 (relating to nursing facility services), to make the chapter applicable solely to nonpublic nursing facilities. To mitigate the impact of these changes on the rates of nonpublic nursing facilities, the Department amended the case-mix payment system set forth in Chapter 1187 to continue to include county nursing facilities in the process of computing the peer group prices used to set per diem rates for nonpublic facilities for the 2006-2007 and 2007-2008 rate years.

The Department proposes to continue to include county nursing facilities in the process of computing the peer group prices used to set per diem rates for nonpublic facilities for rate year 2008-2009.

In addition, the current provisions contained in § 1187.97(2) (relating to rates for new nursing facilities with a change of ownership, reorganized nursing facilities, and former prospective payment nursing facilities) only addresses payment for county nursing facilities that privatize between July 1, 2006 and June 30, 2008. The Department is proposing to extend this time frame through FY 2008-2009.

To authorize the continuation of these provisions for FY 2008-2009, the Department will submit a State Plan Amendment (SPA) to the Federal Centers for Medicare and Medicaid Services (CMS).

Contingent upon the approval by CMS of the SPA, the Department will continue to include county nursing facilities in the process of computing the peer group prices used to set per diem rates for nonpublic facilities for rate year 2008-2009 and calculate rates for county nursing facilities that privatize as set forth in § 1187.97(2).

#### *Fiscal Impact*

No fiscal impact is anticipated as a result of the proposed rates in FY 2008-2009.

#### *Public Comment*

Interested persons are invited to submit written comments regarding this notice to the Department of Public Welfare, Office of Long-Term Living, Attention Gail Weidman, P. O. Box 2675, Harrisburg, PA 17105. Comments received within 30 days of publication of this notice in the *Pennsylvania Bulletin* will be reviewed and considered for any subsequent revision of the notice.

Persons with a disability who require an auxiliary aid or service may submit comments using the AT&T Relay Service at (800) 654-5984 (TDD users) or (800) 654-5988 (voice users).

ESTELLE B. RICHMAN,  
*Secretary*

**Fiscal Note:** 14-NOT-562. No fiscal impact; (8) recommends adoption.

[Pa.B. Doc. No. 08-1220. Filed for public inspection June 27, 2008, 9:00 a.m.]

## DEPARTMENT OF REVENUE

### Adjustment of Program Service Revenue Amounts

In accordance with section 6(a)(5) of the Institutions of Purely Public Charity Act (act) (10 P. S. § 376(a)(5)), the Department of Revenue is required to adjust the annual program service revenue amount used as a benchmark in section 6(a)(1) and (2) of the act (10 P. S. § 376(a)(1) and (2)) for the purpose of asserting a rebuttable presumption.

The annual program service revenue amounts referred to in section 6(a)(1) and (2) of the act shall be increased by 1% as follows:

(1) Effective July 1, 1999—Program Service Revenues—\$10,100,000.

(2) Effective July 1, 2000—Program Service Revenues—\$10,201,000.

(3) Effective July 1, 2001—Program Service Revenues—\$10,303,010.

(4) Effective July 1, 2002—Program Service Revenues—\$10,406,040.

(5) Effective July 1, 2003—Program Service Revenues—\$10,510,100.

(6) Effective July 1, 2004—Program Service Revenues—\$10,615,201.

(7) Effective July 1, 2005—Program Service Revenues—\$10,721,353.

(8) Effective July 1, 2006—Program Service Revenues—\$10,828,567.

(9) Effective July 1, 2007—Program Service Revenues—\$10,936,853.

(10) Effective July 1, 2008—Program Service Revenues—\$11,046,222.

THOMAS W. WOLF,  
*Secretary*

[Pa.B. Doc. No. 08-1221. Filed for public inspection June 27, 2008, 9:00 a.m.]

### Realty Transfer Tax; Revised 2007 Common Level Ratio Real Estate Valuation Factor

The following real estate valuation factor is based on sales data compiled by the State Tax Equalization Board (Board) in 2007. This factor is the mathematical reciprocal of the actual common level ratio. For Pennsylvania Realty Transfer Tax purposes, this factor is applicable for documents accepted from July 1, 2008, to June 30, 2009. The date of acceptance of a document is rebuttably presumed to be its date of execution, that is, the date specified in the body of the document as the date of the instrument (61 Pa. Code § 91.102 (relating to acceptance of documents)).

<i>County</i>	<i>Revised Common Level Ratio Factor</i>
Venango	1.06

The change to the factor for Venango County, from the number previously published at 38 Pa.B. 3337 (June 14, 2008), resulted from an adjustment of the Common Level Ratio by the Board.

THOMAS W. WOLF,  
*Secretary*

[Pa.B. Doc. No. 08-1222. Filed for public inspection June 27, 2008, 9:00 a.m.]

## DEPARTMENT OF TRANSPORTATION

### Contemplated Sale of Land No Longer Needed for Transportation Purposes

[Correction]

The Department of Transportation (Department) under section 2003(e)(7) of The Administrative Code of 1929 (71 P. S. § 513(e)(7)), intends to sell certain land owned by the Department located in Bradford Township, Clearfield County. The parcel contains 7,079.37 square feet of vacant land on SR 970, Woodland, PA and will be sold "as is." Estimated fair market value is \$3,500. Interested public entities are invited to express their interest in purchasing the site within 30-calendar days from the date of publication of this notice to: 1924 Daisy Street Extension, Clearfield, PA 16830, Attention: Right-of-Way.

[Pa.B. Doc. No. 08-1167. Filed for public inspection June 20, 2008, 2008, 9:00 a.m.]

### Finding Indiana County

Under section 2002(b) of The Administrative Code of 1929 (71 P. S. § 575(b)), the Director of the Bureau of Design, as designated by the Secretary for Transportation, makes the following written finding:

The Federal Highway Administration (FHWA) and the Department of Transportation are planning to replace two bridges in Clymer Borough, Indiana County. The bridges carry SR 0403 over Two Lick Creek and Dixon Run.

The FHWA has determined that this project will have a de minimis use of two baseball fields, one owned by Clymer Little League and the other owned by Clymer Borough, which qualify as section 4(f)/section 2002 resources.

Therefore, a Programmatic Section 4(f) De minimis Use checklist has been prepared and approved to evaluate the potential environmental impacts caused by the subject project. It also serves as the section 2002 Evaluation to evaluate the potential impacts to section 4(f)/section 2002 resources caused by the subject project.

Based upon studies, there is no feasible and prudent alternative to the proposed action. Mitigation measures will be taken to minimize harm as stipulated in the Categorical Exclusion Evaluation and the Programmatic Section 4(f) De minimis Use checklist.

The environmental, economic, social and other effects of the proposed project as enumerated in section 2002 of The Administrative Code have been considered. It has

been concluded that there is no feasible and prudent alternative to the project as designed, and all reasonable steps have been taken to minimize the effects.

BRIAN G. THOMPSON, P. E.,  
*Director, Bureau of Design*

[Pa.B. Doc. No. 08-1223. Filed for public inspection June 27, 2008, 9:00 a.m.]

### Finding Synder County

Under section 2002(b) of The Administrative Code of 1929 (71 P. S. § 575(b)), the Director of the Bureau of Design, as designated by the Secretary for Transportation, makes the following written finding:

The Federal Highway Administration (FHWA) and the Department of Transportation (Department) are planning to remove and replace the existing bridge carrying SR 4007 over Middle Creek in Beaver Township, Snyder County. This project will require a minor amount of right-of-way from State Game Land No. 188.

The subject project is considered a Level 2 Categorical Exclusion in accordance with 23 CFR Part 771.117 (relating to categorical exclusions).

State Game Lands are a section 2002/section 4(f) resource. Impact to this resource will constitute a use of the section 2002/section 4(f) resource.

Based upon studies, there is no feasible and prudent alternative to the proposed action.

The environmental, economic, social and other effects of the proposed project as enumerated in section 2002 of The Administrative Code have been considered. It has been concluded that there is no feasible and prudent alternative to the project as designed, and all reasonable steps have been taken to minimize harm to the section 2002 resource.

BRIAN G. THOMPSON, P. E.,  
*Director, Bureau of Design*

[Pa.B. Doc. No. 08-1224. Filed for public inspection June 27, 2008, 9:00 a.m.]

# INDEPENDENT REGULATORY REVIEW COMMISSION

## Action Taken by the Commission

The Independent Regulatory Review Commission (Commission) met publicly at 10:30 a.m., Thursday, June 19, 2008, and announced the following:

### Approval Order

Public Meeting held  
June 19, 2008

*Commissioners Voting:* Arthur Coccodrilli, Chairperson; Nancy Sabol Frantz, Esq., Abstained; Karen A. Miller; John F. Mizner, Esq.

*Department of Education—  
Charter School and Cyber Charter School Services and  
Programs for Children with Disabilities;  
Regulation No. 6-308 (#2653)*

On November 28, 2007, the Independent Regulatory Review Commission (Commission) received this proposed regulation from the Department of Education (Department). This rulemaking amends 22 Pa. Code Chapter 711. The proposed regulation was published in the December 8, 2007 *Pennsylvania Bulletin* with a 30-day public comment period. The final-form regulation was submitted to the Commission on May 16, 2008.

This regulation amends requirements for identification screening and evaluation of students with disabilities in charter schools and cyber charter schools.

We have determined this regulation is consistent with the statutory authority of the Board (24 P. S. §§ 17-173-A(c), 17-1749-A(b)(8) and 17-1751-A) 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. 08-1225. Filed for public inspection June 27, 2008, 9:00 a.m.]

## Notice of Filing of Final Rulemakings

The Independent Regulatory Review Commission (Commission) received the following regulations. They are scheduled to be considered on the date noted. The Commission's public meetings are held at 333 Market Street, 14th Floor, in Harrisburg, PA at 10:30 a.m. To obtain a copy of the regulation, interested parties should first contact the promulgating agency. If a copy cannot be obtained from the promulgating agency, the Commission will provide a copy or you can obtain a copy from our web site, [www.irrc.state.pa.us](http://www.irrc.state.pa.us).

### Final-Form

<i>Reg. No.</i>	<i>Agency/Title</i>	<i>Received</i>	<i>Public Meeting</i>
16A-419	State Architects Licensure Board Requirements for Examination Eligibility	6/13/08	7/24/08
16A-5415	State Board of Pharmacy Supplies and Equipment	6/13/08	7/24/08

ARTHUR COCCODRILLI,  
*Chairperson*

[Pa.B. Doc. No. 08-1226. Filed for public inspection June 27, 2008, 9:00 a.m.]

## INSURANCE DEPARTMENT

### Application and Request for a Certificate of Authority

Vincetian Home has applied for a Certificate of Authority to operate a Continuing Care Retirement Community at Vincentian Villa in Pittsburgh, PA. The initial filing was received on June 13, 2008, and was made under the requirements set forth under the Continuing Care Provider Registration and Disclosure Act (40 P.S. §§ 3201—3225). Persons wishing to comment on the grounds of public or private interest to the issuance of a Certificate of Authority are invited to submit a written statement to the Insurance Department (Department) within 30 days from the date of this issue of the *Pennsylvania Bulletin*. Each written statement must include name, address and telephone number of the interested party, identification of the application to which the statement is addressed and a concise statement with sufficient detail to inform the Department of the exact basis of the statement. Written statements should be directed to Steven L. Yerger, Insurance Department, 1345 Strawberry Square, Harrisburg, PA 17120, fax (717) 787-8557, syerger@state.pa.us.

JOEL SCOTT ARIO,  
*Acting Insurance Commissioner*

[Pa.B. Doc. No. 08-1227. Filed for public inspection June 27, 2008, 9:00 a.m.]

### Application for Approval to Acquire Control

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

JOEL SCOTT ARIO,  
*Acting Insurance Commissioner*

[Pa.B. Doc. No. 08-1228. Filed for public inspection June 27, 2008, 9:00 a.m.]

### Application for Approval of Proposed Mergers

PMSLIC Insurance Company, a domestic stock casualty insurance company, has filed an application for approval to merge with Millennium Insurance Company and Pennsylvania Medical Reinsurance Company, both domestic stock casualty insurance companies, with PMSLIC Insurance Company surviving the merger. The filing was made under the requirements set forth under the Insurance

Holding Companies Act (40 P.S. §§ 991.1401—991.1413), Subchapter C of Chapter 19 of the Business Corporation Law (15 Pa.C.S. §§ 1921—1932), and the GAA Amendments Act of 1990 (15 P.S. §§ 21101—21404). Persons wishing to comment on the merger are invited to submit a written statement to the Insurance Department (Department) within 30 days from the date of this issue of the *Pennsylvania Bulletin*. Written statement must include name, address and telephone number of the author, identification of the application to which the statement is addressed and a concise statement with sufficient detail and relevant facts to inform the Department of the exact basis of the statement. Written statements should be directed to Robert Brackbill, Company Licensing Division, Insurance Department, 1345 Strawberry Square, Harrisburg, PA 17120, fax (717) 787-8557, rbrackbill@state.pa.us.

JOEL SCOTT ARIO,  
*Acting Insurance Commissioner*

[Pa.B. Doc. No. 08-1229. Filed for public inspection June 27, 2008, 9:00 a.m.]

### Exxon Service Station 9899; Hearing

#### Appeal of Exxon Service Station 9899 under the Storage Tank and Spill Prevention Act; Underground Storage Tank Indemnification Fund; USTIF File No. 2005-0109(M); Doc. No. UT07-07-021

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 hearing is scheduled for September 10 and 11, 2008, beginning at 10 a.m. each day in the Administrative Hearings Office, Capitol Associates Building, Room 200, 901 North Seventh Street, Harrisburg, PA 17102.

Motions preliminary to those at hearing, if any, must be filed on or before August 20, 2008, with the Hearings Administrator, Administrative Hearings Office, Capitol Associates Building, Room 200, 901 North Seventh Street, Harrisburg, PA 17102.

Responses to preliminary motions, if any shall be filed on or before September 2, 2008.

On or before September 3, 2008, each party shall file with the Administrative Hearings Office and server on the opposing party a prehearing statement which shall contain: (a) names and address of witnesses along with the specialties of experts to be called; (b) a list of documents to be used at the hearing; and (c) a summary of special evidentiary or other legal issues. A jointly executed stipulation of facts may be presented for admission into the record at the beginning of the hearing.

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 Joel Cortes, Human Resources Analyst at (717) 783-2168.

JOEL SCOTT ARIO,  
*Acting Insurance Commissioner*

[Pa.B. Doc. No. 08-1230. Filed for public inspection June 27, 2008, 9:00 a.m.]

**RiverSource Life Insurance Company; Rate Increase Filing for LTC Form 30160A-PA; Rate Filing**

RiverSource Life Insurance Company (previously called IDS Life Insurance Company) is requesting approval to increase the premium 10% on Long-Term Care policy form 30160A-PA. A total of 2,249 Pennsylvania policyholders will be affected by this rate adjustment.

Unless formal administrative action is taken prior to September 11, 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) web site at [www.ins.state.pa.us](http://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 Regional office.

Interested parties are invited to submit written comments, suggestions or objections to James Laverty, Actuary, Insurance Department, Insurance Product Regulation and Market Enforcement, Room 1311, Strawberry Square, Harrisburg, PA 17120, [jlaverty@state.pa.us](mailto: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. 08-1231. Filed for public inspection June 27, 2008, 9:00 a.m.]

**State Farm Fire and Casualty Company; Private Passenger Automobile; Rate and Rule Revisions; Rate Filing**

On June 12, 2008, the Insurance Department (Department) received from State Farm Fire and Casualty Company a filing for rate level changes for private passenger automobile insurance.

The company requests an overall 3.0% increase amounting to \$3.1 million annually, to be effective September 29, 2008, for all business.

Unless formal administrative action is taken prior to August 11, 2008, the subject filing may be deemed approved by operation of law.

A copy of the filing is available on the Department's web site at [www.ins.state.pa.us](http://www.ins.state.pa.us). To access the filing, under "Quick Links" click on "Rate Filings Published in the PA Bulletin."

A copy of the filing is also available for public inspection, by appointment, during normal working hours at the Department's Harrisburg Regional office.

Interested parties are invited to submit written comments, suggestions or objections to Eric Zhou, Insurance Department, Insurance Product Regulation and Market

Enforcement, 1311 Strawberry Square, Harrisburg, PA 17120, [gzhou@state.pa.us](mailto:gzhou@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. 08-1232. Filed for public inspection June 27, 2008, 9:00 a.m.]

**State Farm Mutual Automobile Insurance; Private Passenger Automobile; Rate and Rule Revisions; Rate Filing**

On June 12, 2008, the Insurance Department (Department) received from State Farm Mutual Automobile Insurance a filing for rate level changes for private passenger automobile insurance.

The company requests an overall 3.0% increase amounting to \$37.2 million annually, to be effective September 29, 2008, for all business.

Unless formal administrative action is taken prior to August 11, 2008, the subject filing may be deemed approved by operation of law.

A copy of the filing is available on the Department's web site at [www.ins.state.pa.us](http://www.ins.state.pa.us). To access the filing, under "Quick Links" click on "Rate Filings Published in the PA Bulletin."

A copy of the filing is also available for public inspection, by appointment, during normal working hours at the Department's Harrisburg Regional office.

Interested parties are invited to submit written comments, suggestions or objections to Eric Zhou, Insurance Department, Insurance Product Regulation and Market Enforcement, 1311 Strawberry Square, Harrisburg, PA 17120, [gzhou@state.pa.us](mailto:gzhou@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. 08-1233. Filed for public inspection June 27, 2008, 9:00 a.m.]

**Saul D. Wolfson, M. D.; Hearing**

**Appeal of Saul D. Wolfson, M. D. under the Medical Care Availability and Reduction of Error (MCARE) Act (40 P. S. §§ 1303.101—1303.910); Doc. No. MM07-07-049**

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 31 Pa. Code Chapter 56 (relating to special rules of administrative practice and procedure).

The hearing scheduled for June 17, 2008, at 10 a.m. in the Administrative Hearings Office, Room 200, 901 North Seventh Street, Harrisburg, PA is postponed to August 12, 2008, at 10 a.m. The parties may present jointly executed stipulations, if any, at the beginning of the rescheduled hearing. The stipulations will be marked for identification as "JS1."

On or before July 30, 2008, each party shall file with the Administrative Hearings Office a prehearing statement which shall contain: (1) names and address of witnesses along with the specialties of experts, if any, to be called; and (2) a list and description of documents to be used at the hearing. Contemporaneously with service of the prehearing statement on the opposing party, each party shall supply the other with a copy of any report generated by an expert witness designated on the prehearing statement. Any report subsequently received from a party's expert witness prior to hearing shall be supplied to the other party within 2 business days. Copies of expert reports need not be filed with the Administrative Hearings Office.

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 Joel Cortes, Human Resources Analyst at (717) 783-2168.

JOEL SCOTT ARIO,  
*Acting Insurance Commissioner*

[Pa.B. Doc. No. 08-1234. Filed for public inspection June 27, 2008, 9:00 a.m.]

## MILK MARKETING BOARD

### Hearing and Presubmission Schedule for All Milk Marketing Areas; Container Costs

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 Nos. 1—6 on September 3, 2008, at 9:30 a.m. in Room 309 of the Department of Agriculture Building, 2301 North Cameron Street, Harrisburg, PA.

The purpose of the hearing is to receive testimony and exhibits concerning container costs and their effects on minimum wholesale and retail prices. Evidence will be based on a representative cross section of milk dealers doing business in each of the Milk Marketing Areas. Evidence will be based on July 2008 or later invoices.

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 August 15, 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 August 15, 2008, notification of their desire to be included as a party. Parties may indicate in their notices of appearance if alternate means of service, such as, email or fax, are acceptable. Notices of appearance filed electronically should be directed to [deberly@state.pa.us](mailto:deberly@state.pa.us).

The parties shall observe the following requirements for advance filing of witness information and exhibits. The Board may exclude witnesses or exhibits of a party that fails to comply with these requirements. In addition, the parties shall have available in the hearing room at least 20 additional copies made available for the use of nonparties attending the hearing.

1. By 4 p.m. on August 20, 2008, the petitioner 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 August 26, 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 August 29, 2008, parties shall file and serve as set forth in paragraph 1 information concerning surrebuttal witnesses and copies of surrebuttal exhibits.

Parties who wish to offer in evidence documents on file with the Board, public documents or records in other proceedings before the Board, or 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 August 21, 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. 08-1235. Filed for public inspection June 27, 2008, 9:00 a.m.]

### Hearing and Presubmission Schedule Milk Marketing Area No. 5; 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. 5 on August 6, 2008, at 9:30 a.m. in Room 202 of the Department of 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. 5.

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 July 18, 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 July 18, 2008, notification of their desire to be included as a party. Parties should indicate in their notices of appearance if alternate means of service, that is, email 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 July 23, 2008, the petitioner 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 July 29, 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 August 1, 2008, parties 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 July 24, 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. 08-1236. Filed for public inspection June 27, 2008, 9:00 a.m.]

## PENNSYLVANIA PUBLIC UTILITY COMMISSION

### Service of Notice of Motor Carrier Applications

The following temporary authority and/or permanent authority applications for the right to render service as a common carrier or contract carrier in this Commonwealth have been filed with the Pennsylvania Public Utility Commission. Formal protests and petitions to intervene must be filed in accordance with 52 Pa. Code (relating to public utilities). A protest shall indicate whether it applies to the temporary authority application, the permanent authority application, or both. Filings must be made

with the Secretary, Pennsylvania Public Utility Commission, P. O. Box 3265, Harrisburg, PA 17105-3265, with a copy served on the applicant by July 14, 2008. Documents filed in support of the applications are available for inspection and copying at the Office of the Secretary between 8 a.m. and 4:30 p.m., Monday through Friday, and at the business address of the respective applicant.

#### **Applications of the following for approval to *begin operating as common carriers for transportation of persons as described under each application.***

**A-2008-2045163. Mahmoud Awad** (4610 Jonestown Road, Apt. No. 46, Harrisburg, Dauphin County, PA 17109)—persons upon call or demand, in the Borough of State College, Centre County.

**A-2008-2046313. Tell Logistics Corp.** (18 Richard Road, Lititz, Lancaster County, PA 17543), a corporation of the Commonwealth—persons, in limousine service, from points in the County of Lancaster to points in Pennsylvania, and return; excluding service that is under the jurisdiction of the Philadelphia Parking Authority.

#### **Application of the following for approval of the *beginning of the exercise of the right and privilege of operating motor vehicles as common carriers for the transportation of persons by transfer of rights as described under each application.***

**A-2008-2045120. Hi-Line Limousine Service, Inc.** (1800 Byberry Road, Suite 905, Huntingdon Valley, Montgomery County, PA 19006)—a corporation of the Commonwealth—in limousine, which is to be a transfer of all rights authorized under the certificate issued at A-00111376 to Ultimate Ride, Inc., subject to the same limitations and conditions. *Attorney:* David P. Temple, 1760 Market Street, Suite 1100, Philadelphia, PA 19103.

#### **Application of the following for approval of the *additional right and privilege of operating motor vehicles as common carriers for transportation of persons as described under each application.***

**A-2008-2042566. Blaise Rolison, t/a Pioneer City Cab** (P. O. Box 141, Waymart, Wayne County, PA 18472)—persons, in paratransit service, between points within an airline radius of 5 statute miles of Carbondale, Lackawanna County and within an airline radius of 5 statute miles of Honesdale, Wayne County.

#### **Application of the following for approval to *begin operating as contract carriers for transportation of persons as described under each application.***

**A-2008-2046085. Tafadzwa Y Mupfumbu** (111 Macdade Boulevard, No. A3, Folsom, Delaware County, PA 19033)—contract carrier—persons, in paratransit service: (1) for Logisticare Solutions, LLC, from points in the City and County of Philadelphia, to points in Pennsylvania, and return; and (2) for Community Transit of Delaware County, Inc., from points in the County of Delaware, to points in Pennsylvania, and return.

#### **Applications of the following for the approval of the *transfer of stock as described under each application.***

**A-2008-2042214. Classic Limousine Transportation, LLC** (1001 Third Avenue, Coraopolis, Allegheny County, PA 15108), a limited liability company of the Commonwealth—ownership transfer—for the approval of the transfer of all (100%) membership interest of the issued and outstanding membership interest from ATM Holdings, Inc. to Francis H. Azur. *Attorney:* William A. Gray, Vuono & Gray, LLC, 310 Grant Street, Suite 2310, Pittsburgh, PA 15219-2383.

**A-2008-2045087. American Eagle Bus and Limo, Inc.** (621 South Keyser Avenue, Taylor, PA 18517)—a corporation of the Commonwealth—for the approval of the transfer of the issued and outstanding stock, from John Weisenfluh (1 share), to Lackawanna Ambulance, Inc. *Attorney:* Christina M. Mellot, 5010 East Trindle Road, Suite 202, Mechanicsburg, PA 17050.

JAMES J. MCNULTY,  
*Secretary*

[Pa.B. Doc. No. 08-1237. Filed for public inspection June 27, 2008, 9:00 a.m.]

### Water

**A-2008-2046001 and A-2008-2046002. Aqua Pennsylvania, Inc., and Honesdale Consolidated Water Company.** Joint application of Aqua Pennsylvania, Inc., and Honesdale Consolidated Water Company for approval of the transfer, by merger, of all of the stock and rights of Honesdale Consolidated Water Company to Aqua Pennsylvania, Inc.

Formal protests and petitions to intervene 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 applicant, on or before July 14, 2008. The documents filed in support of the application 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 applicant's business address.

*Applicant:* Aqua Pennsylvania, Inc., Honesdale Consolidated Water Company

*Through and By Counsel:* Thomas T. Niesen, Esquire, Thomas, Long, Niesen and Kennard, Suite 500, 212 Locust Street, Harrisburg, PA 17108-9500

JAMES J. MCNULTY,  
*Secretary*

[Pa.B. Doc. No. 08-1238. Filed for public inspection June 27, 2008, 9:00 a.m.]

### Water Service

**A-2008-2046291 and A-2008-2046292. The York Water Company and Stahlman Enterprises, LLC (also known as Asbury Pointe Water and Sewer Company).** Joint application of The York Water Company and Stahlman Enterprises, LLC (also known as Asbury Pointe Water and Sewer Company) for approval of: 1) the transfer by sale of certain public water facilities and rights from Stahlman Enterprises, LLC to the York Water Company; and 2) the abandonment by Stahlman Enterprises, LLC of water service to the public in East Manchester Township, York County, PA.

Formal protests and petitions to intervene 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 applicant, on or before July 14, 2008. The documents filed in support of the application are available for inspection and copying at the Office of the Secretary between the

hours of 8 a.m. and 4:30 p.m., Monday through Friday, and at the Applicant's business address.

*Applicant:* The York Water Company, Stahlman Enterprises, LLC

*Through and By Counsel:* Michael W. Hassell, Esquire, Anthony D. Kanagy, Esquire, Post & Schell, PC, 17 North Second Street-12th Floor, Harrisburg, PA 17101-1601

JAMES J. MCNULTY,  
*Secretary*

[Pa.B. Doc. No. 08-1239. Filed for public inspection June 27, 2008, 9:00 a.m.]

## STATE REAL ESTATE COMMISSION

### Bureau of Professional and Occupational Affairs v. WW Ventures, Inc.; File No. 08-56-00213

On March 3, 2008, WW Ventures, license no. RR-000058-C, of Bromall and Marple, Delaware County and Southfield, MI, was indefinitely suspended for having violated a lawful Order of the Real Estate Commission in connection with an unpaid \$250 citation.

Individuals may obtain a copy of the order by writing to Judith Pachter Schulder, Board Counsel, State Real Estate Commission, P. O. Box 2649, Harrisburg, PA 17105-2649.

This final order represents the State Real Estate Commissioner's (Commission) final decision in this matter. It may be appealed to the Commonwealth Court of Pennsylvania by the filing of a petition for review with that court in accordance with the Pennsylvania Rules of Appellate Procedure. Individuals who take an appeal to the Commonwealth Court must serve the Commission with a copy of their petition for review. The Commission contact for receiving service of the appeals is the previously-named Board Counsel.

ANNIE HANNA CESTRA,  
*Chairperson*

[Pa.B. Doc. No. 08-1240. Filed for public inspection June 27, 2008, 9:00 a.m.]

### Bureau of Professional and Occupational Affairs v. Ronald L. Wynn, Sr.; File No. 08-56-01100

On March 3, 2008, Ronald L. Wynn, Sr., license no. RS-279564-L, of Philadelphia, Philadelphia County, was indefinitely suspended for having violated a lawful order of the State Real Estate Commission in connection with an unpaid civil penalty.

Individuals may obtain a copy of the order by writing to Judith Pachter Schulder, Board Counsel, State Real Estate Commission, P. O. Box 2649, Harrisburg, PA 17105-2649.

This final order represents the State Real Estate Commissioner's (Commission) final decision in this matter. It may be appealed to the Commonwealth Court of Pennsylvania by the filing of a petition for review with that court in accordance with the Pennsylvania Rules of Appellate Procedure. Individuals who take an appeal to

the Commonwealth Court must serve the Commission with a copy of their petition for review. The Commission contact for receiving service of the appeals is the previously-named Board Counsel.

ANNIE HANNA CESTRA,  
*Chairperson*

[Pa.B. Doc. No. 08-1241. Filed for public inspection June 27, 2008, 9:00 a.m.]

**Bureau of Professional and Occupational Affairs v.  
James Monroe Company and James M. Zinkand;  
File Nos. 08-56-01875 and 08-56-01876**

On March 3, 2008, James Monroe Company, license no. RB051313C, of Plymouth Meeting and Flourtown, Montgomery County and James M. Zinkand, license nos. RS098423A, AB041750A, RB041750A and RM041750A, of Ft. Washington and Flourtown, Montgomery County, had their licenses automatically suspended based on a payment totaling \$24,000 being made from the Real Estate Recovery Fund to satisfy the claim of Kwabena Badu, c/o Judith Szynter, Esquire who has uncollectible civil judgments against them.

Individuals may obtain a copy of the order by writing to Judith Pachter Schulder, Board Counsel, State Real Estate Commission, P. O. Box 2649, Harrisburg, PA 17105-2649.

This final order represents the State Real Estate Commissioner's (Commission) final decision in this matter. It may be appealed to the Commonwealth Court of Pennsylvania by the filing of a petition for review with that court in accordance with the Pennsylvania Rules of Appellate Procedure. Individuals who take an appeal to the Commonwealth Court must serve the Commission with a copy of their petition for review. The Commission contact for receiving service of the appeals is the previously-named Board Counsel.

ANNIE HANNA CESTRA,  
*Chairperson*

[Pa.B. Doc. No. 08-1242. Filed for public inspection June 27, 2008, 9:00 a.m.]

## STATE TAX EQUALIZATION BOARD

### 2007 Common Level Ratios

The State Tax Equalization Board (Board) has established a Common Level Ratio for each county in the Commonwealth for the calendar year 2007. The ratios were mandated by Act 267-1982.

The law requires the Board to use statistically acceptable techniques, to make the methodology for computing ratios public and to certify, prior to July 1, the ratio to the Chief Assessor of each county each year.

The statistical technique which the Board used for the 2007 Common Level Ratio is to determine the arithmetic mean of the individual sales ratios for every valid sale received from the county for the calendar year 2007.

The methodology used is to include every valid sale with a ratio from 1% to 100% and compute a mean. Using this mean as a base, the Board has defined high and low limits by multiplying and dividing this computed mean by 4. Using these computed limits, the State Tax Equalization Board has utilized the valid sales, rejecting those sales, which exceed the limits. The resulting arithmetic mean ratio is the ratio which the State Tax Equalization Board is certifying as the Common Level Ratio for each county for 2007.

There is one exception to this procedure. The original mean ratio for those counties which have a predetermined assessment ratio for 2007 of 100% will utilize valid sales from 1% to 200%.

### 2007 COMMON LEVEL RATIOS

<i>County</i>	<i>Ratio</i>
ADAMS	22.0
*ALLEGHENY	86.5
ARMSTRONG	34.9
BEAVER	29.2
*BEDFORD	15.5
*BERKS	65.7
BLAIR	8.3
BRADFORD	35.8
*BUCKS	9.4
BUTLER	9.3
*CAMBRIA	33.2
CAMERON	35.1
CARBON	31.3
CENTRE	27.6
*CHESTER	51.7
CLARION	19.4
CLEARFIELD	17.6
CLINTON	22.2
COLUMBIA	26.6
CRAWFORD	33.6
*CUMBERLAND	79.3
*DAUPHIN	68.5
*DELAWARE	58.3
ELK	40.1
*ERIE	82.8
*FAYETTE	85.4
FOREST	23.8
*FRANKLIN	10.4
*FULTON	33.5
*GREENE	80.4
HUNTINGDON	11.6
*INDIANA	16.8
*JEFFERSON	48.9
*JUNIATA	15.8
*LACKAWANNA	15.0
*LANCASTER	73.6
*LAWRENCE	89.2

*LEBANON	13.5	SOMERSET	33.6
LEHIGH	27.0	*SULLIVAN	64.7
LUZERNE	4.8	SUSQUEHANNA	33.7
*LYCOMING	80.0	*TIOGA	73.0
*MCKEAN	88.7	*UNION	86.4
*MERCER	28.4	*VENANGO	94.5
MIFFLIN	43.7	WARREN	33.8
MONROE	12.8	WASHINGTON	13.2
*MONTGOMERY	50.8	*WAYNE	72.9
*MONTOUR	85.1	*WESTMORELAND	20.4
NORTHAMPTON	27.7	WYOMING	19.9
*NORTHUMBERLAND	21.7	*YORK	76.0
*PERRY	67.2		
PHILADELPHIA	28.2		
PIKE	16.2		
*POTTER	35.0		
SCHUYLKILL	37.3		
*SNYDER	19.8		

**\* Counties with a Predetermined Assessment Ratio of 100%**

JAMES A. ZURICK,  
*Chairperson*

[Pa.B. Doc. No. 08-1243. Filed for public inspection June 27, 2008, 9:00 a.m.]

