

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 May 5, 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

Charter Applications

| <i>Date</i> | <i>Name of Bank</i> | <i>Location</i> | <i>Action</i> |
|-------------|---|-----------------|-----------------------|
| 4-22-2009 | Great Bear Bank Allentown Lehigh County | Allentown | Approval Withdrawn |

Interim Charter Applications

| <i>Date</i> | <i>Name of Bank</i> | <i>Location</i> | <i>Action</i> |
|-------------|---|-----------------|------------------------------|
| 4-30-2009 | Affinity Interim Bank Wyomissing Berks County | Wyomissing | Approved and Effective |

The purpose of Affinity Interim Bank, Wyomissing, is to merge with Affinity Bank of Pennsylvania, Wyomissing, to facilitate the proposed reorganization of Affinity Bank of Pennsylvania into a bank holding company structure whereby Affinity Bank of Pennsylvania will become the wholly-owned subsidiary of Affinity Bancorp, a new holding company in formation.

Holding Company Acquisitions

| <i>Date</i> | <i>Name of Corporation</i> | <i>Location</i> | <i>Action</i> |
|-------------|---|-----------------|---------------|
| 4-29-2009 | Chemung Financial Corporation, Elmira, NY, to acquire 100% of Canton Bancorp, Inc., Canton, PA, and thereby indirectly acquire Bank of Canton, Canton, PA, which will subsequently merge with and into Chemung Canal Trust Company, Elmira, NY, a wholly-owned subsidiary of Chemung Financial Corporation | Elmira, NY | Approved |

Consolidations, Mergers and Absorptions

| <i>Date</i> | <i>Name of Bank</i> | <i>Location</i> | <i>Action</i> |
|-------------|--|-----------------|---------------|
| 4-29-2009 | NOVA Bank, Berwyn, and Pennsylvania Business Bank, Berwyn Surviving Institution: NOVA Bank, Berwyn | Berwyn | Approved |
| 5-4-2009 | Affinity Interim Bank, Wyomissing, and Affinity Bank of Pennsylvania, Wyomissing Surviving Institution: Affinity Interim Bank, Wyomissing, continuing under the name "Affinity Bank of Pennsylvania" | Wyomissing | Filed |

| <i>Date</i> | <i>Name of Bank</i> | <i>Location</i> | <i>Action</i> |
|-------------|--|-----------------|---------------|
| | Application filed in conjunction with the proposed reorganization of Affinity Bank of Pennsylvania, Wyomissing, into a bank holding company structure whereby Affinity Bank of Pennsylvania will become the wholly-owned subsidiary of Affinity Bancorp, a new holding company in formation. | | |

Branch Applications**De Novo Branches**

| <i>Date</i> | <i>Name of Bank</i> | <i>Location</i> | <i>Action</i> |
|-------------|---|--|---------------|
| 4-29-2009 | Embassy Bank for the Lehigh Valley Bethlehem Northampton County | Route 248 and Corriere Road Lower Nazareth Township Northampton County | Approved |
| 5-4-2009 | Quaint Oak Bank Southampton Bucks County | 1710 Union Boulevard Allentown Lehigh County | Filed |

Branch Relocations

| <i>Date</i> | <i>Name of Bank</i> | <i>Location</i> | <i>Action</i> |
|-------------|---|---|---------------|
| 4-29-2009 | Beneficial Mutual Savings Bank Philadelphia Philadelphia County | <i>To:</i> 537 Baltimore Pike Springfield Delaware County <i>From:</i> 410 West Baltimore Pike Clifton Heights Delaware County | Approved |

Branch Consolidations

| <i>Date</i> | <i>Name of Bank</i> | <i>Location</i> | <i>Action</i> |
|-------------|--|--|---------------|
| 4-24-2009 | Citizens Bank of Pennsylvania Philadelphia Philadelphia County | <i>Into:</i> 2 West Main Street Mechanicsburg Cumberland County <i>From:</i> Main and Filbert Streets Mechanicsburg Cumberland County | Effective |

Branch Discontinuances

| <i>Date</i> | <i>Name of Bank</i> | <i>Location</i> | <i>Action</i> |
|-------------|--|--|---------------|
| 4-24-2009 | Citizens Bank of Pennsylvania Philadelphia Philadelphia County | 70 Buckwalter Road Royersford Montgomery County | Closed |
| 4-24-2009 | Citizens Bank of Pennsylvania Philadelphia Philadelphia County | 8423 Frankford Avenue Philadelphia Philadelphia County | Closed |
| 4-24-2009 | Citizens Bank of Pennsylvania Philadelphia Philadelphia County | 636 Broadway McKees Rocks Allegheny County | Closed |
| 4-24-2009 | Citizens Bank of Pennsylvania Philadelphia Philadelphia County | 5925 Sixth Avenue Altoona Blair County | Closed |
| 4-24-2009 | Citizens Bank of Pennsylvania Philadelphia Philadelphia County | 1500 Garrett Road Upper Darby Delaware County | Closed |
| 4-24-2009 | Citizens Bank of Pennsylvania Philadelphia Philadelphia County | 815 East 38th Street Erie Erie County | Closed |
| 4-24-2009 | Citizens Bank of Pennsylvania Philadelphia Philadelphia County | 45 East Main Street Dallastown York County | Closed |
| 4-24-2009 | Citizens Bank of Pennsylvania Philadelphia Philadelphia County | 33 West Gay Street West Chester Chester County | Closed |

NOTICES

| <i>Date</i> | <i>Name of Bank</i> | <i>Location</i> | <i>Action</i> |
|-------------|--|---|---------------|
| 4-25-2009 | Citizens Bank of Pennsylvania Philadelphia Philadelphia County | 5045 Township Line Road Drexel Hill Delaware County | Closed |
| 4-25-2009 | Citizens Bank of Pennsylvania Philadelphia Philadelphia County | 512 Pennsylvania Avenue Fort Washington Montgomery County | Closed |
| 4-29-2009 | Union Bank and Trust Company Pottsville Schuylkill County | 101 South Front Street Auburn Schuylkill County | Filed |
| 4-30-2009 | Lafayette Ambassador Bank Easton Northampton County | 215 Robinson Avenue Pen Argyl Northampton County | Closed |
| 5-4-2009 | Northwest Savings Bank Warren Warren County | 325 Center Street Chardon Geauga County, OH | Filed |

Articles of Amendment

| <i>Date</i> | <i>Name of Bank</i> | <i>Purpose</i> | <i>Action</i> |
|-------------|---|---|------------------------------|
| 4-15-2009 | Affinity Bank of Pennsylvania Wyomissing Berks County | Amend the Sixth Article of the Articles of Incorporation | Filed |
| 5-5-2009 | Jonestown Bank and Trust Company of Jonestown, PA Jonestown Lebanon County | Amend Article V of the Articles of Incorporation | Approved and Effective |

Amendment to the Sixth Article of the institution's Articles of Incorporation provides for the issuance of common stock and preferred stock.

Amendment to Article V of the institution's Articles of Incorporation excludes from otherwise applicable preemptive rights of shareholders the offer and sale of common stock under a dividend reinvestment and stock purchase plan (or similar plan) approved by the Board of Directors in which holders of the outstanding shares are eligible to participate (subject to the terms and conditions of the plan).

SAVINGS INSTITUTIONS

No activity.

CREDIT UNIONS**Consolidations, Mergers and Absorptions**

| <i>Date</i> | <i>Name of Credit Union</i> | <i>Location</i> | <i>Action</i> |
|-------------|---|-----------------|---------------|
| 5-1-2009 | Alcose Credit Union, White Oak and Basil Community Credit Union, Pittsburgh Surviving Institution: Alcose Credit Union, White Oak | White Oak | Effective |

The sole office of Basil Community Credit Union, at the following location, will be operated as a branch office of Alcose Credit Union:

1732 Brownsville Road
Pittsburgh
Allegheny County

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

STEVEN KAPLAN,
Secretary

Maximum Lawful Rate of Interest for Residential Mortgages for the Month of June 2009

The Department of Banking (Department), under the authority contained in section 301 of the act of January 30, 1974 (P. L. 13, No. 6) (41 P. S. § 301), determines that the maximum lawful rate of interest for residential mortgages for the month of June 2009, is 6%.

The interest rate limitations under the State's usury statute were preempted to a great extent by Federal law, the Depository Institutions Deregulation and Monetary Control Act of 1980 (Pub. L. No. 96-221). Further preemption was instituted with the signing of Pub. L. No. 96-399, which overrode State interest rate limitations on any individual who finances the sale or exchange of residential real property which the individual owns and which the individual occupies or has occupied as his principal residence.

Each month the Department is required by State law to compute and announce the ceiling rate on residential mortgages in this Commonwealth. This maximum rate is determined by adding 2.50 percentage points to the yield rate on long-term government bonds as published by the Federal Reserve Board and/or the United States Treasury. The latest yield rate on long-term government securities is 3.39 to which was added 2.50 percentage points for a total of 5.89 that by law is rounded off to the nearest quarter at 6%.

STEVEN KAPLAN,
Secretary

[Pa.B. Doc. No. 09-880. Filed for public inspection May 15, 2009, 9:00 a.m.]

DEPARTMENT OF CONSERVATION AND NATURAL RESOURCES

Conservation and Natural Resources Advisory Council Meeting Notice

The Conservation and Natural Resources Advisory Council to the Department of Conservation and Natural Resources (Department) will hold a meeting on Wednesday, May 27, 2009, at 10 a.m. in Room 105, Lobby Level, Rachel Carson State Office Building, 400 Market Street, Harrisburg, PA.

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

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

CLIFFORD C. DAVID, Jr.,
Chairperson

[Pa.B. Doc. No. 09-881. Filed for public inspection May 15, 2009, 9:00 a.m.]

DEPARTMENT OF EDUCATION

Application of Timothy Stitch for Reinstatement of Teaching Certificate; Doc. No. Re 09-01

Hearing

Under the Professional Educator Discipline Act (24 P. S. §§ 2070.1—2070.18a) (act), the Professional Standards and Practices Commission (Commission) has initiated hearing procedures to consider the application of Timothy Stitch for reinstatement of his teaching certificate.

On or about January 27, 2009, Timothy Stitch filed an application for reinstatement of his teaching certificate under section 16 of the act (24 P. S. § 2070.16), 1 Pa. Code §§ 35.1 and 35.2 (relating to applications) and 22 Pa. Code § 233.123 (relating to reinstatements). Under section 16 of the act, the Department of Education on April 27, 2009, opposed the reinstatement application. In accordance with the act, and the 1 Pa. Code Part II (relating to General Rules of Administrative Practice and Procedure), the Commission will appoint a hearing examiner to serve as presiding officer to conduct the proceedings and hearings as might be necessary, and to prepare a proposed report to the Commission containing findings of fact, conclusions of law and a recommended decision on the application.

Interested parties who desire to participate in these hearing procedures must file a notice of intervention or a petition to intervene in accordance with 1 Pa. Code §§ 35.27—35.32 (relating to intervention) within 30 days after publication of this notice in the *Pennsylvania Bulletin*. Persons objecting to the approval of the application may also, within 30 days after publication of this notice in the *Pennsylvania Bulletin*, file a protest in accordance with 1 Pa. Code § 35.23 (relating to protest generally).

Notices and petitions to intervene and protest shall be filed with Carolyn Angelo, Executive Director, Professional Standards and Practices Commission, 333 Market Street, Harrisburg, PA 17126-0333, on or before 4 p.m. on the due date prescribed by this notice. Persons with a disability who wish to attend the hearings and require an auxiliary aid, service or other accommodation to participate should contact Suzanne B. Markowicz at (717) 787-6576 to discuss how the Commission may best accommodate their needs.

CAROLYN ANGELO,
Executive Director

[Pa.B. Doc. No. 09-882. Filed for public inspection May 15, 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

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> |
|-----------------------------|--|--------------------------------------|--------------------------------------|-----------------------------|
| PA0035726 | Camp Ramah The Pavilion Suite 734 261 Old York Road Jenkintown, PA 19046 | Wayne County Buckingham Township | UNT to Equinunk Creek 1A | 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> |
|-----------------------------|---|--|--|-----------------------------|
| PA0081141 (Sew) | Locustwood Mobile Home Park Box 251 Morgantown, PA 19543 | Lancaster County East Cocalico Township | UNT to Little Cocalico Creek 7-J | Y |
| PA0051641 (Sew) | Historical and Museum Commission—Daniel Boone Homestead 400 Daniel Boone Road Birdsboro, PA 19508 | Berks County Exeter Township | Owatin Creek 3-C | Y |
| PA0082937 (IW) | RR Donnelley and Sons Company—Lancaster West Facility 1375 Harrisburg Pike Lancaster, PA 1760-12612 | Lancaster County Lancaster City | UNT Little Conestoga Creek 7-J | Y |
| PA0051781 (IW) | Reading Area Water Authority—Maiden Creek Reading City Hall 815 Washington Street Reading, PA 19601 | Berks County Ontelaunee Township | Maiden Creek 3-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> |
|-----------------------------|---|--------------------------------------|--------------------------------------|-----------------------------|
| PA0233617 | Central PA Water Treatment, LLC 476 Rolling Ridge Drive Suite 300 State College, PA 16801 | Clinton County Wayne Township | | Y |

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

| <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> |
|-----------------------------|---|--------------------------------------|--|-----------------------------|
| PA0102911 | Girl Scouts of Western PA 5681 Route 6N Route 285 Conneaut Lake, PA 16316 | Sadsbury Township Crawford County | UNT to Conneaut Outlet 16-D | Y |
| PA0001945 | CEMEX Wampum Cement Plant 2001 Portland Park Wampum, PA 16157 | Wampum Borough Lawrence County | Beaver River and UNTs of the Beaver River 20-B | Y |
| PA0020541 | Girard Borough Wastewater Treatment Plant Waterworks Park Drive Girard, PA 16417 | Girard Borough Erie County | Elk Creek 15 | 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.

PA0012190, Industrial Waste, SIC 3356, **Mueller Streamline Company, d/b/a Precision Tube Company**, 287 Wissahickon Avenue, North Wales, PA 19454. This existing facility is located in Upper Gwynedd Township, **Montgomery County**.

Description of Proposed Activity: Renewal of a NPDES permit to discharge noncontact cooling water and stormwater from a facility that manufactures nonferrous tubing. There is no discharge of process wastewater.

The receiving stream, Wissahickon Creek, is in the State Water Plan Watershed 3F and is classified for: TSF, aquatic life, water supply and recreation. The nearest downstream public water supply intake for Philadelphia Water Department is located on the Schuylkill River.

The proposed effluent limits for Internal Monitoring Point 102 are based on a design flow of 0.002 mgd for the noncontact cooling water:

| <i>Parameters</i> | <i>Mass (lb/day)</i> | | <i>Concentration (mg/l)</i> | | |
|-------------------------------|------------------------|----------------------|-----------------------------|----------------------|-------------------------------------|
| | <i>Average Monthly</i> | <i>Maximum Daily</i> | <i>Average Monthly</i> | <i>Maximum Daily</i> | <i>Instantaneous Maximum (mg/l)</i> |
| Temperature | | | | | 110° F |
| pH, (Standard Units) | | | 6.0 min | | 9.0 |
| Copper, Total | | | | Monitor | |
| Hardness as CaCO ₃ | | | | Monitor | |

The proposed effluent limits for Outfall 002 are based on a design flow of an average storm event:

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

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

1. Remedial Measures if Public Nuisance.
2. Small Stream Discharge.
3. Change in Ownership.
4. Thermal Requirement.
5. Sampling Requirement for NCCW.
6. Stormwater Requirements.

PA0036200, Sewage, **Radley Run Mews Sewer Association**, P. O. Box 84, Pocopson, PA 19382. This existing facility is located in Birmingham Township, **Chester County**.

Description of Proposed Activity: This application requests renewal of the NPDES permit for an existing discharge of treated sewage from the Radley Run Mews sewage treatment plant.

The receiving stream, Plum Run, is in the State Water Plan Watershed 3H and is classified for: WWF, MF and the Statewide water uses of aquatic life, water supply and recreation.

The proposed effluent limits for Outfall 001 are based on a design flow of 0.032 mgd.

| <i>Parameters</i> | <i>Mass (lb/day)</i> | | <i>Concentration (mg/l)</i> | | |
|--|------------------------|-----------------------|--------------------------------|-----------------------|-------------------------------------|
| | <i>Monthly Average</i> | <i>Weekly Average</i> | <i>Monthly Average</i> | <i>Weekly Average</i> | <i>Instantaneous Maximum (mg/l)</i> |
| CBOD ₅ | 6.67 | | 25 | | 50 |
| Total Suspended Solids | 8.0 | | 30 | | 60 |
| Ammonia as N | 5.34 | | 20 | | 40 |
| Fecal Coliform | | | 200/100 ml (Geometric Mean) | | 1,000/100 ml |
| Dissolved Oxygen | | | 3.0 (Minimum) | | |
| pH (Standard Units) | | | 6.0 (Minimum) | | 9.0 |
| Total Residual Chlorine | | | 0.6 | | 1.5 |
| Phosphorus as P (4-1 to 10-31) (11-1 to 3-31) (years 1 and 2) | 0.53 | | 2.0 | | 4.0 |
| (11-1 to 3-31) (years 3—5) | Monitor and Report | | Monitor and Report | | |
| Total Nitrogen (years 1 and 2) | 0.53 | | 2.0 | | 4.0 |
| | Monitor and Report | | Monitor and Report | | |

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

1. Notification of Designation of Operator.
2. Effective Disinfection.
3. Abandon STP When Municipal Sewers Available.
4. Remedial Measures if Unsatisfactory Effluent.
5. No Stormwater.
6. Acquire Necessary Property Rights.
7. Change of Ownership.
8. Total Residual Chlorine Requirement.
9. Sludge Disposal Requirement.
10. Instantaneous Maximum Requirements.
11. 2/Month Sampling.
12. Small Stream Discharge.
13. Laboratory Certification.
14. Certified Operator.
15. Fecal Coliform I-Maximum Reporting.
16. Fecal Coliform 10% Rule.

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

PA0061051, Sewage, **Farda Realty Associates, LP**, P. O. Box 130, Tannersville, PA 18372. This proposed facility is located in Pocono Township, **Monroe County**.

Description of Proposed Activity:

The receiving stream, UNT to Pocono Creek, is in the State Water Plan Watershed 1E and is classified for: HQ-CWF. The nearest downstream public water supply intake for City of Easton is located 33 miles below the point of discharge. The proposed effluent limits for Outfall 001 based on a design flow of 0.20 mgd.

| <i>Parameter</i> | <i>Average Monthly (mg/l)</i> | <i>Daily Maximum (mg/l)</i> | <i>Instantaneous Maximum (mg/l)</i> |
|-------------------------|---|-----------------------------|-------------------------------------|
| CBOD ₅ | 10.0 | | 20.0 |
| Total Suspended Solids | 10.0 | | 20.0 |
| NH ₃ -N | | | |
| (5-1 to 10-31) | 1.5 | | 3.0 |
| (11-1 to 4-30) | 4.5 | | 9.0 |
| Phosphorus as "P" | 1.0 | | 2.0 |
| Dissolved Oxygen | A minimum of 7.0 mg/l at all times. | | |
| Fecal Coliform | 200/100 ml as a Geometric Mean | | |
| pH | 6.0 to 9.0 Standard Units at all times. | | |
| Total Residual Chlorine | 0.7 | | 1.5 |
| Nitrate Nitrogen | | | |
| (May—October) | 4.0 | | 8.0 |
| Total Dissolved Solids | 1,000 | | 2,000 |

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

PA0028134, Industrial Waste, SIC 4941, **Pennsylvania American Water Company**, 207 Oneida Valley Road, Butler, PA 16001. This application is for renewal of an NPDES permit to discharge treated process water and stormwater from the Kittanning Filtration Plant in Rayburn Township, **Armstrong County**.

The following effluent limitations are proposed for discharge to the receiving waters, Allegheny River, classified as a WWF with existing and/or potential uses for aquatic life, water supply and recreation. The first existing/proposed downstream potable water supply is Buffalo Township Municipal Authority, located at 16.2 miles below the discharge point.

Outfall 001: existing discharge, design flow of 0.035 mgd.

| <i>Parameter</i> | <i>Mass (lb/day)</i> | | <i>Concentration (mg/l)</i> | | |
|------------------------|------------------------|----------------------|-----------------------------|----------------------|------------------------------|
| | <i>Average Monthly</i> | <i>Maximum Daily</i> | <i>Average Monthly</i> | <i>Maximum Daily</i> | <i>Instantaneous Maximum</i> |
| Flow (mgd) | Monitor and Report | | | | |
| Total Suspended Solids | | | 30.0 | | 60.0 |
| Iron | | | 2.0 | | 4.0 |

| Parameter | Mass (lb/day) | | Concentration (mg/l) | | |
|-------------------------|-----------------|---------------|--|---------------|-----------------------|
| | Average Monthly | Maximum Daily | Average Monthly | Maximum Daily | Instantaneous Maximum |
| Manganese | | | 1.0 | | 2.0 |
| Aluminum | | | 4.0 | | 8.0 |
| Total Residual Chlorine | | | 0.5 | | 1.0 |
| pH | | | not less than 6.0 nor greater than 9.0 | | |

The EPA waiver is in effect.

PA0030651, Sewage, **Canon-McMillan School District**, 1 North Jefferson Avenue, Canonsburg, PA 15317. This application is for renewal of an NPDES permit to discharge treated sewage from Wylandville Elementary School Sewage Treatment Plant in North Strabane Township, **Washington County**.

The following effluent limitations are proposed for discharge to the receiving waters, known as UNT of Little Chartiers Creek, which are classified as a HQ-WWF with existing and/or potential uses for aquatic life, water supply and recreation. The first downstream potable water supply intake from this facility is the West View Municipal Authority located on the Ohio River.

Outfall 001: existing discharge, design flow of 0.0088 mgd.

| Parameter | Concentration (mg/l) | | | |
|-------------------------|--|----------------|---------------|-----------------------|
| | Average Monthly | Average Weekly | Maximum Daily | Instantaneous Maximum |
| CBOD ₅ | 25 | | | 50 |
| Suspended Solids | 30 | | | 60 |
| Ammonia Nitrogen | | | | |
| (5-1 to 10-31) | 3.0 | | | 6.0 |
| (11-1 to 4-30) | 9.0 | | | 18.0 |
| 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 | | | |
| Total Residual Chlorine | 0.5 | | | 1.1 |
| Dissolved Oxygen | not less than 6.0 mg/l | | | |
| pH | not less than 6.0 nor greater than 9.0 | | | |

The EPA waiver is in effect.

PA0033294, Sewage, **South Franklin Township**, 100 Municipal Road, Washington, PA 15301. This application is for renewal of an NPDES permit to discharge treated sewage from Franklin Manor Sewage Treatment Plant in South Franklin Township, **Washington County**.

The following effluent limitations are proposed for discharge to the receiving waters, known as UNT of Chartiers 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 Western Pennsylvania Water Company.

Outfall 001: existing discharge, design flow of 0.06 mgd.

| Parameter | Concentration (mg/l) | | | |
|-------------------------|--|----------------|---------------|-----------------------|
| | Average Monthly | Average Weekly | Maximum Daily | Instantaneous Maximum |
| CBOD ₅ | 10 | | | 20 |
| Suspended Solids | 25 | | | 50 |
| Ammonia Nitrogen | | | | |
| (5-1 to 10-31) | 1.4 | | | 2.8 |
| (11-1 to 4-30) | 2.8 | | | 5.6 |
| 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 | | | |
| Total Residual Chlorine | 0.1 | | | 0.3 |
| Dissolved Oxygen | not less than 5.0 mg/l | | | |
| pH | not less than 6.0 nor greater than 9.0 | | | |

The EPA waiver is in effect.

PA0031488, Sewage, **Yough School District**, 915 Lowber Road, Herminie, PA 15637. This application is for renewal of an NPDES permit to discharge treated sewage from Yough Senior High School Wastewater Treatment Plant in Sewickley Township, **Westmoreland County**.

The following effluent limitations are proposed for discharge to the receiving waters, known as Little Sewickley Creek, which are classified as a TSF 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 McKeesport Municipal Water Authority.

Outfall 001: existing discharge, design flow of 0.013 mgd.

| <i>Parameter</i> | <i>Concentration (mg/l)</i> | | | |
|-------------------------|--|-----------------------|----------------------|------------------------------|
| | <i>Average Monthly</i> | <i>Average Weekly</i> | <i>Maximum Daily</i> | <i>Instantaneous Maximum</i> |
| CBOD ₅ | 25 | | | 50 |
| Suspended Solids | 30 | | | 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 | | | |
| Total Residual Chlorine | 1.4 | | | 3.3 |
| pH | not less than 6.0 nor greater than 9.0 | | | |

The EPA waiver is in effect.

PA0217964, Sewage, **Keith Vay**, Box 204, Lowbar, PA 15660. This application is for renewal of an NPDES permit to discharge treated sewage from K-Vays STP in Sewickley Township, **Westmoreland County**.

The following effluent limitations are proposed for discharge to the receiving waters, known as UNT of Little Sewickley Creek, which are classified as a TSF 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 Westmoreland County Municipal Authority, McKeesport Plant, on the Youghiogheny River.

Outfall 001: existing discharge, design flow of 0.006 mgd.

| <i>Parameter</i> | <i>Concentration (mg/l)</i> | | | |
|-------------------------|--|-----------------------|----------------------|------------------------------|
| | <i>Average Monthly</i> | <i>Average Weekly</i> | <i>Maximum Daily</i> | <i>Instantaneous Maximum</i> |
| CBOD ₅ | 25 | | | 50 |
| Suspended Solids | 30 | | | 60 |
| Ammonia Nitrogen | | | | |
| (5-1 to 10-31) | 2.0 | | | 4.0 |
| (11-1 to 4-30) | 6.0 | | | 12.0 |
| 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 | | | |
| Total Residual Chlorine | 0.13 | | | 0.31 |
| Dissolved Oxygen | not less than 6.0 mg/l | | | |
| pH | not less than 6.0 nor greater than 9.0 | | | |

The EPA waiver is in effect.

PA0041441, Sewage, **Somerset Township Municipal Authority**, P. O. Box 247, 2209 North Center Avenue, Somerset, PA 15501. This application is for renewal of an NPDES permit to discharge treated sewage from Wells Creek Sewage Treatment Plant in Somerset Township, **Somerset County**.

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

Outfall 001: existing discharge, design flow of 0.8 mgd.

| <i>Parameter</i> | <i>Concentration (mg/l)</i> | | | |
|-------------------------|--|-----------------------|----------------------|------------------------------|
| | <i>Average Monthly</i> | <i>Average Weekly</i> | <i>Maximum Daily</i> | <i>Instantaneous Maximum</i> |
| CBOD ₅ | 25 | 38 | | 50 |
| Suspended Solids | 30 | 45 | | 60 |
| Ammonia Nitrogen | | | | |
| (5-1 to 10-31) | 4.5 | 6.8 | | 9.0 |
| (11-1 to 4-30) | 13.5 | 20.3 | | 27.0 |
| Phosphorus | | | | |
| (1st month—36th month) | Monitor and Report | | | |
| (37th month—expiration) | 2.0 | 3.0 | | 4.0 |
| 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 | | | |
| Total Residual Chlorine | 0.3 | | | 0.9 |
| 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.

PA0093254, Sewage, **Sugar Creek Rest LP**, 120 Lakeside Drive, Worthington, PA 16262. This application is for renewal of an NPDES permit to discharge treated sewage from Sugar Creek Rest STP in Sugarcreek Township, **Armstrong County**.

The following effluent limitations are proposed for discharge to the receiving waters, known as UNT of Patterson Run, which are classified as a HQ-TSF 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 Cadogen Water Works.

Outfall 001: existing discharge, design flow of 0.02 mgd.

| <i>Parameter</i> | <i>Concentration (mg/l)</i> | | | |
|-------------------------|--|-----------------------|----------------------|------------------------------|
| | <i>Average Monthly</i> | <i>Average Weekly</i> | <i>Maximum Daily</i> | <i>Instantaneous Maximum</i> |
| CBOD ₅ | 20 | | | 40 |
| Suspended Solids | 25 | | | 50 |
| Ammonia Nitrogen | | | | |
| (5-1 to 10-31) | 2.5 | | | 5.0 |
| (11-1 to 4-30) | 6.0 | | | 12.0 |
| 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 | | | |
| Total Residual Chlorine | 0.13 | | | 0.3 |
| Dissolved Oxygen | not less than 6.0 mg/l | | | |
| pH | not less than 6.0 nor greater than 9.0 | | | |

The EPA waiver is in effect.

PA0031984, Sewage, **Department of Conservation and Natural Resources Bureau of State Parks, Raccoon Creek State Park**, 3000 SR 18, Hookstown, PA 15050. This application is for renewal of an NPDES permit to discharge treated sewage from Raccoon Creek State Park STP and WTP in Hanover Township, **Beaver County**.

The following effluent limitations are proposed for discharge to the receiving waters, known as Traverse Creek, which are classified as a TSF 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 Midland Borough Water Authority.

Outfall 001: existing discharge, design flow of 0.1 mgd.

| <i>Parameter</i> | <i>Concentration (mg/l)</i> | | | |
|-------------------------|--|-----------------------|----------------------|------------------------------|
| | <i>Average Monthly</i> | <i>Average Weekly</i> | <i>Maximum Daily</i> | <i>Instantaneous Maximum</i> |
| CBOD ₅ | 25 | | | 50 |
| Suspended Solids | 30 | | | 60 |
| Ammonia Nitrogen | | | | |
| (5-1 to 10-31) | 2.5 | | | 5.0 |
| (11-1 to 4-30) | 6.0 | | | 12.0 |
| Iron | 2.0 | | | 4.0 |
| Manganese | 1.0 | | | 2.0 |
| Aluminum | 4.0 | | | 8.0 |
| 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 | | | |
| Total Residual Chlorine | 0.15 | | | 0.35 |
| Dissolved Oxygen | not less than 5.0 mg/l | | | |
| pH | not less than 6.0 nor greater than 9.0 | | | |

The EPA waiver is in effect.

PA0091588, Sewage, **Yough School District**, 915 Lowber Road, Herminie, PA 15637. This application is for renewal of an NPDES permit to discharge treated sewage from Yough Intermediate/Middle School STP in South Huntingdon Township, **Westmoreland County**.

The following effluent limitations are proposed for discharge to the receiving waters, known as UNT of Sewickley 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 McKeesport Water Authority.

Outfall 001: existing discharge, design flow of 0.0135 mgd.

| <i>Parameter</i> | <i>Concentration (mg/l)</i> | | | |
|-------------------|-----------------------------|-----------------------|----------------------|------------------------------|
| | <i>Average Monthly</i> | <i>Average Weekly</i> | <i>Maximum Daily</i> | <i>Instantaneous Maximum</i> |
| CBOD ₅ | 25 | | | 50 |
| Suspended Solids | 30 | | | 60 |

| Parameter | Concentration (mg/l) | | | |
|------------------------------------|--|----------------|---------------|-----------------------|
| | Average Monthly | Average Weekly | Maximum Daily | Instantaneous Maximum |
| Ammonia Nitrogen (5-1 to 10-31) | 2.0 | | | 4.0 |
| (11-1 to 4-30) | 5.0 | | | 10.0 |
| 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 | | | |
| Total Residual Chlorine | 0.18 | | | 0.41 |
| Dissolved Oxygen | not less than 5.0 mg/l | | | |
| pH | not less than 6.0 nor greater than 9.0 | | | |

The EPA waiver is in effect.

PA0090689, Sewage, **Maple Creek Mining, Inc.**, 1 Industrial Park Drive, Wheeling, WV 26003. This application is for renewal of an NPDES permit to discharge treated sewage from Spinner Sewage Treatment Plant in Fallowfield Township, **Washington County**.

The following effluent limitations are proposed for discharge to the receiving waters, known as Sawmill 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 Pennsylvania American Water Company-Monongahela River.

Outfall 001: existing discharge, design flow of 0.02 mgd.

| Parameter | Concentration (mg/l) | | | |
|------------------------------------|--|----------------|---------------|-----------------------|
| | Average Monthly | Average Weekly | Maximum Daily | Instantaneous Maximum |
| CBOD ₅ | 25 | | | 50 |
| Suspended Solids | 30 | | | 60 |
| Ammonia Nitrogen (5-1 to 10-31) | 4.0 | | | 8.0 |
| (11-1 to 4-30) | 12.0 | | | 24.0 |
| 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 | | | |
| Total Residual Chlorine | 0.7 | | | 1.6 |
| pH | not less than 6.0 nor greater than 9.0 | | | |

The EPA waiver is in effect.

PA0110302, Sewage, **North American Hoganas, Inc.**, 111 Hoganas Way, Hollsopple, PA 15935. This application is for renewal of an NPDES permit to discharge treated sewage from Quemahoning Industrial Development Park STP in Quemahoning Township, **Somerset County**.

The following effluent limitations are proposed for discharge to the receiving waters, known as Quemahoning Creek, 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 Saltsburg Municipal Waterworks.

Outfall 001: existing discharge, design flow of 0.02 mgd.

| Parameter | Concentration (mg/l) | | | |
|------------------------------------|--|----------------|---------------|-----------------------|
| | Average Monthly | Average Weekly | Maximum Daily | Instantaneous Maximum |
| CBOD ₅ | 25 | | | 50 |
| Suspended Solids | 30 | | | 60 |
| Ammonia Nitrogen (5-1 to 10-31) | 20.0 | | | 40.0 |
| (11-1 to 4-30) | 25.0 | | | 50.0 |
| 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 | | | |
| Total Residual Chlorine | 1.4 | | | 3.3 |
| pH | not less than 6.0 nor greater than 9.0 | | | |

The EPA waiver is in effect.

PA0026140, Sewage, **Rochester Area Joint Sewer Authority**, 395 Adams Street, Rochester, PA 15074. This application is for renewal of an NPDES permit to discharge treated sewage from RAJSA Wastewater Treatment Plant in Rochester Borough, **Beaver County**.

The following effluent limitations are proposed for discharge to the receiving waters, known as Ohio River, 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 Midland Borough Municipal Authority.

Outfall 001: existing discharge, design flow of 1.4 mgd.

| <i>Parameter</i> | <i>Concentration (mg/l)</i> | | | |
|-------------------------|--|-----------------------|----------------------|------------------------------|
| | <i>Average Monthly</i> | <i>Average Weekly</i> | <i>Maximum Daily</i> | <i>Instantaneous Maximum</i> |
| CBOD ₅ | 25 | 37.5 | | 50 |
| Suspended Solids | 30 | 45 | | 60 |
| Fecal Coliform | | | | |
| (5-1 to 10-31) | 200/100 ml as a Geometric Mean | | | |
| (11-1 to 4-30) | 2,000/100 ml as a Geometric Mean | | | |
| Total Residual Chlorine | 0.5 | | | 1.0 |
| pH | not less than 6.0 nor greater than 9.0 | | | |

Other Conditions: The first 3 years of the permit require quarterly monitoring for certain nutrients (nitrogen and phosphorus components) for Outfall 001. The Ohio River Valley Sanitation Commission (ORSANCO) requires this monitoring for direct discharges of 1 mgd or greater to the Ohio River.

The EPA waiver is not in effect.

PA0043869, Sewage, **North Hempfield Volunteer Fire Company**, 1284 Business Route 66, Greensburg, PA 15601. This application is for renewal of an NPDES permit to discharge treated sewage from North Hempfield Volunteer Fire Company STP in Hempfield Township, **Westmoreland County**.

The following effluent limitations are proposed for discharge to the receiving waters, known as UNT of Brush Creek, which are classified as a TSF 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 Co.—Pittsburgh.

Outfall 001: existing discharge, design flow of 0.002 mgd.

| <i>Parameter</i> | <i>Concentration (mg/l)</i> | | | |
|-------------------------|--|-----------------------|----------------------|------------------------------|
| | <i>Average Monthly</i> | <i>Average Weekly</i> | <i>Maximum Daily</i> | <i>Instantaneous Maximum</i> |
| CBOD ₅ | 25 | | | 50 |
| Suspended Solids | 30 | | | 60 |
| Ammonia Nitrogen | | | | |
| (5-1 to 10-31) | 3.5 | | | 7.0 |
| (11-1 to 4-30) | 10.5 | | | 21.0 |
| 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 | | | |
| Total Residual Chlorine | Monitor and Report | | | |
| pH | not less than 6.0 nor greater than 9.0 | | | |

The EPA waiver is in effect.

PA0024082, Sewage, **Municipal Authority of Westmoreland County**, P. O. Box 730, Greensburg, PA 15601. This application is for renewal of an NPDES permit to discharge treated sewage from Avonmore Borough Sewage Treatment Plant in Avonmore Borough, **Westmoreland County**.

The following effluent limitations are proposed for discharge to the receiving waters, known as Kiskiminetas River, 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 Freeport Water Company located on the Allegheny River.

Outfall 001: existing discharge, design flow of 0.19 mgd.

| <i>Parameter</i> | <i>Concentration (mg/l)</i> | | | |
|-------------------------|--|-----------------------|----------------------|------------------------------|
| | <i>Average Monthly</i> | <i>Average Weekly</i> | <i>Maximum Daily</i> | <i>Instantaneous Maximum</i> |
| CBOD ₅ | 25 | 37.5 | | 50 |
| 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 | | | |
| Total Residual Chlorine | 1.0 | | | 3.3 |
| pH | not less than 6.0 nor greater than 9.0 | | | |

The EPA waiver is in effect.

PA0033626, Sewage, **West Greene School District**, 1367 Hargus Creek Road, Waynesburg, PA 15370. This application is for renewal of an NPDES permit to discharge treated sewage from West Greene Middle School/Senior High School Sewage Treatment Plant in Center Township, **Greene County**.

The following effluent limitations are proposed for discharge to the receiving waters, known as Hargus Creek, which are classified as a HQ-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 Waynesburg Water Treatment Plant.

Outfall 001: existing discharge, design flow of 0.012 mgd.

| Parameter | Concentration (mg/l) | | | |
|-------------------------|--|----------------|---------------|-----------------------|
| | Average Monthly | Average Weekly | Maximum Daily | Instantaneous Maximum |
| CBOD ₅ | 10 | | | 20 |
| Suspended Solids | 10 | | | 20 |
| Ammonia Nitrogen | | | | |
| (5-1 to 10-31) | 1.5 | | | 3.0 |
| (11-1 to 4-30) | 4.5 | | | 9.0 |
| 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 | | | |
| Total Residual Chlorine | 1.4 | | | 3.3 |
| Dissolved Oxygen | not less than 5.0 mg/l | | | |
| pH | not less than 6.0 nor greater than 9.0 | | | |

The EPA waiver is in effect.

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

PA0104353, Sewage, **Lemick, Inc.**, 9 Corporation Center, Broadview Heights, OH 44147. This proposed facility is located in Shenango Township, **Mercer County**.

Description of Proposed Activity: New NPDES permit replacing an expired permit for treated sewage.

For the purpose of evaluating effluent requirements for TDS, NO₂-NO₃, fluoride, phenolics, sulfate and chloride, the existing/proposed downstream potable water supply, considered during the evaluation is the potable water supply (Public Water Supplier) is located on the Shenango River (New Castle District Pennsylvania-American Water Company) at RMI 4.7 and is approximately 17.3 miles below point of discharge.

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

The proposed effluent limits for Outfall 001 are based on a design flow of 0.035 mgd.

| Parameter | Concentrations | | |
|-------------------------|--|-----------------------|------------------------------|
| | Average Monthly (mg/l) | Average Weekly (mg/l) | Instantaneous Maximum (mg/l) |
| Flow (mgd) | XX | | |
| CBOD ₅ | 25 | | 50 |
| Total Suspended Solids | 30 | | 60 |
| NH ₃ -N | | | |
| (5-1 to 10-31) | 3 | | 6 |
| (11-1 to 4-30) | 9 | | 18 |
| Fecal Coliform | | | |
| (5-1 to 9-30) | 200/100 ml as a Geometric Average | | |
| (10-1 to 4-30) | 2,000/100 ml as a Geometric Average | | |
| Total Residual Chlorine | 0.5 | | 1.2 |
| Dissolved Oxygen | minimum of 3 mg/l at all times | | |
| pH | 6.0 to 9.0 Standard Units at all times | | |

XX—Monitor and report on monthly DMRs.

The EPA waiver is in effect.

PA0209741, Sewage, **Reynolds/322 Company, LTD**, 9 Corporation Center, Broadview Heights, OH 44147-3265. This existing facility is located in French Creek Township, **Mercer County**.

Description of Proposed Activity: New NPDES permit replacing an expired NPDES permit for an existing discharge of treated sewage.

For the purpose of evaluating effluent requirements for TDS, NO₂-NO₃, fluoride, phenolics, sulfate and chloride, the existing/proposed downstream potable water supply, considered during the evaluation is located on the Allegheny River (Emlenton Water Company) and is approximately 47 miles below point of discharge.

The receiving stream, the UNT to Powder Mill Run, is in Watershed 16-D and classified for: WWF, aquatic life, water supply and recreation.

The proposed effluent limits for Outfall 001 are based on a design flow of 0.0175 mgd.

| Parameter | Concentrations | | |
|---|---------------------------|--|---------------------------------|
| | Average Monthly (mg/l) | Average Weekly (mg/l) | Instantaneous Maximum (mg/l) |
| Flow (mgd) | XX | | |
| CBOD ₅ | 25 | | 50 |
| Total Suspended Solids | 30 | | 60 |
| Fecal Coliform (5-1 to 9-30) (10-1 to 4-30) | | 200/100 ml as a Geometric Average 2,000/100 ml as a Geometric Average | |
| Total Residual Chlorine | 1.4 | | 3.3 |
| Dissolved Oxygen | | minimum of 3 mg/l at all times | |
| pH | | 6.0 to 9.0 Standard Units at all times | |

XX—Monitor and report on monthly DMRs.

The EPA waiver is in effect.

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

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

WQM Permit No. 2809402, Sewerage, **Edith and Samuel Shaffner**, 10959 Stonewall Road, Shippensburg, PA 17257. This proposed facility is located in Southampton Township, **Franklin County**.

Description of Proposed Action/Activity: Seeking approval for the construction/operation of a small flow sewage treatment system to serve their single-family residence.

WQM Permit No. 2109403, Sewerage, **Cumberland-Franklin Joint Municipal Authority**, 725 Municipal Drive, Shippensburg, PA 17257. This proposed facility is located in Southampton Township, **Cumberland County**.

Description of Proposed Action/Activity: Construction/Operation of a sewer extension and pump station to serve the Southwood Crossing.

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

WQM Permit No. 4109401, Sewerage, SIC 4952, **Williamsport Sanitary Authority**, 253 West Fourth Street, Williamsport, PA 17710-6113. This proposed facility will be located in the City of Williamsport, **Lycoming County**.

Description of Proposed Action/Activity: The Authority proposes the construction of a 2 million gallon storage tank, which will be used to store excessive wet weather combined sewer flow.

WQM Permit No. 5309401, Sewerage, SIC 4952, **Galeton Borough Authority**, 4 Sherman Street, Galeton, PA 16922. This proposed facility will be located in the Borough of Galeton, **Potter County**.

Description of Proposed Action/Activity: The Authority proposes the Phase 2A Southwest Sewershed Separation and Improvement Project, which will rehabilitate or replace sewerage facilities south of Pine Creek.

WQM Permit No. 1409402, Sewage, SIC 4952, **Kirk G. Aguer**, 123 Aspen Drive, Boalsburg, PA 16827. This proposed facility is located in Harris Township, **Centre County**.

Description of Proposed Action/Activity: The applicant proposes to construct a new raw sewage equalization tank, replace existing sewers and extent new sewers for 28 new connections at Nittany Grove MHC.

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

WQM Permit No. WQG016175, Sewerage, **David Calderone**, 162 A Hufnagel Drive, Clinton, PA 15026. This existing facility is located in Robinson Township, **Washington County**.

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

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

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

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

| <i>NPDES Permit No.</i> | <i>Applicant Name & Address</i> | <i>County</i> | <i>Municipality</i> | <i>Receiving Water/Use</i> |
|-------------------------|---|---------------|----------------------------|----------------------------|
| PAI024503017R | Tarisa, LLC P. O. Box 159 Shippers Road Macungie, PA 18062 | Monroe | Middle Smithfield Township | Sand Hill Creek HQ-CWF |

Pike County Conservation District: HC 6, Box 6770, Hawley, PA 18428, (570) 226-8220.

| <i>NPDES Permit No.</i> | <i>Applicant Name & Address</i> | <i>County</i> | <i>Municipality</i> | <i>Receiving Water/Use</i> |
|-------------------------|--|---------------|---------------------|---------------------------------------|
| PAI025208001 | Masthope Mountain Community Property Owners Council HC 1 1A353 Karl Hope Boulevard Lackawaxen, PA 18435 | Pike | Lackawaxen Township | Tributary to Delaware River HQ-CWF |

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

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

| <i>NPDES Permit No.</i> | <i>Applicant Name & Address</i> | <i>County</i> | <i>Municipality</i> | <i>Receiving Water/Use</i> |
|-------------------------|--|---------------|---------------------|----------------------------|
| PAI041409004 | Joel Albert Fox Ridge Subdivision 4031 Allport Cutoff Road Morrisdale, PA 16858 | Centre | Benner Township | Buffalo Run HQ-CWF |

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

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

| <i>NPDES Permit No.</i> | <i>Applicant Name & Address</i> | <i>County</i> | <i>Municipality</i> | <i>Receiving Water/Use</i> |
|-------------------------|---|---------------|---------------------------------|--|
| PAI055609001 | Turnpike Commission P. O. Box 67676 Harrisburg, PA 17106-7676 | Somerset | Jefferson and Lincoln Townships | UNT to Crab Run HQ-CWF Laurel Hill Creek Basin |

Westmoreland County Conservation District: 218 Donohoe Road, Greensburg, PA 15601, (724) 837-5271.

| <i>NPDES Permit No.</i> | <i>Applicant Name & Address</i> | <i>County</i> | <i>Municipality</i> | <i>Receiving Water/Use</i> |
|-------------------------|--|---------------|---------------------|----------------------------|
| PAI056509003 | Arshad Hafreez SASI, Inc. 7072 Lyons View Vourt Murrysville, PA 15668 | Westmoreland | Murrysville | Haymaker Run HQ |

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> |
|---|---------------|--------------------|--------------------------------|--------------------|---|--------------------|
| Weiler Farm 2 R. D. 2 Palmyra, PA 17079 | Lebanon | 0 | 822.33 | Swine | NA | Renewal |
| Kulp Family Dairy R. D. 2 Box 142B Martinsburg, PA 16662 | Blair | 2,610.7 | 3,651.25 | Dairy | Clover Creek 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

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

| | |
|---|---|
| Permit No. 0209511, Public Water Supply. | |
| Applicant | Pittsburgh Water and Sewer Authority 1200 Penn Avenue 2nd Floor Pittsburgh, PA 15222-4204 |
| Township or Borough | City of Pittsburgh |
| Responsible Official | Michael P. Kenney Executive Director Pittsburgh Water and Sewer Authority 1200 Penn Avenue 2nd Floor Pittsburgh, PA 15222-4204 |
| Type of Facility | Water treatment plant |
| Consulting Engineer | Mazza Design Solutions, LLC 232 Center Grange Road Aliquippa, PA 15001 |
| Application Received Date | April 21, 2009 |
| Description of Action | Expand the capacity of the Highland Park Membrane Microfiltration plant from 20 mgd to 26 mgd. |

Permit No. 0209509, Public Water Supply.
 Applicant **Moon Township Municipal Authority**
 1700 Beaver Grade Road
 Suite 200
 Coraopolis, PA 15108-3193

Township or Borough City of Pittsburgh

Responsible Official Robert Rateau, Superintendent
 Moon Township Municipal Authority
 1700 Beaver Grade Road
 Suite 200
 Coraopolis, PA 15108-3193

Type of Facility Water storage tank

Consulting Engineer KLH Engineers, Inc.
 5173 Campbells Run Road
 Pittsburgh, PA 15205

Application Received Date April 9, 2009

Description of Action Installation of a mixer at the Western Area water storage tank.

Permit No. 0209512, Public Water Supply.
 Applicant **Pennsylvania American Water Company**
 800 West Hersheypark Drive
 P. O. Box 888
 Hershey, PA 17033

Township or Borough City of Pittsburgh
 Baldwin Borough

Responsible Official David Kaufman
 Vice President
 Engineering
 Pennsylvania American Water Company
 800 West Hersheypark Drive
 P. O. Box 888
 Hershey, PA 17033

Type of Facility Water system

Consulting Engineer Gannett Fleming, Inc.
 207 Senate Avenue
 Camp Hill, PA 17011-2316

Application Received Date April 21, 2009

Description of Action Installation of approximately 2,900 LF of 42-inch transmission water main and appurtenances from the Becks raw water pump station to three existing mains in Becks Run Road.

Permit No. 2609504, Public Water Supply.
 Applicant **Pennsylvania American Water Company**
 800 West Hersheypark Drive
 P. O. Box 888
 Hershey, PA 17033

Township or Borough Brownsville Borough

Responsible Official David Kaufman
 Vice President
 Engineering
 Pennsylvania American Water Company
 800 West Hersheypark Drive
 P. O. Box 888
 Hershey, PA 17033

Type of Facility Water system

Consulting Engineer

Application Received Date April 29, 2009

Description of Action Addition of zinc ortho-phosphate at the Brownsville water treatment plant.

MINOR AMENDMENT

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

Application No. 0209510MA, Minor Amendment.

Applicant **Borough of Sewickley Water Authority**
 P. O. Box 190
 601 Thorn Street
 Sewickley, PA 15143

Township or Borough Edgeworth Borough

Responsible Official William DiMarzio
 Operations Supervisor
 Borough of Sewickley Water Authority
 P. O. Box 190
 601 Thorn Street
 Sewickley, PA 15143

Type of Facility Interconnection

Consulting Engineer KLH Engineers, Inc.
 5173 Campbells Run Road
 Pittsburgh, PA 15205

Application Received Date April 15, 2009

Description of Action Emergency interconnection between the Borough of Sewickley Water Authority and the Edgeworth Borough Municipal Authority.

Application No. 5609502MA, Minor Amendment.

Applicant **Indian Lake Borough**
 1301 Causeway Drive
 Central City, PA 15926

Township or Borough Indian Lake Borough

Responsible Official Theresa Weyant
 Borough Secretary
 Indian Lake Borough
 1301 Causeway Drive
 Central City, PA 15926

Type of Facility Water storage tank

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

Application Received Date April 21, 2009

Description of Action Painting of the Peninsula water storage tank.

Application No. 0209513MA, Minor Amendment.

Applicant **Moon Township Municipal Authority**
1700 Beaver Grade Road
Suite 200
Coraopolis, PA 15108-3193

Township or Borough Moon Township

Responsible Official John F. Riley, General Manager
Moon Township Municipal Authority
1700 Beaver Grade Road
Suite 200
Coraopolis, PA 15108-3193

Type of Facility Water storage tank

Consulting Engineer KLH Engineers, Inc.
5173 Campbells Run Road
Pittsburgh, PA 15205

Application Received Date May 1, 2009

Description of Action Construction of a 100,000 gallon backwash tank at the Fern Hollow water treatment plant.

Application No. 2609503MA, Minor Amendment.

Applicant **Borough of Point Marion**
426 Morgantown Street
Point Marion, PA 15474

Township or Borough Point Marion Borough

Responsible Official Alfred DuBois, Senior
Borough of Point Marion
426 Morgantown Street
Point Marion, PA 15474

Type of Facility Water storage tank and waterlines

Consulting Engineer Alpha Associates, Incorporated
209 Prairie Avenue
Morgantown, WV 26501

Application Received Date May 4, 2009

Description of Action Replacement of 23,200 LF of waterline and construction of a 109,000 gallon auxiliary water storage tank with appurtenances.

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:

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

Powers Residence, 30 Frutchey Court, Upper Mount Bethel Township, **Northampton County**. Thomas Jones, Penn Environmental & Remediation, Inc., 2755 Bergey Road, Hatfield, PA 19440 has submitted a Notice of Intent to Remediate (on behalf of his client, Richard Powers, 30 Frutchey Court, Mount Bethel, PA 18343), concerning the remediation of soil found to have been impacted by No. 2 fuel oil as a result of a release from a 550-gallon underground storage tank. The applicant proposes to remediate the site to meet the Statewide Health Standard. The proposed future use of the property will continue as residential. A summary of the Notice of Intent to Remediate is expected to be published in a local newspaper serving the general area sometime in the near future.

O'Leary Residence, 4073 Manor Drive, Hamilton Township, **Monroe County**. Mark J. Zunich and Michael P. Raffoni, Reliance Environmental, Inc., 130 East Chestnut Street, Lancaster, PA 17602 have submitted a Notice of Intent to Remediate (on behalf of their client, John O'Leary, 4073 Manor Drive, Stroudsburg, PA 18360), concerning the remediation of soil found to have been impacted by No. 2 fuel oil as a result of a release from a 275-gallon, exterior aboveground storage tank, which may have been due to a frozen supply line failure. The applicant proposes to remediate the site to meet the Statewide Health Standard. The future use of the property will remain residential. A summary of the Notice of Intent to Remediate is expected to be published in a local newspaper serving the general area sometime in the near future.

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

Rutters Farm Store 53, Newberry Township, **York County**. United Environmental Services, Inc., 86 Hillside Drive, Drums, PA 18222, on behalf of CHR Corporation, 2295 North Susquehanna Trail, York, PA 17404, submitted a Notice of Intent to Remediate site soils contaminated with diesel fuel released from a tractor trailer saddle tank. The site will be remediated to the Residential Statewide Health Standard and remain a retail fueling station.

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

Pennsylvania College of Technology—Rose Street Student Housing/Parking, City of Williamsport, **Lycoming County**. TCI Environmental Services, Inc., 100 North Wilkes-Barre Boulevard, Wilkes-Barre, PA 18702 on behalf of Pennsylvania College of Technology, 2245 Reach Road, Williamsport, PA 17701 has submitted a Notice of Intent to Remediate soil contaminated with Lead and Arsenic. The applicant proposes to remediate the site to meet the Site-Specific Standard. The future use of the property is as student housing and parking.

OPERATE WASTE PROCESSING OR DISPOSAL AREA OR SITE

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

Northcentral Region: Regional Solid Waste Manager, 208 West 3rd Street, Suite 101, Williamsport, PA 17701-6448.

Permit Application No. 300610. Craftmaster Manufacturing, Inc., P. O. Box 311, Shiner Road, Towanda, PA 18848. The permit renewal application for the Craftmaster captive residual waste landfill located in Wysox Township, **Bradford County**, was deemed complete by the Williamsport Regional Office on May 4, 2009.

Comments concerning the application should be directed to Jim Miller, Program Manager, Waste Management Program, Williamsport Regional Office, 208 West Third Street, Suite 101, Williamsport, PA 17701. Persons interested in obtaining more information about the permit application may contact the Williamsport Regional Office, (570) 327-3740. TDD users may contact the Department of Environmental Protection through the Pennsylvania AT&T 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.

35-328-003: PEI Power Corp.—PEI Power Station (170 Power Boulevard, Archbald, PA 18403) for modification to their emission limits for the two natural gas turbines at their facility in Archbald Borough, **Lackawanna County**.

40-399-064: Schott Glass Technologies, Inc. (400 York Avenue, Duryea, PA 18642) for installation of a shot blast booth with baghouse at their facility in Duryea Borough, **Luzerne County**.

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

10-028I: Armstrong Cement and Supply Corp. (100 Clearfield Road, Cabot, PA 16023) to install new burner systems on two existing kilns at their facility on 100 Clearfield Road in Winfield Township, **Butler County**. This is a Title V facility, Permit No. 10-00028.

25-053E: Urick Foundry Co. (1501 Cherry Street, Erie, PA 16502) for modernization of the sand cooling operation including three new finishing/sand handling baghouses in Erie City, **Erie County**. This is a State-only facility.

42-028C: Saint-Gobain Containers, Inc. (One Glass Place, Port Allegany, PA 16743-1154) for installation of three dust collector systems and modification of an existing dust collector system at their facility in Port Allegany Borough, **McKean County**. This is a Title V facility.

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

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

23-0003N: ConocoPhillips Co. (4101 Post Road, Trainer, PA 19061-3812) for modification of NOx emission limits and average capacity of the FCCU feed heater at their Trainer facility in Trainer Borough, **Delaware County**. This facility is a Title V facility. This modification will not result in NOx emission increase. The Plan Approval and Operating Permit will contain recordkeeping requirements and operating restrictions designed to keep the facility operating within all applicable air quality requirements.

23-0003M: ConocoPhillips Co. (4101 Post Road, Trainer, PA 19061-3812) for upgrading its south side cooling tower at their Trainer facility in Trainer Borough, **Delaware County**. This facility is a Title V facility. This upgrading will result in VOC emission increase of 0.74 tpy. The Plan Approval and Operating Permit will contain recordkeeping requirements and operating restrictions designed to keep the facility operating within all applicable air quality requirements.

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

21-05011B: Frog Switch & Manufacturing Co. (600 East High Street, Carlisle, PA 17013) for revision to the pressure drop range stated in the Continuous Assurance and Monitoring Plan for the two electric arc furnaces in the Carlisle Borough, **Cumberland County**. The plan approval will include monitoring, recordkeeping, reporting

and work practice standards designed to keep the facility operating within all applicable air quality requirements.

OPERATING PERMITS

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

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

67-05030: C-P Converters, Inc. (15 Grumbacher Road, York, PA 17402-9417) for renewal of the Title V Operating Permit issued in March 2005 and administratively amended in January 2008 in Manchester Township, **York County**.

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.

09-00165: Boekel Industries, Inc. (855 Pennsylvania Boulevard, Feasterville, PA 19053), for renewal of State-only (Synthetic Minor) Operating Permit No. 09-00165, which was originally issued on February 3, 2004, and amended on July 17, 2007, in Lower Southampton Township, **Bucks County**. Boekel Industries, Inc. operates and maintains a batch vapor degreaser, from which emissions of trichloroethylene are restricted to 9.5 tpy. No changes have occurred at the facility since the SOOP was amended. The renewed SOOP will include monitoring, recordkeeping, reporting and work practice requirements designed to keep the facility operating within all applicable air quality requirements.

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

21-05049: Pennsy Supply, Inc. (1001 Paxton Street, Harrisburg, PA 17105) for operation of a hot mix batch asphalt plant at the Penn Township quarry in Penn Township, **Cumberland County**. The 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.

22-03030: Pennsy Supply, Inc. (1001 Paxton Street, P. O. Box 3331, Harrisburg, PA 17105) for their stone crushing operations at 2090 Union Street in Lower Swatara Township, **Dauphin County**. This is a renewal of the State-only operating permit issued in March 2004.

38-03001: Lebanon Chemical Corp. (1600 East Cumberland Street, Lebanon, PA 17042) for their fertilizer drying and bagging operations controlled by a fabric collector in South Lebanon Township, **Lebanon County**. This is a renewal of the State-only operating permit issued in May 2004.

38-05024: Pennsy Supply, Inc. (1001 Paxton Street, P. O. Box 3331, Harrisburg, PA 17105) for their stone crushing operations and cement plant at 200 Prescott Road in South Lebanon Township, **Lebanon County**. This is a renewal of the State-only operating permit issued in January 2004.

67-03143: The ESAB Group, Inc. (1500 Karen Lane, Hanover, PA 17331) for operation of their welding equip-

ment and consumables manufacturing facility in Hanover Borough, **York County**. The State-only operating permit will include emission restrictions, work practice standards, testing, monitoring, recordkeeping and reporting requirements designed to keep the facility operating within all applicable air quality requirements.

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

32-00375: Rosebud Mining Co. (301 Market Street, Kittanning, PA 16201-1504) for a permit to operate a coal screening plant at their Lowry Deep Mine in White Township, **Indiana County**.

COAL AND NONCOAL MINING ACTIVITY APPLICATIONS

Applications under the Surface Mining Conservation and Reclamation Act (52 P. S. §§ 1396.1—1396.19a); the Noncoal Surface Mining Conservation and Reclamation Act (52 P. S. §§ 3301—3326); The Clean Streams Law (35 P. S. §§ 691.1—691.1001); the Coal Refuse Disposal Act (52 P. S. §§ 30.51—30.66); The Bituminous Mine Subsidence and Land Conservation Act (52 P. S. §§ 1406.1—1406.21). Mining activity permits issued in response to such applications will also address the applicable permitting requirements of the following statutes: the Air Pollution Control Act (35 P. S. §§ 4001—4015); the Dam Safety and Encroachments Act (32 P. S. §§ 693.1—693.27); and the Solid Waste Management Act (35 P. S. §§ 6018.101—6018.1003).

The following permit applications to conduct mining activities have been received by the Department of Environmental Protection (Department). A copy of the application is available for inspection at the District Mining Office indicated above each application. Where a 401 Water Quality Certification is needed for any aspect of a particular proposed mining activity, the submittal of the permit application will serve as the request for the certification.

Written comments or objections, or requests for an informal conference, or a public hearing, as applicable, on a mining permit application may be submitted by any person or any officer or head of any Federal, State or local government agency or authority to the Department at the address of the district mining office indicated above each application within 30 days of this publication, or within 30 days after the last publication of the applicant's newspaper advertisement, as provided by 25 Pa. Code §§ 77.121—77.123 and 86.31—86.34.

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

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

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

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

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

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

The procedures for determining the final effluent limits, using a mass-balance equation or model, are found in Technical Guidance Document 362-0600-001, NPDES Program Implementation-Memorandum of Understanding Concerning Water Quality Management, NPDES Program Implementation and Related Matters. Other specific factors to be considered include public comments and Total Maximum Daily Loads (TMDLs).

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

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

Coal Applications Received

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

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

¹ The parameter is applicable at all times.

A settleable solids instantaneous maximum limit of 0.5 mg/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.

11051301 and NPDES Permit No. PA0235652, AMFIRE Mining Company, LLC, (One Energy Place, Latrobe, PA 15650), to revise the permit for the Cresson Mine in Cresson Township, **Cambria County** to add underground permit and subsidence control plan acres for development mining. Underground Acres Proposed 986.3, Subsidence Control Plan Acres Proposed 986.3. No additional discharges. Application received October 15, 2008.

03031301 and NPDES Permit No. PA0235567, Rosebud Mining Company, (301 Market Street, Kittanning, PA 16201-9642), to renew the permit for the Keystone East Mine in Plumcreek Township, **Armstrong County** and related NPDES permit. (This renewal application was originally submitted and accepted for reclamation only.) No additional discharges. Application received December 8, 2008.

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

05753004 and NPDES No. PA0124869. Forcey Coal, Inc., P. O. Box 225, Madera, PA 16661, permit renewal for the continued operation and restoration of a bituminous surface mine in Broad Top and Carbon Townships, **Bedford and Huntingdon Counties**, affecting 222.1 acres. Receiving streams: UNTs to/and Coal Bank Run classified for the following use: WWF. There are no potable water supply intakes within 10 miles downstream. Application received April 23, 2009.

11793025 and NPDES No. PA0089524. E. P. Bender Coal Company, South Main Street, P. O. Box 565 and 566, Carrolltown, PA 15722, permit renewal for reclamation only of a bituminous surface mine in Dean Township, **Cambria County**, affecting 400.0 acres. Receiving stream: UNT to Brubaker Run classified for the following use: CWF. There are no potable water supply intakes within 10 miles downstream. Application received April 24, 2009.

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

65090102 and NPDES Permit No. PA0251640. Coal Loaders, Inc. (210 East Main Street, Ligonier, PA 15658-1318). Application received for commencement, operation and reclamation of a bituminous surface mining

operation located in Bell Township, **Westmoreland County**, affecting 184.6 acres. Receiving streams: UNTs to Wolford Run and Kiskiminetas River, classified for the following use: WWF. There are no potable water supply intakes within 10 miles from the point of discharge. Application received April 22, 2009.

03090103 and NPDES Permit No. PA0251631. M & M Lime Co., Inc. (215 Nichola Road, Worthington, PA 16262). Application for commencement, operation and reclamation of a bituminous surface mine, located in West Franklin Township, **Armstrong County**, affecting 8.2 acres. Receiving streams: Buffalo Creek, classified for the following use: HQ-TSF. There is no potable water supply intake within 10 miles downstream from the point of discharge. Application received April 21, 2009.

02030101 and NPDES Permit No. PA0250414. Teodori Enterprises (P. O. Box 616, Lawrence, PA 15055). Renewal application for reclamation only of a bituminous surface mine, located in North Fayette Township, **Allegheny County**, affecting 155.4 acres. Receiving streams: UNTs to North Branch and North Branch, 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 May 4, 2009.

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

17860135 and NPDES No. PA0115622. Strishock Coal Company (220 Hillcrest Drive, DuBois, PA 15801), revision of an existing bituminous surface mine to add 6.2 acres in Union, Brady and Sandy Townships, **Clearfield County**, affecting 361.4 acres. Receiving streams: Laborde Branch, Sugar Camp Run to Luthersburg Branch to Laborde Branch, tributaries to Stony Run to Laborde Branch to Sandy Lick Creek to Redbank Creek to Allegheny River, classified for the following uses: CWF; WWF. There are no potable water supply intakes within 10 miles downstream. Application received February 4, 2009.

17030107 and NPDES No. PA0243485. Swisher Contracting, Inc. (P. O. Box 1223, Clearfield, PA 16830), permit renewal for the continued operation and restoration of a bituminous surface mine in Lawrence Township, **Clearfield County**, affecting 50.2 acres. Receiving streams: UNT to Moose Creek and Moose Creek to West Branch Susquehanna, classified for the following uses: CWF; WWF. There are no potable water supply intakes within 10 miles downstream. Application received February 13, 2009.

17030113 and NPDES No. PA0243591. Rob Holland Enterprises (52 Holland Lane, Curwensville, PA 16833), transfer of an existing bituminous surface mine, with an Insignificant Permit Boundary Correction, from Kenneth K. Rishel and Sons, Inc. (1229 Turnpike Avenue,

Clearfield, PA 16830) located in Lawrence Township, **Clearfield County**, affecting 47.9 acres. Receiving streams: Montgomery Creek and West Branch Susquehanna, classified for the following uses: CWF; WWF. There are no potable water supply intakes within 10 miles downstream. Application received March 9, 2009.

17050106 and NPDES No. PA0256222. Gator Coal, LP (P. O. Box 418, Elderton, PA 15736), transfer of an existing bituminous surface mine from Lee Coal Contracting, Inc. (1395 German Road, Drifting, PA 16834), located in Cooper Township, **Clearfield County**, affecting 33.4 acres. Receiving stream: UNT to Moshannon Creek, classified for the following use: CWF. There are no potable water supply intakes within 10 miles downstream. Application received March 4, 2009.

17060112 and NPDES No. PA0238376. AMFIRE Mining Co., LLC (One Energy Place, Latrobe, PA 15650), transfer of an existing bituminous surface mine from Waroquier Coal Company (P. O. Box 128, Clearfield,

PA 16830) located in Bell Township, **Clearfield County**, affecting 279.0 acres. Receiving streams: Lost Run to Clover Run to East Branch Mahonning Creek, to Allegheny River, classified for the following uses: CWF to WWF. There are no potable water supply intakes within 10 miles downstream. Application received March 30, 2009.

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

54940201R3. White Pine Coal Co., Inc., (P. O. Box 119, Ashland, PA 17921), renewal of an existing anthracite coal refuse reprocessing operation in West Mahanoy Township, **Schuylkill County** affecting 56.3 acres, receiving stream: none. Application received April 28, 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.

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

4274SM11 and NPDES Permit No. PA0212512, New Enterprise Stone and Lime Company, Inc., P. O. Box 77, New Enterprise, PA 16664, renewal of NPDES Permit, Taylor Township, **Blair County**. Receiving streams: Plum and Halter Creeks classified for the following use: CWF. There are no potable water supply intakes within 10 miles downstream. NPDES renewal application received April 29, 2009.

56920301 and NPDES Permit No. PA0599417, New Enterprise Stone and Lime Company, Inc., P. O. Box 77, New Enterprise, PA 16664, renewal of NPDES Permit, Ogle Township, **Somerset County**. Receiving streams: UNTs to Shade Creek classified for the following use: EV. The first downstream potable water supply intake from the point of discharge is Cambria Somerset Authority Stonycreek SWW. NPDES renewal application received April 29, 2009.

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

26092001 and NPDES Permit No. PA0251658. Bullskin Stone and Lime, LLC (117 Marcia Street, Latrobe, PA 15650). Application for commencement, operation and reclamation of large noncoal underground mine, located in Bullskin Township, **Fayette County**, affecting 431.5 acres. Receiving streams: UNTs to Mounts Creek, classified for the following use: WWF. There is no

potable water supply intake within 10 miles downstream from the point of discharge. Application received April 24, 2009.

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

37020306. The East Fairfield Coal Co. (Box 217, 10900 South Avenue, North Lima, OH 44452-9792). Revision to an existing noncoal surface mining permit in North Beaver Township, **Lawrence County** affecting 181.2 acres. Receiving streams: Honey Creek and four UNTs to Honey Creek, classified for the following use: HQ. There are no potable surface water supply intakes within 10 miles downstream. Revision to add 1.9 acres to the permit. Application received April 28, 2009.

FEDERAL WATER POLLUTION CONTROL ACT, SECTION 401

The following permit applications, requests for Environmental Assessment approval and requests for 401 Water Quality Certification have been received by the Department of Environmental Protection (Department). Section 401 of the Federal Water Pollution Control Act (FWPCA) (33 U.S.C.A. § 1341) requires the State to certify that the involved projects will not violate the applicable provisions of sections 301–303, 306 and 307 of the FWPCA (33 U.S.C.A. §§ 1311–1313, 1316 and 1317) as well as relevant State requirements. Persons objecting to approval of a request for certification under section 401 of the FWPCA or to the issuance of a Dam Permit, Water Obstruction and Encroachment Permit or the approval of an Environmental Assessment must submit comments, suggestions or objections within 30 days of the date of this notice, as well as questions, to the regional office noted before the application. Comments should contain the name, address and telephone number of the person commenting, identification of the certification request to which the comments or objections are addressed and a

concise statement of comments, objections or suggestions including the relevant facts upon which they are based.

The Department may conduct a fact-finding hearing or an informal conference in response to comments if deemed necessary. Individuals will be notified, in writing, of the time and place of a scheduled hearing or conference concerning the certification request to which the comment, objection or suggestion relates. Maps, drawings and other data pertinent to the certification request are available for inspection between 8 a.m. and 4 p.m. on each working day at the regional office noted before the application.

Persons with a disability who wish to attend a hearing and require an auxiliary aid, service or other accommodation to participate in the proceedings should contact the specified program. TDD users should contact the Department through the Pennsylvania AT&T Relay Service at (800) 654-5984.

Applications received under the Dam Safety and Encroachments Act (32 P. S. §§ 693.1–693.27) and section 302 of the Floodplain Management Act (32 P. S. § 679.302) and requests for certification under section 401(a) of the Federal Water Pollution Control Act (33 U.S.C.A. § 1341(a)).

WATER OBSTRUCTIONS AND ENCROACHMENTS

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

E46-783. Horsham Township, 1025 Horsham Road, Horsham, PA 19044-1626, Horsham Township, **Montgomery County**, United States Army Corps of Engineers, Philadelphia District.

To construct and maintain a 25-foot by 3-foot box culvert across Park Creek (WWF, MF) and construction of a bituminous path in wetlands associated with extension of the existing public recreation trail from Limerick Pike (SR 152) to Biwood Road, a total distance of approximately 1.75 miles (Ambler, PA N: 15.4 inches; W: 1.00 inch).

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

E64-279. John E. Marshall, 337 Bethel School Road, Honesdale, PA 18431, in Berlin Township, **Wayne County**, United States Army Corps of Engineers, Philadelphia District.

To place fill in 0.57 acre of PEM wetlands for the purpose of constructing three, 26-foot wide by 100-foot long self-storage units. The project is located 1.61 miles northeast of the intersection of US Route 6 and SR 652 (White Mills, PA Quadrangle Latitude: 41° 34' 08"; Longitude: 75° 12' 05").

E64-281. Dreher Township, P. O. Box 177, Newfoundland, PA 18445, in Dreher Township, **Wayne County**, United States Army Corps of Engineers, Philadelphia District.

To construct and maintain a 3,660-foot long, 5-foot wide, public walking trail topped with 4-inches of wood fiber and stone dust in Carlton-Drake Memorial Park for the purpose of creating a recreational/exercise area. The project will impact 0.03 acre of PEM EV wetlands consisting of four separate crossings. The project also includes the construction and maintenance of: 1) a 4-foot diameter HDPE culvert crossing of a tributary to Wallenpaupack Creek (HQ-CWF); 2) four 24-inch diameter

HDPE culvert crossing of a tributary to Wallenpaupack Creek (HQ-CWF). Portions of the trail are also located within the 100-year floodplain and the floodway of a tributary to Wallenpaupack Creek. The project is located 2.07 miles south of the intersection of I-84 and SR 507 (Newfoundland, PA Quadrangle Latitude: 41° 18' 40"; Longitude: 75° 18' 58").

E64-280. John E. Marshall, 337 Bethel School Road, Honesdale, PA 18431, in Berlin Township, **Wayne County**, United States Army Corps of Engineers, Philadelphia District.

To construct and maintain a 0.86 acre pond which will impact 0.23 acre of PEM wetlands for the purpose of recreational use, water supply for livestock and fire protection. The project is located 3.77 miles northeast of the intersection of US Route 6 and SR 652 in Berlin Township, Wayne County (White Mills, PA Quadrangle Latitude: 41° 35' 29"; Longitude: 75° 10' 12").

E39-494. Hamilton Crossings, LP, P. O. Box F, Allentown, PA 18105, in Lower Macungie Township, **Lehigh County**, United States Army Corps of Engineers, Philadelphia District.

To place fill in an abandoned 0.10 acre water-filled quarry for the purpose of commercial development. The project is located approximately 0.40 mile southwest of the intersection of US Route 222 and Interstate Route 476 (Allentown West, PA Quadrangle Latitude: 40° 33' 59"; Longitude: 75° 33' 33").

E45-338. Joseph M. Evans, 16 Hemlock Drive, Pottsville, PA 17901, in North Manheim Township, **Schuylkill County**, United States Army Corps of Engineers, Baltimore District.

To construct and maintain a driveway crossing of Long Run (CWF) utilizing three 24-inch by 38-inch elliptical concrete pipes spanning 10 feet and depressed 6-inches below the existing streambed elevation and to permanently impact 0.013 acre of adjacent PSS wetlands utilizing three 12-inch culverts spanning 10 feet. The project is located approximately 0.6 mile southwest of the intersection of Guldin Street and SR 0443 (Friedensburg, PA Quadrangle Latitude: 40° 37' 07"; Longitude: 76° 11' 35").

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

E36-855: Areva NP, Inc., 3315 Old Forest Road, P. O. Box 10935, Lynchburg, VA 24506-0935, and Kinsley Construction, Inc., 2700 Water Street, P. O. Box 2886, York, PA 17405, Little Britain, West Nottingham, Providence, Pequea, Conestoga, Manor, East Donegal, West Hempfield, Conoy and Fulton Townships, Marietta and Columbia Boroughs, **Lancaster County**, West Nottingham Township, **Chester County** and Londonderry Township, **Dauphin County**, United States Army Corps of Engineers, Baltimore District.

To install and maintain:

1. a temporary bracing system in an existing, triple span bridge carrying SR 272 over Octoraro Creek (WWF), consisting of jacks and steel beams, located in Little Britain Township, Lancaster County and West Nottingham Township, Chester County (Kirkwood, PA Quadrangle N: 3.13 inches; W: 8.94 inches, Latitude: 39° 46' 02" N; Longitude: 76° 03' 49" W);

2. a temporary bracing system in an existing 295.0-foot long, 22.0-foot by 7.0-foot concrete box culvert carrying SR 272 over Huber Run (WWF), consisting of screw jacks,

and aluminum and timber support beams, located in Providence Township, Lancaster County (Conestoga, PA Quadrangle N: 9.08 inches; W: 0.55 inch, Latitude: 39° 55' 30" N; Longitude: 76° 15' 14" W);

3. a temporary stream crossing consisting of eight 48.0-inch diameter RCP's within the banks of Pequea Creek (WWF) and two 48.0-inch diameter RCP's in the floodway of Pequea Creek (WWF), in Providence and Pequea Townships, Lancaster County (Conestoga, PA Quadrangle N: 12.21 inches; W: 1.21 inches, Latitude: 39° 56' 32" N; Longitude: 76° 15' 31" W);

4. a temporary 80.0-foot long steel overbridge structure spanning an existing 20.0-foot long, stone-arch culvert carrying SR 3030 over a UNT to the Conestoga River (WWF) and a portion of the floodway of a UNT to the Conestoga River (WWF) in Conestoga Township, Lancaster County (Conestoga, PA Quadrangle N: 12.76 inches; W: 16.74 inches, Latitude: 39° 56' 43" N; Longitude: 76° 22' 03" W);

5. a temporary 30.0-foot long steel overbridge structure spanning an existing 20.0-foot long stone arch culvert carrying SR 3030 over Witmer Run (WWF) and the placement of gabion baskets and fill in the floodway of Witmer Run (WWF) impacting 70.0 linear feet of stream and 0.03 acre of PEM wetlands in Manor Township, Lancaster County (Safe Harbor, PA Quadrangle N: 19.22 inches; W: 12.30 inches, Latitude: 39° 58' 51" N; Longitude: 76° 27' 46" W);

6. a temporary 50.0-foot steel over bridge structure spanning existing dual 60.0-inch diameter concrete culverts carrying SR 441 over Shumans Run (WWF) and the placement of gabion baskets and fill in the floodway of Shumans Run (WWF) impacting 10.0 linear feet of stream and 0.001 acre of PEM wetlands in Manor Township, Lancaster County (Safe Harbor, PA Quadrangle N: 22.60 inches; W: 13.85 inches, Latitude: 39° 59' 58" N; Longitude: 76° 28' 26" W);

7. a temporary stream crossing consisting of four 48.0-inch diameter reinforced concrete pipes in Chiques Creek (WWF) and a temporary stream crossing consisting of four 48.0-inch diameter reinforced concrete pipes in Donegal Creek (TSF) (Columbia West, PA Quadrangle N: 10.04 inches; W: 3.58 inches, Latitude: 39° 58' 51" N; Longitude: 76° 27' 46" W);

8. a temporary bracing system in an existing 101.0-foot concrete arch culvert carrying SR 441 over Conewago Creek (TSF), consisting of concrete pads and tower cranes, located in Conoy Township, Lancaster County and Londonderry Township, Dauphin County (Middletown, PA Quadrangle N: 1.31 inches; W: 12.46 inches, Latitude: 40° 07' 56" N; Longitude: 76° 42' 51" W). Also to install and maintain portable temporary steel over bridges atop existing road crossings at the following locations:

9. SR 272 crossing over Little Conowingo Creek (HQ-CWF) in Little Britain Township, Lancaster County (Wakefield, PA Quadrangle N: 4.99 inches; W: 0.78 inch, Latitude: 39° 46' 39" N; Longitude: 76° 07' 50" W);

10. SR 272 over Conowingo Creek (TSF) in Fulton Township, Lancaster County (Wakefield, PA Quadrangle N: 4.19 inches; W: 6.40 inches, Latitude: 39° 46' 23" N; Longitude: 76° 10' 14" W);

11. SR 272 over an unnamed tributary to Pequea Creek (HQ-CWF) in Providence Township, Lancaster County (Wakefield, PA Quadrangle N: 6.91 inches; W: 16.97 inches, Latitude: 39° 54' 47" N; Longitude: 76° 14' 38" W);

12. SR 3030 over Stehman Run (WWF) in Conestoga Township, Lancaster County (Wakefield, PA Quadrangle N: 15.74 inches; W: 16.04 inches, Latitude: 39° 57' 42" N; Longitude: 76° 21' 52" W);

13. Warehouse Road over a UNT to the Conestoga River (WWF) in Manor Township, Lancaster County (Safe Harbor, PA Quadrangle N: 11.60 inches; W: 1.44 inches, Latitude: 39° 56' 20" N; Longitude: 76° 23' 07" W);

14. SR 3017 over Witmer Run (WWF) in Manor Township, Lancaster County (Safe Harbor, PA Quadrangle N: 11.70 inches; W: 2.14 inches, Latitude: 39° 56' 22" N; Longitude: 76° 23' 25" W);

15. SR 3030 over Wisslers Run (HQ-CWF) in Manor Township, Lancaster County (Safe Harbor, PA Quadrangle N: 16.85 inches; W: 11.17 inches, Latitude: 39° 58' 04" N; Longitude: 76° 27' 17" W);

16. SR 441 over Stamans Run (WWF) in Manor Township, Lancaster County (Safe Harbor, PA Quadrangle N: 21.64 inches; W: 13.50 inches, Latitude: 39° 59' 39" N; Longitude: 76° 28' 17" W);

17. SR 441 over Strickler Run (WWF) in Columbia Borough, Lancaster County (Columbia East, PA Quadrangle N: 4.04 inches; W: 16.29 inches, Latitude: 40° 01' 20" N; Longitude: 76° 29' 29" W);

18. SR 441 over Shawnee Run (WWF) in Columbia Borough, Lancaster County (Columbia West, PA Quadrangle N: 4.84 inches; W: 17.46 inches, Latitude: 40° 01' 36" N; Longitude: 76° 29' 59" W);

19. SR 441 over a UNT to the Susquehanna River (HQ-CWF) in East Donegal Township, Lancaster County (Columbia West, PA Quadrangle N: 10.69 inches; W: 8.12 inches, Latitude: 40° 03' 32" N; Longitude: 76° 33' 29" W);

20. SR 441 over a UNT to the Susquehanna River (HQ-CWF) in East Donegal Township, Lancaster County (Columbia West, PA Quadrangle N: 12.01 inches; W: 13.45 inches, Latitude: 40° 03' 58" N; Longitude: 76° 35' 46" W);

21. SR 4004 over Conoy Creek (TSF) in Conoy Township, Lancaster County (York Haven, PA Quadrangle N: 16.29 inches; W: 2.33 inches, Latitude: 40° 05' 23" N; Longitude: 76° 38' 30" W);

22. SR 441 over a UNT to the Susquehanna River (HQ-CWF) in Conoy Township, Lancaster County (York Haven, PA Quadrangle N: 17.86 inches; W: 5.98 inches, Latitude: 40° 05' 54" N; Longitude: 76° 40' 04" W);

23. SR 441 over a UNT to the Susquehanna River (HQ-CWF) in Conoy Township, Lancaster County (York Haven, PA Quadrangle N: 18.82 inches; W: 7.07 inches, Latitude: 40° 06' 13" N; Longitude: 76° 40' 32" W);

24. SR 441 over a UNT to the Susquehanna River (HQ-CWF) in Conoy Township, Lancaster County (York Haven, PA Quadrangle N: 20.18 inches; W: 8.35 inches, Latitude: 40° 06' 40" N; Longitude: 76° 41' 05" W);

25. SR 441 over Snitz Creek (WWF) in Conoy Township, Lancaster County (York Haven, PA Quadrangle N: 20.83 inches; W: 9.16 inches, Latitude: 40° 06' 53" N; Longitude: 76° 41' 26" W); and

26. SR 441 over Stoney Run (WWF) in Conoy Township, Lancaster County (York Haven, PA Quadrangle N: 22.09 inches; W: 11.92 inches, Latitude: 40° 07' 18" N; Longitude: 76° 42' 37" W), all for the purpose of safely transporting a heavy load from the Maryland State Line to Middletown, PA. The temporary structures and bracing

systems will be removed and surrounding areas restored and properly stabilized upon completion of the load transport.

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

E14-514. Gerald F. Clair, 146 Clair Lane, State College, PA 16801. Fish Hole, in College Township, **Centre County**, United States Army Corps of Engineers, Baltimore District (State College, PA Quadrangle Latitude: 40° 50' 11.5"; Longitude: 77° 49' 7.5").

To construct and maintain the following fish habitat improvement encroachments: 1) Remove rip rap down to the waterline of the streambank that was previously installed in 2008; 2) Construct five mud sill deflectors or triangle deflectors for habitat enhancement and handicap fishing access; 3) Construct low profile log vanes and brush mats in areas with a mud bottom to encourage sediment deposition; 4) Install PFBC rock and log fish habitat enhancement devices throughout the reach to improve fish habitat; 5) Install a handicap access trail in the floodway at existing grade along the downstream right bank of the stream for approximately 3,600 linear

feet; 6) Remove livestock fence and establish a 35 ft. wide riparian buffer on both sides of the stream for approximately 3,600+ linear feet, in or along Spring Creek located 1,550 feet northwest of the intersection of Trout Road and Gerald Street. The applicant agreed to work with the USFWS, Fish and Boat Commission, and the contractor to develop a detailed plan to restore the stream banks and avoid extensive engineering requirements. This project proposes to directly or indirectly impact 2,907 linear feet of Spring Creek, which is classified as a HQ-CWF, Class A wild trout stream.

E17-450. City of DuBois, 16 West Scribner Avenue, P. O. Box 408, DuBois, PA 15801. City of DuBois Water Supply Pipeline Repair, Operation and Maintenance, Sandy and Union Townships, **Clearfield County**, United States Army Corps of Engineers, Pittsburgh District (Luthersburg, PA Quadrangle Latitude: 41° 06' 33"; Longitude: 78° 41' 23").

DuBois City is seeking authorization to replace, repair, operate and maintain an existing public water supply transmission pipeline within a 30-foot right-of-way that requires encroachment of the following of 18 wetlands and 21 contributory to Laborde Branch-Sandy Lick (CWF) and Sandy Lick Creeks (CWF):

| <i>Application ID</i> | <i>Resource Name</i> | <i>Water Quality</i> | <i>Latitude</i> | <i>Longitude</i> |
|-----------------------|----------------------|----------------------|-----------------|------------------|
| UT19 | Tributary to Laborde | CWF | 41° 05' 46.36" | 78° 40' 28.43" |
| UT18 | Tributary to Laborde | CWF | 41° 05' 46.65" | 78° 39' 20.07" |
| UT17 | Tributary to Laborde | CWF | 41° 05' 46.23" | 78° 39' 23.13" |
| W18 | Wetland | CWF | 41° 05' 46.77" | 78° 39' 23.94" |
| UT15 | Tributary to Laborde | CWF | 41° 05' 46.86" | 78° 39' 23.67" |
| UT14 | Tributary to Laborde | CWF | 41° 05' 50.24" | 78° 39' 48.54" |
| UT13 | Tributary to Laborde | CWF | 41° 05' 54.27" | 78° 40' 0.42" |
| W17 | Wetland | CWF | 41° 05' 55.49" | 78° 40' 3.81" |
| W16 | Wetland | CWF | 41° 05' 56.69" | 78° 40' 7.25" |
| W15 | Wetland | CWF | 41° 05' 57.79" | 78° 40' 9.67" |
| UT12 | Tributary to Laborde | CWF | 41° 05' 58.27" | 78° 40' 10.74" |
| W14 | Wetland | CWF | 41° 05' 59.59" | 78° 40' 13.39" |
| W13 | Wetland | CWF | 41° 06' 2.09" | 78° 40' 19.50" |
| UT11 | Tributary to Laborde | CWF | 41° 06' 3.92" | 78° 40' 23.67" |
| W12 | Wetland | CWF | 41° 06' 3.91" | 78° 40' 24.91" |
| CR | Tributary to Laborde | CWF | 41° 06' 4.70" | 78° 40' 25.33" |
| W11 | Wetland | CWF | 41° 06' 7.03" | 78° 40' 30.97" |
| W10 | Wetland | CWF | 41° 6' 11.88" | 78° 40' 43.54" |
| UT10 | Tributary to Laborde | CWF | 41° 06' 11.82" | 78° 40' 43.57" |
| UT9 | Tributary to Laborde | CWF | 41° 06' 15.45" | 78° 40' 49.94" |
| UT8 | Tributary to Laborde | CWF | 41° 06' 16.61" | 78° 40' 52.98" |
| UT7 | Tributary to Laborde | CWF | 41° 06' 19.71" | 78° 41' 0.10" |
| UT6 | Tributary to Laborde | CWF | 41° 06' 20.07" | 78° 41' 1.08" |
| UT5 | Tributary to Laborde | CWF | 41° 06' 20.15" | 78° 41' 3.75" |
| W9 | Wetland | CWF | 41° 06' 21.67" | 78° 41' 3.87" |
| W8 | Wetland | CWF | 41° 06' 22.84" | 78° 41' 5.96" |
| UT4 | Tributary to Laborde | CWF | 41° 06' 23.06" | 78° 41' 7.60" |
| UT3 | Tributary to Laborde | CWF | 41° 06' 24.94" | 78° 41' 11.27" |
| W7 | Wetland | CWF | 41° 06' 25.95" | 78° 41' 12.11" |

| <i>Application ID</i> | <i>Resource Name</i> | <i>Water Quality</i> | <i>Latitude</i> | <i>Longitude</i> |
|-----------------------|-------------------------|----------------------|-----------------|------------------|
| W6 | Wetland | CWF | 41° 06' 25.95" | 78° 41' 13.81" |
| UT2 | Tributary to Laborde | CWF | 41° 06' 25.92" | 78° 41' 13.82" |
| W5 | Wetland | CWF | 41° 06' 26.67" | 78° 41' 15.56" |
| UT1 | Tributary to Laborde | CWF | 41° 06' 26.96" | 78° 41' 16.48" |
| LB | Tributary to Sandy Lick | CWF | 41° 06' 41.98" | 78° 42' 57.73" |
| LB | Tributary to Sandy Lick | CWF | 41° 06' 42.25" | 78° 42' 59.68" |
| W4 | Wetland | CWF | 41° 06' 42.29" | 78° 43' 0.33" |
| LB | Tributary to Sandy Lick | CWF | 41° 06' 42.78" | 78° 43' 3.83" |
| W3 | Wetland | CWF | 41° 06' 43.11" | 78° 43' 5.58" |
| W2 | Wetland | CWF | 41° 06' 44.88" | 78° 43' 20.77" |
| UT19 | Tributary to Laborde | CWF | 41° 06' 44.77" | 78° 43' 19.55" |
| W1 | Wetland | CWF | 41° 06' 46.14" | 78° 43' 30.77" |

All instream pipeline repair and maintenance work shall be conducted in dry work conditions by dam and pumping or fluming stream flow around work areas. Since the tributaries to Laborde Branch and Sandy Lick Creek are wild trout, no repair work shall be done in or along the stream channels between October 1 and December 31 without prior written approval from the Fish and Boat Commission. This permit also authorizes the construction, operation, maintenance and removal of any temporary stream diversions, flumes, cofferdams, roadways and causeways. All temporary structures needed for pipeline repair and maintenance shall be constructed strictly in accordance to the plans, drawings and specifications that were reviewed and approved in.

E41-596. Department of Transportation, Engineering District 3-0, P. O. Box 218, Montoursville, PA 17754-0218. SR 1005 Segment 0130 Offset 0000 Bridge Structure Replacement over Plunkett's Creek, Plunkett's Creek Township, **Lycoming County**, United States Army Corps of Engineers, Baltimore District (Barbours, PA Quadrangle N: 41° 26' 11"; W: 76° 46' 21").

Department of Transportation, Engineering District 3-0 proposes to replace a single-span reinforced concrete T-beam bridge structure with a single-span reinforced concrete box culvert. The proposed concrete box culvert will be depressed 1 foot into the stream and have baffles placed in accordance with design standards. Hydraulics submitted with this application show a decrease in the 25 and 100 year water surface elevations. The project will utilize a temporary diversion dike system to convey the stream during construction. A detour will be in place to convey traffic during construction. Plunkett's Creek is classified as a HQ-CWF by 25 Pa. Code Chapter 93 Water Quality Standards. The culvert will have a total length of 77 feet and does not propose to impact any jurisdictional wetlands.

E49-303. City of Sunbury, 225 Market Street, Sunbury, PA 17801. Sunbury River Front Revitalization Project, in City of Sunbury, **Northumberland County**, United States Army Corps of Engineers, Baltimore District (Sunbury, PA Quadrangle Latitude: 40° 51' 02"; Longitude: 76° 48' 15").

The applicant proposes to construct a riverbank stabilization and revitalization project along the Susquehanna River, which is a WWF. The riverbank stabilization project proposes to modify 1.66 acres of shoreline and extends in length to 4,250 linear feet. The total fill in the floodway/river area totals 3.23 acres and proposes be a

combination of riprap and earthen fill to support vegetation. Additionally, the application proposes to construct a marina consisting of 16 8 foot by 20 foot floatable dock sections that will be accessed by a gangway and two ADA accessible ramps. The existing concrete wall, at the proposed marina location, is intended to have a 1 foot cap poured along the entire length of the wall. The marina is intended to affect 7,514 SF of total surface area. A proposed amphitheater is also proposed within the location of the marina. This structure will be an overall 50 feet wide by 68 feet long and is broken into two sections for clarification. The concrete structure itself will fill 947 SF of river area based on the inflated dam condition. The completed project of toe protection, riparian buffer and fill area to complete the amphitheater projection will be 19,194 SF and encompass a total riverbank length of 330 linear feet. This project is located in the City of Sunbury between Race and Bainbridge Streets along Front Street.

E60-201. Bucknell University, Geiger Physical Plant, Lewisburg, PA 17837. Bucknell Landing, in Lewisburg Borough, **Union County**, United States Army Corps of Engineers, Baltimore District (Lewisburg, PA Quadrangle Latitude: 40° 57' 19"; Longitude: 76° 52' 41").

To construct and maintain: 1) a synthetic floating and removable kayak/canoe dock with pile anchors, and a hinged gangway less than 750 square feet in size; 2) 4,000 square foot articulated concrete block boat ramp; 3) a 20-foot by 20-foot pavilion on a concrete slab; 4) 485 square feet of stairway; 5) a 5-foot wide low impact at-grade walking trail; 6) 1,885 square feet of rain garden; 7) 2,400 square feet of an entry plaza; 8) a 5-foot wide paved at-grade trail; 9) secured picnic tables, signs, trash receptacles, bike racks; 10) Bucknell light standards and call box; 11) 6,570 square feet of at-grade gravel access drive; 12) council ring discovery area made of stone seats, fire ring and gravel path; 13) a 16-foot by 24-foot storage shed constructed 459 feet above sea level; and 14) a steel pipe dock rack to keep the dock anchored securely, located in the floodway of the West Branch Susquehanna River between the intersection of Snake Road and Seventh Street with River Road. The project proposes to impact 450 linear feet of the West Branch Susquehanna River, which is classified as WWF.

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

E16-138. Department of Transportation, District 10-0. SR 1009, Section 350, in Clarion Township, **Clarion**

County, United States Army Corps of Engineers, Pittsburgh District (Strattanville, PA Quadrangle N: 41° 10' 40"; W: 79° 22' 00").

To remove the existing structure and to construct and maintain a prestressed concrete beam bridge having a clear span of 87.6 feet and an underclearance of 14.75 feet on a 65° skew across Brush Run and impacting a de minimis amount of adjoining wetland (less than 0.01 temporary and permanent) on SR 1009, Section 350, Segment 0040, Offset 0065 approximately 50 feet upstream of the existing bridge south of I-80 approximately 1 mile west of the Greenville Pike interchange.

ENVIRONMENTAL ASSESSMENTS

Cambria District: Environmental Program Manager;

286 Industrial Park Road, Ebensburg, PA 15931-4119.

EA1009-013. Department of Environmental Protection, Bureau of Abandoned Mine Reclamation, Cambria Office, 286 Industrial Park Road, Ebensburg, PA 15931. Abandoned Mine Land Reclamation Project, in Clay Township, **Butler County**, United States Army Corps of Engineers, Pittsburgh District.

The applicant proposes to backfill an abandoned surface mine, which includes a total of 4,400 linear feet of dangerous highwalls. The project will include the elimination of 897 feet of channel and the backfilling of 0.43 acre of PEM wetlands and 0.18 acre of a waterbody that have developed within the open surface mine pits (West Sunbury, PA Quadrangle N: 1 inch; W: 9.5 inches).

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 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 |

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> |
|---------------------------------|--|---|--------------------------------------|-----------------------------|
| PA0020109 (Industrial Waste) | PPL Interstate Energy Company Martins Creek Terminal 214 Shoemaker Road Pottstown, PA 19464 | Lower Mt. Bethel Township Northampton County | Delaware River 01F | Y |
| PA0063851 (Minor Sewage) | Sweet Valley Mobile Home Village 26 Updyke Road Hunlock Creek, PA 18621 | Luzerne County Ross Township | UNT to Roaring Brook 5B | 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> |
|-----------------------------|---|--------------------------------------|--------------------------------------|-----------------------------|
| PA0022195 SP | Borough of Catawissa P. O. Box 44 Catawissa, PA 17820 | Columbia County Catawissa Borough | Catawissa Creek 5E | Y |

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

| <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> |
|-----------------------------|---|--------------------------------------|---|-----------------------------|
| PA0218235 Sewage | Russell W. Smith 101 Spruce Hill Lane Fombell, PA 16123 | Beaver County Marion Township | Connoquenessing Creek through storm sewer and catch basin | Y |

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

| <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> |
|-----------------------------|---|--|--------------------------------------|-----------------------------|
| PA0034215 | White Haven Campground 4007 Westford Road Jamestown, PA 16134 | South Shenango Township Crawford County | UNT to the Shenango River 20-A | Y |

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

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

NPDES Permit No. PA0261203, CAFO, **Shady Brae Farms, Inc.**, Lancaster Junction Farm, 999 South Colebrook Road, Manheim, PA 17545. This proposed facility is located in Penn and East Hempfield Townships, **Lancaster County**.

Description of Proposed Action/Activity: Authorization to operate a 2,577-Animal Equivalent Units layer operation in Watershed 7-G.

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

PA0233668, Sewerage, **William R. Davison**, 199 Dawn Lane, Howard, PA 16841. This approved facility is located in Howard Township, **Centre County**.

Description of Activity: An NPDES permit has been approved authorizing a discharge from a small flow treatment facility serving the Davison residence.

The receiving stream, Bullit Run, is in the State Water Plan Watershed 9A and is classified for: CWF. The nearest downstream public water supply intake is near Milton is located on is on the West Branch of the Susquehanna River approximately 75 miles below the point of discharge.

The effluent limits for Outfall 001 are based on a design flow of 0.0004 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> | |
| CBOD ₅ | | | 10 | | 20 |
| TSS | | | 10 | | 20 |
| Fecal Coliforms | | | 200 colonies/100 ml | | |
| pH | | | Within the range of 6.0 to 9.0 | | |
| Flow | | | Monitor and Report | | |
| TRC | | | Monitor | | |

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

NPDES Permit No. PA0203807, Industrial Waste, **Nanty Glo Water Authority**, 872 Chestnut Street, Nanty Glo, PA 15943. This proposed facility is located in Cambria Township, **Cambria County**.

Description of Proposed Action/Activity: Permit issuance to discharge from a facility located at Nanty Glo Water Treatment Plant to receiving waters named Williams Run.

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

NPDES Permit No. PA0100650, Sewage, **Forest Brooke MHC, LLC, Continental Communities**, Suite 600, 2015 Spring Road, Oak Brook, IL 60523. This proposed facility is located in East Lackawannock Township, **Mercer County**.

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

NPDES Permit No. PA0104019, Sewage, **Veolia ES Solid Waste of PA**, 6330 Route 219, Brockway, PA 15824. This existing facility is located in Washington Township, **Jefferson County**.

Description of Proposed Action/Activity: Renewal/transfer of an existing NPDES permit for discharge of treated sewage and stormwater from industrial activities.

NPDES Permit No. PA0239003, Sewage, **H & H Property Investments, LLC**, 21 Winnow Drive, Clayton, DE 19938. This proposed facility is located in Lancaster Township, **Butler County**.

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

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

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

WQM Permit No. 4809401, Sewerage, **EPI, LLC/EASTPI, LLC**, 6831 East 32nd Street, Suite 300, Indianapolis, IN 46226. This proposed facility is located in Lower Nazareth and Bethlehem Townships, **Northampton County**.

Description of Proposed Action/Activity: Issuance of Water Quality Management Permit to construct/operate a wastewater treatment system with spray irrigation.

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

WQM Permit No. 1409201, CAFO Operation, SIC 0241, **Oak Spring Farms**, 272 Middle Road, Centre Hall, PA 16828. This proposed facility is located in Gregg Township, **Centre County**.

Description of Proposed Action/Activity: Oak Hill Farms, an existing dairy farm, proposes the issuance of a WQM permit for the construction and operation of a manure storage pond and modification of the existing manure management system. The manure storage pond will use a HDPE liner. The pond will provide a holding capacity of 4 million gallons.

WQM Permit No. 1408403, Sewerage, SIC 4952, **William R. Davison**, 199 Dawn Lane, Howard, PA 16841. This facility will be located in Howard Township, **Centre County**.

Description of Action/Activity: The applicant is approved to construct and operate a 400 gpd single-residence small flow treatment facility that will discharge to Bullit Run, a CWF. The treatment system will be comprised of a septic tank, an Ecoflo peat bio-filter and chlorine disinfection.

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

WQM Permit No. WQG018687, Sewerage, **David Maries**, 16304 Colwood Drive, Odessa, FL 33556. This proposed facility is located in Fairview Township, **Erie County**.

Description of Proposed Action/Activity: Issuance of a single-residence sewage treatment plant.

WQM Permit No. WQG018685, Sewerage, **Nicholas Konzal, Sr.**, 147 Kraus Drive, Erie, PA 16511. This proposed facility is located in Harborcreek Township, **Erie County**.

Description of Proposed Action/Activity: Issuance of a single-residence sewage treatment plant.

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

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

| <i>NPDES Permit No.</i> | <i>Applicant Name & Address</i> | <i>County</i> | <i>Municipality</i> | <i>Receiving Water/Use</i> |
|-------------------------|---|---------------|-------------------------|---|
| PAI023909006 | Yamunaji Corporation 7471 Keebler Way Allentown, PA 18106 | Lehigh | Upper Macungie Township | Iron Run HQ-CWF Spring Creek HQ-CWF Little Lehigh Creek HQ-CWF |

| <i>NPDES Permit No.</i> | <i>Applicant Name & Address</i> | <i>County</i> | <i>Municipality</i> | <i>Receiving Water/Use</i> |
|-------------------------|---|---------------|----------------------------|----------------------------|
| PAI024509001 | Spread Eagle Associates 447 Office Plaza Plaza Court Suite A East Stroudsburg, PA 18301 | Monroe | Coolbaugh Township | Hawkey Run HQ-CWF |
| PAI025208013 | Pike County Commissioners 506 Broad Street Milford, PA 18337 | Pike | Blooming Grove Township | Billings Creek HQ-CWF |
| PAI024007006 | Luzerne County Road and Bridge Department Luzerne County Courthouse Wilkes-Barre, PA 18711 | Luzerne | Hanover Township | Solomon Creek CWF |

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

| <i>NPDES Permit No.</i> | <i>Applicant Name & Address</i> | <i>County</i> | <i>Municipality</i> | <i>Receiving Water/Use</i> |
|-------------------------|--|---------------|-------------------------------------|--|
| PAI063308004 | Department of Transportation 2550 Oakland Avenue P. O. Box 429 Indiana, PA 15701-0429 | Jefferson | Brookville Borough Rose Township | North Fork Creek HQ-CWF Clement Run CWF |

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

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

List of NPDES and/or Other General Permit Types

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

General Permit Type—PAG-2

Facility Location:

| <i>Municipality & County</i> | <i>Permit No.</i> | <i>Applicant Name & Address</i> | <i>Receiving Water/Use</i> | <i>Contact Office & Phone No.</i> |
|--|-------------------|--|--------------------------------|---|
| Dallas Township Luzerne County | PAG2004008035 | Dallas School District Attn: Frank Galicki 200 Conyngham Avenue Dallas, PA 18612-0720 | Tributary to Toby Creek CWF | Luzerne County Conservation District (570) 674-7991 |
| Wilkes-Barre Township Luzerne County | PAG2004008034 | Mahalaxmi Hospitality Group, LLC 200 Tigie Street Dunmore, PA 18512 | Mill Creek CWF | Luzerne County Conservation District (570) 674-7991 |

| <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> |
|---|-------------------|--|---|--|
| Washington Township Schuylkill County | PAG2005408021 | Terry K. Maier Edgewood Farms, LP T-541 Sunrise Road Pine Grove, PA 17963 | Lower Little Swatara Creek CWF | Schuylkill County Conservation District (570) 622-3742 |
| City of Pottsville Schuylkill County | PAG2005404005R | MBC Properties P. O. Box 472 Schuylkill Haven, PA 17972 | West Branch Schuylkill River CWF | Schuylkill County Conservation District (570) 622-3742 |
| Plains Township Luzerne County | PAG2004008037 | Turkey Hill, LP Attn: Darel Pfeiff 257 Centerville Road Lancaster, PA 17603 | Mill Creek CWF | Luzerne County Conservation District (570) 674-7991 |
| Hanover Township Luzerne County | PAG2004008039 | Urban Southeast, LP Attn: Andrew Delman c/o Claymont Avenue Hanover, PA 18706 | Susquehanna River WWF | Luzerne County Conservation District (570) 674-7991 |
| East Penn Township Carbon County | PAG2001309002 | Duane Schleicher 97 Sam Brooke Circle Lehighton, PA 18235 | Tributary to Lizard Creek TSF | Carbon County Conservation District (610) 377-4894 |
| Springettsbury Township York County | PAG2006709003 | Ajesh Patel East Coast Management, LLC 2 Springville Way Mount Laurel, NJ 08054 | Mill Creek Basin WWF | York County Conservation District 118 Pleasant Acres Road York, PA 17402 (717) 840-7430 |
| Warrington Township York County | PAG2006706051-1 | Harry H. Fox, Jr. 600 Cold Springs Road Dillsburg, PA 17019 | Beaver Creek WWF | York County Conservation District 118 Pleasant Acres Road York, PA 17402 (717) 840-7430 |
| Manheim Township York County | PAG2006708085 | Thomas E. Hoover South Western School District 225 Bowman Road Hanover, PA 17331 | Codorus Creek TSF | York County Conservation District 118 Pleasant Acres Road York, PA 17402 (717) 840-7430 |
| Peach Bottom Township York County | PAG2006709007 | Eric Gemmill 458 Gemmill Road Delta, PA 17314 | UNT to Neil Run TSF | York County Conservation District 118 Pleasant Acres Road York, PA 17402 (717) 840-7430 |
| Manchester Township York County | PAG2006708023 | R. Michael Perot White Rock Commercial 1501 LBJ Freeway Suite 550 Dallas, TX 75234 | Little Conewago Creek TSF | York County Conservation District 118 Pleasant Acres Road York, PA 17402 (717) 840-7430 |
| Clearfield County Clearfield Borough | PAG2001707013(2) | Samuel McConnell Bionol Clearfield, LLC 1 Pine Hill Drive Quincy, MA 02189 | West Branch of Susquehanna River WWF Stinky Run CWF | Clearfield County Conservation District 650 Leonard Street Clearfield, PA 16830 (814) 765-2629 |
| Tioga County Clymer Township | PAG2005909003 | Kevin Zink Dominion Transmission, Inc. 5094 Route 349 Westfield, PA 16950 | Mill Creek TSF | Tioga County Conservation District 50 Plaza Lane Wellsboro, PA 16901 (570) 724-1801, Ext. 3 |
| Tioga County Lawrence Township | PAG2005909004 | Gurie Sandhoo Route 49 Lawrenceville, PA 16929 | Cowanesque River WWF | Tioga County Conservation District 50 Plaza Lane Wellsboro, PA 16901 (570) 724-1801, Ext. 3 |

NOTICES

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*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> |
|---|-------------------|---|--|--|
| Cambria County Richland Township | PAG2001109005 | Robert M. Blaschak University of Pittsburgh at Johnstown 450 Schoolhouse Road Johnstown, PA 15904 | UNT to Little Paint Creek CWF | Cambria County Conservation District (814) 472-2120 |
| Cambria County Richland Township | PAG2001109007 | Kevin Smith Lockheed Martin Aeroparts, Inc. 221 Industrial Park Road Johnstown, PA 15904 | UNT to Sandy Run CWF | Cambria County Conservation District (814) 472-2120 |
| Butler County Cranberry Township | PAR10E125-R | Cranberry Business Park Associates Cranberry Business Park Associates, LP 200 West Kensinger Drive Suite 400 Cranberry Township, PA 16066 | UNT to Brush Creek WWF | Butler County Conservation District (724) 284-5270 |
| Erie County Millcreek Township | PAG2002509003 | Roadway Express/YRC Worldwide, Inc. 1077 Gorge Boulevard Akron, OH 44310 | UNT to Lake Erie CWF | Erie County Conservation District (814) 825-6403 |
| Mercer County City of Hermitage | PAG2004309002 | Strategic Development Partners, LLC c/o Paul H. Paoletta 848 Brandywine Drive Hermitage, PA 16148 | Hogback Run WWF | Mercer County Conservation District (724) 662-2242 |
| Mercer County City of Hermitage | PAG2004309004 | Department of General Services c/o Gary R. Taylor Room 201 18th and Herr Streets Harrisburg, PA 17125 | UNT Hogback Run WWF | Mercer County Conservation District (724) 662-2242 |
| Montgomery Township Indiana County | PAG2103209001 | BAMR P. O. Box 8476 Harrisburg, PA 17105-8476 | South Branch Cush Creek CWF to West Branch Susquehanna River | BAMR P. O. Box 8476 Harrisburg, PA 17105-8476 (717) 783-1311 |

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> |
|---|-------------------------|--|--------------------------------|--|
| Banks Township Luzerne County | PAR802248 | Rolling Frito-Lay Sales, LP Hazleton Bin 9 Banks Avenue McAdoo Industrial Park McAdoo, PA 18237 | Quakake Creek CWF | DEP—NERO Water Management Program 2 Public Square Wilkes-Barre, PA 18711-2511 (570) 826-2511 |
| Moosic Borough Lackawanna County | PAR802247 | Rolling Frito-Lay Sales, LP Montage Mountain DC 1002 Springbrook Avenue Moosic, PA 18507 | Spring Brook CWF | DEP—NERO Water Management Program 2 Public Square Wilkes-Barre, PA 18711-2511 (570) 826-2511 |
| Cumberland County Silver Spring Township | PAR803714 Transfer 1 | Geodis Americas 485C Route 1 South Suite 410 Iselin, NJ 08830 | Hogestown Run 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> |
|---|-------------------|---|--------------------------------|--|
| Lancaster County Manor Township | PAR503501 | Lancaster County Solid Waste Management Authority 1299 Harrisburg Pike Lancaster, PA 17604-4425 | Manns Run WWF | DEP—SCRO 909 Elmerton Avenue Harrisburg, PA 17110 (717) 705-4707 |
| Dauphin County Harrisburg City | PAR503508 | The Harrisburg Authority—Harrisburg Resource Recovery Facility 212 Locust Street Suite 302 Harrisburg, PA 17101 | Spring Creek CWF 7C | DEP—SCRO 909 Elmerton Avenue Harrisburg, PA 17110 (717) 705-4707 |
| Perry Township Greene County | PAR606148 | Burnside's Auto Salvage P. O. Box 429 158 Gas Company Road Mount Morris, PA 15349 | Dunkard Creek | Southwest Regional Office Water Management Program Manager 400 Waterfront Drive Pittsburgh, PA 15222-4745 (412) 442-4000 |
| North Buffalo Township Armstrong County | PAR216104 | Asbury Graphite Mills, Inc. 280 Linde Road Kittanning, PA 16201-7519 | Allegheny River | Southwest Regional Office Water Management Program Manager 400 Waterfront Drive Pittsburgh, PA 15222-4745 (412) 442-4000 |

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

| <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> |
|---|-------------------|---|--------------------------------|--|
| Lancaster County Conoy Township | PAG043503 | John Augustine P. O. Box 111 Bainbridge, PA 17502 | Stony Run WWF | DEP—SCRO 909 Elmerton Avenue Harrisburg, PA 17110 (717) 705-4707 |
| Franklin Park Borough Allegheny County | PAG046396 | Thomas J. and Katherine J. Monheim 2481 A Camp Meeting Road Sewickley, PA 15143 | UNT of Rippling Run | Southwest Regional Office Water Management Program Manager 400 Waterfront Drive Pittsburgh, PA 15222-4745 (412) 442-4000 |
| Spring Creek Township Warren County | PAG048730 | Mary A. and Mildred B. Steffens 2371 Tubbs Road Spring Creek, PA 16436 | UNT of Hosmer Run 16-B | DEP—NWRO Water Management 230 Chestnut Street Meadville, PA 16335-3481 (814) 332-6942 |
| Summerhill Township Crawford County | PAG048774 | Carol Ann Scott 11012 Hill Road Conneautville, PA 16406 | UNT to Conneaut Creek 15 | DEP—NWRO Water Management 230 Chestnut Street Meadville, PA 16335-3481 (814) 332-6942 |
| Fairview Township Erie County | PAG049508 | David Maries 16304 Colwood Drive Odessa, FL 33556 | Walnut Creek 15 | DEP—NWRO Water Management 230 Chestnut Street Meadville, PA 16335-3481 (814) 332-6942 |

*Facility Location:
Municipality &
County*Harborcreek
Township
Erie County*Permit No.*
PAG049506*Applicant Name &
Address*
Nicholas Konzal, Sr.
147 Kraus Drive
Erie, PA 16511*Receiving
Water/Use*
Storm sewer tributary to
Lake Erie
15*Contact Office &
Phone No.*
DEP—NWRO
Water Management
230 Chestnut Street
Meadville, PA 16335-3481
(814) 332-6942Venango Township
Erie County*Permit No.*
PAG049510*Applicant Name &
Address*
Robert Hanes
11274 Sherwood Drive
Wattsburg, PA 16442*Receiving
Water/Use*
UNT to Alder Brook
16A*Contact Office &
Phone No.*
DEP—NWRO
Water Management
230 Chestnut Street
Meadville, PA 16335-3481
(814) 332-6942*General Permit Type—PAG-8**Facility Location:
Municipality &
County*Smithfield
Township
Huntingdon County*Permit No.*
PAG083536*Applicant Name &
Address*
Borough of Huntingdon
WWTP
530 Washington Street
Huntingdon, PA 16652*Receiving
Water/Use*
Borough of Huntingdon
WWTP
530 Washington Street
Huntingdon, PA 16652*Contact Office &
Phone No.*
DEP—SCRO
909 Elmerton Avenue
Harrisburg, PA
17110-8200
(717) 705-4707*General Permit Type—PAG-9**Facility Location:
Municipality &
County*Turbett Township
Juniata County*Permit No.*
PAG093519*Applicant Name &
Address*
James B. Parson
8229 Mountain Road
Port Royal, PA 17082*Receiving
Water/Use*
8229 Mountain Road
Port Royal, PA 17082*Contact Office &
Phone No.*
DEP—SCRO
909 Elmerton Avenue
Harrisburg, PA
17110-8200
(717) 705-4707*General Permit Type—PAG-10 (permit number corrections)**Facility Location:
Municipality &
County*Chanceford,
Hellam,
Lower Chanceford,
Lower Windsor
and
Windsor Townships
York County*Permit No.*
PAG103535*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*Permit No.*
PAG103536*Applicant Name &
Address*
Texas Eastern
Transmission, LP
890 Winter Street
Suite 300
Waltham, MA 02451*Receiving
Water/Use*
Susquehanna River
WWF*Contact Office &
Phone No.*
DEP—SCRO
909 Elmerton Avenue
Harrisburg, PA 17110
(717) 705-4800

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> |
|---|-------------------|---|--|---|
| Saint Thomas, Hamilton and Guilford Townships Franklin County | PAG103537 | Texas Eastern Transmission, LP 890 Winter Street Suite 300 Waltham, MA 02451 | UNT to Campbell Run CWF UNT to Conococheague Creek WWF and Conococheague Creek WWF UNT to Conococheague Creek WWF | DEP—SCRO 909 Elmerton Avenue Harrisburg, PA 17110 (717) 705-4800 |
| Reading and Tyrone Townships Adams County | PAG103538 | Texas Eastern Transmission, LP 890 Winter Street Suite 300 Waltham, MA 02451 | South Branch Mud Run WWF UNT of Conewago Creek WWF | DEP—SCRO 909 Elmerton Avenue Harrisburg, PA 17110 (717) 705-4800 |
| Harrison Township Bedford County | PAG103539 | 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 |

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. 2520862, Operations Permit, Public Water Supply.

| | |
|--------------------------|---|
| Applicant | Delaware Valley School District 236 Routes 6 and 209 Milford, PA 18337 Dingman Township |
| County | Pike |
| Type of Facility | PWS |
| Consulting Engineer | Michael W. Weeks, P. E. MH&E 111 Wheatfield Drive Suite 1 Milford, PA 18337 |
| Permit to Operate Issued | April 27, 2009 |

Permit No. 3130009, Operations Permit, Public Water Supply.

| | |
|--------------------------|--|
| Applicant | Lehighon Water Authority Box 29 Municipal Building Lehighon, PA 18235 Franklin Township |
| County | Carbon |
| Type of Facility | PWS |
| Consulting Engineer | Laurence Zimmerman, P. E. Gannett Fleming, Inc. P. O. Box 67100 Harrisburg, PA 17106-7100 |
| Permit to Operate Issued | April 17, 2009 |

Permit No. 6609502MA, Minor Amendment, Public Water Supply.

Applicant **United Water Pennsylvania, Inc.**
4211 East Park Circle
P. O. Box 4151
Harrisburg, PA 17111
Noxen Township

County **Wyoming**

Type of Facility PWS

Consulting Engineer Arthur C. Saunders, P. E.
United Water Pennsylvania, Inc.
4211 East Park Circle
P. O. Box 4151
Harrisburg, PA 17111

Permit to Construct Issued April 28, 2009

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

Permit No. 3608523, Public Water Supply.

Applicant **West Earl Water Authority**

Municipality West Earl Township

County **Lancaster**

Type of Facility Replacement and capacity increase of booster pumps at the Oregon Pike Booster Pump Station.

Consulting Engineer Matthew D. Warfel
The ARRO Group, Inc.
270 Granite Run Drive
Lancaster, PA 17601-6804

Permit to Construct Issued April 24, 2009

Permit No. 3608521, Public Water Supply.

Applicant **Black Rock Retreat Association**

Municipality Colerain Township

County **Lancaster**

Type of Facility Installation of nitrate treatment.

Consulting Engineer Thomas J. Whitehill, P. E.
Whitehill Consulting Engineers
763 Conowingo Road
Quarryville, PA 17566

Permit to Construct Issued May 1, 2009

Permit No. 3108506, Public Water Supply.

Applicant **Broad Top City Water Authority**

Municipality Wood Township

County **Huntingdon**

Type of Facility Installation of the Trough Creek Well Field with disinfection and the replacement of the distribution system.

Consulting Engineer Mark V. Glenn, P. E.
Gwin, Dobson & Foreman, Inc.
3121 Fairway Drive
Altoona, PA 16602-4475

Permit to Construct Issued April 24, 2009

Permit No. 0509501 MA, Minor Amendment, Public Water Supply.

Applicant **Bedford Township Municipal Authority**

Municipality Bedford Township

County **Bedford**

Type of Facility Area II and Area III water line extension.

Consulting Engineer Timothy A. Cooper, P. E.
Stiffler McGraw & Associates Inc.
19 North Juniata Street
Hollidaysburg, PA 16648

Permit to Construct Issued April 29, 2009

Operations Permit issued to **Manheim Borough Authority**, 7360078, Manheim Borough, **Lancaster County** on April 29, 2009, for the operation of facilities approved under Construction Permit No. 3605502.

Operations Permit issued to **Richfield Area Joint Authority**, 4340009, Monroe Township, **Juniata County** on April 30, 2009, for the operation of facilities approved under Construction Permit No. 3407502.

Operations Permit issued to **Altoona City Authority**, 4070023, Logan Township, **Blair County** on April 24, 2009, for the operation of facilities approved under Construction Permit No. 0708507 MA.

Operations Permit issued to **Aqua Pennsylvania, Inc.**, 3060030, Robeson Township, **Berks County** on April 29, 2009, for the operation of facilities approved under Construction Permit No. 0609501 MA.

Operations Permit issued to **Cove Rentals**, 7500020, Penn Township, **Perry County** on April 17, 2009, for the operation of facilities approved under Construction Permit No. 7500020 T-1.

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

Operations Permit issued to **Haines Woodward Municipal Authority**, P. O. Box 147, Woodward, PA 16882, (PWSID No. 4110094) Haines Township, **Centre County** on April 17, 2009, to add a new well and a finished water storage tank under Construction Permit No. 1407504.

Permit No. 0809502—Operation, Public Water Supply.

Applicant **Wysox Presbyterian Church**

Township or Borough Wysox Township

County **Bradford**

Responsible Official Ron Irvine
Route 187 North
Wysox, PA 18854

Type of Facility Public Water Supply—Operation

Consulting Engineer N/A

Permit Issued Date April 30, 2009

Description of Action Operation of a cation exchange water softening system to remove barium and manganese.

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

Permit No. 0408503, Public Water Supply.

Applicant **Beaver Falls Municipal Authority**
1425 8th Avenue
P. O. Box 400
Beaver Falls, PA 15010

Borough or Township Eastvale Borough

County **Beaver**

Type of Facility Eastvale water intake

Consulting Engineer KLH Engineers, Inc.
5173 Campbells Run Road
Pittsburgh, PA 15205

Permit to Construct Issued April 24, 2009

Permit No. 0409501, Public Water Supply.

Applicant **Beaver Falls Municipal Authority**
1425 8th Avenue
P. O. Box 400
Beaver Falls, PA 15010

Borough or Township Eastvale Borough

County **Beaver**

Type of Facility Deer Lane pump station and transmission line to Zelienople

Consulting Engineer Michael Baker, Jr., Inc.
4301 Dutch Ridge Road
Beaver, PA 15009

Permit to Construct Issued May 3, 2009

Operations Permit issued to **Department of Corrections, SCI-Pittsburgh**, 3001 Beaver Avenue, Pittsburgh, PA 15233, (PWSID No. 5020057) City of Pittsburgh, **Allegheny County** on April 19, 2009, for the operation of facilities approved under Construction Permit No. 0209501MA.

Operations Permit issued to **Parks Township Municipal Authority**, 1106 Highland Avenue, Vandergrift, PA 15690, (PWSID No. 5030025) Parks Township, **Armstrong County** on April 19, 2009, for the operation of facilities approved under Construction Permit No. 0307501.

Permit No. 0209508MA, Minor Amendment, Public Water Supply.

Applicant **Pittsburgh Water and Sewer Authority**
1200 Penn Avenue
2nd Floor
Pittsburgh, PA 15222-4204

Borough or Township City of Pittsburgh

County **Allegheny**

Type of Facility Brashear water storage tanks

Consulting Engineer

Permit to Construct Issued April 19, 2009

Permit No. 0209504MA, Minor Amendment, Public Water Supply.

Applicant **Moon Township Municipal Authority**
1700 Beaver Grade Road
Suite 200
Coraopolis, PA 15108-3193

Borough or Township Moon Township

County **Allegheny**

Type of Facility Water treatment plant

Consulting Engineer KLH Engineers, Inc.
5173 Campbells Run Road
Pittsburgh, PA 15205

Permit to Construct Issued May 3, 2009

Permit No. 0409503MA, Minor Amendment, Public Water Supply.

Applicant **New Sewickley Township Municipal Authority**
233 Miller Road
Rochester, PA 15074

Borough or Township New Sewickley Township

County **Beaver**

Type of Facility Highview water storage tank

Consulting Engineer Michael Baker, Jr., Inc.
4301 Dutch Ridge Road
Beaver, PA 15009

Permit to Construct Issued May 3, 2009

Permit No. 0208506MA, Minor Amendment, Public Water Supply.

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

Borough or Township White Oak Borough

County **Allegheny**

Type of Facility White Oak Borough water storage tank

Consulting Engineer The EADS Group, Inc.
450 Aberdeen Drive
Somerset, PA 15501

Permit to Operate Issued April 27, 2009

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

Operations Permit issued to **Steven and Joycie Pfaff, d/b/a Pinedale Mobile Home Park**, PWSID No. 6200076, East Fallowfield Township, **Crawford County**, April 30, 2009, for treatment modifications for iron and manganese removal and arsenic absorption as permitted under construction permit No. 2007502, issued May 7, 2008.

Department of Environmental Protection, Southcentral Region, Water Management Program, 909 Elmerton Avenue, Harrisburg, PA 17110, (717) 705-4707.

Plan Location: on the northeast side of Patton Bridge Road, 1,000 feet west of Kuhn Road.

| | | |
|----------------------------|--|-----------------|
| <i>Borough or Township</i> | <i>Borough or Township Address</i> | <i>County</i> |
| Antrim Township | P. O. Box 130 10655 Antrim Church Road Greencastle, PA 17225 | Franklin County |

Plan Description: The approved plan, in the name of William Yaukey, provides for a Small Flow Treatment Facility to serve one single-family residential dwelling. The SFTF will discharge to the Conococheague Creek. The Department of Environmental Protection's review of the sewage facilities update revision has not identified any significant environmental impacts resulting from this proposal. Any required NPDES Permits or WQM Permits must be obtained in the name of the owner.

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:

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

Jeff Steinbach Property, Derry Township, **Mifflin County**. ATC Associates, Inc., 101 Allegheny Street, Suite 2B, Hollidaysburg, PA 16648, on behalf of Jeff Steinbach, 26 North Mann Avenue, Yeagertown, PA 17099, submitted a Final Report concerning remediation of site soils and groundwater contaminated with No. 2 heating oil. The report is intended to document remediation of the site to meet the Residential Statewide Health Standard.

Corning Frequency Control Plant 1, Mount Holly Springs Borough, **Cumberland County**. Weston Solutions, Inc., 1400 Weston Way, P. O. Box 2653, West Chester, PA 19380, on behalf of Corning Incorporated, HP-ME-03-079, Corning, NY 14831, submitted a Remedial Investigation and Risk Assessment Report concerning remediation of groundwater contaminated with solvents. Groundwater will be remediated to the Site-Specific Standard.

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

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

Crossett Trucking Clearfield Release, Pine Township, **Clearfield County**, Letterle & Associates, LLC, 191 Howard Street, Franklin, PA 16823 on behalf of Crossett, Inc., P. O. Box 946, Warren, PA 16365 has submitted a Final Report concerning remediation of site soil and groundwater near the intersection of Route 153 (Department of Transportation's Ramp H) contaminated with diesel fuel. The report is intended to document remediation of the site to meet the Statewide Health Standard.

Arcos Industries, Mount Carmel Township, **Northumberland County**, B L Companies, 213 Market Street, Harrisburg, PA 17101 on behalf of Arcos Industries, 1 Arcos Drive, Mount Carmel, PA 17851 has submitted a Remedial Investigation/Final Report concerning remediation of site groundwater contaminated with chlorinated solvents and metals. The report is intended to document remediation of the site to meet the Site-Specific Standard and 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:

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

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 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 documented attainment of the Statewide Health Standard and was approved on April 29, 2009.

Former Valley Iron and Steel Property, 1421 Mack Boulevard, Allentown City, **Lehigh County**. Vincent Carbone, P. G., HDR Engineering, Inc., 1720 Spillman Drive, Suite 280, Bethlehem, PA 18015-2165 submitted a Final Report (on behalf of his client, Robert Ciccone, Mack Project, LLC, P. O. Box 86, Bath, PA 18014-0086), concerning the characterization and remediation of groundwater found to have been impacted by volatile organic constituents. The report documented attainment of the Site-Specific Standard using pathway elimination and was approved on May 1, 2009.

Former Valley Iron and Steel Property, 1421 Mack Boulevard, Allentown City, **Lehigh County**. Vincent Carbone, P. G., HDR Engineering, Inc., 1720 Spillman Drive, Suite 280, Bethlehem, PA 18015-2165 submitted a Final Report (on behalf of his client, Abraham Atiyeh, Mack Residence, LLC and Mack Project, LLC, 1177 6th Street, Whitehall, PA 18052-5212), concerning the characterization and remediation of soils found to have been impacted by inorganics, volatile and semi-VOCs and PCBs. The report documented attainment of the Site-Specific Standard and was approved by Central Office on January 5, 2009.

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

Maple Springs Center, Borough of Birdsboro, **Berks County**. Hafer Environmental Services, Inc., P. O. Box 4418, Reading, PA 19606, on behalf of Maple Springs Development, 6 Industrial Drive, Birdsboro, PA 19508, submitted a Final Report concerning remediation of site soils contaminated with No. 2 fuel oil from an underground storage tank. The Final Report demonstrated attainment of the Nonresidential Statewide Health Standard and was approved by the Department of Environmental Protection on April 30, 2009.

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

Reinhart Food Service, LLC, Coal Township, **Northumberland County**. Northridge Group, Inc., 1172 Ridge Road, Northumberland, PA 17857 on behalf of Reinhart Food Service, LLC, 100 Industrial Park Road, Coal Township, PA 17866 has submitted a Final Report within 90 days of the release concerning remediation of site soil contaminated with diesel fuel. The Final Report demonstrated attainment of the Statewide Health Standard and was approved by the Department of Environmental Protection on April 28, 2009.

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. WMGM028D004. Granger Energy of Honey Brook, LLC, 16980 Wood Road, Lansing, MI 48906-1044.

General Permit Number WMGM028D004 is for the processing and beneficial use of landfill gas (LFG), generated at the Lanchester Landfill, located in Caernarvon Township, **Lancaster County**, for use as: (1) a substitute for high or medium Btu-LFG for natural gas or other fuel; (2) a substitute for natural gas or other fuel to be interconnected with another pipeline for consumer use; and (3) an alternative fuel for the electric generators to produce electricity. The general permit was issued by Central Office on May 1, 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 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

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

Northeast Region: Regional Solid Waste Manager, 2 Public Square, Wilkes-Barre, PA 18711-0790.

Permit No. 101481. Mid-Atlantic Recycling and Distribution Center, Apex Waste Services, Inc., 13 Peggy Parkway, Dunmore, PA 18512. A Permit Renewal was issued in the Regional Office on April 27, 2009. The expiration date is August 3, 2012.

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

Permit ID No. 300370. Allegheny Energy Supply Company, LLC, 800 Cabin Hill Drive, Greensburg, PA 15601. Permit application for the Phase 3 Expansion of the Hatfield's Ferry Power Station CCB Landfill in Monongahela Township, **Greene County** was issued in the Regional Office on May 4, 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.

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

GP5-32-00396A: U.S. Energy Exploration Corp. (P. O. Box 237, Rural Valley, PA 16249) To use GP-5 for installation and operation of one Caterpillar G3516TALE, lean-burn natural gas-fired engine, rated at 1,151 Bhp, and one NATCO dehydrator, rated at 0.2 mmBtu/hr at the R & P Compressor Station in Young Township, **Indiana County**.

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

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

46-0032E: SPS Technologies, Inc. (301 Highland Avenue, Jenkintown, PA 19046) on May 5, 2009, to install two coating booths, at SPS major manufacturing aerospace parts facility at Highland Avenue, Abington Township, **Montgomery County**. The installation of two coating booths may result in the emissions of: 0.31 tpy of PM, 6.84 tpy of VOCs and 0.50 tpy of HAPs. The Plan Approval and Operating Permit will contain additional

recordkeeping and operating restrictions designed to keep the facility operating within all applicable air quality requirements. The facility currently has a Title V Operating Permit No. 46-00032. The Plan Approval will subsequently be incorporated into the Title V Operating Permit through an administrative amendment in accordance with 25 Pa. Code § 127.450.

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

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

46-0025J: Lonza, Inc. (900 River Road, Conshohocken, PA 19428) on May 4, 2009, to operate seven process tanks and one storage tank in Upper Merion Township, **Montgomery County**.

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

24-083J: Carbone of American Ind., Corp. (215 Stackpole Street, St. Marys, PA 15857) on April 28, 2009, to install a process furnace with appropriate emission control equipment in St. Marys, **Elk County**. This is a Title V Facility.

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

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

15-00043: Sunoco Partners Marketing and Terminals LP—Malvern Terminal (41 Malin Road, Malvern, PA 19355) on April 30, 2009, to renew their Title V Operating Permit in East Whiteland Township, **Chester County**. This action is a. The initial permit was issued on August 17, 1999. This facility receives gasoline by means of underground pipes and distributes gasoline into tank trucks. As a result of potential emissions of VOCs, the facility is a major stationary source as defined in the Clean Air Act and is therefore subject to the Title V permitting requirements adopted in 25 Pa. Code § 127, Subpart G. This renewal adopts the applicable requirements under 40 CFR Part 64—Compliance Assurance Monitoring. It contains all applicable requirements including monitoring and recordkeeping and reporting and does not reflect any change in air emissions from the facility.

46-00037: Cabot Supermetals (650 County Line Road, Boyertown, PA 19512) on April 30, 2009, for renewal of the Title V Operating Permit, in Douglass Township, **Montgomery County**. The initial permit was issued on December 31, 2001. As a result of potential emissions of VOCs, the facility is a major stationary source as defined in Title I, Part D of the Clean Air Act Amendments and is therefore subject to the Title V permitting requirements adopted in 25 Pa. Code Chapter 127, Subchapter G. The proposed Title V Operating Renewal does not adopt any new regulations and does not reflect any change in air emissions from the facility. The renewal contains all applicable requirements including monitoring, recordkeeping and reporting.

09-00124: Fairless Energy, LLC (50 Sinter Road, Fairless Hills, PA 19030) On May 5, 2009, for operation of an electric generating station in Falls Township, **Bucks County**. The permit is for a Title V facility. The facility is considered a major source of NO_x, CO, VOCs and PM emissions, with maximum potential emissions of 424.7 tpy, 360.5 tpy, 88.4 tpy and 387.6 tpy, respectively. Fairless Energy, LLC owns and operates four natural gas-fired combined-cycle electric generation units. Other sources include two natural gas preheaters, one auxiliary boiler and four cooling towers. The facility is subject to the requirements of 40 CFR Part 60, New Source Performance Standards, Subpart GG, Subpart Da and Subpart Dc, as well as Acid Rain Requirements of 40 CFR Part 72 and Clean Air Interstate Rules (CAIR) of 40 CFR Part 97. The permit will include monitoring, recordkeeping and reporting requirements designed to keep the plant operating within all applicable air quality requirements.

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

48-00057: Steel Management Systems, LLC (3045 Bath Pike, Nazareth, PA 18064) on April 30, 2009, to renew a Title V Operating Permit for operation of a metal preparation and coating facility in Upper Nazareth Township, **Northampton County**.

40-00003: The Hershey Co. (P. O. Box 340, Hazleton, PA 18201) on April 24, 2009, for a new Title V Permit to operate a chocolate and confectionary manufacturing facility in Hazle Township, **Luzerne County**.

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

67-05005: PPL Brunner Island, LLC (2 North Ninth Street, Allentown, PA 18101-1139) on May 5, 2009, to operate their Brunner Island Steam Electric Station in East Manchester Township, **York County**. This Title V Operating Permit was administratively amended to correct stack testing provisions in a minor modification that was originally published in the *Pennsylvania Bulletin* on April 22, 2009. This is Revision No. 4.

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

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

46-00239: SEI Investments Co. (100 Cider Mill Road, Oaks, PA 19456) on April 30, 2009, for a State-only, Synthetic Minor Operating Permit in Upper Providence Township, **Montgomery County**. The company has three emergency generators less than 750 kW and two emergency generators of 1,250 kW operated using No. 2 fuel oil. Each of two 1,250-kW emergency generators shall be limited to 200 hours of operation for a 12-month rolling basis. The facility is limited to NO_x emissions of 7.77 tons per ozone season and 11.62 tpy on a 12-month rolling basis. The permit will include monitoring, recordkeeping and reporting requirements designed to address all applicable air quality requirements.

46-00044: Glasgow, Inc. (Church and Flint Hill Roads, King of Prussia, PA 19406) on April 30, 2009, to operate a batch hot mix asphalt (HMA) plant and various operations of a stone crushing plant at their McCoy facility in

Upper Merion Township, **Montgomery County**. The permit is for a non-Title V (State-only) facility. The potentials to emit NO_x and VOCs from the facility each exceed 25 tpy. However, the amount of HMA produced at the facility is restricted to 576,000 tpy to restrict NO_x and VOC emissions from the facility to less than 25 tpy each. Therefore, the facility is categorized as Synthetic Minor. The permit will contain monitoring, recordkeeping, reporting and work practice requirements designed to keep the facility operating within all applicable air quality requirements.

46-00174: Montgomery County SPCA (19 East Ridge Pike, Conshohocken, PA 19428-0222) on April 30, 2009, to operate and maintain an animal crematorium in Whitmarsh Township, **Montgomery County** and for renewal of the State-only (Natural Minor) Operating Permit. The Montgomery County SPCA from which the main pollutants emitted are NO_x and PM. The actual emission rates of NO_x and PM from the crematorium are each less than 1 tpy. No changes have occurred at the facility since the permit was originally issued on September 12, 2003. The renewed permit will include the same monitoring, recordkeeping and reporting requirements designed to keep the facility operating within all applicable air quality requirements.

46-00166: M & M Stone Co. (460 Indian Creek Road, Harleysville, PA 19438) on May 5, 2009, a non-Title V, Natural Minor facility in Lower Salford Township, **Montgomery County**. The company owns and operates a stone quarry, portable crusher with an electric generator and a batch asphalt plant at this location. The company produces a potential of 24.16 tons of NO_x per year, 10.15 tons of SO_x per year, 13.92 tons PM per year, 41.45 tons of CO per year and 14.55 tons of VOCs per year. Monitoring and recordkeeping requirements have been added to the permit to address applicable limitations.

46-00021: First Quality Retail Services, LLC (601 Allendale Road, King of Prussia, PA 19406) on May 5, 2009, for a renewal of State-only (Synthetic Minor) Operating Permit No. 46-00021, in Upper Merion Township, **Montgomery County**, which was originally issued on September 8, 2003 and amended on July 2, 2004. The State-only Operating Permit (SOOP) is for the operation of three boilers, three emergency generators, a fire pump and 26 adult diaper and sanitary napkin production lines with associated dust collectors. The main pollutants emitted from the facility are NO_x and PM. To maintain Synthetic Minor status, a site-level NO_x emission restriction of less than 25 tpy is listed in the SOOP. The renewed SOOP will include the addition of an emergency generator and adult diaper production lines and the removal of some sanitary napkin and all baby diaper production lines, as well as monitoring, recordkeeping, reporting and work practice requirements designed to keep the facility operating within all applicable air quality requirements.

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

39-00092: Hale Trailer Brake & Wheel, Inc. (5361 Oak View Drive, Allentown, PA 18104) on April 20, 2009, for a new State-only Operating Permit for a surface coating process at a trailer manufacturing and repair facility in Upper Macungie Township, **Lehigh County**.

39-00058: Packaging Corporation of America (7451 Cetronia Road, Allentown, PA 18106) on May 1, 2009, to issue a State-only (Natural Minor) Operating Permit for

operation of a corrugated and solid fiber box manufacturing facility in Upper Macungie Township, **Lehigh County**.

40-00057: Pennsy Supply, Inc. (1001 Paxton Street, Harrisburg, PA 17104) on May 1, 2009, for renewal of a State-only (Synthetic Minor) Operating Permit to operate a batch asphalt plant and associated air cleaning devices at their facility in Dorrance Township, **Luzerne County**.

52-00002: Eureka Stone Quarry, Inc. (P. O. Box 249, Chalfont, PA 18914) on May 1, 2009, for renewal of a State-only (Synthetic Minor) Operating Permit to operate a rock crushing operation and batch asphalt plant with associated air cleaning devices at their facility in Milford Borough, **Pike County**.

66-00005: Reading Materials, Inc. (2052 Lucon Road, Skippack, PA 19474) on May 1, 2009, a State-only Operating Permit to operate a rock crushing operation and associated air cleaning devices at their Hilltop Quarry in Falls Township, **Wyoming County**.

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

21-05013: Fry Communications, Inc. (101 Fry Drive, Mechanicsburg, PA 17050-2654) on April 27, 2009, for their commercial printing operation in Mechanicsburg Borough, **Cumberland County**. This is a renewal of the State-only operating permit.

21-05028: Fry Communications, Inc. (101 Fry Drive, Mechanicsburg, PA 17050-2654) on April 28, 2009, for their Plant No. 2 commercial printing operation in Mechanicsburg Borough, **Cumberland County**. This is a renewal of the State-only operating permit.

28-03043: CAM Superline, Inc. (4763 Zane A. Miller Drive, Waynesboro, PA 17268-8667) on April 28, 2009, for operation of their surface coating facility in Washington Township, **Franklin County**. This is a renewal of the State-only operating permit.

36-03132: Fab-Rick Industries, Inc. (1780 Newport Road, Ephrata, PA 17522-8762) on April 24, 2009, for operation of their spray booth in West Earl Township, **Lancaster County**. This is a renewal of the State-only operating permit.

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

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

09-00021: MRI Flexible Packaging Co. (122 Penns Trail, Newtown, PA 18940) on April 30, 2009, has been amended to incorporate printing press No. 7 and requirements from Plan Approval No. 09-0021B into the State-only Operating Permit for a plant in Newtown Township and **Bucks County**. The amended State-only Operating Permit contains all of the applicable regulatory requirements including monitoring, recordkeeping, reporting and emission limits.

46-00200: John Middleton Co. (475 North Lewis Road, Limerick, PA 19468) on May 1, 2009, for the non-Title V (State-only) facility located at 418 West Church Road, King of Prussia, **Montgomery County**. The Administrative Amendment incorporates the condi-

tions of Plan Approval 46-0200A, for a 350 hp boiler. Concomitantly all references and regulatory requirements for the 200 hp boiler removed from the facility are removed from the amended Operating Permit. With the amended Operating Permit, the previous headquarters address for John Middleton Co. is included. The permit includes monitoring, recordkeeping and reporting requirements designed to keep the facility within all applicable air quality requirements.

15-00067: Herr Foods, Inc. (273 Old Baltimore Pike, West Nottingham, PA 19362) on May 5, 2009, to incorporate a new cheese curl production line and its conditions from Plan Approval 15-0067E into the State-only Operating Permit in West Nottingham Township, **Chester County**. Administrative Amendment of State-only Operating Permit issued under the Air Pollution Control Act (35 P. S. §§ 4001—4015) and 25 Pa. Code § 127.450.

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

65-00891: Firestone Building Products Co. (102 Avenue A, Youngwood, PA 15697-1700) on April 28, 2009, has been granted an administrative amendment to the operating permit, revising the responsible official and permit contact information for their Youngwood Plant, located in Youngwood, **Westmoreland County**.

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

42-00184: Keystone Powdered Metal Co.—Lewis Run Plant (8 Hanley Drive, Lewis Run, PA 16738) on April 29, 2009, for an administrative amendment to a Natural Minor Operating Permit Number 42-00184 incorporate requirements from Plan Approval Number 42-184H to install a new Induction Heat Treater and ESP control device at their powdered metal part manufacturing facility in the Borough of Lewis Run, **McKean County**. The emissions of criteria pollutants from this facility remain below major source levels.

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.

15-00084: Jane Latta, VMD (725 East Washington Street, West Chester, PA 19380-4539) on April 30, 2009, for revocation of the veterinary facility's State-only (Natural Minor) Operating Permit in West Goshen Township, **Chester County**. The animal crematorium at the facility was permanently shut down in August 2008.

GP14-23-0123: Donohue Funeral Home (8401 West Chester Pike, Upper Darby, PA 19082) On May 1, 2009, for operation of a human crematory in Upper Darby Township, **Delaware County**. The crematorium is in a C-1 zoned district which does not allow crematories by right.

ACTIONS ON COAL AND NONCOAL MINING ACTIVITY APPLICATIONS

Actions on applications under the Surface Mining Conservation and Reclamation Act (52 P. S. §§ 1396.1—1396.19a); the Noncoal Surface Mining Conservation and Reclamation Act (52 P. S.

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

Coal Permits Actions

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

03980106 and NPDES Permit No. PA0202291. Thomas J. Smith, Inc. (2340 Smith Road, Shelocta, PA 15774). Permit renewal issued for continued reclamation only of a bituminous surface mining site located in South Bend Township, **Armstrong County**, affecting 94.1 acres. Receiving streams: UNT to Lindsay Run to Crooked Creek. Application received April 8, 2009. Renewal issued April 30, 2009.

26743202 and NPDES Permit No. PA0069736. Fayette Coal & Coke, Inc. (2611 Memorial Boulevard, Connellsville, PA 15425). Permit revised to add 37.1 acres, include a stream and road variance, add beneficial coal ash as a soil amendment and include a reclamation plan at an existing bituminous surface mining (coal refuse reprocessing) site located in Dunbar and North Union Townships, **Fayette County**, now affecting 150.1 acres. Receiving streams UNTs to and including Rankin Run. Application received August 14, 2008. Revised permit issued May 1, 2009.

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

54980102T2. Tuscarora Mines & Minerals Corp., (P. O. Box 131, Tuscarora, PA 17982), renewal and transfer of an existing anthracite surface mine operation in Blythe Township, **Schuylkill County** affecting 144.6 acres, receiving stream: none. Renewal application received November 20, 2008, and Transfer application received December 11, 2008. Renew and transfer issued May 1, 2009.

Noncoal Permits Actions

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

11940301 and NPDES No. PA0212873. Pheasant and Shearer, 1922 Ohio Street, Johnstown, PA 15904, renewal of NPDES permit in East Taylor Township, **Cambria County**, affecting 201.2 acres. Receiving streams: UNTs to/and Hinckston Run, classified for the following use: WWF. There are no potable water supply intakes within 10 miles downstream. NPDES renewal application received February 23, 2009. Permit issued April 28, 2009.

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

42092801. Edward S. Kocjancic (20 Laurel Avenue, Kane, PA 16735) Commencement, operation and restoration of a small noncoal sandstone operation in Wetmore

Township, **McKean County** affecting 3.0 acres. Receiving streams: Hubert Run. Application received January 7, 2009. Permit issued April 29, 2009.

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

58080858. Cambridge Natural Stone Co., Inc., (P. O. Box 5351, Somerset, NJ 08875-5351), commencement, operation and restoration of a quarry operation in Harford Township, **Susquehanna County** affecting 3.0 acres, receiving stream: none. Application received December 12, 2008. Permit issued April 28, 2009.

58090804. Donald C. Button, (P. O. Box 642, New Milford, PA 18834), commencement, operation and restoration of a quarry operation in Franklin Township, **Susquehanna County** affecting 5.0 acres, receiving stream: none. Application received February 9, 2009. Permit issued April 30, 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.

11094001. Douglas Explosives, P. O. Box 77, Philipsburg, PA 16866, blasting activity permit issued for new home development in Portage Township, **Cambria County**. Blasting activity permit end date is July 31, 2009. Permit issued April 27, 2009.

21094115. Newville Construction Services, Inc., 408 Mohawk Road, Newville, PA 17241-9424, blasting activity permit issued for airport development in South Middleton Township, **Cumberland County**. Blasting activity permit end date is April 21, 2010. Permit issued April 23, 2009.

28094105. David H. Martin Excavating, Inc., 4961 Cumberland Highway, Chambersburg, PA 17201-9655, blasting activity permit issued for commercial development in Antrim Township, **Franklin County**. Blasting activity permit end date is April 15, 2010. Permit issued April 23, 2009.

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

63094001. Dana Explosives, Inc. (945 Brisbin Street, Houtzdale, PA 16651). Blasting activity permit for the Westland Dome 3D, located in Independence Township, **Washington County**. The expected duration of blasting is 60 days. Blasting permit issued April 28, 2009.

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

36094122. Brubacher Excavating, Inc., (P. O. Box 528, Bowmansville, PA 17507), construction blasting for Hinkletown Mennonite School in Earl Township, **Lancaster County** with an expiration date of May 1, 2010. Permit issued April 28, 2009.

45094102. American Rock Mechanics, Inc., (7531 Chestnut Street, Zionsville, PA 18092), construction blast-

ing for Crossroads II in Hamilton and Stroud Townships, **Monroe County** with an expiration date of January 15, 2010. Permit issued April 28, 2009.

38094107. M & J Explosives, Inc., (P. O. Box 608, Carlisle, PA 17013), construction blasting for DGS Stryker Lebanon in the City of Lebanon and South Lebanon Township, **Lebanon County** with an expiration date of April 30, 2010. Permit issued April 29, 2009.

38094108. Douglas Explosives, Inc., (P. O. Box 77, Philipsburg, PA 16866), construction blasting for Northside Commons in South Londonderry Township, **Lebanon County** with an expiration date of July 30, 2009. Permit issued April 29, 2009.

45094115. Warren's Excavating & Drilling, Inc., (P. O. Box 214, Myerstown, PA 17067), construction blasting for Penn Regional Business Center in Smith Field Township, **Monroe County** with an expiration date of April 20, 2010. Permit issued April 29, 2009.

48094001. Dykon Explosive Demolition Corp., (1202 West 36th Street North, Tulsa, OK 74127), Demolition of 600' Concrete Smokestack in Lower Mt. Bethel Township, **Northampton County** with an expiration date of May 31, 2009. Permit issued April 30, 2009.

58094011. Meshoppen Blasting, Inc., (P. O. Box 127, Frantz Road, Meshoppen, PA 18630), construction blasting for the Przbyszewski Well Site in Auburn Township, **Susquehanna County** with an expiration date of August 30, 2009. Permit issued April 30, 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

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

E40-674. Luzerne County Board of Commissioners, Luzerne County Court House, 200 North River Street, Wilkes-Barre, PA 18711. Hanover Township, **Luzerne County**, United States Army Corps of Engineers, Baltimore District.

To remove the existing structure and to construct and maintain a single-span prestressed concrete spread box beam bridge, having a normal clear span of 93 feet and an underclearance of 9.6 feet across Solomon Creek (CWF). The project is located along Breaker Road (Township Route T-860), approximately 0.5 mile downstream of the Sans Souci Parkway (SR 2002) along Solomon Creek (Wilkes-Barre West, PA Quadrangle Latitude: 41° 13' 36"; Longitude: 75° 56' 10"). (Subbasin: 5B)

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

E38-163. Jeffrey Camp, 633 West Germantown Pike, Suite 104, Plymouth Meeting, PA 19462, Lickdale Associates/Logistics Park, Union Township, **Lebanon County**, United States Army Corps of Engineers, Baltimore District.

To: (1) remove an existing 18.0-inch by 24.0-inch CMP from a UNT to the Swatara Creek (WWF) (Indiantown Gap, PA Quadrangle N: 11.29 inches; W: 1.69 inches, Latitude: 40° 26' 4.8" N; Longitude: 76° 30' 46.2" W); (2) remove an existing 12.0-inch metal culvert from a UNT to the Swatara Creek (WWF) (Indiantown Gap, PA Quadrangle N: 10.84 inches; W: 1.76 inches, Latitude: 40° 26' 4.8" N; Longitude: 76° 30' 45.5" W); (3) remove an existing 8.0-inch diameter concrete pipe from a UNT to the Swatara Creek (WWF) (Indiantown Gap, PA Quadrangle N: 11.77 inches; W: 1.98 inches, Latitude: 40° 26' 23.4" N; Longitude: 76° 30' 51.3" W); (4) construct and maintain an 83.0-foot long, 36.0-inch diameter SLCPP with a 4.0-inch PVC sanitary sewer, a 10.0-inch diameter DIP water and a 6.0-inch diameter PVC electric line utility crossing in a UNT to the Swatara Creek (WWF) (Indiantown Gap, PA Quadrangle N: 11.35 inches; W: 1.66 inches, Latitude: 40° 26' 15" N; Longitude: 76° 30' 43" W); (5) construct and maintain a 102.0-foot long, 30.0-inch diameter SLCPP culvert in a UNT to the Swatara Creek (WWF) (Indiantown Gap, PA Quadrangle N: 11.00 inches; W: 1.47 inches, Latitude: 40° 26' 08" N; Longitude: 76° 30' 38" W); (6) remove an existing 65.2-foot long, 36.0-inch diameter concrete pipe culvert and to construct and maintain a 0.50-foot depressed, 132.0-foot

long, 5.0-foot high by 6.0-foot wide concrete box culvert in a UNT to the Swatara Creek (WWF) to relocate the stream, also to construct and maintain a 4.0-inch PVC sanitary sewer, a 10.0-inch diameter DIP water and 6.0 inch diameter PVC electric line utility crossing under the proposed culvert in a UNT to the Swatara Creek (WWF) (Indiantown Gap, PA Quadrangle N: 11.55 inches; W: 1.70 inches, Latitude: 40° 26' 19" N; Longitude: 76° 30' 44" W); (7) to construct and maintain a 0.50-foot depressed, 151.0-foot long, 6.0-foot high, by 3.0-foot wide concrete box culvert having a 24.0-inch diameter storm sewer pipe, an 8.0-inch sanitary sewer line, a 10.0-inch diameter DIP water and a 6.0-inch diameter PVC electric line utility crossing under the proposed culvert in a UNT to the Swatara Creek (WWF) (Indiantown Gap, PA Quadrangle N: 11.40 inches; W: 2.13 inches, Latitude: 40° 26' 16" N; Longitude: 76° 30' 55" W); (8) to construct and maintain a 10.0-foot long, 48.0-inch diameter SLCPP utility line crossing over an existing 12.0-inch diameter culvert in a UNT to the Swatara Creek (WWF) (Indiantown Gap, PA Quadrangle N: 10.14 inches; W: 1.51 inches, Latitude: 40° 25' 51" N; Longitude: 76° 30' 39" W); (9) to place and maintain fill in 0.20 acre of palustrine emergent wetland (PEM) for the construction of the proposed Old Forge Road (Indiantown Gap, PA Quadrangle N: 11.70 inches; W: 1.74 inches, Latitude: 40° 26' 22" N; Longitude: 76° 30' 45" W); (10) to construct and maintain a 0.50-foot depressed, 116.0-foot long, 12.0-foot high by 9.0-foot wide concrete box culvert with a 4.0-inch PVC sanitary sewer, a 10.0-inch diameter DIP water and a 6.0-inch diameter PVC electric line utility crossing in a UNT to the Swatara Creek (WWF) also impacting 0.017 acre of palustrine forested scrub/shrub wetlands (PFO/PSS) (Indiantown Gap, PA Quadrangle N: 12.01 inches; W: 1.74 inches, Latitude: 40° 26' 28" N; Longitude: 76° 30' 45" W); (11) to construct and maintain a 0.50-foot depressed, 85.0-foot long 5.0-foot high by 4.0-foot wide concrete box culvert with a 2.0 inch diameter PVC, a 4.0 inch PVC sanitary sewer pipe, a 10.0-inch diameter DIP water and a 6.0-inch diameter PVC electric line utility crossing impacting 85.0 linear feet of a UNT to the Swatara Creek (WWF) and 0.16 acre of palustrine emergent/scrub shrub/forested (PFO/PSS/PEM) (Indiantown Gap, PA Quadrangle N: 11.15 inches; W: 1.74 inches, Latitude: 40° 26' 11" N; Longitude: 76° 30' 46" W); (12) to place and maintain fill in 0.10 acre of palustrine emergent wetland (PEM) for the purpose of constructing warehouse buildings and an access road (Indiantown Gap, PA Quadrangle N: 10.09 inches; W: 1.70 inches, Latitude: 40° 25' 50" N; Longitude: 76° 30' 44" W); (13) to place and maintain fill in 0.11 acre of palustrine scrub shrub wetlands (PSS) for the purpose of constructing warehouse buildings and an access road (Indiantown Gap, PA Quadrangle N: 11.40 inches; W: 1.70 inches, Latitude: 40° 26' 16" N; Longitude: 76° 30' 56" W); (14) to place and maintain fill in 0.61 acre of palustrine forested wetlands (PFO) located in and affecting 65.0 linear feet of floodway of a UNT to the Swatara Creek (WWF) (Indiantown Gap, PA Quadrangle N: 10.74 inches; W: 1.82 inches, Latitude: 40° 26' 03" N; Longitude: 76° 30' 47" W); and (15) to place and maintain fill in 0.02 acre of palustrine emergent wetlands (PEM) for the purpose of constructing the proposed warehouse and access roads (Indiantown Gap, PA Quadrangle N: 11.80 inches; W: 1.74 inches, Latitude: 40° 26' 24" N; Longitude: 76° 30' 45" W) all for the purpose of constructing three warehouse facilities and associated access and parking for an industrial park located at a point northwest of the intersection of SR 72 and Bordersville Road in Union Township **Lebanon County**. Wetland replacement of 1.81 acres of (PEM/PSS/PFO) is proposed onsite.

E07-422: Department of Transportation Engineering District 9-0, 1620 North Juniata Street, Holidaysburg, PA 16648, Logan Township, **Blair County**, United States Army Corps of Engineers, Baltimore District.

To construct and maintain: (1) a 50.0-foot long stream channel relocation of a perennial UNT to Dry Gap Run (HQ-CWF) (Altoona, PA Quadrangle N: 5.6 inches; W: 10.63 inches, Latitude: 40° 31' 54.96" N; Longitude: 78° 27' 10.69"); (2) a 12.0-inch outfall structure discharging to a UNT to Dry Gap Run (HQ-CWF) (Altoona, PA Quadrangle N: 5.6 inches; W: 10.63 inches, Latitude: 40° 31' 54.96" N; Longitude: 78° 27' 10.69"); and (3) an extension of 8.0 lineal feet of 24.0-inch culvert pipe to an existing 24.0-inch cast iron pipe having a total length of 69.0 feet within a UNT to Dry Gap Run (HQ-CWF) (Altoona, PA Quadrangle N: 5.6 inches; W: 7.6 10.63 inches, Latitude: 40° 31' 54.96" N; Longitude: 78° 27' 10.69"). The project will permanently impact 58.0 feet of perennial stream, all for the purpose of providing safety improvement to SR 0036, Segment 0530 in Logan Township, Blair County.

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

E14-519. College Township, 1481 East College Avenue, State College, PA 16801. Spring Creek Pedestrian Bridge, in College Township, **Centre County**, United States Army Corps of Engineers, Baltimore District (State College, PA Quadrangle Latitude: 40° 49' 7"; Longitude: 77° 49' 19").

To construct and maintain a 4-foot wide by 38.5 foot long steel beam and wood deck bank-to-bank pedestrian bridge, borne on existing abutments, with a maximum underclearance of 7 feet, over Spring Creek, located in Spring Creek Park 280 feet southwest of the intersection of Spring Lea Drive and Houserville Road. This permit was issued under section 105.13(e) "Small Projects." This permit also includes Water Quality Certification under section 401(a) Federal Water Pollution Control Act (FWPCA) (33 U.S.C.A. § 1341(a)).

E53-422. Coudersport Borough, 201 South West Street, Coudersport, PA 16915. Fourth and Seventh Streets Bridge Replacement, in Coudersport Borough, **Potter County**, United States Army Corps of Engineers, Pittsburgh District (Coudersport, PA Quadrangle N: 41° 46' 45"; W: 78° 01' 09").

The proposed project involves the construction and maintenance of multiple bridge structure replacements over the concrete lined section of the Allegheny River, located within Coudersport Borough, Potter County. The existing structures, located at Fourth and Seventh Streets, will be removed. The historic bridge removed from Seventh Street will be moved to the Fourth Street location and used as a pedestrian crossing. The historic bridge is a single-span steel Pratt through truss/arch structure with a clear span of 70.7 ft., an underclearance of 11.03 ft. and a skew of 90°. The proposed Seventh Street structure is a single-span prestressed concrete spread box beam bridge with a clear span of 55.98 ft., an underclearance of 10.78 ft. and a skew of 84°. There is no anticipated stream disturbance, as no bridge construction work will take place within the concrete lined channel. The stream is classified as a CWF. There are no wetlands present within the project area. This permit also includes Water Quality Certification under section 401(a) of FWPCA (33 U.S.C.A. § 1341(a)).

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

E02-1599. Township of Moon, 1000 Beaver Grade Road, Moon Township, PA 15108. To construct an outfall structure and walking bridges in Moon Township, **Allegheny County**, United States Army Corps of Engineers, Pittsburgh District (Ambridge, PA Quadrangle N: 5.2 inches; W: 16.6 inches, Latitude: 40° 31' 43"; Longitude: 80° 14' 40"). To place and maintain fill on and to regrade and maintain the left bank of a UNT to Flaugherty Run (WWF), to construct and maintain a 24-inch diameter outfall structure on the left bank of said stream, to construct and maintain four pedestrian walking bridges (Bridge No. 1 having a span of 41.0 feet with an underclearance of 2.0 feet, Bridge No. 2 having a span of 35.0 feet with an underclearance of 4.0 feet, Bridge No. 3 having a span of 43.0 feet with an underclearance of 2.0 feet and Bridge No. 4 having a span of 38.0 feet with an underclearance of 3.0 feet) across said stream and to construct and maintain four temporary ford stream crossings in the channel of said stream for the purpose of constructing Olson Park. The project is located on the north side of Flaugherty Run Road, approximately 1,000.0 feet northwest from the intersection of Flaugherty Run and Becks Run Roads.

E04-240-A2. Beaver Falls Municipal Authority, 1425 Eighth Avenue, Beaver Falls, PA 15010. To construct and maintain a new pump station and intake structure in Eastvale Borough, **Beaver County**, United States Army Corps of Engineers, Pittsburgh District (Beaver Falls, PA Quadrangle N: 2.8 inches; W: 9.2 inches, Latitude: 40° 45' 56"; Longitude: 80° 18' 59"). To amend Permit No. E02-240 to construct and maintain a new pump station, an intake structure and riprap streambank stabilization approximately 43.0 ft. into the channel and approximately 136.0 ft. along the left bank of the Beaver River (WWF) for the purpose of replacing the existing intake structure and to construct and maintain a pipeline under the bed and across the channel of the Beaver River for the purpose of replacing the existing pipeline in the same location. The project is located on the west side of First Street, approximately 200.00 feet west from the intersection of First and Third Streets.

E30-217. Allegheny Energy Supply Company, LLC, 800 Cabin Hill Drive, Greensburg, PA 15601. To place fill in wetlands in Monongahela Township, **Greene County**, United States Army Corps of Engineers, Pittsburgh District (Masontown, PA Quadrangle N: 18.14 inches; W: 10.02 inches, Latitude: 39° 50' 59.66"; Longitude: 79° 56' 47.01"). To place and maintain fill in approximately 0.55 acre of primarily palustrine emergent (PEM) wetland, which will be mitigated by the construction of 0.92 acre of primarily PEM replacement wetland. The impacts are associated with the construction and maintenance of Phase 3 of an existing CCB landfill, haul road and related stormwater conveyance channels, to provide a disposal area for coal combustion (CCB) wastes that are generated during the production of electricity, at the permittee's coal-fired Hatfield's Ferry Power Station within the Monongahela River (WWF) basin. The power station is located on the north side of SR 21, approximately 1.7 miles west of Masontown, with an entrance road from SR 21, just prior to this roadway crossing over the Monongahela River.

E65-920. Allegheny River Terminals, Inc., One Fifth Street, New Kensington, PA 15068-6643. To maintain dredging on an barge loading facility in the City of New

Kensington, **Westmoreland County**, United States Army Corps of Engineers, Pittsburgh District (New Kensington West, PA Quadrangle N: 10.8 inches; W: 2.55 inches, Latitude: 40° 33' 33"; Longitude: 79° 46' 3"). To operate and maintain an existing 25' by 25' excavator pad and an existing 18.5' by 7.5' cell barge puller and to perpetually perform maintenance dredging in an area approximately 220' long by 35' wide and to a depth of approximately 10' below the normal pool elevation, along the east bank of the Allegheny River (WWF), for the purpose of maintaining a barge loading facility. The project is located between 5th and 6th Streets in the City of New Kensington.

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

E37-179. Lawrence County, 430 Court Street, New Castle, PA 16101. T-593 Nashua Road Across Shenango River, in Pulaski Township, **Lawrence County**, United States Army Corps of Engineers, Pittsburgh District (Edinburg, PA Quadrangle N: 41° 04' 52"; W: 80° 23' 44").

To remove the existing structure and to construct and maintain a steel plate girder bridge having a clear normal span of 140 feet and an underclearance of 14.7 feet across the Shenango River on T-593, Nashua Road, approximately 2 miles west of SR 18.

DAM SAFETY

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

D45-032A. Analomink Rod and Gun Club, Analomink Rod and Gun Club, c/o George Meyner, P. O. Box 100, Analomink, PA 18320. To operate and maintain the Analomink Lake Dam across a tributary to Broadhead Creek (HQ-CWF), impacting 0.00 acres of wetlands (PEM) with no proposed impacts to the stream channel, for the purpose obtaining a permit to operate and maintain this dam in accordance with State law (East Stroudsburg, PA Quadrangle N: 10.9 inches; W: 13.8 inches) in Stroud Township, **Monroe County**.

D40-227A. Croops Dam, Greg Dischinat, 180 Nazareth Drive, Nazareth, PA 18064. To rehabilitate, operate and maintain the Croops Dam across a tributary to Hunlock Creek (CWF), impacting 50 linear feet of stream channel, for the purpose of rehabilitating the deteriorated dam to restore the approximately 4-acre recreational lake. Work includes constructing a new spillway structure and rebuilding the earthfill embankment (Nanticoke, PA Quadrangle N: 16.0 inches; W: 12.9 inches) in Hunlock Township, **Luzerne 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 individuals 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.

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

| <i>ESCP No.</i> | <i>Applicant Name & Address</i> | <i>County</i> | <i>Municipality</i> | <i>Receiving Water/Use</i> |
|-----------------------|--|--------------------------|--------------------------------------|--|
| ESCGP-1 5809801 | Epsilon Energy USA, Inc. 3766 US 31 South Traverse City, MI 49684 | Susquehanna | Auburn, Rush and Jessup Townships | Riley Creek CWF |
| ESCGP-1 5809801-02 | Epsilon Energy USA, Inc. 3766 US 31 South Traverse City, MI 49684 | Susquehanna | Auburn, Rush and Jessup Townships | Wyalusing Creek, Elk Lake Stream, UNT to Elk Lake Stream, Deuel and Snell Creeks CWF |
| ESCGP-1 5809804 | EXCO—North Coast Energy, Inc. One GOJO Plaza Suite 325 Akron, OH 44311-1057 | Susquehanna | Clifford Township | UNT to Idlewild Creel CWF |
| ESCGP-1 5809803 | Appalachia Midstream Services, LLC 1 Grand Park 777 NW Grand Boulevard Oklahoma City, OK 73118 | Susquehanna, Bradford | Auburn and Tuscarora Townships | Tuscarora Creel CWF |

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 0809815 | Patrick Myers Appalachia Midstream Services, LLC 1 Grand Park 777 NW Grand Boulevard Oklahoma City, OK 73118 | Bradford County | Asylum Township | Durrell Creek WWF Bennetts Creek WWF UNTs to Durrell Creek WWF |
| ESCGP-1 5909801 | Doug Kepler Seneca Resources 300 Essjay Road Suite 150 Williamsville, NY 14221 | Tioga County | Covington Township | UNT to Tioga River CWF |
| ESCGP-1 5909802 | Doug Kepler Seneca Resources 300 Essjay Road Suite 150 Williamsville, NY 14221 | Tioga County | Charleston Township | UNT to Tioga River CWF |

SPECIAL NOTICES

Notice of Certification to Perform Radon-Related Activities in Pennsylvania

In the month of April 2009, the Department of Environmental Protection, under the Radon Certification Act (63 P. S. §§ 2001—2014) and regulations promulgated thereunder at 25 Pa. Code Chapter 240, has certified the persons listed to perform radon-related activities in this Commonwealth. The period of certification is 2 years. For a complete list of persons currently certified to perform radon-related activities in this Commonwealth and for information as to the specific testing devices that persons certified for testing or laboratory are certified to use, contact the Bureau of Radiation Protection, Radon Division, P. O. Box 8469, Harrisburg, PA 17105-8469, (800) 23RADON.

NOTICES

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| <i>Name</i> | <i>Address</i> | <i>Type of Certification</i> |
|---|---|------------------------------|
| Bauder Basement Systems, Inc. | 3 Yoder Lane Newmanstown, PA 17073 | Mitigation |
| Matthew Beinhaur Harris Environmental, Inc. | 600 Stone House Road Clarion, PA 16214 | Mitigation |
| Chuck Berthoud | 47 Brookside Avenue Hershey, PA 17033 | Testing |
| Scott Bobowicz Historic Home Inspections, LP | 2865 South Eagle Road #334 Newtown, PA 18940 | Testing |
| Jason Boni | 8470 Ridgemont Road Pittsburgh, PA 15237 | Testing |
| George Curry | 505 Philmar Court Unit B Springfield, PA 19064 | Testing |
| Curt DeWolf | 1261 Surrey Road West Chester, PA 19382 | Testing |
| Kim Fella | P. O. Box 543 Fleetwood, PA 19522 | Testing |
| Michael Fella | P. O. Box 543 Fleetwood, PA 19522 | Testing |
| Timothy Gentry | 474 Easton Road Horsham, PA 19044 | Mitigation |
| Frank Klopp | 230 South Brobst Street Shillington, PA 19607 | Testing |
| Ray Knecht | 2843 North Third Street Harrisburg, PA 17110 | Testing |
| Marc Marino | 2340 Old Forty Foot Road Harleysville, PA 19438 | Testing |
| Marc Marino Radon-Rid, LLC | 2340 Old Forty Foot Road Harleysville, PA 19438 | Mitigation |
| Karl May, Jr. | 82 Walnut Street Wellsboro, PA 16901 | Mitigation |
| Troy Mickle | 2122 Valley Road Schellsburg, PA 15559 | Mitigation |
| Brian Mishler | 212 West Grant Street Latrobe, PA 15650 | Testing |
| Matthew Moyer | 1421 Clarkview Road Suite 100 Baltimore, MD 21209 | Testing |
| Ira Nerenberg | 151 Indian Drive Greentown, PA 18426 | Testing |
| Philip Parke, Sr. | 3201 Addison Drive Wilmington, DE 19808 | Testing |
| Robert Pecca | 404 Richmond Road Bangor, PA 18013 | Testing |
| Radon X | 1115 Cornell Street Pittsburgh, PA 15212 | Mitigation |
| Harvey Ricci SPY Inspection Services, Inc. | 16 East Main Street Lansdale, PA 19446 | Testing |
| Laird Ritter | 717 Oak Hall Street Boalsburg, PA 16827 | Testing |
| Ronald Rusnock | P. O. Box 2245 Hazleton, PA 18201 | Testing |
| Howard Shanker | P. O. Box 63827 Philadelphia, PA 19147 | Testing |
| Mike Sheely | 1000 Wolfe Road Enola, PA 17025 | Mitigation |

| <i>Name</i> | <i>Address</i> | <i>Type of Certification</i> |
|---|--|------------------------------|
| Dennis Swindell | 227 Locust Street Alum Bank, PA 15221 | Testing |
| Peter Weber Atlantic Radon Systems, Inc. | 6 Boor Cove Lane West Grove, PA 19390 | Mitigation |

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

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

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

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

JOHN HANGER,
Secretary

Act 101, Section 901 Planning Grant

| <i>Region</i> | <i>County</i> | <i>Applicant</i> | <i>Project Description</i> | <i>Grant Award</i> |
|---------------|---------------|------------------|-----------------------------|--------------------|
| Southeast | | | | |
| Northeast | Wyoming | Wyoming County | Plan Revision | \$20,049 |
| Southcentral | Bedford | Bedford County | Consultant Fees | \$ 6,455 |
| | Lancaster | Lancaster County | Plan Evaluation | \$76,592 |
| | Lancaster | Lancaster County | Waste Plan Update | \$80,000 |
| | Perry | Perry County | Trash Collection Initiative | \$68,080 |
| Northcentral | | | | |
| Southwest | | | | |
| Northwest | Elk | Elk County | Plan Revision | \$23,988 |

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

EGS02005. Allegheny Land Trust (409 Broad Street, Sewickley, PA 15143). A project to abate mine drainage pollution in Upper St. Clair Township, **Allegheny County**, affecting 10 acres. Receiving stream: Chartiers Creek. Project proposal received March 9, 2009.

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

Request for Comments and Notices of Public Meeting for the Proposed Total Maximum Daily Loads (TMDLs) for the Watershed of Stoney Run, Westmoreland County

The Department of Environmental Protection (Department) will accept comments on the proposed TMDL developed for the watershed of Ross Run in Indiana County. The TMDL was established in accordance with the requirements of section 303(d) of the Clean Water Act. Streams within this watershed are listed in Pennsylvania's Integrated Water Quality Monitoring and Assessment Report as being impaired due to siltation resulting from agricultural activities.

nia's Integrated Water Quality Monitoring and Assessment Report as being impaired due to siltation resulting from agricultural activities.

Impairments were addressed by establishing a TMDL of sediment. There currently are no State or Federal in-stream numerical water quality criteria for sediment. Therefore, the Department utilized a reference watershed approach to implement the applicable narrative criteria. The proposed TMDL sets allowable loadings of sediment in the watershed of Ross Run. Sediment loadings were allocated among all land use categories (nonpoint sources) present in the watershed. Data used in establishing this TMDL were generated using a water quality analysis model designed by the Pennsylvania State University.

The data and all supporting documentation used to develop the proposed TMDL are available from the Department. The proposed TMDL and information on the TMDL program can be viewed on the Department's web site at www.dep.state.pa.us (PA Keyword: TMDL). To request a copy of this TMDL, contact: Joe Boylan at 400 Waterfront Drive, Pittsburgh, PA 15222, joboylan@state.pa.us.

The Department will consider all comments when developing the final TMDL, which will be submitted to

the Environmental Protection Agency for approval. Written comments will be accepted at the previous address and must be received by July 12, 2009. A public meeting to discuss the technical merits of the TMDL will be held on Thursday, June 11, 2009, at 6 p.m. at the Marion Center Community Park Building, 22823 Route 403 Highway North, Marion Center, PA 15759.

[Pa.B. Doc. No. 09-883. Filed for public inspection May 15, 2009, 9:00 a.m.]

Abandoned Mine Lands Program Grant Notice

The United States Office of Surface Mining Reclamation and Enforcement has approved the Commonwealth's Federal Fiscal Year 2009 Abandoned Mine Lands (AML) Reclamation Grant in the amount of \$29,975,292. The AML Program was established by the Federal Surface Mining Control and Reclamation Act (30 U.S.C.A. §§ 1201—1328) and provides an annual distribution of funds to states and tribes with approved AML reclamation programs. Under the AML Program, the Commonwealth has received annual grants since 1980. The Department of Environmental Protection's (Department) grant application and award notification are available on the Department's web site: www.depweb.state.pa.us; click on DEP Programs (A-Z); Abandoned Mine(s)/Abandoned Mine Reclamation; AML Funding; and 2009 AML Program Application.

JOHN HANGER,
Secretary

[Pa.B. Doc. No. 09-884. Filed for public inspection May 15, 2009, 9:00 a.m.]

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

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

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

The actions described in this notice relate to: (1) submitted proposals; (2) approved proposals; and (3) registered credits, through May 4, 2009.

Background

Before a credit can be used by an NPDES permittee, a three-step process is followed. First, the credit or offset

proposal must be approved, second, it must be verified and third, it must be registered.

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

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

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

The Department has received 67 proposals that have been submitted for review to generate nutrient reduction credits in the Chesapeake Bay Watershed. Of those, 44 have been approved, three are in review, one has been withdrawn and the remaining need additional clarification prior to certification.

Proposals under Review

The following proposal is being reviewed by the Department. Comments must be received on these projects by June 16, 2009.

Proposal Applicant

1. Bion Environmental Technologies, Inc.

Proposal Description

Nitrogen and Phosphorus credits to be generated by treating poultry manure at farms located in Lancaster. This treatment includes: Belt Dry Layer Housing to Combustion, High Rise Layer Housing to Combustion, Housing Switch from High Rise to Belt Dry, and Housing Switch from High Rise to Belt Dry, Followed by Combustion.

Certifications

There are no certifications to notice at this time.

Verifications and Registrations

To date, there are no verifications and registrations.

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

JOHN HANGER,
Secretary

[Pa.B. Doc. No. 09-885. Filed for public inspection May 15, 2009, 9:00 a.m.]

The Pennsylvania Sunshine Program: Incentive Program Opening

The Department of Environmental Protection (Department) announces the opening of a new incentive program for homeowners and small businesses undertaking solar energy projects. The Pennsylvania Sunshine Program (program) will provide \$100 million in rebates, to Commonwealth homeowners and small businesses to purchase and install solar photovoltaic (PV) and solar hot water systems. The Department will begin accepting applications on May 18, 2009. Rebates will be awarded to eligible applicants on a first-come, first-served basis.

An eligible residential applicant must be a Pennsylvania resident and the owner of the home where the project will be installed. All residential projects must be completed on the homeowner's primary residence. Small business applicants must be a for-profit business located within this Commonwealth. To qualify for small business funding, the applicant must be a separate legal entity with no more than 100 full time employees.

The program rebates will be available for the purchase and installation of qualifying solar PV and solar hot water equipment by qualified installers. Only projects completed after the program opening date of May 18, 2009, will be eligible.

The program guidelines are available on the program's web site at www.dep.state.pa.us (DEP Keyword: PA Sunshine Solar Program). Applications must be submitted online at www.pasunshine.powerclerk.com. For questions regarding the eligibility of projects, contact Rebecca Campbell, Office of Energy and Technology Deployment at (717) 772-8911 or pasunshine@state.pa.us before submitting an application.

JOHN HANGER,
Secretary

[Pa.B. Doc. No. 09-886. Filed for public inspection May 15, 2009, 9:00 a.m.]

Request for Applications for Watershed Protection and Restoration Grants and Flood Protection Grants Through the Growing Greener Plus Program

As part of the 2009 Department of Environmental Protection's (Department) Growing Greener Plus Program, applications are now being accepted for watershed protection and restoration grants. Under 27 Pa.C.S. §§ 6101—6113 (relating to Environmental Stewardship and Watershed Protection Act), the Department is authorized to allocate these grants to a variety of eligible

applications including: counties, authorities and other municipalities; county conservation districts; watershed organizations recognized by Department who promote local watershed conservation efforts, council of governments and other authorized organizations involved in the restoration and protection of the environment in this Commonwealth.

For the upcoming grant round, the Department will invest in projects that will ultimately protect and/or restore this Commonwealth's watersheds from impairment due to nonpoint source pollution. Examples of special priority areas include: Watershed Renaissance—comprehensive watershed plan implementation in a small watershed; projects located in "priority" watersheds that reduce the source of impairment; and "priority" type activities that lead to water quality restoration or protection.

Examples of eligible projects could include reducing nonpoint source pollution in watersheds where streams are impaired; integrating stormwater management and flood protection into watershed management; encouraging the beneficial use of abandoned mine pool water; and water conservation strategies and projects that will help reduce Total Maximum Daily Load pollutants.

Through the same application process, applicants can also apply for funding through the Department's Flood Protection Grant Program and Section 319 Nonpoint Source Grant. Flood protection grants are for communities that operate and maintain State and Federal flood protection projects. Section 319 grants focus on funding similar projects to Growing Greener but with special emphasis within targeted watersheds.

The deadline for submitting applications to the Department's Growing Greener Grants Center (Center) is July 17, 2009. Applications must be postmarked no later than July 17, 2009. If hand delivered, the package must be received by the Center by 4 p.m. on July 17, 2009, at the address that follows. Late submissions will not be considered.

To request or download an application or obtain more information concerning the Growing Greener Programs, visit the Growing Greener web site at www.depweb.state.pa.us (DEP Keyword: Growing Greener). Persons can send e-mails to GrowingGreener@state.pa.us or contact the Center at (717) 705-5400. Written requests should be addressed to: Department of Environmental Protection, Grants Center, 15th Floor, Rachel Carson State Office Building, 400 Market Street, P. O. Box 8776, Harrisburg, PA 17105-8776.

JOHN HANGER,
Secretary

[Pa.B. Doc. No. 09-887. Filed for public inspection May 15, 2009, 9:00 a.m.]

DEPARTMENT OF GENERAL SERVICES

Proposed Plan for the Disposition of Commonwealth Property

The Department of General Services (Department), under The Administrative Code of 1929 (71 P. S. §§ 51—732), has published the proposed 2009 real property

disposition plan for review by the public and approval of the General Assembly. The proposed plan is available for review on the Department's web site at www.dgs.state.pa.us.

Individuals wanting to comment on the proposed plan should do so, in writing, to Bradley Swartz, Department of General Services, Bureau of Real Estate, 505 North Office Building, Harrisburg, PA 17125, within 30 days from the date of this notice.

JAMES P. CREEDON,
Secretary

[Pa.B. Doc. No. 09-888. Filed for public inspection May 15, 2009, 9:00 a.m.]

DEPARTMENT OF HEALTH

Governor's Advisory Council on Physical Fitness and Sports Committee; Public Meeting

The Governor's Advisory Council on Physical Fitness and Sports will hold a meeting on Thursday, June 11, 2009, from 9:30 a.m. to 3 p.m. The meeting will be held at the LECOM Wellness Center, 5401 Peach Street, Erie, PA 16509.

For additional information, or persons with a disability and who wish to attend the meeting and require an auxiliary aid, service or other accommodation to do so contact Jessica Zilka, Bureau of Health Promotion and Risk Reduction, Room 1000, Health and Welfare Building, Harrisburg, PA at (717) 787-6214 or for speech and/or hearing impaired persons V/TT (717) 783-6514 or the Pennsylvania AT&T Relay Service at (800) 654-5984.

This meeting is subject to cancellation without notice.

EVERETTE JAMES,
Secretary

[Pa.B. Doc. No. 09-889. Filed for public inspection May 15, 2009, 9:00 a.m.]

Health Policy Board Meeting

The Health Policy Board is scheduled to hold a meeting on Wednesday, June 17, 2009, at 10 a.m., in Room 812, Health and Welfare Building, 625 Forster Street, Harrisburg, PA 17120.

For additional information or persons with a disability who wish to attend the meeting and require an auxiliary aid, service or other accommodation to do so should contact Linda Pavlesich, Bureau of Health Planning at (717) 772-5298, lpavlesich@state.pa.us or for speech and/or hearing impaired persons V/TT (717) 783-6514 or the Pennsylvania AT&T Relay Service at (800) 654-5984 (TT).

This meeting is subject to cancellation without notice.

EVERETTE JAMES,
Secretary

[Pa.B. Doc. No. 09-890. Filed for public inspection May 15, 2009, 9:00 a.m.]

Intent to Request Release of Funds

On or about May 18, 2009, the Department of Health (Department) will submit a request to the United States Department of Housing and Urban Development (HUD) for the release of Healthy Homes Demonstration Grant Program funds, with funding authorized by the American Recovery and Reinvestment Act of 2009 (ARRA), Pub. L. No. 111-5, for the following multiyear program/project: Healthy Homes Foster Care Demonstration Program, for the purpose of assistance income eligible foster family homes with children under age 6 with an assessment and remediation of environmental health hazards, with a priority on units with child having asthma or lead poisoning. The Department is requesting the release of \$875,000 in Federal Assistance and \$106,062 in matching contributions for the period of performance of April 15, 2009, through April 14, 2012.

The proposed hazard control activities to be funded under this/these programs is categorically excluded from the National Environmental Policy Act requirements, but subject to compliance with some of the environmental laws and authorities listed at 24 CFR Part 58.15. In accordance with 24 CFR 58.15, a tiered review process has been structured, whereby some environmental laws and authorities have been reviewed and studied for the intended target areas listed previously. Other applicable environmental laws and authorities will be complied with, when individual projects are ripe for review. Specifically, the target areas have been studied and compliance with the following laws and authorities have been established in this Tier 1 review: Floodplain Management, Coastal Barriers Resource Act and Coastal Zone Management Act. In the Tiered 2 review, compliance with the following environmental laws and authorities will take place for proposed projects funded under the programs listed previously: Historic Preservation, National Flood Insurance Program requirements, Explosive and Flammable Operations, toxics/hazardous materials. Should individual aggregate projects exceed the threshold for categorical exclusion detailed at 24 CFR 58.35(a), an Environmental Assessment will be completed and a separate Finding of No Significant Impact and Request for Release of Funds published. Copies of the compliance documentation worksheets are available at the address follows.

An Environmental Review Record (ERR) that documents the environmental determinations for this project, and more fully describes the tiered review process cited previously, is on file at Bureau of Family Health, Division of Child and Adult Health Services, Health and Welfare Building, 7th Floor, East Wing, 625 Forster Street, Harrisburg, PA 17120 and may be examined or copied weekdays 8:30 a.m. to 4:30 p.m.

Public Comments

Any individual, group or agency may submit written comments on the ERR to the Department. All comments received by May 26, 2009, will be considered by the Department prior to authorizing submission of a Request for Release of Funds and Environmental Certification to HUD.

Release of Funds

The Department certifies to HUD that Terri A. Matio in her official capacity as Director, Bureau of Administrative and Financial Services, consents to accept the jurisdiction of the Federal Courts if an action is brought to enforce responsibilities in relation to the environmental review process and that these responsibilities have been satisfied. HUD's approval of the certification satisfies its responsibilities under NEPA and related laws and authorities, and allows the Department to utilize Federal funds and implement the Program.

Objections to Release of Funds

HUD will consider objections to its release of funds and the Department certification for a period of 15 days following either the anticipated submission date (cited previously) or HUD's actual receipt of the request (whichever is later) only if the objections are on one of the following bases: (a) that the Certification was not executed by the Certifying Officer of the Department; (b) the Department has omitted a step or failed to make a decision or finding required by HUD regulations at 24 CFR Part 58; (c) the Department has committed funds or incurred costs not authorized by 24 CFR Part 58 before approval of a release of funds by HUD; (d) another Federal agency acting under 40 CFR Part 1504 has submitted a written finding that the project is unsatisfactory from the standpoint of environmental quality. Objections must be prepared and submitted in accordance with the required procedures (24 CFR Part 58), and may be addressed to HUD as follows: Edward Thomas, Office of Healthy Homes and Lead Hazard Control Program Environmental Clearance Officer, United States Department of Housing and Urban Development, The Wanamaker Building, 12th Floor, 100 Penn Square East, Philadelphia, PA 19107-3380. Potential objectors may contact HUD to verify the actual last day of the objection period.

*** OHHLHC PROGRAMS REQUIRING A RROF (as applicable)**

- *Lead-Based Paint Hazard Control Grant Program*, authorized by section 1011 of the Housing and Community Development Act of 1992, Pub. L. No. 102-550, and funded through the Consolidated Appropriations Act of 2008, Pub. L. No. 110-161.

- *Lead Hazard Reduction Demonstration Grant Program*, authorized by section 1011 of the Housing and Community Development Act of 1992, Pub. L. No. 102-550, and funded through the Consolidated Appropriations Act of 2008, Pub. L. No. 110-161

- *Healthy Homes Demonstration Grant Program*, with funding authorized by the American Recovery and Reinvestment Act of 2009, Pub. L. No. 111-5.

- *Operation Lead Elimination Action Program*, with funding authorized by the Consolidated Appropriations Act of 2008, Pub. L. No. 110-161.

Persons with a disability who require an alternate format of this document (for example, large print, audiotape, Braille), or who wish to comment in an alternate format and seek assistance to do so should contact Joseph M. McLaughlin, Public Health Program Manager, Bureau of Family Health, Division of Child and

Adult Health Services, Health and Welfare Building, 7th Floor, East Wing, 625 Forster Street, Harrisburg, PA 17120 at the address previously listed or (717) 772-2762 or for speech and/or hearing impaired persons V/TT (717) 783-6514 or the Pennsylvania AT&T Relay Service at (800) 654-5984.

EVERETTE JAMES,
Secretary

[Pa.B. Doc. No. 09-891. Filed for public inspection May 15, 2009, 9:00 a.m.]

Pennsylvania Cancer Control, Prevention and Research Advisory Board Meeting

The Pennsylvania Cancer Control, Prevention and Research Advisory Board, established under the Pennsylvania Cancer Control, Prevention and Research Act (35 P. S. § 5633), will hold a meeting on Wednesday, June 24, 2009, from 9 a.m. to 2 p.m. The meeting will be held at the C. Ted Lick Wildwood Conference Center, HACC Central Pennsylvania's Community College, One HACC Drive, Harrisburg, PA 17110.

For additional information contact Kathleen A. Zitka, Chief, Department of Health, Comprehensive Cancer Control Section, Room 1011, Health and Welfare Building, 625 Forster Street, Harrisburg, PA at (717) 787-5251.

Persons with a disability who wish to attend this meeting and require an auxiliary aid, service or other accommodation to do so should contact Kathleen A. Zitka at (717) 787-5251 for speech and/or hearing impaired persons V/TT (717) 783-6514 or the Pennsylvania AT&T Relay Service at (800) 654-5984 (TT).

EVERETTE JAMES,
Secretary

[Pa.B. Doc. No. 09-892. Filed for public inspection May 15, 2009, 9:00 a.m.]

**DEPARTMENT OF
LABOR AND INDUSTRY**

Prevailing Wage Appeals Board Meeting

The Prevailing Wage Appeals Board will hold a public meeting on Tuesday, May 19, 2009, 10 a.m. in the Capitol Associates Building, 901 North Seventh Street, 3rd Floor Conference Room, Harrisburg, PA.

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

STEPHEN M. SCHMERIN,
Secretary

[Pa.B. Doc. No. 09-893. Filed for public inspection May 15, 2009, 9:00 a.m.]

DEPARTMENT OF PUBLIC WELFARE

Income Limits and Copayments for the Subsidized Child Care Program

The purpose of this notice is to increase the income limits codified in 55 Pa. Code Chapter 3041, Appendix B (relating to copayment chart family copayment scale (based on the 2009 Federal Poverty Income Guidelines (FPIGS)) under 55 Pa. Code § 3041.107(b) (relating to availability and use of the Federal Poverty Income Guidelines). This increase is effective May 4, 2009.

Section 3041.107(b) of 55 Pa. Code requires the Department of Public Welfare to update the copayment schedule in 55 Pa. Code Chapter 3041, Appendix B to reflect changes in the FPIG. Effective May 4, 2009, the income guidelines for the subsidized child care program are increased due to increases in the FPIG. The copayment schedule is adjusted to reflect the increases. Chapter 3041, Appendix B of 55 Pa. Code also establishes the family copayment levels according to the family's computed annual income and lists the weekly family copayment based on the annual family income.

ESTELLE B. RICHMAN,
Secretary

Fiscal Note: 14-NOT-597. No fiscal impact; (8) recommends adoption.

**CO-PAYMENT CHART
FAMILY CO-PAYMENT SCALE**

(BASED ON THE 2009 FEDERAL POVERTY INCOME GUIDELINES)

| Weekly Co-pay | Family Size: | 1 | Family Size: | 2 | Family Size: | 3 |
|------------------|---------------|----------|---------------|----------|---------------|----------|
| | Annual Income | | Annual Income | | Annual Income | |
| \$5.00 | Less than: | \$8,830 | Less than: | \$12,570 | Less than: | \$14,310 |
| \$10.00 | \$8,830.01 | \$10,830 | \$12,570.01 | \$14,570 | \$14,310.01 | \$16,310 |
| \$15.00 | \$10,830.01 | \$12,830 | \$14,570.01 | \$16,570 | \$16,310.01 | \$18,310 |
| \$20.00 | \$12,830.01 | \$14,830 | \$16,570.01 | \$18,570 | \$18,310.01 | \$20,310 |
| \$25.00 | \$14,830.01 | \$16,830 | \$18,570.01 | \$20,570 | \$20,310.01 | \$22,310 |
| \$30.00 | \$16,830.01 | \$18,830 | \$20,570.01 | \$22,570 | \$22,310.01 | \$24,310 |
| \$35.00 | \$18,830.01 | \$20,830 | \$22,570.01 | \$24,570 | \$24,310.01 | \$26,310 |
| \$40.00 | \$20,830.01 | \$22,830 | \$24,570.01 | \$26,570 | \$26,310.01 | \$28,310 |
| \$45.00 | \$22,830.01 | \$24,830 | \$26,570.01 | \$28,570 | \$28,310.01 | \$30,310 |
| \$50.00 | \$24,830.01 | \$25,451 | \$28,570.01 | \$30,570 | \$30,310.01 | \$32,310 |
| \$55.00 | | | \$30,570.01 | \$32,570 | \$32,310.01 | \$34,310 |
| \$60.00 | | | \$32,570.01 | \$34,240 | \$34,310.01 | \$36,310 |
| \$65.00 | | | | | \$36,310.01 | \$38,310 |
| \$70.00 | | | | | \$38,310.01 | \$40,310 |
| \$75.00 | | | | | \$40,310.01 | \$42,310 |
| \$80.00 | | | | | \$42,310.01 | \$43,029 |
| | 200% FPIG | \$21,660 | 200% FPIG | \$29,140 | 200% FPIG | \$36,620 |

CO-PAYMENT CHART
FAMILY CO-PAYMENT SCALE
 (BASED ON THE 2009 FEDERAL POVERTY INCOME GUIDELINES)

| Weekly Co-pay | Family Size: | 4 | Family Size: | 5 | Family Size: | 6 |
|------------------|---------------|----------|---------------|----------|---------------|----------|
| | Annual Income | | Annual Income | | Annual Income | |
| \$5.00 | Less than: | \$16,050 | Less than: | \$17,790 | Less than: | \$19,530 |
| \$10.00 | \$16,050.01 | \$18,050 | \$17,790.01 | \$19,790 | \$19,530.01 | \$21,530 |
| \$15.00 | \$18,050.01 | \$20,050 | \$19,790.01 | \$21,790 | \$21,530.01 | \$23,530 |
| \$20.00 | \$20,050.01 | \$22,050 | \$21,790.01 | \$23,790 | \$23,530.01 | \$25,530 |
| \$25.00 | \$22,050.01 | \$24,050 | \$23,790.01 | \$25,790 | \$25,530.01 | \$27,530 |
| \$30.00 | \$24,050.01 | \$26,050 | \$25,790.01 | \$27,790 | \$27,530.01 | \$29,530 |
| \$35.00 | \$26,050.01 | \$28,050 | \$27,790.01 | \$29,790 | \$29,530.01 | \$31,530 |
| \$40.00 | \$28,050.01 | \$30,050 | \$29,790.01 | \$31,790 | \$31,530.01 | \$33,530 |
| \$45.00 | \$30,050.01 | \$32,050 | \$31,790.01 | \$33,790 | \$33,530.01 | \$35,530 |
| \$50.00 | \$32,050.01 | \$34,050 | \$33,790.01 | \$35,790 | \$35,530.01 | \$37,530 |
| \$55.00 | \$34,050.01 | \$36,050 | \$35,790.01 | \$37,790 | \$37,530.01 | \$39,530 |
| \$60.00 | \$36,050.01 | \$38,050 | \$37,790.01 | \$39,790 | \$39,530.01 | \$41,530 |
| \$65.00 | \$38,050.01 | \$40,050 | \$39,790.01 | \$41,790 | \$41,530.01 | \$43,530 |
| \$70.00 | \$40,050.01 | \$42,050 | \$41,790.01 | \$43,790 | \$43,530.01 | \$45,530 |
| \$75.00 | \$42,050.01 | \$44,050 | \$43,790.01 | \$45,790 | \$45,530.01 | \$47,530 |
| \$80.00 | \$44,050.01 | \$46,050 | \$45,790.01 | \$47,790 | \$47,530.01 | \$49,530 |
| \$85.00 | \$46,050.01 | \$48,050 | \$47,790.01 | \$49,790 | \$49,530.01 | \$51,530 |
| \$90.00 | \$48,050.01 | \$50,050 | \$49,790.01 | \$51,790 | \$51,530.01 | \$53,530 |
| \$95.00 | \$50,050.01 | \$51,818 | \$51,790.01 | \$53,790 | \$53,530.01 | \$55,530 |
| \$100.00 | | | \$53,790.01 | \$55,790 | \$55,530.01 | \$57,530 |
| \$105.00 | | | \$55,790.01 | \$57,790 | \$57,530.01 | \$59,530 |
| \$110.00 | | | \$57,790.01 | \$59,790 | \$59,530.01 | \$61,530 |
| \$115.00 | | | \$59,790.01 | \$60,607 | \$61,530.01 | \$63,530 |
| \$120.00 | | | | | \$63,530.01 | \$65,530 |
| \$125.00 | | | | | \$65,530.01 | \$67,530 |
| \$130.00 | | | | | \$67,530.01 | \$69,396 |
| | 200% FPIG | \$44,100 | 200% FPIG | \$51,580 | 200% FPIG | \$59,060 |

CO-PAYMENT CHART
FAMILY CO-PAYMENT SCALE
 (BASED ON THE 2009 FEDERAL POVERTY INCOME GUIDELINES)

| Weekly Co-pay | Family Size: 7 | | Family Size: 8 | | Family Size: 9 | |
|---------------|----------------|----------|----------------|----------|----------------|----------|
| | Annual Income | | Annual Income | | Annual Income | |
| \$5.00 | Less than: | \$21,270 | Less than: | \$23,010 | Less than: | \$24,750 |
| \$10.00 | \$21,270.01 | \$23,270 | \$23,010.01 | \$25,010 | \$24,750.01 | \$26,750 |
| \$15.00 | \$23,270.01 | \$25,270 | \$25,010.01 | \$27,010 | \$26,750.01 | \$28,750 |
| \$20.00 | \$25,270.01 | \$27,270 | \$27,010.01 | \$29,010 | \$28,750.01 | \$30,750 |
| \$25.00 | \$27,270.01 | \$29,270 | \$29,010.01 | \$31,010 | \$30,750.01 | \$32,750 |
| \$30.00 | \$29,270.01 | \$31,270 | \$31,010.01 | \$33,010 | \$32,750.01 | \$34,750 |
| \$35.00 | \$31,270.01 | \$33,270 | \$33,010.01 | \$35,010 | \$34,750.01 | \$36,750 |
| \$40.00 | \$33,270.01 | \$35,270 | \$35,010.01 | \$37,010 | \$36,750.01 | \$38,750 |
| \$45.00 | \$35,270.01 | \$37,270 | \$37,010.01 | \$39,010 | \$38,750.01 | \$40,750 |
| \$50.00 | \$37,270.01 | \$39,270 | \$39,010.01 | \$41,010 | \$40,750.01 | \$42,750 |
| \$55.00 | \$39,270.01 | \$41,270 | \$41,010.01 | \$43,010 | \$42,750.01 | \$44,750 |
| \$60.00 | \$41,270.01 | \$43,270 | \$43,010.01 | \$45,010 | \$44,750.01 | \$46,750 |
| \$65.00 | \$43,270.01 | \$45,270 | \$45,010.01 | \$47,010 | \$46,750.01 | \$48,750 |
| \$70.00 | \$45,270.01 | \$47,270 | \$47,010.01 | \$49,010 | \$48,750.01 | \$50,750 |
| \$75.00 | \$47,270.01 | \$49,270 | \$49,010.01 | \$51,010 | \$50,750.01 | \$52,750 |
| \$80.00 | \$49,270.01 | \$51,270 | \$51,010.01 | \$53,010 | \$52,750.01 | \$54,750 |
| \$85.00 | \$51,270.01 | \$53,270 | \$53,010.01 | \$55,010 | \$54,750.01 | \$56,750 |
| \$90.00 | \$53,270.01 | \$55,270 | \$55,010.01 | \$57,010 | \$56,750.01 | \$58,750 |
| \$95.00 | \$55,270.01 | \$57,270 | \$57,010.01 | \$59,010 | \$58,750.01 | \$60,750 |
| \$100.00 | \$57,270.01 | \$59,270 | \$59,010.01 | \$61,010 | \$60,750.01 | \$62,750 |
| \$105.00 | \$59,270.01 | \$61,270 | \$61,010.01 | \$63,010 | \$62,750.01 | \$64,750 |
| \$110.00 | \$61,270.01 | \$63,270 | \$63,010.01 | \$65,010 | \$64,750.01 | \$66,750 |
| \$115.00 | \$63,270.01 | \$65,270 | \$65,010.01 | \$67,010 | \$66,750.01 | \$68,750 |
| \$120.00 | \$65,270.01 | \$67,270 | \$67,010.01 | \$69,010 | \$68,750.01 | \$70,750 |
| \$125.00 | \$67,270.01 | \$69,270 | \$69,010.01 | \$71,010 | \$70,750.01 | \$72,750 |
| \$130.00 | \$69,270.01 | \$71,270 | \$71,010.01 | \$73,010 | \$72,750.01 | \$74,750 |
| \$135.00 | \$71,270.01 | \$73,270 | \$73,010.01 | \$75,010 | \$74,750.01 | \$76,750 |
| \$140.00 | \$73,270.01 | \$75,270 | \$75,010.01 | \$77,010 | \$76,750.01 | \$78,750 |
| \$145.00 | \$75,270.01 | \$77,270 | \$77,010.01 | \$79,010 | \$78,750.01 | \$80,750 |
| \$150.00 | \$77,270.01 | \$78,185 | \$79,010.01 | \$81,010 | \$80,750.01 | \$82,750 |
| \$155.00 | | | \$81,010.01 | \$83,010 | \$82,750.01 | \$84,750 |
| \$160.00 | | | \$83,010.01 | \$85,010 | \$84,750.01 | \$86,750 |
| \$165.00 | | | \$85,010.01 | \$86,974 | \$86,750.01 | \$88,750 |
| \$170.00 | | | | | \$88,750.01 | \$90,750 |
| \$175.00 | | | | | \$90,750.01 | \$92,750 |
| \$180.00 | | | | | \$92,750.01 | \$94,750 |
| \$185.00 | | | | | \$94,750.01 | \$95,763 |
| | 200% FPIG | \$66,540 | 200% FPIG | \$74,020 | 200% FPIG | \$81,500 |

CO-PAYMENT CHART
FAMILY CO-PAYMENT SCALE
 (BASED ON THE 2009 FEDERAL POVERTY INCOME GUIDELINES)

| Weekly Co-pay | Family Size: 10 | | Family Size: 11 | | Family Size: 12 | |
|------------------|-----------------|-----------|-----------------|-----------|-----------------|-----------|
| | Annual Income | | Annual Income | | Annual Income | |
| \$5.00 | Less than: | \$26,490 | Less than: | \$28,230 | Less than: | \$29,970 |
| \$10.00 | \$26,490.01 | \$28,490 | \$28,230.01 | \$30,230 | \$29,970.01 | \$31,970 |
| \$15.00 | \$28,490.01 | \$30,490 | \$30,230.01 | \$32,230 | \$31,970.01 | \$33,970 |
| \$20.00 | \$30,490.01 | \$32,490 | \$32,230.01 | \$34,230 | \$33,970.01 | \$35,970 |
| \$25.00 | \$32,490.01 | \$34,490 | \$34,230.01 | \$36,230 | \$35,970.01 | \$37,970 |
| \$30.00 | \$34,490.01 | \$36,490 | \$36,230.01 | \$38,230 | \$37,970.01 | \$39,970 |
| \$35.00 | \$36,490.01 | \$38,490 | \$38,230.01 | \$40,230 | \$39,970.01 | \$41,970 |
| \$40.00 | \$38,490.01 | \$40,490 | \$40,230.01 | \$42,230 | \$41,970.01 | \$43,970 |
| \$45.00 | \$40,490.01 | \$42,490 | \$42,230.01 | \$44,230 | \$43,970.01 | \$45,970 |
| \$50.00 | \$42,490.01 | \$44,490 | \$44,230.01 | \$46,230 | \$45,970.01 | \$47,970 |
| \$55.00 | \$44,490.01 | \$46,490 | \$46,230.01 | \$48,230 | \$47,970.01 | \$49,970 |
| \$60.00 | \$46,490.01 | \$48,490 | \$48,230.01 | \$50,230 | \$49,970.01 | \$51,970 |
| \$65.00 | \$48,490.01 | \$50,490 | \$50,230.01 | \$52,230 | \$51,970.01 | \$53,970 |
| \$70.00 | \$50,490.01 | \$52,490 | \$52,230.01 | \$54,230 | \$53,970.01 | \$55,970 |
| \$75.00 | \$52,490.01 | \$54,490 | \$54,230.01 | \$56,230 | \$55,970.01 | \$57,970 |
| \$80.00 | \$54,490.01 | \$56,490 | \$56,230.01 | \$58,230 | \$57,970.01 | \$59,970 |
| \$85.00 | \$56,490.01 | \$58,490 | \$58,230.01 | \$60,230 | \$59,970.01 | \$61,970 |
| \$90.00 | \$58,490.01 | \$60,490 | \$60,230.01 | \$62,230 | \$61,970.01 | \$63,970 |
| \$95.00 | \$60,490.01 | \$62,490 | \$62,230.01 | \$64,230 | \$63,970.01 | \$65,970 |
| \$100.00 | \$62,490.01 | \$64,490 | \$64,230.01 | \$66,230 | \$65,970.01 | \$67,970 |
| \$105.00 | \$64,490.01 | \$66,490 | \$66,230.01 | \$68,230 | \$67,970.01 | \$69,970 |
| \$110.00 | \$66,490.01 | \$68,490 | \$68,230.01 | \$70,230 | \$69,970.01 | \$71,970 |
| \$115.00 | \$68,490.01 | \$70,490 | \$70,230.01 | \$72,230 | \$71,970.01 | \$73,970 |
| \$120.00 | \$70,490.01 | \$72,490 | \$72,230.01 | \$74,230 | \$73,970.01 | \$75,970 |
| \$125.00 | \$72,490.01 | \$74,490 | \$74,230.01 | \$76,230 | \$75,970.01 | \$77,970 |
| \$130.00 | \$74,490.01 | \$76,490 | \$76,230.01 | \$78,230 | \$77,970.01 | \$79,970 |
| \$135.00 | \$76,490.01 | \$78,490 | \$78,230.01 | \$80,230 | \$79,970.01 | \$81,970 |
| \$140.00 | \$78,490.01 | \$80,490 | \$80,230.01 | \$82,230 | \$81,970.01 | \$83,970 |
| \$145.00 | \$80,490.01 | \$82,490 | \$82,230.01 | \$84,230 | \$83,970.01 | \$85,970 |
| \$150.00 | \$82,490.01 | \$84,490 | \$84,230.01 | \$86,230 | \$85,970.01 | \$87,970 |
| \$155.00 | \$84,490.01 | \$86,490 | \$86,230.01 | \$88,230 | \$87,970.01 | \$89,970 |
| \$160.00 | \$86,490.01 | \$88,490 | \$88,230.01 | \$90,230 | \$89,970.01 | \$91,970 |
| \$165.00 | \$88,490.01 | \$90,490 | \$90,230.01 | \$92,230 | \$91,970.01 | \$93,970 |
| \$170.00 | \$90,490.01 | \$92,490 | \$92,230.01 | \$94,230 | \$93,970.01 | \$95,970 |
| \$175.00 | \$92,490.01 | \$94,490 | \$94,230.01 | \$96,230 | \$95,970.01 | \$97,970 |
| \$180.00 | \$94,490.01 | \$96,490 | \$96,230.01 | \$98,230 | \$97,970.01 | \$99,970 |
| \$185.00 | \$96,490.01 | \$98,490 | \$98,230.01 | \$100,230 | \$99,970.01 | \$101,970 |
| \$190.00 | \$98,490.01 | \$100,490 | \$100,230.01 | \$102,230 | \$101,970.01 | \$103,970 |

CO-PAYMENT CHART
FAMILY CO-PAYMENT SCALE
 (BASED ON THE 2009 FEDERAL POVERTY INCOME GUIDELINES)

| CONTINUED | | | CONTINUED | | CONTINUED | |
|------------------|---------------|-----------|---------------|-----------|---------------|-----------|
| Weekly Co-pay | Family Size: | 10 | Family Size: | 11 | Family Size: | 12 |
| | Annual Income | | Annual Income | | Annual Income | |
| \$195.00 | \$100,490.01 | \$102,490 | \$102,230.01 | \$104,230 | \$103,970.01 | \$105,970 |
| \$200.00 | \$102,490.01 | \$104,490 | \$104,230.01 | \$106,230 | \$105,970.01 | \$107,970 |
| \$205.00 | \$104,490.01 | \$104,552 | \$106,230.01 | \$108,230 | \$107,970.01 | \$109,970 |
| \$210.00 | | | \$108,230.01 | \$110,230 | \$109,970.01 | \$111,970 |
| \$215.00 | | | \$110,230.01 | \$112,230 | \$111,970.01 | \$113,970 |
| \$220.00 | | | \$112,230.01 | \$113,341 | \$113,970.01 | \$115,970 |
| \$225.00 | | | | | \$115,970.01 | \$117,970 |
| \$230.00 | | | | | \$117,970.01 | \$119,970 |
| \$235.00 | | | | | \$119,970.01 | \$121,970 |
| \$240.00 | | | | | \$121,970.01 | \$122,130 |
| | 200% FPIG | \$88,980 | 200% FPIG | \$96,460 | 200% FPIG | \$103,940 |

CO-PAYMENT CHART
FAMILY CO-PAYMENT SCALE
 (BASED ON THE 2009 FEDERAL POVERTY INCOME GUIDELINES)

| Weekly Co-pay | Family Size: 13 | | Family Size: 14 | | Family Size: 15 | |
|---------------|-----------------|-----------|-----------------|-----------|-----------------|-----------|
| | Annual Income | | Annual Income | | Annual Income | |
| \$5.00 | Less than: | \$31,710 | Less than: | \$33,450 | Less than: | \$35,190 |
| \$10.00 | \$31,710.01 | \$33,710 | \$33,450.01 | \$35,450 | \$35,190.01 | \$37,190 |
| \$15.00 | \$33,710.01 | \$35,710 | \$35,450.01 | \$37,450 | \$37,190.01 | \$39,190 |
| \$20.00 | \$35,710.01 | \$37,710 | \$37,450.01 | \$39,450 | \$39,190.01 | \$41,190 |
| \$25.00 | \$37,710.01 | \$39,710 | \$39,450.01 | \$41,450 | \$41,190.01 | \$43,190 |
| \$30.00 | \$39,710.01 | \$41,710 | \$41,450.01 | \$43,450 | \$43,190.01 | \$45,190 |
| \$35.00 | \$41,710.01 | \$43,710 | \$43,450.01 | \$45,450 | \$45,190.01 | \$47,190 |
| \$40.00 | \$43,710.01 | \$45,710 | \$45,450.01 | \$47,450 | \$47,190.01 | \$49,190 |
| \$45.00 | \$45,710.01 | \$47,710 | \$47,450.01 | \$49,450 | \$49,190.01 | \$51,190 |
| \$50.00 | \$47,710.01 | \$49,710 | \$49,450.01 | \$51,450 | \$51,190.01 | \$53,190 |
| \$55.00 | \$49,710.01 | \$51,710 | \$51,450.01 | \$53,450 | \$53,190.01 | \$55,190 |
| \$60.00 | \$51,710.01 | \$53,710 | \$53,450.01 | \$55,450 | \$55,190.01 | \$57,190 |
| \$65.00 | \$53,710.01 | \$55,710 | \$55,450.01 | \$57,450 | \$57,190.01 | \$59,190 |
| \$70.00 | \$55,710.01 | \$57,710 | \$57,450.01 | \$59,450 | \$59,190.01 | \$61,190 |
| \$75.00 | \$57,710.01 | \$59,710 | \$59,450.01 | \$61,450 | \$61,190.01 | \$63,190 |
| \$80.00 | \$59,710.01 | \$61,710 | \$61,450.01 | \$63,450 | \$63,190.01 | \$65,190 |
| \$85.00 | \$61,710.01 | \$63,710 | \$63,450.01 | \$65,450 | \$65,190.01 | \$67,190 |
| \$90.00 | \$63,710.01 | \$65,710 | \$65,450.01 | \$67,450 | \$67,190.01 | \$69,190 |
| \$95.00 | \$65,710.01 | \$67,710 | \$67,450.01 | \$69,450 | \$69,190.01 | \$71,190 |
| \$100.00 | \$67,710.01 | \$69,710 | \$69,450.01 | \$71,450 | \$71,190.01 | \$73,190 |
| \$105.00 | \$69,710.01 | \$71,710 | \$71,450.01 | \$73,450 | \$73,190.01 | \$75,190 |
| \$110.00 | \$71,710.01 | \$73,710 | \$73,450.01 | \$75,450 | \$75,190.01 | \$77,190 |
| \$115.00 | \$73,710.01 | \$75,710 | \$75,450.01 | \$77,450 | \$77,190.01 | \$79,190 |
| \$120.00 | \$75,710.01 | \$77,710 | \$77,450.01 | \$79,450 | \$79,190.01 | \$81,190 |
| \$125.00 | \$77,710.01 | \$79,710 | \$79,450.01 | \$81,450 | \$81,190.01 | \$83,190 |
| \$130.00 | \$79,710.01 | \$81,710 | \$81,450.01 | \$83,450 | \$83,190.01 | \$85,190 |
| \$135.00 | \$81,710.01 | \$83,710 | \$83,450.01 | \$85,450 | \$85,190.01 | \$87,190 |
| \$140.00 | \$83,710.01 | \$85,710 | \$85,450.01 | \$87,450 | \$87,190.01 | \$89,190 |
| \$145.00 | \$85,710.01 | \$87,710 | \$87,450.01 | \$89,450 | \$89,190.01 | \$91,190 |
| \$150.00 | \$87,710.01 | \$89,710 | \$89,450.01 | \$91,450 | \$91,190.01 | \$93,190 |
| \$155.00 | \$89,710.01 | \$91,710 | \$91,450.01 | \$93,450 | \$93,190.01 | \$95,190 |
| \$160.00 | \$91,710.01 | \$93,710 | \$93,450.01 | \$95,450 | \$95,190.01 | \$97,190 |
| \$165.00 | \$93,710.01 | \$95,710 | \$95,450.01 | \$97,450 | \$97,190.01 | \$99,190 |
| \$170.00 | \$95,710.01 | \$97,710 | \$97,450.01 | \$99,450 | \$99,190.01 | \$101,190 |
| \$175.00 | \$97,710.01 | \$99,710 | \$99,450.01 | \$101,450 | \$101,190.01 | \$103,190 |
| \$180.00 | \$99,710.01 | \$101,710 | \$101,450.01 | \$103,450 | \$103,190.01 | \$105,190 |
| \$185.00 | \$101,710.01 | \$103,710 | \$103,450.01 | \$105,450 | \$105,190.01 | \$107,190 |
| \$190.00 | \$103,710.01 | \$105,710 | \$105,450.01 | \$107,450 | \$107,190.01 | \$109,190 |
| \$195.00 | \$105,710.01 | \$107,710 | \$107,450.01 | \$109,450 | \$109,190.01 | \$111,190 |
| \$200.00 | \$107,710.01 | \$109,710 | \$109,450.01 | \$111,450 | \$111,190.01 | \$113,190 |

CO-PAYMENT CHART
FAMILY CO-PAYMENT SCALE
 (BASED ON THE 2009 FEDERAL POVERTY INCOME GUIDELINES)

| CONTINUED | | | CONTINUED | | CONTINUED | |
|---------------|---------------|-----------|---------------|-----------|---------------|-----------|
| Weekly Co-pay | Family Size: | 13 | Family Size: | 14 | Family Size: | 15 |
| | Annual Income | | Annual Income | | Annual Income | |
| \$205.00 | \$109,710.01 | \$111,710 | \$111,450.01 | \$113,450 | \$113,190.01 | \$115,190 |
| \$210.00 | \$111,710.01 | \$113,710 | \$113,450.01 | \$115,450 | \$115,190.01 | \$117,190 |
| \$215.00 | \$113,710.01 | \$115,710 | \$115,450.01 | \$117,450 | \$117,190.01 | \$119,190 |
| \$220.00 | \$115,710.01 | \$117,710 | \$117,450.01 | \$119,450 | \$119,190.01 | \$121,190 |
| \$225.00 | \$117,710.01 | \$119,710 | \$119,450.01 | \$121,450 | \$121,190.01 | \$123,190 |
| \$230.00 | \$119,710.01 | \$121,710 | \$121,450.01 | \$123,450 | \$123,190.01 | \$125,190 |
| \$235.00 | \$121,710.01 | \$123,710 | \$123,450.01 | \$125,450 | \$125,190.01 | \$127,190 |
| \$240.00 | \$123,710.01 | \$125,710 | \$125,450.01 | \$127,450 | \$127,190.01 | \$129,190 |
| \$245.00 | \$125,710.01 | \$127,710 | \$127,450.01 | \$129,450 | \$129,190.01 | \$131,190 |
| \$250.00 | \$127,710.01 | \$129,710 | \$129,450.01 | \$131,450 | \$131,190.01 | \$133,190 |
| \$255.00 | \$129,710.01 | \$130,919 | \$131,450.01 | \$133,450 | \$133,190.01 | \$135,190 |
| \$260.00 | | | \$133,450.01 | \$135,450 | \$135,190.01 | \$137,190 |
| \$265.00 | | | \$135,450.01 | \$137,450 | \$137,190.01 | \$139,190 |
| \$270.00 | | | \$137,450.01 | \$139,450 | \$139,190.01 | \$141,190 |
| \$275.00 | | | \$139,450.01 | \$139,708 | \$141,190.01 | \$143,190 |
| \$280.00 | | | | | \$143,190.01 | \$145,190 |
| \$285.00 | | | | | \$145,190.01 | \$147,190 |
| \$290.00 | | | | | \$147,190.01 | \$148,497 |
| | 200% FPIG | \$111,420 | 200% FPIG | \$118,900 | 200% FPIG | \$126,380 |

CO-PAYMENT CHART
FAMILY CO-PAYMENT SCALE
 (BASED ON THE 2009 FEDERAL POVERTY INCOME GUIDELINES)

| Weekly Co-pay | Family Size: 16 | | Family Size: 17 | | Family Size: 18 | |
|---------------|-----------------|-----------|-----------------|-----------|-----------------|-----------|
| | Annual Income | | Annual Income | | Annual Income | |
| \$5.00 | Less than: | \$38,930 | Less than: | \$40,670 | Less than: | \$42,410 |
| \$10.00 | \$38,930.01 | \$40,930 | \$40,670.01 | \$42,670 | \$42,410.01 | \$44,410 |
| \$15.00 | \$40,930.01 | \$42,930 | \$42,670.01 | \$44,670 | \$44,410.01 | \$46,410 |
| \$20.00 | \$42,930.01 | \$44,930 | \$44,670.01 | \$46,670 | \$46,410.01 | \$48,410 |
| \$25.00 | \$44,930.01 | \$46,930 | \$46,670.01 | \$48,670 | \$48,410.01 | \$50,410 |
| \$30.00 | \$46,930.01 | \$48,930 | \$48,670.01 | \$50,670 | \$50,410.01 | \$52,410 |
| \$35.00 | \$48,930.01 | \$50,930 | \$50,670.01 | \$52,670 | \$52,410.01 | \$54,410 |
| \$40.00 | \$50,930.01 | \$52,930 | \$52,670.01 | \$54,670 | \$54,410.01 | \$56,410 |
| \$45.00 | \$52,930.01 | \$54,930 | \$54,670.01 | \$56,670 | \$56,410.01 | \$58,410 |
| \$50.00 | \$54,930.01 | \$56,930 | \$56,670.01 | \$58,670 | \$58,410.01 | \$60,410 |
| \$55.00 | \$56,930.01 | \$58,930 | \$58,670.01 | \$60,670 | \$60,410.01 | \$62,410 |
| \$60.00 | \$58,930.01 | \$60,930 | \$60,670.01 | \$62,670 | \$62,410.01 | \$64,410 |
| \$65.00 | \$60,930.01 | \$62,930 | \$62,670.01 | \$64,670 | \$64,410.01 | \$66,410 |
| \$70.00 | \$62,930.01 | \$64,930 | \$64,670.01 | \$66,670 | \$66,410.01 | \$68,410 |
| \$75.00 | \$64,930.01 | \$66,930 | \$66,670.01 | \$68,670 | \$68,410.01 | \$70,410 |
| \$80.00 | \$66,930.01 | \$68,930 | \$68,670.01 | \$70,670 | \$70,410.01 | \$72,410 |
| \$85.00 | \$68,930.01 | \$70,930 | \$70,670.01 | \$72,670 | \$72,410.01 | \$74,410 |
| \$90.00 | \$70,930.01 | \$72,930 | \$72,670.01 | \$74,670 | \$74,410.01 | \$76,410 |
| \$95.00 | \$72,930.01 | \$74,930 | \$74,670.01 | \$76,670 | \$76,410.01 | \$78,410 |
| \$100.00 | \$74,930.01 | \$76,930 | \$76,670.01 | \$78,670 | \$78,410.01 | \$80,410 |
| \$105.00 | \$76,930.01 | \$78,930 | \$78,670.01 | \$80,670 | \$80,410.01 | \$82,410 |
| \$110.00 | \$78,930.01 | \$80,930 | \$80,670.01 | \$82,670 | \$82,410.01 | \$84,410 |
| \$115.00 | \$80,930.01 | \$82,930 | \$82,670.01 | \$84,670 | \$84,410.01 | \$86,410 |
| \$120.00 | \$82,930.01 | \$84,930 | \$84,670.01 | \$86,670 | \$86,410.01 | \$88,410 |
| \$125.00 | \$84,930.01 | \$86,930 | \$86,670.01 | \$88,670 | \$88,410.01 | \$90,410 |
| \$130.00 | \$86,930.01 | \$88,930 | \$88,670.01 | \$90,670 | \$90,410.01 | \$92,410 |
| \$135.00 | \$88,930.01 | \$90,930 | \$90,670.01 | \$92,670 | \$92,410.01 | \$94,410 |
| \$140.00 | \$90,930.01 | \$92,930 | \$92,670.01 | \$94,670 | \$94,410.01 | \$96,410 |
| \$145.00 | \$92,930.01 | \$94,930 | \$94,670.01 | \$96,670 | \$96,410.01 | \$98,410 |
| \$150.00 | \$94,930.01 | \$96,930 | \$96,670.01 | \$98,670 | \$98,410.01 | \$100,410 |
| \$155.00 | \$96,930.01 | \$98,930 | \$98,670.01 | \$100,670 | \$100,410.01 | \$102,410 |
| \$160.00 | \$98,930.01 | \$100,930 | \$100,670.01 | \$102,670 | \$102,410.01 | \$104,410 |
| \$165.00 | \$100,930.01 | \$102,930 | \$102,670.01 | \$104,670 | \$104,410.01 | \$106,410 |
| \$170.00 | \$102,930.01 | \$104,930 | \$104,670.01 | \$106,670 | \$106,410.01 | \$108,410 |
| \$175.00 | \$104,930.01 | \$106,930 | \$106,670.01 | \$108,670 | \$108,410.01 | \$110,410 |
| \$180.00 | \$106,930.01 | \$108,930 | \$108,670.01 | \$110,670 | \$110,410.01 | \$112,410 |
| \$185.00 | \$108,930.01 | \$110,930 | \$110,670.01 | \$112,670 | \$112,410.01 | \$114,410 |
| \$190.00 | \$110,930.01 | \$112,930 | \$112,670.01 | \$114,670 | \$114,410.01 | \$116,410 |
| \$195.00 | \$112,930.01 | \$114,930 | \$114,670.01 | \$116,670 | \$116,410.01 | \$118,410 |

CO-PAYMENT CHART
FAMILY CO-PAYMENT SCALE
 (BASED ON THE 2009 FEDERAL POVERTY INCOME GUIDELINES)

| CONTINUED | | | CONTINUED | | CONTINUED | |
|------------------|---------------|-----------|---------------|-----------|---------------|-----------|
| Weekly Co-pay | Family Size: | 16 | Family Size: | 17 | Family Size: | 18 |
| | Annual Income | | Annual Income | | Annual Income | |
| \$200.00 | \$114,930.01 | \$116,930 | \$116,670.01 | \$118,670 | \$118,410.01 | \$120,410 |
| \$205.00 | \$116,930.01 | \$118,930 | \$118,670.01 | \$120,670 | \$120,410.01 | \$122,410 |
| \$210.00 | \$118,930.01 | \$120,930 | \$120,670.01 | \$122,670 | \$122,410.01 | \$124,410 |
| \$215.00 | \$120,930.01 | \$122,930 | \$122,670.01 | \$124,670 | \$124,410.01 | \$126,410 |
| \$220.00 | \$122,930.01 | \$124,930 | \$124,670.01 | \$126,670 | \$126,410.01 | \$128,410 |
| \$225.00 | \$124,930.01 | \$126,930 | \$126,670.01 | \$128,670 | \$128,410.01 | \$130,410 |
| \$230.00 | \$126,930.01 | \$128,930 | \$128,670.01 | \$130,670 | \$130,410.01 | \$132,410 |
| \$235.00 | \$128,930.01 | \$130,930 | \$130,670.01 | \$132,670 | \$132,410.01 | \$134,410 |
| \$240.00 | \$130,930.01 | \$132,930 | \$132,670.01 | \$134,670 | \$134,410.01 | \$136,410 |
| \$245.00 | \$132,930.01 | \$134,930 | \$134,670.01 | \$136,670 | \$136,410.01 | \$138,410 |
| \$250.00 | \$134,930.01 | \$136,930 | \$136,670.01 | \$138,670 | \$138,410.01 | \$140,410 |
| \$255.00 | \$136,930.01 | \$138,930 | \$138,670.01 | \$140,670 | \$140,410.01 | \$142,410 |
| \$260.00 | \$138,930.01 | \$140,930 | \$140,670.01 | \$142,670 | \$142,410.01 | \$144,410 |
| \$265.00 | \$140,930.01 | \$142,930 | \$142,670.01 | \$144,670 | \$144,410.01 | \$146,410 |
| \$270.00 | \$142,930.01 | \$144,930 | \$144,670.01 | \$146,670 | \$146,410.01 | \$148,410 |
| \$275.00 | \$144,930.01 | \$146,930 | \$146,670.01 | \$148,670 | \$148,410.01 | \$150,410 |
| \$280.00 | \$146,930.01 | \$148,930 | \$148,670.01 | \$150,670 | \$150,410.01 | \$152,410 |
| \$285.00 | \$148,930.01 | \$150,930 | \$150,670.01 | \$152,670 | \$152,410.01 | \$154,410 |
| \$290.00 | \$150,930.01 | \$152,930 | \$152,670.01 | \$154,670 | \$154,410.01 | \$156,410 |
| \$295.00 | \$152,930.01 | \$154,930 | \$154,670.01 | \$156,670 | \$156,410.01 | \$158,410 |
| \$300.00 | \$154,930.01 | \$156,930 | \$156,670.01 | \$158,670 | \$158,410.01 | \$160,410 |
| \$305.00 | \$156,930.01 | \$157,286 | \$158,670.01 | \$160,670 | \$160,410.01 | \$162,410 |
| \$310.00 | | | \$160,670.01 | \$162,670 | \$162,410.01 | \$164,410 |
| \$315.00 | | | \$162,670.01 | \$164,670 | \$164,410.01 | \$166,410 |
| \$320.00 | | | \$164,670.01 | \$166,075 | \$166,410.01 | \$168,410 |
| \$325.00 | | | | | \$168,410.01 | \$170,410 |
| \$330.00 | | | | | \$170,410.01 | \$172,410 |
| \$335.00 | | | | | \$172,410.01 | \$174,410 |
| \$340.00 | | | | | \$174,410.01 | \$174,864 |
| | 200% FPIG | \$133,860 | 200% FPIG | \$141,340 | 200% FPIG | \$148,820 |

CO-PAYMENT CHART
FAMILY CO-PAYMENT SCALE
 (BASED ON THE 2009 FEDERAL POVERTY INCOME GUIDELINES)

| Weekly Co-pay | Family Size: 19 | | Family Size: 20 | | Family Size: 21 | |
|---------------|-----------------|-----------|-----------------|-----------|-----------------|-----------|
| | Annual Income | | Annual Income | | Annual Income | |
| \$5.00 | Less than: | \$44,150 | Less than: | \$45,890 | Less than: | \$47,630 |
| \$10.00 | \$44,150.01 | \$46,150 | \$45,890.01 | \$47,890 | \$47,630.01 | \$49,630 |
| \$15.00 | \$46,150.01 | \$48,150 | \$47,890.01 | \$49,890 | \$49,630.01 | \$51,630 |
| \$20.00 | \$48,150.01 | \$50,150 | \$49,890.01 | \$51,890 | \$51,630.01 | \$53,630 |
| \$25.00 | \$50,150.01 | \$52,150 | \$51,890.01 | \$53,890 | \$53,630.01 | \$55,630 |
| \$30.00 | \$52,150.01 | \$54,150 | \$53,890.01 | \$55,890 | \$55,630.01 | \$57,630 |
| \$35.00 | \$54,150.01 | \$56,150 | \$55,890.01 | \$57,890 | \$57,630.01 | \$59,630 |
| \$40.00 | \$56,150.01 | \$58,150 | \$57,890.01 | \$59,890 | \$59,630.01 | \$61,630 |
| \$45.00 | \$58,150.01 | \$60,150 | \$59,890.01 | \$61,890 | \$61,630.01 | \$63,630 |
| \$50.00 | \$60,150.01 | \$62,150 | \$61,890.01 | \$63,890 | \$63,630.01 | \$65,630 |
| \$55.00 | \$62,150.01 | \$64,150 | \$63,890.01 | \$65,890 | \$65,630.01 | \$67,630 |
| \$60.00 | \$64,150.01 | \$66,150 | \$65,890.01 | \$67,890 | \$67,630.01 | \$69,630 |
| \$65.00 | \$66,150.01 | \$68,150 | \$67,890.01 | \$69,890 | \$69,630.01 | \$71,630 |
| \$70.00 | \$68,150.01 | \$70,150 | \$69,890.01 | \$71,890 | \$71,630.01 | \$73,630 |
| \$75.00 | \$70,150.01 | \$72,150 | \$71,890.01 | \$73,890 | \$73,630.01 | \$75,630 |
| \$80.00 | \$72,150.01 | \$74,150 | \$73,890.01 | \$75,890 | \$75,630.01 | \$77,630 |
| \$85.00 | \$74,150.01 | \$76,150 | \$75,890.01 | \$77,890 | \$77,630.01 | \$79,630 |
| \$90.00 | \$76,150.01 | \$78,150 | \$77,890.01 | \$79,890 | \$79,630.01 | \$81,630 |
| \$95.00 | \$78,150.01 | \$80,150 | \$79,890.01 | \$81,890 | \$81,630.01 | \$83,630 |
| \$100.00 | \$80,150.01 | \$82,150 | \$81,890.01 | \$83,890 | \$83,630.01 | \$85,630 |
| \$105.00 | \$82,150.01 | \$84,150 | \$83,890.01 | \$85,890 | \$85,630.01 | \$87,630 |
| \$110.00 | \$84,150.01 | \$86,150 | \$85,890.01 | \$87,890 | \$87,630.01 | \$89,630 |
| \$115.00 | \$86,150.01 | \$88,150 | \$87,890.01 | \$89,890 | \$89,630.01 | \$91,630 |
| \$120.00 | \$88,150.01 | \$90,150 | \$89,890.01 | \$91,890 | \$91,630.01 | \$93,630 |
| \$125.00 | \$90,150.01 | \$92,150 | \$91,890.01 | \$93,890 | \$93,630.01 | \$95,630 |
| \$130.00 | \$92,150.01 | \$94,150 | \$93,890.01 | \$95,890 | \$95,630.01 | \$97,630 |
| \$135.00 | \$94,150.01 | \$96,150 | \$95,890.01 | \$97,890 | \$97,630.01 | \$99,630 |
| \$140.00 | \$96,150.01 | \$98,150 | \$97,890.01 | \$99,890 | \$99,630.01 | \$101,630 |
| \$145.00 | \$98,150.01 | \$100,150 | \$99,890.01 | \$101,890 | \$101,630.01 | \$103,630 |
| \$150.00 | \$100,150.01 | \$102,150 | \$101,890.01 | \$103,890 | \$103,630.01 | \$105,630 |
| \$155.00 | \$102,150.01 | \$104,150 | \$103,890.01 | \$105,890 | \$105,630.01 | \$107,630 |
| \$160.00 | \$104,150.01 | \$106,150 | \$105,890.01 | \$107,890 | \$107,630.01 | \$109,630 |
| \$165.00 | \$106,150.01 | \$108,150 | \$107,890.01 | \$109,890 | \$109,630.01 | \$111,630 |
| \$170.00 | \$108,150.01 | \$110,150 | \$109,890.01 | \$111,890 | \$111,630.01 | \$113,630 |
| \$175.00 | \$110,150.01 | \$112,150 | \$111,890.01 | \$113,890 | \$113,630.01 | \$115,630 |
| \$180.00 | \$112,150.01 | \$114,150 | \$113,890.01 | \$115,890 | \$115,630.01 | \$117,630 |
| \$185.00 | \$114,150.01 | \$116,150 | \$115,890.01 | \$117,890 | \$117,630.01 | \$119,630 |
| \$190.00 | \$116,150.01 | \$118,150 | \$117,890.01 | \$119,890 | \$119,630.01 | \$121,630 |
| \$195.00 | \$118,150.01 | \$120,150 | \$119,890.01 | \$121,890 | \$121,630.01 | \$123,630 |
| \$200.00 | \$120,150.01 | \$122,150 | \$121,890.01 | \$123,890 | \$123,630.01 | \$125,630 |
| \$205.00 | \$122,150.01 | \$124,150 | \$123,890.01 | \$125,890 | \$125,630.01 | \$127,630 |
| \$210.00 | \$124,150.01 | \$126,150 | \$125,890.01 | \$127,890 | \$127,630.01 | \$129,630 |
| \$215.00 | \$126,150.01 | \$128,150 | \$127,890.01 | \$129,890 | \$129,630.01 | \$131,630 |
| \$220.00 | \$128,150.01 | \$130,150 | \$129,890.01 | \$131,890 | \$131,630.01 | \$133,630 |
| \$225.00 | \$130,150.01 | \$132,150 | \$131,890.01 | \$133,890 | \$133,630.01 | \$135,630 |

CO-PAYMENT CHART
FAMILY CO-PAYMENT SCALE
 (BASED ON THE 2009 FEDERAL POVERTY INCOME GUIDELINES)

| Weekly Co-pay | CONTINUED | | CONTINUED | | CONTINUED | |
|---------------|---------------|-----------|---------------|-----------|---------------|-----------|
| | Family Size: | 19 | Family Size: | 20 | Family Size: | 21 |
| | Annual Income | | Annual Income | | Annual Income | |
| \$230.00 | \$132,150.01 | \$134,150 | \$133,890.01 | \$135,890 | \$135,630.01 | \$137,630 |
| \$235.00 | \$134,150.01 | \$136,150 | \$135,890.01 | \$137,890 | \$137,630.01 | \$139,630 |
| \$240.00 | \$136,150.01 | \$138,150 | \$137,890.01 | \$139,890 | \$139,630.01 | \$141,630 |
| \$245.00 | \$138,150.01 | \$140,150 | \$139,890.01 | \$141,890 | \$141,630.01 | \$143,630 |
| \$250.00 | \$140,150.01 | \$142,150 | \$141,890.01 | \$143,890 | \$143,630.01 | \$145,630 |
| \$255.00 | \$142,150.01 | \$144,150 | \$143,890.01 | \$145,890 | \$145,630.01 | \$147,630 |
| \$260.00 | \$144,150.01 | \$146,150 | \$145,890.01 | \$147,890 | \$147,630.01 | \$149,630 |
| \$265.00 | \$146,150.01 | \$148,150 | \$147,890.01 | \$149,890 | \$149,630.01 | \$151,630 |
| \$270.00 | \$148,150.01 | \$150,150 | \$149,890.01 | \$151,890 | \$151,630.01 | \$153,630 |
| \$275.00 | \$150,150.01 | \$152,150 | \$151,890.01 | \$153,890 | \$153,630.01 | \$155,630 |
| \$280.00 | \$152,150.01 | \$154,150 | \$153,890.01 | \$155,890 | \$155,630.01 | \$157,630 |
| \$285.00 | \$154,150.01 | \$156,150 | \$155,890.01 | \$157,890 | \$157,630.01 | \$159,630 |
| \$290.00 | \$156,150.01 | \$158,150 | \$157,890.01 | \$159,890 | \$159,630.01 | \$161,630 |
| \$295.00 | \$158,150.01 | \$160,150 | \$159,890.01 | \$161,890 | \$161,630.01 | \$163,630 |
| \$300.00 | \$160,150.01 | \$162,150 | \$161,890.01 | \$163,890 | \$163,630.01 | \$165,630 |
| \$305.00 | \$162,150.01 | \$164,150 | \$163,890.01 | \$165,890 | \$165,630.01 | \$167,630 |
| \$310.00 | \$164,150.01 | \$166,150 | \$165,890.01 | \$167,890 | \$167,630.01 | \$169,630 |
| \$315.00 | \$166,150.01 | \$168,150 | \$167,890.01 | \$169,890 | \$169,630.01 | \$171,630 |
| \$320.00 | \$168,150.01 | \$170,150 | \$169,890.01 | \$171,890 | \$171,630.01 | \$173,630 |
| \$325.00 | \$170,150.01 | \$172,150 | \$171,890.01 | \$173,890 | \$173,630.01 | \$175,630 |
| \$330.00 | \$172,150.01 | \$174,150 | \$173,890.01 | \$175,890 | \$175,630.01 | \$177,630 |
| \$335.00 | \$174,150.01 | \$176,150 | \$175,890.01 | \$177,890 | \$177,630.01 | \$179,630 |
| \$340.00 | \$176,150.01 | \$178,150 | \$177,890.01 | \$179,890 | \$179,630.01 | \$181,630 |
| \$345.00 | \$178,150.01 | \$180,150 | \$179,890.01 | \$181,890 | \$181,630.01 | \$183,630 |
| \$350.00 | \$180,150.01 | \$182,150 | \$181,890.01 | \$183,890 | \$183,630.01 | \$185,630 |
| \$355.00 | \$182,150.01 | \$183,653 | \$183,890.01 | \$185,890 | \$185,630.01 | \$187,630 |
| \$360.00 | | | \$185,890.01 | \$187,890 | \$187,630.01 | \$189,630 |
| \$365.00 | | | \$187,890.01 | \$189,890 | \$189,630.01 | \$191,630 |
| \$370.00 | | | \$189,890.01 | \$191,890 | \$191,630.01 | \$193,630 |
| \$375.00 | | | \$191,890.01 | \$192,442 | \$193,630.01 | \$195,630 |
| \$380.00 | | | | | \$195,630.01 | \$197,630 |
| \$385.00 | | | | | \$197,630.01 | \$199,630 |
| \$390.00 | | | | | \$199,630.01 | \$201,231 |
| | 200% FPIG | \$156,300 | 200% FPIG | \$163,780 | 200% FPIG | \$171,260 |

[Pa.B. Doc. No. 09-894. Filed for public inspection May 15, 2009, 9:00 a.m.]

DEPARTMENT OF TRANSPORTATION

Meetings Scheduled for 2009

Motor Carrier Safety Advisory Committee

The Motor Carrier Safety Advisory Committee (MCAC) will hold a meeting on Thursday, May 21, 2009, from 11:30 a.m. to 3 p.m. at the Turnpike Commission Building, Harrisburg, PA. For more information, contact the Executive Secretary of MCAC, Nicole Cristini at (717) 772-2511 or ncrisini@state.pa.us.

State Transportation Commission

The State Transportation Commission (STC) will hold a meeting on Wednesday, May 27, 2009, from 1 p.m. to 3 p.m. in Allentown, PA. For more information, contact the Executive Secretary of STC, Nolan Ritchie at (717) 787-2913 or nritch@state.pa.us.

Pedalcycle and Pedestrian Advisory Committee

The Pedalcycle and Pedestrian Advisory Committee will hold a meeting on Thursday, May 28, 2009, from 1 p.m. to 3:30 p.m. in Conference Room 125C of the Commonwealth Keystone Building, Harrisburg, PA. For more information, contact the Executive Secretary of PPAC, Gary Modi at (717) 783-1990 or gmodi@state.pa.us.

ALLEN D. BIEHLER, P. E.,
Secretary

[Pa.B. Doc. No. 09-895. Filed for public inspection May 15, 2009, 9:00 a.m.]

Proposed Disadvantaged Business Enterprise Goals for Participation in Federally-Funded Highway, Aviation and Transit Contracts for Federal Fiscal Year 2010

The Department of Transportation (Department) is providing notice of its proposed Disadvantaged Business Enterprise (DBE) goals for Federal Fiscal Year (FFY) 2010. The goals for DBE participation cover contracts assisted with Federal highway, transit and aviation funds. The proposed methodologies used in determining the DBE goals are available for inspection and upon request at the Department, Bureau of Equal Opportunity; see contact information as follows. The proposed FFY 2010 goals are as follows:

- The overall goal for Federally-assisted highway contracts is 5.00%.
- The overall goal for Federally-assisted transit contracts is 6.58%.
- The overall goal for Federally-assisted aviation contracts is 13.10%.

Methodologies used in determination of the goals are available for inspection during normal business hours at the Department of Transportation, Bureau of Equal Opportunity, 400 North Street, 5th Floor, Harrisburg, PA 17120-0041, (717) 787-5891, (800) 468-4201, pasdc.hbg.psu.edu/pasdc/dot/.

The information will be available for inspection for 30 days from the date of this notice. The Department will accept written comments on the proposed goals for 45

days from the date of this notice. Comments, questions or suggestions regarding this notice may be directed in writing to Jocelyn I. Harper, Director, Bureau of Equal Opportunity, Department of Transportation, P. O. Box 3251, Harrisburg, PA 17105-3251, fax (717) 772-4026.

ALLEN D. BIEHLER, P. E.,
Secretary

[Pa.B. Doc. No. 09-896. Filed for public inspection May 15, 2009, 9:00 a.m.]

ENVIRONMENTAL QUALITY BOARD

Meeting Cancellation

The May 20, 2009, meeting of the Environmental Quality Board (EQB) is cancelled. The next regularly scheduled meeting of the EQB is scheduled for Tuesday, June 16, 2009, at 9 a.m. in Room 105 of the Rachel Carson State Office Building, 400 Market Street, Harrisburg, PA 17105. An agenda and meeting materials for the June 16, 2009, meeting will be available on the Department of Environmental Protection's web site at www.depweb.state.pa.us (DEP Keywords: "EQB").

Questions concerning the EQB's next scheduled meeting may be directed to Michele Tate at (717) 783-8727 or mtate@state.pa.us.

JOHN HANGER,
Chairperson

[Pa.B. Doc. No. 09-897. Filed for public inspection May 15, 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 regulation. 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> |
|-----------------|--|---|-----------------------------|
| 15-445 | Department of Revenue Amended Report— Corporation Taxes | 4/6/09 | 5/6/09 |

| <i>Reg. No.</i> | <i>Agency/Title</i> | <i>Close of the Public Comment Period</i> | <i>IRRC Comments Issued</i> |
|-----------------|----------------------------------|---|-------------------------------------|
| | 39 Pa.B. 1207 (March 7, 2009) | | |

**Department of Revenue
Regulation #15-445
(IRRC #2750)**

Amended Report—Corporation Taxes

May 6, 2009

We submit for your consideration the following comments on the proposed rulemaking published in the March 7, 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 Revenue (Department) to respond to all comments received from us or any other source.

1. Section 151.14. Amended report.—Implementation procedures; Clarity and lack of ambiguity.

According to the Department, the purpose of this rulemaking is to provide for the filing of amended corporation tax reports governed by the assessment process established by Act 119 of 2006. The assessment process is intended to eventually replace the settlement process the Department has used to process corporation tax reports. We have two concerns.

First, a commentator has noted that the proposed regulation does not include provisions similar to those found under § 153.65, pertaining to the settlement and resettlement process for corrected reports. Has the Department considered including language in the proposed regulation that would clarify procedures for filing corrected reports? The Preamble to the final-form regulation should explain why provisions similar to those found in § 153.65, are or are not, necessary.

Second, it is our understanding that the purpose of this section is to provide taxpayers with a mechanism for amending corporate tax reports for routine or non-controversial matters. Allowing a taxpayer to file an amended report is not required by any statute, and the proposed regulation has been written to allow the Department a great degree of latitude for accepting, reviewing and amending corporate tax returns. Unless an assessment is issued by the Department as a result of a taxpayer filing an amended report, there is no right to appeal.

While we understand the rationale for the latitude the Department has provided itself via this rulemaking, we are concerned that the regulation lacks predictability and does not provide the regulated community with any degree of certainty that their amended reports will be processed in a timely manner. In addition, it does not establish a binding norm that can be evenly applied to all taxpayers filing an amended report. This ambiguity and lack of clarity could negatively affect taxpayers that are trying to make informed business decisions pertaining to their tax obligations.

We suggest the final-form regulation be amended to require the Department to take action on an amended report within a specific time frame and provide notice to the taxpayer of that action. We also suggest that the

final-form regulation clarify or provide examples of the types of changes that could be made through the amended report process. Finally, the final-form regulation should alert taxpayers to the fact that not all actions taken or decisions made by the Department on an amended report are appealable.

2. Applicability.—Implementation procedures.

The proposed rulemaking includes a new § 153.66, which states, "Sections 153.61—153.65, regarding settlement and resettlement, apply to taxes settled prior to January 1, 2008." Chapter 153, the chapter in which this new language is found, pertains exclusively to the corporate net income tax. Since this rulemaking applies to several taxes that fall under the corporate tax umbrella, we suggest that the language found in § 153.66 be moved to Chapter 151, which pertains to general provisions for all corporate taxes, not just the corporate net income tax.

3. Miscellaneous clarity.

Subsection 151.14(f)(1) makes reference to an "appropriate board." It is our understanding that this term means either the Board of Appeals or the Board of Finance and Revenue. We suggest that the specific boards be named in the final-form regulation.

Under § 151.14(g)(5), the Department may require a taxpayer to provide "proof of acceptance" of their Federal income tax return by the Internal Revenue Service. To improve the clarity of this subsection, we suggest that the final-form regulation list examples or types of documentation that would be appropriate "proof of acceptance."

[Pa.B. Doc. No. 09-898. Filed for public inspection May 15, 2009, 9:00 a.m.]

INSURANCE DEPARTMENT

**Agency Contract Termination of Gindin Insurance
Agency, Inc. under Act 143; Westfield Insurance;
Doc. No. AT09-04-025**

A prereview telephone conference initiated by this office is scheduled for June 11, 2009, at 10 a.m. A date for a review shall be determined, if necessary, at the prereview telephone conference.

Motions preliminary to those at the review, protests, petitions to intervene or notices of intervention, if any must be filed on or before May 27, 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 10, 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. 09-899. Filed for public inspection May 15, 2009, 9:00 a.m.]

Alleged Violation of Insurance Laws; Akim F. Czmus; Doc. No. 08-57700273

Notice is hereby given of the Order to Show Cause issued on May 5, 2009, by the Deputy Insurance Commissioner of the Commonwealth in the previously-referenced matter. Violation of the following is alleged: sections 611-A(1) and (20) of The Insurance Department Act of 1921 (40 P. S. § 310.11-A(1) and (20)).

Respondent was ordered to file a written answer to the Order to Show Cause within 20 days. If Respondent files a timely answer, a formal administrative hearing shall be held in accordance with 2 Pa.C.S. §§ 501—508 and 701—704 (relating to Administrative Agency Law), 1 Pa. Code Part II (relating to General Rules of Administrative Practice and Procedure) and 31 Pa. Code §§ 56.1—56.3 (relating to special rules of administrative practice and procedure) and other relevant procedural provisions of law.

Answers, motions preliminary to those at hearing, protests, petitions to intervene or notices of intervention, if any, must be filed in writing with the Hearings Administrator, Insurance Department, Administrative Hearings Office, 901 North 7th Street, Harrisburg, PA 17102.

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 should contact Donna Fleischauer, Disability Services Coordinator at (717) 787-4298.

JOEL SCOTT ARIO,
Insurance Commissioner

[Pa.B. Doc. No. 09-900. Filed for public inspection May 15, 2009, 9:00 a.m.]

Independence Blue Cross; Blue Cross Nongroup Special Care Hospital Program (6-P-09); Rate Filing

On April 29, 2009, Independence Blue Cross filed for an increase in its nongroup Special Care Hospital rates in its five-county southeastern Pennsylvania service area. The proposed 27.8% increase will affect 6,200 contracts and generate an additional \$2,000,000 annually. The requested effective date of this change is July 1, 2009.

Unless formal administrative action is taken prior to July 30, 2009, the subject filing may be deemed approved by operation of law.

A copy of the filing is available on the Insurance Department's web site at www.ins.state.pa.us. Scroll down the home page and click on "Consumer Information" located on the left side. Next scroll down to "General Information," located in the middle of the page and click on "Notices." The pdf copy of this filing is located at the link "Filing.pdf" following the name of the filing.

Interested parties are invited to submit written comments, suggestions or objections to James Laverty, Actuary, Insurance Department, Insurance Product Regulation and Market Enforcement, Room 1311, Strawberry Square, Harrisburg, PA 17120, jlaverty@state.pa.us, within 30

days after publication of this notice in the *Pennsylvania Bulletin*.

JOEL SCOTT ARIO,
Insurance Commissioner

[Pa.B. Doc. No. 09-901. Filed for public inspection May 15, 2009, 9:00 a.m.]

Independence Blue Cross; Nongroup Basic Blue Cross Hospital Program (5-P-09); Rate Filing

On April 29, 2009, Independence Blue Cross filed for an increase in its nongroup Basic Blue Cross Hospital rates in its five-county southeastern Pennsylvania service area. The proposed 24.55% increase for the non-HCTC eligible product and proposed 43.24% increase for the HCTC eligible product will affect 2,800 contracts and generate an additional \$2,700,000 annually. The requested effective date of this change is July 1, 2009.

Unless formal administrative action is taken prior to July 30, 2009, the subject filing may be deemed approved by operation of law.

A copy of the filing is available on the Insurance Department's web site at www.ins.state.pa.us. Scroll down the home page and click on "Consumer Information" located on the left side. Next scroll down to "General Information," located in the middle of the page and click on "Notices." The pdf copy of this filing is located at the link "Filing.pdf" following the name of the filing.

Interested parties are invited to submit written comments, suggestions or objections to James Laverty, Actuary, Insurance Department, Insurance Product Regulation and Market Enforcement, Room 1311, Strawberry Square, Harrisburg, PA 17120, jlaverty@state.pa.us within 30 days after publication of this notice in the *Pennsylvania Bulletin*.

JOEL SCOTT ARIO,
Insurance Commissioner

[Pa.B. Doc. No. 09-902. Filed for public inspection May 15, 2009, 9:00 a.m.]

Insurance Coverages or Risks Eligible for Export by Insurance Commissioner

Under section 1604(2)(ii) of The Insurance Company Law of 1921 (40 P. S. § 991.1604(2)(ii)), the Insurance Commissioner declares the following insurance coverages to be generally unavailable in the authorized market at the present, and thus exportable, and adopts the following export list. Accordingly, for those insurance coverages which are included on the export list, a diligent search among insurers admitted to do business in this Commonwealth is not required before placement of the coverages in the surplus lines market.

Export List

Amusements

- Amusement Parks and their Devices
- Animal Rides
- Recreational and Sporting Events
- Special Short Term Events
- Theatrical Presentations

Aviation

Fixed Base Operations
 Chemical Spray and/or Drift
 Crane and Rigging Contractors (liability and physical damage only)
 Crop Dusters (aircraft liability and aircraft hull coverage only)
 Day Care Centers Liability, including Sexual Abuse Coverage
 Demolition Contractors Liability
 Firework Sales/Manufacturing
 Flood Insurance not provided under Federal Flood Insurance
 Fuel and Explosive Haulers (excess auto liability and auto physical damage only)
 Hazardous Waste Haulers (excess auto liability and auto physical damage only)
 Hazardous Waste Storage and Disposal (liability only)
 Hunting Clubs
 Kidnapping, Ransom and Extortion Insurance
 Liquor Liability (monoline)
 Medical Malpractice Liability with or without related General Liability Coverages
 Nursing Home Liability with or without other Affiliated Elder Care Services

Products Liability (monoline) for the Manufacturing of:
 Aircraft and Component Parts
 Automotive and Component Parts
 Farm and Industrial Equipment
 Firearms
 Medical Equipment
 Petrochemicals
 Pharmaceuticals

Products Recall (monoline) for the Manufacturing of:
 Aircraft and Component Parts
 Automotive and Component Parts
 Farm and Industrial Equipment
 Firearms
 Medical Equipment
 Petrochemicals
 Pharmaceuticals

Railroad, including Consultants, Contractors and Suppliers
 Real-Estate Environmental Impairment Coverage
 Security/Detective/Patrol Agencies
 Taxicab Liability
 Vacant Properties

This list becomes effective on the date of its publication in the *Pennsylvania Bulletin* and supersedes the list published at 38 Pa.B. 2426 (May 24, 2008) and shall remain in effect until superseded by a subsequent list as published in the *Pennsylvania Bulletin*.

Questions regarding the Export List may be directed to Cressinda E. Bybee, Office of Corporate and Financial Regulation, 1345 Strawberry Square, Harrisburg, PA 17120, (717) 783-2144, fax (717) 787-8557, cbybee@state.pa.us.

JOEL SCOTT ARIO,
Insurance Commissioner

[Pa.B. Doc. No. 09-903. Filed for public inspection May 15, 2009, 9:00 a.m.]

Inter-County Hospitalization Plan, Inc.; Application for Approval of Revised Rates for its 65-Select (Hospital) Plans; Filing No. MG Hospital 0409; Rate Filing

Inter-County Hospitalization Plan, Inc. has filed for approval increased rates for its community-rated 65-Select program. The requested effective date of the revised rates is July 1, 2009, and the revised rates represent an average increase of 27.2% over the currently approved rates. The monthly premiums for subscribers enrolling at first eligibility are as follows:

| | <i>Current Rate</i> | <i>Proposed Rate</i> | <i>Adjustment Percentage</i> |
|------------------|---------------------|----------------------|------------------------------|
| Plan A | \$61.75 | \$83.80 | 35.7% |
| Plan B | \$92.05 | \$119.00 | 29.3% |
| Plan C | \$108.95 | \$137.50 | 26.2% |
| Plan D | \$108.80 | \$136.45 | 25.4% |
| Plan E | \$108.45 | \$149.80 | 38.1% |
| Plan H (with Rx) | \$143.60 | \$204.80 | 42.6% |
| Plan H (w/o Rx) | \$107.10 | \$145.55 | 35.9% |

These rate adjustments will affect approximately 2,080 subscribers in Pennsylvania, and will generate approximately \$800,000 in additional premium annually.

Unless formal administrative action is taken prior to July 29, 2009, the subject filing may be deemed approved by operation of law.

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

Copies of the filing is also available for public inspection, by appointment, during normal working hours at the Department's offices in Harrisburg.

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

JOEL SCOTT ARIO,
Insurance Commissioner

[Pa.B. Doc. No. 09-904. Filed for public inspection May 15, 2009, 9:00 a.m.]

Shiroo Parshad, M. D.; Prehearing

Appeal of Shiroo Parshad, M. D. under the Medical Care Availability and Reduction of Error (MCARE) Act (40 P. S. §§ 1303.101—1303.910); Doc. No. MM09-04-017

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 25, 2009, the appellant shall file a concise statement setting forth the factual and/or legal basis for the disagreement with MCARE's March 17,

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 24, 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 22, 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 June 9, 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 23, 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. 09-905. Filed for public inspection May 15, 2009, 9:00 a.m.]

Pennsylvania Professional Liability Joint Underwriting; Rate Filing

On May 1, 2009, the Insurance Department (Department) received from the Pennsylvania Professional Liability Joint Underwriting Association (JUA) a filing to decrease rates overall by 8.9% for institutional and noninstitutional health care providers. The filing includes the following revisions:

- * Changes to 17 class relativities.
- * Changes to four territory relativities.
- * Movement of 13 specialties from one class to another.

Unless formal administrative action is taken prior to June 30, 2009, the rates within the subject filing may be deemed into use upon the effective date, January 1, 2010, 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. 09-906. Filed for public inspection May 15, 2009, 9:00 a.m.]

QCC Insurance Co. (a subsidiary of Independence Blue Cross); Filing No. QCC-1-09 Nongroup Personal Choice Rate Filing; Rate Filing

On April 29, 2009, the Insurance Department received from QCC Insurance Co. (a subsidiary of Independence Blue Cross) a filing for a rate increase for its Nongroup Personal Choice product.

The company requests the following rate increases by benefit plan option: Prime 28.85%, High 28.85% and Standard 18.08%.

Unless formal administrative action is taken prior to July 30, 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. Under the Quick Links section, click on the link "Rate Filings Published in the PA Bulletin."

Copies of the filing are also available for public inspection, by appointment, during normal working hours at the Department's Harrisburg Office.

Interested parties are invited to submit written comments, suggestions or objections to James Sabater, Insurance Department, Insurance Product Regulation and Market Enforcement, Room 1311, Strawberry Square, Harrisburg, PA 17120, jsabater@state.pa.us within 30 days after publication of this notice in the *Pennsylvania Bulletin*.

JOEL SCOTT ARIO,
Insurance Commissioner

[Pa.B. Doc. No. 09-907. Filed for public inspection May 15, 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 Karen Feese; file no. 09-183-68342; State Farm Mutual Automobile Insurance Company; Doc. No. P09-04-013; June 3, 2009, 9:30 a.m.

The following hearings will be held in the Philadelphia Regional Office, Room 1701, State Office Building, 1400 Spring Garden Street, Philadelphia, PA 19130.

Appeal of Keyana Ingram; file no. 09-216-66176; Rutgers Casualty Insurance Company; Doc. No. PH09-04-003; June 18, 2009, 9 a.m.

Appeal of Robert Shirley; file no. 09-214-67311; Encompass Insurance Company; Doc. No. PH09-04-014; June 18, 2009, 10 a.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. 09-908. Filed for public inspection May 15, 2009, 9:00 a.m.]

Appeal of Darlene Miller; file no. 09-214-66550; Nationwide Mutual Fire Insurance Company; Doc. No. PH09-04-015; June 18, 2009, 11 a.m.

Parties may appear with or without counsel and offer relevant testimony and/or other relevant evidence. Each party must bring documents, photographs, drawings, claims files, witnesses, and the like, necessary to support the party's case. A party intending to offer documents or photographs into evidence shall bring enough copies for the record and for each opposing party.

In some cases, the Insurance Commissioner (Commissioner) may order that the company reimburse an insured for the higher cost of replacement insurance coverage obtained while the appeal is pending.

Reimbursement is available only when the insured is successful on appeal and may not be ordered in all instances. If an insured wishes to seek reimbursement for the higher cost of replacement insurance, the insured must produce documentation at the hearing which will allow comparison of coverages and costs between the original policy and the replacement policy.

Following the hearing and receipt of the stenographic transcript, the Commissioner will issue a written order resolving the factual issues presented at the hearing and stating what remedial action, if any, is required. The Commissioner's Order will be sent to those persons participating in the hearing or their designated representatives. The Order of the Commissioner may be subject to judicial review by the Commonwealth Court.

Persons with a disability who wish to attend the previously-referenced administrative hearing and require an auxiliary aid, service or other accommodation to participate in the hearing, contact Donna R. Fleischauer, Human Resources Director, at (717) 705-3873.

JOEL SCOTT ARIO,
Insurance Commissioner

[Pa.B. Doc. No. 09-909. Filed for public inspection May 15, 2009, 9:00 a.m.]

Review Procedure Hearings under the Unfair Insurance Practices Act

The following insureds have requested a hearing as authorized by section 8 of the Unfair Insurance Practices Act (40 P. S. § 1171.8) in connection with their companies' termination of the insureds' policies. The administrative hearings will be held in the Insurance Department's regional offices in Harrisburg and Philadelphia, PA. Failure by an appellant to appear at a scheduled hearing may result in dismissal with prejudice.

The following hearing will be held in the Administrative Hearings Office, Capitol Associates Building, Room 200, 901 North Seventh Street, Harrisburg, PA 17102.

Appeal of Toni San Maria Casale; file no. 09-181-69135; The Travelers Indemnity Company; Doc. No. P09-04-036; June 17, 2009, 10 a.m.

The following hearings will be held in the Philadelphia Regional Office, Room 1701, State Office Building, 1400 Spring Garden Street, Philadelphia, PA 19130.

Appeal of Terrence E. Evans; file no. 09-214-67386; Insurance Placement Facility of Pennsylvania; Doc. No. PH09-04-020; June 17, 2009, 1 p.m.

Joseph S. Schwalm; Prehearing

Joseph S. Schwalm; Order to Show Cause; Doc. No. SC09-03-017

A prehearing telephone conference initiated by this office is scheduled for June 4, 2009, at 10 a.m. Each party shall provide the Hearings Administrator a telephone number to be used for the telephone conference on or before June 2, 2009. A hearing shall occur in the Administrative Hearings Office, Capitol Associates Building, Room 200, 901 North Seventh Street, Harrisburg, PA 17102. A date for a hearing 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 20, 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 3, 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. 09-910. Filed for public inspection May 15, 2009, 9:00 a.m.]

LEGISLATIVE REFERENCE BUREAU

Documents Filed But Not Published

The Legislative Reference Bureau (Bureau) accepted the following documents during the preceding calendar month for filing without publication under 1 Pa. Code § 3.13(b) (relating to contents of *Bulletin*). The Bureau will continue to publish on a monthly basis either a summary table identifying the documents accepted during the preceding calendar month under this subsection or a statement that no documents have been received. For questions concerning or copies of documents filed, but not published, call (717) 783-1530.

Governor's Office

Manual M530.7—Absence Program, Amended April 23, 2009.

Management Directive No. 530.24—Retired Employees Health Program Eligibility Requirements, Amended April 7, 2009.

MARY JANE PHELPS,
Director
Pennsylvania Code and Bulletin

[Pa.B. Doc. No. 09-911. Filed for public inspection May 15, 2009, 9:00 a.m.]

PENNSYLVANIA HOUSING FINANCE AGENCY

Announces Request for Qualifications for Professional Firms to Provide Media Services

The Pennsylvania Housing Finance Agency (PHFA) is seeking statement of qualifications for professional services to provide media research, analysis, placement and related advertising and marketing consultation regarding some of PHFA's programs.

PHFA has prepared a Request for Qualifications (RFQ) for interested applicants. The RFQ is available in its entirety on PHFA's web site at www.phfa.org. Information set forth in this notice provides only a summary of the RFQ. Interested applicants must review the RFQ in detail for a description of the scope of services, application instructions and RFQ parameters. The RFQ requires submission of complete responses by 2 p.m., Friday, June 5, 2009.

Proposals are due on or before Friday, June 5, 2009, at 2 p.m. to:

Melissa Zorbaugh
Pennsylvania Housing Finance Agency
211 North Front Street
P. O. Box 8029
Harrisburg, PA 17105-8029

The RFQ may be obtained on the web site, at www.phfa.org.

Additionally, copies of the RFQ may be requested in writing by contacting the previous addressee. PHFA reserves the right to amend this RFQ process and to withdraw its RFQ invitation at any time. Further, PHFA may reject any and all proposals received as a result of this request for any reason, may negotiate separately with competing contractors, and may request supplemental information and oral presentation as it deems appropriate to evaluate applicant qualifications.

BRIAN A. HUDSON, Sr.,
Executive Director

[Pa.B. Doc. No. 09-912. Filed for public inspection May 15, 2009, 9:00 a.m.]

PENNSYLVANIA PUBLIC UTILITY COMMISSION

Investigation 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

Compliance of Commonwealth of Pennsylvania with Section 410(a) of the American Recovery and Reinvestment Act of 2009; Doc. No. I-2009-209881

Investigation Order

By the Commission:

Pursuant to the Commission's authority under sections 501, 1301, 1501 and Chapters 22 and 29 (relating to Natural Gas Choice and Competition Act; and Electricity Generation Customer Choice and Competition Act) of the Public Utility Code, 66 Pa.C.S. §§ 501, 1301, 1501, 2201—2212 and 2801—2815, the Commission hereby initiates an investigation regarding the Commission policies and actions that should be implemented to ensure compliance with the requirements of Section 410(a) of the American Recovery and Reinvestment Act of 2009¹ ("Recovery Act") which, in general, requires the Commission to consider rate making policies that align with the promotion of energy efficiency and conservation. The investigation will consist of the Commission soliciting and reviewing comments by interested parties. In addition, the Commission will hold a technical conference following the comment period.

Discussion

Section 410(a) of the Recovery Act authorizes grants to States if certain conditions are met. The Governor of the State must notify the Secretary of Energy, in writing, that:

The applicable State regulatory authority will seek to implement, in appropriate proceedings for each elec-

¹ American Recovery and Reinvestment Act of 2009, Pub. L. No. 111-5 § 410(a), 123 Stat. 115 (2009).

tric and gas utility, with respect to which the State regulatory authority has ratemaking authority, a general policy that ensures that utility financial incentives are aligned with helping their customers use energy more efficiently and that provide timely cost recovery and a timely earnings opportunity for utilities associated with cost-effective measurable and verifiable efficiency savings, in a way that sustains or enhances utility customers' incentives to use energy more efficiently.²

In response to this requirement, Governor Rendell sent a letter dated March 23, 2009, to the Honorable Stephen Chu, Secretary of the U.S. Department of Energy, certifying that he had written to the Pennsylvania Public Utility Commission asking that it ensure adoption of the general policy described in Section 410(a) of the Recovery Act.

On the same day, Governor Rendell sent a letter to Commission Chairperson Cawley requesting that the Commission take specific steps to ensure that Pennsylvania meet the conditions of the Recovery Act. In his letter, Governor Rendell asked that the Commission:

[C]onsider additional steps the Commonwealth can take to establish appropriate incentives in electric and natural gas utility rates for energy efficiency programs, consistent with State law, the attached statute [the Recovery Act], and relevant PURPA requirements. These include policies to align interests of utilities to support conservation without raising the cost of conservation and increasing the cost to ratepayers of measurable, verifiable efficiency savings.³

Governor Rendell further asked the Secretary of the Pennsylvania Department of Environmental Protection to work with the Commission on this matter.

In compliance with the Recovery Act, and at the request of the Governor, the Commission commences this investigation into the requirements of section 410(a) of the Recovery Act. In particular, this investigation will consider the various policies and actions the Commission should implement to ensure that appropriate incentives are in place to align utility financial incentives with the promotion of energy efficiency and conservation by consumers.

The Commission also recognizes that proposed Federal energy legislation may mandate that Pennsylvania electric and gas utilities reduce the amount of energy that they sell to conserve resources and protect the environment. Therefore, this investigation will also evaluate the potential effect that such Federal energy legislation may have on Pennsylvania electric and natural gas utilities' business models.

In addition to addressing these issues, comments should also address the requirements of existing State law and, in particular, section 2806.1(k)(2) and (3) (recovery of costs related to energy efficiency and conservation plans), section 2807(f)(4) (recovery of costs related to use of smart meter technology), section 1505(b) (Commission authority to order conservation or load management programs) and section 2802 (declaration of legislative policies regarding competitive market for electric generation service) of the Public Utility Code, 66 Pa.C.S. § 2806.1(k)(2) and (3), 66 Pa.C.S. § 2807(f)(4), 66 Pa.C.S. § 1505(b), 66 Pa.C.S. § 2802, as well as any other

provisions of the Public Utility Code which may be affected. Effects on the Commission's existing regulations and policy statements should also be addressed.

Therefore,

It Is Ordered that:

1. An investigation is hereby instituted to address compliance with section 410(a) of the American Recovery and Reinvestment Act of 2009 and the actions the Commission should implement; by this investigation we are seeking to implement, in appropriate proceedings, general rate making policies that ensure that utility financial incentives are aligned with helping their customers use energy more efficiently and that provide timely cost recovery and a timely earnings opportunity for utilities associated with cost-effective measurable and verifiable efficiency savings, in a way that sustains or enhances utility customers' incentives to use energy more efficiently.

2. Initial comments must be submitted by interested parties within 60 days of entry of this Order and reply comments 30 days thereafter. Comments should address any appropriate actions, orders, policy statements or regulations that the Commission should adopt to ensure compliance with Section 410(a) of the American Recovery and Reinvestment Act of 2009 or to respond to the potential effect of proposed Federal energy legislation, including the issue of rate decoupling and all such measures that have the potential to encourage utility energy efficiency and conservation while ensuring the financial viability of the utilities.

3. The Law Bureau is designated as the lead bureau to oversee the investigation and, based on review of the filed comments, to prepare a recommendation for Commission action.

4. The Commission conduct a technical conference following the submission of comments and reply comments.

5. A copy of this investigation order shall be served upon all jurisdictional electric and gas utilities, the Office of Consumer Advocate, the Office of Trial Staff, and the Office of Small Business Advocate, the Secretary of the Pennsylvania Department of Environmental Protection and shall be published in the *Pennsylvania Bulletin*.

6. The contact person for this investigation is Steven Bainbridge, Law Bureau, Pennsylvania Public Utility Commission, P. O. Box 3265, Harrisburg, PA 17105-3265 sbainbridg@state.pa.us, (717) 783-6165.

7. The contact person for this investigation for technical matters is Ed Berzonsky, Bureau of Fixed Utility Services, Pennsylvania Public Utility Commission, P. O. Box 3265, Harrisburg, PA 17105-3265, eberzonsky@state.pa.us.

8. Alternate forms of this document are available to persons with disabilities and may be obtained by contacting Sherri DeBiondo, Regulatory Coordinator, Law Bureau, (717) 772-4597.

By the Commission

JAMES J. MCNULTY,
Secretary

[Pa.B. Doc. No. 09-913. Filed for public inspection May 15, 2009, 9:00 a.m.]

² American Recovery and Reinvestment Act of 2009, Pub. L. No. 111-5 § 410(a), 123 Stat. 115 (2009).

³ Letter of Governor Edward G. Rendell to Chairperson James H. Cawley, March 23, 2009.

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 June 1, 2009. Documents filed in support of the applications are available for inspection and copying at the Office of the Secretary between 8 a.m. and 4:30 p.m., Monday through Friday, and at the business address of the respective applicant.

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

A-2009-2104470. Annette and Harry White, Jr., Co-partners, t/a First Son (2749 North 20th Street, Philadelphia, PA 19132)—in paratransit service, from points in the City and County of Philadelphia, to points in Pennsylvania, and return.

Application of the following for approval of the *beginning of the exercise of the right and privilege of operating motor vehicles as common carriers* for the transportation of persons by *transfer of rights* as described under the application.

A-2009-2105475. Royal Transportation Group, LLC (383 Kane Boulevard, Pittsburgh, Allegheny County, PA 15243)—a limited liability corporation of the Commonwealth—in limousine service, between points in Allegheny County, which is to be a transfer of all rights authorized under the certificate issued at A-00110740, F.2, to Guy Bertini, t/a American Tiffany Limousine Service, subject to the same limitations and conditions. *Attorney:* David M. O'Boyle, 1450 Two Chatham Center, Pittsburgh, PA 15219.

Application of the following for approval of the *beginning of the exercise of the right and privilege of operating motor vehicles as common carriers* for the transportation of *household goods* by *transfer of rights* as described under the application.

A-2009-2104323. Duffy Piano Moving and Storage, LLC (9 Darby Commons, Folcroft, Delaware County, PA 19032)—a limited liability corporation of the Commonwealth—household goods in use, limited to the transportation of pianos and organs, from points in the Counties of Bucks, Berks, Chester, Delaware, Montgomery and the City and County of Philadelphia, to points in Pennsylvania, which is to be a transfer of all rights authorized under the certificate issued at A-00121971, F.2, to Triad Piano, Inc., t/a Bucks County Piano.

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

A-2009-2104969. Path Trans Care, Inc. (6734 Revere Street, Philadelphia, Philadelphia County, PA 19149)—a

corporation of the Commonwealth, for the right to begin to transport, as a contract carrier, by motor vehicle, persons in paratransit service for Logisticare Solutions, LLC, under their contract to provide services under the Medical Assistance Transportation Program (MATP), within the City and County of Philadelphia. *Attorney:* Mark Feinman, Esquire, 8171 Castor Avenue, Philadelphia, PA 19152.

Application of the following for the approval of the *transfer of stock* as described under the application.

A-2009-2105560. Classic Limousine Transportation, LLC (420 Rouser Road, Building No. 3, Suite 320, Coraopolis, Allegheny County, PA 15108), a limited liability company of the Commonwealth—ownership transfer—for the approval of the transfer of all (100%) membership interest of the issued and outstanding membership interest from Francis H. Azur to Azur Enterprises, LLC and David M. Azur. *Attorney:* William A. Gray, Vuono & Gray, LLC, 310 Grant Street, Suite 2310, Grant Building, Pittsburgh, PA 15219-2383.

Applications of the following for the approval of the *right and privilege to discontinue/abandon operating as common carriers* by motor vehicle and for *cancellation of the certificate of public convenience* as described under each application.

A-00069352. John M. King Transportation, Inc. (4011 G Street, Philadelphia, Philadelphia County, PA 19124) for the discontinuance of service and cancellation of its certificate, as a common carrier of Household Goods between points in the City and County of Philadelphia.

A-00122865F0001. Capitol Limousine Service (110 3rd Street, New Cumberland, Cumberland County, PA 17070) for the discontinuance of service and cancellation of its certificate, as a common carrier, by motor vehicle, authorizing the transportation of persons, in limousine service, from Cumberland, Dauphin, Franklin, Perry and York Counties, to points in Pennsylvania and return.

—
*Pennsylvania Public Utility Commission, Bureau of
Transportation and Safety v. Joy Berman Associates, Inc.;*
Doc. No. C-2009-2050013

COMPLAINT

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

1. That all authority issued to Joy Berman Associates, Inc. (respondent) is under suspension effective October 8, 2008, for failure to maintain evidence of insurance on file with this Commission.
2. That respondent maintains a principal place of business at 2401 Pennsylvania Avenue, No. 17B-30, Philadelphia, PA 19130.
3. That respondent was issued a Certificate of Public Convenience by this Commission on August 18, 1998, at A-00113693.

4. That respondent has failed to maintain evidence of Liability insurance on file with this Commission. The penalty is \$250 and cancellation of the Certificate of Public Convenience.

5. That respondent, by failing to maintain evidence of insurance on file with this Commission, violated 66 Pa.C.S. § 512, 52 Pa. Code § 32.2(c), and 52 Pa. Code § 32.11(a), § 32.12(a) or § 32.13(a).

Wherefore, unless respondent pays the penalty of \$250 and causes its insurer to file evidence of insurance with this Commission within twenty (20) days of the date of service of this Complaint, the Bureau of Transportation and Safety Prosecutory Staff will request that the Commission issue an Order which: (1) cancels the Certificate of Public Convenience held by respondent at A-00113693 for failure to maintain evidence of current insurance on file with the Commission; (2) fines Respondent the sum of two hundred and fifty dollars (\$250.00) for the illegal activity described in this Complaint; (3) orders such other remedy as the Commission may deem to be appropriate, which may include the suspension of a vehicle registration; and (4) imposes an additional fine on the respondent should cancellation occur.

Respectfully submitted,

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

VERIFICATION

I, Wendy J. Keezel, hereby state that the facts above set forth are true and correct to the best of my knowledge, information and belief and that I expect that the Bureau will be able to prove same at any hearing held in this matter. I understand that the statements herein are made subject to the penalties of 18 Pa.C.S. § 4904 relating to unsworn falsification to authorities.

Date: _____

Wendy J. Keezel, Chief of Enforcement
Motor Carrier Services and Enforcement
Bureau of Transportation and Safety

NOTICE

A. You must file An answer within twenty (20) days of the date of service of this complaint. The date of service is the mailing date as indicated at the top of the Secretarial cover letter for this complaint and notice, 52 Pa. Code § 1.56(a). An answer is a written explanation of circumstances wished to be considered in determining the outcome. The answer shall raise all factual and legal arguments that you wish to claim in your defense and must include the reference number of this Complaint. Your Answer must be verified and the original and three (3) copies sent to:

James J. McNulty, Secretary
Pennsylvania Public Utility Commission
P. O. Box 3265
Harrisburg, PA 17105-3265

B. If you fail to answer this Complaint within twenty days of the date of service, the Bureau of Transportation and Safety will request that the Commission issue an Order imposing a penalty. Pursuant to 66 Pa.C.S. § 3301(a), the penalty could include a fine of up to \$1,000 for each violation, the revocation of your Certificate of Public Convenience, or any other remedy as may be appropriate. Each day you continue to violate any regulation, direction, requirement, determination or Order of the Commission is a separate and distinct offense, subject to additional penalties.

C. You may elect not to contest this Complaint by causing your insurer to file proper evidence of current insurance in accordance with the Commission's regulations **and by paying the \$250 fine** proposed in the Complaint by certified check or money order within twenty (20) days of the date of service of this Complaint.

The proof of insurance must be filed with the:

Compliance Office, Bureau of Transportation and Safety
Pennsylvania Public Utility Commission
P. O. Box 3265
Harrisburg, PA 17105-3265

Acord Certifications of Insurance and Faxed Form Es and Hs are **Unacceptable** as Evidence of Insurance.

The fine payment must be made to the Commonwealth of Pennsylvania and forwarded to:

James J. McNulty, Secretary
Pennsylvania Public Utility Commission
P. O. Box 3265
Harrisburg, PA 17105-3265

Your payment is an admission that you committed the alleged violation and an agreement to cease and desist from further violations.

Upon receipt of the evidence of insurance from your insurer **and receipt of your fine payment**, the Complaint proceeding shall be closed.

D. If you file an Answer which admits or fails to deny the allegations of the Complaint, the Bureau of Transportation and Safety will request that the Commission issue an Order imposing a penalty, which may include the cancellation of your Certificate of Public Convenience. Should the Commission cancel your Certificate of Public Convenience, it may also impose an additional fine of up to \$1,000.

E. If you file an Answer which contests the Complaint, the matter will be assigned to an Administrative Law Judge for hearing and decision. The judge is not bound by the optional fine set forth above.

F. Alternative formats of this material are available, for persons with disabilities, by contacting the Compliance Office at (717) 787-1227.

JAMES J. MCNULTY,
Secretary

[Pa.B. Doc. No. 09-914. Filed for public inspection May 15, 2009, 9:00 a.m.]

STATE EMPLOYEES' RETIREMENT BOARD

Hearing Schedule

The following hearing has been scheduled, as authorized by 71 Pa.C.S. Part XXV (relating to the State Employees' Retirement Code), in connection with the State Employees' Retirement System's denial of Claimant's request concerning the indicated account.

The hearings will be held before a hearing examiner at the State Employees' Retirement System, 30 North Third Street, Fifth Floor, Harrisburg, PA 17101:

| | | |
|---------------|---|--------|
| June 10, 2009 | Luis A. Gallego | 1 p.m. |
| | Discontinuation of Disability Benefits | |

Parties in each respective case may appear with or without counsel and offer relevant testimony or evidence to support their respective positions. The hearings will be held in accordance with the requirements of 2 Pa.C.S. §§ 501—508 and 701—704 (relating to the Administrative Agency Law). Under 4 Pa. Code § 250.1 (relating to applicability of general rules), procedural matters will be in conformance with the 1 Pa. Code Part II (relating to General Rules of Administrative Practice and Procedure) unless specific exemption is granted.

LEONARD KNEPP,
Secretary

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