

# NOTICES

## DEPARTMENT OF AGRICULTURE

### Interstate/International Quarantine Order; Avian Influenza

#### *Recitals.*

- A. Avian influenza is an infectious disease of poultry.
- B. Avian influenza is designated a "dangerous transmissible disease" of animals under 3 Pa.C.S. § 2321(d) (relating to Domestic Animal Law) (Law) (3 Pa.C.S.A. §§ 2301—2389).
- C. The Pennsylvania Department of Agriculture (PDA) has broad authority under the Law to regulate the keeping and handling of domestic animals in order to exclude, contain or eliminate dangerous transmissible diseases.
- D. Avian influenza has caused significant loss in the past to this Commonwealth's poultry industry.
- E. Avian influenza is of particular concern to this entire Commonwealth's poultry industry and may severely limit the market for this Commonwealth's product.
- F. Avian influenza sub-types H5 and H7 are of particular concern due to their potential for developing into a virulent (highly pathogenic) form of disease.
- G. Avian influenza exists, or is suspected to exist, outside this Commonwealth.
- H. The Law allows (at 3 Pa.C.S.A. § 2329(c)) for the establishment of an Interstate/International Quarantine under the circumstances described previously.
- I. Under that authority, the PDA issued its initial Interstate/International Quarantine Order addressing avian influenza on January 24, 2006. In the course of implementing and administering this initial Order, the PDA determined the need to refine the conditions of quarantine; and issued a February 7, 2008 Interstate/International Quarantine Order to supplant and rescind its initial Order.
- J. The PDA has again determined the need to refine the conditions of quarantine. Specifically, the PDA seeks to further clarify the testing requirements applicable to poultry flocks.

#### *Order.*

The PDA enters an Interstate/International Quarantine Order, incorporating the foregoing recitals. This order is entered under authority of the Law (at 3 Pa.C.S.A. § 2329) and section 1702 of The Administrative Code of 1929 (71 P.S. § 442), and establishes the following quarantine restrictions with respect to the shipment of live poultry into this Commonwealth:

1. For purposes of this Order, the term "poultry" includes all domesticated fowl, including chickens, turkeys, ostriches, emus, rheas, cassowaries, waterfowl and game birds, except doves and pigeons, or as otherwise defined under subpart A of the current version of the National Poultry Improvement Plan (NPIP) and Auxiliary Provisions, and shall be 3 weeks of age or older.
2. Poultry shall only be allowed into this Commonwealth under any of the following circumstances:
  - a. The poultry originate from a flock that participates in the current version of the NPIP and Auxiliary Provisions "U.S. Avian Influenza Clean" or "U.S. H5/H7 Avian

Influenza Clean" program and the shipment is accompanied by a USDA form 9-3 or other approved NPIP form; or

- b. The poultry originate from a flock in which a minimum of 30 birds, 3 weeks of age or older, were tested negative for avian influenza (serology, virus isolation or real-time reverse-transcriptase polymerase chain reaction (RRT-PCR)). The date of sample collection must be within 30 days of entry into this Commonwealth and the shipment must be accompanied by the test report. If there are fewer than 30 birds in the flock, all birds must be tested (RRT-PCR, virus isolation, or serology). For waterfowl, virus isolation (cloacal swabs) is required for entry. No untested birds shall have been added to the flock after sample collection and before entry into this Commonwealth.

- c. If a flock is serologically positive, poultry from that flock may be imported only if the flock is determined to be free of virus by virtue of a negative virus detection test (virus isolation or RRT-PCR) of oropharyngeal, tracheal and/or cloacal specimens from a minimum of 150 birds. If there are fewer than 150 birds in the flock, all birds must be tested. For waterfowl, virus isolation (cloacal swabs) is required for entry. The date of sample collection must be within 30 days of entry into this Commonwealth and the shipment must be accompanied by the test report. No untested birds shall have been added to the flock after sample collection and before entry into this Commonwealth.

3. Poultry 3 weeks of age and older, imported into this Commonwealth, shall meet all other import requirements required under PDA's regulations at Title 7 of the *Pennsylvania Code* (accessible through the following web site [www.pacode.com](http://www.pacode.com)).

4. Gallinaceous birds, water birds and ratites 3 weeks of age and older which are destined to be pet birds or destined to be part of a zoological or menagerie collection; and wild birds 3 weeks of age and older (gallinaceous birds, water birds, and ratites) destined for domestication, confinement, or as pets must be test negative for avian influenza (swabs tested using virus isolation or real-time reverse-transcriptase polymerase chain reaction (RRT-PCR) techniques). These birds may be individually tested for import. The date of sample collection must be within 30 days of entry into this Commonwealth and the shipment must be accompanied by the test report. For water birds, virus isolation (cloacal swabs) is required for entry.

5. All other imported gallinaceous birds, water birds and ratites 3 weeks of age and older must meet all AI testing requirements stated for poultry (includes birds intended for release). For water birds, virus isolation (cloacal swabs) is required for entry.

6. This Order shall not be construed as limiting the PDA's authority to establish additional quarantine or testing requirements on imported poultry and/or poultry products.

7. This Order is effective April 1, 2009, and supplants the referenced Interstate/International Quarantine Order of February 7, 2008.

DENNIS C WOLFF,  
*Secretary*

[Pa.B. Doc. No. 09-674. Filed for public inspection April 10, 2009, 9:00 a.m.]

# DEPARTMENT OF BANKING

## Actions on Applications

The Department of Banking (Department), under the authority contained in the act of November 30, 1965 (P. L. 847, No. 356), known as the Banking Code of 1965; the act of December 14, 1967 (P. L. 746, No. 345), known as the Savings Association Code of 1967; the act of May 15, 1933 (P. L. 565, No. 111), known as the Department of Banking Code; and the act of December 9, 2002 (P. L. 1572, No. 207), known as the Credit Union Code, has taken the following action on applications received for the week ending March 31, 2009.

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 regarding receipt 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, by appointment only, during regular business hours. To schedule an appointment, contact the Corporate Applications Division at (717) 783-2253. 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

#### Voluntary Dissolutions

| <i>Date</i> | <i>Name of Bank</i>  | <i>Location</i> | <i>Action</i>  |
|-------------|--|-----------------|--|
| 3-31-2009   | Everest Trust Company<br>Philadelphia<br>Philadelphia County | Philadelphia    | Approved   |
| 3-31-2009   | Everest Trust Company<br>Philadelphia<br>Philadelphia County | Philadelphia    | Certificate of Election for Voluntary Dissolution filed with Department of State |

Institution shall cease to do business.

#### Holding Company Acquisitions

| <i>Date</i> | <i>Name of Corporation</i>   | <i>Location</i> | <i>Action</i> |
|-------------|--|-----------------|---------------|
| 3-27-2009   | Northwest Bancorp, MHC, Warren, to acquire 100% of Keystone State Savings Bank, Sharpsburg | Warren          | Filed         |
| 3-31-2009   | Tower Bancorp, Inc., Greencastle, acquired 100% of Graystone Financial Corp., Lancaster    | Greencastle     | Effective     |

#### Consolidations, Mergers and Absorptions

| <i>Date</i> | <i>Name of Bank</i>   | <i>Location</i> | <i>Action</i> |
|-------------|---|-----------------|---------------|
| 3-27-2009   | Northwest Savings Bank, Warren, and Keystone State Savings Bank, Sharpsburg<br>Surviving Institution: Northwest Savings Bank, Warren  | Warren          | Filed         |
| 3-31-2009   | Graystone Bank, Lancaster, and The First National Bank of Greencastle, Greencastle<br>Surviving Institution: Graystone Bank, Lancaster, with the resulting institution continuing under the name "Graystone Tower Bank" | Lancaster       | Effective     |

#### Branch offices acquired by Graystone Tower Bank by means of merger:

|   |  |
|---|--|
| 40 Center Square<br>Greencastle<br>Franklin County  | 488 Gateway Avenue<br>Chambersburg<br>Franklin County    |
| 130 Mullen Street<br>Fort Loudon<br>Franklin County | 4136 Lincoln Way West<br>Chambersburg<br>Franklin County |

## NOTICES

| <i>Date</i> | <i>Name of Bank</i>  | <i>Location</i>  | <i>Action</i> |
|-------------|--|--|---------------|
|             | 2001 Lincoln Way East<br>Chambersburg<br>Franklin County   | 11906 Buchanan Trail West<br>Mercersburg<br>Franklin County    |               |
|             | 7357 Anthony Highway<br>Waynesboro<br>Franklin County      | 11050 Buchanan Trail East<br>Waynesboro<br>Franklin County     |               |
|             | 1574 Buchanan Trail East<br>Greencastle<br>Franklin County | 232 East Main Street<br>Waynesboro<br>Franklin County          |               |
|             | 187 Buchanan Trail<br>McConnellsburg<br>Fulton County      | 101 Lincoln Way West<br>McConnellsburg<br>Fulton County        |               |
|             | 8264 Great Cove Road<br>Needmore<br>Fulton County          | 1101 Professional Court<br>Hagerstown<br>Washington County, MD |               |
|             | 131 West Main Street<br>Hancock<br>Washington County, MD   | 18233 Maugans Avenue<br>Hagerstown<br>Washington County, MD    |               |

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

| <i>Date</i> | <i>Name of Bank</i>                          | <i>Location</i>                                | <i>Action</i> |
|-------------|--|--|---------------|
| 3-23-2009   | Fulton Bank<br>Lancaster<br>Lancaster County | 122 Eagle Point<br>Bellefonte<br>Centre County | Opened        |

**Branch Relocations**

| <i>Date</i> | <i>Name of Bank</i>   | <i>Location</i>   | <i>Action</i> |
|-------------|---|---|---------------|
| 3-30-2009   | Beneficial Mutual Savings Bank<br>Philadelphia<br>Philadelphia County | <i>To:</i> 537 Baltimore Pike<br>Springfield<br>Delaware County<br><br><i>From:</i> 410 West Baltimore Pike<br>Clifton Heights<br>Delaware County | Filed         |

**SAVINGS INSTITUTIONS**

No activity.

**CREDIT UNIONS****Community Charter Conversions**

| <i>Date</i> | <i>Name of Credit Union</i>                             | <i>Location</i> | <i>Action</i> |
|-------------|---|-----------------|---------------|
| 3-31-2008   | Riverset Credit Union<br>Pittsburgh<br>Allegheny County | Pittsburgh      | Filed         |

The credit union proposes to amend Article 8 of its Articles of Incorporation to serve a field of membership limited to the following community: Persons who live, work (regularly conduct business in), worship, attend school in and businesses and other legal entities in Allegheny, Beaver and Butler Counties, PA.

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.

STEVE KAPLAN,  
*Secretary*

[Pa.B. Doc. No. 09-675. Filed for public inspection April 10, 2009, 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

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

| <i>NPDES No.<br/>(Type)</i> | <i>Facility Name &amp;<br/>Address</i>                         | <i>County &amp;<br/>Municipality</i>            | <i>Stream Name<br/>(Watershed #)</i> | <i>EPA Waived<br/>Y/N ?</i> |
|-----------------------------|--|---|--------------------------------------|-----------------------------|
| PA0057622                   | Richard E. Javage, Jr.<br>241 Woodhill Lane<br>Media, PA 19063 | Delaware County<br>Upper Providence<br>Township | UNT Ridley Creek                     | Y                           |
|                             | Julie Saft<br>261 Woodhill Lane<br>Media, PA 19063             |   |                                      |                             |

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

| <i>NPDES No.<br/>(Type)</i> | <i>Facility Name &amp;<br/>Address</i>  | <i>County &amp;<br/>Municipality</i> | <i>Stream Name<br/>(Watershed #)</i> | <i>EPA Waived<br/>Y/N ?</i> |
|-----------------------------|---|--------------------------------------|--------------------------------------|-----------------------------|
| PAS212203<br>(Stormwater)   | Rock Hill Concrete, Inc.—<br>Bossardsville Plant<br>339 School Street<br>Catasauqua, PA 18032     | Monroe County<br>Hamilton Township   | UNT to Lake Creek<br>01E             | Y                           |
| PA0062006<br>(Minor Sewage) | YMCA of Wilkes-Barre, Inc.<br>Camp Kresge<br>40 West Northampton Street<br>Wilkes-Barre, PA 18711 | Luzerne County<br>Dennison Townshp   | Creasy Creek<br>05D                  | Y                           |

Chesapeake Bay nutrient monitoring requirements for Ammonia Nitrogen, Kjeldahl Nitrogen, Nitrite-Nitrate as N, Total Nitrogen and Total Phosphorus are being added to this permit.

| <i>NPDES No.<br/>(Type)</i>           | <i>Facility Name &amp;<br/>Address</i>  | <i>County &amp;<br/>Municipality</i> | <i>Stream Name<br/>(Watershed #)</i> | <i>EPA Waived<br/>Y/N ?</i> |
|---------------------------------------|---|--------------------------------------|--------------------------------------|-----------------------------|
| PA0031267<br>(Nonmunicipal<br>Sewage) | Tri-Valley School District<br>Hegins-Hublely Elementary<br>School<br>110 West Main Street<br>Valley View, PA 17983-9475 | Schuylkill County<br>Hegins Township | Pine Creek<br>06C                    | Y                           |

Chesapeake Bay nutrient monitoring requirements for Ammonia Nitrogen, Kjeldahl Nitrogen, Nitrite-Nitrate as N, Total Nitrogen and Total Phosphorus are being added to this permit.

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

| <i>NPDES No.<br/>(Type)</i> | <i>Facility Name &amp;<br/>Address</i>   | <i>County &amp;<br/>Municipality</i>             | <i>Stream Name<br/>(Watershed #)</i>      | <i>EPA Waived<br/>Y/N ?</i> |
|-----------------------------|--|--|---|-----------------------------|
| PA0085197<br>(Sew)          | Kampel Enterprises, Inc.<br>8930 Carlisle Road<br>Wellsville, PA 17365-9735                                      | York County<br>Warrington Township               | UNT North Branch<br>Bermudian Creek<br>7F | Y                           |
| PA0085448<br>(Sew)          | East Earl Sewer Authority—<br>Goodville Industrial Center<br>P. O. Box 339<br>East Earl, PA 17506                | Lancaster<br>East Earl Township                  | UNT Conestoga River<br>7J                 | Y                           |
| PA0082287<br>(Sew)          | Pennsylvania—Delaware<br>District Council Assemblies of<br>God<br>430 Union Hall Road<br>Carlisle, PA 17013-8303 | Cumberland County<br>North Middleton<br>Township | Conodoguinet Creek<br>7-B                 | Y                           |

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

| <i>NPDES No.<br/>(Type)</i> | <i>Facility Name &amp;<br/>Address</i>  | <i>County &amp;<br/>Municipality</i> | <i>Stream Name<br/>(Watershed #)</i>         | <i>EPA Waived<br/>Y/N ?</i> |
|-----------------------------|---|--------------------------------------|--|-----------------------------|
| PA0113913<br>SF             | Irvin G. Hoover<br>Irvin's Country Tinware<br>15 Cedar Lane<br>Mt. Pleasant Mills, PA<br>17853-8016 | Snyder County<br>West Perry Township | UNT To North Branch<br>Mahatango Creek<br>6C | Y                           |

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

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

**PA0057363**, Sewage, SIC 4952, **ARCCA Real Estate Corporation**, 2288 Second Street Pike, Penns Park, PA 18943. This existing facility is located in Wrightstown Township, **Bucks County**.

Description of Proposed Activity: Renewal of permit to discharge treated sewage effluent from a small flow treatment facility that serves a business office.

The receiving stream, a swale that drains to a UNT to Neshaminy Creek, is in the State Water Plan Watershed 2F and is classified for: WWF, MF, aquatic life, water supply and recreation. The nearest downstream public water supply intake for Aqua PA South East Division is located on Neshaminy Creek and is approximately 8 miles below the point of discharge.

The proposed effluent limits for Outfall 001 are based on a design flow of 2,000 gpd.

| <i>Parameters</i>           | <i>Mass (lb/day)</i>   |                      | <i>Concentration (mg/l)</i> |                      |                                     |
|-----------------------------|------------------------|----------------------|-----------------------------|----------------------|-------------------------------------|
|                             | <i>Average Monthly</i> | <i>Maximum Daily</i> | <i>Average Monthly</i>      | <i>Maximum Daily</i> | <i>Instantaneous Maximum (mg/l)</i> |
| CBOD <sub>5</sub>           |                        |                      |                             |                      |                                     |
| (5-1 to 10-31)              |                        |                      | 10                          |                      | 20                                  |
| (11-1 to 4-30)              |                        |                      | 20                          |                      | 40                                  |
| Total Suspended Solids      |                        |                      |                             |                      |                                     |
| NH <sub>3</sub> -N          |                        |                      | 10                          |                      | 20                                  |
| (5-1 to 10-31)              |                        |                      | 3.0                         |                      | 6.0                                 |
| (11-1 to 4-30)              |                        |                      | 9.0                         |                      | 18.0                                |
| pH (Standard Units)         |                        |                      | 6.0 minimum                 |                      | 9.0                                 |
| Fecal Coliform (Col/100 ml) |                        |                      | 200                         |                      | 1,000*                              |
| Total Residual Chlorine     |                        |                      | 0.5                         |                      | 1.3                                 |
| Dissolved Oxygen            |                        |                      | 3.0 minimum                 |                      |                                     |
| Total Phosphorus as P       |                        |                      | Report                      |                      | Report                              |

\* Not to exceed 1,000 Col/100 ml in greater than 10% of the samples tested.

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

1. Notification of Designation of Responsible Operator.
2. Abandon STP When Public Sewers Become Available.
3. Remedial Measures if Unsatisfactory Effluent.
4. No Stormwater to Sewers.
5. Necessary Property Rights.
6. Dry Stream Discharge.
7. Change in Ownership.
8. Chlorine Minimization.
9. Instantaneous Maximum Limitations.
10. Laboratory Certification.
11. Fecal Coliform Reporting.

**PA0011720**, Industrial Waste, SIC 2819, **Rhodia, Inc.**, CN 7500 Prospect Plains Road, Cranbury, NJ 08512-7500. This facility is located in Falls Township, **Bucks County**.

Description of Proposed Activity: renewal of an NPDES permit to discharge stormwater from the facility into Biles Creek.

The receiving stream, Biles Creek, is in the State Water Plan Watershed 2E-Common and is classified for WWF. The nearest downstream public water supply intake for LBJMA is located on Delaware River and is 4.0 miles below the point of discharge.

The proposed effluent limits for Outfall 001 are as follows:

| <i>Parameters</i>       | <i>Mass (lb/day)</i>   |                      | <i>Concentration (mg/l)</i> |                      |                                     |
|-------------------------|------------------------|----------------------|-----------------------------|----------------------|-------------------------------------|
|                         | <i>Average Monthly</i> | <i>Maximum Daily</i> | <i>Average Monthly</i>      | <i>Maximum Daily</i> | <i>Instantaneous Maximum (mg/l)</i> |
| CBOD <sub>5</sub>       |                        |                      |                             |                      | Monitor and Report                  |
| COD                     |                        |                      |                             |                      | Monitor and Report                  |
| Oil and Grease          |                        |                      |                             |                      | Monitor and Report                  |
| pH (Standard Units)     |                        |                      |                             |                      | Monitor and Report                  |
| Total Suspended Solids  |                        |                      |                             |                      | Monitor and Report                  |
| Total Kjeldahl Nitrogen |                        |                      |                             |                      | Monitor and Report                  |
| Total Phosphorus        |                        |                      |                             |                      | Monitor and Report                  |
| Iron (Dissolved)        |                        |                      |                             |                      | Monitor and Report                  |

**PA0011568**, Industrial Waste, SIC 3312, 3398, **ArcelorMittal Plate, LLC**, 139 Modena Road, P. O. Box 3001, Coatesville, PA 19320-0911. This existing facility is located in the City of Coatesville, **Chester County**.

Description of Proposed Activity: This application is for a renewal NPDES permit for an existing discharge of treated industrial wastewater from the ArcelorMittal Plate Coatesville Plant.

The receiving streams, West Branch Brandywine Creek and Sucker Run, are in the State Water Plan Watershed 3H and are classified for: WWF and MF.

The proposed effluent limits for Outfall 001 are based on a flow of 0.326 mgd:

| <i>Parameters</i>       | <i>Mass (lb/day)</i>   |                      | <i>Concentration (mg/l)</i> |                      |                                     |
|-------------------------|------------------------|----------------------|-----------------------------|----------------------|-------------------------------------|
|                         | <i>Average Monthly</i> | <i>Maximum Daily</i> | <i>Average Monthly</i>      | <i>Maximum Daily</i> | <i>Instantaneous Maximum (mg/l)</i> |
| Total Suspended Solids  | 82                     | 163                  | 30                          | 60                   | 75                                  |
| Oil and Grease          | 41                     |                      | 15                          |                      | 30                                  |
| Lead, Total             | 0.04                   | 0.12                 | 0.015                       | 0.045                | 0.045                               |
| Zinc, Total             | 0.33                   | 1.00                 | 0.12                        | 0.37                 | 0.37                                |
| Temperature             |                        |                      |                             |                      | 110° F                              |
| pH                      |                        |                      | 6.0 minimum                 |                      | 9.0                                 |
| Iron, Total             | 6.5                    | 12.8                 | 2.4                         | 4.7                  | 5.8                                 |
| Iron, Dissolved         | 1.28                   | 2.56                 | 0.47                        | 0.94                 | 1.2                                 |
| Total Residual Chlorine |                        |                      | 0.5                         | 1.0                  | 1.2                                 |

The proposed effluent limits for Outfall 016 are based on a flow of 0.397 mgd:

| <i>Parameters</i>      | <i>Mass (lb/day)</i>   |                      | <i>Concentration (mg/l)</i> |                      |                                     |
|------------------------|------------------------|----------------------|-----------------------------|----------------------|-------------------------------------|
|                        | <i>Average Monthly</i> | <i>Maximum Daily</i> | <i>Average Monthly</i>      | <i>Maximum Daily</i> | <i>Instantaneous Maximum (mg/l)</i> |
| Total Suspended Solids | 99                     | 199                  | 30                          | 60                   | 75                                  |
| Oil and Grease         | 50                     |                      | 15                          |                      | 30                                  |
| Chromium, Total        | 5.7                    | 14.2                 | Monitor and Report          | Monitor and Report   | 4.30                                |
| Nickel, Total          | 0.52                   | 1.04                 | 0.157                       | 0.314                | 0.392                               |
| Copper, Total          | 0.15                   | 0.24                 | 0.046                       | 0.072                | 0.115                               |
| Fluoride               |                        |                      | Monitor and Report          | Monitor and Report   |                                     |
| Temperature            |                        |                      |                             |                      | 110° F                              |
| pH                     |                        |                      | 6.0 minimum                 |                      | 9.0                                 |

Stormwater Outfalls 900, 960, 985, 988 and 992 have each been determined to be representative of a number of other stormwater outfalls with substantially identical effluents. The proposed monitoring requirements for these representative outfalls are as follows:

| <i>Parameters</i>      | <i>Mass (lb/day)</i>   |                      | <i>Concentration (mg/l)</i> |                      |                                     |
|------------------------|------------------------|----------------------|-----------------------------|----------------------|-------------------------------------|
|                        | <i>Average Monthly</i> | <i>Maximum Daily</i> | <i>Average Monthly</i>      | <i>Maximum Daily</i> | <i>Instantaneous Maximum (mg/l)</i> |
| CBOD <sub>5</sub>      | Monitor and Report     | Monitor and Report   |                             |                      |                                     |
| COD                    | Monitor and Report     | Monitor and Report   |                             |                      |                                     |
| Oil and Grease         | Monitor and Report     | Monitor and Report   |                             |                      |                                     |
| Total Suspended Solids | Monitor and Report     | Monitor and Report   |                             |                      |                                     |
| Lead, Total            | Monitor and Report     | Monitor and Report   |                             |                      |                                     |
| Chromium, Total        | Monitor and Report     | Monitor and Report   |                             |                      |                                     |
| Copper, Total          | Monitor and Report     | Monitor and Report   |                             |                      |                                     |
| Cadmium, Total         | Monitor and Report     | Monitor and Report   |                             |                      |                                     |
| Arsenic, Total         | Monitor and Report     | Monitor and Report   |                             |                      |                                     |
| Iron, Dissolved        | Monitor and Report     | Monitor and Report   |                             |                      |                                     |
| Fluoride               | Monitor and Report     | Monitor and Report   |                             |                      |                                     |
| Nickel, Total          | Monitor and Report     | Monitor and Report   |                             |                      |                                     |
| Zinc, Total            | Monitor and Report     | Monitor and Report   |                             |                      |                                     |
| pH                     | Monitor and Report     | Monitor and Report   |                             |                      |                                     |

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

1. Notification of Designation of Operator.
2. Remedial Measures if Unsatisfactory Effluent.
3. BAT/ELG Reopener.
4. Use of Chemical Additives.
5. Approved Chemical Additives and Usage Rates.
6. Thermal Requirements.
7. Discharge of Water from Fire Hydrants.
8. Change in Ownership.
9. Solids Handling.
10. TMDL/WLA Data.
11. I-max Requirements.
12. Requirements Applicable to Stormwater Outfalls.
13. Fluoride Monitoring at No. 4 Dam.

**PA0051161**, Sewage, SIC 4952, **Southco, Inc.**, 210 North Brinton Lake Road, Concordville, PA 19331. This proposed facility is located in Concord Township, **Delaware County**.

Description of Proposed Activity: renewal of an NPDES permit to discharge treated sewage from Southco STP.

The receiving stream, UNT to West Branch Chester Creek, is in the State Water Plan Watershed 3G and is classified for: TSF, aquatic life, water supply and recreation. The nearest downstream public water supply intake for Media Borough Auxiliary Intake is located on Chester Creek and is 7.5 miles below the point of discharge.

The proposed effluent limits for Outfall 001 are based on a design flow of 0.013 mgd.

| <i>Parameters</i>                   | <i>Concentration (mg/l)</i>            |                                     |
|-------------------------------------|--|-------------------------------------|
|                                     | <i>Average Monthly</i>                 | <i>Instantaneous Maximum (mg/l)</i> |
| CBOD <sub>5</sub><br>(5-1 to 10-31) | 10                                     | 20                                  |
| (11-1 to 4-30)                      | 20                                     | 40                                  |
| TSS                                 | 10                                     | 20                                  |
| Ammonia as N<br>(5-1 to 10-31)      | 3.0                                    | 6.0                                 |
| (11-1 to 4-30)                      | 9.0                                    | 18.0                                |
| Phosphorus, Total                   | Monitor and Report                     | Monitor and Report                  |
| Fecal Coliform                      | 200/100 ml                             | 1,000/100 ml                        |
| Dissolved Oxygen                    |  | 5.0 (Instantaneous Minimum)         |
| pH                                  | 6.0 to 9.0 Standard Units all the time |                                     |
| Total Residual Chlorine             | 0.5                                    | 1.2                                 |

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

1. Operator Notification.
2. Abandon STP when Municipal Sewers Available.
3. Remedial Measures if Unsatisfactory Effluent.
4. No Stormwater.
5. Acquire Necessary Property Rights.
6. Dry Stream Discharge.
7. Change of Ownership.
8. Chlorine Minimization.
9. Proper Sludge Disposal.
10. 2/Month Sampling.
11. Fecal Coliform Reporting.
12. Condition for Phasing Out.

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

**PA#0065277**, Sewage, **Lisa Bodnar**, P. O. Box 25, Martins Creek, PA 18053-0025. This proposed facility is located in Forks Township, **Northampton County**.

Description of Proposed Activity: Discharge of 500 gpd of treated sewage.

The receiving stream, Delaware River, is in the State Water Plan Watershed 1D and is classified for: WWF, MF. The nearest downstream public water supply intake is greater than 20 miles downstream on the Delaware River.

The proposed effluent limits for Outfall 001 based on a design flow of 0.0005 mgd.

| <i>Parameter</i>       | <i>Average Monthly (mg/l)</i>           | <i>Daily Maximum (mg/l)</i> | <i>Instantaneous Maximum (mg/l)</i> |
|------------------------|---|-----------------------------|-------------------------------------|
| CBOD <sub>5</sub>      | 25.0                                    |                             | 50.0                                |
| Total Suspended Solids | 30.0                                    |                             | 60.0                                |
| Dissolved Oxygen       | A minimum of 4.0 mg/l at all times.     |                             |                                     |
| Fecal Coliform         | 200/100 ml as a Geometric Mean          |                             |                                     |
| pH                     | 6.0 to 9.0 Standard Units at all times. |                             |                                     |

**PA0065285**, Sewage, **Bear Creek Foundation, Inc.**, 2000 Bear Creek Boulevard, Wilkes-Barre, PA 18702. This proposed facility is located in Bear Creek Township, **Luzerne County**.

Description of Proposed Activity: NPDES Permit for a new, treated sewage discharge.



The receiving stream, a UNT to Deep Hollow, is in the State Water Plan Watershed 05B and is classified for: CWF. The nearest downstream public water supply intake for Danville Borough Water Authority is located on the Susquehanna River 40 miles below the point of discharge.

The proposed effluent limits for Outfall 001 based on a design flow of 0.0125 mgd.

| <i>Parameter</i>        | <i>Average<br/>Monthly (mg/l)</i>       | <i>Instantaneous<br/>Maximum (mg/l)</i> |
|-------------------------|---|---|
| CBOD <sub>5</sub>       | 10.0                                    | 20.0                                    |
| Total Suspended Solids  | 10.0                                    | 20.0                                    |
| NH <sub>3</sub> -N      |   |   |
| (5-1 to 10-31)          | 2.1                                     | 4.2                                     |
| (11-1 to 4-30)          | 6.3                                     | 12.6                                    |
| Dissolved Oxygen        | A minimum of 6.0 mg/l at all times.     |   |
| Fecal Coliform          |   |   |
| (5-1 to 9-30)           | 200/100 ml as a Geometric Mean          |   |
| (10-1 to 4-30)          | 2,000/100 ml as a Geometric Mean        |   |
| pH                      | 6.0 to 9.0 Standard Units at all times. |   |
| Total Residual Chlorine | Nondetectable                           |   |

#### Chesapeake Bay Tributary Strategy Nutrient Requirements

| <i>Parameter</i>     | <i>Concentration (mg/l)</i> |                         | <i>Mass (lbs)</i>      |
|----------------------|-----------------------------|-------------------------|------------------------|
|                      | <i>Monthly<br/>Average</i>  | <i>Monthly<br/>Load</i> | <i>Annual<br/>Load</i> |
| Ammonia-N            | Report                      | Report                  | Report                 |
| Kjeldahl-N           | Report                      | Report                  | Report                 |
| Nitrate-Nitrate as N | Report                      | Report                  | Report                 |
| Total Nitrogen       | 10.0, Offset by Credits     | Report                  | Report                 |
| Total Phosphorus     | 5.0, Offset by Credits      | Report                  | Report                 |
| Net Total Nitrogen   |                             | Report                  | 0*                     |
| Net Total Phosphorus |                             | Report                  | 0*                     |

\* 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 submitted to the Department.

The applicant proposes to utilize nitrogen offsets based upon the retirement of existing septic systems. The applicant also proposes to purchase nitrogen and phosphorus credits from Red Barn Trading Company, LLC. An executed contract will be required before permit issuance.

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

**Application No. PA 0261254**, Sewage, **Tim Lougue**, 3256 Bean's Cove Road, Clearville, PA 16635. This facility is located in Southampton Township, **Bedford County**.

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

The receiving stream, Wildcat Run, is in Watershed 13-A, and classified for HQ-CWF, water supply, recreation and fish consumption. The nearest downstream public water supply intake for Hancock, MD is located on the Potomac River, approximately 80 miles downstream. The discharge is not expected to affect the water supply.

The proposed effluent limits for Outfall 001 for a design flow of 0.0004 mgd are:

| <i>Parameter</i>        | <i>Average<br/>Monthly (mg/l)</i>   | <i>Average<br/>Weekly (mg/l)</i> | <i>Instantaneous<br/>Maximum (mg/l)</i> |
|-------------------------|-------------------------------------|----------------------------------|---|
| CBOD <sub>5</sub>       | 10                                  |                                  | 20                                      |
| NH <sub>3</sub> -N      |                                     |                                  |   |
| (5-1 to 10-31)          | 5                                   |                                  | 10                                      |
| (11-1 to 4-30)          | 15                                  |                                  | 30                                      |
| Total Suspended Solids  | 20                                  |                                  | 40                                      |
| Total Residual Chlorine | Report                              |                                  | Report                                  |
| pH                      | From 6.0 to 9.0 inclusive           |                                  |   |
| Fecal Coliform          |                                     |                                  |   |
| (5-1 to 9-30)           | 200/100 ml as a Geometric Average   |                                  |   |
| (10-1 to 4-30)          | 2,000/100 ml as a Geometric Average |                                  |   |

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.

**Application No. PA 0261289**, Sewage, **Garren Wilkins**, 10538 Hyndman Road, Manns Choice, PA 15537. This facility is located in Harrison Township, **Bedford County**.

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

The receiving stream, Buffalo Run, is in Watershed 11-C, and classified for WWF, water supply, recreation and fish consumption. The nearest downstream public water supply intake for Bedford Borough Water Authority is located on the Raystown Branch Juniata, approximately 7 miles downstream. The discharge is not expected to affect the water supply.

The proposed effluent limits for Outfall 001 for a design flow of 0.0004 mgd are:

| <i>Parameter</i>        | <i>Average<br/>Monthly (mg/l)</i>   | <i>Instantaneous<br/>Maximum (mg/l)</i> |
|-------------------------|-------------------------------------|---|
| CBOD <sub>5</sub>       | 25                                  | 50                                      |
| Total Suspended Solids  | 30                                  | 60                                      |
| Total Residual Chlorine | Report                              | XXX                                     |
| Dissolved Oxygen        | Minimum of 5.0 at all times         |   |
| pH                      | From 6.0 to 9.0 inclusive           |   |
| Fecal Coliform          |                                     |   |
| (5-1 to 9-30)           | 200/100 ml as a Geometric Average   |   |
| (10-1 to 4-30)          | 2,000/100 ml as a Geometric Average |   |

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.

**Application No. PA 0085782**, Sewage, **Ruscombmanor Township**, 204 Oak Lane, Fleetwood, PA 19522. This facility is located in Ruscombmanor Township, **Berks County**.

Description of activity: The application is for of an NPDES permit amendment to expand an existing discharge of treated sewage from 0.025 mgd to 0.05 mgd.

The receiving stream, a UNT to Furnace Creek, is in Watershed 3-D, and classified for CWF, water supply, recreation and fish consumption. The nearest downstream public water supply intake for Pennsylvania American Water Works is located on the Schuylkill River, approximately 40 miles downstream. The discharge is not expected to affect the water supply.

The proposed Interim effluent limits for Outfall 001 for a design flow of 0.025 mgd are:

| <i>Parameter</i>        | <i>Average<br/>Monthly (mg/l)</i>   | <i>Average<br/>Weekly (mg/l)</i> | <i>Instantaneous<br/>Maximum (mg/l)</i> |
|-------------------------|-------------------------------------|----------------------------------|---|
| CBOD <sub>5</sub>       | 25                                  |                                  | 50                                      |
| Total Suspended Solids  | 30                                  |                                  | 60                                      |
| NH <sub>3</sub> -N      |                                     |                                  |   |
| (5-1 to 10-31)          | 5                                   |                                  | 10                                      |
| (11-1 to 4-30)          | 15                                  |                                  | 30                                      |
| Total Residual Chlorine | 0.34                                |                                  | 1.1                                     |
| Dissolved Oxygen        | Minimum of 5.0 at all times         |                                  |   |
| pH                      | From 6.0 to 9.0 inclusive           |                                  |   |
| Fecal Coliform          |                                     |                                  |   |
| (5-1 to 9-30)           | 200/100 ml as a Geometric Average   |                                  |   |
| (10-1 to 4-30)          | 4,300/100 ml as a Geometric Average |                                  |   |

The proposed Final effluent limits for Outfall 001 for a design flow of 0.05 mgd are:

| <i>Parameter</i>        | <i>Average<br/>Monthly (mg/l)</i>   | <i>Average<br/>Weekly (mg/l)</i> | <i>Instantaneous<br/>Maximum (mg/l)</i> |
|-------------------------|-------------------------------------|----------------------------------|---|
| CBOD <sub>5</sub>       | 25                                  |                                  | 50                                      |
| Total Suspended Solids  | 30                                  |                                  | 60                                      |
| NH <sub>3</sub> -N      |                                     |                                  |   |
| (5-1 to 10-31)          | 3.0                                 |                                  | 5.0                                     |
| (11-1 to 4-30)          | 9.0                                 |                                  | 15.0                                    |
| Total Residual Chlorine | 0.076                               |                                  | 0.218                                   |
| Dissolved Oxygen        | Minimum of 5.0 at all times         |                                  |   |
| pH                      | From 6.0 to 9.0 inclusive           |                                  |   |
| Fecal Coliform          |                                     |                                  |   |
| (5-1 to 9-30)           | 200/100 ml as a Geometric Average   |                                  |   |
| (10-1 to 4-30)          | 2,000/100 ml as a Geometric Average |                                  |   |

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.

**Application No. PA 0008541, Amendment No. 1**, Industrial Waste, SIC Code 3585, **Johnson Controls, Inc.**, P. O. Box 1592-082K, York, PA 17405. This facility is located in Spring Garden Township, **York County**.

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

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 is Wrightsville Water Supply Company located on the Susquehanna River, approximately 19 miles downstream. The discharge is not expected to affect the water supply.

The proposed effluent limits for Outfalls 003, 006, 008 and 011 based on a design flow of 0.096 mgd are:

| Parameter           | Mass (lb/day)                      |               | Concentration (mg/l) |                    |                       |
|---------------------|------------------------------------|---------------|----------------------|--------------------|-----------------------|
|                     | Average Monthly                    | Maximum Daily | Average Monthly      | Maximum Daily      | Instantaneous Maximum |
| pH (Standard Units) | Range of 6.0 to 9.0 Standard Units |               |                      |                    |                       |
| Temperature         | XXX                                | XXX           | XXX                  | Monitor and Report | XXX                   |
| TSS                 | XXX                                | XXX           | XXX                  | Monitor and Report | XXX                   |
| Oil and Grease      | XXX                                | XXX           | XXX                  | Monitor and Report | XXX                   |
| Total Chromium      | XXX                                | XXX           | XXX                  | Monitor and Report | XXX                   |
| Total Copper        | XXX                                | XXX           | XXX                  | Monitor and Report | XXX                   |
| Total Zinc          | XXX                                | XXX           | XXX                  | Monitor and Report | XXX                   |
| Total Aluminum      | XXX                                | XXX           | XXX                  | Monitor and Report | XXX                   |

For Outfalls 007, 009, 010 and 012 which receive stormwater only, a special permit requirement is included in Part C of the permit

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.*

**PA0233722, Richard S. Zerby**, 303 Nittany Valley Drive, Bellefonte, PA 16823. This proposed facility is located in Worth Township, **Centre County**.

Description of Proposed Activity: An NPDES permit application has been submitted requesting authorization to discharge from a small flow treatment facility serving the Zerby residence.

The receiving stream, an Wills Hollow Run, is in the State Water Plan Watershed 9C and is classified for: TSF. The nearest downstream public water supply intake is near Milton is located on is on the West Branch of the Susquehanna River approximately 100 miles below the point of discharge.

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

| Parameter         | Mass (lb/day)   |               | Concentration (mg/l)           |               |                       |
|-------------------|-----------------|---------------|--------------------------------|---------------|-----------------------|
|                   | Average Monthly | Maximum Daily | Average Monthly                | Maximum Daily | Instantaneous Maximum |
| CBOD <sub>5</sub> |                 |               | 10                             |               | 20                    |
| TSS               |                 |               | 20                             |               | 40                    |
| Fecal Coliforms   |                 |               | 200 colonies/100 ml            |               |                       |
| pH                |                 |               | Within the range of 6.0 to 9.0 |               |                       |
| Flow              |                 |               | Monitor and Report             |               |                       |
| UV Disinfection   |                 |               | Clean                          |               |                       |

**NPDES Permit No. PA0233587**, Industrial Wastewater, SIC code 4941, **Emporium Hardwoods, LLC**, 15970 Route 120, Emporium, PA 15834. The proposed action is for the issuance of an NPDES permit authorizing the discharge (Outfall 002) of industrial stormwater to Driftwood Branch of Sinnemahoning Creek and a discharge (Outfall 001) of industrial stormwater and wastewater to a pond adjacent to Driftwood Branch of Sinnemahoning Creek, both of which are located in Shippen Township, **Cameron County**. This receiving stream is classified for TSF, aquatic life, water supply and recreation.

Facility Standard Industrial Classification (SIC): 24

#### Effluent Monitoring for Outfalls 001 and 002:

| Discharge Parameter                          | Units          | Sample Type | Measurement Frequency |
|--|----------------|-------------|-----------------------|
| C-Biochemical Oxygen Demand (5-day)          | mg/l           | 1 Grab      | 1/year                |
| Chemical Oxygen Demand                       | mg/l           | 1 Grab      | 1/year                |
| Oil and Grease                               | mg/l           | 1 Grab      | 1/year                |
| pH   | Standard Units | 1 Grab      | 1/year                |
| Total Suspended Solids                       | mg/l           | 1 Grab      | 1/year                |
| Total Kjeldahl Nitrogen                      | mg/l           | 1 Grab      | 1/year                |
| Total Phosphorous                            | mg/l           | 1 Grab      | 1/year                |
| Effluent Guideline Pollutants <sup>(1)</sup> | mg/l           | 1 Grab      | 1/year                |
| Iron (Total)                                 | mg/l           | 1 Grab      | 1/year                |

In addition to the previous monitoring requirements, the applicant will be required to monitor the chemical additive usage in the boiler blowdown associated with Outfall 001. The maximum chemical additive usage rates are:

| <i>Chemical Additive</i> | <i>Proposed Usage Rate*</i> |
|--------------------------|-----------------------------|
| PCT 5300B                | 5.0 lbs/day                 |
| PCT 5410                 | 2.0 lbs/day                 |
| PCT 5718                 | 7.5 lbs/day                 |

\* The permittee will be required to monitor the daily usage of each approved chemical additive.

The EPA waiver will be in effect.

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

**PA0001228-A1**, Industrial Waste, SIC 3621 and 3561, **Curtiss-Wright Corporation**, 1000 Cheswick Avenue, Cheswick, PA 15024-1300. This application is for amendment of an NPDES permit to discharge untreated process water from the Curtiss-Wright Electro-Mechanical Corporation in Harmar Township, **Allegheny County**.

The following effluent limitations are proposed for discharge to the receiving waters, UNT to Allegheny River, classified as a WWF with existing and/or potential uses for aquatic life, water supply and recreation. The first existing/proposed downstream potable water supply is Oakmont, located at approximately, 2.0 miles below the discharge point.

*Outfall 903 and 113*: new discharge, design flow of 0.005 mgd.

| <i>Parameter</i>       | <i>Mass (lb/day)</i>   |                      | <i>Concentration (mg/l)</i> |                      |                              |
|------------------------|------------------------|----------------------|-----------------------------|----------------------|------------------------------|
|                        | <i>Average Monthly</i> | <i>Maximum Daily</i> | <i>Average Monthly</i>      | <i>Maximum Daily</i> | <i>Instantaneous Maximum</i> |
| Flow (mgd)             | Monitor and Report     |                      |                             |                      |                              |
| Total Suspended Solids |                        |                      | 30                          |                      | 60                           |
| Oil and Grease         |                        |                      | 15                          |                      | 30                           |
| Dissolved Oxygen       |                        |                      | Minimum of 5.0              |                      |                              |
| Iron                   |                        |                      | Monitor and Report          |                      | 7.0                          |
| pH                     |                        |                      | Monitor and Report          |                      |                              |

The EPA waiver is in effect.

**PA0253987**, Industrial Waste, SIC, 4953, **Somerset Regional Water Resources, LLC**, 888 Stoystown Road, Somerset, PA 15501. This application is for issuance of an NPDES permit to discharge treated process water from Somerset Regional Water Resources Industrial Wastewater Treatment Plant in Somerset Township, **Somerset County**.

The following effluent limitations are proposed for discharge to the receiving waters, East Branch Coxes Creek, classified as a TSF with existing and/or potential uses for aquatic life, water supply and recreation. The first existing/proposed downstream potable water supply is Ohiopyle Borough Municipal Water Works, located at Ohiopyle, 42.3 miles below the discharge point.

*Outfall 001*: new discharge, design flow of 1.3 mgd.

| <i>Parameter</i>        | <i>Mass (lb/day)</i>   |                      | <i>Concentration (mg/l)</i> |                      |                              |
|-------------------------|------------------------|----------------------|-----------------------------|----------------------|------------------------------|
|                         | <i>Average Monthly</i> | <i>Maximum Daily</i> | <i>Average Monthly</i>      | <i>Maximum Daily</i> | <i>Instantaneous Maximum</i> |
| Flow (mgd)              | Monitor and Report     |                      |                             |                      |                              |
| Total Suspended Solids  |                        |                      | Not Detectable              |                      |                              |
| BOD <sub>5</sub>        |                        |                      | 8.35                        | 16.7                 |                              |
| Oil and Grease          |                        |                      | Not Detectable              |                      |                              |
| Aluminum                |                        |                      | Not Detectable              |                      |                              |
| Barium                  |                        |                      | 0.24                        | 0.48                 |                              |
| Iron                    |                        |                      | Not Detectable              |                      |                              |
| Manganese               |                        |                      | Not Detectable              |                      |                              |
| Strontium               |                        |                      | Not Detectable              |                      |                              |
| Benzene                 |                        |                      | 0.001                       | 0.002                |                              |
| Ethylbenzene            |                        |                      | Monitor and Report          |                      |                              |
| Toluene                 |                        |                      | Monitor and Report          |                      |                              |
| Xylenes                 |                        |                      | Monitor and Report          |                      |                              |
| Total BTEX              |                        |                      | 0.1                         | 0.2                  |                              |
| Monoethylene            |                        |                      | Monitor and Report          |                      |                              |
| Phenols                 |                        |                      | Not Detectable              |                      |                              |
| Acetone                 |                        |                      | 4.37                        | 8.74                 |                              |
| Acetophenone            |                        |                      | 0.0562                      | 0.144                |                              |
| 2-Butanone              |                        |                      | 1.85                        | 4.81                 |                              |
| o-Cresol                |                        |                      | 0.561                       | 1.92                 |                              |
| p-Cresol                |                        |                      | 0.199                       | 0.398                |                              |
| Pyridine                |                        |                      | 0.182                       | 0.370                |                              |
| 2, 4, 6-Trichlorophenol |                        |                      | 0.006                       | 0.012                |                              |

| Parameter                 | Mass (lb/day)   |                  | Concentration (mg/l) |                  |                          |
|---------------------------|---|------------------|----------------------|------------------|--------------------------|
|                           | Average<br>Monthly                                    | Maximum<br>Daily | Average<br>Monthly   | Maximum<br>Daily | Instantaneous<br>Maximum |
| Boron                     |   |                  | 1.99                 | 3.98             |                          |
| Copper                    |   |                  | 0.011                | 0.022            |                          |
| Lead                      |   |                  | 0.003                | 0.006            |                          |
| Silver                    |   |                  | 0.003                | 0.006            |                          |
| Zinc                      |   |                  | 0.095                | 0.190            |                          |
| Naphthalene               |   |                  | 0.053                | 0.106            |                          |
| Total Dissolved Solids    |   |                  | 500                  | 750              |                          |
| Chloride                  |   |                  |                      | 250              |                          |
| Sulfate                   |   |                  |                      | 250              |                          |
| Bromide                   |   |                  | Monitor and Report   |                  |                          |
| Osmotic Pressure (mOs/kg) |   |                  | 62.4                 | 124.8            |                          |
| Acidity                   |   |                  | Less than alkalinity |                  |                          |
| Alkalinity                |   |                  | Monitor and Report   |                  |                          |
| pH                        | not less than 6.0 nor greater than 9.0 Standard Units |                  |                      |                  |                          |

OTHER CONDITIONS: Special conditions concerning priority pollutant sampling, compliance with "not detectable" effluent limitations, residual/hazardous waste disposal, stormwater, oil-bearing wastewaters and chemical additives.

The EPA waiver is not in effect.

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

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

**WQM Permit No. 2806404, Transfer No. 1, Sewerage, Christian Sease, 2753 Grand Point Road, Chambersburg, PA 17201.** This proposed facility is located in Greene Township, **Franklin County**.

Description of Proposed Action/Activity: Application for Transfer of Permit.

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

**WQM Permit No. 1408405, Sewerage 4952, Richard Zerby, 303 Nittany Valley Drive, Bellefonte, PA 16823.** This proposed facility is located in Worth Township, **Centre County**.

Description of Proposed Action/Activity: The applicant is proposing to construct and operate a 400 gpd single-residence small flow treatment facility that will discharge to Wills Run, a TSF. The treatment system will be comprised of a 1,000 gallon capacity concrete septic tank, a peat bio-filter and ultraviolet disinfection.

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

**WQM Permit No. 5609402, Sewerage, Northeast District of the Brethren Church, 622 Main Street, Berlin Brethren Church, Berlin, PA 15530.** This proposed facility is located in Greenville Township, **Somerset County**.

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

**WQM Permit No. 5685404-A1, Sewerage, Seven Springs Municipal Authority, 290 Lagoon Lane, Champion, PA 15622.** This existing facility is located in Middlecreek Township, **Somerset County**.

Description of Proposed Action/Activity: Application for permit amendment to construct a tertiary filter process at the existing sewage treatment plant.

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

**WQM Permit No. 2588403, Sewerage, Amendment No. 3, Albion Borough Municipal Authority, 26 Smock Avenue, Albion, PA 16401.** This proposed facility is located in Conneaut Township, **Erie County**.

Description of Proposed Action/Activity: New bar screen; new RBC splitter box; rehab of the existing RBCs plus adding a third RBC; adding a new secondary clarifier; construction of a new blower building, sludge pump station, and effluent pump station; repair is to the existing anaerobic digester; new post aeration system; new SCADA system.

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

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

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


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*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<br>1509011        | Turnpike Commission<br>P. O. Box 67676<br>Harrisburg, PA 17106-7676   | Chester       | Tredyffrin Township  | Valley Creek<br>EV                      |
| PAI01<br>5109001        | Essington Avenue Partners II,<br>LP<br>2701 Renaissance Boulevard<br>King of Prussia, PA 19406  | Philadelphia  | City of Philadelphia | Schuylkill Tidal<br>Watershed<br>WWF-MF |
| PAI01<br>5109002        | Essington Avenue Partners II,<br>LP<br>2701 Renaissance Boulevard<br>King of Prussia, PA 19406  | Philadelphia  | City of Philadelphia | Schuylkill Tidal<br>Watershed<br>WWF-MF |
| PAI01<br>5109003        | Division of Aviation<br>City of Philadelphia<br>Department of Planning and<br>Environmental Stewardship<br>Philadelphia International<br>Airport<br>Terminal D<br>3rd Floor<br>Philadelphia, PA 19153 | Philadelphia  | City of Philadelphia | Pennypack Creek<br>WWF-MF               |

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

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

| <i>NPDES Permit No.</i> | <i>Applicant Name &amp; Address</i>                                      | <i>County</i> | <i>Municipality</i> | <i>Receiving Water/Use</i> |
|-------------------------|--|---------------|---------------------|----------------------------|
| PAI024809004            | Bath Borough<br>Attn: George Gasper<br>160 Mill Street<br>Bath, PA 18014 | Northampton   | Bath Borough        | Monocacy Creek<br>HQ-CWF   |

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

| <i>NPDES Permit No.</i> | <i>Applicant Name &amp; Address</i>  | <i>County</i> | <i>Municipality</i>    | <i>Receiving Water/Use</i> |
|-------------------------|--|---------------|------------------------|----------------------------|
| PAI023909011            | Weisenberg Township<br>Attn: Donald Breininger<br>2175 Seipstown Road<br>Fogelsville, PA 18051 | Lehigh        | Weisenberg<br>Township | Lyon Creek<br>HQ-CWF, MF   |

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


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

### **STATE CONSERVATION COMMISSION**

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

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

Based upon preliminary reviews, the State Conservation Commission (SCC), or County Conservation Districts (CCD) working under a delegation agreement with the SCC, have completed an administrative review of NMPs described. These NMPs are published as proposed plans for comment prior to taking final actions. The NMPs are available for review at

the CCD office for the county where the agricultural operation is located. A list of CCD office locations is available at [www.pacd.org/districts/directory.htm](http://www.pacd.org/districts/directory.htm) or can be obtained from the SCC at the office address listed or by calling (717) 787-8821.

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

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

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

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

| <i>Agricultural Operation Name and Address</i>                                    | <i>County</i> | <i>Total Acres</i> | <i>Animal Equivalent Units</i> | <i>Animal Type</i> | <i>Special Protection Waters (HQ or EV or NA)</i> | <i>Renewal/New</i> |
|---|---------------|--------------------|--------------------------------|--------------------|---|--------------------|
| Eric Risser<br>Meadow Vista Dairy, LLC<br>166 Risser Road<br>Bainbridge, PA 17502 | Lancaster     | 847.7              | 1,296.5                        | Dairy              | NA  | Renewal            |
| Jeffrey Werner<br>897 North Lancaster Street<br>Jonestown, PA 17038               | Lebanon       | 476.5              | 489.6                          | Turkeys            | NA  | Renewal            |
| Elvin Nolt<br>11 Seth Erb Road<br>Richland, PA 17087                              | Lebanon       | 8.0                | 707                            | Swine              | NA  | Renewal            |

**PUBLIC WATER SUPPLY (PWS) PERMIT**

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

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

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

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

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

**SAFE DRINKING WATER**

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

*Central Office: Bureau Director, Water Standards and Facility Regulation, P. O. Box 8467, Harrisburg, PA 17105-8467.*

**Permit No. 9996562**, Public Water Supply.  
 Applicant **Arctic Spring Bottlers, Inc.**  
 Township or Borough Lindenhurst, NY  
 Responsible Official Daryl Holzman, Vice President  
 Type of Facility Out-of-State Bottled Water System  
 Application Received Date March 24, 2009  
 Description of Action Applicant requesting the Department of Environmental Protection approval to sell bottled water in Pennsylvania under the brand name: Member's Mark Purified Drinking Water.

**Permit No. 9996563**, Public Water Supply.  
 Applicant **CG Roxane, LLC**  
 Township or Borough Norman, AR  
 Responsible Official George Castaneda  
 Corporate Quality Assurance Manager  
 Type of Facility Out-of-State Bottled Water System  
 Application Received Date March 25, 2009

Description of Action Applicant requesting the Department of Environmental Protection approval to sell bottled water in Pennsylvania under the brand name: Crystal Geyser Natural Alpine Spring Water.

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

**Application No. 4009509**, Public Water Supply.

Applicant **United Water Pennsylvania, Inc. Dallas Water System**  
Dallas Township  
**Luzerne County**

Responsible Official John Hollenbach  
United Water Pennsylvania, Inc.  
4211 East Park Drive  
Harrisburg, PA 17111

Type of Facility Public Water System

Consulting Engineer Arthur Saunders, P. E.

Application Received Date March 6, 2009

Description of Action The addition of caustic soda for pH adjustment at the country club well.

**Application No. 4009510**, Public Water Supply.

Applicant **United Water Pennsylvania, Inc. Dallas Water System**  
Dallas Township  
**Luzerne County**

Responsible Official John Hollenbach  
United Water Pennsylvania, Inc.  
4211 East Park Drive  
Harrisburg, PA 17111

Type of Facility Public Water System

Consulting Engineer Arthur Saunders, P. E.

Application Received Date March 6, 2009

Description of Action The addition of caustic soda for pH adjustment at the country club well.

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

**Permit No. 2808509**, Public Water Supply.

Applicant **Franklin County General Authority**

Municipality Greene Township

County **Franklin**

Responsible Official John M. VanHorn, P. G.  
Executive Director  
5540 Coffey Avenue  
Chambersburg, PA 17201

Type of Facility Public Water Supply

Consulting Engineer Yves E. Pollart BCEE, P. E.  
Rettew Associates, Inc.  
2500 Gettysburg Road  
Camp Hill, PA 17011

Application Received October 7, 2008

Description of Action Settling Basin and Filter Upgrades

**Permit No. 0608515**, Public Water Supply.

Applicant **Reading Area Water Authority**

Municipality Ontelaunee Township

County **Berks**

Responsible Official Dean Miller  
Executive Director  
815 Washington Street  
Reading, PA 19601

Type of Facility Public Water Supply

Consulting Engineer Max C. Kurbjun Jr., P. E.  
BCM Engineers  
920 Germantown Pike  
Plymouth Meeting, PA 19462

Application Received October 28, 2008

Description of Action Addition of more alum storage facilities and transfer pumps to transfer alum from new storage to existing day tanks with in the existing treatment building.

**Permit No. 3109501**, Public Water Supply.

Applicant **Huntingdon Borough Water Department**

Municipality Huntingdon Borough

County **Huntingdon**

Responsible Official Kenneth E. Myers  
Huntingdon Borough Manager  
530 Washington Street  
P. O. Box 592  
Huntingdon, PA 16652

Type of Facility Public Water Supply

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

Application Received March 19, 2009

Description of Action Installation of the Westminster Woods Pump Station.

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

**Application No. 1409502—Construction**, Public Water Supply.

Applicant **Blarney Stone Development**

Township or Borough Union Township

County **Centre**

Responsible Official Steven MacNamara, Owner  
200 Mac One Lane  
Julian, PA 16844

Type of Facility Public Water Supply—Construction



Consulting Engineer David Cunningham, P. E.  
Keller Engineers  
420 Allegheny Street  
P. O. Box 61  
Hollidaysburg, PA 16648

Application Received March 18, 2009

Description of Action New public water supply at existing residential development, including Well No. 1, aeration, disinfection, finished water storage and distribution system.

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

**Permit No. 3009502**, Public Water Supply.

Applicant **East Dunkard Water Association**  
P. O. Box 241  
SR 88  
Dilliner, PA 15327

Township or Borough East Dunkard

Responsible Official James Holbert, Plant Manager  
East Dunkard Water Association  
P. O. Box 241  
SR 88  
Dilliner, PA 15327

Type of Facility Water treatment plant

Consulting Engineer Dakota Engineering Associates, Inc.  
Etna Technical Center  
Suite 200  
35 Wilson Street  
Pittsburgh, PA 15223

Application Received Date March 31, 2009

Description of Action Replacement of three existing water filtration units with a new dual train unit, renovation of the existing backwash settling basin, modification to two booster stations and replacement of three water storage tanks.

**MINOR AMENDMENT**

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

**Application No. 6509503MA**, Minor Amendment.

Applicant **Highridge Water Authority**  
17 Maple Avenue  
Blairsville, PA 15717

Township or Borough West Wheatfield Township

Responsible Official George Sulkosky  
Executive Director  
Highridge Water Authority  
17 Maple Avenue  
Blairsville, PA 15717

Type of Facility Water storage tank

Consulting Engineer Gibson-Thomas Engineering Co., Inc.  
1004 Ligonier Street  
P. O. Box 853  
Latrobe, PA 15650

Application Received Date March 31, 2009

Description of Action Painting the Wheatfield water storage tank.

**LAND RECYCLING AND ENVIRONMENTAL REMEDIATION**

**UNDER ACT 2, 1995**

**PREAMBLE 1**

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

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

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

For further information concerning the content of a Notice of Intent to Remediate, contact the environmental

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

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

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

**4 Pine Lane Property**, Union Township, **Lebanon County**. Liberty Environmental, Inc., 50 North 5th Street, Fifth Floor, Reading, PA 19601, on behalf of Paul and Judy Wengert, 987 Daffodil Drive, Lebanon, PA 17052, submitted a Notice of Intent to Remediate site soils contaminated with No. 2 heating oil from an underground storage tank. The site will be remediated to a Residential Statewide Health standard and will remain residential.

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

**American Rock Salt Co., LLC**, City of Dubois and Sandy Township, **Clearfield County**. American Rock Salt Co., LLC, P. O. Box 190, Mt. Morris, PA 14510 has submitted a Notice of Intent to Remediate soil and groundwater contaminated with volatile and semi-volatile compounds. The applicant proposes to remediate the site to meet the Statewide Health Standard. The property is intended to remain commercial/industrial.

#### **DETERMINATION FOR APPLICABILITY FOR RESIDUAL WASTE GENERAL PERMITS**

**Application received for Determination of Applicability under the Solid Waste Management Act (35 P. S. §§ 6018.101—6018.1003); the Municipal Waste Planning, Recycling and Waste Reduction Act (53 P. S. §§ 4000.101—4000.1904); and Residual Waste Regulations for a General Permit to Operate Residual Waste Processing Facilities and/or the Beneficial Use of Residual Waste Other Than Coal Ash.**

*Southwest Region: Regional Solid Waste Manager, 400 Waterfront Drive, Pittsburgh, PA 15222-4745, (412) 442-4000.*

**General Permit No. WMGR101SW001**, MultiServ North America, 8050 Rowan Road, Suite 600, Cranberry Township, PA 16066. Allegheny Ludlum Brackenridge Facility, Federal Street Gate 10, Natrona Heights, PA 15065. A residual waste general permit for the beneficial use of steel slag, iron slag, and refractory bricks that were co-disposed with slag ("slag"), reclaimed asphalt pavement materials (RAP) in quantities greater than 10 cubic yards and uncontaminated brick, block and concrete from sidewalk and highway projects as a construction material in Brackenridge Borough, **Allegheny County**, was received in the Regional Office on March 24, 2009.

Comments concerning the application should be directed to Diane McDaniel, Environmental Engineering Manager, Department of Environmental Protection, 400 Waterfront Drive, Pittsburgh, PA 15222-4745. Persons interested in obtaining more information about the general permit application may contact the Department of Environmental Protection (Department) Southwest Regional Office, Regional Files at (412) 442-4000. TDD users may contact the Department through the Pennsylvania

AT&T Relay Service at (800) 654-5984. Public comments must be submitted within 30 days of this notice and may recommend revisions to, and approval or denial of the application.

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

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

*Southeast Region: Regional Solid Waste Manager, 2 East Main Street, Norristown, PA 19401.*

**Permit Application No. 101680. Waste Management Disposal Services of Pennsylvania, Inc.** (GROWS North Landfill), 1000 New Ford Mill Road, Morrisville, PA 19067. This minor permit modification application is for revisions to the Leachate Recirculation System at GROWS North Landfill, a municipal waste landfill located in Falls Township, **Bucks County**. The application was received by the Southeast Regional Office on March 19, 2009.

**Permit Application No. 101696. Swanson Rail Transfer Station**, 13 Pattison Avenue, Philadelphia, PA 19148, City of Philadelphia, **Philadelphia County**. This application proposes to construct and operate of a new waste transfer facility receiving a maximum of 2,500 tpd of Municipal Solid Waste and Construction and Demolition Waste then transferring by rail to a permitted disposal facility. The application was received by the Southeast Regional Office on August 15, 2008.

**Permit Application No. 101697. American C&D Logistics, LLC**, 3600 South 26th Street, Philadelphia, PA 19145, City of Philadelphia, **Philadelphia County**. This application is to operate a new waste transfer facility receiving a maximum of 1,000 tpd of Construction and Demolition (C&D) Waste then transferring the C&D waste by barge to a permitted facility for processing. The application was received by the Southeast Regional Office on March 26, 2009.

**Permit Application No. 101541. Delaware Valley Recycling, Inc.**, 3107 South 61st Street, Philadelphia, PA 19153-3501. This application is for 10-year permit renewal to continue operation at the Delaware Valley Recycling facility, an existing construction and demolition storage and processing facility, located in the City of Philadelphia, **Philadelphia County**. The application was received by the Southeast Regional Office on March 27, 2009.

**Permit Application No. 101549. Bucks County Resource Recovery Inc.**, 701 Penn Avenue, Marcus Hook, PA 19061-4604, Marcus Hook Borough, **Delaware County**. This major permit modification application is submitted requesting the approval to process "Sharps" and "Animal and Plant Health Inspection Services" wastes, which are waste categories presently not permitted for processing at the facility. The application was received by the Southeast Regional Office by on March 31, 2009.

## 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.**

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

**03-00245A: TJS Mining, Inc.** (2340 Smith Road, Shelocta, PA 15774) on March 24, 2009, to install a coal processing facility at their Mine No. 6 near Gastown in Plumcreek Township, **Armstrong 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.**

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

**28-05029B: Fayetteville Contractors, Inc.** (3185 Lincoln Way East, Fayetteville, PA 17222) for installation of a recycled asphalt processing section on the existing batch asphalt plant in Antrim Township, **Franklin County**. The plan approval will include emission limits along with work practice standards, recordkeeping and reporting requirements to ensure the facility complies with the applicable air quality regulations. The asphalt plant is subject to 40 CFR Part 60, Subpart I—Standards of Performance for Asphalt Concrete Plants.

**38-05003G: Carmeuse Lime & Stone** (3 Clear Springs Road, Annville, PA 17003) for use of resin flakes as a fuel in the three lime kilns at the Millard lime plant in North Londonderry Township, **Lebanon County**. The facility's emissions of SOx is expected to decrease from the use of the resin flakes. SOx emissions from the facility are limited to 685 tons per consecutive 12-month period. The plan approval and subsequent Title V operating permit amendment will include emission limits, monitoring, recordkeeping and reporting requirements to ensure the facility complies with the applicable air quality regulations. The facility is subject to 40 CFR Part 63, Subpart AAAAA—National Emission Standards for HAPs for Lime Manufacturing Plants.

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

**PA-32-00059C: Reliant Energy Northeast Management Co.** (121 Champion Way, Suite 200, Canonsburg, PA 15317-7625) for construction and operation of an activated carbon injection system rated at 1,500 pph per unit for mercury control on Units 1 and 2 at their existing Conemaugh Power Plant in West Wheatfield Township, **Indiana County**.

Under 25 Pa. Code § 127.44(a), that the Department of Environmental Protection (Department) intends to issue a Plan Approval to Reliant Energy Northeast Management Company (121 Champion Way, Suite 200, Canonsburg, PA 15317-7625) to allow the construction and operation of an activated carbon injection system rated at 1,500 pph per unit for mercury control on Units 1 and 2 at their existing Conemaugh Power Plant located in West Wheatfield Township, Indiana County.

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

Department of Environmental Protection  
400 Waterfront Drive  
Pittsburgh, PA 15222

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

*SPECIAL CONDITIONS*

1. This Plan Approval is to allow the construction and operation of an activated carbon injection (ACI) system rated at 1,500 pph per unit on Units 1 and 2 at Reliant Energy Northeast Management Company's Conemaugh Power Plant located in the West Wheatfield Township, Indiana County (25 Pa. Code § 127.12b).

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

- Two Sorbent Storage Silos
- Material Handling of Spent Sorbent Material
- Truck Traffic on Roads and Surfaces

3. Air pollution control equipment covered by this Plan Approval includes the following (25 Pa. Code § 127.12b):

- Hg Sorbent Injection Systems on Units No. 1 and No. 2, rated 1,500 lbs per hour per unit
- Two Griffin Model No. 54-LS (or equivalent) Bin Vent Collectors, approximately 760 ACFM each on Sorbent Storage Silos

4. Visible emissions from each Sorbent Storage Silo covered by this Plan Approval shall not exceed 10% opacity for a period or periods aggregating more than 3 minutes in any 1 hour or equal or exceed 30% opacity at any time (25 Pa. Code § 127.12b).

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

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

7. All sorbent delivery trucks and spent sorbent disposal trucks shall travel on paved roads and designated truck haul routes. The Owner/Operator shall take all reasonable actions to prevent PM caused by truck traffic from becoming airborne (25 Pa. Code §§ 123.1 and 123.2).

8. The Owner/Operator shall perform a daily inspection for the presence of visible stack emissions, fugitive emissions and malodorous emissions from the emission sources covered by this plan approval. This requirement does not apply for any day in which no sorbent is delivered or consumed. Records of the inspections shall be maintained in a log and include any corrective actions taken (25 Pa. Code § 127.12b).

9. The Bin Vent Collectors shall be equipped with gauges to monitor pressure drop across the filters. Pressure drop readings shall be kept using either electronic recording devices or recorded manually on a daily basis whenever the control device is operating. This requirement does not apply for any day in which no sorbent is delivered or consumed (25 Pa. Code § 127.12b).

10. The Owner/Operator shall maintain each Bin Vent Collector by the manufacturer's recommendation. The maintenance schedule for each unit and records of all maintenance activities performed on each unit shall be maintained in a log (25 Pa. Code § 127.12b).

11. At a minimum, the Owner/Operator shall maintain records of the following (25 Pa. Code § 127.12b):

- a. Tons of sorbent delivered to the facility per month.
- b. Tons of sorbent used in Units No. 1 and No. 2 per month.
- c. Pressure drop readings on the Bin Vent Collectors.
- d. Visible stack emission, fugitive emission and malodorous emission inspection for the sources covered by this plan approval.
- e. The maintenance schedule for, and records of, all maintenance activities performed on each Bin Vent Collector.

12. Stack testing shall be conducted as follows (25 Pa. Code §§ 127.12b and 139.11):

a. Units No. 1 and No. 2: Within 60 days after achieving the normal production rate at which the sorbent injection will be operated, but not later than 180 days after initial start-up of the control device, the Owner/Operator shall perform total particulate testing to determine the filterable and condensable particulate concentration in the effluent both without the ACI system in operation and with the ACI system in operation.

b. Stack testing shall be conducted in accordance with the provisions of 25 Pa. Code Chapter 139 and the Department's Source Testing Manual.

c. The owner/operator shall submit three copies of a pretest protocol to the Department for review at least 60 days prior to the performance of any stack test. All proposed stack test methods shall be identified in the pretest protocol and approved by the Department prior to testing.

d. The owner/operator shall notify the Regional Air Quality Manager at least 15 days prior to any stack test so that an observer may be present at the time of the test.

e. All relevant operating parameters shall be recorded at appropriate intervals throughout the duration of stack test. Operating data recorded shall be sufficient to establish that the units and the air cleaning devices are operating at maximum routine operating conditions. A discussion of the recorded operating parameters and values shall be included in the test report.

f. The owner/operator shall submit three copies of the stack test report to the Department within 60 days of the completion of testing.

13. The Owner/Operator shall install, certify, maintain and operate a CEM system for monitoring mercury (Hg) in accordance with the requirements of 25 Pa. Code Chapter 139 and the most recent version of the Department's Continuous Source Monitoring Manual during the term of the Plan Approval, including extensions, modifications and transfers (25 Pa. Code § 127.12b).

14. All logs and required records shall be maintained onsite for a minimum of 5 years and shall be made available to the Department upon request (25 Pa. Code § 127.12b).

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

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

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

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

#### GENERAL CONDITIONS

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

2. The issuance of this plan approval does not prevent the future adoption by the Department of any rules, regulations or standards, or the issuance of orders necessary to comply with the requirements of the Federal Clean Air Act (CAA) or the Pennsylvania 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. (25 Pa. Code § 127.12b(a)(b))

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

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

(b) Under 25 Pa. Code § 127.12b(d), temporary operation of the sources is authorized to facilitate the 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; and Title V operating permits) or to permit the evaluation of the air contaminant aspects of the source.

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

(d) The permittee may request an extension of the 180-day shakedown period if further evaluation of the air contamination aspects of the sources is necessary. The request for an extension should be submitted, in writing, to the Department at least 15 days prior to the end of the initial 180-day shakedown period and shall provide a description of the compliance status of the source, a

detailed schedule for establishing compliance, and the reasons compliance has not been established. This temporary operation period will be valid for a limited time and may be extended for additional limited periods, each not to exceed 120 days. If, at any time, the Department has cause to believe that air contaminant emissions from the sources listed in this plan approval may be in excess of the limitations specified in, or established under this plan approval or the permittee's operating permit, the permittee may be required to conduct test methods and procedures deemed necessary by the Department to determine the actual emissions rate. Such testing shall be conducted in accordance with 25 Pa. Code Chapter 139, where applicable, and in accordance with any restrictions or limitations established by the Department at such time as it notifies the company that testing is required. (25 Pa. Code § 127.12b)

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

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

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

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

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

(i) A justification for the extension.

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

If construction has not commenced before the expiration of this plan approval, then a new plan approval

application must be submitted and approval obtained before construction can commence.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

Regional Air Program Manager  
Department of Environmental Protection

(At the address given on the plan approval transmittal letter or otherwise notified) (25 Pa. Code § 127.12c)

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

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

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

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

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

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

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

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

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 as follows. A 30-day comment period, from the date

of this publication, will exist for the submission of comments. Each written comment must contain the following:

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

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

For additional information, persons may contact the following at the same address:

Nicholas J. Waryanka, P. E.  
Air Quality Program  
(412) 442-4172

**PA-26-00579A: Tri-State Bio Fuels, LLC** (Thompson Recovery Road, Lemont Furnace, PA 15456) to allow the construction and operation of a wood pellet manufacturing facility, in Lemont Furnace, North Union Township, **Fayette County**.

Notice is hereby given, under 25 Pa. Code § 127.44(a), that the Department of Environmental Protection (Department) intends to issue a Plan Approval to Tri-State Bio Fuels, LLC (Thompson Recovery Road, Lemont Furnace, PA 15456) to allow the construction and operation of a wood pellet manufacturing facility, located in Lemont Furnace, North Union Township, Fayette County. The facility will process up to 77,376 tons of raw sawdust, of which 14,976 tons will be used process heat, and has the potential to emit 38.1 tons of PM, 46.6 tons of PM10, 30.1 tons of CO, 29.8 tons of NOx, 13.0 tons of VOCs and 6.6 tons of HAPs per year.

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

Department of Environmental Protection  
400 Waterfront Drive  
Pittsburgh, PA 15222

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

#### *GENERAL CONDITIONS*

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

2. The issuance of this plan approval does not prevent the future adoption by the Department of any rules, regulations or standards, or the issuance of orders necessary to comply with the requirements of the Federal Clean Air Act (CAA) or the Pennsylvania Air Pollution Control Act (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. (25 Pa. Code § 127.12b(a)(b))

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

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

(b) Under 25 Pa. Code § 127.12b(d), temporary operation of the sources is authorized to facilitate the 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; and Title V operating permits) or to permit the evaluation of the air contaminant aspects of the source.

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

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

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

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

(b) Upon cause shown by the permittee that the records, reports or information, or a particular portion thereof, but not emission data, to which the Department has access under the act, if made public, would divulge production or sales figures or methods, processes or production unique to that person or would otherwise tend to affect adversely the competitive position of that person by revealing trade secrets, including intellectual property

rights, the Department will consider the record, report or information, or particular portion thereof confidential in the administration of the act. The Department will implement this section consistent with sections 112(d) and 114(c) of the CAA (42 U.S.C.A. §§ 7412(d) and 7414(c)). Nothing in this section prevents disclosure of the report, record or information to Federal, State or local representatives as necessary for purposes of administration of Federal, State or local air pollution control laws, or when relevant in a proceeding under the act. (25 Pa. Code § 127.12(c) and (d) and 35 P.S. § 4013.2)

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

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

- (i) A justification for the extension.
- (ii) A schedule for the completion of the construction.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

Regional Air Program Manager  
Department of Environmental Protection

(At the address given on the plan approval transmittal letter or otherwise notified) (25 Pa. Code § 127.12c)

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

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



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

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

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

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

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

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

#### *SPECIAL CONDITIONS*

1. This Plan Approval authorizes the construction and temporary operation of air pollution sources and control devices associated with wood pellet manufacturing at the Tri-State Bio Fuels Lemont Pellet Plant located in North Union Township, Fayette County. (25 Pa. Code § 127.12b)

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

(a) Webb 50 mmBtu Biomass burner fitted to MEC 60-12 Drum Dryer.

(b) Hammer mill.

(c) Feedstock sizing screen.

(d) Two pellet mills.

(e) Pellet cooler.

(f) Rotoshaker.

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

(a) CGS 6-45 Type V2 6-Pack Multiclone, rated at 60,000 CFM.

(b) MAC 144LVS64 Baghouse, rated at 9,360 SCFM.

(c) Clark LP-120 LG 83-302 cyclone, rated at 10,000 ACFM.

(d) Wheelabrator A126893 baghouse, rated at 10,000 SCFM.

4. At no time shall visible emissions from each stack at the facility be equal to or greater than 20% opacity for a period or periods aggregating more than 3 minutes in any one hour, or equal to or greater than 60% opacity at any time (25 Pa. Code § 123.41).

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

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

7. At no time shall any source at this facility be operated without the simultaneous operation of each associated control device (25 Pa. Code § 127.12b).

8. The owner/operator shall maintain the following records on a 12-month rolling basis to be made available to the Department upon request (25 Pa. Code § 127.12b):

(a) Monthly quantity of fuel used in the dryer (expressed in tons).

(b) Monthly quantity of wood pellets produced (expressed in tons).

(c) Monthly number of hours of dryer operation.

(d) Weekly, facility-wide visible (stack), fugitive and malodorous emissions inspections.

(e) The maintenance schedule for, and records of, all maintenance activities performed on the biomass burner and on each control device.

9. Emissions from the facility shall be limited to the following:

(a) PM10 9.6 lbs/hr 46.6 tpy

(b) NOx 0.14 lb/mmBtu 6.8 lbs/hr 29.8 tpy

(c) CO 0.14 lb/mmBtu 6.9 lbs/hr 30.1 tpy

10. PM emissions from the sawdust dryer multiclone shall not exceed 0.04 gr/dscf. (25 Pa. Code § 123.13)

11. Stack testing of the drum dryer shall be performed by an appropriately certified entity within 180 calendar days of initial start-up, but no later than 90 days of achieving maximum production, and retested a minimum of once every 5 years thereafter. Testing shall be conducted in accordance with the provisions of 25 Pa. Code § 139 and the Department's Source Testing Manual.

(a) Tests shall be conducted for the following regulated pollutants (25 Pa. Code § 139):

i. NOx (as NO<sub>2</sub>) expressed in lb/mmBtu and lbs/hr.

ii. CO expressed in lb/mmBtu and lbs/hr.

iii. PM10, expressed in gr/dscf and lbs/hr.

iv. EPA Method 9 visible emission readings, expressed as percent (%) opacity.

(b) At least 45 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. (25 Pa. Code § 139.3)

(c) One copy of the pretest protocol shall be submitted to the Regional Office and two copies of the pre-test protocol shall be submitted 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. (25 Pa. Code § 139.3)

(d) 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. (25 Pa. Code § 139.3)

(e) Test reports 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 shall include, at a minimum, the following information: (25 Pa. Code § 139.53(b))

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

ii. Permit numbers and conditions which provide the basis for the evaluation.

iii. Summary of results with respect to each applicable permit condition.

iv. Statement of compliance or noncompliance with each applicable permit condition.

(f) A complete test report shall be submitted to the Department no later than 60 calendar days after completion of the onsite testing portion of an emission test program. One copy of the test report shall be submitted to the Regional Office and two copies of the test report shall be submitted to the Department of Environmental Protection, Bureau of Air Quality, Division of Source Testing and Monitoring.

(g) All source testing submittals shall meet all applicable requirements specified in the most current version of the Department's Source Testing Manual. (25 Pa. Code § 139.3)

(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.

12. Notification as to the date and time of testing shall be provided to the appropriate Regional Office at least 15 calendar days prior to commencing an emission testing program. Notification shall also be sent to the Division of Source Testing and Monitoring. Notification shall not be made without prior approval of test protocol by the Department. (25 Pa. Code § 139.3)

13. The Department may revise the maximum allowable emission rates based upon stack test results and may require additional controls in the event that emission limitations are not met. (25 Pa. Code § 127.12b)

14. This Plan Approval authorizes temporary operation of the sources covered by this Plan Approval provided the following conditions are met.

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

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

(c) Upon receipt of the written Notice of the Completion of Construction from the Owner/Operator the Depart-

ment shall authorize a 180-day Period of Temporary Operation of the sources from the date of commencement of operation. The Notice submitted by the Owner/Operator, prior to the expiration of this Plan Approval, shall modify the Plan Approval expiration date. The new Plan Approval expiration date shall be 180 days from the date of commencement of operation.

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

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

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

(g) If, at any time, the Department has cause to believe that air contaminant emissions from the sources listed in this Plan Approval may be in excess of the limitations specified in, or established under this plan approval or the permittee's operating permit, the permittee may be required to conduct test methods and procedures deemed necessary by the Department to determine the actual emissions rate. Such testing shall be conducted in accordance with 25 Pa. Code Chapter 139, where applicable, and in accordance with any restrictions or limitations established by the Department at such time as it notifies the company that testing is required. (25 Pa. Code § 127.12b)

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 as follows. A 30-day comment period, from the date of this publication, will exist for the submission of comments. Each written comment must contain the following:

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

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

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

Devin Tomko  
Air Quality Program  
(412) 442-5231

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

**61-187D: SMS Millcraft** (671 Colbert Avenue, Oil City, PA 16301) for replacement of the fume scrubber that controls the emissions from the existing hexavalent chrome plating operation in the Oil City Industrial Park in Oil City, **Venango County**.

In accordance with 25 Pa. Code §§ 127.44(b) and 127.424(b), the Department of Environmental Protection intends to issue a plan approval to: to replace the fume scrubber that controls the emissions from the existing hexavalent chrome plating operation in the Oil City Industrial Park located in Oil City, Venango County. This plan approval will, in accordance with 25 Pa. Code § 127.450, be incorporated into a State-only operating permit through an administrative amendment at a later date.

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

**AMS 08069: Camden Iron & Metal, Inc.** (2900 South Christopher Columbus Boulevard, Philadelphia, PA 19148) to install a 400 ton/hr metal shredding process in the City of Philadelphia, **Philadelphia County**. The process will consist of a shredder with an 8,000 hp electric motor and a computerized water injection system and a cascade cleaning chamber with a Zerto Bleed air classifier system and a cyclone. Total PM fugitive emissions from the transfer points are limited to 1.37 tons per rolling 12-month period. The plan approval will contain operating, monitoring, recordkeeping and reporting requirements to ensure operation within all applicable requirements.

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

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

**46-00160: Cognis Corp.** (300 Brookside Avenue, Ambler, PA 19002) for a renewal of the State-only (Natural Minor) Operating Permit in Lower Gwynedd Township, **Montgomery County**. Cognis Corporation operates and maintains 14 small natural gas- and/or No. 2 fuel oil-fired boilers and 17 natural gas-fired space heaters, from which the main pollutants emitted are NOx and PM. The actual emission rates of NOx and PM from the boilers and space heaters are each less than 2 tpy. No significant changes have occurred at the facility since the permit was originally issued on November 17, 2003. The renewed permit will include the same monitoring,

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

**23-00064: Lawn Croft Cemetery** (1000 West Ridge Road, Linwood, PA 19061) for operation of two human crematory units in Lower Chichester Township, **Delaware County**. This action is a renewal of the original State-only Operating Permit (Natural Minor), which was issued on July 12, 2004, and expires on July 31, 2009. Several typographical changes have been made to the permit. Recordkeeping requirements were standardized for both crematory units. The facility shall remain a natural minor facility. There have been no changes at the facility since the original Operating Permit was issued and therefore, no new sources are identified in the renewed Operating Permit. The permit includes monitoring, recordkeeping and reporting requirements designed to keep the facility operating within all applicable air quality requirements.

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

**40-00109: GRUMA Corp., d/b/a Mission Foods** (15 Elmwood Avenue, Mountaintop, PA 18707) for operation of bake ovens and chip fryers and associated air cleaning device at their facility in Wright Township, **Luzerne County**. This facility is currently operating under Operating Permits 40-317-024, 40-317-025 and 40-317-032. All permit requirements shall be included in the new State-only (Natural Minor) Operating Permit for this facility. This Operating Permit shall include emission restrictions, monitoring, recordkeeping and reporting requirements designed to ensure this facility complies with all applicable air quality regulations.

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

**06-05003: Stone Pointe Management Corp.** (2525 North 12th Street, Reading, PA 19605-2749) for operation of a convention center including four boilers and two emergency generators in Muhlenberg Township, **Berks County**. This is a renewal of the State-only operating permit issued in 2003.

**06-05087: Haines & Kibblehouse, Inc.** (2052 Lucon Road, P. O. Box 196, Skippack, PA 19474) for their asphalt plant at 1355 Reading Avenue, Bechtelsville, in Colebrookdale Township, **Berks County**. This is a renewal of the State-only operating permit issued in September 2004.

**06-05092: Reading Materials, Inc.** (2052 Lucon Road, P. O. Box 196, Skippack, PA 19474) for their asphalt plant at 148 Angstadt Lane in Cumru Township, **Berks County**. This is a renewal of the State-only operating permit issued in September 2004.

**38-05037: Zimmerman Chair Shop** (1486 Colebrook Road, Lebanon, PA 17042-9507) for their wood surface coating and manufacturing operation in North Cornwall Township, **Lebanon County**. The State-only operating permit will include monitoring, work practices, recordkeeping and reporting requirements designed to keep the fabrication shop operating within all applicable air quality requirements.

**67-03017: Yorktown Paperboard Corp.** (1001 Loucks Mill Road, York, PA 17405) for operation of a paper recycling and manufacturing facility in Spring Garden

Township, **York County**. This is a renewal of the State-only operating permit issued in 2004.

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

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

**63-00878: The Peoples Natural Gas Co.** (1201 Pitt Street, Wilkinsburg, PA 15221) for operation of a compressor station at Gibson Station in Fallowfield Township, **Washington County**. This is a renewal of the State-only operating permit issued in 2004.

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

**25-01006: Lake Erie Biofuels, LLC** (1540 East Lake Road, Erie, PA 16511-1032) for the issuance of a synthetic minor operating permit in the City of Erie, **Erie County**. The significant sources are two process steam boilers, the biodiesel production, storage tanks, a high pressure steam generator for the fatty acid stripper and a parts washer. The conditions of the previous plan approvals 25-1006A and 25-1006B were incorporated into the operating permit. The permittee shall be a synthetic minor source of SO<sub>x</sub> emissions by accepting an elective throughput restriction on the quantity of residual oil combusted in the two process boilers (1.21 million gallons) based on a consecutive 12-month period. The permittee shall keep records of the SO<sub>x</sub> emissions based on the quantity of residual oil burned. The facility is a natural minor facility for the remaining pollutants.

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

## 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—86.34.

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.*

**30841313 and NPDES Permit No. PA0022594, Consolidation Coal Company**, (1000 Consol Energy Drive, Canonsburg, PA 15317), to revise the permit for the Dilworth Mine in Cumberland Township, **Greene County** for a 22.4 acres land use change at the Rices Landing Loading Facility and AMD Plant from unmanaged natural habitat to commercial/industrial. No additional discharges. Application received October 30, 2008.

**32951301 and NPDES Permit No. PA0215821, Rosebud Mining Company**, (301 Market Street, Kittanning, PA 16201), to revise the permit for the Toms Run Mine in Burrell Township, **Indiana County** to expand the underground permit and subsidence control plan area acreage. Underground Acres Proposed 386.6, Subsidence Control Plan Acres Proposed 386.6. No additional discharges. Application received February 6, 2006.

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

**56090106 and NPDES No. PA0262765, Hardrock Coal Company**, 275 Saddle Ridge Road, Berlin, PA 15530, commencement, operation and restoration of a bituminous surface and auger mine in Brothersvalley Township, **Somerset County**, affecting 105.5 acres. Receiving streams: UNTs to/and Buffalo Creek classified for the following use: CWF. There are no potable water supply intakes within 10 miles downstream. Application received March 16, 2009.

**56020105 and NPDES No. PA0249262, Black Resources, Inc.**, 162 Cumberland Street, Berlin, PA 15530, permit renewal for the continued operation and restora-

tion of a bituminous surface and auger mine in Brothersvalley Township, **Somerset County**, affecting 87.7 acres. Receiving streams: UNTs of Millers Run and Sandy Hollow classified for the following use: CWF. There are no potable water supply intakes within 10 miles downstream. Application received March 24, 2009.

**56030101 and NPDES No. PA0249360, Tomcat Coal**, 309 Coalyard Road, Rockwood, PA 15557, permit renewal for reclamation only of a bituminous surface mine in Milford Township, **Somerset County**, affecting 33.2 acres. Receiving streams: UNTs to South Glade Creek classified for the following use: WWF. There are no potable water supply intakes within 10 miles downstream. Application received March 25, 2009.

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

**24-08-03 and NPDES Permit No. PA0258725, Tamburlin Brothers Coal Co., Inc.** (P. O. Box 1419, Clearfield, PA 16830). Proposal to enter into a Governmental Financial Reclamation Construction Contract on a 90.0 acre site in Jay Township, **Elk County**. The proposal include total reclamation of 35.0 acres of abandoned mine land as well as 16.5 acres of coal removal incidental and necessary to the reclamation activities. Receiving streams: UNT to Dixon Run, classified for the following use: CWF. There are no potable surface water intakes within 10 miles downstream. Application received March 17, 2009.

**10990101 and NPDES Permit No. PA0241512, Amerikohl Mining, Inc.** (202 Sunset Drive, Butler, PA 16001). Renewal of an existing bituminous surface strip operation in Eau Claire Borough and Venango Township, **Butler County** affecting 35.0 acres. Receiving streams: South Fork Little Scrubgrass Creek and UNTs, classified for the following use: CWF. There are no potable surface water supply intakes within 10 miles downstream. Application for reclamation only. Application received March 25, 2009.

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

**54991301T and NPDES Permit No. PA0223964. Little Buck Coal Company**, (57 Lincoln Road, Pine Grove, PA 17963), transfer of an existing anthracite underground mine operation from Joliett Coal Company in Porter Township, **Schuylkill County** affecting 3.0 acres, receiving stream: Wiconisco Creek. Application received March 23, 2009.

**49840103R4. Reading Anthracite Company**, (P. O. Box 1200, Pottsville, PA 17901), renewal of an existing

anthracite surface mine operation in East Cameron Township, **Northumberland County** affecting 127.0 acres, receiving stream: none. Application received March 26, 2009.

#### *Noncoal Applications Received*

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

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

\* The parameter is applicable at all times.

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

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

**56090801. Fieg Brothers**, 3070 Stoystown Road, Stoystown, PA 15563, commencement, operation and restoration of a small noncoal (industrial minerals) operation in Southampton Township, **Somerset County**, affecting 5 acres. Receiving streams: UNT to Rush Run. Application received February 27, 2009.

**0792801. Catharine Properties, Inc.**, One Eighth Street, Braddock, PA 15104, commencement, operation and restoration of a small noncoal (industrial minerals) operation in Catharine Township, **Blair County**, affecting 5 acres, receiving streams: UNT to Frankstown Branch Juniata River. Application received February 26, 2009.

**56050801. Ramblin' Hills**, 1504 Hillside Avenue, Windber, PA 15963, bond release on a small noncoal (industrial minerals) operation in Paint Township, **Somerset County**, affecting 3.0 acres. Receiving stream: no discharge. Application received January 9, 2009.

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

**57090301 and NPDES No. PA0257133. Ininger Excavating, Inc.** (3046 Dushore-Overton Road, Dushore, PA 18614), commencement, operation and restoration of a large noncoal operation in Forks Township, **Sullivan County**, affecting 20.0 acres. Receiving streams: UNT to Black Creek, classified for the following use: CWF. There are no potable water supply intakes within 10 miles downstream. Application received March 16, 2009.

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

**06920301C3 and NPDES Permit No. PA0595641. Martin Stone Quarries, Inc.**, (P. O. Box 297, Bechtelsville, PA 19505), renewal of NPDES Permit for discharge of treated mine drainage from a quarry operation in Washington Township, **Berks County**, receiving

streams: UNT to Swamp Creek, classified for the following use: TSF. Application received March 25, 2009.

**40090301 and NPDES Permit No. PA0224774. Cedar Rock Materials Corp.**, (7612 Columbia Boulevard, Berwick, PA 18603), commencement, operation and restoration of a quarry operation and NPDES Permit for discharge of treated mine drainage in Salem Township, **Luzerne County** affecting 252.0 acres, receiving streams: UNT to Schuylkill River and Schuylkill River, classified for the following use: CWF. Application received March 26, 2009.

## 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 Floodplain Management Act (32 P. S. § 679.302) and requests for certification under section 401(a) of the Federal Water Pollution Control Act (33 U.S.C.A. § 1341(a)).**

#### WATER OBSTRUCTIONS AND ENCROACHMENTS

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

**E23-475. Township of Chester**, 1150 Engle Street, Chester, PA 19013, Chester Township, **Delaware County**, United States Army Corps of Engineers, Philadelphia District.

To perform the following Water Obstruction and Encroachment activities within the Floodplain of Chester Creek (WWF, MF) associated with the Chester Creek Levee modification project:

- 1) To extend and maintain the existing flood protection levee from 1, 885 linear feet to 2,900 linear feet.
- 2) To place fill on the existing levee in order to increase its height to approximately 3 feet above the 100-year water surface elevation.
- 3) To construct and maintain a concrete wall levee to connect the two sections of the existing earthen levee.
- 4) To extend, modify, and maintain two existing outfall structures associated with the interior dewatering of the levee.

The levee construction commences at approximately 180 feet east of the intersection of Powell and Worrilow Roads and runs south, curving in the south easterly direction parallel to the creek and ends approximately 140 feet southeast of the intersection of Worrilow and Rainer Roads. The site is located along the shore of Chester Creek in the City of Chester, Delaware County (Marcus Hook, PA USGS Quadrangle N: 18:41 inches; W: 2:96 inches).

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

**E39-493. City of Allentown**, 3000 Parkway Boulevard, Allentown, PA 18104, in City of Allentown, **Lehigh County**, United States Army Corps of Engineers, Philadelphia District.

To construct and maintain new and reconstructed trails in the floodway of Cedar Creek (HQ-CWF). The project is associated with the City of Allentown's Department of Parks and Recreation Cedar Creek Parkway Reconstruction Project. The project is located on the south side of Parkway Boulevard approximately 1.48 miles from the intersection of SR 0229 and US Route 22 in the City of Allentown (Allentown West, PA Quadrangle Latitude: 40° 35' 22"; Longitude: 75° 31' 22").

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

**E04-326. Beaver County Corporation for Economic Development (CED)**, 250 Insurance Street, Suite 300, Beaver, PA 15009. To construct a new amphitheater, playground and parking lot in Monaca Borough, **Beaver County**, United States Army Corps of Engineers, Pittsburgh District (Beaver, PA Quadrangle N: 12.8 inches; W: 4.8 inches, Latitude: 40° 41' 44"; Longitude: 80° 17' 05") in Monaca Borough, Beaver County. The applicant proposes to construct and maintain a playground and a new parking lot that will be located at the existing parking lot, to construct and maintain an amphitheater on the right bank of the Ohio River (WWF) and to construct and maintain a walking path and three picnic pavilions on the left bank of said stream for the purpose of improving the existing Monaca Riverfront Park. The project is located on the north side of Atlantic Avenue, just north from the intersection of Atlantic Avenue and Sixth Street.

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

**E33-232, Borough of Punxsutawney**, 301 East Mahoning Street, Suite 1, Punxsutawney, PA 15767. Gaskill Avenue Stream Channel Repair, in Borough of Punxsutawney, **Jefferson County**, United States Army Corps of Engineers, Pittsburgh District (Punxsutawney, PA Quadrangle N: 40° 56' 23"; W: 78° 58' 18").

This project intends to address the repair of Gaskill Avenue stream channel erosion through the installation of the following structures:

- Approximately 183.2' of 54" HDPE CPP enclosing a UNT (known as Barrett Run) to the Mahoning Creek beginning at the Gaskill Avenue culvert and connecting to a United States Army Corp of Engineers Federal flood control project
- Three cast-in-place concrete boxes

## ACTIONS

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

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

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

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

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

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

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

### **I. NPDES Renewal Permit Actions**

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

| <i>NPDES No.<br/>(Type)</i>        | <i>Facility Name &amp;<br/>Address</i>  | <i>County &amp;<br/>Municipality</i>             | <i>Stream Name<br/>(Watershed #)</i> | <i>EPA Waived<br/>Y/N ?</i> |
|------------------------------------|---|--|--------------------------------------|-----------------------------|
| PA0061832                          | Draka Cableteq, USA<br>P. O. Box 347<br>Schuylkill Haven, PA 17972                    | Schuylkill Haven<br>Borough<br>Schuylkill County | Schuylkill River<br>3A<br>CWF        | Y                           |
| PA0027081<br>(Minor Sewage)        | Lackawanna River Basin Sewer<br>Authority<br>P. O. Box 9068<br>Dickson City, PA 18515 | Clinton Township<br>Wayne County                 | Lackawanna River<br>5A               | Y                           |
| PA0063100<br>(Sewage<br>Municipal) | Harford Township Board of<br>Supervisors<br>P. O. Box 250<br>Harford, PA 18823        | Susquehanna County<br>Harford Township           | Nine Partners Creek<br>04F           | Y                           |

Chesapeake Bay nutrient monitoring requirements for Ammonia Nitrogen, Kjeldahl Nitrogen, Nitrite-Nitrate as N, Total Nitrogen and Total Phosphorus are being added to this permit.

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

| <i>NPDES No.<br/>(Type)</i> | <i>Facility Name &amp;<br/>Address</i>  | <i>County &amp;<br/>Municipality</i> | <i>Stream Name<br/>(Watershed #)</i> | <i>EPA Waived<br/>Y/N ?</i> |
|-----------------------------|---|--------------------------------------|--------------------------------------|-----------------------------|
| PA0113883<br>(Sewage)       | George and Janet Bittner<br>Bittner's Mobile Home Park<br>STP<br>68 Route 14 Highway<br>Trout Run, PA 17771 | Lewis Township<br>Lycoming County    | Lycoming Creek<br>TSF                | Y                           |



| <i>NPDES No.<br/>(Type)</i>   | <i>Facility Name &amp;<br/>Address</i>  | <i>County &amp;<br/>Municipality</i>    | <i>Stream Name<br/>(Watershed #)</i> | <i>EPA Waived<br/>Y/N ?</i> |
|---|---|---|--------------------------------------|-----------------------------|
| PA0115266<br>SP   | Gregg Township Sewer<br>Authority<br>P. O. Box 103<br>Spring Mills, PA 16875-0103   | Centre County<br>Gregg Township         | Penns Creek<br>6A                    | Y                           |
| <i>Southwest Region: Water Management Program Manager, 400 Waterfront Drive, Pittsburgh, PA 15222-4745.</i> |   |   |                                      |                             |
| <i>NPDES No.<br/>(Type)</i>   | <i>Facility Name &amp;<br/>Address</i>  | <i>County &amp;<br/>Municipality</i>    | <i>Stream Name<br/>(Watershed #)</i> | <i>EPA Waived<br/>Y/N</i>   |
| PA0093891<br>Sewage   | Deer Creek Drainage Basin<br>Authority<br>P. O. Box 148<br>945 Little Deer Creek Valley<br>Road<br>Russellton, PA 15976               | Allegheny County<br>West Deer Township  | Dawson Run                           | Y                           |
| PA0032247<br>Sewage   | Department of Conservation<br>and Natural Resources<br>Bureau of State Parks<br>1454 Laurel Hill Park Road<br>Somerset, PA 15501-5629 | Somerset County<br>Middlecreek Township | Laurel Hill Creek                    | Y                           |
| PA0093211<br>Sewage   | Menallen Township Sewer<br>Authority<br>427 Searights Hebert Road<br>Uniontown, PA 15401-5137   | Fayette County<br>Menallen Township     | Dunlap Creek                         | Y                           |

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

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

**NPDES Permit No. PA0013285**, IW, **Aqua Pennsylvania, Inc.**, 762 West Lancaster Avenue, Bryn Mawr, PA 19010, Schuylkill Township, **Chester County**.

The following notice reflects changes to the notice published at the October 18, 2008, *Pennsylvania Bulletin*:

Three outfalls, 010—012, are added to the permit authorizing discharge of backwash of the intake screens without any floating solids or visible foam.

**NPDES Permit No. PA0011274**, Industrial Waste, **Aqua Pennsylvania, Inc.**, 762 West Lancaster Avenue, Bryn Mawr, PA 19010. This proposed facility is located in Middletown Township, **Bucks County**.

Description of Proposed Action/Activity: Approval for the renewal from a facility known as Neshaminy Creek Water Treatment Plant to discharge treated filter backwash into Neshaminy Creek in Watershed 2F.

**NPDES Permit No. PA0052906**, Industrial Waste, **Montenay Montgomery Limited Partnership**, 1155 Conshohocken Road, Conshohocken, PA 19428-1028. This proposed facility is located in Plymouth Township, **Montgomery County**.

Description of Proposed Action/Activity: Approval for the renewal to discharge stormwater from a retention basin into a UNT to Plymouth Creek in Watershed 3F.

**NPDES Permit No. PA0052434**, Sewage, **Coventry Crossing, LP**, 4900 South Broad Street, Philadelphia, PA 19112. This proposed facility is located in Chester Heights Borough, **Delaware County**.

Description of Proposed Action/Activity: Approval for the renewal to discharge treated sewage to a UNT to west Branch of Chester Creek in Watershed 3G.

**NPDES Permit No. PA0051004**, Sewage, **Lower Salford Township Authority**, 57 Main Street, P. O. Box 243, Harleysville, PA 19438. This proposed facility is located in Lower Salford Township, **Montgomery County**.

Description of Proposed Action/Activity: Approval for the renewal to discharge from a facility known as Indian Hill STP into the West Branch Skippack Creek in Watershed 3E.

**NPDES Permit No. PA0052787**, Sewage, **Quakertown United Mennonite Church**, 180 Thatcher Road, Quakertown, PA 18951. This proposed facility is located in Richland Township, **Bucks County**.

Description of Proposed Action/Activity: Approval for the renewal to discharge treated sewage from the STP into the Thohickon Creek in Watershed 2D.

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

**NPDES Permit No. PA0027065**, Sewage, **Lackawanna River Basin Sewer Authority**, P. O. Box 9068, Dickson City, PA 18515. This proposed facility is located in Archbald Borough, **Lackawanna County**.

Description of Proposed Action: Issuance of NPDES Permit.

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

**NPDES Permit No. PA0084212**, Sewage, **Leacock Township Sewer Authority**, P. O. Box 558, Intercourse, PA 17534. This proposed facility is located in Leacock Township, **Lancaster County**.

Description of Proposed Action/Activity: Authorization to discharge to Muddy Run in Watershed 7-J.

**NPDES Permit No. PA0088285, Amendment No. 1**, CAFO, **Noah W. Kreider & Sons, LLP**, 1461 Lancaster Road, Manheim, PA 17545. This proposed facility is located in Penn Township, **Lancaster County**.

Description of size and scope of Proposed Operation/Activity: Authorization to operate a 9,546-Animal Equivalent Unit dairy and poultry operation.

**NPDES Permit No. PA0259888, Transfer 1**, CAFO, **Jonathon King, Jonathon King Farm**, CAFO, 252 Blanks Lane, Ickesburg, PA 17037. This proposed facility is located in Northeast Township, **Perry County**.

Description of size and scope of Proposed Operation/Activity: Transfer of Permit.

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

**PA0233633**, Sewerage, **Michael C. Dyke**, 260 Baney Road, Julian, PA 16834. This approved facility will be located in Union Township, **Centre County**.

Description of Activity: An NPDES permit application has been approved to discharge from a small flow treatment facility serving the Michael Dyke residence.

The receiving stream, a UNT to Dewitt Run, is in the State Water Plan Watershed 9C and is classified for: CWF. The nearest downstream public water supply intake is near Milton is located on the West Branch of the Susquehanna River approximately 95 miles below the point of discharge.

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

| Parameter         | Mass (lb/day)   |               | Concentration (mg/l)           |               |                       |
|-------------------|-----------------|---------------|--------------------------------|---------------|-----------------------|
|                   | Average Monthly | Maximum Daily | Average Monthly                | Maximum Daily | Instantaneous Maximum |
| CBOD <sub>5</sub> |                 |               | 10                             |               | 20                    |
| TSS               |                 |               | 10                             |               | 20                    |
| Fecal Coliforms   |                 |               | 200 colonies/100 ml            |               |                       |
| pH                |                 |               | Within the range of 6.0 to 9.0 |               |                       |
| Flow              |                 |               | Monitor                        |               |                       |
| TRC               |                 |               | Monitor and Report             |               |                       |

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

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

**NPDES Permit No. PA0036994**, Sewage, **Amendment No. 1, Borough of Pleasantville**, P. O. Box 150, 114 West State Street, Pleasantville, PA 16341-0150. This existing facility is located in Pleasantville Borough, **Venango County**.

Description of Proposed Action/Activity: Amendment of an NPDES Permit for an existing discharge of treated sewage.

**NPDES Permit No. PA0263460**, Sewage, **Joseph Landis**, 414 Freeport Street, Saxonburg, PA 16056. This proposed facility is located in Clinton Township, **Butler County**.

Description of Proposed Action/Activity: Permit to discharge treated sewage from a private residence to an HQ-CWF Stream.

**NPDES Permit No. PA0035289**, Sewage, **Glen Lakes Estates MHP**, 1037 Barkeyville Road, Grove City, PA 16127. This proposed facility is located in Pine Township, **Mercer County**.

Description of Proposed Action/Activity: New NPDES permit to discharge treated sewage from an existing mobile home park.

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

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

**WQM Permit No. 3608406**, Sewage, **Leacock Township Sewer Authority**, P. O. Box 558, Intercourse, PA 17534. This proposed facility is located in Leacock Township, **Lancaster County**.

Description of Proposed Action/Activity: Permit approval for the construction/modification/operation of sewerage facilities consisting of: The addition of another sequencing batch reactor, aerobic sludge digester, ultraviolet disinfection and other modifications to expand treatment to 0.54 mgd maximum monthly design flow.

**WQM Permit No. 3685414, Amendment 09-1**, Sewage, **New Holland Borough**, 436 East Main Street, New Holland, PA 17557. This proposed facility is located in Earl Township, **Lancaster County**.

Description of Proposed Action/Activity: Permit amendment approval for the construction, modification and operation of sewerage facilities consisting of: The conversion of the existing oxidation ditch for denitrification by using an oxic and anoxic staged process operation (WWTP BNR Upgrade).

**WQM Permit No. 3808403**, Sewage, **HMS Host Corporation**, P. O. Box 8, Middletown, PA 17057. This proposed facility is located in South Londonderry Township, **Lebanon County**.

Description of Proposed Action/Activity: Permit approval for the construction/operation of sewerage facilities consisting of: An extended aeration package plant with equalization, tertiary sand filter and chlorine disinfection at the Lawn Turnpike Plaza Wastewater Treatment Facilities.

**WQM Permit No. 6783411, Amendment 08-1**, Sewage, **Dover Borough**, 46 Butter Road, Dover, PA 17315. This proposed facility is located in Dover Borough, **York County**.

Description of Proposed Action/Activity: Permit approval for the construction of sewerage facilities consisting of: Replacing the screens, adding EQ tank, adding an aeration tank, adding a final clarifier and adding a UV disinfection unit.

**WQM Permit No. 0509403**, Sewage, **Municipal Authority of the Borough of Bedford**, 244 West Penn Street, Bedford, PA 15522. This proposed facility is located in Bedford Borough, **Bedford County**.

Description of Proposed Action/Activity: Permit approval for the construction/operation of sewerage facilities consisting of: Construction of a new Headworks building to house two new fine screens and grit removal system, demolition of the existing comminutor and grit chamber, construction of four circular Sequencing Batch Reactors for nutrient removal, construction of a new 50' diameter primary anaerobic digester, replacement of two digester covers and piping associated with the two existing anaerobic digesters, construction of a new building to house a new Rotary Fan Press for sludge dewatering and polymer feed system, construction of a new building to house UV disinfection system and construction of a 50' by 50' bio-filter to neutralize odorous gases throughout various buildings. The existing aeration units and the existing chlorine contact tank will be demolished. The proposed project is designed to treat Maximum Daily Flow of 3.75 mgd, Maximum Peak hourly flow of 4.5 mgd and influent TKN and TP of 35 mg/l and 5 mg/l respectively. The project is designed to meet Chesapeake Bay effluent limit requirement of 6 mg/l and 0.8 mg/l respectively for TN and TP.

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

**WQM Permit No. 1408401**, Sewerage 4952, **Michael Dyke**, 260 Baney Road, Julian, PA 16844. This facility will be located in Union Township, **Centre County**.

Description of Action/Activity: The applicant is approved to construct and operate a 400 gpd single residence small flow treatment facility that will consist of a 1,000 gallon two compartment septic tank, Ecoflo peat based bio-filter, erosion chlorination with chlorine contact tank and discharge to a UNT of Dewitt Run.

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

**WQM Permit No. 0307202-A1**, Industrial Waste, **Reliant Energy Northeast Management Company**, 121 Champion Way, Suite 200, Canonsburg, PA 15317. This existing facility is located in Plumcreek Township, **Armstrong County**.

Description of Proposed Action/Activity: Permit issuance for the construction and operation of a pipeline.

**WQM Permit No. 0269412-A3**, Sewerage, **Borough of Sewickley**, 601 Thorn Street, Sewickley, PA 15143-0428. This existing facility is located in Sewickley Borough, **Allegheny County**.

Description of Proposed Action/Activity: Permit issuance for the construction and operation of new headworks and dewatering facilities.

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

**WQM Permit No. WQG018683**, Sewerage, **Fred P. Kaeberlein**, 190 Kraus Drive, Erie, PA 16511. This proposed facility is located in Harborcreek Township, **Erie County**.

Description of Proposed Action/Activity: Issuance of a Single-Residence Sewage Treatment Plant.

**WQM Permit No. 6188404**, Sewerage, **Amendment No. 1, Borough of Pleasantville**, P. O. Box 150, 114 West State Street, Pleasantville, PA 16341. This existing facility is located in Pleasantville Borough, **Venango County**.

Description of Proposed Action/Activity: This is an amendment of a permit which requires new construction. The major components of this project would involve the replacement of the barscreen with a fine screen, replacement/upgrading of Sequencing Batch Reactor and digester components, replacement of chlorination with ultraviolet disinfection and upgrades to the existing Sludge Drying Beds and addition of a sludge storage area.

**WQM Permit No. 1008402**, Sewerage, **Joseph Landis**, 414 Freeport Street, Saxonburg, PA 16056. This proposed facility is located in Clinton Township, **Butler County**.

Description of Proposed Action/Activity: Issuance of a Single-Residence Sewage Treatment Plant.

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

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

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

*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<br>1508025        | Oxford Commons, LP<br>120 West Germantown Pike<br>Plymouth Meeting, PA 19462         | Chester       | Lower Oxford Township    | Leech Run<br>TSF-MF<br>Little Elk Creek<br>HQ-TSF-MF |
| PAI01<br>1508009        | Pine Hill Associates, Inc.<br>P. O. Box 608<br>Reagent Center<br>Lionville, PA 19353 | Chester       | East Brandywine Township | UNT East Branch<br>Brandywine Creek<br>HQ-TSF-MF     |
| PAS10-<br>J034-R        | YMCA of Philadelphia and<br>Vicinity<br>2000 Market Street<br>Philadelphia, PA 19103 | Delaware      | Middletown Township      | Rocky Run<br>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>             |
|-------------------------|---|---------------|-------------------------------|--|
| PAI024503001R           | James P. Ertle<br>R. R. 2<br>Box 30<br>Kunkletown, PA 18058                                       | Monroe        | Stroud and Hamilton Townships | Pocono Creek<br>HQ-CWF                 |
| PAI024508007            | Hamilton FC Associates, LP<br>633 West Germantown Pike<br>Suite 200<br>Plymouth Meeting, PA 19462 | Monroe        | Hamilton and Stroud Townships | Tributary to Pocono<br>Creek<br>HQ-CWF |
| PAI024508010            | Pleasant Valley Assembly of God<br>P. O. Box 797<br>Brodheads ville, PA 18321                     | Monroe        | Chestnuthill Township         | Pohopoco Creek<br>HQ-CWF               |

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

| <i>NPDES Permit No.</i> | <i>Applicant Name &amp; Address</i>   | <i>County</i> | <i>Municipality</i> | <i>Receiving Water/Use</i> |
|-------------------------|---|---------------|---------------------|----------------------------|
| PAI062509001            | FedEx Ground Terminal<br>C Tucker Copes & Associates<br>170 Duquesne Street<br>Columbiana, OH 44408 | Erie          | McKean Township     | Bear Creek<br>WWF          |

*Central Office: Bureau of Abandoned Mine Reclamation, 400 Market Street, Floor 5, P. O. Box 8476, Harrisburg, PA 17105-8476.*

| <i>NPDES Permit No.</i> | <i>Applicant Name &amp; Address</i>                                   | <i>County</i> | <i>Municipality</i>  | <i>Receiving Water/Use</i>           |
|-------------------------|---|---------------|----------------------|--------------------------------------|
| PAI101009001            | BAMR<br>P. O. Box 8476<br>Harrisburg, PA 17105-8476<br>(717) 783-1311 | Butler County | Muddy Creek Township | Bear Run to Muddy<br>Creek<br>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 Ground Water Remediation Systems  |
| PAG-6 | General Permit for Wet Weather Overflow Discharges From Combined Sewer Systems (CSO)       |
| PAG-7 | General Permit for Beneficial Use of Exceptional Quality Sewage Sludge by Land Application |

|             |  |
|-------------|--|
| PAG-8       | General Permit for Beneficial Use of Nonexceptional Quality Sewage Sludge by Land Application to Agricultural Land, Forest, a Public Contact Site or a Land Reclamation Site |
| PAG-8 (SSN) | Site Suitability Notice for Land Application Under Approved PAG-8 General Permit Coverage  |
| PAG-9       | General Permit for Beneficial Use of Residential Septage by Land Application to Agricultural Land, Forest, or a Land Reclamation Site  |
| PAG-9 (SSN) | Site Suitability Notice for Land Application Under Approved PAG-9 General Permit Coverage  |
| PAG-10      | General Permit for Discharge Resulting from Hydrostatic Testing of Tanks and Pipelines   |
| PAG-11      | (To Be Announced)  |
| PAG-12      | Concentrated Animal Feeding Operations (CAFOs)   |
| PAG-13      | Stormwater Discharges from Municipal Separate Storm Sewer Systems (MS4)  |

*General Permit Type—PAG-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>   |
|---|---------------------|---|--|---|
| Doylestown Borough<br>Bucks County          | PAG200<br>0908091   | Central Bucks School District<br>20 Weldon Drive<br>Doylestown, PA 18901  | Cooks Run<br>WWF, MF                                 | Southeast Regional Office<br>2 East Main Street<br>Norristown, PA 19401<br>(484) 250-5900 |
| Sadsbury Township<br>Chester County         | PAG200<br>1509007   | Transcontinental Gas Pipe Line Corporation (Transco)<br>2800 Post Oak Road<br>P. O. Box 1396<br>Houston, TX 77056 | Bucks Run/West Branch<br>Brandywine Creek<br>TSF, MF | Southeast Regional Office<br>2 East Main Street<br>Norristown, PA 19401<br>(484) 250-5900 |
| East Marlborough Township<br>Chester County | PAG200<br>1503108-R | R. Joseph R. Scott<br>538 North Mill Road<br>Kennett Square, PA 19348   | Tributary West Branch<br>Red Clay Creek<br>TSF       | Southeast Regional Office<br>2 East Main Street<br>Norristown, PA 19401<br>(484) 250-5900 |
| East Coventry Township<br>Chester County    | PAG200<br>1508072   | 88 Wells Road, LLC<br>562 Ridge Road<br>Spring City, PA 19475   | Schuylkill River<br>WWF                              | Southeast Regional Office<br>2 East Main Street<br>Norristown, PA 19401<br>(484) 250-5900 |
| Perkiomen Township<br>Montgomery County     | PAG200<br>4605133-1 | Spring Hill Realty, Inc.<br>528 Main Street<br>Harleysville, PA 19438   | Schuylkill River<br>WWF, MF                          | Southeast Regional Office<br>2 East Main Street<br>Norristown, PA 19401<br>(484) 250-5900 |
| New Hanover Township<br>Montgomery County   | PAG200<br>4608157   | New Hanover Township<br>2943 North Charlotte Street<br>Gilbertsville, PA 19525                                    | UNT West Branch<br>Swamp Creek<br>TSF, MF            | Southeast Regional Office<br>2 East Main Street<br>Norristown, PA 19401<br>(484) 250-5900 |
| New Hanover Township<br>Montgomery County   | PAG200<br>4607162   | Paul W. Moyer & Sons, Inc.<br>2412 Swamp Pike<br>Gilbertsville, PA 19525  | Swamp Creek<br>TSF, MF                               | Southeast Regional Office<br>2 East Main Street<br>Norristown, PA 19401<br>(484) 250-5900 |
| Lower Merion Township<br>Montgomery County  | PAG200<br>4609008   | Main Line Hospitals, Inc.<br>130 South Bryn Mawr Avenue<br>Bryn Mawr, PA 19010                                    | Indian Creek<br>WWF                                  | Southeast Regional Office<br>2 East Main Street<br>Norristown, PA 19401<br>(484) 250-5900 |
| Lower Merion Township<br>Montgomery County  | PAG200<br>4608153   | Versa Capital Management, Inc.<br>Circa Centre<br>2929 Arch Street<br>Philadelphia, PA 19104                      | Mill Creek<br>TSF                                    | Southeast Regional Office<br>2 East Main Street<br>Norristown, PA 19401<br>(484) 250-5900 |
| City of Philadelphia<br>Philadelphia County | PAG201<br>5107051   | Philadelphia Water Department<br>Aramark Tower<br>1101 Market Street<br>Philadelphia, PA 19107-2994               | Cresheim Creek<br>TSF                                | Southeast Regional Office<br>2 East Main Street<br>Norristown, PA 19401<br>(484) 250-5900 |

## NOTICES

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| <i>Facility Location:<br/>Municipality &amp;<br/>County</i>       | <i>Permit No.</i> | <i>Applicant Name &amp;<br/>Address</i>  | <i>Receiving<br/>Water/Use</i>          | <i>Contact Office &amp;<br/>Phone No.</i>  |
|---|-------------------|--|---|--|
| City of Philadelphia<br>Philadelphia County                       | PAG201<br>5108024 | Community College of<br>Philadelphia<br>1700 Spring Garden<br>Street<br>MG-17<br>Philadelphia, PA 19130  | Poquessing Creek<br>WWF                 | Southeast Regional Office<br>2 East Main Street<br>Norristown, PA 19401<br>(484) 250-5900  |
| City of Philadelphia<br>Philadelphia County                       | PAG201<br>5108032 | AP/BSI—A Joint<br>Venture, LLC<br>1080 North Delaware<br>Avenue<br>Suite 1500<br>Philadelphia, PA 19125  | Delaware River<br>WWF, MF               | Southeast Regional Office<br>2 East Main Street<br>Norristown, PA 19401<br>(484) 250-5900  |
| Pine Grove Borough<br>Pine Grove<br>Township<br>Schuylkill County | PAG2005404014R    | Pine Vista Estates<br>45 Tremont Road<br>Pine Grove, PA 17963  | Daubert Creek<br>CWF                    | Schuylkill County<br>Conservation District<br>(570) 6223742  |
| Pine Grove Borough<br>Schuylkill County                           | PAG2005406010(1)  | Pine Grove Area School<br>District<br>Attn: Alan Baxter<br>103 School Street<br>Pine Grove, PA 17963   | Upper Little Swatara<br>Creek<br>CWF    | Schuylkill County<br>Conservation District<br>(570) 622-3742   |
| Throop Borough<br>Lackawanna<br>County                            | PAG2003509005     | Thomas Lukasewicz<br>Throop Borough<br>436 Sanderson Street<br>Throop, PA 18512-1224<br>and<br>Thomas Rich<br>Gould Electronics, Inc.<br>34929 Curtis Boulevard<br>East Lake, OH<br>44095-4001 | Tributary to<br>Lackawanna River<br>CWF | Lackawanna County<br>Conservation District<br>(570) 281-9495   |
| Centre County<br>Boggs Township                                   | PAG2001409001     | Daniel Fisher<br>Bald Eagle Area School<br>District<br>751 Eagle Valley Road<br>Wingate, PA 16823  | Bald Eagle Creek<br>TSF                 | Centre County<br>Conservation District<br>414 Holmes Avenue<br>Suite 4<br>Bellefonte, PA 16823<br>(814) 355-6817                             |
| Lycoming County<br>Muncy Township                                 | PAG2004109002     | Blaise Alexander<br>125 Allendale Drive<br>Montoursville, PA 17754   | Turkey Run<br>WWF<br>Twin Run<br>WWF    | Lycoming County<br>Conservation District<br>542 County Farm Road<br>Suite 202<br>Montoursville, PA 17754<br>(570) 433-3003                   |
| Snyder County<br>West Perry<br>Township                           | PAG2005509002     | Robert Maneval<br>4146 Buckwheat Valley<br>Road<br>Richfield, PA 17086   | UNT to West Branch<br>Mahantango<br>CWF | Snyder County<br>Conservation District<br>403 West Market Street<br>Middleburg, PA 17842<br>(570) 837-0007, Ext. 5                           |
| Union County<br>Buffalo Township                                  | PAG2006009001     | Daryl Beiler<br>7249 Furnace Road<br>Mifflinburg, PA 17844   | Beaver Run<br>CWF                       | Union County<br>Conservation District<br>Union County<br>Government Center<br>155 North 15th Street<br>Lewisburg, PA 17837<br>(570) 524-3860 |
| Somerset County<br>Conemaugh<br>Township                          | PAG2005608010     | Cocca Development, Ltd.<br>100 DeBartolo Place<br>Suite 400<br>Boardman, OH 44512  | UNT to Quemahoning<br>Creek<br>CWF      | Somerset County<br>Conservation District<br>(814) 445-4652   |

*Facility Location:  
Municipality &  
County*Butler County  
Cranberry Township

Permit No.

PAG2001008023

*Applicant Name &  
Address*The Village at  
Cranberry Woods  
Donald Rodgers  
FRA Development  
215 Executive Drive  
Suite 300  
Cranberry Township, PA  
15238*Receiving  
Water/Use*UNT Brush Creek  
WWF*Contact Office &  
Phone No.*Butler County  
Conservation District  
(724) 284-5270Crawford County  
Vernon Township

PAG2002008006

Nick Patel, Staralliance  
Hotels, Inc.  
14424 Clearfield  
Shawville Highway  
Clearfield, PA 16830Van Horne Creek  
WWFCrawford County  
Conservation District  
(814) 763-5269Erie County  
Millcreek Township

PAR10K206R(1)

Sterling Ridge Phase V  
Maleno Developers, Inc.  
2340 West Grandview  
Boulevard  
Erie, PA 16506UNT Millcreek  
WWFErie County Conservation  
District  
(814) 825-6403Jefferson County  
Young Township

PAG2003308006

Graystone Court  
Punxsutawney, LLC  
R. D. 1  
Box 426  
Tyrone, PA 16686Mahoning Creek  
WWFJefferson County  
Conservation District  
(814) 849-7463*General Permit Type—PAG-3**Facility Location:  
Municipality &  
County*Juniata County  
Beale Township

Permit No.

PAR213550

*Applicant Name &  
Address*Marstellar Oil and  
Concrete  
P. O. Box 210  
Port Royal, PA 17082*Receiving  
Water/Use*Markee Creek  
CWF*Contact Office &  
Phone No.*DEP—SCRO  
909 Elmerton Avenue  
Harrisburg, PA 17110  
(717) 705-4707Union City Borough  
Erie County

PAR228336

Ames True Temper, Inc.  
465 Railroad Avenue  
Camp Hill, PA 17011UNT to the South  
Branch of French CreekDEP—NWRO  
Water Management  
230 Chestnut Street  
Meadville, PA 16335-3481  
(814) 332-6942*General Permit Type—PAG-4**Facility Location:  
Municipality &  
County*Plumstead  
Township  
Bucks County

Permit No.

PAG040109

*Applicant Name &  
Address*Lois Lawrence  
5650 Tollgate Road  
Pipersville, PA 18947*Receiving  
Water/Use*Three Mile Run  
Watershed 2D*Contact Office &  
Phone No.*Southeast Regional Office  
2 East Main Street  
Norristown, PA 19401Thornbury  
Township  
Delaware County

PAG040114

Mary Anne Powell  
31 Timber Lane  
Thornton, PA 19373UNT to West Branch of  
Chester Creek  
Watershed 3GSoutheast Regional Office  
2 East Main Street  
Norristown, PA 19401Pine Township  
Allegheny County

PAG046397

Sean W. Hile  
419 Patsy Drive  
Gibsonia, PA 15044

UNT to Montour Run

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

PAG049503

Fred P. Kaeberlein  
190 Kraus Drive  
Erie, PA 16511Storm sewer tributary to  
Lake Erie  
15DEP—NWRO  
Water Management  
230 Chestnut Street  
Meadville, PA 16335-3481  
(814) 332-6942

*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>   |
|--------------------------------------|-------------------|--|----------------------------|---|
| Fort LeBoeuf Township<br>Erie County | PAG048732         | Mark A. Stone<br>6350 US Route 6<br>Union City, PA 16438 | UNT to French Creek<br>16A | DEP—NWRO<br>Water Management<br>230 Chestnut Street<br>Meadville, PA 16335-3481<br>(814) 332-6942 |

*General Permit Type—PAG-8 (SSN)*

*Facility Location:*

| <i>Municipality &amp; County</i>   | <i>Permit No.</i> | <i>Applicant Name &amp; Address</i>                         | <i>Site Name &amp; Location</i>                              | <i>Contact Office &amp; Phone No.</i>   |
|--|-------------------|---|--|---|
| Eldred Township<br>Monroe County and<br>Lower Towamensing<br>Township<br>Carbon County | PAG09-2207        | Jody Borger<br>R. R. 1<br>Box 1473<br>Saylorsburg, PA 18353 | JR Borger Farm<br>R. R. 2<br>Box 404<br>Kunkletown, PA 18058 | DEP—NERO<br>2 Public Square<br>Wilkes-Barre, PA<br>18711-0790<br>(570) 826-2511 |

**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 AT&T 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**

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

|  |  |
|--|--|
| <b>Permit No. 1508508</b> , Public Water Supply. |  |
| Applicant  | <b>London Britain Township</b><br>P. O. Box 215<br>Kemblesville, PA 19347                |
| Township   | London Britain   |
| County   | <b>Chester</b>   |
| Type of Facility                                 | PWS  |
| Consulting Engineer                              | Evans Mill Environmental, LLC<br>P. O. Box 735<br>Uwchland, PA 19480                     |
| Permit to Construct Issued                       | September 30, 2008   |
| <b>Permit 4609513</b> , Public Water Supply.     |  |
| Applicant  | <b>Superior Water Company</b><br>1885 Swamp Pike<br>Suite 109<br>Gilbertsville, PA 19525 |
| Township   | New Hanover  |
| County   | <b>Montgomery</b>  |
| Type of Facility                                 | PWS  |
| Consulting Engineer                              | Entech Engineering<br>4 South Fourth Street<br>P. O. Box 32<br>Reading, PA 19603-0032    |
| Permit to Construct Issued                       | March 19, 2009   |
| <b>Permit 0908515</b> , Public Water Supply.     |  |
| Applicant  | <b>Logan Square Condominium Associates</b><br>P. O. Box 106<br>New Hope, PA 18938        |
| Township   | Solebury   |
| County   | <b>Bucks</b>   |
| Type of Facility                                 | PWS  |
| Consulting Engineer                              | Boucher & James, Inc.<br>P. O. Box 313<br>Kulpsville, PA 18901                           |
| Permit to Construct Issued                       | November 12, 2008  |



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

**Permit No. 0108513**, Public Water Supply.

Applicant **York Springs Municipal Authority**  
 Municipality **Huntingdon Township**  
 County **Adams**  
 Type of Facility **Installation of a 300,000-gallon raw water storage tank and spring collection wetwell with lift pump station.**  
 Consulting Engineer **Janet R. McNally, P. E. William F. Hill & Assoc., Inc. 207 Baltimore Street Gettysburg, PA 17325**  
 Permit to Construct Issued **March 30, 2009**

**Permit No. 3808505 MA, Minor Amendment**, Public Water Supply.

Applicant **Eastern Lebanon County School District**  
 Municipality **Myerstown Borough**  
 County **Lebanon**  
 Type of Facility **Permit application is for Installation of a pH control system at the ELCO Middle School for lead and copper corrosion control. pH adjustment will be accomplished using sodium hydroxide.**  
 Consulting Engineer **John T. Boyer Sr., P. E. The Boyer Partnership, Inc. 1435 11th Avenue Altoona, PA 16601**  
 Permit to Construct Issued **March 27, 2009**

**Operations Permit** issued to **David L. Fite Realty, LTD**, 7360182, Providence Township, **Lancaster County** on March 16, 2009, for the operation of facilities approved under Construction Permit No. 3607512.

**Operations Permit** issued to **Roberts Investment Group, LLC**, 7500040, Centre Township, **Perry County** on March 25, 2009, for the operation of facilities approved under Construction Permit No. 5003502.

**Operations Permit** issued to **Mt. Rock Manor, LLC**, 7280053, Southampton Township, **Franklin County** on March 25, 2009, for the operation of facilities approved under Construction Permit No. 2808506 MA.

**Operations Permit** issued to **Conestoga Wood Specialties Corporation**, 7360885, East Earl Township, **Lancaster County** on March 9, 2009, for the operation of facilities approved under Construction Permit No. 3608514.

**Operations Permit** issued to **David L. Fite Realty, Ltd.**, 7360182, Providence Township, **Lancaster County** on March 16, 2009, for the operation of facilities approved under Construction Permit No. 3608518 MA.

**Operations Permit** issued to **Perry County NPHC; Perlo Ridge Apartments**, 7500036, Tyrone Township, **Perry County** on March 19, 2009, for the operation of facilities approved under Construction Permit No. 5009501 MA.

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

**Municipal Authority Borough of Catawissa**, (Public Water Supply), **Columbia County**. The Wellhead Protection program for this Municipal Authority Borough of Catawissa has been approved as of March 23, 2009. Municipal Authority Borough of Catawissa personnel are to be commended for taking these proactive steps to protect these water sources for their community. Development of the program was funded, in part, by a Source Water Protection grant (David W. Garg, (570) 321-6581).

**Municipal Authority of the Borough of Turbotville**, (Public Water Supply), **Northumberland County**. The Source Water Protection (SWP) program for Municipal Authority of the Borough of Turbotville has been approved as of March 23, 2009. Municipal Authority of the Borough of Turbotville personnel are to be commended for taking these proactive steps to protect these water sources for their community. Development of the SWP program was funded, in part, by a SWP grant (David W. Garg, (570) 321-6581).

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

**Wellhead Protection Program Approval** issued to **East Brady Borough**, 502 Ferry Street, Suite 15, East Brady, PA 16028, PWSID No. 6160003, East Brady Borough, **Clarion County** on March 31, 2009.

#### SEWAGE FACILITIES ACT PLAN APPROVAL

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

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

#### Plan Location:

| Borough or Township | Borough or Township Address                   | County   |
|---------------------|---|----------|
| Guilford Township   | 115 Spring Valley Road Chambersburg, PA 17201 | Franklin |

*Plan Description:* The approved plan entitled Penn National Pump Station Redirect, DEP Code No. A3-28908-536-3, provides for the redirection of flows of 50,600 gpd from the Penn National Pump Station to the Quincy Sewer Authority collection system. The Department of Environmental Protection's review of the sewage facilities planning module has not identified any significant environmental impacts resulting from this proposal. Required NPDES Permits or WQM Permits must be obtained in the name of the owners.

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

*Plan Location:*

| <i>Borough or Township</i> | <i>Borough or Township Address</i> | <i>County</i> |
|----------------------------|------------------------------------|---------------|
| Vanport Township           | 477 State Avenue<br>Vanport, PA    | Beaver        |
| Brighton Township          | 1300 Brighton Road<br>Beaver, PA   | Beaver        |

*Plan Description:* The approved Act 537 Plan provides for expansion of the Vanport Township Sewage Treatment Plant serving both Brighton and Vanport Townships. The expansion would modify the existing headworks and include expansion of the activated sludge, disinfection and aerobic sludge digestion processes. The expansion would be designed for an Average Daily Flow of 2.0 mgd and a Peak Instantaneous Flow of 6.5 mgd. The discharge point is the Ohio River, classified as WWF. Any required NPDES Permits or WQM Permits must be obtained in the name of the applicant as appropriate. The Department of Environmental Protection's review of the sewage facilities revision has not identified any significant impacts resulting from this proposal.

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

*Plan Location:*

| <i>Borough or Township</i> | <i>Borough or Township Address</i>       | <i>County</i> |
|----------------------------|--|---------------|
| Butler Township            | 290 South Duffy Road<br>Butler, PA 16001 | Butler        |

*Plan Description:* The approved plan provides for construction of a gravity sewer system to serve 11 existing single-family residential structures along Dutchtown Road in the southern portion of Butler Township along the Penn Township border. The newly constructed sewer line will be tributary to the Butler Area Sewer Authority.

*Plan Location:*

| <i>Borough or Township</i> | <i>Borough or Township Address</i>      | <i>County</i> |
|----------------------------|---|---------------|
| Millcreek Township         | 3608 West 26th Street<br>Erie, PA 16506 | Erie          |

*Plan Description:* The approved plan provides for the installation of a gravity sewer system to serve 35 existing residential properties in the Overlook Heights subdivision. DEP Code No. M6-08-074.

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

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

*Plan Location:* Located at the intersection of Montgomery Church and Garnes Roads, Montgomery Township, Franklin County.

| <i>Borough or Township</i> | <i>Borough or Township Address</i>              | <i>County</i> |
|----------------------------|---|---------------|
| Montgomery Township        | 11364 Fort Loudon Road<br>Mercersburg, PA 17236 | Franklin      |

*Plan Description:* The Official Plan Revision, entitled Fort Maxwell Estates, DEP Code No. A3-28915-394-2, proposing eight single-family residential lots using individual onlot sewage disposal systems, plan was disapproved because the preliminary hydrogeologic evaluation

contained in the planning module is flawed as it did not adequately assess the background Nitrate-Nitrogen concentrations beneath Lots 8, 8a, 8b, 9b and 10b, nor did it adequately assess whether these lot sizes are sufficient to keep Nitrate-Nitrogen concentrations in the groundwater below 10mg/l. Potential pollution of the waters of this Commonwealth is a 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 Pennsylvania AT&T Relay Service at (800) 654-5984.

The Department has received the following plans and reports:

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

**Armco Sawhill Tube (John Maneely Company—Sharon Pipe Plant), City of Sharon, Mercer County.** ENVIRON International Corporation, 214 Carnegie Center, Princeton, NJ 08540-6284 and The Payne Firm, Inc., 11231 Cornell Park Drive, Cincinnati, OH 45242 on behalf of the John Maneely Company, 1 Council Avenue,

Wheatland, PA 16161 has submitted a Revised Risk Assessment Report concerning remediation of soil contaminated with ethyl benzene, tetrachlorethene, trichloroethene, xylenes (total), benzo(a)anthracene, benzo(a)pyrene, benzo(b)fluoranthene, dibenzofuran, naphthalene, N-nitroso-di-n-propylamine, Aroclor-1248, Aroclor-1254, antimony, arsenic, cadmium, chromium (total), cobalt, lead, mercury, selenium, zinc and site groundwater contaminated with 1,2,4-Trichlorobenzene, 1,4-Dichlorobenzene, 2,3,7,8-TD equivalent, benzene, chlorobenzene, cis-1,2-dichloroethene, tetrachloroethene, trichloroethene, vinyl chloride, 2-Picoline, benzo(a)pyrene, bis(2-Ethylhexyl)phthalate, dibenz(a,h)anthracene, phenanthrene, Aroclor-1242, Aroclor-1254, Aroclor-1260, antimony, arsenic, barium, beryllium, cadmium, chromium III, chromium VI, copper, lead, manganese, mercury, nickel, selenium, sulfate, thallium, zinc. The Report is intended to document remediation of the site to meet the Site-Specific Standard.

## LAND RECYCLING AND ENVIRONMENTAL REMEDIATION

### UNDER ACT 2, 1995

#### PREAMBLE 3

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

Provisions of 25 Pa. Code § 250.8, administration of the Land Recycling and Environmental Remediation Standards Act (act), require the Department of Environmental Protection (Department) to publish in the *Pennsylvania Bulletin* a notice of final actions on plans and reports. A final report is submitted to document cleanup of a release of a regulated substance at a site to one of the remediation standards of the act. A final report provides a description of the site investigation to characterize the nature and extent of contaminants in environmental media, the basis of selecting the environmental media of concern, documentation supporting the selection of residential or nonresidential exposure factors, a description of the remediation performed and summaries of sampling methodology and analytical results which demonstrate that the remediation has attained the cleanup standard selected. Plans and reports required by provisions of the act for compliance with selection of remediation to a Site-Specific Standard, in addition to a final report, include a remedial investigation report, risk assessment report and cleanup plan. A remedial investigation report includes conclusions from the site investigation, concentration of regulated substances in environmental media, benefits of reuse 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 Pennsylvania AT&T Relay Service at (800) 654-5984.

The Department has received the following plans and reports:

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

**George V. Seiple & Son Co., Inc.—Lot 55, 321 South Nulton Avenue and 3600 Hartley Street, Palmer Township, Northampton County.** Louis F. Vittorio, Jr., EarthRes Group, Inc., P. O. Box 468, Pipersville, PA 18947 submitted a Final Report (on behalf of his client, Thomas P. Stitt, George V. Seiple & Son Co., Inc., P. O. Box 483, Easton, PA 18044-0483), concerning the remediation of soils and groundwater found to have been impacted by arsenic and pesticides. The report documented attainment of both the Nonresidential Statewide Health Standard for soil and the Site-Specific Standard for soil and groundwater and was approved on March 17, 2009.

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

**Pennfield Corporation/Diesel Fuel Release, Mount Joy Borough, Lancaster County.** GemChem, Inc., 53 North Cedar Street, P. O. Box 384, Lititz, PA 17543-0384, on behalf of Pennfield Corporation, 711 Rohrerstown Road, Lancaster, PA 17604 and Kline's Services, 5 Holland Street, Salunga, PA 17538, submitted a Final Report concerning remediation of site soils contaminated with diesel fuel released during a tractor trailer fire. The Final Report demonstrated attainment of the Residential Statewide Health Standard and was approved by the Department of Environmental Protection on March 23, 2009.

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

**Caparo Steel, City of Farrell, Mercer County.** Tetra Tech NUS, Inc., 661 Andersen Drive, Pittsburgh, PA 15220-2745 on behalf of Caparo Steel Company, 15 Roemer Boulevard, Farrell, PA 16121 and Bull Moose Tube, 1819 Clarkson Road, Chesterfield, MO 63017 has submitted a Final Report concerning remediation of site groundwater contaminated with antimony, benzene, benzo[a]anthracene, beryllium, BIS[2-Ethylhexyl]phthalate, cadmium, chrysene, cyanide free and thallium. The Final Report demonstrated attainment of the Statewide Health Standard and was approved by the Department of Environmental Protection on March 23, 2009.

**Windfall Road—St. Marys, 1115 Windfall Road, City of Saint Marys, Elk County.** Insite Group, Inc., 611 South Irvin Avenue, Sharon, PA 16146 on behalf of Lad Kornacki, 1115 Windfall Road, Saint Marys, PA 15857 has submitted a Final Report concerning remediation of site soil contaminated with cadmium. The Final Report demonstrated attainment of the Statewide Health Standard and was approved by the Department of Environmental Protection on November 21, 2008.

## HAZARDOUS WASTE TREATMENT, STORAGE AND DISPOSAL FACILITIES

**Permits issued under the Solid Waste Management Act (35 P. S. §§ 6018.101—6018.1003) and regulations to operate a hazardous waste storage, treatment or disposal facility.**

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

**Permit ID No. PAD004344222, Tecumseh Redevelopment, Inc.**, Iron Street, Johnstown, PA 15901. Permit renewal for the closure and postclosure care of a closed hazardous waste landfill and inactive spent pickle liquor treatment and disposal area at the Riders Disposal Area in East Taylor Township and the City of Johnstown, **Cambria County** issued by the Regional Office on March 31, 2009.

### DETERMINATION OF APPLICABILITY FOR RESIDUAL WASTE GENERAL PERMITS

**Determination of Applicability for General Permit issued under the Solid Waste Management Act (35 P. S. §§ 6018.101—6018.1003); section 1904 of the Municipal Waste Planning, Recycling and Waste Reduction Act (53 P. S. § 4000.1904); and Residual Waste Regulations for a General Permit to Operate Residual Waste Processing Facilities and/or the Beneficial Use of Residual Waste Other Than Coal Ash.**

*Southwest Region: Regional Solid Waste Manager, 400 Waterfront Drive, Pittsburgh, PA 15222-4745, (412) 442-4000.*

**General Permit No. WMGR019SW003. Allegheny Recovery Corporation**, One Library Place, Box 2, Duquesne, PA 15110. A residual waste general permit for the beneficial use of waste foundry system sand as: (i) a roadway construction material; (ii) a component or ingredient in the manufacturing of concrete or asphalt products; (iii) a soil additive or soil substitute; and (iv) a nonroadway construction material in the City of Duquesne, **Allegheny County**, was deemed administratively complete on January 30, 2009, and approved by the Regional Office on February 19, 2009.

Persons interested in reviewing the general permit should contact Diane McDaniel, P. E., Environmental Engineering Manager, Department of Environmental Protection, 400 Waterfront Drive, Pittsburgh, PA 15222-4745, TDD users should contact the Department of Environmental Protection through the Pennsylvania Relay AT&T Service, (800) 654-5984.

### OPERATE WASTE PROCESSING OR DISPOSAL AREA OR SITE

**Permit 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.**

*Southeast Region: Regional Solid Waste Manager, 2 East Main Street, Norristown, PA 19401.*

**Permit No. 101432. Waste Management of Pennsylvania, Inc.**, 444 Oxford Valley Road, Langhorne, PA 19047-8300. This minor permit modification is issued to

operate a single-stream recycling center and an e-Depot for the collection and transfer of electronic waste at the Norristown Transfer Station located at 310 Washington Street in Norristown Borough, **Montgomery County**. The permit was issued by the Southeast Regional Office on March 23, 2009.

## AIR QUALITY

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

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

**GPA-1-46-0272: SmithKline Beechman Corp.—d/b/a GlaxoSmithKline** (709 Swedeland Road UE 4021, Building 40, King of Prussia, PA 19406-2711) on March 31, 2009, to operate a small gas and No. 2 oil fired combustion unit in Upper Merion Township, **Montgomery 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.*

**40-317-032A: Gruma Corp.—DAB Mission Foods** (15 Elmwood Road, Mountaintop, PA 18707) on March 19, 2009, to modify the snack food process at their facility in Wright Township, **Luzerne County**.

**66-315-050: Procter & Gamble Paper Products** (P. O. Box 32, Mehoopnay, PA 18629) on March 16, 2009, to increase operating hours at the facility in Washington Township, **Wyoming County**.

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

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

**09-0007C: Waste Management Disposal Service of PA, Inc.** (1000 New Ford Mill Road, Morrisville, PA 19067-3704) on March 24, 2009, to operate landfill—route collected gases in Falls Township, **Bucks County**.

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

**41-302-050: Wirerope Works, Inc.** (100 Maynard Street, Williamsport, PA 17701) on March 16, 2009, to operate two 15 mmBtu/hr anthracite coal-fired boilers on a temporary basis until September 12, 2009, in the City of Williamsport, **Lycoming County**. The plan approval has been extended.

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

**65-302-071: Arcelormittal Monessen, LLC** (345 Donner Avenue, Monessen, PA 15062-1156) on March 25, 2009, to allow for continued temporary operation of two coke oven gas/natural gas boilers at their Monessen Coke Plant, in the City of Monessen, **Westmoreland County** until September 25, 2009. The plan approval has been extended.

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

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*Northeast Region: Air Quality Program, 2 Public Square, Wilkes-Barre, PA 18711-0790, Norman Frederick, Facilities Permitting Chief, (570) 826-2507.*

**40-00017: PPL Martins Creek, LLC—Jenkins CTG** (2 North Ninth Street, Allentown, PA 18101-1139) on March 26, 2009, to renew a Title V Operating Permit for operation of an electric generating substation in Laflin Borough, **Luzerne County**.

**40-00022: PPL Martins Creek, LLC—Harwood CTS** (2 North Ninth Street, Allentown, PA 18101-1139) on March 24, 2009, to renew a Title V Operating Permit for operation of an electric generating substation in Hazle Township, **Luzerne County**.

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

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

**21-05021: Arnold Fuel Oil, Inc.** (P. O. Box 2621, Harrisburg, PA 17105-2621) on March 26, 2009, to construct a loading rack controlled by a vapor combustion unit at Mechanicsburg North Terminal at 127 Texaco Road, Silver Spring Township, **Cumberland County**. This is a renewal of the State-only operating permit.

**22-05054: Eldorado Properties Corp.** (P. O. Box 2621, Harrisburg, PA 17105-2621) on March 24, 2009, for a bulk petroleum product storage and loading facility in Lower Swatara Township, **Dauphin County**.

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

**41-00058: Charles Construction Co.** (838 East Central Avenue, Jersey Shore, PA 17740) on March 30, 2009, to issue a State-only (synthetic minor) operating permit for their "Jersey Shore Asphalt Plant" facility in Limestone Township, **Lycoming County**. The facility's main sources include hot mix asphalt plant and various heaters. The State-only (synthetic minor) operating permit contains all applicable regulatory requirements including monitoring, recordkeeping and reporting conditions.

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

**25-00946: PSB Industries, Inc.** (1202 West 12th Street, Erie, PA 16501) on March 25, 2009, to re-issue the Natural Minor Operating Permit to operate the facility's air contamination sources consisting of: 5.6 mmBtu/hr

Miscellaneous Natural Gas Space Heaters, Sand Blast Booth, Glass Bead Blast Room, Paint Booth for surface coating metal products and two parts washers in the City of Erie, **Erie County**.

**42-00197: Atlas Pipeline McKean, Inc.—Irishtown Plant** (309 San Road, Lewis Run, PA 16738) on March 27, 2009, to re-issue the Natural Minor Operating Permit for operation of the facility's air contamination sources consisting of: a 275 mmBtu/hr natural gas Reboiler, two-384 hp Compressor Engines, one 272 hp compressor engine and one 425 hp compressor engine in Lafayette Township, **McKean County**. The facility is subject to 40 CFR Part 60, Subpart KKK and Subpart VV pertaining to VOC equipment leak check.

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

**S09-002: Smurfit Stone Container Enterprises** (9820 Bluegrass Road, Philadelphia, PA 19114) on March 30, 2009, to operate a manufacturing corrugated box facility in the City of Philadelphia, **Philadelphia County**. The facility's air emission sources include include two 12.55 mmBtu/hr boilers, two cyclones, one 50" flexographic printing press.

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

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

**23-00098: SAP America, Inc.** (3999 West Chester Pike, Newtown Square, PA 19073) on March 24, 2009, to operate boilers, emergency generators and a water heater at their facility in the Newtown Square office building in Newtown Township, **Delaware County**. Administrative Amendment of State-only Operating Permit was issued under the Air Pollution Control Act (35 P. S. §§ 4001—4015) and 25 Pa. Code § 127.450. The amendment incorporates reference to various sources exempt from plan approval requirements, including Source ID 102 (600-kW Emergency Generator) and Source ID 033 (five Boilers (2.6 mmBtu/hr each)). The amendment also addresses reference to two natural gas water heaters rated at 600,000 Btu/hr (Section G). Work Practice Standards from 25 Pa. Code §§ 129.203 and 129.204 have been added to Source ID 101 (four Emergency Generators). The Responsible Official has been updated to James Clark, Vice President of Global Facility Management. The facility is currently operating under the non-Title V (State-only) Operating Permit No. 23-00098. The facility caps NOx to less than 25 tpy; therefore the facility is a Synthetic Minor. The permit will include monitoring, recordkeeping and reporting requirements designed to keep the facility operating within all applicable air quality requirements.

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

**41-00051: Wire Rope Works, Inc.** (100 Maynard Street, Williamsport, PA 17701) on March 26, 2009, for the minor modification of SMOP No. 41-00051 for their facility in Williamsport, **Lycoming County**. The State-only (Synthetic Minor) Operating Permit was modified to increase the number of cold batch (Safety Kleen) degreasers comprising Source P107 from two to 13 and to incorporate

Source P110 (three ultrasonic batch vapor degreasers) and Source P111 (75 5-gallon degreasing buckets) into the operating permit.

**49-00007: Cherokee Pharmaceuticals, LLC** (100 Avenue C, Riverside, PA 17868) on March 27, 2009, issued a revised Title V Operating Permit for their pharmaceutical production facility in Riverside Borough, **Northumberland County**. The revision of this permit incorporates the requirements of plan approval, 49-00007E into the Title V Operating Permit. The title V operating permit contains all applicable regulatory requirements including monitoring, recordkeeping and reporting conditions.

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

**33-00137: VL Greenhouses, LLP—Pennsylvania Division** (568 Tomato Drive, Punxsutawney, PA 15767) on March 24, 2009, for an administrative amendment of this Natural Minor Operating Permit to document a change of ownership from Village Farms to VL Greenhouses in Ringgold Township, **Jefferson County**. The facility's primary sources of emissions are three Auxiliary Boilers used to produce heat for a greenhouse.

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

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

**TVOP-65-00016: Latrobe Specialty Steel Co.** (2626 South Ligonier Street, Latrobe, PA 15650-6359) on March 24, 2009, per 25 Pa. Code § 127.449(i), for the following de minimis emission increases at the Latrobe Specialty Steel Company, Latrobe Plant, located in Latrobe, **Westmoreland County**.

Less than 0.11 tpy of PM10 resulting from the construction and operation of one Slag Handling Operation consisting of one Mesto Screen, rated at 150 tph, with a maximum annual throughput of 15,000 tons.

Less than 0.48 tpy of PM10 resulting from the construction and operation of one Torch Cutting Operation which will be conducted within a building and controlled by a 6,000 ACFM dust collector.

The list of previously authorized de minimis increases at the facility is as follows:

October 2003: TIV Power Source Upgrade.

### **ACTIONS ON COAL AND NONCOAL MINING ACTIVITY APPLICATIONS**

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

### **Dam Safety and Encroachments Act (32 P. S. §§ 693.1—693.27); and the Solid Waste Management Act (35 P. S. §§ 6018.101—6018.1003).**

#### *Coal Permits Actions*

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

**17851501 and NPDES Permit No. PA0215694, RES Coal, LLC**, (224 Grange Hall Road, P. O. Box 228, Armagh, PA 15920), to transfer the permit and related NPDES permit for Clearfield Siding in Boggs Township, **Clearfield County** from Sky Haven Coal, Inc. to RES Coal, LLC. No additional discharges. Application received November 17, 2008. Permit issued March 30, 2009.

**32031701 and NPDES Permit No. PA0235555, EME Homer City Generation, LP**, (1750 Power Plant Road, Homer City, PA 15748-9558), to operate the Dixon Run Central Treatment Facility in Cherryhill Township, **Indiana County** and related NPDES permit and to install a sludge borehole. Surface Acres Proposed 23.8. Receiving stream: Two Lick Reservoir, classified for the following uses: TSF, PWS. Application received May 15, 2003. Permit issued March 30, 2009.

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

**56010105 and NPDES No. PA0249068, Godin Brothers, Inc.**, P. O. Box 216, Boswell, PA 15531, revision of an existing bituminous surface mine to change land use from woodland to unmanaged natural habitat in Jenner Township, **Somerset County**, affecting 34.8 acres. Receiving streams: UNTs to/and Quemahoning Creek classified for the following use: CWF. The first downstream potable water supply intake from the point of discharge is Cambria Somerset Authority Quemahoning SW1. Application received January 21, 2009. Permit issued March 23, 2009.

**56940106 and NPDES No. PA0212903, Fieg Brothers**, 3070 Stoystown Road, Stoystown, PA 15563, revision of an existing bituminous surface mine to add mining on the Lower Pittsburgh coal seam in Brothersvalley Township, **Somerset County**, affecting 77.4 acres. Receiving streams: UNTs to/and Buffalo Creek and UNTs to/and Hays Run classified for the following use: CWF. There are no potable water supply intakes within 10 miles downstream. Application received May 21, 2008. Permit issued March 23, 2009.

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

**03040101 and NPDES Permit PA0250597, AMFIRE Mining Co., LLC** (One Energy Place, Latrobe, PA 15650). Renewal issued for continued reclamation only of a bituminous surface mining site located in Gilpin Township, **Armstrong County**, affecting 62.1 acres. Receiving streams: UNT to Allegheny River. Application received January 29, 2009. Reclamation only renewal issued March 24, 2009.

**03803044 and NPDES Permit PA126375, State Industries, Inc.** (P. O. Box 1022, Kittanning, PA 16201). Renewal issued for continued operation and reclamation of a bituminous surface/auger mining site located in East Franklin Township, **Armstrong County**, affecting 97.9 acres. Receiving streams: UNT to Limestone Run to Allegheny River. Application received February 3, 2009. Renewal issued March 25, 2009.

*Noncoal Permits Actions*

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

**56920302 and NPDES Permit No. PA0212326. New Enterprise Stone & Lime Company, Inc.**, P. O. Box 77, New Enterprise, PA 16664, renewal of NPDES Permit in Shade Township, **Somerset County**. Receiving streams: Laurel Run classified for the following use: CWF. The first downstream potable water supply intake from the point of discharge is Cambria Somerset Authority Stonycreek SWL. Application received January 7, 2009. Permit issued March 25, 2009.

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

**37030305. Glacial Sand & Gravel Co.** (P. O. Box 1022, Kittanning, PA 16201) Renewal of NPDES Permit No. PA0242543 in Plain Grove Township, **Lawrence County**. Receiving streams: UNT to Jamison Run. Application received February 4, 2009. Permit issued 23, 2009.

**5380-10960301-E-3. Quality Aggregates, Inc.** (4955 Steubenville Pike, Suite 245, Pittsburgh, PA 15205) Application for a stream encroachment to conduct mining activities within 100 feet of Blacks Creek in Marion Township, **Butler County**. Receiving streams: UNTs to Blacks Creek and UNT to Slippery Rock Creek. Application received February 20, 2009. Permit issued March 25, 2009.

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

**18061002. Maxwell Trucking & Excavating, Inc.** (689 East College Avenue, Bellefonte, PA 16823), noncoal mining operation in Dunnstable Township, **Clinton County**. Restoration of 4.0 acres. Receiving streams: Big Plum Run, tributary to West Branch Susquehanna. Application received February 27, 2009. Final bond release March 20, 2009.

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

**58080826. Dean M. Mack**, (R. R. 2, Box 199, Kingsley, PA 18826), commencement, operation and restoration of a quarry operation in Brooklyn Township, **Susquehanna County** affecting 5.0 acres, receiving stream: none. Application received April 17, 2008. Permit issued March 24, 2009.

**58082817. Douglas G. Kilmer**, (R. R. 1, Box 85 K, Union Dale, PA 18470-9728), commencement, operation and restoration of a quarry operation in Great Bend Township, **Susquehanna County** affecting 5.0 acres, receiving stream: none. Application received October 9, 2009. Permit issued March 24, 2009.

**58090801. Duane C. Holbrook**, (R. R. 3, Box 348, Montrose, PA 18801), commencement, operation and restoration of a quarry operation in Bridgewater Township, **Susquehanna County** affecting 5.0 acres, receiving stream: none. Application received January 12, 2009. Permit issued March 24, 2009.

**58090802. Duane C. Holbrook**, (R. R. 3, Box 348, Montrose, PA 18801), commencement, operation and restoration of a quarry operation in Bridgewater Township, **Susquehanna County** affecting 5.0 acres, receiving stream: none. Application received January 12, 2009. Permit issued March 24, 2009.

**ACTIONS ON BLASTING ACTIVITY APPLICATIONS**


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

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*Blasting Permits Actions*

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

**04094001. Joseph J. Brunner, Inc.** (211 Brunner Road, Zelenople, PA 16063), blasting activity permit for construction to the Joseph J. Brunner Landfill, located in New Sewickley Township, **Beaver County**. The expected duration of blasting is 1 year. Permit issued March 23, 2009.

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

**27094001. Pennsylvania General Energy Corp.** (208 Liberty Street, Warren, PA 16365), blasting activity permit for stone removal in Howe Township, **Forest County**. This blasting activity permit will expire on December 1, 2009. Application received March 23, 2009. Permit issued March 23, 2009.

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

**14094002. Junior Coal Contracting** (2330 Six Mile Run, Philipsburg, PA 16866), blasting on the Ridge GFCC#-14-07-01 located in Rush Township, **Centre County**. Permit issued March 25, 2009. Permit expires October 31, 2011.

**41094001. Great Lakes Geophysical, Inc.** (P. O. Box 127, Williamsburg, MI 49690), seismic survey blasting (shot hole) for Lycoming-09-02-Swath A, Lycoming-09-03-Swath B, Lycoming-09-04-Swath C and Lycoming-09-05-Swath D located in Anthony and Cogan House Townships, **Lycoming County**. Permit issued March 26, 2009. Permit expires April 30, 2009.

**41094002. Great Lakes Geophysical, Inc.** (P. O. Box 127, Williamsburg, MI 49690), seismic survey blasting (shot hole) for Lycoming-09-Tombs Run-D1 and Lycoming-09-Tombs Run-D2 located in Mifflin and Cummings Townships, **Lycoming County**. Permit issued March 26, 2009. Permit expires April 30, 2009.

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

**36094111. Keystone Blasting Service**, (381 Reifsnyder Road, Lititz, PA 17543), construction blasting for a single dwelling in West Earl Township, **Lancaster County** with an expiration date of April 30, 2009. Permit issued March 23, 2009.

**36094112. Keystone Blasting Service**, (381 Reifsnyder Road, Lititz, PA 17543), construction blasting for a single dwelling in West Earl Township, **Lancaster County** with an expiration date of April 30, 2009. Permit issued March 23, 2009.

**40094001. Napcon, Inc.**, (190 Mundy Street, Wilkes-Barre, PA 18702) and **Orica USA**, (971 Mountain Road, Bloomsburg, PA 17815), construction blasting at the Curry Hill—Avondale Mine Reclamation Site in Plymouth

Township, **Luzerne County** with an expiration date of March 17, 2010. Permit issued March 26, 2009.

**36094113. Gerlach's Drilling & Blasting**, (172 Bender Mill Road, Lancaster, PA 17603), construction blasting for a manure pit in Manheim Township, **Lancaster County** with an expiration date of December 31, 2009. Permit issued March 26, 2009.

**46094007. Brubacher Excavating, Inc.**, (P. O. Box 528, Bowmansville, PA 17507), construction blasting for West Mont Soccer in Limerick Township, **Montgomery County** with an expiration date of March 20, 2010. Permit issued March 26, 2009.

**67094106. J Roy's, Inc.**, (P. O. Box 125, Bowmansville, PA 17507), construction blasting for Special Industries Warehouse in Windsor Township, **York County** with an expiration date of March 26, 2010. Permit issued March 26, 2009

### 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 AT&T 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 P. S. §§ 691.1—**

**691.702) and Notice of Final Action for Certification under section 401 of the FWPCA (33 U.S.C.A. § 1341).**

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

#### WATER OBSTRUCTIONS AND ENCROACHMENTS

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

**E09-920. Waterside Bensalem Development, Inc.**, 2310 Terwood Road, Huntingdon Valley, PA 19006, Bensalem Township, **Bucks County**, United States Army Corps of Engineers, Philadelphia District.

To construct and maintain the following water obstructions and encroachments associated with a proposed waterside mixed-use residential and retail redevelopment proposed along the Delaware River Waterfront (WWF-MF):

1. To place fill within 0.321-acre of wetland (PFO1) associated with the construction of the proposed Dock Street Road and elevated boardwalk around the eastern portion of the proposed development.

2. To place fill within an approximately 415-linear-foot-long drainage channel located on the center of the property and to divert stream flows through the proposed stormwater collection system.

3. To construct and maintain a boat dock and associated mooring area situated riverward of the existing bulkhead within the Delaware River. The work consists of a series of floating docks and precast concrete block sections.

4. Work also includes the construction and maintenance of stormwater management facilities and associated outfalls at several locations along the Delaware River.

The project will impact a total of 415 linear feet of watercourse and 0.321 acre of wetlands. Compensation will consist of 0.34 acre of wetland replacement and 0.77 acre of wetland restoration. The project is located at a former industrial site on the east side of State Road (Beverly, PA Quadrangle N: 12.4 inches; W: 9.4 inches) in Bensalem Township, Bucks County.

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

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

**E54-328. Kirk A. Strouse**, P. O. Box 107, Summit Station, PA 17979. Wayne Township, **Schuylkill County**, United States Army Corps of Engineers, Baltimore District.

To construct and maintain a 400-foot long stream enclosure in a tributary to Bear Creek (CWF) consisting of a 4-foot diameter smooth-lined corrugated polyethylene pipe. The project is located on the southwest corner of the intersection of SR 0183 and SR 0895 (Friedensburg, PA Quadrangle Latitude: 40° 33' 45"; Longitude: 76° 12' 27"). (Subbasin: 7D)

**E39-470. West Hills Partners, LP**, Three Lincoln Center, 5430 LBJ Freeway, Suite 800, Dallas, TX 75240. Weisenberg Township, **Lehigh County**, United States Army Corps of Engineers, Philadelphia District.



1. To construct and maintain a 138-foot long stream enclosure in a tributary to Lyon Creek (HQ-CWF) consisting of a 10-foot by 5-foot concrete box culvert depressed 6-inches below streambed elevation, an R-5 riprap apron and the placement of fill in 0.05-acre of wetlands.

2. To construct and maintain a 265-foot long stream enclosure in a tributary to Lyon Creek consisting of a 6-foot diameter reinforced concrete pipe depressed 6-inches below streambed elevation, an R-7 riprap apron and the placement of fill in 0.30-acre of wetlands.

3. To construct and maintain a 2.5-inch diameter PVC sanitary line crossing of a tributary to Lyon Creek and a 1.5-inch diameter PVC sanitary line crossing of a second tributary to Lyon Creek.

4. To construct and maintain a 12-inch diameter water-line crossing of two tributaries to Lyon Creek.

5. To construct and maintain various stormwater outfalls varying in size from 18-inch diameter to 42-inch diameter in the floodway of tributaries to Lyon Creek.

The permittee is required to provide 0.35 acre of replacement wetlands.

The project is located on the north side of I-78 between Golden Key Road (SR 0863) and Kecks Road (SR 4003) (Topton, PA Quadrangle Latitude: 40° 35' 7"; Longitude: 75° 41' 57") in Weisenberg Township, Lehigh County. (Subbasin: 2C)

**E40-682. Transcontinental Gas Pipe Line Corporation**, 2800 Post Oak Boulevard, Houston, TX 77056. Salem Township, **Luzerne County**, United States Army Corps of Engineers, Philadelphia District.

To construct and maintain the following Water Obstructions and Encroachments associated with the Sentinel Expansion—Conyngham Loop Gas Pipe Line Project which includes 1.93 miles of 42-in diameter gas pipe line in Salem Township, Luzerne County.

1. (W-CO-003) a temporary equipment crossing of PEM wetlands with 0.05 acre of temporary wetland impacts (Lat: 41° 06' 42"; Long: 76° 08' 26").

2. (W-CO-007) a gas pipeline of approximately 50 feet of PEM wetlands and a temporary equipment crossing of the same wetland with 0.08 acre of temporary wetland impacts (Lat: 41° 06' 42"; Long: 76° 08' 25").

3. (W-CO-001) a gas pipeline of approximately 182 feet of PEM wetlands and a temporary equipment crossing of the same wetland with 0.36 acre of temporary wetland impacts (Lat: 41° 06' 49"; Long: 76° 10' 13").

4. (S-CO-003) a gas pipe line crossing and temporary equipment crossing of a 20-foot wide tributary to the Susquehanna River (CWF), with 92 feet of channel impacts (Lat: 41° 06' 42"; Long: 76° 08' 25").

5. (S-CO-002) a gas pipe line crossing and temporary equipment crossing of a 14-foot wide tributary to the Susquehanna River (CWF) with 94 feet of channel impacts (Lat: 41° 06' 50"; Long: 76° 08' 48").

6. (S-CO-001) a temporary equipment crossing of a 3-foot wide tributary to the Susquehanna River (CWF) with 38 feet of channel impacts (Lat: 41° 06' 51"; Long: 76° 10' 06").

The project will temporarily impact 0.49 acre of wetlands and 224 feet of stream channel. Disturbed stream banks will be permanently stabilized with riprap.

The project begins near the intersection of SR 0011 and Mingle Inn Road (Berwick, PA Quadrangle Lat: 41° 06'

39"; Long: 76° 08' 17") and ends approximately 0.2 mile northwest of the intersection of Stone Church and Mingle Inn Roads (Berwick, PA Quadrangle Lat: 41° 06' 53"; Long 76° 10' 31") in Salem Township, Luzerne County. (Subbasin: 5D)

**E45-517. Stewart and Gloria Martin**, R. R. 2, Box 2750, Canadensis, PA 18325. Barrett Township, **Monroe County**, United States Army Corps of Engineers, Philadelphia District.

To place fill in a de minimis area of PSS wetlands equal to 0.02 acre and to construct and maintain a steel I-beam bridge, having a 24-foot span and a 5-foot underclearance across Stony Run (EV). The project is located on the eastern side of Lower Ceese Hill Road, approximately 2.4 miles northeast of its intersection with SR 447 (Skytop, PA Quadrangle Latitude: 41° 11' 05"; Longitude: 75° 12' 24"). (Subbasin: 1E)

**E40-693. Schiel Development, LLC**, 30 Hanover Street, Wilkes-Barre, PA 18702. Hanover Township, **Luzerne County**, United States Army Corps of Engineers, Baltimore District.

To place fill in 0.02 acre of wetlands for the purpose of constructing townhouses within the Fairway Estates residential subdivision. The project is located northwestern side of North Main Street approximately 1.5 miles northeast of the exit ramp of SR 0029 (Wilkes-Barre West, PA Quadrangle Latitude: 41° 13' 8"; Longitude: 75° 55' 34"). (Subbasin: 5B)

**E54-355. Wayne Township Municipal Authority**, P. O. Box 97, Friedensburg, PA 17933. Wayne Township, **Schuylkill County**, United States Army Corps of Engineers, Philadelphia District.

To construct and maintain the following water obstructions and encroachments associated with the Wayne Township Municipal Authority Sanitary Sewer Collection System Project, which includes 26 utility crossings of a Long Run and tributaries to the Long Run in Wayne Township, Schuylkill County.

1. (Crossing A) An 8" diameter concrete encased PVC gravity sanitary sewer main across a UNT to Long Run (CWF) (Lat: 40° 36' 51.8"; Long: 76° 12' 28.3").

2. (Crossing B) An 8" diameter concrete encased PVC gravity sanitary sewer main across a UNT to Long Run (Lat: 40° 36' 46"; Long: 76° 12' 42.5").

3. (Crossing C) An 8" diameter concrete encased PVC gravity sanitary sewer main across a UNT to Long Run (Lat: 40° 36' 44.6"; Long: 76° 12' 44.8").

4. (Crossing D) An 8" diameter concrete encased PVC gravity sanitary sewer main across Long Run (Lat: 40° 36' 44"; Long: 76° 12' 45.8").

5. (Crossing E) An 8" diameter ductile iron with mechanical joint gravity sanitary sewer main across Long Run (Lat: 40° 36' 39.6"; Long: 76° 12' 58.2").

6. (Crossing F) An 8" diameter concrete encased PVC gravity sanitary sewer main across Long Run (Lat: 40° 36' 36.6"; Long: 76° 12' 59.9").

7. (Crossing G1) An 8" diameter concrete encased PVC gravity sanitary sewer main across a UNT to Long Run (CWF) (Lat: 40° 36' 42.3"; Long: 76° 13' 2.8").

8. (Crossing G2) An 8" diameter concrete encased PVC gravity sanitary sewer main across a UNT to Long Run (Lat: 40° 36' 39.7"; Long: 76° 13' 9.1").

9. (Crossing G3) An 8" diameter concrete encased PVC gravity sanitary sewer main across a UNT to Long Run (Lat: 40° 36' 38.5"; Long: 76° 13' 1.2").

10. (Crossing H) An 8" diameter concrete encased PVC gravity sanitary sewer main across Long Run (Lat: 40° 36' 34.6"; Long: 76° 13' 9.5").

11. (Crossing J) An 8" diameter concrete encased PVC gravity sanitary sewer main across Long Run (Lat: 40° 36' 32.9"; Long: 76° 13' 14.9").

12. (Crossing K) An 8" diameter concrete encased PVC gravity sanitary sewer main across a UNT to Long Run (Lat: 40° 36' 32"; Long: 76° 13' 20.6").

13. (Crossing L) An 8" diameter concrete encased PVC gravity sanitary sewer main across a UNT to Long Run (Lat: 40° 36' 32.9"; Long: 76° 13' 14.9").

14. (Crossing M) An 8" diameter concrete encased PVC gravity sanitary sewer main across a UNT to Long Run (Lat: 40° 36' 30.3"; Long: 76° 13' 23.6").

15. (Crossing N) An 8" diameter concrete encased PVC gravity sanitary sewer main across a UNT to Long Run (Lat: 40° 36' 24.8"; Long: 76° 13' 42.3").

16. (Crossing O) An 8" diameter ductile iron with mechanical joints gravity sanitary sewer main across Long Run (Lat: 40° 36' 24.8"; Long: 76° 13' 42.3").

17. (Crossing P) An 8" diameter ductile iron with mechanical joints gravity sanitary sewer main across Long Run (Lat: 40° 36' 22.6"; Long: 76° 13' 55.1").

18. (Crossing Q) An 8" diameter PVC concrete encased gravity sanitary sewer main across a UNT to Long Run (Lat: 40° 36' 12.3"; Long: 76° 14' 12.5").

19. (Crossing R) An 8" diameter ductile iron with mechanical joints gravity sanitary sewer main across Long Run (Lat: 40° 36' 10.9"; Long: 76° 14' 16").

20. (Crossing S) A 6" diameter concrete encased PVC gravity sanitary sewer lateral across Long Run (Lat: 40° 36' 7.6"; Long: 76° 14' 25.7").

21. (Crossing T) A 6" diameter concrete encased PVC gravity sanitary sewer lateral across Long Run (Lat: 40° 36' 12.3"; Long: 76° 14' 13.2").

22. (Crossing U) A 6" diameter concrete encased PVC gravity sanitary sewer lateral across Long Run (Lat: 40° 36' 12.7"; Long: 76° 14' 11.9").

23. (Crossing V) A 6" diameter concrete encased PVC gravity sanitary sewer lateral across Long Run (Lat: 40° 36' 13"; Long: 76° 14' 11.2").

24. (Crossing W) A 6" diameter concrete encased PVC gravity sanitary sewer lateral across Long Run (Lat: 40° 36' 14.8"; Long: 76° 14' 7").

25. (Crossing X) A 6" diameter concrete encased PVC gravity sanitary sewer lateral across Long Run (Lat: 40° 36' 19.4"; Long: 76° 14' 58").

26. (Crossing Y) A 6" diameter concrete encased PVC gravity sanitary sewer lateral across a UNT to Long Run (Lat: 40° 36' 13.6"; Long: 76° 14' 13.6").

27. (Wetland A1 Impact) An 8" diameter gravity sanitary sewer main crossing of approximately 706 linear feet of PEM wetland with temporary wetland impacts of 0.47 acre (Lat: 40° 36' 24"; Long: 76° 13' 41").

28. (Wetland A2 Impact) An 8" diameter gravity sanitary sewer main crossing of approximately 780 linear feet of PEM wetland with temporary wetland impacts of 0.47 acre (Lat: 40° 36' 26"; Long: 76° 13' 33").

29. (Wetland C Impact) An 8" diameter gravity sanitary sewer main crossing of approximately 166 linear feet of PEM wetland with temporary wetland impacts of 0.15 acre (Lat: 40° 36' 32"; Long: 76° 13' 14").

30. (Wetland D Impact) An 8" diameter gravity sanitary sewer main crossing of approximately 188 linear feet of PFO wetland with temporary wetland impacts of 0.05 acre (Lat: 40° 36' 32"; Long: 76° 13' 15").

31. (Wetland E west side Impact) An 8" diameter gravity sanitary sewer main crossing of approximately 43 linear feet of PEM wetland with temporary wetland impacts of 0.02 acre (Lat: 40° 36' 34"; Long: 76° 13' 9").

32. (Wetland E east side Impact) An 8" diameter gravity sanitary sewer main crossing of approximately 127 linear feet of PEM wetland with temporary wetland impacts of 0.12 acre (Lat: 40° 36' 37"; Long: 76° 13' 1").

33. (Wetland F & G Impact) An 8" and 6" diameter gravity sanitary sewer main crossing of approximately 200 linear feet of PSS wetland with temporary wetland impacts of 0.18 acre (Lat: 40° 36' 39"; Long: 76° 12' 58").

34. (Wetland I Impact) An 8" diameter gravity sanitary sewer main crossing of approximately 107 linear feet of PEM wetland with temporary wetland impacts of 0.09 acre (Lat: 40° 36' 46"; Long: 76° 12' 42").

35. (Wetland J1 Impact) An 8" diameter gravity sanitary sewer main crossing of approximately 622 linear feet of PEM wetland with temporary wetland impacts of 0.53 acre (Lat: 40° 36' 51"; Long: 76° 12' 28").

36. (Wetland J2 Impact) An 8" diameter gravity sanitary sewer main crossing of approximately 274 linear feet of PEM wetland with temporary wetland impacts of 0.24 acre (Lat: 40° 36' 52"; Long: 76° 12' 27").

37. (Wetland K Impact) An 8" diameter gravity sanitary sewer main crossing of approximately 640 linear feet of PEM wetland with temporary wetland impacts of 0.50 acre (Lat: 40° 36' 53"; Long: 76° 12' 25").

The project will temporarily impact 2.84 acres of wetlands. Disturbed streambanks will be permanently stabilized with riprap or jute matting and vegetation.

The project begins 0.04 mile west of intersection of Stone Mountain Road and SR 0443 (Friedensburg, PA Quadrangle Lat: 40° 36' 7"; Long: 76° 14' 46") and ends 0.05 mile southwest of the intersection of SR 0443 and Bensing Road (Friedensburg, PA Quadrangle Lat: 40° 36' 55"; Long: 76° 12' 22") in Wayne Township, Schuylkill County. (Subbasin: 3A)

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

**E60-199. Department of Transportation**, Engineering District 3-0, P. O. Box 218, Montoursville, PA 17754-0218. SR 3004 Segment 0150 Bridge Structure Replacement over a UNT to Cold Run, Lewis Township, **Union County**, United States Army Corp of Engineers, Baltimore District (Hartleton, PA Quadrangle N: 40° 52' 45.1"; W: 77° 08' 51.8").

The applicant proposes to replace an existing single span, concrete slab bridge over a UNT to Cold Run with a 53" by 83" precast horizontal elliptical reinforced concrete pipe. The existing structure has a normal clear span of 12.0 feet, a curb-to-curb width of 16.0 feet and a maximum under clearance of 3 feet 1 inch. Cold Run has a Chapter 93 water use protection designation of TSF. The project will result in impacts to 56 linear feet of stream

and 0.048 acre of PEM wetlands. This permit also includes 401 Water Quality Certification.

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

**E02-1585-A1 (originally published under E02-1601). Pennsylvania American Water Company**, 852 Wesley Drive, Mechanicsburg, PA 17055-4475. To construct and replace a water main under Becks Run in two locations in the City of Pittsburgh and Baldwin Borough, **Allegheny County**, United States Army Corps of Engineers, Pittsburgh District (Pittsburgh East, PA Quadrangle N: 6.3 inches; W: 11.7 inches, Latitude: 40° 24' 35"; Longitude: 79° 57' 33" second; N: 6.0 inches; W: 12.4 inches and Latitude: 40° 24' 29"; Longitude: 79° 57' 51"). To construct and maintain a 42 inch diameter water main under the bed and across the channel of Becks Run (WWF) at two locations for the purpose of replacing the existing aged water mains and convey raw water from the Becks Run Raw Water Pump Station to the Hays Mine Station Water Treatment Plant. The project is located approximately 2,000.0 feet upstream from the intersection of Becks Run Road and SR 837 and will impact approximately 118.0 linear feet of stream channel.

**E11-334. Game Commission**, 4820 Route 711, Boliver, PA 15923-2420. To construct a stream crossing in Chest Township, **Cambria County**, United States Army Corps of Engineers, Baltimore District (Coalport, PA Quadrangle N: 2.9 inches; W: 15.9 inches, Latitude: 40° 38' 31.9"; Longitude: 78° 36' 51.5"). To construct and maintain a stream crossing consisting of five 17" by 13" by 20' corrugated steel arch culverts across Beaverdam Run (CWF) for the purpose of providing access to portions of State game lands. The project is located on approximately 3,400 feet north of Gendale Lake Road on State Game Lands 108.

**E63-608. Meadows Landing Associates, LLP**, 650 Washington Road, Suite 400, Pittsburgh, PA 15228. To construct a stream enclosure and fill wetlands in South Strabane Township, **Washington County**, United States Corp of Engineers, Pittsburgh District (Washington East, PA Quadrangle N: 14.88"; W: 10.43", Latitude: 40° 12' 25.6"; Longitude: 80° 11' 25.6"). To construct and maintain a 700' stream enclosure on a UNT to Chartiers Creek (WWF), a 160' stream enclosure on a UNT to Chartiers Creek, both with drainage areas under 100 acres, (total length of enclosures is 860'); to place and maintain fill in 0.03 acre of wetland and to place and maintain fill in 0.48 acre of wetland, both in the

Chartiers Creek Watershed (total wetland impact 0.51 acre, for the purpose of constructing a commercial/office development. To mitigate these impacts, a 0.57 acre replacement wetland and 1,720' of stream improvement on 3 UNTs to Chartiers Creek will be constructed.

**E65-916. Kriebel Minerals, Inc.**, P. O. Box 765, Clarion, PA 16214. To construct a stream crossing in East Huntingdon Township, **Westmoreland County**, United States Army Corps of Engineers, Pittsburgh District (Mount Pleasant, PA Quadrangle N: 8.65 inches; W: 14.0 inches, Latitude: 40° 10' 22"; Longitude: 79° 36' 1.7"). To construct and maintain a stream crossing, consisting of two 60" corrugated plastic culvert sections, across Buffalo Run (WWF), for the purpose of providing access to a gas well site. The project is located approximately 1,800' southwest of the intersection of T-469 and T-471.

**EROSION AND SEDIMENT CONTROL**

The following Erosion and Sediment Control Permits have been issued.

Any person aggrieved by these actions may appeal, under section 4 of the Environmental Hearing Board Act (35 P. S. § 7514) and 2 Pa.C.S. Chapter 5, Subchapter A (relating to practice and procedure of Commonwealth agencies), 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 AT&T 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 to 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 decisional law.

If individuals want to challenge this action, their appeal must reach the Board within 30 days. Individuals do not need a lawyer 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. If individuals cannot afford a lawyer, they may qualify for free pro bono representation. Call the Secretary to the Board (717) 787-3483 for more information.

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

| <i>ESCP No.</i>    | <i>Applicant Name &amp; Address</i>   | <i>County</i> | <i>Municipality</i> | <i>Receiving Water/Use</i>      |
|--------------------|---|---------------|---------------------|---------------------------------|
| ESCGP-1<br>0809810 | Tracy L. Gregory<br>Fortuna Energy, Inc.<br>337 Daniel Zanker Drive<br>Horseheads, NY 14845 | Bradford      | Troy Township       | South Branch Sugar Creek<br>TSF |

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

| <i>ESCP No.</i> | <i>Applicant Name &amp; Address</i>  | <i>County</i> | <i>Municipality</i> | <i>Receiving Water/Use</i> |
|-----------------|--|---------------|---------------------|----------------------------|
| ESC42098001     | Marcellus Gas Well<br>Potato Creek<br>2H<br>Open Flow Gas Supply Corp.<br>90 Beaver Drive<br>Drawer J<br>DuBois, PA 15801-0297 | McKean        | Norwich Township    | Hamlin Run<br>HQ           |

| <i>ESCP No.</i> | <i>Applicant Name &amp; Address</i>  | <i>County</i> | <i>Municipality</i> | <i>Receiving Water/Use</i>                  |
|-----------------|--|---------------|---------------------|---|
| ESC42098002     | Marcellus Gas Well<br>Potato Creek<br>5H<br>Open Flow Gas Supply Corp.<br>90 Beaver Drive<br>Drawer J<br>DuBois, PA 15801-0297 | McKean        | Norwich Township    | Sackett Hollow<br>CWF                       |
| ESC42098003     | Marcellus Gas Well<br>Potato Creek<br>Open Flow Gas Supply Corp.<br>90 Beaver Drive<br>Drawer J<br>DuBois, PA 15801-0297       | McKean        | Norwich Township    | East Branch Potato Creek<br>Lyman Run<br>HQ |
| ESC42098004     | Marcellus Gas Well<br>Potato Creek<br>1H<br>Open Flow Gas Supply Corp.<br>90 Beaver Drive<br>Drawer J<br>DuBois, PA 15801-0297 | McKean        | Norwich Township    | Colegrove Brook<br>HQ                       |

**SPECIAL NOTICES**

**Drinking Water State Revolving Fund**

**Special Notice under the Federal Safe Drinking Water Act (SDWA) 42 U.S.C. § 300f et seq.**

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

*Project Location:*

| <i>Applicant</i>                        | <i>Applicant Address</i>                  | <i>County</i>                  |
|---|---|--------------------------------|
| Lansford-Coaldale Joint Water Authority | 1 East Ridge Street<br>Lansford, PA 18323 | Carbon and Schuylkill Counties |

*Project Description:* The Pennsylvania Infrastructure Investment Authority (PENNVEST), which administers the Commonwealth's State Revolving Fund, is intended to be the funding source for this project. The Lansford-Coaldale Joint Water (LCJWA) proposes the LCJWA 2009, Upgrade Project (PENNVEST ID No. 13024030903-CW) which consists of storage tanks and distribution system improvements. The Department of Environmental Protection's (Department) review of the project and the information received for the project has not identified any significant, adverse environmental impact resulting from this proposal. The Department hereby approves the Categorical Exclusion.

[Pa.B. Doc. No. 09-676. Filed for public inspection April 10, 2009, 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 2009.

*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.

*Final Technical Guidance*

DEP ID: 391-2000-017. Title: Implementation Guidance Temperature Criteria. Description: The guidance has been updated to provide guidance applicable to 316(a) demonstrations; provide for consideration of incomplete mix between the discharge flow and the receiving water under some conditions; update the screening criteria for when thermal limits should be applied; address temperature issues regarding discharges to HQ/EV and CWF streams; expand guidance on recommended thermal monitoring frequencies; and provide guidance for addressing the maximum 2° F per hour delta requirement in Chapter 93.

Notice of the draft technical guidance document, including a request for public comment, was published at 38 Pa.B. 6227 (November 8, 2008). A 60-day public comment period was provided, which concluded on January 7, 2009. Comments on the draft guidance were received from Citizens for Pennsylvania's Future (PennFuture). Based on comments received during the public comment period, several additional changes were made to the proposed document. In Section IV, the guidance describing the Department's appropriate actions when adequate ambient data are not available was modified. Additionally, minor

clarifications were made relating to Q7-10 on page 8 and relating to 316(a) demonstration on page 11. Contact: Questions regarding the final guidance document should be directed to Thomas Starosta at (717) 787-4317 or by e-mail at tstarostastate.pa.us. Effective Date: April 11, 2009.

JOHN HANGER,  
*Acting Secretary*

[Pa.B. Doc. No. 09-677. Filed for public inspection April 10, 2009, 9:00 a.m.]

### Bid Opportunity

**AMD 11(0821)101.1, Abandoned Mine Reclamation Project, Lancashire No. 15 AMD Treatment Plant, Barr Township, Cambria County.** The principal items of work and approximate quantities include 3.0 each of vertical turbine pumps for pump station and force main system, 1,070.0 cubic yards of cast-in-place concrete for pre-aeration and ferrous reactors, 2,565.0 cubic yards of cast-in-place concrete and flocculating clarifier for clarifier (flocculating), 282.0 cubic yards of cast-in-place concrete, hydrated lime system, and polymer feed system for treatment building, hydrated lime system and polymer system, treatment building plumbing with appurtenances and accessories, treatment building HVAC and appurtenances, treatment building structural and accessories for treatment building, earthwork/excavation for polishing pond and outfall, 5,550.0 square yards of earthwork/excavation (roadway), 11.3 acres of earthwork/excavation (refuse pile regrading) for site work and other utilities and electrical and system integration. This project issues on April 10, 2009, and bids will be opened on July 9, 2009, at 2 p.m. Bid documents cost \$125 per set and will not be mailed until payment has been received. A mandatory prebid conference is planned for this project and a tentative date has been set for May 28, 2009. Use the contact information contained in this advertisement to find out more about the prebid. Failure to attend will be cause for rejection of the bid. This project is financed by the Federal Government under the authority given it by Pub. L. No. 95-87 dated August 3, 1977, The Surface Mining Control and Reclamation Act of 1977, and is subject to that Law, and to the Federal Grant for this project. Contact the Construction Contracts Section at (717) 787-7820 or joelmiller@state.pa.us for more information on this bid.

JOHN HANGER,  
*Acting Secretary*

[Pa.B. Doc. No. 09-678. Filed for public inspection April 10, 2009, 9:00 a.m.]

### Draft Assessment and Listing Methodology Notice of Availability for Public Comment

The Department of Environmental Protection (Department) is making available for public comment its draft Assessment and Listing Methodology (methodology). Sections 303(b) and 305(b) of the Federal Clean Water Act require states to report on the condition of all their waters in the biennial Integrated Report (report). The report combines the comprehensive section 305(b) report

status of water quality in this Commonwealth and the section 303(d) list of waters for which Total Maximum Daily Loads are required.

Stream and lake evaluations presented in the report must be supported by assessment methodologies based on sound science and technical procedures that are clear and complete. The methodology is a compilation of the protocols being used to assess waters that will appear in the 2010 Pennsylvania Integrated Water Quality Monitoring and Assessment Report.

The protocols comprising the methodology describe the field data collection procedures and data analysis methods used to obtain and evaluate water quality data. The individual protocols apply to a wide range of water resource types, data sources and environmental indicators.

The draft methodology is available on the Department's web site at [www.depweb.state.pa.us](http://www.depweb.state.pa.us). Select "Water Topics" in the top menu bar, then "Water Quality" in the drop down menu, and finally 2009 Assessment Methodology. The previous 2007 Assessment Methodology, and the accompanying comment-response document, are also available for comparison. Because of the large number of pages, the methodology will not be available in hardcopy.

There will be a 60-day comment period. Persons wishing to comment on the draft methodology may do so in writing to the Bureau of Water Standards and Faculty Regulation or by e-mail no later than June 11, 2009. Comments should be mailed or e-mailed to Amy Williams, Division of Water Quality Standards, P. O. Box 8467, Harrisburg, PA 17105-8467, (717) 772-4045, amywilli@state.pa.us. Comments received by facsimile will not be accepted.

The Department will consider all public comments regarding the appropriateness of the narrative, collection methods and data analyses protocols contained in the methodology.

Persons in need of accommodations as provided for in the American With Disabilities Act of 1990 should contact Amy Williams directly at (717) 772-4045 or through the Pennsylvania AT&T Relay Service at (800) 654-5894 (TTD) to discuss how the Department may accommodate their needs.

JOHN HANGER,  
*Acting Secretary*

[Pa.B. Doc. No. 09-679. Filed for public inspection April 10, 2009, 9:00 a.m.]

### Marcellus Shale Wastewater Partnership; Public Meeting

The Department of Environmental Protection (Department) announces a public meeting of the Marcellus Shale Wastewater Partnership on April 15, 2009, at 1 p.m. in the 2nd Floor Auditorium of the Rachel Carson State Office Building, 400 Market Street, Harrisburg, PA. The Marcellus Shale Wastewater Partnership is a collaborative effort of the Marcellus Shale Committee and the Department to examine wastewater issues facing the natural gas industry and identify technologies and treatment techniques that will ensure adequate protection of our water resources while allowing for the treatment and disposal of wastewater generated during extraction.

At this meeting, the Department will present a Permitting Strategy for High Total Dissolved Solids (TDS)

Wastewater Discharges (Permitting Strategy). The goal of this permitting strategy is that new sources of High TDS wastewaters will be prohibited from this Commonwealth's waters by January 2011. To achieve this goal, the Department proposes to amend 25 Pa. Code Chapter 95 (relating to wastewater treatment requirements) to establish new effluent standards. In addition, to assure the protection and attainment of all designated stream uses, the Department proposes to develop new numeric water quality criteria for TDS and Chlorides, and amend 25 Pa. Code Chapter 93 (relating to water quality standards) to include these criteria. Amendments to 25 Pa. Code Chapters 93 and 95 will be completed prior to January of 2011 through separate regulatory processes. Those processes will allow for public participation and comment.

Meeting materials for the April 15, 2009, meeting, including a copy of the draft Permitting Strategy, may be obtained by contacting Ron Furlan of the Division of Planning and Permitting at (717) 787-8184 or [rfurlan@state.pa.us](mailto:rfurlan@state.pa.us). A copy of the meeting materials is also available on the Department's web site at: <http://www.depweb.state.pa.us/watersupply/cwp/view.asp?a=1260&Q=545730&watersupplyNav=|30160>

Persons in need of accommodations as provided for in the Americans With Disabilities Act of 1990 should contact Ronald Furlan at (717) 787-8184 or through the Pennsylvania AT&T Relay Service at (800) 654-5984 (TDD) to discuss how the Department may accommodate their needs.

JOHN HANGER,  
*Acting Secretary*

[Pa.B. Doc. No. 09-680. Filed for public inspection April 10, 2009, 9:00 a.m.]

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### Solar Workgroup Meeting

The Solar Workgroup (Workgroup) will hold a meeting on April 27, 2009, at 10 a.m. in the 2nd Floor Training Room of the Rachel Carson State Office Building, 400 Market Street, Harrisburg, PA.

The agenda and materials for the April 27, 2009, meeting will be available at the meeting. Questions concerning this meeting should be directed to Libby Dodson, Office of Energy and Technology Deployment, Division of Energy Promotion, 400 Market Street, Harrisburg, PA 17101, (717) 772-8907, [ldodson@state.pa.us](mailto:ldodson@state.pa.us).

Persons with a disability who require accommodations to attend the April 27, 2009, meeting of the Workgroup should contact Angela Rothrock at (717) 772-8911 or through the Pennsylvania AT&T Relay Service at (800) 654-5984 (TDD) to discuss how the Department of Environmental Protection may accommodate their needs.

JOHN HANGER,  
*Acting Secretary*

[Pa.B. Doc. No. 09-681. Filed for public inspection April 10, 2009, 9:00 a.m.]

## INSURANCE DEPARTMENT

### Autism Coverage; Notice 2009-03

This notice is issued to advise all entities subject to section 635.2 of the act of The Insurance Company Law of 1921 (added by section 2 of Act 62 of 2008) (Act 62) (40 P. S. § 764h) of their obligations under Pennsylvania law in the provision of coverage for autism benefits. Pennsylvania law, in Act 62, requires coverage of the diagnostic assessment and treatment of autism spectrum disorders by certain group insurance policies or contracts. The Insurance Department (Department) has been asked how the "general exclusions or limitations" language in the Act should be applied. Accordingly, the Department releases the following guidance concerning the provision of benefits under the Act 62.

Act 62 mandates coverage of the "treatment of autism spectrum disorders," and defines that term to include "medically necessary pharmacy care, psychiatric care, psychological care, rehabilitative care and therapeutic care" prescribed and provided in accordance with Act 62. See 40 P. S. § 764h(f)(14). In addition, Act 62 also provides that the autism coverage "shall not be subject to any limits on the number of visits to an autism service provider for treatment of autism spectrum disorders." See 40 P. S. § 764h(b). However, Act 62 does allow a carrier to apply "general exclusions or limitations" to the autism spectrum disorder coverage "to the same extent as other medical services covered by the policy." See 40 P. S. § 764h(c). The Department has been asked whether these three subsections are incongruent. They are not. The Department interprets these provisions to be in consonance with each other as follows:

- Those types of treatment for autism spectrum disorders specifically delineated by Act 62—"pharmacy care, psychiatric care, psychological care, rehabilitative care and therapeutic care"—must be provided to the extent such treatments are medically necessary and prescribed and provided as set forth in the law, irrespective of whether those types of care are otherwise excluded by the policy.

- Those types of services or treatments for autism spectrum disorders not specified by Act 62 may be subject to "general exclusions" of a policy under 40 P. S. § 764h(c), provided they are excluded "to the same extent" as for other medical services covered by the policy. By way of example, if a policy generally excludes acupuncture treatment, and an autism provider believes that acupuncture may provide some benefit to his autism patient, that particular treatment may nonetheless be excluded from the mandated coverage.

- A policy may impose general limitations, such as scope and duration limitations, on coverage for autism spectrum disorders so long as such limitations are imposed "to the same extent" as those imposed upon other medical services covered by the policy. For example, if a policy or contract requires all medical services to be provided by a participating provider as a prerequisite for payment of services, autism services may also be required to be provided by a participating provider as a prerequisite for payment of those services.

- Specific limitations on number of visits are impermissible under 40 P. S. § 764h(b) (disallowing a limitation on the "number of visits to an autism service provider for treatment of autism spectrum disorders").

Finally, the Department has been asked whether autism is a mental health condition subject to the Paul

Wellstone and Pete Domenici Mental Health Parity and Addiction Equity Act of 2008 (MHPAEA). Pub. L. No. 110-343, 122 Stat. 3881 (October 3, 2008) at sections 511 and 512, amending, inter alia, section 2705 of the Public Health Service Act (42 U.S.C. § 300gg-5). The Federal government is anticipated to issue regulations addressing this question on or before October 3, 2009. (See § 512(d)) The Department will continue to monitor developments at the Federal level, but is not taking any action on the limitations (including the monetary cap) issues at this time.

Questions regarding this notice may be addressed to Shelley D. Bain, J. D., Director, Bureau of Accident & Health Insurance, Insurance Department, 13th Floor, Strawberry Square, Harrisburg, PA 17120 by letter or by means of e-mail at RA-in-autism@state.pa.us.

JOEL SCOTT ARIO,  
*Insurance Commissioner*

[Pa.B. Doc. No. 09-682. Filed for public inspection April 10, 2009, 9:00 a.m.]

### Review Procedure Hearings; Cancellation or Refusal of Insurance

The following insureds have requested a hearing as authorized by the act of June 17, 1998 (P. L. 464, No. 68) (Act 68) in connection with the termination of the insureds' automobile policies. The hearings will be held in accordance with the requirements of Act 68; 1 Pa. Code Part II (relating to the General Rules of Administrative Practice and Procedure); and 31 Pa. Code §§ 56.1—56.3 (relating to Special Rules of Administrative Practice and Procedure). The administrative hearings will be held in the Insurance Department's regional office in Philadelphia, PA. Failure by an appellant to appear at the scheduled hearing may result in dismissal with prejudice.

The following hearings will be held in the Philadelphia Regional Office, Room 1701, State Office Building, 1400 Spring Garden Street, Philadelphia, PA 19130.

Appeal of Alvenia and Thomas Baldwin; file no. 09-215-63667; Victoria Fire and Casualty Company; Doc. No. PH09-03-006; June 17, 2009, 11 a.m.

Appeal of Carol A. Robinson and Clarence C. Norwood; file no. 09-217-64601; Erie Insurance Exchange; Doc. No. PH09-03-002; June 17, 2009, 1 p.m.

Parties may appear with or without counsel and offer relevant testimony or other relevant evidence. Each party must bring documents, photographs, drawings, claims files, witnesses, and the like, necessary to support the party's case. A party intending to offer documents or photographs into evidence shall bring enough copies for the record and for each opposing party.

In some cases, the Insurance Commissioner (Commissioner) may order that the company reimburse an insured for the higher cost of replacement insurance coverage obtained while the appeal is pending. Reimbursement is available only when the insured is successful on appeal, and may not be ordered in all instances. If an insured wishes to seek reimbursement for the higher cost of replacement insurance, the insured must produce documentation at the hearing which will allow comparison of coverages and costs between the original policy and the replacement policy.

Following the hearing and receipt of the stenographic transcript, the Commissioner will issue a written order resolving the factual issues presented at the hearing and stating what remedial action, if any, is required. The Commissioner's Order will be sent to those persons participating in the hearing or their designated representatives. The Order of the Commissioner may be subject to judicial review by the Commonwealth Court.

Persons with a disability who wish to attend the previously-referenced administrative hearing and require an auxiliary aid, service or other accommodation to participate in the hearing, contact Donna R. Fleischauer, Human Resources Director, at (717) 705-3873.

JOEL SCOTT ARIO,  
*Insurance Commissioner*

[Pa.B. Doc. No. 09-683. Filed for public inspection April 10, 2009, 9:00 a.m.]

### Review Procedure Hearings under the Unfair Insurance Practices Act

The following insureds have requested a hearing as authorized by section 8 of the Unfair Insurance Practices Act (40 P. S. § 1171.8) in connection with their companies' termination of the insureds' policies. The administrative hearing will be held in the Insurance Department's regional office in Philadelphia, PA. Failure by an appellant to appear at a scheduled hearing may result in dismissal with prejudice.

The following hearing will be held in the Philadelphia Regional Office, Room 1701, State Office Building, 1400 Spring Garden Street, Philadelphia, PA 19130.

Appeal of Thomas and Ellen McGarrigle; file no. 09-216-67165; Travelers Insurance Company; Doc. No. PH09-03-021; June 17, 2009, 2 p.m.

Parties may appear with or without counsel and offer relevant testimony and/or other relevant evidence. Each party must bring documents, photographs, drawings, claims files, witnesses, and the like, necessary to support the party's case. A party intending to offer documents or photographs into evidence shall bring enough copies for the record and for each opposing party.

In some cases, the Insurance Commissioner (Commissioner) may order that the company reimburse an insured for the higher cost of replacement insurance coverage obtained while the appeal is pending.

Reimbursement is available only when the insured is successful on appeal and may not be ordered in all instances. If an insured wishes to seek reimbursement for the higher cost of replacement insurance, the insured must produce documentation at the hearing which will allow comparison of coverages and costs between the original policy and the replacement policy.

Following the hearing and receipt of the stenographic transcript, the Commissioner will issue a written order resolving the factual issues presented at the hearing and stating what remedial action, if any, is required. The Commissioner's Order will be sent to those persons participating in the hearing or their designated representatives. The Order of the Commissioner may be subject to judicial review by the Commonwealth Court.

Persons with a disability who wish to attend the previously-referenced administrative hearing and require

an auxiliary aid, service or other accommodation to participate in the hearing, contact Donna R. Fleischauer, Human Resources Director, at (717) 705-3873.

JOEL SCOTT ARIO,  
*Insurance Commissioner*

[Pa.B. Doc. No. 09-684. Filed for public inspection April 10, 2009, 9:00 a.m.]

## MILK MARKETING BOARD

### Hearing and Presubmission Schedule for All Milk Marketing Areas; Over-Order Premium

Under the Milk Marketing Law (31 P. S. §§ 700j-101—700j-1302), the Milk Marketing Board (Board) will conduct a public hearing for Milk Marketing Areas 1—6 on May 6, 2009, at 1:15 p.m. in Room 202 of the Agriculture Building, 2301 North Cameron Street, Harrisburg, PA.

The purpose of the hearing is to receive testimony and exhibits concerning the level and duration of the Class I over-order premium to be effective July 1, 2009.

The staff of the Board is deemed to be a party to this hearing, and the attorney representing staff is deemed to have entered his appearance. Other persons who wish to present evidence may be included on the Board's list of parties by: (1) having their attorney file with the Board on or before 4 p.m. on April 16, 2009, a notice of appearance substantially in the form prescribed by 1 Pa. Code § 31.25 (relating to form of notice of appearance); or (2) if unrepresented by counsel, filing with the Board on or before 4 p.m. on April 16, 2009, notification of their desire to be included as a party. Parties may indicate in their notices of appearance if alternate means of service, that is, e-mail or fax, are acceptable. Notices of appearance filed electronically should be directed to [deberly@state.pa.us](mailto:deberly@state.pa.us).

The parties shall observe the following requirements for advance filing of witness information and exhibits. The Board may exclude witnesses or exhibits of a party that fails to comply with these requirements. In addition, the parties shall have available in the hearing room at least 20 additional copies made available for the use of nonparties attending the hearing.

1. By 4 p.m. on April 20, 2009, the petitioner shall file with the Board, in person or by mail, one original and eight copies and ensure receipt by all other parties of one copy of:

a. A list of witnesses who will testify for the petitioner, along with a statement of the subjects concerning which each witness will testify. A witness who will be offered as an expert shall be so identified, along with the witness's area or areas of proposed expertise. For expert witnesses there shall also be filed a statement of the substance of the facts and opinions to which the expert is expected to testify and a summary of the grounds for each opinion.

b. Each exhibit to be presented, including testimony to be offered in written form.

2. By 4 p.m. on April 27, 2009, each responding party shall file and serve as set forth in paragraph 1 information concerning rebuttal witnesses and copies of rebuttal exhibits.

3. By 4 p.m. on May 4, 2009, parties shall file and serve as set forth in paragraph 1 information concerning surrebuttal witnesses and copies of surrebuttal exhibits.

The Board may exclude witnesses or exhibits of a party that fails to comply with the previous requirements. In addition, the parties shall have available in the hearing room at least 20 additional copies made available for the use of nonparties attending the hearing.

Parties that wish to offer in evidence documents on file with the Board, public documents, or records in other proceedings before the Board, or wish the Board to take official notice of facts, shall comply with, respectively, 1 Pa. Code § 35.164, § 35.165, § 35.167 or § 35.173. Whenever these rules require production of a document as an exhibit, copies shall be provided to each Board member and to all other parties; in addition, at least 20 copies shall be available for distribution to nonparties attending the hearing.

Requests by parties for Board staff to provide data pertinent to the hearing shall be made in writing and received in the Board office by 4 p.m. on April 28, 2009.

The filing address for the Board is Milk Marketing Board, Room 110, Agriculture Building, 2301 North Cameron Street, Harrisburg, PA 17110.

KEITH BIERLY,  
*Secretary*

[Pa.B. Doc. No. 09-685. Filed for public inspection April 10, 2009, 9:00 a.m.]

## PENNSYLVANIA ENERGY DEVELOPMENT AUTHORITY

### \$21 Million Funding Opportunity Available

On behalf of Governor Edward G. Rendell, Acting Secretary Hanger announces that on April 13, 2009, the Pennsylvania Energy Development Authority (PEDA) will open a \$21 million solicitation for innovative, advanced energy projects and for businesses interested in locating their advanced energy operations in this Commonwealth.

For purposes of this financial assistance opportunity, eligible projects may include: solar energy; wind; low-impact hydropower; geothermal; biologically derived methane gas, including landfill gas; biomass; fuel cells; coal-mine methane; waste coal; integrated gasification combined cycle; demand management measures, including recycled energy and energy recovery, energy efficiency and load management; and clean, alternative fuels for transportation. Priorities include distributed generation for critical public infrastructure.

Under this solicitation, PEDA may award financial assistance in the form of grants of up to \$1.5 million. Funding for projects may be used for capital equipment, construction associated with capital projects and land acquisition.

For grants under this solicitation, the following entities are eligible to apply: corporations, partnerships, associations and other legal business entities; nonprofit corporations; colleges and universities of this Commonwealth; municipalities of this Commonwealth; and any public corporation, authority or body whatsoever.

This is a competitive solicitation and funding will be determined by vote of the Board of Directors. Guidelines and applications may be viewed and downloaded from the



PEDA web site at [www.depweb.state.pa.us](http://www.depweb.state.pa.us), Keyword "PEDA." Applications will be accepted from April 13, 2009, through May 29, 2009.

JOHN HANGER,  
*Acting Secretary*

[Pa.B. Doc. No. 09-686. Filed for public inspection April 10, 2009, 9:00 a.m.]

## PENNSYLVANIA PUBLIC UTILITY COMMISSION

### Gas Service

**A-2009-2094828. Mountain Energy, Ltd.** Application of Mountain Energy, Ltd. for approval of the abandonment or discontinuance of retail gas service to six gas service customers located in the Aleppo area of Greene County, PA, who have signed Buyout Agreements with Mountain Energy, Ltd.

Formal protests and petitions to intervene must be filed in accordance with 52 Pa. Code (relating to public utilities). Filings must be made with the Secretary of the Pennsylvania Public Utility Commission, P. O. Box 3265, Harrisburg, PA 17105-3265, with a copy served on the applicant, on or before April 27, 2009. The documents filed in support of the application are available for inspection and copying at the Office of the Secretary between 8 a.m. and 4:30 p.m., Monday through Friday, and at the applicant's business address.

*Applicant:* Mountain Energy, Ltd.

*Through and By Counsel:* J. William Hook, Attorney, Hook and Hook, 189 West High Street, Post Office Box 792, Waynesburg, PA 15370

JAMES J. MCNULTY,  
*Secretary*

[Pa.B. Doc. No. 09-687. Filed for public inspection April 10, 2009, 9:00 a.m.]

### Service of Notice of Motor Carrier Applications

The following temporary authority and/or permanent authority applications for the right to render service as a common carrier or contract carrier in this Commonwealth have been filed with the Pennsylvania Public Utility Commission. Formal protests and petitions to intervene must be filed in accordance with 52 Pa. Code (relating to public utilities). A protest shall indicate whether it applies to the temporary authority application, the permanent authority application, or both. Filings must be made with the Secretary, Pennsylvania Public Utility Commission, P. O. Box 3265, Harrisburg, PA 17105-3265, with a copy served on the applicant by April 27, 2009. Documents filed in support of the applications are available for inspection and copying at the Office of the Secretary between 8 a.m. and 4:30 p.m., Monday through Friday, and at the business address of the respective applicant.

**Application of the following for approval of the additional right and privilege of operating motor vehicles as common carriers for transportation of persons as described under the application.**

**A-2009-2097361. Germantown Cab Co.** (800 Chestnut Street, Philadelphia, Philadelphia County, PA

19107)—a corporation of the Commonwealth—for the additional right to transport, as a common carrier, by motor vehicle, persons in paratransit service, from points in City and County of Philadelphia, to points in Pennsylvania, and return. *Attorney:* David P. Temple, Esquire, Gallagher, Malloy & Georges, Suite 1100, 1760 Market Street, Philadelphia, PA 19103-4104.

**Application of the following for approval to begin operating as a broker for transportation of persons as described under the application.**

**A-2009-2097537. Sharon M. Ault, t/a Sharon Ault Tours** (2400 Elwood Circle West, Williamsport, PA 17701)—or a brokerage license evidencing the Commission's approval of the beginning of the right and privilege to operate as a broker, to arrange for the transportation of persons, between points in Pennsylvania.

**Application of the following for the approval of the right and privilege to discontinue/abandon operating as common carriers by motor vehicle and for cancellation of the certificate of public convenience as described under the application.**

**A-2009-2097546. Eugene H. Graybill** (110 Dawn Street, Lot 25A, Quarryville, Lancaster County, PA 17566)—for the discontinuance of service and cancellation of his certificate as a common carrier, persons in paratransit service, whose personal convictions prevent them from owning or operating motor vehicles, between points in the County of Lancaster, and from points in said county, to points in Pennsylvania, and return.

*Pennsylvania Public Utility Commission, Bureau of  
Transportation and Safety v. Eugene Vandergrift;  
Doc. No. C-2009-2086505*

### COMPLAINT

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

1. That all authority issued to Eugene Vandergrift (respondent) is under suspension effective January 28, 2009, for failure to maintain evidence of insurance on file with this Commission.
2. That respondent maintains a principal place of business at 15045 Milford Street, Philadelphia, PA 19116.
3. That respondent was issued a Certificate of Public Convenience by this Commission on June 04, 2001, at A-00117808.
4. That respondent has failed to maintain evidence of Liability insurance and Cargo insurance on file with this Commission. The penalty is \$250 and cancellation of the Certificate of Public Convenience.
5. That respondent, by failing to maintain evidence of insurance on file with this Commission, violated 66 Pa.C.S. § 512, 52 Pa. Code § 32.2(c), and 52 Pa. Code § 32.11(a), § 32.12(a) or § 32.13(a).

*Wherefore*, unless respondent pays the penalty of \$250 and causes its insurer to file evidence of insurance with

this Commission within twenty (20) days of the date of service of this Complaint, the Bureau of Transportation and Safety Prosecutory Staff will request that the Commission issue an Order which: (1) cancels the Certificate of Public Convenience held by respondent at A-00117808 for failure to maintain evidence of current insurance on file with the Commission; (2) fines Respondent the sum of two hundred and fifty dollars (\$250.00) for the illegal activity described in this Complaint; (3) orders such other remedy as the Commission may deem to be appropriate, which may include the suspension of a vehicle registration; and (4) imposes an additional fine on the respondent should cancellation occur.

Respectfully submitted,

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

#### VERIFICATION

I, Wendy J. Keezel, hereby state that the facts above set forth are true and correct to the best of my knowledge, information and belief and that I expect that the Bureau will be able to prove same at any hearing held in this matter. I understand that the statements herein are made subject to the penalties of 18 Pa.C.S. § 4904 relating to unsworn falsification to authorities.

Date: \_\_\_\_\_

Wendy J. Keezel, Chief of Enforcement  
Motor Carrier Services and Enforcement  
Bureau of Transportation and Safety

#### NOTICE

A. You must file an Answer within twenty (20) days of the date of service of this Complaint. The date of service is the mailing date as indicated at the top of the Secretarial Cover Letter for this Complaint and Notice, 52 Pa. Code § 1.56(a). An Answer is a written explanation of circumstances wished to be considered in determining the outcome. The Answer shall raise all factual and legal arguments that you wish to claim in your defense and must include the reference number of this Complaint. Your Answer must be verified and the original and three (3) copies sent to:

James J. McNulty, Secretary  
Pennsylvania Public Utility Commission  
P. O. Box 3265  
Harrisburg, PA 17105-3265

B. If you fail to answer this Complaint within twenty (20) days of the date of service, the Bureau of Transportation and Safety will request that the Commission issue an Order imposing a penalty. Pursuant to 66 Pa.C.S. § 3301(a), the penalty could include a fine of up to \$1,000 for each violation, the revocation of your Certificate of Public Convenience, or any other remedy as may be appropriate. Each day you continue to violate any regulation, direction, requirement, determination or Order of the Commission is a separate and distinct offense, subject to additional penalties.

C. You may elect not to contest this Complaint by causing your insurer to file proper evidence of current insurance in accordance with the Commission's regulations **and by paying the \$250 fine** proposed in the Complaint by certified check or money order within twenty (20) days of the date of service of this Complaint.

The proof of insurance must be filed with the:

Compliance Office, Bureau of Transportation and Safety  
Pennsylvania Public Utility Commission  
P. O. Box 3265  
Harrisburg, PA 17105-3265

Acord Certificates of Insurance and Faxed Form Es and Hs are **Unacceptable** as Evidence of Insurance.

The fine payment must be made to the Commonwealth of Pennsylvania and forwarded to:

James J. McNulty, Secretary  
Pennsylvania Public Utility Commission  
P. O. Box 3265  
Harrisburg, PA 17105-3265

Your payment is an admission that you committed the alleged violation and an agreement to cease and desist from further violations.

Upon receipt of the evidence of insurance from your insurer **and receipt of your fine payment**, the Complaint proceeding shall be closed.

D. If you file an Answer which admits or fails to deny the allegations of the Complaint, the Bureau of Transportation and Safety will request that the Commission issue an Order imposing a penalty, which may include the cancellation of your Certificate of Public Convenience. Should the Commission cancel your Certificate of Public Convenience, it may also impose an additional fine of up to \$1,000.

E. If you file an Answer which contests the Complaint, the matter will be assigned to an Administrative Law Judge for hearing and decision. The judge is not bound by the optional fine set forth above.

F. Alternative formats of this material are available, for persons with disabilities, by contacting the Compliance Office at (717) 787-1227.

JAMES J. MCNULTY,  
Secretary

[Pa.B. Doc. No. 09-688. Filed for public inspection April 10, 2009, 9:00 a.m.]

## PORT OF PITTSBURGH COMMISSION

### Independent Auditors' Report

Board of Directors  
Port of Pittsburgh Commission:

We have audited the statement of net assets of Port of Pittsburgh Commission (Commission), a component unit of the Commonwealth of Pennsylvania, as of June 30, 2008, and the related statement of activities for the year then ended (not presented herein). These financial statements are the responsibility of the Commission's management. Our responsibility is to express an opinion on these financial statements based on our audit.

We conducted our audit in accordance with auditing standards generally accepted in the United States of America and the standards applicable to financial audits contained in *Government Auditing Standards*, issued by the Comptroller General of the United States. Those standards require that we plan and perform the audit to

obtain reasonable assurance about whether the financial statements are free of material misstatement. An audit includes examining, on a test basis, evidence supporting the amounts and disclosures in the financial statements. An audit also includes assessing the accounting principles used and significant estimates made by management, as well as evaluating the overall financial statement presentation. We believe that our audit provides a reasonable basis for our opinion.

The condensed statement of net assets as of June 30, 2008, and the related condensed statement of activities for the years then ended, presented below, are presented as a summary and, therefore, do not include all of the

information required by accounting principals generally accepted in the United States of America.

In our opinion, because of the significance of the omission of the information referred to in the preceding paragraph, the condensed financial statements referred to above do not present fairly, in conformity with accounting principles generally accepted in the United States of America, the financial position of the Port of Pittsburgh Commission as of June 30, 2008, or the results of its operations for the year then ended.

Parente Randolph, LLC  
 Pittsburgh, Pennsylvania  
 March 12, 2009

**PORT OF PITTSBURGH COMMISSION**  
**CONDENSED STATEMENT OF NET ASSETS**  
**JUNE 30, 2008**

**Assets:**

|   |                  |
|---|------------------|
| Cash and investments                            | \$4,215,028      |
| Capital assets, net of accumulated depreciation | 1,378,425        |
| Other assets                                    | <u>\$260,530</u> |

**Total Assets** **\$5,853,983**

**Liabilities and Net Assets:**

|   |                  |
|---|------------------|
| Liabilities                                     | \$2,212,989      |
| Net assets:                                     |                  |
| Restricted for economic development             | 4,262,569        |
| Invested in capital assets, net of related debt | <u>(621,575)</u> |

**Total Liabilities and Net Assets** **\$5,853,983**

**PORT OF PITTSBURGH COMMISSION**  
**CONDENSED STATEMENT OF ACTIVITIES**  
**FOR THE YEAR ENDED JUNE 30, 2008**

| <b><u>Functions:</u></b>      | <b><u>Expenses</u></b> | <b><u>Charges for Services</u></b> | <b><u>Program Revenues<br/>Operating Grants and Contributions</u></b> | <b><u>Net Revenue/<br/>(Expense) and<br/>Change in<br/>Net Assets<br/>Governmental<br/>Activities</u></b> |
|-------------------------------|------------------------|------------------------------------|---|---|
| Government Activities,        |                        |                                    |   |   |
| Port development              | <u>\$994,722</u>       | <u>\$153,627</u>                   | <u>\$1,610,301</u>  | \$ 769,206  |
| General Revenues              |                        |                                    |   | 151,430   |
| Change in Net Assets          |                        |                                    |   | 920,636   |
| Net Assets, Beginning of Year |                        |                                    |   | 2,720,358   |
| Net Assets, End of Year       |                        |                                    |   | <u>\$3,640,994</u>  |

JAMES R. MCCARVILLE,  
*Executive Director*

[Pa.B. Doc. No. 09-689. Filed for public inspection April 10, 2009, 9:00 a.m.]

# SUSQUEHANNA RIVER BASIN COMMISSION

## Public Hearing and Meeting

The Susquehanna River Basin Commission (Commission) held a public hearing as part of its regular business meeting on March 12, 2009, in Scranton, PA. At the public hearing, the Commission: 1) approved, modified and tabled certain water resources projects; 2) rescinded approvals for three water resources projects; and 3) adopted a "Records Processing Fee Schedule." Details concerning these and other matters addressed at the public hearing and business meeting are contained in the Supplementary Information section of this notice.

For further information contact Richard A. Cairo, General Counsel, (717) 238-0423, Ext. 306, fax (717) 238-2436, rcairo@srbc.net or Stephanie L. Richardson, Secretary to the Commission, (717) 238-0423, Ext. 304, fax (717) 238-2436, srichardson@srbc.net. Regular mail inquiries may be sent to Susquehanna River Basin Commission, 1721 North Front Street, Harrisburg, PA 17102-2391.

### *Supplementary Information*

In addition to the public hearing and its related action items identified as follows, the following items were also presented or acted on at the business meeting: 1) recognition of Brig. Gen. Todd Semonite for his 2 1/2 years of outstanding service as the United States Member of the Commission; 2) a special presentation by Bob Hainly, Assistant Director, USGS Pennsylvania Water Science Center, on obtaining real-time stream flow data using a stream velocity measurement method; 3) a report on the present hydrologic conditions of the basin indicating below normal precipitation and the development of dry conditions heading into Spring 2009; 4) adoption of an Annual Water Resources Program for 2009 implementing the recently revised comprehensive plan; 5) presentation of the William Jeanes Award to Robert Hughes, Director of the Eastern Pennsylvania Coalition for Abandoned Mine Reclamation in recognition of his dedicated involvement in numerous projects to restore abandoned mines and improve the water quality of abandoned mine drainage degraded streams; 6) approval/ratification of three grants related to water resources management; 7) adoption of a set of "By-Laws" governing the internal organization, operation, and procedures of the Commission; and 8) tabling of three agenda items, including an "Application Fee Policy for Mine Drainage Withdrawals," an "Access to Records Policy," and revision of the FY 2010 budget. The Commission also heard counsel's report on legal matters affecting the Commission, during which the Commission authorized the execution of a proposed settlement agreement on a Federal court appeal by East Hanover Township, Dauphin County, PA, and tabled until the June 2009 meeting an administrative appeal by Mark Givler regarding Commission approval of a gas drilling project for Chief Oil & Gas, LLC. The Commission also convened a public hearing and took the following actions:

### *Public Hearing—Projects Approved*

1. Project Sponsor and Facility: ALTA Operating Company, LLC (Snake Creek), Liberty Township, Susquehanna County, PA. Surface water withdrawal of up to 0.099 mgd.

2. Project Sponsor and Facility: ALTA Operating Company, LLC (Susquehanna River), Great Bend Township, Susquehanna County, PA. Surface water withdrawal of up to 3.000 mgd.

3. Project Sponsor and Facility: Anadarko E&P Company, LP (Pine Creek), Cummings Township, Lycoming County, PA. Surface water withdrawal of up to 0.720 mgd.

4. Project Sponsor and Facility: Anadarko E&P Company, LP (West Branch Susquehanna River-1), Chapman Township, Clinton County, PA. Surface water withdrawal of up to 0.720 mgd.

5. Project Sponsor and Facility: Anadarko E&P Company, LP (West Branch Susquehanna River-2), Renovo Borough, Clinton County, PA. Surface water withdrawal of up to 0.720 mgd.

6. Project Sponsor and Facility: Anadarko E&P Company, LP (West Branch Susquehanna River-3), Nippenose Township, Lycoming County, PA. Surface water withdrawal of up to 0.720 mgd.

7. Project Sponsor and Facility: Cabot Oil & Gas Corporation (for operations in Susquehanna and Wyoming Counties, PA). Modification of consumptive water use to comport with new regulations effective on January 15, 2009 (Docket No. 20080904).

8. Project Sponsor: CAN DO, Inc. Project Facility: Corporate Center, Hazle Township, Luzerne County, PA. Groundwater withdrawal of 0.547 mgd from Well 1.

9. Project Sponsor and Facility: Cherokee Pharmaceuticals, LLC, Riverside Borough, Northumberland County, PA. Consumptive water use of up to 0.999 mgd.

10. Project Sponsor and Facility: Cherokee Pharmaceuticals, LLC, Riverside Borough, Northumberland County, PA. Surface water withdrawal of up to 34.392 mgd from the North Branch Susquehanna River.

11. Project Sponsor and Facility: Cherokee Pharmaceuticals, LLC, Riverside Borough, Northumberland County, PA. Groundwater withdrawal of 0.600 mgd for treatment of groundwater contamination.

12. Project Sponsor and Facility: Chesapeake Appalachia, LLC (for operations in Chemung and Tioga Counties, NY, and Bradford, Susquehanna and Wyoming Counties, PA). Modification of consumptive water use to comport with new regulations effective on January 15, 2009 (Docket No. 20080902).

13. Project Sponsor and Facility: Chief Oil & Gas, LLC (for operations in Bradford County, PA). Modification of consumptive water use to comport with new regulations effective on January 15, 2009 (Docket No. 20080911).

14. Project Sponsor and Facility: Chief Oil & Gas, LLC (for operations in Lycoming County, PA) Modification of consumptive water use to comport with new regulations effective on January 15, 2009 (Docket No. 20080934).

15. Project Sponsor and Facility: Chief Oil & Gas, LLC (for operations in Clearfield County, PA). Modification of consumptive water use to comport with new regulations effective on January 15, 2009 (Docket No. 20081201).

16. Project Sponsor and Facility: Chief Oil & Gas, LLC (Sugar Creek), West Burlington Township, Bradford County, PA. Surface water withdrawal of up to 0.053 mgd.

17. Project Sponsor and Facility: Citrus Energy (for operations in Wyoming County, PA). Modification of consumptive water use to comport with new regulations effective on January 15, 2009 (Docket No. 20081204).

18. Project Sponsor and Facility: Delta Borough, Peach Bottom Township, York County, PA. Groundwater withdrawal of 0.019 mgd from Well DR-2.

19. Project Sponsor and Facility: East Resources, Inc. (for operations in Elmira, NY, Area). Modification of consumptive water use to comport with new regulations effective on January 15, 2009 (Docket No. 20080603).

20. Project Sponsor and Facility: East Resources, Inc. (for operations in Mansfield, PA, Area). Modification of consumptive water use to comport with new regulations effective on January 15, 2009 (Docket No. 20080608).

21. Project Sponsor and Facility: EOG Resources, Inc. (Bennett Branch-1, Sinnemahoning Creek), Jay Township, Elk County, PA. Surface water withdrawal of up to 0.171 mgd.

22. Project Sponsor and Facility: EOG Resources, Inc. (Bennett Branch-2, Sinnemahoning Creek), Jay Township, Elk County, PA. Surface water withdrawal of up to 0.152 mgd.

23. Project Sponsor and Facility: EOG Resources, Inc. (Chemung River-2), Athens Township, Bradford County, PA. Surface water withdrawal of up to 0.322 mgd.

24. Project Sponsor and Facility: EOG Resources, Inc. (Sugar Creek-1), Burlington Borough, Bradford County, PA. Surface water withdrawal of up to 0.099 mgd.

25. Project Sponsor and Facility: EOG Resources, Inc. (Sugar Creek-2), North Towanda Town, Bradford County, PA. Surface water withdrawal of up to 0.099 mgd.

26. Project Sponsor and Facility: EOG Resources, Inc. (Susquehanna River-1), Athens Borough, Bradford County, PA. Surface water withdrawal of up to 0.322 mgd.

27. Project Sponsor and Facility: EOG Resources, Inc. (Susquehanna River-2), Ulster and Sheshequin Townships, Bradford County, PA. Surface water withdrawal of up to 0.322 mgd.

28. Project Sponsor and Facility: EOG Resources, Inc. (West Creek), Benzinger Township, Elk County, PA. Surface water withdrawal of up to 0.096 mgd.

29. Project Sponsor and Facility: Fortuna Energy, Inc. (for operations in Southern Tier of NY, and Tioga and Bradford Counties, PA). Modification of consumptive water use to comport with new regulations effective on January 15, 2009 (Docket No. 20080601).

30. Project Sponsor and Facility: Fortuna Energy, Inc. (Sugar Creek), West Burlington Township, Bradford County, PA. Surface water withdrawal of up to 0.250 mgd.

31. Project Sponsor and Facility: Global Tungsten & Powders Corp., Towanda Borough, Bradford County, PA. Consumptive water use of up to 0.170 mgd.

32. Project Sponsor: IBM Corp. Project Facility: Endicott, Village of Endicott, Broome County, NY. Groundwater withdrawal of 1.010 mgd for treatment of groundwater contamination.

33. Project Sponsor and Facility: J-W Operating Company (for operations in Cameron, Clearfield and Elk Counties, PA). Modification of consumptive water use to comport with new regulations effective on January 15, 2009 (Docket No. 20081211).

34. Project Sponsor and Facility: J-W Operating Company (Sterling Run), Lumber Township, Cameron County, PA. Surface water withdrawal of up to 0.499 mgd.

35. Project Sponsor: New Enterprise Stone & Lime Co., Inc. Project Facility: Ashcom Quarry, Snake Spring Valley

Township, Bedford County, PA. Modification of consumptive water use, groundwater and surface water withdrawal approval (Docket No. 20031204).

36. Project Sponsor and Facility: Pennsylvania General Energy Company, LLC (for operations in Potter and McKean Counties, PA). Modification of consumptive water use to comport with new regulations effective on January 15, 2009 (Docket No. 20080921).

37. Project Sponsor and Facility: Range Resources—Appalachia, LLC (for operations in Bradford, Centre, Clinton, Lycoming, Sullivan and Tioga Counties, PA). Modification of consumptive water use to comport with new regulations effective on January 15, 2009 (Docket No. 20080931).

38. Project Sponsor and Facility: Rex Energy Corporation (for operations in Centre and Clearfield Counties, PA). Modification of consumptive water use to comport with new regulations effective on January 15, 2009 (Docket No. 20080941).

39. Project Sponsor and Facility: Turm Oil, Inc. (for operations in Susquehanna County, PA). Modification of consumptive water use to comport with new regulations effective on January 15, 2009 (Docket No. 20081223).

40. Project Sponsor and Facility: Ultra Resources (for operations in Tioga and Potter Counties, PA). Modification of consumptive water use to comport with new regulations effective on January 15, 2009 (Docket No. 20081228).

41. Project Sponsor and Facility: Ultra Resources (Pine Creek), Pike Township, Potter County, PA. Surface water withdrawal of 0.430 mgd.

42. Project Sponsor and Facility: Water Treatment Solutions, LLC (West Branch Susquehanna River), Williamsport, Lycoming County, PA. Surface water withdrawal of 0.100 mgd.

#### *Public Hearing—Projects Tabled*

1. Project Sponsor and Facility: ALTA Operating Company, LLC (DuBois Creek), Great Bend Township, Susquehanna County, PA. Application for surface water withdrawal of up to 0.010 mgd.

2. Project Sponsor and Facility: Anadarko E&P Company, LP (West Branch Susquehanna River-4), Burnside Township, Centre County, PA. Application for surface water withdrawal of up to 0.720 mgd.

3. Project Sponsor and Facility: Chesapeake Appalachia, LLC (Susquehanna River), Terry Township, Bradford County, PA. Application for surface water withdrawal of up to 0.999 mgd.

4. Project Sponsor and Facility: EOG Resources, Inc. (Bennett Branch-3, Sinnemahoning Creek), Huston Township, Clearfield County, PA. Application for surface water withdrawal of up to 0.290 mgd.

5. Project Sponsor and Facility: EOG Resources, Inc. (Chemung River-1), Chemung Town, Chemung County, NY. Application for surface water withdrawal of up to 0.322 mgd.

6. Project Sponsor and Facility: Schuylkill County Municipal Authority, Pottsville Public Water Supply System, Mount Laurel Subsystem, Butler Township, Schuylkill County, PA. Application for a withdrawal of up to 0.432 mgd from the Gordon Well.

7. Project Sponsor and Facility: Schuylkill County Municipal Authority, Pottsville Public Water Supply System, Mount Laurel Subsystem, Butler Township, Schuylkill

County, PA. Applications for: 1) an out-of-basin diversion to the Delaware River Basin for water supply; 2) an existing into-basin diversion of wastewater of up to 1.100 mgd from the Delaware River Basin (existing water sources in the Delaware Basin are the Kaufman Reservoir that has an allocation of 0.500 mgd and the Mount Laurel Reservoir that has an allocation of 0.600 mgd); and 3) inclusion of the project in the Commission's Comprehensive Plan.

*Public Hearing—Project Withdrawn*

1. Project Sponsor and Facility: EOG Resources, Inc. (Kersey Run), Jay Township, Elk County, PA. Application for surface water withdrawal of up to 0.070 mgd.

*Public Hearing—Rescinded Project Approvals*

1. Project Sponsor: Harristown Development Corporation. Project Facility: Strawberry Square (Docket No. 20030410), City of Harrisburg, Dauphin County, PA.

2. Project Sponsor and Facility: Millennium Pipeline Company, LLC (Docket No. 20080301), Broome, Tioga and Chemung Counties, NY.

3. Project Sponsor and Facility: Millennium Pipeline Company, LLC (Docket No. 20080302), Town of Windsor, Broome County, and Town of Horseheads, Chemung County, NY.

*Public Hearing—Records Processing Fee Schedule*

Following a brief hearing, the Commission adopted a "Records Processing Fee Schedule" to recover costs associated with meeting records requests.

*Authority:* Pub. L. No. 91-575, 84 Stat. 1509 et seq., 18 CFR Parts 806—808. Dated: March 23, 2009.

THOMAS W. BEAUDUY,  
*Deputy Director*

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