

NOTICES

DEPARTMENT OF BANKING

Actions on Applications

The Department of Banking (Department), under the authority contained in the act of November 30, 1965 (P. L. 847, No. 356), known as the Banking Code of 1965; the act of December 14, 1967 (P. L. 746, No. 345), known as the Savings Association Code of 1967; the act of May 15, 1933 (P. L. 565, No. 111), known as the Department of Banking Code; and the act of December 9, 2002 (P. L. 1572, No. 207), known as the Credit Union Code, has taken the following action on applications received for the week ending April 21, 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

Mutual Holding Company Reorganizations

<i>Date</i>	<i>Name of Bank</i>	<i>Location</i>	<i>Action</i>
4-20-2009	Reliance Savings Bank Altoona Blair County	Altoona	Effective
<p>Reorganization into a two-tier mutual holding company structure whereby Reliance Savings Bank, Altoona, became a wholly-owned subsidiary of Reliance Bancorp, Inc., Altoona, a newly-formed, mid-tier bank holding company that is a wholly-owned subsidiary of Reliance Bancorp, MHC, Altoona, a newly-formed mutual holding company. In conjunction with the reorganization, Reliance Savings Bank, Altoona, converted from a mutual savings bank to a stock savings bank.</p>			

Branch Applications

De Novo Branches

<i>Date</i>	<i>Name of Bank</i>	<i>Location</i>	<i>Action</i>
4-17-2009	Jonestown Bank and Trust Company of Jonestown, PA Jonestown Lebanon County	101 Northside Commons Palmyra Lebanon County	Filed
4-17-2009	Graystone Tower Bank Lancaster Lancaster County	1001 Carlisle Street Hanover York County	Approved

Branch Relocations

<i>Date</i>	<i>Name of Bank</i>	<i>Location</i>	<i>Action</i>
4-17-2009	Citizens Bank of Pennsylvania Philadelphia Philadelphia County	<i>To:</i> 48 West Skippack Pike Ambler Montgomery County <i>From:</i> 7004 Butler Pike Broad Axe Montgomery County	Approved

Branch Consolidations

<i>Date</i>	<i>Name of Bank</i>	<i>Location</i>	<i>Action</i>
4-17-2009	Peoples State Bank of Wyalusing Pa. Wyalusing Bradford County	<i>Into:</i> Route 6 Wysox Bradford County <i>From:</i> P&C Food Market Bradford Towne Centre Wysox Bradford County	Approved

Branch Discontinuances

<i>Date</i>	<i>Name of Bank</i>	<i>Location</i>	<i>Action</i>
4-17-2009	Citizens Bank of Pennsylvania Philadelphia Philadelphia County	1006 North Elmira Street Sayre Bradford County	Approved
4-17-2009	United-American Savings Bank Pittsburgh Allegheny County	3353 SR 130 Harrison City Westmoreland County	Approved
4-21-2009	Beneficial Mutual Savings Bank Philadelphia Philadelphia County	604 Main Street Riverton Burlington County, NJ	Filed

SAVINGS INSTITUTIONS

No activity.

CREDIT UNIONS**Branch Applications****De Novo Branches**

<i>Date</i>	<i>Name of Credit Union</i>	<i>Location</i>	<i>Action</i>
4-14-2009	Belco Community Credit Union Harrisburg Dauphin County	Paxton Street and Eisenhower Boulevard Harrisburg Dauphin County	Authorization Surrendered

Branch Relocations

<i>Date</i>	<i>Name of Credit Union</i>	<i>Location</i>	<i>Action</i>
4-21-2009	Belco Community Credit Union Harrisburg Dauphin County	<i>To:</i> 1063 York Road Gettysburg Adams County <i>From:</i> 39 North Washington Street Gettysburg Adams County	Approved

The Department's web site at www.banking.state.pa.us includes public notices for more recently filed applications.

STEVEN KAPLAN,
Secretary

[Pa.B. Doc. No. 09-803. Filed for public inspection May 1, 2009, 9:00 a.m.]

DEPARTMENT OF COMMUNITY AND ECONOMIC DEVELOPMENT

Homelessness Prevention and Rapid Re-Housing Program

The Department of Community and Economic Development (Department) is proposing an amendment to the Commonwealth's Action Plan for FFY 2008 and the Program Year that began on January 1, 2008. The 2008 Action Plan is an update of the Commonwealth's Consolidated Plan for FFY 2004-2008. This amendment contains the Action Plan for the distribution and use of Homelessness Prevention and Rapid Re-Housing Program (HPRP) funds.

The United States Department of Housing and Urban Development (HUD) awarded the Commonwealth an allocation of \$23,411,484 in HPRP funds, as authorized by the American Recovery and Reinvestment Act of 2009.

The purpose of HPRP is to provide temporary financial assistance and/or services to help individuals and families attain housing stability. HPRP includes the following eligible activities:

- Financial Assistance to include short/medium term rental assistance or assistance with costs associated with moving into permanent housing.
- Housing relocation and stabilization services.
- Data collection and evaluation.
- Administrative costs.

The Action Plan and supporting documentation is available for a 12-day public comment period and can be obtained on the Department web site under the "Publications" section at www.newpa.com/strengthen-your-community/technical-assistance/index.aspx. The final version of this Action Plan will be submitted to HUD by May 18, 2009.

Potential grantees will follow the instructions in this Action Plan in preparing applications, and the application kit will also be available on the Department's web site once it is completed.

Persons who would like to comment on this amendment may send those comments to Karen Overly Smith, Department of Community and Economic Development, Center for Community Development, 400 North Street, 4th Floor, Harrisburg, PA 17120. Comments must be received before 5 p.m. on May 13, 2009.

GEORGE E. CORNELIUS,
Acting Secretary

[Pa.B. Doc. No. 09-804. Filed for public inspection May 1, 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

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

<i>NPDES No. (Type)</i>	<i>Facility Name & Address</i>	<i>County & Municipality</i>	<i>Stream Name (Watershed #)</i>	<i>EPA Waived Y/N ?</i>
PA0036285 (Sew)	ATG Properties Brookhaven MHP P. O. Box 677 Morgantown, PA 19543	York County Hellam Township	Dee Run 7H	Y
PA0081515 (Sew)	Lancaster County Career and Technology Center—Brownstown Campus 1730 Hans Herr Drive Willow Street, PA 17584	Lancaster West Earl Township	Conestoga River 7J	Y
PA0247154 (IW)	Possum Valley Municipal Authority P. O. Box 420 Bendersville, PA 17306	Adams Menallen Township	Possum Creek 7F	Y

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

<i>NPDES No. (Type)</i>	<i>Facility Name & Address</i>	<i>County & Municipality</i>	<i>Stream Name (Watershed #)</i>	<i>EPA Waived Y/N ?</i>
PA0114316 (Sewage)	John and Sandra Erdley 175 Eagle Lane Millmont, PA 17845	Hartley Township Union County	UNT to Penns Creek HQ-CWF	Y
PA0209724 (Sewage)	H. H. Knoebel Sons, Inc. Lake Glory Campground WWTP P. O. Box 317 Elysburg, PA 17824-0317	Cleveland Township Columbia County	Roaring Creek 5E	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.

PA0050644, Industrial Waste, SIC Code 4941, **Borough of East Greenville**, P. O. Box 128, East Greenville, PA 18041. This proposed facility is located in East Greenville Borough, **Montgomery County**.

The permittee request renewal of an NPDES permit to discharge filter backwash water and sedimentation basin cleaning water from East Greenville Water filtration plant located at 1200 Water Street, East Greenville, PA 18041. This is an existing discharge to Perkiomen Creek.

The receiving stream, Perkiomen Creek, is in the State Water Plan Watershed 3E and is classified for: TSF. The nearest downstream public water supply intake for Aqua Pennsylvania, Pickering Creek water treatment plant is on Perkiomen Creek and is 26.84 miles below point of discharge.

The proposed effluent limits for Outfall 001 are based on a design flow of 0.016 mgd:

<i>Parameter</i>	<i>Mass (lb/day)</i>		<i>Concentration (mg/l)</i>		<i>Instantaneous Maximum</i>
	<i>Average Monthly</i>	<i>Maximum Daily</i>	<i>Average Monthly</i>	<i>Maximum Daily</i>	
Total Suspended Solids			30	60	75
Iron, Total			2.0	4.0	5.0
Aluminum, Total			4.0	8.0	10.0
Manganese, Total			1.0	2.0	2.5
Total residual Chlorine			0.5	1.0	1.3
pH (Standard Units)	Within Limits of 6.0 to 9.0 Standard Units at all times.				

The EPA waiver is in effect.

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

1. Remedial Measures.
2. Proper Sludge Disposal.
3. TMDL Limits.

4. Laboratory Certifications.
5. Sedimentation Basin Cleaning.

PA0051802, Industrial Waste, SIC 2752, **Brown Printing Company**, 899 Gravel Pike, East Greenville, PA 18041. This facility is located in Upper Hanover Township, **Montgomery County**.

The application is for renewal of an NPDES permit to discharge 13,000 gpd treated process water and sewage from Brown Printing Company WWTP (Outfall 001) located in Upper Hanover Township, Montgomery County. This is an existing discharge to UNT (Stream Code 01472) to Perkiomen Creek. At point of discharge stream is intermittent, which discharge into Perkiomen Creek, is in the State Water Plan Watershed 3E and is classified for TSF. The facility has two stormwater outfalls (Outfalls 002 and 003), which discharges stormwater from the facility by means of retention basins to the same creek.

The proposed effluent limits for Outfall 001, based on an average flow of 13,000 gpd are as follows:

<i>Parameter</i>	<i>Effluent Concentration limitations (mg/l)</i>		
	<i>Average Month</i>	<i>Daily Maximum</i>	<i>Instantaneous Maximum</i>
CBOD ₅			
(5-1 to 10-31)	15	30	38
(11-1 to 4-30)	25	50	63
Total Suspended Solids	30	60	75
NH ₃ -N			
(5-1 to 10-31)	1.5	3.0	3.8
(11-1 to 4-30)	4.5	9.0	11.0
Phosphorus as P	0.5	1.0	1.25
Total Dissolved Solids	1,500	2,000	2,500
Oil and Grease	15	30	30
Fecal Coliform	200		
Dissolved Oxygen	3.0 Instantaneous Minimum		
pH (Standard Units)	6.0 Instantaneous Minimum		9.0
Copper, Total	Monitor and Report		

The proposed effluent limits for Outfalls 002 and 003, based on stormwater event are as follows:

<i>Parameter</i>	<i>Effluent Concentration limitations (mg/l)</i>		
	<i>Instantaneous Minimum</i>	<i>Average Monthly</i>	<i>Daily Maximum</i>
CBOD ₅			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

The EPA waiver is not in effect due to TMDL.

Other Requirements:

1. Effective Disinfection.
2. Remedial Measures.
3. Abandon of Discharge if STP Available.
4. Applicable BAT/BCT analysis.
5. Approved Test Method.
6. Change in Ownership.
7. Proper Sludge Disposal.
8. Watershed TMDL/WAL Analysis.
9. I-Max Definitions.
10. Stormwater Requirements.
11. Laboratory Certification.
12. Submission of PPC Plan.
13. Approved Chemical Usage Rates.
14. Chemical Additives Requirements.

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

Application No. PA 0088897, CAFO, Hissong Dairy Farm, 6841 Buchanan Trail West, Mercersburg, PA 17236.

Hissong Farmstead, Inc. has submitted an NPDES permit renewal application for the Hissong Dairy Farm, an existing dairy operation in Peters and Montgomery Townships, Franklin County. The CAFO is situated near a UNT to West Branch Conococheague Creek, which is classified as a TSF. The CAFO has a target animal population of approximately 1,445 animal equivalent units consisting of 690 milk cows, 120 dry cows, 350 heifers and 205 calves. A release or discharge to waters of the Commonwealth under normal operating conditions is not expected. Normal operating conditions are defined as conditions below a 25-year, 24-hour storm event.

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

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

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

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

PA0233650, Industrial Waste, SIC 1380, **TerrAqua Resource Management, LLC**, 1000 Commerce Park Drive, P. O. Box 487, Williamsport, PA 17703-0487. This proposed facility will be located in the City of Williamsport, **Lycoming County**.

Description of Proposed Activity: TerrAqua Resource Management, LLC proposes the construction of the 0.4 mgd Water Tower Square Gas Well Wastewater Processing Facility. This facility proposes to process wastewater generated from the drilling, development and use of natural gas wells in north central PA and discharge the treated effluent.

The receiving stream, West Branch Susquehanna River, is in the State Water Plan Watershed 10B and is classified for: WWF. The nearest downstream public water supply intake for Pennsylvania-American Water Company, located 28.5 river miles below the point of discharge.

The proposed effluent limits for Outfall 001 are based on a design flow of 0.4 mgd.

The following limits will be in effect from Permit Effective Date until Permit Expiration Date:

Parameter	Mass (lb/day)		Concentration (mg/l)		
	Average Monthly	Maximum Daily	Average Monthly	Maximum Daily	Instantaneous Maximum
BOD ₅			53	163	
Total Suspended Solids			61.3	216	
Oil and Grease				15	30
pH				6.0 to 9.0 at all times	
Ammonia-N			25	50	
Aluminum, Total			0.75	1.5	
Acetone			7.97	30.2	
Acetophenone			0.056	0.114	
2-Butanone			1.85	4.81	
o-Cresol			0.561	1.92	
p-Cresol			0.205	0.698	
Phenol			1.08	3.65	
Pyridine			0.182	0.370	
2,4,6-Trichlorophenol			0.106	0.155	
Copper, Total			0.321	0.501	
Zinc, Total			0.420	0.497	
Barium, Total			10	20	
Strontium, Total			10	20	
Iron, Total			3.0	6.0	
Manganese, Total			2.0	4.0	
Iron, Dissolved			Monitor	Monitor	7
Silver, Total			0.093	0.145	
Boron, Total			Monitor	Monitor	
Cobalt, Total			Monitor	Monitor	
Arsenic, Total			Monitor	Monitor	
Cadmium, Total			Monitor	Monitor	
Lead, Total			Monitor	Monitor	
Mercury, Total			Monitor	Monitor	
Nickel, Total			Monitor	Monitor	

<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>
Selenium, Total			Monitor	Monitor	
Benzene			Monitor	Monitor	
Toluene			Monitor	Monitor	
Alkalinity, Total as CaCO ₃			Monitor	Monitor	
Beryllium			Monitor	Monitor	
Bromide			Monitor	Monitor	
Calcium			Monitor	Monitor	
Chemical Oxygen Demand			Monitor	Monitor	
Chromium, Total			Monitor	Monitor	
Ethylene Glycol			Monitor	Monitor	
Hardness, Total as CaCO ₃			Monitor	Monitor	
Lithium			Monitor	Monitor	
Magnesium			Monitor	Monitor	
MBAS (Surfactants)			Monitor	Monitor	
Molybdenum			Monitor	Monitor	
Nickel			Monitor	Monitor	
Osmotic Pressure			Monitor	Monitor	
Sodium			Monitor	Monitor	
Specific Conductance			Monitor	Monitor	

The following limits will also be in effect from Permit Effective Date until Permit Expiration Date:

<i>Parameter</i>	<i>Mass (lb/day)</i>		<i>Concentration (mg/l)</i>	
	<i>Monthly</i>	<i>Annual</i>	<i>Average Monthly</i>	<i>Maximum Daily</i>
Ammonia-N	Report	Report	Report	
Kjeldahl-N	Report		Report	
Nitrate-Nitrite as N	Report		Report	
Total Nitrogen	Report	Report	Report	
Total Phosphorus	Report	Report	Report	
Net Total Nitrogen	Report	0.00		
Net Total Phosphorus	Report	0.00		

These limits will be in effect from Permit Effective Date until December 31, 2010:

<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>
TDS—January	Monitor	204,174	Monitor	Monitor	
TDS—February	Monitor	284,618	Monitor	Monitor	
TDS—March	Monitor	478,183	Monitor	Monitor	
TDS—April	Monitor	522,245	Monitor	Monitor	
TDS—May	Monitor	297,643	Monitor	Monitor	
TDS—June	Monitor	144,950	Monitor	Monitor	
TDS—July	Monitor	85,708	Monitor	Monitor	
TDS—August	Monitor	56,447	Monitor	Monitor	
TDS—September	Monitor	54,412	Monitor	Monitor	
TDS—October	Monitor	71,877	Monitor	Monitor	
TDS—November	Monitor	113,231	Monitor	Monitor	
TDS—December	Monitor	217,695	Monitor	Monitor	
Chlorides			Monitor	Monitor	
Sulfates			Monitor	Monitor	

The following limits will be in effect from January 1, 2011, to Permit Expiration Date:

<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>
TDS	Monitor		500	1,000	
Chlorides			250	500	
Sulfates			250	500	

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

1. Chesapeake Bay Nutrient Requirements.
2. Residual Waste Supplemental Discharge Monitoring Report.

3. Chemical Additives.

4. Stormwater No Exposure Certification.

PA0233757, Industrial Waste, SIC 5411, **Thomas and Deborah Finkbiner**, P. O. Box 1, Route 414, Slate Run, PA 17769. This proposed facility is located in Brown Township, **Lycoming County**.

Description of Proposed Activity: This application is for a new NPDES permit for a discharge from a groundwater remediation system.

The receiving stream, Pine Creek, is in the State Water Plan Watershed 9A and is classified for: HQ-TSF. The nearest downstream public water supply intake for Pennsylvania-American Water Company at Milton is located on West Branch Susquehanna River and is approximately 77 miles below the point of discharge.

Outfall 001

The proposed effluent limits, based on a design flow of 0.0004 mgd, are:

Parameter	Concentration (mg/l)		
	Average Monthly	Maximum Daily	Instantaneous Maximum (mg/l)
Benzene	ND*	ND*	ND*
Toluene	ND*	ND*	ND*
Ethylbenzene	ND*	ND*	ND*
Cumene	ND*	ND*	ND*
Naphthalene	ND*	ND*	ND*
Fluorene	ND*	ND*	ND*
Phenanthrene	ND*	ND*	ND*
Oil and Grease	10		25
Total Suspended Solids	30		75
pH	6.8 to 9.0 Standard Units at all times		

The EPA Waiver is in effect.

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

PA0205869, Sewage, **West Branch Sewer Authority**, 901 Maple Avenue, Suite 2, Northern Cambria, PA 15714-1331. This application is for renewal of an NPDES permit to discharge treated sewage from West Branch Sewer Authority Wastewater Treatment Plant in Susquehanna Township, **Cambria County**.

The following effluent limitations are proposed for discharge to the receiving waters, known as West Branch Susquehanna River, which are classified as a CWF with existing and/or potential uses for aquatic life, water supply and recreation. The first downstream potable water supply intake from this facility is the PA American Water Company-Milton Division.

Outfall 001: existing discharge, design flow of 0.9 mgd.

Parameter	Concentration (mg/l)				Mass (lbs)	
	Monthly Average	Weekly Average	Daily Maximum	Instantaneous Maximum	Monthly Load	Annual Load
CBOD ₅	25	37.5		50		
Total Suspended Solids	30	45		60		
Fecal Coliform (5-1 to 9-30)	200/100 ml as a Geometric Mean					
(10-1 to 4-30)	2,000/100 ml as a Geometric Mean					
pH	not less than 6.0 nor greater than 9.0					
Ammonia-N	Report				Report	Report
Kjeldahl-N	Report				Report	
Nitrate-Nitrite as N	Report				Report	
Total Nitrogen	Report				Report	Report
Total Phosphorus	Report				Report	Report
Net Total Nitrogen	Report				Report	16,438*
Net Total Phosphorus	Report				Report	2,192*

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

* The compliance date for Net Total Nitrogen and Net Total Phosphorus will begin on October 1, 2012. Since these reporting requirements are annual loads, the reporting on the compliance with the annual limitations will be required to

be reported on the Supplemental DMR—Annual Nutrient Summary by November 28, 2012. This facility is required to monitor and report for Net Total Nitrogen and Net Total Phosphorus from the effective date of the permit until September 30, 2012.

Other Conditions _____

The EPA waiver is not in effect.

PA0027219-A1, Sewage, **Greater Uniontown Joint Sewer Plant Authority**, 90 Romeo Lane, Uniontown, PA 15401. This application is for renewal of an NPDES permit to discharge treated sewage from Uniontown STP in North Union Township, **Fayette County**.

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

Outfall 001: existing discharge, design flow of 9.4 mgd.

Parameter	Concentration (mg/l)			
	Average Monthly	Average Weekly	Maximum Daily	Instantaneous Maximum
CBOD ₅				
(5-1 to 10-30)	10	15		20
(11-1 to 4-30)	20	30		40
Suspended Solids	30	45		60
Ammonia Nitrogen				
(5-1 to 10-31)	2.3	3.5		4.6
(11-1 to 4-30)	5.2	7.8		10.4
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			
Dissolved Oxygen	not less than 5.0 mg/l			
pH	not less than 6.0 nor greater than 9.0			

The EPA waiver is not in effect.

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

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

WQM Permit No. 4009408, Sewerage, **Dallas Area Municipal Authority**, 530 South Memorial Highway, Shavertown, PA 18708. This proposed facility is located in Kingston Township, **Luzerne County**.

Description of Proposed Action/Activity: This project consists of replacement of multiple existing concrete equalization tanks with a 2.8 million gallon steel equalization tank and an equalization pump station.

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

WQM Permit No. 0109201, CAFO, **Mason Dixon Farms, Inc.**, 1800 Mason Dixon Road, Gettysburg, PA 17325. This proposed facility is located in Freedom and Cumberland Townships, **Adams County**.

Description of Proposed Action/Activity: Construction/Operation of HDPE lining of two existing earthen manure storages.

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

WQM Permit No. 0309202, Industrial Waste, **Reliant Energy Northeast Management Company**, 121 Champion Way, Suite 200, Canonsburg, PA 15317. This proposed facility is located in Plum Creek Township, **Armstrong County**.

Description of Proposed Action/Activity: Application for the construction and operation of a settling basin.

WQM Permit No. 6509403, Sewerage, **Hempfield Township Municipal Authority**, 1146 Woodward Drive, Greensburg, PA 15601. This proposed facility is located in Hempfield Township, **Westmoreland County**.

Description of Proposed Action/Activity: Application for the construction and operation of the Lincoln Heights Interceptor.

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

WQM Permit No. 6372404-A1, Sewerage, **Carroll Township Authority**, P. O. Box 661, Donora, PA 15033. This existing facility is located in Carroll Township, **Washington County**.

Description of Proposed Action/Activity: Application for pump station design capacity increases.

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

WQM Permit No. 2082402, Sewerage, **Amendment No. 1, Shangri-La Mobile Home Court**, 25368 Maple Lane, Cochran, PA 16314. This proposed facility is located in West Shenango Township, **Crawford County**.

Description of Proposed Action/Activity: Installation of a new chlorination facility, chlorine contact tank and outfall sewer to meet current design standards for wastewater treatment facilities.

WQM Permit No. 4296403, Sewerage, **Borough of Port Allegany**, 45 West Maple Street, Port Allegany, PA 16743-1318. This proposed facility is located in Port Allegany Township, **McKean County**.

Description of Proposed Action/Activity: To install a fine screen device to facilitate more efficient operation of the treatment plant through the removal of nonorganic material from the influent stream. The fine screen will be sized to treat the maximum flow of 3.75 mgd from the approved Act 537 Plan.

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

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

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

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

<i>NPDES Permit No.</i>	<i>Applicant Name & Address</i>	<i>County</i>	<i>Municipality</i>	<i>Receiving Water/Use</i>
PAI01 1503070-R	Valley Park Realty Associates, LP P. O. Box 1906 West Chester, PA 19382	Chester	Schuylkill Township	Pickering Creek HQ-TSF
PAI01 1509016	Southeastern PA Transportation Authority 1234 Market Street 12th Floor Philadelphia, PA 19107	Chester	Malvern Borough	Valley Creek EV
PAI01 1509017	Chester Co. Parks and Recreation Department 601 Westtown Road Suite 160 West Chester, PA 19380-0990	Chester	West Brandwyne, West Caln, West Nottingham, Wallace and Warwick Townships	French Creek Watershed EV
PAI01 2309001	Whelan Properties, LLC 7 Hickory lane Chadds Ford, PA 19317	Delaware	Lower Chichester Township	Delaware River WWF, MF

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

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

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 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>
Willow Behrer Farm 3288 Behrer Lane Spruce Creek, PA 16683	Huntingdon	1,156.1	1,347.5	Dairy	HQ	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

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

Application No. 1308501, Public Water Supply.
Applicant **Northside Heights Mobile Home Estates, Inc.**

East Penn Township
Carbon County
Responsible Official Duane Schleicher, Owner
97 Sam Brooke Circle
Lehighton, PA 18235
Type of Facility Community Water System
Consulting Engineer Harry E. Garman, P. E.
Barry Isett & Associates, Inc.
85 South Route 100 and Kressler Lane
P. O. Box 147
Trexlerstown, PA 18087-0147
(610) 398-0904
Application Received Date June 17, 2008
Description of Action Application for installation of a manganese dioxide media system for removal of arsenic at the Northside Heights community water system.

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

Permit No. 3808506, Public Water Supply.
Applicant **Iona Swim Club**
Municipality South Lebanon Township
County **Lebanon**
Responsible Official Scott C. Laicha, Manager
c/o Scott Laicha
540 Zinns Mill Road
Lebanon, PA 17042
Type of Facility Public Water Supply
Consulting Engineer Scott M. Rights, P. E.
Steckbeck Engineering Associates
279 North Zinns Mill Road
Lebanon, PA 17042
Application Received December 1, 2008
Description of Action Installation of softening and nitrate treatment.

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

Permit No. 2609502, Public Water Supply.

Applicant **Municipal Authority of Westmoreland County**
124 Park and Pool Road
New Stanton, PA 15672

Township or Borough Hempfield Township

Responsible Official Curtis Fontaine
Operations Manager Engineering
Municipal Authority of
Westmoreland County
124 Park and Pool Road
New Stanton, PA 15672

Type of Facility Water treatment plant

Consulting Engineer GAI Consultants
385 East Waterfront Drive
Homestead, PA 15120

Application Received Date April 9, 2009

Description of Action Installation of a 48 transmission line to replace a 20 inch main.

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

Application No. 1008502, Public Water Supply.

Applicant **Lancon Water Company, Inc.**

Township or Borough Connoquenessing and Lancaster Townships
Butler County

Responsible Official Kenneth R. Brennan
Vice President

Consulting Engineer Don A. Gilmore, P. E.
Dakota Engineering Associates,
Inc.
Etna Technical Center
Suite 200
35 Wilson Street
Pittsburgh, PA 15223

Application Received Date December 1, 2008

Description of Action Construction of groundwater wells, new treatment and distribution system to serve existing and proposed residential development of approximately 227 customers.

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

Permit No. 9996402, Public Water Supply.

Applicant **Nestle Waters North America, Inc.**

Township or Borough Framingham, MA

Responsible Official Isabella Favato, Quality Assurance Manager

Type of Facility Out-of-State Bottled Water System

Application Received Date April 15, 2009

Description of Action Applicant requesting Department of Environmental Protection approval to use three new spring water sources (Poland, White Cedar and Bradbury Springs) and the Framingham Municipal source. Bottled water produced from the spring sources will be sold in Pennsylvania under the brand names; Poland Springs Natural Spring Water and Great Bear Spring Water. Water from the municipal source will be used to produce the Ice Mountain Drinking Water.

WATER ALLOCATIONS

Applications received under the act of June 24, 1939 (P. L. 842, No. 365) (35 P. S. § 631—641) relating to the Acquisition of Rights to Divert Waters of the Commonwealth

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

WA56-1005, Water Allocations—Resubmittal. The Municipal Authority of the Borough of Berlin, 700 North Street, Berlin, PA 15530, Somerset County. The applicant is requesting the right to withdraw 406,000 gallons of water per day, combined total, from Boose Spring, Spring Nos. 1, 2 and 4. The applicant is also requesting a nonpotable withdrawal of 50,000 gallons of water per day from Reservoir No. 1.

Biosolids Individual Permits (PABIG and PABIS)

The following parties have applied for either an Individual Site Permit (PABIS) or an Individual Generator Permit (PABIG) for beneficial use of sewage sludge (biosolids) by land application. Unless otherwise indicated, on the basis of preliminary review and application of lawful standards and regulations, the Department of Environmental Protection (Department) proposes to issue a permit to land apply biosolids subject to certain requirements set forth in the permit.

Persons wishing to comment on the proposed permit are invited to submit a statement to the responsible Department Regional Office noted previously the application within 30 days from the date of this public notice. Comments received within this 30-day period will be considered in the formulation of the final determination regarding this application. Responses should include the name, address and telephone number of the writer and a concise statement of a comment and the relevant facts upon which it is based. A public hearing may be held if the Regional Office considers the public response significant.

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

The application and related documents, comments received and other information are on file and may be inspected and arrangements made for copying at the responsible Department Regional Office indicated previously.

Persons with a disability that require an auxiliary aid, service or other accommodation to participate in the proceedings should contact the Secretary to the Board at (717) 787-3483. TDD users may contact the Department through the Pennsylvania AT&T Relay Service at (800) 654-5984.

Pennsylvania Department of Environmental Protection: Water Management Program, 909 Elmerton Avenue, Harrisburg, PA 17110.

PABIS 3502, Newville Borough Water and Sewer Authority, 99 Cove Avenue, Newville, PA 17241, Newville Borough, **Cumberland County**, has applied to beneficially use their biosolids on the Dennis McCullough Farm in West Pennsboro Township, Cumberland County.

Special Conditions; None

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:

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

Department of Transportation District 603 Maintenance Facility, Middletown Township, **Delaware County**. Peter Chronowski, Apex Companies, LLC, 269 Great Valley Parkway, Malvern, PA 19355, Joseph Maule, Apex Companies, LLC, 269 Great Valley Parkway, Malvern, PA 19355 on behalf of James Fogel, Department of Transportation Engineering District 6-0, 700 Geerdes Boulevard, King of Prussia, PA 19406 has submitted a Notice of Intent to Remediate. Soil at the site has been impacted with the release of groundwater and soil. The intended future use of the property is to remain nonresidential as a maintenance facility for Department of Transportation.

211 Belmont Avenue Site, Lower Merion Township, **Montgomery County**. Jeff Walsh, Penn Environmental and Remediation, Inc., 2755 Bergey Road, Hatfield, PA 19440, Darryl Borrelli, Manko, Gold, Katcher & Fox, LLP, 401 City Avenue, Suite 500, Bala Cynwyd, PA 19004 on behalf of Kevin Kyle, 211 Belmont Avenue, Associated, LP, 2701 Renaissance Boulevard, 4th Floor, King of Prussia, PA 19406 has submitted a Notice of Intent to Remediate. Groundwater and soil at the site has been impacted with the release of leaded gasoline and lead. The future use of the property will be mixed use, consisting of apartments, retail and commercial.

2181 Bennett Road Property, City of Philadelphia, **Philadelphia County**. Michael Christie, Pen E&R, Inc., 2755 Bergey Road, Hatfield, PA 19440 on behalf of Harold Janow, 2181 Bennett Road, Inc., 203 Albon Road, Hewlett, NY 11557 has submitted a Notice of Intent to Remediate. Groundwater and soil at the site has been impacted with the release of chlorinated solvents. The proposed future use of the property will be nonresidential for light industrial purpose.

Bustleton Partners Seamans, City of Philadelphia, **Philadelphia County**. Amanda Lofink, ATC Associates, Inc., 920 Germantown Pike, Suite 200, Plymouth Meeting, PA 19462 on behalf of William Wegmann, Kimco Realty Corporation, 170 West Ridgley Road, Lutherville, MD 21903 has submitted a Notice of Intent to Remediate. Soil at the site has been impacted with the release of No. 5 fuel oil. The future use of this property is commercial.

Morton Garage, Morton Borough, **Delaware County**. Amanda Lofink, ATC Associates, Inc., 920 Germantown Pike, Suite 200, Plymouth Meeting, PA 19462 on behalf of William Heffner, FEA Industries, Inc., 1 North Morton Avenue, Morton, PA 19070 has submitted a Notice of Intent to Remediate. Groundwater at the site has been impacted with the release of PAH. The subject property was formerly a Verizon garage and is being renovated for commercial use.

RESIDUAL WASTE GENERAL PERMITS

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

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

General Permit Number WMGR063B. Advanced Recycling Technologies, Inc., 1080 Opportunity Avenue, Chambersburg, PA 17201. General Permit Number WMGR063B authorizes processing of various metal-bearing wastes (combustion residues, metallurgical process residues, sludges and scales, chemical wastes, generic manufacturing wastes, spent catalysts, non-hazardous batteries, and nonhazardous residues from treatment of hazardous waste) for use as feedstock for beneficial use by various industries. The approved processing is limited to grinding, drying, blending and combustion. The application is for a major modification to General Permit Number WMGR063B to include additional metals that may be accepted and a change in the minimum acceptable concentration for chromium. The application was deemed administratively complete by Central Office on April 15, 2009.

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

AIR QUALITY

PLAN APPROVAL AND OPERATING PERMIT APPLICATIONS

NEW SOURCES AND MODIFICATIONS

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

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

Copies of the applications, subsequently prepared draft permits, review summaries and other support materials are available for review in the regional office identified in this notice. Persons interested in reviewing the application files should contact the appropriate regional office to schedule an appointment.

Persons wishing to receive a copy of a proposed plan approval or operating permit must indicate their interest

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

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

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

PLAN APPROVALS

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

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

39-309-075: Lafarge North America (5160 Main Street, Whitehall, PA 18052) for modification of the sulfur limit for kilns 2 and 3 at their facility in Whitehall Township, **Lehigh County**.

54-302-078: County of Schuylkill—Schuylkill County Prison (401 North Second Street, Pottsville, PA 17901) for installation of a new dual fired boiler at their facility in Pottsville, **Schuylkill County**.

54-302-079: County of Schuylkill—Schuylkill County Courthouse (401 North Second Street, Pottsville, PA 17901) for installation of a new dual fired boiler at their facility in Pottsville, **Schuylkill County**.

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

10-356A: Linde North America, Inc. (575 Mountain Avenue, Murray Hill, NJ 07974) for construction of an air separation unit, which includes an oxygen vaporizer and mole sieve regenerator, both fired by natural gas burners at the their facility, in Butler Township, **Butler County**. This facility is a support facility to AK Steel's Butler Works.

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

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

58-329-005: Cabot Oil & Gas Corp. (900 Lee Street East, Suite 1700, Charleston, WV 25301) for construction and operation of a CAT Lean Burn Engine at their facility in Springville Township, **Susquehanna County**. The sources main emission is NOx and VOC's. The plan approval will include all appropriate testing, monitoring, recordkeeping and reporting requirements designed to keep the operations within all applicable air quality requirements.

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

05-03005A: Kennametal, Inc. (442 Chalybeate Road, Bedford, PA 15522) for construction of various foundry equipment and installation of several fabric collectors to control PM emissions in Bedford Township, **Bedford County**. The plan approval will contain monitoring, recordkeeping and reporting conditions to ensure the facility complies with the applicable air quality requirements.

34-03005D: Energex American, Inc. (R. R. 5, Box 343, Mifflintown, PA 17059) for installation of a replacement wood-fired dryer and wet scrubber emissions control system at their plant in Walker Township, **Juniata County**. The installation of the new units will not appreciably impact PM emissions from the facility. The plan approval and State-only operating permit will include emission limits along with monitoring, recordkeeping and reporting requirements to ensure the facility complies with the applicable air quality regulations.

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

16-132H: Clarion Boards, Inc. (P. O. Box 340, 143 Fiberboard Road, Shippensburg, PA 16254-0340) for NSR application for VOC emissions as a result of testing performed that showed the facility is major for VOC in Paint Township, **Clarion County**. This is a Title V facility. The public notice is required for sources required to obtain a Plan Approval in accordance with 25 Pa. Code § 127.44. This plan approval will, in accordance with 25 Pa. Code § 127.450, be incorporated into the State-only operating permit through an administrative amendment at a later date. The source shall comply with the following conditions, which will satisfy the requirements of 25 Pa. Code § 127.12b (relating to plan approval terms and conditions) and will demonstrate BAT for the source:

- The total VOC emissions from the parts washers shall not exceed the 0.33 tpy based on a consecutive 12-month period.

- The facility shall not operate more than 8,280 hours per year (based on a 12-month rolling total).

- A stack test for VOC (NMOC) shall be performed at both the inlet and outlet of the RTO (C101C) every 2 years. The first test shall be within 24-months of plan approval issuance and each subsequent test shall be

conducted within 12 to 24 months of the last test. The stack test shall be performed while the source is operating at the maximum or normal rated capacity as stated on the application.

- Within 12 to 18 months prior to the expiration of the facility operating permit, a stack test for VOC (NMOC) shall be performed while the source is operating at the maximum or normal rated capacity as stated on the application. The stack test shall be conducted at the following locations:

- Inlet and Outlet of RTO (C101C).
- Outlet of Mat Shave Off and Side Trim Baghouse (C104).
- Outlet of Mat Reject/Recycle Baghouse (C107).
- Press In-Feed Vent (S018).
- Press Out-Feed Vent (S109).
- Board Storage and Building Vent (S128).
- Splitter and Cut-Off Sawdust Baghouse (C110).
- Primary Sander Dust Baghouse (C111).
- Secondary Sander Dust Baghouse (C112).
- Refiner Startup Dump Cyclone (C123).
- Emission Reduction Credit Requirements.
- The company shall not operate the modified source until the required emission reduction credits are provided to and processed through the ERC registry.

- The company has entered into an agreement with ALCOA to purchase emission reduction credits in the amount of 145 tpy of VOCs to offset the contemporaneous increase in VOC emissions of 124.62 tpy flue emissions and 0.87 tpy fugitive emissions. The VOC ERCs were generated and created by the permanent shutdown of the ALCOA's Lebanon facility in Lebanon County. The Department of Environmental Protection (Department) has approved the request to transfer 150 tpy of VOC ERCs to Clarion Boards, Inc. from ALCOA, Inc. in Lebanon, PA and has revised the ERC Registry System accordingly on February 4, 2009.

- If the amount of required emission reduction credits increases, the company shall secure emission offsets according to a schedule determined by the Department.

- The facility is subject to 40 CFR 63, Subpart DDDD (NESHAP: Plywood and Composite Wood Products).

- Source 099 (Natural Gas fired heaters and furnaces):

- Subject to 25 Pa. Code §§ 123.13 and 123.21.

- The total VOC emissions shall not exceed 0.46 tpy based on a consecutive 12-month period.

- The source shall only burn natural gas as a fuel.

- Records shall be maintained of the amount of fuel (natural gas) burned monthly.

- Source 101 (EPI Energy Unit and Fiber Drying System).

- The total VOC emissions shall not exceed the following:

- RTO Outlet (including 1st and 2nd Stage Dryers, 3rd Stage Fiber Conditioning System, Press emissions): 22.92 lbs/hr or

- 94.89 tpy based on a consecutive 12-month period.

- The emissions from the outlet of the RTO shall not exceed the following:

- PM: 8.0 lbs/hr and 33.1 tpy based on a consecutive 12-month period.
- NOx: 27.5 lbs/hr based on a rolling 24-hour average and 113.9 tpy based on a consecutive 12-month period.
- CO: 44.0 lbs/hr and 182.2 tpy based on a consecutive 12-month period.
- Yearly, the facility shall demonstrate that ammonia slippage is less than 10 parts per million (ppm) by volume on a dry basis.
- The facility shall maintain a log of all preventative maintenance inspections of the control device. The inspection logs at a minimum shall contain the dates of the inspections, any potential problems or defects that were encountered, the steps taken to correct them and the measured pressure drop and flow rate of the scrubber system.
- The press enclosure shall be maintained and operated in compliance with EPA Method 204—"Criteria for and verification of a permanent or temporary total enclosure." The exhaust gasses from the enclosure shall be ducted to the EPI combustion unit and the Regenerative Thermal Oxidizer (RTO). A test to demonstrate compliance with Method 204 shall be conducted every 3 years (at a minimum).
- The minimum temperature of the RTO shall be maintained at or above 1,500° F. If the facility chooses to operate at a lower temperature, the facility shall demonstrate compliance with the emissions above by performing additional stack tests at the lower temperature.
- The minimum destruction efficiency through the RTO shall be 90%.
- The facility shall assure adequate flow through the RTO and retention in the towers by maintaining a continuous flow monitor in the outlet stack of the thermal oxidizer. The permittee shall monitor and record flow rates within the operating range established during performance testing, with a maximum flow not to exceed 425,000 ACFM. Flow records shall be maintained onsite and made available to the Department upon request.
- The facility shall install, maintain and operate a continuous strip chart recorder (or Department approved equivalent) for the minimum RTO temperature. Records of the temperature shall be maintained by the facility for at least 5 years and made available to the Department upon request.
- The design of the Selective Non-Catalytic Reduction (SNCR) system to control NOx emissions from the EPI combustor shall maintain an ammonia slip of less than 10 ppm by volume on a dry basis.
- The facility shall continuously monitor the feed rate for the SNCR to ensure that the feed rate is consistent with the feed rate during the annual ammonia stack test. The feed rate shall be recorded; the records shall be maintained for a minimum of 5 years.
- A NOx monitor shall be installed in the exhaust stack for the RTO. The monitor shall be operated and maintained in accordance with the latest version of the Department's "Continuous Source Monitoring Manual." Continuous monitoring shall be conducted in accordance with 25 Pa. Code Chapter 139 and approved by the Department. Reporting information for the monitor shall be based on a 24-hour clock average (based on a rolling 24-hour average). The monitor shall provide information on NOx emissions in lbs/hr and tpy.
- The emissions from the first stage dryer twin cyclones and the fiber conditioning system baghouse shall be ducted to the TurboVenturi Scrubber followed by the Cyclonic Separator and the existing RTO except for emissions that may be recycled to the inlet of the second stage dryer. The emissions from the second stage dryer shall continue to be ducted to the primary dryer for use as conveying air for the primary dryer. The emissions from the press enclosure will be ducted to the EPI Energy Unit and Fiber Drying System (Source 101).
- A magnehelic gauge, pH meter, and rotameter (or equivalent instrumentation as determined by the Department) shall be permanently installed and maintained at a conveniently readable location to indicate the pressure drop, pH and flow rate across the scrubber system. Individual meters for flow measurement shall be used to indicate the flow of the TurboVenturi quench inlets, tangential inlets and the throat inlets. Separate gauges to measure the pressure drop shall be used for the TurboVenturi and the Separator.
- Whenever a condition in this permit requires the measurement of pressure drop across any part of the unit or its control device, the gauge employed shall have a scale such that the expected normal reading shall be no less than 20% of full scale and be accurate within $\pm 2\%$ of full scale reading.
- The operating range for pH and pressure drop for the scrubber system shall be determined within 30 days of startup of the control device, and shall be indicated to the Department in writing. The pH and pressure drop range measured during the initial compliance emission testing shall become standard operating parameters for the control device. Scrubber pH and pressure drop ranges shall be made part of the facility operating permit.
- The facility shall perform weekly preventative maintenance inspections of the venturi scrubber, separator, and rotary filter (at a minimum), and record the pressure drop, pH, and flow rates at least once each day.
- The control device shall be maintained and operated in accordance with the manufacturer's recommendations and good air pollution control practices.
- The primary dryer shall not be operated without the scrubber system and RTO.
- Source 104 (Mat Forming System).
- The total VOC emissions shall not exceed 0.80 lbs/hr or 3.31 tpy based on a consecutive 12-month period.
- Source 107 (Mat Reject).
- The total VOC emissions shall not exceed 0.83 lbs/hr or 3.44 tpy based on a consecutive 12-month period.
- Source 109 (Building Vents).
- The total VOC emissions shall not exceed the following:
 - MDF Press Building Vent (Source 28): 1.14 lbs/hr or 4.72 tpy based on a consecutive 12-month period. (This condition replaces the previous limit of 0.63 lbs/hr VOC or 2.6 tpy VOC.)
 - MDF Press Building Vent (Source 9): 0.85 lbs/hr or 3.52 tpy based on a consecutive 12-month period. (This condition replaces the previous limit of 0.97 lbs/hr VOC or 4.0 tpy VOC.)
 - MDF Press Building Vent (Source 8): 0.54 lbs/hr or 2.24 tpy based on a consecutive 12-month period. (This condition replaces the previous limit of 0.83 lbs/hr VOC or 3.4 tpy VOC.)

- The particulate emission rate from each of the vents shall not exceed the following:

- MDF Press Building Vent (Source 28): 0.26 lbs/hr or 1.1 tpy based on a consecutive 12-month period.

- MDF Press Building Vent (Source 9): 0.41 lbs/hr or 1.7 tpy based on a consecutive 12-month period.

- MDF Press Building Vent (Source 8): 0.41 lbs/hr or 1.7 tpy based on a consecutive 12-month period.

- Records shall be maintained of the number of board feet produced monthly.

- Source 110 (Splitter and Cut-Off Sawdust Collection).

- The total VOC emissions shall not exceed the following:

- System 10 (Hogger/Cut Saws): 1.75 lbs/hr or 7.25 tpy based on a consecutive 12-month period.

- System 13 (Splitter/Cut/Trim Saws): 0.15 lbs/hr or 0.62 tpy based on a consecutive 12-month period.

- Source 111 (Primary Sander System).

- The total VOC emissions shall not exceed 0.59 lbs/hr or 2.44 tpy based on a consecutive 12-month period.

- Source 112 (Secondary Sander System).

- The total VOC emissions shall not exceed 0.53 lbs/hr or 2.19 tpy based on a consecutive 12-month period.

- Source 123 (Refiner Startup Dump).

- The total VOC emissions shall not exceed 5.80 lbs/hr or 0.08 tpy based on a consecutive 12-month period.

- The particulate emissions from the refiner startup dump cyclone shall not exceed 10.17 lbs/hr. and 0.4 tpy, respectively. (This condition supercedes the condition from 16-132B which also required the overall PM efficiency of the cyclone to be 99.99% or greater.)

- The refinery startup dump cyclone shall be operated for startup purposes only and shall be limited to 25 hrs/yr as stated in the application. (This condition replaces the previous limit of 80 hrs/yr.)

- Records shall be maintained of the hours of operation monthly.

- Records shall be maintained of the amount of fiber dumped monthly.

- Sources 099, 101, 104, 107, 109—112 and 123.

- Records shall be maintained of the VOC emissions monthly.

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

- Sources 104, 107 and 110—112.

- The PM emission rate from each of the fabric collectors, which exhaust directly to the atmosphere, shall not exceed 0.004 gr/dscf.

- For each fabric collector, 20% of the total number of bags in the baghouse is required to be on hand for replacement as necessary.

- Records shall be maintained of the number of board feet produced monthly.

OPERATING PERMITS

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

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

39-00055: B. Braun Medical, Inc. (901 Marcon Boulevard, Allentown, PA 18109) for operation of a surgical and medical instruments and apparatus manufacturing facility and the modification to the permit to include an adjacent building formerly owner by SureFit, Inc. and permitted under permit number 39-00038, located in Hanover Township, **Lehigh County**. This is a modification and renewal of the Title V Operating Permit.

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

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

09-00041: Costa Penn Farm (6071 Durham Road, Pipersville, PA 18947) for renewal of the original State-only Operating Permit (Synthetic Minor), which was issued on March 4, 2004, and was amended on June 28, 2007, in Plumstead Township, **Bucks County**. There have been no other changes made to the permit since it was amended on June 28, 2007. The permit includes monitoring, recordkeeping and reporting requirements designed to keep the facility operating within all applicable air quality requirements.

46-00261: U.S. Tape Company, Inc. (2452 Quakertown Road, Pennsburg, PA 18073) for a State-only, Synthetic Minor Operating Permit in Upper Hanover Township, **Montgomery County**. The company has a nickel plating operation and a special printing operation to print on measuring tapes. The facility is limited to VOC emissions of 24.9 tpy on a 12-month rolling basis. The permit will include monitoring, recordkeeping and reporting requirements designed to address all applicable air quality requirements.

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

01-03030: Cooperative Milling, Inc. (1892 York Road, Gettysburg, PA 17325) for operation of their feed mill in Straban Township, **Adams County**. This is a renewal of the State-only operating permit issued in 2004.

67-03038: Formit Steel Co. (775 Lombard Road, Red Lion, PA 17356) for operation of their steel fabrication facility in Windsor Township, **York County**. This is a renewal of the State-only operating permit issued in 2004.

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

04-00226: Hanson Aggregates BMC, Inc. (2200 Springfield Pike, Connellsville, PA 15425-6412) for operation of a hot-mix asphalt plant at their Sewickley Creek facility in Economy Borough, **Butler County**. This is a renewal of their synthetic minor operating permit, issued in 2004.

26-00288: Hanson Aggregates BMC, Inc. (2200 Springfield Pike, Connellsville, PA 15425-6412) for operation of aggregate-processing and hot-mix asphalt plants at their Springfield Pike Quarry and Asphalt facility in Connellsville Township, **Fayette County**. This is a renewal of their synthetic minor operating permit, issued in 2004.

63-00629: Hanson Aggregates BMC, Inc. (2200 Springfield Pike, Connellsville, PA 15425-6412) for operation of a hot-mix asphalt plant at their Dunningville facility in Somerset Township, **Washington County**. This is a renewal of their synthetic minor operating permit, issued in 2004.

65-00073: Hanson Aggregates BMC, Inc. (2200 Springfield Pike, Connellsville, PA 15425-6412) for operation of aggregate-crushing and hot-mix asphalt plants at their Latrobe Quarry and Asphalt facility in Ligonier Township, **Westmoreland County**. This is a renewal of their synthetic minor operating permit, issued in 2004.

65-00659: Hanson Aggregates BMC, Inc. (2200 Springfield Pike, Connellsville, PA 15425-6412), for operation of a hot-mix asphalt plant at their Adamsburg facility in Hempfield Township, **Westmoreland County**. This is a renewal of their synthetic minor 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.

10-00171: Butler Color Press (P. O. Box 31, 119 Bonnie Drive, Butler, PA 16003) to issue a renewal of the State-only Synthetic Minor Operating Permit for their facility in the City of Butler, **Butler County**. The facility prints circulars and advertisements for newspapers. The primary processes at the facility are space heaters, Line 900 Print Line & Dryer, Lines 400 and 450 Print Line & Dryer and clean up solvent use. The VOC emissions from Line 900 are controlled by a catalytic oxidizer and Lines 400 and 450 are controlled by a thermal oxidizer. The plant-wide VOC emissions are limited to 49.9 tpy. The facility individual HAP emissions are limited to 9.9 tpy and the combined HAP emissions are limited to 24.9 tpy.

33-00148: Brockway Mould, Inc. (4189 Route 219, Brockport, PA 15823-3819) for reissuance of a Natural Minor Operating Permit to operate a manufacturing process creating molds used in the bottle industry in Snyder Township, **Jefferson County**. The primary emission sources include miscellaneous natural gas combustion, milling machines, processing machines, polishers, welding stations and woodworking stations.

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

S09-007: LaSalle University (1900 West Olney Avenue, Philadelphia, PA 19141-1199) for operation of a university in the City of Philadelphia, **Philadelphia County**. The facility's air emissions sources include: five emergency generators firing diesel, four boilers greater than 10 mmBtu/hr firing either natural gas or No. 2 fuel oil and 45 boilers less than 10 mmBtu/hr firing either natural gas or No. 2 fuel oil.

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

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

PLAN APPROVALS

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

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

09-0152B: Gelest, Inc. (11 East Steel Road, Morrisville, PA 19067) for an application to move a dust collector outside the building which will control PM emissions from the existing blenders and mills, at their facility located in Falls Township, **Bucks County**. This facility is a Minor facility. There will be increase of 0.016 tons of PM emissions due to this modification. The Plan Approval will contain monitoring and recordkeeping requirements to keep the source operating within the allowable emissions and all applicable air quality requirements.

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:

<i>Parameter</i>	<i>30-Day Average</i>	<i>Daily Maximum</i>	<i>Instantaneous Maximum</i>
Iron (Total)	1.5 to 3.0 mg/l	3.0 to 6.0 mg/l	3.5 to 7.0 mg/l
Manganese (Total)	1.0 to 2.0 mg/l	2.0 to 4.0 mg/l	2.5 to 5.0 mg/l
Suspended solids	10 to 35 mg/l	20 to 70 mg/l	25 to 90 mg/l
Aluminum (Total)	0.75 to 2.0 mg/l	1.5 to 4.0 mg/l	2.0 to 5.0 mg/l
pH ¹		greater than 6.0; less than 9.0	
Alkalinity greater than acidity ¹			

¹The 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.

17921603 and NPDES Permit No. PA0214612, Hepburnia Coal Company, (P. O. Box I, Grampian, PA 16838), to renew the permit for the Bells Landing Tipple in Greenwood Township, **Clearfield County** and related NPDES permit. No additional discharges. Application received February 23, 2009.

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

56080102 and NPDES No. PA0262609. Sherpa Mining Contractors, Inc., 337 Benny Road, Hooversville, PA 15936, permit revision for the continued operation and restoration of a bituminous surface mine to request a variance to conduct surface mining activities including blasting, within 100 feet of the right-of-way of Township Road 717 beginning at a point 950 feet northeast of the intersection of SR 1021 and T-717 then continuing northeast and then southwest along both sides of the road, a distance of 4,800 feet and then continuing southwest along the west side of the road an additional 400 feet. Variance is also requested beginning at the previously-referenced starting point and then continuing southeast along the north side of the paved portion of T-717, a distance of approximately 650 feet. Variance to temporarily close and mine through a portion of T-717 is also requested beginning at a point approximately 1,750 feet northeast of the intersection of SR 1021 and T-717 and continues on the unmaintained portion of T-717 northeast approximately 3,250 feet and then southwest approximately 400 feet to a power line. The temporary closure is subject to Sherpa Mining Contractors, Inc. maintaining an access road at all times to the cemetery located on the Cook Property in Shade Township, Somerset County, affecting 346.5 acres. Receiving streams: UNTs to/and Hinson River; UNTs to/and Miller Run; Shade Creek classified for the following use: CWF. The first downstream potable water supply intake from the point of discharge is Cambria Somerset Authority Stonycreek SWI. Application received April 13, 2009.

05090101 and NPDES No. PA0262781. Robindale Energy Services, Inc., 224 Grange Hall Road, Armagh, PA 15920, commencement, operation and restoration of a bituminous surface mine in Broad Top Township, Bedford County, affecting 159.0 acres. Receiving streams: Longs and Sandy Runs classified for the following use: WWF. There are no potable water supply intakes within 10 miles downstream. Application received April 9, 2009.

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

03793072 and NPDES Permit No. PA061237. Keystone Coal Mining Corporation (P. O. Box 219, Shelocta, PA 15774). NPDES renewal application for reclamation and water treatment only of a bituminous surface mine, located in Kiskiminetas and Young Townships, **Armstrong and Indiana Counties**, affecting 302 acres. Receiving streams: UNT to Long and Big Runs, classified for the following use: WWF. There is no potable water supply intake within 10 miles downstream from the point of discharge. Renewal application received April 13, 2009.

03060103 and NPDES Permit No. PA0250911. State Industries, Inc. (P. O. Box 1022, Kittanning, PA 16201).

Renewal application for commencement, operation and reclamation of a bituminous surface mine, located in Burrell Township, **Armstrong County**, affecting 75.3 acres. Receiving streams: UNT "C" to Crooked Creek and Crooked Creek, classified for the following use: WWF. There is no potable water supply intake within 10 miles downstream from the point of discharge. Renewal application received April 13, 2009.

03090102 and NPDES Permit No. PA0251623. Thomas J. Smith, Inc. (2340 Smith Road, Shelocta, PA 15774). Application for commencement, operation and reclamation of a bituminous surface mine, located in Plumcreek Township, **Armstrong County**, affecting 25.5 acres. Receiving streams: Plum Creek, classified for the following use: TSF. There is no potable water supply intake within 10 miles downstream from the point of discharge. Application received April 6, 2009.

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

24890102 and NPDES Permit No. PA0207331. Energy Resources, Inc. (c/o Ohio American Energy, Inc., 34 Kelley Way, Suite 100, Brilliant, OH 43913). Renewal of an existing bituminous surface strip, auger and beneficial use of lime mud operation in Horton Township, **Elk County** affecting 316.0 acres. Receiving streams: UNTs of Mead Run and Mead Run, classified for the following use: CWF. There are no potable surface water supply intakes within 10 miles downstream. Application for reclamation only. Application received April 13, 2009.

24890101 and NPDES Permit No. PA0105082. Energy Resources, Inc. (c/o Ohio American Energy, Inc. 34 Kelley Way, Suite 100, Brilliant, OH 43913). Renewal of an existing bituminous surface strip, tippel refuse disposal, use of a co-product, and coal ash placement operation in Fox and Horton Townships, **Elk County** affecting 377.0 acres. Boderocco Run and Brandy Camp Creek to Little Toby Creek; UNT to Little Toby Creek to Toby Creek, classified for the following use: CWF. The first downstream potable water supply intake from the point of discharge is Brandy Camp. Application for reclamation only. Application received April 13, 2009.

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

17753180 and NPDES No. PA0609439. Penn Coal Land, Inc. (P. O. Box 68, Boswell, PA 15531), permit renewal for the continued operation and restoration of a bituminous surface mine in Boggs Township, **Clearfield County**, affecting 140 acres. Receiving stream: UNT to Laurel Run, classified for the following use: CWF. There are no potable water supply intakes within 10 miles downstream. Application received March 5, 2009.

Noncoal Applications Received

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

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

* The parameter is applicable at all times.

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

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

25990303. Waste Management Disposal Services of PA, Inc. (1000 New Ford Mill Road, Morrisville, PA 19067) Renewal of NPDES Permit No. PA0227994, Summit Township, **Erie County**. Receiving streams: UNT to Walnut Creek, classified for the following uses: CWF, MF. There are no potable surface water supply intakes within 10 miles downstream. NPDES Renewal application received April 14, 2009.

3076SM8. Conneaut Lake Sand & Gravel, Inc. (P. O. Box 529, West Middlesex, PA 16159-0529). Revision to an existing sand and gravel operation in Sadsbury Township, **Crawford County** affecting 32.3 acres. Receiving streams: UNT to Watson Run, classified for the following use: WWF and UNT to Conneaut Outlet, classified for the following HQ-WWF. There are no potable surface water supply intakes within 10 miles downstream. Revision to add 3.5 acres to the permit. Application received April 3, 2009.

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

06980301C3 and NPDES Permit No. PA0223883. Highway Materials, Inc., (1750 Walton Road, Blue Bell, PA 19422), renewal of NPDES Permit for discharge of treated mine drainage from a quarry operation in Alsace Township, **Berks County**, receiving stream: UNT to Bernhart Creek, classified for the following use: WWF. Application received April 13, 2009.

64062803. Keystone Bluestone, Inc., (214 Exchange Street, Susquehanna, PA 18847), Stages I and II bond release for a quarry operation in Starrucca Township, **Wayne County** affecting 2.0 acres on property owned by David Soden. Application received April 13, 2009.

64020807. Arthur S. Spangenberg, (221 Shehawken Road, Starrucca, PA 18642), Stages I and II bond release for a quarry operation in Preston Township, **Wayne County** affecting 2.0 acres on property owned by Arthur S. and Margot E. Spangenberg. Application received April 14, 2009.

58920301T and NPDES Permit No. PA0595845. Reading Materials, Inc., (P. O. Box 1467, Skippack, PA 19474), transfer of an existing quarry operation from New Milford Sand and Gravel, Inc. in New Milford Township, **Susquehanna County** affecting 131.8 acres, receiving stream: Beaver Creek. Application received April 14, 2009.

PA0224138. Stoudt's Ferry Preparation Co., Inc., (P. O. Box 279, St. Clair, PA 17970), renewal of NPDES Permit for discharge of treated mine drainage at the Auburn Impoundment Basin in West Brunswick Township and Landingville Borough, **Schuylkill County**, receiving stream: Schuylkill River, classified for the following use: WWF. Application received April 15, 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 Flood Plain Management Act (32 P. S. § 679.302) and requests for certification under section 401(a) of the Federal Water Pollution Control Act (33 U.S.C.A. § 1341(a)).

WATER OBSTRUCTIONS AND ENCROACHMENTS

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

E09-937. Bucks County Water and Sewer Authority, 1275 Almhouse Road, Warrington, PA 18976, Bensalem Township, **Bucks County**, United States Army Corps of Engineers, Philadelphia District.

Bucks County Water and Sewer Authority Chamber 11 Pump Station Project

Bucks County Water and Sewer Authority proposed to construct a pump house, a generator control facility, three sets of approximately 500 linear feet of underground utility pipes and the extension of an existing building within the floodway of the Poquessing Creek (WWF).

The project is approximately 262 feet North of the intersection of Georgia and Regina Avenues in Bensalem Township, Bucks County (Beverly, PA Quadrangle N: 14.38 inches; W: 11.96 inches).

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

E36-848: Ware Trust, Paul Ware, 229 North Duke Street, Lancaster, PA 17601, Lancaster Township, **Lancaster County**, United States Army Corps of Engineers, Baltimore District.

To remove an existing 13.5-foot long by 6.2-foot wide stone arch pedestrian footbridge having a normal span of 5.0 feet, an 18.1-foot long by 4.2-foot wide wooden deck pedestrian footbridge having a normal span of 10.3 feet, and an 11.6-foot long by 1.5-foot wide and 3.5-foot high stone weir all in a UNT to the Little Conestoga Creek (WWF). Also to remove 2,346.0 cubic yards of floodplain material to convert 600.0 feet of a UNT to the Little Conestoga Creek (WWF) to 0.347 acre of emergent wetlands for the purpose of achieving improved downstream channel stability (Lancaster, PA Quadrangle: 8.5-inches North; 11.65-inches West, Latitude: 40° 02' 48" N; Longitude: 76° 19' 60" W) in Lancaster Township, Lancaster County.

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

E14-520. Shem S. Swarey, 149 Back Road, Rebersburg, PA 16872. Shem's Pasture Fields Bridge, in Miles Township, **Centre County**, United States Army Corps of Engineers, Baltimore District (Millheim, PA Quadrangle Latitude: 40° 56' 26.9"; Longitude: 77° 26' 2.1").

To construct and maintain a steel I-beam, wood deck, concrete wingwall abutment bank-to-bank bridge having a 24-foot clear span and a 6-foot underclearance for private agricultural-use-only, located 1,900 feet northeast of the intersection of Town Lane and Back Road

(Smullton Road). This project proposes to indirectly impact 20 linear feet of Elk Creek, which is classified as an EVWT perennial waterway.

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

E11-336. Pegasus Sewer Authority, 1296 Clapboard Run Road, Johnstown, PA 15094. To construct and maintain road crossing in Conemaugh Township, **Cambria County**, United States Army Corps of Engineers, Pittsburgh District (Geistown, PA Quadrangle North 15.3'; West 17.1', Latitude: 40° 20' 03"; Longitude: 78° 52' 21"). The applicant proposes to construct and maintain a 5' diameter, approximately 65' long Corrugated Metal Pipe Culvert road crossing on Peggy's Run (WWF), to place approximately 32 linear feet of R-6 rip-rap below the culvert, and the placement of 90' by 43' of fill, with a maximum depth of approximately 18', in the floodway of Peggy's Run, for the purpose of constructing an access roadway for the construction and maintenance of a Sanitary Sewer. The project is located approximately 120' south of Truman Boulevard, West of the village of Bon Air.

E65-929. Municipality of Murrysville, 4100 Sardis Road, Murrysville, PA 15668.

To construct a stream enclosure in the Municipality of Murrysville, **Westmoreland County**, United States Army Corps of Engineers, Pittsburgh District (Murrysville, PA Quadrangle N: 8.5 inches; W: 6.1 inches, Latitude: 40° 25' 19"; Longitude: 79° 40' 07"). The applicant proposes to construct and maintain a steam enclosure by adding a 95' long, 48" diameter extension to an existing 80' long, 48" diameter reinforced concrete pipe, on a UNT to Turtle Creek (TSF), for the purpose of creating a parking area. The project is located in Duff Park in the Municipality of Murrysville.

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. (Type)</i>	<i>Facility Name & Address</i>	<i>County & Municipality</i>	<i>Stream Name (Watershed #)</i>	<i>EPA Waived Y/N ?</i>
PA0060658 (Sewage)	Little Washington Wastewater Company 762 West Lancaster Avenue Bryn Mawr, PA 19010-3489	Washington Township Wyoming County	UNT to Susquehanna River 4G	Y
PA0060895 (Minor Sewage)	Pocono Mountains Industries, Inc. 300 Community Drive Tobyhanna, PA 18466	Monroe County Coolbaugh Township	UNT to Red Run 2A	Y
PAS802219	United States Postal Service—Lehigh Valley VMF 17 South Commerce Way Lehigh Valley, PA 18002-9731	Northampton County Bethlehem Township	UNT to Monacacy Creek 2C	Y

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

<i>NPDES No. (Type)</i>	<i>Facility Name & Address</i>	<i>County & Municipality</i>	<i>Stream Name (Watershed #)</i>	<i>EPA Waived Y/N ?</i>
PA0088595 (CAFO)	Wide Awake Farms Partnership 411 Chestnut Street Lebanon, PA 17042 Pork Champ 572 Waldo-Fulton Road Waldo, OH 43356	Bedford County Monroe Township	Watershed 13-B	Y

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

<i>NPDES No. (Type)</i>	<i>Facility Name & Address</i>	<i>County & Municipality</i>	<i>Stream Name (Watershed #)</i>	<i>EPA Waived Y/N ?</i>
PA0113948 SN	Department of Corrections 2520 Lisburn Road Camp Hill, PA 17011-0598	Clearfield County Karthaus Township	Marks Run 8D	Y

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

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

NPDES Permit No. PA0261271, Sewage, **David E. Graham**, 11 Valentine Acres Road, Clearville, PA 15535. This proposed facility is located in Southampton Township, **Bedford County**.

Description of Proposed Action/Activity: Authorization for discharge to Watershed 13-A.

NPDES Permit No. PA0037141, Amendment No. 1, Industrial Waste, Fish and Boat Commission, Huntsdale State Fish Hatchery, 4540 Robinson Lane, Bellefonte, PA 16823-9620. This proposed facility is located in Penn Township, **Cumberland County**.

Description of Proposed Action/Activity: Authorization to discharge to the Yellow Breeches Creek and a UNT in Watershed 7-E.

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

NPDES Permit No. PA0021610-A1, Sewage, **Blairsville Municipal Authority**, 203 Market Street, Blairsville, PA 15717. This existing facility is located in Burrell Township, **Indiana County**.

Description of Proposed Action/Activity: Permit issuance to discharge an expanded flow from a facility located at Blairsville Municipal Authority STP, Burrell Township, Indiana County to receiving waters named Conemaugh River.

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. 0509401, Sewage, **David E. Graham**, 117 Valentine Acres Road, Clearville, PA 15535. This proposed facility is located in Southampton Township, **Bedford County**.

Description of Proposed Action/Activity: Approval for construction/operation of a small flow, single-family residence sewage treatment facility with a dual compartment septic tank, pump tank, EcoFlo Peat filter and disinfection.

WQM Permit No. 0672403, Amendment 09-1, Sewage, **Oley Township Municipal Authority**, P. O. Box 19, Oley, PA 19547. This proposed facility is located in Oley Township, **Berks County**.

Description of Proposed Action/Activity: Amendment approves the construction and modification of sewerage facilities consisting of installing an effluent pump located in the chlorine contact tank, a flap valve in the outfall sewer, raising the walls of a effluent manhole, adding a 10- and 12-inch decanter line with a magnetic flow meter from SBR No. 2 to the chlorine contact tank, meter pit, new chart recorder to record flows from SBR No. 1 and SBR No. 2 and totalize both flows and removal of the bypass piping.

WQM Permit No. 2109401, Sewage, **Hampden Township**, 230 South Sporting Hill Road, Mechanicsburg, PA 17050. This proposed facility is located in Hampden Township, **Cumberland County**.

Description of Proposed Action/Activity: Approval for the construction/operation of sewerage facilities consisting of pump station, 6" DIP force main and 12" sewer extension.

WQM Permit No. 6786429, Amendment 08-1, Sewage, **Northeastern York County Sewer Authority**, 175 Chestnut Street, P. O. Box 516, Mount Wolf, PA 17347. This proposed facility is located in East Manchester Township, **York County**.

Description of Proposed Action/Activity: Approval for the construction of sewage facilities consisting of: Upgrade for biological nutrient removal.

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

WQM Permit No. 467S021-A4, Sewerage, **Masontown Municipal Authority**, 2 Court Avenue, Masontown, PA 15461-1841. This existing facility is located in Masontown Borough, **Fayette County**.

Description of Proposed Action/Activity: Permit issuance for the construction and operation of sludge processing facilities at the Big Run Sewage Treatment Plant.

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

WQM Permit No. 467S035-A3, Sewerage, **Masontown Municipal Authority**, 2 Court Avenue, Masontown, PA 15461-1841. This existing facility is located in German Township, **Fayette County**.

Description of Proposed Action/Activity: Permit issuance for the construction and operation of sludge processing facilities at the Cat's Run Sewage Treatment Plant.

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

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

WQM Permit No. WQG018690, Sewerage, **Jack R. Loughner**, 14971 West Vernon Road, Meadville, PA 16335-7267. This proposed facility is located in Vernon Township, **Crawford County**.

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

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

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

<i>NPDES Permit No.</i>	<i>Applicant Name & Address</i>	<i>County</i>	<i>Municipality</i>	<i>Receiving Water/Use</i>
PAI030608022	LaFerrovia, LLC 35 Robin Lea Lane Fleetwood, PA 19522	Berks	Ruscombmanor Township	UNT to Laurel Run CWF
PAI033108001	Turnpike Commission Gary Graham 700 South Eisenhower Boulevard Middletown, PA 17057	Huntingdon	Dublin Township	UNT to North Branch Little Aughwick Creek HQ-CWF
PAI032108013	Jerry G. Woomer Fish and Boat Commission 450 Robinson Lane Bellefonte, PA 16823	Cumberland	Lower Frankford Township	Opossum Creek HQ-TSF
PAI032103001-R	Donald E. Diehl The Diehl Partnership Four East High Street Carlisle, PA 17013	Cumberland	South Middleton Township	Yellow Breeches Creek HQ-CWF

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

Washington County Conservation District, 602 Courthouse Square, Washington, PA 15301, (724) 228-6774.

<i>NPDES Permit No.</i>	<i>Applicant Name & Address</i>	<i>County</i>	<i>Municipality</i>	<i>Receiving Water/Use</i>
PAI056304002	North Strabane Township Municipal Authority 1929B Route 519 South Canonsburg, PA 15317	Washington	North Strabane Township	Little Chartiers Creek HQ-WWF

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

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

List of NPDES and/or Other General Permit Types

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

*General Permit Type—PAG-02**Facility Location:*

<i>Municipality & County</i>	<i>Permit No.</i>	<i>Applicant Name & Address</i>	<i>Receiving Water/Use</i>	<i>Contact Office & Phone No.</i>
Warwick Township Bucks County	PAG200 0908095	Anthony Mastrocco 2204 Dogwood Court Warrington, PA 18976	Neshaminy Creek TWF	Southeast Regional Office 2 East Main Street Norristown, PA 19401 (484) 250-5900
Upper Makefield Township Bucks County	PAG200 0909011	Tri-State Dredging, Inc. 4300 Holmesburg Avenue Philadelphia, PA 19136	Jericho Creek WWF	Southeast Regional Office 2 East Main Street Norristown, PA 19401 (484) 250-5900
Wrightstown Township Bucks County	PAG200 0907132	Penns Park Associates 2288 Second Street Pike Penns Park, PA 18940	Neshaminy Creek WWF, MF	Southeast Regional Office 2 East Main Street Norristown, PA 19401 (484) 250-5900
Middletown Township Bucks County	PAG200 0908057	SS Heritage Inn of Langhorne, Inc. 1201 Page Drive South Fargo, ND 58103-2339	Queen Ann and Oxford Valley Mall Creeks, Silver Lake, Otter Creek and Delaware River WWF, MF	Southeast Regional Office 2 East Main Street Norristown, PA 19401 (484) 250-5900
East Rockhill Township Bucks County	PAG200 0903147-R	Pennridge Airport, Inc. 1100 North Ridge Road Perkasie, PA 18944	Three Mile Run TSF	Southeast Regional Office 2 East Main Street Norristown, PA 19401 (484) 250-5900
Warminster Township Bucks County	PAG200 0909022	Nina Way, LLC 1530 Jacksonville Road Ivylnd, PA 18974	Little Neshaminy Creek WWF, MF	Southeast Regional Office 2 East Main Street Norristown, PA 19401 (484) 250-5900
Westtown Township Chester County	PAG200 1503100-R	St. Simon and Jude Church 8 Cavanaugh Court West Chester, PA 19382	UNT East Branch Chester Creek TSF	Southeast Regional Office 2 East Main Street Norristown, PA 19401 (484) 250-5900
West Chester Borough Chester County	PAG200 1509003	College Arms Partners, LP 500 Barnegat Boulevard North Building 100 Barnegat, NJ 08005	Chester Creek TSF, MF	Southeast Regional Office 2 East Main Street Norristown, PA 19401 (484) 250-5900
East Marlborough Township Chester County	PAG200 1508066	Edward B. Deseta P. O. Box 4549 Greenville, DE 19807	UNT Pocopson Creek TSF, MF	Southeast Regional Office 2 East Main Street Norristown, PA 19401 (484) 250-5900
New Hanover Township Montgomery County	PAG200 4608152	Jeff Clemens 513 Main Street Harleysville, PA 19438	Deep Creek TSF	Southeast Regional Office 2 East Main Street Norristown, PA 19401 (484) 250-5900
Upper Providence Township Montgomery County	PAG200 4603236-R	Toll Brothers, Inc. 250 Gibraltar Road Horsham, PA 19044	Schuylkill River WWF	Southeast Regional Office 2 East Main Street Norristown, PA 19401 (484) 250-5900
Susquehanna Township Dauphin County	PAG2002204016-R	Mark DiSanto Triple Crown Corporation 5351 Jaycee Avenue Harrisburg, PA 17112	Paxton Creek WWF	Dauphin County Conservation District 1451 Peters Mountain Road Dauphin, PA 17018 (717) 921-8100
West Hanover Township Dauphin County	PAG2002208013-1	Girish Patel SKHK, LLC 300 Commerce Drive New Cumberland, PA 17070	Manada Creek WWF	Dauphin County Conservation District 1451 Peters Mountain Road Dauphin, PA 17018 (717) 921-8100

NOTICES

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*Facility Location:
Municipality &
County*

Permit No.

*Applicant Name &
Address*

*Receiving
Water/Use*

*Contact Office &
Phone No.*

Susquehanna Township Dauphin County	PAG2002204034-R	Brent Stoltzfoos Thea Drive Associates, LLC 474 Mount Sidney Road Lancaster, PA 17602	Paxton Creek WWF	Dauphin County Conservation District 1451 Peters Mountain Road Dauphin, PA 17018 (717) 921-8100
Northeast Madison Township Perry County	PAG2035009002	Church of the Living Christ of Loysville David McMillen P. O. Box 180 Loysville, PA 17047	Bixler Run CWF	Perry County Conservation District P. O. Box 36 31 West Main Street New Bloomfield, PA 17068 (717) 582-5119
York Township York County	PAG2006708087	Debra Hatley York Township Recreation Department 190 Oak Road Dallastown, PA 17313	South Branch Codorus Creek WWF	York County Conservation District 118 Pleasant Acres Road York, PA 17402 (717) 840-7430
Springettsbury Township York County	PAR10Y409R-2	Orchard Hills Real Estate 450 Spangler Road New Oxford, PA 17350	Kreutz Creek WWF	York County Conservation District 118 Pleasant Acres Road York, PA 17402 (717) 840-7430
Belfast Township Fulton County	PAG2002909002	Vince Greenland, P. E. Department of Transportation Engineering District 9-0 1620 North Juniata Street Hollidaysburg, PA 16648	Licking Creek CWF	Fulton County Conservation District 216 North Second Street McConnellsburg, PA 17233 (717) 485-3547, Ext. 122
Bethel Township Berks County	PAG2000609007	Ralph Moyer 91 Frystown Road Myerstown, PA 17067	Little Swatara Creek CWF	Berks County Conservation District 1238 County Welfare Road Suite 200 Leesport, PA 19533-9710 (610) 372-4657, Ext. 201
Lower Heidelberg Township Berks County	PAG2000608062	Warren Angstadt 661 Church Road Wernersville, PA 19565	Tulpehocken Creek— UNT to Little Cacoosing Creek WWF	Berks County Conservation District 1238 County Welfare Road Suite 200 Leesport, PA 19533-9710 (610) 372-4657, Ext. 201
Tilden Township Berks County	PAG2000606083-1	Tilden Township Board of Supervisors 874 Hex Highway Hamburg, PA 19526	Hassler Run—Mill Creek—Schuylkill River TSF-WWF-MF	Berks County Conservation District 1238 County Welfare Road Suite 200 Leesport, PA 19533-9710 (610) 372-4657, Ext. 201
Tioga County Clymer Township	PAG2005909003	Kevin Zink Dominion Transmission 5094 Route 349 Westfield, PA 16950	Mill Creek CWF	Tioga County Conservation District 50 Plaza Lane Wellsboro, PA 16901 (570) 724-1801, Ext. 3

*Facility Location:
Municipality &
County*

<i>Facility Location: Municipality & County</i>	<i>Permit No.</i>	<i>Applicant Name & Address</i>	<i>Receiving Water/Use</i>	<i>Contact Office & Phone No.</i>
Union County Kelly Township	PAG2006009002	Michael O'Keefe Evangelical Community Hospital 1 Hospital Drive Lewisburg, PA 17837	UNT to Buffalo Creek CWF	Union County Conservation District Union County Government Center 155 North 15th Street Lewisburg, PA 17837 (570) 524-3860
Cambria County Geistown Borough	PAG2001109006	Robert Gardill c/o Cambria Hardware 1765 Goucher Street Johnstown, PA 15905	UNT to Solomon Run WWF	Cambria County Conservation District (814) 472-2120
Butler County Muddy Creek Township Butler County Slippery Rock Township Lawrence County	PAG2001009003	SR 0019 Section 252 over SR 0422 (McConnell's Mill Bridge) Department of Transportation District 10-0 2550 Oakland Avenue P. O. Box 429 Indiana, PA 15701	Muddy and Slippery Rock Creeks CWF	Butler County Conservation District (724) 284-5270
Clarion County Ashland Township	PAG2061609003	Billings Station West 3R Department of Transportation 10-0 2550 Oakland Avenue P. O. Box 429 Indiana, PA 15701-0429	Pine Run and Little East Sandy Creek CWF	DEP 230 Chestnut Street Meadville, PA 16335 (814) 332-6984
Erie County City of Erie	PAG2002509005	Cathedral Prep Events Center Cathedral Prep 225 West 9th Street Erie, PA 16501	Lake Erie WWF	Erie County Conservation District (814) 825-6403
Erie County Millcreek Township	PAR10K206R-1	Sterling Ridge Phase V Maleno Developers, Inc. 2340 West Grandview Boulevard Erie, PA 16506	UNT Millcreek WWF	Erie County Conservation District (814) 825-6403
Jefferson County Perry Township	PAG2003307002(1)	Fairman Residential Dwelling and Private Golf Driving Range Frank Fairman 137 Aspen Road Punxsutawney, PA 15757	Sawmill Run UNT to Mahoning Creek CWF	Jefferson County Conservation District (814) 849-7463
Lawrence County Neshannock Township	PAG2003708009	Tinstman Development Company Attn: Joel Tinstman 1240 Oakhill Drive Pittsburgh, PA 15239	UNT to Shenango River WWF	Lawrence County Conservation District (724) 652-4512
McKean County Bradford Township	PAG2004209001	Janet Gregory P. O. Box 946 Warren, PA 16365	East Branch Tunungwant Creek CWF	McKean County Conservation District (814) 887-4001

General Permit Type—PAG-3

*Facility Location:
Municipality &
County*

<i>Facility Location: Municipality & County</i>	<i>Permit No.</i>	<i>Applicant Name & Address</i>	<i>Receiving Water/Use</i>	<i>Contact Office & Phone No.</i>
Berks County Kutztown Borough Maxatawny Township	PAR213506	Berks Products Corporation Kutztown Building Materials 80—140 Willow Street Kutztown, PA 19530	Sacony Creek CWF	DEP—SCRO 909 Elmerton Avenue Harrisburg, PA 17110 (717) 705-4707

*Facility Location:
Municipality &
County*

<i>Facility Location: Municipality & County</i>	<i>Permit No.</i>	<i>Applicant Name & Address</i>	<i>Receiving Water/Use</i>	<i>Contact Office & Phone No.</i>
Juniata County Beale Township	PAR213550	Marstellar Oil and Concrete 17004 Route 35 South Port Royal, PA 17082	Markee Creek CWF	DEP—SCRO 909 Elmerton Avenue Harrisburg, PA 17110 (717) 705-4707
Franklin County Greene Township	PAR803553	IESI Blue Ridge Landfill Corporation Blue Ridge Landfill P. O. Box 399 Scotland, PA 17254	Phillaman Run CWF	DEP—SCRO 909 Elmerton Avenue Harrisburg, PA 17110 (717) 705-4707
Lycoming County Armstrong Township	PAR804873	Choice Fuel Corp., Inc. 2344 Sylvan Dell Road South Williamsport, PA 17702	West Branch Susquehanna River WWF	Northcentral Regional Office Water Management Program 208 West Third Street Suite 101 Williamsport, PA 17701 (570) 327-3664
Oil City Venango County	PAR208359	Witherup Fabrication and Erection, Inc. 431 Kennerdell Road P. O. Box 55 Kennerdell, PA 16374-0055	Storm sewer to the Allegheny River	DEP—NWRO Water Management 230 Chestnut Street Meadville, PA 16335-3481 (814) 332-6942
Bradford City McKean County	PAR238312	Graham Packaging Company, LP 2401 Pleasant Valley Road York, PA 17403	Tunungwant Creek	DEP—NWRO Water Management 230 Chestnut Street Meadville, PA 16335-3481 (814) 332-6942
Vernon Township Crawford County	PAG049512	Jack R. Loughner 14971 West Vernon Road Meadville, PA 16335-7267	UNT to Conneaut Outlet 16-D	DEP—NWRO Water Management 230 Chestnut Street Meadville, PA 16335-3481 (814) 332-6942

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

<i>Facility Location: Municipality & County</i>	<i>Permit No.</i>	<i>Applicant Name & Address</i>	<i>Receiving Water/Use</i>	<i>Contact Office & Phone No.</i>
Rome Borough Bradford County	PAG054837	Williams Oil Company, Inc. York Avenue North P. O. Box 207 Towanda, PA 18848	UNT to Wysox Creek CWF	Northcentral Regional Office Water Management Program 208 West Third Street Suite 101 Williamsport, PA 17701 (570) 327-3664

*General Permit Type—PAG-8**Facility Location:
Municipality &
County*

<i>Facility Location: Municipality & County</i>	<i>Permit No.</i>	<i>Applicant Name & Address</i>	<i>Site Name & Location</i>	<i>Contact Office & Phone No.</i>
Union Township Lebanon County	PAG083531	Northern Lebanon County Authority P. O. Box 434 Jonestown, PA 17038	Jonestown Wastewater Treatment Plant 400 Jonestown Road Jonestown, PA 17038	DEP—SCRO 909 Elmerton Avenue Harrisburg, PA 17110-8200 (717) 705-4707

*General Permit Type—PAG-8 (SSN)**Facility Location:
Municipality &
County*Windsor Township
Berks County*Permit No.*PAG080002
PAG080005
PAG080011
PAG080013
PAG080017
PAG080018
PAG080020
PAG083518
PAG083522
PAG083533
PAG083551*Applicant Name &
Address*Jesse Baro, Inc.
157 Quarry Road
Douglasville, PA 19518*Site Name &
Location*Ray, Barbara and Keith
Seidel Farms*Contact Office &
Phone No.*DEP—SCRO
909 Elmerton Avenue
Harrisburg, PA
17110-8200
(717) 705-4707*General Permit Type—PAG-10**Facility Location:
Municipality &
County*Chanceford,
Hellam,
Lower Chanceford,
Lower Windsor
and
Windsor Townships
York County*Permit No.*

PAG053535

*Applicant Name &
Address*Texas Eastern
Transmission, LP
890 Winter Street
Suite 300
Waltham, MA 02451*Receiving
Water/Use*UNT to Otter Creek
CWF
Beaver Creek
CWF
UNT to Mill Branch
WWF
and South Fork Otter
Creek
WWF
Susquehanna River
WWF
UNT of Kreutz Creek
WWF
and Kreutz Creek
WWF
Wallace Run
CWF
and UNT to Muddy
Creek
TSF
UNT to Kreutz Creek
WWF
Fishing Creek
TSF
and UNT to Fishing
Creek
CWF*Contact Office &
Phone No.*DEP—SCRO
909 Elmerton Avenue
Harrisburg, PA 17110
(717) 705-4800East Donegal
Township
Lancaster County

PAG053536

Texas Eastern
Transmission, LP
890 Winter Street
Suite 300
Waltham, MA 02451Susquehanna River
WWFDEP—SCRO
909 Elmerton Avenue
Harrisburg, PA 17110
(717) 705-4800Saint Thomas,
Hamilton and
Guilford Townships
Franklin County

PAG053537

Texas Eastern
Transmission, LP
890 Winter Street
Suite 300
Waltham, MA 02451UNT to Campbell Run
CWF
UNT to Conococheague
Creek
WWF
and
Conococheague Creek
WWF
UNT to Conococheague
Creek
WWFDEP—SCRO
909 Elmerton Avenue
Harrisburg, PA 17110
(717) 705-4800

*Facility Location:
Municipality &
County*

Reading and
Tyrone Townships
Adams County

Permit No.
PAG053538

*Applicant Name &
Address*

Texas Eastern
Transmission, LP
890 Winter Street
Suite 300
Waltham, MA 02451

*Receiving
Water/Use*

South Branch Mud Run
WWF
UNT of Conewago Creek
WWF

*Contact Office &
Phone No.*

DEP—SCRO
909 Elmerton Avenue
Harrisburg, PA 17110
(717) 705-4800

Harrison Township
Bedford County

PAG053539

Texas Eastern
Transmission, LP
890 Winter Street
Suite 300
Waltham, MA 02451

Milligan Run
WWF
UNT to Buffalo Run
WWF

DEP—SCRO
909 Elmerton Avenue
Harrisburg, PA 17110
(717) 705-4800

General Permit Type—PAG-12

*Facility Location:
Municipality &
County*

Lancaster County
Pequea Township

Permit No.
PAG123677

*Applicant Name &
Address*

Jonathon M. Hess
1402 West Penn Grant
Road
Lancaster, PA
17603-9664

*Receiving
Water/Use*

Silver Mine Run
TSF/7K

*Contact Office &
Phone No.*

DEP—SCRO
Watershed Management
909 Elmerton Avenue
Harrisburg, PA 17110
(717) 705-4802

STATE CONSERVATION COMMISSION

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

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

Persons aggrieved by any action may appeal under section 517 of Act 38, section 4 of the Environmental Hearing Board Act (35 P. S. § 7514) and 2 Pa.C.S. §§ 501—508 and 701—704 (relating to Administrative Agency Law) to the Environmental Hearing Board, Second Floor, Rachael Carson State Office Building, 400 Market Street, P. O. Box 8457, Harrisburg, PA 17105-8457, (717) 787-3483. TDD users should contact the Environmental Hearing Board (Board) through the Pennsylvania AT&T Relay Service at (800) 654-5984. Appeals must be filed with the Board within 30 days of publication of this notice in the *Pennsylvania Bulletin*. Copies of the appeal form and the Board's rules of practice and procedure may be obtained from the Board. The appeal form and the Board's rules of practice and procedure are also available in Braille or on audiotape from the Secretary of the Board at (717) 787-3483. This paragraph does not, in and of itself, create any right of appeal beyond that permitted by applicable statutes and decision law.

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

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

CAFO PUBLIC NOTICE SPREADSHEET—ACTIONS

<i>Agricultural Operation Name and Address</i>	<i>County</i>	<i>Total Acres</i>	<i>Animal Equivalent Units</i>	<i>Animal Type</i>	<i>Special Protection Waters (HQ or EV or NA)</i>	<i>Approved or Disapproved</i>
McClay's Farm 7597 McClays Mill Road Newburg, PA 17240	Franklin	162	639.3	Swine	NA	Approved

PUBLIC WATER SUPPLY (PWS) PERMITS

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

Persons aggrieved by an action may appeal, under section 4 of the Environmental Hearing Board Act (35 P. S. § 7514) and 2 Pa.C.S. §§ 501—508 and 701—704 (relating to the Administrative Agency Law), to the Environmental Hearing Board, Second Floor, Rachel Carson State Office Building, 400 Market Street, P. O. Box 8457, Harrisburg, PA 17105-8457, (717) 787-3483. TDD users should contact the Environmental Hearing Board (Board) through the Pennsylvania 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

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

Permit No. 4008506, Public Water Supply.

Applicant	CAN DO, Inc. 125 South Church Street Hazleton, PA 18201 Butler Township
County	Luzerne
Type of Facility	PWS
Consulting Engineer	Jacqueline A. Peleschak, P. E. Alfred Benesch & Company 400 One Norwegian Plaza P. O. Box 1090 Pottsville, PA 17901
Permit to Construct Issued	April 13, 2009

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

Permit No. 3608524, Public Water Supply.

Applicant	City of Lancaster
Municipality	Manheim Township

County	Lancaster
Type of Facility	Installation of a new chlorine booster station at Hess Boulevard
Consulting Engineer	Matthew D. Warfel The ARRO Group, Inc. 270 Granite Run Drive Lancaster, PA 17601-6804
Permit to Construct Issued	April 14, 2009

Permit No. 2208507, Public Water Supply.

Applicant	Tulpehocken Spring Water, Inc.
Municipality	Gratz Borough
County	Dauphin
Type of Facility	Reconstruction of the spring source.
Consulting Engineer	Thomas G. Pullar, P. E. EarthRes Group, Inc. P. O. Box 468 Pipersville, PA 18947
Permit to Construct Issued	April 14, 2009

Operations Permit issued to **Bedford Township Municipal Authority**, 4050037, Bedford Borough, **Bedford County** on April 14, 2009, for the operation of facilities approved under Construction Permit No. 0506503.

Operations Permit issued to **Harpers Tavern**, 7380375, East Hanover Township, **Lebanon County** on April 16, 2009, for the operation of facilities approved under Construction Permit No. 3807504.

Operations Permit issued to **Mary Couch**, 4310875, Jackson Township, **Huntingdon County** on April 8, 2009, for the operation of facilities approved under Construction Permit No. 3108503.

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

Permit No. Minor Amendment—Construction, Public Water Supply.

Applicant	Williamsport Municipal Water Authority
Municipality	City of Williamsport
County	Lycoming
Type of Facility	Sandblasting and repainting of East Tank T-2
Consulting Engineer	LaRue VanZile 253 West Fourth Street Williamsport, PA 17701-6113
Permit to Construct Issued	March 23, 2009

Operations Permit issued to **Suburban Lock Haven Water Authority**, 326 Main Street, Mill Hall, PA 17751, (PWSID No. 4180049) Lock Haven Area, **Clinton County** on April 15, 2009, to add a finished water storage tank for the Lamar Township Business Park and upgrade the pump station to accommodate the tank under Construction Permit No. 1807503.

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

Operations Permit issued to **Municipal Authority of Westmoreland County**, 124 Park and Pool Road, New Stanton, PA 15601, (PWSID No. 5650032) Allegheny Township, **Westmoreland County** on April 9, 2009, for the operation of facilities approved under Construction Permit No. 6507510MA.

Permit No. 6509501MA, Minor Amendment, Public Water Supply.

Applicant	Municipal Authority of Westmoreland County 124 Park and Pool Road New Stanton, PA 15601
Borough or Township	City of Greensburg
County	Westmoreland
Type of Facility	Cabin Hill water storage tank
Consulting Engineer	The EADS Group, Inc. 450 Aberdeen Drive Somerset, PA 15501
Permit to Construct Issued	April 9, 2009

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

Permit No. 8303W-MA7, Public Water Supply.

Applicant	Sharpsville Borough
Township or Borough	Sharpsville Borough
County	Mercer County
Type of Facility	Public Water Supply
Consulting Engineer	Mark V. Glenn, P. E.
Permit to Construct Issued	April 15, 2009

Permit No. 4308501, Public Water Supply.

Applicant	South Pymatuning Township
Township or Borough	South Pymatuning Township
County	Mercer County
Type of Facility	Public Water Supply
Consulting Engineer	Peter Kusky, P. E.
Permit to Construct Issued	April 15, 2009

WATER ALLOCATIONS

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

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

Permit WA 43-1004. Borough of Sharpsville, 1 South Walnut Street, Sharpsville, PA 16150-1258, Sharpsville Borough, **Mercer County**. The permit grants the applicant's right to acquire a maximum of 1,500,000 gpd on a peak day basis, through the interconnections at: 1) North Buhl Farm and Rockwell Drives; and 2) Hall Avenue and 18th Street, from Aqua Pennsylvania, Inc. The Borough of Sharpsville serves customers located in Sharpsville Borough and South Pymatuning Township, **Mercer County**.

Permit issued April 15, 2009.

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:

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

Mench Residence, Concord Township, Delaware County. Dan Ruch, Underwood Engineering, 143 Harding Avenue, Bellmawr, NJ 18031 on behalf of Robert Mench, 1120 Clayton Greenspring Road, Smyra, DE, 19977 has submitted a Final Report concerning remediation of site soil and groundwater contaminated with unleaded gasoline and lead. The report is intended to document remediation of the site to meet the Statewide Health Standard.

Franklin Commons, Phoenixville Borough, Chester County. Shaun Gilday, Environmental Standards, 1140 Valley Forge Road, Valley Forge, PA 19460, Roger Tartaglia, Center Point Tank Services, 563 East Benjamin Franklin Highway, Douglassville, PA 19518 on behalf of David Moskowicz, Palma, LP, 400 Franklin Avenue,

Phoenixville, PA 19460 has submitted a Final Report concerning remediation of site soil contaminated with use motor oil and new motor oil. The report is intended to document remediation of the site to meet the Statewide Health Standard.

Cogins Corporation, Lower Gwynedd Township, **Montgomery County**. John Ash, AMO Environmental Decision, 4327 Point Pleasant Pike, P. O. Box 410 on behalf of Edward Vanyo, Cognis Corporation, 300 Brookside Avenue, Ambler, PA 19002 has submitted a Final Report concerning remediation of site groundwater and soil contaminated with other organic. The report is intended to document remediation of the site to meet the Statewide Health and Site-Specific Standards.

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

2020 Building, 2020 Hamilton Street, Allentown City, **Lehigh County**. Alexander Ulmer, Barry Isett & Associates, Inc., P. O. Box 147, Trexlertown, PA 18087-0147 has submitted a Final Report (on behalf of his clients Raymond and Thelma Holland, c/o Timothy Fallon, 405 West Linden Street, Allentown, PA 18102-3454), concerning the remediation of soil found to have been impacted by hexavalent chromium within a former process water vault as a result of metal cleaning and painting operations at a former facility located at this property. The report was submitted to document attainment of the Statewide Health Standard. A public notice regarding the submission of the Final Report was published in *The Morning Call* on March 13, 2009.

Former Grube Service Station, 228 Cattell Street, Easton City, **Northampton County**. Christopher T. Kotch and Keith A. Valentine, Barry Isett & Associates, Inc., P. O. Box 147, 85 South Route 100 and Kessler Lane, Trexlertown, PA 18087 have submitted a Final Report (on behalf of their client, Lafayette College, 630 Parson Street, Easton, PA 18042), concerning the remediation of soils found to have been impacted by waste oil/lead as a result of an accidental release from an unregulated underground storage tank. The report was submitted to document attainment of the Statewide Health Standard. A public notice regarding the submission of the Final Report was published in *The Morning Call* on March 21, 2009.

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

Cumberland Technology Park Site, Hampden Township, **Cumberland County**. BL Companies, 213 Market Street, 6th Floor, Harrisburg, PA 17101, on behalf of John Harbilas, 33 North Second Street, Harrisburg, PA 17011, submitted a Final Report concerning remediation of groundwater contaminated with chlorinated solvents. The report is intended to document remediation of the site to meet a combination of the Statewide Health and Site-Specific Standards.

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

Growmark F.S., Inc. (Pleasant Gap Crop Center), Spring Township, **Centre County**. Groundwater Sciences Corp., 2601 Market Place Street, Suite 310, Harrisburg, PA 17701 on behalf of Growmark F.S., Inc., 308 NE Front Street, Milford, DE 19963 has submitted a Final Report concerning remediation of site soil and groundwater contaminated with herbicides and fertilizers. The report is intended to document remediation of the site to meet the Site-Specific Standard.

Bulkmatic, Old Lycoming Township, **Lycoming County**. Northridge Group, Inc., 1172 Ridge Road, Northumberland, PA 17857 on behalf of Bulkmatic, 2001 North Cline Avenue, Griffith, IN 46319 has submitted a Final Report within 90-days of the release concerning remediation of site soil contaminated with diesel fuel at the Stroehman's Bakery facility. The report is intended to document remediation of the site to meet the Statewide Health Standard.

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

Erie Golf Course Expansion Parcel 33-186-553-25, Millcreek Township, **Erie County**. Environmental Remediation & Recovery, Inc., 4250 Route 6N, Edinboro, PA 16412 on behalf of The City of Erie, 626 State Street, Erie, PA 16501, has submitted a Remedial Investigation Report and Cleanup Plan concerning remediation of site soil contaminated with arsenic and nonmedia solids including glass, rubber, wood, concrete and small metal containers and site groundwater contaminated with trichloroethylene and vinyl chloride. The Remedial Investigation Report and Cleanup Plan are intended to document the investigation and remediation of the site soil and nonmedia solids to meet the Site-Specific Standard and groundwater to meet the Statewide Health Standard.

LAND RECYCLING AND ENVIRONMENTAL REMEDIATION

UNDER ACT 2, 1995

PREAMBLE 3

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

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

is compiled into the baseline environmental report to establish a reference point to show existing contamination, describe proposed remediation to be done and include a description of existing or potential public benefits of the use or reuse of the property. The Department may approve or disapprove plans and reports submitted. This notice provides the Department's decision and, if relevant, the basis for disapproval.

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

The Department has received the following plans and reports:

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

Rite Aid, Pennsburg Borough, **Montgomery County**. John Kane, Kane Environmental, 3831 Stone Way North, Seattle, WA 98103 on behalf of Ray Renner, Gundaker Commercial Group, 100 Chesterfield Business Parkway, Suite 300, St. Louis, MD 63005 has submitted a Final Report concerning the remediation of site groundwater and soil contaminated with leaded gasoline. The Final Report demonstrated attainment of the Statewide Health Standard and was approved by the Department of Environmental Protection on April 3.

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

Bourdeau Property, 137 South 11th Street, Easton City, **Northampton County**. Shaun Gilday, Environmental Standards, Inc., P. O. Box 810, Valley Forge, PA 19482 submitted a Final Report (on behalf of his client, James Bourdeau, 4200 Myriah Court, Bethlehem, PA 18020), concerning the remediation of soil found to have been impacted by No. 2 fuel oil as a result of a release, which caused an overflow to the basement floor during the refueling of a nonregulated 275-gallon aboveground storage tank and a release from the mouth of the fill port of the aboveground storage tank to the concrete sidewalk area. The report documented attainment of the Residential Statewide Health Standard and was approved on April 6, 2009. The report was originally submitted within 90 days of the release.

Central Air Freight Services, Inc., 23rd and Peace Streets, Hazle Township, **Luzerne County**. Douglas E. Fiske, United Environmental Services, Inc., 86 Hillside Drive, Drums, PA 18222 submitted a Final Report and multiple addendums (on behalf of his client, Triple K Leasing, LLC, 425 Jaycee Drive, West Hazleton, PA 18202), concerning the remediation of soils found to have been impacted by No. 2 fuel oil as a result of an accidental release, during tank closure activities, from an unregulated underground storage tank. The report documented attainment of the Residential Statewide Health Standard and was approved on April 13, 2009.

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

Former Getty Service Station 67628, Hanover Borough, **York County**. Tyree Environmental Corporation, 2702 Cindel Drive, Suite 7, Cinnaminon, NJ 08077, on

behalf of Getty Realty Group, 125 Jericho Turnpike, Suite 103, Jericho, NY 11753, submitted a Final Report concerning remediation of site soils contaminated with No. 2 fuel oil. The Final Report demonstrated attainment of the Residential Statewide Health Standard and was approved by the Department of Environmental Protection on April 17, 2009.

Appalachian RV Resort, Upper Bern Township, **Berks County**. BL Companies, 213 Market Street, 6th Floor, Harrisburg, PA 17101, on behalf of MHC Appalachian, LP, Two North Riverside Plaza, Suite 800, Chicago, IL 60606, submitted a Final Report concerning remediation of site soils contaminated with arsenic and lead. The Final Report demonstrated attainment of the Residential Statewide Health Standard and was approved by the Department of Environmental Protection on April 17, 2009.

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

Rohrer Bus Co., Fairfield Road Accident, East Buffalo Township, **Union County**. Northridge Group Inc., 1172 Ridge Road, Northumberland, PA 17857 on behalf of Rohrer Bus Co., P. O. Box 100, Duncannon, PA 17028 has submitted a Final Report within 90 days of the release concerning remediation of site soil contaminated with motor oil. The Final Report demonstrated attainment of the Statewide Health Standard and was approved by the Department of Environmental Protection on April 13, 2009.

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

Erie Golf Course Expansion Parcel 33-186-553-25, Millcreek Township, **Erie County**. Environmental Remediation & Recovery, Inc., 4250 Route 6N, Edinboro, PA 16412 on behalf of The City of Erie, 626 State Street, Erie, PA 16501, has submitted a Remedial Investigation Report and Cleanup Plan concerning remediation of site soil contaminated with arsenic and nonmedia solids including glass, rubber, wood, concrete and small metal containers and site groundwater contaminated with trichloroethylene and vinyl chloride. The Remedial Investigation Report and Cleanup Plan were approved by the Department of Environmental Protection on April 10, 2009.

Honeywell Farmers Valley South of Cole Creek (Farmers Valley Wax Plant—Area South of Cole Creek), Keating Township, **McKean County**. URS Corporation, Foster Plaza 4, 501 Holiday Drive, Suite 300, Pittsburgh, PA 15220, on behalf of Pennzoil-Quaker State Company, d/b/a SOPUS Products, 12700 Northborough Drive 300 E-11, Houston, TX 77067, has submitted a Cleanup Plan concerning remediation of site soil and site groundwater contaminated with compounds related to petroleum refining. The Cleanup Plan was approved by the Department of Environmental Protection on April 20, 2009.

RESIDUAL WASTE GENERAL PERMITS

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

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

General Permit No. WMGR096SE003. Jones & Losito, Inc., P. O. Box 485, 181 Willow Street, Toughkenamon, PA 19374. The beneficial use of regulated fill, as defined in Guidance Document 258-2182-773, as a construction material. The permit was renewed by the Division of Municipal and Residual Waste on April 13, 2009.

Persons interested in reviewing the general permit should contact the Division of Municipal and Residual Waste, Bureau of Waste Management, Rachel Carson State Office Building, P. O. Box 8472, Harrisburg, PA 17105-8472, (717) 787-7381. TDD users should contact the Department of Environmental Protection through the Pennsylvania AT&T Relay Service, (800) 654-5984.

REGISTRATION FOR GENERAL PERMIT—RESIDUAL WASTE

Registration Approved under the Solid Waste Management Act (35 P. S. §§ 6018.101—6018.1003); the Residual 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.

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

Registration Under General Permit No. WMGR064R003. Liberty Township, 2873 Mercer Butler Pike, Grover City, PA 16127.

General Permit Number WMGR064 authorizes the beneficial use of natural gas well brines for roadway pre-wetting, anti-icing and for roadway de-icing purposes to minimize the formation or development of bonded snow and ice to roadways and walkways. Central Office approved this registration for coverage under the general permit on April 15, 2009.

Persons interested in obtaining more information, or obtaining copies of the general permit should contact Ronald C. Hassinger, Chief, General Permits and Beneficial Use Section, Division of Municipal and Residual Waste, Bureau of Land Recycling and Waste Management, Rachel Carson State Office Building, P. O. Box 8472, Harrisburg, PA 17105-8472, (717) 787-7381. TDD users should contact the Department of Environmental Protection through the Pennsylvania AT&T Relay Service, (800) 654-5984.

DETERMINATION FOR APPLICABILITY FOR MUNICIPAL WASTE GENERAL PERMITS

Permits Issued under the Solid Waste Management Act (35 P. S. §§ 6018.101—6018.1003); the Municipal Waste Planning, Recycling and Waste Reduction Act (53 P. S. §§ 4000.101—4000.1904); and Municipal Waste Regulations for a General Permit to Operate Municipal Waste Processing Facilities and the Beneficial Use of Municipal Waste.

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

General Permit Application No. WMGM019D006. Rohrer's Quarry, Inc., 70 Lititz Road, Lititz, PA 17543.

General Permit Number WMGM019D006 is for the processing and beneficial use of: (i) concrete and asphalt as construction material; (ii) hardwood timber and uncontaminated soil to create topsoil and mulch for commercial purposes; and (iii) leaf and yard waste to produce compost generated at the Rohrer's Quarry, Inc. (Rohrer) facility, located in the Lititz Borough, **Lancaster County**. The general permit was issued by Central Office on April 15, 2009.

Persons interested in reviewing the general permit should contact Ronald C. Hassinger, Chief, General Permits and Beneficial Use Section, Division of Municipal and Residual Waste, Bureau of Land Recycling and Waste Management, P. O. Box 8472, Harrisburg, PA 17105-8472, (717) 787-7381. TDD users should contact the Department of Environmental Protection through the Pennsylvania AT&T Relay 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.

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

Permit Application No. 101603. Veolia ES Solid Waste of PA, R. D. 1, Route 6, Pittsfield, PA 16340, Pittsfield Township, Warren County. The application was for a major permit modification for daily tonnage increase at the Warren County Transfer Station. The permit was issued by the Northwest Regional Office on April 21, 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.

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

58-399-002GP5: Cabot Oil & Gas Corp. (900 Lee Street East, Charleston, WV 25301) on April 7, 2009, to construct and operate a third Natural Gas Compressor engine at their Teel Compressor Station site in Springville Township, **Susquehanna County**.

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

GP3-22-03081: John W. Gleim, Jr., Inc. (625 Hamilton Street, Carlisle, PA 17013) on April 15, 2009, for a Portable Nonmetallic Mineral Processing Plant under GP3 in Swatara Township, **Dauphin County**.

GP4-67-03064: Motor Technology, Inc. (515 Willow Springs Lane, York, PA 17406) on April 14, 2009, for a Burn Off Oven under GP4 in East Manchester Township, **York County**. This is a renewal of the GP4 permit.

GP9-2-05-03010: New Enterprise Stone & Lime Company, Inc. (P. O. Box 77, New Enterprise, PA 16664) on April 16, 2009, for Diesel or No. 2 fuel-fired Internal Combustion Engines in Snake Spring Township, **Bedford County**.

GP11-22-03081: John W. Gleim, Jr., Inc. (625 Hamilton Street, Carlisle, PA 17013) on April 15, 2009, for Nonroad Engines under GP11 in Swatara Township, **Dauphin County**.

GP19-36-03012: Herr & Sacco, Inc. (P. O. Box 99, Landisville, PA 17538) on April 16, 2009, for Dry Abrasive Blasting Operations under GP19 in Hempfield Township, **Lancaster County**.

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

GP14-26-00521: Uniontown Cremation Services (136 North Gallatin Avenue, Uniontown, PA 15401) on April 17, 2009, to operate one natural gas fired All Crematory Model No. 2000 Elite human crematory rated at 100 pph at their facility in the City of Uniontown, **Fayette County**.

GP5-63-00936A: MarkWest Liberty Midstream and Resources, LLC (1515 Arapahoe Street, Tower 2, Suite 700, Denver, CO 80202-2126) on April 17, 2009, a change of ownership to operate a Wakesha L7042GSI compressor engine rated at 1,232 bhp/hr equipped with catalytic converter, an Ajax 2802 LE engine rated at 384 bhp/hr and a TEG Dehydrator rated at .250 mmBtu/hr controlled by a flare at their Houston Gas Processing Plant at Chartiers Township, **Washington County**.

GP5-63-00942: MarkWest Liberty Midstream and Resources, LLC (1515 Arapahoe Street, Tower 2, Suite 700, Denver, CO 80202-2126) on April 17, 2009, a Change of Ownership to operate two Caterpillar G3516 LE compressor engines each rated at 1,340 bhp/hr, a Natco Dehydrator rated at .275 mmBtu/hr controlled by an open flare and two 400-bbl condensate tanks equipped with vapor recovery at their Dryer Booster Compressor Station at Independence Township, **Washington County**.

GP5-63-00933A: MarkWest Liberty Midstream and Resources, LLC (1515 Arapahoe Street, Tower 2, Suite 700, Denver, CO 80202-2126) on April 17, 2009, a Change of Ownership to operate four Caterpillar G3516 LE compressor engines each rated at 1,340 bhp/hr equipped with Miratech oxidation catalyst, two Natco Dehydrator each rated at .275 mmBtu/hr controlled by an open flare and two 400-bbl condensate tanks equipped with vapor recovery at their Johnston Booster Compressor Station located at Chartiers Township, **Washington County**.

GP5-63-00934A: MarkWest Liberty Midstream and Resources, LLC (1515 Arapahoe Street, Tower 2, Suite 700, Denver, CO 80202-2126) on April 15, 2009, a Change of Ownership to operate four Caterpillar G3516 LE compressor engines each rated at 1,340 bhp/hr and two Natco Dehydrators each rated at .275 mmBtu/hr controlled by a flare at their Godwin Booster Compressor Station at Mount Pleasant Township, **Washington County**.

GP5-63-00938: MarkWest Liberty Midstream and Resources, LLC (1515 Arapahoe Street, Tower 2, Suite 700, Denver, CO 80202-2126) on April 15, 2009, a Change of Ownership to operate two Caterpillar G3516 LE compressor engines each rated at 1,340 bhp/hr and a Natco Dehydrators rated at .275 mmBtu/hr controlled by a flare

at their Hoskins Booster Compressor Station at Donegal Township, **Washington County**.

GP5-63-00937A: MarkWest Liberty Midstream and Resources, LLC (1515 Arapahoe Street, Tower 2, Suite 700, Denver, CO 80202-2126) on April 15, 2009, a Change of Ownership for to operate two Caterpillar G3516 LE compressor engines each rated at 1,340 bhp/hr and a Natco Dehydrators rated at .275 mmBtu/hr controlled by a flare at their Fulton Booster Compressor Station located at Mount Pleasant Township, **Washington County**.

GP5-63-00939: MarkWest Liberty and Resources, LLC (1515 Arapahoe Street, Tower 2, Suite 700, Denver, CO 80202-2126) on April 15, 2009, a Change of Ownership to operate two Caterpillar G3516 LE compressor engines each rated at 1,340 bhp/hr and a Natco Dehydrator rated at .275 mmBtu/hr controlled by an open flare at their Nancy Stewart Compressor Station at Mount Pleasant Township, **Washington County**.

GP5-63-00940A: MarkWest Liberty and Resources, LLC (1515 Arapahoe Street, Tower 2, Suite 700, Denver, CO 80202-2126) on April 15, 2009, a Change of Ownership to operate four Caterpillar G3516 LE compressor engines each rated at 1,340 bhp/hr equipped with Miratech oxidation catalyst and two Natco Dehydrator each rated at .275 mmBtu/hr controlled by an open flare at their Shaw Booster Compressor Station at Chartiers Township, **Washington County**.

GP5-63-00947: MarkWest Liberty and Resources, LLC (1515 Arapahoe Street, Tower 2, Suite 700, Denver, CO 80202-2126) on April 15, 2009, a Change of Ownership to operate of four Caterpillar G3516 LE compressor engines each rated at 1,340 bhp/hr and a Natco Dehydrator rated at .275 mmBtu/hr controlled by a flare at their Lowry Booster Compressor Station at Hopewell Township, **Washington County**.

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

GP-20-294A: International Waxes, Inc. (1100 East Main Street, Titusville, PA 16354) on April 15, 2009, to operate a small gas and No. 2 Oil Fired Combustion Unit (BAQ-GPA/GP-1) in Titusville, **Crawford County**.

GP-20-299B: Kastle Resources Enterprises, Inc.—Pierpont Compressor Station (Partch Road and Route 198, Linesville, PA 16424) on April 16, 2009, to operate a natural gas fired compressor engine (BAQ-GPA/GP-5) in Beaver Township, **Crawford County**.

GP-62-172C: Glenn O. Hawbaker, Inc.—Brokenstraw Facility—Plant No. 22 (110 Muzzleloaders Lane, Pittsfield, PA 16340) on April 20, 2009, to operate a portable nonmetallic mineral processing plant (BAQ-GPA/GP-3) in Pittsfield Township, **Warren 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.

48-302-104: Reliant Energy Mid-Atlantic Power Holdings, LLC (121 Champion Way, Suite 200, Canonsburg, PA 15317-7625) on April 21, 2009, to install

a test control device on each of the two main boilers (Units 1 and 2) at the Portland Generating Station in Upper Mt. Bethel Township, **Northampton County**.

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

36-03121C: Cadmus Journal Services, Inc. (3575 Hempland Road, Lancaster, PA 17601-6912) on April 13, 2009, to install another web heatset offset printing press in their facility in West Hempfield Township, **Lancaster County**.

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

AMS 09006: Naval Support Activity (700 Robbins, Philadelphia, PA 19111-5098) on April 6, 2009, to replace to two existing boilers with two 32.65 mmBtu/hr Cleaver Brooks boilers firing No. 6 oil/natural gas in the City of Philadelphia, **Philadelphia County**. The new boilers will have the following combined potential annual emissions: 28.61 tons of PM. The Facility will be limited to less than 25 tons of NOx and 100 tons of SOx emissions per year.

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.

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

61-210B: Glenn O. Hawbaker, Inc.—Harrisville Plant (1041 Stevenson Road, Harrisville, PA 16038) on April 15, 2009, to modify a stack testing condition in an existing plan approval to construct an asphalt plant in Barkeyville Borough, **Venango County**.

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

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

66-00001: P & G Paper Products Co. (P. O. Box 32, Route 87, South, Mehoopany, PA 18629) on April 14, 2009, to operate a facility Title V Operating Permit in Washington Township, **Wyoming County**.

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

16-00010: Owens-Illinois, Inc.—Plant No. 17 (151 Grand Avenue, Clarion, PA 16214) on April 16, 2009, to re-issue a Title V Permit to operate a glass containers manufacturing facility in Clarion Borough, **Clarion County**. The facility's major emission sources include two glass melting furnaces, two refiners, seven forehearth, seven lehrs, raw material handling/storage, cullet handling/storage, batch gathering and mixing, hot end surface treatment, seven container forming machines, miscellaneous combustion sources, 66 space heaters, grit blasting, road fugitives and four degreaser units. The facility is major facility for Title V due to its potential to emit of NOx and SOx and not subject to CAM rule.

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

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

39-00022: Sunoco Partners MKT & Terminal LP—Fullerton Terminal (1735 Market Street, Philadelphia, PA 19103-7501) on April 7, 2009, to operate Bulk Petroleum Stations and Terminals in Whitehall Township, **Lehigh County**. This is a State-only Synthetic Minor operating permit.

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

06-05076: Quadrant EEP, Inc. (2120 Fairmont Avenue, P. O. Box 14235, Reading, PA 19612) on April 13, 2009, to operate their existing specialty plastic manufacturing operation in the City of Reading, **Berks County**. This is a renewal of the State-only operating permit.

36-03078: Hamilton Precision Metals (1780 Rohrerstown Road, Lancaster, PA 17601-2320) on April 14, 2009, to operate a metal rolling and finishing manufacturing facility in East Hempfield Township, **Lancaster County**. This is a renewal of the State-only operating permit.

67-03111: Fry Communications, Inc. (3310 Connelly Road, Emigsville, PA 17318) on April 16, 2009, for their lithographic printing operation at Building No. 5 in Manchester Township, **York County**. This is a renewal of the State-only operating permit.

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

S01-001: The Purolite Company (3620 G Street, Philadelphia, PA 19134) on April 9, 2009, to operate an ion exchange manufacturing facility in the City of Philadelphia, **Philadelphia County**. The facility's air emissions sources include one 4.2 mmBtu/hr boiler, two 8.4 mmBtu/hr boilers, a polymerization process (includes a Carrier Dryer, a Witte Dryer with a baghouse, a Fitzpatrick Dryer, an Aeromatic Dryer, a monomer tank that vents to a carbon adsorption unit and two reactors with a Perry Products Condenser), a sulfonation process, two 40,000-gal wastewater equalization tanks, a 11,000-gal styrene storage tank, copolymer fugitives and copolymer wastewater.

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

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

09-00052: Equipment Depot (10 Runway Road, Suite G, Levittown, PA 19057) on April 16, 2009, for operation of the spray booth at the manufacturing plant located in the Bristol Township, **Bucks County**. This operating permit (Natural Minor Operating Permit) was revoked because the facility is no longer in operation. All sources are shut down and have been removed from the site.

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 Applications Returned

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

30841602 and NPDES Permit No. PA0215562, Duquesne Light Company, (1800 Seymour Street, S-Loft, Pittsburgh, PA 15233), to revise the permit for the Warwick Mine No. 2 Preparation Plant in Monongahela Township, **Greene County** and related NPDES permit to dispose of gas well waste water into Warwick No. 2 Mine pool and increase NPDES effluent limits. Receiving stream: Whiteley Creek, classified for the following use: WWF. Application received September 2, 2008. Application withdrawn April 13, 2009.

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

49080103 and NPDES Permit No. PA0224707. Fox Coal Company, Inc., (1380 Tioga Street, Coal Township, PA 17866), commencement, operation and restoration of an anthracite surface mine and coal refuse reprocessing operation in Coal Township, **Northumberland County** affecting 674.0 acres, receiving stream: Coal Run and/or Shamokin Creek. Application received July 14, 2008. Application returned April 20, 2009.

Coal Permits Actions

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

11813015 and NPDES No. PA0607991. Cooney Brothers Coal Company, P. O. Box 246, Cresson, PA 16630, permit renewal for reclamation only of a bituminous surface mine in Gallitzin and Logan Townships, **Cambria and Blair Counties**, affecting 170.6 acres. Receiving streams: UNT to/and Kittanning Run, UNT to Glenwhite Run classified for the following use: CWF. The first downstream potable water supply intake from the point of discharge is Altoona City Blair County Authority Burgoon Run Glenwhite SWI. (There are no potable water supply intakes within 10 miles downstream.) Application received February 18, 2009. Permit issued April 14, 2009.

11803024 and NPDES No. PA0124524. Cooney Brothers Coal Company, P. O. Box 246, Cresson, PA 16630, permit renewal for reclamation only of a bituminous surface and auger mine in Dean Township, **Cambria County**, affecting 327.0 acres. Receiving streams: UNTs to/and Brubaker Run classified for the following use: CWF. There are no potable water supply intakes within 10 miles downstream. Application received February 18, 2009. Permit issued April 14, 2009.

32040102 and NPDES No. PA0249491. Britt Energies, Inc., 2450 Philadelphia Street, Indiana, PA 15701, permit renewal for reclamation only of a bituminous surface and auger mine in Center Township, **Indiana County**, affecting 201.2 acres. Receiving streams: UNT to Yellow Creek classified for the following use: CWF. There are no potable water supply intakes within 10 miles downstream. Application received February 12, 2009. Permit issued April 14, 2009.

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

02860201 and NPDES Permit No. PA0588407. IP Harmor Holdings, LLC (2929 Allen Parkway, Suite 2200, Houston, TX 77019). Transfer permit from Minerals Technology, Inc. for operation and reclamation of a coal refuse reprocessing surface mine, located in Harmor Township, **Allegheny County**, affecting 168.3 acres. Receiving stream: Guys Run. Transfer application received December 12, 2007. Permit issued April 14, 2009.

26030103 and NPDES Permit No. PA0250503. Amerikohl Mining, Inc. (202 Sunset Drive, Butler, PA 16001). Permit renewal issued for reclamation only of a bituminous surface mining site located in Nicholson Township, **Fayette County**, affecting 88.5 acres. Receiving streams: UNT to Cats Run and UNT to Jacobs Creek. Application received February 26, 2009. Renewal issued April 17, 2009.

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

24980102 and NPDES Permit No. PA0227781. Tamburlin Brothers Coal Co., Inc. (P. O. Box 1419, Clearfield, PA 16830) Renewal of an existing bituminous strip and auger operation in Fox Township, **Elk County** affecting 196.0 acres. Receiving streams: Limestone Run and Little Toby Creek. Application received February 11, 2009. Permit issued April 13, 2009.

61980103 and NPDES Permit No. PA0227846. Ben Hal Mining Company (389 Irishtown Road, Grove City, PA 16127) Renewal of an existing bituminous strip and limestone processing operation in Irwin Township, **Jefferson County** affecting 111.0 acres. Receiving streams: Five UNTs to Scrubgrass Creek. Application received February 18, 2009. Permit issued April 14, 2009.

33040102 and NPDES Permit No. PA0242519. MSM Coal Company, Inc. (P. O. Box 243, DuBois, PA 15801) Renewal of an existing bituminous strip operation in Union Township, **Jefferson County** affecting 35.0 acres. This renewal is issued for reclamation only. Receiving streams: UNT No. 1 to Little Mill Creek. Application received February 23, 2009. Permit issued April 15, 2009.

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

17070115 and NPDES No. PA0256641. Swisher Contracting, Inc. (P. O. Box 1223, Clearfield, PA 16830). Commencement, operation and restoration of a bituminous surface coal mine in Bradford Township, **Clearfield County**, affecting 36.2 acres. Receiving streams: Abes Run to the West Branch Susquehanna River, classified for the following use: CWF There are no potable water supply intakes within 10 miles downstream. Application received August 20, 2007. Permit issued April 14, 2009.

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

49080101. John P. Shingara, (6624 SR 225, Shamokin, PA 17972), commencement, operation and restoration of an anthracite surface mine operation in Zerbe Township, **Northumberland County** affecting 108.5 acres, receiving stream: none. Application received January 8, 2008. Permit issued April 16, 2009.

Noncoal Permits Actions

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

05920301 and NPDES Permit No. PA0212261. New Enterprise Stone & Lime Company, Inc., P. O. Box 77, Church Street, New Enterprise, PA 16664, renewal of NPDES Permit, Snake Spring Valley Township, **Bedford County**. Receiving streams: Cove Creek and Raystown Branch of the Juniata River classified for the following uses: EV and TSF. There are no potable water supply intakes within 10 miles downstream. Application received February 18, 2009. Permit issued April 14, 2009.

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

08080814. Harry Silvers (P. O. Box 13, Burlington, PA 18814). Commencement, operation and restoration of a quarry operation (flagstone) in Herrick Township, **Bradford County**, affecting 1.0 acre. Receiving streams: none. Application received October 20, 2008. Permit issued April 14, 2009.

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

39880302A1C6. Coplay Aggregates, Inc., (P. O. Box 58, Northampton, PA 18067), correction to an existing quarry operation in Whitehall Township, **Lehigh County** to delete 4.79 acres from the permitted area for a total of 29.29 permitted acres, receiving stream: none. Application received July 2, 2008. Correction issued April 15, 2009.

06070301 and NPDES Permit No. PA0224588. Glen-Gery Corporation, (P. O. Box 7001, Wyomissing, PA 19610), commencement, operation and restoration of a quarry operation and NPDES Permit for discharge of treated mine drainage in Perry Township, **Berks County** affecting 184.2 acres, receiving stream: UNTs to Schuylkill River. Application received May 2, 2007. Permit issued April 16, 2009.

58080834. Norman N. Norton, Sr., (R. R. 2, Box 135 C, New Milford, PA 18834), commencement, operation and restoration of a quarry operation in New Milford Township, **Susquehanna County** affecting 5.0 acres, receiving stream: none. Application received May 27, 2008. Permit issued April 16, 2009.

ACTIONS ON BLASTING ACTIVITY APPLICATIONS

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

Blasting Permits Actions

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

21094108. M & J Explosives, Inc., P. O. Box 608, Carlisle, PA 17013-0608, blasting activity permit issued for single dwelling development in South Middleton Township, **Cumberland County**. Blasting activity permit end date is March 31, 2010. Permit issued April 8, 2009.

21094110. M & J Explosives, Inc., P. O. Box 608, Carlisle, PA 17013-0608, blasting activity permit issued for highway/road development in Carlisle Borough and South Middleton Township, **Cumberland County**. Blasting activity permit end date is April 30, 2010. Permit issued April 8, 2009.

28094104. David H. Martin Excavating, Inc., 4961 Cumberland Highway, Chambersburg, PA 17201-9655, blasting activity permit issued for pipeline development in Letterkenny Township, **Franklin County**. Blasting activity permit end date is April 6, 2010. Permit issued April 8, 2009.

21094111. M & J Explosives, Inc., P. O. Box 608, Carlisle, PA 17013-0608, blasting activity permit issued for sanitary sewer development in Silver Spring Township, **Cumberland County**. Blasting activity permit end date is April 30, 2010. Permit issued April 9, 2009.

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

67094109. Warren's Excavating & Drilling, Inc., (P. O. Box 214, Myerstown, PA 17067), construction blasting for Arm & Hammer in Jackson Township, **York County** with an expiration of April 9, 2010. Permit issued April 14, 2009.

36094118. Warren's Excavating & Drilling, Inc., (P. O. Box 214, Myerstown, PA 17067), construction blasting for Lancaster County Bible Church in Rapho Township, **Lancaster County** with an expiration date of April 9, 2010. Permit issued April 15, 2009.

36094119. Warren's Excavating & Drilling, Inc., (P. O. Box 214, Myerstown, PA 17067), construction blasting for The Farm at Quarry Road in Manheim Township, **Lancaster County** with an expiration date of April 9, 2010. Permit issued April 15, 2009.

39094106. Warren's Excavating & Drilling, Inc., (P. O. Box 214, Myerstown, PA 17067), construction blasting for Hamilton Court in South Whitehall Township, **Lehigh County** with an expiration date of April 9, 2010. Permit issued April 15, 2009.

38094105. Abel Construction Co., Inc., (P. O. Box 476, Mountville, PA 17554), construction blasting for Arbor Greene in North Londonderry Township and Palmyra Borough, **Lebanon County** with an expiration date of April 13, 2010. Permit issued April 16, 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.

E09-930. Department of Transportation, 7000 Geerdes Boulevard, King of Prussia, PA 19406. New Britain Township, **Bucks County**, United States Army Corp of Engineers, Philadelphia District.

To construct and maintain a 22-foot wide, 5.20-foot rise box culvert across a UNT of the North Branch of Neshaminy Creek (TSF/MF). This project will temporarily impact 90 linear feet of stream and will permanently

impact 41 liner feet of stream. This work also includes the replacement of a 36-inch diameter CMP and associated riprap across a secondary UNT of the North Branch of Neshaminy Creek.

The project is located approximately 656 feet northeast of the intersection of Limekiln Pike (SR 0152) and New Galena Road (SR 4001) along New Galena Road in New Britain Township, Bucks County (Doylestown, PA USGS Quadrangle N: 10.47 inches; W: 13.04 inches).

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)).

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

E31-216: Turnpike Commission, P. O. Box 67676, Harrisburg, PA 17106-8706, Dublin Township, Huntingdon County, United States Army Corps of Engineers, Baltimore District.

To construct and maintain a 6-inch depressed, 95-inch wide by 67-inch high by 70-foot long corrugated metal arch pipe culvert in a UNT to North Branch Little Augwick Creek (HQ-CWF) and associated improvements to construct Frontage Road (T-301) and provide continued access for area residents, with the project located approximately 3,000 feet west of the Tuscarora Tunnel (Fanettsburg, PA Quadrangle N: 16.45 inches; W: 16.0 inches, Latitude: 40° 05' 26"; Longitude: 77° 51' 52") in Dublin Township, Huntingdon County.

E05-347: Borough of Everett Municipal Authority, Ronald R. Wright, Manager, 100 Mechanic Street, Everett, PA 15537-1177, Everett Borough, Bedford County, United States Army Corps of Engineers, Baltimore District.

To remove 3 units of 25-foot by 34-foot plastic media sludge drying beds and a 55-foot by 43-foot gravity sand sludge drying bed and then to construct and maintain 4 units of 60-foot by 50-foot and 3 units of 60-foot 45-foot reed sludge drying beds and related improvements at the existing sewage treatment plant, to improve the conditions located along the left bank floodplain of the Raystown Branch Juniata River about 2,000 feet south-east of the East Main Street and River Lane intersection (Everett East, PA Quadrangle N: 1.60 inches; W: 15.20 inches, Latitude: 40° 00' 30"; Longitude: 78° 21' 31") in Everett Borough, Bedford County.

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

E14-516. College Township, 1481 East College Avenue, State College, PA 16801. Walnut Run Pedestrian Bridge, in College Township, **Centre County**, United States Army Corps of Engineers, Baltimore District (State College, PA Quadrangle Latitude: 40° 48' 22"; Longitude: 77° 50' 13").

To construct and maintain a 4-foot wide by 28.5 foot long wooden bank-to-bank pedestrian bridge (to be known as the Walnut Run Pedestrian Bridge) with a maximum underclearance of 4 feet over Walnut Run located 75 feet southwest of the intersection of East College Avenue and Puddintown Road. This permit was issued under Section 105.13(e) "Small Projects." This permit also includes 401 Water Quality Certification.

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

E04-325. Department of Transportation, District 11-0, 45 Thoms Run Road, Bridgeville, PA 15017. To construct and maintain single span bridge in Marion Township, **Beaver County**, United States Army Corps of Engineers, Pittsburgh District (Zelienople, PA Quadrangle N: 6.25 inches; W: 15.4 inches, Latitude: 40° 47' 03", Longitude: 80° 14' 11"). To construct and maintain a 34.1 ft wide, 100 ft long single span bridge skewed 70° with an underclearance of 5.1 ft to replace the existing SR 588, 22 ft wide, 78 ft long, single span bridge skewed 55° with an underclearance of 4.5 ft over Brush Creek (WWF) with a drainage area of 47.8 square miles; construct and maintain associated rip rap scour protection; temporary stream diversion for construction; relocate or shift 20 feet southward 222 feet of adjoining Brush Creek; fill and maintain 0.04 acre of adjoining minimum PEM wetland; and to construct and maintain stormwater outfalls. The new bridge is located upstream and adjacent to the existing bridge. The project is located approximately 6 miles west of Zelienople.

E26-345-R. Joseph A. Hardy Connellsville Airport, 874 Airport Road, Lemont Furnace, PA 15456. To place and maintain fill and to construct and maintain channel relocation for the purpose of construction of an embankment at the south end of Runway 5/23 in Dunbar and North Union Townships, **Fayette County**, United States Army Corps of Engineers, Pittsburgh District (Uniontown, PA Quadrangle N: 14.9 inches; W: 5.3 inches, Latitude: 39° 57' 25"; Longitude: 79° 39' 47").

1. To place and maintain fill for a distance of approximately 639 linear feet in a UNT No. 1 of Redstone Creek (WWF);

2. To place and maintain fill for a distance of approximately 340 linear feet in a UNT No. 3 of Redstone Creek (WWF);

3. To construct and maintain a channel relocation for a length of 865 feet to replace the loss of a UNT No. 1 of Redstone Creek (WWF) and a UNT No. 3 of Redstone Creek (WWF);

4. To place and maintain fill within the floodway of 550 linear feet of the channel described previously;

5. To construct and maintain an outfall structure and emergency spillway of a stormwater detention pond to a UNT No. 1 of Redstone Creek (WWF);

6. To place and maintain fill in 0.36 acre of wetland and to indirectly impact 0.03 acre of wetland;

7. To add natural substrate for a distance of approximately 150 linear feet in a UNT No. 4 of Redstone Creek (WWF);

8. To add rip rap for a distance of approximately 10 linear feet in a UNT No. 4 of Redstone Creek (WWF);

9. To compensate for the wetland impact, the applicant will construct and maintain 0.42 acre of wetland onsite;

10. To construct a temporary crossing across a UNT No. 1 of Redstone Creek (WWF) for the purpose of construction of an embankment at the south end of Runway 5/23 at the Joseph Hardy Connellsville Airport.

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

E10-435, Community Development Corporation of Butler County, 122 Woody Drive, Butler, PA 16001. Pullman Center Business Park, in Butler Township and City of Butler, **Butler County**, United States Army Corps of Engineers, Pittsburgh District (Butler, PA Quadrangle N: 41° 51' 00"; W: 79° 54' 29").

To install and maintain a 42-inch diameter stormwater outfall, concrete endwall and rock riprap outlet protection apron along the right bank of Connoquenessing Creek approximately 1,150 feet upstream of the SR 3001 bridge for the discharge of stormwater from the proposed Pullman Center Business Park commercial/industrial development expansion on the former Trinity Industries, Inc. (a/k/a Pullman Standard) site along SR 3001.

E25-718, Laughlin Stream Enclosure Project. Jerry and Elizabeth Laughlin, 9058 Paula Way, McKean, PA 16426, in McKean Borough, **Erie County**, United States Army Corps of Engineers, Pittsburgh District (Edinboro North, PA Quadrangle N: 41° 59' 42"; W: 80° 8' 49").

To construct and maintain a 160-foot-long, 4.5-foot-diameter HDPE plastic stream enclosure in a UNT Lamson Run on the property at 9058 Paula Way to protect an existing home adjacent to the stream. Lamson Run is a perennial stream classified as a MF and a CWF. This project proposes to impact approximately 170 feet of stream.

E42-343, University of Pittsburgh, 3400 Forbes Avenue, Pittsburgh, PA 15260. Bradford Campus Chapel and Multipurpose Facility, **McKean County**, United States Army Corps of Engineers, Pittsburgh District (Bradford, PA Quadrangle N: 41° 56' 31"; W: 78° 40' 24").

The applicant proposes to remove the existing tennis courts and to construct and maintain a chapel and multipurpose facility on the University of Pittsburgh Bradford Campus within the FEMA 100-year floodplain of the West Branch of Tunungwant Creek involving a net removal of 22 cubic yards of material/earth from the FEMA floodplain. West Branch of Tunungwant Creek is a perennial stream classified as a CWF.

DAM SAFETY

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

D64-190. Terrance Campbell, 5 Pine Street, Honesdale, PA 18431. To modify, operate and maintain Rosner Pond Dam across a tributary to the Lackawaxen River (HQ-CWF), with no proposed impacts to wetlands or the stream channel, for the purpose of rehabilitating the existing dam and increasing spillway capacity to ensure compliance with Commonwealth Regulations (Aldenville, PA Quadrangle N: 4.7 inches; W: 14.4 inches) in Clinton Township, **Wayne County**.

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 individu-

als should show this notice to a lawyer at once. If individuals cannot afford a lawyer, individuals 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 & Address</i>	<i>County</i>	<i>Municipality</i>	<i>Receiving Water/Use</i>
ESCGP-1 0809811-04	Fortuna Energy, Inc. 337 Daniel Zenker Drive Horseheads, NY 14845	Bradford	Troy Township	South Branch Sugar Creek TSF
ESCGP-1 0809811-05	Fortuna Energy, Inc. 337 Daniel Zenker Drive Horseheads, NY 14845	Bradford	Troy Township	South Branch Sugar Creek TSF
ESCGP-1 5909801	Doug Kepler Seneca Resources 300 Essjay Road, Suite 150 Williamsville, NY 14221	Tioga	Covington Township	UNT to Tioga River CWF
ESCGP-1 5909804	Scott Blauvelt East Resources, Inc. 351 Brush Creek Road Warrendale, PA 15086	Tioga	Charleston and Richmond Townships	UNT to Tioga River CWF
ESCGP-1 5909805	Scott Blauvelt East Resources, Inc. 351 Brush Creek Road Warrendale, PA 15086	Tioga	Covington Township	UNT to Tioga River CWF

SPECIAL NOTICES

Public Notice of Extension to Pennsylvania General NPDES Permit for Stormwater Discharges Associated with Industrial Activities (PAG-03)

Under The Pennsylvania Clean Streams Law (35 P. S. §§ 691.1—691.101), sections and 1905-A, 1917-A and 1920-A of The Administrative Code of 1929 (71 P. S. §§ 510-5, 510-17 and 510-20), the Department of Environmental Protection (Department) by this notice informs the public of the extension to Department’s NPDES Stormwater General Permit (PAG-03) for Discharges of Stormwater Associated with Industrial Activities, the Notice of Intent and other related permit documents, for 1 year, effective from June 5, 2009, through June 4, 2010. The current General Permit will expire at midnight June 4, 2009, unless rescinded by the Department at an earlier date. The Department is extending this permit to adequately complete the renewal of PAG-03.

This General Permit will continue to be not applicable for stormwater discharges to “high quality” and “exceptional value” waters designated under 25 Pa. Code Chapter 93. An individual permit is required for such discharges.

The Department will continue to use Standard Industrial Classification Codes, as per the Environmental Protection Agencies guidance, to define the categories of industrial activities covered by this permit.

The permit documents package will continue to be available at the Department’s central and regional offices until they are updated or replaced.

In addition, the permit documents package can still be accessed at the Department’s web site at www.dep.state.pa.us

By selecting Permits, Licensing & Certification in the left side column under “Quick Access,”

Select The Department-Wide Permits/Authorization Packages in the middle of the 4th paragraph, to get to the Department’s eLibrary.

- Select Permit & Authorization Packages,
- Select Water Management,
- Select NPDES,
- Select General Permits,
- Select PAG-03 Discharges of Stormwater Associated with Industrial Activities.

The document number is: 3800-PM-WSFR008a through z.

or by contacting the Department’s Bureau of Water Standards and Facility Regulation, P. O. Box 8467, Harrisburg, PA 17105-8467, (717) 787-8184, gmaduka@state.pa.us

Persons with a disability may use the Pennsylvania AT&T Relay Service by calling (800) 654-5984 (TDD users) or (800) 654-5988 (voice users).

JOHN HANGER,
Secretary

[Pa.B. Doc. No. 09-805. Filed for public inspection May 1, 2009, 9:00 a.m.]

Availability for Public Comment; Proposal to Establish a Mercury Thermostat Collection and Recycling Program

The Department of Environmental Protection (Department) has received a plan to establish a Mercury Thermostat Collection and Recycling Program from EWC Controls, Inc., Englishtown, NJ. The submittal of this plan is required by the Mercury-Free Thermostat Act (Act 97 of 2008). Act 97 requires each manufacturer of mercury thermostats that have been sold in this Commonwealth to, individually or collectively, establish and maintain a Department-approved collection and recycling program for out-of-service mercury thermostats from wholesalers, contractors and retailers, service technicians and homeowners. This notice announces the opportunity for interested parties to review and comment on this proposed plan.

Written comments concerning EWC Controls, Inc.'s proposed Mercury Thermostat Collection and Recycling Program plan may be submitted to Glenn Mitzel, Department of Environmental Protection, Bureau of Waste Management, Division of Hazardous Waste Management, P. O. Box 8471, Harrisburg, PA 17105. Public comments on this proposed plan must be received by June 1, 2009. Comments submitted by facsimile will not be accepted. Comments received within the comment period will be considered in the review and approval of EWC Controls, Inc.'s Collection and Recycling Program. 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 the comment.

Persons interested in obtaining more information or a paper copy of the proposed plan should contact Glenn Mitzel by e-mail at gmitzel@state.pa.us or by telephone at (717) 787-6239. TDD users may contact the Department through the Pennsylvania AT&T Relay Service at (800) 654-5984 to obtain a copy of the proposed plan or to submit comments. The proposed plan is also accessible on the Department's web site at www.depweb.state.pa.us (DEP Keyword: Mercury). The Department will provide public notice upon final approval of the plan.

JOHN HANGER,
Secretary

[Pa.B. Doc. No. 09-806. Filed for public inspection May 1, 2009, 9:00 a.m.]

Pennsylvania's 2010 Ambient Air Monitoring Network Plan Available for Public Inspection

On October 17, 2006, the United States Environmental Protection Agency (EPA) promulgated final amendments to the National ambient air monitoring requirements for criteria pollutants at 40 CFR Parts 53 and 58 (relating to ambient air monitoring reference and equivalent methods; and ambient air quality surveillance). See 71 FR 61236 (October 17, 2006). The EPA's final rule requires state and local agencies to enhance air monitoring to "improve public health protection and better inform the public about air quality in their communities." Section 58.10 of 40 CFR (relating to annual monitoring network plan and periodic network assessment) requires that monitoring agencies adopt an annual air-monitoring network plan, and make the plan available for public inspection for at least 30 days prior to final submission to the EPA Regional Administrator. The plan, which is due July 1, 2009, must include a statement of purpose for each monitor and evidence that siting and operation of

each monitor meets Federal requirements. The EPA may also provide an opportunity for review and comment prior to approving or disapproving a State's Monitoring Network Plan.

On November 12, 2008, the EPA promulgated revisions to the ambient lead particulate National Ambient Air Quality Standard (NAAQS) at 40 CFR Parts 50, 51, 53 and 58. See 73 FR 66964 (November 12, 2008). The EPA's final rule lowered the NAAQS to 0.15 micrograms per cubic meter based on a 3-month running average and provided new monitoring requirements for lead. Monitoring is required around sources emitting 1 ton per year or more of lead unless dispersion modeling shows that the maximum 3-month running average is less than 50% of the NAAQS. There are ten facilities in this Commonwealth where the Department of Environmental Protection (Department) is responsible for monitoring that meets the criteria for source-oriented monitoring.

The Department is also implementing a strategy to replace manual PM_{2.5} samplers with continuous automated samplers that meet EPA's requirement of a Federal Equivalent Method (FEM). Use of the FEM samplers will improve the ability of the Department to provide real-time data on air quality as it relates to PM_{2.5} particulate matter, provide operational cost savings, and will still be used in determination of compliance with the NAAQS.

On May 1, 2009, the 2010 Annual Air Monitoring Network Plan, including the plan to install new source-oriented lead monitors and upgrade PM_{2.5} particulate monitors, was made available for public comment on the Department's web site at www.dep.state.pa.us/dep/deputate/airwaste/aq/default.htm.

The Department must receive comments by June 2, 2009. Written comments should be sent to the attention of Jeffrey Miller, Chief, Division of Air Quality Monitoring, Bureau of Air Quality, P. O. Box 8468, Harrisburg, PA 17105-8468 or by means of e-mail to jeffreemill@state.pa.us. Use "Annual Monitoring Network Plan" as the mail addressee or in the subject line.

JOHN HANGER,
Secretary

[Pa.B. Doc. No. 09-807. Filed for public inspection May 1, 2009, 9:00 a.m.]

DEPARTMENT OF GENERAL SERVICES

Real Estate for Sale Westmoreland County

The Department of General Services (Department) will accept bids for the purchase of 0.32-acre ± of land and building formerly known as the Latrobe National Guard Armory located at 1017 Ridge Avenue, City of Latrobe, Westmoreland County. Bids are due Wednesday, June 17, 2009. Interested parties wishing to receive a copy of Solicitation No. 94277 should view the Department's web site at www.dgs.state.pa.us or call Lisa Kettering at (717) 787-1321.

JAMES P. CREEDON,
Secretary

[Pa.B. Doc. No. 09-808. Filed for public inspection May 1, 2009, 9:00 a.m.]

DEPARTMENT OF LABOR AND INDUSTRY

Current Prevailing Wage Act Debarments

The contractors referenced have been determined to have intentionally violated the Pennsylvania Prevailing Wage Act (act) (43 P. S. §§ 165-1—165-17). This notice is published for the information and convenience of public bodies subject to the act. Under section 11(e) of the act (43 P. S. § 165-11(e)), these persons and firms, or any firms, corporations or partnerships in which these persons and firms have an interest, shall be awarded no contract for 3 years after the date listed.

SANDI VITO,
Acting Secretary

<i>Contractor</i>	<i>Address</i>	<i>Date of Debarment</i>
Brick Fronts, LLC and Peter Jach, Individually	6 Corbin Lane Morrisville, PA 19067	4/16/09

[Pa.B. Doc. No. 09-809. Filed for public inspection May 1, 2009, 9:00 a.m.]

Range of Fees Charged by Utilization Review Organizations and Peer Review Organizations for Services Performed under the Workers' Compensation Act

Under 34 Pa. Code § 127.667(b) (relating to compensation policy) the Department of Labor and Industry (Department), Bureau of Workers' Compensation gives notice of the range of fees charged by Utilization Review Organizations and Peer Review Organizations for services performed under the Workers' Compensation Act (77 P. S. §§ 1—1041.4 and 2501—2626) during 2008.

2008 URO/PRO

<i>URO</i>	<i>Range of Fees</i>	
	<i>Minimum</i>	<i>Maximum</i>
Alico Services, LTD	\$225.00	\$857.43
American Review Systems, Inc.	\$274.11	\$1,466.43
CAB Medical Consultants	\$275.00	\$805.00
Caduceus Lex Medical Auditing, Inc.	\$350.00	\$830.00
CEC, Inc.	\$245.00	\$1,093.95
Chiro Med Review Co.	\$250.00	\$900.00
De Novo Management	\$136.26	\$1,661.46
DLB Services	\$168.42	\$1,574.60
First Managed Care Option	\$188.27	\$1,904.47
Hajduk and Associates	\$275.00	\$830.00
Industrial Rehabilitation Associates	\$315.00	\$765.00
KVS Consulting Services	\$340.54	\$1,867.38
Laurel Reviews	\$131.74	\$2,523.05
Margroff Review Services	\$233.95	\$1,667.01
McBride and McBride Associates	\$250.00	\$795.00

<i>URO</i>	<i>Range of Fees</i>	
	<i>Minimum</i>	<i>Maximum</i>
Procura Management, Inc.	\$255.69	\$997.56
Quality Assurance Reviews, Inc.	\$455.00	\$1,071.08
Rehabilitation Planning	\$240.63	\$1,114.88
T & G Reviews	\$350.00	\$950.00
TX Review, Inc.	\$.01	\$953.28
Uniontown Medical Rehabilitation	\$100.44	\$1,848.83
Watson Review Services	\$126.72	\$1,683.32
West Penn Ime, Inc.	\$212.16	\$1,399.17

SANDI VITO,
Secretary

[Pa.B. Doc. No. 09-810. Filed for public inspection May 1, 2009, 9:00 a.m.]

DEPARTMENT OF REVENUE

Pennsylvania \$60,000 Spin Instant Lottery Game

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

- Name:** The name of the game is Pennsylvania \$60,000 Spin.
- Price:** The price of a Pennsylvania \$60,000 Spin instant lottery game ticket is \$3.
- Play Symbols:** Each Pennsylvania \$60,000 Spin instant lottery game ticket will contain one play area consisting of "SPIN 1," "SPIN 2," "SPIN 3," "SPIN 4," "SPIN 5," "SPIN 6," "SPIN 7" and "SPIN 8." Each "SPIN" is played separately, and each may have a different play method. Each "SPIN" features a "YOUR BETS" area, a "SPIN RESULTS" area and a "prize" area. One or more of the play symbols, and their captions, printed in red ink, that may be located in the "YOUR BETS" area of each "SPIN" are: ANY RED NUMBER (RED), 1 (ONE), 3 (THREE), 5 (FIVE), 7 (SEVEN), 9 (NINE), 12 (TWLV), 14 (FORTN), 16 (SIXTN), 18 (EGHTN), 19 (NINTN), 21 (TWYONE), 23 (TWYTHR), 25 (TWYFIV), 27 (TWYSVN), 30 (THIRTY), 32 (THYTWO), 34 (THYFOR) and 36 (THYSIX). One or more of the play symbols, and their captions, printed in black ink, that may be located in the "YOUR BETS" area of each "SPIN" are: ANY BLACK NUMBER (BLACK), ANY EVEN NUMBER (EVEN), ANY ODD NUMBER (ODD), 2 (TWO), 4 (FOUR), 6 (SIX), 8 (EIGHT), 10 (TEN), 11 (ELEVN), 13 (THRTN), 15 (FIFTN), 17 (SVNTN), 20 (TWENT), 22 (TWYTWOW), 24 (TWYFOR), 26 (TWYSIX), 28 (TWYEGT), 29 (TWYNIN), 31 (THYONE), 33 (THYTHR) and 35 (THYFIV). The play symbols, and their captions, printed in red ink, one of which may be located in the "SPIN RESULTS" area of each "SPIN" are: 1 (ONE), 3 (THREE), 5 (FIVE), 7 (SEVEN), 9 (NINE), 12 (TWLV), 14 (FORTN), 16 (SIXTN), 18 (EGHTN), 19 (NINTN), 21 (TWYONE), 23 (TWYTHR), 25 (TWYFIV), 27 (TWYSVN), 30 (THIRTY), 32 (THYTWO), 34 (THYFOR) and 36 (THYSIX). The play

symbols, and their captions, printed in black ink, one of which may be located in the "SPIN RESULTS" area of each "SPIN" are: 2 (TWO), 4 (FOUR), 6 (SIX), 8 (EIGHT), 10 (TEN), 11 (ELEVEN), 13 (THIRTY), 15 (FIFTEEN), 17 (SEVENTEEN), 20 (TWENTY), 22 (TWENTYTWO), 24 (TWENTYFOUR), 26 (TWENTYSIX), 28 (TWENTYEIGHT), 29 (TWENTYNINE), 31 (THIRTYONE), 33 (THIRTYTHREE) and 35 (THIRTYFIVE).

4. *Prize Symbols:* The prize symbols and their captions located in the "prize" area of each "SPIN" are: \$3⁰⁰ (THREE DOLLARS), \$5⁰⁰ (FIVE DOLLARS), \$10⁰⁰ (TEN DOLLARS), \$20⁰⁰ (TWENTY DOLLARS), \$40⁰⁰ (FORTY DOLLARS), \$50⁰⁰ (FIFTY DOLLARS), \$100 (ONE HUNDRED DOLLARS), \$500 (FIVE HUNDRED DOLLARS), \$1,000 (ONE THOUSAND DOLLARS), \$2,500 (TWO THOUSAND FIVE HUNDRED DOLLARS), \$30,000 (THIRTY THOUSAND DOLLARS) and \$60,000 (SIXTY THOUSAND DOLLARS).

5. *Prizes:* The prizes that can be won in this game are: \$3, \$5, \$10, \$20, \$40, \$50, \$100, \$500, \$1,000, \$2,500, \$30,000 and \$60,000. The player can win up to 8 times on a ticket.

6. *Approximate Number of Tickets Printed For the Game:* Approximately 4,800,000 tickets will be printed for the Pennsylvania \$60,000 Spin instant lottery game.

7. *Determination of Prize Winners:*

(a) Holders of tickets upon which the "YOUR BETS" play symbol is ANY RED NUMBER (RED) and the "SPIN RESULTS" play symbol is printed in red ink, both in the same "SPIN," on a single ticket, shall be entitled to a prize in the amount of the prize symbol which appears in the "prize" area below the "YOUR BETS" area for that "SPIN."

(b) Holders of tickets upon which the "YOUR BETS" play symbol is ANY BLACK NUMBER (BLACK) and the "SPIN RESULTS" play symbol is printed in black ink, both in the same "SPIN," on a single ticket, shall be entitled to a prize in the amount of the prize symbol which appears in the "prize" area below the "YOUR BETS" area for that "SPIN."

(c) Holders of tickets upon which the "YOUR BETS" play symbol is ANY EVEN NUMBER (EVEN) and the "SPIN RESULTS" play symbol is an even number, both in the same "SPIN," on a single ticket, shall be entitled to a prize in the amount of the prize symbol which appears in the "prize" area below the "YOUR BETS" area for that "SPIN."

(d) Holders of tickets upon which the "YOUR BETS" play symbol is ANY ODD NUMBER (ODD) and the "SPIN RESULTS" play symbol is an odd number, both in the same "SPIN," on a single ticket, shall be entitled to a prize in the amount of the prize symbol which appears in the "prize" area below the "YOUR BETS" area for that "SPIN."

(e) Holders of tickets upon which the "YOUR BETS" play symbol matches the "SPIN RESULTS" play symbol, both in the same "SPIN," on a single ticket, shall be entitled to a prize in the amount of the prize symbol which appears in the "prize" area below the "YOUR BETS" area for that "SPIN."

(f) Holders of tickets upon which either of the "YOUR BETS" play symbols matches the "SPIN RESULTS" play symbol, all in the same "SPIN," on a single ticket, shall be entitled to a prize in the amount of the prize symbol which appears in the "prize" area below the "YOUR BETS" area for that "SPIN."

(g) Holders of tickets upon which any one of the "YOUR BETS" play symbols matches the "SPIN RESULTS" play symbol, all in the same "SPIN," on a single ticket, shall be entitled to a prize in the amount of the prize symbol which appears in the "prize" area below the "YOUR BETS" area for that "SPIN."

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

When Your Bet Matches The Spin Result In The Same Spin, Win The Prize Shown For That Spin. Win With Prize(s) Of:

<i>Win:</i>	<i>Approximate Odds Are 1 In:</i>	<i>Approximate No. Of Winners Per 4,800,000 Tickets</i>
\$3	8.33	576,000
\$5	15.63	307,200
\$5 × 2	66.67	72,000
\$10	100	48,000
(\$3 × 5) + \$5	333.33	14,400
\$5 × 4	333.33	14,400
\$10 × 2	333.33	14,400
\$20	333.33	14,400
(\$3 × 5) + \$5 + (\$10 × 2)	1,333	3,600
\$5 × 8	1,333	3,600
\$10 × 4	1,333	3,600
\$20 × 2	1,333	3,600
\$40	1,333	3,600
(\$5 × 6) + (\$10 × 2)	2,400	2,000
\$10 × 5	2,400	2,000
(\$20 × 2) + (\$5 × 2)	2,400	2,000
\$40 + \$10	2,400	2,000
\$50	2,400	2,000
(\$5 × 4) + (\$20 × 4)	6,000	800
(\$10 × 6) + (\$20 × 2)	6,000	800
\$20 × 5	6,000	800
(\$40 × 2) + (\$5 × 4)	6,000	800
\$50 × 2	6,000	800
\$100	6,000	800

When Your Bet Matches The Spin Result In The Same Spin, Win The Prize Shown For That Spin. Win With Prize(s) Of:

(\$40 × 5) + (\$100 × 3)
 (\$50 × 6) + (\$100 × 2)
 \$100 × 5
 \$500
 (\$100 × 5) + \$500
 \$500 × 2
 \$1,000
 (\$500 × 3) + \$1,000
 \$500 × 5
 \$2,500
 \$30,000
 \$60,000

Win:

\$500
 \$500
 \$500
 \$500
 \$1,000
 \$1,000
 \$1,000
 \$2,500
 \$2,500
 \$2,500
 \$30,000
 \$60,000

Approximate Odds Are 1 In:

12,000
 12,000
 12,000
 12,000
 24,000
 24,000
 24,000
 192,000
 192,000
 192,000
 960,000
 960,000

Approximate No. Of Winners Per 4,800,000 Tickets

400
 400
 400
 400
 200
 200
 200
 25
 25
 25
 5
 5

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

9. *Retailer Incentive Awards:* The Lottery may conduct a separate Retailer Incentive Game for retailers who sell Pennsylvania \$60,000 Spin instant lottery game tickets. The conduct of the game will be governed by 61 Pa. Code § 819.222 (relating to retailer bonuses and incentive).

10. *Unclaimed Prize Money:* For a period of 1 year from the announced close of Pennsylvania \$60,000 Spin, prize money from winning Pennsylvania \$60,000 Spin instant lottery game tickets will be retained by the Secretary for payment to the persons entitled thereto. If no claim is made within 1 year of the announced close of the Pennsylvania \$60,000 Spin instant lottery game, the right of a ticket holder to claim the prize represented by the ticket, if any, will expire and the prize money will be paid into the State Lottery Fund and used for purposes provided for by statute.

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

12. *Termination of the Game:* The Secretary may announce a termination date, after which no further tickets from this game may be sold. The announcement will be disseminated through media used to advertise or promote Pennsylvania \$60,000 Spin or through normal communications methods.

STEPHEN H. STETLER,
Secretary

[Pa.B. Doc. No. 09-811. Filed for public inspection May 1, 2009, 9:00 a.m.]

DEPARTMENT OF TRANSPORTATION

Application for Lease of Right-of-Way

The Department of Transportation (Department), under the authority contained in 67 Pa. Code § 495.4(d) (relating to application procedure), gives notice that an application to lease highway right-of-way has been submitted to the Department by Growth Investors Group, LP (Eisenhower Mart, LLC, an Exxon branded gasoline and convenience

store), seeking to lease highway right-of-way located at 770 Eisenhower Boulevard, Harrisburg PA 17105-1677, Swatara Township, Dauphin County, 11,970 square feet +/- adjacent to LR 22019 for the purpose of placement of temporary signage and landscaped entryway to the gas station and convenience store.

Interested persons are invited to submit, within 30 days from the publication of this notice in the *Pennsylvania Bulletin*, written comments, suggestions and/or objections regarding the approval of this application to Michael Gillespie, P. E., Acting District Engineer, Engineering District 8-0, 2140 Herr Street, Harrisburg, PA 17103-1699.

Questions regarding this application or the proposed use may be directed to Paulette Broody Alexander, Right-of-Way Representative, 2140 Herr Street, Harrisburg, PA 17103-1699, (717) 787-1419.

ALLEN D. BIEHLER, P. E.,
Secretary

[Pa.B. Doc. No. 09-812. Filed for public inspection May 1, 2009, 9:00 a.m.]

Contemplated Sale of Land No Longer Needed for Transportation Purposes

The Department of Transportation (Department), under section 2003(e)(7) of The Administrative Code of 1929 (71 P. S. § 513(e)(7)), intends to sell certain land owned by the Department.

The following property is available for sale by the Department.

1. Parcel No. 4—Marshall Township, Allegheny County. The parcel contains approximately 39,870 +/- square feet of unimproved land located in Marshall Township, 778 Wexford Bayne Road. The estimated fair market value of the parcel is \$34,000.

Interested public entities are invited to express their interest in purchasing this parcel within 30 calendar days from the date of publication of this notice to H. Daniel Cessna, P. E., District Executive, Department of Transportation, Engineering District 11-0, 45 Thoms Run Road, Bridgeville, PA, 15017.

ALLEN D. BIEHLER, P. E.,
Secretary

[Pa.B. Doc. No. 09-813. Filed for public inspection May 1, 2009, 9:00 a.m.]

Receipt of Applications for Funding under the Section 5310 Program; Fiscal Year 2009-2010

The Department of Transportation, Bureau of Public Transportation, under the authority contained in Section 5310 of the Federal Transit Laws (49 U.S.C.A. § 5310), gives notice that it will receive applications for the State-administered Section 5310 Program. Under this program, private nonprofit organizations and designated public bodies may apply for Federal capital assistance to pay up to 80% of the purchase cost of new wheelchair accessible small transit vehicles and other equipment used to provide needed transportation services for senior citizens and persons with disabilities who cannot be reasonably accommodated by existing transportation providers. Additional information can be obtained by calling Ben Brosius of the Bureau of Public Transportation at (717) 787-1211. Questions, comments or suggestions may be directed to Ben Brosius, Section 5310 Program Manager, P. O. Box 3151, Harrisburg, PA 17105-3151.

ALLEN D. BIEHLER, P.E.,
Secretary

[Pa.B. Doc. No. 09-814. Filed for public inspection May 1, 2009, 9:00 a.m.]

ENVIRONMENTAL QUALITY BOARD

Acceptance of Rulemaking Petitions for Study

On April 21, 2009, the Environmental Quality Board (EQB) accepted two rulemaking petitions for study under 25 Pa. Code Chapter 23 (relating to Environmental Quality Board policy for processing petitions—statement of policy). The first petition, submitted by Bushkill Township, Northampton County, requests the redesignation of Sobers Run (main stem, east and west branch) from High Quality-Cold Water Fishes (HQ-CWF) to Exceptional Value (EV). Under 25 Pa. Code § 93.4d (relating to processing of petitions, evaluations and assessments to change a designated use), the Department of Environmental Protection (Department) is required to publish a notice of intent to assess candidate waters. The Department's assessment notice for Sobers Run will appear in a future issue of the *Pennsylvania Bulletin*.

The second petition, submitted by Waste Management Disposal Services of Pennsylvania, Inc., requests the amendment of 25 Pa. Code Chapter 261a (relating to identification and listing of hazardous waste) to increase the annual volume of filter cake that the petitioner may dispose of in a Subtitle D landfill. Currently, the petitioner's existing exclusion allows up to an annual volume of

2,000 cubic yards of filter cake to be disposed. The filter cake results from the treatment of a multisource hazardous waste leachate generated at a closed portion of the petitioner's Morrisville landfill. The petitioner is requesting that an amendment to increase the annual volume limit in its existing exclusion be amended from 2,000 cubic yards to 4,000 cubic yards. Under 25 Pa. Code § 23.6(1) (relating to notice of acceptance and Department report), the Department will prepare a report evaluating the petition. The Department's report will include a recommendation on whether the EQB should approve the action requested in the petition. If the Department's recommendation is to change a regulation, the report will specify the anticipated date that the EQB will consider a proposed rulemaking. The report must be completed within 60 days from the date the petition was accepted by the EQB. If the report cannot be completed within the 60-day time period, at the next EQB meeting, the Department will state how much additional time is necessary to complete the report.

The previously-referenced petitions are available to the public by contacting the Environmental Quality Board, P. O. Box 8477, Harrisburg, PA 17105-8477, (717) 787-4526, and are accessible on the Department's web site at www.depweb.state.pa.us (DEP Keywords: "EQB" ("EQB Meeting/Agendas/Handouts/Minutes; April 21, 2009")).

JOHN HANGER,
Chairperson

[Pa.B. Doc. No. 09-815. Filed for public inspection May 1, 2009, 9:00 a.m.]

HEALTH CARE COST CONTAINMENT COUNCIL

Meetings Scheduled

The following meetings of the Health Care Cost Containment Council have been scheduled: Thursday, May 7, 2009, 9 a.m., Executive Committee and 10 a.m. Council meeting. The scheduled meetings will be held in the conference room at the Council Office, 225 Market Street, Suite 400, Harrisburg, PA 17101. The public is invited to attend. Persons in need of accommodations due to a disability and want to attend the meetings should contact Cherie Elias, Health Care Cost Containment Council, 225 Market Street, Harrisburg, PA 17101 or call (717) 232-6787 at least 24 hours in advance so that arrangements can be made.

DAVID H. WILDERMAN,
Acting Executive Director

[Pa.B. Doc. No. 09-816. Filed for public inspection May 1, 2009, 9:00 a.m.]

INDEPENDENT REGULATORY REVIEW COMMISSION

Notice of Comments Issued

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

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

<i>Reg. No.</i>	<i>Agency/Title</i>	<i>Close of the Public Comment Period</i>	<i>IRRC Comments Issued</i>
18-413	Department of Transportation Interstate Motor Carrier Safety Requirements 39 Pa.B. 997 (February 21, 2009)	3/23/09	4/22/09
18-414	Department of Transportation Intrastate Motor Carrier Safety Requirements 39 Pa.B. 999 (February 21, 2009)	3/23/09	4/22/09
16A-4317	State Board of Chiropractic Needle Acupuncture 39 Pa.B. 1004 (February 21, 2009)	3/23/09	4/22/09
16A-6212	State Board of Examiners of Nursing Home Administrators Continuing Education 39 Pa.B. 1005 (February 21, 2009)	3/23/09	4/22/09
125-97	Pennsylvania Gaming Control Board Vendor Permission to Conduct Business Prior to Certification or Registration 39 Pa.B. 1003 (February 21, 2009)	3/23/09	4/22/09

Department of Transportation Regulation #18-413 (IRRC #2744)

Interstate Motor Carrier Safety Requirements

April 22, 2009

We submit for your consideration the following comments on the proposed rulemaking published in the February 21, 2009 *Pennsylvania Bulletin*. Our comments are based on criteria in section 5.2 of the Regulatory Review Act (71 P. S. § 745.5b). Section 5.1(a) of the Regulatory Review Act (71 P. S. § 745.5a(a)) directs the Department of Transportation (Department) to respond to all comments received from us or any other source.

Section 229.17. Adoption of interpretation of Federal Motor Carrier Safety Regulations.—Need; Reasonableness; Clarity.

The Department has used this section to adopt certain interpretations of the Federal Motor Carrier Safety Regulations as statements of policy. Because this is nonregulatory language, we question why the Department has chosen to include it in the proposed regulation. This section should be deleted from the final-form regulation.

Department of Transportation Regulation #18-414 (IRRC #2745)

Intrastate Motor Carrier Safety Requirements

April 22, 2009

We submit for your consideration the following comments on the proposed rulemaking published in the February 21, 2009 *Pennsylvania Bulletin*. Our comments are based on criteria in section 5.2 of the Regulatory Review Act (71 P. S. § 745.5b). Section 5.1(a) of the Regulatory Review Act (71 P. S. § 745.5a(a)) directs the Department of Transportation (Department) to respond to all comments received from us or any other source.

General.—Reasonableness.

The Pennsylvania Division of the Federal Motor Carrier Safety Administration (FMCSA) submitted comments noting changes to this regulation that need to be made in order to be in full compliance with Federal rules. We share the same concerns and recommendations raised by FMCSA and incorporate them into the Commission's comments on this proposed rulemaking.

Also, the Pennsylvania Farm Bureau (PFB) submitted comments expressing concerns with the elimination of certain exemptions for farm vehicles, while acknowledg-

ing the consequences for not removing the exemptions. The Department should address the concerns raised by PFB and explain its rationale for removing these exemptions for farm vehicles.

1. Section 231.10. Adoption of interpretation of Federal Motor Carrier Safety Regulations.—Need; Reasonableness; Clarity.

The Department has used this section to adopt certain interpretations of the Federal Motor Carrier Safety Regulations as statements of policy. Because this is nonregulatory language, we question why the Department has chosen to include it in the proposed regulation. This section should be deleted from the final-form regulation.

—————
**State Board of Chiropractic
Regulation #16A-4317 (IRRC #2746)**

Needle Acupuncture

April 22, 2009

We submit for your consideration the following comments on the proposed rulemaking published in the February 21, 2009 *Pennsylvania Bulletin*. Our comments are based on criteria in section 5.2 of the Regulatory Review Act (71 P. S. § 745.5b). Section 5.1(a) of the Regulatory Review Act (71 P. S. § 745.5a(a)) directs the State Board of Chiropractic (Board) to respond to all comments received from us or any other source.

1. Section 5.81.—Unprofessional and immoral conduct.—Clarity.

The proposed changes to Subsection 5.81(1)(xv) would permit a licensee of the Board to practice or advertise needle acupuncture, provided that certain qualifications have been met.

The proposed regulation states that the licensee must act in accordance with the Acupuncture Registration Act. (63 P. S. §§ 1801—1806.1) However, the House Professional Licensure Committee (Committee) noted that Act 91 of 2008 changed this law to re-designate registration to licensure. Therefore, the Committee suggested that any appropriate reference be made to the now titled Acupuncture Licensure Act (Act 91 of 2008) (Act) and that the regulation use appropriate language noting “licensure” and not “registration,” as now required by the Act. We agree with the Committee and recommend that these changes be made to the final-form regulation.

—————
**State Board of Examiners of Nursing Home
Administrators
Regulation #16A-6212 (IRRC #2747)**

Continuing Education

April 22, 2009

We submit for your consideration the following comments on the proposed rulemaking published in the February 21, 2009 *Pennsylvania Bulletin*. Our comments are based on criteria in section 5.2 of the Regulatory Review Act (71 P. S. § 745.5b). Section 5.1(a) of the Regulatory Review Act (71 P. S. § 745.5a(a)) directs the State Board of Examiners of Nursing Home Administrators (Board) to respond to all comments received from us or any other source.

Section 39.61. Requirements.—Need; Reasonableness; Implementation procedures.

Subsection (f) is being amended to allow the Board to grant an extension of time for a licensee to complete

continuing education requirements if the licensee has *not* met the “illness, emergency or hardship” requirement. We have four concerns. First, the Board has failed to explain why this subsection is being amended. What is the need for this provision?

Second, the Board should explain why is it reasonable to grant an extension of time to a licensee that has *not* met the “illness, emergency or hardship” requirement found in the existing regulation.

Third, how will the Board implement this provision if the regulation contains no standards for granting an extension of time? On what grounds will the Board base its decision?

Fourth, how and when will licensees be notified of the Board’s decision to grant a waiver or extension of time? We note that although existing language of Subsection (f) allows the Board to waive continuing education requirements for reasons related to “illness, emergency or hardship,” it does not specify how and when the licensee will be notified of the Board’s decision. We suggest that the Board add language to this subsection that specifies how and when a licensee will be notified of the Board’s decision.

—————
**Pennsylvania Gaming Control Board
Regulation #125-97 (IRRC #2748)**

**Vendor Permission to Conduct Business Prior to
Certification or Registration**

April 22, 2009

We submit for your consideration the following comments on the proposed rulemaking published in the February 21, 2009 *Pennsylvania Bulletin*. Our comments are based on criteria in section 5.2 of the Regulatory Review Act (71 P. S. § 745.5b). Section 5.1(a) of the Regulatory Review Act (71 P. S. § 745.5a(a)) directs the Pennsylvania Gaming Control Board (Board) to respond to all comments received from us or any other source.

Section 437a.9. Permission to conduct business prior to certification or registration.—Fiscal impact; Reasonableness; Implementation procedure; Feasibility; Clarity.

Due notice—form and delivery method

New language in both Subsections (b) and (c) refers to an Office or Bureau of the Board issuing a “notice” or “notifying” parties that they are to “immediately cease conducting business.” However, there is no explanation of how these notices will be delivered. One commentator contends that a telephone call or facsimile from the agency would not be sufficient notice. It suggests that the notice should be in the form of a letter. The final-form regulation should be amended to specify the delivery methods for the notices (such as electronic, hand-delivery or first class mail) and to state that the notices will be in writing.

Grace period

Commentators expressed concerns with the potential delays, disruptions, work stoppages and additional costs that this proposed regulation could cause. As alternatives or amendments to the proposed regulation, commentators suggested that vendors should be afforded an opportunity to respond to the issues that led to the “Recommendation for Denial” by the Office of Enforcement Counsel. One commentator suggested that the regulation include a “30 day winding-up period” before ordering a cessation of business between the vendor and a licensee.

It should be noted that under the Board's existing regulations, the approval, which allows vendor applicants to conduct business before registration or certification, exists only for 6 months. The Board may extend this arrangement for additional 6-month periods. Consequently, licensees should be cautious about committing to long-term projects with such vendors. Nevertheless, licensees and vendors may be engaged in contracts and business projects that could take several weeks or months to complete. Therefore, the Board needs to address concerns of these parties with the prospect of being forced to immediately terminate their business interactions. The addition of some form of grace period to the final-form regulation could reduce concerns over the fiscal impact of this regulation.

Due process

Under § 437a.9(c), a vendor applicant's privilege to do business with a licensee is suspended upon issuance of a Notice of Recommendation for Denial. Commentators are concerned that such a suspension could infringe on the due process rights of vendor applicants. The Preamble and proposed regulation do not explain whether or how the Board would act on such a recommendation, how the vendor applicant could protest the action of the Office of Enforcement Counsel or the Board, or whether this section requires Office of Enforcement Counsel to fill a prosecutorial role in violation of the decision in *Lyness v. State Board of Medicine*, 529 Pa. 535, 605 A.2d 1204 (1992).

The final-form regulation should clarify how and when the Board takes action in this circumstance, how the vendor applicant's due process rights will be affected, and the nature of the role of the Office of Enforcement Counsel.

Need for the rule; Reasonableness

Currently, § 437a.9 allows applicants for vendor registration or certification to do business with licensees before their applications are approved. The proposed regulation provides for the cessation of these pre-registration or certification transactions. We have two questions concerning this section. Why are vendor applicants allowed to engage in business with licensees before their applications are fully examined and approved? What is the need for this arrangement? The Board should explain the rationale and justification for both the existing section and the proposed regulation in the preamble to the final-form regulation.

ARTHUR COCCODRILLI,
Chairperson

[Pa.B. Doc. No. 09-817. Filed for public inspection May 1, 2009, 9:00 a.m.]

INSURANCE DEPARTMENT

Application and Request for a Certificate of Authority to Provide a Continuing Care Retirement Community by Brookmont Healthcare Center, LLC

Brookmont Healthcare Center, LLC has applied for a Certificate of Authority to operate a Continuing Care Retirement Community at Brookmont Healthcare Center,

LLC in Effort, PA. The initial filing was received on April 10, 2009, and was made under the requirements set forth under the Continuing Care Provider Registration and Disclosure Act (40 P. S. §§ 3201—3225). Persons wishing to comment on the grounds of public or private interest to the issuance of a Certificate of Authority are invited to submit a written statement to the Insurance Department (Department) within 30 days from the date of this issue of the *Pennsylvania Bulletin*. Each written statement must include name, address and telephone number of the interested party, identification of the application to which the statement is addressed and a concise statement with sufficient detail to inform the Department of the exact basis of the statement. Written statements should be directed to Steven L. Yerger, Insurance Department, 1345 Strawberry Square, Harrisburg, PA 17120, fax (717) 787-8557, syerger@state.pa.us.

JOEL SCOTT ARIO,
Insurance Commissioner

[Pa.B. Doc. No. 09-818. Filed for public inspection May 1, 2009, 9:00 a.m.]

Richard Greenberg, M. D.; Prehearing

Appeal of Richard Greenberg, M. D. under the Medical Care Availability and Reduction of Error (MCARE) Act (40 P. S. §§ 1303.101—1303.910); Doc. No. MM09-04-009

The proceedings in this matter will be governed by 2 Pa.C.S. §§ 501—508 and 701—704 (relating to the Administrative Agency Law); 1 Pa. Code Part II (relating to General Rules of Administrative Practice and Procedure); and 31 Pa. Code Chapter 56 (relating to special rules of administrative practice and procedure).

On or before May 4, 2009, the appellant shall file a concise statement setting forth the factual and/or legal basis for the disagreement with MCARE's March 10, 2009, determination. The statement may be in narrative form or in numbered paragraphs, but in either event shall not exceed two pages. A prehearing telephone conference initiated by this office is scheduled for June 2, 2009, at 9:30 a.m. Each party shall provide a telephone number to be used for the telephone conference to the Hearings Administrator on or before May 29, 2009. A hearing date shall be determined, if necessary, at the prehearing telephone conference.

Motions preliminary to those at hearing, protests, petitions to intervene or notices of intervention, if any, must be filed on or before May 18, 2009, with the Hearings Administrator, Administrative Hearings Office, Capitol Associates Building, Room 200, 901 North Seventh Street, Harrisburg, PA 17102. Answer to petitions to intervene, if any shall be filed on or before June 1, 2009.

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. 09-819. Filed for public inspection May 1, 2009, 9:00 a.m.]

Greene County Memorial Hospital; Prehearing**Appeal of Green County Memorial Hospital under the Medical Care Availability and Reduction of Error (MCARE) Act (40 P. S. §§ 1303.101—1303.910); Doc. No. MM09-04-008**

The proceedings in this matter will be governed by 2 Pa.C.S. §§ 501—508 and 701—704 (relating to the Administrative Agency Law); 1 Pa. Code Part II (relating to General Rules of Administrative Practice and Procedure); and 31 Pa. Code Chapter 56 (relating to special rules of administrative practice and procedure).

On or before May 4, 2009, the appellant shall file a concise statement setting forth the factual and/or legal basis for the disagreement with MCARE's February 11, 2009, determination. The statement may be in narrative form or in numbered paragraphs, but in either event shall not exceed two pages. A prehearing telephone conference initiated by this office is scheduled for June 3, 2009, at 10 a.m. Each party shall provide a telephone number to be used for the telephone conference to the Hearings Administrator on or before June 1, 2009. A hearing date shall be determined, if necessary, at the prehearing telephone conference.

Motions preliminary to those at hearing, protests, petitions to intervene or notices of intervention, if any, must be filed on or before May 19, 2009, with the Hearings Administrator, Administrative Hearings Office, Capitol Associates Building, Room 200, 901 North Seventh Street, Harrisburg, PA 17102. Answer to petitions to intervene, if any shall be filed on or before June 2, 2009.

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. 09-820. Filed for public inspection May 1, 2009, 9:00 a.m.]

Mountain Laurel Risk Retention Group; Prehearing**Appeal of Mountain Laurel Risk Retention Group under the Medical Care Availability and Reduction of Error (MCARE) Act (40 P. S. §§ 1303.101—1303.910); Doc. No. MM09-04-007**

The proceedings in this matter will be governed by 2 Pa.C.S. §§ 501—508 and 701—704 (relating to the Administrative Agency Law); 1 Pa. Code Part II (relating to General Rules of Administrative Practice and Procedure); and 31 Pa. Code Chapter 56 (relating to special rules of administrative practice and procedure).

On or before May 4, 2009, the appellant shall file a concise statement setting forth the factual and/or legal basis for the disagreement with MCARE's March 10, 2009, determination. The statement may be in narrative form or in numbered paragraphs, but in either event shall not exceed two pages. A prehearing telephone conference initiated by this office is scheduled for June 2, 2009, at 10 a.m. Each party shall provide a telephone number to be used for the telephone conference to the Hearings Administrator on or before May 29, 2009. A

hearing date shall be determined, if necessary, at the prehearing telephone conference.

Motions preliminary to those at hearing, protests, petitions to intervene or notices of intervention, if any, must be filed on or before May 18, 2009, with the Hearings Administrator, Administrative Hearings Office, Capitol Associates Building, Room 200, 901 North Seventh Street, Harrisburg, PA 17102. Answer to petitions to intervene, if any shall be filed on or before June 1, 2009.

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. 09-821. Filed for public inspection May 1, 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 offices in Harrisburg and 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 Administrative Hearings Office, Capitol Associates Building, Room 200, 901 North Seventh Street, Harrisburg, PA 17102.

Appeal of Eileen Fazio; file no. 09-181-67876; Erie Insurance Exchange; Doc No. P09-04-011; June 2, 2009, 1 p.m.

Appeal of John T. Keith; file no. 09-130-64788; Safe Auto Insurance Company; Doc. No. P09-03-025; May 13, 2009, 1 p.m.

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 Lisa Joel; file no. 09-216-66642; Allstate Fire and Casualty Insurance Company; Doc. No. PH09-04-005; June 17, 2009, 3 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. 09-822. Filed for public inspection May 1, 2009, 9:00 a.m.]

The Travelers Indemnity Company; Farmington Casualty Company; The Phoenix Insurance Company; Homeowners Rate Revision; Rate Filing

On April 13, 2009, the Insurance Department (Department) received from The Travelers Indemnity Company, Farmington Casualty Company and The Phoenix Insurance Company a filing for a rate level change for homeowners insurance.

The companies request an overall 2.7% increase amounting to \$3,465,472 annually, to be effective September 15, 2009.

Unless formal administrative action is taken prior to May 13, 2009, the subject filing may be deemed approved by operation of law.

A copy of the filing is available on the Department's web site at www.ins.state.pa.us. To access the filing, under "Quick Links" click on "Rate Filings Published in the PA Bulletin."

Interested parties are invited to submit written comments, suggestions or objections to Michael McKenney, Insurance Department, Office of Insurance Product Regulation, 1311 Strawberry Square, Harrisburg, PA 17120, mmckenney@state.pa.us within 30 days after publication of this notice in the *Pennsylvania Bulletin*.

JOEL SCOTT ARIO,
Insurance Commissioner

[Pa.B. Doc. No. 09-823. Filed for public inspection May 1, 2009, 9:00 a.m.]

PENNSYLVANIA PUBLIC UTILITY COMMISSION

Order

Public Meeting held
April 16, 2009

Commissioners Present: James H. Cawley, Chairperson; Tyrone J. Christy, Vice Chairperson; Robert F. Powelson; Kim Pizzingrilli; Wayne E. Gardner

Extension of the Fuel Cost Recovery; Surcharge Special Permission 28207; R-2009-2094616

Order

By the Commission

Tristate Household Goods Conference, Inc. (Tristate), a tariff publishing agency, represents approximately 275 PUC household good carriers. Substantially large increases in the cost of diesel fuel, which were unanticipated, motivated Tristate to request the implementation of the Fuel Cost Recovery Surcharge. The Fuel Cost Recovery Surcharge Special Permission 28207 was approved in Public Meeting held April 17, 2003, and extended in the Public Meetings held April 15, 2004, April 7, 2005, March 16, 2006, April 13, 2007, and April 9, 2008. The extension was approved for duration of one year unless changed, cancelled or extended. The current surcharge grants approval to temporarily increase the Tristate tariff to recover temporarily increased fuel costs when transporting household goods for moves more than 40 miles (weight and distance) and moves that are 40 miles or less (hourly) by the use of a Fuel Cost Recovery Surcharge. Tristate filed a request on February 19, 2009, to permit members of its conference to continue assessing a fuel cost recovery surcharge to defray the continuing rise in costs of diesel fuel.

The surcharge is determined by a formula which attempts to approximate the amount of fuel used on a particular trip and multiplies that amount by the increased cost of fuel, allowing the carrier to recover only the additional fuel charges incurred. The formula includes the following constant factors: (1) base price per gallon of fuel¹; (2) average vehicle fuel consumption of 5 miles per gallon; and (3) a terminal factor which allows the carrier to recover the additional cost of fuel used in traveling to and from the carrier's terminal to the origin point of the move. The formula also includes one variable factor, the current month's diesel fuel price.²

Moves of **40 miles or less** will be divided into 4 categories according to *average mileage*: 5 mile average for trips ranging from 1 to 10 miles, 15 mile average for trips ranging from 10 to 20 miles, 25 mile average for trips ranging from 20 to 30 miles, and 35 mile average for trips ranging from 30 to 40 miles. An example calculation for an 8 mile move is as follows³:

Origin of move to destination	8 miles	= 5 miles average
Terminal factor		= 40 miles

¹The proposed base price is \$1.267, which was the price of a gallon of diesel fuel according to the Department of Energy report of Retail On-Highway Diesel Prices for the Central Atlantic Region as of February 15, 2002. Tristate proposes this as a base price since fuel prices have steadily increased from that date.

²This figure is determined by the Department of Energy's report of Retail On-Highway Diesel Prices for the Central Atlantic Region. The current month's diesel fuel price will be effective beginning the 15th day of each month through the 14th day of the subsequent month.

³All fuel surcharges shall be calculated and provided to the customer as part of the Estimate of Charges.

Total miles	= 45 miles
Average miles per gallon	= 5
Fuel used	= 9 gallons
DOE current Fuel Price as of 3/17/03	= \$1.949
Base fuel Price	= \$1.267
Fuel price difference	= \$.682
Gallons X Fuel price difference	= $9 \times .682 = \$6.14$

Moves of **more than 40 miles** will be calculated using actual mileage from the move's origin to destination and return. An example calculation for a 100 mile move is as follows:

Origin of move to destination	= 100 miles
Empty Return (dest. to origin)	= 100 miles
Terminal factor	= 40 miles
Total miles	= 240 miles
Average miles per gallon	= 5
Fuel used	= 48 gallons
DOE current Fuel Price as of 3/17/03	= \$1.949
Base fuel Price	= \$1.267
Fuel price difference	= \$.682
Gallons X Fuel price difference	= $48 \times .682 = \$32.75$

On February 19, 2009, Tristate filed a request to again extend the Fuel Cost Recovery Surcharge. The request was filed in response to the volatile nature of the petroleum market, which continues to produce unanticipated increases in diesel fuel prices.

In support of the request for extension, Tristate has submitted data from the Department of Energy for the Central Atlantic Region. The average price of diesel fuel for the period of January 2008 to December 2008 was \$4.02 per gallon, an increase of 36.8% per gallon over the previous year.

Additional support for an extension can be found in the March 14, 2008, edition of *Short Term Energy Outlook*, in which the Department of Energy reported that several factors will result in continued price fluctuations in the market. Instability in the relations with OPEC nations has kept the prices of crude at a high level. Demand was also increased as a result of greater need for home heating oil.

The Federal Department of Transportation has responded to the escalating fuel costs for interstate transportation by approving a fuel surcharge on a similar sliding scale. The Federal Fuel Surcharge became effective May 15, 2000, and continues in effect.

Pursuant to 66 Pa.C.S. § 1301, the Commission is required to ensure that all rates charged by a public utility are just and reasonable. Additionally, the Commission is obligated to address industry-wide problems "without creating a chaotic rate structure impossible to manage or police." *Emergency Fuel Surcharge*, 47 Pa. P.U.C. 389, 391 (1974). The current surcharge addresses the problem of rising fuel costs, while being just and reasonable in that carriers are compensated only for the additional cost of the fuel used.

Based on our review, it appears that the extension of the Fuel Cost Recovery Surcharge for transportation of household goods is necessary, is an appropriate means to address this regulatory problem and will result in just and reasonable rates. In order to prevent financial hardship, it is imperative that Pennsylvania household goods carriers be afforded an opportunity to temporarily adjust rates to offset escalating fuel costs using the proposed extended Fuel Cost Recovery Surcharge and, accordingly,

we shall allow the proposed extended surcharge to become effective for a period of one year unless changed, cancelled or further extended.

Therefore,

It Is Ordered That:

1. Tristate members rendering service under authority of this Commission shall charge a Fuel Cost Recovery Surcharge on transportation provided for over 40 mile charges and for 40 miles or less hourly charges in accordance with all other tariff rules of this Commission. The Fuel Cost Recovery Surcharge is to be extended effective April 18, 2009.

2. The Extended Fuel Cost Recovery Surcharge shall be in effect for one year to April 18, 2010, unless changed, cancelled or further extended by the Commission.

3. Copies of this order shall be served by the Secretary to the Office of Consumer Advocate and Office of Small Business Advocate. The Secretary shall forward this Order to the *Pennsylvania Bulletin* for publication.

4. Each carrier shall post a copy of this Extended Fuel Cost Recovery Surcharge along with the original Fuel Cost Recovery Surcharge dated April 17, 2003, in a conspicuous place in the office and vehicles. In addition, each carrier shall include the surcharge as a separate line item of the Estimate of Charges provided to prospective shippers and on the Bill of Lading.

5. The rates collected to the Extended Fuel Cost Recovery Surcharge are subject to refund in the event that any formal complaints are filed, within 30 days of the date of publication of this order, and are successful in challenging the surcharge.

By the Commission

JAMES J. MCNULTY,
Secretary

[Pa.B. Doc. No. 09-824. Filed for public inspection May 1, 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 May 18, 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.

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

A-2009-2101111. Rashid Transportation, LLC (P. O. Box 7494, Steelton, Dauphin County, PA 17113), a corporation of the Commonwealth, persons in paratransit service from points in Dauphin County to points in Pennsylvania, and return.

A-2009-2101661. Midway Volunteer Fire Co. No. 1 of Adams County (202 Linden Avenue, Hanover, Adams County, PA 17331), for the right to begin to transport persons, in paratransit service to and from hospitals and nursing homes between points in Adams and York Counties.

Application of the following for approval to begin operating as contract carriers for transportation of persons as described under this application.

A-2009-2101281. Dwight Lewis t/a Donut Transportation System (6200 Wayne Avenue A104, Philadelphia, Philadelphia County, PA 19144)—for the right to begin to transport, as a contract carrier, by motor vehicle, persons in paratransit service for Logisticare Solutions, LLC, in the City and County of Philadelphia.

JAMES J. MCNULTY,
Secretary

[Pa.B. Doc. No. 09-825. Filed for public inspection May 1, 2009, 9:00 a.m.]

Sewer Service

A-2009-2101498. Uwchlan Township. Application of Uwchlan Township for a certificate of public convenience to provide sewer service to the public in a limited portion of Upper Uwchlan Township, PA.

Formal protests and petitions to intervene must be filed in accordance with 52 Pa. Code (relating to public utilities). Filings must be made with the Secretary of the Pennsylvania Public Utility Commission, P. O. Box 3265, Harrisburg, PA 17105-3265, with a copy served on the applicant, on or before May 18, 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: Uwchlan Township

Through and By Counsel: Michael D. Klein, Esquire, Dewey and LeBoeuf, LLP, 1101 New York Avenue, NW Washington, DC 20005-4213

JAMES J. MCNULTY,
Secretary

[Pa.B. Doc. No. 09-826. Filed for public inspection May 1, 2009, 9:00 a.m.]

Telecommunications

A-2009-2101296. Windstream Pennsylvania, LLC and Full Service Computing Corporation, d/b/a Full Service Network. Joint petition of Windstream Pennsylvania, LLC and Full Service Computing Corporation, d/b/a Full Service Network for approval of an interconnection agreement under section 252(i) of the Telecommunications Act of 1996

Windstream Pennsylvania, LLC and Full Service Computing Corporation, d/b/a Full Service Network, by its counsel, filed on April 13, 2009, at the Pennsylvania Public Utility Commission (Commission), a joint petition for approval of an interconnection agreement under sections 251 and 252 of the Telecommunications Act of 1996.

Interested parties may file comments concerning the petition and agreement with the Secretary, Pennsylvania

Public Utility Commission, P. O. Box 3265, Harrisburg, PA 17105-3265. Comments are due on or before 10 days after the date of publication of this notice. Copies of the Windstream Pennsylvania, LLC and Full Service Computing Corporation, d/b/a Full Service Network joint petition are on file with the Commission and are available for public inspection.

The contact person is Cheryl Walker Davis, Director, Office of Special Assistants, (717) 787-1827.

JAMES J. MCNULTY,
Secretary

[Pa.B. Doc. No. 09-827. Filed for public inspection May 1, 2009, 9:00 a.m.]

Tentative Order

Public Meeting held
April 16, 2009

Commissioners Present: James H. Cawley, Chairperson; Tyrone J. Christy, Vice Chairperson; Robert F. Powelson; Kim Pizzingrilli, Statement; Wayne E. Gardner

Implementation of Act 129 of 2008 Phase 4—Relating to the Alternative Energy Portfolio Standards Act; Doc. No. M-2009-2093383

Tentative Order

By the Commission:

This Tentative Order initiates a new phase in the Pennsylvania Public Utility Commission's implementation of Act 129 of 2008. In addition to the creation of an energy efficiency and conservation program, Act 129 expanded the definition of alternative energy sources in the Alternative Energy Portfolio Standards Act that qualify as Tier I alternative energy sources.¹ The General Assembly also charged the Commission with increasing, at least quarterly, the percentage share of Tier I resources to be sold by electric distribution companies and electric generation suppliers to reflect the new Tier I resources. This Tentative Order proposes guidelines for qualifying the additional Tier I resources, reporting requirements and related procedures for the Commission to make the required adjustments to the Tier I percentage requirements.

Background and History of this Proceeding

Governor Edward Rendell signed the Alternative Energy Portfolio Standards Act of 2004, P. L. 1672, No. 213, (AEPS Act) into law on November 30, 2004. 73 P. S. §§ 1648.1 *et seq.* The AEPS Act, which took effect on February 28, 2005, established an alternative energy portfolio standard for Pennsylvania. Generally, the Act requires that an annually increasing percentage of electricity sold to retail customers in Pennsylvania by electric distribution companies (EDCs) and electric generation suppliers (EGSs) be derived from alternative energy resources. The Commission has been charged with using its general powers to carry out, execute and enforce the provisions of the AEPS Act. The Pennsylvania Department of Environmental Protection (DEP) has been specifically charged with ensuring compliance with all environmental, health and safety laws and standards relevant to the AEPS Act's implementation. The Commission and the

¹ See Act 129 of 2008, section 5, codified in the *Pennsylvania Consolidated Statutes* at 66 Pa.C.S. § 2814.

DEP are to jointly monitor compliance with the Act, the development of the alternative energy market, the costs of alternative energy and to conduct an ongoing alternative energy planning assessment. The Commission and the DEP are to report their findings and any recommendations for changes to the Act to the General Assembly on a regular basis.

Governor Edward Rendell signed Act 129 of 2008, P. L. 1592, (Act 129) into law on October 15, 2008, which took effect 30 days thereafter on November 14, 2008. Section 5 of Act 129 adds Section 2814 to the Pennsylvania Public Utility Code. See 66 Pa.C.S. § 2814. Section 2814 expands the types of alternative energy sources that qualify as Tier I alternative energy sources under the AEPS Act to include specific categories of low impact hydropower and biomass energy. 66 Pa.C.S. § 2814(a) and (b). Section 2814 also requires the Commission to increase, at least quarterly, the percentage share of Tier I resources to be sold by EDCs and EGSs to reflect any new Tier I resources added as a result of this amendment. 66 Pa.C.S. § 2814(c).

Discussion

With this Tentative Order the Commission is proposing procedures and guidelines that low-impact hydropower facilities and generators utilizing by-products of pulping and wood manufacturing processes must follow to qualify as a Tier I resource. This Tentative Order also proposes reporting requirements and related procedures that the Commission will use to adjust AEPS Act Tier I requirements to account for the newly qualified Tier I resources. The reporting requirements and related procedures proposed in this Tentative Order are not limited to the newly eligible Tier I sources. In order for the Commission to increase the Tier I percentage requirement to account for the newly eligible sources, the Commission proposes to increase the reporting requirements of EDCs and EGSs, with AEPS compliance obligations.

A. Alternative Energy Resource Qualification

Section 2814 expands the type of alternative energy sources that qualify as Tier I resources under the AEPS Act by also including certain categories of low-impact hydropower and biomass energy. The General Assembly established specific criteria these alternative energy sources must meet to be qualified as a Tier I resource. The Commission is proposing the following specific reporting requirements and related procedures for qualifying the output of these sources as Tier I alternative energy credits (AECs).

1. Low-Impact Hydropower Facilities

Section 2814 expands the low impact hydropower category of "alternative energy sources" in Section 2 of the AEPS Act² to include low-impact hydropower with a maximum capacity of 21 megawatts that were licensed by the Federal Energy Regulatory Commission (FERC) on or prior to January 1, 1984, and held, at least in part, by a Commonwealth municipality or electric cooperative on July 1, 2007. 66 Pa.C.S. § 2814(a)(1). The Commission interprets this language in Act 129 as supplementing the definition of qualifying low-impact hydropower, rather than replacing the existing definition of low-impact hydropower. As such, all previously qualified and any other low-impact hydropower that meets the definition of low-impact hydropower found in Section 2 of the AEPS Act, 73 P. S. § 1648.2, will continue to qualify as a Tier I alternative energy resource.

In order to be qualified as a Tier I low-impact hydropower alternative energy source, any facility that meets the criteria contained in 66 Pa.C.S. § 2814(a) must submit an application with supporting documentation to the Commission's AEPS program administrator. This application requirement applies regardless of whether the facility is already qualified as a Tier II resource. In addition, each facility qualified under 66 Pa.C.S. § 2814(a) must comply with the reporting requirements outlined below in Section B of this order.

2. Biomass Facilities

Section 2814 supplements the definition of "biomass energy" in Section 2 of the AEPS Act³ to include electricity generated "utilizing by-products of the pulping process and wood manufacturing process, including bark, wood chips, sawdust and lignins in spent pulping liquors." 66 Pa.C.S. § 2814(b). Section 2814 further states that "[e]lectricity from biomass energy under this subsection generated inside this Commonwealth shall be eligible as a Tier I alternative energy source." *Id.* Finally, Section 2814 states that "[e]lectricity from biomass energy under this subsection generated outside this Commonwealth shall be eligible as a Tier II alternative energy source." *Id.*

The Commission notes that Section 2 of the AEPS Act, 73 P. S. § 1648.2, defines Tier II alternative energy sources as including the "[g]eneration of electricity utilizing by-products of the pulping process and wood manufacturing process, including bark, wood chips, sawdust and lignin in spent pulping liquors." 73 P. S. § 1648.2. Therefore, any facility located in this Commonwealth that generates electricity by utilizing by-products of the pulping process and wood manufacturing desiring to be qualified as a Tier I resource must submit an application with supporting documentation to the Commission's AEPS program administrator. This application requirement applies regardless of whether the facility is already qualified as a Tier II resource. In addition, each facility qualified under 66 Pa.C.S. § 2814(b) must comply with the reporting requirements outlined below in Section B of this order.

B. Adjustment to Tier I Alternative Energy Source Requirements

Section 2814(c) specifically requires this Commission to increase, at least quarterly, the percentage share of EDC and EGS Tier I requirements in Section 3 of the AEPS Act⁴ to reflect any new low-impact hydropower and biomass resources that qualify as a Tier I resource. 66 Pa.C.S. § 2814(c). Furthermore, Section 2814 states that no new qualifying low-impact hydropower or biomass facilities "shall be eligible to generate Tier I alternative energy credits until the Commission has increased the percentage share of Tier I to reflect these additional resources." *Id.* In this section the Commission proposes its procedures for determining the amount and frequency of the increase in Tier I percentage requirements.

At the outset, we note that there are several steps that must be taken before we can adjust periodically the percentage shares stated in Section 3 of the AEPS Act and Section 75.61(b) of the Commission's regulations. These steps are necessary because the AEPS Act's tier percentage shares apply to EDC and EGS sales of generation and not to the generation from qualified alternative energy sources.

The Commission believes that as the General Assembly required adjustments to the Tier I requirements on at

² 73 P. S. § 1648.2.

³ 73 P. S. § 1648.2.

⁴ 73 P. S. § 1648.3(b)(1).

least a quarterly basis, such adjustments must be based on the actual output of the newly qualified low-impact hydropower and biomass in relation to the actual EDC and EGS sales. As such, the Commission will initially be calculating each EDC's and EGS' Tier I nonsolar photovoltaic (PV) requirements on at least a quarterly basis. This quarterly adjustment will coincide with the AEPS Act compliance year quarters.⁵ Each EDC's and EGS' quarterly Tier I nonsolar PV requirements will be added together at the end of the year to determine their total annual Tier I nonsolar PV requirements. Tier I solar PV and Tier II requirements will be computed only annually under existing procedures. See 52 Pa. Code § 75.61.

The Commission believes that it was not the intent of the General Assembly for Act 129 to increase the Tier I solar PV requirements, as the expanded Tier I eligible resources are nonsolar resources. As such, the Commission will calculate each EDC's and EGS' Tier I solar PV requirements based on the annual Tier I requirements contained in 52 Pa. Code § 75.61(b). For example, for compliance year 2009-2010 the Tier I requirement is 2.5% of all retail sales, of which at least 0.0120% must come from solar PV. Assume that EDC X had total annual retail sales of 4,800,000 MWh. Under this scenario, EDC X would have a total annual Tier I solar PV requirement of 14.⁶

The Commission will determine each EDC's and EGS' new quarterly Tier I requirements as follows:

1. Tier I quarterly percentage increase equals the ratio of the available new Tier I megawatt-hour (MWh) sales to total quarterly EDC and EGS MWh sales (New Tier I MWh/EDC and EGS MWh = Tier I % increase).

2. New quarterly Tier I requirement equals the sum of the new Tier I percentage increase and the annual nonsolar Tier I percentage requirement in 52 Pa. Code § 75.61(b) (Tier I % increase + annual Tier I = quarterly Tier I requirement).

3. EDC and EGS quarterly MWh sales multiplied by quarterly Tier I requirement (EDC and EGS quarterly MWh × quarterly Tier I % = EDC and EGS quarterly Tier I requirement).

To demonstrate this quarterly adjustment calculation for the first quarter in the 2009-2010 compliance year, assume that the total EDC and EGS MWh sales for the quarter is 4,130,000 MWh and the total new Tier I MWh sales for the quarter is 132,000 MWh. Also assume that the total quarterly MWh sales of EDC X is 1,200,000 MWh.

The quarterly adjustment calculation for EDC X would be as follows:

1. $132,000/4,130,000 = 0.032$ or 3.2%.
2. $0.032 + 0.02488^7 = 0.05688$ or 5.688% of total retail sales.
3. $1,200,000 \times 0.05688 = 68,256$ total nonsolar Tier I credits required for the quarter. (Prior to adjustment total Tier I credits required would have been 29,856 ($1,200,000 \times 0.02488$) for a difference of 38,400 nonsolar Tier I credits.)

⁵ The quarters will be as follows: 1st quarter—June, July and August; 2nd quarter—September, October and November; 3rd quarter—December, January and February; and 4th quarter—March, April and May.

⁶ $4,800,000 \times 0.025 = 120,000 \times 0.000120 = 14.4$.

⁷ Under 52 Pa. Code § 75.61(b)(4) the following are the Tier I requirements for the 2009-2010 compliance year. The Tier I requirement is 2.5% of all retail sales. This includes 0.0120% solar photovoltaic. Therefore, the nonsolar PV Tier I requirement is 2.488%.

To accomplish the quarterly adjustments as described above, the Commission directs all EDCs and EGSs with AEPS compliance requirements to report total retail sales data to the Commission's AEPS program administrator on a monthly basis. The monthly sales figures are to be submitted by the fifteenth day of the following month.

In addition, all facilities qualifying as a Tier I resource under 66 Pa.C.S. §§ 2814(a) and (b) must provide the Commission, on a monthly basis, sufficient information for the Commission to determine the amount of generation that qualifies for Tier I credits. This information will include at least the following:

1. The facility's total generation from qualifying alternative energy sources for the month in MWh, broken down by source;
2. The amount of AECs sold in the month to each EDC and EGS with a compliance obligation under the AEPS Act;
3. The amount of AECs sold in the month to any other entity, including utilities, suppliers and users for compliance with another state's alternative/renewable energy portfolio standard or sold on the voluntary market;
4. The amount of AECs created and eligible for sale during the month but not yet sold;
5. The sale or other disposition of AECs created in prior months and transferred in the month—broken down by compliance status (Pennsylvania AEPS, other state compliance, voluntary market).

The Commission intends to limit the Tier I percentage share modifications to exclude credits which are committed for compliance with another state's portfolio standard or are not otherwise available to be used for Pennsylvania compliance. See 73 P.S. § 1648.4 and 52 Pa. Code § 75.63(c). Credits unavailable to EDCs and EGSs for Pennsylvania AEPS compliance are no different than unused generation capacity and must therefore be excluded from consideration when increasing the Tier I percentage requirement. The Commission believes that it was the intent of the General Assembly that the addition of any new Tier I resources have a neutral impact on the value of Tier I credits. As such, including only those credits that are available for AEPS compliance in the calculation of the Tier I percentage requirement will accomplish this intent. The monthly reporting data listed above will be used to identify the amount of credits available for Pennsylvania AEPS compliance.

The new Tier I facilities must provide this information to the Commission's Bureau of Conservation, Economics and Energy Planning (CEEP) and to the Commission's AEPS program administrator by the fifteenth day of the following month. CEEP may prepare a form (or a facility specific form) consistent with the order and direct each facility to report this information using such form(s). All such information is subject to audit by the Commission or its AEPS program administrator.

These facilities must also provide the AEPS program administrator access to the facility's GATS account so that the program administrator can track and confirm the number of additional Tier I credits available for Pennsylvania AEPS compliance. Any alternative energy facility that fails to report its qualifying generation for any given month will be disqualified from generating Tier I credits for the quarter in which that month falls.

An open and transparent Tier I credit market is essential to maintaining market integrity. In addition, all EDCs, EGSs and Tier I facilities will need to know what

the quarterly requirements in a timely manner to meet the AEPS requirements at a reasonable price. To facilitate the need for an open and transparent Tier I market, the Commission intends to post each new quarterly Tier I percentage requirement on the Commission's AEPS Web Site at <http://paaeps.com/credit/> and in the Pennsylvania Bulletin within 45 days of the end of each quarter.

Conclusion

The Commission believes that these proposed procedures capture the General Assembly's intent for the limited expansion of qualifying Tier I alternative energy sources. In addition, the proposed procedures for calculating the increase in the percentage share of Tier I credits in proportion to the increase in the number of new Tier I resources available accurately captures the General Assembly's intent to allow for an expansion of qualifying Tier I resources without adversely affecting the previously established Tier I resources credit prices. Given the complex nature of the issues involved in implementing this section of Act 129, we find it appropriate to seek public comment before adopting final implementation standards. After reviewing the comments, the Commission will issue a final order identifying the standards adopted for implementation of this provision of Act 129 for the AEPS compliance year beginning on June 1, 2009. *Therefore,*

It Is Ordered That:

1. Interested parties file an original and 15 copies of any written comments on this Tentative Order be submitted within 20 days of the entry date of this Tentative Order to the Pennsylvania Public Utility Commission, Attn.: Secretary James J. McNulty, P. O. Box 3265, Harrisburg, PA 17105-3265. This Tentative Order and all comments will be posted on the Commission's Alternative Energy web page at http://www.puc.state.pa.us/electric/electric_alt_energy.aspx; accordingly service on other parties is not required. To facilitate posting, all filed comments should be forwarded by means of electronic mail to Kriss Brown at kribrown@state.pa.us and Charles Covage at ccovage@state.pa.us.

2. This Tentative Order be published in the *Pennsylvania Bulletin* and a copy served on all jurisdictional electric distribution companies, all licensed electric generation suppliers, the Office of Consumer Advocate, the Office of Small Business Advocate, the Office of Trial Staff, and the Pennsylvania Department of Environmental Protection. In addition, the Commission directs the Bureau of Conservation, Economics and Energy Planning to identify potential new Tier I alternative energy resources eligible under section 5 of Act 129, 66 Pa.C.S. § 2814(a) and (b), to be served as well.

JAMES J. MCNULTY,
Secretary

Statement of Commissioner Kim Pizzingrilli

The General Assembly, through Act 129 of 2008, addressed a number of important and interrelated issues involving the regulation of retail electric service. These include energy efficiency and peak demand reduction, the procurement of energy supply for retail customers, and the utilization of alternative energy sources. The Commission has been tasked with developing the standards necessary to implement these provisions of Act 129. Throughout the first few months of 2009, the Commission

has focused on complying with the timetable identified in Act 129 for the implementation of the energy conservation and demand reduction provisions of the Act. The Commission must establish a process and identify guidelines to enable electric distribution companies to develop and file their energy conservation and demand reduction compliance plans by July 1, 2009, and, separately, their smart meter procurement and installation plans by August 14, 2009.

Today the Commission is addressing Act 129's amendments to the Alternative Energy Portfolio Standards Act of 2004. This Tentative Order identifies proposed standards governing the inclusion of low impact hydro and biomass in the Tier I alternative energy source category. We encourage all AEPS Act stakeholders to review and comment on this Tentative Order, as implementation of this provision will require a coordination of certain reporting activities by generators, electric distribution companies, and electric generation suppliers.

This is also an appropriate opportunity to provide a snapshot of the status of Act 129 implementation. The Commission has taken final action on the following issues in the past few months:

- Adoption of the program identifying the standards which the Commission will review proposed implementation plans, monitor execution, and enforce compliance with the efficiency provisions of the Act at the January 15, 2009 Public Meeting.
- Adoption of the rules for the Conservation Services Provider Registry, and the development of a standard application package, at the February 5, 2009 Public Meeting.
- Quantification of the energy consumption and peak demand reduction targets for Act 129 at the March 26, 2009 Public Meeting.

Implementation continues to proceed on four separate tracks on the following issues:

- The development of a standard filing template for the July 1, 2009 compliance plan. A draft template has been circulated to the stakeholder working group for comment.
- Revision of the technical reference manual that establishes levels of deemed savings for certain energy efficiency and conservation measures. Revisions have been released for public comment, and the Commission has hosted a technical conference on the matter.
- The development of standards by which the Commission will review and evaluate smart meter installation and procurement plans. A draft proposal has been circulated to the stakeholder working group for comment.
- The development of a Request for Proposal for the statewide energy efficiency and conservation program evaluator. The Commission expects to issue this Request for Proposal in the near future.

In conclusion, I would like to commend our staff for their work on these issues, and the stakeholders for their many constructive comments and participation in the technical conferences we have hosted.

KIM PIZZINGRILLI,
Commissioner

[Pa.B. Doc. No. 09-828. Filed for public inspection May 1, 2009, 9:00 a.m.]

Water Service

A-2009-2101493. Pennsylvania-American Water Company. Application of Pennsylvania-American Water Company for approval to offer, render, furnish or supply water service to the public in additional portions of Mount Pleasant Township, Washington County, PA.

Formal protests and petitions to intervene must be filed in accordance with 52 Pa. Code (relating to public utilities). Filings must be made with the Secretary of the Pennsylvania Public Utility Commission, P. O. Box 3265, Harrisburg, PA 17105-3265, with a copy served on the applicant on or before May 18, 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: Pennsylvania American Water Company

Through and By Counsel: Velma A. Redmond, Esquire, Susan Simms Marsh, Esquire, Seth A. Mendelsohn, Esquire, 800 West Hersheypark Drive, Hershey, PA 17033

JAMES J. MCNULTY,
Secretary

[Pa.B. Doc. No. 09-829. Filed for public inspection May 1, 2009, 9:00 a.m.]

PHILADELPHIA REGIONAL PORT AUTHORITY

Request for Bids

The Philadelphia Regional Port Authority (PRPA) will accept sealed bids for Project No. 09-053.1, roofing investigation and repairs at various PRPA Piers until 2 p.m., Thursday, May 28, 2009, mandatory prebid job site meeting, 10 a.m., Thursday, May 14, 2009, 10 a.m., PRPA office. The bid documents can be obtained from the Director of Procurement, PRPA, 3460 North Delaware Avenue, 2nd Floor, Philadelphia, PA 19134, (215) 426-2600 and are available May 5, 2009. The cost of the bid document is \$35 (includes 7% PA Sales Tax) and is nonrefundable. Bidders must provide to the Procurement Department in writing (24 hours prior to the meeting), the names of individuals that will be attending, fax to (215) 426-6800, Attn: Procurement Department. PRPA is an equal opportunity employer. Contractor must comply with all applicable EEO laws. Additional information and project listings may be found at www.philaport.com.

JAMES T. MCDERMOTT, Jr.,
Executive Director

[Pa.B. Doc. No. 09-830. Filed for public inspection May 1, 2009, 9:00 a.m.]

STATE POLICE

Approved Registration Sites under the Registration of Sexual Offenders Act

The Commissioner of the Pennsylvania State Police, under 42 Pa.C.S. Chapter 97, Subchapter H (relating to registration of sexual offenders), shall publish a list of approved registration sites located throughout this Commonwealth where individuals subject to the requirements of 42 Pa.C.S. §§ 9795.1 and 9796 (relating to registration; and verification of residence) can report to fulfill these requirements.

The approved registration sites are:

<i>County</i>	<i>Police Station</i>	<i>Address</i>	<i>Phone</i>
Adams	PSP Gettysburg	3033 Old Harrisburg Road Gettysburg, PA 17325	(717) 334-8111
Adams	Adams County Prison Central Booking	45 Major Bell Lane Gettysburg, PA 17325	(717) 334-1911
Allegheny	PSP Pittsburgh	449 McCormick Road Moon Township, PA 15108	(412) 787-2000
Allegheny	PSP Gibsonia (Turnpike)	3000 Haberlein Road Gibsonia, PA 15044	(724) 443-5907
Allegheny	Allegheny County Police	400 North Lexington Street Pittsburgh, PA 15208	(412) 473-1200
Armstrong	PSP Kittanning	184 Nolte Drive Kittanning, PA 16201	(724) 543-2011
Beaver	PSP Beaver	1400 Brighton Road Beaver, PA 15009	(724) 773-7400
Beaver	Beaver County Sheriff	810 Third Street Beaver, PA 15009	(724) 728-3934 Ext. 11243
Bedford	PSP Bedford	171 Arthur L. Hershey Drive Bedford, PA 15522	(814) 623-6133
Bedford	PSP Everett (Turnpike)	1605 Ashcom Road Suite 2 Everett, PA 15537	(814) 652-6131

<i>County</i>	<i>Police Station</i>	<i>Address</i>	<i>Phone</i>
Berks	Berks County Sheriff	633 Court Street 3rd Floor Reading, PA 19601	(610) 478-6240
Berks	PSP Reading	600 Kenhorst Boulevard Reading, PA 19611	(610) 378-4011
Berks	PSP Hamburg	90 Industrial Drive Hamburg, PA 19526	(610) 562-6885
Blair	PSP Hollidaysburg	1510 North Juniata Street Hollidaysburg, PA 16648	(814) 696-6100
Bradford	PSP Towanda	R. D. 1 Towanda, PA 18848	(570) 265-2186
Bucks	PSP Dublin	3218 Rickert Road Perkasie, PA 18944	(215) 249-9191
Bucks	PSP Trevose	3501 Neshaminy Boulevard Bensalem, PA 19020	(215) 942-3900
Bucks	Bensalem Township Police	2400 Byberry Road Bensalem, PA 19020	(215) 633-3700
Bucks	Upper Makefield Township Police	1076 Eagle Road Newtown, PA 18940	(215) 968-3020
Bucks	Perkasie Police	620 West Chestnut Street Perkasie, PA 18944	(215) 257-6876
Butler	PSP Butler	200 Barracks Road Butler, PA 16001	(724) 284-8100
Butler	Butler City Police	200 West New Castle Street Butler, PA 16001	(724) 287-5045
Butler	Butler County Day Reporting Center	227 West Cunningham Street Butler, PA 16001	(724) 284-5259
Butler	Cranberry Township Police	2525 Rochester Road Suite 500 Cranberry Township, PA 16066	(724) 776-5180
Cambria	PSP Ebensburg	100 Casale Court Ebensburg, PA 15931	(814) 471-6500
Cambria	Richland Township Police	322 Schoolhouse Road Johnstown, PA 15904	(814) 266-8333
Cameron	PSP Emporium	12921 Route 120 Emporium, PA 15834	(814) 486-3321
Carbon	PSP Pocono (Turnpike)	HCR 1 P. O. Box 18 White Haven, PA 18661	(570) 443-9511
Carbon	PSP Lehighton	5730 Interchange Road Lehighton, PA 18235	(610) 377-4270
Centre	PSP Philipsburg	3104 Port Matilda Highway Phillipsburg, PA 16866	(814) 342-3370
Centre	PSP Rockview	745 South Eagle Valley Road Bellefonte, PA 16823	(814) 355-7545
Centre	Centre County Prison	700 Rishel Hill Road Bellefonte, PA 16823	(814) 355-6868
Chester	Chester County Prison	501 South Wawaset Road West Chester, PA 19380	(610) 793-1510
Chester	Coatesville Police	1 City Hall Place Coatesville, PA 19320	(610) 384-2300 Ext. 0
Chester	Tredyffrin Township Police	1100 DuPortail Road Berwyn, PA 19312	(610) 644-3221
Chester	West Goshen Township Police	1025 Paoli Pike West Chester, PA 19380	(610) 696-7400
Chester	West Whiteland Township Police	222 North Pottstown Pike Exton, PA 19341	(610) 363-0200

<i>County</i>	<i>Police Station</i>	<i>Address</i>	<i>Phone</i>
Chester	PSP Embreeville	997 Lieds Road Coatesville, PA 19320	(484) 340-3241
Chester	PSP Avondale	2 Moxley Lane Avondale, PA 19311	(610) 268-2022
Clarion	PSP Clarion	209 Commerce Road Clarion, PA 16214	(814) 226-1710
Clarion	Clarion County Prison	309 Amsler Avenue Shippenville, PA 16254	(814) 226-9615
Clearfield	PSP Clearfield	147 Doe Hill Road Woodland, PA 16881	(814) 857-3800
Clinton	PSP Lamar	7127 Nittany Valley Drive Mill Hall, PA 17751	(570) 726-6000
Columbia	Bloomsburg Police	301 East 2nd Street Bloomsburg, PA 17815	(570) 784-4155
Columbia	PSP Bloomsburg	6850 Hidlay Church Road Bloomsburg, PA 17815	(570) 387-4701
Crawford	PSP Meadville	11176 Murray Road Meadville, PA 16335	(814) 332-6911
Cumberland	PSP Carlisle	1538 Commerce Avenue Carlisle, PA 17015	(717) 249-2121
Cumberland	PSP Newville (Turnpike)	248 Center Road Newville, PA 17241	(717) 776-3135
Cumberland	Cumberland County Prison Central Booking	1101 Claremont Road Carlisle, PA 17013	(717) 245-8787
Dauphin	Derry Township Police	620 Clearwater Road Hershey, PA 17033	(717) 534-2201
Dauphin	Lower Paxton Township Police	425 Prince Street Harrisburg, PA 17109	(717) 657-5656
Dauphin	PSP Highspire (Turnpike)	Turnpike Building Route 283 and Eisenhower Boulevard Harrisburg, PA 17106	(717) 939-9551 Ext. 4290
Dauphin	PSP Harrisburg	8000 Bretz Drive Harrisburg, PA 17112	(717) 671-7500
Dauphin	PSP Lykens	301 State Drive Elizabethville, PA 17023	(717) 362-8700
Delaware	Media Borough Police	301 North Jackson Street Media, PA 19063	(717) 565-6655
Delaware	PSP Media	1342 West Baltimore Pike Media, PA 19063	(484) 840-1000
Delaware	Marple Township Police	225 South Sproul Road Broomall, PA 19008	(610) 356-1501
Delaware	Radnor Township Police	301 Iven Avenue Wayne, PA 19087	(610) 688-0503
Delaware	Ridley Township Police	100 East MacDade Boulevard Folson, PA 19033	(610) 532-4001
Delaware	Springfield Township Police	50 Powell Road Springfield, PA 19064	(610) 544-1100
Delaware	Upper Chichester Township Police	8400 Furey Road Boothwyn, PA 19061	(610) 485-8400
Elk	PSP Ridgway	15010 Boot Jack Road Ridgway, PA 15853	(814) 776-6136
Erie	PSP Erie	4320 Iroquois Avenue Erie, PA 16511	(814) 898-1641
Erie	PSP Corry	11088 Route 6 East Union City, PA 16438	(814) 663-2043

<i>County</i>	<i>Police Station</i>	<i>Address</i>	<i>Phone</i>
Erie	PSP Girard	5950 Meadville Road Girard, PA 16417	(814) 774-9611
Fayette	PSP Uniontown	1070 Eberly Way Lemont Furnace, PA 15456	(724) 439-7111
Forest	PSP Tionesta	R. D. 1 Box 43 DD Tionesta, PA 16353	(814) 755-3565
Franklin	PSP Chambersburg	679 Franklin Farm Lane Chambersburg, PA 17202	(717) 264-5161
Fulton	PSP McConnellsburg	23170 Great Cove Road McConnellsburg, PA 17233	(717) 485-3131
Greene	PSP Waynesburg	255 Elm Drive Waynesburg, PA 15370	(724) 627-6151
Huntingdon	PSP Huntingdon	10637 Raystown Road Huntingdon, PA 16652	(814) 627-3161
Indiana	PSP Indiana	4221 Route 286 Highway West Indiana, PA 15701	(724) 357-1960
Jefferson	PSP DuBois	101 Preston Way Falls Creek, PA, 15840	(814) 371-4652
Jefferson	PSP Punxsutawney	485 North Findley Street Punxsutawney, PA 15767	(814) 938-0510
Juniata	PSP Lewistown	34 Arch Rock Road Mifflintown, PA 17059	(717) 320-1010
Lackawanna	PSP Dunmore	85 Keystone Industrial Park Dunmore, PA 18512	(570) 963-3156
Lackawanna	Scranton Police	100 South Washington Avenue Scranton, PA 18503	(570) 348-4134
Lancaster	PSP Bowmansville (Turnpike)	443 Panorama Drive Denver, PA 17517	(717) 445-6716
Lancaster	Elizabethtown Police	600 South Hanover Street Elizabethtown, PA 17022	(717) 367-6540
Lancaster	PSP Ephrata	21 Springhouse Road Ephrata, PA 17522	(717) 721-7667
Lancaster	PSP Lancaster	2099 Lincoln Highway East Lancaster, PA 17602	(717) 299-7650
Lancaster	Lancaster City Police	39 West Chestnut Street Lancaster, PA 17603	(717) 735-3300
Lawrence	PSP New Castle	3539 Wilimington Road New Castle, PA 16105	(724) 598-2211
Lawrence	New Castle Police	230 North Jefferson Street New Castle, PA 16101	(724) 656-9300
Lebanon	PSP Jonestown	2632 SR 72 Jonestown, PA 17038	(717) 865-2194
Lebanon	Lebanon County Central Booking	400 South 8th Street Lebanon, PA 17042	(717) 228-4413
Lehigh	PSP Fogelsville	8320 Schantz Road Breinigsville, PA 18031	(610) 395-1438
Lehigh	PSP Bethlehem	2930 Airport Road Bethlehem, PA 18017	(610) 861-2026
Lehigh	Lehigh County Prison Central Booking	38 North Fourth Street Allentown, PA 18102	(610) 782-3270
Luzerne	PSP Hazleton	250 Dessen Drive West Hazleton, PA 18202	(570) 459-3890
Luzerne	Butler Township Police	415 West Butler Drive Drums, PA 18222	(570) 788-4111

<i>County</i>	<i>Police Station</i>	<i>Address</i>	<i>Phone</i>
Luzerne	Hazleton Police Department	40 North Church Street Hazleton, PA 18201	(570) 459-4940
Luzerne	Kingston Police	500 Wyoming Avenue Kingston, PA 18704	(570) 288-3674
Luzerne	Luzerne County Correctional Facility	99 Water Street Wilkes-Barre, PA 18702	(570) 825-1666
Luzerne	PSP Shickshinny	872 Salem Boulevard Berwick, PA 18603	(570) 542-4117
Luzerne	PSP Wyoming	475 Wyoming Avenue Wyoming, PA 18644	(570) 697-2000
Lycoming	PSP Montoursville	899 Cherry Street Montoursville, PA 17754	(570) 368-5700
McKean	PSP Kane	3178 Route 219 Kane, PA 16735	(814) 778-5555
Mercer	PSP Mercer	826 Franklin Road Mercer, PA 16137	(724) 662-6162
Mercer	Southwest Regional Police	500 Roemer Boulevard Farrell, PA 16121	(724) 983-2720
Mifflin	PSP Lewistown	34 Arch Rock Road Mifflintown, PA 17059	(717) 320-1010
Mifflin	Mifflin County Prison Central Booking	103 West Market Street Lewistown, PA 17044	(717) 248-1130
Monroe	PSP Swiftwater	HC 1, Box 121 Swiftwater, PA 18370	(570) 839-7701
Monroe	PSP Fern Ridge	P. O. Box 1440 Blakeslee, PA 18610	(570) 646-2271
Montgomery	Abington Township Police	1166 Old York Road Abington, PA 19001	(267) 536-1100
Montgomery	Cheltenham Township Police	8230 Old York Road Elkins Park, PA 19027	(215) 885-1600
Montgomery	PSP King of Prussia (Turnpike)	251 Flint Hill Road King of Prussia, PA 19406	(610) 279-1605
Montgomery	PSP Skippack	2047C Bridge Road Schwenksville, PA 19473	(610) 410-3835
Montgomery	Montgomery Township Police	1001 Stump Road Montgomeryville, PA 18936	(215) 362-2300
Montgomery	Plymouth Township Police	700 Belvoir Road Plymouth, PA 19462	(610) 279-1900
Montgomery	Towamencin Township Police	1090 Troxel Road Lansdale, PA 19446	(215) 368-7606
Northampton	PSP Belfast	654 Bangor Road Nazareth, PA 18064	(610) 258-0816
Northumberland	PSP Stonington	2465 SR 61 Sunbury, PA 17801	(570) 286-5601
Northumberland	PSP Milton	50 Lawton Lane Milton, PA 17847	(570) 524-2662
Northumberland	Sunbury Police	440 Market Street Sunbury, PA 17801	(570) 286-4584
Perry	PSP Newport	52 Red Hill Court Newport, PA 17074	(717) 567-3110
Philadelphia	PSP Philadelphia	2201 Belmont Avenue Philadelphia, PA 19131	(215) 965-5870
Pike	PSP Blooming Grove	434 Route 402 Hawley, PA 18428	(570) 226-5720
Potter	PSP Coudersport	3140 East Second Street Coudersport, PA 16915	(814) 274-8690

<i>County</i>	<i>Police Station</i>	<i>Address</i>	<i>Phone</i>
Schuylkill	PSP Schuylkill Haven	23 Meadowbrook Drive Schuylkill Haven, PA 17972	(570) 593-2000
Schuylkill	PSP Frackville	31 Eleanor Drive Frackville, PA 17931	(570) 874-5300
Snyder	PSP Selinsgrove	204 Universal Road Selinsgrove, PA 17870	(570) 374-8145
Snyder	Snyder County Sheriff	12 South Main Street Middleburg, PA 17842	(570) 837-3311
Somerset	PSP Somerset	142 Sagamore Street Somerset, PA 15501	(814) 445-4104
Somerset	PSP Somerset (Turnpike)	177 Menser Road Somerset, PA 15501	(814) 445-9606
Somerset	Somerset Borough Police	340 West Union Street Somerset, PA 15501	(814) 445-4596
Sullivan	PSP Laporte	5837 Route 220 Laporte, PA 18626	(570) 946-4610
Susquehanna	PSP Gibson	2856 SR 848 New Milford, PA 18834	(570) 465-3154
Tioga	PSP Mansfield	1745 Valley Road Mansfield, PA 16933	(570) 662-2151
Tioga	Tioga County Probation Department	118 Main Street Wellsboro, PA 16901	(570) 724-9340
Union	Union County Courthouse	103 South Second Street Lewisburg, PA 17837	(570) 524-2943
Venango	PSP Franklin	6724 US 322 Franklin, PA 16323	(814) 676-6596
Venango	Franklin Police	430 13th Street Franklin, PA 16323	(814) 437-1644
Warren	PSP Warren	22001 Route 6 Warren, PA 16365	(814) 728-3600
Warren	Warren County Jail	407 Market Street Warren, PA 16365	(814) 723-7553
Washington	PSP Washington	83 Murtland Avenue Washington, PA 15301	(724) 223-5200
Washington	Washington County Family Court Center	29 West Cherry Avenue Washington, PA 15301	(724) 228-6999
Wayne	PSP Honesdale	R. R. 6 14 Collan Park Honesdale, PA 18431	(570) 251-7207
Westmoreland	PSP Greensburg	100 North Westmoreland Avenue Greensburg, PA 15601	(724) 832-3288
Westmoreland	PSP Belle Vernon	560 Circle Drive Belle Vernon, PA 15012	(724) 929-6262
Westmoreland	PSP New Stanton (Turnpike)	2200 North Center Avenue New Stanton, PA 15672	(724) 755-9463
Westmoreland	PSP Kiski Valley	4451 SR 66 Apollo, PA 15613	(724) 727-3434
Westmoreland	Greensburg Police	416 South Main Street Greensburg, PA 15601	(724) 834-3800
Westmoreland	Rostraver Township Police	205 Municipal Drive Belle Vernon, PA 15012	(724) 929-8811
Westmoreland	Murrysville Police	4120 Sardis Road Murrysville, PA 15668	(724) 327-2111
Westmoreland	New Kensington Police	301 11th Street New Kensington, PA 15068	(724) 339-7533

NOTICES

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<i>County</i>	<i>Police Station</i>	<i>Address</i>	<i>Phone</i>
Wyoming	PSP Tunkhannock	915 SR6W Tunkhannock, PA 18657	(570) 836-2141
York	PSP York	110 North Street York, PA 17403	(717) 428-1011
York	York County Sheriff	45 North George Street York, PA 17401	(717) 771-9601

Comments, suggestions or questions may be directed to the Pennsylvania State Police, Megan's Law Section, 1800 Elmerton Avenue, Harrisburg, PA 17110. Individuals with a disability and require an alternative format of this document (that is, large print, audio tape, Braille) contact the Megan's Law Section so that necessary arrangements can be made.

COLONEL FRANK E. PAWLOWSKI,
Commissioner

[Pa.B. Doc. No. 09-831. Filed for public inspection May 1, 2009, 9:00 a.m.]

