

# NOTICES

## ADMINISTRATIVE OFFICE OF PENNSYLVANIA COURTS

### Request for Proposals

The Administrative Office of Pennsylvania Courts is pleased to announce its intention to release a Request for Proposals (RFP) for the selection of a vendor for online payment processing/e-commerce functionality for its Magisterial District Judge System throughout this Commonwealth. Another phase will include similar functionality to be used at the appellate court level for filing fees associated with electronic filing of certain documents. The RFP is scheduled for release on October 1, 2008. Individuals who would like to receive a copy of the RFP, should contact James Kling, Purchasing Technician, by letter or email:

James Kling, Purchasing Technician  
Administrative Office of Pennsylvania Courts  
5035 Ritter Road, Suite 700  
Mechanicsburg, PA 17055-3079  
james.kling@pacourts.us

Include your company's name, address, telephone number and a contact person and that person's email address.

ZYGMONT A. PINES,  
*Court Administrator*

[Pa.B. Doc. No. 08-1593. Filed for public inspection August 29, 2008, 9:00 a.m.]

## DEPARTMENT OF AGRICULTURE

### Quarantine Order; Viral Hemorrhagic Septicemia Virus

#### *Recitals*

A. Viral hemorrhagic septicemia (VHS) is an infectious disease caused by a rhabdovirus—the viral hemorrhagic septicemia virus (VHSV)—in a variety of fish species.

B. VHS has been designated a “dangerous transmissible disease” of animals under a temporary order issued by the Department of Agriculture (Department) under 3 Pa.C.S. § 2321(d) (relating to dangerous transmissible diseases). The current temporary order making this designation was published at 37 Pa.B. 6297 (December 1, 2007).

C. The Department has broad authority under the Domestic Animal Law to regulate the keeping and handling of domestic animals to exclude, contain or eliminate dangerous transmissible diseases.

D. VHS has caused death losses to various fish species in the Great Lakes and other infected waterways. It is of particular concern to this Commonwealth's aquaculture industry, in that its presence and impact may severely limit the market for this Commonwealth-produced fish and fish products.

E. VHS virus exists within the Lake Erie and Lake Ontario Watersheds, which includes portions of Crawford, Erie and Potter Counties. It is also present in several States outside this Commonwealth, including Illinois, Indiana, Michigan, Minnesota, New York, Ohio and Wisconsin.

F. The Department registers “artificial propagators” of fish and “dealers” of fish under 3 Pa.C.S. §§ 4201—4223 (relating to Aquacultural Development Law). There are Department-registered artificial propagators and dealers within the Lake Erie and the Lake Ontario Watersheds.

G. There is no known treatment for VHS infection, no vaccine against this disease and no feasible live animal test that can detect the presence of VHSV.

J. The Domestic Animal Law allows at 3 Pa.C.S. § 2329 (relating to quarantine) for the establishment of a Quarantine Order to address the presence and potential impact of VHS. The Department established a VHS-related quarantine by order of October 13, 2007 (published at 37 Pa.B. 5534) and that order was subsequently amended by order of December 8, 2007 (published at 37 Pa.B. 6428).

L. The Department seeks to amend its VHS-related quarantine to better-coordinate with the Fish and Boat Commission and the Animal and Plant Health Inspection Service of the United States Department of Agriculture (USDA-APHIS).

#### *Order*

The Department enters a General Quarantine Order and an Interstate Quarantine Order with respect to VHS, incorporating the foregoing recitals into this order. This order is entered under authority of the Domestic Animal Law, at 3 Pa.C.S. § 2329, and establishes the following restrictions and conditions:

1. *Previous VHS-related quarantine orders.* This order supplants the previous VHS-related quarantine orders issued by the Department. These previous orders were issued October 13, 2007 (published at 37 Pa.B. 5534) and December 8, 2007 (published at 37 Pa.B. 6428).

2. *Overview.* This order establishes a General Quarantine with respect to VHS-susceptible species (defined in Paragraph 3) produced, held or transported by Department-registered artificial propagators or Department-registered dealers from those Pennsylvania Counties that are—in whole or in part—within the Lake Erie Watershed, the Lake Ontario Watershed, or any watershed designated “VHS-Affected” or “VHS At-Risk” by the Fish and Boat Commission (FBC) or USDA-APHIS.

This order also establishes an Interstate Quarantine with respect to VHS-susceptible species transported from certain designated States within which VHS has been detected or is reasonably suspected to exist, or any State that is subsequently designated “VHS-Affected” or “VHS At-Risk” by FBC or USDA-APHIS.

3. *VHS-susceptible species.* For purposes of this order, the term “VHS-susceptible species” shall include live animals of the following fish species, as well as any other species designated “VHS-susceptible species” by order of the FBC or USDA-APHIS after the effective date of this order: Bluegill (*Lepomis macrochirus*), Bluntnose Minnow (*Pimephales notatus*), “Bullhead catfishes” (*Ictalurus spp.*), Brown Trout (*Salmo trutta*), Burbot (*Lota lota*), Channel Catfish (*Ictalurus punctatus*), Chinook Salmon

(*Oncorhynchus tshawytscha*), Common Carp (*Cyprinus carpio*), "Crappies" (*Pomoxis spp.*), Emerald Shiner (*Notropis atherinoides*), Freshwater Drum (*Aplodinotus grunniens*), Gizzard Shad (*Dorosoma cepedianum*), Largemouth Bass (*Micropterus salmoides*), Lake Trout (*Salvelinus namaycush*), "Whitefishes" (*Coregonus spp.*), Muskellunge (*Esox masquinongy*), Northern Pike (*Esox lucius*), Pumpkinseed (*Lepomis gibbosus*), Rainbow Trout/Steelhead (*Oncorhynchus mykiss*), Rock Bass (*Ambloplites rupestris*), Round Goby (*Appolonia melanostomus*), "Redhorse Suckers" (*Moxostoma spp.*), Smallmouth Bass (*Micropterus dolomieu*), Spottail shiner (*Notropis hudsonius*), Trout-perch (*Percopsis omiscomaycus*), Walleye (*Sander vitreus*), White Bass (*Morone chrysops*), White Perch (*Morone Americana*), White Sucker (*Catostomus commersonii*) and Yellow Perch (*Perca flavescens*). The term "VHS-susceptible species" does not include dead animals, dead animal parts or the eggs of these species.

The term "VHS-susceptible species" does not include any of the previously-listed species if it is no longer designated a "VHS-susceptible species" by USDA-APHIS after the date of this order.

#### 4. General Quarantine.

a. A General Quarantine is hereby established with respect to the following counties, which are—in whole or in part—within the Lake Erie or Lake Ontario Watersheds: Crawford, Erie and Potter Counties. This General Quarantine shall also extend to the following:

i. A Pennsylvania county, any portion of which is located within a watershed designated "VHS-Affected" or "VHS At-Risk" by FBC through publication of notice in the *Pennsylvania Bulletin*.

ii. A Pennsylvania county, any portion of which is located within a watershed designated "VHS-Affected" or "VHS At-Risk" by order of USDA-APHIS.

The Counties described in this Subparagraph are referred to as the "Quarantined Counties" throughout this order.

b. The Department-registered artificial propagator of fish species or the Department-registered dealer of fish species shall not transport VHS-susceptible species from the Quarantined Counties unless the testing and documentation requirements set forth, in Paragraph 6, are met. The following exceptions apply:

i. VHS-susceptible species may be moved from point-to-point within the Quarantined Counties without the Department-registered artificial propagator or dealer having to comply with the referenced testing and documentation requirements, if the VHS-susceptible species are accompanied in transit by documentation stating the point of origin of the fish and the location within the Quarantined Counties to which they are to be delivered.

ii. VHS-susceptible species may be moved from the Quarantined Counties for testing and scientific purposes without the Department-registered artificial propagator or dealer having to comply with the referenced testing and documentation requirements, if the VHS-susceptible species are accompanied in transit by documentation stating the point of origin of the fish and the destination to which they are to be delivered for testing.

iii. If the Department-registered artificial propagator or dealer located within the Quarantined Counties documents to the Department that its operation is not located within the Lake Erie or Lake Ontario Watersheds, or any watershed described in Subparagraphs (a)(i) or (a)(ii), the

Department may issue the propagator or dealer a written permit exempting that part of the propagator or dealer's operation from the requirements of this General Quarantine.

iv. VHS-susceptible species may be moved from the Quarantined Counties directly to a slaughter facility, processing plant or restaurant within this Commonwealth, if accompanied in transit by documentation stating the point of origin of the fish and the destination to which they are to be delivered for slaughter, processing or consumption.

c. The Department-registered artificial propagator of fish species or a Department-registered dealer of fish species moving VHS-susceptible species from the Quarantined Counties shall maintain records of any lot of VHS-susceptible species for 2 years and shall, upon request, produce these records for inspection by any employee or representative of the Department. The records shall include:

i. Species, quantity and destination of fish in the lot and date of movement.

ii. Origin of fish in the lot (whether hatched onsite or brought live from another source).

iii. Date of VHS-related testing, and results of these tests.

iv. Dates of any additions of fish to the lot, including the source, species and approximate number of fish added to the lot.

d. If VHS-susceptible species are transported from or within a Quarantined County in accordance with Subparagraph (b), the following apply:

i. The VHS-susceptible species shall not be deposited, introduced, dumped, commingled or otherwise permitted to enter the natural water system outside of the Lake Erie or Lake Ontario Watersheds, or any watershed described in Subparagraphs (a)(i) and (a)(ii).

ii. Water in which VHS-susceptible species are transported shall not be deposited, introduced, dumped, commingled or otherwise permitted to enter the natural water system outside of the Lake Erie or Lake Ontario Watersheds, or any watershed described in Subparagraphs (a)(i) and (a)(ii), above.

#### 5. Interstate Quarantine.

a. An Interstate Quarantine is hereby established with respect to the following States, which have been designated by USDA-APHIS as being either affected by VHS or as being at risk of being affected by VHS (Quarantined VHS-Affected or VHS At-Risk States): Illinois, Indiana, Michigan, Minnesota, New York, Ohio and Wisconsin. This Interstate Quarantine shall also extend to any State that is subsequently designated a VHS-Affected or VHS At-Risk State by USDA-APHIS.

b. VHS-susceptible species shall not be transported into the Commonwealth from the Quarantined VHS-Affected or VHS At-Risk States unless the testing and documentation requirements set forth, in Paragraph 5, are met. The following exceptions apply:

i. VHS-susceptible species may be moved from Quarantined VHS-Affected or VHS At-Risk States, through this Commonwealth to another State, if the shipping container (tank, trailer, holding vessel or other container) remains biosecure in transit and the VHS-susceptible species are accompanied in transit by documentation

stating the point of origin of the fish and the location outside of this Commonwealth to which they are to be delivered.

ii. VHS-susceptible species may be moved from the Quarantined VHS-Affected or VHS At-Risk States to facilities located within the Commonwealth for testing and scientific purposes without the transporter having to comply with the referenced testing and documentation requirements, if the VHS-susceptible species are accompanied in transit by documentation stating the point of origin of the fish and the destination to which they are to be delivered for testing.

iii. VHS-susceptible species may be moved from Quarantined VHS-Affected or VHS at-Risk States to a slaughter facility, processing plant or restaurant within the Commonwealth, if accompanied in transit by documentation stating the point of origin of the fish and the destination to which they are to be delivered for slaughter, processing or consumption.

c. If VHS-susceptible species are transported into this Commonwealth from the Quarantined VHS-Affected or VHS At-Risk States in accordance with Subparagraph (b), the following apply:

i. VHS-susceptible species shall not be deposited, introduced, dumped, commingled or otherwise permitted to enter the natural water system within this Commonwealth.

ii. Water in which VHS-susceptible species are transported shall not be deposited, introduced, dumped, commingled or otherwise permitted to enter the natural water system within this Commonwealth.

6. *Testing and Documentation Requirements.* VHS-susceptible species that are required to be tested under Paragraphs 4 or 5, shall meet the following testing and documentation requirements:

a. Within 12 months preceding movement from a Quarantined County or a Quarantined VHS-Affected or VHS At-Risk State, the VHS-susceptible species lot shall be tested in accordance with either the testing protocols described in the current edition of the *Fish Health Section Bluebook* adopted by the American Fisheries Society or

the testing protocols of the Office of International Epizootiologies, and the lot shall be test-negative for VHS.

b. If fish are added to a lot of VHS-susceptible species *after* the testing described in Paragraph (a), previous, is completed, the lot shall be retested in accordance with Paragraph (a) and found VHS test-negative prior to movement.

c. Documentation of VHS status shall accompany VHS-susceptible species that are required to be tested under Paragraphs 4 or 5, at all times the VHS-susceptible species remain within the Commonwealth and shall, upon request, be produced for inspection by any employee or representative of the Department. This documentation shall include the following:

i. A completed Aquaculture Verification Certificate form. This form will be provided by the Department upon request. Requests can be made to the following:

Department of Agriculture  
Bureau of Animal Health and Diagnostic Services  
ATTN: Aquaculture  
2301 North Cameron Street  
Harrisburg, PA 17110-9408  
(717) 772-2852

ii. A copy of the test results reflecting that the lot is VHS test-negative.

7. *Violations.* Any person violating the requirements of this order shall be subject to criminal prosecution and/or civil penalties of up to \$10,000 per violation.

8. *Effective Date.* This Order is immediately effective August 30, 2008, and shall remain in effect unless rescinded or modified by subsequent order.

9. *Additional Restrictions.* This Order shall not be construed as limiting the Department's authority to establish additional quarantine or testing requirements relating to VHS.

DENNIS C WOLFF,  
*Secretary*

[Pa.B. Doc. No. 08-1594. Filed for public inspection August 29, 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 August 19, 2008.

Under section 503.E of the Department of Banking Code (71 P. S. § 733-503.E), any person wishing to comment on the following applications, with the exception of branch applications and any application filed prior to August 7, 2008, may file their comments in writing with the Department of Banking, 17 North Second Street, Suite 1300, Harrisburg, PA 17101. Comments must be received no later than 30 days from the date notice of the application is published in the *Pennsylvania Bulletin*. The nonconfidential portions of the applications are on file at the Department and are available for public inspection during regular business hours. Photocopies of the nonconfidential portions of the applications may be requested consistent with the Department's Right-to-Know Law Records Request Policy.

**BANKING INSTITUTIONS****Holding Company Acquisitions**

<i>Date</i>	<i>Name of Corporation</i>	<i>Location</i>	<i>Action</i>
8-13-2008	Franklin Financial Services Corporation, Chambersburg, to acquire 100% of Community Financial, Inc., Camp Hill, and thereby indirectly acquire Community Trust Company, Camp Hill	Chambersburg	Filed
8-15-2008	Emclair Financial Corp., Emlenton, to acquire Elk County Savings and Loan Association, Ridgway, which will be merged with and into The Farmers National Bank of Emlenton, Emlenton, a wholly-owned subsidiary of Emclair Financial Corp.	Emlenton	Filed

**Consolidations, Mergers and Absorptions**

<i>Date</i>	<i>Name of Bank</i>	<i>Location</i>	<i>Action</i>
8-13-2008	Farmers and Merchants Trust Company of Chambersburg, Chambersburg, and Community Trust Company, Camp Hill Surviving Institution: Farmers and Merchants Trust Company of Chambersburg, Chambersburg	Chambersburg	Filed

**Branch Applications****De Novo Branches**

<i>Date</i>	<i>Name of Bank</i>	<i>Location</i>	<i>Action</i>
8-6-2008	MoreBank Philadelphia Philadelphia County	1222 North Welsh Road North Wales Montgomery County	Opened
8-13-2008	Luzerne Bank Luzerne Luzerne County	Routes 118 and 415 Dallas Luzerne County	Filed
8-14-2008	Farmers and Merchants Trust Company of Chambersburg Chambersburg Franklin County	870 Norland Avenue Chambersburg Franklin County	Opened
8-18-2008	Embassy Bank for the Lehigh Valley Bethlehem Northampton County	Route 378 and Colesville Road Bethlehem Northampton County	Approved
8-18-2008	ESB Bank Ellwood City Lawrence County	831 Evans City Road Connoquenessing Township Renfrew Butler County	Approved
8-18-2008	First CornerStone Bank King of Prussia Montgomery County	51 Woodland Drive Chadds Ford Township Glen Mills Delaware County	Approved

**Branch Discontinuances**

<i>Date</i>	<i>Name of Bank</i>	<i>Location</i>	<i>Action</i>
7-29-2008	Earthstar Bank Southampton Bucks County	48 West Skippack Pike Ambler Montgomery County	Closed

**Articles of Amendment**

<i>Date</i>	<i>Name of Bank</i>	<i>Purpose</i>	<i>Action</i>
8-6-2008	North Penn Bank Scranton Lackawanna County	Amendment to Article VII of the Articles of Incorporation changes the authorized number of directors <i>From:</i> not fewer than seven nor more than 20 <i>To:</i> not fewer than five nor more than 20.	Filed

**SAVINGS INSTITUTIONS****Conversions**

<i>Date</i>	<i>Name of Association</i>	<i>Location</i>	<i>Action</i>
7-3-2008	Elk County Savings and Loan Association Ridgway Elk County	Ridgway	Filed

Conversion from a State-chartered mutual savings association to a State-chartered stock savings association in conjunction with the proposed merger of Elk County Savings and Loan Association, Ridgway, with and into Farmers National Bank of Emlenton, Emlenton.

**CREDIT UNIONS**

No activity.

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. 08-1595. Filed for public inspection August 29, 2008, 9:00 a.m.]

# DEPARTMENT OF ENVIRONMENTAL PROTECTION

## Applications, Actions and Special Notices

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### APPLICATIONS

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

This notice provides information about persons who have applied for a new, amended or renewed NPDES or WQM permit, a permit waiver for certain stormwater discharges or submitted a Notice of Intent (NOI) for coverage under a general permit. The applications concern, but are not limited to, discharges 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 Environmental Protection Agency (EPA) Region III Administrator has waived the right to review or object to proposed NPDES permit actions under the waiver provision in 40 CFR 123.24(d).

Persons wishing to comment on 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

*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>
PA0209571	Romain Dorman Small Flow Treatment Facility 1665 Johnstown Road Mifflinburg, PA 17844	West Buffalo Township Union County	North Branch Buffalo Creek 10C	Y

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

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

**PA0003000**, Industrial Waste, SIC, 3479, **Centria, New Economy Business Park**, 500 Perth Drive, Ambridge, PA 15003. This application is for renewal of an NPDES permit to discharge treated process water, untreated cooling water and stormwater from the Ambridge Plant in Ambridge Borough, **Beaver County**.

**The following effluent limitations are proposed for discharge to the receiving waters, UNT to the Ohio River classified as a WWF with existing and/or potential uses for aquatic life, water supply and recreation. The first existing/proposed downstream potable water supply is Midland Borough Municipal Authority located at Midland, PA, 17.4 miles below the discharge point.**

*Outfall 101: existing discharge, design flow of 0.010 mgd.*

<i>Parameter</i>	<i>Mass (lbs/day)</i>		<i>Concentration (mg/l)</i>		
	<i>Average Monthly</i>	<i>Maximum Daily</i>	<i>Average Monthly</i>	<i>Maximum Daily</i>	<i>Instantaneous Maximum</i>
Flow (mgd)	Monitor and Report				
Total Suspended Solids	7.78	15.92	20	41	51
Oil and Grease	4.66	7.78	12	20	
Chromium	0.022	0.055	0.17	0.42	0.52
Copper	0.138	0.254	1.00	1.90	2.37
Cyanide	0.015	0.038	0.12	0.29	0.36
Zinc	0.079	0.181	0.56	1.33	1.66
Iron	0.087	0.167	0.63	1.23	1.53
pH	not less than 6.0 nor greater than 9.0				

Other Conditions: Part C conditions regarding priority pollutants, sludges and floating materials, noncontact cooling water, discharge temperature, TRC minimization and stormwater.

The EPA waiver is in effect.

Outfall 201: existing discharge of stormwater.

Parameter	Mass (lbs/day)		Concentration (mg/l)		
	Average Monthly	Maximum Daily	Average Monthly	Maximum Daily	Instantaneous Maximum
Nitrate+Nitrite Nitrogen					Monitor and Report
Copper					Monitor and Report
Zinc					Monitor and Report

Outfall 001: existing discharge, design flow of 0.031 mgd.

Parameter	Mass (lbs/day)		Concentration (mg/l)		
	Average Monthly	Maximum Daily	Average Monthly	Maximum Daily	Instantaneous Maximum
Flow (mgd)	Monitor and Report				
Temperature (° F)					110
Total Residual Chlorine			0.5		1.25
pH	not less than 6.0 nor greater than 9.0				

**PA0253847**, Sewage, **G. Lynn Waugaman**, 447 South Shore Trail, Central City, PA 15926. This application is for issuance of an NPDES permit to discharge treated sewage from Wenatchee 17 Single-Residence Sewage Treatment Plant in Indian Lake Borough, **Somerset County**.

The following effluent limitations are proposed for discharge to the receiving waters, known as UNT of Indian Lake, 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 0.0004 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 (5-1 to 9-30) (10-1 to 4-30)	200/100 ml as a Geometric Mean 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.

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

**WQM Permit No. WQG016166**, Sewerage, **Richard H. Michelini**, 179 Ford City Road, Freeport, PA 16229. This proposed facility is located in South Buffalo Township, **Armstrong County**.

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

**WQM Permit No. 5608404**, Sewerage, **PBS Coals, Inc.**, P. O. Box 260, Friedens, PA 15541-0260. This proposed facility is located in Stonycreek Township, **Somerset County**.

Description of Proposed Action/Activity: Application for the construction and operation of a 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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*Northeast Region: Watershed Management Program Manager, 2 Public Square, Wilkes-Barre, PA 18711-0790.*

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

<i>NPDES Permit No.</i>	<i>Applicant Name &amp; Address</i>	<i>County</i>	<i>Municipality</i>	<i>Receiving Water/Use</i>
PAI023908020	James Gentile Polaris Iron Run, LP 7562 Penn Drive Suite 100 Allentown, PA 18106	Lehigh	Upper Macungie Township	Iron Run HQ-CWF
PAI023908021	James Gentile North Star Real Estate Investment, LP 7562 Penn Drive Suite 100 Allentown, PA 18106	Lehigh	Upper Macungie Township	Iron Run 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>
PAI036708004	Jerry Watson Keystruct Construction, Inc. 30 Marianne Drive York, PA 17406	York	Springfield Township	Seaks Run CWF
PAI030608015	James Radwanski J & A Court Apartments, LLC 5071 Cherrywood Drive Mohnton, PA 19540	Berks	Cumru Township	Wyomissing Creek HQ-CWF

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

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

<i>NPDES Permit No.</i>	<i>Applicant Name &amp; Address</i>	<i>County</i>	<i>Municipality</i>	<i>Receiving Water/Use</i>
PAI041408009	Matthew Nixdorf 492 Weaver Hill Road Bellefonte, PA 16823	Centre	Marion and Walker Townships	UNT to Fishing Creek HQ-CWF

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

<i>NPDES Permit No.</i>	<i>Applicant Name &amp; Address</i>	<i>County</i>	<i>Municipality</i>	<i>Receiving Water/Use</i>
PAI041808003	John and Miriam Glick 6104 Nittany Valley Drive Mill Hall, PA 17751	Clinton	Porter Township	UNT to Fishing Creek HQ-CWF

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

*Beaver County Conservation District, 156 Cowpath Road, Aliquippa, PA 15001, (724) 378-1701.*

<i>NPDES Permit No.</i>	<i>Applicant Name &amp; Address</i>	<i>County</i>	<i>Municipality</i>	<i>Receiving Water/Use</i>
PAI050408002	Christopher David Turnpike Commission Western Regional Office 2200 North Center Avenue New Stanton, PA 15672	Beaver	Big Beaver Borough	UNT to Jordan Run HQ-CWF

*Somerset County Conservation District, Somerset County Agricultural Center, 6024 Glades Pike, Suite 103, Somerset, PA 15501, (814) 445-4652.*

<i>NPDES Permit No.</i>	<i>Applicant Name &amp; Address</i>	<i>County</i>	<i>Municipality</i>	<i>Receiving Water/Use</i>
PAI055608004	The Buncher Company 1300 Penn Avenue Suite 300 Pittsburgh, PA 15222	Somerset	Jefferson Township	Crise Run HQ-CWF



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

Crawford County Conservation District: Woodcock Creek Nature Center, 21742 German Road, Meadville, PA 16335, (814) 763-5269.

NPDES Permit No.	Applicant Name & Address	County	Municipality	Receiving Water/Use
PAI062008001	Vantage Real Estate Investment Company, Ltd. 18282 Technology Drive Suite 202 Meadville, PA 16335	Crawford	Meadville City	French Creek WWF

McKean County Conservation District: 17137 Route 6, Smethport, PA 16749, (814) 887-4001.

NPDES Permit No.	Applicant Name & Address	County	Municipality	Receiving Water/Use
PAI064208003	Kane Area Middle Elementary School	McKean	Kane Borough	West Run HQ-CWF

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

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

**STATE CONSERVATION COMMISSION**

**NUTRIENT MANAGEMENT PLANS RELATED TO APPLICATIONS FOR NATIONAL POLLUTION DISCHARGE ELIMINATION SYSTEM (NPDES) PERMITS FOR CONCENTRATED ANIMAL FEEDING OPERATIONS (CAFO)**

This notice provides information about agricultural operations that have submitted nutrient management plans (NMPs) for approval under the act of July 6, 2005 (Act 38 of 2005, 3 Pa.C.S. §§ 501—522) (hereinafter referred to as Act 38), and that have or anticipate submitting applications for new, amended or renewed NPDES permits, or Notices of Intent (NOIs) for coverage under a general permit, for CAFOs, under 25 Pa. Code Chapter 92. This notice is provided in accordance with 25 Pa. Code Chapter 92 and 40 CFR Part 122, implementing The Clean Streams Law (35 P. S. §§ 691.1—691.1001) and the Federal Clean Water Act.

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

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

The address for the SCC is Agriculture Building, Room 407, 2301 North Cameron Street, Harrisburg, PA 17110.

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

**CAFO PUBLIC NOTICE SPREADSHEET—APPLICATIONS**

Agricultural Operation Name and Address	County	Total Acres	Animal Equivalent Units	Animal Type	Special Protection Waters (HQ or EV or NA)	Application
Glenn Gorrell Wood Road R. D. 1 Box 220 Milan, PA 18831	Bradford	2,135	1,225	Dairy (Dry cows, lact. cows, heifers, calves)	NA	Approved 6-2-2008
Marvin Carpenter R. D. 3 Box 471 Shunk, PA 17768	Sullivan County Fox Township	468.7	630.19	Swine finishing, steer and dairy replacement heifer	HQ-CWF Hoagland and Elk Creeks	Application (NMP was received on May 21, 2008)

<i>Agricultural Operation Name and Address</i>	<i>County</i>	<i>Total Acres</i>	<i>Animal Equivalent Units</i>	<i>Animal Type</i>	<i>Special Protection Waters (HQ or EV or NA)</i>	<i>Application</i>
Jonathan Dietrich 5931 Buffalo Road Mifflinburg, PA 17844	Union	84.2	1,647.8	Swine	NA	Application

**PUBLIC WATER SUPPLY (PWS) PERMIT**

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

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

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

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

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

**SAFE DRINKING WATER**

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

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

**Application No. 3508502**, Public Water Supply.

Applicant	<b>Moscow Development Association</b> Moscow Borough <b>Lackawanna County</b>
Responsible Official	Connie Sanko Moscow Development Association 127 Orchard Street Moscow, PA
Type of Facility	Public Water System

Consulting Engineer	Quad 3 Group 72 Glenmaura National Boulevard Moosic, PA
Application Received Date	July 30, 2008
Description of Action	The permitting of a public water system serving an existing housing development.

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

**Permit No. 5008504**, Public Water Supply.

Applicant	<b>Liverpool Municipal Authority</b>
Municipality	Liverpool Borough
County	<b>Perry</b>
Responsible Official	Harvey W. Cook President P. O. Box 357 Liverpool, PA 17045
Type of Facility	Public Water Supply
Consulting Engineer	Shannon G. Williams, P. E. Herbert, Rowland & Grubic, Inc. 1846 Charter Lane Lancaster, PA 17601
Application Received:	July 30, 2008
Description of Action	Addition of New Well No. 5 with arsenic treatment.

**Permit No. 3608510**, Public Water Supply.

Applicant	<b>Northwestern Lancaster County Authority</b>
Municipality	Penn Township
County	<b>Lancaster</b>
Responsible Official	Dave McCracken Chairperson 97 North Penryn Road Manheim, PA 17545
Type of Facility	Public Water Supply
Consulting Engineer	Daniel J. Becker, P. E. Becker Engineering, LLC 115 Millersville Road Lancaster, PA 17603
Application Received:	August 4, 2008
Description of Action	Installation of an interconnection with Manheim Borough.

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

**Permit No. 5908502—Construction, Public Water Supply.**

Applicant **Mansfield Borough Municipal Authority**  
 Township or Borough Mansfield Borough  
 County **Tioga**  
 Responsible Official Robert Bartlett  
 Chairperson  
 19 East Wellsboro Street  
 Mansfield, PA 16933  
 Type of Facility Public Water  
 Supply—Construction  
 Consulting Engineer Jimmie Joe Carl, P. E.  
 MRB Group, PC  
 2750 Westinghouse Road  
 Suite 1  
 Horseheads, NY 14845  
 Permit Issued Date June 30, 2008  
 Description of Action Installation of a new 350,000  
 gallon welded steel water storage  
 tank. Westside water storage  
 tank.

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

**Application No. 4208501, Public Water Supply.**

Applicant **Bradford City Water Authority**  
 Township or Borough Bradford  
**McKean County**  
 Responsible Official Kim R. Benjamin  
 Executive Director  
 Consulting Engineer Michael T. Marino, P. E.  
 Project Manager  
 Contestoga-Rovers & Associates  
 285 Delaware Avenue  
 Suite 500  
 Buffalo, NY 14202  
 Application Received Date August 6, 2008  
 Description of Action BCWA residuals handling facility  
 and disinfection upgrades.

#### MINOR AMENDMENT

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

**Application No. 165W8MA, Minor Amendment,  
 Public Water Supply.**

Applicant **Aqua Pennsylvania Inc.**  
 Oakhill Water System  
 Lehman Township  
**Luzerne County**  
 Responsible Official Patrick Burke  
 Regional Manager  
 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 installation of chlorine  
 contact pipelines at Wells Nos. 2  
 and 4.

## LAND RECYCLING AND ENVIRONMENTAL REMEDIATION

UNDER ACT 2, 1995

### PREAMBLE 1

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

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

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

For further information concerning the content of a Notice of Intent to Remediate, contact the environmental cleanup program manager in the Department regional office before which the notice appears. If information concerning this acknowledgment is required in an alternative form, contact the community relations coordinator

at the appropriate regional office. TDD users may telephone the Department through the AT&T Relay Service at (800) 654-5984.

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

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

**Andreadis Property**, Darby Borough, **Delaware County**. Michael Malone, SECOR International Incorporated, Exton, PA 19341 on behalf of Dinoa Andreadis, 110 Baltimore Pike, Springfield, PA 19064 has submitted a Notice of Intent to Remediate. Soil at the site has been impacted by release of unleaded gasoline. The future use of the site is a rental car business and the intended future use of the property is commercial. A summary of the Notice of Intent to Remediate was reported to have been published in the *Philadelphia Daily News* on July 25, 2008.

**Germantown Friends School/Post Office Lot**, City of Philadelphia, **Philadelphia County**. Toby Kessler, P. G., Gilmore and Associates, Inc., 350 East Butler Avenue, New Britain, PA 18901 on behalf of Nick Dobrowolski, Germantown Friends School, 31 West Coulter Street, Philadelphia, PA 19144 has submitted a Notice of Intent to Remediate. Soil at the site has been impacted by release of PAH and pesticide. The future use of the site will be a science building.

**Cummins Power System, LLC**, Bristol Township, **Bucks County**. Shawn S. Fiore, Haley & Aldrich, Inc., 5755 Granger Road, Cleveland, OH 44131 on behalf of Lynn Coy, CRM Associates, 241 Goldenrod Drive, Lansdale, PA 19446 has submitted a Notice of Intent to Remediate. Soil and groundwater at the site has been impacted by release of chlorinated solvents. The future use of the site will remain a Cummins diesel engine repair facility. A summary of the Notice of Intent to Remediate was reported to have published in the *Bucks County Courier* on July 14, 2008.

**(REVISED NIR) PECO North Wales MGP**, North Wales, **Montgomery County**. George Keil, URS Corporation, 335 Commerce Drive, Suite 300, Fort Washington, PA 19034 on behalf of Benjamin Henry, PECO Energy Company, 2301 Market Street, S9-1, Philadelphia, PA 19101, has submitted a Notice of Intent to Remediate. Soil and groundwater at the site has been impacted by release of inorganic. The future development plans for the Property and MGP Site are not known at this time. A summary of the Notice of Intent to Remediate was reported to have been published in the *North Penn Life* on August 1, 2008.

**(Addendum NIR) Goldman Paper/Wilde Dyehouse Site** **City of Philadelphia, Philadelphia County**. Scott Alderfer, Penn Environmental & Remediation, 2755 Bergey Road, Hatfield, PA 19440 on behalf of Beth C. Koob, Esq., Temple University Health System Corporate Offices, 250 Hunting Park Avenue, 4th Floor, Philadelphia, PA 19129 has submitted a Notice of Intent to Remediate. Groundwater and soil at the site has been impacted by release of chlorinated solvents and No. 2 fuel oil. The future use of the site will remain the same. A summary of the Notice of Intent to Remediate was reported to have published in *The Philadelphia Daily News* on July 28, 2008.

**Laurel Pipeline Booth Station**, Bethel Township, **Delaware County**. Paul Miller, Environmental Alliance Inc., 1812 Newport Gap Pike, Wilmington, DE 19080 on behalf of Danielle Trittenbach, Buckeye Partners LP, 5Tek

Park, 9999 Hamilton Boulevard, Breinigsville, PA 18031 has submitted a Notice of Intent to Remediate. Soil at the site has been impacted with the release of diesel fuel. There are no plans to make any changes in the use of the property, it will remain a pipeline terminal and storage facility for various petroleum based products.

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

**Taveras Residence**, Ontelaunee Township, **Berks County**. Trimpi Associates, Inc., 1635 Old Plains Road, Pennsburg, PA 18073, on behalf of Antonia Taveras, 35 Berkley Park Road, Reading, PA 19605, submitted a Notice of Intent to Remediate site soils and groundwater contaminated with No. 2 fuel oil. The site will be remediated to the Statewide Health Standard.

**Former Tyrone Social Club**, Tyrone Borough, **Blair County**. Blazosky Associates, Inc., 2525 Greentech Drive, Suite D, State College, PA 16803, on behalf of Reliance Savings Bank, P. O. Box 1968, Altoona, PA 16603, submitted a Notice of Intent to Remediate site soils and groundwater contaminated with chlorinated solvents and petroleum products which had been released from the operation of a former dry cleaners and former automobile fueling and repair station. The site is being remediated as a Special Industrial Area.

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

**Comptec, Inc.**, North Huntingdon Township, **Westmoreland County**. Paul Alessio, Cardinal Resources, LLC, 1505 East Carson Street, Pittsburgh, PA 15203 on behalf of Gavin Mann, Comptec, Inc., 8291 Pennsylvania Avenue, Irwin, PA 15642, and Jim Pattock, Tiger Technologies, 4059 7th Street, New Kensington, PA 15068 has submitted a Notice of Intent to Remediate. TCE in soil is from historical use of an exhaust fan from a former paint room. Selected soil was excavated and properly disposed. Current and future use is as an industrial manufacturing facility.

**Crane Plumbing (Former)**, Somerset Township, **Somerset County**. Mark Johnson, ENVIRON, 10 East Baltimore Street, Suite 1400, Baltimore, MD 21202 on behalf of Reed Beidler, RLB Holdings, LLC, 1235 Hartrey Avenue, Evanston, IL 60202, Jeremy Sigmund, JMS Recycling, 1029 South Center Avenue, Somerset, PA 15501 and Randy Martel, ENVIRON International Corp., 4350 North Fairfax Drive, Suite 300, Arlington, VA 22203 has submitted a Notice of Intent to Remediate. The site has been operated as a china fixture manufacturing facility since 1960. Onsite disposal of china molds and wastewater treatment sludge were historically conducted under the approval of Department of Environmental Protection. Groundwater was not encountered at this site and soils will be remediated to a Nonresidential Statewide Health Standard. The property will remain nonresidential.

**LTV Midland/East Mills Disposal**, City of Midland, **Beaver County**. Robert Mchale, P. G., Civil and Environmental Consultants, Inc., 333 Baldwin Road, Pittsburgh, PA 15205 on behalf of Donald Linzer, Centennial ATB, LLC; Centennial Ball fields Enterprises, LP; Centennial Warehouse Properties, LLC and Centennial Murphy Hill, LLC has submitted a Notice of Intent to Remediate. The parcels covered in this NIR include the arrow terminal, the ball field, the former training center, the former physical laboratory, the former bar finishing building and the former stainless steel warehouse. Contaminants in

the soil are unknown, but may include various metals. Future uses of the site include material recovery and industrial redevelopment. The site is in a Special Industrial Area and will be remediated to a Site-Specific Standard.

**Warehousing Services**, City of Jeannette, **Westmoreland County**. Alan Halperin, D'Appolonia Engineering, 275 Center Road, Monroeville, PA 15146 on behalf of Douglas Johnston, T.S. Quatro, Inc., 215 North Fourth Street, Jeannette, PA 15644 has submitted a Notice of Intent to Remediate. Cinders between the west wall of the warehouse complex and adjacent railroad tracks contain lead concentrations that exceed Statewide Health Standard for direct contact. The area where the cinders occur, approximately 1,800 square feet, will be cleared and capped to prevent contact with the lead containing material. A Site-Specific Standard will be achieved through pathway elimination. The site will remain non-residential.

**Pangburn Seep (Former)**, Forward Township, **Allegheny County**. Alan Halperin, D'Appolonia Engineering, 275 Center Road, Monroeville, PA 15146 on behalf of Bill Weir Reserve Coal Properties Company, 1800 Washington Road, Pittsburgh, PA 15241 has submitted a Notice of Intent to Remediate. The site was part of an unreclaimed surface mine that was used for disposal of rubbish and waste. To remediate an intermittent seep issuing from the area, waste was removed from the site and it was backfilled with unimpacted soil in 2005. Soil with impacts from the waste constituents remain on site. Surface water and shallow groundwater have also been impacted. The site will remain nonresidential.

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

**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 Regulations to Operate Solid Waste Processing or Disposal Area or Site.**

*Northwest Region: Regional Solid Waste Manager, 230 Chestnut Street, Meadville, PA 16335-3481.*

**Permit Application No. 100329. Waste Management of PA Inc.**, 851 Robison Road East, Erie, PA 16509, Summit Township, **Erie County**. The application is a major permit modification for Southern Expansion at the Lake View Landfill. The application was submitted to the Department of Environmental Protection (Department) on May 5, 2008, and was subject to the Local Municipality Involvement Process (LMIP) and an Alternative Timeline. The LMIP took place on June 19, 2008, and the timeline was finalized on July 28, 2008. The application was found to be administratively completed by the Northwest Regional Office on August 8, 2008.

Comments concerning the application should be directed to Todd Carlson, Program Manager, Northwest Regional Office, 230 Chestnut Street, Meadville, PA 16335. Persons interested in obtaining more information about the general permit application may contact the Northwest Regional Office, (814) 332-6848. TDD users may contact the Department 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.

**Permit Application No. 101603. Veolia ES Solid Waste of PA**, R. D. 1, Route 6, Pittsfield, PA 16340,

Pittsfield Township, **Warren County**. The application is a major permit modification for daily tonnage increase at the Warren County Transfer Station. The application was submitted to the Department of Environmental Protection (Department) on April 21, 2008, and was subject to the Local Municipality Involvement Process (LMIP). The LMIP took place on July 30, 2008. The application was found to be administratively complete by the Northwest Regional Office on August 11, 2008.

Comments concerning the application should be directed to Todd Carlson, Program Manager, Northwest Regional Office, 230 Chestnut Street, Meadville, PA 16335. Persons interested in obtaining more information about the general permit application may contact the Northwest Regional Office, (814) 332-6848. TDD users may contact the Department 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 operating permits will contain terms and conditions to ensure that the source is constructed and operating in compliance with applicable requirements in 25 Pa. Code Chapters 121–143, the Federal Clean Air Act (act) and regulations adopted under the act.

### PLAN APPROVALS

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

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

**23-0111A: Centocor Research and Development, Inc.** (145 King of Prussia Road, Radnor, PA 19087) for modification of two Diesel or No. 2 Fuel-Fired Internal Combustion Engines that powers two Peak Shaving Electric Generators rated at 2,000 kW and 1,500 kW (diesel electric generators) at their Centocor Pharmaceutical Research and Development facility at 145 King of Prussia Road, Radnor Township, **Delaware County**. The modification of the two diesel electric generators may result in the emissions of: 17.72 tpy of NO<sub>x</sub>; 2.0 tpy of CO; 0.48 tpy of VOCs; 0.44 tpy of SO<sub>x</sub>; 0.23 tpy of PM/PM<sub>10</sub>; 0.02 tpy of HAPs and 0.02 tpy of Formaldehyde. The 2,000 kW generator shall be limited to the annual fuel usage of 69,450 gallons and the 1,500 kW generator shall be limited to the annual fuel usage of 52,400 gallons, which is equivalent to 500 hours of operation for each generator per year at 100% load. The Plan Approval and Operating Permit will contain recordkeeping and operating restrictions designed to keep the sources operating within all applicable air quality requirements.

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

**04-00065C: WHEMCO—Steel Castings, Inc.** (5 Hot Metal Street, Pittsburgh, PA 15203-2351) for installation of a new head burning booth at the Midland Foundry in Midland Borough, **Beaver County**.

**63-00943A: Dominion Transmission, Inc.** (445 West Main Street, Clarksburg, WV 26301-2886) for installation of a propane storage and marketing terminal at Charleroi Propane Station, in Fallowfield Township, **Washington County**.

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

**24-017C: Morgan Advanced Materials and Technology** (441 Hall Avenue, St. Marys, PA 15857) for construction of a second batch coking oven to be controlled by a new thermal oxidizer in St. Marys City, **Elk 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.**

*Northeast Region: Air Quality Program, 2 Public Square, Wilkes-Barre, PA 18711-0790, Ray Kempa, New Source Review Chief, (570) 826-2507.*

**45-303-010: Hanson Aggregates Pennsylvania** (5245 Lycoming Mall Drive, Montoursville, PA 17754) for modification of an existing Hot Mix Asphalt plant to utilize an alternative fuel, on-spec waste derived liquid fuel in the process at their facility in Hamilton Township, **Monroe County**. This facility is not a Title V facility. The company has elected to take a voluntary production restriction of 495,000 tons of asphalt per year. The plan approval will include all appropriate testing, monitoring, recordkeeping and reporting requirements designed to keep the asphalt plant operating within all applicable air quality requirements.

### OPERATING PERMITS

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

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

**23-00018: Exelon Generation Co., LLC** (3901 North Delaware Avenue, Philadelphia, PA 19137) for renewal of the Title V Operating Permit for their Chester Generating Station in the City of Chester, **Delaware County**. The facility is a peak power plant, containing three simple cycle combustion turbines, which generate a maximum of 18 Mw each. As a result of potential emissions of NO<sub>x</sub> and SO<sub>x</sub>, the facility is a major stationary source as defined in Title I, Part D of the Clean Air Act Amendments, and is therefore subject to the Title V permitting requirements adopted in 25 Pa. Code Chapter 127, Subchapter G. The proposed Title V Operating Permit Renewal does not reflect any change in air emissions from the facility. The facility became subject to the new regulations for NO<sub>x</sub> emissions accounting in 25 Pa. Code §§ 129.202 and 129.204 on May 1, 2005. These conditions have been included in the Operating Permit. The renewal contains all applicable requirements including monitoring, recordkeeping and reporting.

**46-00025: Lonza, Inc.** (900 River Road, Conshohocken, PA 19248) for renewal of the Title V Operating Permit in Upper Merion Township, **Montgomery County**. The initial permit was issued on December 31, 2001. The facility is primarily a synthesized pharmaceutical, fine organic chemical manufacturing plant with various manufacturing equipment, including boilers, emergency generators, laboratory hoods, a hazardous waste incinerator and a waste treatment plant. The facility is major for VOCs and NO<sub>x</sub> emissions and HAPs. The facility caps facility-wide HAP emissions to less than 25 tpy combination HAPs and less than 10 tpy any individual HAP. There are no new sources at the facility. Updated regulations for 40 CFR Part 63, Subpart EEE—National Emission Standards for HAPs for Hazardous Waste Combustors have been added to Source ID 001—Hazardous Waste Incinerator. CEMS reporting and recordkeeping requirements have also been added to Source ID 001. The facility is subjected to Compliance Assurance Monitoring (CAM) under 40 CFR Part 64. CAM requirements have been added to the permit for the scrubber/packed tower (C07) and the thermal oxidizer (C06) associated with Source IDs 101 (Raw Material and Waste Storage Tanks) and 106 (Manufacturing Processes). CAM conditions appear in Section D Source Level Requirements at each source. The

renewal contains all applicable requirements including monitoring, recordkeeping and reporting.

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

**67-05007: Adhesives Research, Inc.** (400 Seaks Run Road, Glen Rock, PA 17327) for operation of an adhesive coating facility in Springfield Township, **York County**. This is a renewal of the Title V operating permit that was issued in 2003.

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

**24-00012: C/G Electrodes, LLC** (800 Theresia Street, Saint Marys, PA 15857-1831) for modification of the Title V Operating Permit to change the operating ranges of some control devices related to the CAM plan in the City of Saint Marys, **Elk County**. The facility's major emission sources include coke unloading, storage, preheaters, screening and crushing, petroleum coke flour mill, pitch impregnation, mixer-feeder-scale, Wheelabrator shot blast, 48" extrusion press system, scrap electrode process, burn off oven, liquid pitch storage, air/vegetable oil quench system, pitch storage plant, coke handling plant, carbottoms, longitudinal graphitizers, 25 inch press, shot blast (LG Rods), sagger sand handling system, parts cleaning, graphite bagging system, mass bake furnaces, sagger bake furnaces and machining operation. The facility is a major facility due to its potential to emit of NOx and SOx. The facility is also subject to CAM plan.

**24-00016: Keystone Powdered Metal Co.** (251 State Street, St. Marys, PA 15857) for a Title V Operating Permit Re-issuance to operate a Fabricated Metal Products facility in the City of St. Marys, **Elk County**.

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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.*

**09-00178: Lockheed Martin Space System Company** (100 Campus Drive, Newtown, PA 18940-1784) for an initial Non-Title V Facility, State-only, Synthetic Minor Permit in Newtown Township, **Bucks County**. Lockheed Martin is a radio and TV communication equipment manufacturing facility. The facility has taken site level restriction limits of 25 tpy for NOx and 100 tpy for SOx. The restrictions will ensure that Lockheed Martin remains under the emission thresholds. Monitoring, recordkeeping and reporting requirements have been added to the permit to address applicable limitations.

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

**06-03095: DirectLink Technologies Corp.** (2561 Bernville Road, Reading, PA 19605-9611) for operation of data processing center with three emergency generators in Bern Township, **Berks County**. This is a renewal of the State-only operating permit issued in 2003.

**34-03003: Empire Kosher Poultry, Inc.** (R. R. 5, Box 228, Mifflintown, PA 17059-1203) for the poultry processing operation in Walker Township, **Juniata County**. The two boilers and frying operation were previously permitted under GP1-34-03003A and 34-317-002A, respectively. The facility wide (State-only) operating permit shall

contain testing, monitoring, recordkeeping and reporting requirements, emission restrictions, and work practice standards designed to keep the facility operating within all applicable air quality requirements.

**36-05124: Guyon Industries, Inc.** (1344 North Penryn Road, Manheim, PA 17545) for operation of its lumber prefinishing facility in Penn Township, **Lancaster County**. The State-only operating permit will include emission restrictions, work practice standards, and testing, monitoring, recordkeeping and reporting requirements designed to keep the facility operating within all applicable air quality requirements. This is a renewal of the State-only operating permit issued in 2003.

**44-03007: Hoenstine Funeral Home, Inc.** (75 Logan Street, Lewistown, PA 17044) for operation of its human crematory in Lewistown Borough, **Mifflin County**. This is a renewal of their State-only operating permit.

**44-03010: Trinity Packaging Corporation** (13 Industrial Park Road, Lewistown, PA 17044) for manufacturing, laminating and coating of plastic bags in Granville Township, **Mifflin County**. This is a renewal of the State-only operating permit issued in 2003.

## 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 Act (52 P. S. §§ 30.51—30.66); The Bituminous Mine Subsidence and Land Conservation Act (52 P. S. §§ 1406.1—1406.21). Mining activity permits issued in response to such applications will also address the applicable permitting requirements of the following statutes: the Air Pollution Control Act (35 P. S. §§ 4001—4015); the Dam Safety and Encroachments Act (32 P. S. §§ 693.1—693.27); and the Solid Waste Management Act (35 P. S. §§ 6018.101—6018.1003).

The following permit applications to conduct mining activities have been received by the Department of Environmental Protection (Department). A copy of the application is available for inspection at the District Mining Office indicated above each 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 the certification.

Written comments or objections, or requests for an informal conference, or a public hearing, as applicable, on a mining permit application may be submitted by any person or any officer or head of any Federal, State or local government agency or authority to the Department at the address of the district mining office indicated above each application within 30 days of this publication, or within 30 days after the last publication of the applicant's newspaper advertisement, as provided by 25 Pa. Code §§ 77.121—77.123 and 86.31—34.

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

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

Where a National Pollutant Discharge Elimination System (NPDES) number is listed, the mining activity permit application was accompanied by an application for an individual NPDES permit. The Department has made a tentative determination to issue the NPDES permit in conjunction with the mining activity permit, but the issuance of the NPDES permit is contingent upon the approval of the associated mining activity permit.

For coal mining activities, NPDES permits, when issued, will contain effluent limits that do not exceed the technology-based effluent limitations. The proposed limits are listed in Table 1.

For noncoal mining activities, the proposed limits are found in Table 2. Discharges from noncoal mines located in some geologic settings (for example, in the coal fields) may require additional effluent limits. If additional effluent limits are needed for an NPDES permit associated with a noncoal mining permit, then the permit description below specifies the parameters. The limits will be in the ranges specified in Table 1.

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

The procedures for determining the final effluent limits, using a mass-balance equation or model, are found in

Technical Guidance Document 362-0600-001, NPDES Program Implementation—Memorandum of Understanding Concerning Water Quality Management, NPDES Program Implementation and Related Matters. Other specific factors to be considered include public comments and Total Maximum Daily Loads (TMDLs).

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

The Department will also accept requests or petitions for a public hearing on NPDES permit applications, as provided in 25 Pa. Code § 92.61. The request or petition for a public hearing shall be filed within 30 days of this public notice and shall contain the name, address, telephone number and the interest of the party filing the request, and shall state the reasons why a hearing is warranted. A public hearing may be held if the Department considers the public interest significant. If a hearing is scheduled, a notice of the hearing on the NPDES permit application will be published in the *Pennsylvania Bulletin* and a newspaper of general circulation within the relevant geographical area. In the case where a public hearing is held, the Department will consider comments from the public hearing in the final determination on the NPDES permit application.

#### *Coal Applications Received*

*Effluent Limits*—The following range of effluent limits will apply to NPDES permits issued in conjunction with the associated coal mining activity permit and, in some cases, noncoal mining permits:

Parameter	30-Day Average	Daily Maximum	Instantaneous Maximum
Iron (Total)	1.5 to 3.0 mg/l	3.0 to 6.0 mg/l	3.5 to 7.0 mg/l
Manganese (Total)	1.0 to 2.0 mg/l	2.0 to 4.0 mg/l	2.5 to 5.0 mg/l
Suspended solids	10 to 35 mg/l	20 to 70 mg/l	25 to 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: 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 drainage (resulting from a precipitation event of less than or equal to a 1-year 24-hour event) from coal refuse disposal piles.

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

**Permit Number 30841307 and NPDES Permit No. PA0213438, Emerald Coal Resources, LP,** (P. O. Box 1020, 158 Portal Road, Waynesburg, PA 15370), to revise the permit for the Emerald Mine No. 1 in Center Township, **Greene County** to change the land use on 4.5

acres from pastureland to industrial/commercial at Emerald No. 5 Airshaft. No additional discharges. Application received July 1, 2008.

**Permit Number 30841312 and NPDES Permit No. PA0013790, Consolidation Coal Company,** (1800 Washington Road, Pittsburgh, PA 15241), to revise the permit for the Blacksville Mine No. 2 in Gilmore Township, **Greene County** and related NPDES permit to install the Roberts Run Airshaft. Surface Acres Proposed 15.4. Receiving Stream: UNT to Roberts Run, classified for the following use: WWF. Application received July 7, 2008.

**Permit Number 32011302 and NPDES Permit No. PA0235521, AMFIRE Mining Company, LLC,** (One Energy Place, Latrobe, PA 15650), to renew the permit



and related NPDES permit and to revise the permit for the Gillhouser Run Deep Mine in Buffington and Brush Valley Townships, **Indiana County** to add acreage to the subsidence control plan area. Subsidence Control Plan Acres Proposed 462.2. No additional discharges. Application received June 10, 2008.

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

**56930107 and NPDES No. PA0212466. Future Industries, Inc.**, P. O. Box 157, Meyersdale, PA 15552, permit renewal for the continued operation and restoration of a bituminous surface mine in Brothersvalley Township, **Somerset County**, affecting 70.3 acres. Receiving streams: UNTs to/and Buffalo Creek classified for the following use: CWF. There are no potable water supply intakes within 10 miles downstream. Application received August 5, 2008.

**56980103, NPDES Permit No. PA0234699 and General Permit GP12-56980103. Godin Brothers, Inc.**, 195 East Philadelphia Street, P. O. Box 216, Armagh, PA 15920. Revision to an existing bituminous surface mine operation to add a coal crushing plant facility in Jenner and Lincoln Townships, **Somerset County** affecting 133.5 acres. Receiving streams: UNTs to Quemahoning Creek classified for the following use: CWF. The first downstream potable water supply intake from the point of discharge is Cambria Somerset Authority Quemahoning SWI. The coal crushing plant facility on this site is authorized to operate under General Permit BAQ-GPA/GP12 and is required to meet all applicable limitations, terms and conditions of authorization GP12-56980103. Application received August 5, 2008.

**56080107. Fieg Brothers**, 3070 Stoystown Road, Stoystown, PA 15563 commencement, operation and restoration of a bituminous surface mine in Southampton Township, **Somerset County**, affecting 162.1 acres. Receiving streams: Powder Run to Gladdens Run to Wills Creek, UNTs to Wills Creek classified for the following use: HQ-CWF. There are no potable water supply intakes within 10 miles downstream. Application received July 31, 2008.

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

**02080101 and NPDES Permit No. PA0251461. Quality Aggregates, Inc.** (200 Neville Road, Pittsburgh, PA 15225). Application for commencement, operation and reclamation of a bituminous surface mine, located in Findlay Township, **Allegheny County**, affecting 86.7 acres. Receiving streams: UNT to Potato Garden Run,

classified for the following use: WWF. There is no potable water supply intake within 10 miles downstream from the point of discharge. Application received August 13, 2008.

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

**16060101 and NPDES Permit No. PA0258105. Ancient Sun, Inc.** (P. O. Box 129, Shippensburg, PA 16254). Revision to an existing bituminous surface strip operation in Ashland Township, **Clarion County** affecting 23.0 acres. Receiving streams: two UNTs to Little East Sandy Creek and Little East Sandy Creek, classified for the following use: CWF. There are no potable surface water supply intakes within 10 miles downstream. Revision to include a postmining land use change from forestland to unmanaged natural habitat on the Donald E. Kahle, Jr. and F. Howard Kahle property. Application received August 15, 2008.

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

**54-305-010GP12. Coaldale Energy, LLC**, (c/o Stonegate Partners, LLC, 401 Edgewater Place, Suite 102, Wakefield, MA 01880), application to operate a coal preparation plant whose pollution control equipment is required to meet all applicable limitations, terms and conditions of General Permit, BAQ-GPA/GP-12 on Surface Mining Permit No. 54070202 in Coaldale Borough, **Schuylkill County**. Application received August 13, 2008.

**54-305-011GP12. Summit Anthracite, Inc.**, (196 Vista Road, Klingerstown, PA 17941), application to operate a coal preparation plant whose pollution control equipment is required to meet all applicable limitations, terms and conditions of General Permit, BAQ-GPA/GP-12 on Underground Mining Permit No. 54851336 in Porter Township, **Schuylkill County**. Application received August 13, 2008.

**54860206R4 and NPDES Permit No. PA053583. WPS Westwood Generation, LLC**, (1716 Lawrence Drive, DePere, WI 54115), renewal of an existing anthracite coal refuse reprocessing operation and NPDES Permit for discharge of treated mine drainage in Frailey and Porter Townships, **Schuylkill County** affecting 441.4 acres, receiving stream: Lower Rausch Creek. Application received August 13, 2008.

*Noncoal Applications Received*

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

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

\* The parameter is applicable at all times.

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

effluent limitations identified under coal applications will apply to discharges of wastewater to streams.

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

**37920306. Neshannock Sand and Gravel, Inc.** (3340 US Route 422, New Castle, PA 16101-7962). Renewal of NPDES Permit No. PA0211320, Neshannock Township, **Lawrence County**. Receiving streams: UNT to the Shenango River (Unclassified) and the Shenango River, classified for the following use: WWF. The first downstream potable water supply intake from the point of discharge is the City of New Castle. NPDES Renewal application received August 11, 2008.

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

**40860302T2. 4P Realty, LP**, (309 Main Street, Blakely, PA 18447), transfer of an existing quarry operation from Janet Beccaria in Lake Township, **Luzerne County** affecting 564.0 acres, receiving stream: none. Application received August 6, 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

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

**E28-349: Turnpike Commission**, P. O. Box 67676, Harrisburg, PA 17106-7676, Southampton Township, **Cumberland County**, United States Army Corps of Engineers, Baltimore District.

The project consists of realigning the Turnpike at the curve immediately east of the Blue Mountain Tunnel, to the south of the existing roadway from milepost 199.5 to 200.4 involving the following regulated activities:

1. To construct and maintain a 280.0 linear foot by 24-inch RCP pipe road crossing of a UNT to Clippingers Run (WWF) at Station 195+20 R (Doyleburg, PA Quadrangle North: 2.4 inches; West: 3.4 inches, Latitude: 40° 08' 36" N; Latitude: 77° 38' 32" W) resulting in 280.0 feet of perennial stream impact.

2. To relocate approximately 765.0 linear feet of a UNT to Clippingers Run (WWF) from Station 209+35 to 210+60 R (Doyleburg, PA Quadrangle North: 2.0 inches; West: 3.9 inches, Latitude: 40° 08' 45" N; Latitude: 77° 38' 20" W) resulting in 765.0 linear feet of intermittent stream impact.

3. To construct and maintain a 531.0 linear foot by 60-inch RCP pipe road crossing in a UNT to Clippingers Run (WWF) at Station 211+45 R (Doyleburg, PA Quadrangle North: 1.8 inches; West: 3.8 inches, Latitude: 40° 08' 47" N; Latitude: 77° 38' 16" W) resulting in 669.0 feet of perennial stream impact.

4. To construct and maintain a 355.0 linear foot by 54-inch RCP pipe road crossing in Clippingers Run (WWF) at Station 222+30 R (Doyleburg, PA Quadrangle; North: 0.8 inch; West: 4.0 inches, Latitude: 40° 08' 56" N; Latitude: 77° 37' 55" W) resulting in 516.0 feet of perennial stream impact.

5. To construct and maintain a 297.0 linear foot extension of an existing 48-inch CMP pipe in a UNT to Laughlin Run (WWF) at Station 232+00 R (Doyleburg, PA Quadrangle North: 0.5 inch; West: 4.8 inches, Latitude: 40° 09' 04" N; Latitude: 77° 37' 41" W) resulting in 332.0 feet of perennial stream impact.

The project will permanently impact 1,797.0 linear feet of perennial stream channel and 765.0 linear feet of intermittent stream channel, totaling approximately 0.59 acre of impact to Waters of the Commonwealth. To compensate for unavoidable stream impacts, the applicant has proposed to remove a dam on Middle Spring Creek (CWF) along Middle Spring Road in Southampton Township, Cumberland County (Shippensburg, PA Quadrangle North: 14.7 inches; West: 6.0 inches, Latitude: 40° 4' 52"; Longitude: 77° 32' 36").

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

**E17-446. City of DuBois**, 139 P. O. Box 408, 16 West Scribner Avenue, DuBois, PA 15801. Pedestrian Bridges Across Sandy Lick Creek and Reasinger Run, in DuBois City, **Clearfield County**, United States Army Corps of Engineers, Pittsburgh District (DuBois, PA Quadrangle Latitude: 41° 07' 6.48"; Longitude: 78° 45' 12.41" and Latitude: 41° 07' 5.48"; Longitude: 78° 45' 12.58").

The applicant proposes to construct, operate and maintain two pedestrian bridge crossings Sandy Lick Creek (CWF) and Reasinger Run (CWF) for public access to recreational facilities. The bridge across Sandy Lick Creek shall be constructed as a single span structure having a minimum span of 45-feet, underclearance of 7.5-feet and width of 10-feet. The bridge across Reasinger Run shall be constructed as a single span structure

having a minimum span of 119.5-feet, underclearance of 14-feet and width 10-feet. The project will not impact wetlands, while permanently impacting 10-feet of each waterway. The project is located along the eastern right-of-way of SR 0219 approximately 2,350-feet east of Park Avenue and SR 0219 intersection.

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

**E63-609. Department of Transportation, District 12-0**, 825 North Gallatin Avenue Ext., Uniontown, PA 15401. To construct and maintain bridge replacement which extends between East Bethlehem Township, **Washington County** and Jefferson Township, **Greene County**, United States Army Corps of Engineers, Pittsburgh District (Mather, PA Quadrangle N: 19.68 inches; W: 1.47 inches, Latitude 39° 58' 59"; Longitude 80° 00' 38"). The applicant proposes to remove the existing SR 88, two lane, two span, 212 ft. total length, steel through truss bridge, having an underclearance of 14.2 ft. over Tenmile Creek's (WWF) normal pool elevation; and to construct and maintain approximately 20 ft. upstream and to the east a two lane, three span, 384 ft. total length, replacement bridge, with a underclearance of 14.2 ft. over normal pool elevation. In addition, remove the existing SR 2039, 24 ft. span, 62 ft. wide, concrete slab bridge with a underclearance of 7.2 ft; construct and maintain a 61 ft. span 42 ft. wide by 12.2 ft. maximum underclearance replacement on the adjoining UNT (WWF) to accommodate the relocation and raising of the northern SR 88 approach road to the Tenmile Creek Bridge replacement; install a temporary causeway for construction of the SR 88 replacement bridge; install a temporary bridge for the replacement of the SR 2039 bridge; and construct and maintain associated stormwater outfalls. The project, is centered approximately 3,000 ft. upstream of Tenmile Creek's confluence with the Monongahela River.

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

**E61-284, Department of Transportation, District 1-0**, 255 Elm Street, Oil City, PA 16301. SR 3005, Section B00 Across Scrubgrass Creek, in Clinton Township, **Venango County**, United States Army Corps of Engineers, Pittsburgh District (Eau Claire, PA Quadrangle N: 41° 14' 21.7"; W: 79° 51' 13.7").

To remove the existing truss bridge and to construct and maintain a prestressed concrete spread box beam bridge having an out to out width of 28.25 feet, a clear span of 89.5 feet and an underclearance of 9.5 feet on a 65° skew with a new alignment located immediately upstream of the existing bridge across Scrubgrass Creek on SR 3005, Section B00 approximately 200 feet south of SR 3008.

**E62-417, Southwest Township**, R. D. 2, Box 184A, Titusville, PA 16354. Sutton Road Across Caldwell Creek, in Southwest Township, **Warren County**, United States Army Corps of Engineers, Pittsburgh District (Grand Valley, PA Quadrangle N: 41° 40' 06"; W: 79° 35' 54").

To remove the existing structure and to construct and maintain a prestressed concrete spread box beam bridge having a clear span of 71 feet and an underclearance of 7.2 feet on an 85° skew across Caldwell Creek (HQ-CWF) and impacting 0.08 acre of wetland (EV) on Sutton Road approximately 1.7 mile from Flat Road. Project proposes creation of 0.08 acre of replacement wetland in the immediate vicinity of the bridge.

**E62-418, Southwest Township**, R. D. 2, Box 184A, Titusville, PA 16354. Sutton Road Across Caldwell Creek, in Southwest Township, **Warren County**, United States Army Corps of Engineers, Pittsburgh District (Grand Valley, PA Quadrangle N: 41° 41' 39"; W: 79° 34' 17").

To remove the existing structure and to construct and maintain a prestressed concrete spread box beam bridge having a clear span of 58 feet and an underclearance of 7 feet on an 60° skew across West Branch Caldwell Creek and impacting a de minimis area of wetland (EV) on T-304 Flat Road approximately 0.5 mile northeast of Selkirk Road.

#### ENVIRONMENTAL ASSESSMENTS

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

**EA4308603, Edward M. Best**, Wheatland Tube Company, 1 Council Avenue, Wheatland, PA 16161. Old Mill Street Demolition Project, in Hermitage, **Mercer County**, United States Army Corps of Engineers, Pittsburgh District (Sharon West, PA Quadrangle N: 41° 14' 18.8"; W: 80° 30' 46.6").

Demolition plan provided under § 105.12(a)(11) for the demolition and removal of the approximately 160' long Old Mill Street Bridge.

*Cambria District: Environmental Program Manager, 286 Industrial Park Road, Ebensburg, PA 15931-4119.*

**EA4309-002. Department of Environmental Protection**, Bureau of Abandoned Mine Reclamation, Division of Mine Hazards, P. O. Box 8476, Harrisburg, PA 17105. Abandoned Mine Land Reclamation Project, in Springfield and Findley Townships, **Mercer County**, United States Army Corps of Engineers, Pittsburgh District.

The applicant proposes to backfill an abandoned surface mine, which includes a total of 55 acres of Priority 2 dangerous highwalls and Priority 3 spoil piles. The highwalls total approximately 3,200 feet and average 25 feet high. The project will include the backfilling of 10.29 acres of open water that have developed within the strip pits (Mercer Quadrangle N: 9 inches; W: 7.5 inches).

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

**D46-148EA. Upper Merion Township**, 175 West Valley Forge Road, King of Prussia, PA 19406. Upper Merion Township, **Montgomery County**, United States Army Corps of Engineers, Philadelphia District.

Project proposes to breach and remove Upper Dam across Gulph Creek (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 1,200 feet of stream channel. The dam is located approximately 1,300 feet east of the intersection of SR 320 and SR 3031 (Gulph Road) (Norristown, PA Quadrangle Latitude: 40° 04' 10"; Longitude: 75° 22' 08").

**D49-021EA. Anthony Fernandes**, 762 West Lancaster Avenue, Bryn Mawr, PA 19010. Mount Carmel Township, **Northumberland County**, United States Army Corps of Engineers, Baltimore District.

Project proposes to breach and remove Mt. Carmel No. 1 Dam and Storage Reservoir No. 2 Dam across a tributary to Shamokin Creek (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 500 feet of stream channel. The dams are

located approximately 1,700 feet south of the intersection of SR 54 and SR 2040 (South Hickory Street) (Mount Carmel, PA Quadrangle Latitude: 40° 47' 25"; Longitude: 76° 24' 37") (Mount Carmel, PA Quadrangle Latitude: 40° 47' 26"; Longitude: 76° 24' 35").

**D32-086EA. Green Township Municipal Authority,** 77 Musser Street, Commodore, PA 15729. Green Township, **Indiana County,** United States Army Corps of Engineers, Pittsburgh District.

Project proposes to breach and remove Barr Slope Reservoir Dam across a tributary to Dixon 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 500 feet of stream channel. The dam is located approximately 1,700 feet northwest of the intersection of SR 403 and SR 1012 (Barr Slope Road) (Clymer, PA Quadrangle Latitude: 40° 42' 52"; Longitude: 79° 00' 48").

#### **WATER QUALITY CERTIFICATION REQUEST**

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

Certification request initiated by the United States Army Corps of Engineers, Baltimore District, P. O. Box 1715, Baltimore, MD 21203. Lidy Creek, Section 14 Emergency Streambank Stabilization Project, in Lidy Creek, Dupont Borough, Luzerne County, United States Army Corps of Engineers, Baltimore District, Avoca Quadrangle N: 13.7 inches; W: 16.6 inches. The United States Army Corps of Engineers proposes the stabilization of approximately 220 linear feet of Lidy Creek. The project would entail stream bank stabilization with rock for 90 linear feet of the north stream bank, 16 linear feet of the south stream bank and 110 feet of reconfigure channel alignment using rock. The Lidy Creek, Section 14 Emergency Streambank Stabilization documents are available for public review at the Pittston Memorial Library, 47 Broad Street, Pittston, PA 18640 and by electronic copy at [www.nab.usace.army.mil/PN/CivilWorks.htm](http://www.nab.usace.army.mil/PN/CivilWorks.htm).

## **ACTIONS**

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

The Department of Environmental Protection (Department) has taken the following actions on previously received applications for new, amended and renewed NPDES and WQM permits, applications for permit waivers and Notices of Intent (NOI) for coverage under general permits. This notice is provided in accordance with 25 Pa. Code Chapters 91 and 92 and 40 CFR Part 122, implementing provisions of The Clean Streams Law (35 P. S. §§ 691.1—691.1001) and the Federal Clean Water Act.

<i>Location</i>	<i>Permit Authority</i>	<i>Application Type or Category</i>
Section I	NPDES	Renewals
Section II	NPDES	New or amendment
Section III	WQM	Industrial, sewage or animal wastes; discharges to groundwater
Section IV	NPDES	MS4 individual permit
Section V	NPDES	MS4 permit waiver
Section VI	NPDES	Individual permit stormwater construction
Section VII	NPDES	NOI for coverage under NPDES general permits

Sections I—VI contain actions related to industrial, animal or sewage wastes discharges, discharges to groundwater and discharges associated with municipal separate storm sewer systems (MS4), stormwater associated with construction activities and concentrated animal feeding operations (CAFOs). Section VII contains notices for parties who have submitted NOIs for coverage under general NPDES permits. The approval for coverage under general NPDES permits is subject to applicable effluent limitations, monitoring, reporting requirements and other conditions set forth in each general permit. The approval of coverage for land application of sewage sludge or residential septage under applicable general permit is subject to pollutant limitations, pathogen and vector attraction reduction requirements, operational standards, general requirements, management practices and other conditions set forth in the respective permit. Permits and related documents, effluent limitations, permitting requirements and other information are on file and may be inspected and arrangements made for copying at the contact office noted before the action.

Persons aggrieved by an action may appeal, under section 4 of the Environmental Hearing Board Act (35 P. S. § 7514) and 2 Pa.C.S. §§ 501—508 and 701—704 (relating to the Administrative Agency Law), to the Environmental Hearing Board, Second Floor, Rachel Carson State Office Building, 400 Market Street, P. O. Box 8457, Harrisburg, PA 17105-8457, (717) 787-3483. TDD users should contact the Environmental Hearing Board (Board) through the Pennsylvania Relay Service, (800) 654-5984. Appeals must be filed with the Board within 30 days of publication of this notice in the *Pennsylvania Bulletin*, unless the appropriate statute provides a different time period. Copies of the appeal form and the Board's rules of practice and procedure may be obtained from the Board. The appeal form and the Board's rules of practice and procedure are also available in Braille or on audiotape from the Secretary of the Board at (717) 787-3483. This paragraph does not, in and of itself, create any right of appeal beyond that permitted by applicable statutes and decision law.

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

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

**I. NPDES Renewal Permit Actions**

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

<i>NPDES No. (Type)</i>	<i>Facility Name &amp; Address</i>	<i>County &amp; Municipality</i>	<i>Stream Name (Watershed #)</i>	<i>EPA Waived Y/N ?</i>
PA-0040487 (Minor Sewage)	PCS Chadaga d/b/a Maple Lane Estates 110 Inverness Drive Blue Bell, PA 19422	Foster Township Luzerne County	Pond Creek 2A	Y
PA-0063673 (Minor Sewage)	Salerno Properties, LLC Fountain Springs West P. O. Box 226 Sciota, PA 18354	Pocono Township Monroe County	Pocono Creek 01E	Y
PA-0064009	ESSROC Cement Corporation Route 248 and Easton Road Nazareth, PA 18064	Nazareth Borough Northampton County	UNT to East Branch Monocacy Creek 2C	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>
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
PA0209589 SP	Girard Township P. O. Box 36 LeContes Mills, PA 16850-0036	Clearfield County Girard Township	Bald Hill Run 8C	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>
PA0205753 Sewage	East Bethlehem Township Municipal Authority P. O. Box 136 Fredericktown, PA 15333	Washington County East Bethlehem Township	Monongahela River	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>
PA0100960	Bloomfield Township Sewage Authority 22978 Shreve Ridge Road Union City, PA 16438-3540	Bloomfield Township Crawford County	Oil Creek 16-E	Y

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

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

**NPDES Permit No. PA0065234**, Sewage, **Stephen and Janet Lovell**, 10371 Old Route 22, Kutztown, PA 19530. This proposed facility is located in Weisenberg Township, **Lehigh County**.

Description of Proposed Action/Activity: Issuance of NPDES Permit to discharge treated sewage from a single-family residence, treated using an EcoFlow SCB-650 biofilter.

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

**NPDES Permit No. PA0240168**, CAFO, **Bortnick Dairy, LLC**, 21820 Palmer Road, Conneautville, PA 16406. This proposed facility is located in Beaver Township, **Crawford County**.

Description of Proposed Action/Activity: Permit issuance for operation of a dairy farm.

**NPDES Permit No. PA0240150**, Sewage, **Norwich Township**, 3853 West Valley Road, Smethport, PA 16749. This proposed facility is located in Norwich Township, **McKean County**.

Description of Proposed Action/Activity: A new discharge of treated sewage.

**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. 3908401**, Sewerage, **Stephen and Janet Lovell**, 10371 Old Route 22, Kutztown, PA 19530. This proposed facility is located in Weisenberg Township, **Lehigh County**.

Description of Proposed Action/Activity: Issuance of Water Quality Management Permit for the construction/operation of a small flow treatment facility to replace the malfunctioning cesspool system. Facility consists of a septic tank, Ecoflo ST650 Peat Filter and an ultraviolet disinfection unit.

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

**WQM Permit No. 1808401**, Sewerage, SIC 4952, **Woodward Township Sewer Authority**, 86 Riverside Terrace, Lock Haven, PA 17745. This proposed facility is located in Woodward Township, **Clinton County**.

Description of Proposed Action/Activity: A permit has been issued for renovations to Pump Station No. 1 along SR 644. The proposed modifications include replacement of the pumps and pump controls, addition of an emergency generator to serve the pump station and the replacement of the force main conveying sewage from the pump station to the City of Lock Haven's collection system.

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

**WQM Permit No. 0208201**, Industrial Waste, **LaFarge North America, Inc.**, 555 Frost Road, Suite 100, Streetsboro, OH 44241. This proposed facility is located in West Mifflin Borough, **Allegheny County**.

Description of Proposed Action/Activity: Permit issuance for construction and operation of a wastewater treatment plant.

**WQM Permit No. WQG016164**, Sewerage, **William Minton**, 300 Bocktown Cork Road, Aliquippa, PA 15001. This proposed facility is located in Independence Township, **Beaver County**.

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

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

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

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

**WQM Permit No. 2508405**, Sewerage, **Girard Borough**, 34 Main Street West, Girard, PA 16417. This proposed facility is located in Girard Township, **Erie County**.

Description of Proposed Action/Activity: The permit is for the installation of approximately 3,000 LF of 24-in. diameter, PVC gravity sewer line between Rice Avenue and the Girard Borough sewage treatment plant. The proposed work replaces a deteriorated 10-in. clay tile line that will be abandoned in place.

**WQM Permit No. 4208402**, Sewerage, **Norwich Township**, 3853 West Valley Road, Smethport, PA 16749. This proposed facility is located in Norwich Township, **McKean County**.

Description of Proposed Action/Activity: The proposed project consists of a pressure sewer collection system and treatment plant to serve a portion of Norwich Township, McKean County.

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

**WQM Permit No. 4608405**, Sewerage, **Salford Township**, P. O. Box 54, 139 Ridge Road, Tylersport, PA 18971. This proposed facility is located in Salford Township, **Montgomery County**.

Description of Action/Activity: Construction and operation of a sanitary pump station to convey the sewage from the Country View at Salford Development.

**WQM Permit No. WQG02460814**, Sewerage, **Valley Forge National Park Service**, 1400 North Outerline Drive, King of Prussia, PA 19406. This proposed facility is located in Upper Merion Township, **Montgomery County**.

Description of Action/Activity: Construction and operation of a pump station to serve a "comfort station" at Washington's Headquarters in VFNP.

**WQM Permit No. 1598201**, Industrial, Renewal, **Herr Foods, Inc.**, P. O. Box 300, Nottingham, PA 19362-0300. This proposed facility is located in West Nottingham Township, **Chester County**.

Description of Action/Activity: Approval for renewal of existing permit for modifications and continued operations of the Herr Foods, Inc. Wastewater Treatment Plant.

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

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

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

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*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>
PAI024507007	SADG-2, Inc. 100 Colliery Road Dickson City, PA 18519	Monroe	Mount Pocono Borough	Yankee Run HQ-CWF
PAI023908004	East Penn School District 800 Pine Street Emmaus, PA 18049	Lehigh	Lower Macungie Township	Little Lehigh Creek HQ-CWF

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

<i>NPDES Permit No.</i>	<i>Applicant Name &amp; Address</i>	<i>County</i>	<i>Municipality</i>	<i>Receiving Water/Use</i>
PAI064208002	Norwich Township 3853 West Valley Road Smethport, PA 16749	McKean	Norwich Township	Potato Creek and UNT; Walcott Brook and UNT; Red Mill Colegrove and Robbins Brooks HQ-CWF; CWF
PAI066108001	Oil Creek Township 16835 Shreve Run Road Pleasantville, PA 16341	Venango	Oil Creek Township	Pine Creek Watershed HQ-CWF West Pithole Creek CWF

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

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

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

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

*General Permit Type—PAG-2*

*Facility Location:*

<i>Municipality &amp; County</i>	<i>Permit No.</i>	<i>Applicant Name &amp; Address</i>	<i>Receiving Water/Use</i>	<i>Contact Office &amp; Phone No.</i>
Derry Township Mifflin County	PAG2004408001	Mifflin County School District 201 Eighth Street Highland Park Lewistown, PA 17044	Buck Run TSF	Mifflin County Conservation District 20 Windmill Hill No. 4 Burnham, PA 17009 (717) 248-4695

*Facility Location:  
Municipality &  
County*

*Permit No.*

*Applicant Name &  
Address*

*Receiving Water/Use*

*Contact Office &  
Phone No.*

Upper Allen Township Cumberland County	PAG20021030033R	Arnold-Knaub Partners Meadowview Estates 1929 Fisher Road Mechanicsburg, PA 17019	UNT to Yellow Breeches Creek CWF	Cumberland County Conservation District 310 Allen Road Suite 301 Carlisle, PA 17013 (717) 240-7812
Spring Township Berks County	PAG20006908054	John Wineburg StoneMor Partners 212 Lincoln Circle Chalfont, PA 18914	Cacoosing Creek CWF	Berks County Conservation District 1238 County Welfare Road Suite 200 Leesport, PA 19533-9710 (610) 372-4657
Cumru and Robeson Townships Berks County	PAG2000608037	Alfred Picca Department of Transportation Engineering District 5-0 1002 Hamilton Street Allentown, PA 18101	Schuylkill River—Allegheny Creek—Muddy Creek WWF-CWF-TSF	Berks County Conservation District 1238 County Welfare Road Suite 200 Leesport, PA 19533-9710 (610) 372-4657
Carroll and Wheatfield Townships Perry County	PAG2035008009	William Dittmar and James Corl 57 Reitz Boulevard Suite 100 Lewisburg, PA 17837	Shermans Creek WWF	Perry County Conservation District P. O. Box 36 31 West Main Street New Bloomfield, PA 17068
Lower Swatara Township Dauphin County	PAG2002208009	Fulling Mill, LLC 120 West Airport Road Lititz, PA 17543	Susquehanna River WWF	Dauphin County Conservation District 1451 Peters Mountain Road Dauphin, PA 17018 (717) 921-8100
Susquehanna Township Dauphin County	PAG2002208017	Daniel Schiavoni Schiavoni, Ltd. 2445 Walnut Street Harrisburg, PA 17103	Paxton Creek WWF	Dauphin County Conservation District 1451 Peters Mountain Road Dauphin, PA 17018 (717) 921-8100
Myerstown Borough Dauphin County	PAG2003805026	Goodwill Fire Company Attn: Jeff Zeller 155 West Main Avenue Myerstown, PA 17067	Tulpehocken Creek TSF	Lebanon County Conservation District 2120 Cornwall Road Suite 5 Lebanon, PA 17042-9788 (717) 272-5314
South Londonderry Township Lebanon County	PAG2003808007	South Londonderry Township Municipal Authority 20 West Market Street P. O. Box 3 Campbelltown, PA 17010-0003	Killinger Creek TSF	Lebanon County Conservation District 2120 Cornwall Road Suite 5 Lebanon, PA 17042-9788 (717) 272-5314
Cumberland Township Adams County	PAG2000108001	Donald Yingling D & L Enterprises 3574 Taneytown Road Gettysburg, PA 17325	UNT to Plum Run—Rock Creek Tributary WWF	Adams County Conservation District 670 Old Harrisburg Road Suite 201 Gettysburg, PA 17325-3404 (717) 334-0636



## 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>
Conewago Township Adams County	PAG2000108016	Joan McAnall Radio Hanover, Inc. 275 Radio Road P. O. Box 234 Hanover, PA 17331	Conewago Creek WWF	Adams County Conservation District 670 Old Harrisburg Road Suite 201 Gettysburg, PA 17325-3404 (717) 334-0636
East Berlin Borough Adams County	PAG2000108015	Phil Keener East Berlin Borough 128 Water Street East Berlin, PA 17316	West Conewago Creek WWF	Adams County Conservation District 670 Old Harrisburg Road Suite 201 Gettysburg, PA 17325-3404 (717) 334-0636
Bonneauville Borough Adams County	PAG2000103004R	Jim Watson S & A Homes, Inc. 2121 Old Gatesburg Road Suite 200 State College, PA 16803 (814) 272-8922	Littles Run WWF	Adams County Conservation District 670 Old Harrisburg Road Suite 201 Gettysburg, PA 17325-3404 (717) 334-0636
Conewago Township Adams County	PAG2000107008(1)	Joseph A. Myers 160 Ram Drive Hanover, PA 17331	South Branch Conewago Creek WWF	Adams County Conservation District 670 Old Harrisburg Road Suite 201 Gettysburg, PA 17325-3404 (717) 334-0636
West Manchester Township York County	PAG2006707073	Ken Snyder Capital Self Storage 4050 Carlisle Road Dover, PA 17315	UNT to Willis Run WWF	York County Conservation District 118 Pleasant Acres Road York, PA 17402 (717) 840-7430
Centre County Rush Township	PAG2001408015	Philipsburg Elks Lodge No. 1173 David Holmes 124 North Second Street Philipsburg, PA 16866	Cold Stream CWF One Mile Run CWF	Centre County Conservation District 414 Holmes Avenue Suite 4 Bellefonte, PA 16823 (814) 355-6817
Clearfield County City of DuBois	PAG2001708007	Paris Cleaners, Inc. 67 Hoover Avenue DuBois, PA 15801	Sandy Lick Creek CWF TSF	Clearfield County Conservation District 650 Leonard Street Clearfield, PA 16830 (814) 765-2629
Clearfield County Clearfield Borough	PAG2001708009	Keith Powell J. J. Powell, Inc. 109 West Presqueisle Street Philipsburg, PA 16866	West Branch Susquehanna River WWF	Clearfield County Conservation District 650 Leonard Street Clearfield, PA 16830 (814) 765-2629
Clearfield County Graham Township	PAG2001708010	Emigh Run/Lakeside Watershed Association P. O. Box 204 Morrisdale, PA 16858	Hubler Run CWF	Clearfield County Conservation District 650 Leonard Street Clearfield, PA 16830 (814) 765-2629
Columbia County Millville Borough	PAG2001908008	George A. Laubach P. O. Box 475 Millville, PA 17846	Little Fishing Creek CWF	Columbia County Conservation District 702 Sawmill Road Suite 204 Bloomsburg, PA 17815 (570) 784-1310, Ext. 102

*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>
Northumberland County Mount Carmel Township	PAG2004908008	Shady Acres to Locust Gap Watermain Replacement 204 East Sunbury Street Shamokin, PA 17872	UNT to Warrior Run WWF	Northumberland County Conservation District R. R. 3 Box 238-C Sunbury, PA 17801 (570) 286-7114, Ext. 4
Northumberland County Delaware Township	PAG2004908009	Trautman Two Lot Subdivision Gregory Trautman 453 Vincent Avenue Watsonstown, PA 17777	UNT to Warrior Run WWF	Northumberland County Conservation District R. R. 3 Box 238-C Sunbury, PA 17801 (570) 286-7114, Ext. 4
Northumberland County Lower Mahanoy and Jordan Townships	PAG2004908011	Line Mountain Junior High/Senior High David Campbell 500 West Shamokin Street Trevorton, PA 17881	Fiddler's Run WWF	Northumberland County Conservation District R. R. 3 Box 238-C Sunbury, PA 17801 (570) 286-7114, Ext. 4
Butler County Connoquenessing Township	PAG2001003035R	The Vineyards at Brandywine William J. Weaver Weaver Master Builders, Inc. P. O. Box 449 Mars, PA 16049	UNT Little Connoquenessing Creek CWF	Butler County Conservation District (724) 284-5270
Butler County Cranberry Township	PAG2001008017	East Resources, Inc. Professional Office Building and Thorn Hill Industrial Park Parcel 537 301 Brush Creek Road Warrendale, PA 15086	UNT Brush Creek WWF	Butler County Conservation District (724) 284-5270
Erie County McKean Township	PAG2002508002	Rental Storage Units 600 Sterrenttania Road Millfair Holding, LLC 10 Peninsula Drive Erie, PA 16505	Walnut Creek CWF, MF	Erie County Conservation District (814) 825-6403
Erie County City of Erie	PAG2002508016	Cytec Industries, Inc. Hardinger Transfer 5 Garret Mountain Plaza West Patterson, NJ 07424	Cascade Creek Erie Basin WWF-MF	Erie County Conservation District (814) 825-6403

*General Permit Type—PAG-3*

*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>
Fawn Township Allegheny County	PAR606200	D & D Auto Salvage 2746 Sun Mine Road Tarentum, PA 15084	Lardintown Run	Southwest Regional Office Water Management Program Manager 400 Waterfront Drive Pittsburgh, PA 15222-4745 (412) 442-4000

*General Permit Type—PAG-4*

*Facility Location:  
Municipality &  
County*

*Permit No.*

*Applicant Name &  
Address*

*Receiving  
Water/Use*

*Contact Office &  
Phone No.*

Independence  
Township  
Beaver County

PAG046383

William Minton  
300 Bocktown Cork Road  
Aliquippa, PA 15001

Tributary to Raccoon  
Creek

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

*General Permit Type—PAG-8 (SSN)*

*Facility Location:  
Municipality & County*

*Applicant Name &  
Address*

*Site Name*

*Contact Office &  
Phone No.*

East Mahoning Township  
Indiana County

Synagro  
3239 Route 981  
New Alexandria, PA 15670

Leasure Farm

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

East Mahaoning Township  
Indiana County

Synagro  
3239 Route 981  
New Alexandria, PA 15670

Moore Farm

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

**STATE CONSERVATION COMMISSION**

**NUTRIENT MANAGEMENT PLANS RELATED TO APPLICATIONS FOR NATIONAL POLLUTION DISCHARGE ELIMINATION SYSTEM (NPDES) PERMITS FOR CONCENTRATED ANIMAL FEEDING OPERATIONS (CAFO)**

The State Conservation Commission has taken the following actions on previously received applications for nutrient management plans under the act of July 6, 2005 (Act 38 of 2005, 3 Pa.C.S. §§ 501–522) (hereinafter referred to as Act 38), for agricultural operations that have or anticipate submitting applications for new, amended or renewed NPDES permits, or Notices of Intent for coverage under a general permit, for CAFOs, under 25 Pa. Code Chapter 92. This notice is provided in accordance with 25 Pa. Code Chapter 92 and 40 CFR Part 122, implementing The Clean Streams Law (35 P. S. §§ 691.1–691.1001) and the Federal Clean Water Act.

Persons aggrieved by any action may appeal under section 517 of Act 38, section 4 of the Environmental Hearing Board Act (35 P. S. § 7514) and 2 Pa.C.S. §§ 501–508 and 701–704 (relating to Administrative Agency Law) to the Environmental Hearing Board, Second Floor, Rachael 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 at (800) 654-5984. Appeals must be filed with the Board within 30 days of publication of this notice in the *Pennsylvania Bulletin*. Copies of the appeal form and the Board's rules of practice and procedure may be obtained from the Board. The appeal form and the Board's rules of practice and procedure are also available in Braille or on audiotape from the Secretary of the Board at (717) 787-3483. This paragraph does not, in and of itself, create any right of appeal beyond that permitted by applicable statutes and decision law.

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

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

**NUTRIENT MANAGEMENT PLAN  
PUBLIC NOTICE SPREADSHEET—ACTIONS**

<i>Agricultural Operation Name and Address</i>	<i>County</i>	<i>Total Acres</i>	<i>Animal Equivalent Units</i>	<i>Animal Type</i>	<i>Special Protection Waters (HQ or EV or NA)</i>	<i>Approved or Disapproved</i>
Don Cotner's Farm	Northumberland	1,200	1,303.4	Layers	None	Approved
P & M Snyder	Northumberland	574.4	351.7	Poultry	None	Approved

## 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. 4007505, Public Water Supply.

Applicant	<b>Aqua Pennsylvania, Inc.</b> 50 East Woodhaven Drive White Haven, PA 18661 Bear Creek Township
County	<b>Luzerne</b>
Type of Facility	PWS
Consulting Engineer	William A. LaDieu, P. E. CET Engineering Services 1240 North Mountain Road Harrisburg, PA 17112
Permit to Construct Issued	August 8, 2008

##### Permit No. 4508501, Public Water Supply.

Applicant	<b>Pennsylvania American Water</b> 800 West Hersheypark Drive Hershey, PA 17033 Stroud Township
County	<b>Monroe</b>

Type of Facility	PWS
Consulting Engineer	Francis Voyack, P. E. Quad Three Group, Inc. 37 North Washington Street Wilkes-Barre, PA 18701
Permit to Construct Issued	August 12, 2008
<b>Permit No. 4005506MA, Minor Amendment, Public Water Supply.</b>	
Applicant	<b>Sand Springs Water Company, Inc.</b> 4511 Falmer Drive Bethlehem, PA 18020 Butler Township
County	<b>Luzerne</b>
Type of Facility	PWS
Consulting Engineer	William J. Schumacher, Jr., P. E. Schumacher Engineering, Inc. 55 North Conahan Drive Hazleton, PA 18201
Permit to Construct Issued	August 8, 2008
<b>Permit No. 2450133, Operations Permit, Public Water Supply.</b>	
Applicant	<b>Pennsylvania American Water</b> 800 West Hersheypark Drive Hershey, PA 17033 Stroud Township
County	<b>Monroe</b>
Type of Facility	PWS
Consulting Engineer	Daniel G. Rickard, P. E. Pennsylvania American Water 100 North Pennsylvania Avenue Wilkes-Barre, PA 18701
Permit to Operate Issued	August 11, 2008
<i>Southcentral Region: Water Supply Management Program Manager, 909 Elmerton Avenue, Harrisburg, PA 17110.</i>	
<b>Permit No. 0108507, Public Water Supply.</b>	
Applicant	<b>IFCO Systems North America, Inc.</b> Butler Township
Municipality	<b>Adams</b>
County	Installation of arsenic treatment.
Type of Facility	Charles A. Kehew II, P. E. James A. Holley & Associates Inc. 18 South George Street York, PA 17401
Consulting Engineer	
Permit to Construct Issued	August 7, 2008
<b>Permit No. 0108508 MA, Minor Amendment, Public Water Supply.</b>	
Applicant	<b>Lake Meade Municipal Authority</b> Reading Township
Municipality	

County **Adams**  
 Type of Facility Installation of additional chlorine contact volume.  
 Consulting Engineer Janet R. McNally, P. E.  
 William F. Hill & Assoc., Inc.  
 207 Baltimore Street  
 Gettysburg, PA 17325  
 Permit to Construct August 15, 2008  
 Issued

**Permit No. 2208504 MA, Minor Amendment, Public Water Supply.**

Applicant **Mama's Pizza**  
 Municipality East Hanover Township  
 County **Dauphin**  
 Type of Facility Installation of two additional treatment trains for VOC removal.  
 Consulting Engineer Matthew D. Cichy, P. E.  
 Herbert, Rowland & Grubic, Inc.  
 369 East Park Drive  
 Harrisburg, PA 17111  
 Permit to Construct August 7, 2008  
 Issued

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

**Permit No. 4105502—Operation, Public Water Supply.**

Applicant **Williamsport Municipal Water Authority**  
 Township or Borough Armstrong Township  
 County **Lycoming**  
 Responsible Official David A. DiNicola, Executive Director  
 Williamsport Municipal Water Authority  
 253 West Fourth Street  
 Williamsport, PA 17701  
 Type of Facility Public Water Supply—Operation  
 Consulting Engineer Scott E. Russell, P. E.  
 Bucard Horn, Inc.  
 1200 West College Avenue  
 State College, PA 16801  
 Permit Issued Date August 13, 2008  
 Description of Action Operation of the recently constructed 24-inch diameter ductile iron transmission line from the Lycoming Creek wellfield to the filtration plant.

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

**Permit No. 4304501-MA1, Public Water Supply.**

Applicant **St. Paul Homes**  
 Township or Borough West Salem Township  
 County **Mercer County**  
 Type of Facility Public Water Supply

Consulting Engineer Jay Helsel  
 KTA-Tator, Inc.  
 115 Technology Drive  
 Pittsburgh, PA 15272  
 Permit to Construct August 19, 2008  
 Issued

**Transfer of Operations Permit** issued to **Fair Winds Manor LP**, PWSID No. 5100063, Windfield Township, Butler County. Permit Number 1088506-T1 issued August 19, 2008, for operation of Wells Nos. 2—4 as well and treatment, according to specifications approved by construction permit 1088506, issued November 16, 1990.

**Transfer of Operations Permit** issued to **Fair Winds Manor LP**, PWSID No. 5100063, Windfield Township, **Butler County**. Permit Number 1094503-T1 issued August 19, 2008, for operation of Well No. 5 as well and treatment, according to specifications approved by construction permit 1094503, issued September 26, 1994.

**WATER ALLOCATIONS**

**Actions taken on applications received under the Act of June 24, 1939 (P. L. 842, No. 365) (35 P. S. §§ 631—641) relating to the acquisition of rights to divert waters of the Commonwealth.**

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

**Permit WA 16-1002. Farmington Township**, P. O. Box 148, 32691 Route 66, Leeper, PA 16233. Modifies permit granting applicant's request to expand their service area within Farmington Township and into the Village of Crown. Farmington Township, **Clarion County**.

Permit Issued July 28, 2008.

**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:*

<i>Borough or Township</i>	<i>Borough or Township Address</i>	<i>County</i>
Jim Thorpe Borough	421 North Street Jim Thorpe, PA 18229	Carbon

*Plan Description:* The Plan calls for the construction of both low-pressure and gravity wastewater collection/conveyance systems to serve the Switchback Ridge and Reservoir Road study areas as described in the text of the Plan and shown on Drawings SR-3 and RR-3 in the Plan. Properties located on East Chipmunk and West Chipmunk Trails and White Lane in the Switchback Ridge area will be served by a proposed low-pressure wastewater collection system that will connect to the proposed gravity wastewater collection system located on Center Avenue. Properties located on Center Avenue will be served by a proposed gravity wastewater collection system. The gravity wastewater collection system will be extended from the Center Avenue wastewater collection system's existing terminus on Center Avenue at Manhole No. 58. Properties located on Reservoir Road will be served by a combination gravity and low-pressure wastewater collection system. The gravity wastewater collection

system will be extended from the Center Street wastewater collection system's existing terminus on Center Street at Manhole No. 106.8.

Treatment of the study area's wastewater will occur at the Borough's Wastewater Treatment Facility, located in Jim Thorpe Borough, with ultimate discharge of the treated wastewater to the Lehigh River. Implementation of the selected wastewater disposal alternative and operation of the proposed facilities will be performed by Jim Thorpe Borough. Financing of the proposed wastewater collection and conveyance system is to be provided by the Pennsylvania Infrastructure Investment Authority (PENNVEST).

Any additional wastewater-related improvements, additions, deletions or changes outside of those explicitly described in the Plan and its correspondence, must be in compliance with the Department of Environmental Protection's (Department) regulations and be submitted to and approved by the Department in writing. This approval correspondence covers only the wastewater planning aspects of the selected wastewater disposal alternative as it relates to Jim Thorpe Borough's Official Sewage Facilities Plan. This review has also not identified any significant environmental impacts resulting from this proposal.

### **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 Bishop Tube Site, East Whiteland Township, Chester County**

The Pennsylvania 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 Johnson Matthey Inc. (Johnson Matthey), Suite 600, 435 Devon Park Drive, Wayne, PA 19087, for an environmental investigation and assessment of the Bishop Tube HSCA Site (Site).

The Site consists of 13.7 acres located on Malin Road, south of US Route 30, in Frazer, East Whiteland Township, Chester County. From 1951 through 1999, the Site was owned and operated by various entities including a predecessor to Johnson Matthey.

In March 2005, a Prospective Purchase Agreement was reached between Constitution Drive Partners, LP, the present owner of the Site and the Department for the remediation of soils contamination at the Site. Concurrently, the Department has been conducting partial characterization of soil, surface water and groundwater. The Department's investigation indicates that hazardous substances, such as chlorinated solvents, are present at significant levels in the groundwater underlying the Site.

Under the terms of the Agreement, Johnson Matthey will conduct an environmental investigation intended to characterize the following: 1) Groundwater contamination contained within the bedrock originating from the former Bishop Tube Property; 2) Contaminated groundwater contained within the overburden (that is, above the bedrock zone) originating from the former Bishop Tube Property and occurring on properties down-gradient from

the former Bishop Tube Property; 3) The vapor intrusion pathway resulting from migration of contaminants from the former Bishop Tube Property; 4) The groundwater to surface water pathway, to determine whether, and if so where, contaminated groundwater resulting from the Bishop Tube Site may be entering Little Valley Creek or other surface water features; 5) Performance of a Risk Assessment; and 6) a Feasibility Study (if necessary). The Department has agreed to provide Johnson Matthey with a covenant not to sue and contribution protection for the Site investigation performed under the Agreement.

This notice is provided under section 1113 of the HSCA (35 P. S. § 6020.1113). The Agreement may be examined from 8 a.m. to 4 p.m. at the Department's Southeast Regional Office, 2 East Main Street, Norristown, PA 19401 by contacting either Dustin Armstrong, (484) 250-5723 or Lauren G. Rosen, (484) 250-5871. Dustin Armstrong and Lauren Rosen may also be contacted electronically at [darmstrong@state.pa.us](mailto:darmstrong@state.pa.us) and [lrosen@state.pa.us](mailto:lrosen@state.pa.us), respectively. 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 Agreement within 60 days from the date of publication of this notice to the Department by submitting them to Dustin Armstrong at the previously listed address.

### **LAND RECYCLING AND ENVIRONMENTAL REMEDIATION**

**UNDER ACT 2, 1995**

**PREAMBLE 2**

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

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

For further information concerning plans or reports, contact the Environmental Cleanup Program manager in the Department regional office after which the notice of

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

The Department has received the following plans and reports:

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

**Andreadis Property**, Darby Borough, **Delaware County**. Michael Malone, SECOR International Incorporated, 102 Pickering Way, Suite 200, Exton, PA 19341 on behalf of Dino Amdreadis, 110 Baltimore Pike, Springfield, PA 19064 has submitted a Final Report concerning remediation of site soil and groundwater contaminated with unleaded gasoline. The report is intended to document remediation of the site to meet the Statewide Health Standard.

**Air Shield Property**, Warminster Township, **Bucks County**. Samuel Kucia, Environmental Consulting, Inc., 500 East Washington Street, Suite 375, Norristown, PA 19401 on behalf of Gregory Rogerson, JERC Partners VIII, LP, 171 Route 173, Suite 201, Asbury, NJ 08802 has submitted a Final Report concerning remediation of site groundwater and soil contaminated with other organics. The report is intended to document remediation of the site to meet the Statewide Health Standard.

**Mancill Mill Road Company**, Upper Merion Township, **Montgomery County**. Walter Hungarter, III, RT Environmental Services, Inc., 215 West Church Road, King of Prussia, PA 19406 on behalf of A Calvarese, VMP, 50 Brandon Road, Jeffersville, PA 19403 has submitted a Cleanup Plan concerning remediation of site soil contaminated with asbestos and arsenic. The report is intended to document remediation of the site to meet the Site-Specific Standard.

**1700 North 5th Street**, City of Philadelphia, **Philadelphia County**. Robert Marion, GCI Environmental Services, 1250 East King Street, Lancaster, PA 17602 on behalf of Daniel Lasdon, 1700-02 North 5th LLP, 700 East Erie Avenue, Philadelphia, PA 19134 has submitted a Final Report concerning remediation of site groundwater and soil contaminated with No. 6 fuel oil. The report is intended to document remediation of the site to meet the Site-Specific Standard.

**Laurel Pipeline Booth Station**, Bethel Township, **Delaware County**. Paul Miler Environmental Alliance Inc., 1812 Newport Gap Pike, Wilmington, DE 19808 on behalf of Danielle Trittenbach, Buckeye Partners, LP, 5 TEK Park, 9999 Hamilton Road, Breinigsville, PA 18031 has submitted a Final Report concerning remediation of site soil contaminated with diesel fuel. The report is intended to document remediation of the site to meet the Statewide Health Standard.

**French Creek Center Proposed Phoenix Iron and Steel**, Phoenixville Borough, **Chester County**. Stephen Brower, Environmental Solutions, Inc., 1140 Valley Forge Road, P. O. Box 810, Valley Forge, PA 19482 on behalf of Michael Kimble, Hankins Phoenix Foundry Partners, LP, 707 Eagleview Boulevard, Exton, PA 19341 has submitted a Final Report concerning remediation of site groundwater and soil contaminated with pcb. The report is intended to document remediation of the site to meet the Statewide Health Standard and Site-Specific Standard.

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

**Former Trojan Yacht Site**, East Lampeter Township, **Lancaster County**. RETTEW Associates, Inc., 3020 Columbia Avenue, Lancaster, PA 17603, on behalf of Shippen Realty Partners, 1032 Buchanan Avenue, Lancaster, PA 17603, submitted a final report concerning remediation of site soils and groundwater contaminated with VOCs. The report is intended to document remediation of the site to the Statewide Health Standard.

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

**Owl Cleaners, Inc., (Wexford Plaza)**, Town of McCandless, **Allegheny County**. Chad C. Coy, P. E., Cummings/Riter Consultants, Inc., 10 Duff Road, Suite 500, Pittsburgh, PA 15235 (on behalf of Louis Naugle, Reed Smith, LLP (Legal Counsel for Wexford Plaza Associates, a PA Limited Partnership), 435 Sixth Avenue, Pittsburgh, PA 15219 and Joseph Ziccarelli, Owl Cleaners, Inc., 165 Northgate Drive, Warrendale, PA 15086) has submitted a Remedial Investigation Report concerning remediation of site soil and groundwater contaminated with VOCs, primary chlorinated solvents and their degradation products. The report is intended to document remediation of the site to meet the Site-Specific Standard.

**Owl Cleaners, Inc., (Wexford Plaza)**, Town of McCandless, **Allegheny County**. Chad C. Coy, P. E., Cummings/Riter Consultants, Inc., 10 Duff Road, Suite 500, Pittsburgh, PA 15235 (on behalf of Louis Naugle, Reed Smith, LLP (Legal Counsel for Wexford Plaza Associates, a PA Limited Partnership), 435 Sixth Avenue, Pittsburgh, PA 15219 and Joseph Ziccarelli, Owl Cleaners, Inc., 165 Northgate Drive, Warrendale, PA 15086) has submitted a Cleanup Plan concerning remediation of site soil and groundwater contaminated with VOCs, primary chlorinated solvents and their degradation products. The report is intended to document remediation of the site to meet the Site-Specific Standard.

**Comptec, Inc.**, North Huntingdon Township, **Westmoreland County**. Paul Alessio, Cardinal Resources LLC, 1505 East Carson Street, Pittsburgh, PA 15203 on behalf of Gavin Mann, Comptec, Inc., 8291 Pennsylvania Avenue, Irwin, PA 15642 and Jim Pattock, Tiger Technologies, 4059 7th Street, New Kensington, PA 15068 has submitted a Final Report concerning remediation of site soil contaminated with chlorinated solvents. The report is intended to document remediation of the site to meet the Statewide Health Standard.

**Crane Plumbing (Former)**, Somerset Township, **Somerset County**. Mark Johnson, ENVIRON, 10 East Baltimore Street, Suite 1400, Baltimore, MD 21202 has submitted a Final Report concerning remediation of site soil contaminated with inorganics. The report is intended to document remediation of the site to meet the Statewide Health Standard.

## LAND RECYCLING AND ENVIRONMENTAL REMEDIATION

UNDER ACT 2, 1995

PREAMBLE 3

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

Provisions of 25 Pa. Code § 250.8, administration of the Land Recycling and Environmental Remediation Stan-

dards 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.*

**Gulf Service Station**, Doylestown Borough, **Bucks County**. Bruno Mercuri, Mercuri & Associates, Inc., 627 Hampton Avenue, Southampton, PA 18966 on behalf of Charles Livezey, Gulf Service Station, 216 South Main Street, Doylestown, PA 18901 has submitted a Final Report concerning the remediation of site groundwater contaminated with Chlorinated solvents. The Final Report demonstrated attainment of the Background Standard and was approved by the Department of Environmental Protection on August 5, 2008.

**905 Louis Drive Property**, Warminster Township, **Bucks County**. Michael Nines, Manko, Gold, Katcher & Fox, LLP, 401 City Avenue, Suite 500, Bala Cynwyd, PA 19004 on behalf of Kevin Kroiz, 905 Louis Associates, LP, 505 West Germantown Pike, Suite 200, Plymouth Meeting, PA 19462 has submitted a Final Report concerning

the remediation of site groundwater contaminated with chlorinated solvents. The Final Report demonstrated attainment of the Background Standard and was approved by the Department of Environmental Protection on August 4, 2008.

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

**Former Tyrone Social Club**, Tyrone Borough, **Blair County**. Blazosky Associates, Inc., 2525 Greentech Drive, Suite D, State College, PA 16803, on behalf of Reliance Savings Bank, P. O. Box 1968, Altoona, PA 16603, submitted a baseline remedial investigation work plan concerning remediation of site soils and groundwater contaminated with chlorinated solvents and petroleum products which had been released from the operation of a former dry cleaners and former automobile fueling and repair station. The site is being remediated as a Special Industrial Area. The work plan was approved by the Department of Environmental Protection on July 3, 2007.

**IFS Industries, Former Prizer Painter Stove Works, Inc.**, City of Reading, **Berks County**. Golder Associates, Inc., Spring Mill Corporate Center, 555 North Lane, Suite 6057, Conshohocken, PA 19428, on behalf of IFS Industries, Inc., 400 Orrton Avenue, Reading, PA 19603, submitted a Final Report concerning remediation of site soils and groundwater contaminated with metals, naphthalene and VOCs. The Final Report demonstrated attainment of a combination of Statewide Health and Site-Specific Standards and was approved by the Department of Environmental Protection on August 14, 2008.

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

**Former Lehigh Valley Railroad Maintenance Facility**, Sayre Borough, **Bradford County**. KU Resources, Inc., 22 South Linden Street, Duquesne, PA 15110 on behalf of Brian Driscoll, 1 Progress Plaza, Towanda, PA 18848 has submitted a Risk Assessment and Cleanup Plan concerning remediation of site soil and groundwater contaminated with organics (TCE) in groundwater, LNAPL contamination in a confined area (diesel fuel), metals (lead) in drainage swales. The report and plan were approved on August 15, 2008.

**David Strickler Residence**, Old Lycoming Township, **Lycoming County**. Northridge Group Inc., 1172 Ridge Road, Northumberland, PA 17857 on behalf of David Strickler, 27 Hoover Road, Williamsport, PA 17701 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 August 13, 2008.

**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 Final Report demonstrated attainment of the Statewide Health Standard and was approved by the Department of Environmental Protection on August 13, 2008.

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

**Baylor's Mobil Station (Former)**, Borough of Monroeville **Allegheny County**. Michael Smith, CP Environmental Group, Inc., 1092 Fifth Avenue, New



Kensington, PA 15068 on behalf of James Bishop, P. O. Box 47, Turtle Creek, PA 15145 has submitted a Final Report concerning the remediation of site groundwater contaminated with PAH and Fuel Oil No. 1. The Final Report demonstrated attainment of the Statewide Health Standard and was approved by the Department of Environmental Protection on March 7, 2008.

**Comptec, Inc.**, North Huntingdon Township, **Westmoreland County**. Paul Alessio, Cardinal Resources, LLC, 1550 East Carson Street, Pittsburgh, PA 15203 on behalf of Gavin Mann, Comptec, Inc., 8291 Pennsylvania Avenue, Irwin, PA 15642 and Jim Pattock, Tiger Technologies, 4059 7th Street, New Kensington, PA 15068 has submitted a Final Report concerning the remediation of site soil contaminated with chlorinated solvents. The Final Report demonstrated attainment of the Statewide Health Standard and was approved by the Department of Environmental Protection on July 9, 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.**

*Northeast Region: Air Quality Program, 2 Public Square, Wilkes-Barre, PA 18711-0790, Ray Kempa, New Source Review Chief, (570) 826-2507.*

**35-302-121GP1: Scranton School District** (355 Maple Street, Scranton, PA 18503) on August 1, 2008, to operate two boilers at their site in Scranton, **Lackawanna County**.

**40-302-171GP1: Sargent Realty** (100 East Diamond Avenue, Hazleton, PA 18201) on August 1, 2008, to operate a boiler at their site in Hazleton, **Luzerne County**.

**35-328-002GP22: PEI Power Corp.** (170 Power Boulevard, Archbald, PA 18403) on August 4, 2008, to construct and operate two turbines at their site in Archbald, **Lackawanna County**.

**58-310-014GP3: Damascus 535 Quarry & Stone Products, LLC** (R. R. 3, Box 324A-1, Montrose, PA 18801) on August 6, 2008, to construct and operate a Portable Crushing Operation with watersprays at their site in Lanesboro Borough, **Susquehanna County**.

**58-329-003GP9: Damascus 535 Quarry & Stone Products, LLC** (R. R. 3, Box 324A-1, Montrose, PA 18801) on August 6, 2008, to install and operate two Diesel I/C Engines at their site in Lanesboro Borough, **Susquehanna County**.

**39-399-064GP2: Buckeye Terminals, LLC** (5 TEK Park, 9999 Hamilton Boulevard, Breinigsville, PA 18031) on August 4, 2008, to install an internal floating roof on tank No. 293 at their site in Lower Macungie Township, **Lehigh County**.

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

**GP1-06-03087: Arkema, Inc.** (1112 Lincoln Road, Birdsboro, PA 19508) on August 14, 2008, for Small Gas and No. 2 Oil Fired Combustion Units under GP1 in Exeter Township, **Berks County**.

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

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

**09-0024G: Waste Management of Pennsylvania, Inc.—Tullytown Resource Recovery Facility** (1121 Bordertown Road, Morrisville, PA 19067) on August 14, 2008, for an enforceable heat throughput restriction on two enclosed backup flares in Tullytown Borough, **Bucks County**. The new restriction will replace the annual hourly limit of 1,752 in the existing Operating Permit and Plan Approval for each flare with an annual heat throughput limit of 262,800 mmBtu for each flare. The 262,800 mmBtu corresponds to 1,752 hours of operation at the rated capacity of 150 mmBtu/hr of each flare. Replacement of the hourly limit will provide flexibility for operation of the flares at less than their rated capacity. Emissions limits in the existing Operating Permit and Plan Approval for NO<sub>x</sub>, SO<sub>x</sub>, CO, VOC and PM/PM<sub>10</sub> for each flare will remain unchanged. The facility is a major facility. The Plan Approval will include monitoring, testing and recordkeeping 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.*

**22-03052C: Harman Stove Co.** (352 Mountain Road, Halifax, PA 17032-9531) on August 11, 2008, to construct three paint booths for stove and heating appliance coating operations in Jackson Township, **Dauphin County**.

**36-03052B: Boose Aluminum Foundry Company, Inc.** (77 North Reamstown Road, P. O. Box 261, Reamstown, PA 17567-0261) on August 11, 2008, to replace a molding line in East Cocalico Township, **Lancaster County**.

*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) on August 5, 2008, to install 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.

**43-011E: Greenville Metals, Inc.** (99 Crestview Drive Extension, Transfer, PA 16154) on August 7, 2008, to install a new baghouse to supplement an existing baghouse that controls emissions from the EAF (Source 202) and be sole baghouse for the MNS exothermic reaction process (Source 205) Pymatuning Township, **Mercer 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.**

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

**46-0261A: U.S. Tape** (165 Township Line Road, Suite 2100, Jenkintown, PA 19046) on August 15, 2008, to operate a painting operation in Upper Hanover Township, **Montgomery County**.

**15-0094A: Metallurgical Products Co.** (P. O. Box 598, West Chester, PA 19381-0598) On August 15, 2008, to operate a new efficiency fiber bed filter in West Goshen Township, **Chester County**.

**46-0025J: Lonza, Inc.** (900 River Road, Conshohocken, PA 19428) on August 15, 2008, to operate eight new tanks in Upper Merion Township, **Montgomery County**.

**46-0037X: Cabot Supermetals** (P. O. Box 1608, County Line Road, Boyertown, PA 19512) on August 15, 2008, to operate a powder packaging unit in Douglass Township, **Montgomery County**.

**46-0221: Upper Moreland Hatboro Joint Sewer Authority** (P. O. Box 535, 2875 Terwood Road, Willow Grove, PA 19090) on August 15, 2008, to operate a tri-mer odor scrubbers in Upper Moreland Township, **Montgomery County**.

**46-0037V: Cabot Supermetals** (County Line Road, Boyertown, Boyertown, PA 19512-1608) on August 15, 2008, to operate a Gemco dryer in building 19, Douglass Township, **Montgomery County**.

**09-0156A: Oldcastle Law and Garden North** (500 East Pumping Station Road, Quakertown, PA 18951) on August 15, 2008, to operate three diesel engines and wood processing equipment in Richland Township, **Bucks County**.

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

**47-00001C: PPL Montour, LLC** (2 North Ninth Street, Allentown, PA 18101) on August 18, 2008, to extend the authorization to operate a limestone processing and storage operation, a gypsum sludge handling, processing and storage operation and a wastewater treatment lime storage silo on a temporary basis to February 14, 2009, at the Montour Steam Electric Station in Derry Township, **Montour County**.

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

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

**06-05126: Reading Compounds, Inc.** (5103C Pottsville Pike, Reading, PA 19605) on August 14, 2008, for a Teflon crumb manufacturing facility in Ontelaunee Township, **Berks County**. This action is a renewal of the Title V operating permit.

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

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

**09-00053: Greif Packaging, LLC** (695 Louis Drive, Warminster, PA 18974) on August 18, 2008, to operate three spray booths and three associated bake ovens at their facility in Warminster Township, **Bucks County**.

The renewal permit is for a non-Title V (State-only) facility. The potential to emit VOCs from the facility exceeds 25 tpy; however, Greif Packaging, LLC operates and maintains a regenerative thermal oxidizer to capture and control VOC emissions from the spray booths and bake ovens. Therefore, the facility is categorized as Synthetic Minor. The renewal permit will contain monitoring, recordkeeping, reporting and work practice 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.*

**07-05033: Grannas Brothers Stone & Asphalt Co., Inc.** (P. O. Box 488, Hollidaysburg, PA 16648-0488) on August 12, 2008, to operate a limestone crushing plant and asphalt plant in Catharine Township, **Blair County**.

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**Operating Permit Revisions Issued including Administrative Amendments, Minor Modifications or Transfers of Ownership under the Air Pollution Control Act (35 P. S. §§ 4001—4015) and 25 Pa. Code §§ 127.412, 127.450, 127.462 and 127.464.**

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

**46-00146: Republic Environmental Systems (PA), LLC** (2869 Sandstone Drive, Hatfield, PA 19440) on August 18, 2008, to operate a Hazardous Waste Treatment, Storage, Disposal Facility in Hatfield Township, **Montgomery County**. The State-only Operating Permit will be issued as an Administrative Amendment for a Change of Ownership of the facility formerly owned by Republic Environmental Systems (PA), Inc. The permit is for a non-Title V (State-only) facility. The facility has elected to cap HAPs to less than 10 tpy (individual HAP) and less than 25 tpy (combination HAPs) and VOCs to less than 25 tpy; therefore the facility is a Synthetic Minor. The Administrative Amendment of the State-only Operating Permit was issued under the Air Pollution Control Act (35 P. S. §§ 4001—4015) and 25 Pa. Code § 127.450. The amended State-only Operating Permit did not change and contains all of the applicable regulatory requirements including monitoring recordkeeping, reporting and emission limits. The latest permit was issued March 6, 2006.

**46-00049: International Business Systems, Inc.** (431 Yerkes Road, King of Prussia, PA 19406) on August 14, 2008, to operate six lithographic printing presses, three parts cleaners and an emergency generator in Upper Merion Township, **Montgomery County**. The permit is for a non-Title V (State-only) facility. The facility has the potential to emit below major thresholds for criteria pollutants; therefore the facility is a Natural Minor. State-only Operating Permit minor modification issued under 25 Pa. Code § 127.462. This modification allows the use of a scratch-off coating at Source ID 116 (Press 6—9 Color Didde VIP). The increase in VOC emissions is limited to 1,998 pounds per year. The permit will include monitoring, recordkeeping and reporting requirements designed to keep the facility operating within all applicable air quality requirements.

**15-00110: Pepperidge Farm, Inc.** (421 Boot Road, Downingtown, PA 19335-3043) on August 12, 2008, for a non-Title V facility in Downingtown Borough, **Chester County**. The Synthetic Minor Operating Permit has undergone a minor modification and has been re-issued

for the replacement of pressure drop gauges with bag break detectors. This modification includes testing, monitoring, recordkeeping and work practice 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.*

**36-03137: Martin Limestone, Inc.** (P. O. Box 550, Blue Ball, PA 17506-0550) on August 11, 2008, to operate their limestone crushing facility in Earl Township, **Lancaster County**. This State-only operating permit was administratively amended to incorporate plan approval 36-03137A. This is Revision No. 1.

**38-05008: Rich Maid Cabinetry, LLC** (633 West Lincoln Avenue, Myerstown, PA 17067-2332) on August 15, 2008, to operate a cabinet finishing system in Jackson Township, **Lebanon County**. This State-only operating permit was administratively amended to upgrade cabinet finishing and streamline production. This is Revision No. 1.

## 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 56911302 and NPDES Permit No. PA0213772, RoxCOAL, Inc.**, (P. O. Box 149, Friedens, PA 15541), to revise the permit for the Long T Permit in Stonycreek Township, **Somerset County** to change the land use of 70.9 surface activity site acres from pastureland to unmanaged natural habitat. No additional discharges. Application received May 2, 2008. Permit issued August 11, 2008.

**Permit Number 03840401 and NPDES Permit No. PA0214558, TJS Mining, Inc.**, (2340 Smith Road, Shelocta, PA 15774), to revise the permit for the Coal Refuse Disposal No. 2 in Plumcreek Township, **Armstrong County** to reconfigure the refuse site and install PVC liner. No additional discharges. Application received August 2, 2007. Permit issued August 13, 2008.

**Permit Number 17051601 and NPDES Permit No. PA0235733, Junior Coal Contracting, Inc.**, (2330 Six Mile Road, Philipsburg, PA 16866), to operate the Leslie Tipple in Decatur Township, **Clearfield County** and for

NPDES discharge permit. Surface Acres Proposed 38.0. Receiving Stream: Moshannon Creek, classified for the following use: TSF. Application received March 7, 2005. Permit issued August 13, 2008.

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

**32970105 and NPDES No. PA0234419. TLH Coal Company**, 4401 Pollock Road, Marion Center, PA 15759, permit renewal for reclamation only of a bituminous surface mine in Grant Township, **Indiana County**, affecting 54.2 acres. Receiving stream: East Run classified for the following use: HQ-CWF. There are no potable water supply intakes within 10 miles downstream. Application received April 25, 2008. Permit issued August 14, 2008.

**32980107 and NPDES No. PA0234800. Fossil Fuel, Inc.**, 690 Weaver Road, Marion Center, PA 15759, permit renewal for reclamation only of a bituminous surface and auger mine in Grant Township, **Indiana County**, affecting 120.0 acres. Receiving streams: UNT to Little Mahoning Creek classified for the following use: HQ-CWF. There are no potable water supply intakes within 10 miles downstream. Application received June 18, 2008. Permit issued August 14, 2008.

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

**03020115 and NPDES Permit No. PA0250295. Bedrock Mines, LP** (111 Freeport Road, Pittsburgh, PA 15215). Transfer of permit formerly issued to Walter L. Houser Coal Co., Inc., for continued operation and reclamation of a bituminous surface/auger mining site located in Sugarcreek Township, **Armstrong County**, affecting 195.6 acres. Receiving streams: UNTs to Snyder Run and Huling Run. Application received October 5, 2007. Transfer permit issued August 14, 2008.

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

**10950103 and NPDES Permit No. PA0226963. State Industries, Inc.** (P. O. Box 1022, Kittanning, PA 16201) Renewal of an existing bituminous strip and auger operation in Concord Township, **Butler County** affecting 67.2 acres. This renewal is issued for reclamation only. Receiving streams: UNTs to Bear Creek and Bear Creek. Application received February 28, 2008. Permit issued August 13, 2008.

**37900110 and NPDES Permit No. PA0207993. The Ambrosia Coal & Construction Co.** (P. O. Box 422, Edinburg, PA 16116) Renewal of an existing bituminous strip and auger operation in North Beaver Township, **Lawrence County** affecting 133.0 acres. This renewal is issued for reclamation only. Receiving streams: one UNT to Edwards Run and Edwards Run. Application received June 23, 2008. Permit issued July 13, 2008.

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

**17060101. Warquier Coal Company** (P. O. Box 128, Clearfield, PA 16830). Commencement, operation and restoration of a bituminous surface mine in Lawrence Township, **Clearfield County**, affecting 232.0 acres. Receiving streams: UNTs to Little Clearfield Creek, classified for the following use: HQF. Application received February 22, 2006. Permit issued August 8, 2008.

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

**49773204C8. Gilberton Coal Company**, (10 Gilberton Road, Gilberton, PA 17934), correction to an existing anthracite coal refuse reprocessing, surface mine, refuse disposal and preparation operation to include coal ash disposal in Mt. Carmel, Conyngham and Butler Townships, **Northumberland, Columbia and Schuylkill Counties** affecting 958.0 acres, receiving stream: none. Application received August 20, 2007. Correction issued August 14, 2008.

*Noncoal Permits Actions*

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

**Permit No. 05080801. Stuart M. Shaffer**, 3794 Hyndman Road, Hyndman, PA 15545, commencement, operation and restoration of a small noncoal (industrial minerals) operation in Londonderry Township, **Bedford County**, affecting 2 acres. Receiving streams: UNT to Wills Creek. Application received April 22, 2008. Permit issued August 11, 2008.

**Permit No. 11060301. Jigging Technologies, LLC, d/b/a Atoll**, 1008 Club Drive, Johnstown, PA 15905, transfer of an existing noncoal surface mine from Rollock Company, 156 Rollock Road, Stoystown, PA 15563, located in City of Johnstown and East Taylor Township, **Cambria County**, affecting 70.0 acres. Receiving stream: Hinckston Run classified for the following use: CWF. There are no potable water supply intakes within 10 miles downstream. Application received May 13, 2008. Permit issued August 12, 2008.

**Permit No. 28070801. James A. Murphy**, 9271 Mercersburg, PA 17236, commencement, operation and restoration of a small noncoal (industrial minerals) operation in Montgomery Township, **Franklin County**, affecting 5.0 acres. Receiving streams: UNT to West Branch Conococheague Creek. Application received December 14, 2007. Permit issued August 13, 2008.

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

**26082802. Vanderbilt Aggregates, LLC** (P. O. Box 125, Uniontown, PA 15401). Permit issued for commencement, operation and reclamation of a small noncoal (industrial mineral) surface mining site located in South Union Township, **Fayette County**, affecting 5.0 acres. Receiving streams: Coal Lick Run to Monongahela River. Application received March 26, 2008. Permit issued August 13, 2008.

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

**10850306. Quality Aggregates, Inc.** (200 Neville Road, Neville Island, PA 15225-0347) Renewal of NPDES Permit No. PA0106453 in Marion Township, **Butler County**. Receiving streams: Two UNTs to Blacks Creek. Application received June 20, 2008. Permit issued July 13, 2008.

**37880304. Quality Aggregates, Inc.** (200 Neville Road, Neville Island, PA 15225-0347) Renewal of NPDES Permit No. PA0204906 in Slippery Rock Township, **Lawrence County**. Receiving streams: UNT to Slippery Rock Creek. Application received June 20, 2008. Permit issued July 13, 2008.

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

**8274SM6T and NPDES Permit No. PA0595349. Pennsy Supply, Inc.**, (P. O. Box 3331, Harrisburg, PA

17105), transfer of an existing quarry operation and NPDES Permit for discharge of treated mine drainage in East Hempfield Township, **Lancaster County** affecting 241.0 acres, receiving stream: UNT to Little Conestoga Creek. Application received January, 24, 2008. Transfer issued August 13, 2008.

**ACTIONS ON BLASTING ACTIVITY APPLICATIONS**

**Actions on applications under the Explosives Acts of 1937 and 1957 (43 P.S. §§ 151–161); and 25 Pa. Code § 211.124 (relating to blasting activity permits). Blasting activity performed as part of a coal or noncoal mining activity will be regulated by the mining permit for that coal or noncoal mining activity.**

*Blasting Permits Actions*

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

**21084146. Newville Construction Service, Inc.**, 408 Mohawk Road, Newville, PA 17241-9424, blasting activity permit issued for warehouse development in Dickinson Township, **Cumberland County**. Blasting activity permit end date is July 31, 2008. Permit issued August 5, 2008.

**01084111. M & J Explosives, Inc.**, P. O. Box 608, Carlisle, PA 17013-0608, blasting activity permit issued for lagoon development in Reading Township, **Adams County**. Blasting activity permit end date is August 31, 2009. Permit issued August 8, 2008.

**21084148. Keystone Blasting Services**, 381 Reifsnyder Road, Lititz, PA 17543, blasting activity permit issued for single dwelling development in Southampton Township, **Cumberland County**. Blasting activity permit end date is October 30, 2008. Permit issued August 8, 2008.

**28084120. David H. Martin Excavating, Inc.**, P. O. Box 608, Chambersburg, PA 17201-9655, blasting activity permit issued for commercial development in Washington Township, **Franklin County**. Blasting activity permit end date is August 5, 2008. Permit issued August 8, 2008.

**21084147. M & J Explosives, Inc.**, P. O. Box 608, Carlisle, PA 17013-0608, blasting activity permit issued for gas station development in Middlesex Township, **Cumberland County**. Blasting activity permit end date is August 31, 2009. Permit issued August 8, 2008.

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

**30084002. Custom Contracting** (174 Freeman Falls Road, Acme, PA 15610). Blasting activity permit for construction at Evergreen Technology Park, Phase III, located in Franklin Township, **Greene County**, with an expected duration of 1 year. Permit issued August 12, 2008.

**65054007. Coal Loaders, Inc.** (P. O. Box 556, Ligonier, PA 15658). Blasting activity permit for re-mining and reclamation of an abandoned deep mine on the Pittsburgh coal seam, located in Derry Township, **Westmoreland County**, with an expected duration of 5 years. Permit issued August 12, 2008.

**65084004. Mashuda Corp.** (21101 Route 19, Cranberry Township, PA 16066). Blasting activity permit for construction on the Turnpike Mile Post 70.41–72.14,

located in Hempfield Township, **Westmoreland County**, with an expected duration of 10 months. Permit issued August 13, 2008.

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

**17084005. PGM & T, Inc.** (33 North Wickliffley Circle, Austintown, OH 44515), blasting for the Edward E. Flick Well Site, Flick No. 5, located in Ferguson Township, **Clearfield County**. Permit expires February 14, 2009. Permit issued August 14, 2008

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

**06084119. Schlouch, Inc.**, (P. O. Box 69, Blandon, PA 19510), construction blasting for commercial development in Perry Township, **Berks County** with an expiration date of August 7, 2009. Permit issued August 11, 2008.

**06084120. Schlouch, Inc.**, (P. O. Box 69, Blandon, PA 19510), construction blasting for Hearthstone at Amity in Amity Township, **Berks County** with an expiration date of August 8, 2009. Permit issued August 11, 2008.

**06084121. Schlouch, Inc.**, (P. O. Box 69, Blandon, PA 19510), construction blasting for Jim Dietrich Park in Muhlenberg Township, **Berks County** with an expiration date of August 8, 2009. Permit issued August 11, 2008.

**67084121. M & J Explosives, Inc.**, (P. O. Box 608, Carlisle, PA 17013), construction blasting for Wallace Tract Subdivision in East Prospect Borough and Lower Windsor Township, **York County** with an expiration date of August 31, 2009. Permit issued August 11, 2008.

**36084195. Gerlach's Drilling & Blasting**, (172 Bender Mill Road, Lancaster, PA 17603), construction blasting at Greenfield Industrial Park in East Lampeter Township, **Lancaster County** with an expiration date of August 15, 2009. Permit issued August 13, 2008.

**45084139. Explosive Services, Inc.**, (7 Pine Street, Bethany, PA 18431), construction blasting for Shawnee Ridge in Smithfield Township, **Monroe County** with an expiration date of August 9, 2009. Permit issued August 13, 2008.

**45084141. Explosive Services, Inc.**, (7 Pine Street, Bethany, PA 18431), construction blasting for South Ridge Estates in Price Township, **Monroe County** with an expiration date of August 31, 2009. Permit issued August 13, 2008.

**67084122. J. Roy's, Inc.**, (Box 125, Bowmansville, PA 17507), construction blasting for Addington Reserve in Manchester Township, **York County** with an expiration date of August 12, 2009. Permit issued August 13, 2008.

**09084001. Explo-Craft, Inc.**, (P. O. Box 1332, West Chester, PA 19380), construction blasting at the Landis Service Area in West Rockhill Township, **Bucks County** with an expiration date of December 31, 2008. Permit issued August 14, 2008.

**36084196. Keystone Blasting Service**, (381 Reifsnnyder Road, Lititz, PA 17543), construction blasting for Summerlynn Green in Ephrata Township, **Lancaster County** with an expiration date of December 30, 2009. Permit issued August 14, 2008.

**38084122. Keystone Blasting Service**, (381 Reifsnnyder Road, Lititz, PA 17543), construction blasting for a chicken house in Heidelberg Township, **Lebanon County** with an expiration date of October 30, 2008. Permit issued August 14, 2008.

**67084123. M & J Explosives, Inc.**, (P. O. Box 608, Carlisle, PA 17013), construction blasting for Weaver's Meats in Wellsville Borough, **York County** with an expiration date of August 31, 2009. Permit issued August 14, 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

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

**E48-397. Wildlands Conservancy**, 3701 Orchid Place, Emmaus, PA 18049. Lower Saucon Township, **Northampton County**, United States Army Corps of Engineers, Philadelphia District.

To construct and maintain a stream restoration project in a 1,000-foot reach of Saucon Creek (HQ-CWF) and a 100-foot reach of a tributary to Saucon Creek (HQ-CWF) using natural stream channel design techniques for the purpose of improving channel stability, water quality and aquatic habitat. Work will include regrading of the channel and floodplain; establishment of riparian buffers; and the placement of in-stream structures including rock cross vanes and j-hooks.

The project is located within the Saucon Valley Country Club beginning at Green Acres Drive and extending downstream approximately 1,000 feet (Hellertown, PA Quadrangle Latitude: 40° 33' 30", Longitude: 75° 21' 40"). (Subbasin: 2C)

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

**E36-836: West Cocalico Township/Strickler/Greenville Roads: Norma Enck**, 156B West Main Street, P. O. Box 244, Reinholds, PA 17569, United States Army Corps of Engineers, Baltimore District.

To remove 40.0 feet of 15.0-inch diameter SLCPP, 35.0 feet in length of 18.0-inch diameter SLCPP and to construct and maintain 195.0 feet in length of 18.0-inch SLCPP and 30.0 feet in length of 19.0-inch by 30.0-inch RCP for the purpose of relocating 205.0 feet of a UNT to Cocalico Creek (WWF) located at the intersection of Greenville and Strickler Roads (Womelsdorf, PA Quadrangle N: 22.67 inches; W: 3.52 inches, Latitude: 40° 15' 1.7"; N Longitude: 76° 9' 1.3" W) in West Cocalico Township, Lancaster County.

**E22-525: Jeffrey Haste**, County Bridge No. 42, P. O. Box 1295, Harrisburg, PA 17108, Washington Township, **Dauphin County**, United States Army Corps of Engineers, Baltimore District.

To remove an existing county Bridge No. 42 and to construct and maintain a single span reinforced concrete spread box beam bridge having a clear span of 80.5 feet and an underclearance of 13.3 feet and width of 30.88 feet across the Wiconisco Creek (WWF) located on Matterstown Road (T-595) approximately 0.2 mile west of its intersection with LR 22037 (Elizabethville, PA Quadrangle N: 9.85 inches; W: 12.35 inches, Latitude 40° 33' 15"; Longitude 76° 50' 11") in Washington Township, Dauphin County.

**E44-136: Municipal Authority of the Township of Union**, P. O. Box 5625, Belleville, PA 17004-9701, Union Township, **Mifflin County**, United States Army Corps of Engineers, Baltimore District.

To relocate and maintain an 8.0-inch PVC sanitary sewer line crossing Little Kishacoquillas Creek approximately 3.05 feet downstream (Belleville, PA Quadrangle N: 19.0 inches; W: 15.4 inches, Latitude: 40° 36' 17.5"; Longitude 77° 44' 08.5") of the SR 0305, Segment 0080, Offset 0000 Bridge over Little Kishacoquillas Creek in Union Township, Mifflin County, for the purpose of replacing the SR 0305, Segment 0080, Offset 0000 Bridge over Little Kishacoquillas Creek.

**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.

**E01-281: R & J Builders, Inc., Gary Jackson**, 50 Citizens Way, Suite 200, Frederick, MD 21701, Cumberland Township, **Adams County**, United States Army Corps of Engineers, Baltimore District.

To fill in 0.06 acre of a de minimis wetland in order to construct a home located along the north side of Fairfield and Fairplay Roads (Fairfield, PA Quadrangle N: 13.5 inches; W: 2.75 inches, Latitude: 39° 49' 28"; Longitude: 77° 16' 11") in Cumberland Township, Adams County.

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

**E18-432. Castanea Township**, 347 Nittany Road, Castanea, PA 17745. Castanea Township Lower Creek Road Development Project in the Bald Eagle Creek 100-year floodplains, in Castanea Township, **Clinton County**, United States Army Corps of Engineers, Baltimore District (Lock Haven, PA Quadrangle Latitude: 41° 07' 30.55"; Longitude: 77° 26' 26.31").

The applicant proposes to remove existing structures and construct, operate and maintain new and additional public recreational facilities as a part of the development of the Lower Creek Road Park that is located within the 100-year floodplain of Bald Eagle Creek. New recreational facilities to be constructed are: (1) baseball field backstop; (2) outfield fence; (3) baseball team benches; (4) open-sided pavilion; (5) paved and stone parking areas; (6) walking trails; and (7) walking trail benches. The project is located along the western right-of-way of SR 0220 approximately 540-feet south of Lower Creek and Paul Mack Roads intersection. This permit does not authorize any wetland impact for any development, neither present nor future, of the Castanea Township Lower Creek Road Park. This permit was issued under Section 105.13(e) "Small Projects."

**E60-194. Anna W. Gelnett**, 1701 Monroe Avenue, Lewisburg, PA 17837. Gelnett Cabin Job, in Hartley Township, **Union County**, United States Army Corps of Engineers, Baltimore District (Weikert, PA Quadrangle Latitude: 40° 51' 17.7"; Longitude: 77° 17' 32.5").

To: 1) remove 15 existing 36-inch high house piers made of varying materials; 2) construct and maintain 15 12-inch diameter piers under a house with a first floor elevation of 726.5 feet in the left 100-year floodway of Penns Creek located at the second to last downstream cabin on Mitchell Lane. This permit was issued under Section 105.13(e) "Small Projects."

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

**E04-321. Beaver County Commissioners**, 810 3rd Street, Beaver, PA 15009. To replace a bridge over Brush Run in South Beaver Township, **Beaver County**, United States Army Corps of Engineers, Pittsburgh District (New Galilee, PA Quadrangle N: 0.5 inch; W: 10.3 inches, Latitude: 40° 45' 11"; Longitude: 80° 26' 57"). To remove the existing structure (Sportsman's Club Bridge) and to construct and maintain a new concrete box culvert having a span of 12.0 feet with an underclearance of 7.5 feet (1.0 foot depressed below the natural stream bed) in and across the channel of and UNT to Brush Run (HQ-CWF) for the purpose of improving highway safety. The project is located on Martin Road (T-582), just north from the

intersection of Martin Road (T-582) and Blackhawk Road (SR 0251) and will impact approximately 80.0 linear feet of stream channel.

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

**E16-134, Donald L. Shirey**, 127 West Garfield Street, New Bethlehem, PA 16242. Private Residence in Floodway of Leisure Run, in New Bethlehem Borough, **Clarion County**, United States Army Corps of Engineers, Pittsburgh District (New Bethlehem, PA Quadrangle N: 41° 00' 14"; W: 79° 19' 43").

To complete construction and maintain a private residence and associated grading and landscaping within the assumed right floodway (50 feet from top of bank) of Leisure Run extending approximately 175 feet upstream from Penn Street.

**E20-566, Stanley and Darlene Bradshaw**. Stream Restoration UNT Woodcock Creek, in Woodcock Township, **Crawford County**, United States Army Corps of Engineers, Pittsburgh District (Blooming Valley, PA Quadrangle N: 41° 40' 52.4"; W: 80° 4' 9.5").

The applicant proposes construct and maintain an approximately 1,400-foot long stream restoration project of a UNT Woodcock Creek (Blooming Valley, PA Quadrangle N: 41° 40' 52.4"; W: 80° 4' 9.5") in Woodcock Township, Crawford County approximately 0.6 mile North of the intersection of SR 77 and Bradshaw Road involving: 1) to construct three stream relocations having a total length of 300 feet; 2) to construct two floodplain excavations removing 475 cubic yards of material and having a total length of 400 feet; 3) to establish a vegetated riparian buffer; 4) to construct rock crossvane structures; 5) to construct a ford crossing with cow slats; 6) to install stream bank fencing; and 7) to establish wetlands adjacent to the stream. The UNT Woodcock Creek is a perennial stream classified as a HQ-WWF.

**E25-721, Universal Well Services, Inc.**, 16540 Route 8, Union City, PA 16438-9108. Eastern Reservoir Services Development, in Union Township, **Erie County**, United States Army Corps of Engineers, Pittsburgh District (Union City, PA Quadrangle N: 41° 53' 09"; W: 79° 50' 45").

The applicant proposes to construct and maintain an expansion of an existing facility including a 7,600 square foot building, associated parking and staging areas, utilities and stormwater management facilities approximately 1,000 feet SE of the intersection of SR 6 and SR 8 (Union City, PA Quadrangle N: 41° 53' 09"; W: 79° 50' 45") in Union Township, Erie County involving to fill 0.24 acre of PEM wetlands and to construct 0.27 acre of PSS wetland onsite. The applicant proposes to directly impact 0.24 acre of PEM wetland onsite.

**E37-176, Mahoning Township**, 4538 West State Street, Hillsville, PA 16132. Mahoning Township WWTP and Sewer Line Project, in Mahoning Township, **Lawrence County**, United States Army Corps of Engineers, Pittsburgh District (Edinburg, PA Quadrangle N: 40.0081°; W: 80.4678°).

The applicant proposes to construct and maintain a 0.36 mgd wastewater treatment plant and a sewage collection system consisting of grinder pumps, lift stations, gravity lines and low-pressure sewers and having a length of approximately 102,000 feet to correct malfunctioning onlot systems in Mahoning Township, Lawrence

County (Edinburg, PA Quadrangle N: 40.0081°; W: 80.4678°) involving to construct and maintain: 1) an approximately 150-foot long sewer line stream crossing of the Mahoning River (inverted siphon pipe consisting of 6-inch diameter pipe and a 10-inch diameter pipe) by open trenching or directional bore; 2) 26 sewer line stream crossings of UNTs to the Mahoning River; 3) four sewer line wetland crossings; 4) an outfall having a 1.5-foot diameter ductile iron pipe; and 5) to permanently fill 0.04 acre of wetland for construction of a wastewater treatment plant approximately 250 feet SW of the intersection of SR 224 and SR 551. The Mahoning River and tributaries are classified as WWF.

#### DAM SAFETY

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

**D45-291. Pleasant Valley Estates Dam.** Pleasant Valley Estates Civic Association, Inc., c/o Thomas Milewski, R. R. 4, Box 4336, Kunkletown, PA 18058. To reconstruct, operate and maintain the Pleasant Valley Estates Dam across a tributary to Jonas Creek (EV), impacting 0.01 acre of wetlands (PEM) with no proposed impacts to the stream channel, for the purpose of reconstructing the previously breached dam to restore the approximate 6-acre recreational lake (Pohopoco Mountain, PA Quadrangle N: 15.2 inches; W: 1.7 inches) in Polk Township, **Monroe County**.

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### SPECIAL NOTICES

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#### Notice of Planning Grant Awards under section 901 of the Municipal Waste Planning Recycling and Waste Reduction Act of 1988, Act 101

The Department of Environmental Protection (Department) announces the following grants to counties under the Pennsylvania Municipal Waste Planning, Recycling and Waste Reduction Act of 1988, Act 101, P. L. 556, section 901 and section 208 of the Waste Tire Recycling Act/Small Business and Household Pollution Prevention Act (Act 190 of 1996).

Planning grants are awarded to counties for 80% of approved costs for preparing municipal waste management plans as required by Act 101, for carrying out related studies, surveys, investigations, inquiries, research and analysis, including those related to siting, environmental mediation, education programs on pollution prevention and household hazardous waste and providing technical assistance to small businesses for pollution prevention. Grants may be awarded for feasibility studies and project development for municipal waste processing or disposal facilities, except for facilities for the combustion of municipal waste that are not proposed to be operated for the recovery of energy. All grant awards are predicated on the receipt of recycling fees required by sections 701 and 702 of Act 101 and the availability of monies in the Recycling Fund.

Inquiries regarding the grant offerings should be directed to Sally Lohman, Chief, Waste Planning Section, Department of Environmental Protection, Bureau of Waste Management, Division of Waste Minimization and Planning, P. O. Box 8472, Harrisburg, PA 17105-8472.



**Act 101, Section 901 Planning Grant**

<i>Region</i>	<i>County</i>	<i>Applicant</i>	<i>Project Description</i>	<i>Grant Award</i>
Southeast				
Northeast				
Southcentral				
Northcentral				
Southwest	Somerset Fayette	Somerset County Fayette County	Plan Revision Plan Revision	\$79,881 \$42,070
Northwest				

**Bureau of Mine Safety**

**Approval of Request For Variance**

The Department of Environmental Protection (Department), Bureau of Mine Safety (BMS) has approved RoxCoal, Inc.'s request for a variance from the requirements of section 242(c) of the Pennsylvania Bituminous Coal Mine Act (act) at the Kimberly Run Mine. This notification contains a summary of this request and the basis for the Department's approval. A complete copy of the variance request may be obtained from Cathy Dunn by calling (724) 439-7469 or from the BMS web site at [www.depweb.state.pa.us/deepminesafety/site/default.asp](http://www.depweb.state.pa.us/deepminesafety/site/default.asp).

*Summary of the Request:* RoxCoal, Inc. requested a variance from section 242(c) of the act to allow for the common ventilation of belt conveyor entry with other entries at the Kimberly Run Mine. The proposal accords protections to persons and property substantially equal to or greater than the requirements set forth in the act.

The basis for the Bureau's approval is summarized as follows:

The investigation committee has reviewed the section 702 variance and compared it to the Bureau of Mine Safety Guidelines. The section 702 variance request submitted for Kimberly Run Mine meets the Bureau of Mine Safety Guidelines. Most importantly, as detailed in this report, protections will be provided to the employees that meet or exceed the protections under the existing requirement. Specifically, these protections are provided by Federal Fire Protection Standards (30 CFR 75.1100), Federal Fire Defense and Evacuation Plan, installation of a CO Monitoring system according to Federal Standard (30 CFR 75.351), ease of access to the belt line for maintenance and inspection purposes, the requirement to maintain the intake escapeway entry at a higher ventilation pressure than the belt entry according to Federal Standard 30 CFR 75.350(7)(c)(d) and the requirement to maintain the integrity of the primary intake escapeway according to Federal Standard (30 CFR 75.380). Since CO monitoring has been widely implemented by the industry, many fires and hazardous conditions have been detected early, thus greatly enhancing the safety of the workplace.

This approval is limited to a variance from the requirements in section 242(c) requiring that the belt entry is isolated from other entries. All other terms and requirements of section 242(c) shall remain in effect. Continued authorization for operation under the approval is contingent upon compliance with the measures described in the plan and the following conditions:

1. The investigative committee shall conduct an underground ventilation survey when the belt and common entries are established to verify pressure differential between the intake escapeway and the common entries.
2. The investigative committee shall evaluate the visual and audible alarms during the installation process.

3. The operator must ascertain whether or not the belt compounds used in the mine produce CO when burnt. Should the operator use a non-CO producing compound in the mine, additional sensors must be used in conjunction with the CO detectors to provide the early warning benefits of the monitoring system.

4. The operator shall comply with the Federal Fire Defense and Evacuation Plan and the following Federal Standards:

- 30 CFR 75.350(7)(c)(d)
- 30 CFR 75.351
- 30 CFR 75.380
- 30 CFR 75.1100

**Request for Comment and Notice of Public Meeting For the Proposed Total Maximum Daily Load (TMDL) for Nesquehoning Creek Watershed in Carbon and Schuylkill Counties**

The Department of Environmental Protection (Department) is holding a public meeting on September 10, 2008, beginning at 1 p.m. at the Pottsville District Office in Pottsville, PA to discuss and accept comments on a proposed TMDL. The proposed TMDL was established in accordance with the requirements of the 1996 section 303(d) of The Clean Water Act. The Nesquehoning Creek Watershed has been identified as impaired on the 1996 Pennsylvania 303(d) list due to high concentrations of metals.

The proposed plan provides calculations of the stream's total capacity to accept metals (aluminum, iron and manganese) and pH, and maintain levels below water quality criteria. The applicable water quality criteria are as follows:

<i>Parameter</i>	<i>Criterion value (mg/l)</i>	<i>Total Recoverable/Dissolved</i>
Aluminum	0.75	Total Recoverable
Iron	1.5	Total Recoverable
Manganese	1.00	Total Recoverable
pH	6.0—9.0	N/A

The primary pollutant source for the watershed is abandoned mine workings. This watershed was heavily mined for coal in the 19th and 20th centuries. The effects of this are still present. The TMDL consists of load allocations, which are made to nonpoint sources of pollution and waste load allocations, which are made to permitted point sources.

The TMDL was developed using Monte Carlo Simulation to determine long-term average concentrations that each stream segment could accept and still meet water quality criteria 99% of the time. Monte Carlo Simulation allows for the expansion of a dataset based on its statistical makeup. Since there was no critical flow



condition where criteria were exceeded, the Department used the average flow to express the loading values in the TMDL.

The TMDL sets allowable loading rates for metals, sediment and acidity at specified points in the watershed. The basis of information used in the establishment of this TMDL is field data between 2005 and 2008.

The data and all supporting information used to develop the proposed TMDL are available from the Department. To request a copy of the proposed TMDL and an information sheet, contact James Andrews at (570) 621-3118 between 8 a.m. and 4 p.m., Monday through Friday, at Pottsville District Mining Office, 5 West Laurel Boulevard, Pottsville, PA 17901. E-mail will be received at [jameandrew@state.pa.us](mailto:jameandrew@state.pa.us). Directions to the meeting place can also be obtained through this contact.

The TMDL can be viewed and printed by accessing the Department's web site at [www.dep.state.pa.us](http://www.dep.state.pa.us) (PA Keyword: TMDL).

Written comments will be accepted at the previous address and must be postmarked by October 23, 2008. Persons who plan to make a presentation at the public meeting should notify the Department no later than 4 p.m. Friday, September 5th. The Department will consider all comments in developing the final TMDL, which will be submitted to the Environmental Protection Agency for approval.

**Request for Comment and Notice of Public Meeting  
For the Proposed Total Maximum Daily Load  
(TMDL) for Pine Creek Watershed in Dauphin and  
Schuylkill Counties**

The Department of Environmental Protection (Department) is holding a public meeting on September 10, 2008, beginning at 10 a.m. at the Pottsville District Office in Pottsville, PA to discuss and accept comments on a proposed TMDL. The proposed TMDL was established in accordance with the requirements of the 1996 section 303(d) of The Clean Water Act. The Pine Creek Watershed has been identified as impaired on the 1996 Pennsylvania 303(d) list due to high concentrations of metals.

The proposed plan provides calculations of the stream's total capacity to accept metals (aluminum, iron and manganese) and pH and maintain levels below water quality criteria. The applicable water quality criteria are as follows:

<i>Parameter</i>	<i>Criterion value (mg/l)</i>	<i>Total Recoverable/Dissolved</i>
Aluminum	0.75	Total Recoverable
Iron	1.5	Total Recoverable
Manganese	1.00	Total Recoverable
pH	6.0—9.0	N/A

The primary pollutant source for the watershed is abandoned mine workings. This watershed was heavily mined for coal in the 19th and 20th centuries. The effects of this are still present. The TMDL consists of load allocations, which are made to nonpoint sources of pollution and waste load allocations, which are made to permitted point sources.

The TMDL was developed using Monte Carlo Simulation to determine long-term average concentrations that each stream segment could accept and still meet water

quality criteria 99% of the time. Monte Carlo Simulation allows for the expansion of a dataset based on its statistical makeup. Since there was no critical flow condition where criteria were exceeded, the Department used the average flow to express the loading values in the TMDL.

The TMDL sets allowable loading rates for metals, sediment and acidity at specified points in the watershed.

The data and all supporting information used to develop the proposed TMDL are available from the Department. To request a copy of the proposed TMDL and an information sheet, contact James Andrews at (570) 621-3118 between 8 a.m. and 4 p.m., Monday through Friday, at Pottsville District Mining Office, 5 West Laurel Boulevard, Pottsville, PA 17901. E-mail will be received at [jameandrew@state.pa.us](mailto:jameandrew@state.pa.us). Directions to the meeting place can also be obtained through this contact.

The TMDL can be viewed and printed by accessing the Department's web site at [www.dep.state.pa.us](http://www.dep.state.pa.us) (PA Keyword: TMDL).

Written comments will be accepted at the previous address and must be postmarked by October 23, 2008. Persons who plan to make a presentation at the public meeting should notify the Department no later than 4 p.m. Friday, September 5th. The Department will consider all comments in developing the final TMDL, which will be submitted to the Environmental Protection Agency for approval.

**Request for Comment and Notice of Public Meeting  
For the Proposed Total Maximum Daily Load  
(TMDL) for Shade Creek Watershed in  
Somerset County**

*Cambria District Mining Office: 286 Industrial Road, Ebensburg, PA 15931.*

The Department of Environmental Protection (Department) is holding a public meeting on September 3, 2008, beginning at 1 p.m. at the Cambria District Office in Ebensburg, PA to discuss and accept comments on a proposed TMDL. The proposed TMDL was established in accordance with the requirements of the 1996 section 303(d) of The Clean Water Act. One stream segment in the Shade Creek Watershed, one segment in the Dark Shade Creek Watershed, and one segment in the UNT to Dark Shade Creek Watershed have been identified as impaired on the 1996 Pennsylvania 303(d) list due to high concentrations of metals; additional segments were identified in 1998, 2002, 2004 and 2006. The listed segment and miles degraded are shown in the following table:

<i>Stream Code</i>	<i>Stream Name</i>	<i>Miles Degraded</i>
45270	Shade Creek	9.62
45330	Dark Shade Crreek	6.41
45354	UNT to Dark Shade Creek	0.60

The proposed plan provides calculations of the stream's total capacity to accept metals (aluminum, iron and manganese) and pH and maintain levels below water quality criteria. The applicable water quality criteria are as follows:

<i>Parameter</i>	<i>Criterion value (mg/l)</i>	<i>Total Recoverable/Dissolved</i>
Aluminum	0.75	Total Recoverable
Iron	1.5	Total Recoverable
Manganese	1.00	Total Recoverable
pH	6.0—9.0	N/A

The primary pollutant source for the watershed is abandoned mine workings. This watershed was heavily mined for coal in the 20th century. The effects of this are still present. The TMDL consists of load allocations, which are made to nonpoint sources of pollution and waste load allocations, which are made to permitted point sources.

The TMDL was developed using Monte Carlo Simulation to determine long-term average concentrations that each stream segment could accept and still meet water quality criteria 99% of the time. Monte Carlo Simulation allows for the expansion of a dataset based on its statistical makeup. Since there was no critical flow condition where criteria were exceeded, the Department used the average flow to express the loading values in the TMDL.

The TMDL sets allowable loading rates for metals, sediment and acidity at specified points in the watershed. The basis of information used in the establishment of this TMDL is field data between 2004 and 2007.

The data and all supporting information used to develop the proposed TMDL are available from the Department. To request a copy of the proposed TMDL and an information sheet, contact Jeff Miller at (814) 472-1893 between 8 a.m. and 3 p.m., Monday through Friday, at Cambria District Mining Office, 286 Industrial Park Road, Ebensburg, PA 15931. E-mail will be received at jeffreymil@state.pa.us. Directions to the meeting place can also be obtained through this contact.

The TMDL can be viewed and printed by accessing the Department's web site at [www.dep.state.pa.us](http://www.dep.state.pa.us) (PA Keyword: TMDL).

Written comments will be accepted at the previous address and must be postmarked by October 22, 2008. Persons who plan to make a presentation at the public meeting should notify the Department no later than 3 p.m. Friday, August 29th. The Department will consider all comments in developing the final TMDL, which will be submitted to the Environmental Protection Agency for approval.

[Pa.B. Doc. No. 08-1596. Filed for public inspection August 29, 2008, 9:00 a.m.]

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### Solar Workgroup Meeting

The Solar Workgroup (Workgroup) will hold a meeting on September 4, 2008, at 10 a.m. in Room 105 of the Rachel Carson State Office Building, 400 Market Street, Harrisburg, PA.

The agenda and materials for the September 4, 2008, meeting will be available at the meeting. Questions concerning this meeting should be directed to Libby Dodson, Office of Energy and Technology Deployment, Division of Energy Promotion, 400 Market Street, Harrisburg, PA 17101, (717) 772-8907, [ldodson@state.pa.us](mailto:ldodson@state.pa.us).

Persons with a disability who require accommodations to attend the September 4, 2008, meeting of the Workgroup should contact Angela Rothrock at (717) 772-8911 or through the Pennsylvania AT&T Relay Services

at (800) 654-5984 (TDD) to discuss how the Department of Environmental Protection may accommodate their needs.

JOHN HANGER,  
*Acting Secretary*

[Pa.B. Doc. No. 08-1597. Filed for public inspection August 29, 2008, 9:00 a.m.]

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## DEPARTMENT OF HEALTH

### Application of Alle-Kiski Medical Center, Allegheny Valley Hospital for Exception

Under 28 Pa. Code § 51.33 (relating to requests for exceptions), the Department of Health (Department) gives notice that Alle-Kiski Medical Center, Allegheny Valley Hospital has requested an exception to the requirements of 28 Pa. Code § 153.1 (relating to minimum standards), which requires compliance with minimum standards contained in the following publication: *Guidelines for Design and Construction of Hospital and Healthcare Facilities*. The facility specifically requests exception from the following standard contained in this publication: 3.9.2.4.1.4 (relating to staff shower) and 3.9.2.5.1 (relating to patient change area).

This request is on file with the Department. Persons may receive a copy of a request for exception by requesting a copy from the Department of Health, Division of Acute and Ambulatory Care, Room 532, Health and Welfare Building, Harrisburg, PA 17120, (717) 783-8980, fax (717) 772-2163, [ra-paexcept@state.pa.us](mailto:ra-paexcept@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 Director, Division of Acute and Ambulatory Care at (717) 783-8980 for speech and/or hearing impaired persons V/TT (717) 783-6154 or the Pennsylvania AT&T Relay Service at (800) 654-5984 (TT).

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

[Pa.B. Doc. No. 08-1598. Filed for public inspection August 29, 2008, 9:00 a.m.]

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### Application of Bethlehem Endoscopy Center, LLC for Exception

Under 28 Pa. Code § 51.33 (relating to requests for exceptions), the Department of Health (Department) gives notice that Bethlehem Endoscopy Center, LLC has requested an exception to the requirements of 28 Pa. Code § 555.31(a) (relating to principle).

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. 08-1599. Filed for public inspection August 29, 2008, 9:00 a.m.]

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### Application of Ephrata Community Hospital for Exception

Under 28 Pa. Code § 51.33 (relating to requests for exceptions), the Department of Health (Department) gives notice that Ephrata Community Hospital has requested an exception to the requirements of 28 Pa. Code § 139.12 (relating to neonatal care units).

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. 08-1600. Filed for public inspection August 29, 2008, 9:00 a.m.]

### Application of Hamot Medical Center for Exception

Under 28 Pa. Code § 51.33 (relating to requests for exceptions), the Department of Health (Department) gives notice that Hamot Medical Center has requested an exception to the requirements of 28 Pa. Code § 107.62 (relating to oral orders).

This request is on file with the Department. Persons may receive a copy of a request for exception by requesting a copy from the Department of Health, Division of Acute and Ambulatory Care, Room 532, Health and Welfare Building, Harrisburg, PA 17120, (717) 783-8980, fax (717) 772-2163, 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. 08-1601. Filed for public inspection August 29, 2008, 9:00 a.m.]

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### Application of Springfield Ambulatory Surgical Center for Exception

Under 28 Pa. Code § 51.33 (relating to requests for exceptions), the Department of Health (Department) gives notice that Springfield Ambulatory Surgical Center has requested an exception to the requirements of 28 Pa. Code § 551.21(d)(2) (relating to criteria for ambulatory surgery).

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

The facility is requesting a waiver of the comment period, as set forth in 28 Pa. Code § 51.33(c).

Persons with a disability who wish to obtain a copy of a request and/or provide comments to the Department and require an auxiliary aid, service or other accommodation to do so should contact the Division at the previously listed address or phone 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. 08-1602. Filed for public inspection August 29, 2008, 9:00 a.m.]

### Application of Susquehanna Endoscopy Center for Exception

Under 28 Pa. Code § 51.33 (relating to requests for exceptions), the Department of Health (Department) gives notice that Susquehanna Endoscopy Center has requested an exception to the requirements of 28 Pa. Code § 555.31(a) (relating to principle).

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. 08-1603. Filed for public inspection August 29, 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 § 153.1 (relating to minimum standards), which requires compliance with minimum standards contained in the following publication: *Guidelines for Design and Construction of Hospital and Healthcare Facilities*. The facility specifically requests exception from the following standard contained in this publication: 2.4-3.1.1.1 (relating to dining space).

This request is on file with the Department. Persons may receive a copy of a request for exception by requesting a copy from the Department of Health, Division of

Acute and Ambulatory Care, Room 532, Health and Welfare Building, Harrisburg, PA 17120, (717) 783-8980, fax (717) 772-2163, ra-paexcept@state.pa.us.

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 Director, Division of Acute and Ambulatory Care at (717) 783-8980 for speech and/or hearing impaired persons V/TT (717) 783-6154 or the Pennsylvania AT&T Relay Service at (800) 654-5984 (TT).

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

[Pa.B. Doc. No. 08-1604. Filed for public inspection August 29, 2008, 9:00 a.m.]

### Immunization Practices for Children in Child Care Group Settings

In accordance with 28 Pa. Code § 27.77(c) (relating to immunization requirements for children in child care group settings), the Department of Health (Department), Bureau of Communicable Diseases, Division of Immunization, is updating the list of Morbidity and Mortality Weekly Report (MMWR) publications that contain the Advisory Committee on Immunization Practices (ACIP) recommendations that meet the standards of 28 Pa. Code § 27.77(c). Children in child care group settings as defined by 28 Pa. Code § 27.77(c) are required to be immunized in accordance with the recommendations included in the following publications. The Department is providing a summary of the publications for the ease of reference of the public:

#### Publications

#### Summary of Selected MMWR Articles on Pediatric/Adolescent Immunizations (Morbidity and Mortality Weekly Report) ([www.cdc.gov/mmwr/](http://www.cdc.gov/mmwr/))

#### January 11, 2008/Vol. 57/No. 1

*Recommended Immunization Schedules for Persons Aged 0—18 Years—United States, 2008*

The ACIP annually publishes a recommended immunization schedule for persons aged 0—18 years to reflect changes in vaccine formulations and current recommendations for the use of licensed vaccines. Visit the following link to view or download the updated schedule: [www.cdc.gov/vaccines/recs/schedules/child-schedule.htm#printable](http://www.cdc.gov/vaccines/recs/schedules/child-schedule.htm#printable).

#### February 22, 2008/Vol. 57/No. 7

*Multistate Measles Outbreak Associated with an International Youth Sporting Event—Pennsylvania, Michigan and Texas, August—September 2007*

Measles, a highly infectious viral illness, is no longer endemic in the United States because of high coverage rates with an effective vaccine. However, imported cases continue to cause illness and outbreaks among susceptible United States residents. In August 2007, a participant in an international youth sporting event who traveled from Japan to the United States became ill with measles. Because he traveled while infectious to an event with thousands of participants and spectators, an outbreak investigation was conducted in multiple states by state and local health departments in coordination with CDC, using standard measles surveillance case definitions and classifications. This report summarizes the results of that investigation, which identified six additional measles cases that were linked epidemiologically to the index case and two generations of secondary transmission.

**February 22, 2008/Vol. 57/No. 7**

*Update: Influenza Activity—United States, September 30, 2007—February 9, 2008*

This report summarizes United States influenza activity since the beginning of the 2007-2008 influenza season (September 30, 2007) and updates the previous summary. From September through early December, influenza activity remained low in the United States. Activity increased from early December through the end of the year and has continued to increase in January and February.

**March 14, 2008/Vol. 57/No. 10**

*Update: Recommendations from the ACIP Regarding Administration of Combination MMRV Vaccine*

On February 27, 2008, new information was presented to the ACIP regarding the risk for febrile seizures among children aged 12–23 months after administration of the combination measles, mumps, rubella and varicella (MMRV) vaccine (ProQuad®, Merck & Co., Inc., Whitehouse Station, NJ). This report summarizes current knowledge regarding the risk for febrile seizures after MMRV vaccination and presents updated ACIP recommendations that were issued after presentation of the new information. These updated recommendations remove ACIP's previous preference for administering combination MMRV vaccine over separate injections of equivalent component vaccines (that is, measles, mumps, and rubella (MMR) vaccine and varicella vaccine).

**April 4, 2008/Vol. 57/No. 13**

*Updated Recommendation from the ACIP for Use of 7-Valent Pneumococcal Conjugate Vaccine (PCV7) in Children Aged 24–59 Months Who Are Not Completely Vaccinated*

This notice updates the recommendation for use of PCV7 among children aged 24–59 months who are either unvaccinated or who have a lapse in PCV7 administration. In February 2000, PCV7, marketed as Prevnar® and manufactured by Wyeth Vaccines (Collegeville, PA), was approved by the Food and Drug Administration for use in infants and young children. At that time, the ACIP recommended that children aged 24–59 months who have certain underlying medical conditions or are immunocompromised receive PCV7. In addition, ACIP recommended that PCV7 be considered for all other children aged 24–59 months, with priority given to those who are American Indian/Alaska Native or of African-American descent, and to children who attend group day care centers.

**April 18, 2008/Vol. 57/No. 15**

*Rotavirus Vaccination Coverage and Adherence to the ACIP—Recommended Vaccination Schedule—United States, February 2006—May 2007*

Worldwide, rotavirus is the leading cause of severe gastroenteritis in children aged <5 years. In February 2006, a new human-bovine rotavirus vaccine, RotaTeq® (Merck & Co., Inc., Whitehouse Station, NJ), was recommended by the ACIP for routine vaccination of United States infants.

**May 2, 2008/Vol. 57/No. 17**

*Syncope After Vaccination—United States, January 2005—July 2007*

Syncope (vasovagal reaction), or fainting, can be triggered by various stimuli, including medical procedures. Syncope has been documented to occur after vaccination, most commonly among adolescents, and can result in hospitalization for a medical evaluation or because of injury.

*Report from the ACIP: Decision Not to Recommend Routine Vaccination of All Children Aged 2–10 Years with Quadrivalent Meningococcal Conjugate Vaccine*

At its February 2008 meeting, the ACIP decided not to recommend routine vaccination of children aged 2–10 years against meningococcal disease unless the child is at increased risk for the disease. This report summarizes the deliberations of ACIP and the rationale for its decision and restates existing recommendations for meningococcal vaccination among children aged 2–10 years at increased risk for meningococcal disease. ACIP continues to recommend routine vaccination against meningococcal disease for all persons aged 11–18 years and those persons aged 2–55 years who are at increased risk for meningococcal disease.

**May 9, 2008/Vol. 57/No. 18**

*Measles—United States, January 1—April 25, 2008*

Measles, a highly contagious acute viral disease, can result in serious complications and death. As a result of a successful U.S. vaccination program, measles elimination (that is, interruption of endemic measles transmission) was declared in the United States in 2000.

**June 27, 2008/Vol. 57/No. 25**

*Influenza Activity—United States and Worldwide, 2007–2008 Season*

During the 2007–2008 influenza season, influenza activity peaked in mid-February in the United States and was associated with greater mortality and higher rates of hospitalization of children aged 0–4 years, compared with each of the previous three seasons.

*Delayed Onset and Diminished Magnitude of Rotavirus Activity—United States, November 2007—May 2008*

On June 25, this report was posted as an MMWR Early Release on the MMWR web site [www.cdc.gov/mmwr](http://www.cdc.gov/mmwr).

Rotavirus is the leading cause of severe acute gastroenteritis among infants and young children, accounting for an estimated 527,000 deaths among children aged <5 years worldwide in 2004. In the United States, rotavirus causes few deaths (20–60) each year, but remains a substantial cause of morbidity among children, resulting in approximately 55,000–70,000 hospitalizations, 205,000–272,000 emergency department visits, and 410,000 physician office visits.

**July 25, 2008/Vol. 57/No. 29**

*Use of Mass Tdap Vaccination to Control an Outbreak of Pertussis in a High School—Cook County, Illinois, September 2006—January 2007*

On September 6, 2006, the Cook County Department of Public Health was notified that a local high school student aged 17 years had pertussis. During September 2006—January 2007, 36 pertussis cases directly linked to the high school were identified. Because *Bordetella pertussis* immunity from childhood vaccinations wanes over time, outbreaks of pertussis can periodically occur among students and staff at middle and high schools.

**August 1, 2008/Vol. 57/No. 30**

*Newborn Hepatitis B Vaccination Coverage Among Children Born January 2003—June 2005—United States*

Hepatitis B vaccine was first recommended for administration to all infants in 1991 by the ACIP as the primary focus of a strategy to eliminate hepatitis B virus (HBV) transmission in the United States.

Additional information relating to vaccinations may be obtained from the Department's web site at [www.dsf.health.state.pa.us/health](http://www.dsf.health.state.pa.us/health) and from the National Immunization Program of the Centers for Disease Control and Prevention at the following web site [www.cdc.gov/nip/default.htm](http://www.cdc.gov/nip/default.htm).

Persons with a disability who require an alternative format of this notice (for example, large print, audiotope, Braille) should contact Heather Stafford, Director, Department of Health, Division of Immunization, Room 1026, Health and Welfare Building, Harrisburg, PA 17120-0701, (717) 787-5681 or for speech and/or hearing impaired persons at V/TT (717) 783-6154 or the Pennsylvania AT&T Relay Service at (800) 654-5984 (TT).

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

[Pa.B. Doc. No. 08-1605. Filed for public inspection August 29, 2008, 9:00 a.m.]

**Traumatic Brain Injury Advisory Board Meeting**

The Traumatic Brain Injury Advisory Board, established under the Federal Traumatic Brain Injury Act of 1996 (42 U.S.C.A. § 300d-52), will hold a public meeting on Thursday, September 4, 2008, from 10 a.m. to 3 p.m., in the Administration Building, Conference Room B/C, at

the Dixon University Center located at 2986 North Second Street, Harrisburg, PA 17110.

For additional information, or if you are a person with a disability and desire to attend the meeting and require an auxiliary aid, service or other accommodation to do so contact Wendy Queen, Public Health Program Administrator, Division of Child and Adult Health Services at (717) 772-2762 or for speech and/or hearing impaired persons V/TT (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. 08-1606. Filed for public inspection August 29, 2008, 9:00 a.m.]

## DEPARTMENT OF PUBLIC WELFARE

### Medical Assistance Program Fee Increases and Additions to the Medical Assistance Program Fee Schedule

#### *Purpose of Notice*

The Department of Public Welfare (Department) announces several changes to the Medical Assistance (MA) Program Fee Schedule, effective with dates of service on and after July 1, 2008. Consistent with the commitment of the Governor's Prescription for Pennsylvania to promote quality primary and preventive health care for all Pennsylvanians, the changes include fee increases for select office visits and consultations; vision and dental services; private duty nursing and home health agency services; and Healthy Beginnings Plus services. The Department has also added a new laboratory service and screening for developmental delay and Autism Spectrum Disorder to the Fee Schedule. The Department consulted with individual provider associations, medical and dental providers, the Medical Assistance Advisory Committee and other key stakeholders in determining which fees to increase as well as which new services to add to the Fee Schedule to support continued access to services by MA recipients.

#### *Fee Increases*

The Department has increased the fees for the following select procedure codes:

#### Office Visits and Consultations

<i>Procedure Code</i>	<i>Description</i>	<i>Current Fee</i>	<i>MA Fee Effective July 1, 2008</i>
99202	Office or other outpatient visit for the evaluation and management of a new patient, which requires these three key components: an expanded problem focused history; an expanded problem focused examination; straightforward medical decision making. Counseling and/or coordination of care with other providers or agencies are provided consistent with the nature of the problem(s) and the patient's and/or family's needs. Usually, the presenting problem(s) are of low to moderate severity. Physicians typically spend 20 minutes face-to-face with the patient and/or family.	\$30.00	\$35.33

<i>Procedure Code</i>	<i>Description</i>	<i>Current Fee</i>	<i>MA Fee Effective July 1, 2008</i>
99203	Office or other outpatient visit for the evaluation and management of a new patient, which requires these three key components: a detailed history; a detailed examination; medical decision making of low complexity. Counseling and/or coordination of care with other providers or agencies are provided consistent with the nature of the problem(s) and the patient's and/or family's needs. Usually, the presenting problem(s) are of moderate severity. Physicians typically spend 30 minutes face-to-face with the patient and/or family.	\$50.00	\$54.25
99204	Office or other outpatient visit for the evaluation and management of a new patient, which requires these three key components: a comprehensive history; a comprehensive examination; medical decision making of moderate complexity. Counseling and/or coordination of care with other providers or agencies are provided consistent with the nature of the problem(s) and the patient's and/or family's needs. Usually, the presenting problem(s) are of moderate to high severity. Physicians typically spend 45 minutes face-to-face with the patient and/or family.	\$60.00	\$90.37
99205	Office or other outpatient visit for the evaluation and management of a new patient, which requires these three key components: a comprehensive history; a comprehensive examination; medical decision making of high complexity. Counseling and/or coordination of care with other providers or agencies are provided consistent with the nature of the problem(s) and the patient's and/or family's needs. Usually, the presenting problem(s) are of moderate to high severity. Physicians typically spend 60 minutes face-to-face with the patient and/or family.	\$80.00	\$117.54
99214	Office or other outpatient visit for the evaluation and management of an established patient, which requires at least two of these three key components: a detailed history; a detailed examination; medical decision making of moderate complexity. Counseling and/or coordination of care with other providers or agencies are provided consistent with the nature of the problem(s) and the patient's and/or family's needs. Usually, the presenting problem(s) are of moderate to high severity. Physicians typically spend 25 minutes face-to-face with the patient and/or family.	\$43.00	\$54.42
99215	Office or other outpatient visit for the evaluation and management of an established patient, which requires at least two of these three key components: a comprehensive history; a comprehensive examination; medical decision making of high complexity. Counseling and/or coordination of care with other providers or agencies are provided consistent with the nature of the problem(s) and the patient's and/or family's needs. Usually, the presenting problem(s) are of moderate to high severity. Physicians typically spend 40 minutes face-to-face with the patient and/or family.	\$70.00	\$78.05
99242	Office consultation for a new or established patient, which requires these three key components: an expanded problem focused history; an expanded problem focused examination; straightforward medical decision making. Counseling and/or coordination of care with other providers or agencies are provided consistent with the nature of the problem(s) and the patient's and/or family's needs. Usually, the presenting problem(s) are of low severity. Physicians typically spend 30 minutes face-to-face with the patient and/or family.	\$40.00	\$55.15

<i>Procedure Code</i>	<i>Description</i>	<i>Current Fee</i>	<i>MA Fee Effective July 1, 2008</i>
99243	Office consultation for a new or established patient, which requires these three key components: a detailed history; a detailed examination; medical decision making of low complexity. Counseling and/or coordination of care with other providers or agencies are provided consistent with the nature of the problem(s) and the patient's and/or family's needs. Usually, the presenting problem(s) are of moderate severity. Physicians typically spend 40 minutes face-to-face with the patient and/or family.	\$50.00	\$76.93
99244	Office consultation for a new or established patient, which requires these three key components: a comprehensive history; a comprehensive examination; medical decision making of moderate complexity. Counseling and/or coordination of care with other providers or agencies are provided consistent with the nature of the problem(s) and the patient's and/or family's needs. Usually, the presenting problem(s) are of moderate to high severity. Physicians typically spend 60 minutes face-to-face with the patient and/or family.	\$60.00	\$120.56
99245	Office consultation for a new or established patient, which requires these three key components: a comprehensive history; a comprehensive examination; medical decision making of high complexity. Counseling and/or coordination of care with other providers or agencies are provided consistent with the nature of the problem(s) and the patient's and/or family's needs. Usually, the presenting problem(s) are of moderate to high severity. Physicians typically spend 80 minutes face-to-face with the patient and/or family.	\$80.00	\$151.44

**Vision Services**

<i>Procedure Code</i>	<i>Description</i>	<i>Current Fee</i>	<i>MA Fee Effective July 1, 2008</i>
92002	Ophthalmological services: medical examination and evaluation with initiation of diagnostic and treatment program; intermediate, new patient	\$17.00	\$28.34
92004	Ophthalmological services: medical examination and evaluation with initiation of diagnostic and treatment program; comprehensive, new patient, one or more visits	\$17.00	\$58.77
92012	Ophthalmological services: medical examination and evaluation, with initiation or continuation of diagnostic and treatment program; intermediate, established patient	\$17.00	\$29.41
92014	Ophthalmological services: medical examination and evaluation, with initiation or continuation of diagnostic and treatment program; comprehensive, established patient, one or more visits	\$17.00	\$45.28

**Dental Services**

<i>Procedure Code</i>	<i>Description</i>	<i>Current Fee</i>	<i>MA Fee Effective July 1, 2008</i>
D2140	Amalgam—one surface, primary or permanent	\$40.00	\$45.00
D2150	Amalgam—two surfaces, primary or permanent	\$50.00	\$55.00
D2160	Amalgam—three surfaces, primary or permanent	\$60.00	\$65.00
D2161	Amalgam—four or more surfaces, primary or permanent	\$60.00	\$65.00
D2330	Resin-based composite—one surface, anterior	\$45.00	\$50.00
D2331	Resin-based composite—two surfaces, anterior	\$55.00	\$60.00
D2332	Resin-based composite—three surfaces, anterior	\$60.00	\$65.00
D2335	Resin-based composite—four or more surfaces or involving incisal angle (anterior)	\$60.00	\$65.00



<i>Procedure Code</i>	<i>Description</i>	<i>Current Fee</i>	<i>MA Fee Effective July 1, 2008</i>
D2390	Resin-based composite crown, anterior	\$145.00	\$150.00
D2391	Resin-based composite—one surface, posterior	\$45.00	\$50.00
D2392	Resin-based composite—two surfaces, posterior	\$55.00	\$60.00
D2393	Resin-based composite—three surfaces, posterior	\$60.00	\$65.00
D2394	Resin-based composite—four or more surfaces, posterior	\$60.00	\$65.00
D2740	Crown—porcelain/ceramic substrate	\$350.00	\$500.00
D2751	Crown—porcelain fused to predominantly base metal	\$350.00	\$500.00
D2791	Crown—full cast predominantly base metal	\$350.00	\$475.00
D2934	Prefabricated esthetic coated stainless steel crown—primary tooth	\$99.00	\$145.00
D2952	Cast post and core in addition to crown	\$75.00	\$80.00
D2954	Prefabricated post and core in addition to crown	\$75.00	\$80.00
D3220	Therapeutic pulpotomy (excluding final restoration)—removal of pulp coronal to the dentinocemental junction and application of medicament	\$57.00	\$75.00
D3310	Anterior (excluding final restoration)	\$210.00	\$275.00
D3320	Bicuspid (excluding final restoration)	\$270.00	\$375.00
D3330	Molar (excluding final restoration)	\$345.00	\$500.00
D5110	Complete denture—maxillary	\$355.00	\$525.00
D5120	Complete denture—mandibular	\$355.00	\$525.00
D5130	Immediate denture—maxillary	\$355.00	\$525.00
D5140	Immediate denture—mandibular	\$355.00	\$525.00
D5211	Maxillary partial denture—resin base (including any conventional clasps, rests and teeth)	\$250.00	\$375.00
D5212	Mandibular partial denture—resin base (including any conventional clasps, rests and teeth)	\$250.00	\$375.00
D5213	Maxillary partial denture—cast metal framework with resin denture bases (including any conventional clasps, rests and teeth)	\$370.00	\$550.00
D5214	Mandibular partial denture—cast metal framework with resin denture bases (including any conventional clasps, rests and teeth)	\$370.00	\$550.00
D7140	Extraction, erupted tooth or exposed root (elevation and/or forceps removal)	\$60.00	\$65.00
D7210	Surgical removal of erupted tooth requiring elevation of mucoperitoseal flap and removal of bone and/or section of tooth	\$60.00	\$65.00
D7220	Removal of impacted tooth—soft tissue	\$65.00	\$90.00
D7230	Removal of impacted tooth—partially bony	\$120.00	\$170.00
D7240	Removal of impacted tooth—completely bony	\$140.00	\$200.00
D7250	Surgical removal of residual tooth roots (cutting procedure)	\$60.00	\$100.00
D8080	Comprehensive orthodontic treatment of the adolescent dentition (includes initial periodic treatment)	\$600.00	\$1,000.00
D8670	Periodic orthodontic treatment (as part of contract)	\$250.00	\$350.00

**Private Duty (Shift) Nursing Services**

<i>Procedure Code</i>	<i>Description</i>	<i>Current Fee</i>	<i>MA Fee Effective July 1, 2008</i>
S9123	Nursing care, in the home, by Registered Nurse, per hour	\$35.00	\$40.00
S9124	Nursing care, in the home, by Licensed Practical Nurse, per hour	\$35.00	\$40.00

**Home Health Agency Services**

<i>Procedure Code</i>	<i>Description</i>	<i>Current Fee</i>	<i>MA Fee Effective July 1, 2008</i>
99500	Home visit for prenatal monitoring and assessment to include fetal heart rate, nonstress test, uterine monitoring and gestational diabetes monitoring	\$77.00	\$88.00
99501	Home visit for postnatal assessment and follow-up care	\$77.00	\$88.00
G0151	Services of physical therapist in home health setting	\$77.00	\$88.00
G0152	Services of occupational therapist in home health setting	\$77.00	\$88.00
G0153	Services of speech and language pathologist in home health setting	\$77.00	\$88.00
G0154	Services of skilled nurse in home health setting	\$77.00	\$88.00
G0156	Services of home health aide in home health setting	\$40.00	\$46.00

**Family Planning Clinic Visits**

<i>Procedure Code</i>	<i>Description</i>	<i>Current Fee</i>	<i>MA Fee Effective July 1, 2008</i>
99202	Office or other outpatient visit for the evaluation and management of a new patient, which requires these three key components: an expanded problem focused history; an expanded problem focused examination; straightforward medical decision making. Counseling and/or coordination of care with other providers or agencies are provided consistent with the nature of the problem(s) and the patient's and/or family's needs. Usually, the presenting problem(s) are of low to moderate severity. Physicians typically spend 20 minutes face-to-face with the patient and/or family.	\$20.00	\$35.33
99203	Office or other outpatient visit for the evaluation and management of a new patient, which requires these three key components: a detailed history; a detailed examination; medical decision making of low complexity. Counseling and/or coordination of care with other providers or agencies are provided consistent with the nature of the problem(s) and the patient's and/or family's needs. Usually, the presenting problem(s) are of moderate severity. Physicians typically spend 30 minutes face-to-face with the patient and/or family.	\$20.00	\$54.25
99213	Office or other outpatient visit for the evaluation and management of an established patient, which requires at least two of these three key components: an expanded problem focused history; an expanded problem focused examination; medical decision making of low complexity. Counseling and/or coordination of care with other providers or agencies are provided consistent with the nature of the problem(s) and the patient's and/or family's needs. Usually, the presenting problem(s) are of low to moderate severity. Physicians typically spend 15 minutes face-to-face with the patient and/or family.	\$20.00	\$35.00
99214	Office or other outpatient visit for the evaluation and management of an established patient, which requires at least two of these three key components: a detailed history; a detailed examination; medical decision making of moderate complexity. Counseling and/or coordination of care with other providers or agencies are provided consistent with the nature of the problem(s) and the patient's and/or family's needs. Usually, the presenting problem(s) are of moderate to high severity. Physicians typically spend 25 minutes face-to-face with the patient and/or family.	\$20.00	\$54.42

**Healthy Beginnings Plus Services**

<i>Procedure Code</i>	<i>Description</i>	<i>Current Fee</i>	<i>MA Fee Effective July 1, 2008</i>
99203	Second Trimester Basic Maternity Care Visit	\$40.00	\$54.25
99204	Second Trimester High Risk Maternity Care Visit	\$40.00	\$90.37
99205	Third Trimester Basic Maternity Care Visit	\$40.00	\$117.54
99205	Third Trimester High Risk Maternity Care Visit	\$40.00	\$117.54
99214	Second Trimester High Risk Maternity Care Visit	\$40.00	\$54.42
99215	Third Trimester Basic Maternity Care Visit	\$40.00	\$78.05
99215	Third Trimester High Risk Maternity Care Visit	\$40.00	\$78.05
99384	First Trimester Basic Maternity Care Package	\$121.00	\$221.00
99384	First Trimester High Risk Maternity Care Package	\$159.00	\$259.00
99384	Second Trimester Basic Maternity Care Package	\$183.00	\$283.00
99384	Second Trimester High Risk Maternity Care Package	\$297.00	\$397.00
99385	First Trimester Basic Maternity Care Package	\$121.00	\$221.00
99385	First Trimester High Risk Maternity Care Package	\$159.00	\$259.00
99385	Second Trimester Basic Maternity Care Package	\$183.00	\$283.00
99385	Second Trimester High Risk Maternity Care Package	\$297.00	\$397.00
99386	First Trimester Basic Maternity Care Package	\$121.00	\$221.00
99386	First Trimester High Risk Maternity Care Package	\$159.00	\$259.00
99386	Second Trimester Basic Maternity Care Package	\$183.00	\$283.00
99386	Second Trimester High Risk Maternity Care Package	\$297.00	\$397.00
99394	First Trimester Basic Maternity Care Package	\$121.00	\$221.00
99394	First Trimester High Risk Maternity Care Package	\$159.00	\$259.00
99394	Second Trimester Basic Maternity Care Package	\$183.00	\$283.00
99394	Second Trimester High Risk Maternity Care Package	\$297.00	\$397.00
99395	First Trimester Basic Maternity Care Package	\$121.00	\$221.00
99395	First Trimester High Risk Maternity Care Package	\$159.00	\$259.00
99395	Second Trimester Basic Maternity Care Package	\$183.00	\$283.00
99395	Second Trimester High Risk Maternity Care Package	\$297.00	\$397.00
99396	First Trimester Basic Maternity Care Package	\$121.00	\$221.00
99396	First Trimester High Risk Maternity Care Package	\$159.00	\$259.00
99396	Second Trimester Basic Maternity Care Package	\$183.00	\$283.00
99396	Second Trimester High Risk Maternity Care Package	\$297.00	\$397.00
99429	Outreach Bonus for First Trimester Recruitment	\$100.00	\$200.00
H1002	Outreach Visit	\$45.00	\$100.00

*Additions to Fee Schedule*

The Department has added the following procedure codes to the Fee Schedule:

**Laboratory Service**

<i>Procedure Code</i>	<i>Description</i>	<i>MA Fee</i>
81007	Urinalysis; bacteriuria screen, except by culture or dipstick	\$3.00

**Screening for Developmental Delays and Autism Spectrum Disorder**

<i>Procedure Code</i>	<i>Description</i>	<i>MA Fee</i>
96110	Developmental testing, limited (such as, Developmental Screening Test II, Early Language Milestone Screen), with interpretation and report, each 15 minutes	\$11.00

The Department has issued MA Bulletins to affected providers with instructions for billing the procedure codes specified previously.

*Fiscal Impact*

These changes are expected to result in increased costs of \$ 15.279 million (\$7.138 million in State funds) in the MA Outpatient Program in Fiscal Year (FY) 2008-2009 and projected costs of \$18.335 million (\$8.544 million in State funds) in FY 2009-2010.

*Public Comment*

Interested persons are invited to submit written comments regarding this notice to the 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 to the MA Program Fee Schedule.

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-566. (1) General Fund; (2) Implementing year 2008-09 is \$7.138 million; (3) 1st Succeeding Year 2009-10 is \$8.544 million; 2nd Succeeding Year 2010-11 \$8.544 million; 3rd Succeeding Year is \$8.544 million; 4th Succeeding Year 2012-13 is \$8.544 million; 5th Succeed Year 2013-14 is \$8.544 million; (4) 2007-08 Program \$593.992 million; 2006-07 Program \$671.472 million; 2005-06 Program \$945.950 million; (7) Medical Assistance—Outpatient; (8) recommends adoption.

[Pa.B. Doc. No. 08-1607. Filed for public inspection August 29, 2008, 9:00 a.m.]

## Medical Assistance Program Fee Increases for Complete Early and Periodic Screening, Diagnosis and Treatment (EPSDT) Screens

*Purpose of Notice*

The Department of Public Welfare (Department) announces that it will increase the fees paid by the Medical Assistance (MA) Program for complete EPSDT screens for MA recipients under 21 years of age, effective with dates of service on and after September 1, 2008. The Department consulted with the Pennsylvania Chapter of the American Academy of Pediatrics, the Pennsylvania Medical Society, the Medical Assistance Advisory Committee, medical providers and other key stakeholders in developing the fee increases for complete EPSDT screens. Complete EPSDT screens are those that include all of the screening components listed on the Department's EPSDT Periodicity Schedule. To encourage providers to perform a complete EPSDT screen at each interval on the EPSDT Periodicity Schedule, the fees for the complete EPSDT screens are higher than the combined fees for each component of each periodic screen.

The Department is increasing the fees for complete EPSDT screens which include all of the components and at intervals listed on the EPSDT Periodicity Schedule as follows:

<i>Screening Period</i>	<i>Description*</i>	<i>Current Fee For Complete Screen</i>	<i>Fee For Complete Screen Effective September 1, 2008</i>
Newborn	Office Visit, developmental surveillance, psychosocial/behavioral assessment, oral health	\$65.00	\$80.00
by 1 month of age	Office Visit, developmental surveillance, psychosocial/behavioral assessment, oral health	\$65.00	\$80.00
2-3 months of age	Office Visit, developmental surveillance, psychosocial/behavioral assessment, oral health	\$65.00	\$80.00
4-5 months of age	Office Visit, developmental surveillance, psychosocial/behavioral assessment, oral health	\$65.00	\$80.00
6-8 months of age	Office Visit, developmental surveillance, psychosocial/behavioral assessment, oral health	\$65.00	\$80.00
9-11 months of age	Office visit, developmental screen, psychosocial/behavioral assessment, lead screen, anemia screen, oral health	\$65.00	\$105.00
12 months of age	Office Visit, developmental surveillance, psychosocial/behavioral assessment, oral health	\$65.00	\$80.00
15 months of age	Office Visit, developmental surveillance, psychosocial/behavioral assessment, oral health	\$65.00	\$80.00
18 months of age	Office visit, developmental screen, autism screen, psychosocial/behavioral assessment, lead screen, oral health	\$65.00	\$125.00

<i>Screening Period</i>	<i>Description*</i>	<i>Current Fee For Complete Screen</i>	<i>Fee For Complete Screen Effective September 1, 2008</i>
24 months of age	Office Visit, autism screen, developmental surveillance, psychosocial/behavioral assessment, lead screen, oral health	\$65.00	\$105.00
30 months of age	Office Visit, developmental screen, psychosocial/behavioral assessment, lead screen, oral health	\$65.00	\$105.00
3 years of age and older	Office visit, oral health, age appropriate screens/surveillance	\$65.00	\$90.00

\*Descriptions do not include all activities associated with each periodic EPSDT screen. A complete listing of all activities is included on the Department's EPSDT Periodicity Schedule.

The Department has issued an MA Bulletin to affected providers with the new EPSDT Periodicity Schedule, which describes each component of each periodic screen in more detail, and instructions explaining how to bill the increased fees.

#### *Fiscal Impact*

The fee increases are estimated to result in increased costs of \$2.068 million (\$0.941 million in State funds) in the Medical Assistance Outpatient Program in Fiscal Year (FY) 2008-2009 and annualized costs of \$3.102 million (\$1.409 million in State funds) in FY 2009-2010.

#### *Public Comment*

Interested persons are invited to submit written comments regarding this notice to the Department of Public Welfare, Office of Medical Assistance Programs, Attention: 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 revisions to the MA Program fees for complete EPSDT screens.

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-567. (1) General Fund; (2) Implementing Year 2008-09 is \$0.941 million; (3) 1st Succeeding Year 2009-10 is \$1.409 million; 2nd Succeeding Year 2010-11 is \$1.409 million; 3rd Succeeding Year 2011-12 is \$1.409 million; 4th Succeeding Year is 2012-13 is \$1.409 million; 5th Succeeding Year is \$1.409 million; (4) 2007-08 Program \$593.992 million; 2006-07 Program \$671.472 million; 2005-06 Program \$945.950 million; (7) Medical Assistance—Outpatient; (8) recommends adoption.

[Pa.B. Doc. No. 08-1608. Filed for public inspection August 29, 2008, 9:00 a.m.]

## DEPARTMENT OF REVENUE

### Pennsylvania Sultan's Palace Instant Lottery Game

Under the State Lottery Law (72 P. S. §§ 3761-101—3761-314) and 61 Pa. Code § 819.203 (relating to notice of instant game rules), the Secretary of Revenue hereby provides public notice of the rules for the following instant lottery game:

1. *Name:* The name of the game is Pennsylvania Sultan's Palace.

2. *Price:* The price of a Pennsylvania Sultan's Palace instant lottery game ticket is \$5.

3. *Play Symbols:* Each Pennsylvania Sultan's Palace instant lottery game ticket will contain one play area featuring a "PALACE NUMBERS" area and a "YOUR NUMBERS" area. The play symbols and their captions located in the "PALACE NUMBERS" area are: 1 (ONE), 2 (TWO), 3 (THREE), 4 (FOUR), 5 (FIVE), 6 (SIX), 7 (SEVEN), 8 (EIGHT), 9 (NINE), 10 (TEN), 11 (ELEVN),

12 (TWLV), 13 (THRTN), 14 (FORTN), 15 (FIFTN), 16 (SIXTN), 17 (SVNTN), 18 (EGHTN), 19 (NINTN), 20 (TWENT), 21 (TWYONE), 22 (TWYTWO), 23 (TWYTHR) and 24 (TWYFOR). The play symbols and their captions located in the "YOUR NUMBERS" area are: 1 (ONE), 2 (TWO), 3 (THREE), 4 (FOUR), 5 (FIVE), 6 (SIX), 7 (SEVEN), 8 (EIGHT), 9 (NINE), 10 (TEN), 11 (ELEVN), 12 (TWLV), 13 (THRTN), 14 (FORTN), 15 (FIFTN), 16 (SIXTN), 17 (SVNTN), 18 (EGHTN), 19 (NINTN), 20 (TWENT), 21 (TWYONE), 22 (TWYTWO), 23 (TWYTHR), 24 (TWYFOR), Coin symbol (COIN) and a Genie symbol (GENIE).

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

5. *Prizes:* The prizes that can be won in this game are: \$2, \$5, \$10, \$20, \$40, \$50, \$100, \$500, \$1,000, \$10,000, \$50,000 and \$100,000. A player can win up to ten times on a ticket.

6. *Approximate Number of Tickets Printed For the Game:* Approximately 4,800,000 tickets will be printed for the Pennsylvania Sultan's Palace instant lottery game.

7. *Determination of Prize Winners:*

(a) Holders of tickets upon which any of the "YOUR NUMBERS" play symbols matches any of the "PALACE NUMBERS" play symbols and a prize symbol of \$100,000 (ONEHUNTHO) appears under the matching "YOUR NUMBERS" play symbol, on a single ticket, shall be entitled to a prize of \$100,000.

(b) Holders of tickets upon which any of the "YOUR NUMBERS" play symbols matches any of the "PALACE NUMBERS" play symbols and a prize symbol of \$50,000 (FTY THO) appears under the matching "YOUR NUMBERS" play symbol, on a single ticket, shall be entitled to a prize of \$50,000.

(c) Holders of tickets upon which any of the "YOUR NUMBERS" play symbols matches any of the "PALACE NUMBERS" play symbols and a prize symbol of \$10,000 (TEN THO) appears under the matching "YOUR NUMBERS" play symbol, on a single ticket, shall be entitled to a prize of \$10,000.

(d) Holders of tickets upon which any of the "YOUR NUMBERS" play symbols matches any of the "PALACE NUMBERS" play symbols and a prize symbol of \$1,000 (ONE THO) appears under the matching "YOUR NUMBERS" play symbol, on a single ticket, shall be entitled to a prize of \$1,000.

(e) Holders of tickets upon which any of the "YOUR NUMBERS" play symbols matches any of the "PALACE NUMBERS" play symbols and a prize symbol of \$500 (FIV HUN) appears under the matching "YOUR NUMBERS" play symbol, on a single ticket, shall be entitled to a prize of \$500.

(f) Holders of tickets upon which any one of the "YOUR NUMBERS" play symbols is a Coin symbol (COIN), and a prize symbol of \$500 (FIV HUN) appears under the Coin symbol (COIN), on a single ticket, shall be entitled to a prize of \$500.

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

(h) Holders of tickets upon which any of the "YOUR NUMBERS" play symbols matches any of the "PALACE NUMBERS" play symbols and a prize symbol of \$100 (ONE HUN) appears under the matching "YOUR NUMBERS" play symbol, on a single ticket, shall be entitled to a prize of \$100.

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

(j) Holders of tickets upon which any one of the "YOUR NUMBERS" play symbols is a Genie symbol (GENIE), and a prize symbol of \$50\$ (FIFTY) appears under the Genie symbol (GENIE), on a single ticket, shall be entitled to a prize of \$100.

(k) Holders of tickets upon which any of the "YOUR NUMBERS" play symbols matches any of the "PALACE NUMBERS" play symbols and a prize symbol of \$50\$ (FIFTY) appears under the matching "YOUR NUMBERS" play symbol, on a single ticket, shall be entitled to a prize of \$50.

(l) Holders of tickets upon which any one of the "YOUR NUMBERS" play symbols is a Coin symbol (COIN), and a prize symbol of \$50\$ (FIFTY) appears under the Coin symbol (COIN), on a single ticket, shall be entitled to a prize of \$50.

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

(n) Holders of tickets upon which any one of the "YOUR NUMBERS" play symbols is a Coin symbol (COIN), and a prize symbol of \$40\$ (FORTY) appears under the Coin symbol (COIN), on a single ticket, shall be entitled to a prize of \$40.

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

(p) Holders of tickets upon which any of the "YOUR NUMBERS" play symbols matches any of the "PALACE NUMBERS" play symbols and a prize symbol of \$20\$ (TWENTY) appears under the matching "YOUR NUMBERS" play symbol, on a single ticket, shall be entitled to a prize of \$20.

(q) Holders of tickets upon which any one of the "YOUR NUMBERS" play symbols is a Coin symbol (COIN), and a prize symbol of \$20\$ (TWENTY) appears under the Coin symbol (COIN), on a single ticket, shall be entitled to a prize of \$20.

(r) Holders of tickets upon which any one of the "YOUR NUMBERS" play symbols is a Genie symbol (GENIE), and a prize symbol of \$10<sup>00</sup> (TEN DOL) appears under the Genie symbol (GENIE), on a single ticket, shall be entitled to a prize of \$20.

(s) Holders of tickets upon which any of the "YOUR NUMBERS" play symbols matches any of the "PALACE NUMBERS" play symbols and a prize symbol of \$10<sup>00</sup> (TEN DOL) appears under the matching "YOUR NUMBERS" play symbol, on a single ticket, shall be entitled to a prize of \$10.

(t) Holders of tickets upon which any one of the "YOUR NUMBERS" play symbols is a Coin symbol (COIN), and a prize symbol of \$10<sup>00</sup> (TEN DOL) appears under the Coin symbol (COIN), on a single ticket, shall be entitled to a prize of \$10.

(u) Holders of tickets upon which any one of the "YOUR NUMBERS" play symbols is a Genie symbol (GENIE), and a prize symbol of \$5<sup>00</sup> (FIV DOL) appears under the Genie symbol (GENIE), on a single ticket, shall be entitled to a prize of \$10.

(v) Holders of tickets upon which any of the "YOUR NUMBERS" play symbols matches any of the "PALACE NUMBERS" play symbols and a prize symbol of \$5<sup>00</sup> (FIV DOL) appears under the matching "YOUR NUMBERS" play symbol, on a single ticket, shall be entitled to a prize of \$5.

(w) Holders of tickets upon which any one of the "YOUR NUMBERS" play symbols is a Coin symbol (COIN), and a prize symbol of \$5<sup>.00</sup> (FIV DOL) appears under the Coin symbol (COIN), on a single ticket, shall be entitled to a prize of \$5.

(x) Holders of tickets upon which any of the "YOUR NUMBERS" play symbols matches any of the "PALACE NUMBERS" play symbols and a prize symbol of \$2<sup>.00</sup>

(TWO DOL) appears under the matching "YOUR NUMBERS" play symbol, on a single ticket, shall be entitled to a prize of \$2.

8. *Number and Description of Prizes and Approximate Odds:* The following table sets forth the approximate number of winners, amounts of prizes and approximate odds of winning:

*When Any Of Your Numbers Match Any Of The Palace Numbers, Win With Prize(s) Of:*

	<i>Win:</i>	<i>Approximate Odds Are 1 In:</i>	<i>Approximate No. Of Winners Per 4,800,000 Tickets</i>
\$5 w/COIN	\$5	17.14	280,000
\$5	\$5	17.14	280,000
\$2 × 5	\$10	120	40,000
\$5 × 2	\$10	120	40,000
\$5 w/GENIE	\$10	120	40,000
\$10 w/COIN	\$10	120	40,000
\$10	\$10	60	80,000
\$5 × 4	\$20	150	32,000
\$10 × 2	\$20	150	32,000
\$10 w/GENIE	\$20	150	32,000
\$20 w/COIN	\$20	150	32,000
\$20	\$20	150	32,000
\$5 × 8	\$40	600	8,000
\$10 × 4	\$40	600	8,000
\$20 w/GENIE	\$40	600	8,000
\$40 w/COIN	\$40	600	8,000
\$40	\$40	600	8,000
\$5 × 10	\$50	600	8,000
\$10 × 5	\$50	600	8,000
(\$20 w/GENIE) + \$10	\$50	600	8,000
\$50 w/COIN	\$50	600	8,000
\$50	\$50	600	8,000
\$10 × 10	\$100	1,200	4,000
\$20 × 5	\$100	1,200	4,000
\$50 w/GENIE	\$100	1,200	4,000
\$100 w/COIN	\$100	1,263	3,800
\$100	\$100	1,200	4,000
\$50 × 10	\$500	24,000	200
\$100 × 5	\$500	24,000	200
(\$100 w/GENIE) + (\$100 × 3)	\$500	24,000	200
\$500 w/COIN	\$500	24,000	200
\$500	\$500	24,000	200
\$100 × 10	\$1,000	20,000	240
\$500 × 2	\$1,000	20,000	240
(\$100 w/GENIE) + (\$100 × 8)	\$1,000	20,000	240
\$1,000	\$1,000	20,000	240
\$10,000	\$10,000	480,000	10
\$50,000	\$50,000	480,000	10
\$100,000	\$100,000	480,000	10

Coin (COIN) = Win prize shown under it automatically.  
Genie (GENIE) = Win double the prize shown under it.

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

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

10. *Unclaimed Prize Money:* For a period of 1 year from the announced close of Pennsylvania Sultan's Palace, prize money from winning Pennsylvania Sultan's Palace instant lottery game tickets will be retained by the Secretary for payment to the persons entitled thereto. If no claim is made within 1 year of the announced close of the Pennsylvania Sultan's Palace instant lottery game, the right of a ticket holder to claim the prize represented by the ticket, if any, will expire and the prize money will be paid into the State Lottery Fund and used for purposes provided for by statute.

11. *Governing Law:* In purchasing a ticket, the customer agrees to comply with and abide by the State Lottery Law (72 P. S. §§ 3761-101—3761-314), 61 Pa. Code Part V (relating to State Lotteries) and the provisions contained in this notice.

12. *Termination of the Game:* The Secretary may announce a termination date, after which no further tickets from this game may be sold. The announcement will be disseminated through media used to advertise or promote Pennsylvania Sultan's Palace or through normal communications methods.

THOMAS W. WOLF,  
Secretary

[Pa.B. Doc. No. 08-1609. Filed for public inspection August 29, 2008, 9:00 a.m.]

### Pennsylvania \$2.5 Million Joker's Wild '08 Instant Lottery Game

[ Correction ]

An error occurred in Section 8 of the document which appeared at 38 Pa.B. 4688, 4691—4693 (August 23, 2008). The correct version of Section 8 is as follows:

8. *Number and Description of Prizes and Approximate Odds:* The following table sets forth the approximate number of winners, amount of prizes and approximate odds of winning:

<i>Game 1</i>	<i>Game 2</i>	<i>Game 3</i>	<i>Fast \$50</i>	<i>Fast \$100</i>	<i>Win</i>	<i>Approximate Odds Are 1 In:</i>	<i>Approximate No. of Winners Per 5,760,000 Tickets</i>
\$25 w/JOKER					\$25	20	288,000
\$25	\$25				\$25	20	288,000
		\$25			\$25	20	288,000
\$25 × 2					\$25	27.27	211,200
\$50 w/JOKER					\$50	120	48,000
\$50					\$50	120	48,000
	\$25 w/JOKER				\$50	120	48,000
	\$50				\$50	120	48,000
		\$25 × 2			\$50	120	48,000
		\$50			\$50	120	48,000
			\$50		\$50	24	240,000
\$25 × 4					\$100	600	9,600
\$100 w/JOKER					\$100	600	9,600
\$100					\$100	300	19,200
	\$25 × 4				\$100	300	19,200
	\$50 w/JOKER				\$100	300	19,200
	\$100				\$100	300	19,200
		\$50 × 2			\$100	300	19,200
		\$100			\$100	300	19,200
\$50			\$50		\$100	200	28,800
				\$100	\$100	120	48,000
\$50 × 4					\$200	3,429	1,680
\$100 × 2					\$200	3,429	1,680
\$200 w/JOKER					\$200	3,429	1,680
\$200					\$200	3,429	1,680
	\$50 × 4				\$200	3,429	1,680
	\$100 × 2				\$200	3,429	1,680
	\$100				\$200	3,429	1,680
	w/JOKER				\$200	3,429	1,680
	\$200				\$200	3,429	1,680
		\$200			\$200	3,429	1,680
		JOKER	\$50		\$200	3,429	1,680
		w/\$25 × 6			\$200	3,429	1,680
	\$50	JOKER			\$200	3,429	1,680
		w/\$25 × 6			\$200	3,429	1,680
\$50	\$50	\$50	\$50		\$200	3,429	1,680
	\$50	\$50		\$100	\$200	3,429	1,680
		\$50	\$50	\$100	\$200	3,429	1,680



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<i>Game 1</i>	<i>Game 2</i>	<i>Game 3</i>	<i>Fast \$50</i>	<i>Fast \$100</i>	<i>Win</i>	<i>Approximate Odds Are 1 In:</i>	<i>Approximate No. of Winners Per 5,760,000 Tickets</i>
\$200 × 2					\$400	4,800	1,200
\$400					\$400	4,800	1,200
w/JOKER					\$400	4,800	1,200
\$400	\$200				\$400	4,800	1,200
	w/JOKER				\$400	4,800	1,200
	\$400				\$400	4,800	1,200
		\$200 × 2			\$400	4,800	1,200
		\$400			\$400	4,800	1,200
\$25 × 2	\$25 × 12	\$25 × 2			\$400	4,800	1,200
\$25	\$25	JOKER	\$50		\$400	4,800	1,200
		w/\$50 × 6			\$400	4,800	1,200
		JOKER		\$100	\$400	4,800	1,200
		w/\$50 × 6			\$400	4,800	1,200
\$100	\$100	\$100		\$100	\$400	4,800	1,200
\$100 × 5					\$500	8,000	720
\$500					\$500	8,000	720
w/JOKER					\$500	8,000	720
\$500					\$500	8,000	720
	(\$200				\$500	8,000	720
	w/JOKER) +				\$500	8,000	720
	\$100				\$500	8,000	720
	\$500	\$100 × 5			\$500	8,000	720
		\$500			\$500	8,000	720
\$100	\$100	JOKER			\$500	8,000	720
		w/\$50 × 6			\$500	8,000	720
\$50	\$50 × 2	JOKER	\$50		\$500	8,000	720
		w/\$50 × 6			\$500	8,000	720
\$25 × 2	\$25 × 12		\$50	\$100	\$500	8,000	720
\$1,000					\$1,000	8,000	720
w/JOKER					\$1,000	8,000	720
\$1,000					\$1,000	8,000	720
	\$1,000	\$100 × 2			\$1,000	8,000	720
	\$400				\$1,000	8,000	720
	w/JOKER				\$1,000	8,000	720
\$50	\$50 × 12	\$1,000	\$50		\$1,000	8,000	720
		JOKER			\$1,000	8,000	720
\$50 × 4	\$50 × 3	w/\$50 × 6	\$50		\$1,000	8,000	720
		JOKER			\$1,000	8,000	720
\$50 × 6	\$50 × 6	w/\$100 × 6		\$100	\$1,000	8,000	720
		JOKER			\$1,000	8,000	720
\$100 × 2	\$100 × 2	w/\$50 × 6			\$1,000	8,000	720
		JOKER			\$1,000	8,000	720
		w/\$100 × 6			\$1,000	8,000	720
\$2,500					\$2,500	120,000	48
	\$2,500				\$2,500	120,000	48
		\$2,500			\$2,500	120,000	48
\$50,000					\$50,000	2,880,000	2
	\$50,000				\$50,000	2,880,000	2
		\$50,000			\$50,000	2,880,000	2
\$250,000					\$250,000	2,880,000	2
	\$250,000				\$250,000	5,760,000	1
		\$250,000			\$250,000	5,760,000	1
\$2,500,000					\$2,500,000	2,880,000	2
	\$2,500,000				\$2,500,000	2,880,000	2
		\$2,500,000			\$2,500,000	5,760,000	1

Game 1—Reveal 2 identical cards in same hand, win prize shown below that hand.

Joker (JKR) = Win prize shown below that symbol automatically.

Game 2—Match any of your cards to the winning card, win prize shown below matching card(s).

Joker (JKR) = Win double the prize shown below that symbol automatically.

Game 3—When any of your cards in any hand beat the dealer's card, win prize shown for that hand.

Joker (JKR) = Get a Joker symbol in any hand, win all 6 prizes shown.

<i>Game 1</i>	<i>Game 2</i>	<i>Game 3</i>	<i>Fast \$50</i>	<i>Fast \$100</i>	<i>Win</i>	<i>Approximate Odds Are 1 In:</i>	<i>Approximate No. of Winners Per 5,760,000 Tickets</i>
Fast \$50: Get a "Joker" (JKR) symbol, win \$50 automatically.							
Fast \$100: Get a "Joker" (JKR) symbol, win \$100 automatically.							

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

THOMAS W. WOLF,  
*Secretary*

[Pa.B. Doc. No. 08-1542. Filed for public inspection August 22, 2008, 9:00 a.m.]

## HEALTH CARE COST CONTAINMENT COUNCIL

### Meetings Scheduled

The following meetings of the Health Care Cost Containment Council have been scheduled for Wednesday, September 3, 2008, Audit Committee Meeting—9 a.m., Data Systems Committee—10 a.m., Education Committee—1 p.m. and Executive Committee Meeting—3 p.m.; Thursday, September 4, 2008, Council Meeting—10 a.m. Additional Council meeting is scheduled for November 6, 2008. The meetings will be held in the conference room at the Council Office, 225 Market Street, Suite 400, Harrisburg, PA 17101. The public is invited to attend. Persons in need of accommodations due to a disability and want to attend the meetings should contact Cherie Elias, Health Care Cost Containment Council, 225 Market Street, Harrisburg, PA 17101, (717) 232-6787 at least 24 hours in advance so that arrangements can be made.

DAVID H. WILDERMAN,  
*Acting Executive Director*

[Pa.B. Doc. No. 08-1610. Filed for public inspection August 29, 2008, 9:00 a.m.]

## INDEPENDENT REGULATORY REVIEW COMMISSION

### 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>
6-307	State Board of Education Special Education for Gifted Students	8/12/08	9/18/08
11-235	Insurance Department Actuarial Opinion and Memorandum	8/18/08	9/18/08

ARTHUR COCCODRILLI,  
*Chairperson*

[Pa.B. Doc. No. 08-1611. Filed for public inspection August 29, 2008, 9:00 a.m.]

## INSURANCE DEPARTMENT

**Applications for Approval of the Consolidation of Highmark, Inc. and Independence Blue Cross and to Acquire Control of the Pennsylvania Domiciled Insurance Subsidiaries of Highmark, Inc. and Independence Blue Cross**

### Conclusion of Public Comment Period

The Insurance Department (Department) published notice of receipt of the previous-referenced filings at 37 Pa.B. 2273 (May 12, 2007). The notice afforded persons the opportunity to provide written comments on the filings to the Department on the grounds of public or private interest for a period to expire no earlier than July 11, 2007. Through a subsequent notice, the public comment period was extended for an indefinite period of time to afford persons ample opportunity to provide written comments on the filings to the Department. (See 37 Pa.B. 3141 (July 7, 2007).) Within that July 7 notice, the Insurance Commissioner committed to a subsequent notice in the *Pennsylvania Bulletin* announcing the closing of the comment period. The Department subsequently held public informational hearings on the filings on July 8, 2008 (Pittsburgh), July 10, 2008 (Harrisburg) and July 15 and 16 (Philadelphia). At the conclusion of the public information hearings, the Department announced that it was considering closing the public comment period at the end of August.

To maximize public input, the Department intends to extend the public comment period for an additional month and close the public comment period on September

30. This affords the public more than 60 days after the close of the public hearings to consider all issues presented at the hearings, as well as the applicants' responses to the public comments made at the hearings and other information posted to the Department's web site [www.ins.state.pa.us](http://www.ins.state.pa.us) after the hearings.

Persons wishing to comment on the grounds of public or private interest are invited to submit a written statement to the Department on or before September 30, 2008. Each written statement must include the 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, Chief, Company Licensing Division, Insurance Department, 1345 Strawberry Square, Harrisburg, PA 17120, fax (717) 787-8557, [rbrackbill@state.pa.us](mailto:rbrackbill@state.pa.us). Be advised that all comments received will be part of the public record regarding this filing.

JOEL SCOTT ARIO,  
*Insurance Commissioner*

[Pa.B. Doc. No. 08-1612. Filed for public inspection August 29, 2008, 9:00 a.m.]

## MILK MARKETING BOARD

### Hearing and Presubmission Schedule for All Milk Marketing Areas; Adjustments to Resale Prices Interaction Between High Milk Prices and Percentage Discounts

Under the Milk Marketing Law (31 P. S. § 700j-101—700j-1302), the Milk Marketing Board (Board) will conduct a public hearing for Milk Marketing Areas 1—6 on October 1, 2008, at 11 a.m. in Room 202 of the Agriculture Building, 2301 North Cameron Street, Harrisburg, PA.

The purpose of the hearing is to receive testimony and exhibits concerning the interaction between milk prices and percentage discounts that milk dealers may provide to their customers and to consider adjustments to in- and out-of-store prices to address that interaction.

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 September 10, 2008, a notice of appearance substantially in the form prescribed by 1 Pa. Code § 31.25 (relating to form of notice of appearance); or (2) if unrepresented by counsel, filing with the Board on or before 4 p.m. on September 10, 2008, notification of their desire to be included as a party. Parties may indicate in their notices of appearance if alternate means of service, that is, email or fax, are acceptable.

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 September 12, 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 September 19, 2008, responding parties 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 September 26, 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 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 September 22, 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. 08-1613. Filed for public inspection August 29, 2008, 9:00 a.m.]

## PENNSYLVANIA EMERGENCY MANAGEMENT AGENCY

### Application for the Volunteer Fire Company and Volunteer Ambulance Services Grant Program

This notice provides information about the Volunteer Fire Company and Volunteer Ambulance Services Grant Program. Volunteer fire companies and volunteer ambulance services seeking grants under the Volunteer Fire Company and Volunteer Ambulance Services Program Act (72 P. S. §§ 3943.1—3944.5) shall submit completed applications no later than 4 p.m. Eastern Daylight Saving Time on October 17, 2009. Written instructions and guidelines for the grant program will be available on line at the Office of State Fire Commissioner web site [www.sfc.state.pa.us](http://www.sfc.state.pa.us)

w.osfc.state.pa.us no later than September 1, 2009. Grant applications will be available on line at the Office of State Fire Commissioner web site www.osfc.state.pa.us no later than September 2, 2009.

ROBERT P. FRENCH,  
*Director*

[Pa.B. Doc. No. 08-1614. Filed for public inspection August 29, 2008, 9:00 a.m.]

# PENNSYLVANIA INDUSTRIAL DEVELOPMENT AUTHORITY

## Interest Rates and Participation Rates

The Pennsylvania Industrial Development Authority (PIDA) gives notice of the change in participation rates for loans approved by the PIDA Board of Directors.

Beginning with the September 2008 PIDA Board meeting, and until further notice, all applications approved will be subject to the participation rate schedule attached to this Notice as Annex A, which was approved at the August 6, 2008, PIDA Board of Directors meeting. Participation rates for the respective counties have been determined by the most recent applicable unemployment statistics.

This interest rate on PIDA loans remains unchanged at 4.00% Statewide.

Further information can be obtained from the Pennsylvania Industrial Development Authority, Commonwealth Keystone Building, 400 North Street, 4th Floor, Harrisburg, PA 17120, (717) 787-6245.

DENNIS YABLONSKY,  
*Chairperson*

### PIDA PIDA Participation and Interest Rates for Counties and Municipalities\* Over 25,000 Population Effective September 2008 and forward (until further notice)

	<i>Maximum PIDA Participation</i>		<i>Interest Rate **</i>		<i>Maximum PIDA Participation</i>		<i>Interest Rate **</i>
	<i>(S)</i>	<i>(L)</i>	<i>%</i>		<i>(S)</i>	<i>(L)</i>	<i>%</i>
ADAMS	30 * * * *	30 * * * *	4.00	CAMBRIA	40 * * * *	40 * * * *	4.00
ALLEGHENY	40 * * * *	30 * * * *	4.00	Johnstown City	50	40 * * * *	4.00
ARMSTRONG	40 * * * *	40 * * * *	4.00	CAMERON	40 * * * *	40 * * * *	4.00
BEAVER	40 * * * *	30 * * * *	4.00	CARBON	40 * * * *	40 * * * *	4.00
BEDFORD	40 * * * *	40 * * * *	4.00	CENTRE	40 * * * *	40 * * * *	4.00
BERKS	40 * * * *	30 * * * *	4.00	CHESTER	30 * * * *	30 * * * *	4.00
Reading City	50	30 * * * *	4.00	CLARION	40 * * * *	40 * * * *	4.00
BLAIR	40 * * * *	40 * * * *	4.00	CLEARFIELD	40 * * * *	40 * * * *	4.00
BRADFORD	40 * * * *	30 * * * *	4.00	Clearfield Borough	60	50	4.00
BUCKS	40 * * * *	30 * * * *	4.00	CLINTON	40 * * * *	40 * * * *	4.00
BUTLER	40 * * * *	30 * * * *	4.00	COLUMBIA	40 * * * *	40 * * * *	4.00
				CRAWFORD	40 * * * *	40 * * * *	4.00
				CUMBERLAND	30 * * * *	30 * * * *	4.00
				DAUPHIN	40 * * * *	30 * * * *	4.00
				DELAWARE	40 * * * *	30 * * * *	4.00
				Chester City	50	30 * * * *	4.00
				ELK	40 * * * *	40 * * * *	4.00
				ERIE	40 * * * *	40 * * * *	4.00
				FAYETTE	40 * * * *	40 * * * *	4.00
				FOREST	50	40 * * * *	4.00
				FRANKLIN	40 * * * *	30 * * * *	4.00
				FULTON	40 * * * *	30 * * * *	4.00
				GREENE	40 * * * *	40 * * * *	4.00
				HUNTINGDON	40 * * * *	40 * * * *	4.00
				INDIANA	40 * * * *	40 * * * *	4.00
				JEFFERSON	40 * * * *	40 * * * *	4.00
				JUNIATA	40 * * * *	30 * * * *	4.00
				LACKAWANNA	40 * * * *	30 * * * *	4.00
				LANCASTER	30 * * * *	30 * * * *	4.00
				Lancaster City	40 * * * *	30 * * * *	4.00
				LAWRENCE	40 * * * *	40 * * * *	4.00
				New Castle City	50	40 * * * *	4.00
				LEBANON	40 * * * *	30 * * * *	4.00
				LEHIGH	40 * * * *	30 * * * *	4.00
				LUZERNE	40 * * * *	40 * * * *	4.00
				Hazleton City	50	40 * * * *	4.00
				LYCOMING	40 * * * *	30 * * * *	4.00
				MCKEAN	40 * * * *	40 * * * *	4.00
				MERCER	40 * * * *	40 * * * *	4.00
				Sharon City	50	40 * * * *	4.00
				MIFFLIN	40 * * * *	40 * * * *	4.00
				MONROE	40 * * * *	30 * * * *	4.00
				MONTGOMERY	40 * * * *	30 * * * *	4.00
				MONTOUR	40 * * * *	30 * * * *	4.00
				NORTHAMPTON	40 * * * *	30 * * * *	4.00
				NORTHUMBERLAND	40 * * * *	40 * * * *	4.00

	Maximum PIDA Participation		Interest Rate ** %
	(S)	(L)	
PERRY	40 ***	30 *****	4.00
PHILADELPHIA	50	40 ***	4.00
PIKE	40 ***	30 *****	4.00
POTTER	50	40 ***	4.00
SCHUYLKILL	40 ***	40 ***	4.00
SNYDER	40 ***	30 *****	4.00
SOMERSET	40 ***	40 ***	4.00
SULLIVAN	40 ***	40 ***	4.00
SUSQUEHANNA	40 ***	30 *****	4.00
TIOGA	40 ***	40 ***	4.00
UNION	40 ***	30 *****	4.00
VENANGO	40 ***	40 ***	4.00
WARREN	40 ***	40 ***	4.00
WASHINGTON	40 ***	40 ***	4.00
WAYNE	40 ***	30 *****	4.00
WESTMORELAND	40 ***	40 ***	4.00
WYOMING	40 ***	40 ***	4.00
YORK	30 *****	30 *****	4.00
York City	50	30 *****	4.00

\* Municipalities are listed only if PIDA rate differs from County rate.

\*\* Based on calendar year 2007 unemployment rate. Subject to change at discretion of the PIDA Board.

(S) Small Business (Less than 50 existing employees, including parent, subsidiaries and affiliates.)

(L) Large Business.

*Special Note:* Projects located in Designated Enterprise Zones, Financially Distressed Municipalities under Act 47 (Over), Federal Empowerment Zones, Federal Enterprise Communities, Keystone Opportunity Zones, Keystone Opportunity Expansion Zones, Keystone Opportunity Improvement Zones, Keystone Innovation Zones, Brownfield Sites and Companies Designated as Advanced Tech Firms will receive an interest rate of 4%.

Also, projects located in Keystone Innovation Zones are eligible to receive participation rates of up to 75% at the discretion of the PIDA Board.

\*\*\* 10% Equity required  
\*\*\*\* 20% Equity required

[Pa.B. Doc. No. 08-1615. Filed for public inspection August 29, 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 September 15, 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.

### Application of the following for approval to begin operating as common carriers for transportation of persons as described under each application.

**A-2008-2058098. Robert P. Heller** (174 Billman Road, Mill Hall, Clinton County, PA 17751)—persons, in paratransit service, whose personal convictions prevent them from owning or operating motor vehicles, from points in the Counties of Clinton, Centre and Lycoming, to points in Pennsylvania and return.

*Pennsylvania Public Utility Commission, Bureau of Transportation and Safety v. Thompson Travel Bureau, Inc.; Doc. No. C-2008-2048183*

### COMPLAINT

The Pennsylvania Public Utility Commission (Commission) is a duly constituted agency of the Commonwealth of Pennsylvania empowered to regulate public utilities within the Commonwealth. The Commission has delegated its authority to initiate proceedings which are prosecutory in nature to the Bureau of Transportation and Safety and other bureaus with enforcement responsibilities. Pursuant to that delegated authority and Section 701 of the Public Utility Code, the Bureau of Transportation and Safety Prosecutory Staff hereby represents as follows:

1. That all authority issued to Thompson Travel Bureau, Inc. (respondent) is under suspension effective October 1, 2002 for failure to maintain evidence of insurance on file with this Commission.
2. That respondent maintains a principal place of business at 621 Lackawanna Avenue, Scranton, PA 18503.
3. That respondent was issued a Certificate of Public Convenience by this Commission on October 1, 1969 at Application Docket No. A-00081141.
4. That respondent has failed to maintain evidence of Surety Bond insurance on file with this Commission.
5. That respondent, by failing to maintain evidence of insurance on file with this Commission, violated 66 Pa.C.S. § 512, 52 Pa. Code § 32.2(c), and 52 Pa. Code § 32.11(a), § 32.12(a) or § 32.13(a).

Wherefore, unless respondent causes its insurer to file evidence of insurance with this Commission within twenty (20) days of the date of service of this Complaint, the Bureau of Transportation and Safety Prosecutory Staff will request that the Commission issue an Order which (1) cancels the Certificate of Public Convenience held by respondent at Docket No. for failure to maintain evidence of current insurance on file with the Commission, (2) fines Respondent the sum of two hundred and fifty dollars (\$250.00) for the illegal activity described in

this Complaint, (3) orders such other remedy as the Commission may deem to be appropriate, which may include the suspension of a vehicle registration and (4) imposes an additional fine on the respondent should cancellation occur.

Respectfully submitted,

Wendy J. Keezel, Chief of Enforcement  
Motor Carrier Services & Enforcement Division  
Bureau of Transportation and Safety  
P. O. Box 3265  
Harrisburg, PA 17105-3265

#### VERIFICATION

I, Wendy J. Keezel, hereby state that the facts above set forth are true and correct to the best of my knowledge, information and belief and that I expect that the Bureau will be able to prove same at any hearing held in this matter. I understand that the statements herein are made subject to the penalties of 18 Pa.C.S. § 4904 relating to unsworn falsification to authorities.

Date: \_\_\_\_\_

Wendy J. Keezel, Chief of Enforcement  
Motor Carrier Services and Enforcement  
Bureau of Transportation and Safety

#### NOTICE

A. You must file an Answer within twenty (20) days of the date of service of this Complaint. The date of service is the mailing date as indicated at the top of the Secretarial Cover Letter for this Complaint and Notice, 52 Pa. Code § 1.56(a). An Answer is a written explanation of circumstances wished to be considered in determining the outcome. The Answer shall raise all factual and legal arguments that you wish to claim in your defense and must include the reference number of this Complaint. Your Answer must be verified and the original and three (3) copies sent to:

James J. McNulty, Secretary  
Pennsylvania Public Utility Commission  
P. O. Box 3265  
Harrisburg, PA 17105-3265

B. If you fail to answer this Complaint within twenty (20) days of the date of service, the Bureau of Transportation and Safety will request that the Commission issue an Order imposing a penalty. Pursuant to 66 Pa.C.S. § 3301(a), the penalty could include a fine of up to \$1,000 for each violation, the revocation of your Certificate of Public Convenience, or any other remedy as may be appropriate. Each day you continue to violate any regulation, direction, requirement, determination or Order of the Commission is a separate and distinct offense, subject to additional penalties.

C. You may elect not to contest this Complaint by causing your insurer to file proper evidence of current insurance in accordance with the Commission's regulations and by paying the fine proposed in the Complaint by certified check or money order within twenty (20) days of the date of service of this Complaint.

The proof of insurance must be filed with the:

Compliance Office, Bureau of Transportation and Safety  
Pennsylvania Public Utility Commission  
P. O. Box 3265  
Harrisburg, PA 17105-3265

Acord Certificates of Insurance and Faxed Form Es and Hs are **UNACCEPTABLE** as Evidence of Insurance.

The fine payment must be made to the Commonwealth of Pennsylvania and forwarded to:

James J. McNulty, Secretary  
Pennsylvania Public Utility Commission  
P. O. Box 3265  
Harrisburg, PA 17105-3265

Your payment is an admission that you committed the alleged violation and an agreement to cease and desist from further violations.

Upon receipt of the evidence of insurance from your insurer and receipt of your fine payment, the Complaint proceeding shall be closed.

D. If you file an Answer which admits or fails to deny the allegations of the Complaint, the Bureau of Transportation and Safety will request that the Commission issue an Order imposing a penalty, which may include the cancellation of your Certificate of Public Convenience. Should the Commission cancel your Certificate of Public Convenience, it may also impose an additional fine of up to \$1,000.

E. If you file an Answer which contests the Complaint, the matter will be assigned to an Administrative Law Judge for hearing and decision. The judge is not bound by the optional fine set forth above.

F. Alternative formats of this material are available, for persons with disabilities, by contacting the Compliance Office at (717) 787-1227.

*Pennsylvania Public Utility Commission, Bureau of  
Transportation and Safety v. GP Cab Co.;*  
*Doc. No. A-00121185C0501*

#### COMPLAINT

The Pennsylvania Public Utility Commission (Commission) is a duly constituted agency of the Commonwealth of Pennsylvania empowered to regulate public utilities within the Commonwealth. The Commission has delegated its authority to initiate proceedings which are prosecutory in nature to the Bureau of Transportation and Safety and other bureaus with enforcement responsibilities. Pursuant to that delegated authority and Section 701 of the Public Utility Code, the Bureau of Transportation and Safety Prosecutory Staff hereby represents as follows:

1. That all authority issued to GP Cab Co. (respondent) is under suspension effective June 25, 2005 for failure to maintain evidence of insurance on file with this Commission.

2. That respondent maintains a principal place of business at 553 Snow Din Road, Upper Darby, PA 19082.

3. That respondent was issued a Certificate of Public Convenience by this Commission on December 21, 2004 at Application Docket No. A-00121185.

4. That respondent has failed to maintain evidence of Liability insurance on file with this Commission.

5. That respondent, by failing to maintain evidence of insurance on file with this Commission, violated 66 Pa.C.S. § 512, 52 Pa. Code § 32.2(c), and 52 Pa. Code § 32.11(a), § 32.12(a) or § 32.13(a).

*Wherefore*, unless respondent causes its insurer to file evidence of insurance with this Commission within twenty (20) days of the date of service of this Complaint, the Bureau of Transportation and Safety Prosecutory Staff will request that the Commission issue an Order

which (1) cancels the Certificate of Public Convenience held by respondent at Docket No. for failure to maintain evidence of current insurance on file with the Commission, (2) fines Respondent the sum of two hundred and fifty dollars (\$250.00) for the illegal activity described in this Complaint, (3) orders such other remedy as the Commission may deem to be appropriate, which may include the suspension of a vehicle registration and (4) imposes an additional fine on the respondent should cancellation occur.

Respectfully submitted,

Wendy J. Keezel, Chief of Enforcement  
Motor Carrier Services & Enforcement Division  
Bureau of Transportation and Safety  
P. O. Box 3265  
Harrisburg, PA 17105-3265

#### VERIFICATION

I, Wendy J. Keezel, hereby state that the facts above set forth are true and correct to the best of my knowledge, information and belief and that I expect that the Bureau will be able to prove same at any hearing held in this matter. I understand that the statements herein are made subject to the penalties of 18 Pa.C.S. § 4904 relating to unsworn falsification to authorities.

Date: \_\_\_\_\_

Wendy J. Keezel, Chief of Enforcement  
Motor Carrier Services and Enforcement  
Bureau of Transportation and Safety

#### NOTICE

A. You must file an Answer within twenty (20) days of the date of service of this Complaint. The date of service is the mailing date as indicated at the top of the Secretarial Cover Letter for this Complaint and Notice, 52 Pa. Code § 1.56(a). An Answer is a written explanation of circumstances wished to be considered in determining the outcome. The Answer shall raise all factual and legal arguments that you wish to claim in your defense and must include the reference number of this Complaint. Your Answer must be verified and the original and three (3) copies sent to:

James J. McNulty, Secretary  
Pennsylvania Public Utility Commission  
P. O. Box 3265  
Harrisburg, PA 17105-3265

B. If you fail to answer this Complaint within twenty (20) days of the date of service, the Bureau of Transportation and Safety will request that the Commission issue an Order imposing a penalty. Pursuant to 66 Pa.C.S. § 3301(a), the penalty could include a fine of up to \$1,000 for each violation, the revocation of your Certificate of Public Convenience, or any other remedy as may be appropriate. Each day you continue to violate any regulation, direction, requirement, determination or Order of the Commission is a separate and distinct offense, subject to additional penalties.

C. You may elect not to contest this Complaint by causing your insurer to file proper evidence of current insurance in accordance with the Commission's regulations and by paying the fine proposed in the Complaint by certified check or money order within twenty (20) days of the date of service of this Complaint.

The proof of insurance must be filed with the:

Compliance Office, Bureau of Transportation and Safety  
Pennsylvania Public Utility Commission  
P. O. Box 3265  
Harrisburg, PA 17105-3265

Acord Certificates of Insurance and Faxed Form Es and Hs are **UNACCEPTABLE** as Evidence of Insurance.

The fine payment must be made to the Commonwealth of Pennsylvania and forwarded to:

James J. McNulty, Secretary  
Pennsylvania Public Utility Commission  
P. O. Box 3265  
Harrisburg, PA 17105-3265

Your payment is an admission that you committed the alleged violation and an agreement to cease and desist from further violations.

Upon receipt of the evidence of insurance from your insurer and receipt of your fine payment, the Complaint proceeding shall be closed.

D. If you file an Answer which admits or fails to deny the allegations of the Complaint, the Bureau of Transportation and Safety will request that the Commission issue an Order imposing a penalty, which may include the cancellation of your Certificate of Public Convenience. Should the Commission cancel your Certificate of Public Convenience, it may also impose an additional fine of up to \$1,000.

E. If you file an Answer which contests the Complaint, the matter will be assigned to an Administrative Law Judge for hearing and decision. The judge is not bound by the optional fine set forth above.

F. Alternative formats of this material are available, for persons with disabilities, by contacting the Compliance Office at (717) 787-1227.

\_\_\_\_\_  
*Pennsylvania Public Utility Commission, Bureau of  
Transportation and Safety v. Shawn T. Hamiel;  
Doc. No. C-2008-2043423*

#### COMPLAINT

The Pennsylvania Public Utility Commission (Commission) is a duly constituted agency of the Commonwealth of Pennsylvania empowered to regulate public utilities within the Commonwealth. The Commission has delegated its authority to initiate proceedings which are prosecutory in nature to the Bureau of Transportation and Safety and other bureaus with enforcement responsibilities. Pursuant to that delegated authority and Section 701 of the Public Utility Code, the Bureau of Transportation and Safety Prosecutory Staff hereby represents as follows:

1. That all authority issued to Shawn T. Hamiel (respondent) is under suspension effective 12/20/2007 for failure to maintain evidence of insurance on file with this Commission.

2. That respondent maintains a principal place of business at 6001 North Water Street, Philadelphia, PA 19120.

3. That respondent was issued a Certificate of Public Convenience by this Commission on October 30, 2006 at Application Docket No. A-00123215.

4. That respondent has failed to maintain evidence of Liability insurance on file with this Commission.

5. That respondent, by failing to maintain evidence of insurance on file with this Commission, violated 66 Pa.C.S. § 512, 52 Pa. Code § 32.2(c), and 52 Pa. Code § 32.11(a), § 32.12(a) or § 32.13(a).

Wherefore, unless respondent causes its insurer to file evidence of insurance with this Commission within twenty (20) days of the date of service of this Complaint, the Bureau of Transportation and Safety Prosecutory Staff will request that the Commission issue an Order which (1) cancels the Certificate of Public Convenience held by respondent at A-00123215 for failure to maintain evidence of current insurance on file with the Commission, (2) fines Respondent the sum of two hundred and fifty dollars (\$250.00) for the illegal activity described in this Complaint, (3) orders such other remedy as the Commission may deem to be appropriate, which may include the suspension of a vehicle registration and (4) imposes an additional fine on the respondent should cancellation occur.

Respectfully submitted,

Wendy J. Keezel, Chief of Enforcement  
Motor Carrier Services & Enforcement Division  
Bureau of Transportation and Safety  
P. O. Box 3265  
Harrisburg, PA 17105-3265

#### VERIFICATION

I, Wendy J. Keezel, hereby state that the facts above set forth are true and correct to the best of my knowledge, information and belief and that I expect that the Bureau will be able to prove same at any hearing held in this matter. I understand that the statements herein are made subject to the penalties of 18 Pa.C.S. § 4904 relating to unsworn falsification to authorities.

Date: \_\_\_\_\_

Wendy J. Keezel, Chief of Enforcement  
Motor Carrier Services and Enforcement  
Bureau of Transportation and Safety

#### NOTICE

A. You must file an Answer within twenty (20) days of the date of service of this Complaint. The date of service is the mailing date as indicated at the top of the Secretarial Cover Letter for this Complaint and Notice, 52 Pa. Code § 1.56(a). An Answer is a written explanation of circumstances wished to be considered in determining the outcome. The Answer shall raise all factual and legal arguments that you wish to claim in your defense and must include the reference number of this Complaint. Your Answer must be verified and the original and three (3) copies sent to:

James J. McNulty, Secretary  
Pennsylvania Public Utility Commission  
P. O. Box 3265  
Harrisburg, PA 17105-3265

B. If you fail to answer this Complaint within twenty (20) days of the date of service, the Bureau of Transportation and Safety will request that the Commission issue an Order imposing a penalty. Pursuant to 66 Pa.C.S. § 3301(a), the penalty could include a fine of up to \$1,000 for each violation, the revocation of your Certificate of Public Convenience, or any other remedy as may be appropriate. Each day you continue to violate any regulation, direction, requirement, determination or Order of the Commission is a separate and distinct offense, subject to additional penalties.

C. You may elect not to contest this Complaint by causing your insurer to file proper evidence of current insurance in accordance with the Commission's regulations and by paying the fine proposed in the Complaint by certified check or money order within twenty (20) days of the date of service of this Complaint.

The proof of insurance must be filed with the:

Compliance Office, Bureau of Transportation and Safety  
Pennsylvania Public Utility Commission  
P. O. Box 3265  
Harrisburg, PA 17105-3265

Acord Certificates of Insurance and Faxed Form Es and Hs are **UNACCEPTABLE** as Evidence of Insurance.

The fine payment must be made to the Commonwealth of Pennsylvania and forwarded to:

James J. McNulty, Secretary  
Pennsylvania Public Utility Commission  
P. O. Box 3265  
Harrisburg, PA 17105-3265

Your payment is an admission that you committed the alleged violation and an agreement to cease and desist from further violations.

Upon receipt of the evidence of insurance from your insurer and receipt of your fine payment, the Complaint proceeding shall be closed.

D. If you file an Answer which admits or fails to deny the allegations of the Complaint, the Bureau of Transportation and Safety will request that the Commission issue an Order imposing a penalty, which may include the cancellation of your Certificate of Public Convenience. Should the Commission cancel your Certificate of Public Convenience, it may also impose an additional fine of up to \$1,000.

E. If you file an Answer which contests the Complaint, the matter will be assigned to an Administrative Law Judge for hearing and decision. The judge is not bound by the optional fine set forth above.

F. Alternative formats of this material are available, for persons with disabilities, by contacting the Compliance Office at (717) 787-1227.

\_\_\_\_\_  
*Pennsylvania Public Utility Commission, Bureau of Transportation and Safety v. M.J.B. Services, Inc.;*  
*Doc. No. C-2008-2057771*

#### COMPLAINT

The Pennsylvania Public Utility Commission (Commission) is a duly constituted agency of the Commonwealth of Pennsylvania empowered to regulate public utilities within the Commonwealth. The Commission has delegated its authority to initiate proceedings which are prosecutory in nature to the Bureau of Transportation and Safety and other bureaus with enforcement responsibilities. Pursuant to that delegated authority and Section 701 of the Public Utility Code, the Bureau of Transportation and Safety Prosecutory Staff hereby represents as follows:



1. That all authority issued to M.J.B. Services, Inc. (respondent) is under suspension effective July 4, 2008 for failure to maintain evidence of insurance on file with this Commission.

2. That respondent maintains a principal place of business at 6 Township Line Road, Apartment 6B, Elkins Park, PA 19027.

3. That respondent was issued a Certificate of Public Convenience by this Commission on December 02, 1997, at Application Docket No. A-00113475.

4. That respondent has failed to maintain evidence of Liability insurance on file with this Commission.

5. That respondent, by failing to maintain evidence of insurance on file with this Commission, violated 66 Pa.C.S. § 512, 52 Pa. Code § 32.2(c), and 52 Pa. Code § 32.11(a), § 32.12(a) or § 32.13(a).

Wherefore, unless respondent causes its insurer to file evidence of insurance with this Commission within twenty (20) days of the date of service of this Complaint, the Bureau of Transportation and Safety Prosecutory Staff will request that the Commission issue an Order which (1) cancels the Certificate of Public Convenience held by respondent at Docket No. A-00113475 for failure to maintain evidence of current insurance on file with the Commission, (2) fines Respondent the sum of two hundred and fifty dollars (\$250.00) for the illegal activity described in this Complaint, (3) orders such other remedy as the Commission may deem to be appropriate, which may include the suspension of a vehicle registration and (4) imposes an additional fine on the respondent should cancellation occur.

Respectfully submitted,

Wendy J. Keezel, Chief of Enforcement  
Motor Carrier Services & Enforcement Division  
Bureau of Transportation and Safety  
P. O. Box 3265  
Harrisburg, PA 17105-3265

#### VERIFICATION

I, Wendy J. Keezel, hereby state that the facts above set forth are true and correct to the best of my knowledge, information and belief and that I expect that the Bureau will be able to prove same at any hearing held in this matter. I understand that the statements herein are made subject to the penalties of 18 Pa.C.S. § 4904 relating to unsworn falsification to authorities.

Date: \_\_\_\_\_

Wendy J. Keezel, Chief of Enforcement  
Motor Carrier Services and Enforcement  
Bureau of Transportation and Safety

#### NOTICE

A. You must file an Answer within twenty (20) days of the date of service of this Complaint. The date of service is the mailing date as indicated at the top of the Secretarial Cover Letter for this Complaint and Notice, 52 Pa. Code § 1.56(a). An Answer is a written explanation of circumstances wished to be considered in determining the outcome. The Answer shall raise all factual and legal arguments that you wish to claim in your defense and must include the reference number of this Complaint. Your Answer must be verified and the original and three (3) copies sent to:

James J. McNulty, Secretary  
Pennsylvania Public Utility Commission  
P. O. Box 3265  
Harrisburg, PA 17105-3265

B. If you fail to answer this Complaint within twenty (20) days of the date of service, the Bureau of Transportation and Safety will request that the Commission issue an Order imposing a penalty. Pursuant to 66 Pa.C.S. § 3301(a), the penalty could include a fine of up to \$1,000 for each violation, the revocation of your Certificate of Public Convenience, or any other remedy as may be appropriate. Each day you continue to violate any regulation, direction, requirement, determination or Order of the Commission is a separate and distinct offense, subject to additional penalties.

C. You may elect not to contest this Complaint by causing your insurer to file proper evidence of current insurance in accordance with the Commission's regulations and by paying the fine proposed in the Complaint by certified check or money order within twenty (20) days of the date of service of this Complaint.

The proof of insurance must be filed with the:

Compliance Office, Bureau of Transportation and Safety  
Pennsylvania Public Utility Commission  
P. O. Box 3265  
Harrisburg, PA 17105-3265

Acord Certificates of Insurance and Faxed Form Es and Hs are **UNACCEPTABLE** as Evidence of Insurance.

The fine payment must be made to the Commonwealth of Pennsylvania and forwarded to:

James J. McNulty, Secretary  
Pennsylvania Public Utility Commission  
P. O. Box 3265  
Harrisburg, PA 17105-3265

Your payment is an admission that you committed the alleged violation and an agreement to cease and desist from further violations.

Upon receipt of the evidence of insurance from your insurer and receipt of your fine payment, the Complaint proceeding shall be closed.

D. If you file an Answer which admits or fails to deny the allegations of the Complaint, the Bureau of Transportation and Safety will request that the Commission issue an Order imposing a penalty, which may include the cancellation of your Certificate of Public Convenience. Should the Commission cancel your Certificate of Public Convenience, it may also impose an additional fine of up to \$1,000.

E. If you file an Answer which contests the Complaint, the matter will be assigned to an Administrative Law Judge for hearing and decision. The judge is not bound by the optional fine set forth above.

F. Alternative formats of this material are available, for persons with disabilities, by contacting the Compliance Office at (717) 787-1227.

JAMES J. MCNULTY,  
Secretary

[Pa.B. Doc. No. 08-1616. Filed for public inspection August 29, 2008, 9:00 a.m.]

### Telecommunications

**A-2008-2056948. Windstream Pennsylvania, LLC and Comcast Business Communications, LLC, d/b/a Comcast Long Distance.** Joint petition of Windstream Pennsylvania, LLC and Comcast Business Communications, LLC, d/b/a Comcast Long Distance for approval of an adoption of an interconnection agreement under section 252(i) of the Telecommunications Act of 1996.

Windstream Pennsylvania, LLC and Comcast Business Communications, LLC, d/b/a Comcast Long Distance, by its counsel, filed on August 12, 2008, at the Pennsylvania Public Utility Commission (Commission), a joint petition for approval of an adoption of an interconnection agreement under sections 251 and 252 of the Telecommunications Act of 1996.

Interested parties may file comments concerning the petition and agreement with the Secretary, Pennsylvania Public Utility Commission, P. O. Box 3265, Harrisburg, PA 17105-3265. Comments are due on or before 10 days after the date of publication of this notice. Copies of the Windstream Pennsylvania, LLC and Comcast Business Communications, LLC, d/b/a Comcast Long Distance joint petition are on file with the Commission and are available for public inspection.

The contact person is Cheryl Walker Davis, Director, Office of Special Assistants, (717) 787-1827.

JAMES J. MCNULTY,  
*Secretary*

[Pa.B. Doc. No. 08-1617. Filed for public inspection August 29, 2008, 9:00 a.m.]

### Telecommunications Services

**A-2008-2058144 and A-2008-2058146. Comcast Business Communications, LLC, d/b/a Comcast Long Distance.** Application of Comcast Business Communications, LLC, d/b/a Comcast Long Distance, for approval to offer, render, furnish or supply telecommunications services as a facilities-based competitive local exchange carrier in the service territories of Frontier Communications of Breezewood, LLC and Frontier Communications of Pennsylvania, LLC.

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 September 15, 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:* Comcast Business Communications, LLC, d/b/a Comcast Long Distance

*Through and By Counsel:* Alan Kohler, Esquire, Deanne O'Dell, Esquire, Wolf, Block, Schorr & Solis-Cohen, LLC, 213 Market Street, 9th Floor, Harrisburg, PA 17108-0865

JAMES J. MCNULTY,  
*Secretary*

[Pa.B. Doc. No. 08-1618. Filed for public inspection August 29, 2008, 9:00 a.m.]

## STATE BOARD OF COSMETOLOGY

### Bureau of Professional and Occupational Affairs v. Capelli Salon; Doc. No. 1308-45-2008

On July, 10, 2008, Capelli Salon, of Fogelsville, Lehigh County, had their license suspended for failure to comply with a previously issued State Board of Cosmetology (Board) order.

Individuals may obtain a copy of the adjudication by writing to C. William Fritz, II, Board Counsel, State Board of Cosmetology, P. O. Box 2649, Harrisburg, PA 17105-2649.

This adjudication and order represents the final Board 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 Board with a copy of their petition for review. The Board contact for receiving service of the appeals is the previously-named Board counsel.

SUSAN E. RINEER,  
*Chairperson*

[Pa.B. Doc. No. 08-1619. Filed for public inspection August 29, 2008, 9:00 a.m.]

## SUSQUEHANNA RIVER BASIN COMMISSION

### Public Hearing and Meeting

The Susquehanna River Basin Commission (Commission) will hold a public hearing as part of its regular business meeting beginning at 1 p.m. on September 11, 2008, at Bucknell University, Elaine Langone Center, Center Room, Lewisburg, PA. At the public hearing, the Commission will consider: 1) approval of certain water resources projects; 2) enforcement actions for six projects; and 3) a request for extension of an emergency certificate issued on July 24, 2008. Details concerning the matters to be addressed at the public hearing and business meeting are contained in the Supplementary Information section of this notice.

For further information contact Richard A. Cairo, General Counsel, (717) 238-0423, Ext. 306, fax (717) 238-2436, rcairo@srbc.net or Stephanie L. Richardson, Executive Assistant, (717) 238-0423, Ext. 304, fax (717) 238-2436, srichardson@srbc.net.

*Supplementary Information*

In addition to the public hearing and its related action items identified, the business meeting also includes the following items on the agenda: 1) a special presentation on Bucknell University's Susquehanna River Initiative by Dr. Benjamin Hayes; 2) a special presentation on Environmental Flows by Mark Breyer of the Nature Conservancy; 3) a report on the present hydrologic conditions of the basin; 4) consideration of a health insurance trust fund; 5) approval/ratification of various grants and contracts; 6) consideration of a proposed rulemaking action regarding consumptive use by gas well development projects; 7) establishment of a "Compliance Reserve Fund" to hold the proceeds of settlements and civil penalty assessments; 8) adoption of an errata sheet to the March 13, 2008, public hearing transcript; 9) discussion of the funding status of the basin streamgage network; 10) appointment of a new Secretary to the Commission; and 11) adoption of a 2009 Commission meeting schedule. The Commission will also hear a Legal Counsel's report.

*Public Hearing—Projects Scheduled for Action*

1. Project Sponsor and Facility: East Resources, Inc. (Seeley Creek), Town of Southport, Chemung County, NY. Application for surface water withdrawal of up to 0.036 mgd.

2. Project Sponsor and Facility: Chesapeake Appalachia, LLC (for operations in Chemung and Tioga Counties, NY, and Bradford, Susquehanna and Wyoming Counties, PA). Application for consumptive water use of up to 2.075 mgd from various surface water sources and the following public water suppliers: Towanda Municipal Authority, Aqua Pennsylvania, Inc.—Susquehanna Division, Canton Borough Authority, Borough of Troy and Village of Horseheads, NY.

3. Project Sponsor and Facility: Chesapeake Appalachia, LLC (Susquehanna River), Town of Owego, Tioga County, NY. Application for surface water withdrawal of up to 0.999 mgd.

4. Project Sponsor and Facility: Cabot Oil and Gas Corporation (for operations in Susquehanna and Wyoming Counties, PA). Application for consumptive water use of up to 3.039 mgd from various surface water sources and the following public water suppliers: Tunkhannock Borough Municipal Authority, Pennsylvania American Water Company—Montrose System, and Meshoppen Borough Council.

5. Project Sponsor and Facility: Cabot Oil and Gas Corporation (Susquehanna River), Great Bend Borough, Susquehanna County, PA. Application for surface water withdrawal of up to 0.980 mgd.

6. Project Sponsor and Facility: Chesapeake Appalachia, LLC (Susquehanna River), Athens Township, Bradford County, PA. Application for surface water withdrawal of up to 0.999 mgd.

7. Project Sponsor and Facility: Chesapeake Appalachia, LLC (Susquehanna River), Oakland Township, Susquehanna County, PA. Application for surface water withdrawal of up to 0.999 mgd.

8. Project Sponsor and Facility: Cabot Oil and Gas Corporation (Susquehanna River), Susquehanna Depot Borough, Susquehanna County, PA. Application for surface water withdrawal of up to 0.980 mgd.

9. Project Sponsor and Facility: Fortuna Energy, Inc. (Susquehanna River), Sheshequin Township, Bradford County, PA. Application for surface water withdrawal of up to 0.250 mgd.

10. Project Sponsor and Facility: East Resources, Inc. (Crooked Creek), Middlebury Township, Tioga County, PA. Application for surface water withdrawal of up to 0.036 mgd.

11. Project Sponsor and Facility: Chief Oil and Gas, LLC (for operations in Bradford County, PA). Application for consumptive use of water of up to 5.000 mgd.

12. Project Sponsor and Facility: Chief Oil and Gas, LLC (Sugar Creek), West Burlington Township, Bradford County, PA. Application for surface water withdrawal of up to 0.053 mgd.

13. Project Sponsor and Facility: Fortuna Energy, Inc. (Sugar Creek), West Burlington Township, Bradford County, PA. Application for surface water withdrawal of up to 0.250 mgd.

14. Project Sponsor and Facility: Chesapeake Appalachia, LLC (Susquehanna River), Wysox Township, Bradford County, PA. Application for surface water withdrawal of up to 0.999 mgd.

15. Project Sponsor and Facility: Cabot Oil and Gas Corporation (Unnamed Tributary to Meshoppen Creek), Dimock Township, Susquehanna County, PA. Application for surface water withdrawal of up to 0.980 mgd.

16. Project Sponsor and Facility: Fortuna Energy, Inc. (Towanda Creek), Franklin Township, Bradford County, PA. Application for surface water withdrawal of up to 0.250 mgd.

17. Project Sponsor and Facility: Cabot Oil and Gas Corporation (Martins Creek), Lathrop Township, Susquehanna County, PA. Application for surface water withdrawal of up to 0.980 mgd.

18. Project Sponsor and Facility: Cabot Oil and Gas Corporation (Tunkhannock Creek), Lennox Township, Susquehanna County, PA. Application for surface water withdrawal of up to 0.980 mgd.

19. Project Sponsor and Facility: Cabot Oil and Gas Corporation (Meshoppen Creek-2), Lemon Township, Wyoming County, PA. Application for surface water withdrawal of up to 0.980 mgd.

20. Project Sponsor and Facility: Cabot Oil and Gas Corporation (Meshoppen Creek-1), Lemon Township, Wyoming County, PA. Application for surface water withdrawal of up to 0.980 mgd.

21. Project Sponsor and Facility: Pennsylvania General Energy Company, LLC (operations in Potter and McKean Counties, PA). Application for consumptive water use of up to 4.900 mgd from various surface water sources and the following public water suppliers: Jersey Shore Joint Water Authority, Williamsport Municipal Water Authority, and Borough of Montoursville.

22. Project Sponsor and Facility: Pennsylvania General Energy Company, LLC (East Fork Sinnemahoning Creek—Horton), East Fork Township, Potter County, PA. Application for surface water withdrawal of up to 0.008 mgd.

23. Project Sponsor and Facility: Chesapeake Appalachia, LLC (Susquehanna River), Mehoopany Township, Wyoming County, PA. Application for surface water withdrawal of up to 0.999 mgd.

24. Project Sponsor and Facility: Pennsylvania General Energy Company, LLC (First Fork Sinnemahoning Creek), Sylvania Township, Potter County, PA. Application for surface water withdrawal of up to 0.107 mgd.

25. Project Sponsor and Facility: Pennsylvania General Energy Company, LLC (East Fork Sinnemahoning Creek—East Fork), East Fork Township, Potter County, PA. Application for surface water withdrawal of up to 0.025 mgd.

26. Project Sponsor and Facility: Pennsylvania General Energy Company, LLC (East Fork Sinnemahoning Creek), Wharton Township, Potter County, PA. Application for surface water withdrawal of up to 0.027 mgd.

27. Project Sponsor and Facility: Cabot Oil and Gas Corporation (Susquehanna River), Tunkhannock Township, Wyoming County, PA. Application for surface water withdrawal of up to 0.980 mgd.

28. Project Sponsor and Facility: Pennsylvania General Energy Company, LLC (First Fork Sinnemahoning Creek), Wharton Township, Potter County, PA. Application for surface water withdrawal of up to 0.231 mgd.

29. Project Sponsor and Facility: Cabot Oil and Gas Corporation (Bowmans Creek), Eaton Township, Wyoming County, PA. Application for surface water withdrawal of up to 0.980 mgd.

30. Project Sponsor and Facility: Neptune Industries, Inc. (Lackawanna River), Borough of Archbald, Lackawanna County, PA. Application for surface water withdrawal of up to 0.499 mgd.

31. Project Sponsor and Facility: PEI Power Corporation, Borough of Archbald, Lackawanna County, PA. Modification to consumptive water use and surface water withdrawal approval (Docket No. 20010406) for addition of up to 0.530 mgd from a public water supplier as a secondary supply source, and settlement of an outstanding compliance matter.

32. Project Sponsor and Facility: Range Resources—Appalachia, LLC (for operations in Bradford, Centre, Clinton, Lycoming, Sullivan and Tioga Counties, PA). Application for consumptive water use of up to 5.000 mgd from various surface water sources and the following public water suppliers: Jersey Shore Joint Water Authority—Pine Creek and Anthony Facilities, Williamsport Municipal Water Authority, City of Lock Haven Water Department, Borough of Bellefonte, Borough of Montoursville, Milesburg Water System and Towanda Municipal Authority.

33. Project Sponsor and Facility: Range Resources—Appalachia, LLC (Lycoming Creek), Lewis Township, Lycoming County, PA. Application for surface water withdrawal of up to 0.200 mgd.

34. Project Sponsor and Facility: Range Resources—Appalachia, LLC (Lycoming Creek), Lycoming Township, Lycoming County, PA. Application for surface water withdrawal of up to 0.200 mgd.

35. Project Sponsor and Facility: Chief Oil and Gas, LLC (for operations in Lycoming County, PA). Application for consumptive water use of up to 5.000 mgd from various surface water sources and the following public water suppliers: Jersey Shore Joint Water Authority—Pine Creek and Anthony Facilities, Williamsport Municipal Water Authority, Borough of Montoursville, and Towanda Municipal Authority.

36. Project Sponsor and Facility: Chief Oil and Gas, LLC (Muncy Creek), Penn Township, Lycoming County, PA. Application for surface water withdrawal of up to 0.099 mgd.

37. Project Sponsor and Facility: Chief Oil and Gas, LLC (Larrys Creek), Mifflin Township, Lycoming County, PA. Application for surface water withdrawal of up to 0.099 mgd.

38. Project Sponsor and Facility: Chief Oil and Gas, LLC (Pine Creek), Cummings Township, Lycoming County, PA. Application for surface water withdrawal of up to 0.099 mgd.

39. Project Sponsor and Facility: Chief Oil and Gas, LLC (Muncy Creek), Picture Rocks Borough, Lycoming County, PA. Application for surface water withdrawal of up to 0.099 mgd.

40. Project Sponsor and Facility: Chief Oil and Gas, LLC (Loyalsock Creek), Montoursville Borough, Lycoming County, PA. Application for surface water withdrawal of up to 0.099 mgd.

41. Project Sponsor and Facility: Range Resources—Appalachia, LLC (West Branch Susquehanna River), Colebrook Township, Lycoming County, PA. Application for surface water withdrawal of up to 0.200 mgd.

42. Project Sponsor and Facility: Rex Energy Corporation (for operations in Centre and Clearfield Counties, PA). Application for consumptive water use of up to 5.000 mgd from various surface water sources and the following public water supplier: Clearfield Municipal Authority.

43. Project Sponsor and Facility: Rex Energy Corporation (Upper Little Surveyor Run), Girard Township, Clearfield County, PA. Application for surface water withdrawal of up to 0.400 mgd.

44. Project Sponsor and Facility: Rex Energy Corporation (Lower Little Surveyor Run), Girard Township, Clearfield County, PA. Application for surface water withdrawal of up to 0.400 mgd.

45. Project Sponsor and Facility: Rex Energy Corporation (West Branch Susquehanna River), Goshen Township, Clearfield County, PA. Application for surface water withdrawal of up to 5.000 mgd.

46. Project Sponsor and Facility: Range Resources—Appalachia, LLC (Beech Creek), Snow Shoe Township, Centre County, PA. Application for surface water withdrawal of up to 0.200 mgd.

47. Project Sponsor and Facility: Rex Energy Corporation (Moshannon Creek—Route 53), Snow Shoe Township, Centre County, PA. Application for surface water withdrawal of up to 2.000 mgd.

48. Project Sponsor and Facility: Rex Energy Corporation (Moshannon Creek Outfall), Snow Shoe Township, Centre County, PA. Application for surface water withdrawal of up to 2.000 mgd.

49. Project Sponsor and Facility: Rex Energy Corporation (Moshannon Creek—Peale), Snow Shoe Township, Centre County, PA. Application for surface water withdrawal of up to 2.000 mgd.

50. Project Sponsor: Suez Energy North America, Inc. Project Facility: Viking Energy of Northumberland, Point Township, Northumberland County, PA. Modification to consumptive water use approval (Docket No. 19870301).

51. Project Sponsor: New Enterprise Stone and Lime Co., Inc. Project Facility: Tyrone Quarry, Warriors Mark Township, Huntingdon County and Snyder Township, Blair County, PA. Modification to consumptive water use and groundwater withdrawal approval (Docket No. 20031205) for groundwater withdrawals of 0.095 mgd from Well 1, 0.006 mgd from Well 2, and 0.050 mgd from Well 3 and 0.003 mgd from Well 5.

52. Project Sponsor and Facility: Papetti's Hygrade Egg Products, Inc., d/b/a Michael Foods Egg Products Co., Upper Mahantango Township, Schuylkill County, PA.

Modification of consumptive water use approval (Docket No. 19990903) and a new groundwater withdrawal of 0.450 mgd from Well 3.

53. Project Sponsor: Old Castle Materials, Inc. Project Facility: Pennsy Supply, Inc.—Hummelstown Quarry, South Hanover Township, Dauphin County, PA. Application for surface water withdrawal of up to 29.952 mgd.

54. Project Sponsor and Facility: Dart Container Corporation of Pennsylvania, Upper Leacock Township, Lancaster County, PA. Modification of groundwater approval (Docket No. 20040910).

55. Project Sponsor: East Berlin Area Joint Authority. Project Facility: Buttercup Farms, Hamilton Township, Adams County, PA. Applications for groundwater withdrawals (30-day averages) of 0.144 mgd from Well TW-1, 0.029 mgd from Well TW-2, and a total system withdrawal limit of 0.173 mgd.

56. Project Sponsor: Project Sponsor: PPL Holtwood, LLC. Project Facility: Holtwood Hydroelectric Station, Martic and Conestoga Townships, Lancaster County, and Chanceford and Lower Chanceford Townships, York County, PA. Applications for amendment to existing FERC license (FERC Project No. 1881) and for redevelopment of the project with modification of its operations on the lower Susquehanna River, including the addition of a second power station and associated infrastructure.

*Public Hearing—Projects Scheduled for Enforcement Action*

1. Project Sponsor and Facility: Cabot Oil and Gas Corporation; Teel, Greenwood, Ely, Lewis and Black Wells; Dimock and Springfield Townships, Susquehanna County, PA.

2. Project Sponsor and Facility: Chief Oil and Gas, LLC; Kensinger, Spotts and Poor Shot Wells; Mifflin, Penn and Anthony Townships, Lycoming County, PA.

3. Project Sponsor and Facility: EOG Resources, Inc.; Houseknecht, Olsyn and Pierce Wells; Springfield Township, Bradford County, PA; PHC Well, Lawrence Township, Clearfield County, PA; Leasgang and Pichler Wells, Jay Township, Elk County, PA.

4. Project Sponsor and Facility: North Coast Energy, Inc.; Litke Wells, Burnside Township, Centre County, PA.

5. Project Sponsor and Facility: Range Resources—Appalachia LLC; McWilliams, Bobst Mountain, Ogontz and Ulmer Wells; Cogan House, Cummings and Lycoming Townships, Lycoming County, PA; Gulf USA Well, Snow Shoe Township, Centre County, PA; Duffey Well, Ridgebury Township, Bradford County, PA.

6. Project Sponsor and Facility: Turm Oil, Inc., LaRue Well, Rush Township, Susquehanna County, PA.

*Public Hearing—Request to Extend Emergency Certificate*

1. CAN DO, Inc., Hazle Township, Luzerne County, PA—Request to extend the use of Site 14 Test Well to serve Humbolt Industrial Park.

*Authority:* Pub. L. No. 91-575, 84 Stat. 1509 et seq., 18 CFR Parts 806—808. Dated: August 12, 2008.

PAUL O. SWARTZ,  
*Executive Director*

[Pa.B. Doc. No. 08-1620. Filed for public inspection August 29, 2008, 9:00 a.m.]

## TURNPIKE COMMISSION

### Mon-Fayette Expressway and Southern Beltway; Public Private Partnership; Informational Meeting

The Turnpike Commission will host a meeting to provide information to potential private partners interested in financing, designing, constructing, operating and/or maintaining all or portions of the Mon-Fayette Expressway and Southern Beltway projects in Fayette, Washington and Allegheny Counties in southwestern Pennsylvania. The informational meeting will be held on Wednesday, September 17, 2008, from 1 p.m. to 4 p.m. at the Holiday Inn Harrisburg East, 4757 Lindle Road, Harrisburg, PA 17111.

The informational meeting will focus on available opportunities associated with the completion of the unfinished segments of the Mon-Fayette Expressway and Southern Beltway and details of the solicitation.

The 50 miles of limited access tolled expressway not yet under construction include the 24-mile Mon-Fayette Expressway project in Allegheny County north from PA Route 51 in Jefferson Hills to Interstate 376 in Pittsburgh and Monroeville and two independent but interconnected Southern Beltway projects that would extend the beltway system another 26 miles south and east of US Route 22 in Robinson Township to the existing Mon-Fayette Expressway in Union Township, Washington County.

Environmental clearance has been obtained for the Mon-Fayette Expressway project and is expected to be obtained for one of the Southern Beltway projects within the next month. Environmental clearance for the other Southern Beltway project is expected to occur in late 2008 or early 2009.

These sections are contiguous with other sections of the Mon-Fayette Expressway and Southern Beltway that are open to traffic and currently being operated by the Turnpike Commission.

Participants are encouraged to preregister for the meeting by September 12, 2008, by means of the Turnpike web site at [www.paturnpike.com](http://www.paturnpike.com) by selecting the "P3 Project" menu item on the left side of the main page.

For additional information on the Mon-Fayette and Southern Beltway projects visit the Turnpike's web site at [www.paturnpike.com/MonFaySB/](http://www.paturnpike.com/MonFaySB/). For any other information, contact Bill Capone at (717) 939-9551, extension 3040.

MITCHELL RUBIN,  
*Chairperson*

[Pa.B. Doc. No. 08-1621. Filed for public inspection August 29, 2008, 9:00 a.m.]

