

# NOTICES

## 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 November 4, 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, may file their comments in writing with the Department of Banking, Corporate Applications Division, 17 North Second Street, Suite 1300, Harrisburg, PA 17101-2290. 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

#### Consolidations, Mergers and Absorptions

<i>Date</i>	<i>Name of Bank</i>	<i>Location</i>	<i>Action</i>
10-31-2008	Sharon Savings Bank, Darby, and Morton Savings Bank, Morton Surviving Institution: Sharon Savings Bank, Darby	Darby	Effective
	Subsequent to the previous merger, the principal place of business of Morton Savings Bank, at the following location, will be operated as a branch office of Sharon Savings Bank:		
		25 South Morton Avenue Morton Delaware County	
11-1-2008	Wilmington Trust Interim Savings Bank, Villanova, and Wilmington Trust of Pennsylvania, Villanova Surviving Institution: Wilmington Trust Interim Savings Bank, Villanova	Villanova	Effective
	Subsequent to the previous merger, Wilmington Trust Interim Savings Bank, Villanova, PA, merged with and into Wilmington Trust FSB, Baltimore, MD. Both institutions are wholly-owned subsidiaries of Wilmington Trust Corporation, Wilmington, DE.		

#### Branch Applications

##### De Novo Branches

<i>Date</i>	<i>Name of Bank</i>	<i>Location</i>	<i>Action</i>
10-20-2008	Susquehanna Bank DV Bryn Mawr Montgomery County	One Market Street Camden Camden County, NJ	Opened
10-24-2008	CNB Bank Clearfield Clearfield County	5739 Buffalo Road Erie Erie County	Opened
10-30-2008	Fulton Bank Lancaster Lancaster County	Princess Anne and Dam Neck Roads Virginia Beach Virginia Beach County, VA	Filed

#### Branch Discontinuances

<i>Date</i>	<i>Name of Bank</i>	<i>Location</i>	<i>Action</i>
10-30-2008	Beneficial Mutual Savings Bank Philadelphia Philadelphia County	5700 North Broad Street Philadelphia Philadelphia County	Approved

## 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. 08-2064. Filed for public inspection November 14, 2008, 9:00 a.m.]

## DEPARTMENT OF CORRECTIONS

### Recidivism Risk Reduction Incentive Initiative Evidence-Based Program List

The Department of Corrections (Department), under the authority conferred by Act No. 81 of 2008 (act) (44 Pa.C.S. § 5304), publishes for public comment the following description of treatment and other programs it intends to designate as Recidivism Risk Reduction Incentive Programs. In addition to describing the various programs and the types of offenders who will be eligible to participate in the programs, the following information references the research reports that demonstrate the effectiveness of each program. A reference list containing detailed reference information for each publication appears at the conclusion of the material.

Public comments will be accepted for at least 60 days from the date of publication or until January 23, 2009, whichever is later. The information also is posted on the Department's web site at [www.cor.state.pa.us](http://www.cor.state.pa.us). Public comments must be in writing and directed to Kathleen A. Gnall, Deputy Secretary for Reentry and Specialized Programs, Department of Corrections, P. O. Box 598, Camp Hill, PA 17001, (717) 975-4872.

The program plan for eligible offenders as defined in the act who have been sentenced to a Recidivism Risk Reduction Incentive (RRRI) minimum sentence may include one or more of the described programs as well as other programs intended to reduce the risk that the offender will commit additional crimes upon release and to be able to reenter society successfully. Assignment to specific programs is determined by the results of a battery of assessments provided to inmates upon intake, as well as by counselor review of the needs of individual inmates. The following provides a summary of these programs, as well as the research behind them.

#### Part A—Inmate Assessment Process

The assessment of an offender's risk of recidivating and needs for specific types of treatment programming is the cornerstone of effective correctional treatment practice (Andrews and Bonta, 2003). Before inmates are assigned to any treatment program, the Department administers a battery of assessment tools to them that provide information used to develop a specific treatment plan that is responsive to their criminogenic (crime-producing) needs. These assessments are conducted at intake at the Diagnostic and Classification Centers (DCC's) at the State Correctional Institutions (SCI's) at Camp Hill (for men) and Muncy (for women). The Principles of Effective Offender Intervention indicate that treatment should be

directed to inmates who are likely to recidivate if not treated (high risk inmates) and should address verifiable criminogenic needs, such as antisocial attitudes, substance abuse, hostility and education deficits (Andrews and Bonta, 2003). For a summary of the Principles, see the following link on the Department's web site: [www.cor.state.pa.us/stats/lib/stats/PrinciplesofEffectiveIntervention.pdf](http://www.cor.state.pa.us/stats/lib/stats/PrinciplesofEffectiveIntervention.pdf).

In line with the assessment principle, all inmates newly committed to the Department receive the following risk and needs assessments:

*A1.) Level of Service Inventory-Revised (LSI-R)*—This tool produces a score that estimates the risk that the inmate will reoffend. The LSI-R is perhaps the most widely used general purpose offender risk assessment tool in the world and has been validated on inmate populations in many jurisdictions (Andrews and Bonta, 2001). The Department has conducted several in-house validations of the LSI-R on our inmate population, and has also conducted validations with external research partners (see, for example, Kelly and Welsh, 2008). These validations have found that the LSI-R is predictive of recidivism for the Department inmate population, and thus is an acceptable measure of risk. As this program report is being prepared, the Department has developed a briefer risk assessment tool that can produce comparable predictive results with a shorter administrative timeframe and reduced cost. Validation and refinement of this new tool is ongoing.

*A2.) Criminal Sentiments Scale-Modified (CSS-M)*—This tool provides information on an inmate's level of criminal attitudes, values and beliefs, which are key criminogenic needs. Like the LSI-R, the CSS-M is widely used in the U.S. and Canada. The CSS-M has been studied in a number of jurisdictions and has been found to be a reliable and valid measure of criminal thinking (see, for example, Simourd and Van De Ven, 1999). The Department has normed this tool on its inmate population.

*A3.) Hostile Interpretations Questionnaire (HIQ)*—This tool provides information on an inmate's level of hostile thinking and tendency towards anger-driven responses in social situations. Like the LSI-R and CSS-M, the HIQ is used in other jurisdictions and is found to be a reliable and valid measure of hostile thinking (Simourd and Mamuzza, 2000). The Department has normed this tool on its inmate population.

*A4.) Texas Christian University Drug Screen II (TCUDSII)*—This tool provides an assessment of an inmate's need for alcohol and other drug (AOD) treatment programs. The TCUDSII was developed by researchers at TCU under several federal grants and is available free of charge to correctional agencies. This and other TCU tools

are widely used by criminal justice agencies nationwide. The TCUDSII is validated against the diagnostic standards for substance abuse and dependence as codified in the Diagnostic and Statistical Manual of Mental Disorders—IV (DSM-IV), which is the official publication of the American Psychiatric Association. More information on the TCU family of AOD assessment tools can be found at: [www.ibr.tcu.edu/pubs/datacoll/cjforms.html](http://www.ibr.tcu.edu/pubs/datacoll/cjforms.html).

*A5.) Pennsylvania Department of Corrections Initial Assessment (PADOICIA)*—This tool is based upon the Texas Christian University Initial Assessment tool, and was developed with the consultation of TCU researchers. The PADOICIA is administered to inmates who score in the higher ranges of the TCUDSII and provides additional clinical information useful in the treatment planning process.

*A6.) Test of Adult Basic Education (TABE)*—This tool provides a measure of an inmate's level of educational functioning, producing a score equivalent to a grade level. The TABE is one of most widely used educational assessments for offenders and nonoffenders alike. Results from the TABE inform decisions about placement into the educational programs discussed.

*A7.) Careerscope*—This tool provides information about an inmate's vocational interests and aptitude, and informs decisions about placement into the Department's vocational programs discussed. Like the TABE, the Careerscope is one of the most widely used vocational assessments for offenders and nonoffenders.

*A8.) Other*—In addition to the instruments discussed previously, the Department uses a number of other general purpose psychological assessment tools, which provide additional information used to develop individual inmate treatment plans. These include the Personality Assessment Inventory and IQ testing.

The results of the risk and needs assessment process discussed previously are used to guide program placement decisions for individual inmates. The matrix found at the following link provides an overview of how assessment data is translated into program placement decisions: [www.cor.state.pa.us/bis/lib/bis/Risk\\_and\\_Needs\\_Assessment\\_Guidelines.pdf](http://www.cor.state.pa.us/bis/lib/bis/Risk_and_Needs_Assessment_Guidelines.pdf).

### **Part B—Programs Targeting Criminal Thinking and Behavior**

The Department offers a number of standardized programs that address core criminogenic needs, including criminal thinking, hostility/anger and substance use. Consistent with the Principles of Effective Offender Intervention, our standardized programs, regardless of which specific criminogenic need targeted, employ a cognitive-behavioral therapy (CBT) approach. The CBT approach emphasizes the connection between thinking and behavior, recognizing that offenders behave like criminals because they think like criminals. Thus, the first step in changing behavior is changing dysfunctional thinking patterns. CBT approaches also address decision making, problem solving and coping skills, which have been identified as being important to the rehabilitative process (Andrews and Bonta, 2003). One advantage to CBT is that it is a fairly generic treatment tool; it can be incorporated into any number of needs-specific programs such as AOD treatment, anger/violence prevention and other specialized groups. There is a strong body of evidence that supports the use of CBT approaches to reduce recidivism. Meta-analyses conducted by Landenberger and Lipsey (2005), Pearson, et al (2002) and Wilson, et al (2005) have summarized the evidence in

support of CBT approaches as a key component of an overall offender treatment strategy.<sup>1</sup> These research reviews have found an average reduction in recidivism of approximately 20% for programs employing a CBT approach. Thus, the core Department programs are grounded in one of the most effective general treatment approaches available.

#### *Program Listing*

*B1.) Alcohol and Other Drug (AOD) Treatment*—The AOD programs are designed to provide a comprehensive continuum of services to inmates in all SCI's. These services include screening and assessment, outpatient services, inpatient services (Therapeutic Communities), aftercare and specialized Therapeutic Community programs for dually-diagnosed inmates. The AOD programs that are provided at SCI Muncy and SCI Cambridge Springs (our two female prisons) focus on gender-specific AOD issues. The Department has recently revised this program so that it is in conjunction with the Principles of Effective Offender Intervention.

*B1a.) Therapeutic Community (TC)*—A TC is an intensive treatment modality, which is self-contained and semi-autonomous with shared responsibilities by staff and inmates. This program is developed to treat inmates who meet the diagnostic criteria for AOD dependence (that is, the most serious level of addiction). TC participation provides an opportunity to focus on learning and behavior change on a 24 hour-a-day basis. In a TC, CBT concepts are not just taught in group sessions, but they are carried through in individual counseling sessions, in regular conversational contacts, in other group activities, in homework assignments, in learning experiences, and the like. Inmates are expected to demonstrate, in all daily activities, what they are learning in the program through observable attitude and behavior changes. There are 3 phases to the TC.

The TC curriculum provides the following lesson plans for Phase I participants: Motivational Enhancement Therapy (MET)—four 1 1/2 hour sessions. CBT Addictions Concepts—eight 1 1/2 hour sessions, Criminal Thinking Overview—eight 1 1/2 hour sessions and Introduction to Self-Help—five 1 1/2 hour sessions. In Phase I, there are eight CBT sessions and eight sessions on Criminal Thinking Errors.

The TC curriculum provides the following lesson plans for Phase II participants: CBT Problem Solving Group—two 1 1/2 hour sessions per week in Phase 2 and CBT Skill Building Group—four 1 1/2 hour sessions per week in Phase 2. In Phase II, there are a total of 39 CBT sessions.

The purpose of TC Phase III is the transition and re-integration of the inmate into the community and/or general population, Phase III participants must attend CBT Aftercare Group (1 1/2 hours) once per week and they must attend Phase II group therapy with a Phase II member. This amounts to 6 additional CBT groups per week.

Therapy groups are to run on the CBT 30/30/30 model of providing 30 minutes of homework/journal review followed by 30 minutes of new topic presentation. The remaining 30 minutes is to be used for in class assignments, role plays and process sessions.

A TC is comparable to inpatient treatment in the community. The standard length of TC programming is 6

<sup>1</sup> Meta-analysis is a formal, rigorous synthesis of evaluation or other studies on a given topic. More than a simple research review, meta-analysis produces an evaluation of the evaluations and generates conclusions about overall treatment effects.

months. While participating in the TC, inmates cannot participate in other recommending programming until Phase III.

The TC Curriculum addresses thinking errors and therefore inmates in a TC do not need to also take *Thinking for a Change* (discussed as follows).

Inmates need to have a moderate to high LSI-R and a TCUDSII of 6-9 to participate in TC.

**B1b.) Short Minimum TC**—The Short Minimum Initiative is designed to program inmates identified as Short Min cases prior to their minimum dates. Short Min cases are defined as those with 12 months or less remaining on their sentences at the time of reception into the DCC's. This TC is condensed into 4 months. The curriculum is the same a 6 month TC. Inmates in the Short Min TC can also complete condensed versions of selected other programs in the TC environment.

Inmates need to have been identified as a Short Min initiative case by the DCC and have a moderate to high LSI-R and a TCUDSII of 3-9.

**B1c.) Dual Diagnosis Therapeutic Community (DDTC)**—An intensive treatment modality, which is self-contained and semi-autonomous with shared responsibilities by staff and inmates. This program is designed to treat inmates with co-occurring, mental health and AOD dependence/abuse disorders. It shares most of the features of the general TC discussed in 1a previously, but with the specialized focus on mental illness and addiction. The DDTC is available at SCI Retreat.

**B1d.) Six Month Intensive Outpatient Program (IOP)**—Six month IOP is offered at SCI-Chester and SCI-Pittsburgh. This IOP will be taken in place of the regular AOD Out-Patient Program. The 6 month IOP, like TC, replaces the need to take *Thinking for a Change*. IOP consists of three 90 minute sessions per week—two are content driven and one is a Thinking Error Skill Building session. There are a total of 72 Sessions. To be recommended for IOP an inmate must be housed at SCI-Chester or SCI-Pittsburgh and have a mod-high LSI-R and a TCU score of 3-5. Six month IOP completers will receive 3 months of community aftercare upon release. In a sense, IOP can be thought of as a less intensive version of a TC, but still representing a significant dose of treatment that incorporates many of the core features of TC.

**B1e.) Short Minimum Intensive Outpatient Program (IOP)**—Short Minimum IOP is offered at SCI-Chester and SCI-Pittsburgh. This IOP is 3 months. It consists of six 90 minute sessions per week—four are content driven and two are Thinking Error Skill Building sessions. There are a total of 72 Sessions. Inmates referred to this program must be housed at SCI-Chester and Pittsburgh and have a med-high LSI-R and a TCU score of 3-9. This program is designed for inmates identified by the DCC as short minimum cases. Short Minimum IOP completers will receive 3 months of Community Aftercare upon release. If Assessment scores warrant *Thinking for a Change*, the inmate must take Short Min IOP and *Thinking for a Change*. Like the 6 month IOP, the Short Min IOP can be thought of as a less intensive version of a TC, but still representing a significant dose of treatment that incorporates many of the core features of TC.

**B1f.) Outpatient Treatment**—Outpatient treatment is the provision of structured counseling or therapeutic services on a regular and predetermined basis. Services are generally provided weekly, in a group setting, using a module format. The inmate meets specific Department

approved criteria for outpatient treatment based on a comprehensive screening and assessment described previously. Based on the initial and ongoing assessments, inmates may attend a combination of treatment modules.

#### *Supporting Research for AOD Treatment*

The Department has undertaken an extensive and long term evaluation of its AOD programs, in partnership with Dr. Wayne Welsh of Temple University, with funding by the Pennsylvania Commission on Crime and Delinquency (PCCD) and the National Institute of Justice. This partnership began in 1998 and is ongoing. This project has included a comprehensive process evaluation of the Department's system of AOD treatment, and a long term outcome evaluation of our TC's. The process evaluation was completed in 2000 and produced numerous recommendations for programmatic improvement, culminating in the evidence-based AOD treatment system currently in place within the Department (Welsh 2002, Welsh and Zajac, 2004a&b). The full process evaluation report is available on the Department's web site: [www.cor.state.pa.us/stats/lib/stats/Temple\\_Process\\_Final\\_Report\\_to\\_NIJ.pdf](http://www.cor.state.pa.us/stats/lib/stats/Temple_Process_Final_Report_to_NIJ.pdf).

A summary of this report and discussion of how the Department utilized the findings is presented in the Department's in-house journal *Research in Review*, at the following link (Volume 6, Number 1): [www.cor.state.pa.us/doc/lib/stats/RIR/Volume%206%20-%202003/RIRV6N1.pdf](http://www.cor.state.pa.us/doc/lib/stats/RIR/Volume%206%20-%202003/RIRV6N1.pdf).

Looking at outcomes for AOD treatment, the Department's evaluation partnership with Temple University has to date documented a reduction in recidivism of 11 percentage points (or 27%) over a 2 year post release follow-up period (Welsh, 2003, 2007). The outcome phase of this study is ongoing, with a final report anticipated by the end of 2008. This report will show outcomes for a 5 to 7 year post release follow-up period, one of the longest follow-ups of any evaluation of prison-based AOD treatment. Preliminary indications from Dr. Welsh are that the earlier findings of a 27% reduction in recidivism are holding up even with the longer follow-up period. A summary of the findings to date is found in *Research in Review* at the following link (Volume 6, Number 4): [www.cor.state.pa.us/doc/lib/stats/RIRV6N4.pdf](http://www.cor.state.pa.us/doc/lib/stats/RIRV6N4.pdf).

Looking more broadly at research into the effectiveness of prison-based drug treatment, we find substantial evidence of strong treatment effects, especially for intensive programs such as TC's. Recent meta-analyses of prison based AOD treatment evaluations conducted by Pearson and Lipton (1999) and Mitchell et al (2007) concluded that such treatment does reduce recidivism. There has been a great deal of research on prison-based TC's, with major evaluations in states such as California, Delaware and New York (in addition to our own evaluation in Pennsylvania). These studies have consistently documented strong treatment effects from TC's. This body of research is reviewed in the Department's in-house journal *Research in Review* in the following issues (Volume 3, Number 1 and Volume 7, Number 1): [www.cor.state.pa.us/doc/lib/stats/RIR/Volume%203%20-%202000/RIRV3N1.pdf](http://www.cor.state.pa.us/doc/lib/stats/RIR/Volume%203%20-%202000/RIRV3N1.pdf) and [www.cor.state.pa.us/doc/lib/stats/RIR/Volume%207%20-%202004/RIRV7N1.pdf](http://www.cor.state.pa.us/doc/lib/stats/RIR/Volume%207%20-%202004/RIRV7N1.pdf).

In sum, there is sufficient evidence, both in Pennsylvania and Nationally, to conclude that prison-based AOD treatment, and TC in particular, constitutes an evidence-based treatment that can reduce recidivism of addicted offenders.

**B2.) Thinking for a Change—Thinking for a Change (T4C)** is a 22 session general CBT program that utilizes

cognitive restructuring and social skills interventions as methods of changing criminal thinking. This group targets inmates with poor decision making skills to work on cognitive self-change, social skills improvement and problem solving skills development. The program is broken down into sessions focusing on communication skills, thinking processes, emotional interpretations and problem solving. While all sessions utilize CBT techniques such as journaling and role playing, the thinking processes segments form the core of the CBT approaches offered by this program.

Inmates recommended for this program must have medium to high scores on the LSI-R and CSS-M, a demonstrated pattern of poor decision making, criminal thinking or an institutional pattern of behavior demonstrating these behaviors.

Programming can be conducted over a 3 to 6 month period.

T4C was developed by researchers under the auspices of the National Institute of Corrections (NIC). As such, T4C is available free of charge to any corrections agency that wishes to use it. NIC will even provide training on T4C. T4C is widely used in corrections agencies across the nation. There are any number of generic CBT programs available to corrections agencies. Many are proprietary, thus involving a licensing cost to the agency. Research on CBT programs indicates that "brand" is less important than whether the program is actually following CBT principles (Landenberger and Lipsey, 2005). Thus, there is an advantage to using a free CBT curriculum such as T4C.

#### *Supporting Research for T4C*

As noted previously, numerous studies have found that CBT programs are effective at reducing recidivism, and that "brand" may be relatively less important in determining outcomes. A evaluation of T4C by Golden et al (2006), however, found that T4C reduced recidivism by 33% compared to offenders not receiving the program. The findings noted previously about the irrelevance of "brand" notwithstanding, the Department has been conducting a cross evaluation of T4C against two other CBT curricula. One important aspect of this evaluation is the examination of how participants change on their CSS-M scores before and after treatment. Changes on such scores are indicative of attitudinal shifts that translate into recidivism reduction. Results to date indicate that T4C is somewhat outperforming the other two programs being evaluated. We are presently examining recidivism outcomes for these programs. A summary of these evaluation findings to date is available in the latest issue of the Department's in-house journal *Research in Review* (Volume 11, Number 3): [www.cor.state.pa.us/stats/lib/stats/RIRV11N3.pdf](http://www.cor.state.pa.us/stats/lib/stats/RIRV11N3.pdf).

*B3.) Violence Prevention*—Violence Prevention is a 25 session program that also utilizes a CBT approach including Cognitive Behavioral Restructuring and Social Interventions as methods to provide inmates with appropriate alternatives for dealing with their aggressive behavior and their feelings of anger and frustration. It also addresses errors in thinking that involve criminal mentality. The main foci of this program are educational aspects to understand the roots of anger and aggression as well as coping mechanisms for the behaviors associated with anger and aggression. This is achieved through the use of modeling, role playing and journaling as well as in-cell assignments. While enhancing coping skills are a primary purpose of this program, secondary goals help reinforce the inmate's ability to employ these skills.

Inmates recommended for this program must have moderate to high scores on the LSI-R and HIQ, a history of violence towards people/property, current violent offense, pattern of institutional violence/aggression and be psychiatrically stable.

This program can be conducted over a 3 to 6 month period.

#### *Supporting Research for Violence Prevention*

The Department has recently conducted a Correctional Program Assessment Inventory (CPAI) on the Violence Prevention program, in partnership with Dr. Edward Latessa at the University of Cincinnati, with funding from the National Institute of Corrections. The CPAI is a tool that benchmarks a given program against the Principles of Effective Offender Intervention. Programs that more closely adhere to these principles will be more likely to reduce recidivism. This evaluation concluded that the Violence Prevention program is an evidence-based program that incorporates CBT principles within a structured treatment approach (Latessa and Carter, 2005). One recommendation of this study was that the Violence Prevention program has now been in operation long enough to sustain an outcome evaluation.<sup>2</sup> The Department is presently planning such an evaluation.

*B4.) Community Orientation Reintegration Program*—COR is a reentry preparation program that addresses general reentry needs, such as job search, money management and other basic life skills. While such issues may seem mundane, they can be a challenge to someone who has been incarcerated for a period of years. COR is a 4 week program that is delivered in the months immediately prior to an inmate's release. Weeks one and two provide 30 hours of programming on employability, such as job search, interviewing techniques and how to succeed on the job. Week three provides 15 hours of programming on life skills and related issues such as housing. Week four provides eight hours of programming on money management skills, which has been found to be a key problem area for parole violators (Bucklen, et al, 2004). To complete COR, follow-up services are provided by parole agents on the street depending upon the needs of the individual inmate.

#### *Supporting Research for COR*

COR was implemented during 2002. The Department conducted a formative process evaluation of COR at that time, in partnership with researchers at the Urban Institute. Their report informed early refinements to COR (La Vigne and Lawrence, 2002). This report is available on the Department's web site at: [www.cor.state.pa.us/stats/lib/stats/Urban\\_Institute\\_-\\_COR\\_Process\\_Evaluation\\_Consolidated\\_Report.pdf](http://www.cor.state.pa.us/stats/lib/stats/Urban_Institute_-_COR_Process_Evaluation_Consolidated_Report.pdf).

More recently, the Department partnered with Dr. Linda Smith of the International Association of Reentry to conduct an outcome evaluation of COR, with funding from PCCD. This study used random assignment to treatment and control conditions and followed inmates for approximately 5 years post release. The results from this evaluation were mixed, concluding that overall, COR had little impact upon recidivism (Smith and Suttle, 2008).

There is a consensus that correctional agencies should provide some sort of structured reentry program to soon-to-be-released inmates, although in another sense all prison programming can be viewed as preparation for reentry (Petersilia, 2003). Accordingly, the Department

<sup>2</sup> Many evaluators agree that outcome evaluation is more meaningful once a program has had the opportunity work out initial implementation difficulties and become fully operational. This can take several years, depending upon the program.

has revised COR using the findings from the recent outcome evaluation to bring it more in line with the Principles of Effective Offender Intervention. The new COR is presently being pilot tested and re-evaluated, and will be rolled out system-wide in early 2009.

#### *Future Research into Core Department's Programs*

The Department is presently working with Drs. Edward Latessa, Christopher Lowenkamp and colleagues at the University of Cincinnati to conduct a basic process evaluation of many core treatment programs at all SCI's, with funding from PCCD. This study is utilizing the Correctional Program Checklist (CPC) to assess these programs. The CPC is a descendent tool of the aforementioned CPAI, and benchmarks programs against the Principles of Effective Offender Intervention. When completed in late 2009, this project will provide valuable insight into the implementation of our evidence-based programs and will allow for additional program refinement.

#### **Part C—Programs Targeting Educational and Vocational Needs**

The Department offers a wide variety of programs that address educational and vocational training deficits of inmates. Low levels of educational and vocational achievement are found to correlate with recidivism, thus, it is valuable to address these needs.

##### *Program Listing*

*C1.) Adult Basic Education (ABE)*—Designed for adults functioning in the lower levels of achievement roughly equivalent to grade levels K—8.

*C2.) Secondary Education (GED)*—Includes instruction at grade levels 9—12 in reading, writing/language, math, science and social studies, focusing on the successful completion of the General Educational Development Test (GED Test). All new inmates are mandated to work toward earning a GED.

*C3.) GED Test*—Administered on-site at each SCI, an established GED Testing Center. Our academic programs contain basic and advanced skills necessary to pass the GED Test.

*C4.) Commonwealth Secondary Diploma Program*—Offered at designated SCI's for under 21 year olds by a certified teaching staff in accordance with Act 15 and Act 35.

*C5.) Post Secondary Education*—Offers certificate programs from accredited institutions in business management, introduction to computers, fiber optics and telecommunications to name a few. The Youthful Offenders program is a significant part of post secondary education with a Federal grant subsidizing costs.

*C6.) Vocational Education/Training*—Provides entry-level skills in 26 vocational areas. Every effort is made to identify a trade-based competency certification or assessment closely aligned with each vocational program. Currently the Department offers credentials/assessments in over 75% of its vocational programs. See attached Excel spreadsheet for a detailed listing of vocational programs by SCI. This spreadsheet also lists industry certifications associated with successful program completion, where applicable.

#### *Supporting Research for Educational/Vocational Programming*

The Department has conducted a formal process and outcome evaluation of its educational and vocational program offerings. This study is being conducted in partnership with Dr. Linda Smith of the International

Association on Reentry, with funding by PCCD. This project began in 2001, and is scheduled to be completed in early 2009. This study involved a comprehensive evaluation of the entire Department's education and vocational program system. The process evaluation phase of this study was completed in 2003 and produced numerous recommendations for programmatic improvement.

The following link is to the completed process evaluation report on the Department's web site: [www.cor.state.pa.us/stats/lib/stats/EducationProcessEvaluationFinalReport.pdf](http://www.cor.state.pa.us/stats/lib/stats/EducationProcessEvaluationFinalReport.pdf).

The following link is to the Department's in-house journal *Research in Review* that provides a summary of this study as well as programmatic changes made in response to the study (Volume 6, Number 4): [www.cor.state.pa.us/doc/lib/stats/RIRV6N4.pdf](http://www.cor.state.pa.us/doc/lib/stats/RIRV6N4.pdf).

The outcome evaluation phase of this study is still underway, and will be completed in early 2009. This study will show the impact of the Department's education and vocational programs on recidivism, employment and other indicators. Preliminary findings to date, however, do indicate that these programs are having a positive impact on recidivism. For example, participation in educational and vocational programs reduced re-arrest rates by nearly 6 percentage points (or 20%) over a 1 to 2 years post-release follow-up period. The effects were most pronounced for inmates who participated in multiple education and vocational programs, thus pointing to a program "stacking" effect. Program participants also worked for a longer time after release from prison than did inmates in the comparison group who did not receive these programs. The final outcome evaluation report will follow study participants for 3 to 5 years post release, tracking recidivism and other outcomes.

Looking more broadly at education and vocational programs in prison, there is a growing body of evidence that such programs are effective at reducing recidivism. Prior to conducting her evaluation in Pennsylvania, Dr. Smith and colleagues conducted a similar study in Maryland, Minnesota and Ohio (the "Three State Study"). This study found that such programs reduced recidivism by as much as 10 percentage points over a 3 year post release follow-up period. Program participants in this study also had higher wages post release than did inmates in the comparison group (Steurer, et al, 2001).

Other National research has shown positive impacts for education and vocational programs. A recent meta-analysis of evaluations of such programs conducted nationwide concluded that there is sufficient evidence to place these programs into the "what works" category of offender programming (Jensen and Reed, 2006). This echoes an earlier meta-analysis of over 30 evaluations which found that participants in education programs were 1.44 times *less* likely to recidivate than inmates in a comparison group, and 1.7 times *more* likely to be employed after release (Wilson, et al, 2000).

Thus, from research conducted within the Department's and based upon reviews of national research on corrections education and vocational programs, we have a reasonable basis to conclude that such programs *are* evidence based and do contribute to an overall recidivism risk reduction treatment plan.

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JEFFREY A. BEARD, Ph.D.,  
Secretary





PROGRAMS/TRADES	CERTIFICATIONS	INSTITUTIONS THAT OFFER THE CERTIFICATIONS	Continued Pg 2																	
Machine Shop																				
Masonry	NCCER VSI	PIT ROC																		
Optical Assistant																				
Plumbing	NCCER	SMR																		
Restaurant Trades	NOCTI	GRA RET																		
	HACCP	GRA RET																		
	APPRENTICESHIP	RET																		
Small Gas Engine Repair	OUTDOOR POWER EQUIP	CRE																		
	APPRENTICESHIP	CRE																		
Upholstery/Furniture	NCCER	COA																		
	APPRENTICESHIP	MUN																		
Warehouse Operations	EASTERN FORKLIFT	ALB GRA																		
	MHIA	ALB HUN																		
Welding	NCCER	DAL FAY																		
	APPRENTICESHIP	DAL																		

<b>VOCATIONAL TRADES AND CERTIFICATIONS FOR PA DEPARTMENT OF CORRECTIONS</b>	
<b>Acronyms and Certificate Legend</b>	
<b>ACCA</b>	Air Conditioning Contractors of America
<b>ADDA</b>	American Drafters Designers Association
<b>ASE</b>	Automotive Service Excellence
<b>EPA</b>	Environmental Protection Agency Refrigerant Handling
<b>EPA T</b>	EPA Section 608/609/610/410 Technician Certification
<b>ETA</b>	Electronics Technicians Association
<b>FCC</b>	Federal Communications Commission
<b>GATF</b>	Graphic Arts Technical Foundation
<b>HACCP</b>	Serve Safe hazard Analysis and Critical Control Point and Serving Safe Food Certification Course
<b>ICDL</b>	International Computer Driving License
<b>MACS</b>	Mobile Air Conditioning Society
<b>MHIA</b>	Material Handling Industry of America
<b>NCCER</b>	National Center for Construction Ed & Research
<b>NOCTI</b>	National Occupational Competency Testing Institute
<b>OSHA</b>	Occupational Safety and Health Administration
<b>TPC</b>	Technical Publishing Company, Telemedia Corporated
<b>VSI</b>	Vinly Siding Institute
	Apprenticeship
	Certainted Master Shingler
	Certified Braille Transcribers thru Library of Congress
	Cooper Bussman Electrical Safety
	Eastern Forklift Company Certification
	State Licensure
	Outdoor Power Equipment
	University/College Voc Certificate

[Pa.B. Doc. No. 08-2065. Filed for public inspection November 14, 2008, 9:00 a.m.]

## DEPARTMENT OF EDUCATION

### Resolution Approving the Petition of the Center Area School District and the Monaca School District to Combine Into One School District

Whereas, on the 18th day of September 2008, the State Board of Education, acting under section 224 of the Public School Code of 1949 (School Code) (24 P. S. § 2-224), adopted a resolution approving the petition of the Center Area School District and the Monaca School District to combine into one school district, finding that the combination of the two school districts would be in the best interests of the educational system of the Commonwealth of Pennsylvania; and

Whereas, as part of its Resolution and acting under section 224 of the School Code, the State Board of Education (Board) directed the Secretary of Education to

issue a certificate creating the new school district, effective July 1, 2009.

Now, Therefore, acting under section 224 of the School Code and the Resolution of the Board, and with the power vested in me, I, Gerald L. Zahorchak, Secretary of Education, issue this Certificate creating, effective July 1, 2009, a new school district of the third class consisting of the Township of Center, the Township of Potter and the Borough of Monaca, all situate in Beaver County, and to be known as the Center-Monaca School District or such other name upon which the boards of school directors of the two school districts might, in accordance with law, mutually agree and certify to the Department of Education before July 1, 2009.

Given under my hand and seal this 27th day of October, 2008.

GERALD L. ZAHORCHAK,  
Secretary

[Pa.B. Doc. No. 08-2066. Filed for public inspection November 14, 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

*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>
PA0087793 (IW)	United Water Pennsylvania, Inc. 4211 East Park Circle Harrisburg, PA 17111-0151	Cumberland County Mechanicsburg Borough	Yellow Breeches Creek 7-E	Y
PA0024023 (Sew)	Bernville Borough P. O. Box 40 Bernville, PA 19506-0040	Berks County Bernville Borough	Northkill Creek 3-C	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>
PA0112054	Mifflin Manor STP 2152 Heim Hill Road Montoursville, PA 17754	Lycoming County Mifflin Township	Larrys Creek SWP 10A	Y
PA0112305 Sewerage	Wyalusing Municipal Authority P. O. Box 61 Wyalusing, PA 18853-0061	Wyalusing Borough Bradford County	Susquehanna River 4D	Y
PA0209627 (Sewage)	Stoltzfus Farms, Inc. 2620 Egypt Road Norrstown, PA 19403	Shippen Township Lycoming County	UNT to Stowell Run HQ-CWF	Y

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

<i>NPDES No. (Type)</i>	<i>Facility Name &amp; Address</i>	<i>County &amp; Municipality</i>	<i>Stream Name (Watershed #)</i>	<i>EPA Waived Y/N ?</i>
PA0239356	Robert C. Montgomery 1042 Enterprise Road Grove City, PA 16127	Pine Township Mercer County	UNT to Swamp Run 20-C	Y
PA0002534	Morgan Advanced Materials and Technology 441 Hall Avenue St. Marys, PA 15857-1422	City of St. Marys Elk County	Elk Creek 17-A	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 0024431**, Sewage, **Dillsburg Area Authority**, 98 West Church Street, Dillsburg, PA 17109. This facility is located in Carroll Township, **York County**.

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

The receiving stream, Dogwood Run, is in Watershed 7-E, and classified for CWF, water supply, recreation and fish consumption. The nearest downstream public water supply intake for United Water Company is located on the Yellow Breeches Creek, approximately 18.2 miles downstream. The discharge is not expected to affect the water supply.

The proposed permit amendment revises the interim milestone dates in the schedule for complying with the Chesapeake Bay nutrient cap loads, and clarifies the effective date for compliance with the cap loads. The final date for complying with the nutrient cap loads has not been amended.

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. 0026263**, Sewage, **York City Sewer Authority**, 17 East Market Street, York, PA 17401. This facility is located in Manchester Township, **York County**.

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

The receiving stream, Codorus Creek, is in Watershed 7-H, and classified for WWF, water supply, recreation and fish consumption. The nearest downstream public water supply intake for Wrightsville Water Company is located on the Susquehanna River, approximately 17 miles downstream. The discharge is not expected to affect the water supply.

The proposed permit amendment revises the interim milestone dates in the schedule for complying with the Chesapeake Bay nutrient cap loads, and clarifies the effective date for compliance with the cap loads. The final date for complying with the nutrient cap loads has not been amended.

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 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 permit amendment revises the interim milestone dates in the schedule for complying with the Chesapeake Bay nutrient cap loads, and clarifies the effective date for compliance with the cap loads. The final date for complying with the nutrient cap loads has not been amended.

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 0023744**, Sewage, **Northeastern York County Sewer Authority**, 175 Chestnut Street, Mount Wolf, PA 17347. This facility is located in East Manchester Township, **York County**.

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

The receiving stream, Susquehanna River, is in Watershed 7-H, and classified for WWF, water supply, recreation and fish consumption. The nearest downstream public water supply intake for Wrightsville Water Company is located on the Susquehanna River, approximately 9.8 miles downstream. The discharge is not expected to affect the water supply.

The proposed permit amendment revises the interim milestone dates in the schedule for complying with the Chesapeake Bay nutrient cap loads, and clarifies the effective date for compliance with the cap loads. The final date for complying with the nutrient cap loads has not been amended.

The EPA waiver is not in effect.

**Application No. PA 0087904**, Industrial Waste, SIC Code 2086, **Roaring Spring Water**, 740 Spang Street, P. O. Box 97, Roaring Spring, PA 16673. This facility is located in Roaring Spring Borough, **Blair County**.

Description of activity: The application is for issuance of an NPDES permit for a new discharge of treated industrial waste.

The receiving stream, Halter Creek, is in Watershed 11-A, and classified for WWF, water supply, recreation and fish consumption. The nearest downstream public water supply intake is Newport Borough Water Authority located on the Juniata River, approximately 138 miles downstream. The discharge is not expected to affect the water supply.

The proposed effluent limits for Outfall 001 based on a design flow of 0.15 mgd are:

<i>Parameter</i>	<i>Concentration (mg/l)</i>		
	<i>Average Monthly</i>	<i>Maximum Daily</i>	<i>Instantaneous Maximum</i>
pH		From 6.0 to 9.0 inclusive	
CBOD <sub>5</sub>		Monitor and Report	

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 in effect.

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

**PA0023531**, Sewage, SIC 4952, **Borough of Danville**, 239 Mill Street, Danville, PA 17821. This existing facility is located in the Borough of Danville, **Montour County**.

Description of Proposed Activity: The applicant seeks to renew the major NPDES permit for the wastewater treatment facility consisting of primary settling, contact stabilization, final settling and chlorine disinfection.

The receiving stream for Outfall 001, the Susquehanna River, is in the State Water Plan Watershed 5E and is classified for: WWF. The nearest public water supply surface water intake, owned by Merck and Company, Inc., is located on the Susquehanna River, 0.95 mile below the point of discharge.

The proposed effluent limits for Outfall 001 are based on a design flow of 3.62 mgd.

<i>Parameter</i>	<i>Concentration (mg/l)</i>			<i>Mass (lbs)</i>		
	<i>Monthly Average</i>	<i>Weekly Average</i>	<i>Daily Maximum</i>	<i>Instantaneous Maximum</i>	<i>Monthly Load</i>	<i>Annual Load</i>
CBOD <sub>5</sub>	25	40		50		
Total Suspended Solids	30	45		60		
Total Chlorine Residual	0.5			1.6		
Fecal Coliforms (5-1 to 9-30)	200 col/100 ml as a Geometric Mean					
(10-1 to 4-30)	2,000 col/100 ml as a Geometric Mean					
pH	Within the range of 6.0 to 9.0					

*Chesapeake Bay Tributary Strategy Nutrient Requirements*

<i>Parameter</i>	<i>Concentration (mg/l)</i>		<i>Mass (lbs)</i>	
	<i>Monthly Average</i>	<i>Monthly Load</i>	<i>Monthly Load</i>	<i>Annual Load</i>
Ammonia-N	Report	Report	Report	Report**
Kjeldahl-N	Report	Report	Report	Report**
Nitrate-Nitrate as N	Report	Report	Report	Report
Total Nitrogen	Report	Report	Report	Report
Total Phosphorus	Report	Report	Report	Report
Net Total Nitrogen		Report	Report	66,118*
Net Total Phosphorus		Report	Report	8,816*

\* This permit contains conditions which authorize the permittee to apply nutrient reduction credits to meet the Net Total Nitrogen and the Net Total Phosphorus effluent mass limits, under the Department of Environmental Protection's (Department) Trading of Nutrients and Sediment Reduction Credits Policy and Guidelines (Document No. 392-0900-001, December 30, 2006). The condition includes the requirement to report the application of these credits in Supplemental Discharge Monitoring Reports (DMRs) submitted to the Department.

\* The compliance date for Net Total Nitrogen and Net Total Phosphorus will begin on October 1, 2011. Since these reporting requirements are annual loads, the reporting on compliance with the annual limitations will be required to be reported on the Supplemental DMR—Annual Nutrient Summary by November 28, 2012. This facility is required to monitor and report for Net Total Nitrogen and Net Total Phosphorus from the effective date of the permit until September 30, 2011.

\*\* Total Annual Ammonia Load will be required to be reported on the Supplemental DMR—Annual Nutrient Summary by November 28, 2012.

**Outfall S01—Stormwater—Best Management Practices**

In addition to the effluent limits and best management practices, the permit contains the following major permit conditions:

1. Chesapeake Bay Nutrient Requirements.
2. Requirements Applicable to Stormwater Outfalls.

**PA0025933**, Sewerage, 4952, **City of Lock Haven**, 20 East Church Street, Lock Haven, PA 17745. The existing facility is located in the City of Lock Haven, **Clinton County**.

Description of Proposed Activity: The applicant wishes to renew their NPDES permit for the Lock Haven Sewage Treatment Plant.

The receiving stream, Bald Eagle Creek, is in the State Water Plan Watershed 9C and is classified for: CWF. The nearest downstream public water supply intake is approximately 1.6 miles.

The proposed effluent limits for Outfall 001 are based on a design flow of 3.75 mgd and are as follows:

## NOTICES

<i>Parameter</i>	<i>Average Monthly (mg/l)</i>	<i>Average Weekly (mg/l)</i>	<i>Instantaneous Maximum (mg/l)</i>
Flow	Monitor and Report		
Fecal Coliforms (5-1 to 9-30)	200/100 ml		
(10-1 to 4-30)	2,000/100 ml		
C-BOD <sub>5</sub>	25	40	50
Total Suspended Solids	30	45	60
Total Chlorine Residual	0.5		1.6
Ammonia (NH <sub>3</sub> -N)	20	30	40
pH	Within the Range of 6.0 to 9.0		

*Chesapeake Bay Tributary Strategy Nutrient Requirements*

<i>Parameter</i>	<i>Concentration (mg/l)</i>	<i>Mass (lbs)</i>	<i>Annual Load</i>
	<i>Monthly Average</i>	<i>Monthly Load</i>	
Ammonia-N	Report	Report	Report**
Kjeldahl-N	Report	Report	
Nitrate-Nitrate as N	Report	Report	
Total Nitrogen	Report	Report	Report
Total Phosphorus	Report	Report	Report
Net Total Nitrogen		Report	90,192*
Net Total Phosphorus		Report	9,132*

\* This permit contains conditions which authorize the permittee to apply nutrient reduction credits to meet the Net Total Nitrogen and the Net Total Phosphorus effluent mass limits, under the Department of Environmental Protection's (Department) Trading of Nutrients and Sediment Reduction Credits Policy and Guidelines (Document No. 392-0900-001, December 30, 2006). The condition includes the requirement to report the application of these credits in Supplemental Discharge Monitoring Reports (DMRs) submitted to the Department.

\* The compliance date for Net Total Nitrogen and Net Total Phosphorus will begin on October 1, 2011. Since these reporting requirements are annual loads, the reporting on compliance with the annual limitations will be required to be reported on the Supplemental DMR—Annual Nutrient Summary by November 28, 2012. This facility is required to monitor and report for Net Total Nitrogen and Net Total Phosphorus from the effective date of the permit until September 30, 2011.

\*\* Total Annual Ammonia Load will be required to be reported on the Supplemental DMR—Annual Nutrient Summary by November 28, 2012.

In addition to the effluent limits the permit a major permit conditions regarding the operation and implementation of a Pretreatment Program.

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

**PA0263443**, Sewage, **Linesville Pine Joint Municipal Authority**, P. O. Box 382, Linesville, PA 16424. This proposed facility is located in Pine Township, **Crawford County**.

Description of Proposed Activity: New treated sewage discharge.

For the purpose of evaluating effluent requirements for TDS, NO<sub>2</sub>-NO<sub>3</sub>, fluoride, phenolics, sulfate and chloride, the existing/proposed downstream potable water supply, considered during the evaluation is the Tuttle Point, Pymatuning State Park is located on Pymatuning Creek and is approximately 3 miles below point of discharge.

The receiving stream, the Pymatuning Reservoir, is in Watershed 20-A and classified for: WWF, aquatic life, water supply and recreation.

The proposed effluent limits for Outfall 001 are based on a design flow of 0.480 mgd.

<i>Parameters</i>	<i>Loadings</i>		<i>Concentrations</i>		
	<i>Average Monthly (lb/day)</i>	<i>Average Weekly (lb/day)</i>	<i>Average Monthly (mg/l)</i>	<i>Average Weekly (mg/l)</i>	<i>Instantaneous Maximum (mg/l)</i>
Flow (mgd)			XX		
CBOD <sub>5</sub>	100	160	25	40	50
Total Suspended Solids	120	180	30	45	60
Phosphorus			1		2
Fecal Coliform (5-1 to 9-30)		200/100 ml as a Geometric Average			
(10-1 to 4-30)		2,000/100 ml as a Geometric Average			
Total Residual Chlorine			0.5		1.2
pH		6.0 to 9.0 Standard Units at all times			

XX—Monitor and report on monthly DMRs.

The EPA waiver is in effect.

**PA0027138**, Sewage, **City of Sharon Sanitary Authority**, 155 West Connelly Boulevard, Sharon, PA 16146. This proposed facility is located in City of Sharon, **Mercer County**.

Description of Proposed Activity: Renewal/transfer of an existing discharge of treated sewage.

For the purpose of evaluating effluent requirements for TDS, NO<sub>2</sub>-NO<sub>3</sub>, fluoride, phenolics, sulfate and chloride, the existing/proposed downstream potable water supply, considered during the evaluation is the PA American Water Company, New Castle District intake, located on the Shenango River, approximately 22 miles below point of discharge.

The receiving stream, the Shenango River, is in Watershed 20-A and is classified for: WWF, aquatic life, water supply and recreation.

The proposed effluent limits for Outfall 001 are based on a design flow of 4.5 mgd. Interim Limits.

Parameters	Loadings		Concentrations		Instantaneous Maximum (mg/l)
	Average Monthly (lb/day)	Average Weekly (lb/day)	Average Monthly (mg/l)	Average Weekly (mg/l)	
Flow (mgd)	XX	XX			
CBOD <sub>5</sub>	938	1,501	25	40	50
Total Suspended Solids	1,126	1,689	30	45	60
NH <sub>3</sub> -N					
(5-1 to 10-31)	563		15		30
(11-1 to 4-30)	XX		XX		
Fecal Coliform					
(5-1 to 9-30)		200/100 ml as a Geometric Average			
(10-1 to 4-30)		24,000/100 ml as a Geometric Average			
Total Residual Chlorine			0.5		1.6
pH		6.0 to 9.0 Standard Units at all times			

The proposed effluent limits for Outfall 001 are based on a design flow of 8.66 mgd. Final Limits.

Parameters	Loadings		Concentrations		Instantaneous Maximum (mg/l)
	Average Monthly (lb/day)	Average Weekly (lb/day)	Average Monthly (mg/l)	Average Weekly (mg/l)	
Flow (mgd)	XX	XX			
CBOD <sub>5</sub>	1,806	2,889	25	40	50
Total Suspended Solids	2,167	3,250	30	45	60
NH <sub>3</sub> -N					
(5-1 to 10-31)	722		10		20
(11-1 to 4-30)	XX		XX		
Fecal Coliform					
(5-1 to 9-30)		200/100 ml as a Geometric Average			
(10-1 to 4-30)		2,000/100 ml as a Geometric Average			
Total Residual Chlorine			0.5		1.6
pH		6.0 to 9.0 Standard Units at all times			

*Special Conditions:*

- Supercedeous of discharge conditions/requirements in other permits.
- Total Residual Chlorine Minimization.
- Whole Effluent Toxicity testing for the renewal permit.
- Continued Implementation of the Federal Pretreatment Program.
- Stormwater Best Management Practices (Outfall 002 and 003).
- Prohibition of Sanitary Sewer Overflows.

XX—Monitor and report on monthly DMRs.

The EPA waiver is not in effect.

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

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

**WQM Permit No. WQG02060802**, Sewerage, **Allegheny East Conference of the Seventh Day Adventist Church**, P. O. Box 266, Pine Forge, PA 19548. This proposed facility is located in Douglass Township, **Berks County**.

Description of Proposed Action/Activity: Construction/Operation of the Office Complex Pump Station No. 1.



**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 1508068	Robert Davis 273 Polly Drummond Hill Road Newark, DE 19711	Chester	Franklin Township	Big Elk Creek HQ-TSF-MF
PAI01 1508069	Greater Delaware Valley Holdings 541 Lawrence Road Broomall, PA 19008-3599	Chester	Willistown Township	UNT Ridley Creek HQ
PAI01 1508070	West Pikeland Township 1645 Art School Road P. O. Box 6 Chester Springs, PA 19425-1402	Chester	West Pikeland Township	Pine Creek HQ-TSF
PAI01 4608005	Glenn Springs Holding, Inc. 375 Armand Hammer Boulevard Pottstown, PA 19464	Montgomery	Lower Pottsgrove Township	Schuylkill River WWF-MF
PAI01 4608006	Star Link Logistics, Inc. 1041 Route 202—206 Mailcode J103F Bridgewater, NJ 08807	Montgomery	Lower Gwynedd Township	Wissahickon Creek TSF

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

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

<i>NPDES Permit No.</i>	<i>Applicant Name &amp; Address</i>	<i>County</i>	<i>Municipality</i>	<i>Receiving Water/Use</i>
PAI041408012	Michael Lorenz Nittany Farms Subdivision 1309 Shally Lane Cherry Hill, NJ 08034	Centre	Marion Township	Cedar Run HQ-CWF

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

*Erie County Conservation District: 1927 Wager Road, Erie, PA 16509, (814) 825-6403.*

<i>NPDES Permit No.</i>	<i>Applicant Name &amp; Address</i>	<i>County</i>	<i>Municipality</i>	<i>Receiving Water/Use</i>
PAI062508003	Birkmire Trucking Company 1612 Filmore Avenue Erie, PA 16505	Erie	McKean Township	Bear Run CWF; MF

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

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

**PUBLIC WATER SUPPLY (PWS)  
PERMIT**

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

Persons wishing to comment on a permit application are invited to submit a statement to the office listed before the application within 30 days of this public notice. Comments received within the 30-day comment period will be considered in the formulation of the final determinations regarding the application. Comments should in-

clude the name, address and telephone number of the writer and a concise statement to inform the Department of Environmental Protection (Department) of the exact basis of a comment and the relevant facts upon which it is based. A public hearing may be held after consideration of comments received during the 30-day public comment period.

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

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

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

### SAFE DRINKING WATER

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

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

##### Application No. 6408503, Public Water Supply.

Applicant **Wayne Economic Development Corporation**  
Sterling Township  
**Wayne County**

Responsible Official Mary Beth Wood  
WEDCO Executive Director  
32 Commercial Street  
Suite A  
Honesdale, PA 18431

Type of Facility Industrial Park

Consulting Engineer Joseph S. Durkin, P. E.  
Reilly Associates  
49 South Main Street  
Pittston, PA 18640  
(570) 654-2473

Application Received Date September 2, 2008

Description of Action Application for construction of a nontransient, noncommunity water system to support the Sterling Business Park.

##### Application No. 3908503, Public Water Supply.

Applicant **Lehigh County Authority**  
Lower Macungie Township  
**Lehigh County**

Responsible Official Aurel M. Arndt  
LCA General Manager  
1053 Spruce Street  
P. O. Box 3348  
Allentown, PA 18106

Type of Facility Community Water system

Consulting Engineer Charles E. Volk, P. E.  
ARRO Consulting, Inc.  
1150 Glenlivet Drive  
Allentown, PA 18106  
(484) 664-7310

Application Received Date September 3, 2008

Description of Action Application for a new well source and wellhouse, along with replacement of the existing booster pump and refurbishing two existing chlorine contact tanks.

##### Application No. 3908504, Public Water Supply.

Applicant **Aqua Pennsylvania, Inc.**  
Lower Macungie Township  
**Lehigh County**

Responsible Official Patrick R. Burke  
Regional Manager  
NE & Central Ops.  
50 East Woodhaven Drive  
White Haven, PA 18661

Type of Facility Community Water System

Consulting Engineer William A. LaDieu, P. E.  
CET Engineering Services

Application Received Date September 5, 2008

Description of Action Application for construction of a new well station and a new storage tank.

##### Application No. 3908505, Public Water Supply.

Applicant **Lehigh County Authority**  
Lower Macungie Township  
**Lehigh County**

Responsible Official Aurel M. Arndt  
LCA General Manager  
1053 Spruce Street  
P. O. Box 3348  
Allentown, PA 18106

Type of Facility Community Water System

Consulting Engineer Charles E. Volk, P. E.  
ARRO Consulting, Inc.  
1150 Glenlivet Drive  
Allentown, PA 18106  
(484) 664-7310

Application Received Date October 21, 2008

Description of Action Application for a new well source and booster pump station to replace an existing well and booster pump station.

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

##### Permit No. 2108508, Public Water Supply.

Applicant **Pennsylvania American Water**

Municipality Silver Spring Township

County **Cumberland**

Responsible Official Paul A. Zielinski  
Director Water Quality  
800 West Hersheypark Drive  
Hershey, PA 17033

Type of Facility Public Water Supply

Consulting Engineer Diana Young, P. E.  
 Buchart-Horn, Inc.  
 P. O. Box 15040  
 York, PA 17405-7040

Application Received October 17, 2008

Description of Action Construction of a new clearwell.

## LAND RECYCLING AND ENVIRONMENTAL REMEDIATION

UNDER ACT 2, 1995

### PREAMBLE 1

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

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

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

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

native form, contact the community relations coordinator at the appropriate regional office. TDD users may telephone the Department through the AT&T Relay Service at (800) 654-5984.

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

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

**Bey Residence**, City of Philadelphia, **Philadelphia County**. Richard D. Trimpi, Trimpi Associates, Inc., 1635 Old Plains Road, Pennsburg, PA 18073 on behalf of Doris Bey, 4927 Pulaski Avenue, Philadelphia, PA 19144 has submitted a Notice of Intent to Remediate. Soil at the site has been impacted with the release of No. 2 fuel oil. The future use of the site is residential. A summary of the Notice of Intent to Remediate was reported to have been published in *The Philadelphia Tribune* on September 23, 2008.

**UPenn 210 South 30th Street**, City of Philadelphia, **Philadelphia County**. Glenn Randall, URS Corporation, 335 Commerce Drive, Fort Washington, PA 19034 has submitted a Notice of Intent to Remediate. Groundwater at the site has been impacted with the release of chlorinated solvents. The future use of the site will be redeveloped into athletic fields and open space by the University of Pennsylvania. A summary of the Notice of Intent to Remediate was reported to have been published in *The Philadelphia Daily News* on October 4, 2008.

**Crease Street**, City of Philadelphia, **Philadelphia County**. Staci Cottone, J&J Spill Service and Supplies, P. O. Box 370, Blue Bell, PA 19422 has submitted a Notice of Intent to Remediate. Soil at the site has been impacted with the release of leaded gasoline and used motor oil. The property is currently being redeveloped for residential purpose.

**1504—1512 Catharine Street Property**, City of Philadelphia, **Philadelphia County**. Stephen Brower, Environmental Standards, Inc., 1140 Valley Forge Road, P. O. Box 810, Valley Forge, PA 19482 on behalf of Tamelia Hinson, Salaam Enterprises, Inc., 814 South 15th Street, Philadelphia, PA 19146 has submitted a Notice of Intent to Remediate. The property is currently vacant. It is anticipated that the property will be redeveloped as a playground for the Universal Institute Charter School. A summary of the Notice of Intent to Remediate was reported to have been published in *The Philadelphia Daily News* on October 15, 2008.

**Mercy Family Center**, City of Philadelphia, **Philadelphia County**. Douglas Schott, P. G., Brickhouse Environmental, 515 South Franklin Street, West Chester, PA 19382 on behalf of Sister Ann Provost, Mercy Neighborhood Ministries of Philadelphia, Inc., 3535 North 19th Street, Philadelphia, PA 19140 has submitted a Notice of Intent to Remediate. Soil and groundwater at the site has been impacted with the release of PAHs and metals.

**Siegfried Residence**, Hilltown Township, **Bucks County**. Richard Werner, Environmental Consulting, Inc., 500 East Washington Street, Suite 375, Norristown, PA 19401 on behalf of John and Tina Siegfried, 1106 Souderton Road, Hatfield, PA 18944 has submitted a Notice of Intent to Remediate. Soil at the site has been impacted with the release of heating oil. The future use of the site will continue to be used as a primary residence.

**Passanante Residence**, Bedminster Township, **Bucks County**. Richard Werner, Environmental Consulting, Inc., 500 West Washington Street, Suite 375, Norristown,

PA 19401 on behalf of Paul and Kimberly Passanante, 277 Swamp Road, Fountainville, PA 18923 has submitted a Notice of Intent to Remediate. Soil at the site has been impacted with the release of No. 2 fuel oil. The site will continue to use as a primary residence.

**MRB Investments**, Spring City Borough, **Chester County**. Stephan B. Rower, Environmental Standards, Inc., 1140 Valley Forge Road, P. O. Box 810, Valley Forge, PA 19482 on behalf of Charles McFarland, MRB Investment, 141 South Main Street, P. O. Box 369, Spring City, PA 19745 has submitted a Notice of Intent to Remediate. Soil and groundwater at the site has been impacted with the release of leaded and unleaded gasoline. The current and future intended uses of the property will remain nonresidential. A summary of the Notice of Intent to Remediate was reported to have been published in *The Phoenixville Newspapers* on September 8, 2008.

**410 Monastery Avenue**, City of Philadelphia, **Philadelphia County**. Brenda MacPhail, REPSG, 6901 Kingsessing Avenue, Philadelphia, PA 19142 on behalf of Laura Boylan, 410 Monastery Avenue, Philadelphia, PA 19128 has submitted a Notice of Intent to Remediate. Soil at the site has been impacted with the release of heating oil. The site is used as a residential dwelling and will remain as one.

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

**PREIT/Logan Valley Mall**, Logan Township, **Blair County**. Mountain Research, LLC, 825 25th Street, Altoona, PA 16601, on behalf of PA Real Estate Investment Trust, 200 South Broad Street, Philadelphia, PA 19102, submitted a Notice of Intent to Remediate site soils and groundwater contaminated with BTEX, PAHs and lead. The site, which will continue to be used for commercial purposes, will be remediated to the Residential Statewide Health Standard.

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

**CORRECTION—Robert M. Chambers, Inc.—Solid Waste Disposal Facility**, Taylor Township, **Lawrence County**. R.A.R Engineering Group, Inc., 1135 Butler Avenue, New Castle, PA 16101 on behalf of RWE Realty, LLC, Currie Road, P. O. Box 296, Portersville, PA 16051 has submitted a Notice of Intent to Remediate. Previous investigations conducted at the subject site indicated that site soils and groundwater have been impacted by heavy metals and semi-volatile organics. The intended future use of the property is nonresidential for industrial and commercial use. The Notice of Intent to Remediate was published in *The New Castle News* on December 18, 2007.

**Mallery Lumber Wolf Run Project (Wolf Run)**, Jones Township, **Elk County**. Mountain Research, LLC, 825 25th Street, Altoona, PA 16601 on behalf of Mert Holding, LLC, 214 West Fourth Street, Emporium, PA 15834 has submitted a Notice of Intent to Remediate. The soil is impacted with arsenic from historic lumbering operations. Future use of the property will be nonresidential. The Notice of Intent to Remediate was published in *The Johnsonburg Press* on August 27, 2008.

## 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.**

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

**64-303-012: Hanson Aggregates Pennsylvania** (7660 Imperial Way, Allentown, PA 18195) for modification of their existing batch asphalt plant to use waste derived liquid fuel at their site in Lake Township, **Wayne County**.

**40-317-032A: Mission Foods** (15 Elmwood Avenue, Mountaintop, PA 18707) for modification of their existing thermal oxidizer at their facility in Wright Township, **Luzerne County**.

**48-399-060: Steel Management Systems, LLC** (3045 Bath Pike, Nazareth, PA 18064) for operation of a shot blast machine at their facility in Upper Nazareth Township, **Northampton County**.

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

**42-184I: Keystone Powdered Metal Co.** (8 Hanley Drive, Lewis Run, PA 16738) for transfer of an existing induction heater and associated electrostatic precipitator from their facility in City of St. Marys, **Elk County** to their facility in Lewis Run Borough, **McKean County**.

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

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

**PA No. 66-315-053: The Procter & Gamble Paper Products Co.** (P. O. 31, Mehoopany, PA 18692) for modification of paper machines 1M (Source ID 501), 3M (Source ID 503), 4M (Source ID 504), 5M (Source ID 505) and 6M (Source ID 506) for their plant in Washington Township, **Wyoming 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. 66-315-053 to The Procter & Gamble Paper Products Co., P. O. 31, Mehoopany, PA 18692, for their plant in Washington Township, Wyoming County. The facility currently has Title V Permit No. 66-00001. 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. 66-315-053 is for the modification of paper machines 1M (Source ID 501), 3M (Source ID 503), 4M (Source ID 504), 5M (Source ID 505) and 6M (Source ID 506). These modifications involve changing the paper drying scheme on 1M, 3M, 4M and 6M machines and installing a dust collection system for PM control on 3M and 6M paper machines. These modifications to the paper machines will provide for increase drying capacity rate, thereby allowing the speed of the paper machines to increase. The resulting increase in production from these units will be approximately 10 to 14%. The existing capacity of the furnace and the combustion turbine is sufficient for this changes and no increase in the allowable emission will results. The increase throughput on these machines will results in increased chemical additive usages which will results in increase in VOC emission from these paper machines. This project does not impact emissions from other sources at the site. The VOC emissions increase due to modification will be 7.0 tpy, based on a 12-month rolling sum.

In addition, the existing dust control equipment will be moved from the 5M paper machine to the 3M paper machine. A drop out chamber (settling chamber) with estimated control efficiency for the paper dust of 60% will be installed to control dust emissions from 5M paper machine. Resulting PM10 emissions will be less than 2.0 tpy. Same exhaust system will also be added to paper machines 3M and 6M with drop out chambers under

repulper. The future potential PM emissions will be 3.3 tpy from each (3M and 6M) paper machines.

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.

Any 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.: 66-315-053.

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

A public hearing may be held, if the Department, in its discretion, decides that such a hearing is warranted based on the comments received. All persons submitting comments or requesting a hearing will be notified of the decision to hold a hearing by publication in the newspaper or the *Pennsylvania Bulletin* or by telephone, where the Department determines such 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) 826-2531 within 30 days after publication date.

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

**28-05002B: Letterkenny Army Depot—United States Department of Defense** (AMSAM-LE-EE-N, Chambersburg, PA 17201) for construction of a new coating booth at the facility in Greene—Letterkenny Townships, **Franklin County**.

Operation of this coating booth is estimated to increase potential VOCs and HAPs by less than 12 tons and one tpy, respectively. The plan approval and subsequent Title V operating permit amendment will include emission restrictions, work practice standards, monitoring, recordkeeping and reporting requirements to ensure the facility complies with the applicable air quality regulations.

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

**30-00077: Texas Eastern Transmission, LP** (P. O. Box 1642, Houston, TX 77251-1642) for installation of a new Solar Mars 100-150002S III turbine rated at 15,000 hp, the installation of a turbine fuel gas heater rated at 0.874 mmBtu/hr, the installation of a remote reservoir parts washer, the update of transient emission estimates for an existing Solar Mars 100-150002S II turbine and the removal of four existing Cooper Bessemer GMV-10-S internal combustion engines (Sources 103—105, 107) at Texas Eastern's Holbrook Station in Wind Ridge, Richhill Township, **Greene County**.

In accordance with 25 Pa. Code §§ 127.44—127.46, the Department of Environmental Protection (Department) intends to issue Air Quality Plan Approval PA-30-00077B to allow Texas Eastern to make some changes at the Holbrook Compressor Station located in Wind Ridge, Richhill Township, Greene County, PA. The facility currently has a Title V Operating Permit, TVOP-30-00077. Once compliant with all conditions of this Plan Approval, TVOP-30-00077 will be administratively amended to incorporate the provisions of this plan approval in accordance with 25 Pa. Code § 127.450. This installation is subject to State and Federal regulations. To ensure compliance with all applicable requirements, the Department proposes to place the following conditions in the Plan Approval.

*Special Conditions*

1. This Plan Approval authorizes the installation of a new Solar Mars 100-150002S III turbine rated at 15,000

hp, the installation of a turbine fuel gas heater rated at 0.874 mmBtu/hr, the installation of a remote reservoir parts washer, the update of transient emission estimates for an existing Solar Mars 100-150002S II turbine and the removal of four existing Cooper Bessemer GMV-10-S internal combustion engines (Sources 103—105, 107) at Texas Eastern's Holbrook Station located in Wind Ridge, Richhill Township, Greene County.

2. Commencement of commercial service operation of the new equipment shall not take place until the four Cooper Bessemer engines are physically disabled, such that they are removed from service.

3. The new turbine shall be equipped with dry low NOx combustion technology along with oxidation catalyst to control CO and VOCs emissions.

4. Emissions from the new turbine, during normal operation, shall not exceed the following:

<i>Pollutant</i>	<i>Scenario</i>	<i>Emission Limit</i>	<i>Averaging Time</i>
NOx	Normal	15 ppmvd at 15% O <sub>2</sub>	15-minute avg.
		7.55 lbs/hr	60-minute avg.
		30.12 tpy	12-month rolling avg.
CO		25 ppmvd at 15% O <sub>2</sub>	15-minute avg.
		0.38 lbs/hr	60-minute avg.
		8.97 tpy	12-month rolling avg.
VOC		25 ppmvd at 15% O <sub>2</sub>	15-minute avg.
		0.48 lbs/hr	60-minute avg.
		2.03 tpy	12-month rolling avg.
Formaldehyde		91 ppbvd at 15% O <sub>2</sub>	
		0.1 tpy	

5. The short-term emission limits found previously do not apply during startup, shutdown and low ambient temperature events.

6. Emissions from the new turbine, during startup, shutdown and low ambient temperature events, shall not exceed the following:

<i>Pollutant</i>	<i>Scenario</i>	<i>Emission Limit</i>	<i>Averaging Time</i>
NOx	Start-up	50 ppmvd at 15% O <sub>2</sub>	60-minute avg.
	Shutdown	62 ppmvd at 15% O <sub>2</sub>	
	-20° F < T ≤ 0° F	42 ppmvd at 15% O <sub>2</sub>	
	T ≤ -20° F	120 ppmvd at 15% O <sub>2</sub>	
	All	62.21 lbs/hr	
CO	Startup	10,000 ppmvd at 15% O <sub>2</sub>	60-minute avg.
	Shutdown	8,800 ppmvd at 15% O <sub>2</sub>	
	-20° F < T ≤ 0° F	100 ppmvd at 15% O <sub>2</sub>	
	T ≤ -20° F	150 ppmvd at 15% O <sub>2</sub>	
	All	297.09 lbs/hr	
VOC	Startup	1,000 ppmvd at 15% O <sub>2</sub>	60-minute avg.
	Shutdown	880 ppmvd at 15% O <sub>2</sub>	
	-20° F < T ≤ 0° F	50 ppmvd at 15% O <sub>2</sub>	
	T ≤ -20° F	75 ppmvd at 15% O <sub>2</sub>	
	All	5.49 lbs/hr	

7. Emissions from the existing turbine, during normal operation, shall not exceed the following:

<i>Pollutant</i>	<i>Scenario</i>	<i>Emission Limit</i>	<i>Averaging Time</i>
NOx	Normal	25 ppmvd at 15% O <sub>2</sub>	15-minute avg.
		7.55 lbs/hr	60-minute avg.
		30.12 tpy	12-month rolling avg.
CO		50 ppmvd at 15% O <sub>2</sub>	15-minute avg.
		0.38 lbs/hr	60-minute avg.
		8.97 tpy	12-month rolling avg.

<i>Pollutant</i>	<i>Scenario</i>	<i>Emission Limit</i>	<i>Averaging Time</i>
VOC		25 ppmvd at 15% O <sub>2</sub> 0.48 lbs/hr 2.03 tpy	15-minute avg. 60-minute avg. 12-month rolling avg.

8. The short-term emission limits found previously do not apply during startup, shutdown and low ambient temperature events.

9. Emissions from the existing turbine, during startup, shutdown and low ambient temperature events, shall not exceed the following:

<i>Pollutant</i>	<i>Scenario</i>	<i>Emission Limit</i>	<i>Averaging Time</i>
NOx	Start-up	50 ppmvd at 15% O <sub>2</sub>	60-minute avg.
	Shutdown	62 ppmvd at 15% O <sub>2</sub>	
	-20° F < T ≤ 0° F	42 ppmvd at 15% O <sub>2</sub>	
	T ≤ -20° F	120 ppmvd at 15% O <sub>2</sub>	
CO	All	62.21 lbs/hr	60-minute avg.
	Startup	10,000 ppmvd at 15% O <sub>2</sub>	
	Shutdown	8,800 ppmvd at 15% O <sub>2</sub>	
	-20° F < T ≤ 0° F	100 ppmvd at 15% O <sub>2</sub>	
	T ≤ -20° F	150 ppmvd at 15% O <sub>2</sub>	
VOC	All	593.56 lbs/hr	60-minute avg.
	Startup	1,000 ppmvd at 15% O <sub>2</sub>	
	Shutdown	880 ppmvd at 15% O <sub>2</sub>	
	-20° F < T ≤ 0° F	50 ppmvd at 15% O <sub>2</sub>	
	T ≤ -20° F	75 ppmvd at 15% O <sub>2</sub>	
All	7.45 lbs/hr	60-minute avg.	

10. Emissions from periods of startup, shutdown and low ambient temperature events shall be tracked and included with annual emissions.

11. Emissions from the turbine fuel gas heater shall not exceed 0.45 ton NOx per year, 0.29 ton CO per year, 0.03 ton PM10 per year and 0.02 ton VOC per year. Compliance with this limit shall be demonstrated using fuel consumption (or hours of operation) and AP-42 emission factors.

12. Emissions from the parts washer shall not exceed 0.42 ton VOCs per year. Compliance with this limit shall be demonstrated using purchase records and material balance calculations.

13. Parts washer shall comply with the applicable requirements of 25 Pa. Code § 129.63.

14. The new turbine is subject to the applicable requirements of 40 CFR 60, Subpart KKKK—Standards of Performance for Stationary Combustion Turbines.

15. In accordance with 40 CFR 60.4330(a)(2), permittee must not burn in the new turbine any fuel which contains total potential sulfur emissions in excess of 0.060 lb SO<sub>2</sub>/mmBtu heat input.

16. In accordance with 25 Pa. Code § 123.21(b), SO<sub>2</sub> emissions from the turbine shall not exceed 500 ppmvd. Compliance with SO<sub>2</sub> limitations shall be determined using a current tariff sheet that specifies that the total sulfur content of the natural gas is 20.0 grains/100 SCF or less and engineering calculations.

17. The opacity of the exhaust from the turbine at this facility shall not exceed 10% at any time.

18. Particulate emissions shall not exceed 0.02 gr/dscf.

19. Within 180 days of commencement of operation, permittee shall conduct initial compliance tests on the exhaust from the new turbine to demonstrate compliance with the NOx, CO, VOC and formaldehyde limits contained herein.

(a) Under 25 Pa. Code § 139.3 to at least 60 calendar days prior to commencing an emissions testing program, a test protocol shall be submitted to the Department for review and approval. The test protocol shall meet all applicable requirements specified in the most current version of the Department's Source Testing Manual.

(b) Under 25 Pa. Code § 139.3 at least 15 calendar days prior to commencing an emission testing program, notification as to the date and time of testing shall be given to the appropriate Regional Office. Notification shall also be sent to the Division of Source Testing and Monitoring. Notification shall not be made without prior receipt of a protocol acceptance letter from the Department.

(c) Under 25 Pa. Code § 139.53(a)(3) within 15 calendar days after completion of the onsite testing portion of an emission test program, if a complete test report has not yet been submitted, an electronic mail notification shall be sent to the Department's Division of Source Testing and Monitoring indicating the completion date of the onsite testing.

(d) Under 40 CFR Part 60.8(a), 40 CFR Part 61.13(f) and 40 CFR Part 63.7(g) a complete test reports shall be submitted to the Department no later than 60 calendar days after completion of the onsite testing portion of an emission test program. For those tests being conducted pursuant to 40 CFR Part 61, the, a complete test report shall be submitted within 31 days after completion of the test.

(e) Under 25 Pa. Code § 139.53(b) a complete test report shall include a summary of the emission results on the first page of the report indicating if each pollutant measured is within permitted limits and a statement of compliance or noncompliance with all applicable permit conditions. The summary results will include, at a minimum, the following information:

(1) A statement that the owner or operator has reviewed the report from the emissions testing body and agrees with the findings.

(2) Permit numbers and conditions which are the basis for the evaluation.

(3) Summary of results with respect to each applicable permit condition.

(4) Statement of compliance or noncompliance with each applicable permit condition.

(f) Under 25 Pa. Code § 139.3 to all submittals shall meet all applicable requirements specified in the most current version of the Department's Source Testing Manual.

(g) All testing shall be performed in accordance with the provisions of Chapter 139 of the Rules and Regulations of the Department.

(h) Under 25 Pa. Code §§ 139.53(a)(1) and (3) all submittals, besides notifications, shall be accomplished through PSIMS\* Online available through [www.depgreen.port.state.pa.us/ecommm/Login.jsp](http://www.depgreen.port.state.pa.us/ecommm/Login.jsp) when it becomes available. If internet submittal can not be accomplished, three copies of the submittal shall be sent to the Department of Environmental Protection, Bureau of Air Quality, Division of Source Testing and Monitoring, 400 Market Street, 12th Floor, Rachael Carson State Office Building, Harrisburg, PA 17105-8468 with deadlines verified through document postmarks.

(i) The permittee shall ensure all Federal reporting requirements contained in the applicable subpart of 40 CFR are followed, including timelines more stringent than those contained herein. In the event of an inconsistency or any conflicting requirements between state and the Federal, the most stringent provision, term, condition, method or rule shall be used by default.

20. In accordance with 40 CFR 60.4340(a), permittee shall demonstrate continuous compliance with NOx limitations by performing annual performance tests in accordance with 40 CFR 60.4400.

21. Permittee shall continuously record the following for the new turbine: Hours of operation, fuel consumption, date, start time and end time of all startup, shutdown, and low ambient temperature events and catalyst inlet temperatures. All records shall be retained for 5 years, and shall be made available to the Department upon request.

22. Permittee shall comply with the applicable reporting requirements of 40 CFR 60.7, 60.4375 and 63.6145.

23. In accordance with 40 CFR 60.4, copies of all requests, reports, applications, submittals and other communications shall be forwarded to both the Environmental Protection Agency (EPA) and the Department at the addresses shown, unless otherwise noted:

US Environmental Protection Agency, Region III  
Director, Air, Toxics, and Radiation  
Office of Air Quality  
1650 Arch Street  
Philadelphia, PA 19103

Department of Environmental Protection  
Regional Air Quality Program Manager  
400 Waterfront Drive  
Pittsburgh, PA 15222-4745

24. In accordance with 60 CFR 60.4330, permittee shall operate and maintain the new turbine, air pollution control equipment and monitoring equipment in a manner consistent with good air pollution control practices for minimizing emissions at all times including during startup, shutdown, and malfunction.

### *General Conditions*

25. Words and terms that are not otherwise defined in this plan approval shall have the meanings set forth in section 3 of the Air Pollution Control Act (APCA).

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

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

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

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

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

(d) The permittee may request an extension of the 180-day shakedown period if further evaluation of the air contamination aspects of the sources is necessary. The request for an extension should be submitted, in writing, to the Department at least 15 days prior to the end of the initial 180-day shakedown period and shall provide a description of the compliance status of the source, a detailed schedule for establishing compliance, and the reasons compliance has not been established. This temporary operation period will be valid for a limited time and may be extended for additional limited periods, each not to exceed 180 days.

(e) The notice submitted by the permittee under subpart a previously, prior to the expiration date of the plan approval, shall modify the plan approval expiration date on Page 1 of this plan approval. The new plan approval expiration date shall be 180 days from the date of commencement of operation.

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

(a) Upon cause shown by the permittee that the records, reports or information or a particular portion thereof, but not emission data, to which the Department has access under the act, if made public, would divulge production or sales figures or methods, processes or production unique to that person or would otherwise tend



to affect adversely the competitive position of that person by revealing trade secrets, including intellectual property rights, the Department will consider the record, report or information, or particular portion thereof confidential in the administration of the act. The Department will implement this section consistent with sections 112(d) and 114(c) of the CAA (42 U.S.C.A. §§ 7412(d) and 7414(c)). Nothing in this section prevents disclosure of the report, record or information to Federal, State or local representatives as necessary for purposes of administration of Federal, State or local air pollution control laws, or when relevant in a proceeding under the act.

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

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

- (1) A justification for the extension,
- (2) A schedule for the completion of the construction.

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

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

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

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

(b) This plan approval is valid only for the specific source and the specific location of the source as described in the application.

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

(a) The permittee shall also allow the Department to have access at reasonable times to said sources and associated air cleaning devices with such measuring and recording equipment, including equipment recording visual observations, as the Department deems necessary

and proper for performing its duties and for the effective enforcement of the APCA and regulations adopted under the act.

(b) Nothing in this plan approval condition shall limit the ability of the EPA to inspect or enter the premises of the permittee in accordance with section 114 or other applicable provisions of the CAA.

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

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

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

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

(d) The EPA determines that this plan approval is not in compliance with the CAA or the regulations thereunder.

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

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

35. If required by section 112(r) of the CAA, the permittee shall develop and implement an accidental release program consistent with requirements of the CAA, 40 CFR Part 68 (relating to chemical accident prevention provisions) and the Federal Chemical Safety Information, Site Security and Fuels Regulatory Relief Act.

36. A person may not cause or permit the operation of a source subject to 25 Pa. Code § 127.11 (relating to plan approval requirements), unless the source and air cleaning devices identified in the application for the plan approval and the plan approval issued to the source, are operated and maintained in accordance with specifications in the application and conditions in the plan approval issued by the Department. A person may not cause or permit the operation of an air contamination source subject to this chapter in a manner inconsistent with good operating practices.

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

Department of Environmental Protection  
400 Waterfront Drive  
Pittsburgh, PA 15222  
(412) 442-4000

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

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

A public hearing may be held, if the Department, in its discretion, decides that such a hearing is warranted based on the information received. All persons submitting comments or requesting a hearing will be notified of the decision to hold a hearing by publication in this newspaper or by the *Pennsylvania Bulletin* or by telephone where the Department determines such notification by telephone is sufficient. Written comments or requests for a public hearing should be directed to Barbara R. Hatch, P. E., Environmental Engineer Manager, at the address shown previously.

#### 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.**

*Northcentral Region: Air Quality Program, 208 West Third Street, Williamsport, PA 17701, Muhammad Zaman, Facilities Permitting Chief, (570) 327-0512.*

**19-00006: Del Monte Corporation** (6670 Low Street, Bloomsburg, PA 17815) for modification of Title V Operating Permit 19-00006 for a pet food manufacturing facility in South Centre Township, **Columbia County**.

The proposed modification to the operating permit consists of modifying a permit condition which currently requires the enclosure on a meat scrap storage operation to be maintained at a negative pressure of .2 inch of water at all times except when exchanging containers to require the enclosure to be maintained at a negative pressure in relation to the outside air pressure at all times except when exchanging containers.

The proposed modification will not result in any change in the emission of any air contaminant from the meat scrap storage operation.

The facility in which the meat scrap storage operation is located is a major (Title V) facility for SO<sub>x</sub> emissions.

The Department of Environmental Protection (Department) proposes to approve the proposed modification to Title V Operating Permit 19-00006. The Department also proposes to remove a 75 horsepower propane-fired emergency generator, and all conditions pertaining to the generator, from the permit as the respective generator no longer exists at the facility. The modified permit will be submitted to the United States Environmental Protection

Agency (EPA) for approval as a permit issued in accordance with the permit program requirements of 40 CFR Part 70.

A copy of the permit modification application is available for public inspection during normal business hours at the address listed. Persons interested in inspecting the application must schedule an appointment in advance.

Any person wishing to protest the issuance of the modified Title V operating permit or provide the Department with additional information which they believe should be considered in the Department's review of the permit modification application may do so by submitting the protest or information in writing to the Department at the address listed.

Protests or comments must be received by the Department within 30 days of the last date of publication of this notice in order to be considered. Each protest or comment should include the name, address and telephone number of the person submitting the protest or comment and a concise statement explaining the relevancy of the protest or comment being presented to the Department.

A public hearing may be held if the Department, in its discretion, decides that such a hearing is warranted based on the information received. All persons protesting the issuance of the modified Title V operating permit, submitting comments or requesting a hearing will be notified of the decision to hold a hearing by publication in a local newspaper of general circulation in the South Centre Township area or by letter or telephone if the Department feels that such notification is sufficient.

Written comments, protests or requests for a public hearing should be directed to David W. Aldenderfer, Environmental Program Manager, Air Quality Program, Department of Environmental Protection, 208 West Third Street, Suite 101, Williamsport, PA 17701-6448.

For additional information regarding the respective permit modification application, contact Richard L. Maxwell, Jr., Chief, New Source Review Section, Air Quality Program, Department of Environmental Protection, 208 West Third Street, Suite 101, Williamsport, PA 17701-6448, (570) 327-3640.

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

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

**45-00018: Haines & Kibblehouse, Inc.** (2052 Lucon Road, Skippack, PA 19474) for operation of a batch asphalt plant and associated air cleaning devices at their Locust Ridge Quarry facility in Tobyhanna Township, **Monroe County**. This action is a renewal of the State-only (Synthetic 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.*

**06-05097: Berks Products Corp.** (P. O. Box 421, Reading, PA 19603) for operation of its stone crushing plant at the existing facility in Ontelaunee Township, **Berks County**. This is a renewal of the State-only operating permit issued in October 2003.

**21-03021: Amsted Rail, d/b/a ASF Keystone** (3420 Simpson Ferry Road, Camp Hill, PA 17011) for a coating spray booth in Lower Allen Township, **Cumberland County**. The annual emissions of VOC from the coating operations are less than 5 tpy. This is a renewal of natural minor operating permit issued in August 2003.

**28-03022: Valley Quarries, Inc., Mt. Cydonia Sand Plant 1** (169 Quarry Road, Chambersburg, PA 17201) for rock crushing operations in Guilford Township, **Franklin County**. The annual emissions of PM from the crushing operations are less than 5 tpy. This is a renewal of natural minor operating permit issued in March 2004.

**36-03056: Weaver Industries, Inc.** (425 South Fourth Street, Denver, PA 17517-1224) for operation of their existing industrial machinery operation facility in Denver Borough, **Lancaster County**. This is a permit renewal of their existing operating permit.

**36-05010: American LaFrance, LLC** (64 Cocalico Creek Road, Ephrata, PA 17522-9455) for their Ephrata Aerials Facility in West Earl Township, **Lancaster County**. This is a renewal of the State-only operating permit issued in 2003.

**67-05069: Oldcastle Stone Products** (550 South Biesecker Road, Thomasville, PA 17364) for their Thomasville Facility in Jackson Township, **York County**.

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

**14-00017: Supelco, Inc.** (595 North Harrison Road, Bellefonte, PA 16823) for modification of a State-only operating permit for a chromatographic equipment manufacturing facility in Spring Township, **Centre County**.

The proposed modifications to the operating permit consist of establishing new annual throughputs for a 3,000 gallon waste solvent storage tank and modifying an activated carbon drum monitoring requirement to require weekly monitoring of a solvent breakthrough detector.

As the waste solvent storage tank is equipped with an activated carbon drum for VOC/VHAP emission control, any change in VOC/VHAP emissions which will result from the proposed new annual tank throughputs are expected to be inconsequential.

The facility in which the waste solvent storage tank is located is not a major (Title V) facility for any air contaminant.

The Department proposes to incorporate the following modified conditions in State-only Operating Permit 14-00017:

1. The throughput through the waste solvent storage tank shall not exceed:

methanol: 9,591 gallons per year  
 methylene chloride: 2,069 gallons per year  
 toluene: 1,824 gallons per year  
 acetonitrile: 2,168 gallons per year  
 chloroform: 527 gallons per year  
 carbon tetrachloride: 12 gallons per year  
 hexane: 617 gallons per year  
 isopropanol: 1,561 gallons per year  
 ethanol and miscellaneous organic solvents (other than acetone): 224 gallons per year

The waste solvent storage tank may also be used for the storage of waste acetone without restriction on throughput.

2. The permittee shall monitor the exhaust of the activated carbon drum associated with the waste solvent storage tank for breakthrough on a weekly basis (or a less frequent basis if the Department of Environmental Protection determines that a less frequent basis is acceptable) by visually inspecting the carbon drum's breakthrough detector and shall replace the carbon, or the entire drum, within one business day after detecting a color change in the breakthrough detector.

3. The air contaminant emissions from the waste solvent storage tank shall be controlled by an activated carbon drum which incorporates a breakthrough detector.

## 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 previously each application within 30 days of this public notice. Comments received within the comment period will be considered in the final determinations regarding the NPDES permit applications. Comments must include the name, address and telephone number of the writer and a concise statement to inform the Department of the exact basis of a comment and the relevant facts upon which it is based.

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

#### *Coal Applications Received*

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

Parameter	30-Day Average	Daily Maximum	Instantaneous Maximum
Iron (Total)	1.5 to 3.0 mg/l	3.0 to 6.0 mg/l	3.5 to 7.0 mg/l
Manganese (Total)	1.0 to 2.0 mg/l	2.0 to 4.0 mg/l	2.5 to 5.0 mg/l
Suspended solids	10 to 35 mg/l	20 to 70 mg/l	25 to 90 mg/l
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.*

**17841607 and NPDES Permit No. PA0100803, Rosebud Mining Company**, (301 Market Street, Kittanning, PA 16201), to transfer the permit and related NPDES permit for the Bigler Coal Prep Plant in Bradford Township, **Clearfield County** to Rosebud Mining Company from Energy Resources, Inc. No additional discharges. Application received August 22, 2008.

**30940701 and NPDES Permit No. PA0215465, Coresco, LLC**, (308 Dents Run Road, Morgantown, WV

26501), to renew the permit and to transfer the permit for the Refuse Dump No. 4 in Monongahela Township, **Greene County** and related NPDES permit from Cobra Mining, LLC to Coresco, LLC. No additional discharges. Application received August 1, 2008.

**56021301 and GP-12 56021301 and NPDES Permit No. PA0235547, Elk Lick Energy, Inc.**, (P. O. Box 240, Friedens, PA 15541-0240), to renew the permit for the Roytown Deep Mine in Lincoln Township, **Somerset County** and related NPDES permit. Includes renewal of Bureau of Air Quality GPA/GP-12 Authorization under GP-12 56021301-R8. No additional discharge. Application received October 1, 2008.

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

**56930110 and NPDES No. PA0212610, Future Industries, Inc.**, P. O. Box 157, Meyersdale, PA 15552, permit renewal for the continued operation and restoration of a bituminous surface mine in Black Township,

**Somerset County**, affecting 129.0 acres. Receiving streams: UNTs to Rhoades Creek; Rhoades Creek; UNT to Isers Run; and UNT to Casselman River classified for the following uses: WWF; WWF; EV; CWF, respectively. There are no potable water supply intakes within 10 miles downstream. Application received October 27, 2008.

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

**02070105 and NPDES Permit No. PA0251275. Neiswonger Construction, Inc.** (17592 Route 322, Strattanville, PA 16258). Revision application to add 4.9 acres and revise E & S Controls for an existing bituminous surface mine, located in Jefferson Hills Borough, **Allegheny County**, affecting 56.6 acres. Receiving streams: UNTs to Monongahela River, classified for the following use: WWF. There is no potable water supply intake within 10 miles downstream from the point of discharge. Application received October 24, 2008.

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

**10970105 and NPDES Permit No. PA0227625. State Industries, Inc.** (P. O. Box 1022, Kittanning, PA 16201). Renewal of an existing bituminous surface strip, auger and coal ash placement operation in Concord and Fairview Townships, **Butler County** affecting 234.7 acres. Receiving streams: Three UNTs to Bear Creek and Bear Creek, classified for the following use: CWF. There are no potable surface water supply intakes within 10 miles downstream. Application for reclamation only. Application received October 27, 2008.

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

**17050109 and NPDES No. PA0256293. Forcey Coal, Inc.** (P. O. Box 225, Madera, PA 16661), revision of an existing bituminous surface mine for variance on T-348 in Bloom Township, **Clearfield County**, affecting 116.0 acres. Receiving streams: UNT to Little Anderson Creek and UNT to Bell Run, classified for the following use: CWF. There are no potable water supply intakes within 10 miles downstream. Application received October 22, 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

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

**E64-277. Richard A. Dyer**, P. O. Box 462, Newfoundland, PA 18445-5212, in Dreher Township, **Wayne County**, United States Army Corps of Engineers, Philadelphia District.

To construct and maintain a 920 square foot deck onto the southwest corner of an existing, single-family dwelling located within the floodway of a tributary to Wallenpaupack Creek (HQ-CWF). The project is located 2.61 miles south of the intersection of I-84 and SR 507 in Dreher Township, Wayne County (Newfoundland, PA Quadrangle Latitude: 41° 18' 16"; Longitude: 75° 19' 19").

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

**E67-859: Larry C. Dolinger**, Defense Distribution Depot, Susquehanna, Pennsylvania (DDSP), 2001 Mission Drive, Building 1-3 Environmental Office, New Cumberland, PA 17070-5002, Defense Supply Depot, Fairview Township, **York County**, United States Army Corps of Engineers, Baltimore District.

To fill two emergent wetlands using approximately 8,510.0 cubic yards of fill totaling 0.779 acre of permanent wetland impacts located in the Marsh Run (WWF) Watershed. The project is located at the Defense Distribution Depot (Steelton, PA Quadrangle N: 3.75 inches; W: 3.25 inches, Latitude: 40° 12' 1"; Longitude: 76° 49' 40") in Fairview Township, York County. The purpose of the project is to provide additional bulk storage space. The applicant is required to provide 0.800 acre of onsite mitigation.

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**ACTIONS**


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

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

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

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

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

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

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

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**I. NPDES Renewal Permit Actions**


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

<i>NPDES No. (Type)</i>	<i>Facility Name &amp; Address</i>	<i>County &amp; Municipality</i>	<i>Stream Name (Watershed #)</i>	<i>EPA Waived Y/N ?</i>
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
PA-0070220 (Minor Sewage)	NIS Hollow Estates, LLC 1170 Pittsford Victor Road P. O. Box 549 Victor, NY 14564	East Penn Township Carbon County	UNT to Lehigh River	Y

<i>NPDES No. (Type)</i>	<i>Facility Name &amp; Address</i>	<i>County &amp; Municipality</i>	<i>Stream Name (Watershed #)</i>	<i>EPA Waived Y/N ?</i>
PA0239399	Craig V. and Julie K. King 2552 Mercer Butler Pike Grove City, PA 16127	Liberty Township Mercer County	UNT to Black Run 20-C	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. PA0021075, Amendment No. 2**, Sewage, **Borough of Myerstown**, 101 East Washington Street, Myerstown, PA 17067-1142. This proposed facility is located in Jackson Township, **Lebanon County**.

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

**NPDES Permit No. PA0026743, Amendment No. 1**, Sewage, **City of Lancaster**, 120 North Duke Street, Lancaster, PA 17602. This proposed facility is located in Lancaster Township, **Lancaster County**.

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

**NPDES Permit No. PAS803501**, Industrial Waste, **Susquehanna Area Regional Airport Authority, Harrisburg International Airport**, One Terminal Drive, Suite 300, Middletown, PA 17057 and 14 co-permittees. This proposed facility is located in Lower Swatara Township, **Dauphin County**.

Description of Proposed Action/Activity: Authorization to discharge to the Susquehanna River and Post Run in Watershed 7-C.

**NPDES Permit No. PA0259853, Amendment No. 1**, CAFO, **Hillandale Gettysburg, LP**, 370 Spicer Road, Gettysburg, PA 17325. This proposed facility is located in Tyrone Township, **Adams County**.

Description of Size and Scope of Proposed Operation/Activity: Authorization to operate a 10,376-AEU layer and pullet operation in Watershed 7-F.

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

**NPDES Permit No. PA0240231**, Sewage, **Ernest and Joyce Beach**, 510 Pittsville Road, Kennerdell, PA 16374. This proposed facility is located in Rockland Township, **Venango County**.

Description of Proposed Action/Activity: Issuance of a single-residence Sewage Treatment Plant discharging to the Shull Run in Watershed 16-G.

**NPDES Permit No. PA0026387**, Sewage, **St. Marys Municipal Authority**, P. O. Box 1994, 11 Lafayette Street, St. Marys, PA 15857-1994. This proposed facility is located in St. Marys, **Elk County**.

Description of Proposed Action/Activity: Issuance of a new NPDES permit for an existing discharge of treated sewage.

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

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

**WQM Permit No. WQG012225**, Sewerage, **Jill Mickley**, 2634 Easton Road, Hellertown, PA 18055. This proposed facility is located in Lower Saucon Township, **Northampton County**.

Description of Proposed Action/Activity: This project is for construction of a small flow treatment facility to repair an existing malfunctioning system for a single-family residence.

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

**WQM Permit No. 0184401, Amendment 08-1**, Sewage, **White Run Regional Municipal Authority**, 2001 Baltimore Pike, Gettysburg, PA 17325-7015. This proposed facility is located in Mount Joy and Straban Townships, **Adams County**.

Description of Proposed Action/Activity: This amendment approves the construction of sewerage facilities consisting of: Approximately 3,300 linear feet of 8-inch diameter gravity sewer, a suction lift pumping station and approximately 1,100 linear feet of 4-inch diameter force main.

**WQM Permit No. 3678402, Amendment 08-1**, Sewage, **Mount Joy Borough Authority**, 21 East Main Street, Mount Joy, PA 17552. This proposed facility is located in Mount Joy Borough, **Lancaster County**.

Description of Proposed Action/Activity: This amendment approves the construction, modification and operation of sewerage facilities consisting of the conversion of the existing plant to a Symbio process, plus the addition of denitrification filters and ultraviolet disinfection.

**WQM Permit No. WQG-02220801**, Sewage, **West Hanover Township Water and Sewer Authority**, 7901 Jonestown Road, Harrisburg, PA 17112. This proposed facility is located in West Hanover Township, **Dauphin County**.

Description of Proposed Action/Activity: Approval for the construction and operation of the Old Towne Hanover Pump Station.

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

**WQM Permit No. WQG018656**, Sewerage, **Norris Vogan**, St. Paul Home Heritage, Apartment 218, 339 East Jamestown Road, Greenville, PA 16125. This proposed facility is located in Greenwood Township, **Crawford County**.

Description of Proposed Action/Activity: Issuance of a Water Quality Permit for a single-residence Sewage Treatment Plant.

**WQM Permit No. 6108401**, Sewerage, **Ernest and Joyce Beach**, 510 Pittsville Road, Kennerdell, PA 16374. This proposed facility is located in Rockland Township, **Venango County**.

Description of Proposed Action/Activity: Issuance of a Water Quality Permit for 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>
PAI01 1508040	East Goshen Township Municipal Authority 1580 Paoli Pike West Chester, PA 19380	Chester	East Goshen Township	Ridley Creek HQ-TSF
PAI01 1508057	Robert R. Berry 1779 Pickering Road Phoenixville, PA 19460	Chester	Charlestown Township	Pickering Creek HQ

*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>
PAI024508006	Pocono Mountains Municipal Airport P. O. Box 115 Mount Pocono, PA 18344	Monroe	Coolbaugh Township	Red 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>
East Nottingham Township Chester County	PAG200 1503044-R	Wilmer L. Hostetter 481 Limestone Road Oxford, PA 19363	UNT Northeast Creek TSF	Southeast Regional Office 2 East Main Street Norristown, PA 19401 (484) 250-5900
Honey Brook Township Chester County	PAG200 1502006-R	The Hankin Group 707 Eagleview Boulevard Box 561 Exton, PA 19341	Conestoga River WWF	Southeast Regional Office 2 East Main Street Norristown, PA 19401 (484) 250-5900
Tredyffrin Township Chester County	PAG200 508050	Montessori Childrens Home of Valley Forge P. O. Box 687 Southeastern, PA 19399 Valley Forge National Historic Park 1400 North Outer Line Drive King of Prussia, PA 19406	Trout Creek WWF	Southeast Regional Office 2 East Main Street Norristown, PA 19401 (484) 250-5900
Montgomery Township Montgomery County	PAG200 4608040	Emil and Nancy Saladik 123 Runnymede Drive Lansdale, PA 19446	Little Neshaminy Creek WWF, MF	Southeast Regional Office 2 East Main Street Norristown, PA 19401 (484) 250-5900
Whitemarsh Township Montgomery County	PAG200 4608137	Whitemarsh Township 616 Germantown Pike Lafayette Hill, PA 19444	Wissahickon Creek TSF	Southeast Regional Office 2 East Main Street Norristown, PA 19401 (484) 250-5900
Royersford Borough Montgomery County	PAG200 4608052	RAP Royersford, LP 100 Colliery Road Kickson City, PA 18519	Mingo Creek WWF	Southeast Regional Office 2 East Main Street Norristown, PA 19401 (484) 250-5900
Moore Township Northampton County	PAG2004808013	Concordia Lutheran Church Attn: Raymond A. Malec 1240 East 4th Street Bethlehem, PA 18015	Hokendauqua Creek CWF	Northampton County Conservation District (610) 746-1971
Lehigh Township Northampton County	PAG2004807034	L. & H. H., Inc. Attn: Loretta Hriacack 649 Hauser Drive Walnutport, PA 18088	Tributary to Lehigh River CWF	Northampton County Conservation District (610) 746-1971
Springettsbury Township York County	PAG2006708058	Robert Kinsley KV Springettsbury Partners, LLC 6259 Reynolds Mill Road Seven Valleys, PA 17360	UNT to Mill Creek WWF	York County Conservation District 118 Pleasant Acres Road York, PA 17402 (717) 840-7430
Shrewsbury Township York County	PAG2006708047	Ed Personette E Squared Properties, LLC 19418 Spooks Hill Road Freeland, MD 21053	UNT to South Branch Codorus Creek CWF	York County Conservation District 118 Pleasant Acres Road York, PA 17402 (717) 840-7430
Logan Township Blair County	PAG2000708019	Blair County Industrial Development Authority Devorn's Center for Business Development 3900 Industrial Park Drive Altoona, PA 16602	Brush Run WWF	Blair County Conservation District 1407 Blair Street Hollidaysburg, PA 16648 (814) 696-0877, Ext. 5

*Facility Location:  
Municipality &  
County*

<i>Facility Location: Municipality &amp; County</i>	<i>Permit No.</i>	<i>Applicant Name &amp; Address</i>	<i>Receiving Water/Use</i>	<i>Contact Office &amp; Phone No.</i>
Clearfield County Sandy Township	PAG2001708008(1)	Jones Development Company, LLC 4520 Madison Suite 100 Kansas City, MO 64111	Sandy Lick Creek TSF-CWF	Clearfield County Conservation District 650 Leonard Street Clearfield, PA 16830 (814) 765-2629
Clinton County Noyes Township	PAG2001807007	North-Lands, Inc. Shintown Vista Phase II 15 Pontiac Drive Medford, NJ 08055	West Branch Susquehanna River WWF	Clinton County Conservation District 45 Cooperation Lane Mill Hall, PA 17751 (570) 726-3798
Tioga County Mansfield Borough	PAG2005908007	Ronald Blauch Department of General Services 18th and Herr Streets, Room 101 Harrisburg, PA 17125	Corey Creek CWF Tioga River CWF	Tioga County Conservation District 50 Plaza Lane Wellsboro, PA 16901 (570) 724-1801, Ext. 3
Butler County Butler Township	PAG2001008021	Butler Healthcare Providers Butler Memorial Hospital 911 East Brady Street Butler, PA 16001	UNT Connoquenessing Creek WWF	Butler County Conservation District (724) 284-5270

*General Permit Type—PAG-4**Facility Location:  
Municipality &  
County*

<i>Facility Location: Municipality &amp; County</i>	<i>Permit No.</i>	<i>Applicant Name &amp; Address</i>	<i>Receiving Water/Use</i>	<i>Contact Office &amp; Phone No.</i>
Lower Saucon Township Northampton County	PAG042225	Jill Mickley 2634 Easton Road Hellertown, PA 18055	East Branch of Saucon Creek	DEP—NERO Water Management Program 2 Public Square Wilkes-Barre, PA 18711-0790 (570) 826-2511
Greenwood Township Crawford County	PAG049471	Norris Vogan St. Pauls Home Heritage Apartment 218 339 East Jamestown Road Greenville, PA 16125	UNT to Conneaut Outlet 16-D	DEP—NWRO Water Management 230 Chestnut Street Meadville, PA 16335-3481 (814) 332-6942
Delaware Township Mercer County	PAG048523	Richard A. Pearce 29 Kremis Road Greenville, PA 16125	UNT to Lawango Run 20-A	DEP—NWRO Water Management 230 Chestnut Street Meadville, PA 16335-3481 (814) 332-6942

*General Permit Type—PAG-12**Facility Location:  
Municipality &  
County*

<i>Facility Location: Municipality &amp; County</i>	<i>Permit No.</i>	<i>Applicant Name &amp; Address</i>	<i>Receiving Water/Use</i>	<i>Contact Office &amp; Phone No.</i>
Lebanon County Swatara Township	PAG123655	Alvin Weaver 9991 Houltztown Road Myerstown, PA 17067	Elizabeth Run WWF 7-D	DEP—SCRO Watershed Management 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. 3396420, Operations Permit, Public Water Supply.**

Applicant	<b>Nestle Waters North America, Inc.</b> 405 Nestle Way Breinigsville, PA Upper Macungie Township
County	<b>Lehigh</b>
Type of Facility	Bottling Plant: Spring source addition: Arrowhead Farm Springs
Consulting Engineer	Edward Davis, P. E. Forino Company, LP 555 Mountain Home Road Sinking Spring, PA
Permit to Operate Issued	September 24, 2008

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

<b>Permit No. 3808503, Public Water Supply.</b>	
Applicant	<b>The Bethel Point Foundation d/b/a Hill Farm Estates</b>
Municipality	North Annville Township
County	<b>Lebanon</b>
Type of Facility	Installation of a disinfection system.
Consulting Engineer	Thomas W. Schreffler, P. E. Light-Heigel & Associates, Inc. 430 East Main Street Palmyra, PA 17078
Permit to Construct Issued	October 31, 2008

<b>Permit No. 3608506, Public Water Supply.</b>	
Applicant	<b>Penn Manor School District</b>
Municipality	Martic Township
County	<b>Lancaster</b>
Type of Facility	Installation of a softener and nitrate removal system.
Consulting Engineer	William E. Fleischer, P. E. Moore Engineering Company 3637 Columbia Avenue Lancaster, PA 17603
Permit to Construct Issued	October 31, 2008

<b>Permit No. 3608512 MA, Minor Amendment, Public Water Supply.</b>	
Applicant	<b>Denver Borough</b>
Municipality	Denver Borough
County	<b>Lancaster</b>
Type of Facility	Installation of baffles in the filter plant sedimentation basin.
Consulting Engineer	Farley F. Fry, P. E. Hanover Engineering Associates, Inc. 20-C Snyder Lane Ephrata, PA 17522-9101
Permit to Construct Issued	October 31, 2008

**Operations Permit** issued to **City of Lancaster**, 7360058, Manor Township, **Lancaster County** on October 31, 2008, for the operation of facilities approved under Construction Permit No. 3608516 E.

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

<b>Permit No. MA—5386501—Construction, Public Water Supply.</b>	
Applicant	<b>Ulysses Municipal Authority</b>
Township or Borough	Ulysses Borough
County	<b>Potter</b>
Responsible Official	Betty Jo Hilfiger Ulysses Municipal Authority 518 Main Street Ulysses, PA 16948
Type of Facility	Public Water Supply—Construction

Consulting Engineer Michael J. Peleschak, P. E.  
alfred benesch & company  
400 One Norwegian Plaza  
P. O. Box 1090  
Pottsville, PA 17901

Permit Issued Date October 28, 2008

Description of Action Construction of a steel pole barn  
to cover the existing Big Spring  
reservoir.

**Permit No. 1406505—Construction, Public Water Supply.**

Applicant **Waterstone Residential Development**

Township or Borough Spring Township

County **Centre**

Responsible Official Bradley E. Sinrod, President  
Spring Mill Group, LP  
20 Penarth Road  
Bala Cynwyd, PA 19004

Type of Facility Public Water  
Supply—Construction

Consulting Engineer Andrew Johnson, P. E.  
Gwin Dobson & Foreman, Inc.  
3121 Fairway Drive  
Altoona, PA 16602-4475

Permit Issued Date November 3, 2008

Description of Action Construction of the Waterstone  
Residential Development water  
system, including a distribution  
system, a 225,000 gallon finished  
water storage tank, a booster  
pump station and a transmission  
line to convey finished water  
from Bellefonte Borough Water  
Authority.

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

**Permit No. 2508501, Public Drinking Water.**

Applicant **Presque Isle Wine Cellars, Inc. The Five Restaurant**

Township or Borough North East Township

County **Erie**

Type of Facility Public Water Supply

Consulting Engineer Steven R. Halmi, P. E.  
Deiss & Halmi Engineering  
105 Meadville Street  
Edinboro, PA 16412

Permit to Construct Issued October 29, 2008

**Permit No. 2084503-MA1, Minor Amendment.**

Applicant **Springboro Area Water Authority**

Township or Borough Spring Township

County **Crawford**

Type of Facility Public Water Supply

Consulting Engineer Robert L. Rabell, P. E.  
RL Rabell Surveying &  
Engineering  
10560 Walnut Street  
Albion, PA 16401

Permit to Construct Issued October 30, 2008

**Operations Permit** issued to **St. Paul Homes**, PWSID No. 6430024, West Salem Township, **Mercer County**, on October 30, 2008, for the operation of the renovated 100,000 gallon water storage tank, per specifications approved by construction permit 4304501-MA1, issued August 19, 2008.

#### SEWAGE FACILITIES ACT PLAN APPROVAL

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

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

##### Plan Location:

Borough or Township	Borough or Township Address	County
Adams Township	690 Valencia Road Mars, PA 16046	Butler County

*Plan Description:* The approved plan provides for an extension of the Breakneck Creek Regional Authority sewerage system to service existing needs and also allow for growth. The area to be served is in Adams Township and includes Dobson Road, Stoup Road, Hutchman Road, Valencia-Brownsdale Road, Williams Lane, Ridge Road, Denny Road, Downieville Road, Three Degree Road, Route 228, Davidson Road, Oak Lane, Good Luck Lane and Butler Street. 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:

Borough or Township	Borough or Township Address	County
North Codorus Township	1986 Stoverstown Road Spring Grove, PA 17362	York County

*Plan Description:* Lynwood Phase II—C, Planning Module Code No. C3-67946-264-2: The plan consists of a 10 lot single-family residential subdivision on 6.81 acres with total proposed sewage flows of 4,000 gpd to be treated by individual onlot disposal systems. The proposed development is located on the north and south sides of Lynwood Drive, approximately 600 feet east of Oak Ridge Drive in North Codorus Township, York County. The plan was disapproved because the hydrogeologic study submitted with the planning information, as required by 25 Pa. Code § 71.62(c), contained information showing the groundwater will be polluted on a portion of the property and that some of onlot sewage

disposal systems proposed for the subdivision will pollute the water of the Commonwealth in violation of The Clean Streams Law. Such a condition is considered a nuisance and is prohibited.

## 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:

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

**2345—2351 South Swanson Street Site**, City of Philadelphia, **Philadelphia County**. Michael Christie, Penn E & R, Inc., 2755 Bergey Road, Hatfield, PA 19440 on behalf of Eli and Leon Silverman, S & S Family Partnership, 230 South Broad Street, Philadelphia, PA 19102 has submitted a Remedial Investigation and Cleanup Plan concerning remediation of site groundwater and soil contaminated with inorganics and other organics. The report is intended to document remediation of the site to meet the Site-Specific Standard.

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

**70 Hilton Street Property**, Williams Township, **Northampton County**. David Fennimore and George Seidman, Earth Data Northeast, Inc., Whiteland Technology Center, 924 Springdale Drive, Exton, PA 19341 has submitted a Final Report (on behalf of their client, Quantico Associates, Ltd., 50 Hilton Street, Easton, PA 18042), concerning soils sampled because of historical site operations, including foundry operations and manufacturing at the property. The report was submitted to document attainment of the Statewide Health Standard for soils. A public notice regarding the submittal of the Site Characterization/Final Report was published in *The Morning Call* on October 20, 2008.

**Mack Trucks, Inc.**, Lower Macungie Township, **Lehigh County**. Sergio H. Rojas, Brinkerhoff Environmental Services, Inc., 1913 Atlantic Avenue, Suite R5, Manasquan, NJ 08736 has submitted a Final Report (on behalf of his client, Mack Trucks, Inc., 7000 Alburdis Road, Macungie, PA 18062), concerning the remediation of soils found to have been impacted by releases of ethylene glycol from newly manufactured trucks as a result of coolant system gasket failure. The report was submitted to document attainment of the Statewide Health Standard for soils. A public notice regarding the submittal of the Final Report was published in *The Morning Call* on September 16, 2008.

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

**Manheim Plaza**, Manheim Township, **Lancaster County**. Rettew Associates, Inc., 3020 Columbia Avenue, Lancaster, PA 17603, on behalf of Horst Venture I, LP, 205 Granite Run Drive, Suite 280, Lancaster, PA 17601-6821, submitted a Final Report concerning remediation of site soils and groundwater contaminated with petroleum hydrocarbons and metals. The report is intended to document remediation of the site to meet the Site-Specific and Statewide Health Standards.

**Former Schmidt & Ault/Regis Paper Company**, York City and Spring Garden Township, **York County**. Herbert, Rowland, & Grubic, Inc., 1820 Linglestown Road, Harrisburg, PA 17110, on behalf of Tyler Run, LLC, 11915 Park Heights Avenue, Owings Mills, MD 21117, submitted a remedial investigation report concerning site soils and groundwater contaminated with benzene, chlorinated solvents and PCBs. The applicant is seeking to remediate the site to a combination of Site-Specific and Statewide Health Standards.

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

**Axeman-Anderson Company. Fuel Oil Release**, South Williamsport Borough, **Lycoming County**. Pennsylvania Tectonics, 826 Main Street, Peckville, PA 18452 on behalf Axeman-Anderson Company, 300 East Mountain Avenue, South Williamsport, PA 17702 has submitted a Final Report within 90 of the release concerning remediation of site soil contaminated with No. 2 fuel oil. The report is intended to document remediation of the site to meet the Statewide Health Standard.

**Target Distribution Center**, Gregg Township, **Union County**. Pavex, Inc., 4400 Gettysburg Road, Camp Hill, PA 17011 has submitted a Final Report within 90 days of the release concerning remediation of site soil contami-

nated with hydraulic fluid. The report is intended to document remediation of the site to meet the Statewide Health Standard.

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

**Mallery Lumber Wolf Run Project (Mert Holdings LLC—Wolf Run)**, Jones Township, **Elk County**. Mountain Research, LLC, 825 25th Street, Altoona, PA 16601 on behalf of Mert Holdings, LLC, 214 West Fourth Street, Emporium, PA 15834, has submitted a Final Report concerning remediation of site soil contaminated with arsenic. The report is intended to document remediation of the site to meet the Statewide Health Standard.

## LAND RECYCLING AND ENVIRONMENTAL REMEDIATION

### UNDER ACT 2, 1995

#### PREAMBLE 3

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

Provisions of 25 Pa. Code § 250.8, administration of the Land Recycling and Environmental Remediation Standards Act (act), require the Department of Environmental Protection (Department) to publish in the *Pennsylvania Bulletin* a notice of final actions on plans and reports. A final report is submitted to document cleanup of a release of a regulated substance at a site to one of the remediation standards of the act. A final report provides a description of the site investigation to characterize the nature and extent of contaminants in environmental media, the basis of selecting the environmental media of concern, documentation supporting the selection of residential or nonresidential exposure factors, a description of the remediation performed and summaries of sampling methodology and analytical results which demonstrate that the remediation has attained the cleanup standard selected. Plans and reports required by provisions of the act for compliance with selection of remediation to a Site-Specific Standard, in addition to a final report, include a remedial investigation report, risk assessment report and cleanup plan. A remedial investigation report includes conclusions from the site investigation, concentration of regulated substances in environmental media, benefits of refuse of the property and, in some circumstances, a fate and transport analysis. If required, a risk assessment report describes potential adverse effects caused by the presence of regulated substances. If required, a cleanup plan evaluates the abilities of potential remedies to achieve remedy requirements. A work plan for conducting a baseline remedial investigation is required by provisions of the act for compliance with selection of a special industrial area remediation. The baseline remedial investigation, based on the work plan, is compiled into the baseline environmental report to establish a reference point to show existing contamination, describe proposed remediation to be done and include a description of existing or potential public benefits of the use or reuse of the property. The Department may approve or disapprove plans and reports submitted. This notice provides the Department's decision and, if relevant, the basis for disapproval.

For further information concerning the plans and reports, contact the Environmental Cleanup Program manager in the Department regional office before which the

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

The Department has received the following plans and reports:

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

**Thorndale Pumping Station**, Downingtown Borough **Chester County**. Michael Edelman, Malcolm Pirnie, Inc., 111 South Independent Mall, Suite 1010, Philadelphia, PA 19106 on behalf of Mark Hemberger, Pennziol Quaker State Co., d/b/a SOPUS Products, 12700 Northborough Drive, 300 E-11, Houston, TX 77067 has submitted a Final Report concerning the remediation of site groundwater and soil contaminated with No. 6 fuel oil. The Final Report demonstrated attainment of the Statewide Health Standard and was approved by the Department of Environmental Protection on October 10, 2008.

**10475 Drummond Road**, City of Philadelphia, **Philadelphia County**. John Mihalich, P. G., MACTEC Engineering and Consulting, Inc., 5205 Militia Hill Road, Plymouth Meeting, PA 19462 on behalf of Hardeep Chawla, 10475 Drummond Road Associates, 10475 Drummond Road, Philadelphia, PA 19154 has submitted a Final Report concerning the remediation of site soil contaminated with unleaded gasoline. The Final Report demonstrated attainment of the Statewide Health Standard and was approved by the Department of Environmental Protection on October 22, 2008.

**56 West Lincoln Highway**, Middletown Township and Pennel Borough, **Bucks County**. Charlene Drake, React Environmental Professional Services Group, 6901 Kingessing Avenue, Suite 210, Philadelphia, PA 10142 on behalf of Chris Neill, Primax Properties, LLC, 1065 East Moreland Street, 4th Floor, Charlotte, NC 28204 has submitted a Final Report concerning the remediation of site groundwater and soil contaminated with inorganic. The Final report was place on hold by the Department of Environmental Protection on October 22, 2008.

**Imperial Plaza Shopping Center**, City of Philadelphia, **Philadelphia County**. John Flower, GZA GeoEnvironmental, Inc., 501 Office Center Drive, Suite 220, Fort Washington, PA 19034 on behalf of Jon Liang, Imperial/Aramingo, LLP, Closter, NJ 07624 has submitted a Remedial Investigation Report concerning the remediation of site groundwater contaminated with diesel fuel. The Remedial Investigation Report was disapproved by the Department of Environmental Protection on October 17, 2008.

**Bealer Property**, Upper Township, **Montgomery County**. Richard Trimpi, Trimpi Associates, Inc., 1635 Old Plains Road, Pennsburg, PA 18073 on behalf of Robert Bealer, 1930 Coventryville Road, Pottstown, PA 19465 has submitted a Final Report concerning the remediation of site soil contaminated with lead. The Final Report demonstrated attainment of the Statewide Health Standard and was approved by the Department of Environmental Protection on October 8, 2008.

**Stenton Avenue Furniture**, City of Philadelphia, **Philadelphia County**. Michelle Flowers, REPSG, 6901 Kingessing Avenue, Suite 201, Philadelphia, PA 19142 on behalf of Lee Brahin, Brahin Properties, Inc., 1535 Chestnut Street, Philadelphia, PA 19102 has submitted a 90

day Final Report concerning the remediation of site soil contaminated with No. 2 fuel oil. The Final Report demonstrated attainment of the Statewide Health Standard and was approved by the Department of Environmental Protection on October 22, 2008.

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

**Former Ballard/Kara Property**, Butler Township, **Luzerne County**. Richard Karr, MACTEC Engineering and Consulting, Inc., 5205 Militia Hill Road, Plymouth Meeting, PA 19462 submitted a Final Report (on behalf of his client, Amarjit Grewal, 193 Route 17 North, Mahwah, NJ 07430), concerning the remediation of soils and groundwater found to have been impacted by petroleum constituents and chlorinated solvents. The report was submitted to document attainment of the Statewide Health Standard and the Background Standard for soils and groundwater. The Final Report was denied on August 6, 2008.

**Giorgianni Residence (Jeffers Road)**, Harford Township, **Susquehanna County**. Quad Three Group, Inc., Glenmaura Professional Center, 72 Glenmaura National Boulevard, Suite 105, Moosic, PA 18507 submitted a Final Report (on behalf of their client, Emily Giorgianni, R. R. 1, Box 6, Kingsley, PA 18826), concerning the remediation of soils and groundwater found to have been impacted by petroleum constituents from a release of No. 2 fuel oil. The report demonstrated attainment Statewide Health Standard for both matrixes and was approved on October 29, 2008.

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

**Former Trojan Yacht Site/Central Penn Transport**, East Lampeter Township, **Lancaster County**. RETTEW Associates, Inc., 3020 Columbia Avenue, Lancaster, PA 17603, on behalf of Shippen Realty Partners, 1032 Buchanan Avenue, Lancaster, PA 17603, submitted a Final Report concerning remediation of site soils and groundwater contaminated with VOCs. The Final Report demonstrated attainment of the Residential Statewide Health Standard and was approved by the Department of Environmental Protection on October 28, 2008.

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

**R & L Carriers I-80 MM 190.5W Accident**, Green Township, **Clinton County**, Northridge Group Inc., 1172 Ridge Road, Northumberland, PA 17857 on behalf of R & L Carriers, 600 Gilliam Road, Wilmington, OH 45177 has submitted a Final Report concerning remediation of site soil contaminated with diesel fuel within 90 days of the release. The Final Report demonstrated attainment of the Statewide Health Standard and was approved by the Department of Environmental Protection on October 27, 2008.

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

**Permit Renewal 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.**

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

**Permit No. 301306**. Sunbury Generation, LP, P. O. Box 517, Old Susquehanna Trail, Shamokin Dam, PA 17876, located in Monroe Township, **Snyder County**. The permit renewal for the residual waste disposal impoundment known as Ash Basin No. 1 was issued by the Williamsport Regional Office on October 27, 2008.

Persons interested in reviewing the permit should contact David Garg, P. E., Environmental Engineer Manager, Williamsport Regional Office, 208 West Third Street, Suite 101, Williamsport, PA 17701, (570) 327-3653. TDD users should contact the Department of Environmental Protection through the Pennsylvania Relay Service, (800) 654-5984.

#### **HAZARDOUS WASTE TREATMENT, STORAGE AND DISPOSAL FACILITIES**

**Draft permits issued, revised or withdrawn 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.*

**PAD010154045. Envirite of Pennsylvania, Inc.**, 730 Vogelsong Road, York, PA 17404, City of York, **York County**. Class I Permit Modifications for construction of portions of proposed processes in the approved Part B Permit and minor updates to emergency equipment locations on their inspection forms, issued on November 14, 2008.

#### **AIR QUALITY**

**General Plan Approval and Operating Permit Usage Authorized under the Air Pollution Control Act (35 P. S. §§ 4001—4015) and 25 Pa. Code Chapter 127 to construct, modify, reactivate or operate air contamination sources and associated air cleaning devices.**

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

**54-301-042GP14: Ringtown Wilbert Vault Co.** (710 West Main Street, Ringtown, PA 17967) on October 7, 2008, to install and operate a human remains crematory at their site in Ringtown Borough, **Schuylkill County**.

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

**GP3-41-06: Glenn O. Hawbaker, Inc.** (711 East College Avenue, Bellefonte, PA 16823) on October 7, 2008, for construction and operation of a Nordberg LT 1213 portable nonmetallic mineral processing plant under the General Plan Approval and/or General Operating Permit for Portable Nonmetallic Mineral Processing Plants (BAQ-PGPA/GP-3) at Plant No. 15 (Montoursville Plant) in Loyalsock Township, **Lycoming County**.

**GP11-41-02: Glenn O. Hawbaker, Inc.** (711 East College Avenue, Bellefonte, PA 16823) on October 7, 2008, for construction and operation of a 425 horsepower diesel engine under the General Plan Approval and/or General Operating Permit for Nonroad Engines (BAQ-GPA/GP-11) at Plant No. 15 (Montoursville Plant) in Loyalsock Township, **Lycoming County**.

**GP5-41-01A: Chief Gathering, LLC** (6051 Wallace Run Road Extension, Suite 210, Wexford, PA 15090) on

October 15, 2008, for construction and operation of a 200,000 Btu/hr glycol dehydrator under the General Plan Approval And/Or General Operating Permit for Natural Gas, Coal Bed Methane or Gob Gas Production Facilities (BAQ-GPA/GP-5) at the Canoe Run Compressor Station in Mifflin Township, **Lycoming County**.

**GP5-41-02A: Chief Gathering, LLC** (6051 Wallace Run Road Extension, Suite 210, Wexford, PA 15090) on October 15, 2008, for the construction and operation of a 200,000 Btu/hr glycol dehydrator under the General Plan Approval and/or General Operating Permit for Natural Gas, Coal Bed Methane or Gob Gas Production Facilities (BAQ-GPA/GP-5) at the Barto Compressor Station in Penn Township, **Lycoming County**.

**GP5-17-28: Chief Gathering, LLC** (6051 Wallace Run Road Extension, Suite 210, Wexford, PA 15090) on October 20, 2008, for construction and operation of a 670 brake horsepower natural gas-fired reciprocating internal combustion compressor engine and a 200,000 Btu/hr glycol dehydrator under the General Plan Approval and/or General Operating Permit for Natural Gas, Coal Bed Methane or Gob Gas Production Facilities (BAQ-GPA/GP-5) at the Clearfield Compressor Station in Boggs Township, **Clearfield County**.

**GP5-08-04: Chief Gathering, LLC** (6051 Wallace Run Road Extension, Suite 210, Wexford, PA 15090) on October 20, 2008, for construction and operation of a 670 brake horsepower natural gas-fired reciprocating internal combustion compressor engine and a 200,000 Btu/hr glycol dehydrator under the General Plan Approval and/or General Operating Permit for Natural Gas, Coal Bed Methane or Gob Gas Production Facilities (BAQ-GPA/GP-5) at the Bradford Compressor Station in West Burlington Township, **Bradford 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.*

**GP5-26-00582: Chief Gathering, LLC**, (6051 Wallace Road Extension, Suite 210, Wexford, PA 15090-7386) on October 28, 2008, to construct and operate a natural gas production facility at their Fayette Compressor Station in Henry Clay Township, **Fayette County**.

**GP5-32-00396: US Energy Exploration Corp.** (P. O. Box 237, Rural Valley, PA 16249-0237) on September 4, 2008, to construct and operate a natural gas production facility at the R & P Compressor Station in Young Township, **Indiana County**.

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

**GP-24-129A: American Exploration Co.—Benezette Compressor Station** (Quehanna Highway, Medix Run, PA 15868) on October 31, 2008, to operate a natural gas fired compressor engine (BAQ-GPA/GP-5) in Benezette Township, **Elk 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.**

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

**58-303-007: Eastern Industries, Inc.** (4401 Camp Meeting Road, Center Valley, PA 18034) on October 27, 2008, to install a new RAP crusher w/screen to their existing asphalt plant at their facility in Clifford Township, **Susquehanna County**.

**35-318-094: Gentex Optics, Inc.** (P. O. Box 336, Carbondale, PA 18407) on October 23, 2008, to install a new Regenerative Thermal Oxidizer to control emissions at their facility in Fell Township, **Lackawanna County**.

**45-303-010: Hanson Aggregates Pennsylvania** (5245 Lycoming Mall Drive, Montoursville, PA 17754) on October 20, 2008, to modify their existing batch asphalt plant to use waste derived liquid fuel at their site in Hamilton Township, **Monroe County**.

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

**36-03067A: Covance Research Products, Inc.** (310 Swamp Bridge Road, Denver, PA 17517-8723) on October 29, 2008, to install an animal crematory in West Cocalico Township, **Lancaster County**.

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

**41-313-003F: Lonza, Inc.** (3500 Trenton Avenue, Williamsport, PA 17701) on October 28, 2008, for construction of an Acrawax grinder and rework station and associated air cleaning devices (two cartridge collectors) and for the installation of air cleaning devices (four cartridge collectors) on an existing Acrawax grinder, conveying system and two bins in the City of Williamsport, **Lycoming County**.

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

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

**15-0013B: Huhtamaki Flexible, Inc.** (2400 Continental Boulevard, Malvern, PA 19355) On October 28, 2008, to operate a new press and laminator in Tredyffrin Township, **Chester County**.

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

**65-00713B: Greenridge Reclamation, LLC** (232 Landfill Road, Scottdale, PA 15683-7762) on October 30, 2008, to control additional landfill gas throughput, an increase from 3,500 scfm to 5,000 scfm, with no increase in landfill capacity or waste acceptance rate, at their Greenridge Reclamation/East Huntingdon Plant located in East Huntingdon Township, **Westmoreland County**. This plan approval has been extended.

**63-00027B: Jessop Steel, LLC** (100 River Road, Brackenridge, PA 15014-1597) has a plan approval allowing the installation of one anneal furnace and one charge-fire furnace at their Washington Specialty Plate plant, a Title V facility in Washington City, **Washington County**. The company was issued an extension of the plan approval, effective November 8, 2008, allowing additional time to demonstrate compliance with applicable



regulations and plan approval conditions and to update the pending renewal application for the facility's Title V operating permit.

**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.*

**28-05028: Allegheny Energy Supply Company, LLC** (800 Cabin Hill Drive C109, Greensburg, PA 15601) on October 29, 2008, to operate two combustion turbines to be used as a peaking station in Guilford Township, **Franklin County**. The facility is subject to Title V and Title IV (Acid Rain). This permit is a renewal of the Title V and Acid Rain Permits issued in 2003.

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

**10-00021: INDSPEC Chemical Corp.** (133 Main Street, Petrolia, PA 16050-0307) on October 28, 2008, the Department of Environmental Protection Administratively Amended the Title V Operating Permit to incorporate Plan Approval No. 10-021P for a 9,940 gallon styrene tank in Petrolia Borough, **Butler County**.

**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.**

*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) on October 30, 2008, to re-issue a State-only (Natural Minor) Operating Permit for operation of a rock crushing operation and associated air cleaning devices at their facility in Dennison Township, **Luzerne County**.

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

**21-03048: Carlisle Small Animal Veterinary Clinic** (25 Shady Lane, Carlisle, PA 17013-1634) on October 29, 2008, to operate their animal crematory in Middlesex Township, **Cumberland County**. This is a renewal of the State-only operating permit.

**28-05027: Chambersburg Hospital** (112 North 7th Street, Chambersburg, PA 17201-1720) on October 29, 2008, to operate the boiler plant and emergency equipment at their hospital in Chambersburg Borough, **Franklin County**. This is a renewal of the State-only operating permit.

**28-05042: Armaclad Doors & Windows, LLC** (P. O. Box 455, Mont Alto, PA 17237) on October 28, 2008, to operate their door manufacturing facility in Quincy Township, **Franklin County**.

**29-03008: LaFarge Mid-Atlantic, LLC** (300 East Joppa Road, Suite 200, Towson, MD 21286-3015) on October 29, 2008, to operate a limestone crushing plant in Bethel Township, **Fulton County**. This is a renewal of the State-only operating permit.

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

**60-00011: United States Department of Justice** (P. O. Box 2500, White Deer, PA 17887) on October 7, 2008, for operation of a prison (Allenwood Federal Correctional Complex) in Gregg Township, **Union County**.

**60-00014: Evangelical Community Hospital** (1 Hospital Drive, Lewisburg, PA 17837) on October 14, 2008, for operation of a hospital in Kelly Township, **Union County**.

**41-00026: Alcan Products Corp.** (409 Reighard Avenue, Williamsport, PA 17701) on October 21, 2008, for operation of an insulated aluminum cable manufacturing facility in the City of Williamsport, **Lycoming County**.

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

**37-00181: Xaloy—Tanner Plating Division** (925 Industrial Drive, New Castle, PA 16101) on October 28, 2008, the Department of Environmental Protection re-issued the Natural Minor Operating Permit to operate the facility's air contamination source consisting of: 4.8 mmBtu/hr natural gas usage, hard chromium plating systems (three tanks and 13 rectifiers), sandblasting unit and hand wiping solvent usage. 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, classified as a "small" facility and located in the City of New Castle, **Lawrence County**.

**42-00009: PGH Corning Corp.** (701 North Main Street, Port Allegany, PA 16743-0039) on October 28, 2008, for re-issuance of a Title V Permit to operate a pressed and blown glass manufacturing facility in Port Allegany Borough, **McKean County**. The facility's major emission sources include melting furnace (lines 1—4), melting furnace (lines 5—6), glass block edge coaters (2), glass block edge coaters (5), distributors, forehearths, presses/sealers, glass block annealing lehrs (1—8), No. 2 batch mixer and conveyer. The facility is a major facility due to its potential to emit of NOx and VOC. The facility is not subject to CAM plan requirement.

**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.**

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

**25-00360: The Electric Materials Co.** (50 South Washington Street, North East, PA 16428-0390) on October 30, 2008, the Department of Environmental Protection Administratively Amended the Natural Minor Operating Permit to incorporate the change of responsible official and permit contact person into the State-only Permit located in the Borough of North East, **Erie County**.

## ACTIONS ON COAL AND NONCOAL MINING ACTIVITY APPLICATIONS

**Actions on applications under the Surface Mining Conservation and Reclamation Act (52 P. S. §§ 1396.1—1396.19a); the Noncoal Surface Mining Conservation and Reclamation Act (52 P. S. §§ 3301—3326); The Clean Streams Law (35 P. S. §§ 691.1—691.1001); the Coal Refuse Disposal Control Act (52 P. S. §§ 30.51—30.66); and The Bituminous Mine Subsidence and Land Conservation Act (52 P. S. §§ 1406.1—1406.21). The final action on each application also constitutes action on the request for 401 Water Quality Certification and the NPDES permit application. Mining activity permits issued in response to the applications will also address the application permitting requirements of the following statutes: the Air Quality Control Act (35 P. S. §§ 4001—4015); the Dam Safety and Encroachments Act (32 P. S. §§ 693.1—693.27); and the Solid Waste Management Act (35 P. S. §§ 6018.101—6018.1003).**

### Coal Permits Actions

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

**56070108 and NPDES No. PA0262323. Hoffman Mining, Inc.,** P. O. Box 130, 118 Runway Road, Friedens, PA 15541, commencement, operation and restoration of a bituminous surface auger, blasting mine in Paint Township, **Somerset County**, affecting 135.5 acres. Receiving streams: Shade Creek and UNTs to Shade Creek classified for the following use: CWF. The first downstream potable water supply intake from the point of discharge is Cambria Somerset Authority Border Dam SWI. The permit also includes approval for a variance to conduct surface mining activities within 100 feet of three UNTs. The stream encroachment activities consist of ponds and ditches within 100 feet but no closer than 75 feet and haul road crossings. Application received August 8, 2007. Permit issued October 29, 2008.

**32980110 and NPDES No. PA0234869. Opal Industries, Inc.,** P. O. Box 980, Latrobe, PA 15650, revision of an existing bituminous surface mine to add auger mining in Conemaugh Township, **Indiana County**, affecting 297.0 acres. Receiving streams: UNTs to/and Sulphur Run; UNTs to/and Blacklegs Creek and UNTs to/and Kiskiminetas River classified for the following uses: CWF; CWF; WWF. There are no potable water supply intakes within 10 miles downstream. Application received August 13, 2008. Permit issued October 29, 2008.

**56880109 and NPDES No. PA0598283. PBS Coals, Inc.,** P. O. Box 260, 1576 Stoystown Road, Friedens, PA 15541, permit renewal for reclamation only of a bituminous surface limestone removal mine in Brothersvalley Township, **Somerset County**, affecting 154.2 acres. Receiving streams: UNTs of Bluelick Creek and Bluelick Creek classified for the following use: CWF. There are no potable water supply intakes within 10 miles downstream. Application received August 15, 2008. Permit issued October 30, 2008.

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

**02070104 and NPDES Permit No. PA0251224. Collier Land & Coal Development, LP** (P. O. Box 62278, Upper St. Clair, PA 15241). Permit issued for commence-

ment, operation and reclamation of a bituminous surface mining site located in Collier Township, **Allegheny County**, affecting 33.3 acres. Receiving streams: UNTs to Robinson Run. Application received October 5, 2007. Permit issued October 31, 2008.

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

**24000101 and NPDES Permit No. PA0241733. Tamberlin Bros. Coal Co., Inc.** (P. O. Box 1419, Clearfield, PA 16830) Renewal of an existing bituminous strip operation in Fox Township, **Elk County** affecting 62.1 acres. This renewal is issued for reclamation only. Receiving streams: Little Toby Creek. Application received April 28, 2008. Permit issued October 28, 2008.

**16080102 and NPDES Permit No. PA0258563. Amerikohl Mining, Inc.** (202 Sunset Drive, Butler, PA 16001) Commencement, operation and restoration of a bituminous strip operation in Redbank Township, **Clarion County** affecting 73.5 acres. Receiving streams: UNT No. 1 to Town Run. Application received March 21, 2008. Permit issued October 28, 2008.

**10820122 and NPDES Permit No. PA0604852. Allegheny Mineral Corporation** (P. O. Box 1022, Kittanning, PA 16201) Renewal of an existing bituminous strip, auger and limestone removal operation in Marion and Mercer Townships, **Butler County** affecting 598.6 acres. Receiving streams: Two UNTs to the North Branch Slippery Rock Creek. Application received May 20, 2008. Permit issued October 30, 2008.

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

**17040902 and NPDES No. PA0243752. Larry Fahr Coal Company** (2062 Ashland Road, Osceola Mills, PA 16666), revision of an existing bituminous surface mine to change land use in Decatur Township, **Clearfield County**, affecting 11.9 acres. Receiving stream: Morgan Run, classified for the following use: CWF. There are no potable water supply intakes within 10 miles downstream. Application received June 23, 2008. Permit issued October 21, 2008.

**17663037 and NPDES No. PA0611328. RES Coal, LLC** (224 Grange Hall Road, P. O. Box 228, Armagh, PA 15920). Transfer of an existing bituminous surface mine from Sky Haven Coal, Inc. (5510 State Park Road, Penfield, PA 15849), located in Decatur and Woodward Townships, **Clearfield County**, affecting 405.5 acres. Receiving streams: Goss and Little Beaver to Beaver Run to Moshannon Creek to West Branch of Susquehanna, classified for the following uses: CWF, WWF. There are no potable water supply intakes within 10 miles downstream. Application received July 3, 2008. Transfer issued October 20, 2008.

**17030120 and NPDES No. PA0243663. RES Coal, LLC** (224 Grange Hall Road, P. O. Box 228, Armagh, PA 15920). Transfer of an existing bituminous surface mine from Sky Haven Coal, Inc. (5510 State Park Road, Penfield, PA 15849), located in Beccaria and Bigler Townships, **Clearfield County**, affecting 96.3 acres. Receiving stream: UNT to Banian Run, classified for the following use: CWF. There are no potable water supply intakes within 10 miles downstream. Application received June 26, 2008. Transfer issued October 23, 2008.

**17960113 and NPDES No. PA0220396. RES Coal, LLC** (224 Grange Hall Road, P. O. Box 228, Armagh, PA 15920). Transfer of an existing bituminous surface mine from Sky Haven Coal, Inc. (5510 State Park Road,

Penfield, PA 15849), located in Covington and Karthaus Townships, **Clearfield County**, affecting 306.0 acres. Receiving stream: Curley's Run to West Branch Susquehanna River, classified for the following uses: CWF, WWF. There are no potable water supply intakes within 10 miles downstream. Application received July 10, 2008. Transfer issued October 23, 2008.

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

**54080201. Waste Management & Processors, Inc.**, (P. O. Box K, Frackville, PA 17931), commencement, operation and restoration of an anthracite coal refuse reprocessing operation in Mechanicsville, Port Carbon and Palo Alto Boroughs, **Schuylkill County** affecting 162.0 acres, receiving stream: none. Application received April 30, 2008. Permit issued October 31, 2008.

**54-305-009GP12. Waste Management & Processors, Inc.**, (P. O. Box K, Frackville, PA 17931), general operating permit to operate a coal preparation plant on Surface Mining Permit No. 54080201 in Mechanicsville, Port Carbon and Palo Alto Boroughs, **Schuylkill County**. Application received August 1, 2008. Permit issued October 31, 2008.

*Noncoal Permits Actions*

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

**4876SM18. G. L. Carlson, Inc.** (P. O. Box 97, Turtlepoint, PA 16750) Renewal of NPDES permit No. PA0211222 in Annin Township, **McKean County**. Receiving streams: Allegheny River. Application received September 11, 2008. Permit issued October 29, 2008.

**62820301. John D. Anderson** (P. O. Box 676, Warren, PA 16365) Transfer of an existing sand and gravel operation from Yeagle Excavating in Pine Grove Township, **Warren County** affecting 5.4 acres. Receiving streams: North Branch Akeley Run. Application received February 4, 2008. Permit issued October 28, 2008.

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

**58080850. JEB'S Pennsylvania Bluestone Quarry, LLC**, (850 Baptist Hill Road, Hallstead, PA 18822), commencement, operation and restoration of a quarry operation in Great Bend Township, **Susquehanna County** affecting 5.0 acres, receiving stream: none. Application received August 21, 2008. Permit issued October 28, 2008.

**8274SM4A2C9. Rohrer's Quarry, Inc.**, (70 Lititz Road, Lititz, PA 17543), boundary correction to a quarry operation in Penn and Warwick Townships, **Lancaster County** affecting 191.3 acres, receiving stream: UNT to Little Conestoga Creek. Application received July 17, 2008. Correction issued October 29, 2008.

**22880301C8 and NPDES Permit No. PA0223948. Rocky Licensing Corp.**, (P. O. Box 3331, Harrisburg, PA 17105), renewal of NPDES Permit for discharge of treated mine drainage from a quarry operation in Lower Swatara Township, **Dauphin County**, receiving stream: Swatara Creek. Application received September 11, 2008. Renewal issued October 29, 2008.

**36080301 and NPDES Permit No. PA0224651. Donegal Rock Products, LLC**, (1330 Charlestown Road, Phoenixville, PA 19460), commencement, operation and restoration of a quarry operation (replacing SMP No. 6276SM6) in West Donegal and Mt. Joy Townships, **Lancaster County** affecting 102.64 acres, receiving

stream: UNT to Donegal Creek. Application received January 22, 2008. Permit issued October 31, 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.*

**28084127. Warrens Excavating & Drilling, Inc.**, P. O. Box 214, Myerstown, PA 17067-0214, blasting activity permit issued for residential development in Antrim Township, **Franklin County**. Blasting activity permit end date is October 1, 2009. Permit issued October 20, 2008.

**21084156. M & J Explosives, Inc.**, P. O. Box 608, Carlisle, PA 17013-0608, blasting activity permit issued for residential development in Carlisle Borough, **Cumberland County**. Blasting activity permit end date is October 31, 2009. Permit issued October 21, 2008.

**21084157. Douglas Explosives, Inc.**, P. O. Box 77, Philipsburg, PA 16866-0077, blasting activity permit issued for water treatment plant development in Hampden Township, **Cumberland County**. Blasting activity permit end date is January 1, 2009. Permit issued October 23, 2008.

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

**52084119. Holbert Explosives, Inc.**, (237 Mast Hope Plank Road, Lackawaxen, PA 18435), construction blasting for Tink Wig Development in Lackawaxen Township, **Pike County** with an expiration date of October 23, 2009. Permit issued October 27, 2008.

**64084116. Explosive Services, Inc.**, (7 Pine Street, Bethany, PA 18431), construction blasting for John Marshall Shale Pit Berlin Township, **Wayne County** with an expiration date of October 20, 2009. Permit issued October 27, 2008.

**360841111. Warren's Excavating & Drilling, Inc.**, (P. O. Box 1022, Honey Brook, PA 19344), construction blasting for a septic tank in Conestoga Township, **Lancaster County** with an expiration date of October 23, 2009. Permit issued October 28, 2008.

**38084129. Keystone Blasting Service**, (381 Reifsnyder Road, Lititz, PA 17543), construction blasting for a single dwelling in Jackson Township, **Lebanon County** with an expiration date of December 30, 2008. Permit issued October 28, 2008.

**45084147. Ed Wean Drilling & Blasting, Inc.**, (112 Ravine Road, Stewartsville, NJ 08886), construction blasting for Smithfield Stone in Smithfield Township, **Monroe County** with an expiration date of October 16, 2009. Permit issued October 29, 2008.

**67084130. Abel Construction Co., Inc.**, (P. O. Box 476, Mountville, PA 17554), construction blasting for Delta Ridge in Peach Bottom Township, **York County** with an expiration date of November 1, 2009. Permit issued October 30, 2008.

**06084002. PACT Construction, Inc.**, (P. O. Box 74, Ringoes, NJ 08551), construction blasting for the Borough of Strausstown Contract No. 1 Sanitary Sewer Collection System in Strausstown Borough and Upper Tulpehocken Township, **Berks County** with an expiration date of October 23, 2009. Permit issued October 31, 2008.

**46084003. PACT Construction, Inc.** (P. O. Box 74, Ringoes, NJ 08551), construction blasting for the Franconia Sewer Authority Contract No. 08-6 Earlington Sewers Phase 2 in Franconia Township, **Montgomery County** with an expiration date of October 23, 2009. Permit issued October 31, 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*

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

**E07-423: Grace Baptist Church, Dan Albright**, 1553 Columbia Avenue, Tyrone, PA 16686, Tyrone Borough, **Blair County**, United States Army Corps of Engineers, Baltimore District.

To fill in a 0.0057 acre of de minimis wetland along the watershed of Bald Eagle Creek (TSF) to construct a new worship center located along Adams Avenue about 900 feet southwest of the Decker Run culvert (Tyrone, PA Quadrangle N: 11.25 inches; W: 15.70 inches, Latitude: 40° 41' 13"; Longitude: 78° 14' 18") in Tyrone Borough, **Blair County**.

**E44-135: David Frey, Lewistown Borough Recycling Center**, Borough of Lewistown, David Frey, 2 East Third Street, Lewistown, PA 17044, Borough of Lewistown, Mifflin County, United States Army Corps of Engineers, Baltimore District.

To construct and maintain a 50.0-foot by 100.0-foot building addition to an existing structure located in the floodplain of the Juniata River (WWF). The project is located at 207 Washington Avenue (Lewistown, PA Quadrangle N: 15.8 inches; W: 9.4 inches, Latitude: 40° 35' 14"; Longitude: 77° 34' 9") in the Borough of Lewistown, **Mifflin County**. The construction of the building will increase recycling capacity to accommodate a larger region.

**E38-160: Jeff Kenderdine, Lancaster Family YMCA/Camp Shand**, 572 North Queen Street, Lancaster, PA 17603, Cornwall Borough and South Lebanon Township, **Lebanon County**, United States Army Corps of Engineers, Baltimore District.

1. To construct and maintain: (1) 20.0 feet of 24.0" diameter RCP with concrete headwall/endwalls and rip rap protection, also to construct and maintain two 2.0" diameter sanitary sewer force mains and one electrical services conduit through a forested wetland (PFO) permanently impacting 600 square feet (0.014 acre) within the watershed of a UNT to Shearers Creek (HQ-CWF) (Manheim, PA Quadrangle N: 20.9"; W: 2.6", Latitude: 40° 14' 43.00"; Longitude: 76° 23' 36.24") in Cornwall Borough and South Lebanon Township, Lebanon County.

2. To construct and maintain: (2) a 2.0" sanitary sewer force main crossing the forested wetland (PFO) in three locations, temporarily impacting 550 square feet (0.013 acre) within the watershed of a UNT to Shearers Creek (HQ-CWF) (Manheim, PA Quadrangle N: 20.9"; W: 2.6", Latitude: 40° 14' 43.00"; Longitude: 76° 23' 36.24") in Cornwall Borough and South Lebanon Township, Lebanon County.

3. To construct and maintain: (3) a 2.0" diameter SDR 21 PVC sanitary sewer force main discharging from an outfall to a lined discharge channel permanently impacting 10 linear feet into a UNT to Shearers Creek (HQ-CWF) (Manheim, PA Quadrangle N: 20.9"; W: 2.6", Latitude: 40° 14' 43.00"; Longitude: 76° 23' 36.24") in Cornwall Borough and South Lebanon Township, Lebanon County.

4. To construct and maintain: (4) a 1,200 square foot wooden fishing pier extending 35 linear feet into an open water pond, permanently impacting 1,200 square feet of open water in a UNT to Shearers Creek (HQ-CWF) (Manheim, PA Quadrangle N: 20.9"; W: 2.6", Latitude: 40° 14' 43.00"; Longitude: 76° 23' 36.24") in Cornwall Borough and South Lebanon Township, Lebanon County.

5. To construct and maintain (5) a dry hydrant along the bank of an open water pond, temporarily impacting 10 square feet of pond bank in a UNT to Shearers Creek (HQ-CWF) (Manheim, PA Quadrangle N: 20.9"; W: 2.6", Latitude: 40° 14' 43.00"; Longitude: 76° 23' 36.24") in Cornwall Borough and South Lebanon Township, Lebanon County.

Total proposed temporary impacts to forested wetland are 550 square feet (0.013 acre). Total permanent impacts to the forested wetland are 600 square feet (0.014). Total proposed temporary impacts to a UNT to Shearers Creek (HQ-CWF) are 10 square feet (0.0002 acre) and total permanent impacts are 1,200 square feet (0.028 acre) of open water and 10 Linear Feet of stream channel impacts.

#### WATER OBSTRUCTIONS AND ENCROACHMENTS

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

**E32-257-A1. Department of Conservation and Natural Resources, Yellow Creek State Park**, 170 Route 259, Highway, Penn Run, PA 15765. To replace and expand existing recreational dock in Cherryhill Township, **Indiana County**, United States Army Corps of Engineers, Pittsburgh District (Brush Valley, PA Quadrangle N: 15 inches; W: 6 inches, Latitude: 40° 34' 59.4"; Longitude: 79° 2' 43"). To (work authorized as stated on permit):

1. Remove the existing floating dock constructed under Permit E32-357; to amend Permit E32-357 to include the following activities.

2. Removal of material from approximately 0.35 acre of an existing bathing beach and replacing it with clean sand and replenishing pea gravel in the existing bathing area.

3. Installation of a 3,350 square foot wooden dock (total impact 0.43 acre or 18,596 sq. ft.).

4. Installation of three sections of wooden access walkways, with a total length of approximately 98.5'; all with a width of 5', to access the dock area, in the floodway of Yellow Creek Lake.

5. Installation of a 10' by 14' metal gangway anchored on a poured concrete bulkhead.

For the purpose of replacing and expanding an existing recreational dock and refurbishing an existing bathing beach. The project is located approximately 0.6 mile southeast along the eastern shore of Yellow Creek Lake (CWF) in Yellow Creek State Park.

**E63-609. Department of Transportation, District 12-0**, 825 North Gallatin Avenue Extension, Uniontown, PA 15401. To construct and maintain bridge replacement which extends between East Bethlehem Township, **Washington County** and Jefferson Township, **Greene County**, United States Army Corps of Engineers, Pitts-

burgh District (Mather, PA Quadrangle N: 19.7 inches; W: 1.5 inches, Latitude: 39° 58' 59"; Longitude: 80° 00' 38"). To remove the existing SR 88, two lane, two span, 212 ft. total length, steel thru truss bridge, having an underclearance of 14.2 ft. over Tenmile Creek's (WWF) normal pool elevation; and to construct and maintain approximately 20 ft. downstream and to the east, a two lane, three span, 384 ft. total length, replacement bridge, with a underclearance of 14.2 ft. over normal pool elevation. In addition, remove the existing SR 2039, 24 ft. span, 62 ft. wide, concrete slab bridge with a underclearance of 7.2 ft; construct and maintain a 61 ft. span 42 ft. wide by 12.2 ft. maximum underclearance replacement on the adjoining UNT (WWF) to accommodate the relocation and raising of the northern SR 88 approach road to the Tenmile Creek Bridge replacement; install a temporary causeway for construction of the SR 88 replacement bridge; install a temporary bridge for the replacement of the SR 2039 bridge; and construct and maintain associated stormwater outfalls. The project, is centered approximately 3,000 ft. upstream of Tenmile Creek's confluence with the Monongahela River.

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

**E10-447, Rebecca Fike**, 124 West Diamond Street, Butler, PA 16003. McFann Bridge replacement over Glade Run along Sheldon Road (T-384), in Middlesex, **Butler County**, United States Army Corps of Engineers, Pittsburgh District (Valencia, PA Quadrangle N: 40° 43' 39"; W: 79° 56' 56").

This project includes the removal and replacement of the existing McFann Bridge structure at Sheldon Road (T-384) over Glade Run with minor roadway work on the approaches. New structure to have a span of 42' 11.5", under clearance of 4' 5", skew of 75° and a clear roadway width of 22'.

#### ENVIRONMENTAL ASSESSMENTS

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

**D49-021EA and D49-022EA. Anthony Fernandes**, 762 West Lancaster Avenue, Bryn Mawr, PA 19010. Mount Carmel Township, **Northumberland County**, United States Army Corps of Engineers, Baltimore District.

Project proposes to breach and remove Mt. Carmel No.1 Dam and Storage Reservoir No. 2 Dam across a tributary to Shamokin Creek (WWF) for the purpose of eliminating a threat to public safety and restoring the stream to a free flowing condition. The project will restore approximately 500 feet of stream channel. The dams are located approximately 1,700 feet south of the intersection of SR 54 and SR 2040 (South Hickory Street) (Mount Carmel, PA Quadrangle Latitude: 40° 47' 25"; Longitude: 76° 24' 37") (Mount Carmel, PA Quadrangle Latitude: 40° 47' 26"; Longitude: 76° 24' 35").

**STORAGE TANKS****SITE-SPECIFIC INSTALLATION PERMITS**

**The following Storage Tank Site-Specific Installation Permits, under the authority of the Storage Tank Spill Prevention Act (35 P. S. §§ 6021.304, 6021.504, 6021.1101 and 6021. 102) and under 25 Pa. Code Chapter 245, Subchapter C, have been issued by the Bureau of Waste Management, Director, P. O. Box 8763, Harrisburg, PA 17105-8763.**

<i>SSIP Permit No.</i>	<i>Applicant Name &amp; Address</i>	<i>County</i>	<i>Municipality</i>	<i>Tank Type</i>	<i>Tank Capacity</i>
08-42-007	American Refining Group, Inc. 77 North Kendall Avenue Bradford, PA 16701 Attn: Steve Sherk	McKean	Bradford City	1 AST storing Diesel Fuel	345,450 gallons

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

In the month of October 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 persons listed 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>
B & T Inspections, Inc.	2843 North Front Street Harrisburg, PA 17110	Testing
Jason Bancroft	P. O. Box 261 Gilbertsville, PA 19525	Testing
Daniel Festa Festa Radon Technologies, Co.	47-A Progress Avenue Cranberry Township, PA 16066	Mitigation
Kevin Fischer, P. E.	P. O. Box 586 Yardley, PA 19067	Testing
Christopher Ford	2450 Brookdale Avenue Abington, PA 19001	Mitigation
James Kline	6097 Route 15 South Selinsgrove, PA 17870	Testing and Mitigation
Kenneth Ladlee	134 Broad Street Suite 3 Stroudsburg, PA 18360	Mitigation
Edward Lasorda	526 Ferncastle Drive Downingtown, PA 19335	Testing
Michael Lay	P. O. Box 7455 3050 Goldens Path York, PA 17404	Testing
Robert Meyer	124 Partridge Way Landenberg, PA 19350	Testing
David Miller	3049 Enterprise Drive State College, PA 16801	Testing and Mitigation
Randolph Payne	1232 Raven Drive Pittsburgh, PA 15243	Testing
Roger Priest	P. O. Box 200 Salfordville, PA 18050	Mitigation
Joseph Schwab	521 North Ramunno Drive Middletown, PA 19709	Testing
Marc Shanley	55 Country Acres Drive Kunkletown, PA 18058	Testing
The Home Inspector, Inc.	2061 Kenbrook Road Lebanon, PA 17046	Testing

<i>Name</i>	<i>Address</i>	<i>Type of Certification</i>
Diana Vaccarello	P. O. Box 373 Murrysville, PA 15668	Testing
Glenn Vernon Certified Radon Services	210 Church Place Pittsburgh, PA 15216	Testing
Douglas Weise	1021 Cider Lane Lebanon, PA 17046	Mitigation

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

**EGS No. 11004. Clearfield Creek Watershed Association**, 216 Beldin Hollow Road, Ashville, PA 16613. Rehabilitation of an abandoned mine treatment system located on land owned by J. H. Hommer Family in Reade Township, **Cambria County**. Project received July 22, 2008. Project issued October 29, 2008.

[Pa.B. Doc. No. 08-2067. Filed for public inspection November 14, 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: 012-0200-001. Title: Policy for Consideration of Local Comprehensive Plans and Zoning Ordinances in DEP Review of Authorizations for Facilities and Infrastructure. Description: This policy, which was effective on March 6, 2004, provides direction and guidance to Department staff, permit applicants and local and county governments concerning the Department's implementation of Acts 67, 68 and 127 of 2000. The policy guidance addresses how the Department considers and relies upon comprehensive planning and zoning ordinances in its authorization of facilities and infrastructure. Substantive revisions were previously made to the guidance document, which were advertised for comment at 35 Pa.B. 6283 (November 12, 2005). Due to changes between the November 2005 version of the guidance document and the

most recently revised version of the document, the Department is reissuing the guidance as draft for additional public comment. The revised policy requires applicants to submit County and Municipal Land Use Letters with their authorization application packages to assist the Department in their decision making process. Additionally, the revised guidance now provides that the Department's Office of Community Revitalization and Local Government Support will be involved in the review and determination of facility and infrastructure authorization applications when potential land use and zoning issues arise. Written Comments: Interested persons may submit written comments on this guidance document by January 15, 2009. Comments submitted by facsimile will not be accepted. The Department will accept comments submitted by e-mail. A return name and address must be included in each e-mail transmission. Written comments should be submitted to Denise Brinley, Department of Environmental Protection, Office of Community Revitalization and Local Government Support, Rachel Carson State Office Building, 16th Floor, P. O. Box 2063, Harrisburg, PA 17105-2063, [dbrinley@state.pa.us](mailto:dbrinley@state.pa.us). Contact: Questions regarding the draft technical guidance document should be directed to Denise Brinley at (717) 783-1566, [dbrinley@state.pa.us](mailto:dbrinley@state.pa.us). Effective Date: Upon publication of notice as final in the *Pennsylvania Bulletin*.

JOHN HANGER,  
*Acting Secretary*

[Pa.B. Doc. No. 08-2068. Filed for public inspection November 14, 2008, 9:00 a.m.]

### Nutrient and Sediment Reduction Credit Trading Program; Nutrient Trading Program Activities and NPDES Permits

The Department of Environmental Protection (Department) hereby provides notice of the following actions regarding the Nutrient and Sediment Reduction Credit Trading Program (Trading Program). These actions were taken in relation to the Final Trading of Nutrient and Sediment Reduction Credits—Policy and Guidelines (Policy) (DEP ID No. 392-0900-001) (see 36 Pa.B. 7999 (December 30, 2006)). The Policy called for a transparent system of credit reviews and approvals.

Trading is a market-based program that provides incentives for entities to create nutrient reduction credits by

going beyond statutory, regulatory or voluntary obligations and goals by removing nutrients from a watershed. The credits can be traded to help others more cost-effectively meet their obligations or goals. The primary purpose of the Trading Program is to provide for more efficient ways for National Pollutant Discharge Elimination System (NPDES) permittees to meet their effluent limits for nutrients and sediment. Currently, the focus of the program is on the Chesapeake Bay Watershed.

The actions described in this notice relate to: (1) submitted proposals; (2) approved proposals; and (3) registered credits, through October 28, 2008.

#### *Background*

Before a credit can be used by an NPDES permittee, a three-step process is followed. First, the credit or offset proposal must be approved, second, it must be verified and third, it must be registered.

Approval is also known as certification, which is a written approval by the Department for the use of proposed or implemented activities to generate credits (in some cases the person generating the credits is not permitted to transfer them to another person, in which case they are called "offsets"). Certifications are based on at least: (1) a credit or offset proposal to be submitted describing the qualifying activities that will reduce the nutrient loadings delivered to the applicable watershed; (2) the calculation to quantify the pounds of reductions expected; and (3) a verification plan that, when implemented, ensures that the qualifying nutrient reduction activities have taken place. All of the proposals, certifications and registrations described in this notice apply to the Chesapeake Bay Watershed.

Once the credits or offsets are certified, they must be verified. Verification means implementation of the verification plan contained in a certified credit or offset proposal as required by the Department. Verification plans require annual submittal of documentation to the Department that demonstrates that the qualifying nutrient reduction activities have taken place for the applicable compliance year.

The credits or offsets also need to be registered by the Department before they can be used in an NPDES permit. Registration occurs only after credits or offsets have been certified and verified, and a trading contract for credits has been submitted to the Department. For the Chesapeake Bay Watershed, the Department will register credits on an annual basis for use during the compliance year in which the qualifying nutrient reduction activities have taken place and will provide such credits with an annual registry number for reporting and tracking purposes.

The Department has received 63 proposals that have been submitted for review to generate nutrient reduction credits in the Chesapeake Bay Watershed. Of those, 36 have been approved, 14 are in review, one has been withdrawn and the remaining need additional clarification prior to certification.

#### *Proposals under Review*

The following proposals are being reviewed by the Department. Comments will be received on these projects for 30 days.

#### *Proposal Applicant*

1. Chesapeake Nutrient Management Environmental Planners
2. Chesapeake Nutrient Management Environmental Planners

#### *Proposal Description*

- Nitrogen and Phosphorus credits generated by exporting poultry manure from Lancaster to location outside of the watershed.
- Nitrogen and Phosphorus credits generated by exporting poultry manure from Lancaster to location outside of the watershed.

*Correction:* At 38 Pa.B. 5502 (October 4, 2008), a proposal applicant was incorrectly referenced. It was stated that Bedford County Conservation District submitted a proposal for nitrogen credits generated by implementation of no-till. It should have been noticed that Capital RC&D submitted a proposal for nitrogen credits generated by the implementation of no-till in Bedford County.

#### *Certifications*

There are no new certifications.

#### *Verifications and Registrations*

To date, there are no verifications and registrations

For further information about the previous information or the Department's Nutrient Trading Program, contact Ann Smith, Water Planning Office, P. O. Box 2063, Harrisburg, PA 17105-2063, (717) 787-4726, annsmith@state.pa.us or visit the Department's web site at www.depweb.state.pa.us (DEP Keywords: "Nutrient Trading").

JOHN HANGER,  
*Acting Secretary*

[Pa.B. Doc. No. 08-2069. Filed for public inspection November 14, 2008, 9:00 a.m.]

## DEPARTMENT OF HEALTH

### Application of Allegheny General Hospital for Exception

Under 28 Pa. Code § 51.33 (relating to requests for exceptions), the Department of Health (Department) gives notice that Allegheny General Hospital has requested an exception to the requirements of 28 Pa. Code §§ 107.64 and 117.30 (relating to administration of drugs; and emergency paramedic services).

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

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

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

Persons with a disability who wish to obtain a copy of a request and/or provide comments to the Department and require an auxiliary aid, service or other accommodation



to do so should contact the Division at the previously listed address or phone numbers or for speech and/or hearing impaired persons V/TT (717) 783-6154 or the Pennsylvania AT&T Relay Services at (800) 654-5984.

A. EVERETTE JAMES,  
*Acting Secretary*

[Pa.B. Doc. No. 08-2070. Filed for public inspection November 14, 2008, 9:00 a.m.]

### Application of Altoona Regional Health System for Exception

Under 28 Pa. Code § 51.33 (relating to requests for exceptions), the Department of Health (Department) gives notice that Altoona Regional Health System has requested an exception to the requirements of 28 Pa. Code § 153.1 (relating to minimum standards), which requires compliance with minimum standards contained in the following publication: *Guidelines for Design and Construction of Hospital and Healthcare Facilities*. The facility specifically requests exception from the following standards contained in this publication: 2.1.1.4 (relating to desk in patient rooms), 2.2.1 (relating to seclusion rooms), 2.2.1.3 (relating to space requirements), 2.2.1.5 (relating to details and finishes) and 2.8.1 (relating to staff lounge).

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

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

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

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

A. EVERETTE JAMES,  
*Acting Secretary*

[Pa.B. Doc. No. 08-2071. Filed for public inspection November 14, 2008, 9:00 a.m.]

### Application of Berwick Hospital Center for Exception

Under 28 Pa. Code § 51.33 (relating to requests for exceptions), the Department of Health (Department) gives notice that Berwick Hospital Center has requested an exception to the requirements of 28 Pa. Code § 107.2 (relating to medical staff membership).

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

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

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

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

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

A. EVERETTE JAMES,  
*Acting Secretary*

[Pa.B. Doc. No. 08-2072. Filed for public inspection November 14, 2008, 9:00 a.m.]

### Application of Charles Cole Memorial Hospital for Exception

Under 28 Pa. Code § 51.33 (relating to requests for exceptions), the Department of Health (Department) gives notice that Charles Cole Memorial Hospital has requested an exception to the requirements of 28 Pa. Code § 153.1 (relating to minimum standards), which requires compliance with minimum standards contained in the following publication: *Guidelines for Design and Construction of Hospital and Healthcare Facilities*. The facility specifically requests exception from the following standard contained in this publication 2.1.8 (relating to toilets for patient use).

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

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

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

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

A. EVERETTE JAMES,  
*Acting Secretary*

[Pa.B. Doc. No. 08-2073. Filed for public inspection November 14, 2008, 9:00 a.m.]

### Application of Excela Health, Westmoreland Hospital for Exception

Under 28 Pa. Code § 51.33 (relating to requests for exceptions), the Department of Health (Department) gives notice that Excela Health, Westmoreland Hospital has requested an exception to the requirements of 28 Pa. Code § 117.57 (relating to religious and moral exemptions).

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

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

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

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

A. EVERETTE JAMES,  
*Acting Secretary*

[Pa.B. Doc. No. 08-2074. Filed for public inspection November 14, 2008, 9:00 a.m.]

### Application of FoxChase Cancer Center for Exception

Under 28 Pa. Code § 51.33 (relating to requests for exceptions), the Department of Health (Department) gives notice that FoxChase Cancer Center has requested an exception to the requirements of 28 Pa. Code § 153.1 (relating to minimum standards), which requires compliance with minimum standards contained in the following publication: *Guidelines for Design and Construction of Hospital and Healthcare Facilities*. The facility specifically requests exception from the following standard contained in this publication 5.2.1.1 (relating to corridor width).

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

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

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

Persons with a disability who wish to obtain a copy of a request and/or provide comments to the Department and

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

A. EVERETTE JAMES,  
*Acting Secretary*

[Pa.B. Doc. No. 08-2075. Filed for public inspection November 14, 2008, 9:00 a.m.]

### Application of Phoenixville Hospital for Exception

Under 28 Pa. Code § 51.33 (relating to requests for exceptions), the Department of Health (Department) gives notice that Phoenixville Hospital has requested an exception to the requirements of 28 Pa. Code § 131.22 (relating to treatment orders).

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

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

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

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

A. EVERETTE JAMES,  
*Acting Secretary*

[Pa.B. Doc. No. 08-2076. Filed for public inspection November 14, 2008, 9:00 a.m.]

### Application of Progressive Vision Institute Eye Care Center for Exception

Under 28 Pa. Code § 51.33 (relating to requests for exceptions), the Department of Health (Department) gives notice that Progressive Vision Institute Eye Care Center has requested an exception to the requirements of 28 Pa. Code § 553.31 (relating to administrative responsibilities).

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

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

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

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

A. EVERETTE JAMES,  
*Acting Secretary*

[Pa.B. Doc. No. 08-2077. Filed for public inspection November 14, 2008, 9:00 a.m.]

### Application of Select Specialty Hospital—Erie for Exception

Under 28 Pa. Code § 51.33 (relating to requests for exceptions), the Department of Health (Department) gives notice that Select Specialty Hospital—Erie has requested an exception to the requirements of 28 Pa. Code § 107.26(b)(2) (relating to tissue committee).

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

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

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

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

A. EVERETTE JAMES,  
*Acting Secretary*

[Pa.B. Doc. No. 08-2078. Filed for public inspection November 14, 2008, 9:00 a.m.]

### Application of UPMC Braddock for Exception

Under 28 Pa. Code § 51.33 (relating to requests for exceptions), the Department of Health (Department) gives notice that UPMC Braddock has requested an exception to the requirements of 28 Pa. Code § 153.1 (relating to minimum standards), which requires compliance with minimum standards contained in the following publication: *Guidelines for Design and Construction of Hospital and Healthcare Facilities*. The facility specifically requests exception from the following standard contained in this publication 2.1-3.1.5.9 paragraph 2 (relating to bathing facilities).

The facility is also requesting exception to 28 Pa. Code § 103.31 (relating to the chief executive officer).

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

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

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

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

A. EVERETTE JAMES,  
*Acting Secretary*

[Pa.B. Doc. No. 08-2079. Filed for public inspection November 14, 2008, 9:00 a.m.]

### Application of UPMC McKeesport for Exception

Under 28 Pa. Code § 51.33 (relating to requests for exceptions), the Department of Health (Department) gives notice that UPMC McKeesport has requested an exception to the requirements of 28 Pa. Code § 103.31 (relating to the chief executive officer).

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

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

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

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

A. EVERETTE JAMES,  
*Acting Secretary*

[Pa.B. Doc. No. 08-2080. Filed for public inspection November 14, 2008, 9:00 a.m.]

### Application of Washington Square Endoscopy Center, LLC for Exception

Under 28 Pa. Code § 51.33 (relating to requests for exceptions), the Department of Health (Department) gives notice that Washington Square Endoscopy Center, LLC has requested an exception to the requirements of 28 Pa. Code § 551.3 (relating to definitions).

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

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

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

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

A. EVERETTE JAMES,  
*Acting Secretary*

[Pa.B. Doc. No. 08-2081. Filed for public inspection November 14, 2008, 9:00 a.m.]

### Application for Exception to 28 Pa. Code § 127.32

Under 28 Pa. Code § 51.33 (relating to requests for exceptions), the Department of Health (Department) gives notice that the following facilities have requested an exception to the requirements of 28 Pa. Code § 127.32 (relating to written orders):

Alle-Kiski Medical Center  
Frankford Hospital  
Highlands Hospital  
Jameson Memorial Hospital  
Jefferson Regional Medical Center  
Jersey Shore Hospital  
Schuylkill Medical Center  
The Western Pennsylvania Hospital  
The Western Pennsylvania Hospital-Forbes Regional Campus

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

These facilities are requesting a waiver of the comment period, as set forth in 28 Pa. Code § 51.33(c).

Persons with a disability who wish to obtain a copy of a request and/or provide comments to the Department and require an auxiliary aid, service or other accommodation to do so should contact the Division at the previously listed address or phone numbers or for speech and/or

hearing impaired persons V/TT (717) 783-6154 or the Pennsylvania AT&T Relay Services at (800) 654-5984.

A. EVERETTE JAMES,  
*Acting Secretary*

[Pa.B. Doc. No. 08-2082. Filed for public inspection November 14, 2008, 9:00 a.m.]

### Application for Exception to 28 Pa. Code § 551.21

Under 28 Pa. Code § 51.33 (relating to requests for exceptions), the Department of Health (Department) gives notice that the following facilities have requested an exception to the requirements of 28 Pa. Code § 551.21 (relating to criteria for ambulatory surgery):

Crossroads Surgery Center  
Hazleton Surgery Center, LLC, d/b/a Center for Advanced Surgery  
Laurel Surgical Center, LLC  
The Susquehanna Endoscopy Center

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

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

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

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

A. EVERETTE JAMES,  
*Acting Secretary*

[Pa.B. Doc. No. 08-2083. Filed for public inspection November 14, 2008, 9:00 a.m.]

## DEPARTMENT OF LABOR AND INDUSTRY

### Prevailing Wage Appeals Board Meeting

The Prevailing Wage Appeals Board will hold a public meeting on Tuesday, November 18, 2008, at 10 a.m. in the Capitol Associates Building, 901 North Seventh Street, 3rd Floor Conference Room, Harrisburg, PA.

The Americans With Disability Act contact is Gina Meckley, (717) 783-9276.

STEPHEN M. SCHMERIN,  
*Secretary*

[Pa.B. Doc. No. 08-2084. Filed for public inspection November 14, 2008, 9:00 a.m.]

## DEPARTMENT OF PUBLIC WELFARE

### Availability of the Temporary Assistance for Needy Families State Plan; Office of Income Maintenance

#### *Purpose of Notice*

The Department of Public Welfare (Department) is making available for comment an updated Temporary Assistance for Needy Families (TANF) State Plan. The State Plan was developed in accordance with the requirements of the Personal Responsibility and Work Opportunity Reconciliation Act of 1996 (act) (Pub. L. No. 104-193). The act provides each state with a TANF Block Grant and the opportunity, with broad Federal guidelines, to design and operate its own programs. The original State Plan was published at 27 Pa.B. 342 (January 18, 1997). Updated Plans were published at 29 Pa.B. 5658 (October 30, 1999) and 32 Pa.B. 6401 (December 28, 2002). The availability of the 2005 TANF State Plan was published at 35 Pa.B. 6289 (November 12, 2005).

The updated State Plan incorporates changes identified through suggestions and recommendations from the public and through an ongoing review of the TANF program. The updated State Plan will be submitted to United States Department of Health and Human Services in December 2008.

#### *Public Comment*

Future amendments to the State Plan will incorporate suggestions and recommendations received during the comment period. The 45-day comment period begins on the date this notice is published in the *Pennsylvania Bulletin*.

Copies of the State Plan are available for all interested individuals and groups by written request or at the Department's web site at [www.dpw.state.pa.us](http://www.dpw.state.pa.us). Written requests should be directed to Edward J. Zogby, Attention: TANF State Plan, Director, Bureau of Policy, Office of Income Maintenance, Room 431, Health and Welfare Building, Harrisburg, PA 17120. Persons may also request copies by facsimile machine at (717) 787-6765, using the previously listed address on the cover document.

Interested persons are invited to submit written comments regarding this notice to the Department at the previously listed address. Comments received within 45 days will be reviewed and considered for any subsequent revision of the State Plan.

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

ESTELLE B. RICHMAN,  
*Secretary*

[Pa.B. Doc. No. 08-2085. Filed for public inspection November 14, 2008. 9:00 a.m.]

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

#### *Purpose*

This notice announces updated proposed annual rates for Medical Assistance (MA) county nursing facilities for State Fiscal Year (FY) 2008-2009 and updated information regarding the budget adjustment factor (BAF) that the Department of Public Welfare (Department) will apply to MA county nursing facility payment rates for FY 2008-2009.

#### *Background*

On July 19, 2008, the Department published a notice announcing its proposed annual payment rates for MA county nursing facilities for FY 2008-2009. See 38 Pa.B. 3943 (July 19, 2008). As explained in that notice, the Department determined the proposed rates in accordance with 55 Pa. Code Chapter 1189, Subchapter D (relating to rate setting). The Department also explained that Chapter 1189 requires that the Department multiply each county nursing facility's annual rate by a BAF which is determined in accordance with the Commonwealth's approved State Plan. See 55 Pa. Code § 1189.91(b) (relating to per diem rates for county nursing facilities). The Department advised that it was taking steps to include a BAF formula in the State Plan for FY 2008-2009 and that, in determining the proposed rates, the Department calculated and applied a BAF which was based upon the level of funding requesting in the Governor's executive budget.

After the Department had submitted the notice for publication in the *Pennsylvania Bulletin*, the Pennsylvania General Assembly enacted two laws that affect MA nursing facility payment rates and the BAF for FYs 2008-2009, 2009-2010 and 2010-2011: the act of July 4, 2008 (P. L. 31, No. 44) (Act 44); and the General Appropriation Act of 2008 (Act 38A). In response to the request of the trade associations, the Department is updating its proposed annual rates and BAF calculation.

#### *Act 44*

Among other things, Act 44, amended section 443.1 of the Public Welfare Code. Act 44 directed the Department to:

- Calculate payments to county nursing facilities in accordance with the methodologies for establishing payment rates specified in the Department's regulations and approved State Plan in effect after June 30, 2007.
- Apply a BAF to county nursing facility payment rates for each fiscal year between July 1, 2008, and June 30, 2011, that limits the estimated aggregate increase in the Statewide day-weighted average payment rate for each fiscal year based upon the funds appropriated by the General Appropriations Act.

#### *Act 38A*

The funds appropriated by the General Appropriations Act of 2008 for nursing facility payment rates for FY 2008-2009 provide for a percentage rate of increase of 1%. Using the formula described as follows, the Department has recalculated the BAF to be applied to county nursing facility payment rates for FY 2008-2009 based on this percentage rate of increase.

#### *FY 2008-2009 BAF Formula for County Nursing Facility Payment Rates*

The BAF = 1.00 + .01 (the percent increase permitted by the General Appropriations Act).

Using this formula the Department has determined that the BAF that will be applied to county nursing facility payment rates for FY 2008-2009 is 1.01.

#### *State Plan Amendment*

A State Plan Amendment (SPA 08-008) was submitted to the Centers for Medicare and Medicaid Services (CMS) to amend the Commonwealth's Title XIX Plan to specify the BAF the Department intends to apply to county nursing facility payment rates for FY 2008-2009. Application of the BAF in FY 2008-2009 is subject to Federal approval of the amendments to the Commonwealth's State Plan.

The updated proposed per diem rates for FY 2008-2009 are available on the web site for the Department of Public Welfare at [www.dpw.state.pa.us/PartnersProviders/LongTermLiving/](http://www.dpw.state.pa.us/PartnersProviders/LongTermLiving/) and at local county assistance offices throughout the Commonwealth or by contacting Gail Weidman, Department of Public Welfare, Office of Long-Term Living at (717) 705-3705.

#### *Fiscal Impact*

These changes will result in an estimated cost of \$8.482 million (\$3.867 million in State funds) for county nursing facilities in 2008-2009 compared to the final April 1, 2008, rates. Funding for these changes has been included in the MA Long-Term Care appropriation.

#### *Public Comment*

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

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

ESTELLE B. RICHMAN,  
*Secretary*

**Fiscal Note:** 14-NOT-573. (1) General Fund; (2) Implementing Year 2008-09 is \$3,545,000; (3) 1st Succeeding Year 2009-10 is \$3,867,000; 2nd Succeeding Year 2010-11 is \$3,867,000; 3rd Succeeding Year 2011-12 is \$3,867,000; 4th Succeeding Year 2012-13 is \$3,867,000; 5th Succeeding Year 2013-14 is \$3,867,000; (4) 2007-08 Program—\$762,585,000; 2006-07 Program—\$695,279,000; 2005-06 Program—\$817,890,000; (7) Medical Assistance—Long-Term Care; (8) recommends adoption. Funds have been included in the budget to cover this increase.

[Pa.B. Doc. No. 08-2086. Filed for public inspection November 14, 2008. 9:00 a.m.]

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

#### *Purpose*

This notice announces updated proposed annual rates for Medical Assistance (MA) nonpublic nursing facilities for State Fiscal Year (FY) 2008-2009 and updated information regarding the budget adjustment factor (BAF) that the Department of Public Welfare (Department) will apply to MA nonpublic nursing facility payment rates for FY 2008-2009.

#### *Background*

On July 19, 2008, the Department published a notice announcing its proposed annual rates for MA nonpublic nursing facilities for FY 2008-2009. See 38 Pa.B. 3943 (July 19, 2008). As explained in that notice, the Department determined the proposed rates in accordance with 55 Pa. Code Chapter 1187, Subchapter G (relating to rate setting). The Department also explained that will adjust each facility's CMI-adjusted quarterly rate by multiplying the rate by a BAF.

After the Department had submitted the notice for publication in the *Pennsylvania Bulletin*, the Pennsylvania General Assembly enacted two laws that affect MA nursing facility payment rates and the BAF for FYs 2008-2009, 2009-2010 and 2010-2011: the act of July 4, 2008 (P.L. 31, No. 44) (Act 44); and the General Appropriation Act of 2008 (Act 38A). In response to the request of the trade associations, the Department is updating its proposed annual rates and BAF calculation.

#### *Act 44*

Among other things, Act 44, amended section 443.1 of the Public Welfare Act. Act 44 directed the Department to:

- Calculate payments to nonpublic nursing facilities in accordance with the methodologies for establishing payment rates specified in the Department's regulations and approved State Plan in effect after June 30, 2007.
- Apply a BAF to nonpublic nursing facility payment rates for each fiscal year between July 1, 2008, and June 30, 2011, that limits the estimated aggregate increase in the Statewide day-weighted average payment rate for each fiscal year based upon funds appropriated by the General Appropriations Act.
- Continue to include the costs incurred by county nursing facilities in the rate-setting database used for the purpose of calculating nonpublic nursing facility payment rates.

#### *Act 38A*

The funds appropriated by the General Appropriations Act of 2008 for nursing facility payment rates for FY 2008-2009 provide for a percentage rate of increase of 1%. Using the formula described as follows, the Department recalculated the BAF to be applied to nonpublic nursing facility payment rates for FY 2008-2009 based on this percentage rate of increase.

#### *FY 2008-2009 BAF Formula for Nonpublic Nursing Facilities*

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

Using this formula the Department has determined that the BAF that will be applied to nonpublic nursing facility payment rates for FY 2008-2009 is .90891.

#### *State Plan Amendments*

Two State Plan Amendments (SPA 08-007 and 08-015) were submitted to the Centers for Medicare and Medicaid Services (CMS) to amend the Commonwealth's Title XIX Plan. SPA 08-007 specifies the BAF the Department intends to apply to nonpublic nursing facility payment rates for FY 2008-2009. SPA 08-015 provides for continuing the inclusion of county nursing facility costs in the process of computing the peer group prices used to set per diem rates for nonpublic facilities for FY 2008-2009.

Application of the BAF in FY 2008-2009 and continuing the inclusion of county nursing facility costs in the rate setting process for nonpublic nursing facilities is subject to Federal approval of the amendments to the Commonwealth's State Plan.

The updated proposed annual per diem rates for FY 2008-2009 are available on the web site for the Department of Public Welfare at: [www.dpw.state.pa.us/PartnersProviders/LongTermLiving/](http://www.dpw.state.pa.us/PartnersProviders/LongTermLiving/) and at local county assistance offices throughout the Commonwealth or by contacting Gail Weidman, Department of Public Welfare, Office of Long-Term Living, at (717) 705-3705. In addition, the Department will calculate adjusted quarterly rates for the October, January and April quarters of FY 2008-2009 for each nonpublic MA nursing facility provider.

After the quarterly rates are finalized, they will be posted on the Department's web site, and be available at local county assistance offices or by contacting Gail Weidman.

#### *Fiscal Impact*

These changes will result in an estimated cost of \$32.302 million (\$14.726 million in State funds) for nonpublic nursing facilities 2008-2009 compared to the final April 1, 2008, rates. Funding for these changes has been included in the MA Long-Term Care appropriation.

#### *Public Comment*

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

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

ESTELLE B. RICHMAN,  
*Secretary*

**Fiscal Note:** 14-NOT-574. (1) General Fund; (2) Implementing Year 2008-09 is \$14,726,000; (3) 1st Succeeding Year 2009-10 is \$16,065,000; 2nd Succeeding Year 2010-11 is \$16,065,000; 3rd Succeeding Year 2011-12 is \$16,065,000; 4th Succeeding Year 2012-13 is \$16,065,000; 5th Succeeding Year 2013-14 is \$16,065,000; (4) 2007-08 Program—\$762,585,000; 2006-07 Program—\$695,279,000; 2005-06 Program—\$817,890,000; (8) recommends adoption. Funds have been included in the budget to cover this increase.

[Pa.B. Doc. No. 08-2087. Filed for public inspection November 14, 2008, 9:00 a.m.]

## DEPARTMENT OF REVENUE

### Pennsylvania \$500 A Week For Life '08 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 \$500 A Week For Life '08.

2. *Price:* The price of a Pennsylvania \$500 A Week For Life '08 instant lottery game ticket is \$1.

3. *Play Symbols:* Each Pennsylvania \$500 A Week For Life '08 instant lottery game ticket will contain one play area containing nine prize play symbols. The prize play symbols and their captions located in the play area are: FREE (TICKET), \$1<sup>00</sup> (ONE DOL), \$2<sup>00</sup> (TWO DOL), \$4<sup>00</sup> (FOR DOL), \$5<sup>00</sup> (FIV DOL), \$10<sup>00</sup> (TEN DOL), \$20<sup>00</sup> (TWENTY), \$40<sup>00</sup> (FORTY), \$100 (ONE HUN), \$\$ (DBLS) and LIFE (\$500/WK).

4. *Prizes:* The prizes that can be won in this game are: Free \$1 Ticket, \$1, \$2, \$4, \$5, \$10, \$20, \$40, \$100, and \$500 a week for life (\$520,000 lifetime minimum).

5. *Approximate Number of Tickets Printed For the Game:* Approximately 24,000,000 tickets will be printed for the Pennsylvania \$500 A Week For Life '08 instant lottery game. A player can win 1 time on a ticket.

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

(a) Holders of tickets with three matching prize play symbols of LIFE (\$500/WK) in the play area, on a single ticket, shall be entitled to a prize of \$500 a week for life (\$520,000 lifetime minimum) which shall be paid by an initial cash payment of \$26,000 plus equal annual payments of \$26,000 over the lifetime of the winner and continuing under the provisions of 61 Pa. Code § 811.16 (relating to prizes payable after death of prize winner) until the \$520,000 minimum has been paid. If the winner of the Pennsylvania \$500 A Week For Life prize is younger than 18 years of age, the winner will not begin to receive the prize until the winner reaches 18 years of age. Only one claimant per ticket allowed.

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

(c) Holders of tickets with three matching prize play symbols of \$40<sup>00</sup> (FORTY) in the play area, on a single ticket, shall be entitled to a prize of \$40.

(d) Holders of tickets with two matching prize play symbols of \$20<sup>00</sup> (TWENTY) and a \$\$ symbol (DBLS) in the play area, on a single ticket, shall be entitled to a prize of \$40.

(e) Holders of tickets with three matching prize play symbols of \$20<sup>00</sup> (TWENTY) in the play area, on a single ticket, shall be entitled to a prize of \$20.

(f) Holders of tickets with two matching prize play symbols of \$10<sup>00</sup> (TEN DOL) and a \$\$ symbol (DBLS) in the play area, on a single ticket, shall be entitled to a prize of \$20.

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

(h) Holders of tickets with two matching prize play symbols of \$5<sup>00</sup> (FIV DOL) and a \$\$ symbol (DBLS) in the play area, on a single ticket, shall be entitled to a prize of \$10.

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

(j) Holders of tickets with three matching prize play symbols of \$4<sup>00</sup> (FOR DOL) in the play area, on a single ticket, shall be entitled to a prize of \$4.

(k) Holders of tickets with two matching prize play symbols of \$2.<sup>00</sup> (TWO DOL) and a \$\$ symbol (DBL\$) in the play area, on a single ticket, shall be entitled to a prize of \$4.

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

(m) Holders of tickets with two matching prize play symbols of \$1.<sup>00</sup> (ONE DOL) and a \$\$ symbol (DBL\$) in the play area, on a single ticket, shall be entitled to a prize of \$2.

(n) Holders of tickets with three matching prize play

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

(o) Holders of tickets with three matching prize play symbols of FREE (TICKET) in the play area, on a single ticket, shall be entitled to a prize of one Pennsylvania \$500 A Week For Life '08 instant game ticket or one Pennsylvania Lottery instant game ticket of equivalent sale price which is currently on sale.

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

*Get 3 Like Amounts, Win That Prize. Get 2 Like Amounts And A \$\$ Symbol, Win Double That Prize. Win With Prize(s) Of:*

	<i>Win:</i>	<i>Approximate Odds Are 1 In:</i>	<i>Approximate No. of Winners Per 24,000,000 Tickets</i>
3—FREE's	FREE \$1 TICKET	12	2,000,000
3—\$1's	\$1	42.86	560,000
3—\$2's	\$2	42.86	560,000
2—\$1's w/\$\$	\$2	37.50	640,000
3—\$4's	\$4	85.71	280,000
2—\$2's w/\$\$	\$4	85.71	280,000
3—\$5's	\$5	75	320,000
3—\$10's	\$10	200	120,000
2—\$5's w/\$\$	\$10	200	120,000
3—\$20's	\$20	600	40,000
2—\$10's w/\$\$	\$20	600	40,000
3—\$40's	\$40	4,800	5,000
2—\$20's w/\$\$	\$40	4,800	5,000
3—\$100's	\$100	2,759	8,700
3—LIFE's	\$500/WK/LIFE	4,800,000	5

\$\$ (DBL\$) = Win double that prize.

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

8. *Retailer Incentive Awards:* The Lottery may conduct a separate Retailer Incentive Game for retailers who sell Pennsylvania \$500 A Week For Life '08 instant lottery game tickets. The conduct of the game will be governed by 61 Pa. Code § 819.222 (relating to retailer bonuses and incentive).

9. *Unclaimed Prize Money:* For a period of 1 year from the announced close of Pennsylvania \$500 A Week For Life '08, prize money from winning Pennsylvania \$500 A Week For Life '08 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 \$500 A Week For Life '08 instant lottery game, the right of a ticket holder to claim the prize represented by the ticket, if any, will expire and the prize money will be paid into the State Lottery Fund and used for purposes provided for by statute.

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

11. *Termination of the Game:* The Secretary may announce a termination date, after which no further tickets from this game may be sold. The announcement will be

disseminated through media used to advertise or promote Pennsylvania \$500 A Week For Life '08 or through normal communications methods.

THOMAS W. WOLF,  
*Secretary*

[Pa.B. Doc. No. 08-2088. Filed for public inspection November 14, 2008, 9:00 a.m.]

## DEPARTMENT OF TRANSPORTATION

### Fee Increase for Photo Driver's License or Photo Identification Card

The Department of Transportation, Bureau of Driver Licensing, under the authority contained in 67 Pa. Code 73.5(d) (relating to cost of photograph) gives notice that, effective December 15, 2008, the cost of the photograph associated with the issuance of a photo driver's license or photo identification card will be \$7. This will result in a \$2 increase to the cost of a driver's license or identification card.

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

[Pa.B. Doc. No. 08-2089. Filed for public inspection November 14, 2008, 9:00 a.m.]



## ENVIRONMENTAL QUALITY BOARD

### Meeting Cancellation

The November 18, 2008, meeting of the Environmental Quality Board (EQB) is cancelled. The next regularly scheduled meeting of the EQB is scheduled for Tuesday, December 16, 2008, at 9 a.m. in Room 105 of the Rachel Carson State Office Building, 400 Market Street, Harrisburg, PA 17105. An agenda and meeting materials for the December 16, 2008, meeting will be available on the Department of Environmental Protection's website at [www.depweb.state.pa.us](http://www.depweb.state.pa.us) (DEP Keywords: EQB).

Questions concerning the EQB's next scheduled meeting may be directed to Michele Tate at (717) 783-8727 or [mtate@state.pa.us](mailto:mtate@state.pa.us).

JOHN HANGER,  
*Acting Chairperson*

[Pa.B. Doc. No. 08-2090. Filed for public inspection November 14, 2008, 9:00 a.m.]

## INDEPENDENT REGULATORY REVIEW COMMISSION

### Notice of Filing of Final Rulemakings

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

#### *Final-Form*

<i>Reg. No.</i>	<i>Agency/Title</i>	<i>Received</i>	<i>Public Meeting</i>
16A-4514	State Board of Cosmetology General Revisions	11/3/08	12/18/08
16A-5721	State Board of Veterinary Medicine Professional Conduct	11/3/08	12/18/08
16A-4817	State Board of Funeral Directors Renewal Fee	11/3/08	12/18/08
16A-4926	State Board of Medicine Nurse Midwife Prescriptive Authority	11/3/08	12/18/08

ARTHUR COCCODRILLI,  
*Chairperson*

[Pa.B. Doc. No. 08-2091. Filed for public inspection November 14, 2008, 9:00 a.m.]

## INSURANCE DEPARTMENT

### Application and Request for a Certificate of Authority to Provide a Continuing Care Retirement Community by Bruno Investments, LP

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

JOEL SCOTT ARIO,  
*Insurance Commissioner*

[Pa.B. Doc. No. 08-2092. Filed for public inspection November 14, 2008, 9:00 a.m.]

## LEGISLATIVE REFERENCE BUREAU

### Documents Filed But Not Published

The Legislative Reference Bureau (Bureau) accepted the following documents during the preceding calendar month for filing without publication under 1 Pa. Code § 3.13(b) (relating to contents of *Bulletin*). The Bureau will continue to publish on a monthly basis either a summary table identifying the documents accepted during the preceding calendar month under this subsection (b) or a statement that no documents have been received. For questions concerning or copies of documents filed, but not published, call (717) 783-1530.

#### *Executive Board*

Resolution No. CB-08-262, Dated September 22, 2008. Authorizes the Side Agreement with AFSCME that establishes a new pay program for Parole Agents 2 and Parole Supervisors in Philadelphia County. This Resolution is effective September 13, 2008, and shall continue through June 30, 2011.

Resolution No. CB-08-274, Dated October 7, 2008. Authorizes the Side Letter of Agreement with AFSCME that provides for flight pay of \$5 per hour for employees involved in no-scheduled aerial flights. This side letter replaces a previous side letter dated March 7, 2008.

Resolution No. CB-08-278, Dated October 7, 2008. Authorizes the Side Letter which amends Recommendation 26 (Quality Assurance Program) of the Memorandum of Understanding between the Commonwealth of Pennsyl-

vania and the Pennsylvania Doctors Alliance effective July 1, 2005 through June 30, 2009.

Resolution No. CB-08-288, Dated October 7, 2008. Authorizes the Side Letter which amends Article 26 (Quality Assurance Program) of the Collective Bargaining Agreement between the Commonwealth of Pennsylvania and the Pennsylvania Doctors Alliance effective July 1, 2005 through June 30, 2009.

Resolution No. CB-08-289, Dated October 7, 2008. Authorizes the Side Letter with AFSCME that provides for a \$200. Tool allowance for Diesel Mechanics in the Department of Transportation.

#### Governor's Office

Management Directive No. 315.15—Withholding of Pennsylvania Higher Education Assistance Agency Loans from Employee Paychecks, Amended August 28, 2008.

Management Directive No. 325.2—Audit Inquiry Relative to Agency Litigation, Claims, and Assessments, Amended September 12, 2008.

Management Directive No. 507.7—Personnel Rules, Amended October 9, 2008.

Management Directive No. MD525.20—Implementation & Maintenance of Local Service Tax, Dated October 10, 2008.

Management Directive No. 530.31—Workplace Safety and Health Program, Dated September 29, 2008.

Management Directive No. 625.2—Inventory of Commonwealth Real Property, Amended September 16, 2008.

Administrative Circular No. 08-15—Lodging Payments with an Agency Lodging Card, Dated September 8, 2008.

Administrative Circular No. 08-16—Holidays—2009, Dated October 9, 2008.

MARY JANE PHELPS,  
Director  
*Pennsylvania Bulletin*

[Pa.B. Doc. No. 08-2093. Filed for public inspection November 14, 2008, 9:00 a.m.]

## LIQUOR CONTROL BOARD

### Expiration of Leases

The Liquor Control Board seeks the following new site:

Philadelphia County, Wine & Spirits Store #5137, (New Store), Philadelphia, PA

Lease retail commercial space to the Commonwealth. Proposals are invited to provide the Liquor Control Board with approximately 4,000 net useable square feet of new or existing retail commercial space. Location must be within a 1/4 mile radius of Rhawn Street and Dungan Road, Philadelphia, PA.

*Proposals due:* December 5, 2008, at 12 p.m.

**Department:** Liquor Control Board  
**Location:** Real Estate Division, 8305 Ridge Avenue, Philadelphia, PA 19128-2113  
**Contact:** Henry Blocker, (215) 482-9670

Philadelphia County, Wine & Spirits Store #5139, (New Store), Philadelphia, PA

Lease retail commercial space to the Commonwealth. Proposals are invited to provide the Liquor Control Board with approximately 5,000 net useable square feet of new or existing retail commercial space. Location must be within a 1/4 mile radius of 2nd and Spring Garden Streets, Philadelphia, PA.

*Proposals due:* December 5, 2008, at 12 p.m.

**Department:** Liquor Control Board  
**Location:** Real Estate Division, 8305 Ridge Avenue, Philadelphia, PA 19128-2113  
**Contact:** Henry Blocker, (215) 482-9670  
PATRICK J. STAPLETON, III,  
Chairperson

[Pa.B. Doc. No. 08-2094. Filed for public inspection November 14, 2008, 9:00 a.m.]

## PENNSYLVANIA PUBLIC UTILITY COMMISSION

### Order

Public Meeting held  
October 23, 2008

*Commissioners Present:* James H. Cawley, Chairperson; Tyrone J. Christy, Vice Chairperson; Robert F. Powelson; Kim Pizzingrilli; Wayne E. Gardner

*In the Matter of the Request of the Commonwealth of Pennsylvania Department of Transportation to be Recognized and Assigned as the Sole Administrator of the 511 Dialing Code that Will be Implemented Statewide as a Means to Access Traveler Information;*  
*Doc. No. M-2008-2061434*

### Order

On August 15, 2008, pursuant to the provisions of 52 Pa. Code § 5.11, the Pennsylvania Department of Transportation (PennDOT) filed an application for authority to be the sole administrator of the 511 abbreviated dialing code for the provision of its Traveler Information System for the State of Pennsylvania. In accordance with 52 Pa. Code § 5.14, notice of the application was published in the *Pennsylvania Bulletin* on September 20, 2008. Interventions were due on or before October 6, 2008. Verizon Pennsylvania, Inc. and Verizon North, Inc. (hereinafter jointly referred to as "Verizon") filed a Petition to Intervene and Comments in the proceeding.

Verizon indicates that it has a material interest in this proceeding because several of its regulated entities will likely have to perform switch translations or other facilities work to implement 511 service as requested by PennDOT. Additionally, Verizon emphasizes that it does not oppose the granting of the application. Based on the information submitted by PennDOT and Verizon, the Commission grants the application.

#### Background

On July 21, 2000, the Federal Communications Commission ("FCC") ruled that the 511 abbreviated dialing code should be used exclusively to provide traveler information services.<sup>1</sup> The FCC, acting on a petition filed by

<sup>1</sup> *In the Matter of the Use of N11 Codes and Other Abbreviated Dialing Arrangements*, CC Docket No. 92-105, Third Report and Order and Order on Reconsideration, 15 FCC Red 16753 (July 31, 2000).

the U.S. Department of Transportation (“USDOT”), held that a nationwide, three-digit number for traveler information would “stimulate the deployment and use of travel-related information” in a way that the existing traveler information telephone services could not.<sup>2</sup>

The FCC also concurred with USDOT’s argument that a three-digit number would be easier to remember and that it would be particularly useful for travelers moving across local boundaries. The FCC recognized that enabling travelers to make better-informed travel choices would also allow “better, safer traffic and travel management” and help reduce congestion and air pollution.<sup>3</sup> The FCC also noted that “state public utilities commissions may continue to exercise jurisdiction over N11 codes to the extent necessary to ensure that carriers comply with transportation agencies’ requests to deploy 511 expeditiously.”<sup>4</sup> However, the FCC’s ruling leaves nearly all implementation issues to state and local agencies and telecommunications carriers.

Furthermore, Congress enacted the Safe, Accountable, Flexible, Efficient Transportation Equity Act: A Legacy for Users (“SAFETEA-LU”) in 2005 that specifically calls for the implementation of a “national, interoperable 511 system . . . by September 30, 2010.” 23 U.S.C. § 512(b).

#### *Discussion*

PennDOT is seeking to establish “511 Pennsylvania,” which will provide users with timely, reliable and relevant traffic, weather and inter-modal information via telephone and the internet. The automated Advanced Traveler Information System will provide statewide traveler information, including, among other things, road conditions, weather information, incidents and road closures, as well as Statewide road maintenance and construction projects where potential delays might exist. A call to 511 will route to a toll-free number and the information provided by this system will be available 24 hours a day, 7 days a week, 365 days a year, and will be updated as needed. PennDOT is currently in the process of selecting a vendor to establish, host and operate the telephone and web service. Additionally, the Pennsylvania Turnpike Commission supports the assignment of 511 to PennDOT.

We find that PennDOT has shown good cause to grant its request for the authority to use the 511 abbreviated dialing code on a statewide basis. We find that statewide 511 traffic and traveler service will benefit the citizens of Pennsylvania by providing a simple, universal, easy-to-remember number to access road travel information. Moreover, no party opposes the assignment of 511 to PennDOT. Verizon’s primary concern in this matter is the appropriate compensation, terms, and conditions for making and maintaining the system changes necessary to provide the 511 dialing functionality in Pennsylvania. Verizon asserts that it intends to provide this service to PennDOT through an individual case basis contract and will negotiate this commercial contract with PennDOT at market-based terms and conditions.

As PennDOT wants to provide 511 Pennsylvania statewide, we are sure that other jurisdictional local exchange carriers may have the same concerns that Verizon has expressed. We acknowledge, as mentioned above, that the FCC’s ruling left the details of 511 implementation up to the states and localities. There are no Federal requirements and no mandated way to pay for 511. This presents

a challenge; however, we agree with the FCC that a three-digit number is easier to remember and would be particularly useful for travelers moving across local boundaries. Accordingly, we will direct that all jurisdictional local exchange carriers expeditiously perform all analyses required to quantify its costs for the necessary translations and/or facilities work if it plans to seek recovery of internal costs associated with enabling 511 call completion and estimate the time required to perform the necessary translations and/or facilities work to allow 511 call completion from its subscribers. We also recognize that wireless callers will access 511. Therefore, we encourage wireless carriers to coordinate and work with PennDOT in an expeditious manner as well regarding any implementation issues. Likewise, we will direct PennDOT to provide access to a copy of its implementation plan for 511 to assist jurisdictional local exchange carriers in compiling the information necessary to provide “511 Pennsylvania” Statewide in an expeditious manner; *Therefore,*

#### *It Is Ordered:*

1. The Application of the Pennsylvania Department of Transportation to be Recognized and Assigned as the Sole Administrator for the Provision of the 511 Dialing Code in Pennsylvania is hereby granted.

2. That Verizon Pennsylvania, Inc.’s and Verizon North, Inc.’s Petition to Intervene is hereby granted.

3. That the Pennsylvania Department of Transportation shall provide all jurisdictional local exchange carriers with access to a copy of its implementation plan for 511 dialing, when available.

4. That within 30 days of the entry date of this Order, all jurisdictional local exchange carriers shall immediately discontinue using 511 for purposes other than access to intelligent transportation systems or other transportation information.

5. That within 30 days of the entry date of this Order, all jurisdictional local exchange carriers shall perform all analyses required to quantify its costs for the necessary translations and/or facilities work if it plans to seek recovery of internal costs associated with 511 call completion; and estimate the time required to perform the necessary translations and/or facilities work to allow 511 call completion from its subscribers.

6. That within 45 days of the entry date of this Order, any affected jurisdictional local exchange carriers shall provide PennDOT with an estimate of the time required to perform the necessary translation and/or facilities work to allow 511 call completion and the internal costs associated with 511 call completion.

7. That all affected jurisdictional local exchange carriers shall comply with the assignment and implementation schedule established by PennDOT unless a petition for waiver is filed with the Commission pursuant to 52 Pa. Code § 5.41.

8. That a copy of this order shall be served on all jurisdictional local exchange carriers and published in the *Pennsylvania Bulletin*.

9. That the Secretary’s Bureau mark this matter closed.

*By the Commission:*

JAMES J. MCNULTY,  
*Secretary*

[Pa.B. Doc. No. 08-2095. Filed for public inspection November 14, 2008, 9:00 a.m.]

<sup>2</sup> *Id.*

<sup>3</sup> *Id.*

<sup>4</sup> *Id.*

## Telecommunications

**A-2008-2071409. Verizon North, Inc. and Access Integrated Networks, Inc.** Joint petition of Verizon North, Inc. and Access Integrated Networks, Inc. for approval of an interconnection agreement under section 252(e) of the Telecommunications Act of 1996.

Verizon North, Inc. and Access Integrated Networks, Inc., by its counsel, filed on October 24, 2008, at the Pennsylvania Public Utility Commission (Commission), a joint petition for approval of an interconnection agreement under sections 251 and 252 of the Telecommunications Act of 1996.

Interested parties may file comments concerning the petition and agreement with the Secretary, Pennsylvania Public Utility Commission, P. O. Box 3265, Harrisburg, PA 17105-3265. Comments are due on or before 10 days after the date of publication of this notice. Copies of the Verizon North, Inc. and Access Integrated Networks, Inc. joint petition are on file with the Commission and are available for public inspection.

The contact person is Cheryl Walker Davis, Director, Office of Special Assistants, (717) 787-1827.

JAMES J. MCNULTY,  
*Secretary*

[Pa.B. Doc. No. 08-2096. Filed for public inspection November 14, 2008, 9:00 a.m.]

## Telecommunications

**A-2008-2071272. Verizon Pennsylvania, Inc. and Access Integrated Networks, Inc., d/b/a Birch Communications.** Joint petition of Verizon Pennsylvania, Inc. and Access Integrated Networks, Inc., d/b/a Birch Communications for approval of an interconnection agreement under section 252(e) of the Telecommunications Act of 1996.

Verizon Pennsylvania, Inc. and Access Integrated Networks, Inc., d/b/a Birch Communications, by its counsel, filed on October 24, 2008, at the Pennsylvania Public Utility Commission (Commission), a joint petition for approval of an interconnection agreement under sections 251 and 252 of the Telecommunications Act of 1996.

Interested parties may file comments concerning the petition and agreement with the Secretary, Pennsylvania Public Utility Commission, P. O. Box 3265, Harrisburg, PA 17105-3265. Comments are due on or before 10 days after the date of publication of this notice. Copies of Verizon Pennsylvania, Inc. and Access Integrated Networks, Inc., d/b/a Birch Communications joint petition are on file with the Commission and are available for public inspection.

The contact person is Cheryl Walker Davis, Director, Office of Special Assistants, (717) 787-1827.

JAMES J. MCNULTY,  
*Secretary*

[Pa.B. Doc. No. 08-2097. Filed for public inspection November 14, 2008, 9:00 a.m.]

# PUBLIC SCHOOL EMPLOYEES' RETIREMENT BOARD

## Hearing Scheduled

A hearing has been scheduled, as authorized by 24 Pa.C.S. Part IV (relating to Public School Employees' Retirement Code), in connection with the Public School Employees' Retirement System's (System) denial of claimants' requests concerning the indicated accounts.

The hearing will be held before a hearing examiner at the Public School Employees' Retirement System, 5 North Fifth Street, Harrisburg, PA 17101:

December 17, 2008 Elizabeth J. Ball 2:30 p.m.  
(Purchase of Service)

Persons with a disability, wish to attend the previously-listed hearing, and require an auxiliary aid, service or other accommodation to participate in the proceedings should contact Barbara Flurie, Assistant to the Executive Director at (717) 720-4921 to discuss how the System may best accommodate their needs.

Parties may appear with or without counsel and offer relevant testimony or evidence to support their respective positions. The hearings will be held in accordance with the requirements of 2 Pa.C.S. §§ 501—508 and 701—704 (relating to the Administrative Agency Law). Under 22 Pa. Code § 201.1, (relating to applicability of general rules), procedural matters will be in conformance with 1 Pa. Code Part II (relating to the General Rules of Administrative Practice and Procedure), unless specific exemption is granted.

JEFFREY B. CLAY,  
*Executive Director*

[Pa.B. Doc. No. 08-2098. Filed for public inspection November 14, 2008, 9:00 a.m.]

# STATE REAL ESTATE COMMISSION

**Bureau of Professional and Occupational Affairs v. 2000 Homes Realty, Inc., ERA 2000 Homes Realty; File No. 08-56-02708**

On July 29, 2008, 2000 Homes Realty, Inc., ERA 2000 Homes Realty, license no. RB-062849-C, of Milford, Pike County, had their license automatically suspended based on a payment totaling \$20,000 being made from the Real Estate Recovery Fund to satisfy the claim of Gary and Nancy Little, c/o Mark E. Moulton, Esquire, who has uncollectible civil judgments against them.

Individuals may obtain a copy of the order by writing to Judith Pachter Schulder, Board Counsel, State Real Estate Commission, P. O. Box 2649, Harrisburg, PA 17105-2649.

This final order represents the State Real Estate Commissioner's (Commission) final decision in this matter. It may be appealed to the Commonwealth Court of Pennsylvania by the filing of a petition for review with that court in accordance with the Pennsylvania Rules of

Appellate Procedure. Individuals who take an appeal to the Commonwealth Court must serve the Commission with a copy of your petition for review. The Commission contact for receiving service of the appeals is the previously-named Commission counsel.

ANNIE HANNA CESTRA,  
*Chairperson*

[Pa.B. Doc. No. 08-2099. Filed for public inspection November 14, 2008, 9:00 a.m.]

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