

# NOTICES

## DELAWARE RIVER BASIN COMMISSION

### Meeting and Public Hearing

The Delaware River Basin Commission (Commission) will hold an informal conference followed by a public hearing on Wednesday, September 24, 2008. The hearing will be part of the Commission's regular business meeting. Both the conference session and business meeting are open to the public and will be held at the West Trenton Volunteer Fire Company, 40 West Upper Ferry Road, West Trenton, NJ.

The conference among the commissioners and staff will begin at 10:30 a.m. Topics of discussion will include: a Decree Parties' report; an annual update on implementation of the 2004 Water Resources Plan for the Delaware River Basin (Basin Plan); a report by the chair of the Commission's Water Quality Advisory Committee; a report by the chair of the Commission's Flood Advisory Committee; and a report on the status of development of the Flood Analysis Model, a project commenced in August 2007 at the request of the governors of the four Basin states, in accordance with a recommendation of the Interstate Flood Mitigation Task Force.

The subjects of the public hearing to be held during the 1:30 p.m. business meeting include the dockets listed as follows:

1. *Burlington Country Club D-67-32-2*. An application for approval of a ground and surface water withdrawal project to supply up to 3.1 mg/30 days from new Wells Nos. 1A, 1R and C1, and to supply 8.4 mg/30 days from one new and one existing surface water intake for the applicant's golf course irrigation system. The withdrawal from all sources is proposed to be limited to 8.4 mg/30 days and 37.8 mg/year. The project is located in the Englishtown Formation in the Lower Delaware Watershed in Westampton Township, Burlington County, NJ.

2. *Perkasie Borough Authority D-97-12 CP-3*. An application for approval of a groundwater withdrawal project to supply up to 11.67 mg/30 days of water to the applicant's distribution system from new Well No. 7 in the Brunswick Formation and to retain the existing withdrawal from all wells at 40.2 mg/30 days. Proposed Well No. 7 will be used to replace some of the groundwater supply from Perkasie Borough Authority's existing wells that may be lost due to regulatory changes limiting the concentration of arsenic in public drinking water supply. The project is located in the Three Mile Run and East Branch Perkiomen Creek Watersheds in Perkasie Borough, Bucks County, PA, within the Southeastern Ground Water Protected Area.

3. *Floyd G. Hersh, Inc. D-98-7-2*. An application for the renewal of a groundwater withdrawal project to continue withdrawal of 3.750 mg/30 days to supply the applicant's golf course irrigation system from existing Well No. PW-1 in the Brunswick Formation. The project is located in the Perkiomen—Macoby Creek Watershed in Marlborough Township, Montgomery County, PA and is located in the Southeastern Pennsylvania Ground Water Protected Area.

4. *Mercer County Improvement Authority d/b/a Mercer Oaks Golf Course D-99-28 CP-2*. An application for renewal of an existing surface water intake and approval of two new groundwater wells for golf course irrigation and to retain the existing withdrawal from all sources of 15 mg/30 days. The project is located in the Potomac-Raritan-Magothy Aquifer in the Assunpink Creek Watershed in West Windsor Township, Mercer County, NJ.

5. *Washington Township Municipal Utilities Authority D-99-43 CP-2*. An application for the renewal of a groundwater withdrawal project to change existing Well No. 20 from an Aquifer Storage and Recovery well to a production well, to continue the total combined withdrawal of 273.01 mg/30 days from all 15 wells, and to increase the allocation for Wells Nos. 2—5, 8, 9, 15 and 20 from 109 mg/30 days to 133.81 mg/30 days to supply the applicant's public supply distribution system from existing Wells Nos. 2—5, 8—11, 14—20 in the Mt. Laurel-Wenonah and Kirkwood-Cohansey Formations. The project is located in the Big Timber Creek and Mantua Creek watersheds in Washington Township, Gloucester County, NJ.

6. *Lehigh County Authority D-2001-20 CP-3*. An application to replace the withdrawal of water from Well No. WL-8 in the applicant's water supply system that has become an unreliable source of supply. The applicant requests that the withdrawal from replacement Well No. WL-8 be limited to 56.16 mg/30 days of water, and that the total withdrawal from all wells remain limited to 256.24 mg/30 days. The project is located in the Allentown Formation in the Little Lehigh Creek Watershed in Upper Macungie Township, Lehigh County, PA. The site is located within the drainage area to the section of the nontidal Delaware River known as the Lower Delaware, which is designated as Special Protection Waters.

7. *Ambler Borough Water Department D-85-26 CP-4*. An application for approval of a groundwater withdrawal project to supply up to 4.75 mg/30 days of water to the applicant's public water supply distribution system from new Well No. 15 and to increase the existing withdrawal from all wells of 116 mg/30 days to 120.75 mg/30 days. The project is located in the Stockton Formation in the Wissahickon Creek Watershed in Lower Gwynedd and Upper Dublin Townships, Montgomery County, PA, within the Southeastern Pennsylvania Groundwater Protected Area. The Commission has recommended a reduction in the docket holder's allocation from 116 mg/30 days to 90 mg/30 days.

8. *Croda, Inc., Docket No. D-88-74-3*. An application for the renewal of a ground and surface water withdrawal project to increase withdrawal from 60.04 mg/30 days to 76.63 mg/30 days from existing Wells Nos. 8—12 and to retain the existing allocation of 470.59 mg/30 days from Intake 1 to supply the applicant's industrial facility. The project groundwater withdrawals are located in the Potomac Formation, in the Brandywine-Christina Watershed. The project surface water withdrawal is located on the west bank of the Delaware River, in Zone 5. The project is located south of Interstate Route 295 in New Castle County, DE. The Commission has recommended a reduction in the docket holder's surface water withdrawal from 470.59 mg/30 days to 99.0 mg/30 days.

9. *Concord Township Sewer Authority D-97-19 CP-2*. An application to expand the 1.2 mgd Central sewage treatment plant (STP) to process 1.8 mgd, while continuing to provide tertiary treatment prior to discharging to West Branch Chester Creek in nontidal waters. The Central STP is located off the intersection of Conchester Road (Route 322) and Baltimore Pike (Route 1) in Concord Township, Delaware County, PA. The STP will continue primarily to serve Concord Township, but it also will serve small portions of Thornbury and Chester Heights Townships, also in Delaware County, PA.

10. *DS Waters of America and Nestlé Waters North America Inc. D-97-46-3*. An application for the renewal of a spring water withdrawal project to continue withdrawal of 9.0 mg/30 days to supply the Applicant's spring water bottling facility from existing Spring Nos. 1 and 3 in the Tulpehocken Creek Watershed, in the Richland and Leithsville Formations, in Millcreek Township, Lebanon County, PA. Additionally, Nestlé Waters North America Inc. has requested consideration for them to become a joint docket holder and they are proposing to change the exportation site of the 0.300 mgd of water from West Earl Township, Lancaster County, PA to their site in Breiningsville, Lehigh County, PA.

11. *Upper Uwchlan Township D-2000-55 CP-2*. An application for the approval of the expansion and modification to the existing Upper Uwchlan Township Route 100 Regional Wastewater Treatment Plant (WWTP) from 0.3 mgd to 0.6 mgd. The WWTP is located in Upper Uwchlan Township, Chester County, PA. The WWTP will serve existing and proposed development along the Route 100 corridor in Upper Uwchlan Township, Chester County, PA. The WWTP will discharge treated effluent to open space in new subdivisions being developed in the service area, in both the Pickering Creek and Marsh Creek Watersheds, using both drip dispersal and spray irrigation.

12. *Tidewater Utilities, Inc. D-2005-26 CP-2*. An application for the renewal of a groundwater withdrawal project to increase withdrawal from 3.85 mg/30 days to 29.458 mg/30 days to supply the applicant's North Dover and Garrisons Lake public supply distribution systems from existing Wells Nos. SF-01, SF-02 and KWE-02 in the Federalsburg and Cheswold Formations and new Wells Nos. 154547, 71057, 71058, 192844 and 109193 in the Cheswold and Piney Point Formations. The increased allocation is requested in order to interconnect formerly independent service districts and to meet projected increases in service area demand. The project is located in the Leipsic River Watershed in Kent County, DE.

13. *UMH Properties, Inc. D-2007-22-1*. An application for approval of a groundwater withdrawal project to supply up to 6 mg/30 days of water to the applicant's Fairview Manor Mobile Home Park from new Wells Nos. 1 and 2 and to limit the existing withdrawal from all wells to 6 mg/30 days. The project is located in the Coastal Plains Aquifer in the Cohansey Watershed in Vineland City, Cumberland County, NJ.

14. *Venice One Development D-2007-30-1*. An application for the approval of the Venice One Development, which consists of four 6-story buildings comprising a total of 280 residential units and appurtenant ground level parking, both under and adjacent to the buildings, to be constructed on Venice Island, in the Manayunk Section of the City of Philadelphia, PA. Under the Commission's *Flood Plain Regulations*, the Venice One Development is reviewable as a Class II project. Class II projects include any development of land—whether residential or nonresi-

dential—within a flood hazard area located in a nontidal area of the basin, which contains more than 25 dwelling units or includes one or more structures covering a total land area of more than 50,000 square feet. The Venice One Development is to be constructed on Venice Island, which is located in the flood fringe portion of the flood hazard area. A flood hazard area is defined by the Commission FPR as the area inundated by a regulatory flood (100-year floodplain).

15. *Waterford Apartments at Cotton Street Development D-2007-36-1*. An application for the approval of the Waterford Development, which consists of one four-story building comprising a total of 205 residential units and appurtenant ground level parking, both under and adjacent to the buildings, to be constructed on Venice Island, in the Manayunk Section of the City of Philadelphia, PA. Under the Commission's Flood Plain Regulations, the Waterford Development is reviewable as a Class II project. Class II projects include any development of land—whether residential or nonresidential—within a flood hazard area located in a nontidal area of the basin, which contains more than 25 dwelling units, or includes one or more structures covering a total land area of more than 50,000 square feet. The Waterford Apartment Project is to be constructed on Venice Island, which is located in the flood fringe portion of the flood hazard area. A flood hazard area is defined by the Commission FPR as the area inundated by a regulatory flood (100-year floodplain).

16. *Pennsylvania American Water Company D-2008-2-1*. An application for approval of the existing Yardley water treatment plant's 0.402 mgd backwash discharge to a UNT to Brock Creek. The water treatment plant discharges filter backwash and sludge filter press filtrate to the section of the nontidal Delaware River known as the Lower Delaware, which is designated as Special Protection Waters. The facility is located in Yardley Borough, Bucks County, PA.

17. *Fralinger Farms D-2008-16-1*. An application for the approval of a groundwater withdrawal project to supply a maximum of 78.6 mg/30 days of water to the applicant's irrigation system for approximately 283 acres of fruit trees. The applicant's 15 wells are located in the Kirkwood-Cohansey Formation in the Cohansey River Watershed in Hopewell Township, Cumberland County, NJ. The Commission has recommended a reduction in the docket holder's allocation from 78.6 mg/30 days to 18.75 mg/30 days.

The business meeting also will include adoption of the Minutes of the Commission's July 16, 2008 business meeting; announcements of upcoming advisory committee meetings and other events; a report on hydrologic conditions in the basin; a report by the Executive Director; and a report by the Commission's General Counsel. The meeting will include consideration by the Commission of a resolution amending the Water Code and Comprehensive Plan to implement a Flexible Flow Management Program for the New York City Delaware Basin Reservoirs. The Commission issued a notice of proposed rule-making on these amendments on December 3, 2007. It announced it would accept comments on the proposed changes through January 18, 2008, a date that was later extended to March 3. It held a hearing on the proposed amendments on January 16, 2008. No hearing on this matter will take place on September 24. If the Commission approves the amendments, a detailed comment and response document will be issued upon filing of the amendments with each of the signatory parties in accord-

ance with Section 14.2 of the Delaware River Basin Compact. The amendments cannot go into effect without the unanimous consent of the parties to the 1954 Supreme Court decree in *New Jersey v. New York*, 347 U.S. 995 (1954). Also during the business meeting, the Commission will hold a public hearing on a resolution amending the composition of the Water Quality Advisory Committee to add members from the environmental and academic sectors and a resolution authorizing the executive director to enter into an agreement for a sediment flux study of mercury in Water Quality Zone 5. It will consider a resolution authorizing the executive director to extend the Commission's 2002 agreement with Axys Analytical Services Ltd. for sampling and analysis of toxic substances in ambient water, wastewater and sediment samples from the Delaware Estuary. An opportunity for public dialogue will be provided at the end of the meeting.

Draft dockets scheduled for public hearing on September 24, 2008, will be posted on the Commission's web site,

www.drbc.net, where they can be accessed through the Notice of Commission Meeting and Public Hearing. Additional documents relating to the dockets and other items may be examined at the Commission's offices. Contact William Muszynski at (609) 883-9500, Ext. 221, with any docket-related questions.

Individuals in need of an accommodation as provided for in the Americans With Disabilities Act who wish to attend the informational meeting, conference session or hearings should contact the commission secretary directly at (609) 883-9500, Ext. 203 or through the Telecommunications Relay Services (TRS) at 711, to discuss how the Commission can accommodate their needs.

PAMELA M. BUSH,  
*Secretary*

[Pa.B. Doc. No. 08-1665. Filed for public inspection September 12, 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 September 2, 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

#### Charter Applications

<i>Date</i>	<i>Name of Bank</i>	<i>Location</i>	<i>Action</i>
8-29-2008	Bank of Pittsburgh Wexford Allegheny County	Wexford	Filed

#### **Corresponding Agent:**

Joseph D. Reid, III  
14000 Perry Highway  
Wexford, PA 15090

#### Mutual Holding Company Reorganizations

<i>Date</i>	<i>Name of Bank</i>	<i>Location</i>	<i>Action</i>
8-26-2008	Reliance Savings Bank Altoona Blair County	Altoona	Approved

Reorganization of Reliance Savings Bank, a mutual savings bank, into a two-tier, mutual holding company structure.

**Consolidations, Mergers and Absorptions**

<i>Date</i>	<i>Name of Bank</i>	<i>Location</i>	<i>Action</i>
8-27-2008	Embassy Bank for the Lehigh Valley, Bethlehem, and Embassy Interim Bank, Bethlehem Surviving Institution: Embassy Interim Bank, Bethlehem, with name change to "Embassy Bank for the Lehigh Valley"	Bethlehem	Approved

Application filed in conjunction with the reorganization of Embassy Bank for the Lehigh Valley, Bethlehem, into a bank holding company structure whereby Embassy Bank for the Lehigh Valley will become the wholly-owned subsidiary of Embassy Bancorp, Inc., Bethlehem.

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

<i>Date</i>	<i>Name of Bank</i>	<i>Location</i>	<i>Action</i>
8-27-2008	Northwest Savings Bank Warren Warren County	1609 East Sunrise Boulevard Fort Lauderdale Broward County, FL	Filed

**Branch Discontinuances**

<i>Date</i>	<i>Name of Bank</i>	<i>Location</i>	<i>Action</i>
8-22-2008	Graystone Bank Lancaster Lancaster County	37 North Market Street Frederick Frederick County, MD	Closed

**SAVINGS INSTITUTIONS**

No activity.

**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. 08-1666. Filed for public inspection September 12, 2008, 9:00 a.m.]

## DEPARTMENT OF CONSERVATION AND NATURAL RESOURCES

### Conservation and Natural Resources Advisory Council Meeting

The Conservation and Natural Resources Advisory Council to the Department of Conservation and Natural Resources (Department) will hold a meeting on Wednesday, September 24, 2008, 10 a.m. in Room 105, Lobby Level, Rachel Carson State Office Building, 400 Market Street, Harrisburg, PA.

Questions concerning this meeting or agenda items can be directed to Kurt Leitholf at (717) 705-0031.

Persons in need of accommodations as provided for in the Americans With Disabilities Act of 1990 should contact Joan Dupes directly at (717) 705-0031 or through the Pennsylvania AT&T Relay Service at (800) 654-5984 (TDD) to discuss how the Department may accommodate their needs.

MICHAEL F. DIBERARDINIS,  
*Secretary*

[Pa.B. Doc. No. 08-1667. Filed for public inspection September 12, 2008, 9:00 a.m.]

# DEPARTMENT OF EDUCATION

## Index Calculation Required by Special Session Act 1 of 2006

Under section 333(l) of the Taxpayer Relief Act (53 P. S. § 6926.33(l)), the Department of Education (Department) has calculated the index for the Fiscal Year (FY) 2009-2010.

The index is the average of the percentage increase in the Statewide average weekly wage and the Employment Cost Index. For the FY 2009-2010, the base index is 4.1%.

For school districts with a market value/income aid ratio greater than .4000, an adjusted index will be posted on the Department's web site at [www.pde.state.pa.us/proptax](http://www.pde.state.pa.us/proptax) by September 30, 2008.

GERALD L. ZAHORCHAK, D. Ed.,  
Secretary

[Pa.B. Doc. No. 08-1668. Filed for public inspection September 12, 2008, 9:00 a.m.]

# DEPARTMENT OF ENVIRONMENTAL PROTECTION

## Applications, Actions and Special Notices

### APPLICATIONS

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

This notice provides information about persons who have applied for a new, amended or renewed NPDES or WQM permit, a permit waiver for certain stormwater discharges or submitted a Notice of Intent (NOI) for coverage under a general permit. The applications concern, but are not limited to, discharges related to industrial, animal or sewage waste, discharges to groundwater, discharges associated with municipal separate storm sewer systems (MS4), stormwater associated with construction activities or concentrated animal feeding operations (CAFOs). This notice is provided in accordance with 25 Pa. Code Chapters 91 and 92 and 40 CFR Part 122, implementing The Clean Streams Law (35 P. S. §§ 691.1—691.1001) and the Federal Clean Water Act.

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

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

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

Unless indicated otherwise, the 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

*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-0061085 (Minor Sewage)	Glenburn Service Company 1301 Winola Road Clarks Summit, PA 18411	Lackawanna County Glenburn Township	Ackerly Creek 5A	Y

Chesapeake Bay nutrient monitoring requirements for ammonia nitrogen, kjeldahl nitrogen, Nitrite-Nitrate as N, total nitrogen and total phosphorus are being added to this permit.

<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>
PA0064319 (Minor Sewage)	Great Wolf Lodge of the Poconos, LLC 1 Great Wolf Drive Scotrun, PA 18355	Pocono Township Monroe County	Scot Run 01E	Y
PA0063240	Lehigh Township Municipal Authority 1069 Municipal Drive Walnutport, PA 18088	Northampton County Lehigh Township	Bertsch Creek CWF 2C	Y
PA0063231	Lehigh Township Municipal Authority 1069 Municipal Drive Walnutport, PA 18088	Northampton County Lehigh Township	Indian Creek CWF 2C	Y

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

<i>NPDES No. (Type)</i>	<i>Facility Name &amp; Address</i>	<i>County &amp; Municipality</i>	<i>Stream Name (Watershed #)</i>	<i>EPA Waived Y/N ?</i>
PA0085138 (Sew)	Five Forks Brethren in Christ Church 9244 Five Forks Road Waynesboro, PA 17268-9612	Franklin County Quincy Township	UNT West Branch Antietam Creek 13-C	Y
PA0084123 (Sew)	Penn Township Municipal Authority—Kinkora 100 Municipal Building Road Duncannon, PA 17020	Perry County Penn Township	Cove Creek 7-A	Y
PA0084701 (Sew)	Penn Township Municipal Authority—Cove 100 Municipal Building Road Duncannon, PA 17020	Perry County Penn Township	UNT Susquehanna River 7-A	Y
PA0247324 (CAFO)	Rohrer Farms, LLC Country View Family Farms CAFO 750 Doe Run Road Lititz, PA 17543	Lancaster County Penn and Warwick Townships	Santo Dominog Creek WWF 7-J Lititz Run WWF 7-J	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>
PA0228362	Former Gateway Restaurant and Apartments 5198 Route 87 Highway Williamsport, PA 17701	Lycoming County Plunketts Creek Township	Loyalsock Creek SWP 10B	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>
PA0044016	Fish and Boat Commission Benner Spring Fish Research Station 1735 Shiloh Road State College, PA 16801-6495	Pine Township Crawford County	Shenango River 20-A	Y
PA0210030	James E. Carpino P. O. Box 130 Knoxdale, PA 15847	Knox Township Jefferson County	Indiancam Run 17-C	Y

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

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

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

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

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

The proposed amendment revises the Chesapeake Bay Strategy Implementation interim milestone dates. The final compliance date is not affected.

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

The EPA waiver is not in effect.

**Application No. PA 0020885**, Sewage, **Borough of Mechanicsburg**, 36 West Allen Street, Mechanicsburg, PA 17055. This facility is located in Mechanicsburg Borough, **Cumberland County**.

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

The receiving stream, Conodoguinet Creek, is in Watershed 7-B, and classified for WWF, water supply, recreation and fish consumption. The nearest downstream public water supply intake for Steelton Municipal Waterworks is located on the Susquehanna River, approximately 19.3 miles downstream. The discharge is not expected to affect the water supply.

The proposed effluent limits for Outfall 001 for a design flow of 2.08 mgd are:

<i>Parameter</i>	<i>Average Monthly (mg/l)</i>	<i>Average Weekly (mg/l)</i>	<i>Instantaneous Maximum (mg/l)</i>
CBOD <sub>5</sub>	25	40	50
Total Suspended Solids	30	45	60
NH <sub>3</sub> -N			
(5-1 to 10-31)	9.0		18
(11-1 to 4-30)	16		32
Total Residual Chlorine	0.5		1.6
Total Phosphorus	2.0		4.0
Dissolved Oxygen		Minimum of 5.0 at all times	
pH		From 6.0 to 9.0 inclusive	
Fecal Coliform			
(5-1 to 9-30)		200/100 ml as a Geometric Average	
(10-1 to 4-30)		2,000/100 ml as a Geometric Average	

*Chesapeake Bay Requirements*

	<i>Concentration (mg/l)</i>		<i>Mass (lbs)</i>
	<i>Monthly Average</i>	<i>Monthly</i>	<i>Annual</i>
Ammonia-N	Report	Report	Report**
Kjeldahl-N	Report	Report	XXX
Nitrate-Nitrite as N	Report	Report	XXX
Total Nitrogen	Report	Report	Report
Total Phosphorus	Report	Report	Report
Net Total Nitrogen	XXX	Report	38,565*
Net Total Phosphorus	XXX	Report	5,065*

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

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

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

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

The EPA waiver is not in effect.

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

**PA0218049**, Sewage, **Midway Sewerage Authority**, P. O. Box 600, Midway, PA 15060. This application is for renewal of an NPDES permit to discharge treated sewage from Midway Sewerage Authority Wastewater Treatment Plant in Robinson Township, **Washington County**.

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

*Outfall 001: existing discharge, design flow of 0.5 mgd.*

Parameter	Concentration (mg/l)			
	Average Monthly	Average Weekly	Maximum Daily	Instantaneous Maximum
CBOD <sub>5</sub>	25	38		50
Suspended Solids	30	45		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			
pH	not less than 6.0 nor greater than 9.0			

The EPA waiver is in effect.

---

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

---

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

**WQM Permit No. 6608401**, Sewerage, **Factoryville Borough and Clinton Township Joint Municipal Authority**, P. O. Box 277, Factoryville, PA 18419. This proposed facility is located in Clinton Township, **Wyoming County**.

Description of Proposed Action/Activity: This project is for the expansion and upgrade of the wastewater treatment plant to have a capacity of .185 mgd and construction of sanitary sewer extensions in Clinton Township.

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

**WQM Permit No. 3808402**, Sewerage, **South Londonderry Township Municipal Authority**, P. O. Box 3, Campbelltown, PA 17010-0003. This proposed facility is located in South Londonderry Township, **Lebanon County**.

Description of Proposed Action/Activity: Seeking approval for the construction of an expansion project of the Campbelltown East wastewater treatment plant.

**WQM Permit No. 6708403**, Sewerage, **Borough of Hanover**, 44 Frederick Street, Hanover, PA 17331. This proposed facility is located in Hanover Borough, **York County**.

Description of Proposed Action/Activity: Approval for the construction of sewerage facilities consisting of additional pipelines parallel to and immediately above the existing sewer main in sections of the Edgegrove Interceptor system.

---

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

---

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

---

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

---



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

<i>NPDES Permit No.</i>	<i>Applicant Name &amp; Address</i>	<i>County</i>	<i>Municipality</i>	<i>Receiving Water/Use</i>
PAI01 0907022	Milford Acquisitions, Inc. 1590 Canary Road Quakertown, PA 18951	Bucks	Richland Township	Tohickon/Unami Creek TSF-HQ-TSF
PAI01 1508053	Timothy M. Sheldon P. O. Box 16 Brandamore, PA 19316	Chester	Honey Brook Township	West Branch Brandywine Creek HQ-TSF-MF
PAI01 1508054	Chester County Parks and Recreation Department 601 Westtown Road Suite 160 P. O. Box 2474 West Chester, PA 19380-0090	Chester	East Coventry, East Vincent and East Pikeland Townships Spring City Borough	Schuylkill River HQ-MF-WWF
PAI01 1508055	Cycle Max 1816 Horseshoe Pike Honey Brook, PA 19344	Chester	West Brandywine Township	West Branch Brandywine Creek HQ-TSF
PAI01 1508056	Phillip Ettelson 1624 Riverview Road Gladwyne, PA 19035-1211	Chester	North Coventry Township	Laurel Run HQ

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

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

<i>NPDES Permit No.</i>	<i>Applicant Name &amp; Address</i>	<i>County</i>	<i>Municipality</i>	<i>Receiving Water/Use</i>
PAI024803002R	Pheasant Ridge Dev. Corp. Attn: James Seitz 1700 Cherry Avenue Easton, PA 18040-8154	Northampton	Forks Township	Bushkill Creek HQ-CWF
PAI024803010R	Bushkill Preserve, LLC Attn: James Seitz 502 Red Barn Drive Easton, PA 18040	Northampton	Forks Township	Bushkill Creek HQ-CWF
PAI024803008R	Chrin Land Developers 400 South Greenwood Avenue Easton, PA 18045	Northampton	Palmer Township Tatamy Borough	Bushkill Creek HQ-CWF

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

<i>NPDES Permit No.</i>	<i>Applicant Name &amp; Address</i>	<i>County</i>	<i>Municipality</i>	<i>Receiving Water/Use</i>
PAI024508012	EPA Real Estate, LLC R. R. 1 Box 1752 Kunkletown, PA 18058	Monroe	Chestnuthill Township	Sugar Hollow Creek CWF EV Wetlands

#### **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.

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

<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>New or Renewal</i>
Evergreen Farms, Inc. 3012 Evergreen Farms Lane Spruce Creek, PA 16683	Huntingdon	3,827	4,620.12	Dairy	HQ	Renewal
Lawrence Mummau Tuscarora Swine 15879 Mummau Lane Shirleysburg, PA 17260	Huntingdon	199.5	727.0	Hog/Beef	N/A	Renewal
Wonder Why Farm Marsha Snyder 1140 Bernheisel Road Loysville, PA 17047	Perry	140	405.2	Swine/Turkey/ Beef/Sheep	None	Renewal
John Wanner Wanners Pride and Joy 5800 Wanner Road Narvon, PA 17555	Lancaster	529.5	1,334.87	Dairy	HQ	Renewal
Stephen L. Hershey Bridge Valley Farm, LLC 866 Bridge Valley Road Columbia, PA 17512	Lancaster	80	1,802.64	Layers	N/A	Renewal
Burk Lea Farms 3039 Grand Point Road Chambersburg, PA 17202	Franklin	1,179.6	1,809.15	Dairy	N/A	New

**PUBLIC WATER SUPPLY (PWS)  
PERMIT**

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

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

Following the comment period, the Department will make a final determination regarding the proposed permit. Notice of this final determination will be published

in the *Pennsylvania Bulletin* at which time this determination may be appealed to the Environmental Hearing Board.

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

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

**SAFE DRINKING WATER**

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

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

**Permit No. 2808507**, Public Water Supply.  
 Applicant **Shippensburg Borough Authority**  
 Municipality Southampton Township  
 County **Franklin**  
 Responsible Official William W. Wolfe, Manager  
 111 North Fayette Street  
 P. O. Box 129  
 Shippensburg, PA 17257-0129  
 Type of Facility Public Water Supply  
 Consulting Engineer Peter Lusardi, P. E.  
 CET Engineering Services  
 1240 North Mountain Road  
 Harrisburg, PA 17112  
 Application Received: August 19, 2008  
 Description of Action New booster pump and chlorine injection system for the Orrstown Storage Tank.

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

**Permit No. 4871-A9**, Public Water Supply.  
 Applicant **Municipal Authority of the Borough of Derry**  
 620 Chestnut Street  
 Derry, PA 15627  
 Township or Borough Borough of Derry  
 Responsible Official Richard Thomas, Manager  
 Municipal Authority of the Borough of Derry  
 620 Chestnut Street  
 Derry, PA 15627  
 Type of Facility Water treatment plant  
 Consulting Engineer The EADS Group, Inc.  
 1126 Eighth Avenue  
 Altoona, PA 16602  
 Application Received Date August 14, 2008  
 Description of Action Replacement of the existing single pump Mowry Way pump station with a new three pump below grade pump station.

## AIR QUALITY

### PLAN APPROVAL AND OPERATING PERMIT APPLICATIONS

#### NEW SOURCES AND MODIFICATIONS

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

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

Copies of the applications, subsequently prepared draft permits, review summaries and other support materials

are available for review in the regional office identified in this notice. Persons interested in reviewing the application files should contact the appropriate regional office to schedule an appointment.

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

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

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

### PLAN APPROVALS

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

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

**10-333B: Penn United Technology, Inc.** (799 North Pike Road, Cabot, PA 16023) to use a non-HAP solvent in the existing batch vapor solvent degreasing equipment at their facility in Jefferson Township, **Butler County**.

**37-243F: INMETCO** (One INMETCO Drive, Ellwood City, PA 16117) for modification of plan approval 37-243D condition with regards to the CO CEM for the 156,000 acfm baghouse controlling the Rotary Hearth Furnace in Ellwood City Borough, **Lawrence County**. This is a Title V facility.

**43-036B: Hodge Foundry, Inc.** (42 Leech Road, Greenville, PA 16125) for construction of the New High Bay building and installation of related new equipment; relocation of existing equipment; construction of casting pits in the Main Bay; installation of new product finishing equipment and some related projects to support operations after the completion of initial construction. This project will allow the facility to increase the melt production to 37,000 tpy of charged metal in Hempfield Township, **Mercer 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.*

**PA 58-329-002: Tennessee Gas Pipeline Co.** (1001 Louisiana Street, Houston, TX 77002) for construction and operation of a simple cycle combustion turbine at their facility in Clifford Township, **Susquehanna County**.

In accordance with 25 Pa. Code §§ 127.44(b) and 127.424(b), the Department of Environmental Protection (Department) intends to issue Plan Approval No. 58-329-002 to Tennessee Gas Pipeline Co., 1001 Louisiana Street, Houston, TX 77002, for their facility located in Clifford Township, Susquehanna County. The facility currently has Title V Permit No. 58-00001. This plan approval will be incorporated into the Title V operating permit through an administrative amendment at a later date, and the action will be published as a notice in the *Pennsylvania Bulletin*.

Plan Approval No. 58-329-002 is for construction and operation of a simple cycle combustion turbine at their facility. Currently the company operates primarily three natural gas fired Solar Centaur recuperative turbines each rated at 3,333 hp at Station 321 under Title V operating permit No. 58-00001 in Clifford Township. These three combustion turbines used to move gas through the pipeline system. Natural gas used as a fuel for the turbines. The company has submitted this application to replace existing turbine Source ID 103 with a newer more efficient turbine. This project does not impact emissions from other sources at the site.

The proposed source is subject to the various State and Federal New Source Performance Standard (NSPS) requirements.

A review of the information submitted by the Tennessee Gas Pipeline Co. indicates that the proposed project will meet all applicable State and Federal NSPS air quality requirements. Based upon these findings, the Department plans to approve the application and issue a permit for the facility.

The following table summarizes the potential emissions increases from maximum operation of the turbine according to the application submitted and the Department's own analysis;

<i>Pollutant</i>	<i>Tons Per Year</i>
NOx	7.36
VOCs	6.84
SO <sub>2</sub>	0.67
CO	25.13
Total PM	1.15

The emissions of these pollutants are within all applicable emissions limitations and will not cause an exceedance of the National Ambient Air Quality Standards.

To assure compliance with the applicable standards, the Department will place conditions in the plan approval.

The Plan Approval and Operating Permit will contain additional recordkeeping and operating restrictions designed to keep the facility operating within all applicable air quality requirements.

Copies of the application, the Department's analysis and other documents used in the evaluation of the application are available for public review during normal business hours at Air Quality Program, 2 Public Square, Wilkes-Barre, PA 18711.

Persons wishing to provide the Department with additional information which they believe should be considered prior to the issuance of this permit may submit the information to the address shown in the preceding paragraph. Each written comment must contain the following:

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

Identification of the proposed permit No.: 58-329-002

A concise statement regarding the relevancy of the information or objections to the issuance of the permit.

A public hearing may be held, if the Department, in its discretion, decides that such a hearing is warranted based on the comments received. Persons submitting comments or requesting a hearing will be notified of the decision to hold a hearing by publication in the newspaper or the *Pennsylvania Bulletin* or by telephone, when the Department determines notification is sufficient. Written comments or requests for a public hearing should be directed to Raymond Kempa, P. E., Chief, New Source Review Section, Air Quality Program, 2 Public Square, Wilkes-Barre, PA 18711, (570) 826-2511 within 30 days after publication date.

**58-303-007: Eastern Industries, Inc.** (4401 Camp Meeting Road, Center Valley, PA 18034) for installation of a new RAP crusher w/screen to their existing asphalt plant at their facility in Clifford Township, **Susquehanna County**. This facility is a non-Title V facility. The facility will be subject to NSPS Subpart OOO. The company will operate the facility and maintain the system in accordance with the good engineering practices to assure proper operation of the system.

#### 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.*

**23-00001: Sun Inc.—R & M—Marcus Hook Refinery** (100 Green Streets, Marcus Hook, PA 19061) for operation of a Petrochemical refinery in Marcus Hook Borough, **Delaware County**. As a result of potential emissions of each criteria pollutant, 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 renewal/amendment contains all applicable requirements including monitoring, record-keeping and reporting for the new source numbered 619 (17-2A Reforming Unit). There are no sources at this facility that are subject to CAM (40 CFR 64).

**09-00017: Exelon Generation Co., LLC** (3901 North Delaware Avenue, Philadelphia, PA 19137) for renewal of the Title V Operating Permit for their Falls Township Peak Power Plant in Fall Township, **Bucks County**. The initial permit was issued on October 24, 1997, and renewed on October 3, 2003. The facility is a peak power plant. As a result of potential emissions of NOx, 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 renewal contains all applicable requirements including monitoring, recordkeeping and reporting. The renewal permit contains all applicable requirements including monitoring, recordkeeping and reporting.

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

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

**15-00090: National Service Industries** (303 Eagleview Boulevard, Exton, PA 19341) for installation of flexographic printing heads on an existing flexographic printing press at an envelope manufacturing and printing facility in Uwchlan Township, **Chester County**. The plan approval is for a non-Title V (State-only) facility. The process will potentially increase VOC emissions by 3.0 tons per annum. The plan approval will include monitoring, recordkeeping and reporting requirements designed to keep the facility operating within all applicable air quality requirements.

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

**40-00050: Pioneer Aggregates, Inc.** (202 Main Street, Laflin, PA 18702) for operation of a rock crushing operation and associated air cleaning devices at their facility in Dennison Township, **Luzerne County**. This action is a renewal of the State-only (Natural Minor) Operating Permit for this facility. This Operating Permit shall include emission restrictions, monitoring, recordkeeping and reporting requirements designed to ensure this facility complies with all applicable air quality regulations.

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

**21-03033: Lane Enterprises, Inc.** (1244 Claremont Road, Carlisle, PA 17013-9742) for metal coating and burn off ovens in Middlesex Township, **Cumberland County**. The annual emissions of the VOC and PM from the operation are approximately less than 3 and 1 ton respectively. This is a renewal of natural minor operating permit issued in January 2004.

**21-03048: Carlisle Small Animal Veterinary Clinic** (25 Shady Lane, Carlisle, PA 17013) for operation of its animal crematory in Middlesex Township, **Cumberland County**. The State-only operating permit will include emission restrictions, work practice standards, and testing, monitoring, recordkeeping and reporting requirements designed to keep the facility operating within all applicable air quality requirements. This is a renewal of the State-only operating permit issued in 2002.

**21-05012: M. H. Technologies, LLC** (1 Mountain Street, P. O. Box C, Mt. Holly Springs, PA 17065) for operation of an electrical insulation paper production facility in the Mt. Holly Springs Borough, **Cumberland County**. This is a renewal of the State-only operating permit issued in September 2003.

**28-05042: Armaclad Doors & Windows, LLC** (P. O. Box 455, Mont Alto, PA 17237) for operation of its door manufacturing facility in Quincy Township, **Franklin**

**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.

**36-03080: Rohrer's Quarry** (70 Lititz Road, P. O. Box 365, Lancaster, PA 17543) for operation of its quarry and stone crushing facility in Penn and Warwick Townships, **Lancaster County**. This is a renewal of their State-only operating permit issued in 2003.

**36-05106: Premier Custom Built, Inc.** (110 Short Street, New Holland, PA 17557) for the operation of its cabinet manufacturing facility in East Earl Township, **Lancaster County**. This is a renewal of their State-only operating permit issued in 2003.

**36-05121: Paradise Custom Kitchens, Inc.** (3333 Lincoln Highway East, P. O. Box 278, Paradise, PA 17562) for the operation of its cabinet manufacturing facility in Paradise Township, **Lancaster County**. This is a renewal of their State-only operating permit issued in 2003.

**67-03045: Acco Material Handling Solutions, Inc.** (P. O. Box 792, York, PA 17405) for operation of its hoist and crane component manufacturing facility in York Township, **York 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.

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

**60-00014: Evangelical Community Hospital** (1 Hospital Drive, Lewisburg, PA 17837) for renewal of a State-only operating permit for the operation of a hospital facility in Kelly Township, **Union County**.

The facility consists of two 12.5 mmBtu/hr natural gas/No. 2 fuel oil-fired boilers, a 9.5 mmBtu/hr natural gas/No. 2 fuel oil-fired boiler, a .145 mmBtu/hr No. 2 fuel oil-fired furnace, a 5.95 mmBtu/hr natural gas-fired absorption chiller, four No. 2 fuel oil-fired emergency generators (390 hp, 750 hp, 750 hp and 135 hp), a 368 hp No. 2 fuel oil-fired fire pump engine, a 1.5 mmBtu/hr natural gas-fired engine-driven chiller, an ethylene oxide sterilizer and two aboveground No. 2 fuel oil storage tanks (20,000 gallon capacity and 2,000 gallon capacity).

The air contaminant emissions from the facility are not expected to exceed 79.3 tons of SO<sub>x</sub>, 37.8 tons of NO<sub>x</sub>, 16.4 tons of CO, 5.0 tons of PM/PM<sub>2.5</sub>/PM<sub>10</sub>, 2.2 tons of VOCs and .8 ton of HAPs per year.

The Department of Environmental Protection (Department) proposes to renew State-only Operating Permit 60-00014. The Department intends to incorporate into the renewal all conditions currently contained in State-only Operating Permit 60-00014 with these exceptions, additions and changes:

1. Conditions requiring the performance of weekly inspections of the facility to detect the presence of visible air contaminant emissions, visible fugitive air contaminant emissions and malodorous air contaminant emissions, and the maintenance of records of these inspections, have been removed from the permit as the types of sources existing at the facility are not likely to generate visible air contaminant, visible fugitive air contaminant and malodorous air contaminant emissions except under

equipment malfunction conditions which would be likely to be detected, and corrected, long before the once per week inspection would be performed.

2. A condition requiring malfunctions to be reported to the Department has been changed to exempt malfunctions which are not resulting in, or potentially resulting in, air contaminant emissions in excess of an applicable air contaminant emission limitation or are not resulting in, or potentially resulting in, noncompliance with a permit condition.

3. An 8.4 mmBtu/hr natural gas/No. 2 fuel oil-fired boiler has been removed from the permit as it no longer exists at the facility and a 9.5 mmBtu/hr natural gas/No. 2 fuel oil-fired boiler has been added to the permit along with conditions specifying the applicable 25 Pa. Code § 123.11 PM emission limitation and 25 Pa. Code § 123.22 SO<sub>x</sub> emission limitation as well as a condition limiting the fuels used in the respective boiler to natural gas and No. 2 fuel oil.

4. A condition containing an erroneously-stated CO emission limitation for the facility's two 12.55 mmBtu/hr natural gas/No. 2 fuel oil-fired boilers has been corrected.

5. Conditions requiring the maintenance of records of the calculations used to verify compliance with the NO<sub>x</sub> and CO emission limitations for the facility's two 12.55 mmBtu/hr natural gas/No. 2 fuel oil-fired boilers and the PM and SO<sub>x</sub> emission limitations for the facility's emergency generators have been removed from the permit as it is not possible to demonstrate compliance with the respective NO<sub>x</sub>, CO and PM emission limitations by means of calculations alone and compliance with the respective SO<sub>x</sub> emission limitation can be determined by monitoring the sulfur content of the No. 2 fuel oil used in the generators, the maintenance of records of which are required by a condition contained elsewhere in the permit.

6. A 135 hp No. 2 fuel oil-fired emergency generator has been added to the permit.

7. Conditions specifying erroneous PM and SO<sub>x</sub> emission limitations for one of the facility's two chillers, a 1.5 mmBtu/hr natural gas-fired engine-driven chiller, have been corrected.

8. Conditions prohibiting the storage of any VOC-containing liquid with a vapor pressure greater than 1.5 psia in the facility's 20,000 gallon capacity and 2,000 gallon capacity aboveground No. 2 fuel oil storage tanks and requiring the maintenance of records of the vapor pressure of the liquids stored in the tanks have been removed from the permit and replaced with conditions prohibiting the storage of anything other than No. 2 fuel oil in the respective tanks and requiring the maintenance of records of the identity of the materials stored in the tanks.

9. Conditions requiring the submission of semi-annual reports of the number of hours each emergency generator and the fire pump engine are operated each month are being changed to require the submission of annual reports.

10. Conditions have been added to the permit specifying the applicable requirements contained in Subpart WWWW of the National Emission Standards for HAPs, 40 CFR 63.10382—63.10448 (National Emission Standards for HAPs for Hospital Ethylene Oxide Sterilizers) for the facility's ethylene oxide sterilizer.

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

**24-00001: Buehler Lumber Co.** (260 West Main Street, Ridgway, PA 15853-1611) for issuance of a Natural Minor Operating Permit to operate a facility that processes logs into lumber in Ridgway Borough, **Elk County**. The facility's primary emission sources include a wood fired boiler, miscellaneous woodworking operations, fuel (sawdust) stockpiling and a lumber grading operation.

## 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:

<i>Parameter</i>	<i>30-Day Average</i>	<i>Daily Maximum</i>	<i>Instantaneous Maximum</i>
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
Aluminum (Total)	0.75 to 2.0 mg/l	1.5 to 4.0 mg/l	2.0 to 5.0 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 30841316 and NPDES Permit No. PA0213535, Consol Pennsylvania Coal Company, LLC**, (1800 Washington Road, Pittsburgh, PA 15241), to review the permit for the Bailey Mine and Prep Plant in Richhill Township, **Greene County** to add surface acreage to install two dewatering boreholes and one ventilation borehole for the Bailey Mine. Surface Acres Proposed 13.51. No additional discharges. Application received August 8, 2008.

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

**03030103 and NPDES Permit No. PA0250384. AMFIRE Mining Co., LLC** (One Energy Place). Renewal application for reclamation only of a bituminous surface mine, located in Sugarcreek Township, **Armstrong County**, affecting 130.2 acres. Receiving streams: UNTs to Huling Run, classified for the following use: TSF. There is no potable water supply intake within 10 miles downstream from the point of discharge. Renewal application received August 25, 2008.

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

**16940107 and NPDES Permit No. PA0226831. RFI Energy, Inc.** (P. O. Box 162, Sligo, PA 16255). Revision to an existing bituminous surface and sandstone removal operation in Perry Township, **Clarion County** affecting 217.0 acres. Receiving streams: Five UNTs to Cherry Run, classified for the following use: CWF. There are no potable surface water supply intakes within 10 miles downstream. Revisions to add coal refuse disposal, the beneficial use of coal ash for land reclamation and change the land use from forestland and pastureland or land

occasionally cut for hay to unmanaged natural habitat on tracts of land owned by C&K Coal Company. Application received August 25, 2008.

**43080103 and NPDES Permit No. PA0258644. Ben Hal Mining Company** (389 Irishtown Road, Grove City, PA 16127). Commencement, operation and restoration of a bituminous surface strip operation in Jackson Township, **Mercer County** affecting 14.2 acres. Receiving streams: UNT to Yellow Creek to Cool Spring Creek, classified for the following use: TSF. There are no potable surface water supply intakes within 10 miles downstream. Application received August 26, 2008.

**16080108 and NPDES Permit No. PA0258652. Amerikohl Mining, Inc.** (202 Sunset Drive, Butler, PA 16001). Commencement, operation and restoration of a bituminous surface strip operation in Perry Township, **Clarion County** affecting 222.2 acres. Receiving streams: UNTs to the Allegheny River (WWF) and UNTs to the Clarion River, classified for the following use: CWF. There are no potable surface water supply intakes within 10 miles downstream. Application received August 25, 2008.

**10080103 and NPDES Permit No. PA0258661. Ben Hal Mining Company** (389 Irishtown Road, Grove City, PA 16127). Commencement, operation and restoration of a bituminous surface strip operation in Concord Township, **Butler County** affecting 116.0 acres. Receiving streams: Two UNTs to Pine Run (WWF) and two UNTs to Connequenessing Creek, classified for the following use:

HQ-WWF. The first downstream potable water supply intake from the point of discharge is Pennsylvania American Water Company. Application received August 28, 2008.

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

**17030104 and NPDES No. PA0243451. E. P. Bender Coal Co, Inc.** (P. O. Box 594, Carrolltown, PA 15722), permit renewal for the continued operation and restoration of a bituminous surface and auger mine in Beccaria Township, **Clearfield County**, affecting 220.0 acres. Receiving stream: Snyder Run and UNT to Clearfield Creek, classified for the following use: CWF. There are no potable water supply intakes within 10 miles downstream. Application received August 22, 2008.

**17960101 and NPDES No. PA0220256. RES Coal, LLC** (224 Grange Hall Road, P. O. Box 228, Armagh, PA 15920), transfer of an existing bituminous surface mine with an Insignificant Permit Boundary Correction from Sky Haven Coal, Inc. (5510 State Park Road, Penfield, PA 15849), located in Morris Township, **Clearfield County**, affecting 189.8 acres. Receiving streams: Hawk Run to Moshannon Creek, classified for the following use: CWF. There are no potable water supply intakes within 10 miles downstream. Application received August 5, 2008.

*Noncoal Applications Received*

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

Table 2

Parameter	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.

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

**35080301. Airport Sand & Gravel Co., Inc.**, (500 Swetland Lane, West Wyoming, PA 18644), commencement, operation and restoration of a quarry operation in Benton, Lenox and Nicholson Townships, **Lackawanna, Susquehanna and Wyoming Counties** affecting 75.1 acres, receiving stream: Tunkhannock Creek, classified for the following use: TSF. Application received August 20, 2008.

**40960803. J. F. Friden**, (1309 Bethel Hill Road, Shickshinny, PA 18655), Stage I and II bond release for a quarry operation in Huntingdon Township, **Luzerne County** affecting 2.0 acres on property owned by J. F. Friden. Application received August 25, 2008.

**64980804. Paul R. Gustin**, (P. O. Box 105, Preston Park, PA 18455), Stage I and II bond release for a quarry

operation in Preston Township, **Wayne County** affecting 1.0 acre on property owned by Bill Bochicho. Application received August 25, 2008.

**64060803. Paul R. Gustin**, (P. O. Box 105, Preston Park, PA 18455), Stage I and II bond release for a quarry operation in Preston Township, **Wayne County** affecting 2.0 acres on property owned by Robert Boguski. Application received August 25, 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.*

**E67-857: Mummert Enterprises, Inc., Morningstar Development**, Tim Mummert, 1945 Hanover Pike, Littlestown, PA 17340, Penn Township, **York County**, United States Army Corps of Engineers, Baltimore District.

To remove an existing 36-foot long 24-inch CMP and to fill two emergent wetlands totaling 0.036 acre of permanent wetland impacts located in the Oil Creek (WWF) Watershed. The project is located on the southeast quadrant at the intersection of Lexington Drive and Timber Lane (Hanover, PA Quadrangle N: 7.3 inches; W: 10.9 inches, Latitude: 39° 47' 24"; Longitude: 76° 57' 11") in Penn Township, York County. The amount of wetland impact is considered a de minimis impact of 0.036 acre and wetland mitigation is not required.

**E28-348: Department of Transportation Engineering District 8-0**, 2140 Herr Street, Harrisburg, PA 17103-1699, Greene Township, **Franklin County**, United States Army Corps of Engineers, Baltimore District.

To: (1) raise the existing I-81 southbound bridge having three spans, a width of 32.0 feet, a total span of 295.0 feet, and an underclearance of 26.0 feet over Conococheague Creek (CWF) (Scotland, PA Quadrangle N: 13.9 inches; W: 12.0 inches, Latitude: 39° 57' 01"; Longitude: 77° 35' 17"); (2) raise the existing I-81 northbound bridge having three spans, a width of 32.0 feet, a total span of 295.0 feet, and an underclearance of 28.0 feet over Conococheague Creek (CWF) (Scotland, PA Quadrangle N: 13.9 inches; W: 12.0 inches, Latitude 39° 57' 00"; Longitude: 77° 35' 18"); (3) construct and maintain a three span prestressed concrete I-Beam bridge having a width of 125.4 feet, a total span of 309.8 feet, and an underclearance of 24.0 feet carrying I-81 over

Conococheague Creek (CWF) (Scotland, PA Quadrangle N: 13.9 inches; W: 12.0 inches, Latitude: 39° 57' 01"; Longitude: 77° 35' 17.5"); and (4) construct and maintain an 18.0-inch stormwater outfall structure discharging to Conococheague Creek (CWF) (Scotland, PA Quadrangle N: 13.9 inches; W: 12.0 inches, Latitude: 39° 57' 01"; Longitude: 77° 35' 20"). The project will result in 150 linear feet (1,300 square feet) of net permanent floodway impacts associated with replacement of the I-81 southbound and northbound bridges over the Conococheague Creek (CWF) in Greene Township, Franklin County.

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

**E02-584-A5. Hanson Aggregates PMA, Inc.**, 2200 Springfield Pike, Connellsville, PA 15425, in South Buffalo and Gilpen Townships, **Armstrong County**, United States Army Corps of Engineers, Pittsburgh District (Downstream beginning point: Freeport, PA Quadrangle N: 11.3 inches; W: 5.6 inches, Latitude: 40° 41' 14.73"; Longitude: 79° 39' 53.35". Upstream end point: Freeport, PA Quadrangle N: 12.75 inches; W: 3.7 inches, Latitude: 40° 41' 42.23"; Longitude: 79° 39' 4.63"). To amend Permit E02-584, which authorizes commercial sand and gravel dredging in select areas of the Allegheny River (WWF) and Ohio River (WWF), subject to review of fish surveys, mussel surveys and prescribed setbacks in Allegheny, Armstrong, Beaver and Westmoreland Counties, to include Allegheny River Mile Points 30.7 to 31.7, right and left descending bank in South Buffalo and Gilpen Townships, Armstrong County.

**E02-919-A5. Tri-State River Products, Inc.**, Box 218, 334 Insurance Street, Beaver, PA 15009, in South Buffalo and Gilpen Townships, **Armstrong County**, United States Army Corps of Engineers, Pittsburgh District (Downstream beginning point: Freeport, PA Quadrangle N: 11.3 inches; W: 5.6 inches, Latitude: 40° 41' 14.73"; Longitude: 79° 39' 53.35". Upstream end point: Freeport, PA Quadrangle N: 12.75 inches; W: 3.7 inches, Latitude: 40° 41' 42.23"; Longitude: 79° 39' 4.63"). To amend Permit E02-919, which authorizes commercial sand and gravel dredging in select areas of the Allegheny River (WWF) and Ohio River (WWF), subject to review of fish surveys, mussel surveys and prescribed setbacks in Allegheny, Armstrong, Beaver and Westmoreland Counties, to include Allegheny River Mile Points 30.7 to 31.7, right and left descending bank in South Buffalo and Gilpen Townships, Armstrong County.

**E02-1326-A5. Glacial Sand and Gravel Company**, P. O. Box 1022, Kittanning PA 16201, in South Buffalo and Gilpen Townships, **Armstrong County**, United States Army Corps of Engineers, Pittsburgh District (Downstream beginning point: Freeport, PA Quadrangle N: 11.3 inches; W: 5.6 inches, Latitude: 40° 41' 14.73"; Longitude 79° 39' 53.35". Upstream end point: Freeport, PA Quadrangle N: 12.75 inches; W: 3.7 inches, Latitude: 40° 41' 42.23"; Longitude: 79° 39' 4.63"). To amend Permit E02-1326, which authorizes commercial sand and gravel dredging in select areas of the Allegheny River (WWF) and Ohio River (WWF), subject to review of fish surveys, mussel surveys and prescribed setbacks in Allegheny, Armstrong, Beaver and Westmoreland Counties, to include Allegheny River Mile Points 30.7 to 31.7, right and left descending bank in South Buffalo and Gilpen Townships, Armstrong County.

**E02-1591. Bright Oaks Associates, LP**, 5541 Walnut Street, Pittsburgh, PA 15232. To construct a new bridge

in North Fayette Township, **Allegheny County**, United States Army Corps of Engineers, Pittsburgh District (Oakdale, PA Quadrangle N: 8.2 inches; W: 13.0 inches, Latitude: 40° 25' 14"; Longitude: 80° 13' 10"). The applicant proposes to remove an existing structure and to construct and maintain a new bridge consisting of a con-span arch culvert having a span of 24.0 feet with an underclearance of 10.0 feet across the channel of North Branch Robinson Run (WWF), to enclose approximately 435.0 linear feet of two UNTs to North Branch Robinson Run consisting of a 36-inch diameter culvert 245.0 linear feet in length and two 60-inch diameter culverts 145.0 linear feet in length and to place and maintain fill a de minimis area of PEM wetlands (0.01 acre) for the purpose of constructing and providing access to the proposed Bright Oaks Residential Development. The project is located on the north side of North Branch Road, approximately 2,000.0 feet northwest from the intersection of North Branch Road and Bateman Road and will impact 0.01 acre of wetlands and 560.0 linear feet of stream channel.

#### ENVIRONMENTAL ASSESSMENTS

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

**EA48-009. Wind Gap Borough**, 29 Mechanic Street, Wind Gap, PA 18091 in Wind Gap Borough, **North-**

**ampton County**, United States Army Corps of Engineers, Philadelphia District.

To remove an abandoned culvert in the Little Bushkill Creek (HQ-CWF) and to restore the stream channel utilizing the restoration waiver, 105.12(a)(16). The project is located at the former Roberti's Garage along South Broadway (SR 0512) (Wind Gap, PA Quadrangle 40° 50' 37.1525"; 75° 17' 35.0879") in Wind Gap Borough, Northampton County.

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

**D65-204EA. Leo Altimus**, 108 Altimus Drive, Boliovar, PA 15923. Fairfield Township, **Westmoreland County**, United States Army Corps of Engineers, Pittsburgh District.

Project proposes to breach and remove Altimus Dam across Hendricks Creek (TSF) for the purpose of restoring the stream to a free flowing condition. The project will restore approximately 100 feet of stream channel. The dam is located approximately 3,000 feet south of the intersection of SR 1011 (Midget Camp Road) and SR 1006 (Creek Road) (Wilpen, PA Quadrangle Latitude: 40° 21' 42"; Longitude: 79° 08' 12").

---

## 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 P.A.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>
PA0029157 (Sewage)	Keystone College One College Green Lane Plume, PA 18440	Factoryville Borough Wyoming County	South Branch Tunkhannock Creek 4F	Y

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

<i>NPDES No. (Type)</i>	<i>Facility Name &amp; Address</i>	<i>County &amp; Municipality</i>	<i>Stream Name (Watershed #)</i>	<i>EPA Waived Y/N ?</i>
PA0081981 (Sew)	Ron Taggart Smithville Community, LLC 103 Taggart Drive Coatesville, PA 19320	Lancaster County Providence Township	Huber Run 7-K	Y
PA0084956 (IW)	Larry Mylin Pequea Sewer Services, Inc. 69 Scotland Road Quarryville, PA 17566	Lancaster County Providence Township	Pequea Creek 7-K	Y
PA0070190 (Sew)	Charles Cheatham Allegheny East Conference P. O. Box 266 Pine Forge, PA 19548	Berks County Douglass Township	Manatawny Creek 3-D	Y
PA0008087 (IW)	The Hershey Company 19 East Chocolate Avenue Hershey, PA 17033	Dauphin County Derry Township	Srping Creek 7-D	Y
PA0087769 (GWCU)	Sabino Gomez Texas Eastern Transmission, LP 5400 Westheimer Court Houston, TX 77056	Perry County Carroll Township	UNT Shermans Creek 7-A	Y
PA0044521 (Sew)	Franklin County General Authority 5540 Coffey Avenue Chambersburg, PA 17201	Franklin County Letterkenny Township	UNT Dennis Creek 13-C	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>
PA0097012 Sewage	Stonebridge Gardens, Inc. 132 Saddlebrook Road Freidens, PA 15541	Somerset County Quemahoning Township	UNT of Higgins Run	Y
PA0216330 Sewage	Turnpike Commission P. O. Box 67676 Harrisburg, PA 17106	Beaver County Big Beaver Borough	Drainage Swale to Clarks Run	Y
PA0096342 Sewage	Fairchance-Georges Joint Municipal Sewage Authority 141 Big Six Road Smithfield, PA 15478	Fayette County Georges Township	Georges Creek	Y
PA0036595 Sewage	Basalt Trap Rock, LLC 200 Trenton Street Cambridge, MD 21613	Greene County Morgan Township	UNT of South Fork Tennmile Creek	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>
PA0103250	Urlick Foundry Company 1501 Cherry Street Erie, PA 16502	City of Erie Erie County	City of Erie storm sewer (Myrtle Street) tributary to Presque Isle Bay 15-PI	Y
PA0043834	Mercer County Regional Council of Governments 2495 Highland Road Hermitage, PA 16148	South Pymatuning Township Mercer County	Shenango River 20-A	Y

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

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

**NPDES Permit No. PA0031135**, Sewage, **Borough of Kutztown**, 45 Railroad Street, Kutztown, PA 19530-1112. This proposed facility is located in Maxatawny Township, **Berks County**.

Description of Proposed Action/Activity: Authorization to discharge to Watershed 3-B.

**NPDES Permit No. PA0088935**, CAFO, **Robert Barley, Barley Farms**, 37 Chestnut Grove Road, Conestoga, PA 17516-9315. This proposed facility is located in North Codorus Township, **York County**.

Description of Size and Scope of Proposed Operation/Activity: Authorization to operate a 1893-AEU swine operation located in Watershed 7-H.

## 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. 4508403**, Sewerage, **Mount Pocono Municipal Authority**, 303 Pocono Boulevard, Mount Pocono, PA 18344. This proposed facility is located in Mount Pocono Borough, **Monroe County**.

Description of Proposed Action/Activity: Issuance of Water Quality Management Permit to authorize replacement of the existing Route 940 Sewage Pump Station including installation of a manhole, a 10-foot diameter wet well and a 324 ft<sup>2</sup>, 8-foot high pump station enclosure to house pumps and emergency power.

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

**WQM Permit No. 3872403, Amendment No. 08-1**, Sewage, **North Cornwall Township Authority**, 320 South 18th Street, Lebanon, PA 17402. This proposed facility is located in North Cornwall Township, **Lebanon County**.

Description of Proposed Action/Activity: This amendment approves the modification of sewerage facilities consisting of an 18-inch high density polyethylene force main to replace a deteriorating 14-inch ductile iron force main on Dairy Road.

**WQM Permit No. 2808404**, Sewage, **Franklin County General Authority**, 5540 Coffey Avenue, Chambersburg, PA 17201. This proposed facility is located in Letterkenny Township, **Franklin County**.

Description of Proposed Action/Activity: This permit approves the modification of sewerage facilities consisting of Installation of an effluent flow meter, a 24-hour Chart recorder, a LMI Chemical Metering Peristolic Pump to discharge flow proportional liquid chlorine, ATI Series B20 Residual Chlorine Recorder, an automatic phone dialer, a standby generator and 1,000-gallon LP tank and replacement of existing electrical panel.

**WQM Permit No. 5008201**, Industrial Waste, **Mike Trout, Trout Brothers, LLC, Dairy Farm, LLC**, R. D. 2, Box 200c, Loysville, PA 17047. This proposed facility is located in Jackson Township, **Perry County**.

Description of Proposed Action/Activity: This permit approves the construction of a liquid manure storage impoundment and sand settling facilities.

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

**WQM Permit No. 0808201**, CAFO Operation, SIC 0241, **Glenn D. Gorrell**, R. D. 1, Box 220, Milan, PA 18831. This proposed facility is located in Smithfield Township, **Bradford County**.

Description of Proposed Action/Activity: A permit has been issued for the construction and operation of a sand flush manure handling system consisting of a sand separator, pump tank, mechanical solids separator and two HDPE-lined lagoons. The proposed system will handle manure from an existing freestall barn and milking parlor. The two lagoons will provide a total holding capacity, minus 2 feet of freeboard, of approximately 5 million gallons. Gorrell Dairy is an existing dairy farm.

**WQM Permit No. 1708403**, Sewerage, SIC 4952, **Karthus-Burnside Joint Sewer Authority**, P. O. Box 97, Karthus, PA 16845. The proposed facilities are located in Karthus Township, **Clearfield County** and Burnside Township, **Centre County**.

Description of Proposed Action/Activity: A permit has been issued for the construction and operation of a wastewater treatment facility and sewage collection/conveyance system serving Karthaus Township, Clearfield County and Burnside Township, Centre County. The proposed system will discharge 0.115 mgd of treated sewage effluent to the West Branch Susquehanna River.

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

**WQM Permit No. 2608401, William Costello**, 1423 Sharps Point Road, Annapolis, MD 21409. This proposed facility is located in Wharton Township, **Fayette County**.

Description of Proposed Action/Activity: Permit issuance for the construction and operation of an onlot drip system for sewage treatment and disposal.

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

**WQM Permit No. WQG018645**, Sewerage, **Charles B. Whitmire, Jr.**, 200 Headland Road, Butler, PA 16002-9169. This proposed facility is located in Summit Township, **Butler County**.

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

**WQM Permit No. WQG018646**, Sewerage, **Kelly E. Carr**, 20690 Cole Road, Conneautville, PA 16406. This proposed facility is located in Conneaut Township, **Crawford County**.

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

---

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

---

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

---

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

---

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

<i>NPDES Permit No.</i>	<i>Applicant Name &amp; Address</i>	<i>County</i>	<i>Municipality</i>	<i>Receiving Water/Use</i>
PAI201 1503012-R	DHLP Manchester Farms, LP 435 Devon Park Drive Building 20 Wayne, PA 19087	Chester	East Fallowfield Township	West Branch Brandywine Creek EV
PAI01 1503034-R	Chester Valley Golf Club 430 Swedesford Road Malvern, PA 19355	Chester	East Whiteland Township	Valley Creek EV
PAI01 1503105-R	DCW, Inc. 214 Kirkbrae Road Kennett Square, PA 19348	Chester	Oxford Borough	Tributary Little Elk Creek HQ-TSF-MF
PAI01 1507032	Apostolic Christian Church of America 3281 Phoenixville, Pike Phoenixville, PA 19460	Chester	Charlestown Township	Little Valley Creek EV
PAI01 1508041	Greenstone Development II Corporation P. O. Box 973 Paoli, PA 19301	Chester	Malvern Borough	Crum Creek HQ-CWF
PAI01 0907012	Karen Walsh 29 Overlook Drive Danville, PA 17821	Bucks	West Rockhill Township	Ridge Valley Creek HQ
PAI01 0908007	Keystone Floor Products Co. 2969 Samuel Drive Bensalem, PA 19020-7305	Bucks	Bensalem Township	UNT Delaware River/Watershed WWF, MF

*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>
PAI024807002	C. A. Lessig, Inc. P. O. Box 158 Wind Gap, PA 18091	Northampton	Wind Gap Borough Plainfield Township	Little Bushkill Creek HQ-CWF, MF
PAI023908002	Briad Lodging Group, LLC 78 Okner Parkway Livingston, NJ 07039	Lehigh	Upper Macungie Township	Iron Run HQ-CWF

<i>NPDES Permit No.</i>	<i>Applicant Name &amp; Address</i>	<i>County</i>	<i>Municipality</i>	<i>Receiving Water/Use</i>
PAI023904029(1)	Palumbo and Shoemaker Partnership 1612 West Allen Street Allentown, PA 18102	Lehigh	Upper Macungie Township	Little Cedar Creek HQ-CWF Little Lehigh Creek HQ-CWF

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

<i>NPDES Permit No.</i>	<i>Applicant Name &amp; Address</i>	<i>County</i>	<i>Municipality</i>	<i>Receiving Water/Use</i>
PAI033608001	Kenneth F. Steele 227 Green Lane Quarryville, PA 17566	Lancaster	Little Britain Township	Reynolds Run HQ-CWF-MF McCreary Run HQ-TSF-MF
PAI032108003	Lettermen, Inc. Jeffrey Austin 716 North West Street Carlisle, PA 17013	Cumberland	Carlisle Borough	Letort Spring Run EV
PAI032107004	Dave Strong 3064 Bricker Road Manheim, PA 17545	Cumberland	Hampden Township Mechanicsburg Borough	Trindle Spring Run HQ-CWF

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

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

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

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

#### *General Permit Type—PAG-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>
Bensalem Township Bucks County	PAG200 0908070	Giles and Ransome P. O. Box 85222 Bensalem, PA 19020-8522	Neshaminy Creek WWF	Southeast Regional Office 2 East Main Street Norristown, PA 19401 (484) 250-5900
Northampton Township Bucks County	PAG200 0908064	Barley Homes 46 Barley Road Ivyland, PA 18974	Neshaminy Creek WWF, MF	Southeast Regional Office 2 East Main Street Norristown, PA 19401 (484) 250-5900

<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>
Newtown Township Bucks County	PAG200 0908048	Grainhouse Developers, LLC 12 Penns Trail Newtown, PA 18940	UNT Core Creek CWF	Southeast Regional Office 2 East Main Street Norristown, PA 19401 (484) 250-5900
Middletown Township Bucks County	PAG200 0908009	Bridgetown Properties 607 Station Avenue Langhorne, PA 19047	Core Creek WWF, MF	Southeast Regional Office 2 East Main Street Norristown, PA 19401 (484) 250-5900
Warminster Township Bucks County	PAG200 0908051	Warminster Equities, LLC 17000 Horizon Way Mount Laurel, NJ 08054	Pennypack Creek WWF, MF	Southeast Regional Office 2 East Main Street Norristown, PA 19401 (484) 250-5900
Newtown and Upper Makefield Townships Bucks County	PAG200 0907102	Toll Bros., Inc. 250 Gibraltar Road Horsham, PA 19044	Neshaminy Creek Delaware River	Southeast Regional Office 2 East Main Street Norristown, PA 19401 (484) 250-5900
Bedminster Township Bucks County	PAG200 0908075	Theodore Harrison 105 Keystone Drive Telford, PA 18959	Deep Run Creek WWF	Southeast Regional Office 2 East Main Street Norristown, PA 19401 (484) 250-5900
Valley Township City of Coatesville South Coatesville Borough	PAG200 1508019	PA American Water Company 4 Wellington Boulevard Wyomissing, PA 19610	Sucker Run and West Branch Brandywine Creek WWF	Southeast Regional Office 2 East Main Street Norristown, PA 19401 (484) 250-5900
West Whiteland Township Chester County	PAG200 1507006	The Rubinstein Company, LP 2929 Arch Street 28th Floor Philadelphia, PA 19104-2868	Valley Creek CWF	Southeast Regional Office 2 East Main Street Norristown, PA 19401 (484) 250-5900
East Fallowfield Township Chester County	PAG200 1503072-R	Thompson Homes, Inc. 11781 Lancaster Avenue Suite 201 Berwyn, PA 19312	East Branch Brandywine Creek TSF, MF	Southeast Regional Office 2 East Main Street Norristown, PA 19401 (484) 250-5900
Pennsbury Township Chester County	PAG200 1508033	Dewson Construction Company 7 South Lincoln Street Wilmington, DE 19805	Craig's Mill Run WWF, MF	Southeast Regional Office 2 East Main Street Norristown, PA 19401 (484) 250-5900
New Garden Township Chester County	PAG200 1507080	The Guizzetti Family Partnership P. O. Box 364 Landenberg, PA 19350	UNT White Clay Creek CWF	Southeast Regional Office 2 East Main Street Norristown, PA 19401 (484) 250-5900
Sadsbury Township Chester County	PAG200 1503099-R	D. Howe and Sons Construction P. O. Box 304 Wagontown, PA 19376	Buck Run TSF	Southeast Regional Office 2 East Main Street Norristown, PA 19401 (484) 250-5900
Springfield Township Delaware County	PAG200 2308009	Springfield School District 111 West Leamy Avenue Springfield, PA 19064	Crum Creek WWF	Southeast Regional Office 2 East Main Street Norristown, PA 19401 (484) 250-5900
Chester Township Delaware County	PAG200 2308030	Chester Township 1150 Engle Street Chester, PA 19013	Delaware River WWF, MF	Southeast Regional Office 2 East Main Street Norristown, PA 19401 (484) 250-5900
Bethel Township Delaware County	PAR10- J236-R	Belmont 17 15778 McDaniel Avenue West Chester, PA 19380	Brandywine, South Branch Naaman's and West Branch Chester Creeks TSF, MF, WWF	Southeast Regional Office 2 East Main Street Norristown, PA 19401 (484) 250-5900

## NOTICES

5063

<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>
Concord Township Delaware County	PAR10- J160-R1	Brinton Land Development Association 33 Rock Hill Road Suite 200 Bala Cynwyd, PA 19004	West Branch Chester Creek TSF	Southeast Regional Office 2 East Main Street Norristown, PA 19401 (484) 250-5900
Upper Providence Township Montgomery County	PAG200 4607169-1	Audubon Land Development 2620 Egypt Road Norristown, PA 19403	Perkiomen Creek WWF, MF	Southeast Regional Office 2 East Main Street Norristown, PA 19401 (484) 250-5900
Horsham Township Montgomery County	PAG200 4608043	Selective Development, LLC 6055 Sheaff Lane Fort Washington, PA 19034	Park Creek WWF, MF	Southeast Regional Office 2 East Main Street Norristown, PA 19401 (484) 250-5900
Upper Providence Township Montgomery County	PAG200 4608061	SEI Investments 100 Cider Mill Road Oaks, PA 19456	Perkiomen Creek WWF	Southeast Regional Office 2 East Main Street Norristown, PA 19401 (484) 250-5900
Montgomery Township Montgomery County	PAG200 4608082	Community Fellowship 427 Stump Road North Wales, PA 19454	Park Creek WWF	Southeast Regional Office 2 East Main Street Norristown, PA 19401 (484) 250-5900
Upper Providence Township Montgomery County	PAG200 4607178	Comcast 200 Cresson Boulevard Oaks, PA 19456	Schuylkill River TSF	Southeast Regional Office 2 East Main Street Norristown, PA 19401 (484) 250-5900
Upper Gwynedd Township Montgomery County	PAG200 4607188	Better Living Custom Homes, LLC 2526 North Broad Street Colmar, PA 18915	Tributary Wissahickon Creek TSF	Southeast Regional Office 2 East Main Street Norristown, PA 19401 (484) 250-5900
Upper Gwynedd Township Montgomery County	PAG200 4606127	Wawa 260 West Baltimore Pike Wawa, PA 19063	Towamencin Creek TSF	Southeast Regional Office 2 East Main Street Norristown, PA 19401 (484) 250-5900
Lower Pottsgrove Township Montgomery County	PAG200 4608096	Rosedon Construction Co., LLC 201 Pennsylvania Avenue Wayne, PA 19087	Sprogles Run WWF	Southeast Regional Office 2 East Main Street Norristown, PA 19401 (484) 250-5900
Lansdale Borough Montgomery County	PAG200 4608098	North Penn School District 401 East Hancock Avenue Lansdale, PA 19446	West Branch Neshaminy Creek WWF	Southeast Regional Office 2 East Main Street Norristown, PA 19401 (484) 250-5900
Worcester Township Montgomery County	PAG200 46007086	MJE Builders, Inc. 920 South Broad Street Lansdale, PA 19446	Zacharias Creek TSF	Southeast Regional Office 2 East Main Street Norristown, PA 19401 (484) 250-5900
Limerick Township Montgomery County	PAG200 4606138-1	Limerick PF, LTD 401 South Schuylkill Avenue Norristown, PA 19403	UNT Schuylkill River WWF	Southeast Regional Office 2 East Main Street Norristown, PA 19401 (484) 250-5900
Lower Merion Township Montgomery County	PAG200 4608007	131 and 151 Rock Hill Associates, LP 2701 Renaissance Boulevard 4th Floor King of Prussia, PA 19406	Schuylkill River WWF	Southeast Regional Office 2 East Main Street Norristown, PA 19401 (484) 250-5900



*Facility Location:  
Municipality &  
County**Permit No.**Applicant Name &  
Address**Receiving  
Water/Use**Contact Office &  
Phone No.*

Bethlehem Township Northampton County	PAG2004808012	Bethlehem Township Attn: Jon Hammer 4225 Easton Avenue Bethlehem, PA 18020-1496	Nancy Run CWF, MF	Northampton County Conservation District (610) 746-1971
East Pennsboro Township Cumberland County	PAG2002103045R	Richard Yingst Yingst Homes, Inc. 4712 Smith Street Harrisburg, PA 17109	Holtz Run- Conodoguinet Creek WWF	Cumberland County Conservation District 310 Allen Road Suite 301 Carlisle, PA 17013 (717) 240-7812
Spring Township Berks County	PAG2000608055	Larry Bortz Wilson School District 2601 Grandview Boulevard West Lawn, PA 19609	Cacoosing Creek CWF-MF	Berks County Conservation District 1238 County Welfare Road Suite 200 Leesport, PA 19533-9710 (610) 372-4657, Ext. 201
Wheatfield Township Perry County	PAG2035008010	Wheatfield Township Park and Recreation Board 1280 New Bloomfield Road New Bloomfield, PA 17068	Little Juniata Creek CWF	Perry County Conservation District P. O. Box 36 31 West Main Street New Bloomfield, PA 17068
Bradford County Armenia Township	ESCP 0808801	Tracy L. Gregory Fortuna Energy Inc. 337 Daniel Zenker Drive Horseheads, NY 14845	Rathbone Creek CWF	Bradford County Conservation District Stoll Natural Resource Center R. R. 5 Box 5030C Towanda, PA 18848 (570) 265-5539, Ext. 6
Centre County Greenwood Township	PAG2001406002(1)	Benner Commerce Park Centre Co. Industrial Development Corp. 200 Innovation Boulevard Suite 150 State College, PA 16803	UNT of Logan Branch CWF UNT to Spring Creek CWF	Centre County Conservation District 414 Holmes Avenue Suite 4 Bellefonte, PA 16823 (814) 355-6817
Clearfield County Greenwood Township	PAG2001707004(1)	Department of Transportation District 2-0 1924-30 Daisy Street Ext. Clearfield, PA 16830	West Branch of Susquehanna River WWF	Clearfield County Conservation District 650 Leonard Street Clearfield, PA 16830 (814) 765-2629
Clearfield County Bradford Township	PAG2001708011	Centre Concrete Co. P. O. Box 859 State College, PA 16804	Sulphur Run CWF	Clearfield County Conservation District 650 Leonard Street Clearfield, PA 16830 (814) 765-2629
Columbia County Briar Creek Borough	PAG2001908005	Sheetz, Incorporated Brian K. Soyka 5700 Sixth Avenue Altoona, PA 16602	Susquehanna River CWF	Columbia County Conservation District 702 Sawmill Road Suite 204 Bloomsburg, PA 17815 (570) 784-1310, Ext. 102

*Facility Location:  
Municipality &  
County*Northumberland  
County  
Milton Borough*Permit No.*

PAG2004908013

*Applicant Name &  
Address*Keystone Sporting Arms  
155 Sodom Road  
Milton, PA 17847*Receiving  
Water/Use*UNT to West Branch of  
Susquehanna River  
CWF*Contact Office &  
Phone No.*Northumberland County  
Conservation District  
R. R. 3  
Box 238-C  
Sunbury, PA 17801  
(570) 286-7114, Ext. 4Beaver County  
Center Township

PAG2000408014

Frank Vescio  
Center Township  
224 Center Grange Road  
Aliquippa, PA 15001UNT to Ohio River  
WWFBeaver County  
Conservation District  
(724) 378-1701*General Permit Type—PAG-3**Facility Location:  
Municipality &  
County*Cumberland County  
Carlisle Borough*Permit No.*

PAR803710

*Applicant Name &  
Address*Penske Logistics, LLC  
P. O. Box 7635  
Reading, PA 19603-7635*Receiving  
Water/Use*Alexander Spring Creek  
CWF*Contact Office &  
Phone No.*DEP—SCRO  
909 Elmerton Avenue  
Harrisburg, PA 17110  
(717) 705-4707Berks County  
Muhlenberg  
Township

PAR803661

Buckeye Energy  
Services, Inc.  
Tek Park 5  
9999 Hamilton  
Boulevard  
Breinigsville, PA 18031UNT to Laurel Run  
WWFDEP—SCRO  
909 Elmerton Avenue  
Harrisburg, PA 17110  
(717) 705-4707Cameron County  
Emporium Borough  
Shippen Township

PAR604842

Allegheny Enterprises,  
Inc.  
3835 Roller Coaster Road  
Corsica, PA 15829Sinnemahoning Portage  
Creek  
CWFNorthcentral Regional  
Office  
Water Management  
Program  
208 West Third Street  
Suite 101  
Williamsport, PA 17701  
(570) 327-3664North East  
Township  
Erie County

PAR808376

USF Holland c/o YRC  
Worldwide Enterprise  
Services, Inc.  
1077 Gorge Boulevard  
Akron, OH 44309-0471

UNTs to Lake Erie

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

PAR208373

GA Industries, LLC  
9025 Marshall Road  
Cranberry Township, PA  
16066

UNT to Brush Creek

DEP—NWRO  
Water Management  
230 Chestnut Street  
Meadville, PA 16335-3481  
(814) 332-6942*General Permit Type—PAG-4**Facility Location:  
Municipality &  
County*Somerset Township  
Somerset County*Permit No.*

PAG046300

*Applicant Name &  
Address*Barry W. Mosholder  
P. O. Box 869  
Somerset, PA 15501*Receiving  
Water/Use*UNT of Quemahoning  
Creek*Contact Office &  
Phone No.*Southwest Regional Office  
Water Management  
Program Manager  
400 Waterfront Drive  
Pittsburgh, PA  
15222-4745  
(412) 442-4000Young Township  
Indiana County

PAG046271

James L. Anderson  
2368 Iselin Road  
Saltsburg, PA 15681Harper's Run Tributary  
to Blacklegs CreekSouthwest Regional Office  
Water Management  
Program Manager  
400 Waterfront Drive  
Pittsburgh, PA  
15222-4745  
(412) 442-4000

*Facility Location:  
Municipality &  
County*Summit Township  
Butler County*Permit No.*

PAG049457

*Applicant Name &  
Address*Charles B. Whitmire, Jr.  
200 Headland Road  
Butler, PA 16002-9169*Receiving  
Water/Use*UNT to Thorn Creek  
20-C*Contact Office &  
Phone No.*DEP—NWRO  
Water Management  
230 Chestnut Street  
Meadville, PA 16335-3481  
(814) 332-6942Conneaut Township  
Crawford County*Permit No.*

PAG049458

Kelly E. Carr  
20662 Cole Road  
Conneautville, PA 16406UNT to Foster Run  
15DEP—NWRO  
Water Management  
230 Chestnut Street  
Meadville, PA 16335-3481  
(814) 332-6942*General Permit Type—PAG-5**Facility Location:  
Municipality &  
County*Lancaster County  
West Lampeter  
Township*Permit No.*

PAG053585

*Applicant Name &  
Address*Ewing Oil Company  
11949 Robinwood Drive  
Hagerstown, MD  
21742-4483*Receiving  
Water/Use*Goods Run  
TSF*Contact Office &  
Phone No.*DEP—SCRO  
909 Elmerton Avenue  
Harrisburg, PA 17110  
(717) 705-4707*General Permit Type—PAG-7**Facility Location:  
Municipality &  
County*Spring, Saville and  
Tyrone Townships  
Perry County*Permit No.*

PAG070003

PAG070005

PAG073508

*Applicant Name &  
Address*Synagro  
1605 Dooley Road  
P. O. Box B  
Whiteford, MD 21160*Receiving  
Water/Use*

Jeff Mowrer Farm

*Contact Office &  
Phone No.*DEP—SCRO  
909 Elmerton Avenue  
Harrisburg, PA  
17110-8200  
(717) 705-4707*General Permit Type—PAG-8**Facility Location:  
Municipality &  
County*North Woodbury  
Township  
Blair County*Permit No.*

PAG083534

*Applicant Name &  
Address*Martinsburg Municipal  
Authority  
133 East Allegheny Street  
P. O. Box 307  
Martinsburg, PA 16662*Receiving  
Water/Use*North Woodbury  
Township  
Blair County*Contact Office &  
Phone No.*DEP—SCRO  
909 Elmerton Avenue  
Harrisburg, PA  
17110-8200  
(717) 705-4707

*General Permit Type—PAG-8 (SSN)**Facility Location:  
Municipality &  
County*Spring, Saville and  
Tyrone Townships  
Perry County

<i>Permit No.</i>
PAG080002
PAG080003
PAG080004
PAG080006
PAG080008
PAG080018
PAG082201
PAG082203
PAG082211
PAG083501
PAG083502
PAG083506
PAG083510
PAG083515
PAG083517
PAG083518
PAG083522
PAG083535
PAG083540
PAG083542
PAG083547
PAG083551
PAG083556
PAG083565
PAG083567
PAG083573
PAG083596
PAG083597
PAG083600
PAG089903
PAG089904
PAG089905
PABIG9903

<i>Applicant Name &amp; Address</i>
Synagro 1605 Dooley Road P. O. Box B Whiteford, MD 21160

<i>Receiving Water/Use</i>
Jeff Mowrer Farm

<i>Contact Office &amp; Phone No.</i>
DEP—SCRO 909 Elmerton Avenue Harrisburg, PA 17110-8200 (717) 705-4707

*General Permit Type—PAG-9**Facility Location:  
Municipality &  
County*Upper Mifflin  
Township  
Cumberland County

<i>Permit No.</i>
PAG093511

<i>Applicant Name &amp; Address</i>
Groff's Septic Service 99 Ickes Lane Newville, PA 17241

<i>Receiving Water/Use</i>
Upper Mifflin Township Cumberland County

<i>Contact Office &amp; Phone No.</i>
DEP—SCRO 909 Elmerton Avenue Harrisburg, PA 17110-8200 (717) 705-4707

James D.  
Foresman, Jr.  
7902 Sulphur  
Spring Road  
Montgomery, PA  
17752  
Washington  
Township  
Lycoming County

<i>Permit No.</i>
PAG094840

<i>Applicant Name &amp; Address</i>
James D. Foresman, Jr. 7902 Sulphur Spring Road Montgomery, PA 17752

<i>Receiving Water/Use</i>
James D. Foresman, Jr. Farm Washington Township Lycoming County

<i>Contact Office &amp; Phone No.</i>
Northcentral Regional Office Water Management Program 208 West Third Street Suite 101 Williamsport, PA 17701 (570) 327-3664

*General Permit Type—PAG-10**Facility Location:  
Municipality &  
County*Berks County  
Muhlenberg  
Township

<i>Permit No.</i>
PAG103529

<i>Applicant Name &amp; Address</i>
Buckeye Energy Services, LLC Tek Park 5 9999 Hamilton Boulevard Breinigsville, PA 18031

<i>Receiving Water/Use</i>
UNT to Laurel Run WWF

<i>Contact Office &amp; Phone No.</i>
DEP—SCRO 909 Elmerton Avenue Harrisburg, PA 17110 (717) 705-4707

*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>
Springdale Borough Allegheny County	PAG106122	Orion Power MidWest, LP 121 Champion Way Suite 200 Canonsburg, PA 15317	Allegheny River	Southwest Regional Office Water Management Program Manager 400 Waterfront Drive Pittsburgh, PA 15222-4745 (412) 442-4000

*General Permit Type—PAG-12*

*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>
Dauphin County Wayne Township	PAG123667	Gary Miller Farm 2146 Powells Valley Road Halifax, PA 17032	6-C Powell Valley Run TSF	DEP—SCRO Watermanagement Program 909 Elmerton Avenue Harrisburg, PA 17110 (717) 705-4802

**PUBLIC WATER SUPPLY (PWS) PERMITS**

The Department of Environmental Protection has taken the following actions on applications received under the Pennsylvania Safe Drinking Water Act (35 P. S. §§ 721.1—721.17) for the construction, substantial modification or operation of a public water system.

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

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

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

**SAFE DRINKING WATER**

**Actions taken under the Pennsylvania Safe Drinking Water Act**

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

**Permit No. 2400140, Operations Permit, Public Water Supply.**

Applicant	<b>Sand Springs Water Co., 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 Operate Issued	August 18, 2008

**Permit No. 667W024MA, Public Water Supply.**

Applicant	<b>Pennsylvania American Water</b> 800 West Hersheypark Drive Hershey, PA 17033 Wind Gap Borough
County	<b>Northampton</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 Construct Issued	August 26, 2008

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

**Permit No. 5988501-T1—Operation, Public Water Supply.**

Applicant	<b>Hillside View, LLC</b>
Township or Borough	Richmond Township
County	<b>Tioga</b>

Responsible Official Duane Weaver  
Hillside View, LLC  
422 Ridge Road  
Telford, PA 18969

Type of Facility Public Water Supply—Operation

Consulting Engineer N/A

Permit Issued Date August 26, 2008

Description of Action Transfer of ownership of a public water supply permit that approves the use of a groundwater source known as Well No. 1 to supply water to the Hillside View, LLC facility, formerly Far Valley View MHP.

**Permit No. 1401506-T1—Operation, Public Water Supply.**

Applicant **Haines Aaronsburg Municipal Authority**

Township or Borough Haines Township

County **Centre**

Responsible Official Gardner Wagner  
Haines Aaronsburg Municipal Authority  
P. O. Box 254  
Aaronsburg, PA 16820

Type of Facility Public Water Supply—Operation

Consulting Engineer Tracey Olexa  
HRG, Inc.  
474 Windmere Drive  
Suite 100  
State College, PA 16801

Permit Issued Date August 27, 2008

Description of Action Transfer of the permit from Aaronsburg Water Pipes to Haines Aaronsburg Municipal Authority. Well No. 4.

**Permit No. 3957-T1—Operation, Public Water Supply.**

Applicant **Haines Aaronsburg Municipal Authority**

Township or Borough Haines Township

County **Centre**

Responsible Official Gardner Wagner  
Haines Aaronsburg Municipal Authority  
P. O. Box 254  
Aaronsburg, PA 16820

Type of Facility Public Water Supply—Operation

Consulting Engineer Tracey Olexa  
HRG, Inc.  
474 Windmere Drive  
Suite 100  
State College, PA 16801

Permit Issued Date August 27, 2008

Description of Action Transfer of the permit from Aaronsburg Water Pipes to Haines Aaronsburg Municipal Authority. Reservoir and 4 springs.

**Permit No. 1491501-T1—Operation, Public Water Supply.**

Applicant **Haines Aaronsburg Municipal Authority**

Township or Borough Haines Township

County **Centre**

Responsible Official Gardner Wagner  
Haines Aaronsburg Municipal Authority  
P. O. Box 254  
Aaronsburg, PA 16820

Type of Facility Public Water Supply—Operation

Consulting Engineer Tracey Olexa  
HRG, Inc.  
474 Windmere Drive  
Suite 100  
State College, PA 16801

Permit Issued Date August 27, 2008

Description of Action Transfer of the permit from Aaronsburg Water Pipes to Haines Aaronsburg Municipal Authority. Well No. 8.

**Permit No. 1400502-T1—Operation, Public Water Supply.**

Applicant **Haines Aaronsburg Municipal Authority**

Township or Borough Haines Township

County **Centre**

Responsible Official Gardner Wagner  
Haines Aaronsburg Municipal Authority  
P. O. Box 254  
Aaronsburg, PA 16820

Type of Facility Public Water Supply—Operation

Consulting Engineer Tracey Olexa  
HRG, Inc.  
474 Windmere Drive,  
Suite 100  
State College, PA 16801

Permit Issued Date August 27, 2008

Description of Action Transfer of the permit from Aaronsburg Water Pipes to Haines Aaronsburg Municipal Authority. ClorTec onsite sodium hypochlorite generation system.

**Permit No. 1402502-T1—Operation, Public Water Supply.**

Applicant **Haines Aaronsburg Municipal Authority**

Township or Borough Haines Township

County **Centre**

Responsible Official Gardner Wagner  
Haines Aaronsburg Municipal Authority  
P. O. Box 254  
Aaronsburg, PA 16820

Type of Facility Public Water Supply—Operation

Consulting Engineer Tracey Olexa  
 HRG, Inc.  
 474 Windmere Drive  
 Suite 100  
 State College, PA 16801

Permit Issued Date August 27, 2008

Description of Action Transfer of the permit from Aaronsburg Water Pipes to Haines Aaronsburg Municipal Authority. Pressure diatomaceous earth filtration system and bolted stainless storage tank.

**SEWAGE FACILITIES ACT PLAN APPROVAL**

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

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

*Plan Location:*

<i>Borough or Township</i>	<i>Borough or Township Address</i>	<i>County</i>
Walker Township	P. O. Box 116 McConnellstown, PA 16660	Huntingdon County

*Plan Description:* The approved plan provides for the construction of a Small Flow Treatment Facility (SFTF). The SFTF will serve one single-family dwelling. The SFTF will be located on SR 3039 northwest of McConnellstown, in Walker Township, Huntingdon County and will discharge to Crooked Creek. The Department of Environmental Protection's review of the sewage facilities update revision has not identified any significant environmental impacts resulting from this proposal. Any required NPDES Permits or WQM Permits must be obtained in the name of the property owner as appropriate.

*Plan Location:*

<i>Borough or Township</i>	<i>Borough or Township Address</i>	<i>County</i>
Kimmel Township	117 Walter Hollow Road Queen, PA 16670	Bedford County

*Plan Description:* The approved plan provides for the construction of a Small Flow Treatment Facility (SFTF). The SFTF will serve one single-family dwelling. The SFTF will be located on SR 4027 approximately a half mile north Queen in Kimmel Township Bedford County and will discharge to a UNT of Beaverdam Creek. The Department of Environmental Protection's review of the sewage facilities update revision has not identified any significant environmental impacts resulting from this proposal. Any required NPDES Permits or WQM Permits must be obtained in the name of the property owner as appropriate.

*Plan Location:*

<i>Borough or Township</i>	<i>Borough or Township Address</i>	<i>County</i>
Freedom Township	131 Municipal Street East Freedom, PA 16637	Blair County

*Plan Description:* The approved plan provides for construction of a Small Flow Treatment Facility to repair a

malfunctioning onlot sewage system located on the Carol Weyandt property. The proposed sewage flows are 400 gallons per day with a discharge to Blue Knob Run. The Department of Environmental Protection's review of the sewage facilities update revision has not identified any significant environmental impacts resulting from this proposal. Any required NPDES Permits or WQM Permits must be obtained in the name of the municipality or authority as appropriate.

**SEWAGE FACILITIES ACT PLAN DISAPPROVAL**

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

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

*Plan Location:* located along Knox and Knoxlyn-Orrtanna Roads.

<i>Borough or Township</i>	<i>Borough or Township Address</i>	<i>County</i>
Highland Township	3641 Fairfield Road Gettysburg, PA 17325	Adams County
Hamiltonban Township	23 Carroll's Tract Road P. O. Box 526 Fairfield, PA 17320	

*Plan Description:* The development proposed 33 single-family homes using onlot sewage disposal and private wells. The project code number is A3-01919-090-2 and A3-01918-175-2. The plan was disapproved because the long term sewage disposal needs of all the lots in the development were not met.

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

**Public Notice of Proposed Consent  
 Order and Agreement**

**Bottle House Site  
 City of Allentown, Lehigh County**

Under section 1113 of the Hazardous Sites Cleanup Act (HSCA) (35 P. S. §§ 6020.101—6020.1305), notice is provided that the Department of Environmental Protection (Department) has entered into de minimis settlements in the form of a Consent Order and Agreement (CO&A) with Americhem, Inc., ColorCo, Ciba Corporation (formerly Ciba Specialty Chemicals Corporation) and Novartis Corporation (formerly Ciba-Geigy Corporation), Penn Color Inc. and Univar USA Inc. (formerly Kramer Chemicals) (Settlors). The CO&A's address the investigation and removal of hazardous substances that were left on the Bottle House Site (Site) by the Settlers. The Settlers will reimburse the Department their portion of the costs incurred to perform the site investigation/response activities at the Site.

The Site is located at 401—451 North Front Street, Allentown, Lehigh County and consists of a large three-story brick building that was the former bottling house for the Neuweiler Brewery. Brewery operations ceased at this site in the late 1960s. The Site then became an industrial property being utilized as a warehouse and manufacturing facility, which is surrounded on three sides by family residences and by a community recreational area on the fourth side. The operations resulted in large quantities of hazardous substances and or contami-

nants being stored in the building. The Department alleges that the Settlers sent nominal amounts of hazardous substances and/or contaminants to the Site. The Department initiated a prompt interim response action under the HSCA on September 27, 1999. The objective of this prompt interim response action was to eliminate the immediate threat to human health and safety and the environment posed by the hazardous substances and/or contaminants that were present on the site. The response was completed on April 28, 2000, at a cost of \$1,563,183.46.

The settlements proposed in each of the CO&A's referenced above would resolve certain potential claims of the Department solely against the Settlers, for future enforcement and reimbursement of response costs incurred by the Department in addressing the release or threat of release of hazardous substances at the Site. The claims originated under the authority of the HSCA. The proposed settlements would require the Settlers to pay the Department the amounts listed as follows for their portion of the response costs.

<i>Settlor</i>	<i>Amount</i>
Americhem	\$ 3,962.00
ColorCo	\$ 9,905.00
Ciba/Novartis	\$13,867.00
Penn Color, Inc.	\$ 5,943.00
Univar USA	\$19,810.00

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

Copies of the CO&A's are available for inspection at the Department's Northeast Regional Office. Comments may be submitted, in writing, to Joseph Iannuzzo, Department of Environmental Protection, Hazardous Sites Cleanup, 2 Public Square, Wilkes-Barre, PA 18711. Further information may be obtained by contacting Joseph Iannuzzo at (570) 826-2511. TDD users should contact the Department through the Pennsylvania Relay Services at (800) 645-5984.

### **Notice of Interim Response**

#### **Delps Road Drum Site Lehigh Township, Northampton County**

The Department of Environmental Protection (Department), under the authority of the Hazardous Sites Cleanup Act (HSCA) (35 P. S. §§ 6020.101—6020.1305), has initiated a prompt interim response action at the Delps Road Drum Site (Site). This response has been undertaken under section 505(b) and (c) of HSCA (35 P. S. § 6020.505(b) and (c)). The Site is located along Delps Road near the intersection of Delps Road and Red Maple Drive in Lehigh Township, Northampton County, PA.

The Delps Road Site contains a relatively small disposal area (about 30 feet by 50 feet) containing buried drums of waste within a 46.4 acre parcel of property. The Township purchased the property in December 2002 for the purpose of developing a public park. On Monday, April 14, 2008, a sedimentation basin for the park was being constructed and the contractor uncovered buried drums of waste that had chemical odors and had released some of their contents.

The Department has determined that the following hazardous substances as defined by HSCA have been released or present a threat of release at the Site: acetone, benzene, ethyl benzene, toluene, xylene, methyl ethyl ketone, methyl isobutyl ketone, 1,2 dichloroethane, 1,2 dichloroethene, trichloroethene, benzo(a)anthracene, bis (2-ethylhexyl) phthalate, butyl benzyl phthalate, o-cresol, 2,4 dimethyl phenol, phenol, cadmium and lead.

Based upon the fact that a release of a hazardous substance as defined by HSCA has occurred and that an ongoing release is likely if no actions are taken, the Department is authorized to undertake a response action at this Site under section 501(a) of HSCA (35 P. S. § 6020.501(a)).

The buried 55-gallon drums of wastes were approximately 3 feet below existing grade and located within the berm of the sedimentation basin of the public park under construction. These wastes and the associated hazardous substances which have been released present a threat to human health and the environment. There is a potential for this disposal site to impact groundwater. The area surrounding the disposal area is rural and persons rely on individual private or public wells or springs for their water supply. There is no public water supply system near the Site. In addition, the public park will need to be served with a water supply well in the future.

A Prompt Interim Response is justified at this Site for the following reasons: There is no public water supply service to the area in the immediate vicinity of the Delps Road Site. Local residents and businesses rely upon private wells for their water supply needs. The release of the hazardous substances is a threat to contaminate soil, groundwater and water supplies. The Department believes that a Prompt Interim Response is needed at the Site and cannot delay the response for the time required to develop and close an Administrative Record. The Township cannot complete the construction of their park until the waste area is cleaned up and assessed.

The Department is undertaking a prompt interim response at the Site under its authority under Section 501(a) of HSCA. Prompt action is necessary to protect the public health, safety and the environment from the release and threat of release of hazardous substances from the Site. The Department evaluated two alternatives for this proposed interim response which include:

- 1) No Action.
- 2) The Department would excavate and remove the buried wastes and contaminated soils for offsite disposal and assess other potential disposal areas and conduct sampling to demonstrate attainment with the Statewide health standards for soils, if possible. The Department may install groundwater monitoring wells, test groundwater quality and conduct a hydrogeological investigation if it is determined that this work is necessary. In the event that the Department finds that an existing residential well or private water supply has been impacted by site-related contamination at levels that require a response, the Department may provide a temporary water



supply to the affected residents and/or install a point-of-entry treatment (POET) system to treat the water supply. The Department may also reimburse the residents with the impacted water supply for their installation of a POET system by a contracted plumber or water treatment service in lieu of installation by the Department's contractors.

Based upon an evaluation of the Alternatives using criteria including protection of human health and the environment, compliance with applicable and relevant and appropriate requirements, feasibility, permanence and cost-effectiveness, the Department has selected Alternative 2 as the proposed interim response for the Site.

This notice is being provided under section 506(b) of HSCA (35 P. S. § 6020.501(b)). The administrative record, which contains the information that forms the basis and documents the selection of the response action, is available for public review and comment. The administrative record is located at the Lehigh Township Municipal Building, 1069 Municipal Road, Walnutport, PA and is available for review Monday through Friday from 8 a.m. to 4 p.m. The administrative record will be open for comment from September 13, 2008, through December 12, 2008. Persons may submit written comments into the record during this time only, by sending them to Ronald Schock, Project Officer, at the Department's Bethlehem District Office at 4530 Bath Pike, Bethlehem, PA 18017, or by delivering them to that office in person.

In addition, persons may present oral comments, for inclusion in the administrative record, at a public hearing. The Department has scheduled the hearing for October 21, 2008, at 10:30 a.m. at the Lehigh Township Municipal Building. The testimony at the public hearing will be limited to the prompt interim response, which involves excavation and removal of contaminated wastes and soil for offsite disposal. An informal public meeting will be held after the public hearing is concluded. Persons wishing to present testimony at the October 21, 2008, hearing regarding this prompt interim response should register with Ronald Schock before October 15, 2008 at (610) 861-2070 or in writing to Ronald Schock at the Department's Bethlehem District Office. If no person registers to present oral comments by the date specified previously listed, the hearing will not be held.

Persons with a disability who wish to attend the October 21, 2008, hearing and require auxiliary aid, service or other accommodations to participate in the proceedings should contact Ronald Schock or the Pennsylvania AT&T Relay Service at (800) 654-5984 (TDD) to discuss how the Department may accommodate their needs.

**Public Notice of Proposed Consent Order and Agreement**

**Marino Brothers HSCA Site  
Borough of Rochester, Beaver County**

Under section 1113 of the Hazardous Sites Cleanup Act (HSCA) (35 P. S. §§ 6020.101—6020.1305), notice is given that the Department of Environmental Protection (Department) has entered into a proposed Consent Order and Agreement (CO&A) with the Borough of Rochester concerning the environmental investigation and cleanup of the former Marino Brothers Scrap Yard (Site). The Site is located in the Borough of Rochester, Beaver County.

The terms of the settlement are set forth in the CO&A, which is available for review at the Department's Southwest Regional Office, 400 Waterfront Drive, Pittsburgh, PA. The Department will receive and consider comments

relating to the CO&A for 60 days from the date of this Public Notice. Comments may be submitted, in writing, to Terry Goodwald, Department of Environmental Protection, Hazardous Sites Cleanup, 400 Waterfront Drive, Pittsburgh, PA 15222. Further information may be obtained by contacting Terry Goodwald at (412) 442-4000. TDD users should contact the Department through the Pennsylvania Relay Services at (800) 645-5984.

The Department has reserved the right to withdraw its consent to the CO&A if comments concerning the CO&A disclose facts or considerations which indicate that the CO&A is inappropriate, improper, or not in the public interest. A person adversely affected by the settlement may file an appeal with the Environmental Hearing Board.

**LAND RECYCLING AND ENVIRONMENTAL REMEDIATION**

**UNDER ACT 2, 1995**

**PREAMBLE 2**

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

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

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

The Department has received the following plans and reports:

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

**Department of Transportation, Maintenance Facility Hollidaysburg, Blair Township, Blair County.** L. Robert Kimball & Associates, Inc., 615 West Highland Avenue, Ebensburg, PA 15931, on behalf of the Department of Transportation, 400 North Street, 7th Floor, P. O. Box 3790, Harrisburg, PA 17105, submitted a final report concerning remediation of site soils and groundwater contaminated with motor fuels, heating oil and used motor oil. The report is intended to document remediation of the site to the Statewide Health Standard.

**Bedford Valley Petroleum McConnellsbury Petroleum Bulk Plant, Ayr Township, Fulton County.** Mountain Research, LLC, 825 25th Street, Altoona, PA 16601, on behalf of Bedford Valley Petroleum, 10228 Lincoln Highway, Everett, PA 15537, submitted a final report concerning remediation of site soils contaminated with unleaded gasoline. The release occurred on May 30, 2008, when a "quick connect" fitting failed on a fuel tanker hose. The report was submitted within 90 days of the release date and is intended to document remediation of the site to the Statewide Health Standard.

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

**Costy's Used Truck and Auto Parts, Inc.,** Richmond Township, **Tioga County,** O'Brien & Gere, 512 East Township Road, 2 Valley Square, Suite 120, Blue Bell, PA 19422 on behalf of David and Daniel Kurzejewski, Costy's Used Truck and Auto Parts, Inc., R. R. 1, Box 876 (2395 South Main Street), Mansfield, PA 16933 has submitted a Remedial Investigation Report and a Final Report concerning remediation of site soil and groundwater contaminated with volatile and semi-VOCs and metals (lead and zinc). The report is intended to document remediation of the site to meet the Site-Specific Standard.

## LAND RECYCLING AND ENVIRONMENTAL REMEDIATION

UNDER ACT 2, 1995

PREAMBLE 3

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

Provisions of 25 Pa. Code § 250.8, administration of the Land Recycling and Environmental Remediation Standards Act (act), require the Department of Environmental Protection (Department) to publish in the *Pennsylvania Bulletin* a notice of final actions on plans and reports. A final report is submitted to document cleanup of a release of a regulated substance at a site to one of the remediation standards of the act. A final report provides a description of the site investigation to characterize the nature and extent of contaminants in environmental media, the basis of selecting the environmental media of concern, documentation supporting the selection of residential or nonresidential exposure factors, a description of the remediation performed and summaries of sampling methodology and analytical results which demonstrate that the remediation has attained the cleanup standard selected. Plans and reports required by provisions of the act for compliance with selection of remediation to a Site-Specific Standard, in addition to a final report, include a remedial investigation report, risk assessment report and cleanup plan. A remedial investigation report includes conclusions from the site investigation, concentration of regulated substances in environmental media,

benefits of refuse of the property and, in some circumstances, a fate and transport analysis. If required, a risk assessment report describes potential adverse effects caused by the presence of regulated substances. If required, a cleanup plan evaluates the abilities of potential remedies to achieve remedy requirements. A work plan for conducting a baseline remedial investigation is required by provisions of the act for compliance with selection of a special industrial area remediation. The baseline remedial investigation, based on the work plan, is compiled into the baseline environmental report to establish a reference point to show existing contamination, describe proposed remediation to be done and include a description of existing or potential public benefits of the use or reuse of the property. The Department may approve or disapprove plans and reports submitted. This notice provides the Department's decision and, if relevant, the basis for disapproval.

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

The Department has received the following plans and reports:

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

**Bethlehem YMCA, City of Bethlehem, Northampton County.** James Koval, HDR Engineering, Inc., 609 West Hamilton Street, Allentown, PA 18101 submitted a Final Report (on behalf of his client, Bethlehem Affordable Housing, LP, 430 East Broad Street, Bethlehem, PA 18011), concerning the remediation of site soils found to have been impacted by a release of No. 2 fuel oil. The report demonstrated attainment of the Residential Statewide Health Standard and was approved on August 28, 2008.

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

**Hyndman Elementary School, Hyndman Borough, Bedford County.** Mountain Research, LLC, 825 25th Street, Altoona, PA 16601, on behalf of Bedford Area School District, 330 East John Street, Bedford, PA 15522, submitted a Final Report concerning remediation of groundwater contaminated with heating oil. The Final Report demonstrated attainment of the Residential Statewide Health Standard and was approved by the Department of Environmental Protection on August 28, 2008.

**Suburban Heating Oil Partners, City of Lancaster, Lancaster County.** Groundwater Sciences Corporation, 2601 Market Place Street, Suite 310, Harrisburg, PA 17110, on behalf of Esther M. Goropoulos, 8 Foxglove Circle, Hershey, PA 17033-2619 and Suburban Energy Services, P. O. Box 4833, Syracuse, NY 13221, submitted a Final Report concerning the remediation of site soils and groundwater contaminated with petroleum products. The Final Report demonstrated attainment of a combination of Residential Statewide Health and Site-Specific Standards and was approved by the Department of Environmental Protection on August 29, 2008.

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

**Proposed Rite Aid-Clearfield**, Clearfield Borough, **Clearfield County**, Converse Consultants, 2738 West College Avenue, State College, PA 16801 on behalf of Clearfield Commercial Properties, LP, 1 Atlantic Avenue, Pittsburgh, PA 15202 has submitted a Final Report concerning remediation of site soil and groundwater contaminated with petroleum constituents and chlorinated compounds. The Final Report demonstrated attainment of the Site-Specific Standard and was approved by the Department of Environmental Protection on August 28, 2008.

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

**BTI Special Commodities Route I-80 MM 83.4**, Pine Creek Township, **Jefferson County**. Taylor GeoServices, Inc., 38 Bishop Hollow Road, Suite 200, Newtown Square, PA 19073 on behalf of BTI Special Commodities, Inc., P. O. Box 4805, Des Moines, IA 50305 has submitted a Final Report concerning the remediation of site soils contaminated with benzene, ethylbenzene, methyl-tertbutyl ether, naphthalene, toluene, 1,2,4-trimethylbenzene, cumene, 1,3,5-trimethylbenzene, the Final Report demonstrated attainment of the Statewide Health Standard and was approved by the Department of Environmental Protection on August 27, 2008.

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

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

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

**Permit ID No. 300809. Allegheny Energy Supply Company, LLC**, 800 Cabin Hill Drive, Greensburg, PA 15601. Mitchell Power Station CCB Landfill, 50 Electric Way, Courtney, PA 15067. Operation of a captive residual waste disposal facility in Union Township, **Washington County**. Permit renewal was issued in the Regional Office on August 26, 2008.

**Permit ID No. WMGM028SW001. Johnstown Regional Energy, LLC**, 80 Clinton Street, Johnstown, PA 15901. Beneficial use and processing prior to beneficial use of landfill gas generated by the decomposition of municipal waste and residual waste at the Laurel Highlands Landfill in Jackson Township, **Cambria County**. Permit issued in the Regional Office on August 28, 2008.

**Permit ID No. WMGM028SW002. Johnstown Regional Energy, LLC**, 80 Clinton Street, Johnstown, PA 15901. Beneficial use and processing prior to beneficial use of landfill gas generated by the decomposition of municipal waste and residual waste at the Shade Landfill in Shade Township, **Somerset County**. Permit issued in the Regional Office on August 28, 2008.

**Permit ID No. WMGM028SW003. Johnstown Regional Energy, LLC**, 80 Clinton Street, Johnstown, PA 15901. Beneficial use and processing prior to beneficial use of landfill gas generated by the decomposition of municipal waste and residual waste at the Southern Alleghenies Landfill in Conemaugh Township, **Somerset County**. Permit issued in the Regional Office on August 28, 2008.

#### HAZARDOUS WASTE TREATMENT, STORAGE AND PROPOSAL FACILITIES

**Permits issued, suspended, expired, denied, revoked, reinstated or returned under the Solid Waste Management Act (35 P. S. §§ 6018.101—6018.1003) and Regulations to Operate a Hazardous Waste Treatment, Storage or Disposal Facility.**

*Southcentral Region: Regional Solid Waste Manager, 909 Elmerton Avenue, Harrisburg, PA 17110, (717) 705-4706.*

**PAD 980550545. Chester County Solid Waste Authority**, 7224 Division Highway, Narvon, PA 17555-9505. Post Closure Permit issued on August 29, 2008, for Chester County Solid Waste Authority's, Stabilized Disposal Site, located at 7224 Division Highway, Narvon, PA 17555-9505, Caernarvon Township, **Lancaster County**.

#### 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.*

**40-329-007GP9: Archer-Daniels-Midland Co.—ADM COCOA** (400 Stony Creek Road, Hazleton, PA 18202) on August 18, 2008, to install and operate three Diesel I/C Engines at the site in Hazle Township, **Luzerne County**.

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

**GP3-67-03146B: Kinsley Construction, Inc.** (P. O. Box 2886, York, PA 17405-2886) on August 28, 2008, for Portable Nonmetallic Mineral Processing Plants under GP3 in Springettsbury Township, **York County**.

**GP5-31-03034: Pennsylvania General Energy Co., LLC** (120 Market Street, Warren, PA 16365) on August 27, 2008, for Natural Gas, Coal Bed Methane or Gob Gas Production or Recovery Facilities under GP5 in Todd Township, **Huntingdon County**.

**GP9-36-03177: Energy Works Lancaster, LLC** (71 Old Mill Bottom Road, Annapolis, MD 21409) on August 27, 2008, for Diesel or No. 2 Fuel-fired Internal Combustion Engines under GP9 in the City of Lancaster, **Lancaster County**.

**GP14-21-03054A: Hollinger Funeral Home, Inc.** (501 North Baltimore Avenue, Mt. Holly Springs, PA 17065) on August 20, 2008, for Human or Animal Crematories under GP14 in Mount Holly Springs Borough, **Cumberland County**.

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

**GP14-32-00394: Bowser Minich Pet Crematory** (498 Ben Franklin Road S, Indiana, PA 15701-2342) on May 28, 2008, received authorization under GP-14 to install and operate a pet crematory at their facility in White Township, **Indiana County**.

**GP5-30-00174: CNX Gas Company, LLC** (100 Evergreen Drive, Waynesburg, PA 15370-6000) on May 28, 2008, received authorization under GP-5 to install and operate a compressor station at their McQuay Station facility in Center Township, **Greene County**.

**GP5-63-00932: Range Resources Appalachia, LLC** (380 Southpointe Boulevard, Suite 300, Canonsburg, PA 15317-8561) on June 4, 2008, received authorization under GP-5 to install and operate a compressor station at their WCB Station No. 3 facility in Chartiers Township, **Washington County**.

**GP5-30-00167A: Range Resources Appalachia, LLC** (380 Southpointe Boulevard, Suite 300, Canonsburg, PA 15317-8561) on June 13, 2008, received authorization under GP-5 to install and operate a compressor station at their Garards Fort Compressor Station facility in Greene Township, **Greene County**. This authorization replaces the previous permit, GP5-30-00167, due to the removal and replacement of authorized equipment.

**GP5-26-00578: Atlas Pipeline Pennsylvania, LLC** (P. O. Box 611, 1550 Coraopolis Heights Road, Suite 2, Moon Township, PA 15108-0611) on July 10, 2008, received authorization under GP-5 to install and operate a compressor station at their Pritts Station facility in Lower Tyrone Township, **Fayette County**.

**GP3-30-00178: Fayette Coal & Coke, Inc.** (2611 Memorial Boulevard, Connellsville, PA 15425) on August 11, 2008, to install and operate one Metso/Nordberg Crusher, Model No. LT-106 and one Metso Vibratory Screen, Model No. ST-352, at the Hilltop Large Noncoal Site in Dunkard Township, **Greene County**.

**GP9-30-00178: Fayette Coal & Coke, Inc.** (2611 Memorial Boulevard, Connellsville, PA 15425) on August 11, 2008, to install and operate one Caterpillar C9 300-bhp diesel engine at the Hilltop Large Noncoal Site in Dunkard Township, **Greene County**.

**GP5-63-00941: Atlas Pipeline Pennsylvania, LLC** (P. O. Box 611, 1550 Coraopolis Heights Road, Suite 2, Moon Township, PA 15108-0611) on August 18, 2008, received authorization under GP-5 to install and operate one Waukesha Model L 7042 GL lean-burn engine rated at 1,478 hp, equipped with an oxidation converter; one gas fired propane refrigeration unit powered by an Ajax Model DPC-2802 LE lean-burn engine rated at 384 hp; one Flameco Model SB30-16 dehydrator rated at 1.75 mmBtu/hr; three 30,000 gallon high-pressure, liquid gas storage tanks; and associated supporting equipment at their Robin Hill Compressor Station facility in Robinson Township, **Washington 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.*

**09-0188A: Gamesa Wind PA, LLC** (400 Gamesa Drive, Fairless Hills, PA 19030) on August 28, 2008, to install a regenerative thermal oxidizer (RTO) to control VOC emissions from two existing spray booths at their wind generator manufacturing plant at USX Industrial Complex in Falls Township, **Bucks County**. The RTO will be equipped with low-NOx burners. This facility is a

minor facility. The Plan Approval will contain recordkeeping requirements and operating restrictions designed to keep the facility operating within all applicable air quality requirements.

**46-0200B: John Middleton Co.** (475 North Lewis Road, Limerick, PA 19468) on August 29, 2008, to install a tobacco flavoring process (top dressing) with a total enclosure emission capture system and regenerative thermal oxidizer at their facility in Upper Merion Township, **Montgomery County**. The permit is for a non-Title V State-only facility. The facility will be removing one of three existing uncontrolled rotary drums and replacing it with this new process. VOC emissions will be emissions controlled and reduced by 98%. The process will increase production capacity by eight times and the potential VOC emissions from this new dryer shall not exceed 3.1 tpy. Aggregate annual VOC emissions from the three rotary drums are currently permitted at 18.83 total tpy as an aggregate for the top dressing processes and will not change. NOx emissions will increase by less than 1 tpy. The plan approval will include monitoring, recordkeeping and reporting requirements designed to keep the facility operating within all applicable air quality requirements.

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

**35-320-010: PA Hutchinson Co.** (400 Penn Avenue, Mayfield, PA 18433) on August 14, 2008, to construct and operate a two color Web Heatset Printing Press at their site in Mayfield Borough, **Lackawanna County**.

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

**06-05037G: McConway & Torley, LLC** (109 48th Street, Pittsburgh, PA 15201-2755) on August 25, 2008, to install ladle metallurgy furnace operations and vacuum degassing operations in their steel making facility in Kutztown Borough, **Berks County**.

**06-05066F: Exide Technologies** (P. O. Box 13995, Reading, PA 19612-3995) on August 25, 2008, to install a replacement thermal oxidizer to control emissions from the No. 2 secondary lead smelting system at their Reading smelter in Laureldale Borough and Muhlenberg Township, **Berks County**.

**36-05153A: Richard E. Pierson Construction Co., Inc.** (483 Anchor Road, Rheems, PA 17570) on August 29, 2008, for replacement of the existing crushers, screens, conveyors and other associated equipment at the existing Rheems Stone Quarry in West Donegal Township, **Lancaster County**.

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

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

**09-0180: White Engineering Surfaces Corporation** (One Pheasant Run, Newtown, PA 18940) on August 28, 2008, to operate a batch degreaser in Newtown Township, **Bucks County**.

**09-0180A: White Engineering Surfaces Corp.** (One Pheasant Run, Newtown, PA 18940) on August 28, 2008, to operate a dust collector in Newtown Township, **Bucks County**.

**15-0010C: ArcelorMittal Plate, LLC** (139 Modena Road, Coatesville, PA 19320) on August 28, 2008, to operate a fabric collector in City of Coatesville, **Chester County**.

**46-0031C: SmithKline Beecham, d/b/a GlaxoSmithKline** (709 Swedeland Road, King of Prussia, PA 19406) on August 28, 2008, to operate two new scrubbers in Upper Providence Township, **Montgomery County**.

**23-0012: Epsilon Product Co., LLC** (Post Road and Blueball Avenue, P. O. Box 432, Marcus Hook, PA 19061) on August 28, 2008, to operate plant No. 2 and a thermal oxidizer in Marcus Hook Borough, **Delaware County**.

**23-0001Z: Sunoco, Inc.—R & M** (100 Green Street, Marcus Hook, PA 19061-0426) on August 27, 2008, to operate four auxiliary boilers in Marcus Hook Borough, **Delaware County**.

**23-0003I: ConocoPhillips Co.** (4101 Post Road, Trainer, PA 19061) on August 28, 2008, to operate two new boilers in Trainer Borough, **Delaware County**.

**15-0114: Action Manufacturing Co.** (500 Bailey Crossroads Road, Atglen, PA 19310) on August 28, 2008, to operate a thermal treatment unit in West Fallowfield Township, **Chester County**.

**09-0024E: Waste Management Disposal Services of PA, Inc.** (1000 New Ford Mill Road, Morrisville, PA 19067) on August 27, 2008, to operate a flare to back-up control device in Tullytown Borough, **Bucks County**.

**09-0102B: Clean Earth of Southeast Pennsylvania, Inc.** (7 Steel Road East, Morrisville, PA 19067) on August 27, 2008, to operate an increase to the limits on emissions in Falls Township, **Bucks County**.

**46-0254A: Campania International, Inc.** (2452 Quakertown Road, Suite 100, Pennsburg, PA 18073) on August 27, 2008, to operate a concrete casting in Upper Hanover Township, **Montgomery County**.

**46-0254B: Campania International, Inc.** (2452 Quakertown Road Suite 100, Pennsburg, PA 18073) on August 27, 2008, to operate a steel silo in Upper Hanover Township, **Montgomery County**.

**09-0007B: Waste Management Disposal Services of PA, Inc.** (1000 New Ford Mill Road, Morrisville, PA 19067) on August 27, 2008, to operate a flare to back-up control device in Falls Township, **Bucks County**.

**09-0124F: Fairless Energy, LLC** (5000 Dominion Boulevard, Glen Allen, VA 23060) on August 27, 2008, to operate an auxiliary boiler retrofit in Falls Township, **Bucks County**.

**PA-09-0124B: Fairless Energy, LLC** (5000 Dominion Boulevard, Glen Allen, VA 23060) on August 28, 2008, to operate issued 2008-08-27 00:00:00 to operate a Combined Cycle Combustion Turbines in Falls Township, **Bucks County**.

**PA-46-0037Q: Cabot Supermetals** (P. O. Box 1608, County Line Road, Boyertown, PA 19512) on August 27, 2008, to operate a wet dust collector in Douglass Township, **Montgomery County**.

**09-0087E: Air Products & Chemicals, Inc.** (351 Philadelphia Avenue, Morrisville, PA 19067) on August 27, 2008, to operate a silicon tetrafluoride in Falls Township, **Bucks County**.

**09-0124E: Fairless Energy, LLC** (5000 Dominion Boulevard, Glen Allen, VA 23060) on August 27, 2008, to operate a 31.9 mmBtu/hr gas fired preheater in Falls Township, **Bucks County**.

**15-0078B: Centocor, Inc.** (200 Great Valley Parkway, Malvern, PA 19355) On August 27, 2008, to operate two natural gas fired boilers in East Whiteland Township, **Chester County**.

**46-0167: Parkhouse** (1600 Black Rock Road, Royersford, PA 19468) on August 27, 2008, to operate two boilers/No.2 fuel oil in Upper Providence Township, **Montgomery County**.

**09-0087E: Air Products and Chemicals, Inc.** (351 Philadelphia Avenue, Morrisville, PA 19067) on August 27, 2008, to operate a silicon tetrafluoride production process/wet scrubber with a secondary containment system in Falls Township, **Bucks County**.

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

**18-318-014: Belles Springs Structures, LLC** (74 Airstrip Road, Mill Hall, PA 17751) on August 25, 2008, to extend the authorization to operate a wooden storage shed and gazebo surface coating operation and associated gluing and sealing operations on a temporary basis to February 21, 2009, in Lamar Township, **Clinton County**.

---

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

---

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

**67-05014: The York Group, Inc.** (2880 Blackbridge Road, York, PA 17402-9703) on August 28, 2008, to operate their wood casket manufacturing facility in Manchester Township, **York County**. This is a renewal of the Title V operating permit.

---

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

---

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

**15-00051: Allan A. Myers, LP—d/b/a Independence Construction Materials—Devault Asphalt Plant** (Route 29, (Devault) Charlestown Township, PA 19432) on August 26, 2008, to operate their hot mix batch asphalt plant on Route 29 in Charlestown Township, **Chester County**. The permit is for a non-Title V (State-only) facility. The Devault Asphalt Plant consists of counter-flow drum mix asphalt plant, with a rated capacity of 450 tpy and an aggregate drum dryer/burner that uses natural gas as the primary fuel and No. 2 fuel oil as the backup fuel. The plant utilizes a baghouse and a cyclone as controls for PM emissions. The plant also has a recycled asphalt pavement crusher, rated at 250 tph. The permit will include monitoring, recordkeeping and reporting requirements designed to keep the facility operating within all applicable air quality requirements.

**09-00086: Neshaminy School District** (2001 Old Lincoln Highway, Langhorne, PA 19047-3240) on August 26, 2008, to operate the High School in Middletown Township, **Bucks County**. The permit is for a non-Title V (State-only) facility. Major sources of air emissions include boilers and emergency generators. The permit will include monitoring, recordkeeping and reporting requirements

designed to keep the facility operating within all applicable air quality requirements.

**09-00109: Bucks County SPCA** (1665 Street Road, Lahaska, PA 18931) on August 28, 2008, to operate an animal crematorium at their facility in Solebury Township, **Bucks County**. The permit is for a non-Title V (State-only) facility. The facility has a potential to emit less than 25 tpy of NOx; the facility is a Natural Minor. The renewal permit will include monitoring, recordkeeping and reporting requirements designed to keep the plant operating within all applicable air quality requirements.

**09-00052: Forklift Associates, Inc.** (200 Rittenhouse Circle South, Bristol, PA 19007) on August 28, 2008, to operate a spray booth operation in Bristol Township, **Bucks County**. The permit is for a non-Title V (State-only) facility. The facility's potential to emit criteria pollutants is less than major thresholds; therefore the facility is a Natural Minor. The permit will include monitoring, recordkeeping and reporting requirements designed to keep the facility operating within all applicable air quality requirements.

**46-00254: Campania International, Inc.** (2452 Quakertown Road, Pennsburg, PA 18073) on August 29, 2008, to operate a garden ornament product plant in Upper Hanover Township, **Montgomery County**. This is an initial State-only operating permit that includes emission restrictions, monitoring, recordkeeping and reporting requirements designed to ensure this facility complies with all applicable air quality regulations.

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

**01-03022: Agricultural Commodities, Inc.** (1585 Granite Station Road, Gettysburg, PA 17325-8345) on August 25, 2008, for operation of a poultry feed mill in Straban Township, **Adams County**. This is a renewal of the State-only operating permit.

**36-03135: Shared Mail Acquisitions, LLC, d/b/a Doodad** (72 Industrial Circle, Lancaster, PA 17601-5928) on August 25, 2008, for printing newspaper inserts at the Leola printing plant in Upper Leacock Township, **Lancaster County**. This is a renewal of the State-only operating permit.

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

**24-00133: North American Hoganas** (210 Ceramic Street, St. Marys, PA 15857) on August 27, 2008, to issue a Natural Minor Operating Permit to operate the facility's air contamination source consisting of: 0.7 mmBtu/hr natural gas boiler and a metal powder blending and packaging system in St. Mary's Borough, **Elk County**.

**37-00162: Precision Plating Co.** (407 Summit View Drive, New Castle, PA 16105) on August 27, 2008, to issue a Natural Minor Operating Permit to operate the facility's air contamination source consisting of: 1.1 mmBtu/hr natural gas usage, hard chromium plating systems (seven tanks and nine rectifiers), sandblasting cabinet and hand wiping solvent usage in Neshannock Township, **Lawrence County**. The facility is subject to 40 CFR Part 63, Subpart N—Emission Standards for Chromium Emissions from Hard and Decorative Chromium Electroplating and Chromium Anodizing Tanks and is classified as a "small" facility.

---

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

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

**01-05025: Valley Quarries, Inc.** (P. O. Box J, Chambersburg, PA 17201-0809) on August 21, 2008, to operate a crushed stone/bituminous concrete facility in Cumberland Township, **Adams County**. This State-only operating permit was administratively amended to update the conditions in the operating permit to permit the use of commercial fuel oils Nos. 4 and 5 and updates Section G. This is Revision No. 1.

**67-05079: York Building Products Co., Inc.** (P. O. Box 1708, 1020 North Hartley Street, York, PA 17405-1708) on August 28, 2008, to operate their asphalt plant in Jackson Township, **York County**. This State-only operating permit was administratively amended to incorporate plan approval No. 67-05079A. This is Revision No. 1.

---

**Operating Permits Denied, Terminated, Suspended or Revoked under the Air Pollution Control Act (35 P. S. §§ 4001—4015) and 25 Pa. Code §§ 127.431 and 127.461.**

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

**GP3-46-0074: Allied Recycling Co.** (1725 Limekiln Pike, Suite-3A, Dresher, PA 19025) on August 28, 2008, to operate a portable nonmetallic mineral processing plant in Plymouth Township, **Montgomery County**. This general permit was denied due to local zoning restrictions.

**GP11-46-0028: Allied Recycling Co.** (1725 Limekiln Pike, Suite-3A, Dresher, PA 19025) on August 28, 2008, to operate a nonroad engine to power a portable nonmetallic mineral processing plant in Plymouth Township, **Montgomery County**. This general permit was denied due to local zoning restrictions.

---

**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 30861601 and NPDES Permit No. PA0214256, Cobra Mining, LLC**, (P. O. Box 40, 178 Chess Mine Road, Dilliner, PA 15327), to renew the permit for the Dunkard Preparation Plant in Monongahela Township, **Greene County** and related NPDES permit. No additional discharges. Application received December 21, 2007. Permit issued August 27, 2008.

**Permit Number 63831302 and NPDES Permit No. PA0213608, Eighty Four Mining Company**, (P. O. Box J, 1525 Pleasant Grove Road, Claysville, PA 15323), to revise the permit for the Mine No. 84 in Somerset Township, **Washington County** to add acreage to install two boreholes and a buried pipeline to convey fine coal refuse slurry into the mine void. Surface Acres Proposed 5.61. No additional discharges. Application received January 24, 2008. Permit issued August 27, 2008.

**Permit Number 30733707 and NPDES Permit No. PA0215830, Consolidation Coal Company**, (1800 Washington Road, Pittsburgh, PA 15241), to renew the permit for the Robena Refuse Disposal Area in Monongahela Township, **Greene County** and related NPDES permit. No additional discharges. Application received September 15, 2005. Permit issued August 27, 2008.

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

**11070202 and NPDES No. PA0262439, Ebensburg Power Company**, 2840 New Germany Road, P. O. Box 845, Ebensburg, PA 15931, commencement, operation and restoration of a bituminous surface refuse reprocessing mine in Nanty Glo Borough and Jackson Township, **Cambria County**, affecting 83.1 acres. Receiving streams: South Branch Blacklick Creek classified for the following use: CWF. There are no potable water supply intakes within 10 miles downstream. Application received May 29, 2007. Permit issued August 28, 2008.

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

**03070104 and NPDES Permit No. PA0251267, AMFIRE Mining Co., LLC** (One Energy Place, Latrobe, PA 15650). Permit issued for commencement, operation and reclamation of a bituminous surface/auger mining site located in East Franklin and Washington Townships, **Armstrong County**, affecting 247.3 acres. Receiving streams: UNTs to Limestone Run. Application received December 5, 2007. Permit issued August 27, 2008.

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

**33970105 and NPDES Permit No. PA0227447, Waroquier Coal Company** (P. O. Box 128, Clearfield, PA 16830) Renewal of an existing bituminous strip operation in Washington Township, **Jefferson County** affecting 84.0 acres. This renewal is issued for reclamation only. Receiving streams: UNT to Fivemile Run and UNT to Horm Run. Application received July 7, 2008. Permit Issued August 27, 2008.

**24820107 and NPDES Permit No. PA0605085, AMFIRE Mining Company, LLC** (One Energy Place, Latrobe, PA 15650) Renewal of an existing bituminous strip and auger operation in Horton Township, **Elk**

**County** affecting 134.0 acres. This renewal is issued for reclamation only. Receiving streams: UNTs to Brandy Camp Run. Application received July 11, 2008. Permit Issued August 27, 2008.

**33030107 and NPDES Permit No. PA0242403, Falls Creek Energy Co., Inc.** (568 Silvis Hollow Road, Kittanning, PA 16201) Renewal of an existing bituminous strip operation in Winslow Township, **Jefferson County** affecting 20.4 acres. This renewal is issued for reclamation only. Receiving streams: UNT to Soldier Run and Soldier Run. Application received July 7, 2008. Permit Issued August 27, 2008.

**33030108 and NPDES Permit No. PA0242420, Falls Creek Energy Co., Inc.** (568 Silvis Hollow Road, Kittanning, PA 16201) Renewal of an existing bituminous strip and auger operation in Beaver Township, **Jefferson County** affecting 97.8 acres. This renewal is issued for reclamation only. Receiving streams: UNT to Little Sandy Creek. Application received July 7, 2008. Permit Issued August 27, 2008.

**24010101 and NPDES Permit No. PA0241857, FSMR, Inc.** (P. O. Box 203, Brockway, PA 15824) Transfer of an existing bituminous strip, auger and clay removal operation from Energy Resources, Inc. in Horton Township, **Elk County** affecting 264.3 acres. Receiving streams: UNT "G" to Mead Run and UNTs "2" and "3" to Johnson Run. Application received March 10, 2008. Permit Issued August 26, 2008.

**33080101 and NPDES Permit No. PA0258539, MSM Coal Co., Inc.** (P. O. Box 243, DuBois, PA 15801) Commencement, operation and restoration of a bituminous strip operation in Pine Creek Township, **Jefferson County** affecting 23.4 acres. Receiving streams: Cable Run. Application received January 14, 2008. Permit Issued August 25, 2008.

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

**17070117 and NPDES No. PA0256676, Strishock Coal Company** (220 Hillcrest Drive, DuBois, PA 15801), commencement, operation and restoration of a bituminous surface and auger mine in Knox Township, **Clearfield County**, affecting 180.8 acres. Receiving stream: Potts Run, classified for the following use: CWF. There are no potable water supply intakes within 10 miles downstream. Application received November 30, 2007. Permit issued August 25, 2008.

**17040105 and NPDES No. PA0243795, R. B. Contracting** (160 R. B. Contracting Lane, Curwensville, PA 16833), transfer of an existing bituminous surface mine from W. Ruskin Dressler (P. O. Box 39, Rockton, PA 15856), located in Brady Township, **Clearfield County**, affecting 63.9 acres. Receiving stream: East Branch Mahoning Creek, classified for the following use: HQ. There are no potable water supply intakes within 10 miles downstream. Application received March 28, 2008. Permit issued August 18, 2008.

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

**54080101 and NPDES Permit No. PA0224669, Michael Coal Company**, (P. O. Box 8, Williamstown, PA 17098), commencement, operation and restoration of an anthracite surface mine operation in Tremont Township, **Schuylkill County** affecting 133.0 acres, receiving streams: Rausch Creek and/or Swatara Creek. Application received February 27, 2008. Permit issued August 28, 2008.

**35920101R3 and NPDES Permit No. PA0596060. Maco Associates, Inc.**, (400 Mill Street, Dunmore, PA 18512), renewal of an existing anthracite surface mine operation in Fell Township, **Lackawanna County** affecting 1,700.0 acres, receiving stream: Wilson Creek. Application received March 19, 2008. Permit issued August 29, 2008.

*Noncoal Permits Actions*

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

**28940801. Allen L. Mills**, 7201 Slabtown Road, Waynesboro, PA 17268, bond release on a small noncoal (industrial minerals) operation in Antrim Township, **Franklin County**, affecting 5.0 acres. Receiving streams: UNT Conococheague Creek classified for the following use: WWF. Application received April 30, 2008. Permit issued August 19, 2008.

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

**37800303. Slippery Rock Materials, Inc.** (704 Golf Course Road, Volant, PA 16156) Renewal of NPDES Permit No. PA0122734 in Plain Grove Township, **Lawrence County**. Receiving streams: Taylor Run. Application received July 10, 2008. Permit Issued August 27, 2008.

**25900301. Lakeland Aggregates, Inc.** (13053 State Route 89, Wattsburg, PA 16446) Transfer of an existing sand and gravel operation from Hoover Sand and Gravel Co., Inc. in Venango Township, **Erie County** affecting 18.0 acres. Receiving streams: French Creek. Application received May 22, 2008. Permit Issued August 26, 2008.

**42080803. Walter D. Miles** (73 Pleasant Drive, Port Allegany, PA 16743) Commencement, operation and restoration of a small noncoal bluestone operation in Port Allegany Borough, **McKean County** affecting 5.0 acres. Receiving streams: UNT to Allegheny River. Application received May 20, 2008. Permit Issued August 26, 2008.

**42080804. Brent Schoonover** (P. O. Box 393, Shinglehouse, PA 16748) Commencement, operation and restoration of a small noncoal bluestone operation in Foster Township, **McKean County** affecting 5.0 acres. Receiving streams: Harrisburg Run. Application received May 28, 2008. Permit Issued August 26, 2008.

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

**14080801. Christopher P. Bungo** (P. O. Box 5, 3760 Philipsburg-Bigler Highway, West Decatur, PA 16878), commencement, operation and restoration of a small industrial minerals (shale) permit located in Rush Township, **Centre County**, affecting 4.3 acres. Receiving stream: Trout Run, tributary to Moshannon Creek. Application received April 30, 2008. Permit issued August 19, 2008.

**53080801. Randy Cornelius** (P. O. Box 127, Roulette, PA 16746), commencement, operation and restoration of a small industrial minerals (shale) permit located in Pleasant Valley Township, **Potter County**, affecting 5.0 acres. Receiving stream: UNT to Sartwell Creek, classified for the following use: CWF. Application received January 2, 2008. Permit issued August 14, 2008.

**08010816. Konstantinos Economou** (1321 Deer Run Road, Hatfield, PA 19440), noncoal mining operation in Stevens Township, **Bradford County**. Restoration of 1.0 acre completed. Receiving streams: Cold Creek, tributary

to Wyalusing Creek. Application received August 14, 2008. Final bond release August 26, 2008.

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

**52060301 and NPDES Permit No. PA0224511. Springbrook Enterprises, Inc.**, (504 Well Road, Hawley, PA 18428), commencement, operation and restoration of a quarry operation and NPDES Permit for discharge of treated mine drainage in Blooming Grove Township, **Pike County** affecting 29.6 acres, receiving stream: UNT to Billings Creek. Application received February 23, 2006. Permit issued August 25, 2008.

**67070302 and NPDES Permit No. PA0224626. Glen-Gery Corp.**, (P. O. Box 7001, Wyomissing, PA 19610), commencement, operation and restoration of a quarry operation and NPDES Permit for discharge of treated mine drainage in Conewago Township, **York County** affecting 98.9 acres, receiving stream: UNT of Conewago Creek. Application received August 29, 2007. Permit issued August 25, 2008.

**5677SM1C8 and NPDES Permit No. PA0223263. Watstown Brick Company**, (P. O. Box 68, Watstown, PA 17777), correction to an existing quarry operation to update the reclamation plan in Delaware Township, **Northumberland County** affecting 240.0 acres, receiving stream: West Branch Susquehanna River. Application received May 15, 2008. Correction issued August 27, 2008.

**49030301C2 and NPDES Permit No. PA0224316. Meckley's Limestone Products, Inc.**, (R. R. 1, Box 1682, Herndon, PA 17830), renewal of NPDES Permit for discharge of treated mine drainage from a quarry operation in Lower Mahanoy and Jordan Townships, **Northumberland County**, receiving stream: Upper Fiddler Run. Application received June 20, 2008. Renewal issued August 27, 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.*

**28084121. David H. Martin Excavating, Inc.**, 4961 Cumberland Highway, Chambersburg, PA 17201-9655, blasting activity permit issued for pipeline development in Washington Township, **Franklin County**. Blasting activity permit end date is December 30, 2009. Permit issued August 18, 2008.

**21084150. M & J Explosives, Inc.**, P. O. Box 608, Carlisle, PA 17013-0608, blasting activity permit issued for convenience store development in Middlesex Township, **Cumberland County**. Blasting activity permit end date is August 31, 2009. Permit issued August 18, 2008.

**21084149. M & J Explosives, Inc.**, P. O. Box 608, Carlisle, PA 17013-0608, blasting activity permit issued for residential development in Hampden Township, **Cumberland County**. Blasting activity permit end date is August 31, 2009. Permit issued August 18, 2008.



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

**65084005. Bullsken Stone & Lime** (P. O. Box 528, Latrobe, PA 15650). Blasting activity permit for construction at the New Stanton Distribution Park—Lot 4, located in Hempfield Township, **Westmoreland County**, with an expected duration of blasting for 1 year. Permit issued August 25, 2008.

**30084004. Shallenberger Construction** (2611 Memorial Avenue, Connellsville, PA 15425). Blasting activity permit for construction of the Buday No. 9 Atlas Well site, located in Cumberland Township, **Greene County**, with an expected duration of blasting for 180 days. Permit issued August 26, 2008.

**30084005. Shallenberger Construction** (2611 Memorial Avenue, Connellsville, PA 15425). Blasting activity permit for construction of the Buday No. 10 Atlas Well site, located in Cumberland Township, **Greene County**, with an expected duration of blasting for 180 days. Permit issued August 27, 2008.

**63084007. John Kosky Contracting, Inc.** (619 Millers Run Road, Cuddy, PA 15031). Blasting activity permit for construction of the Kosky No. 001 Kriebek Well site, located in Deemston Borough, **Washington County**, with an expected duration of blasting for 180 days. Permit issued August 27, 2008.

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

**53084005. P G E**, (120 Market Street, Warren, PA 16365), blasting for the Frack Pit located in Pleasant Valley Township, **Potter County**. Permit issued August 27, 2008. Permit expires August 27, 2009.

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

**22084112. Abel Construction Co., Inc.**, (P. O. Box 476, Mountville, PA 17554), construction blasting for Deer Run Commons in Derry Township, **Dauphin County** with an expiration date of August 25, 2009. Permit issued August 22, 2008.

**54084001. Anrich, Inc.**, (1271 South Gulph Road, Wayne, PA 19087) and Bernard J. Hasara, (1125 East Mahanoy Avenue, Mahanoy City, PA 17948), construction blasting for the Delano Township Sewer Project in Delano Township, **Schuylkill County** with an expiration date of February 28, 2009. Permit issued August 25, 2008.

**36084198. Keystone Blasting Service**, (381 Reifsnyder Road, Lititz, PA 17543), construction blasting for a single dwelling in Ephrata Township, **Lancaster County** with an expiration date of October 30, 2008. Permit issued August 25, 2008.

**36084199. Keystone Blasting Service**, (381 Reifsnyder Road, Lititz, PA 17543), construction blasting for a Chicken House in East Earl Township, **Lancaster County** with an expiration date of October 30, 2008. Permit issued August 25, 2008.

**38084123. Keystone Blasting Service**, (381 Reifsnyder Road, Lititz, PA 17543), construction blasting for Hubers Animal Health in Jackson Township, **Lebanon County** with an expiration date of December 30, 2008. Permit issued August 25, 2008.

**38084124. Keystone Blasting Service**, (381 Reifsnyder Road, Lititz, PA 17543), construction blasting for a manure pit in Millcreek Township, **Lebanon**

**County** with an expiration date of December 30, 2008. Permit issued August 25, 2008.

**06084122. J. Roy's, Inc.**, (Box 125, Bowmansville, PA 17507), construction blasting for Wyomissing Sewer Interceptor in Wyomissing and West Reading Boroughs, **Berks County** with an expiration date of September 27, 2009. Permit issued August 27, 2008.

**09084106. American Rock Mechanics, Inc.**, (7531 Chestnut Street, Zionsville, PA 18092), construction blasting for Doylestown Hospital in Doylestown Township, **Bucks County** with an expiration date of August 27, 2009. Permit issued August 29, 2008.

## FEDERAL WATER POLLUTION CONTROL ACT SECTION 401

The Department of Environmental Protection (Department) has taken the following actions on previously received permit applications, requests for Environmental Assessment approval and requests for Water Quality Certification under section 401 of the Federal Water Pollution Control Act (FWPCA) (33 U.S.C.A. § 1341).

Except as otherwise noted, the Department has granted 401 Water Quality Certification certifying that the construction and operation described will comply with the applicable provisions of sections 301—303, 306 and 307 of the FWPCA (33 U.S.C.A. §§ 1311—1313, 1316 and 1317) and that the construction will not violate applicable Federal and State water quality standards.

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

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

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

---

**Actions on applications for the following activities filed under the Dam Safety and Encroachments Act (32 P. S. §§ 693.1—693.27), section 302 of the Flood Plain Management Act (32 P. S. § 679.302) and The Clean Streams Law (35 §§ 691.1—691.702) and Notice of Final Action for Certification under section 401 of the FWPCA (33 U.S.C.A. § 1341).**

---

*Permits, Environmental Assessments and 401 Water Quality Certifications Issued*

**WATER OBSTRUCTIONS AND ENCROACHMENTS**

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

**E46-1023. Township of Lower Merion**, 75 East Lancaster Avenue, Ardmore, PA 19003-2376, Lower Merion Township, **Montgomery County**, United States Army Corps of Engineers, Philadelphia District.

To perform the following water obstruction and encroachment activities associated with the proposed Flat Rock Park improvements within and along the Schuylkill River (WWF, MF):

1. To modify, construct and maintain a 25-foot wide by 50-foot long concrete boat launch ramp with a fixed 6-foot wide by 40-foot long dock adjacent to the ramp.

2. To modify, construct and maintain an 8-foot wide by 40-foot long floating dock connected to a 10-foot wide by 50-foot long boardwalk with handrails.

3. To expand an existing parking lot and associated amenities.

The site is located along River Road (Norristown, PA Quadrangle N: 3.75 inches; W: 0.3 inch).

The issuance of this permit also constitutes approval of a Water Quality Certification under section 401 of the Federal Water Pollution Control Act (33 U.S.C.A. § 134(a)).

**E51-231. Philadelphia Water Department**, 1101 Market Street, 2nd Floor, Philadelphia, PA 19107, City of Philadelphia and **Philadelphia County**, United States Army Corps of Engineers, Philadelphia District.

To relocate an existing stormwater outfall structure and to construct and maintain the proposed 72-inch RCP stormwater outfall structure approximately 500 feet east of the existing outfall structure and along the Schuylkill River (WWF/MF). The site is located at the United States Navy Ship Yard just west of 26th Street and approximately 0.5 mile upstream from the Schuylkill River's confluence with the Delaware River (Philadelphia, PA USGS Quadrangle N: 4.2 inches; W: 12.6 inches).

The issuance of this permit also constitutes approval of a Water Quality Certification under section 401 of the Federal Water Pollution Control Act (33 U.S.C.A. § 134(a)).

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

**E39-453. Prospect Acquisitions, LP**, 404 Sumneytown Pike, Suite 200, North Wales, PA 19454. Upper Milford Township, **Lehigh County**, United States Army Corps of Engineers, Philadelphia District.

To to construct and remove an outfall to Leibert Creek (HQ-CWF) consisting of a 32-inch by 50-inch reinforced concrete elliptical pipe, endwall and riprap-lined stilling basin; to construct and maintain a minor road crossing of a tributary to Leibert Creek consisting of an open-bottom 3-foot by 6-foot culvert, headwalls and riprap apron; and to construct and maintain two utility line crossings of a tributary to Leibert Creek consisting of an 8-inch waterline and a 2-inch sanitary line. The activities are associated with Estates at Maple Ridge residential development located adjacent to Main Road West (SR 2023) approximately 0.4 mile west of the Turnpike (I-476) (Allentown West, PA Quadrangle N: 0.3 inch; W: 1.2 inches). (Subbasin: 2C)

**E52-201. Forest Glen Estates, LLC**, 826 Broadway, 11th Floor, New York, NY 10003. Delaware Township, **Pike County**, United States Army Corps of Engineers, Philadelphia District.

To remove the existing structure and to construct and maintain a road crossing of EV, PFO wetlands utilizing a 6-foot by 4-foot box culvert depressed 1.0 foot; to place fill in wetlands for the purpose of widening an existing roadway; and to construct and maintain a dry hydrant intake structure in an existing pond. The activities will impact a de minimis area of wetlands less than or equal to 0.05 acre and are associated with the construction of Forest Glen Estates. The project is located on the west side of SR 739, approximately 2 miles northwest of the intersection of SR 739 and SR 2001 (Edgemere, PA Quadrangle N: 3.3 inches; W: 6.5 inches). (Subbasin: 1D)

**E48-392. James R. Blake**, 843 Media Street, Bethlehem, PA 18017. Lower Mt. Bethel Township, **Northampton County**, United States Army Corps of Engineers, Philadelphia District.

To modify and maintain an existing house partially situated in the floodway of the Delaware River (WWF, MF). Work includes removing an existing detached garage; raising the first floor of the living area above the 100-year flood elevation; constructing an addition on the downstream end of the house; and constructing a garage on the upstream side of the house. The project is located at 449 Delaware Avenue, approximately 0.3 mile southwest of Lower Mud Run Road (Bangor, PA Quadrangle N: 0.7 inch; W: 9.9 inches). (Subbasin: 1F)

**E48-370. Todd H. Dreisbach**, 4315 Fox Drive, Walnutport, PA 18105. Lehigh Township, **Northampton County**, United States Army Corps of Engineers, Philadelphia District.

To authorize the deepening and expansion of the reservoir of a nonjurisdictional dam having a surface area of approximately 0.3 acre located across a tributary to Bertsch Creek (CWF) and to construct and maintain a dry fire hydrant and a 90 square foot pile supported private recreational dock in the reservoir area. This work was conducted during the repair and restoration of the dam embankment that was damaged by flood waters. The project is located west of the intersection of Deer Path and Fox Drives (Palmerton, PA Quadrangle N: 7.2 inches; W: 7.9 inches). (Subbasin: 2C)

**E45-509. Brodhead Creek Regional Authority**, 410 Stokes Avenue, East Stroudsburg, PA 18301. Pocono Township, **Monroe County**, United States Army Corps of Engineers, Philadelphia District.

To relocate, operate and maintain a 12-inch diameter public drinking water supply line beneath Scot Run (HQ-CWF), a UNT to Scot Run (HQ-CWF) and exceptional value wetlands associated to both streams. The waterline crossing beneath Scot Run shall be 60-feet in length with maximum temporary wetland impact of 0.07-acre. The waterline crossing the UNT shall be 16-feet in length, with a maximum temporary wetland impact of 0.02-acre. Relocation of the waterline shall be performed during stream low flow and dry work conditions by dam and pumping, fluming stream flow around the work area or boring beneath stream and wetlands. Since Scot Run is a wild trout fishery, no waterline construction or future repair work shall be conducted in or along the stream channels between October 1 and December 31 without prior written approval from the Fish and Boat Commission. The southern-most waterline crossing is located along the western right-of-way of SR 0611 approximately

2,785-foot north of the SR 0800 and SR 0611 exchange (Mt. Pocono, PA Quadrangle Latitude: 40° 03' 52.09"; Longitude: 75° 19' 05.25", Latitude: 40° 04' 10.48"; Longitude: 75° 19' 25.15"). Wetland impacts incurred by the waterline relocation shall solely be temporary and as such no mitigation through replacement wetlands will be required. (Subbasin: 2A)

**E45-527. Transcontinental Gas Pipe Line Corporation**, 2800 Post Oak Boulevard, Houston, TX 77056. Ross Township, **Monroe County**, United States Army Corps of Engineers, Philadelphia District.

To construct and maintain the following Water Obstructions and Encroachments associated with the Monroe County portion of the Sentinal Expansion—Wind Gap Loop Gas Pipeline Project which includes 3.87 miles of 42-in diameter gas pipe line, 0.69 mile of which is located in Ross Township, Monroe County.

1. (S-WG-015) a temporary equipment crossing of a 12-foot wide tributary to Aquashicola Creek (HQ-CWF) with 222 feet of channel impacts (Lat: 40° 51' 27"; Long: 75° 20' 9").

2. (S-WG-016) a gas pipe line crossing and equipment crossing of approximately 22 feet of a tributary to Aquashicola Creek (HQ-CWF) with 114 feet of channel impacts (Lat: 40° 51' 30"; Long: 75° 20' 11").

3. A road crossing of a tributary to Aquashicola Creek (HQ-CWF) consisting of a 24-foot long, 5-foot wide by 3-foot high concrete box culvert (Lat: 40° 51' 30"; Long: 75° 20' 11").

The project will temporarily impact 336 feet of stream channel. Disturbed streambanks will be permanently stabilized with riprap.

The project begins 0.60 mile southeast of the intersection of Mountain Road and Tittle Road (Wind Gap, PA Quadrangle Lat: 40° 51' 9"; Long: 75° 19' 37") and continues to 0.25 mile west of the intersection of Mountain and Tittle Roads (Wind Gap, PA Quadrangle Lat: 40° 51' 33"; Long: 75° 20' 11") Ross Township, Monroe County. (Subbasin: 2B)

**E48-376. LTS Development, LLC**, P. O. Box 160, Shawnee-On-Delaware, PA 18336. Lower Mount Bethel Township, **Northampton County**, United States Army Corps of Engineers, Philadelphia District.

To construct and maintain the following water obstructions and encroachments associated with the proposed Bethel Hill Farms Subdivision: 1) a road crossing consisting of a 175-foot long concrete arch culvert stream enclosure having a span of 16 feet and underclearance of 7 feet in a tributary to Oughoughton Creek (CWF); 2) a road crossing consisting of a concrete box culvert having a span of 8 feet and an underclearance of 2.5 feet in a tributary to Oughoughton Creek (CWF); 3) a road crossing consisting of a 36-inch diameter reinforced concrete pipe; 4) a 2.5 inch diameter sanitary sewer force main utility line wetland crossing; and 5) a timber pedestrian bridge having a span 35 feet and underclearance of 3.6 feet across a tributary to Oughoughton Creek (CWF).

The project is located east of SR 1017 (Richmond Road), approximately 2,000 feet south of the intersection of SR 0611 and SR 1017 (Belvidere, PA-NJ Quadrangle, Lat: 42° 05' 01"; Long: 75° 06' 46"). (Subbasin: 1C)

**E48-377. Department of Veteran and Military Affairs, Bureau of Facilities and Engineering, Building 0-47**, Fort Indiantown Gap, Annville, PA 17003-5002.

Forks Township, **Northampton County**, United States Army Corps of Engineers, Philadelphia District.

To place fill in approximately 0.15 acre of the 100-year floodplain of a tributary to Bushkill Creek (HQ-CWF) for the purpose of constructing Stryker Brigade Combat Team Readiness Center and Maintenance Shop. The project is located approximately 0.2 mile southeast of the intersection of SR 1009 (Kesslerville Road) and Uhler Road (Easton, PA-NJ Quadrangle Lat: 40° 45' 09"; Long: 75° 13' 45"). (Subbasin: 2C)

**E48-393. Traditions of America, LP**, One Saucon View Drive, Bethlehem, PA 18017. Hanover Township, **Northampton County**, United States Army Corps of Engineers, Philadelphia District.

To construct, operate and maintain a treated stormwater outfall to Monocacy Creek (HQ-CWF). The treated stormwater outfall structure shall be constructed with a vegetated swale and depressed rock apron level spreader along Monocacy Creek. Since Monocacy Creek is a WTF, no construction or future repair work shall be done in or along the stream channel between October 1st and December 31st without the written permission of the Fish and Boat Commission. The outfall structure is located approximately 100 feet downstream of the bridge that carries Bridle Path Road across Monocacy Creek (Catasauqua, PA Quadrangle Latitude: 40° 30' 59.91"; Longitude: 75° 22' 51.90"). (Subbasin: 2C)

**E45-522. PPL Electric Utilities Corporation**, 2 North 9th Street, GENN 3, Allentown, PA 18101. Pocono Township, **Monroe County**, United States Army Corps of Engineers, Philadelphia District.

To construct and maintain two utility line crossings under Swiftwater Creek (HQ-CWF) by means of directional drilling, each crossing consisting of nine 5-inch diameter conduits within a 36-inch diameter steel casing, for the purpose of providing electrical service to Sanofi Pasteur. The crossings are located on the south side of SR 0314 (Manor Drive), east of SR 0611 (Mount Pocono, PA Quadrangle Latitude: 41° 06' 03"; Longitude: 75° 20' 48") and (Mount Pocono, PA Quadrangle Latitude: 41° 05' 52"; Longitude: 75° 20' 01"). (Subbasin: 1E)

**E39-476. Omega Ridge LP by Omega Land Development LLC its General Partner**, 1150 Cedar Crest Boulevard, Suite 200, Allentown, PA 18103. North Whitehall Township, **Lehigh County**, United States Army Corps of Engineers, Philadelphia District.

To construct and maintain an ariel 36-inch diameter ductile iron stormwater pipe crossing of a tributary to Coplay Creek (CWF), having a span of 60-feet and an approximate underclearance of 4-feet and to construct and maintain a stormwater outfall in the floodway of the tributary to Coplay Creek consisting of a 24-inch diameter HDPE pipe, riprap apron and outfall channel. The project is located along Schneck Road (T-665) approximately 0.25 mile west of the I-476 underpass (Cementon, PA Quadrangle Latitude: 40° 40' 33"; Longitude: 75° 36' 16"). (Subbasin: 2C)

**E66-139. Wyoming County, Wyoming County Courthouse**, 1 Courthouse Square, Tunkhannock, PA 18657. North Branch Township, **Wyoming County**, United States Army Corps of Engineers, Baltimore District.

To remove the existing structure and to construct and maintain a concrete spread box beam bridge, having a normal span of 62.5 feet and an approximate underclearance of 9.5 feet, across North Branch Mehoopany Creek

(CWF). The project is located on Catlin Hill Road (T-423) approximately 0.3 mile south of SR 0087 (Jenningsville, PA Quadrangle Latitude: 40° 33' 30"; Longitude: 75° 21' 40"). (Subbasin: 4G)

**E66-138. Bowman Creek Watershed Association**, P. O. Box 236, Noxen, PA 18636. Noxen Township, **Wyoming County**, United States Army Corps of Engineers, Baltimore District.

To construct and maintain a 1,800 foot long stream channel restoration project in Bowman Creek (HQ-CWF) consisting of the following work: bankfull benches, rock J-hook vanes, streambank restoration and re-establishing the width and alignment of the historical stream channel. Seven temporary log vanes and a bankfull bench were previously authorized by Emergency Permit No. EP66064160 on November 14, 2006, for the purpose of stabilizing the streambanks along the upper limits of the work area. The project begins 250 feet downstream from the SR 0029 bridge and extends downstream to a point just past the confluence of Beaver Run (Noxen, PA Quadrangle Latitude: 41° 25' 05"; Longitude: 76° 02' 49"). (Subbasin: 4G)

**E48-395. Transcontinental Gas Pipe Line Corporation**, 2800 Post Oak Boulevard, Houston, TX 77056. Plainfield and Bushkill Townships, **Northampton County**, United States Army Corps of Engineers, Philadelphia District.

To construct and maintain the following Water Obstructions and Encroachments associated with the Northampton County portion of the Sentinal Expansion—Wind Gap Loop Gas Pipeline Project which includes 3.87 miles of 42-in diameter gas pipe line 3.18 miles of which is located in Plainfield and Bushkill Townships, Northampton County.

1. (W-WG-002) a temporary equipment crossing of PEM wetlands with 0.12 acre of temporary wetland impacts (Lat: 40° 49' 20"; Long: 75° 17' 8") in Plainfield Township.

2. (S-WG-002) a temporary equipment crossing of a 1-foot wide tributary to Little Bushkill Creek (HQ-CWF) with 266 feet of channel impacts (Lat: 40° 49' 19"; Long: 75° 17' 7") in Plainfield Township.

3. (W-WG-001) a temporary equipment crossing of PEM wetlands with 0.13 acre of temporary wetland impacts (Lat: 40° 49' 21"; Long: 75° 17' 13") in Plainfield Township.

4. (S-WG-001) a temporary equipment crossing of a 3-foot wide tributary to Little Bushkill Creek (HQ-CWF) with 210 feet of channel impacts (Lat: 40° 49' 18"; Long: 75° 17' 15") in Plainfield Township.

5. (W-WG-003A) a temporary equipment crossing of PEM wetlands with 0.01 acre of temporary wetland impacts (Lat: 40° 49' 23"; Long: 75° 17' 11") in Plainfield Township.

6. (W-WG-003) a gas pipe line crossing of approximately 80 feet of PEM wetlands and a temporary equipment crossing of the same wetland with 0.08 acre of temporary wetland impacts (Lat: 40° 49' 23"; Long: 75° 17' 17") in Plainfield Township.

7. (S-WG-003) a gas pipe line crossing and temporary equipment crossing of a 20-foot wide UNT to Little Bushkill Creek (HQ-CWF) with 134 feet of channel impacts (Lat: 40° 49' 24"; Long: 75° 17' 19") in Plainfield Township.

8. (S-WG-004) a gas pipe line crossing and temporary equipment crossing of a 4-foot wide tributary to Little Bushkill Creek (HQ-CWF) with 114 feet of channel impacts (Lat: 40° 49' 26"; Long: 75° 17' 28") in Plainfield Township.

9. (S-WG-004A) a temporary equipment crossing of a 3-foot wide tributary to Little Bushkill Creek (HQ-CWF) with 52 feet of channel impacts (Lat: 40° 49' 26"; Long: 75° 17' 28") in Plainfield Township.

10. (W-WG-004A) a temporary equipment crossing of PEM wetlands with 0.01 acre of temporary wetland impacts (Lat: 40° 50' 3"; Long: 75° 18' 43") in Plainfield Township.

11. (W-WG-004B) a gas pipe line crossing of approximately 75 feet of PEM wetlands and a temporary equipment crossing of the same wetland with 0.08 acre of temporary wetland impacts (Lat: 40° 49' 26"; Long: 75° 31' 41") in Plainfield Township.

12. (W-WG-004) a gas pipe line crossing of approximately 125 feet of PEM wetlands and a temporary equipment crossing of the same wetlands with 0.44 acre of temporary wetland impacts (Lat: 40° 49' 27"; Long: 75° 17' 41") in Plainfield Township.

13. (W-WG-005) a gas pipe line crossing of approximately 20 feet of PEM wetlands and a temporary equipment crossing of the same wetlands with 0.06 acre of temporary wetland impacts (Lat: 40° 49' 35"; Long: 75° 17' 54") in Plainfield Township.

14. (S-WG-005) a temporary equipment crossing of a 3-foot wide tributary to Little Bushkill Creek (HQ-CWF) with 51 feet of channel impacts (Lat: 40° 49' 32"; Long: 75° 17' 52") in Plainfield Township.

15. (W-WG-006) a gas pipe line crossing of approximately 90 feet of PEM wetlands and a temporary equipment crossing of the same wetlands with 0.13 acre of temporary wetland impacts (Lat: 40° 49' 34"; Long: 75° 17' 56") in Plainfield Township.

16. (W-WG-007) a gas pipeline crossing of approximately 120 feet of PEM wetlands and temporary equipment crossing of the same wetlands with 0.22 acre of temporary wetland impacts (Lat: 40° 49' 37"; Long: 75° 18' 00") in Plainfield Township.

17. (S-WG-007) a gas pipe line crossing and temporary equipment crossing of a 5-foot wide tributary to Bushkill Creek (HQ-CWF) with 188 feet of channel impacts (Lat: 40° 49' 38"; Long: 75° 17' 59") in Plainfield Township.

18. (S-WG-008) a gas pipe line crossing and temporary equipment crossing of a 20-foot wide tributary to Bushkill Creek (HQ-CWF) with 94 feet of channel impacts (Lat: 40° 49' 58"; Long: 75° 18' 38") in Bushkill Township.

19. (W-WG-009) a gas pipe line crossing of approximately 365 feet of PEM wetlands and a temporary equipment crossing of the same wetlands with 0.61 acre of temporary wetland impacts (Lat: 40° 50' 03"; Long: 75° 18' 43") in Bushkill Township.

20. (W-WG-010) a gas pipe line crossing of approximately 452 feet of PEM wetlands and a temporary equipment crossing of the same wetlands with 0.66 acre of temporary wetland impacts (Lat: 40° 50' 06"; Long: 75° 18' 49") in Bushkill Township.

21. (S-WG-009) a gas pipe line crossing and temporary equipment crossing of 13-foot wide Sobers Run (HQ-CWF) with 87 feet of channel impacts (Lat: 40° 50' 06"; Long: 75° 18' 48") in Bushkill Township.

22. (W-WG-017) a temporary equipment crossing of PEM wetlands with 0.01 acre of temporary wetland impacts (Lat: 40° 50' 09"; Long: 75° 18' 58") in Bushkill Township.

23. (W-WG-011) a gas pipe line crossing of approximately 215 feet of PEM/SS wetlands and a temporary equipment crossing of the same wetlands with 0.18 acre of temporary wetland impacts (Lat: 40° 50' 18"; Long: 75° 19' 07") in Bushkill Township.

24. (S-WG-011) a gas pipe line crossing of approximately 5-foot wide UNT to Bushkill Creek (HQ-CWF) with 53 feet of channel impacts (Lat: 40° 50' 24"; Long: 75° 19' 13") in Bushkill Township.

25. (W-WG-012) a gas pipe line crossing of approximately 75 feet of PEM wetlands and a temporary equipment crossing of the same wetlands with 0.09 acre of temporary wetland impacts (Lat: 40° 50' 21"; Long: 75° 19' 12") in Bushkill Township.

26. (W-WG-013) a gas pipe line crossing of approximately 12 feet of PEM wetlands and a temporary equipment crossing of the same wetlands with 0.01 acre of temporary wetland impacts (Lat: 40° 50' 24"; Long: 75° 19' 14") in Bushkill Township.

27. (S-WG-012) a gas pipe line crossing and temporary equipment crossing of a 5-foot wide tributary to Bushkill Creek (HQ-CWF) with 212 feet of channel impacts (Lat: 40° 50' 24"; Long: 75° 19' 13") in Bushkill Township.

28. (S-WG-013) fill 0.47 acre of a pond for a 240-foot long gas pipe line crossing of the same pond (Lat: 40° 50' 26"; Long: 75° 19' 17") in Bushkill Township.

29. (S-WG-014) a gas pipe line crossing and temporary equipment crossing of a 7-foot wide tributary to Bushkill Creek (HQ-CWF) with 119 feet of channel impacts (Lat: 40° 50' 30"; Long: 75° 19' 20") in Bushkill Township.

30. (W-WG-021) a gas pipe line crossing of approximately 125 feet of PEM wetlands and a temporary equipment crossing of the same wetlands with 0.04 acre of temporary wetland impacts (Lat: 40° 50' 32"; Long: 75° 19' 22") in Bushkill Township.

The project will temporarily impact 2.88 acres of wetlands and 1,580 linear feet of stream channel, disturbed streambanks will be permanently stabilized with riprap.

The project begins on the north side of Sandt Road 0.44 mile east of the intersection of SR 00115 and Sandt Road (Wind Gap, PA Quadrangle Lat: 40° 49' 18"; Long: 75° 17' 06") in Plainfield Township and continues to 0.60 mile southeast of the intersection of Mountain and Tittle Roads (Wind Gap, PA Quadrangle Lat: 40° 51' 9"; Long: 75° 19' 37") in Bushkill Township, Northampton County. (Subbasins: 1F, 2B)

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

**E18-433. Vance and Elisabeth McCoy**, 204 Beech Creek Avenue, Mill Hall, PA 17751. Renovation of Private Dwelling in the Fishing Creek 100-Year Floodway, in Mill Hall Borough, **Clinton County**, United States Army Corps of Engineers, Baltimore District (Mill Hall, PA Quadrangle Latitude: 41° 06' 21.45"; Longitude: 77° 29' 11.74").

The applicant proposes to remove existing structures and appurtenances and construct, operate and maintain new and additional structures and appurtenances in the renovation of a private dwelling that is located within the

100-year floodway of Fishing Creek. New appurtenances to be constructed are a 9' by 15' rear deck and a 6' by 8' front deck. New structures to be constructed are a 28' by 24' elevated pavilion and 4-foot high perimeter fence. The permittee shall comply with all applicable municipal floodplain management regulations related to the renovation of existing and development of new structures within the 100-year floodplain and/or 100-year floodway. The project is located at 11 Main Street along the southern right-of-way of Main Street and approximately 350-feet west of Pennsylvania Avenue and Main Street intersection. This permit was issued under Section 105.13(e) "Small Projects."

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

**E02-1588. Allegheny County Sanitary Authority (ALCOSAN)**, 3300 Preble Avenue, Pittsburgh, PA 15233-1492. To construct and maintain building in the City of Pittsburgh, **Allegheny County**, United States Army Corps of Engineers, Pittsburgh District (Pittsburgh West, PA Quadrangle N: 17.7 inches; W: 5.6 inches, Latitude: 40° 28' 21"; Longitude: 80° 02' 25"). To construct and maintain a building known as ALCOSAN Customer Service and Training Center on the right bank flood plan of the Ohio River (WWF). The project is located on the west side of Preble Street at the intersection of Preble and Westhall Streets.

**E63-604. Peters Township Sanitary Authority**, 3244 Washington Road, McMurray, PA 15317. To construct and maintain five sanitary sewer stream crossings in Peters Township, **Washington County**, United States Army Corps of Engineers, Pittsburgh District (Bridgeville, PA Quadrangle N: 5.8 inches; W: 13.2 inches, Latitude: 40° 16' 03"; Longitude: 80° 05' 54"). To construct and maintain five sanitary sewer stream crossings below the channel bed, across Brush Run (WWF) for the purpose of replacement of 1,500 LF of Willoughby Woods sanitary sewer interceptor.

#### ENVIRONMENTAL ASSESSMENTS

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

**EA45-032CO. Analomink Rod and Gun Club**, P. O. Box 100, Analomink, PA 18320. Stroud Township, **Monroe County**, United States Army Corps of Engineers, Philadelphia District.

To construct and maintain overtopping protection at Analomink Dam across a tributary to Brodhead Creek (HQ-CWF) for the purpose of improving public safety. The dam is located at the intersection of Metzgar Road and Cherry Lane (East Stroudsburg, PA Quadrangle Latitude: 41° 03' 37"; Longitude: 75° 13' 34"). The project will permanently impact 0.04-acre of Palustrine Emergent Wetland. The wetland is classified Exceptional Value per 25 Pa. Code § 105.17(1)(iii). Impacts are considered de minimis and wetland replacement is not required.

**D63-035EA. Pennsylvania American Water Company**, 800 West Hersheypark Drive, Hershey, PA 17033, Claysville Borough, **Washington County**, United States Army Corps of Engineers, Pittsburgh District.

Project proposes to breach and remove Claysville School Street No. 1 Dam across a tributary to Dutch Fork (HQ-WWF) for the purpose of eliminating a threat to public safety and restoring the stream to a free flowing condition. Project proposes to restore approximately 1,100

feet of stream channel. The dam is located approximately 1,800 feet northwest of the intersection of Main (US 40) and Wayne Streets (SR 231) (Claysville, PA Quadrangle Latitude: 40° 07' 09"; Longitude: 80° 24' 59").

**D10-001EA. Pennsylvania American Water Company**, 800 West Hersheypark Drive, Hershey, PA 17033, Oakland Township, **Butler County**, United States Army Corps of Engineers, Pittsburgh District.

Project proposes to breach and remove Boydstown Dam across Connoquenessing Creek (HQ-WWF) for the purpose of eliminating a threat to public safety and restoring the stream to a free flowing condition. Project proposes to restore approximately 3,500 feet of stream channel. The project will also involve the construction of a v-notch monitoring weir at the site. The dam is located approximately 1,000 feet northeast of the intersection of SR 38 and Mahood Road (SR 4002) (East Butler, PA Quadrangle Latitude: 40° 56' 21"; Longitude: 79° 50' 35").

**D21-027EA and D21-174EA. Fish and Boat Commission**, 833 Big Spring Road, Newville, PA 17241. West Pennsboro and North Newton Townships, **Cumberland County**, United States Army Corps of Engineers, Baltimore District.

Project proposes to breach and remove two unnamed dams across Big Spring Creek (CWF) for the purpose of restoring the stream to a free flowing condition. The project will restore approximately 200 linear feet of stream channel. The dams are located approximately 1/2 mile North of the intersection of Big Spring (SR 3007) and Log Cabin Roads T333 (Newville, PA Quadrangle Latitude: 40° 08' 18"; Longitude: 77° 24' 24") (Newville, PA Quadrangle Latitude: 40° 08' 09"; Longitude: 77° 24' 21").

#### DAM SAFETY

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

**D36-235EA. Masonic Village of Elizabethtown**, One Masonic Drive, Elizabethtown, PA 17022-2199.

To remove a small existing dam and legacy sediment that was deposited within the natural valley bottom along an approximately 3,200 foot section of Conoy Creek (TSF). The purpose of the project is to restore aquatic resources to a natural condition that existed prior to landclearing, mill damming and other postsettlement activities. Radiocarbon dating of buried presettlement era vegetation and other carbon sources at this site indicate that several feet of legacy sediment is stored within the project area. The interpretation of the site is that legacy sediment was stored here prior to 1931 when the existing dam was constructed. The excavation and removal of legacy sediment will reestablish as much as possible the natural ecological and landscape conditions. The dam removal and natural floodplain, stream and riparian wetland restoration site is located adjacent to Bainbridge Road, approximately 1 mile southwest of the intersection with Masonic Drive in Elizabethtown Borough, **Lancaster County** (Elizabethtown, PA Quadrangle 76° 37' 5" W; 40° 8' 3" N).

**D40-244. Wyoming Valley Inflatable Dam**. Luzerne County Flood Protection Authority, Luzerne County Courthouse, 200 North River Street, Wilkes-Barre, PA 18711.

To construct, operate and maintain Wyoming Valley Inflatable Dam across the Susquehanna River (WWF), impacting 1.06 acre of wetlands (Palustrine Emergent and Palustrine Forested) and 4.5 miles of river and providing 1.06 acre of wetland mitigation, for the purpose of revitalizing interest in the river through new recreation, scenic and economic opportunities. Work includes construction of a 9.5-foot high 960-foot long inflatable run-of-the-river dam (Wilkes-Barre West, PA Quadrangle N: 22.0 inches; W: 5.9 inches) in the City of Wilkes-Barre and Borough of Larksville, **Luzerne County**.

**D21-100. Gary J. Mixell**, 19 Creekview Road, Newville, PA 17241. Mifflin Township, **Cumberland County**, United States Army Corps of Engineers, Baltimore District.

Project proposes to breach and remove Mixell Dam across Doubling Gap Creek (CWF) for the purpose of eliminating a threat to public safety and restoring the stream to a free flowing condition. The project will restore approximately 1,000 linear feet of stream channel. The dam is located approximately 1,080 feet southeast of the intersection of Center and Asper Roads (Newville, PA Quadrangle Latitude: 40° 11' 60"; Longitude: 77° 25' 06").

---

### SPECIAL NOTICES

---

#### 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 (P. L. 556, Act 101) 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. Grant awards are predicated on the receipt of recycling fees required by sections 701 and 702 of Act 101 and the availability of moneys 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.

JOHN HANGER,  
*Secretary*

**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				
Northwest	Mercer	Mercer County	Plan Revision	\$43,897

**Certification to Perform Radon-Related Activities in Pennsylvania**

In the month of August 2008, the Department of Environmental Protection, under the Radon Certification Act (63 P. S. §§ 2001—2014) and regulations promulgated thereunder at 25 Pa. Code Chapter 240, has certified the following persons to perform radon-related activities in this Commonwealth. The period of certification is 2 years. For a complete list of persons currently certified to perform radon-related activities in this Commonwealth and for information as to the specific testing devices that persons certified for testing or laboratory are certified to use, contact the Bureau of Radiation Protection, Radon Division, P. O. Box 8469, Harrisburg, PA 17105-8469, (800) 23RADON.

<i>Name</i>	<i>Address</i>	<i>Type of Certification</i>
Michael Biechler	2466 Round Top Road Middletown, PA 17057	Testing
Daniel Keogh	518 Kimberton Road Suite 311 Phoenixville, PA 19460	Testing
Russell Knarr	129 North Fifth Street Reynoldsville, PA 15851	Testing
Christopher Marshall	251 Sequoia Drive Newtown, PA 18940	Testing
Eric Mills	P. O. Box 116 Oreland, PA 19075	Testing
Jeffrey Nicholls	P. O. Box 400 Henryville, PA 18332	Testing
Omega LLC—Amerispec	333 Lindsay Road Zelienople, PA 16063	Testing
Ray Ransom, Jr.	55 Dam Overlook Lane Lawrenceville, PA 16929	Testing
Troy Rudy Allied Home Inspections, Inc.	P. O. Box 4214 Lancaster, PA 17604	Mitigation
Jeffrey Smith	1213 Allie Buck Road Nanty Glo, PA 15943	Testing
John Staz, III	1738 North Third Street Suite A Harrisburg, PA 17102	Testing

[Pa.B. Doc. No. 08-1669. Filed for public inspection September 12, 2008, 9:00 a.m.]

**Availability of Technical Guidance**

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

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

**Ordering Paper Copies of Department Technical Guidance**

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

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

*Changes to Technical Guidance Documents*

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

*Draft Technical Guidance—Substantive Revision*

DEP ID: 274-0300-005. Title: Applicability Determination and Implementation Procedures for Continuous Source Monitoring Manual Revision No. 8. Description: This technical guidance document proposes the procedures and schedule to be utilized for the owners/operators of affected facilities to comply with Revision No. 8 of the Continuous Source Monitoring Manual (Manual). This technical guidance document also accomplishes the following:

A. It supersedes the previous version of the document titled "Applicability Determination for Continuous Source Monitoring Manual Revision No. 8" that was finalized on December 2, 2006, and posted in the *Pennsylvania Bulletin* on December 27, 2006.

B. It addresses concerns and issues that were not identified or adequately covered in the 2006 version of this document.

C. It incorporates a comprehensive implementation plan that was developed following the completion and testing of the new CEM Document Processing System (CEMDPS).

D. It serves as the official announcement by the Bureau of Air Quality, that the upgraded CEMDPS has become functional. The owners/operators of affected facilities are required to implement the requirements of Revision No. 8 of the Manual as outlined in the technical guidance document.

This technical guidance document applies to the owners/operators of monitored sources that must comply with the requirements of 25 Pa. Code § 139.102(3) (relating to references) (Manual), (Document No. 274-0300-001). The Manual contains requirements relative to monitoring system design and performance, testing, recordkeeping, reporting and quality assurance for affected industrial and utility sources which are required to continuously monitor emissions of pollutants or operational parameters.

In addition to the web site indicated previously, a copy of the draft technical guidance document is available on the Bureau of Air Quality's Continuous Emission Monitoring web site at [www.dep.state.pa.us/dep/deputate/airwaste/eq/cemspage/cems.htm](http://www.dep.state.pa.us/dep/deputate/airwaste/eq/cemspage/cems.htm).

Written Comments: Interested persons may submit written comments on this draft technical guidance document by October 13, 2008. The Department will accept comments submitted by e-mail, but comments submitted by facsimile will not be accepted. A return name and address must be included in each e-mail transmission. Written comments should be submitted to Charles J. Zadakis, Chief, Continuous Source Monitoring Section, Department of Environmental Protection, Bureau of Air Quality, P. O. Box 8468, Harrisburg, PA 17105-8468, [czadakis@state.pa.us](mailto:czadakis@state.pa.us). Contact: Questions regarding the technical guidance document should be directed to

Charles J. Zadakis at (717) 772-3944 or [czadakis@state.pa.us](mailto:czadakis@state.pa.us). Effective Date: Upon publication of notice as final in the *Pennsylvania Bulletin*.

JOHN HANGER,  
*Acting Secretary*

[Pa.B. Doc. No. 08-1670. Filed for public inspection September 12, 2008, 9:00 a.m.]

**Laboratory Accreditation Advisory Committee; Meeting Date Change**

The September 11, 2008, meeting of the Laboratory Accreditation Advisory Committee (Committee) has been rescheduled. The meeting will now take place on Monday, September 29, 2008, from 10 a.m. to 3 p.m. in Room 206 of the Bureau of Laboratories Building, 2575 Interstate Drive, Harrisburg, PA 17105-1467.

The agenda and meeting materials for the September 29, 2008, meeting will be available through the Public Participation Center on the Department of Environmental Protection's (Department) web site at [www.depweb.state.pa.us](http://www.depweb.state.pa.us) (DEP Keywords: Public Participation, Participate). Questions concerning the September 29, 2008, meeting of the Committee may be directed to Aaren Shaffer Alger at (717) 346-8212 or [aaalger@state.pa.us](mailto:aaalger@state.pa.us).

Persons in need of accommodations as provided for in the Americans With Disabilities Act of 1990 should contact Aaren Shaffer Alger at the telephone number or e-mail address previously listed or through the Pennsylvania AT&T Relay Service at (800) 654-5984 (TDD) to discuss how the Department may accommodate their needs.

JOHN HANGER,  
*Acting Secretary*

[Pa.B. Doc. No. 08-1671. Filed for public inspection September 12, 2008, 9:00 a.m.]

**Recycling Markets Infrastructure Development Grant Program; Application Announcement**

Applications for the 2008 Recycling Markets Infrastructure Development Grant (grant) are now available from the Department of Environmental Protection (Department). This grant provides reimbursement for equipment costs associated with increasing the use of recycled content in products by for-profit business entities, whether established or start-up, or incorporated nonprofit organizations located and operating in this Commonwealth as a result of a grant award under this program. One million dollars is available for this initiative. The Department will award grants of up to \$500,000 to any one project. Additional consideration will be given to applications that are developed in consultation with the Pennsylvania Recycling Markets Center ([www.parmc.org](http://www.parmc.org), (717) 948-6660). The Department will accept applications for the program until 4 p.m. on November 3, 2008.

The success of recycling programs is directly related to demand for recyclable goods. Strong, profitable, recycling-based businesses are good for the environment and the economy in this Commonwealth. This grant aims to build strong markets for recycled materials in this Common-



wealth by assisting businesses and nonprofit organizations with increasing their use of recyclable materials in the production of finished products.

Applications for the 2008 program may be obtained by contacting Charles Scheidler, Bureau of Waste Management, cscheidler@state.pa.us, (717) 787-7382. Applications are also available electronically on the Department's web site at www.depweb.state.pa.us (DEP Keyword: Market Development).

JOHN HANGER,  
Acting Secretary

[Pa.B. Doc. No. 08-1672. Filed for public inspection September 12, 2008, 9:00 a.m.]

## DEPARTMENT OF REVENUE

### Pennsylvania Scary Money 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 provides public notice of the rules for the following instant lottery game:

1. *Name:* The name of the game is Pennsylvania Scary Money.

2. *Price:* The price of a Pennsylvania Scary Money instant lottery game ticket is \$10.

3. *Play Symbols:* Each Pennsylvania Scary Money instant lottery game ticket will contain one play area featuring a "GHOSTLY NUMBERS" area and a "YOUR NUMBERS" area. The play symbols and their captions located in the "GHOSTLY NUMBERS" area are: 1 (ONE), 2 (TWO), 3 (THREE), 4 (FOUR), 5 (FIVE), 6 (SIX), 7 (SEVEN), 8 (EIGHT), 9 (NINE), 10 (TEN), 11 (ELEVN), 12 (TWLV), 13 (THRTN), 14 (FORTN), 15 (FIFTN), 16 (SIXTN), 17 (SVNTN), 18 (EGHTN), 19 (NINTN), 20 (TWENT), 21 (TWYONE), 22 (TWY TWO), 23 (TWYTHR), 24 (TWYFOR), 25 (TWYFIV), 26 (TWYSIX), 27 (TWYSVN), 28 (TWYEGT), 29 (TWYNIN), 30 (THIRTY), 31 (THYONE), 32 (THYTWO), 33 (THYTHR), 34 (THYFOR), 35 (THYFIV), 36 (THYSIX), 37 (THYSVN), 38 (THYEGT), 39 (THYNIN) and 40 (FORTY). The play symbols and their captions located in the "YOUR NUMBERS" area are: 1 (ONE), 2 (TWO), 3 (THREE), 4 (FOUR), 5 (FIVE), 6 (SIX), 7 (SEVEN), 8 (EIGHT), 9 (NINE), 10 (TEN), 11 (ELEVN), 12 (TWLV), 13 (THRTN), 14 (FORTN), 15 (FIFTN), 16 (SIXTN), 17 (SVNTN), 18 (EGHTN), 19 (NINTN), 20 (TWENT), 21 (TWYONE), 22 (TWY TWO), 23 (TWYTHR), 24 (TWYFOR), 25 (TWYFIV), 26 (TWYSIX), 27 (TWYSVN), 28 (TWYEGT), 29 (TWYNIN), 30 (THIRTY), 31 (THYONE), 32 (THYTWO), 33 (THYTHR), 34 (THYFOR), 35 (THYFIV), 36 (THYSIX), 37 (THYSVN), 38 (THYEGT), 39 (THYNIN), 40 (FORTY), Bat symbol (BAT) and a Stack Of Cash symbol (CASH).

4. *Prize Symbols:* The prize symbols and their captions located in the "YOUR NUMBERS" area are: \$5<sup>00</sup> (FIV DOL), \$10<sup>00</sup> (TEN DOL), \$20\$ (TWENTY), \$25\$ (TWY FIV), \$40\$ (FORTY), \$50\$ (FIFTY), \$100 (ONE HUN), \$500 (FIV HUN), \$1,000 (ONE THO) and \$250,000 (TWHNFYTH).

5. *Prizes:* The prizes that can be won in this game are: \$5, \$10, \$20, \$25, \$40, \$50, \$100, \$500, \$1,000 and \$250,000. A player can win up to 15 times on a ticket.

6. *Approximate Number of Tickets Printed For the Game:* Approximately 2,880,000 tickets will be printed for the Pennsylvania Scary Money instant lottery game.

7. *Determination of Prize Winners:*

(a) Holders of tickets upon which any one of the "YOUR NUMBERS" play symbols matches any of the "GHOSTLY NUMBERS" play symbols and a prize symbol of \$250,000 (TWHNFYTH) appears in the "Prize" area to the right of the matching "YOUR NUMBERS" play symbol, on a single ticket, shall be entitled to a prize of \$250,000.

(b) Holders of tickets upon which any one of the "YOUR NUMBERS" play symbols matches any of the "GHOSTLY NUMBERS" play symbols and a prize symbol of \$1,000 (ONE THO) appears in the "Prize" area to the right of the matching "YOUR NUMBERS" play symbol, on a single ticket, shall be entitled to a prize of \$1,000.

(c) Holders of tickets upon which any one of the "YOUR NUMBERS" play symbols is a Bat symbol (BAT), and a prize symbol of \$500 (FIV HUN) appears in the "Prize" area to the right of the Bat symbol (BAT), on a single ticket, shall be entitled to a prize of \$1,000.

(d) Holders of tickets upon which any one of the "YOUR NUMBERS" play symbols is a Stack Of Cash symbol (CASH), and a prize symbol of \$50\$ (FIFTY) appears in ten of the "Prize" areas, and a prize symbol of \$100 (ONE HUN) appears in five of the "Prize" areas, on a single ticket, shall be entitled to a prize of \$1,000.

(e) Holders of tickets upon which any one of the "YOUR NUMBERS" play symbols matches any of the "GHOSTLY NUMBERS" play symbols and a prize symbol of \$500 (FIV HUN) appears in the "Prize" area to the right of 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 Stack Of Cash symbol (CASH), and a prize symbol of \$25\$ (TWY FIV) appears in ten of the "Prize" areas, and a prize symbol of \$50\$ (FIFTY) appears in five of the "Prize" areas, on a single ticket, shall be entitled to a prize of \$500.

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

(h) Holders of tickets upon which any one of the "YOUR NUMBERS" play symbols matches any of the "GHOSTLY NUMBERS" play symbols and a prize symbol of \$100 (ONE HUN) appears in the "Prize" area to the right of 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 Bat symbol (BAT), and a prize symbol of \$50\$ (FIFTY) appears in the "Prize" area to the right of the Bat symbol (BAT), 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 Stack Of Cash symbol (CASH), and a prize symbol of \$5<sup>00</sup> (FIV DOL) appears in ten of the "Prize" areas, and a prize symbol of \$10<sup>00</sup> (TEN DOL) appears in five of the "Prize" areas, on a single ticket, shall be entitled to a prize of \$100.

(k) Holders of tickets upon which any one of the "YOUR NUMBERS" play symbols matches any of the "GHOSTLY NUMBERS" play symbols and a prize symbol

of \$50\$ (FIFTY) appears in the "Prize" area to the right of 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 Bat symbol (BAT), and a prize symbol of \$25\$ (TWY FIV) appears in the "Prize" area to the right of the Bat symbol (BAT), on a single ticket, shall be entitled to a prize of \$50.

(m) Holders of tickets upon which any one of the "YOUR NUMBERS" play symbols matches any of the "GHOSTLY NUMBERS" play symbols and a prize symbol of \$40\$ (FORTY) appears in the "Prize" area to the right of 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 Bat symbol (BAT), and a prize symbol of \$20\$ (TWENTY) appears in the "Prize" area to the right of the Bat symbol (BAT), 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 matches any of the "GHOSTLY NUMBERS" play symbols and a prize symbol of \$25\$ (TWY FIV) appears in the "Prize" area to the right of the matching "YOUR NUMBERS" play symbol, on a single ticket, shall be entitled to a prize of \$25.

(p) Holders of tickets upon which any one of the "YOUR NUMBERS" play symbols matches any of the "GHOSTLY NUMBERS" play symbols and a prize symbol

of \$20\$ (TWENTY) appears in the "Prize" area to the right of 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 Bat symbol (BAT), and a prize symbol of \$10<sup>00</sup> (TEN DOL) appears in the "Prize" area to the right of the Bat symbol (BAT), 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 matches any of the "GHOSTLY NUMBERS" play symbols and a prize symbol of \$10<sup>00</sup> (TEN DOL) appears in the "Prize" area to the right of the matching "YOUR NUMBERS" play symbol, on a single ticket, shall be entitled to a prize of \$10.

(s) Holders of tickets upon which any one of the "YOUR NUMBERS" play symbols is a Bat symbol (BAT), and a prize symbol of \$5<sup>00</sup> (FIV DOL) appears in the "Prize" area to the right of the Bat symbol (BAT), 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 matches any of the "GHOSTLY NUMBERS" play symbols and a prize symbol of \$5<sup>00</sup> (FIV DOL) appears in the "Prize" area to the right of the matching "YOUR NUMBERS" play symbol, on a single ticket, shall be entitled to a prize of \$5.

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

*When Any Of Your Numbers Match Any Of The Ghostly Numbers, Win Prize Shown To The Right Of The Matching Number. Win With Prize(s) Of:*

<i>Win:</i>	<i>Approximate Odds Are 1 In:</i>	<i>Approximate No. Of Winners Per 2,880,000 Tickets:</i>
\$5 × 2	20	144,000
\$5 w/BAT	20	144,000
\$10	20	144,000
\$5 × 4	120	24,000
\$10 × 2	120	24,000
\$10 w/BAT	60	48,000
\$20	60	48,000
\$5 × 5	120	24,000
(\$5 w/BAT) + (\$5 × 3)	120	24,000
\$25	150	19,200
\$5 × 8	300	9,600
\$10 × 4	300	9,600
\$20 × 2	300	9,600
\$20 w/BAT	300	9,600
\$40	300	9,600
\$5 × 10	600	4,800
\$10 × 5	600	4,800
\$25 × 2	600	4,800
\$25 w/BAT	600	4,800
\$50	600	4,800
\$10 × 10	300	9,600
\$50 × 2	300	9,600
\$50 w/BAT	300	9,600
(\$5 × 10) + (\$10 × 5)	300	9,600
w/STACK OF CASH		
\$100	300	9,600
\$50 × 10	9,231	312
\$100 × 5	9,231	312
(\$100 w/BAT) + (\$100 × 3)	8,571	336
\$500	9,231	312

*When Any Of Your Numbers  
Match Any Of The Ghostly  
Numbers, Win Prize Shown  
To The Right Of The  
Matching Number. Win With  
Prize(s) Of:*

	<i>Win:</i>	<i>Approximate Odds Are 1 In:</i>	<i>Approximate No. Of Winners Per 2,880,000 Tickets:</i>
(\$25 × 10) + (\$50 × 5) w/STACK OF CASH	\$500	8,000	360
\$100 × 10	\$1,000	12,000	240
\$500 × 2	\$1,000	12,000	240
\$500 w/BAT	\$1,000	12,000	240
(\$50 × 10) + (\$100 × 5) w/STACK OF CASH	\$1,000	12,000	240
\$1,000	\$1,000	12,000	240
\$250,000	\$250,000	288,000	10

Bat (BAT) symbol = Win double the prize shown to the right of it.  
Stack of Cash (CASH) symbol = Win all 15 prizes shown.

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

9. *Retailer Incentive Awards:* The Lottery may conduct a separate Retailer Incentive Game for retailers who sell Pennsylvania Scary Money 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 Scary Money, prize money from winning Pennsylvania Scary Money 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 Scary Money 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 Scary Money or through normal communications methods.

THOMAS W. WOLF,  
Secretary

[Pa.B. Doc. No. 08-1673. Filed for public inspection September 12, 2008. 9:00 a.m.]

## Pennsylvania Screamin' 7's 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 Screamin' 7's.

2. *Price:* The price of a Pennsylvania Screamin' 7's instant lottery game ticket is \$2.

3. *Play Symbols:* Each Pennsylvania Screamin' 7's instant lottery game ticket will contain one "PLAY AREA" and a separate "Fast Cash Bonus" area containing one prize play symbol or play symbol. The play symbols and their captions located in the "PLAY AREA" are: 1 (ONE), 2 (TWO), 3 (THREE), 4 (FOUR), 5 (FIVE), 6 (SIX), 7 (SEVEN), 8 (EIGHT), 9 (NINE), 10 (TEN), 11 (ELEVN), 12 (TWLV), 13 (THRTN), 14 (FORTN), 15 (FIFTN), 16 (SIXTN), 18 (EGHTN), 19 (NINTN) and 20 (TWENT). The prize play and play symbols and their captions located in the "Fast Cash Bonus" area are: \$2.<sup>00</sup> (TWO DOL), \$4.<sup>00</sup> (FOR DOL), \$5.<sup>00</sup> (FIV DOL), \$7.<sup>00</sup> (SVN DOL), \$10.<sup>00</sup> (TEN DOL), \$20\$ (TWENTY), \$40\$ (FORTY), \$50\$ (FIFTY), \$100 (ONE HUN), \$500 (FIV HUN), NO BONUS (TRY AGAIN) and TRY AGAIN (NO BONUS).

4. *Prize Symbols:* The prize symbols and their captions, located in the nine "prize" areas are: \$1.<sup>00</sup> (ONE DOL), \$2.<sup>00</sup> (TWO DOL), \$4.<sup>00</sup> (FOR DOL), \$5.<sup>00</sup> (FIV DOL), \$7.<sup>00</sup> (SVN DOL), \$10.<sup>00</sup> (TEN DOL), \$20\$ (TWENTY), \$40\$ (FORTY), \$50\$ (FIFTY), \$100 (ONE HUN), \$500 (FIV HUN), \$1,000 (ONE THO) and \$27,000 (TWYSVNTHO).

5. *Prizes:* The prizes that can be won in this game are: \$1, \$2, \$4, \$5, \$7, \$10, \$20, \$40, \$50, \$100, \$500, \$1,000 and \$27,000. The prizes that can be won in "Fast Cash Bonus" are: \$2, \$4, \$5, \$7, \$10, \$20, \$40, \$50, \$100 and \$500. The player can win up to 10 times on the ticket.

6. *Approximate Number of Tickets Printed For the Game:* Approximately 5,880,000 tickets will be printed for the Pennsylvania Screamin' 7's instant lottery game.

7. *Determination of Prize Winners:*

(a) Holders of tickets with a 7 (SEVEN) play symbol, and a prize symbol of \$27,000 (TWYSVNTHO) appears under that 7 (SEVEN) play symbol, on a single ticket, shall be entitled to a prize of \$27,000.

(b) Holders of tickets with a 7 (SEVEN) play symbol, and a prize symbol of \$1,000 (ONE THO) appears under that 7 (SEVEN) play symbol, on a single ticket, shall be entitled to a prize of \$1,000.

(c) Holders of tickets with a 7 (SEVEN) play symbol, and a prize symbol of \$500 (FIV HUN) appears under that 7 (SEVEN) play symbol, on a single ticket, shall be entitled to a prize of \$500.

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

(e) Holders of tickets with a 7 (SEVEN) play symbol, and a prize symbol of \$100 (ONE HUN) appears under that 7 (SEVEN) play symbol, on a single ticket, shall be entitled to a prize of \$100.

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

(g) Holders of tickets with a 7 (SEVEN) play symbol, and a prize symbol of \$50\$ (FIFTY) appears under that 7 (SEVEN) play symbol, on a single ticket, shall be entitled to a prize of \$50.

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

(i) Holders of tickets with a 7 (SEVEN) play symbol, and a prize symbol of \$40\$ (FORTY) appears under that 7 (SEVEN) play symbol, on a single ticket, shall be entitled to a prize of \$40.

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

(k) Holders of tickets with a 7 (SEVEN) play symbol, and a prize symbol of \$20\$ (TWENTY) appears under that 7 (SEVEN) play symbol, on a single ticket, shall be entitled to a prize of \$20.

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

(m) Holders of tickets with a 7 (SEVEN) play symbol, and a prize symbol of \$10<sup>00</sup> (TEN DOL) appears under that 7 (SEVEN) play symbol, on a single ticket, shall be entitled to a prize of \$10.

(n) Holders of tickets with a prize play symbol of \$10<sup>00</sup> (TEN DOL) appearing in the "Fast Cash Bonus" area, on a single ticket, shall be entitled to a prize of \$10.

(o) Holders of tickets with a 7 (SEVEN) play symbol, and a prize symbol of \$7<sup>00</sup> (SVN DOL) appears under that 7 (SEVEN) play symbol, on a single ticket, shall be entitled to a prize of \$7.

(p) Holders of tickets with a prize play symbol of \$7<sup>00</sup> (SVN DOL) appearing in the "Fast Cash Bonus" area, on a single ticket, shall be entitled to a prize of \$7.

(q) Holders of tickets with a 7 (SEVEN) play symbol, and a prize symbol of \$5<sup>00</sup> (FIV DOL) appears under that 7 (SEVEN) play symbol, on a single ticket, shall be entitled to a prize of \$5.

(r) Holders of tickets with a prize play symbol of \$5<sup>00</sup> (FIV DOL) appearing in the "Fast Cash Bonus" area, on a single ticket, shall be entitled to a prize of \$5.

(s) Holders of tickets with a 7 (SEVEN) play symbol, and a prize symbol of \$4<sup>00</sup> (FOR DOL) appears under that 7 (SEVEN) play symbol, on a single ticket, shall be entitled to a prize of \$4.

(t) Holders of tickets with a prize play symbol of \$4<sup>00</sup> (FOR DOL) appearing in the "Fast Cash Bonus" area, on a single ticket, shall be entitled to a prize of \$4.

(u) Holders of tickets with a 7 (SEVEN) play symbol, and a prize symbol of \$2<sup>00</sup> (TWO DOL) appears under that 7 (SEVEN) play symbol, on a single ticket, shall be entitled to a prize of \$2.

(v) Holders of tickets with a prize play symbol of \$2<sup>00</sup> (TWO DOL) appearing in the "Fast Cash Bonus" area, on a single ticket, shall be entitled to a prize of \$2.

(w) Holders of tickets with a 7 (SEVEN) play symbol, and a prize symbol of \$1<sup>00</sup> (ONE DOL) appears under that 7 (SEVEN) play symbol, on a single ticket, shall be entitled to a prize of \$1.

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

<i>Find A "7" Symbol In The Play Area And Win With Prize(s) Of:</i>	<i>Win:</i>	<i>Approximate Odds Are 1 In:</i>	<i>Approximate No. Of Winners Per 5,880,000 Tickets</i>
\$1 × 2	\$2	30	196,000
\$2 w/FAST CASH BONUS	\$2	30	196,000
\$2	\$2	30	196,000
\$1 × 5	\$5	50	117,600
\$5 w/FAST CASH BONUS	\$5	50	117,600
\$5	\$5	50	117,600
\$1 × 7	\$7	150	39,200
\$7 w/FAST CASH BONUS	\$7	150	39,200
\$7	\$7	50	117,600
\$2 × 5	\$10	375	15,680
(\$2 w/FAST CASH BONUS) + (\$2 × 4)	\$10	375	15,680
\$5 × 2	\$10	375	15,680
\$10 w/FAST CASH BONUS	\$10	375	15,680
\$10	\$10	375	15,680
\$4 × 5	\$20	1,500	3,920
\$5 × 4	\$20	1,500	3,920
\$10 × 2	\$20	1,500	3,920
(\$2 w/FAST CASH BONUS) + (\$2 × 9)	\$20	750	7,840
(\$4 w/FAST CASH BONUS) + (\$4 × 4)	\$20	1,500	3,920
(\$5 w/FAST CASH BONUS) + (\$5 × 3)	\$20	1,500	3,920
(\$10 w/FAST CASH BONUS) + \$10	\$20	1,500	3,920
\$20 w/FAST CASH BONUS	\$20	1,500	3,920

<i>Find A "7" Symbol In The Play Area And Win With Prize(s) Of:</i>	<i>Win:</i>	<i>Approximate Odds Are 1 In:</i>	<i>Approximate No. Of Winners Per 5,880,000 Tickets</i>
\$20	\$20	1,500	3,920
\$5 × 8	\$40	2,000	2,940
\$10 × 4	\$40	2,000	2,940
\$20 × 2	\$40	2,000	2,940
(\$5 w/FAST CASH BONUS) + (\$7 × 5)	\$40	2,000	2,940
(\$10 w/FAST CASH BONUS) + (\$10 × 3)	\$40	2,000	2,940
\$40 w/FAST CASH BONUS	\$40	2,000	2,940
\$40	\$40	2,000	2,940
\$10 × 5	\$50	8,000	735
(\$10 w/FAST CASH BONUS) + (\$10 × 4)	\$50	8,000	735
(\$20 w/FAST CASH BONUS) + (\$5 × 6)	\$50	8,000	735
(\$40 w/FAST CASH BONUS) + \$10	\$50	8,000	735
\$50 w/FAST CASH BONUS	\$50	8,000	735
\$50	\$50	8,000	735
\$20 × 5	\$100	8,000	735
\$50 × 2	\$100	8,000	735
(\$20 w/FAST CASH BONUS) + (\$20 × 4)	\$100	8,000	735
\$100 w/FAST CASH BONUS	\$100	8,000	735
\$100	\$100	8,000	735
(\$50 w/FAST CASH BONUS) + (\$50 × 9)	\$500	280,000	21
\$100 × 5	\$500	280,000	21
\$500 w/FAST CASH BONUS	\$500	280,000	21
\$500	\$500	280,000	21
(\$100 w/ FAST CASH BONUS) + (\$100 × 9)	\$1,000	840,000	7
(\$500 w/ FAST CASH BONUS) + \$500	\$1,000	840,000	7
\$1,000	\$1,000	840,000	7
\$27,000	\$27,000	840,000	7

FAST CASH BONUS = Reveal prize amount from \$2 to \$500 and win that prize automatically.

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 Screamin' 7's 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 Screamin' 7's, prize money from winning Pennsylvania Screamin' 7's 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 Screamin' 7's 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 Screamin' 7's or through normal communications methods.

THOMAS W. WOLF,  
*Secretary*

[Pa.B. Doc. No. 08-1674. Filed for public inspection September 12, 2008, 9:00 a.m.]

## DEPARTMENT OF TRANSPORTATION

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

The Department of Transportation (Department), under the authority contained in section 2002(c) of The Administrative Code of 1929 (71 P. S. § 512(c)) and 67 Pa. Code § 495.4(d) (relating to application procedure), gives notice that an application to lease highway right-of-way has been submitted to the Department by Thomas Hashem, 348 North Rebecca Avenue, Scranton, PA 18504, seeking to lease highway right-of-way located at 1210—1212 and 1216—1218 Mulberry Street, Scranton, PA 18504, Lackawanna County, 8,440 square feet, adjacent to SR 3027, Section 201, for purpose of parking.

Interested persons are invited to submit, within 30 days from the publication of this notice in the *Pennsylvania Bulletin*, written comments, suggestions and/or objections regarding the approval of this application to Department of Transportation, Engineering District 4-0, c/o George Roberts, P. E., District Executive, 55 Keystone Industrial Park, Dunmore, PA 18512.

Questions regarding this application or the proposed use may be directed to Ralph Del Rosso, Right-of-Way Administrator, 55 Keystone Industrial Park, Dunmore, PA 18512, (570) 963-4071.

ALLEN D. BIEHLER, P. E.,  
*Secretary*

[Pa.B. Doc. No. 08-1675. Filed for public inspection September 12, 2008, 9:00 a.m.]

## HOUSING FINANCING AGENCY

### 2009 Amended Federal Low Income Housing Tax Credit Allocation Plan; Public Hearing

The Housing Finance Agency (Agency), as the Administrator of the Federal Low Income Housing Tax Credit Program for the Commonwealth, provides notice of a public hearing to obtain public comment on the proposed 2009 Amended Low Income Housing Tax Credit Allocation Plan. This public hearing will be held at 9 a.m. on Monday, September 29, 2008, at the Housing Finance Agency, 211 North Front Street, Harrisburg, PA. Copies of the proposed amended allocation plan are available upon written request at the address, by phone at (717) 780-3948 or through the Agency's web site at [www.phfa.org](http://www.phfa.org).

Persons with a disability who wish to attend this meeting and require an auxiliary aid, service or other

accommodation to participate should contact the Secretary by Thursday, September 25, 2008, to discuss how the Agency may best accommodate their needs.

Individuals wishing to comment on the plan but unable to attend the scheduled hearing are invited to provide written comments to the address shown no later than Thursday, September 25, 2008, Manager, Tax Credit Program, Housing Finance Agency, P. O. Box 8029, Harrisburg, PA 17105-8029, TTY for hearing impaired (717) 780-1869.

Written comments must be submitted prior to the date of the scheduled hearing or at the public hearing. Persons who plan to attend the public hearing should contact the Agency at (717) 780-3948.

BRIAN A. HUDSON,  
*Executive Director*

[Pa.B. Doc. No. 08-1676. Filed for public inspection September 12, 2008. 9:00 a.m.]

## INDEPENDENT REGULATORY REVIEW COMMISSION

### Notice of Comments Issued

Section 5(g) of the Regulatory Review Act (71 P. S. § 745.5(g)) provides that the Independent Regulatory Review Commission (Commission) may issue comments within 30 days of the close of the public comment period. The Commission comments are based upon the criteria contained in section 5.2 of the Regulatory Review Act (71 P. S. § 645.5b).

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

<i>Reg No.</i>	<i>Agency/Title</i>	<i>Close of the Public Comment Period</i>	<i>IRRC Comments Issued</i>
125-88	Pennsylvania Gaming Control Board Slot Machine Testing and Control; Possession of Slot Machines; Accounting and Internal Controls; and Commencement of Slot Operations 38 Pa.B. 3507 (June 28, 2008)	7/28/08	8/27/08
125-89	Pennsylvania Gaming Control Board Employees; Slot Machine Licenses; and Accounting and Internal Controls 38 Pa.B. 3505 (June 28, 2008)	7/28/08	8/27/08
18-411	Department of Transportation School Bus Drivers 38 Pa.B. 3503 (June 28, 2008)	7/28/08	8/27/08
18-410	Department of Transportation Physical and Mental Criteria, Including Vision Standards Relating to the Licensing of Drivers 38 Pa.B. 3501 (June 28, 2008)	7/28/08	8/27/08

### Pennsylvania Gaming Control Board #125-88 (IRRC #2702)

#### Slot Machine Testing and Control; Possession of Slot Machines; Accounting and Internal Controls; and Commencement of Slot Operations

August 27, 2008

We submit for your consideration the following comments on the proposed rulemaking published in the June 28, 2008, *Pennsylvania Bulletin*. Our comments are based on criteria in Section 5.2 of the Regulatory Review Act (71

P. S. § 745.5b). Section 5.1(a) of the Regulatory Review Act (71 P. S. § 745.5a(a)) directs the Pennsylvania Gaming Control Board (Board) to respond to all comments received from us or any other source.

#### 1. Central Control Computer System.—Clarity.

The term Central Control Computer System (CCCS) is used in Sections 461a.27 and 465.33. The term "central control computer" is defined in Section 401a.3 of the Board's regulations. However, the term CCCS is not defined. If there is a difference between the two terms, we recommend that the Board add the appropriate definition.

If both terms mean the same thing, we recommend that the term CCCS be changed to "central control computer."

**2. Section 461a.27. RAM clear.—Clarity.**

What is meant by the term "financial meters" in Subsection (a)? We recommend that this term be defined.

**3. Section 465a.2. Internal control systems and audit protocols.—Clarity.**

Subsection (a)(8) requires a licensee to develop procedures "to ensure compliance with section 1513 of the act (relating to political influence)." We have two concerns. First, Paragraphs (i) and (ii) of this subsection are abbreviated paraphrases of Subsections (a) and (b) of Section 1513 of the Act. We question the need for including Paragraphs (i) and (ii) in the proposal. Second, if the Board retains Paragraphs (i) and (ii), we suggest that they be written in a clearer and more detailed manner.

**4. Section 465a.8. Licensed facility.—Implementation procedures; Clarity.**

The signs licensees must display indicating the location of the Board's office in the licensed facility must be approved by the Board under Subsection (d)(8). The final-form regulation should provide more detail on how a licensee can obtain the necessary approval from the Board.

**5. Section 465a.33. Access to areas containing Central Control Computer System equipment.—Statutory authority; Fiscal impact; Implementation procedures; Reasonableness.**

*Subsection (a)(1)*

A commentator has noted that it would be costly to comply with Subsection (a)(1)(ii), which would require installation of a door that audibly signals the surveillance monitoring room when it is opened. The commentator recommended other procedures that could be used which would provide the necessary level of security. We encourage the Board to consider these less costly options when it develops the final-form regulation.

*Subsection (a)(4)*

Under this subsection, the security departments of slot machine licensees are required to maintain a list of employees who have access to the CCCS area and that list must be approved by the Department of Revenue (Department). We have two concerns. First, what is the Board's statutory authority for imposing duties on the Department? Is the Department aware of this responsibility and does it have the procedures in place to review and approve the lists? Second, assuming that the Board can adequately address our first comment, we recommend that the final-form regulation provide more detail on how a licensee can obtain the necessary approval from the Department, or in the alternative, the Board.

*Subsection (a)(5)*

This subsection addresses emergency access to the CCCS area. It states that in emergency situations, access can only be granted with a security escort and notification to the Department, the Bureau and the casino enforcement agents at the licensed facility. We question the need for the notification in a true emergency situation. For example, if a person in the CCCS area is in need of immediate medical attention, we believe it would not be practical to make the necessary notifications. We suggest that the Board revise or delete the notification requirement from the final-form regulation.

**6. Section 467a.1. Gaming floor plan.—Reasonableness; Need.**

According to the Board, Subsection (c) is being amended to clarify and streamline the process for approving requests for changes to the gaming floor. Some requests for changes will be required to be filed as a petition and will need approval by the Board. Other requests for changes could be submitted in writing and approved by the Executive Director. A commentator is concerned with a provision that would require the submittal of a petition and Board approval when a licensee wants to relocate two percent or more of the slot machines. They noted that expanding facilities and the potential implementation of new smoking regulations require flexibility regarding the location of slot machines. They believe that the two percent threshold will limit their ability to respond quickly to the needs of their customers. If this provision is retained in the final-form regulation, they ask that the percentage be increased. We agree that the two percent threshold could hamper a licensee's ability to operate in an efficient manner and ask the Board to consider a higher percentage threshold that would require the submittal of a petition and Board approval.

**Pennsylvania Gaming Control Board  
#125-89 (IRRC #2703)**

**Employees; Slot Machine Licenses; and Accounting  
and Internal Controls**

**August 27, 2008**

We submit for your consideration the following comments on the proposed rulemaking published in the June 28, 2008, *Pennsylvania Bulletin*. Our comments are based on criteria in Section 5.2 of the Regulatory Review Act (71 P. S. § 745.5b). Section 5.1(a) of the Regulatory Review Act (71 P. S. § 745.5a(a)) directs the Pennsylvania Gaming Control Board (Board) to respond to all comments received from us or any other source.

**1. Section 465a.14. Security department minimum staffing.—Protection of public health, safety and welfare; Reasonableness.**

Subsection (b) currently prohibits off-duty law enforcement officers from acting as security on the gaming floor and in restricted areas of licensed facilities. Proposed amendments would prohibit the use of off-duty officers as security in any portion of a licensed facility. Washington Trotting Association (WTA) asserts that, "These off-duty law enforcement officers are necessary to maintain a fully-staffed security force for the racing facility." WTA has requested that existing language be maintained so current off-duty officers providing security for the racing portion of its facility would not have to be terminated and the security personnel can remain at full force.

We understand that the Board is attempting to eliminate any appearance of impropriety if one of the security officers becomes involved in an investigation in gaming areas of the licensed facility. However, we question whether off-duty law enforcement officers should be precluded from working in the non-gaming portions of licensed facilities.

**2. Miscellaneous clarity.**

New language in Sections 435a.3 and 435a.5 includes the term "Slots Link" in multiple locations. However, we note that the defined term is "SLOTS Link." For consistency, the Board should use the defined term.

Department of Transportation  
#18-411 (IRRC #2704)

**School Bus Drivers**

August 27, 2008

We submit for your consideration the following comments on the proposed rulemaking published in the June 28, 2008, *Pennsylvania Bulletin*. Our comments are based on criteria in Section 5.2 of the Regulatory Review Act (71 P. S. § 745.5b). Section 5.1(a) of the Regulatory Review Act (71 P. S. § 745.5a(a)) directs the Department of Transportation (Department) to respond to all comments received from us or any other source.

**1. General—Fiscal impact.**

The Preamble states that the proposed regulation will not impose any additional costs on school bus drivers or others in the regulated community. However, a commentator indicated that there will be additional costs which may not be covered by health insurance. There also will be direct costs for those without health insurance. Examples include the cost of an appointment with a physician to review the results of the tests and the cost of the HbA1C test itself. The Department should provide examples of the costs associated with the administration of the HbA1C test and the other new requirements when it submits the final-form version of this regulation.

**2. Section 71.3. Physical examinations.—Protection of public health, safety and welfare; Reasonableness; Implementation procedures; Clarity.**

*Subsection (b) Requirements of physical examination.*

In Subsection (b)(4)(i), what are “diabetic medications”? The final-form regulation should include a listing of specific types or examples of diabetic medications.

Must drivers meet the requirements of Subsections (b)(4)(i)(A), (B), (C) and (D) before being granted a waiver? If so, then the final-form regulation should include the following language: “a waiver may be granted to an individual requiring the use of diabetic medications, **provided an individual meets all of the following:**” (Emphasis added.)

Subsection (b)(4)(i)(A) requires that “the individual’s physician verifies in writing that there has been no incident of severe hypoglycemic reaction . . . and the individual has been free from insulin reaction resulting in loss of consciousness, attention or awareness . . . for the preceding 12 months . . .” Why did the Department reduce this period from two years to 12 months? The final-form regulation should clarify how application of this timeframe protects the health, safety and welfare of students and other passengers in school buses driven by individuals with these health concerns.

*Subsection (b)(4)(i)(C) Forms*

Subsection (b)(4)(i)(C) refers to a “form provided by the Department.” The final-form regulation should provide more detail on this form, including its contents and whether it will be available on the Department’s website. This same concern applies to the forms mentioned in the existing language in Subsections (b)(4)(i)(B) and (4)(v).

*Subsection (b)(4)(i)(D) Self-monitoring*

This subsection lists various requirements for how bus drivers must demonstrate their ability to manage their diabetes. However, the proposed regulation does not explain what happens if a driver determines her or his levels are too high or too low while the driver is on duty.

Hence, it is unclear how this provision will protect the driver and passengers. The final-form regulation should clarify how these requirements will be used to protect the students and other passengers who are in the driver’s immediate care.

**3. Miscellaneous clarity.**

In the existing Subsection 71.3(b)(4)(v), what professions are included under the term “other health care providers”? The final-form regulation should include a definition for this term.

The final-form regulation should explain the difference between the following terms: “treating physician,” “school transportation physician,” and “physician conducting the 6-month diabetic examination.” What is the difference between the “school transportation physician” and the “school transportation medical practitioner”? The latter term is defined in Section 71.2 of the existing regulation.

Department of Transportation  
#18-410 (IRRC #2705)

**Physical and Mental Criteria, Including Vision Standards Relating to the Licensing of Drivers**

August 27, 2008

We submit for your consideration the following comments on the proposed rulemaking published in the June 28, 2008, *Pennsylvania Bulletin*. Our comments are based on criteria in Section 5.2 of the Regulatory Review Act (71 P. S. § 745.5b). Section 5.1(a) of the Regulatory Review Act (71 P. S. § 745.5a(a)) directs the Department of Transportation (Department) to respond to all comments received from us or any other source.

**1. Section 83.2. Definitions.—Implementation procedures; Clarity.**

*Chiropractor*

This definition includes a cross-reference to the definition of chiropractor in § 1508.1 (b) (relating to Physical examinations) of the Vehicle Code. (75 Pa.C.S. § 1508.1 (b).) The final-form regulation should include a cross-reference to § 1518 (relating to Reports on mental or physical disabilities or disorders) of the Vehicle Code, which also defines this term. (75 Pa.C.S. § 1518.)

*Provider*

The term “provider” is used in several places in the chapter. Who is included in this term? The final-form regulation should include a definition for this term.

**2. Section 83.5. Other physical and medical standards.—Implementation procedures; Clarity.**

*Subsection (a)(1)*

Subsection (a)(1) states that individuals shall submit results of a HbA1C and vision screening as outlined in the table in subparagraph (i). However, the table does not include information regarding results of the HbA1C or vision screening. The Department should explain why this information is not included in the table.

*Subsection (a)(1)(i)*

Subparagraph (i) contains eligibility requirements for drivers with diabetes mellitus, which are arranged in a table. However, the regulation does not include an explanation for how to read the table or how it is to be used. For example, what are “profile levels”? How are they



determined? What is "stabilized diabetes mellitus"? How is it determined? In addition, how much will these eligibility requirements cost an individual? The final-form regulation should address these issues and provide the information contained in the table in a manner that is easily understandable to readers.

ARTHUR COCCODRILLI,  
*Chairperson*

[Pa.B. Doc. No. 08-1677. Filed for public inspection September 12, 2008, 9:00 a.m.]

### Notice of Filing of Final Rulemakings

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

Reg. No.	Agency/Title	Received	Public Meeting
7-418	State Conservation Commission Facility Odor Management	8/28/08	10/2/08
125-84	Pennsylvania Gaming Control Board Releases	8/28/08	10/2/08
7-423	Environmental Quality Board Radiological Health and Radon Certification Fees	8/29/08	10/2/08
7-403	Environmental Quality Board Water Resources Planning	8/29/08	10/2/08
16A-4514	State Board of Cosmetology General Revisions	9/2/08	10/16/08
16A-4314	State Board of Chiropractic Reactivation of Lapsed License	9/2/08	10/16/08
16A-5614	State Real Estate Commission Consumer Notice	9/2/08	10/16/08
16A-4618	State Board of Dentistry Sexual Misconduct	9/2/08	10/16/08

ARTHUR COCCODRILLI,  
*Chairperson*

[Pa.B. Doc. No. 08-1678. Filed for public inspection September 12, 2008, 9:00 a.m.]

## INSURANCE DEPARTMENT

### Applications for Approval to Acquire Control of PMA Capital Insurance Company; Extension of Public Comment Period

The Insurance Department (Department) published notice of receipt of the above-referenced filings at 38 Pa.B. 2748 (June 7, 2008). 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 September 5, 2008. The purpose of this notice is to announce the extension of the public comment period for an indefinite period of time to afford persons ample opportunity to provide written comments. A subsequent announcement will appear in the *Pennsylvania Bulletin* to provide notice of closing of the public comment period.

JOEL SCOTT ARIO,  
*Insurance Commissioner*

[Pa.B. Doc. No. 08-1679. Filed for public inspection September 12, 2008, 9:00 a.m.]

### Bankers Life and Casualty Company Rate Increase Filing for Several Long-Term Care Policy Forms; Rate Filing

Bankers Life and Casualty is requesting approval to increase the premium 35% for the following Long-Term Care Forms: GR-7A1, GR-N050, GR-N055, GR-N100, GR-N105, GR-N115, GR-N160, GR-N165, GR-N240, GR-N270, GR-N250 and GR-N280. The premium increase will affect 7,453 Pennsylvania policyholders.

Unless formal administrative action is taken prior to November 26, 2008, the subject filing may be deemed approved by operation of law.

A copy of the filing is available on the Insurance Department's (Department) web site at [www.ins.state.pa.us](http://www.ins.state.pa.us). Under the Quick Links section, click on the link "Rate Filings Published in the PA Bulletin."

Copies of the filing are also available for public inspection, by appointment, during normal working hours at the Department's Harrisburg office.

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

JOEL SCOTT ARIO,  
*Insurance Commissioner*

[Pa.B. Doc. No. 08-1680. Filed for public inspection September 12, 2008, 9:00 a.m.]

**Hanover Hospital; Prehearing****Appeal of Hanover Hospital under the Medical Care Availability and Reduction of Error (MCARE) Act (40 P. S. §§ 1303.101—1303.910); Doc. No. MM08-08-013**

The proceedings in this matter will be governed by 2 Pa.C.S. §§ 501—508 and 701—704 (relating to the Administrative Agency Law); 1 Pa. Code Part II (relating to General Rules of Administrative Practice and Procedure); and 31 Pa. Code Chapter 56 (relating to special rules of administrative practice and procedure).

On or before September 26, 2008, the appellant shall file a concise statement setting forth the factual and/or legal basis for the disagreement with MCARE's July 24, 2008, determination. The statement may be in narrative form or in numbered paragraphs, but in either event shall not exceed two pages. A prehearing telephone conference initiated by this office is scheduled for October 9, 2008, at 9:30 a.m. Each party shall provide a telephone number to be used for the telephone conference to the Hearings Administrator on or before October 6, 2008. A hearing date shall be determined, if necessary, at the prehearing telephone conference. At the conference, parties shall be prepared to discuss the consolidation with Docket No. MM08-08-012 and other pending or possible requests for MCARE coverage for claims made in the same time period at issue in this case.

Motions preliminary to those at hearing, protests, petitions to intervene or notices of intervention, if any, must be filed on or before September 26, 2008, with the Hearings Administrator, Administrative Hearings Office, Capitol Associates Building, Room 200, 901 North Seventh Street, Harrisburg, PA 17102. Answer to petitions to intervene, if any shall be filed on or before October 6, 2008.

Persons with a disability who wish to attend the previously-referenced administrative hearing and require an auxiliary aid, service or other accommodation to participate in the hearing, contact Donna R. Fleischauer, Human Resources Director, at (717) 705-3873.

JOEL SCOTT ARIO,  
*Insurance Commissioner*

[Pa.B. Doc. No. 08-1681. Filed for public inspection September 12, 2008, 9:00 a.m.]

**Hanover Hospital; Prehearing****Appeal of Hanover Hospital under the Medical Care Availability and Reduction of Error (MCARE) Act (40 P. S. §§ 1303.101—1303.910); Doc. No. MM08-08-012**

The proceedings in this matter will be governed by 2 Pa.C.S. §§ 501—508 and 701—704 (relating to the Administrative Agency Law); 1 Pa. Code Part II (relating to General Rules of Administrative Practice and Procedure); and 31 Pa. Code Chapter 56 (relating to special rules of administrative practice and procedure).

On or before September 26, 2008, the appellant shall file a concise statement setting forth the factual and/or legal basis for the disagreement with MCARE's July 17, 2008, determination. The statement may be in narrative form or in numbered paragraphs, but in either event shall not exceed two pages. A prehearing telephone

conference initiated by this office is scheduled for October 9, 2008, at 9:30 a.m. Each party shall provide a telephone number to be used for the telephone conference to the Hearings Administrator on or before October 6, 2008. A hearing date shall be determined, if necessary, at the prehearing telephone conference. At the conference, parties shall be prepared to discuss the consolidation with Docket No. MM08-08-013 and other pending or possible requests for MCARE coverage for claims made in the same time period at issue in this case.

Motions preliminary to those at hearing, protests, petitions to intervene or notices of intervention, if any, must be filed on or before September 26, 2008, with the Hearings Administrator, Administrative Hearings Office, Capitol Associates Building, Room 200, 901 North Seventh Street, Harrisburg, PA 17102. Answer to petitions to intervene, if any shall be filed on or before October 6, 2008.

Persons with a disability who wish to attend the previously-referenced administrative hearing and require an auxiliary aid, service or other accommodation to participate in the hearing, contact Donna R. Fleischauer, Human Resources Director, at (717) 705-3873.

JOEL SCOTT ARIO,  
*Insurance Commissioner*

[Pa.B. Doc. No. 08-1682. Filed for public inspection September 12, 2008, 9:00 a.m.]

**Insurance Services Office, Inc.; Homeowners Prospective Loss Cost Revision; Rate Filing**

On August 21, 2008, the Insurance Department (Department) received from Insurance Services Office, Inc. a filing for a proposed loss cost level change for homeowners insurance.

The advisory organization requests an overall 4.9% increase in loss costs effective March 1, 2009.

Unless formal administrative action is taken prior to October 20, 2008, the subject filing may be deemed approved by operation of law.

A copy of the filing is available on the Department's web site at [www.ins.state.pa.us](http://www.ins.state.pa.us). To access the filing, under "Quick Links" click on "Rate Filings Published in the PA Bulletin."

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

JOEL SCOTT ARIO,  
*Insurance Department*

[Pa.B. Doc. No. 08-1683. Filed for public inspection September 12, 2008, 9:00 a.m.]

**Review Procedure Hearings under the Unfair Insurance Practices Act**

The following insured has requested a hearing as authorized by section 8 of the Unfair Insurance Practices Act (40 P. S. § 1171.8) in connection with their companies'

termination of the insureds' policies. The administrative hearing will be held in the Insurance Department's regional office in Harrisburg, PA. Failure by an appellant to appear at a scheduled hearing may result in dismissal with prejudice.

The following hearing will be held in the Administrative Hearings Office, Capitol Associates Building, Room 200, 901 North Seventh Street, Harrisburg, PA 17102.

Appeal of Shirley Keahy; file no. 08-183-56203; State Farm Mutual Insurance Company; doc. no. P08-07-030; September 30, 2008, 10 a.m.

Parties may appear with or without counsel and offer relevant testimony and/or other relevant evidence. Each party must bring documents, photographs, drawings, claims files, witnesses, and the like, necessary to support the party's case. A party intending to offer documents or photographs into evidence shall bring enough copies for the record and for each opposing party.

In some cases, the Insurance Commissioner (Commissioner) may order that the company reimburse an insured for the higher cost of replacement insurance coverage obtained while the appeal is pending.

Reimbursement is available only when the insured is successful on appeal and may not be ordered in all instances. If an insured wishes to seek reimbursement for the higher cost of replacement insurance, the insured must produce documentation at the hearing which will allow comparison of coverages and costs between the original policy and the replacement policy.

Following the hearing and receipt of the stenographic transcript, the Commissioner will issue a written order resolving the factual issues presented at the hearing and stating what remedial action, if any, is required. The Commissioner's Order will be sent to those persons participating in the hearing or their designated representatives. The Order of the Commissioner may be subject to judicial review by the Commonwealth Court.

Persons with a disability who wish to attend the previously-referenced administrative hearing and require an auxiliary aid, service or other accommodation to participate in the hearing, contact Donna R. Fleischauer, Human Resources Director, at (717) 705-3873.

JOEL SCOTT ARIO,  
*Insurance Commissioner*

[Pa.B. Doc. No. 08-1684. Filed for public inspection September 12, 2008, 9:00 a.m.]

### Elizabeth Anne Sun, M. D.; Prehearing

#### Appeal of Elizabeth Anne Sun, M. D. under the Medical Care Availability and Reduction of Error (MCARE) Act (40 P. S. §§ 1303.101—1303.910); Doc. No. MM08-08-011

The proceedings in this matter will be governed by 2 Pa.C.S. §§ 501—508 and 701—704 (relating to the Administrative Agency Law); 1 Pa. Code Part II (relating to General Rules of Administrative Practice and Procedure); and 31 Pa. Code Chapter 56 (relating to special rules of administrative practice and procedure).

On or before September 26, 2008, the appellant shall file a concise statement setting forth the factual and/or legal basis for the disagreement with MCARE's July 17, 2008, determination. The statement may be in narrative form or in numbered paragraphs, but in either event shall not exceed two pages. A prehearing telephone conference initiated by this office is scheduled for October 8, 2008, at 2 p.m. Each party shall provide a telephone number to be used for the telephone conference to the Hearings Administrator on or before October 6, 2008. A hearing date shall be determined, if necessary, at the prehearing telephone conference.

Motions preliminary to those at hearing, protests, petitions to intervene or notices of intervention, if any, must be filed on or before September 26, 2008, with the Hearings Administrator, Administrative Hearings Office, Capitol Associates Building, Room 200, 901 North Seventh Street, Harrisburg, PA 17102. Answer to petitions to intervene, if any shall be filed on or before October 6, 2008.

Persons with a disability who wish to attend the previously-referenced administrative hearing and require an auxiliary aid, service or other accommodation to participate in the hearing, contact Donna R. Fleischauer, Human Resources Director, at (717) 705-3873.

JOEL SCOTT ARIO,  
*Insurance Commissioner*

[Pa.B. Doc. No. 08-1685. Filed for public inspection September 12, 2008, 9:00 a.m.]

## LIQUOR CONTROL BOARD

### Expiration of Leases

The Liquor Control Board Lease will expire:

Bucks County, Wine & Spirits Store #0926, Doylestown, PA

*Lease Expiration Date:* October 31, 2010

Lease retail commercial space to the Commonwealth. Proposals are invited to provide the Liquor Control Board with approximately 14,000 net useable square feet of new or existing retail commercial space. Location must be within a 1 mile radius of the Doylestown Shopping Center, Doylestown, Bucks County, PA.

*Proposals due:* September 19, 2008, at 12 p.m.

**Department:** Liquor Control Board  
**Location:** Real Estate Division, 8305 Ridge Avenue, Philadelphia, PA 19128-2113  
**Contact:** Robert Jolly, (215) 482-9670

The Liquor Control Board seeks the following new site:

Chester County, Wine & Spirits Store #1505, (Relocation), Malvern, PA

*Lease Expiration Date:* February 28, 2009

Lease retail commercial space to the Commonwealth. Proposals are invited to provide the Liquor Control Board with approximately 6,000 net useable square feet of new or existing retail commercial space. Location must be within a 3 mile radius of the Lancaster Pike and Route 29, Malvern, Chester County, PA.

*Proposals due:* September 18, 2008, at 12 p.m.

**Department:** Liquor Control Board  
**Location:** Real Estate Division, 8305 Ridge Avenue, Philadelphia, PA 19128-2113  
**Contact:** Robert Jolly, (215) 482-9670

PATRICK J. STAPLETON, III,  
*Chairperson*

[Pa.B. Doc. No. 08-1686. Filed for public inspection September 12, 2008, 9:00 a.m.]

## PENNSYLVANIA EMERGENCY MANAGEMENT AGENCY

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

This notice provides updated 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, 2008. Written instructions and guidelines for the grant program will be available on line at the Office of State Fire Commissioner web site [www.osfc.state.pa.us](http://www.osfc.state.pa.us) no later than September 1, 2008. Grant applications will be available on line at the Office of State Fire Commissioner web site [www.osfc.state.pa.us](http://www.osfc.state.pa.us) no later than September 2, 2008.

ROBERT P. FRENCH,  
*Director*

[Pa.B. Doc. No. 08-1687. Filed for public inspection September 12, 2008, 9:00 a.m.]

## PENNSYLVANIA PUBLIC UTILITY COMMISSION

### Default Service Program and Procurement Plan

**P-2008-2060309. Default Service Program and Procurement.** Petition of PPL Electric Utilities Corporation for approval of a Default Service Program and Procurement Plan for the period January 1, 2011, through May 31, 2014.

Formal protests, petitions to intervene and answers must be filed in accordance with 52 Pa. Code (relating to public utilities) on or before September 29, 2008. Filings must be made with the Secretary of the Pennsylvania Public Utility Commission, P. O. Box 3265, Harrisburg, PA 17105-3265, with a copy served on the petitioner and a copy provided to the Administrative Law Judge. The documents filed in support of the petition are available for inspection and copying at the Office of the Secretary between of 8 a.m. and 4:30 p.m., Monday through Friday, and at the petitioner's business address.

*Applicant:* PPL Electric Utilities Corporation

*Through and By Counsel:* David B. MacGregor, Esquire, Post and Schell, Four Penn Center, 1600 John F. Kennedy Boulevard, Philadelphia, PA 19103

### Notice

This is to inform you that an Initial Prehearing Conference on the above-captioned case will be held as follows:

*Type:* Initial Prehearing Conference

*Date:* Thursday, October 2, 2008

*Time:* 10 a.m.

*Location:* Hearing Room 1  
 Plaza Level  
 Commonwealth Keystone Building  
 400 North Street  
 Harrisburg, PA 17120

*Presiding:* Administrative Law Judge Susan D. Colwell  
 P. O. Box 3265  
 Harrisburg, PA 17105-3265

Phone: (717) 783-5452

Fax: 717-787-0481

Persons with a disability who wish to attend the prehearing, should contact the Pennsylvania Public Utility Commission (Commission) to make arrangements for their special needs. Call the scheduling office at the Commission at least 2 business days prior to the prehearing conference:

- Scheduling Office: (717) 787-1399
- AT&T Relay Service number for persons who are deaf or hearing-impaired: (800) 654-5988

JAMES J. MCNULTY,  
*Secretary*

[Pa.B. Doc. No. 08-1688. Filed for public inspection September 12, 2008, 9:00 a.m.]

### 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 29, 2008. Documents filed in support of the applications are available for inspection and copying at the Office of the Secretary between 8 a.m. and 4:30 p.m., Monday through Friday, and at the business address of the respective applicant.

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

**A-2008-2053106. Meadville Area Ambulance Service, LLC** (592 William Road, Meadville, Crawford County, PA 16335)—a limited liability corporation of the

Commonwealth—persons in paratransit service, from points in Crawford County, to points in Pennsylvania, and return.

**A-2008-2053567. Superior VIP Limousine, LLC** (819 Waterfront Drive, Lancaster, Lancaster County, PA 17602), a limited liability company of the Commonwealth—persons, in limousine service, from points in Lancaster County to points within Pennsylvania and return, excluding service that is under the jurisdiction of the Philadelphia Parking Authority. *Attorney:* Aaron D. Hollis, Esquire, Blakinger, Byler & Thomas, P.C., 28 Penn Square, Lancaster, PA 17603.

**A-2008-2056369. Joseph Parente, t/a Sapphire Coach and Limousine** (107 Pennington Avenue, Morton, Delaware County, PA 19070)—persons, in limousine service, from points in Delaware County to points in Pennsylvania and return, excluding service that is under the jurisdiction of the Philadelphia Parking Authority.

**A-2008-2057765. Richard Santiago** (221 South Pine Street, Hazleton, Luzerne County, PA 18201)—persons, in paratransit service, from Hazleton, Luzerne County to T.J. Maxx in Pittston Township, Luzerne County, PA, and return.

**Application of the following for amendment to the certificate of public convenience approving the operation of motor vehicles as common carriers for transportation of household goods by transfer of rights as described under the application.**

**A-2008-2053912. Bekins A-1 Movers, Inc., t/a Ace Moving and Storage** (125 Stewart Road, Wilkes-Barre, Luzerne County, PA 18706), a corporation of the Commonwealth—household goods in use, which is to be a transfer of all the right authorized under the certificate issued at A-00101662 to Lindeman Moving Co., Inc., subject to the same limitations and conditions. *Attorney:* Frederick W. Alcaro, 590 Rutter Avenue, Kingston, PA 18704.

**Applications of the following for approval to begin operating as a broker for transportation of persons as described under each application.**

**A-2008-2057806. North Star Transportation, LLC** (8943 Turton Drive, Philadelphia, Philadelphia County, PA 19115), a limited liability company of the Commonwealth—brokerage license—to arrange for the transportation of persons, between points in Pennsylvania.

**Application of the following for the approval of the transfer of stock as described under each application.**

**A-2008-2046483. Quick Service Taxi Co., Inc.** (1101 Cedar Street, Allentown, Lehigh County, PA 18102), a corporation of the Commonwealth—for the approval of the transfer of 224 common shares and 164 preferred shares of stock of Quick Service Taxi Co., Inc. from Barbara A. Schaffer and Wayne R. Burrows, Executors of the Estate of E. Harold Burrows, deceased, to Wayne R. Burrows, son of the deceased, E. Harold Burrows. *Attorney:* Gary M. Miller, Esquire, 210 East Broad Street, Bethlehem, PA 18018.

*Pennsylvania Public Utility Commission, Bureau of  
Transportation and Safety v. Cedi Cab Co. Inc.;*  
*Doc. No. C-2008-2047064*

#### 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 Cedi Cab Co., Inc., maintains its principal place of business at 1141 North 63rd Street, Philadelphia, PA 19151.

2. That respondent was issued a certificate of public convenience by this Commission on January 27, 1997, at Application Docket No. A-00113492.

3. That respondent abandoned or discontinued service without having first filed an application to this Commission for abandonment or discontinuance of service. Respondent has not reported intrastate revenue for calendar year 2007.

4. That respondent, by failing to file an application with this Commission prior to abandoning or discontinuing service, violated 52 Pa. Code § 3.381(a)(1)(v) and 66 Pa.C.S. § 1102(a)(2) and, by failing to maintain adequate, efficient and safe service and facilities, violated 66 Pa.C.S. § 1501.

Wherefore, the Bureau of Transportation and Safety Prosecutory Staff hereby requests that the Commission revoke respondent's Certificate of Public Convenience at A-00113492.

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

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 to be able to prove the 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

#### NOTICE

A. You must file an answer within twenty 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 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 days, the Bureau of Transportation and Safety will

request that the Commission issue an Order imposing a penalty, which will include the revocation of your Certificate of Public Convenience.

C. 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 revocation of your Certificate of Public Convenience.

D. If you file an answer which contests the Complaint, the matter will be assigned to an Administrative Law Judge for hearing and decision.

E. Alternative formats of this material are available, for persons with disabilities, by contacting the Compliance Office at (717) 787-1168.

\_\_\_\_\_  
*Pennsylvania Public Utility Commission, Bureau of  
Transportation and Safety v. Lagos Cab Co.;  
Doc. No. C-2008-2050933*

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 Lagos Cab Co., maintains its principal place of business at 15 Wildwood Avenue, East Lansdowne, PA 19050-2727.

2. That respondent was issued a certificate of public convenience by this Commission on April 30, 1998, at Application Docket No. A-00114433.

3. That respondent abandoned or discontinued service without having first filed an application to this Commission for abandonment or discontinuance of service. Respondent has not reported intrastate revenue for calendar year 2007.

4. That respondent, by failing to file an application with this Commission prior to abandoning or discontinuing service, violated 52 Pa. Code § 3.381(a)(1)(v) and 66 Pa.C.S. § 1102(a)(2) and, by failing to maintain adequate, efficient and safe service and facilities, violated 66 Pa.C.S. § 1501.

Wherefore, the Bureau of Transportation and Safety Prosecutory Staff hereby requests that the Commission revoke respondent's Certificate of Public Convenience at A-00114433.

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

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 to be able to prove the 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

A. You must file an answer within twenty 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 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 days, the Bureau of Transportation and Safety will request that the Commission issue an Order imposing a penalty, which will include the revocation of your Certificate of Public Convenience.

C. 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 revocation of your Certificate of Public Convenience.

D. If you file an answer which contests the Complaint, the matter will be assigned to an Administrative Law Judge for hearing and decision.

E. Alternative formats of this material are available, for persons with disabilities, by contacting the Compliance Office at (717) 787-1168.

\_\_\_\_\_  
*Pennsylvania Public Utility Commission, Bureau of  
Transportation and Safety v. Billa Cab Co.;  
Doc. No. C-2008-2049167*

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 Billa Cab Co., maintains its principal place of business at 38 Marian Ct., Upper Darby, PA 19082.

2. That respondent was issued a certificate of public convenience by this Commission on March 5, 1996 at Application Docket No. A-00112932.

3. That respondent abandoned or discontinued service without having first filed an application to this Commission for abandonment or discontinuance of service. Respondent has not reported intrastate revenue for calendar year 2007.

4. That respondent, by failing to file an application with this Commission prior to abandoning or discontinuing service, violated 52 Pa. Code § 3.381(a)(1)(v) and 66 Pa.C.S. § 1102(a)(2) and, by failing to maintain adequate, efficient and safe service and facilities, violated 66 Pa.C.S. § 1501.

Wherefore, the Bureau of Transportation and Safety Prosecutory Staff hereby requests that the Commission revoke respondent's Certificate of Public Convenience at A-00112932.

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

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 to be able to prove the 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

NOTICE

A. You must file an answer within twenty 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 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 days, the Bureau of Transportation and Safety will request that the Commission issue an Order imposing a penalty, which will include the revocation of your Certificate of Public Convenience.

C. 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 revocation of your Certificate of Public Convenience.

D. If you file an answer which contests the Complaint, the matter will be assigned to an Administrative Law Judge for hearing and decision.

E. Alternative formats of this material are available, for persons with disabilities, by contacting the Compliance Office at (717) 787-1168.

\_\_\_\_\_  
*Pennsylvania Public Utility Commission, Bureau of  
Transportation and Safety v. Grewal Inc.;*  
*Doc. No. C-2008-2049774*

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 Grewal, Inc., maintains its principal place of business at 491 Concord Road, Broomall, PA 19008.

2. That respondent was issued a certificate of public convenience by this Commission on July 8, 1995, at Application Docket No. A-00112128.

3. That respondent abandoned or discontinued service without having first filed an application to this Commission for abandonment or discontinuance of service. Respondent has not reported intrastate revenue for calendar year 2007.

4. That respondent, by failing to file an application with this Commission prior to abandoning or discontinuing service, violated 52 Pa. Code § 3.381(a)(1)(v) and 66 Pa.C.S. § 1102(a)(2) and, by failing to maintain adequate, efficient and safe service and facilities, violated 66 Pa.C.S. § 1501.

Wherefore, the Bureau of Transportation and Safety Prosecutory Staff hereby requests that the Commission revoke respondent's Certificate of Public Convenience at A-00112128.

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

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 to be able to prove the 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

NOTICE

A. You must file an answer within twenty 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 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 days, the Bureau of Transportation and Safety will request that the Commission issue an Order imposing a penalty, which will include the revocation of your Certificate of Public Convenience.

C. 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 revocation of your Certificate of Public Convenience.

D. If you file an answer which contests the Complaint, the matter will be assigned to an Administrative Law Judge for hearing and decision.

E. Alternative formats of this material are available, for persons with disabilities, by contacting the Compliance Office at (717) 787-1168.

JAMES J. MCNULTY,  
*Secretary*

[Pa.B. Doc. No. 08-1689. Filed for public inspection September 12, 2008, 9:00 a.m.]

### Telecommunications

**A-2008-2060119. The United Telephone Company of Pennsylvania, d/b/a Embarq Pennsylvania and DSLnet Communications, LLC, d/b/a DSL.net.** Joint petition of The United Telephone Company of Pennsylvania, d/b/a Embarq Pennsylvania and DSLnet Communications, LLC, d/b/a DSL.net for approval of a master interconnection, collocation and resale agreement under section 252(e) of the Telecommunications Act of 1996.

The United Telephone Company of Pennsylvania, d/b/a Embarq Pennsylvania and DSLnet Communications, LLC, d/b/a DSL.net, by its counsel, filed on August 26, 2008, at the Pennsylvania Public Utility Commission (Commission), a joint petition for approval of a master interconnection, collocation and resale 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 The United Telephone Company of Pennsylvania, d/b/a Embarq Pennsylvania and DSLnet Communications, LLC, d/b/a DSL.net 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.

*By the Commission*

JAMES J. MCNULTY,  
*Secretary*

[Pa.B. Doc. No. 08-1690. Filed for public inspection September 12, 2008, 9:00 a.m.]

### Water Service

**A-2008-2059988. Aqua Pennsylvania, Inc.** Application of Aqua Pennsylvania, Inc. for approval to begin to offer, render, furnish and supply water service to the public in an additional portion of West Vincent Township, Chester County, PA.

Formal protests and petitions to intervene must be filed in accordance with 52 Pa. Code (relating to public utilities). Filings must be made with the Secretary of the Pennsylvania Public Utility Commission, P. O. Box 3265, Harrisburg, PA 17105-3265, with a copy served on the applicant on or before September 29, 2008. The documents filed in support of the application are available for inspection and copying at the Office of the Secretary between 8 a.m. and 4:30 p.m., Monday through Friday, and at the applicant's business address.

*Applicant:* Aqua Pennsylvania, Inc.

*Through and By Counsel:* Thomas T. Niesen, Esquire, Thomas, Long, Niesen and Kennard, 212 Locust Street, Suite 500, P. O. Box 9500, Harrisburg, PA 17108-9500

JAMES J. MCNULTY,  
*Secretary*

[Pa.B. Doc. No. 08-1691. Filed for public inspection September 12, 2008, 9:00 a.m.]

## STATE BOARD OF DENTISTRY

**Bureau of Professional and Occupational Affairs v. Nicholas F. Breen, DMD; Doc. No. 0880-46-2007**

On June 16, 2008, Nicholas F. Breen, DMD, of Warminster, Bucks County, had his license to practice dentistry suspended for not less than 1 year, based on his having disciplinary action taken against his license by the proper licensing authority of another state.

Individuals may obtain a copy of the adjudication by writing to Christopher P. Grovich, Board Counsel, State Board of Dentistry, P. O. Box 2649, Harrisburg, PA 17105-2649.

This adjudication and order represents the final State Board of Dentistry (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.

JOHN W. REITZ, DDS,  
*Chairperson*

[Pa.B. Doc. No. 08-1692. Filed for public inspection September 12, 2008, 9:00 a.m.]

---

## STATE BOARD OF NURSING

### Bureau of Professional and Occupational Affairs v. Kim B. Cleveland, RN; Doc. No. 1731-51-06

On June 9, 2005, the Commonwealth, Department of State, Bureau of Professional and Occupational Affairs, instituted a formal administrative action against Kim B. Cleveland by filing an Order to Show Cause, before the State Board of Nursing, alleging that she has violated certain provisions of The Professional Nursing Licensure Law (63 P. S. §§ 211—225). Under 1 Pa. Code § 33.31 (relating to service of documents) and Pa.R.C.P. Rule 430 (relating to relating to service pursuant to special order of court; publication), providing for service of process upon Kim B. Cleveland by publication.

#### Notice

Formal disciplinary action has been filed against you by way of an Order to Show Cause. You may lose your nursing license, certificate, registration or permit to prac-

tice your profession or occupation. You may be subject to civil penalties of up to \$1,000 for each violation.

If you wish to defend against the charges in the Order to Show Cause or to present evidence to mitigate any penalty that may be imposed, the procedures for doing so are explained in the Order to Show Cause. You may obtain a copy of the Order to Show Cause from Kelly Diller, Prothonotary, Department of State, 2601 North Third Street, Harrisburg, PA 17110, (717) 772-2686.

You have the right to retain an attorney. Although you may represent yourself without an attorney, you are advised to seek the help of an attorney. Proceedings are conducted under the 2 Pa.C.S. (relating to Administrative Agency Law and Procedure) and 1 Pa. Code Part II (relating to the General Rules of Administrative Practice and Procedures).

You are directed to respond to the charges by filing a written answer within 30 days of this notice. If you do not file an answer, disciplinary action may be taken against you without a hearing. To file your answer, you must bring or send an original and three copies of your answer and any pleadings or other documents related to this matter to the following address Kelly Diller, Prothonotary, Department of State, 2601 North Third Street, Harrisburg, PA 17110.

You must also send a separate copy of your answer and any other pleadings or documents related to this case to the prosecuting attorney named in the Order to Show Cause.

MARY E. BOWEN, RN, CRNP,  
*Chairperson*

[Pa.B. Doc. No. 08-1693. Filed for public inspection September 12, 2008, 9:00 a.m.]

---