

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 19, 1990 (P. L. 834, No. 198), known as the Credit Union Code, has taken the following action on applications received for the week ending August 18, 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

Articles of Amendment

<i>Date</i>	<i>Name and Location of Institution</i>	<i>Action</i>
8-13-2009	Gateway Bank of Pennsylvania McMurray Washington County Amendment to Article V of the institution's Articles of Incorporation provides for the issuance of Common Stock and Preferred Stock.	Approved and Effective

SAVINGS INSTITUTIONS

Consolidations, Mergers and Absorptions

<i>Date</i>	<i>Name and Location of Applicant</i>	<i>Action</i>
8-17-2009	Fidelity Savings and Loan Association of Bucks County Bristol Bucks County Application for approval to merge Croydon Savings Bank, Croydon, with and into Fidelity Savings and Loan Association of Bucks County, Bristol.	Filed

CREDIT UNIONS

No activity.

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

STEVEN KAPLAN,
Secretary

[Pa.B. Doc. No. 09-1615. Filed for public inspection August 28, 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>
PAS802213 (Stormwater)	United Parcel Service, Inc. 2129 Rockdale Lane Stroudsburg, PA 18360	Stroud Township Monroe County	Little Pocono Creek 1E	Y
PA0060551 (Sewage)	Little Washington Wastewater Co. Rivercrest Development WWT Facility 762 West Lancaster Avenue Bryn Mawr, PA 19010	Wyoming County Tunkhannock Township	North Branch Susquehanna River 4G	Y

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

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

<i>NPDES No. (Type)</i>	<i>Facility Name & Address</i>	<i>County & Municipality</i>	<i>Stream Name (Watershed #)</i>	<i>EPA Waived Y/N ?</i>
PA0080799 (Sew)	Newburg-Hopewell Joint Authority P. O. Box 128 Newburg, PA 17240	Cumberland County Hopewell Township	Newburg Run 7-B	Y

<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>
PA0080586 (Sew)	Morton Buildings, Inc. 3370 York Road Gettysburg, PA 17325-8258	Adams County Straban Township	UNT to Swift Run 7-F	Y
PA0055123 (IW/Transfer)	American Household, Inc. 2381 Executive Center Drive Boca Raton, FL 33431	Berks County Bally Borough	West Branch of Perkiomen Creek 3-E	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>
PAS804803 (Sewerage)	Dominion Transmission, Inc. Harrison Compressor Station 1001 Pleasant Valley Road Harrison Valley, PA 16827	Harrison Township Potter County	North Branch Cowanesque River 4A	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>
PA0037923	North East Borough 31 West Main Street North East, PA 16428	North East Township Erie County	Sixteen Mile Creek 15	Y
PA0104396	VL Greenhouses, LLC 568 Tomato Drive Punxsutawney, PA 15767	Ringgold Township Jefferson County	Caylor Run 17-D	Y
PA0210218	Beazer East, Inc. One Oxford Center Suite 3000 Pittsburgh, PA 15219-6401	Petrolia Borough Butler County	South Branch Bear Creek 17-B	Y

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

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	15.0		30.0
Total Suspended Solids	30.0		60.0
NH ₃ -N			
(5-1 to 10-31)	3.0		6.0
(11-1 to 4-30)	9.0		18.0
Dissolved Oxygen	A minimum of 6.0 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	Monitor and Report		

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

PA0217468, Industrial Waste, SIC 4941, **Beaver Falls Municipal Authority**, 1425 8th Avenue, P. O. Box 400, Beaver Falls, PA 15010. This application is for renewal of an NPDES permit to discharge treated process water from a water plant in Eastvale Borough, **Beaver County**.

The following effluent limitations are proposed for discharge to the receiving waters, the Beaver 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 the Beaver Falls Municipal Authority, located at New Brighton, 3 miles below the discharge point.

Outfall 001: existing discharge, design flow of 0.335 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	Monitor and Report				
TSS			30		60
Aluminum			4		8
Iron			2		4
Manganese			1		2
TRC			0.5		1.0
pH	not less than 6.0 nor greater than 9.0				

The EPA waiver is in effect.

PA0205800, Industrial Waste, SIC 4941, **Southwestern Pennsylvania Water Authority**, P. O. Box 1887, Jefferson, PA 15344. This application is for renewal of an NPDES permit to discharge treated process water and untreated stormwater from Southwestern Pennsylvania Water Treatment Plant in Cumberland Township, **Greene County**.

The following effluent limitations are proposed for discharge to the receiving waters, Monongahela 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 Tri-County Joint Municipal Authority, located 6.54 miles below the discharge point.

Internal Monitoring Point 101: existing discharge, design flow of 0.2867 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	Monitor and Report				
Suspended Solids			30.0		60.0
Iron			2.0		4.0
Aluminum			4.0		8.0
Manganese			1.0		2.0
Total Residual Chlorine			0.5		1.0
pH	not less than 6.0 nor greater than 9.0				

The EPA waiver is in effect.

Outfall 001: existing discharge, to the Monongahela River

<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>
This discharge shall solely consist of sources monitored at Internal Monitoring Point 101 and uncontaminated stormwater runoff from plant area.					

PA0254088, Sewage, **Derry Township Municipal Authority**, P. O. Box 250, New Derry, PA 15671. This application is for issuance of an NPDES permit to discharge treated sewage from New Alexandria Sewage Treatment Plant in Derry Township, **Westmoreland County**.

The following effluent limitations are proposed for discharge to the receiving waters, known as Loyalhanna 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 United States Army Corps of Engineers Bush Recreation Area.

Outfall 001: new 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	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	0.5			1.2
Dissolved Oxygen	not less than 3 mg/l			
pH	not less than 6.0 nor greater than 9.0			

The EPA waiver is in effect.

PA0252751, Sewage, **Leet Township Municipal Authority**, 198 Ambridge Avenue, Fair Oaks, Ambridge, PA 15003. This application is for issuance of an NPDES permit to discharge combined sewage from a combined sewer outfall in Leet Township, **Allegheny County**.

The Fair Oaks Diversion Structure, Beech Street, discharges to the receiving waters known as Big Sewickley Creek which serves as a combined sewer overflow necessitated by stormwater entering the sewer system and exceeding the hydraulic capacity of the sewers and/or the treatment plant and are permitted to discharge only for such reason. There are at this time no specific effluent limitations on the outfalls. Each discharge shall be monitored for cause, frequency, duration and quantity of flow.

Other Conditions: The Leet Township Municipal Authority is required to develop a "Plan of Actions" for the system-wide management of its combined sewer system in accordance with Part C conditions of its permit.

The EPA waiver is in effect.

PA0252638, Sewage, **Perry Township Municipal Authority**, One Township Drive, Star Junction, PA 15482. This application is for renewal of an NPDES permit to discharge treated sewage from Perry Township Municipal Authority STP in Perry Township, **Fayette County**.

The following effluent limitations are proposed for discharge to the receiving waters, known as Youghiogheny 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 Westmoreland County Municipal Authority—McKeesport.

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

Parameter	Concentration (mg/l)			
	Average Monthly	Average Weekly	Maximum Daily	Instantaneous Maximum
CBOD ₅	25	37.5		50
Suspended Solids	30	45		60
Fecal Coliform	200/100 ml as a Geometric Mean			
(5-1 to 9-30)	2,000/100 ml as a Geometric Mean			
(10-1 to 4-30)	not less than 6.0 nor greater than 9.0			
pH				

The EPA waiver is in effect.

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

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

WQM Permit No. 5409403, Sewerage, **Little Washington Wastewater Company**, 762 West Lancaster Avenue, Bryn Mawr, PA 19010-3489. This proposed facility is located in North Union Township, **Schuylkill County**.

Description of Proposed Action/Activity: This project is for the rerating of the existing Eagle Rock wastewater treatment facility from 250,000 gpd to 350,000 gpd.

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

WQM Permit No. 2182405, Amendment 09-1, Sewerage, **Newburg-Hopewell Joint Authority**, P. O. Box 128, Newburg, PA 17240. This proposed facility is located in Hopewell Township, **Cumberland County**.

Description of Proposed Action/Activity: Permit application request seeking approval to make improvements to the WWTF.

WQM Permit No. 3602411, Amendment 09-1, Sewerage, **West Earl Sewer Authority**, 157 West Metzler Road, P. O. Box 787, Brownstown, PA 17508. This proposed facility is located in West Earl Township, **Lancaster County**.

Description of Proposed Action/Activity: Plant upgrade/rerate.

WQM Permit No. 078840, Amendment 09-1, Sewerage, **Lisa A. Gates, Roaring Spring Municipal Authority**, 616 Spang Street, Roaring Spring, PA 16673-1350. This proposed facility is located in Taylor Township, **Blair County**.

Description of Proposed Action/Activity: Seeking approval for the installation of an ultraviolet disinfection system.

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

WQM Permit No. 1409202, Industrial Waste, **Glenn O. Hawbaker**, 1952 Waddle Road, State College, PA 16803. This proposed facility is located in Spring Township, **Centre County**.

Description of Proposed Action/Activity: The applicant is proposing to construct a 102,000 cubic feet lined impoundment to store runoff at a proposed paved railcar stockpiling facility. The stock piling will be of salt and/or coal. There will be no associated discharge of stormwater. When the impoundment becomes full, the stormwater will be trucked to a treatment facility.

WQM Permit No. 1709201, Industrial Waste, **Clepper Bus Service**, 162 Lincoln Drive, DuBois, PA 15801. This proposed facility is located in Sandy Township, **Clearfield County**.

Description of Proposed Action/Activity: The applicant is proposing to construct a lined residual waste impoundment industrial wastewater generated at a bus service facility. There will be no discharge associated with the impoundment.

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

WQM Permit No. 5609201, Industrial Waste, **Somerset Regional Water Resources, LLC**, 888 Stoystown Road, Somerset, PA 15501. This proposed facility is located in Somerset Township, **Somerset County**.

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

WQM Permit No. 0409403, Sewerage, **Patterson Township Municipal Authority**, 1600 19th Avenue, Beaver Falls, PA 15010. This proposed facility is located in Patterson Township, **Beaver County**.

Description of Proposed Action/Activity: Application for the construction and operation of a sewer system replacement.

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

WQM Permit No. 2509404, Sewerage, **Dennis P. and Laura A. Baker**, 367 Briar Lane, Corry, PA 16407. This proposed facility is located in Washington Township, **Erie County**.

Description of Proposed Action/Activity: Replacement of an existing malfunctioning wastewater treatment plant with a new 20,000 gpd extended aeration package plant.

WQM Permit No. 2009403, Sewerage, **Linesville Pine Joint Municipal Authority**, P. O. Box 382, Linesville, PA 16424. This proposed facility is located in Pine Township, **Crawford County**.

Description of Proposed Action/Activity: This permit is for a new sewage treatment plant, collection and conveyance facilities to serve six service areas in Pine Township, and rehabilitation of a portion of the existing Linesville Borough sanitary system.

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

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

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

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

<i>NPDES Permit No.</i>	<i>Applicant Name & Address</i>	<i>County</i>	<i>Municipality</i>	<i>Receiving Water/Use</i>
PAI01 1509027	St. Joseph's Church 3640 Schuylkill Road Spring City, PA 19475-1525	Chester	East Vincent Township	Stony Run HQ-TSF
PAI01 5109006	Philadelphia Water Department 1101 Market Street 2nd Floor Philadelphia, PA 19107-2294	Philadelphia	City of Philadelphia	Lower Schuylkill River Watershed WWF

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

Luzerne County Conservation District: R485 Smith Pond Road, Lehman, PA 18627, (570) 674-7991.

<i>NPDES Permit No.</i>	<i>Applicant Name & Address</i>	<i>County</i>	<i>Municipality</i>	<i>Receiving Water/Use</i>
PAI024009001	Apple Alley Associates, LP Dennis Dunn 372 Center Avenue PMB 114 Schuylkill Haven, PA 17972-1012	Luzerne	Lehman Township	UNT to East Fork Harveys Creek CWF
PAI024009002	Gerald J. Bonner 156 Fairway Drive Mountaintop, PA 18707	Luzerne	Wright Township	Bow Creek HQ-CWF

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

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

<i>NPDES Permit No.</i>	<i>Applicant Name & Address</i>	<i>County</i>	<i>Municipality</i>	<i>Receiving Water/Use</i>
PAI056309003	David Paul Hapchuck 226 Rankin Road Washington, PA 15301-3182	Washington	South Strabane Township	Little Chartiers Creek HQ-WWF

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

NPDES Permit No.	Applicant Name & Address	County	Municipality	Receiving Water/Use
PAI056509006	Greater Johnstown Water Authority 640 Franklin Street Johnstown, PA 15907	Westmoreland	Ligonier Township Ligonier Borough Fairfield Township	Mill Creek, Hess Run, Tubmill Creek, Alwine Creek, Dalton Run EV/HQ-CWF/CWF

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

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

PUBLIC WATER SUPPLY (PWS) PERMIT

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

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

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

Application No. 2009506, Public Water Supply.

Applicant	Victoria Estates Mobile Home Park, LLC
Township or Borough	Summit Township Crawford County
Responsible Official	Duane A. Beilstein Owner

Consulting Engineer	Steven R. Halmi, P. E. Deiss & Halmi Engineering, Inc. 105 Meadville Street Edinboro, PA 16412
Application Received Date	July 31, 2009
Description of Action	Permit and modify water treatment system serving 38 lot mobile home park.

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 pub-

lished in a newspaper of general circulation in the area of the site. For the sites identified, proposed for remediation to a Site-Specific Standard or as a special industrial area, the municipality within which the site is located may request to be involved in the development of the remediation and reuse plans for the site if the request is made within 30 days of the date specified. During this comment period, the municipality may request that the person identified as the remediator of the site develop and implement a public involvement plan. Requests to be involved and comments should be directed to the remediator of the site.

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

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

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

Lonza, Inc., Conshohocken Borough, **Montgomery County**. Stephen Brower, Environmental Standards, Inc., 1140 Valley Forge Road, P. O. Box 810, Valley Forge, PA 19482-0810 on behalf of Peter McGinnis, Lonza, Incorporated, 900 River Road, Conshohocken, PA 19428 has submitted a Notice of Intent to Remediate. Soil at the site has been impacted with the release of other organics. The current and recent historical use of the property is a pharmaceutical manufacturing facility. It is anticipated that the use of the property will remain pharmaceutical manufacturing (nonresidential) for the foreseeable future.

Paciello Residence, Upper Merion Township, **Montgomery County**. Staci Cottone, J & J Spill Service, P. O. Box 370, Blue Bell, PA 19422 on behalf of John and Kathy Paciello, 576 Keebler Road, King of Prussia, PA 19406 has submitted a Notice of Intent to Remediate. Soil at the site has been impacted with the release of No. 2 fuel oil. The future use of the site will remain the same.

Kotzen Residence, Borough of Hatboro, **Montgomery County**. Richard D. Trimpi, Trimpi Associates, Inc., 1635 Old Plains Road, Pennsburg, PA 18073 and Ed Applegate, State Farm, P. O. Box 13, Concordville, PA 19331 on behalf of Jeffrey Kotzen, 118 South Linden Avenue, Hatboro, PA 19049 has submitted a Notice of Intent to Remediate. Soil at the site has been impacted with the release of No. 2 fuel oil. The intended future use of the site is residential. A summary of the Notice of intent of Remediate was reported to have been published in *The Intelligencer* on July 16, 2009.

213 Welsh Pool Road, Uwchlan Township, **Chester County**. George Petroka, IES Engineers, 1720 Walton Road, Blue Bell, PA 1942 on behalf of Tom Apple, Morphotck, Inc., 210 Welsh Pool Roads, Exton, PA 19341 and Phil Sass, Morphotck, Inc., 210 Welsh Pool Roads, Exton, PA 19341 has submitted a Notice of Intent to Remediate. Groundwater and soil at the site has been impacted with the release of No. 2 fuel oil. The current owner plans on developing the site for use as a pharmaceutical pilot plant.

The Kennedy Company, Horsham Township, **Montgomery County**. Ryan C. Winnan, Strob Environmental, Inc., 410 North Eaton Road, Willow Grove, PA 19090 and

Robert Kennedy, The Kennedy Company, 8000 Midlantic Drive, Suite 200N, Mt. Lauren, NJ 08054 on behalf of Theresa Kohn, 28 Chambersburg Street, Gettysburg, PA 17325 has submitted a Notice of Intent to Remediate. Groundwater and soil at the site has been impacted with the release of No. 2 fuel oil. The property is currently, and will continue to be used for industrial purpose.

Brian Robin and Gary Armstrong Residence, Bridgeton Township, **Bucks County**. Robert M. Fry, Hillman Environmental Group, LLC, 1600 Route 22 East, Union, NJ 07083 on behalf of Brian Robin and Gary Armstrong, 399 Geigel Hill Road, Upper Black Eddy, PA 18972 has submitted a Notice of Intent to Remediate. Soil at the site has been impacted with the release of No. 2 fuel and mtbe. The current and intended future use of the property is a private residence.

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

Merle Reedy Property, Providence Township, **Lancaster County**. Reliance Environmental, Inc., 130 East Chestnut Street, Lancaster, PA 17602, on behalf of Merle Reedy, 112 Buck Heights Road, Quarryville, PA 17566 and Whitelock & Woerth, Inc., 1220 Georgetown Road, Christiana, PA 17509 submitted a Notice of Intent to Remediate site soils and groundwater contaminated with No. 2 fuel oil released from an aboveground storage tank. The site will be remediated to the Site-Specific Standard and will remain residential.

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

Salem Tube (Salem Tube, Inc.), Pymatuning Township, **Mercer County**. Environmental Remediation & Recovery, Inc., 4250 Route 6N, Edinboro, PA 16412 on behalf of Salem Tube, Inc., 951 Fourth Street, Greenville, PA 16125 has submitted a Notice of Intent to Remediate. Releases of trichloroethylene (TCE) have occurred over the years at the property. TCE and its degradation products, including cis 1-2 dichloroethene and vinyl chloride, are present in soils and groundwater at the property and a portion of adjacent property approximately 300 feet north of Salem Tube property at elevated concentrations. The intended future use of the site will continue to be manufacturing. The Notice of Intent to Remediate was published in the *Record-Argus* on July 15, 2009 and *The Herald* on July 16, 2009. The site will be remediated to the Site-Specific Standard.

INFECTIOUS AND CHEMOTHERAPEUTIC WASTE TRANSPORTER LICENSES

Applications received or withdrawn under the Solid Waste Management Act (35 P. S. §§ 6018.101—6018.1003) and Act 93 of June 28, 1988 (P. L. 525, No. 93) and regulations to transport infectious and chemotherapeutic waste.

Central Office: Bureau of Waste Management, Division of Hazardous Waste Management, P. O. Box 8471, Harrisburg, PA 17105-8471.

Renewal Applications Received

Curtis Bay Energy, LLC, 3200 Hawkins Point Road, Baltimore, MD 21226. License No. PA-HC 0236. Received on June 29, 2009.

York Hospital, 1001 South George Street, York, PA 17401-1409. License No. PA-HC 0017. Received on July 7, 2009.

S. H. Bio-Waste, LTD, P. O. Box 2117, Norristown, PA 19404. License No. PA-HC 0096. Received on July 24, 2009.

Weavertown Transport Leasing, Inc., 2 Dorrington Road, Carnegie, PA 15106. License No. PA-HC 0020. Received on June 29, 2009.

New Applications Received

Secured Medical Waste, LLC, 3113 Lauren Hill Drive, Finksburg, MD 21048. License No. PA-HC 0241. Received on April 20, 2009.

Agape Pet Services, LLC, 19712 Shepherdstown Pike, Boonsboro, MD 21713. License No. PA-HC 0240. Received on April 30, 2009.

AIR QUALITY

PLAN APPROVAL AND OPERATING PERMIT APPLICATIONS

NEW SOURCES AND MODIFICATIONS

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

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

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

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

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

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

PLAN APPROVALS

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

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

46-0094A: Highway Materials, Inc. (5100 Joshua Road, Plymouth Meeting, PA 19462) to install a new hot mix asphalt plant at an existing facility in Whitemarsh Township, **Montgomery County**. Highway Materials will remove an existing batch mix plant and proposes to replace it with a new combination drum mix and batch mix asphalt plant. The annual production limit will remain at 500,000 tons on a 12-month rolling basis. The plant will use natural gas, fuel oil (No. 2 and No. 4) and WDLF fuel. Emission limits for NO_x, SO_x, VOC, CO and PM will not increase and the facility will remain a synthetic minor. The company will comply with good air pollution control practices, monitoring and recordkeeping procedures designed to keep the facility operating within all applicable air quality requirements.

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

14-00005B: Department of Corrections (Box A, Bellefonte, PA 16823) for installation and operation of a baghouse to control the air contaminant emissions from the three existing coal-fired boilers (Source IDs 031, 032 and 033) at the Rockview State Correctional Institution in Benner Township, **Centre County**.

18-00028A: Truck-Lite Co., Inc. (P. O. Box 329, 786 McElhattan Drive, McElhattan, PA 17748) to construct a plastic component surface coating operation in Wayne Township, **Clinton County**.

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

33-133A: HRI, Inc.—Brookville Plant (785 Route 830, Brookville, PA 15825) for replacement of the existing baghouse with a new 48,500 CFM MAC baghouse, knock out box, blower and fan system at the facility in the Township of Pine Creek, **Jefferson County**.

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

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

15-0090C: National Envelope Corp. (303 Eagleview Boulevard, Exton, PA 19341) for installation of

flexographic printing heads on an existing unit at an envelope manufacturing and printing facility in Uwchlan Township, **Chester County**. The plan approval is for a non-Title V (State-only) facility. The process will potentially increase actual VOC and total HAP emissions by 2.1 and 1.4 tons per annum, respectively. However, the facility will continue to operate under its current facility-wide permitted emission limits. The plan approval will include monitoring, recordkeeping and reporting requirements designed to keep the facility operating within all applicable air quality requirements.

09-0022C: Cleveland Steel Container Corp. (350 Mill Street, Quakertown, PA 18951) for the reactivation of a spray booth (Source ID 103B—Pail Line Flange Booth); VOC emissions from the spray booth are controlled by the existing Regenerative Thermal Oxidizer (Source ID C05) and PM emissions from the spray booth are controlled by existing filter system (C12). The facility is in Quakertown Borough, **Bucks County**. The facility is an area source for HAPs and major for VOC. The plan approval modification will contain requirements to keep the facility operating within all applicable air quality requirements for this source.

46-01980: Blommer Chocolate Co. (1101 Blommer Drive, East Greenville, PA 18041) for the addition of a dust collector to an existing Aspiration Channel on Production Line 1. The proposed source has the potential to emit 0.68 tpy PM after controls. The facility is located in Upper Hanover Township, **Montgomery County**.

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

29-03001A: JLG Equipment Services, Inc. (253 Success Drive, McConnellsburg, PA 17233) for a modification to their existing operation at their Military Support Center (Equipment Services Facilities) in Ayr Township, **Fulton County**. The modification is an increase in production through their existing spray booths. The VOC emissions are expected to increase 19.5 tons per 12-consecutive months, as a result of this modification. The plan approval will include monitoring, recordkeeping, work practices and reporting requirements designed to keep the sources operating within all applicable air quality requirements. The facility currently operates under operating permit No. 29-03001. The plan approval will be incorporated into the permit in accordance with 25 Pa. Code § 127.450 (Administrative Amendment) at a later date.

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

10-361A: JADCO Manufacturing, Inc. (167 Evergreen Mill Road, Harmony, PA 16037) for authorization to operate three welding tables controlled by a dust collection system as in the Harmony Borough, **Butler County**.

Under 25 Pa. Code §§ 127.44(a) and 127.424(b), the Department of Environmental Protection (Department) intends to issue a Plan Approval for their plant in the Harmony Borough, Butler County. This plan approval will authorize the applicant to operate three welding tables controlled by a dust collection system as described in the applicant's application of June 25, 2009. The Plan Approval will subsequently be incorporated into a State-only Operating Permit through an administrative amendment in accordance with 25 Pa. Code § 127.450.

The control unit has an estimated 99% removal efficiency and shall not exceed the PM emissions of 0.02 gr/dscf. The source is not considered major precontrolled, therefore, CAM is not applicable. The facility will demonstrate compliance with the restrictions by performing weekly visible observation and preventative maintenance.

Copies of the application, the Department's analysis, and other documents used in the evaluation are available for public inspection between 8 a.m. and 4 p.m. weekdays at the address shown. To make an appointment, contact Records Management at (814) 332-6340.

Anyone wishing to provide the Department with additional information they believe should be considered, may submit the information to the address shown. Comments must be received by the Department within 30 days of the last day of publication. Written comments should include the following:

1. Name, address and telephone number of the person submitting comments.
2. Identification of the proposed Plan Approval; No. 10-361A.
3. Concise statement regarding the relevancy of the information or any objections to issuance of the Plan Approval.

A public hearing may be held if the Department, in its discretion, decides that such a hearing is warranted on the comments received during the public comment period. All persons submitting comments or requesting a hearing will be notified of the decision to hold a hearing by publication in a local newspaper of general circulation or the *Pennsylvania Bulletin* or by telephone, where the Department determines such notification is sufficient. Written comments or requests for a public hearing should be directed to John Guth, Regional Air Quality Manager, Department of Environmental Protection, Northwest Regional Office, 230 Chestnut Street, Meadville, PA 16335, (814) 332-6940.

24-083Q: Carbone of America Industries Corporation (215 Stackpole Street, St. Marys, PA 15857), for the modification of plan approval 24-083J stack testing requirement in St. Marys City, **Elk County**. This is a Title V facility. The public notice is necessary for sources required to obtain a Plan Approval in accordance with 25 Pa. Code § 127.44. This plan approval will, in accordance with 25 Pa. Code § 127.450, be incorporated into the State-only operating permit through an administrative amendment at a later date. The source shall comply with the following conditions, which will satisfy the requirements of 25 Pa. Code § 127.12b (relating to plan approval terms and conditions) and will demonstrate BAT for the source:

- The conditions from plan approval 24-083J issued on May 21, 2007, will remain in effect with the following exception:
- The facility may operate the source at greater than their throughput limitation in the facility operating permit but not to exceed their rated capacity as stated in the original plan approval application only during stack testing to show compliance with the FPM limitation. The stack test shall be performed in accordance with the provisions of 25 Pa. Code Chapter 139 of the Department of Environmental Protection (Department). The stack test shall be conducted for FPM on one stack for the Crusher/Blending process and one stack for the screening process using Environmental Protection Agency Method 5 or

another Department approved method. The facility operating permit will be modified to show the new throughput limitation established during this testing after the Department approves the results showing compliance with the FPM limitation.

33-055C: Glen-Gery Corp. (P. O. Box 68, Summerville, PA 15864), Notice is hereby given in accordance with 25 Pa. Code §§ 127.44(b) and 127.424(b), that the Department of Environmental Protection (Department) intends to issue a plan approval for their Hanley Plant located in **Jefferson County**, to modify emission limits, based on the results of the Ceric Tunnel Kiln stack testing, in existing Title V permit. The facility currently has a Title V permit No. 33-00055 which was issued August 14, 2003. This plan approval will, in accordance with 25 Pa. Code § 127.450, be incorporated into the Title V operating permit through an administrative amendment at a later date.

As a general summary, the following modified or additional requirements are applicable to the kiln and the control device:

1. The permittee shall maintain a daily record of:

- (a) Hours of tunnel kiln operation.
- (b) Daily production records of tons of brick fired.
- (c) Natural gas usage in the tunnel kiln.

2. The emission of air contaminants from the kiln during normal operations, and bypass operations shall not exceed the following based on a consecutive 12-month period:

PM10—29.43 tpy
 CO—112.13 tpy
 VOC—12.61 tpy
 NOx (expressed as NO₂)—21.03 tpy
 SO₂—217.84 tpy
 H₂SO₄—21.16 tpy
 HF—4.54 tpy
 HCL—7.12 tpy
 Total HAP—11.734 tpy

3. Hazardous Air Pollutants (HAPs)

(a) HF emissions shall not exceed 0.057 lb/ton fired brick or shall be reduced from uncontrolled emissions by at least 90%.

(b) HCl emissions shall not exceed 0.10 lb/ton fired brick or shall be reduced from uncontrolled emissions by at least 75%.

4. The emission of air contaminants from the kiln and measured at the scrubber outlet shall not exceed the following limits expressed as lb/hr or pounds per ton of brick fired during normal operations, as applicable:

NOx (expressed as NO₂)—0.3 lb/ton
 CO—1.6 lb/ton
 VOC—0.18 lb/ton
 SOx (expressed as SO₂)—3.10 lb/ton,
 H₂SO₄—0.30 lb/ton
 Total HAP—0.158 lb/ton

5. The Department reserves the right to impose more stringent limitations based on results from stack testing.

6. The most recent stack test will be used to calculate controlled and uncontrolled emissions.

Copies of the application, the Department's analysis and other documents used in the evaluation of the

application are available for public review during normal business hours at 230 Chestnut Street, Meadville, PA 16335.

Any persons wishing to provide the Department with additional information, which they believe should be considered prior to the issuance of this permit, may submit the information to the address shown in the preceding paragraph. The Department will consider any written comments received within 30 days of the publication of this notice. Each written comment must contain the following:

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

Identification of the proposed permit No. 33-005C.

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

A public hearing may be held if the Department, in its discretion, decides that such a hearing is warranted based on the comments received. All persons submitting comments or requesting a hearing will be notified of the decision to hold a hearing by publication in the newspaper or the *Pennsylvania Bulletin* or by telephone, where the Department determines such notification is sufficient. Written comments or requests for a public hearing should be directed to Carolyn L. Cooper, New Source Review, 230 Chestnut Street, Meadville, PA 16335, (814) 332-6638.

Persons with a disability who wish to comment and require an auxiliary aid, service or other accommodations to do so should by contacting Carolyn L. Cooper, or the Pennsylvania AT&T Relay Service at (800) 654-5984 (TDD) to discuss how the Department may accommodate their needs.

If a plan approval has not undergone the previous public notice process, the change to an operating permit must be treated as a significant modification. In these situations the Department should follow the procedures described in §§ 127.421 to 127.431 for State-only operating permits or §§ 127.521 to 127.524 for Title V operating permits.

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

AMS 09068: Inolex Chemical Co. (2101 South Swanson Street, Philadelphia, PA 19148-3497) to replace one existing boiler with one 49.00 mmBtu/hr boiler firing No. 6 oil/natural gas or Waste Oil in the City of Philadelphia, **Philadelphia County**. The boiler will have the following combined potential annual emissions: 50 tons of CO, 22 tons of PM. The boiler will be limited to less than 25 tons of NOx and 40 tons of SO₂ emissions per year. The plan approval will contain operating, testing, monitoring, recordkeeping and reporting requirements to ensure operation within all applicable requirements.

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.

09-00128: East Coast Sign Advertising (5058 Route 13 North, Bristol, PA 19007) for operation their facility in Bristol Township, **Bucks County**. This action is a renewal of the permit for a non-Title V (State-only) facility. The facility's main sources include: three large paint

spray booths and a paint storage/mix room. There are no proposed changes to equipment or operating conditions. The permit will continue to include monitoring, recordkeeping and reporting requirements designed to keep the facility operating within all applicable air quality requirements.

09-00173: P & R Industries, Inc., d/b/a Arbonite (3826 Old Easton Road, Doylestown, PA 18901) for a renewal of State-only (Natural Minor) Operating Permit No. 09-00173, which was originally issued on September 8, 2004. The renewed State-only Operating Permit will include 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.

40-00079: Johns Manville, Intl. (600 Jaycee Drive, Hazleton, PA 18202) for operation of a urethane and foam product manufacturing facility in the City of Hazleton, **Luzerne County**. This is a renewal of a State-only Operating Permit.

54-00072: JELD-WEN, Inc. (1162 Keystone Boulevard, Pottsville, PA 17901) for a new door manufacturing facility in Cass Township, **Schuylkill County**. This is a State-only Natural Minor operating permit for this facility. The State-only operating permit includes emissions, work practice standards and testing, monitoring, recordkeeping and reporting requirements designed to keep the facility operating within all applicable air quality requirements.

54-00051: Department of Corrections—Mahanoy SCI (301 Morea Road, Frackville, PA 17932) for operation of a boiler and two emergency generators at their facility in West Mahanoy Township, **Schuylkill County**. This action is a renewal of the State-only (Synthetic Minor) Operating Permit for this facility. This Operating Permit shall include emission restrictions, monitoring, recordkeeping and reporting requirements designed to ensure this facility complies with all applicable air quality regulations.

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

03-00152: Glacial Sand & Gravel Company (P. O. Box 1022, Kittanning, PA 16201) for operation of Tartown Land Plant facility in East Frank Township, **Armstrong County**. This is a State-only Operating Permit renewal.

03-00193: Glacial Sand & Gravel Company (P. O. Box 1022, Kittanning, PA 16201) for operation screening and loading at the Bridgeburg Coal Crushing, Screening and Loading facility in East Franklin, **Armstrong County**. This is a State-only Operating Permit renewal.

32-00316: Equitrans, LP (200 Allegheny Center Mall, Pittsburgh, PA 15212-5352) for operation of the Pennview Compressor Station in Wheatfield Township, **Indiana County**. This is a State-only Operating Permit Renewal.

63-00909: GE Hitachi Nuclear Energy Americas, LLC (50 Curry Avenue, Canonsburg, PA 15317-1743) on August 17, 2009, submitted an application for a synthetic-minor operating permit to operate a metal containers manufacturing facility at their GE Ionics plant in Canonsburg Borough, **Washington County**. This is a renewal of the existing synthetic minor operating permit, issued in 2005.

63-00947: MarkWest Liberty Midstream & Resources, LLC (1515 Arapahoe Street, Tower 2, Suite 700, Denver, CO 80202-2126) on August 13, 2009, submitted an application for a State-only permit to operate five natural-gas compressor engines, a dehydration unit and associated equipment at the Lowry Compressor Station in Hopewell Township, **Washington County**. This site currently operates under a general permit, GP5-63-00947.

65-00898 Equitrans, LP (200 Allegheny Center Mall, Pittsburgh, PA 15212-5352) for operation of Sleepy Hollow Compressor Station in Salem Township, **Westmoreland County**.

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

10-00220: ESM Group, Inc. (130 Myoma Road, Mars, PA 16046) for re-issuance of a Natural Minor Operating Permit to operate a powder blending and packaging facility in Adams Township, **Butler County**. The facility's primary emission sources include a truck dumping station, a custom blending system, materials handling, synflux mixing and bagging, storage silos and a parts washer.

33-00002: Owens-Illinois, Inc.—Plant No. 19 (Route 219N, Brockway, PA 15824), for the reissuance of a Title V Permit to operate a glass containers manufacturing facility in Township of Snyder, **Jefferson County**. The major sources included: boiler, raw material handling and storage, batch gather and mix, glass melting furnaces C & D, cullet handling and storage, two refiners, six forehearth, six annealing lehrs, miscellaneous combustion sources, six container forming machines, hot end surface treatment, road fugitives and four parts cleaning machines. The facility is a major facility due to its potential to emit of NO_x and SO_x. The facility is subject to the Title V Operating Permit requirements adopted in 25 Pa. Code Chapter 127, Subchapter G. The facility is not subject to CAM rule because the precontrolled emissions are not exceeding the Title V threshold limits.

37-00321: New Castle Recycling (215 Gardner Avenue, New Castle, PA 16101-3926) to issue a renewal State-only Operating Permit for the scrap metal cutting operations in the City of New Castle, **Lawrence County**. The facility is a Natural Minor. The primary sources at the facility include scrap cutting of large objects under a metal hood that is controlled by a baghouse and yard cutting for smaller carbon steel scrap (with minimal amounts of nickel and chrome) and aluminum.

PLAN APPROVALS

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

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

PA 48-399-061: Laminating Corp. (700 Bartley-Chester Road, P. O. Box 37, Flanders, NJ 07836-0037) for construction and operation of a laminating process at the facility, to be in Upper Mount Bethel Township, **Northampton County**.

In accordance with 25 Pa. Code §§ 127.44(a) and 127.45(a), the Department of Environmental Protection (Department) has received and intends to issue Plan Approval to Custom Laminating Corp. (700 Bartley-Chester Road, P. O. Box 27, Flanders, NJ 078-0037) for their facility to be in Upper Bethel Township, Northampton County. This Plan Approval No. 48-399-06 will be incorporated into the company's Synthetic Minor Permit through an administrative amendment at a later date.

Plan Approval No. 48-399-061 is for the construction and operation of a laminating process at the facility. VOC emissions from the plant will remain under 50 tpy, 12-month rolling sum. Total HAP emissions from the facility will be under 25 tpy, 12-month rolling sum. Single HAP emissions will be under 10 tpy, 12-month rolling sum. PM emissions will be controlled by the use of a baghouse, which is limited to 0.02 gr/dscf. These limits will meet BAT requirements for this source. The Plan Approval and Operating permit will contain additional recordkeeping and operating restrictions designed to keep the facility operating within all applicable air quality requirements.

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

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

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

Identification of the proposed permit No.: 48-399-061.

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

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

PA No. 54-316-007: JELD-WEN (407 Harbor Isles Boulevard, P. O. Box 1540, Klamath Falls, OR 97601-0253) for the construction and operation of a new paint spray booth in Cass Township, **Schuylkill County**.

In accordance with 25 Pa. Code §§ 127.44(a) and 127.45(a), the Department of Environmental Protection (Department) has received and intends to issue a Plan Approval to JELD-WEN (407 Harbor Isles Boulevard, P. O. Box 1540, Klamath Falls, OR 97601-0253) for their facility to be located in Cass Township, Schuylkill County.

This Plan Approval No. 54-316-007 will be incorporated into a State-only Permit through an administrative amendment at a later date.

Plan Approval No. 54-316-007 is for the construction and operation of a new paint spray booth. PM emissions will not exceed 0.04 gr/dscf. The company shall be subject to, and comply with, 25 Pa. Code § 123.31 for malodorous emissions. The company shall be subject to, and comply with, 25 Pa. Code § 123.41 for Visible emissions. Emissions will be controlled by the use of dry filters. These limits will meet BAT requirements for this source. The Plan Approval and Operating permit will contain additional recordkeeping and operating restrictions designed to keep the facility operating within all applicable air quality requirements.

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

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

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

Identification of the proposed permit No. 54-316-007.

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

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

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.

When 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:

Table 1

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 ml/l applied to: surface runoff (resulting from a precipitation event of less than or equal to a 10-year 24-hour event) from active mining areas; active areas disturbed by coal refuse disposal activities; and mined areas backfilled and revegetated; and drainage (resulting from a precipitation event of less than or equal to a 1-year 24-hour event) from coal refuse disposal piles.

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

03991301 and NPDES Permit No. PA0235407, Rosebud Mining Company, (301 Market Street, Kittanning, PA 16201), to revise the permit for the Logansport Mine in Bethel Township, **Armstrong County** to add underground permit acres and to revise the subsidence control plan boundary by adding 3,895.4 acres and deleting 1,077.1 acres. Underground Acres Proposed 260.9, Subsidence Control Plan Acres Proposed 2,818.3. The first downstream potable water supply intake from the point of discharge is Municipal Authority of Buffalo Township (Freeport), and intake Allegheny River. Application received May 14, 2009.

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

56050102 and NPDES No. PA0249751. Sherpa Mining Contractors, Inc., 337 Benny Road, Hooversville, PA 15936, revision of an existing bituminous surface auger, blasting mine in Shade Township, **Somerset County**, affecting 63.3 acres. Receiving streams: UNT to Oven Run and UNT to Stonycreek River classified for the following use: CWF. The first downstream potable water supply intake from the point of discharge is Hooversville Borough Municipal Authority. The application includes a request to remove Middle Kittanning coal and existing coal refuse for reprocessing and redisposal. The application also includes a road variance request along the northern side of SR 1012. The road variance begins at a point 1,000 feet east of the intersection of SR 1012 and Township Route T-706 and continues in a westerly direction a distance of 1,630 feet. Application received September 28, 2007.

32900301 and NPDES No. PA0598712. Edward C. Griffith Quarry, Inc., 7815 Colonel Drake Highway, Mahaffey, PA 15757, permit revision of an existing large surface industrial mineral mine to change the post-mining land use from forest to pasture in North Mahoning Township, **Indiana County**, affecting 45.3 acres. Receiving stream: UNT to Little Mahoning Creek, classified for the following use: HQ-CWF. There are no potable

water supply intakes within 10 miles downstream. Application received July 30, 2009.

32000108 and NPDES No. PA0248801. River Hill Coal Company, Inc., P. O. Box 141, Kylertown, PA 16847, permit renewal for the continued operation and restoration of a bituminous surface and auger mine in West Wheatfield Township, **Indiana County**, affecting 759.2 acres. Receiving streams: UNTs to/and Conemaugh River, Richards Run and Roaring Run classified for the following use: CWF. There are no potable water supply intakes within 10 miles downstream. Application received July 22, 2009.

56070110 and NPDES No. PA0262498. PBS Coals, Inc., P. O. Box 260, Friedens, PA 15541, revision of an existing bituminous surface mine to add 13.9 acres for the installation of a haulroad, changing the total SMP acres from 282.4 to 296.3 in Stonycreek Township, **Somerset County**, affecting 282.4 acres. Receiving streams: Schrock Run and UNT No. 2 to Glades Creek classified for the following use: CWF. There are no potable water supply intakes within 10 miles downstream. Application received August 7, 2009.

32990108 and NPDES No. PA 0235130. KMP Associates Inc., 1094 Lantz Road, Avonmore, PA 15618, permit revision of an existing bituminous surface mine to change land use from forest to unmanaged natural habitat in Young Township, **Indiana County**, affecting 54 acres. Receiving streams: UNT to Whiskey Run, classified for the following use: CWF. There are no potable water supply intakes within 10 miles downstream. Application received August 7, 2009.

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

26090106 and NPDES Permit No. PA0251739. Amerikohl Mining, Inc. (1384 SR 711, Stahlstown, PA 15687). Application for commencement, operation and reclamation of a bituminous surface mine, located in Menallen Township, **Fayette County**, affecting 202.4 acres. Receiving streams: UNTs to Dunlap Creek and Dunlap 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 August 5, 2009.

Noncoal Applications Received

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

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

* The parameter is applicable at all times.

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

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

56090301 and NPDES No. PA0262846. New Enterprise Stone & Lime Company, Inc., P. O. Box 77, New Enterprise, PA 16664, commencement, operation and restoration of a noncoal (Loyalhanna Formation) surface and

deep mine in Jefferson Township, **Somerset County**, affecting 289 acres. Receiving streams: a UNT to Kooser Run and UNTs to Shafer Run (tributaries to Laurel Hill Creek) classified for the following antidegradation use: HQ-CWF. The first downstream potable water supply is the Somerset Borough Municipal intake on Laurel Hill Creek downstream of the confluence with Shafer Run. The Department of Environmental Protection has made a tentative determination to issue the NPDES permit with a requirement that wastewater and stormwater be handled with nondischarge alternatives and without point source discharges. Therefore, no effluent limits for point source discharges are proposed. The final determination on the application will be formulated based on a review of the information in the noncoal mining and NPDES application and upon consideration of comments received under this notice and newspaper notice of the applications (including information gathered at informal conferences and/or public hearings, if they are requested); other pertinent available information will be considered. The application includes a request for two stream variances to conduct mine support activities within 100 feet of a UNT to Kooser Run including constructing a haulroad crossing, a conveyor crossing, erosion and sedimentation controls, and an aerial pipe line crossing. Application received July 31, 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.

E46-1045. Richard Montalbano, Albert Einstein Healthcare Network, 5501 Old York Road, Hackenberg 5, Philadelphia, PA 19141, East Norriton Township, **Montgomery County**, United States Army Corps of Engineers, Philadelphia District.

To perform the following water obstruction and encroachment activities to the existing man-made ponds in the Stony Creek (TSF) Watershed within the Woods Golf Course associated with the proposed Albert Einstein Healthcare Network project:

1. To place fill in a 110-foot diameter (9204 SF) off-stream man-made pond.
2. To place fill in 652 SF of wetlands located along western side of the site.
3. To expand the existing spring fed pond located on the eastern side by 10,358 SF, to compensate for filling of the open water pond. A 10-foot wide vegetative/aquatic buffer will be created around the perimeter of this pond.

The site is located approximately 700 feet northeast of the intersection of Germantown Pike and Whitehall Road (Lansdale, PA USGS Quadrangle N: 5.2 inches; W: 12.80 inches).

E23-477. MacDade Darby Development, 5004 State Road, Drexel Hill, PA 19026, Darby Borough, **Delaware County**, United States Army Corps of Engineers, Philadelphia District.

Darby Town Center Project.

To place and maintain fill in the floodway of Darby Creek (WWF-MF) associated with the proposed Darby Town Center commercial development project which consists of two buildings totaling 42,429 square feet, and access roadways.

The project is located approximately 147 feet south of the intersection of Chestnut Street and MacDade Boulevard in Ridley Township, Delaware County (Lansdowne, PA USGS Quadrangle N: 8.13 inches; W: 2.17 inches).

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

E39-491. Lehigh County, 17 South 7th Street, Allentown, PA 18101-2401, in North Whitehall Township, **Lehigh County**, United States Army Corps of Engineers, Philadelphia District.

To construct and maintain a 2,625 linear feet, 12-foot wide gravel pedestrian walking trail within the floodway of the Jordan Creek (TSF-MF); to construct and maintain a 6-foot wide, single-span, wooden pedestrian bridge with wooden planking and open stairs, having a 97-foot span and a 10.8-foot underclearance across the Jordan Creek (TSF-MF); and construct and maintain a 6-foot wide, wooden boardwalk spanning approximately 8 feet of wetlands and constructed on 6" by 6" square wooden columns for the purpose of improving the existing trail within the Trexler Nature Preserve. The project is located approximately 3.15 miles north east of the intersection of

SR 4040 and SR 100 (Slatedale and Cementon, PA Quadrangles Latitude: 40° 39' 13"; Longitude: -75° 37' 27") in North Whitehall Township, Lehigh County. Subbasin: 2C.

E48-387. Allen Township, 4714 Indian Trail Road, Northampton, PA 18067, Allen Township, **Northampton County**, United States Army Corps of Engineers, Philadelphia District.

To place fill in 0.02 acre of wetland and to construct and maintain a 12-foot wide by 6-foot high reinforced concrete box culvert depressed 1-foot below streambed elevation with concrete wingwalls and riprap bank protection over Dry Run (CWF) associated with the proposed realignment of Atlas Road (TR 465). The project will include the removal of the existing bridge structure and stabilization of the immediate channel banks. The project is located approximately 1,200 feet upstream of the intersection of Short Lane and Atlas Road in Allen Township, Northampton County (Catasauqua, PA Quadrangle Latitude: 40° 41' 37"; Longitude: -75° 28' 0"). Subbasin: 2C.

E45-521. Mitchell and Karen Kaplan, 257 Washington Drive, Watchung, NJ 07069, Stroud Township, **Monroe County**, United States Army Corps of Engineers, Philadelphia District.

To maintain the Flagler Run streambank stabilization project which included the construction of stepped retaining walls having lengths of approximately 145 feet and maximum heights of 10.5 feet along the northern streambank and the placement of R-7 riprap along the toe of the retaining wall and along 200 feet of the southern streambank. The project was constructed under Emergency Permit EP4508403. The project is located approximately 100 feet downstream from SR 0611 (Stroudsburg, PA Quadrangle Latitude: 40° 59' 15"; Longitude: -75° 13' 16"). Subbasin: 1E.

E40-666. Robert and Helen Roderick, R. R. 1, Box 301A, Harveys Lake, PA 18618. Harveys Lake Borough, **Luzerne County**, United States Army Corps of Engineers, Baltimore District.

To modify and maintain an existing pile-supported boathouse and dock in Harveys Lake (HQ-CWF) with work consisting of a 60 sf addition to the boathouse and a 184 sf addition to the dock structure. The total surface area of the modified pile-supported structure will be approximately 1,345 sf and will extend approximately 45 feet from the shoreline. The project is located on the eastern side of the lake between Poles No. 39 and No. 40 (Harveys Lake, PA Quadrangle Latitude: 41° 21' 49"; Longitude: -76° 2' 12"). Subbasin: 46.

E40-697. Borough of West Pittston, 555 Exeter Avenue, West Pittston, PA 18643, in Borough of West Pittston, **Luzerne County**, United States Army Corps of Engineers, Baltimore District.

To construct and maintain a 60-inch diameter SLCPP stormwater outfall with a concrete headwall, flapgate and grouted R-7 riprap apron in the floodway of the Susquehanna River (WWF). The outfall is located near the intersection of Philadelphia and Susquehanna Avenues (Pittston, PA Quadrangle Latitude: 41° 19' 22"; Longitude: 75° 47' 55") in West Pittston Borough, Luzerne County. Subbasin: 5B.

E40-679A. City of Pittston, 35 Broad Street, City of Pittston, **Luzerne County**, United States Army Corps of Engineers, Baltimore District.

To amend Permit E40-679 to authorize the modification and maintenance of an approximately 3,500-foot long stream enclosure in a tributary to the Susquehanna River with work consisting of replacing an approximately 2,000-foot portion of the stream enclosure with a 72" by 84" reinforced concrete box culvert.

E40-679 authorized the modification and maintenance of the same stream enclosure with work consisting of replacing a 300-foot long collapsed portion with 72-inch diameter reinforced concrete pipe. The location of the project begins at Gazette Street, and terminates along the east bank of the Susquehanna River, contiguous with Market Street (Pittston, PA Quadrangle Latitude: 41° 19' 10"; Longitude: 75° 46' 47") in the City of Pittston, Luzerne County. Subbasin: 5B.

E54-337. Schoeneman Realty Company, P. O. Box 600, Route 61 North, East Norwegian Township, **Schuylkill County**, United States Army Corps of Engineers, Philadelphia District.

To fill 0.16 acre of wetlands for the purpose of providing improved access off Tunnel Road to an existing commercial business. A 300-foot long, 36-inch diameter HDPE pipe will be placed under the fill for the purpose of maintaining hydrology and providing bat access to an existing tunnel. The permittee is required to provide for 0.16 acre of replacement wetlands by participating in the Pennsylvania Wetland Replacement Project. The project is located near the intersection of SR 61 and Tunnel Road (T-750), approximately 5.22 miles south east of the intersection of I-81 along SR 61 (Pottsville, PA Quadrangle Latitude: 40° 42' 14"; Longitude: -76° 11' 11") in East Norwegian Township, Schuylkill County.

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

E06-648. Borough of Shillington, Michael Mountz, 2 East Lancaster Avenue, Shillington Borough, PA 19607, **Berks County**, United States Army Corps of Engineers, Philadelphia District.

To construct a 13,400 linear foot 24-inch PVC sanitary sewer main to replace an existing cast iron and vitrified clay sewer main that is deteriorating. The sewer main will cross the Wyomissing Creek (HQ-CWF) seven times, will cross wetlands identified as EV, and will convey sewage to the Joint Municipal Authority of Wyomissing Valley's wastewater treatment facility. The project is located along Old Wyomissing Road (Reading, PA Quadrangle N: 11.0 inches; W: 13.5 inches, Latitude: 40° 19' 30"; Longitude: 75° 57' 37") in Shillington Borough, Berks County.

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

E12-157. Shippen Township, 1681 Rich Valley Road, P. O. Box 349, Emporium, PA 15834. Jenks Run Bridge Across Clear Creek Project, Shippen Township, **Cameron County**, United States Army Corps of Engineers, Baltimore District (Rich Valley, PA Quadrangle Latitude: 41° 30' 43.52"; Longitude: 78° 20' 1.39").

Shippen Township proposes to remove an existing structure and construct, operate and maintain prestressed concrete spread box beam bridge across East Branch, Clear Creek (HQ-CWF) for improved public access and safety. The bridge across Clear Creek shall be constructed as a single-span structure having a minimum span of 30-feet, underclearance of 5-feet, and width of

23-feet. As proposed the bridge replacement project will permanently impact 15-square feet of wetland and 10-feet of stream, while temporarily impacting 40-feet of stream channel that is located along the southern right-of-way of T-389 (Clear Creek Road) approximately 3-miles west of SR 4004 and T-389 intersection. The Department of Environmental Protection has deemed the 15-square feet of permanent wetland impacts incurred by the bridge replacement as de minimis, and as such, no replacement wetlands will be required. This permit application was submitted for permit reissuance, since E12-157 originally expired on December 31, 2008.

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

E02-1616. Borough of Bridgeville, 425 Bower Hill Road, Bridgeville, PA 15017. To construct stream rehabilitation in the channel of McLaughlin Run in the Borough of Bridgeville, **Allegheny County**, United States Army Corps of Engineers, Pittsburgh District (Bridgeville, PA Quadrangle N: 19.0 inches; W: 13.8 inches, Latitude: 40° 20' 43"; Longitude: 80° 05' 19"). The applicant proposes to construct and maintain a stream rehabilitation project in and along the channel of McLaughlin Run (WWF) for a distance of approximately 480.0 linear feet for the pur-

pose of improving the channel characteristics and habitat of said stream. The project will consist of constructing Rock Vanes and J-Hook Rock Vanes on the left bank of said stream and cutting and placing fill on both banks of said stream. The project is located on the east side of McLaughlin Run Road, approximately 1,000.0 feet east from the intersection of McLaughlin Run Road and Coolidge Street and will impact approximately 480.0 linear feet of stream channel.

E02-1617. Township of Upper St. Clair, 1820 McLaughlin Run Road, Upper St. Clair, PA 15241. To relocate the channel of a UNT to Chartiers Creek in Upper St. Clair Township, **Allegheny County**, United States Army Corp of Engineers, Pittsburgh District (Bridgeville, PA Quadrangle N: 15.3 inches; W: 14.0 inches, Latitude: 40° 20' 03"; Longitude: 80° 06' 02"). The applicant proposes to reconstruct and relocate approximately 990.0 linear feet of the channel of a UNT to Chartiers Creek (WWF) for the purpose of stabilizing the stream banks of said stream and improving aquatic habitat, and will consist of in-stream grade control structures and riparian plantings. The project is located at the former Mayview State Hospital Grounds, approximately 1,600.0 feet upstream from the confluence of said stream and Chartiers Creek and will impact approximately 1,090.0 linear feet of stream channel.

ACTIONS

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

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

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

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

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

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

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

I. NPDES Renewal Permit Actions

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>
PA0085715 (Sew)	Lloyd and Bertha Geib, Jr. 504 Hemlock Lane Lebanon, PA 17042-9015	Lebanon County Cornwall Borough	UNT of Shearers Creek 7-G	Y
PA0082805 (Sew)	Robert A. Droege 2524 Ironville Pike Columbia, PA 17512	Lancaster County Hempfield Township	Shawnee Run 7-G	Y
PA0023604 (Sew)	McAlisterville Area Joint Authority P. O. Box 61 McAlisterville, PA 17049	Juniata County Fayette Township	Little Lost Creek 12-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>
PA0228737 (Sewage)	Westover Borough 143 Tannery Road P. O. Box 51 Westover, PA 16692	Westover Borough Clearfield County	Chest Creek WWF	Y
PA0113034 Sewerage	Penn Township 4600 Beaver Lake Road Hughesville, PA 17737	Penn Township Lycoming County	Beaver Run 10D	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>
PA0098817 Sewage	Charles Hilligas 669 Nelson Road F Farmington, PA 15437	Fayette County Wharton Township	UNT of Meadow Run	Y

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

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

NPDES Permit No. PA0011070, Industrial Waste, **Knoll, Inc.** 1235 Water Street, P. O. Box 157, East Greenville, PA 18041. This proposed facility is located in Upper Hanover Township, **Montgomery County**.

Description of Proposed Action/Activity: Approval for the renewal to discharge treated wastewater from the Knoll East Greenville Facility into the Perkiomen Creek in Watershed 3E.

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

NPDES Permit No. PA0038415 Amendment No. 2, Sewage, **East Pennsboro Township**, 98 South Enola Drive, Enola, PA 17025. This proposed facility is located in East Pennsboro Township, **Cumberland County**.

Description of Proposed Action/Activity: Authorization to discharge to the Conodoguinet Creek in Watershed 7-B.

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

PA0233811, Industrial Waste SIC 22, **Ulster Municipal Authority**, P. O. Box 157, Ulster, PA 18850. This proposed facility is located in Ulster Township, **Bradford County**.

Description of Proposed Activity: This permit is for the backwash discharge from the water supply filter plant.

The receiving stream, Toad Hollow Run, is in the State Water Plan Watershed 4B and is classified for WWF. The nearest downstream public water supply intake for the Borough of Danville is located on the Susquehanna River and is 142.5 miles below the point of discharge.

The proposed effluent limits for Outfall 001 are based on a design flow of 0.0072 mgd.

Parameters	Mass (lb/day)		Concentration (mg/l)		Instantaneous Maximum mg/l
	Average Monthly	Maximum Daily	Average Monthly	Maximum Daily	
Suspended Solids	Monitor	Monitor	30	60	75
Iron (total)	Monitor	Monitor	1.5	3	3.8
Manganese (total)	Monitor	Monitor	1	2	2.5
Total Residual Chlorine	Monitor	Monitor	0.26		0.84
pH			Between 6 and 9 at all times		

The EPA waiver will be in effect.

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

NPDES Permit No. PA0263541, Sewage, **Thomas Young**, 209 Center Drive, Chicora, PA 16025-3705. This proposed facility is located in Oakland Township, **Butler County**.

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

NPDES Permit No. PA0263443, Sewage, **Linesville Pine Joint Municipal Authority**, P. O. Box 382, Linesville, PA 16424. This proposed facility is located in Pine Township, **Crawford County**.

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

NPDES Permit No. PA0240222, Sewage, **Medix Hotel**, 23155 Quehanna Highway, Weedville, PA 15868. This proposed facility is located in Benezette Township, **Elk County**.

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

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, Wilke-Barre, PA 18711-0790,

WQM Permit No. 5209401, 509 Central South, LLC and 509 Central North, LLC, 5020 Clark Road No. 315, Sarasota, FL 34233. This proposed facility is located in Palmyra Township, **Pike County**.

Description of Proposed Action/Activity: Issuance of Water Quality Management Permit for the construction of a small flow sewage treatment facility with a spray irrigation system for a proposed five lot residential subdivision called Sunset Harbour.

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

WQM Permit No. 0809201, Industrial Waste 22, **Ulster Municipal Authority**, P. O. Box 157, Ulster, PA 18850. This proposed facility is located in Ulster Township, **Bradford County**.

Description of Proposed Action/Activity: This application is for the backwash treatment from the water supply filter plant. The treatment consists of a holding/settling tank and sludge drying beds.

WQM Permit No. WQG02140903, Sewerage 4952, **Port Matilda Borough Authority**, P. O. Box 519, Port Matilda, PA 16870-0483. This proposed facility will be located in Worth Township, **Centre County**.

Description of Proposed Action/Activity: The applicant is approved under the Water Quality Management General Permit to construct and operate a sanitary sewer extension and associated grinder pumps in Worth Township.

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

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

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

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

WQM Permit No. WQG018702, Sewerage, **Nikki Martin**, 733 Lakewood-Neshannock Falls Road, New Castle, PA 16101. This proposed facility is located in Pulaski Township, **Lawrence County**.

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

WQM Permit No. WQG018695, Sewerage, **Thomas Young**, 209 Center Drive, Chicora, PA 16025-3705. This proposed facility is located in Oakland Township, **Butler County**.

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

WQM Permit No. WQG018703, Sewerage, **Laurie Wagner**, 467 Covered Bridge Road, Volant, PA 16156. This proposed facility is located in Shenango Township, **Lawrence County**.

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

WQM Permit No. WQG018708, Sewerage, **Steven Degel**, 404 Protzman Road, Butler, PA 16002-9111. This proposed facility is located in Eau Claire Borough, **Butler County**.

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

WQM Permit No. 4209402, Sewerage, **Hamlin Township**, 22 Park Road, P. O. Box 235, Hazel Hurst, PA 16733. This proposed facility is located in Hamlin Township, **McKean County**.

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

WQM Permit No. 2009403, Sewerage, **Linesville Pine Joint Municipal Authority**, P. O. Box 382, Linesville, PA 16424. This proposed facility is located in Pine Township, **Crawford County**.

Description of Proposed Action/Activity: Issuance of a permit to construct new sewers in Pine Township and construct a new regional sewage treatment plant.

WQM Permit No. 2408402, Sewerage, **Medix Hotel**, 23155 Quehanna Highway, Weedville, PA 15868. This proposed facility is located in Benezetze Township, **Elk County**.

Description of Proposed Action/Activity: Issuance of a permit to construct a sewage treatment plant.

IV. NPDES Stormwater Discharges from MS4 Permit Actions

V. NPDES Waiver Stormwater Discharges from MS4 Actions

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

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

<i>NPDES Permit No.</i>	<i>Applicant Name & Address</i>	<i>County</i>	<i>Municipality</i>	<i>Receiving Water/Use</i>
PAI010909005	Gorski Engineering, Inc. 1 Iron Bridge Drive Collegeville, PA 19426	Bucks	Milford Township	Molasses Creek HQ-TSF

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

Wayne County Conservation District: Agriculture Service Center, 470 Sunrise Avenue, Honesdale, PA 18431, (570) 253-0930.

<i>NPDES Permit No.</i>	<i>Applicant Name & Address</i>	<i>County</i>	<i>Municipality</i>	<i>Receiving Water/Use</i>
PAI026404003R	Department of Transportation Engineering District 4-0 55 Keystone Industrial Park Dunmore, PA 18512	Wayne	Honesdale Borough	Lackawaxen and West Branch Lackawaxen Rivers HQ-TSF, MF

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

<i>NPDES Permit No.</i>	<i>Applicant Name & Address</i>	<i>County</i>	<i>Municipality</i>	<i>Receiving Water/Use</i>
PAI033109001	Department of Transportation Engineering District 9-0 162 North Juniata Street Hollidaysburg, PA 16648	Huntingdon	Morris Township	UNT to Frankstown Branch Juniata River WWF UNT to Little Juniata River WWF Floodplain wetlands tributary to Frankstown Branch Juniata River EV

Northcentral Region: Watershed 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>
PAI041409005	Ronald J. Woodhead Centre Regional Recreation Authority 2643 Gateway Drive State College, PA 16801	Centre	State College Borough	Thompson Run HQ-CWF

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

Allegheny County Conservation District: Lexington Technology Park, Building 1, Suite 102, 400 North Lexington Avenue, Pittsburgh, PA 15208, (412) 241-7645.

<i>NPDES Permit No.</i>	<i>Applicant Name & Address</i>	<i>County</i>	<i>Municipality</i>	<i>Receiving Water/Use</i>
PAI050209002	Edgewater Properties, LP 3875 Old William Penn Highway Murrysville, PA 15668	Allegheny	Oakmont Borough	Allegheny River WWF, N

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>
PAI064209001	Hamlin Township 22 Park Road P. O. Box 235 Hazel Hurst, PA 16733	McKean	Hamlin Township	UNT West Branch Clarion River CWF South Branch Kinzua Creek HQ-CWF

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

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

List of NPDES and/or Other General Permit Types

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

General Permit Type—PAG-2

Facility Location:

<i>Municipality & County</i>	<i>Permit No.</i>	<i>Applicant Name & Address</i>	<i>Receiving Water/Use</i>	<i>Contact Office & Phone No.</i>
Richland Township Bucks County	PAG200 0908093	Allen D. Keller 3103 Old Bethlehem Pike Quakertown, PA 18951	Tohickon Creek TSF	Southeast Regional Office 2 East Main Street Norristown, PA 19401 (484) 250-5900
Chalfont and New Britain Townships Bucks County	PAG200 0909077	Chalfont-New Britain Township Joint Sewage Authority 1645 Upper State Road Doylestown, PA 18901	West Branch Neshaminy Creek WWF-MF	Southeast Regional Office 2 East Main Street Norristown, PA 19401 (484) 250-5900

<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>
Newtown Township Bucks County	PAG200 0909007	Horizon Lot 2 Associates, LP 125 Brownsburg Road East New Hope, PA 18938	Core Creek CWF-MF	Southeast Regional Office 2 East Main Street Norristown, PA 19401 (484) 250-5900
Newtown Township Bucks County	PAG200 0909052	Friends Lane, LLC 2755 Philmont Avenue Suite 130 Huntingdon Valley, PA 19468	Core Creek CWF	Southeast Regional Office 2 East Main Street Norristown, PA 19401 (484) 250-5900
Plumstead Township Bucks County	PAG200 0907060	Hostvedt-Pavoni, Inc. 30 South Pine Street Doylestown, PA 18901	Neshaminy Creek WWF	Southeast Regional Office 2 East Main Street Norristown, PA 19401 (484) 250-5900
New Garden Township Chester County	PAG200 1509013	Auto Zone, Inc. 123 South Front Street 3rd Floor Memphis, TN 38103-3618	Red Clay Creek TSF	Southeast Regional Office 2 East Main Street Norristown, PA 19401 (484) 250-5900
West Caln Township Chester County	PAG200 1509025	PA American Water 4 Wellington Boulevard Suite 2 Wyomissing, PA 19610	Rock Run TSF-MF	Southeast Regional Office 2 East Main Street Norristown, PA 19401 (484) 250-5900
New Garden Township Chester County	PAG200 1509010	New Garden Township 299 Starr Road Landenberg, PA 19350	UNT Egypt Run CWF	Southeast Regional Office 2 East Main Street Norristown, PA 19401 (484) 250-5900
New Garden Township Chester County	PAG200 1509020	Giant Food Stores, LLC 1149 Harrisburg Pike Carlisle, PA 17013	West Branch Red Clay Creek TSF	Southeast Regional Office 2 East Main Street Norristown, PA 19401 (484) 250-5900
Tredyffrin Township Chester County	PAG200 1509027	F and H Main Line, Inc. 701 Haviland Avenue Wayne, PA 19087	Crow Creek WWF	Southeast Regional Office 2 East Main Street Norristown, PA 19401 (484) 250-5900
Phoenixville Borough Chester County	PAG200 1504074-R	Northridge Village, LP 1890 Rose Cottage Lane Malvern, PA 19355 and NV Homes/Ryan Homes 893 South Matlack Street West Chester, PA 19382	French Creek TSF	Southeast Regional Office 2 East Main Street Norristown, PA 19401 (484) 250-5900
Concord Township Delaware County	PAG200 2308044	Main Line Health Services 937 Haverford Road Bryn Mawr, PA 19010	Brandywine Creek WWF-MF	Southeast Regional Office 2 East Main Street Norristown, PA 19401 (484) 250-5900
Upper Providence Township Montgomery County	PAG200 4607166	TH Properties 345 Main Street Harleysville, PA 19438 and Archdiocese of Philadelphia 222 North 17th Street Philadelphia, PA 19104	Tributary Mingo Creek WWF	Southeast Regional Office 2 East Main Street Norristown, PA 19401 (484) 250-5900
Montgomery Township Montgomery County	PAG200 4604068	Montgomeryville Investors, LP 14 Balligomingo Road P. O. Box 429 Conshohocken, PA 19428	Little Neshaminy Creek WWF	Southeast Regional Office 2 East Main Street Norristown, PA 19401 (484) 250-5900

<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>
Whitpain Township Montgomery County	PAG200 4609016	Blue Bell Investment Co., LP 6711 Columbia Gateway Drive Columbia, MD 21046	Saw Mill Run WWF	Southeast Regional Office 2 East Main Street Norristown, PA 19401 (484) 250-5900
Wright Township Luzerne County	PAG2004007049	Wright Township Daniel Frascella 321 South Mountain Boulevard Mountaintop, PA 18707	Wapwallopen Creek CWF	Luzerne County Conservation District (570) 674-7991
Borough of Bowmanstown Carbon County	PAG2001309003	Borough of Bowmanstown P. O. Box 127 490 Ore Street Bowmanstown, PA 18030	Fireline Creek CWF, MF	Carbon County Conservation District (610) 377-4894
Windsor Township Bucks County	PAG2000609019	Dwight Hermann Department of General Services 18th and Herr Streets Harrisburg, PA 17125	UNT/Schuylkill River WWF	Berks County Conservation District 1238 County Welfare Road Suite 200 Leesport, PA 19533-9710 (610) 372-4657, Ext. 201
Centre Township Berks County	PAG2000609028	Harold Spatz The Village at Irish Creek, LLC 290 Irish Creek Road Mohrsville, PA 19541	Irish Creek/Maiden Creek-WWF	Berks County Conservation District 1238 County Welfare Road Suite 200 Leesport, PA 19533-9710 (610) 372-4657, Ext. 201
Clearfield County Union Township	PAG2001709005	City of DuBois 16 West Scribner Avenue DuBois, PA 15801	Anderson Creek CWF-below dam HQ-CWF above dam	Clearfield County Conservation District 650 Leonard Street Clearfield, PA 16830 (814) 765-2629
Clearfield County City of DuBois	PAG2001709006	Tractor Supply DuBois, LLC 10053 Old Farm Court Cincinnati, OH 54242	Beaver Run CWF	Clearfield County Conservation District 650 Leonard Street Clearfield, PA 16830 (814) 765-2629
Armstrong County Manor Township	PAG2000309006	Trek Development Corp. 130 7th Street Suite 300 Pittsburgh, PA 15213	Garretts Run WWF	Armstrong County Conservation District (724) 548-3425
Somerset County Somerset Township	PAG2005609009	Saint Paul's Presbyterian Church 272 Kuhntown Road Somerset, PA 15501	UNTB to east Branch of Coxes Creek WWF	Somerset County Conservation District (814) 445-4652
Crawford County Pine Township Linesville Borough	PAG2002009004	Linesville Pine Joint Municipal Authority P. O. Box 382, Linesville, PA 16424	Shenango River WWF	Crawford County Conservation District (814) 763-5269
Lawrence County Hickory Township	PAG 003706001R1	Hickory Township Attn: Todd Fennick 127 Eastbrook Neshannock Falls Road New Castle, PA 16105	UNT to Big Run WWF	Lawrence County Conservation District (724) 652-4512

*General Permit Type—PAG-3**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>
North Manheim Township Schuylkill County	PAR122213	Tuscan/Lehigh Dairies, Inc. 880 Allentown Road Lansdale, PA 19446	UNT to Schuylkill River CWF	DEP—NERO Water Management Program 2 Public Square Wilkes-Barre, PA 18711-2511 (570) 826-2511
Lebanon County Annville Township	PAR603539	Carl W. Weber Weber Brothers Auto 795 North Mill Street Lebanon, PA 17046	UNT to Quittaphilla Creek TSF	DEP—SCRO—WQ 909 Elmerton Avenue Harrisburg, PA 17110 (717) 705-4707
Athens Township Bradford County	PAR224842	Masco Retail Cabinet Group, LLC P. O. Box 158 Sayre, PA 18840	UNT To Chemung River WWF	Water Management Program Manager, 208 West Third Street, Williamsport, PA 17701 (570) 327-3664
Shenango Township Mercer County	PAR608327	Patrick Sickafuse 4287 New Castle Road Pulaski, PA 16143	UNT to West Branch Little Neshannock Creek	DEP—NWRO Water Management 230 Chestnut Street Meadville, PA 16335-3481 (814) 332-6942
Mahoning Township Lawrence County	PAR708321	Dunbar Asphalt Products, Inc. P. O. Box 477 Wheatland, PA 16161	Mahoning River	DEP—NWRO Water Management 230 Chestnut Street Meadville, PA 16335-3481 (814) 332-6942

*General Permit Type—PAG-4**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>
Doylestown Township Bucks County	PAG040124	John J. Murphy, Jr. 89 Chestnut Valley Drive Doylestown, PA 18901	UNT to Cook's Run 2F-Neshaminy	Southeast Regional Office 2 East Main Street Norristown, PA 19401 (484) 250-5970
West Rockhill Township Bucks County	PAG040125	Daniel L. Ranker 31 Weikel Road Sellersville, PA 18960	UNT to Three Mile Run 2D Watershed	Southeast Regional Office 2 East Main Street Norristown, PA 19401 (484) 250-5970
Slippery Rock Township Butler County	PAG048723	Lynne and P. Joseph Barth 138 Bradman Estates Slippery Rock, PA 16057	UNT to Long Run 20-C	DEP—NWRO Water Management 230 Chestnut Street Meadville, PA 16335-3481 (814) 332-6942
Pulaski Township Lawrence County	PAG049524	Nikki Martin 733 Lakewood- Neshannock Falls Road New Castle, PA 16101	UNT to Deer Creek 20-A	DEP—NWRO Water Management 230 Chestnut Street Meadville, PA 16335-3481 (814) 332-6942
Shenango Township Lawrence County	PAG049526	Laurie Wagner 467 Covered Bridge Road Volant, PA 16156	UNT to McKee Run 20-B	DEP—NWRO Water Management 230 Chestnut Street Meadville, PA 16335-3481 (814) 332-6942
Eau Claire Borough Butler County	PAG049531	Steven Degel 404 Protzman Road Butler, PA 16002-9111	UNT to South Fork Little Scrubgrass Creek 16-G	DEP—NWRO Water Management 230 Chestnut Street Meadville, PA 16335-3481 (814) 332-6942

*General Permit Type—PAG-7**Facility Location:
Municipality &
County*Westfall Township
Pike County*Permit No.*
PAG07-2201*Applicant Name &
Address*
Pike County
Environmental
P. O. Box 127
Matamoras, PA 18336*Site Name & Location*
Pike County
Environmental
1116 Delaware Drive
Matamoras, PA 18336*Contact Office &
Phone No.*
DEP—NERO
2 Public Square
Wilkes-Barre, PA
18711-0790
(570) 826-2511*General Permit Type—PAG-10**Facility Location:
Municipality &
County*Bradford County
Herrick Township*Permit No.*
PAG104810*Applicant Name &
Address*
Angelina Gathering
Company, LLC
2350 North Sam
Houston Parkway East
Suite 125
Houston, TX 77032*Receiving
Water/Use*
UNT to Cold Creek
WWF*Contact Office &
Phone No.*
Northcentral Regional
Office
Water Management
Program
208 West Third Street
Suite 101
Williamsport, PA 17701
(570) 327-3664Clearfield County
Clearfield Borough*Permit No.*
PAG10104811*Applicant Name &
Address*
Bionol Clearfield, LLC
250 Technology Drive
Suite 5
Clearfield, PA 16830*Receiving
Water/Use*
West Branch
Susquehanna River
WWF*Contact Office &
Phone No.*
Northcentral Regional
Office
Water Management
Program
208 West Third Street
Suite 101
Williamsport, PA 17701
(570) 327-3664Statewide:
Discharge points to
be provided at least
15 days prior to any
planned discharge.*Permit No.*
PAG109601*Applicant Name &
Address*
Domonion Resources, Inc.
501 Martindale Street
Suite 400
Pittsburgh, PA
15212-5817*Receiving
Water/Use*
Statewide Use-
Water/use information
to be provided to the
Department of
Environmental
Protection before the
discharge.*Contact Office &
Phone No.*
Bureau of Water
Standards and Facility
Regulation
Department of
Environmental Protection
Central Office
400 Market Street
Harrisburg, PA 17105
(717) 787-8184Statewide:
Discharge points to
be provided at least
15 days prior to any
planned discharge.*Permit No.*
PAG109616*Applicant Name &
Address*
National Fuel Gas
Supply Corporation
1100 State Street
Erie, PA 16501*Receiving
Water/Use*
Statewide Use-
Water/use information
to be provided to the
Department of
Environmental
Protection before the
discharge.*Contact Office &
Phone No.*
Bureau of Water
Standards and Facility
Regulation
Department of
Environmental Protection
Central Office
400 Market Street
Harrisburg, PA 17105
(717) 787-8184Statewide:
Discharge points to
be provided at least
15 days prior to any
planned discharge.*Permit No.*
PAG109609*Applicant Name &
Address*
Equitable Resources, Inc.
225 North Shore Drive
Pittsburgh, PA 15212*Receiving
Water/Use*
Statewide Use-
Water/use information
to be provided to the
Department of
Environmental
Protection before the
discharge.*Contact Office &
Phone No.*
Bureau of Water
Standards and Facility
Regulation
Department of
Environmental Protection
Central Office
400 Market Street
Harrisburg, PA 17105
(717) 787-8184**STATE CONSERVATION COMMISSION****NUTRIENT MANAGEMENT PLANS RELATED TO APPLICATIONS FOR
NATIONAL POLLUTION DISCHARGE ELIMINATION SYSTEM (NPDES)
PERMITS FOR CONCENTRATED ANIMAL FEEDING OPERATIONS (CAFO)**

The State Conservation Commission has taken the following actions on previously received applications for nutrient management plans under the act of July 6, 2005 (Act 38 of 2005, 3 Pa.C.S. §§ 501—522) (hereinafter referred to as Act 38), for agricultural operations that have or anticipate submitting applications for new, amended or renewed NPDES

permits, or Notices of Intent for coverage under a general permit, for CAFOs, under 25 Pa. Code Chapter 92. This notice is provided in accordance with 25 Pa. Code Chapter 92 and 40 CFR Part 122, implementing The Clean Streams Law (35 P. S. §§ 691.1—691.1001) and the Federal Clean Water Act.

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

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

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

NUTRIENT MANAGEMENT PLAN—PUBLIC NOTICE SPREADSHEET—ACTIONS

<i>Agricultural Operation Name and Address</i>	<i>County</i>	<i>Total Acres</i>	<i>Animal Equivalent Units</i>	<i>Animal Type</i>	<i>Special Protection Waters (HQ or EV or NA)</i>	<i>Approved or Disapproved</i>
James Kurtz 1070 Grand Valley Road Mifflinburg, PA 17844	Union	0	603.4	Swine	NA	Approved

PUBLIC WATER SUPPLY (PWS) PERMITS

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

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

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

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

SAFE DRINKING WATER

Actions taken under the Pennsylvania Safe Drinking Water Act

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

Permit No. 4509507MA, Minor Amendment, Public Water Supply.

Applicant	Brodhead Creek Regional Authority 410 Stokes Avenue East Stroudsburg, PA 18301
Borough or Township	Stroud Township
County	Monroe
Type of Facility	PWS
Consulting Engineer	Michael E. Gable, P. E. RKR Hess Associates, Inc. 961 Marcon Boulevard Suite 425 Allentown, PA 18109
Permit to Construct Issued	August 14, 2009

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

Permit No. 3809504 MA, Minor Amendment, Public Water Supply.

Applicant	City of Lebanon Authority
Municipality	North Lebanon Township
County	Lebanon

Type of Facility Construction of Clearwell No. 2; installation of baffle walls in Clearwell No. 1; and, replacement of equipment in the the North and South clarifiers.

Consulting Engineer Laurence S. Zimmermann, P. E. Gannett Flemming, Inc. P. O. Box 67100 Harrisburg, PA 17106-7100

Permit to Construct Issued: July 30, 2009

Operations Permit issued to **Exelon Generation Company, LLC**, 7220872, Londonderry Township, **Dauphin County** on August 7, 2009, for the operation of facilities approved under Construction Permit No. 2295502 T2.

Operations Permit issued to **Exelon Generation Company, LLC**, 7220917, Londonderry Township, **Dauphin County** on August 7, 2009, for the operation of facilities approved under Construction Permit No. 2296501 T2.

Operations Permit issued to **Northwestern Lancaster County Authority**, 7360164, Penn Township, **Lancaster County** on August 7, 2009, for the operation of facilities approved under Construction Permit No. 3606522 MA.

Operations Permit issued to **Lake Meade Municipal Authority**, 7010036, Reading Township, **Adams County** on August 7, 2009, for the operation of facilities approved under Construction Permit No. 0108508 MA.

Operations Permit issued to **City of Lebanon Authority**, 7380010, Swatara Township, **Lebanon County** on August 7, 2009, for the operation of facilities approved under Construction Permit No. 3808504 MA.

Operations Permit issued to **North Heidelberg Water Company**, 3060115, North Heidelberg Township, **Berks County** on August 10, 2009, for the operation of facilities approved under Construction Permit No. 0608509.

Operations Permit issued to **Irish Creek Village MHP**, 3060113, Centre Township, **Berks County** on August 11, 2009, for the operation of facilities approved under Construction Permit No. 0608510 MA.

Operations Permit issued to **Western Berks Water Authority**, 3060066, Lower Heidelberg Township, **Berks County** on August 10, 2009, for the operation of facilities approved under Construction Permit No. 0609503 MA.

Operations Permit issued to **CHR Corporation**, 7670323, Fawn Township, **York County** on August 11, 2009, for the operation of facilities approved under Construction Permit No. 6709501.

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

Permit No. 1407503—Operation, Public Water Supply.

Applicant **Walker Township Water Association**

Township or Borough County Walker Township **Centre**

Responsible Official M. David Foreman, President Walker Township Water Association P. O. Box 160 Mingoville, PA 16856

Type of Facility Public Water Supply—Operation

Consulting Engineer David McCullough, P. E. Uni-Tec Consulting Engineers, Inc. 2007 Cato Avenue State College, PA 16801

Permit Issued Date August 12, 2009

Description of Action Operation of Snyderstown Well No. 3, transmission line and related treatment building, including gas chlorination facilities.

Permit No. 1709502—Construction, Public Water Supply.

Applicant **Brady Township-Troutville Borough Association**

Township or Borough County Brady Township **Clearfield**

Responsible Official Lester Wachob, President Brady Township-Troutville Borough Association 3309 Shamokin Trail Luthersburg, PA 15848

Type of Facility Public Water Supply—Construction

Consulting Engineer Steven Heine, P. E. Steven V. Heine, Inc. P. O. Box 466 Huntingdon, PA 16652

Permit Issued Date August 12, 2009

Description of Action Construction of a 150,000 gallon steel finished water storage tank (Luthersburg Reservoir No. 3).

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

Applicant **United Water Pennsylvania, Inc.**

Township or Borough County Town of Bloomsburg **Columbia**

Responsible Official Arthur Saunders Senior Engineer United Water Pennsylvania, Inc. 4211 East Park Circle Harrisburg, PA 17111

Type of Facility Public Water Supply—Operation

Consulting Engineer N/A

Permit Issued Date August 13, 2009

Description of Action Operation of the replacement powdered activated carbon feed system you were permitted to install November 2, 2001, for taste and odor control at the Irondale Water Treatment/Filtration Plant in Bloomsburg.

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

Permit No. 1604502-MA2, Public Water Supply.

Applicant **Borough of East Brady**
 Township or Borough East Brady Borough
 County **Clarion County**
 Type of Facility Public Water Supply
 Consulting Engineer Kenneth Orié, P. E.
 Gibson-Thomas Engineering
 Co., Inc.
 Permit to Construct August 13, 2009
 Issued

SEWAGE FACILITIES ACT PLAN APPROVAL

Plans Approvals Granted under the Pennsylvania Sewage Facilities Act (35 P. S. § 750.5)

Southwest Regional Office, Regional Water Management Program Manager, 400 Waterfront Drive, Pittsburgh, PA 15222-4745, (414) 442-4000.

Plan Location:

<i>Borough or Township</i>	<i>Borough or Township Address</i>	<i>County</i>
Ligonier Borough	Ligonier Borough Paul Fry, Secretary 120 East Main Street Ligonier, PA 15658	Westmoreland
Ligonier Township	Ligonier Township Supervisors Keith Whipkey, Secretary 1 Municipal Park Drive Ligonier, PA 15658-8763	

Plan Description: The project is located in the Loyalhanna Creek Watershed, in portions of Ligonier Borough and Ligonier Township, Westmoreland County.

The Ligonier East Planning Area Project will provide municipal sewer service to up to 465 existing structures in the Loyalhanna Creek Watershed. The project will serve the area beginning at the existing Ligonier Borough Wastewater Treatment Plant and extend to the Rolling Rock Club entrance on Route 30 East. The plan provides for the construction of collection sewers, interceptors and a new sewage pump station.

The Department of Environmental Protection's review of the sewage facilities update revision has not identified any significant environmental impacts results from this proposal.

Any required WQM Permits must be obtained in the name of the Ligonier Township Municipal Authority as appropriate.

LAND RECYCLING AND ENVIRONMENTAL REMEDIATION

UNDER ACT 2, 1995

PREAMBLE 2

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

Provisions of Chapter 3 of the Land Recycling and Environmental Remediation Standards Act (act) require

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

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

The Department has received the following plans and reports:

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

Blosinenski Farm, Brandywine Township, **Chester County**. Michael Welsh, Applied Environmental Management, Inc., 16 Chester County Commons, Malvern, PA 19355 and Charlie David, Gambone Brothers Development Company, 1030 West Germantown Pike, Norristown, PA 19403 on behalf of David Dratch, Heatherwynd East Community Association, Inc., 1030 West Germantown Pike, P. O. Box 287, Norristown, PA 19403 have submitted a Final Report concerning remediation of site soil contaminated with used motor oil. The report is intended to document remediation of the site to meet the Statewide Health Standard.

Yost Property, New Britain Borough, **Bucks County**. Donald Coleman, Marshall Miller & Associates, Inc., 3913 Hartzdale Drive, Suite 1306, Camp Hill, PA 17011 and Robert Self, Self Heating & Cooling, Inc., 219 Keith Valley Road, Horsham, PA 19044 on behalf of Katherine Yost, 43 Evergreen Drive, New Britain, PA 18901 have submitted a Final Report concerning remediation of site soil contaminated with No. 2 fuel oil. The report is intended to document remediation of the site to meet the Statewide Health Standard.

Mill Street Industrial Associates, Quakertown Borough/Richland Township, **Bucks County**. Michael Christie, Penn Environmental & Remediation, Inc., 2755 Bergey Road, Hatfield, PA 19440 on behalf of Roger Altemose, Mill Street Industrial Associates, LP, 2880

Bergey Road, Suite D, Hatfield, PA 19440 has submitted a Final Report concerning remediation of site soil contaminated with lead. The report is intended to document remediation of the site to meet the Site-Specific Standard.

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

Betty M. Weller Residence, Pike Township, **Berks County**. Hafer Environmental Services, Inc., P. O. Box 4418, Reading, PA 19606, on behalf of Betty M. Weller, 37 Rolling Rock Road, Boyertown, PA 19512, submitted a Final Report concerning remediation of site soils contaminated with gasoline from an underground storage tank. The report is intended to document remediation of the site to meet the Residential Statewide Health Standard.

RW Sauder Inc. Lititz Division, Warwick Township, **Lancaster County**. Reliance Environmental, Inc., 130 East Chestnut Avenue, Lancaster, PA 17602, on behalf of RW Sauder, Inc., 570 Furnace Hills Pike, Lititz, PA 17543, submitted a Final Report concerning remediation of site soils contaminated with used motor oil. The report was submitted within 90 days of the release and is intended to document remediation of the site to meet the Residential Statewide Health Standard.

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 Remedial Investigation Report concerning remediation of site soil contaminated with lead and arsenic. The report is intended to document remediation of the site to meet the Site-Specific Standard.

LAND RECYCLING AND ENVIRONMENTAL REMEDIATION

UNDER ACT 2, 1995

PREAMBLE 3

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

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

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

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

The Department has received the following plans and reports:

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

101—103 Cricket Avenue, Lower Merion Township, **Montgomery County**. Samuel Kucia, Environmental Consulting, Inc., 500 East Washington Street, Suite 375, Norristown, PA 19401 on behalf of Samuel Galib, JAL Partners, 409 Boxwood Road, Bryn Mawr, PA 19010 has submitted a Remedial Investigation/Final Report concerning the remediation of site groundwater and soil contaminated with unleaded gasoline. The Remedial Investigation/Final Report was placed on hold by the Department of Environmental Protection on July 30, 2009.

Anro, Inc., Easttown Township, **Chester County**. James F. Mullan, Hocage Consulting, Inc., 987 Haddon Avenue, Collingswood, NJ 08108, on behalf of Dave Spinell, ANRO, Inc. 222 Lancaster Avenue, Devon, PA 19333 has submitted a Remedial Investigation/Risk Assessment and cleanup plan concerning the remediation of site groundwater contaminated with MTBE, No 2 fuel oil. The Remedial Investigation/Risk Assessment and Cleanup Plan was approved by the Department of Environmental Protection on August 10, 2009.

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

New York Wire, Inc., Spring Garden Township, **York County**. Earth Tech AECOM, 2 Market Plaza Way, Mechanicsburg, PA 17055, on behalf of New York Wire, Inc., 829 Loucks Mill Road, York, PA, submitted a Remedial Investigation and Final Report concerning remediation of site soil and groundwater contaminated with metals. The combined report demonstrated attainment of a combination of the Residential Statewide Health and Site-Specific Standards, and was approved by the Department of Environmental Protection on August 11, 2009.

Columbia Reduction Company/Colonial Metals, Borough of Columbia, **Lancaster County**. Herbert, Rowland, & Grubic, Inc., 1820 Linglestown Road, Harrisburg, PA 17110, on behalf of Colonial Metals Company, 217 Linden Street, P. O. Box 311, Columbia, PA 17512, submitted a Remedial Investigation, Risk Assessment, and Cleanup Plan concerning remediation of site soils and groundwater contaminated with inorganics. The site is being remediated to a combination of Statewide Health and Site-Specific Standards. The Remedial Investigation, Risk Assessment, and Cleanup Plan were approved by the Department of Environmental Protection on August 11, 2009.

Lancaster General Hospital Property, formerly Lancaster General Services Property, West Earl Township, **Lancaster County**. GCI Environmental Services, 1250 East King Street, Lancaster, PA 17602, on behalf of Lancaster General Services, 607 North Duke Street, Lancaster, PA 17602, submitted a Final Report concerning remediation of site soils and groundwater contaminated with heating oil released from an aboveground storage tank. The Final Report demonstrated attainment of the Residential Statewide Health Standard, and was approved by the Department of Environmental Protection on August 12, 2009.

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 Remedial Investigation Report concerning remediation of site soil contaminated with lead and arsenic. The report was approved by the Department of Environmental Protection on August 13, 2009.

HAZARDOUS WASTE TRANSPORTER LICENSE

Actions on applications for Hazardous Waste Transporter License received under the Solid Waste Management Act) (35 P. S. §§ 6018.101—6018.1003) and regulations to transport hazardous waste.

Central Office: Bureau of Waste Management, Division of Hazardous Waste Management, P. O. Box 8471, Harrisburg, PA 17105-8471.

Hazardous Waste Transporter License Issued

Kuhnle Brothers, Inc., P. O. Box 375, 14905 Cross Creek Drive, Newbury, OH 44065. License No. PA-AH 0655. Effective June 25, 2009.

Dupre Logistics, LLC, 201 Energy Parkway, Lafayette, LA 70508. License No. PA-AH 0764. Effective June 30, 2009.

New York Environmental Technologies, Inc., P. O. Box 24398, Rochester, NY 14624. License No. PA-AH 0762. Effective July 2, 2009.

Marcor Environmental, LP, 246 Cockeysville Road, Hunt Valley, MD 21030. License No. PA-AH 0763. Effective July 16, 2009.

Waste Recycling Solutions, Inc., 17 Ole Dock Road, Yaphank, NY 11980. License No. PA-AH 0765. Effective August 5, 2009.

Hazardous Waste Transporter License Renewed

T. F. Boyle Transportation, Inc., 15 Riverhurst Road, Billerica, MA 01821. License No. PA-AH 0572. Effective July 6, 2009.

First Piedmont Hauling, Inc., P. O. Box 1069, Chatham, VA 24531. License No. PA-AH S212. Effective July 6, 2009.

Quality Carriers, Inc., 150 East PA Avenue, Suite 430, Downingtown, PA 19335. License No. PA-AH 0630. Effective July 9, 2009.

Beelman Truck Company, 1 Racehorse Drive, East St. Louis, IL 62205. License No. PA-AH 0363. Effective July 20, 2009.

Reliable Environmental Transport, Inc., P. O. Box 500, Bridgeport, WV 26330. License No. PA-AH 0721. Effective July 20, 2009.

AEG Environmental Products & Services, P. O. Box 286, Westminster, MD 21158. License No. PA-AH 0701. Effective August 4, 2009.

Barnett Transportation, Inc., P. O. Box 2468, Tuscaloosa, AL 35403. License No. PA-AH 0700. Effective August 10, 2009.

INFECTIOUS AND CHEMOTHERAPEUTIC WASTE TRANSPORTATION LICENSE

Actions on applications for Infectious and Chemotherapeutic Waste Transporter License received under the Solid Waste Management Act (35 P. S. §§ 6018.101—6018.1003) and Act 93 of June 28, 1988 (P. L. 525, No. 93) and regulations to transport infectious and chemotherapeutic waste.

Central Office: Bureau of Waste Management, Division of Hazardous Waste Management, P. O. Box 8471, Harrisburg, PA 17105-8471.

Infectious and Chemotherapeutic Waste Transporter License Renewed

Curtis Bay Energy, LLC, 3200 Hawkins Point Road, Baltimore, MD 21226. License No. PA-HC 0236. Effective July 8, 2009.

York Hospital, 1001 South George Street, York, PA 17401-1409. License No. PA-HC 0017. Effective July 15, 2009.

S. H. Bio-Waste, LTD, P. O. Box 2117, Norristown, PA 19404. License No. PA-HC 0096. Effective August 3, 2009.

Weavertown Transport Leasing, Inc., 2 Dorrington Road, Carnegie, PA 15106. License No. PA-HC 0020. Effective August 4, 2009.

Infectious and Chemotherapeutic Waste Transporter License Issued

Secured Medical Waste, LLC, 3113 Lauren Hill Drive, Finksburg, MD 21048. License No. PA-HC 0241. Effective June 29, 2009.

Agape Pet Services, LLC, 19712 Shepherdstown Pike, Boonsboro, MD 21713. License No. PA-HC 0240. Effective June 30, 2009.

INFECTIOUS AND CHEMOTHERAPEUTIC WASTE TRANSPORTER LICENSE

Infectious and Chemotherapeutic Waste Transporter License, actions taken under the Solid Waste Management Act (35 P. S. §§ 6018.101—6018.1003) and Act 93 of June 28, 1988 (P. L. 525, No. 93) and regulations to transport infectious and chemotherapeutic waste.

Central Office: Bureau of Waste Management, Division of Hazardous Waste Management, P. O. Box 8471, Harrisburg, PA 17105-8471.

Infectious and Chemotherapeutic Waste Transporter License Expired

BioMedical Waste Services, Inc., 7833 Golden Pine Circle, Severn, MD 21226. License No. PA-HC 0226. Effective July 1, 2009.

OPERATE WASTE PROCESSING OR DISPOSAL AREA OR SITE

Permits Approved/Denied under the Solid Waste Management Act (35 P. S. §§ 6018.10—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 Application No. 101679. Blythe Recycling and Demolition Site (BRADS Landfill), Blythe Township, P. O. Box 91, Cumbola, PA 17931. A permit authorizing the construction and operation of this municipal waste construction and demolition landfill located on Burma Road, Blythe Township, **Schuylkill County**. The permit was denied in the Regional Office on July 30, 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.

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

GP1-01-03012: TIN, Inc. (136 East York Street, P. O. Box 808, Biglerville, PA 17307) on August 13, 2009, for a Small Gas and No. 2 Oil Fired Combustion Unit under GP1 in Biglerville Borough, **Adams County**.

GP14-22-03084: Hoover-Boyer Funeral Homes, Inc. (118 South Market Street, Millersburg, PA 17061) on August 14, 2009, for a Human or Animal Crematory under GP14 in Millersburg Borough, **Dauphin County**.

GP14-22-03085: Hoover-Boyer Funeral Homes, Inc. (118 South Market Street, Millersburg, PA 17061) on August 14, 2009, for a Human or Animal Crematory under GP14 in Elizabethville Borough, **Dauphin County**.

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

GP5-08-292: Chesapeake Appalachia, LLC (P. O. Box 6070, Charleston, WV 25362) on July 31, 2009, to construct and operate a 384 brake horsepower natural gas-fired compressor engine under the General Plan Approval and/or General Operating Permit for Natural Gas, Coal Bed Methane or Gob Gas Production or Recovery Facilities (BAQ-GPA/GP-5) at the VanNoy Compressor Station in Granville Township, **Bradford County**.

GP5-08-02D: Chesapeake Appalachia, LLC (P. O. Box 6070, Charleston, WV 25362) on August 7, 2009, to increase the natural gas throughput in the existing glycol dehydrator (Unit No. 2) from 17 million standard cubic feet per day to 50 million standard cubic feet per day under the General Plan Approval and/or General Operating Permit for Natural Gas, Coal Bed Methane or Gob Gas Production or Recovery Facilities (BAQ-GPA/GP-5) at the Evanchick Compressor Station in Asylum Township, **Bradford County**.

GP5-17-486: EOG Resources, Inc. (400 Southpointe Boulevard, Canonsburg, PA 15317) on August 12, 2009, to construct and operate one natural gas-fired compressor engine rated at 1,340 bhp and a 375,000 Btu/hr glycol dehydrator under the General Plan Approval and/or General Operating Permit for Natural Gas, Coal Bed Methane or Gob Gas Production or Recovery Facilities (BAQ-GPA/GP-5) at the PHC Compressor Station in Lawrence Township, **Clearfield County**.

GP5-14-01F: NCL Natural Resources, LLC (25231 Grogan Mill Road, Suite 500, The Woodlands, TX 77380-9110) on August 13, 2009, to construct and operate one natural gas-fired compressor engine rated at 1,340 bhp and one glycol dehydrators rated at 500,000 Btu/hr under the General Plan Approval and/or General Operating Permit for Natural Gas, Coal Bed Methane or Gob Gas Production or Recovery Facilities (BAQ-GPA/GP-5) at the De Haas Compressor Station in Curtin Township, **Centre County**.

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

GP3-63-00931: Mon River Dock Co. (P. O. Box 400, Laughlintown, PA 15655-0400) on August 13, 2009, was authorized under GP3 to construct and operate a Nonmetallic Mineral Processing Plant consisting of one Pioneer 153 crusher, one Pioneer 54-CSL grinder, one Pioneer 153 nonvibratory screen, one Pioneer 16-E3-56 vibratory screen and five Pioneer conveyors at their Mon River Aggregates/Boyle Site facility in Centerville Borough, **Washington County**.

GP3-30-00184A: L & J Equipment Co. (P. O. Box 229, Mount Braddock, PA 15465-0229) on August 14, 2009, was authorized under GP3 to install and operate a 115-bhp John Deere 4045T engine in addition to the existing equipment (a 480-bhp Caterpillar D346 diesel engine) at Hatfield's Ferry Power Station in Monongahela Township, **Greene County**.

GP5-30-00174B: CNX Gas Company, LLC (200 Evergreene Drive, Waynesburg, PA 15370-6002) on August 12, 2009, was authorized under GP-5 to install and operate three Caterpillar G3516 LE natural gas compressor engines and a Natco 15MMcfd triethylene glycol dehydration unit at the McQuay Compressor Station in Center Township, **Greene County**.

GP5-63-00949: EQT Gathering, LLC (200 Allegheny Center Mall, Pittsburgh, PA 15212-5352) on August 13, 2009, was authorized under GP-5 to install and operate one Natco triethylene glycol dehydration unit equipped with a reboiler rated at 0.2 mmBtu/hr and associated condensate tanks at their Amity Interconnect facility in Amwell Township, **Washington County**.

GP9-30-00184A: L & J Equipment Company (P. O. Box 229, Mount Braddock, PA 15465-0229) on August 14, 2009, was authorized under GP9 to install and operate a Screen Machine vibratory screen rated at 175 tph and two Screen Machine conveyors in addition to the existing equipment (a Portec crusher and two Portec conveyors) at Hatfield's Ferry Power Station in Monongahela Township, **Greene County**.

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

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

09-0037G: CMS Gilbreth Systems, Inc. (3001 State Road, Croydon, PA 19021) on August 13, 2009, to modify a new ten color Rotomec Rotogravure Printing Press (Source ID 204A). Emissions from the press are controlled by the existing Regenerative Thermal Oxidizer in Bristol Township, **Bucks County**. Plan Approval No. 09-0037G supersedes Plan Approval No. 09-0037F. The modification revises the hours of operation and the precontrol VOC emission limit for the Source ID 204A. The postcontrol VOC emission limit has not been changed. The facility is an area source for HAPs, therefore not subjected to 40 CFR 63, Subpart KK. The facility is subjected to 25 Pa. Code § 129.67 for graphic arts systems. The plan approval modification will contain requirements to keep the facility operating within all applicable air quality requirements for this source.

09-0196A: Abington Reldan Metals, LLC (550 Old Bordertown Road, Fairless Hills, PA 19030) on August 13, 2009, for construction of 12 ball mills, five sifters and two blenders exhausting to two baghouses at a new precious metal recovery facility in Falls Township, **Bucks County**. This facility is a non-Title V facility. This construction will result in PM being emitted into the atmosphere. The Plan Approval will contain recordkeeping requirements, monitoring requirements, operating conditions and performance testing requirements designed to keep the facility operating within the allowable emission limitations and 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.

06-05079E: United Corrstack, LLC (720 Laurel Street, Reading, PA 19602-2718) on August 12, 2009, for construction of a 482 mmBtu/hr circulating fluidized bed boiler and a 30 MW steam turbine in the City of Reading, **Berks County**.

ER-67-05004A: P.H. Glatfelter (228 South Main Street, Spring Grove, PA 17362) on July 23, 2009, for an Air Quality Emission Reduction Credit approval of 428 tons of SO_x resulting from the use of Power Boiler No. 5 to control pulpmill Low Volume High Concentration, Noncondensable Gas in Spring Grove Borough, **York County**.

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

08-00003H: CraftMaster Manufacturing, Inc. (P. O. Box 311, Towanda, PA 18848) on July 27, 2009, to modify control devices of Line 2 Press (Source ID 172P) at their facility in Wysox Township, **Bradford County**.

18-00026A: First Quality Products, Inc. (Clinton County Industrial Park, 121 North Road, Elhatten, PA 17748-0270) on July 28, 2009, to construct a Fameccanica FIU underpad machine at their Wayne Township, **Clinton County** facility.

14-00039A: Glenn O. Hawbaker, Inc. (711 East College Avenue, Bellefonte, PA 16823) on July 31, 2009, to construct a Kolberg portable crushing and screening plant and associated 400 hp diesel engine, a NORDBERG portable crushing plant and associated 425 hp diesel engine, a Warrior portable screening plant and associated 100 hp diesel engine, a Powerscreen Commander portable screening plant and associated 97 horsepower diesel engine and seven conveyors at their Recycling Center in Patton Township, **Centre County**.

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

10-333B: Penn United Technologies, Inc. (799 North Pike Road, Cabot, PA 16023-2223) on August 13, 2009, to change to an existing solvent being used in the batch vapor solvent degreasing unit, from a halogenated HAP to a non-HAP solvent their facility in Jefferson Township, **Butler County**.

10-359A: Rex Energy 1, LLC (476 Rolling Ridge Drive, Suite 300, State College, PA 16801) on July 28, 2009, to install a natural gas stripping plant at their facility in Forward Township, **Butler County**.

61-191B: Seneca Printing & Label, Inc. (1642 Debence Drive, Franklin, PA 16323) on August 10, 2009, to install five flexographic printing presses at their facility in Sandy Creek Township, **Venango County**.

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

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

15-0060E: SECCRA (P. O. Box 221, Kennett Square, PA, 19348) on August 11, 2009, to operate an internal combustion engine in London Grove Township, **Chester County**.

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

21-05053A: PPL Renewable Energy, LLC (Two North Ninth Street, GEN-PL8, Allentown, PA 18101) on August 11, 2009, to install a new engine generating facility in Hopewell Township, **Cumberland County**. This plan approval was extended.

28-05035A: St. Thomas Development, Inc. (1750 Walton Road, P. O. Box 1667, Blue Bell, PA 19422) on August 12, 2009, for mining of construction aggregates

and production of asphaltic paving mixtures in St. Thomas Township, **Franklin County**. This plan approval was extended.

67-05005E: PPL Brunner Island, LLC (Two North Ninth Street, Allentown, PA 18101-1179) on August 13, 2009, to construct a limestone and gypsum handling operation at their Brunner Island Steam Electric Station in East Manchester Township, **York County**. This plan approval was extended.

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

49-00060A: Corson Asphalt, Inc. (26 Beaver Street, Cogan Station, PA 17728) on July 24, 2009, to extend the authorization to operate a batch mix asphalt plant on a temporary basis until January 7, 2010, and to extend the required NO_x, CO, PM and VOC stack testing until January 7, 2010, at their facility located in Ralpho Township, **Northumberland County**. The Plan Approval has been extended.

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

32-00393A: Prime Metals & Alloys, Inc. (P. O. Box 194, Lucernemines, PA 15754-0194) on August 12, 2009, to extend the period of temporary operation of their specialty steel facility until February 9, 2010, located in Center Township, **Indiana County**.

65-00981A: Solar Power Industries, Inc. (440 Jonathan Willey Road, Belle Vernon, PA 15012-2958) on August 11, 2009, received an extension until February 7, 2010, to allow the completion of construction and testing of sources at Building Two of their solar cell and panel manufacturing facility in Rostraver Township, **Westmoreland County**.

Plan Approvals Denied, Terminated, Modified, Suspended or Revoked under the Air Pollution Control Act (35 P. S. §§ 4001—4015) and the provisions of 25 Pa. Code §§ 127.13b and 127.13c.

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

09-0174A: Liberty Coating Company, LLC (21 South Steel Road, Morrisville, PA 19067) on August 14, 2009, the Department of Environmental Protection (Department) has denied an application for the modification to the line surface coating operation, at their facility located at 21 South Steel Road, Morrisville, PA 19067 in Falls Township, **Bucks County**. The Department denied the application for a Plan Approval to modify the surface coating operation because the company did not respond or contact the Department to discuss the concerns or schedule a meeting within the allotted 60 days time period after the Department sent a technical deficiency letter requesting information in accordance with 25 Pa. Code § 127.12(a)(2), (3), (5) and (10).

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.

09-00007: Waste Management Disposal Services of Pennsylvania, Inc. (1000 New Ford Mill Road, Morrisville, PA 19067) on August 18, 2009, for renewal of the Title V Operating Permit for their G.R.O.W.S. Landfill in Falls Township, **Bucks County**. The renewal will also include the incorporation of Plan Approval 09-0007B and RFD 09-A01-1122. The renewal does not contain any change in air emissions of regulated pollutants. The renewal contains all applicable requirements including monitoring, recordkeeping and reporting.

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

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

39-00035: Allentown Wastewater Treatment Plant (112 Union Street, Allentown, PA 18102-4910) on August 13, 2009, to renew the State-only Operating Permit to operate a municipal wastewater treatment facility in the City of Allentown, **Lehigh County**.

40-00113: Hazelton Materials, LLC (P. O. Box 196, 2052 Lucon Road, Skippack, PA 19474) on August 18, 2009, for operation of a portable stone crushing plant in Foster Township, **Luzerne County**. The State-only operating permit includes emissions, work practice standards and testing, monitoring, recordkeeping and reporting requirements designed to keep the facility operating within all applicable air quality requirements. This is a State-only Synthetic Minor operating permit.

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

01-03030: Cooperative Milling, Inc. (1892 York Road, Gettysburg, PA 17325-8205) on August 13, 2009, for operation of their feed mill in Straban Township, **Adams County**. This is a renewal of the State-only operating permit.

06-03012: Brenntag Northeast, Inc. (81 West Huller Lane, P. O. Box 13788, Reading, PA 19612-3788) on August 10, 2009, for operation of their Leesport (Snyder Road) chemical distribution facility in Ontelaunee Township, **Berks County**. This is a renewal of the State-only operating permit.

21-05049: Pennsy Supply, Inc. (1 Clear Spring Road, Annville, PA 17003) on August 14, 2009, for operation of a hot mix batch asphalt plant at the Penn Township Quarry in Penn Township, **Cumberland County**. This is a renewal of the State-only operating permit.

38-03012: Sheridan Supply Co., Inc. (7 Furnace Road, Newmanstown, PA 17073-9106) on August 10, 2009, for operation of a crushing facility in Millcreek Township, **Lebanon County**. This is a renewal of the State-only operating permit.

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

41-00071: Williamsport Steel Container Co., Inc. (360 Arch Street, Williamsport, PA 17701-7811) on August 4, 2009, to issue a State-only Operating Permit for their facility in Williamsport City, **Lycoming County**. The facility's main sources include paint booths and drying ovens used to coat steel drums. The State-only operating

permit contains all applicable regulatory requirements including monitoring, recordkeeping and reporting conditions.

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

20-00266: Electro Tech, Inc. (100 West Poplar Street, Meadville, PA 16335) on August 17, 2009, to issue a Natural Minor Operating Permit to operate a hard chromium electroplating facility in the City of Meadville, **Crawford County**. This operation plates small metal parts primarily used in the plastic injection molding industry. The primary emission sources include three electroplating lines, a parts washer and a natural gas furnace.

61-00204: Franklin Bronze & Alloy Co., Inc. (655 Grant Street, Franklin, PA 16323-2217) on August 13, 2009, to re-issue a Natural Minor Operating Permit to operate a manufacturing process creating bearings, bushings and plates using bronze and other nonferrous metals in the City of Franklin, **Venango County**. The primary emission sources include two dewax furnaces, shell pre-heat furnaces, degreasing operations, induction furnaces, cut off saws, grinders and miscellaneous natural gas use.

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 1940, Janine Tulloch-Reid, Facilities Permitting Chief, (484) 250-5920.

15-00051: Allan A. Myers LP, d/b/a Independence Construction Materials—Devault Asphalt Plant (4042 SR, Charlestown Township, PA 19432) on August 18, 2009, for operation of their batch asphalt plant in Charlestown Township, **Chester County**. The issued State-only Operating Permit has been amended to revise a Source Level State-only Requirement for the Recycled Asphalt Pavement crusher (Source 104) to allow the source to be operated without the water spray dust suppression system being operated without creating air contaminant emissions in excess of the limitation specified in any applicable Department of Environmental Protection rule or regulation.

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

25-00124: Mayer Brothers Construction Co. (1902 Cherry Street, Erie, PA 16502) on August 14, 2009, for an administrative amendment of Synthetic Minor Permit to incorporate the applicable conditions of plan approval No. 25-124C to operate a hot mix asphalt plant in City of Erie, **Erie County**. The significant sources are asphalt plant; fugitives from transfer points asphalt Tank (2). The facility has taken a restriction on production not exceeding 100,000 tpy to qualify as a Synthetic Minor facility.

43-00270: CCL Container—Advanced Monobloc Aerosol Division (One Llodio Drive, Hermitage, PA 16148) on August 12, 2009, to administratively amend their Synthetic Minor Operating Permit in the City of Hermitage, **Mercer County**. The amendment was to incorporate changes from Plan Approval Number 43-270G.

ACTIONS ON COAL AND NONCOAL MINING ACTIVITY APPLICATIONS

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

Coal Permits Actions

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

56050102 and NPDES No. PA0249751. Sherpa Mining Contractors, Inc., 337 Benny Road, Hooversville, PA 15936, revision of an existing bituminous surface auger, blasting mine in Shade Township, **Somerset County**, affecting 63.3 acres. Receiving streams: UNT to Oven Run and UNT to Stonycreek River classified for the following use: CWF. The first downstream potable water supply intake from the point of discharge is Hooversville Borough Municipal Authority. The application includes a request to remove Middle Kittanning coal and existing coal refuse for reprocessing and redisposal. The application also includes a road variance request along the northern side of SR 1012. The road variance begins at a point 1,000 feet east of the intersection of SR 1012 and Township Route T-706 and continues in a westerly direction a distance of 1,630 feet. Application received September 28, 2007. Permit issued August 12, 2009.

11773037 and NPDES No. PA0069159. Cooney Brothers Coal Company, P. O. Box 246, Cresson, PA 16630, revision of an existing bituminous surface mine to change the land use, on several properties, at the request of the landowners, from forestland, cropland, pastureland and/or land occasionally cut for hay to wildlife habitat, pastureland and/or land occasionally cut for hay in Conemaugh Township, **Cambria County**, affecting 358.7 acres. Receiving streams: UNTs to and Little Conemaugh River classified for the following use: CWF. There are no potable water supply intakes within 10 miles downstream. Application received June 4, 2009. Permit issued August 13, 2009.

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

02080102 and NPDES Permit No. PA0251500. Mashuda Corporation (21101 Route 19, Cranberry Township, PA 16066). Permit for commencement, operation and reclamation of a bituminous surface mine, located in North Fayette and Collier Townships, **Allegheny County**, affecting 163.8 acres. Receiving streams: Robinson Run, and UNT to Robinson Run and Pinkertons Run. Application received October 1, 2008. Permit issued August 10, 2009.

Noncoal Permits Actions

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

64072811. Kevin Schrader, (3137A Creamton Drive, P. O. Box 262, Lake Como, PA 18437), commencement, operation and restoration of a quarry operation in Preston Township, **Wayne County** affecting 5.0 acres, receiving stream none. Application received November 21, 2007. Permit issued August 17, 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 Permit Actions

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

21094132. John W. Gleim, Jr., Inc., 625 Hamilton Street, Carlisle, PA 17013-1925, blasting activity permit issued for commercial development in Middlesex Township, **Cumberland County**. Blasting activity permit end date is April 15, 2010. Permit issued August 5, 2009.

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

08094007. Michael N. Neary (16 North Center Street, Frackville, PA 17931), blasting for Chesapeake Midstream/16"—20" Natural Gas Pipeline located in Tuscarora Township, **Bradford County**. Permit issued August 11, 2009. Permit expires July 27, 2010.

17094010. George C. Klopff/Dynamic Drilling (143 West Blade Drive, Pennsylvania Furnace, PA 16865), Seismic Exploration blasting located in Goshen Township, **Clearfield County**. Permit issued August 11, 2009. Permit expires October 31, 2009.

59094005. Seneca Resources (51 Zents Boulevard, Brookville, PA 15825), blasting for a pond and well pad located in Covington Township, **Tioga County**. Permit issued August 12, 2009. Permit expires December 25, 2009.

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

36094155. TJ Angelozzi, Inc., (7845 Kabik Court, Woodbine, MD 21797) construction blasting for Hawthorne Ridge in Lancaster Township, **Lancaster County** with an expiration date of December 1, 2009. Permit issued August 11, 2009.

36094156. TJ Angelozzi, Inc., (7845 Kabik Court, Woodbine, MD 21797) construction blasting for Hawthorne Ridge in Lancaster Township, **Lancaster County** with an expiration date of December 1, 2009. Permit issued August 11, 2009.

54094101. Geological Technologies, Inc., (P. O. Box 70, Falling Waters, WV 25419) construction blasting for Penske High Ridge Development in Cass Township, **Schuylkill County** with an expiration date of August 7, 2010. Permit issued August 11, 2009.

36094157. M & J Explosives, Inc., (P. O. Box 608, Carlisle, PA 17013) construction blasting for the Manheim Township Library in Manheim Township, **Lancaster County** with an expiration date of July 31, 2010. Permit issued August 13, 2009.

38094123. Keystone Blasting Service, (381 Reifsnnyder Road, Lititz, PA 17543) construction blasting for Mike Sensening manure pit in South Annville Township, **Lebanon County** with an expiration date of December 31, 2009. Permit issued August 13, 2009.

49094101. Kesco, Inc., (P. O. Box 95, Adrian, PA 16210) construction blasting for Mt. Carmel Waste Water Treatment Plant in Mt. Carmel Township, **Northumberland County** with an expiration date of January 31, 2010. Permit issued August 13, 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 pro bono representation. Call the Secretary to the Board at (717) 787-3483 for more information.

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

Permits, Environmental Assessments and 401 Water Quality Certifications Issued:

WATER OBSTRUCTIONS AND ENCROACHMENTS

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

E46-1038. Lower Merion Township, 75 East Lancaster Avenue, Ardmore, PA 19003, Township of Lower Merion, **Montgomery County**, United States Army Corps of Engineers, Philadelphia District.

To stabilize and restore approximately 2,000 linear feet of the stream banks along Indian Creek (WWF) within the Shortridge Park. This work includes the removal of a few pedestrian accesses to the stream banks, and placement of vegetative barrier fence, and low impact habitat structures.

The project commences approximately 145 feet north of the intersection of East Wynnewood Road and Shortridge Drive and runs along the west side of, and almost parallels, Shortridge Drive and ends at Remington Road in Lower Merion Township, Montgomery County (Lansdowne, PA USGS Quadrangle N: 22.6 inches; W: 1.98 inches).

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

E51-188. Fairmount Park Commission, 1 Parkway, 10th Floor, 1515 Arch Street, Philadelphia, PA 19102, City of Philadelphia, **County of Philadelphia**, United States Army Corps of Engineers, Philadelphia District.

To perform the following water obstruction and encroachment activities in the floodplain of Cresheim Creek (TSF MF) within the limits of Wissahickon Valley Park located between Germantown Avenue to the north (Latitude: 40° 5' 3.28" N; Longitude: 75° 13' 41.53" W), and Schuylkill River to the south (Latitude: 40° 0' 56.06" N Longitude: 75° 12' 23.37" W) in the City and County of Philadelphia:

1. To maintain the existing trails.
2. To restore and maintain several eroded gullies.
3. To remove a wooden staircase, and two small bridges in the Devil's Pool area.
4. To install and maintain rock staircases, and associated terracing along the banks of the stream.

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

E36-840: Tim Keller, The Worship Center, 2384 New Holland Pike, Lancaster, PA, 17601, Upper Leacock Township, **Lancaster County**, United States Army Corps of Engineers, Baltimore District.

To construct and maintain: (1) a 6.0-inch depressed, 34.0-foot long, 22.0-foot by 7.3-foot box culvert in a UNT to the Conestoga River (WWF) (Leola, PA Quadrangle

N: 14.58"; W: 14.30"; Latitude: 40° 04' 49"; Longitude: 76° 13' 50"); (2) a 34.0-foot long single span pedestrian bridge having a normal span of 26.0 feet and an underclearance of 3.0 feet across a UNT to the Conestoga River (WWF) (Leola, PA Quadrangle N: 14.63"; W: 14.30"; Latitude: 40° 04' 50"; Longitude: 76° 13' 38"); (3) a total of 60.0 feet of streambank grading for three stormwater swale outfalls each individually impacting a total of 20.0 linear feet of a UNT to the Conestoga River (WWF) (Leola, PA Quadrangle N: 14.58"; W: 14.65"; Latitude: 40° 04' 49"; Longitude: 76° 13' 47"); and (4) 20.0 feet of bank grading for one stormwater outfall swale impacting 20.0 linear feet of open water in and along a UNT to the Conestoga River (WWF) (Leola, PA Quadrangle N: 14.63"; W: 14.26"; Latitude: 40° 04' 50"; Longitude: 76° 13' 37"), for the purpose of a new church building, associated parking areas and site improvements at a point just southeast of the intersection of New Holland Pike (Route 23) and Hartman Station Road in Upper Leacock Township, Lancaster County.

E36-845: Warwick Devco, LP, c/o RJ Waters and Associates, Inc., Kevin Lahn, 200 Old Forge Lane, Suite 201, Kennett Square, PA, Warwick Township, **Lancaster County**, United States Army Corps of Engineers, Baltimore District.

To construct and maintain a wetland road crossing consisting of three 110.0-foot long 24-inch HDEPEP culvert pipes impacting 0.32 acre of palustrine emergent wetland (Lititz, PA Quadrangle N: 1.45 inches; W: 8.10 inches, Latitude: 40° 07' 58.74"; Longitude: 76° 18' 28.51"), and to relocate 220.0 linear feet of UNT to the Little Conestoga Creek (TSF) (Lititz, PA Quadrangle N: 1.36 inches; W: 8.19 inches, Latitude: 40° 07' 56.88"; Longitude: 76° 18' 31.08") for the purpose of expanding an existing retail shopping center located off of Route 501 in Warwick Township, Lancaster County. Wetland mitigation in the amount of 0.49 PEM/PSS is proposed onsite.

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

E12-170. Game Commission, 2001 Elmerton Avenue, Harrisburg, PA 17110. State Game Lands No. 14 Bridge Across East Hicks Run, Shippen Township, **Cameron County**, United States Army Corps of Engineers, Baltimore District (West Creek, PA Quadrangle Latitude: 41° 26' 20.2"; Longitude: 78° 19' 46.6").

The Game Commission proposes to construct, operate and maintain a steel I-beam and timber deck bridge across East Branch, Hick Run for public access to State Game Lands No. 14. The bridge across East Branch, Hicks Run shall be constructed as a single span structure having a minimum span of 30-feet, underclearance of 7-feet, and width of 14-feet. All in-stream construction, repair and maintenance work shall be conducted in dry work conditions by dam and pumping, fluming or diverting stream flow around work areas. Since East Branch, Hicks Run is a WT and STF, no construction or future repair work shall be conducted in or along the stream channel between October 1 and December 31 and March 1 and June 15 without prior written approval from the Fish and Boat Commission. The bridge project is located along the western right-of-way of East Branch, Hick Run Road approximately 1.3-miles southeast of West Branch, Hicks Run Road and East Branch, Hicks Run Road intersection. This permit also authorizes the construction, operation, maintenance and removal of temporary stream diversions, flumes, cofferdams, roadways and causeways necessary for bridge

construction. This permit was issued under section 105.13(e) "Small Projects." This permit issued also includes section 401(a) Water Quality Certification.

E14-522. Amos K. Riehl, 236 Madisonburg Pike, Madisonburg, PA 16852. Water Line Crossing, in Miles Township, **Centre County**, United States Army Corps of Engineers, Baltimore District (Madisonburg, PA Quadrangle N: 40° 55' 52.4"; W: 77° 31' 15.0").

To construct and maintain a 3/4-inch diameter waterline in a 2-inch steel casing 18 inches under a UNT to Elk Creek, located 150 ft southeast of the southeast corner of Amos Riehl's house. This permit was issued under Section 105.13(e) "Small Projects." This permit also includes section 401(a) Water Quality Certification.

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

E02-1618. Department of Transportation, District 11-0, 45 Thoms Run Road, Bridgeville, PA 15017. To remove existing bridge and construct and maintain single span bridge in Lincoln Borough, **Allegheny County**, United States Army Corps of Engineers, Pittsburgh District. (McKeesport, PA Quadrangle N: 5.25 inches; W: 14 inches, Latitude: 40° 16' 45"; Longitude: 79° 51' 8"). Remove the existing SR 2010, 15 ft wide, 32 ft long single span bridge skewed 45° with an underclearance of 5 ft and construct and maintain adjacent to, and to the east a 27 ft wide, 47.5 ft long, single span bridge skewed 20° with an underclearance of 5 ft over Wylie Run (WWF) with a drainage area of 1.6 square miles; construct and maintain associated 250 ft of stream relocation and bank protection; and to construct and maintain adjoining stormwater outfalls. The project is located approximately one half mile upstream of the confluence with the Monongahela River.

E32-489. Department of Transportation, District 10-0, P. O. Box 429, Indiana, PA 15701-3388. To remove and reconstruct existing bridge in Conemaugh Township, **Indiana County**, United States Army Corps of Engineers, Pittsburgh District (Saltsburg, PA Quadrangle N: 14.4 inches; W: 2.2 inches, Latitude: 40° 27' 12"; Longitude: 79° 23' 30"). To remove the existing SR 3003, two lane, 25.7 ft wide, single span, steel through truss bridge having a total length of 390 ft, and having maximum underclearance of 27.7 ft; and to construct and maintain 22 ft downstream a 31.5 ft total width, two lane, four span, prestressed concrete beam replacement bridge having a total length of 400 ft on three piers centered 100 ft apart, and a maximum underclearance of 21.4 ft over the Conemaugh River (WWF). In addition, for construction of the replacement bridge and removal of the existing bridge, install a temporary full width crossing; and construct and maintain associated replacement stormwater outfalls to the Conemaugh River (WWF). The bridge improvement and relocation project is located between Loyalhanna Township, Westmoreland County and Conemaugh Township, Indiana County approximately 1.6 miles downstream of the Conemaugh Dam.

E63-614. California University of PA, 250 University Avenue, California, PA 15419. To construct and maintain an improvement project in the floodplain in California Borough, **Washington County**, United States Army Corps of Engineers, Pittsburgh District (California, PA Quadrangle N: 11.75 inches; W: 0.9 inch, Latitude: 40° 3' 53.87"; Longitude: 79° 52' 52.75"). To con-

struct and maintain an improvement project in the floodplain of Monongahela River (WWF). The project consists of pedestrian and vehicular improvement, widening of the Riverview Drive, and resurfacing and extension of the existing River Parking Lot. The proposed parking lot includes a 310-foot long retaining wall along the Monongahela River. Project is located within the Campus of the California University of Pennsylvania.

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

E10-450, Buffalo Township, John Haven, Township Supervisor, 109 Bearcreek Road, Sarver, PA 16055. Butler-Freeport Trail-Phase 2, in Buffalo Township, Butler Township, Summit Township, City of Butler, **Butler County**, United States Army Corps of Engineers, Pittsburgh District (Butler and Saxonburg, PA Quadrangle N: 40° 50' 6.75"; W: -79° 49' 18.83").

To conduct the following activities associated with the construction of an extension to the Butler-Freeport Trail following approximately 4 miles of an existing abandoned Pennsylvania Central Railroad grade extending west from Bonniebrook Road to a point approximately 0.3 mile east of the intersection of Ziegler Avenue and Kaufman Drive in Summit Township, Butler County.

1. To realign a total of 1,900 linear feet of two UNTs to Coal Run.
2. To modify and maintain two existing culverts on UNTs to Coal Run (Butler and Saxonburg, PA Quadrangle N: 40° 51' 14.28"; W: 79° 52' 10.14", N: 40° 51' 17.21"; W: -79° 52' 34.26")
3. To construct and maintain two new culverts on UNTs to Coal Run (Butler and Saxonburg, PA Quadrangle N: 40° 50' 07.66"; W: 79° 49' 32.24", N: 40° 50' 09.78"; W: -79° 49' 39.17").
4. To maintain five existing cross culverts on UNTs to Coal Run at various locations along the 4 mile trail.

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 may 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 pro bono representation. Call the Secretary to the Board (717) 787-3483 for more information.

Southwest Region: Oil and Gas Program Manager, 400 Waterfront Drive, Pittsburgh, PA 15222-4745.

ESCGP-1 No.: ESX09-051-0026
 Applicant Name: Atlas Energy Resources, LLC
 Contact Person: Jeremy Hirtz
 Address: 800 Mountain View Drive
 City: Smithfield State: PA Zip Code: 15748
 County: Fayette Township(s): Nicholson
 Receiving Stream(s) and Classifications: Jacobs Creek, WWF, Other

ESCGP-1 No.: ESX09-125-0022
 Applicant Name: Antero Resources
 Contact Person: Kevin J. Kilstrom
 Address: 1625 17th Street, #300
 City: Denver State: CO Zip Code: 80202
 County: Washington Township(s): West Pike Run
 Receiving Stream(s) and Classifications: Trib 39905 to Little Pike Run, Other

STORAGE TANKS

SITE-SPECIFIC INSTALLATION PERMITS

The following Storage Tank Site-Specific Installation Permits, under the authority of the Storage Tank Spill Prevention Act (35 P. S. §§ 6021.304, 6021.504, 6021.1101 and 6021.1102) and under 25 Pa. Code Chapter 245, Subchapter C, have been issued by the Bureau of Waste Management, Director, P. O. Box 8763, Harrisburg, PA 17105-8763.

<i>SSIP Permit No.</i>	<i>Applicant Name & Address</i>	<i>County</i>	<i>Municipality</i>	<i>Tank Type</i>	<i>Tank Capacity</i>
09-40-007	Mountaintop Area Joint Sanitary Authority 290 Morio Drive Mountaintop, PA 18707 Attn: Thomas Keiper	Luzerne	Dorrance Township	One field-constructed UST storing Aluminum Sulfate	13,000 gallons

SPECIAL NOTICES

DRINKING WATER STATE REVOLVING FUND SPECIAL NOTICE

Special Notice under the Federal Safe Drinking Water Act (SDWA); 42 U.S.C. 300f et seq.

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

Project Location:

<i>Applicant</i>	<i>Applicant Address</i>	<i>County</i>
Easton Suburban Water Authority	3700 Hartley Avenue Easton, PA 18045	Northampton

Project Description: The Pennsylvania Infrastructure Investment Authority (PENNVEST), which administers the Commonwealth's State Revolving Fund, is intended to be the funding source for this project. The Easton Suburban Water Authority proposes a water distribution system improvement and Davis Street Pumping Station replacement project (PENNVEST Project No. 48015060908-CW), located in the City of Easton, Northampton County. The Department's review of the project and the information received has not identified any significant, adverse environmental impact resulting from this proposal. The De-

partment of Environmental Protection hereby categorically excludes this project from the State Environmental Review Process.

Public Hearing Invitation Terraqua Resource Management LLC

NPDES Industrial Wastewater Permit Application

The Department of Environmental Protection (Department) will conduct a public hearing on an NPDES Industrial Wastewater permit application (PA0233650) submitted by Terraqua Resource Management, LLC to process 400,000 gpd of wastewater generated from the drilling, development and use of natural gas wells and discharge the treated effluent to the West Branch Susquehanna River in Williamsport at 41° 14' 43", 76° 59' 9" (River Mile Index 38.2). The applicant's address is 1000 Commerce Park Drive, P. O. Box 487, Williamsport, PA 17703. The site will be known as Water Tower Square Gas Well Wastewater Processing Facility. Notification of the Department's intent to issue this NPDES permit has been published in the *Pennsylvania Bulletin* on May 2, 2009.

The public hearing will be held at 7 p.m. on Wednesday, September 30, 2009, at the Department's Northcentral Regional Office, 208 West Third Street, Suite 101, Williamsport, PA 17701. The public hearing is being held due to a number of concerns raised regarding the Depart-

ment's permitting strategy for oil and gas well wastewater discharges, the accompanying technology required and water quality concerns.

During the public hearing, individuals may present oral testimony for a maximum of 5 minutes regarding the draft NPDES industrial wastewater permit. Written testimony of any length also will be accepted that evening and until October 7, 2009. The testimony will be recorded by a court reporter and transcribed into a written document. The Department will respond to all relevant comments at the time it makes a final decision on the application. Citizens who wish to present oral testimony may register to do so the night of the public hearing.

The application is available for public review at the Department's Northcentral Regional Office, 208 West Third Street, Suite 101, Williamsport, Monday through Friday between 8 a.m. and 4 p.m. An appointment must be made by calling Kathy Arndt at (570) 327-3693.

Individuals in need of an accommodation as provided for in the Americans With Disabilities Act should contact Daniel Spadoni at (570) 327-3659 or through the Pennsylvania AT&T Relay Service at (800) 654-5984 (TDD) to discuss how the Department may accommodate their needs.

[Pa.B. Doc. No. 09-1616. Filed for public inspection August 28, 2009, 9:00 a.m.]

Bid Opportunity

OSM 02(2225)101.1, Abandoned Mine Reclamation Project, Horning, South Park Township, Baldwin Borough and Municipality of Bethel Park, Allegheny County. The principal items of work are to demolish and dispose of an abandoned reinforced concrete coal tipple structure. This project issues on August 28, 2009, and bids will be opened on September 24, 2009, at 2 p.m. Bid documents cost \$10 per set, and will not be mailed until payment has been received. This project is financed by the Federal Government under the authority given it by Pub. L. No. 95-87 dated August 3, 1977, The Surface Mining Control and Reclamation Act of 1977, and is subject to that Law, and to the Federal Grant for this project. Contact the Construction Contracts Section at (717) 787-7820 or joelmiller@state.pa.us for more information on this bid.

JOHN HANGER,
Secretary

[Pa.B. Doc. No. 09-1617. Filed for public inspection August 28, 2009, 9:00 a.m.]

Nutrient and Sediment Reduction Credit Trading Program

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 August 3, 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 demonstrating that the qualifying nutrient reduction activities have taken place for the applicable compliance year.

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

The Department has received 73 proposals that have been submitted for review to generate nutrient reduction credits in the Chesapeake Bay Watershed. Of those, 45 have been approved, one has been withdrawn and the remaining proposals need additional clarification prior to certification.

Proposals under Review

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

<i>Proposal Applicant</i>	<i>Proposal Description</i>
1. ElectroCell Technologies Inc.	Nitrogen and Phosphorus credits generated by a technology based process installed on a hog operation, Lancaster County.
2. American Farmland Trust	Nitrogen credits generated through the BMP Challenge for Planned Nutrient Reduction Project.

Certifications:

There are no new certifications.

Verifications and Registrations:

To date, there are no verifications and registrations.

For further details about the 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 <http://www.depweb.state.pa.us> (DEP Keywords: "Nutrient Trading").

JOHN HANGER,
Secretary

[Pa.B. Doc. No. 09-1618. Filed for public inspection August 28, 2009, 9:00 a.m.]

Part 1 and Part 2 MACT Applications for Industrial, Commercial, and Institutional Boilers and Process Heaters; Notice of Availability

The U.S. Court of Appeals for the District of Columbia Circuit vacated the U.S. Environmental Protection Agency's (EPA) National emission standards for hazardous air pollutants (NESHAPs), also referred to as maximum achievable control technology (MACT) standards for Industrial, Commercial, and Institutional Boilers (ICI) and Process Heaters (Boiler MACT, Subpart DDDDD), on July 30, 2007. As a result of this vacatur, the provisions of Section 112(j) of the Clean Air Act (CAA) require state/local agencies to make case-by-case MACT determinations for existing affected sources. The Court has extended the deadline for the proposed "Boiler MACT" rule until September 15, 2009; the final rule is still due on July 15, 2010.

Under section 112(j) of the CAA, the owners and operators of any affected major source in a source category for which the EPA has failed to promulgate a MACT standard must submit a permit application to the state permitting authority within 18 months of the missed deadline, 42 U.S.C. 7412(j)(2). The permitting authority is then required to issue case-by-case MACT determinations for each affected source. With the vacatur of EPA's Boiler MACT Rule, the Department of Environmental Protection (Department or PA DEP) is required under section 112(j) of the CAA, section 6.6(b) of the Pennsylvania Air Pollution Control Act and 25 Pa. Code § 127.35(c) to make MACT determinations on a case-by-case basis for all affected ICI boilers and process heaters.

The resulting MACT determinations shall be incorporated into the Title V permits issued to the owners and operators of the affected facilities according to procedures established under Title V. Any stationary air contamination source or group of sources located on contiguous or adjacent properties and under common control that emits or has the potential to emit 10 tons per year or more of a single HAP including fugitive emissions or 25 tons per year or more of a combination of HAPs including fugitive emissions, is considered a major source.

On April 5, 2002, the EPA promulgated "Section 112(j) Rule" amendments (See 67 FR 16582—16611). These amendments revised the section 112(j) rule to create a two-part MACT application process. The owners and operators of affected existing sources must submit a Part 1 MACT Application to the appropriate Department of Environmental Protection's Regional Office and to the EPA Region III Office no later than 30 days from the date of publication of this notice in the *Pennsylvania Bulletin*. Part 2 MACT Applications must be submitted to the Department of Environmental Protection and the EPA within 60 days after submission of the Part 1 MACT Applications. The Part 2 MACT Applications must include the relevant process, pollutant and control information to allow permitting authorities to establish MACT standards for the facility equivalent to what EPA would have established for the source category. The EPA submittals should be sent to the attention of Kathleen Anderson, Chief of the Permits and Technical Assessment Branch, Air Protection Division (3AP11), U.S. EPA Region III, 1650 Arch Street, Philadelphia, PA 19103-3029.

The Department's Part 1 and Part 2 MACT Applications and instructions are available on Department the web site at <http://www.dep.state.pa.us>. Applications and instructions can also be obtained by contacting any of the Department's Regional Offices. Contact Krishnan Ramamurthy for additional information at (717) 787-4325 or kramamurth@state.pa.us.

JOHN HANGER,
Secretary

[Pa.B. Doc. No. 09-1619. Filed for public inspection August 28, 2009, 9:00 a.m.]

Proposed Revisions to General NPDES Permit for Stormwater Discharges Associated With Construction Activities (PAG-2); Public Notice of Availability; Correction Notice

An incorrect telephone number for the Department of Environmental Protection (Department) was advertised in the notice published at 39 Pa.B. 4955 (August 15, 2009) concerning the Proposed Revisions to General NPDES Permit for Stormwater Discharges Associated With Construction Activities (PAG-2). Individuals interested in the proposed amendments to PAG-2, including those who want to request a copy of the proposed amendments, should contact the Department as follows: Department of Environmental Protection, Bureau of Watershed Management, Rachel Carson State Office Building, P. O. Box 8775, 10th Floor, Harrisburg, PA 17105-8775, (717) 787-6827, e-mail ep-pag02comments@state.pa.us. Persons with a disability may contact the Department by using the Pennsylvania AT&T Relay Service at (800) 654-5984 (TDD users) or (800) 654-5988 (voice users). The proposed

PAG-2 amendment draft permit is also available on the Department's web site at <http://www.depweb.state.pa.us> (choose "Public Participation"; then scroll down to "Proposals Currently Open for Comment").

JOHN HANGER,
Secretary

[Pa.B. Doc. No. 09-1620. Filed for public inspection August 28, 2009, 9:00 a.m.]

DEPARTMENT OF HEALTH

Approved Prearrest and Evidential Breath Testing Devices

The Department of Health (Department) has statutory authority to approve both prearrest and evidential breath testing devices for use by law enforcement officials to determine the alcohol content of blood by analysis of a person's breath. This notice contains the combined lists of prearrest breath testing devices and evidential breath testing devices.

The Department approves prearrest breath testing devices as required by 28 Pa. Code §§ 5.101—5.104 (relating to equipment to determine blood alcohol content under the Vehicle Code and the Fish and Boat Code). Authority to promulgate these regulations is contained in the Vehicle Code, 75 Pa.C.S. § 1547(k) (relating to chemical testing to determine amount of alcohol or controlled substance), the Fish and Boat Code, 30 Pa.C.S. § 5125(k) (relating to chemical testing to determine amount of alcohol or controlled substance), the Game and Wildlife Code, 34 Pa.C.S. § 2502(j) (relating to chemical test to determine amount of alcohol), and section 2102(g) of The Administrative Code of 1929 (71 P. S. § 532(g)).

Prearrest breath testing devices approved under this authority may be used by police officers, waterways patrolmen and officers enforcing the Vehicle Code, the Fish and Boat Code and the Game and Wildlife Code in conducting preliminary determinations of the alcohol content of blood of persons suspected of driving, boating, hunting or furtaking, while under the influence of alcohol. Officers and patrolmen use these devices to assist them in determining whether or not a person should be placed under arrest for violation of 75 Pa.C.S. § 3802 (relating to driving under influence of alcohol or controlled substance), for violation of 30 Pa.C.S. § 5502 (relating to operating watercraft under influence of alcohol or controlled substance), for violation of 34 Pa.C.S. § 2501 (relating to hunting or furtaking prohibited while under influence of alcohol or controlled substance), or for any other criminal offense under the Vehicle Code, the Fish and Boat Code, or the Game and Wildlife Code, which involves operating a vehicle or boat, hunting, or furtaking while under the influence of alcohol. This notice lists devices that were included in the previous publication of the list of prearrest breath testing devices, which appeared at 39 Pa.B. 64 (January 3, 2009).

The National Highway Traffic Safety Administration (NHTSA) of the United States Department of Transportation published model specifications for Screening Devices to Measure Alcohol in Bodily Fluids at 59 FR 39382 (August 2, 1994). These specifications established performance criteria and methods for testing alcohol screening devices using either breath or bodily fluids, such as, saliva to measure blood alcohol content. NHTSA estab-

lished these specifications to support state laws and the Federal Department of Transportation's workplace alcohol testing program. The Department has elected to use the NHTSA criteria for approving devices for the prearrest testing of a person's breath to determine the alcohol content of the person's blood.

NHTSA published a conforming products list of alcohol screening devices at 72 FR 4559 (January 31, 2007). The breath testing devices included in this Federal approval list have been incorporated into the list in this notice. Since this notice lists only those devices which test breath, items on the NHTSA list that test saliva or other bodily fluids are not included in this notice.

Additionally, there are a number of breath testing devices on this list of approved equipment that may be used as both prearrest and evidential testing devices. Any device on this list that was evaluated using the 1993 Model Specifications for Evidential Breath Testers (58 FR 48705) also fully meets the requirements of the Model Specifications for prearrest screening devices. Both procedures evaluate the performance of instruments at the 0.020% alcohol level.

The Department approves evidential breath testing devices under the authority of 75 Pa.C.S. § 1547(c)(1), 30 Pa.C.S. § 5125(c)(1) and 34 Pa.C.S. § 2502(c).

Evidential breath testing devices approved under this notice may be used by law enforcement officials to obtain test results which will be admissible in evidence in any summary or criminal proceeding in which the defendant is charged with a violation of 75 Pa.C.S. § 3802, or any other violation of the Vehicle Code arising out of the same action; or 30 Pa.C.S. § 5502, or any other violation of the Fish and Boat Code arising out of the same action; or 34 Pa.C.S. § 2501, or any other violation of the Game and Wildlife Code arising out of the same action. Law enforcement agencies should determine that an approved training program in the use of the equipment is available in accordance with the previously referenced statutes before purchasing any of the devices contained on this list. This notice lists devices that were included in the previous publication of the list of evidential breath testing devices, which appeared at 39 Pa.B. 64 (January 3, 2009).

The approval of evidential equipment listed in this notice is based on the evaluation of the equipment by NHTSA. Equipment which met the Federal requirements was published at 72 FR 71480 (December 17, 2007) as a Conforming Products List. The list contained in this notice is based on that Conforming Products List.

Instruments marked with an asterisk (*) meet the Model Specifications detailed at 49 FR 48854 (December 14, 1984) (that is, instruments tested at breath alcohol concentrations of 0.000, 0.050, 0.101, and 0.151 grams of alcohol per 210 liters of air). Instruments not marked with an asterisk meet the Model Specifications detailed at 58 FR 48705 (September 17, 1993), and were tested at breath alcohol concentrations of 0.000, 0.020, 0.040, 0.080, and 0.160 grams of alcohol per 210 liters of air. The amended specifications that were published on September 17, 1993, added a test for the presence of acetone and other low molecular weight alcohols including methyl and isopropyl. Instruments whose precision and accuracy have been evaluated in the latter concentration range (that is, devices not marked with an asterisk) should be used when reliable results are required at blood alcohol concentrations below 0.050%.

NHTSA also evaluates equipment to determine if it must be operated at fixed locations (that is, nonmobile equipment) or can be transported to nonfixed operational sites in the field (mobile equipment). Most equipment on the list is approved for mobile and nonmobile operation. The listing at the end of this notice specifies nonmobile equipment only.

The instruments not marked with an asterisk meet the specifications for use as prearrest or evidentiary breath testing devices. The instruments marked with an asterisk may be used as evidentiary devices for law enforcement purposes that are concerned with blood alcohol concentrations at or above 0.050%. These instruments may also be used as prearrest breath testing devices if they are approved for mobile operations. However, these instruments may not be used for making arrests under the Vehicle Code, the Fish and Boat Code, or the Game and Wildlife Code where blood alcohol concentrations below 0.050% must be determined. Nonmobile devices can only be used as evidentiary testing instruments since they are not portable. Before purchasing breath testing devices, law enforcement officials should consult with the manufacturer of the equipment they intend to purchase to verify that the devices can be used for their intended purposes.

Law enforcement agencies that plan to utilize a device which does not appear on the following list should contact the manufacturer of the equipment to verify that it has been evaluated by NHTSA and found to meet NHTSA's performance requirements. If a device is approved by NHTSA after the date of this publication, the manufacturer of the device will need to forward documentation of NHTSA acceptability to Dr. M. Jeffery Shoemaker at the address given; so that the Department has information sufficient to enable it to include the device in the next revision of this notice in the *Pennsylvania Bulletin*.

Some of the devices included in this notice are listed under the name of more than one manufacturer. This is due to the fact that the name of the manufacturer has changed or the right to produce a device has been transferred to a different company. In such instances, the device is listed under the name of every company that was ever associated with the device in order to allow law enforcement agencies to continue using devices bearing the name of a previous manufacturer.

To facilitate accessibility to information concerning breath alcohol testing devices which are approved for law enforcement purposes in the Commonwealth, the Department will publish revisions of this list of equipment semiannually as notices in the *Pennsylvania Bulletin*. This practice was implemented in 2009 and will proceed even if an updated conforming products list has not appeared in the *Federal Register* since the Department's last annual publication of approved breath testing devices.

Questions regarding this list should be directed to Dr. M. Jeffery Shoemaker, Director, Division of Chemistry and Toxicology, Department of Health, Bureau of Laboratories, P. O. Box 500, Exton, PA 19341-0500, (610) 280-3464.

Persons with a disability who require an alternative format of this notice (for example, large print, audiotope, Braille) should contact Dr. Shoemaker at V/TT (717) 783-6514 or the Pennsylvania AT&T Relay Service at (800) 654-5984 (TT).

AK Solutions, Inc., Palisades Park, NJ¹

Alcoscan AL-2500
AlcoChecker
AlcoKey
AlcoMate
AlcoMate Pro
Alcoscan AL-5000
Alcoscan AL-6000

Akers Laboratories, Inc., Thorofare, NJ

Alcohol \checkmark TM

Akers Biosciences, Inc., Thorofare, NJ

Breath Alcohol \checkmark .02 Detection System²

Alco Check International, Hudsonville, MI
Alco Check 3000 D.O.T.
Alco Check 9000
Alco Screen 3000

Alcohol Countermeasures Systems, Inc., Port Hurton, MI

Alert J3AD*
PBA 3000C

Alcohol Countermeasure Systems Corp., Missis-sauga, Ontario, Canada

Alert J3AD*
Alert J4X.ec
PBA3000C

Alcohol Countermeasure Systems, Inc., Cincinnati, OH

Alert J4

Approved Technology, Inc., Grand Rapids, MI

Alco-Check I
Alco-Check II
Alco-Check 3000

BAC Systems, Inc., Ontario, Canada

Breath Analysis Computer*

BHP Diagnostix, West Chester, PA

Prevent

CAMEC Ltd., North Shields, Tyne and Ware, Eng-land

IR Breath Analyzer*

CMI-MPH, Owensboro, KY

CMI S-D2
CMI S-L2

CMI, Inc., Owensboro, KY

AlcoBlow

Intoxilyzer Model:

200
200D
240 (aka Lion Alcolmeter 400 + outside the US)
300
400
400PA
1400
4011*
4011A*
4011AS*
4011AS-A*
4011AS-AQ*
4011AW*
4011A27-10100*

¹The AlcoMate was manufactured by Han International of Seoul, Korea, but marketed and sold in the US by AK Solutions.

²The Breath Alcohol \checkmark .02 Detection System consists of a single-use disposable breath tube used in conjunction with an electronic analyzer that determines the test result. The electronic analyzer and the disposable breath tubes are lot specific and manufactured to remain calibrated throughout the shelf-life of the device. This screening device cannot be used after the expiration date.

4011A27-10100 with filter*
 5000
 5000 (w/Cal. Vapor Re-Circ.)
 5000 (w/3/8" ID hose option)
 5000CD
 5000CD/FG5
 5000EN
 5000 (CAL DOJ)
 5000 (VA)
 8000
 PAC 1200*
 S-D2
 S-D5

Craig Technologies International Ltd., Aurora, CO
 BreathScan

Decator Electronics, Decator, IL
 Alco-Tector model 500*

Draeger Safety, Inc., (aka: National Draeger) Durango, CO

Alcotest Model:

6510
 6810
 7010*
 7110*
 7110 MKIII
 7110 MKIII-C
 7410
 7410 Plus
 9510

Breathalyzer Model:

900*
 900A*
 900BG*
 7410
 7410-II

EnviteC by Honeywell GmbH, Fond du Lac, WI
 AlcoQuant 6020

Gall's Inc., Lexington, KY
 Alcohol Detection System-A.D.S. 500

Guth Laboratories, Inc., Harrisburg, PA

Alco-Tector
 Alco-Tector Mark X
 Alcotector BAC-100
 Alcotector C2H5OH
 Alcotector WAT90
 Mark X Alcohol Checker
 Alcotector WAT89EC-1

Han International Co., Ltd., Seoul, Korea
 A.B.I. (Alcohol Breath Indicator)³

Intoximeters, Inc., St. Louis, MO

Indium Encapsulation System
 Photo Electric Intoximeter*
 GC Intoximeter MK II*
 GC Intoximeter MK IV*
 Auto Intoximeter*
 Intox EC-IR
 Intox EC-IR 2
 Portable Intox EC-IR

Intoximeter Model:

3000*
 3000 (rev B1)*
 3000 (rev B2)*
 3000 (rev B2A)*
 3000 (rev B2A) w/FM option*

3000 (Fuel Cell)*
 3000D*
 3000DFC*
 Alcomonitor
 Alcomonitor CC
 Alco-Sensor
 Alco-Sensor III
 Alco-Sensor III (Enhanced with Serial Numbers above 1,200,000)
 Alco-Sensor IV
 Alco-Sensor IV-XL
 Alco-Sensor AZ
 Alco-Sensor FST
 Alco-Sensor Light Display
 EC/IR
 EC/IR II
 EC/IR II (enhanced with serial number 10,000 or higher)
 Portable EC/IR II
 RBT-AZ
 RBT III
 RBT III-A
 RBT-IV
 RBT-IV with CEM (cell enhancement module)

Komyo Kitagawa, Kogyo, K.K.:

Alcolyzer DPA-2*
 Breath Alcohol Meter PAM 101B*

Lifeloc Technologies, Inc. (formerly Lifeloc, Inc.)

Wheat Ridge, CO:

Life Loc PBA 3000
 PBA 3000-B
 PBA 3000-P*
 PBA 3000-C
 Alcohol Data Sensor
 Phoenix
 Phoenix 6.0
 EV 30
 FC 10
 FC 20

Lion Laboratories, Ltd., Cardiff, Wales, UK

Alcolmeter Model:

Auto-Alcolmeter*
 300
 400
 400+ (aka: Intoxilzyer 240 in the U.S.)
 SD-2*
 SD-5 (aka: S-D5 in the U.S.)
 EBA*

Intoxilyzer Model:

200
 200D
 1400
 5000 CD/FG5
 5000 EN

Luckey Laboratories, San Bernardino, CA

Alco-Analyzer Model:

Mobat Sober-Meter-SM II
 1000*
 2000*

Medi-Scan, Inc., Denver, CO

BreathScan

National Draeger, Inc., Durango, CO

Alcotest Model:

7010*
 7110*
 7110 MKIII
 7110 MKIII-C

³ Han International does not market or sell devices directly in the US market. Other devices manufactured by Han International are listed under AK Solutions, Inc. and Q-3 Innovations, Inc.

7410
7410 Plus
7410 Screener
9510
6510
6810

Breathalyzer Model:

900*
900A*
900BG*
7410
7410-II

National Draeger, Inc., Pittsburgh, PA
Alcotest**National Patent Analytical Systems, Inc., Mansfield, OH**

BAC DataMaster (with or without the Delta-1 accessory)
BAC Verifier DataMaster (with or without the Delta-1 accessory)
DataMaster cdm (with or without the Delta-1 accessory)
DataMaster DMT

Omicron Systems, Palo Alto, CA

Intoxilyzer 4011*
Intoxilyzer 4011AW*

PAS Systems International, Inc., Fredericksburg, VA

PAS IIIa
PAS Vr

Plus 4 Engineering, Minturn, CO

5000 Plus 4*

Q3 Innovations, Inc., Independence, IA⁴

AlcoHAWK Precision
AlcoHAWK Slim
AlcoHAWK Elite
AlcoHAWK ABI
AlcoHAWK Micro
AlcoHAWK PRO
AlcoHAWK PT500

RepCo Marketing, Raleigh, NC

Alco Tec III
AlcoTec Breath-Alcohol Tester
Breath Alcohol Tester Model BT-2
Breath Alcohol Tester Model BT-3

Seju Co. of Taejeon, Korea

Safe-Slim

Seres, Paris, France

Alco Master
Alcopro

Siemans-Allis, Cherry Hill, NJ

Alcomat*
Alcomat F*

Smith and Wesson Electronics, Springfield, MA**Breathalyzer Model:**

900*
900A*
1000*
2000*
2000 (Non-Humidity Sensor)*

SoundOff, Inc., Hudsonville, MI

Alco-Check

Alco-Check II
AlcoData
Alco Screen 1000
Digitox D.O.T.
Preliminary Breath Test II
Seres Alco Master
Seres Alcopro

Stephenson Corp.

Breathalyzer 900*

Takai-Denshi Inc., Tokyo, Japan:

ALC-PRO II (US)

Team Building Systems, Inc., Houston, TX

BreathScan

U.S. Alcohol Testing, Inc./Protection Devices, Inc., Rancho Cucamonga, CA

Alco-Analyzer 1000
Alco-Analyzer 2000
Alco-Analyzer 2100

Verax Systems, Inc., Fairport, NY

BAC Verifier*
BAC Verifier Datamaster
BAC Verifier Datamaster II*

Nonmobile only**Decator Electronics**

Alco-Tector model 500*

Draeger Safety, Inc.

Alcotest Model 9510

Intoximeters, Inc.

Photo Electric Intoximeter*
Intoximeter Model—Alcomonitor
Intoximeter Model—EC/IR II (enhanced with serial number 10,000 or higher)

Lion Laboratories, Ltd.

Auto-Alcolmeter*

Luckey Laboratories

Alco-Analyzer Model—1000*
Alco-Analyzer Model—2000*

U.S. Alcohol Testing, Inc./Protection Devices, Inc., Rancho Cucamonga, CA

Alco-Analyzer 1000
Alco-Analyzer 2000

EVERETTE JAMES,
Secretary

[Pa.B. Doc. No. 09-1621. Filed for public inspection August 28, 2009, 9:00 a.m.]

Integrated Human Immunodeficiency Virus (HIV) Planning Council; Public Meeting

The Statewide Integrated HIV Planning Council, established by the Department of Health (Department) under sections 301(a) and 317(b) of the Public Health Service Act (42 U.S.C.A. §§ 241(a) and 247(b)), will hold a public meeting on Tuesday, September 15, 2009, from 9 a.m. until 2 p.m. at the Harrisburg Holiday Inn West, 5401 Carlisle Pike, Mechanicsburg, PA 17050.

For additional information, contact Joseph Pease, Department of Health, Bureau of Communicable Diseases, Room 1010, Health and Welfare Building, Harrisburg, PA 17120, (717) 783-0572.

⁴ The AlcoHAWK ABI is the same device as that listed under Han International as the "ABI" and is manufactured for Q-3 Innovations by Han International. The AlcoHAWK PRO is the same device as the AlcoMate marketed and sold by AK Solutions, and also manufactured by Han International.

Persons with a disability who desire to attend the meeting, and require an auxiliary aid, service or other accommodation to do so, should also contact Joseph Pease at the previously listed number or at V/TT (717) 783-6514 for speech and/or hearing impaired persons or the Pennsylvania AT&T Relay Service at (800) 654-5984 (TT).

The Department reserves the right to cancel this meeting without prior notice.

EVERETTE JAMES,
Secretary

[Pa.B. Doc. No. 09-1622. Filed for public inspection August 28, 2009, 9:00 a.m.]

DEPARTMENT OF LABOR AND INDUSTRY

Current Prevailing Wage Act Debarments

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

<i>Contractor</i>	<i>Address</i>	<i>Date of Debarment</i>
Barlow Projects, Inc. and James Barlow, Individually	2000 Vermont Drive Fort Collins, CO 80525	7/29/2009

SANDI VITO,
Secretary

[Pa.B. Doc. No. 09-1623. Filed for public inspection August 28, 2009, 9:00 a.m.]

DEPARTMENT OF STATE

Bureau of Charitable Organizations; Cease and Desist Order

In the Matter of DIRECT2TROOPS, USA2TROOPS and all known and unknown officers, directors, principals, shareholders, agents, employees and independent contractors and any entities created by the principal actors after the date of issuance of this order; and MICHAEL MOVE, a/k/a STEVE GOVE a/k/a STEEVE GOVE and AMANDA MOVE a/k/a JES GOVE a/k/a CHRISTI GOVE and any other known and unknown aliases used by these individuals are ordered to cease and desist from soliciting charitable contributions in this Commonwealth until such time as DIRECT2TROOPS, USA2TROOPS and all known and unknown officers, directors, principals, shareholders, agents, employees and independent contractors and any entities created by the principal actors after the date of issuance of this order; and MICHAEL MOVE, a/k/a STEVE GOVE a/k/a STEEVE GOVE; and AMANDA MOVE a/k/a JES GOVE a/k/a CHRISTI GOVE and any other known and unknown aliases used by these individuals respond to the Bureau of Charitable Organizations'

requests for information and duly register or provide information that they are excluded or exempt from registration under the Solicitation of Funds for Charitable Purposes Act (10 P. S. §§ 162.1—162.24).

Persons may obtain a copy of the order by writing to Doreen Harr, Investigator, Department of State, Bureau of Charitable Organizations, 212 North Office Building, Harrisburg, PA 17120.

PEDRO A. CORTÉS,
Secretary

[Pa.B. Doc. No. 09-1624. Filed for public inspection August 28, 2009, 9:00 a.m.]

Bureau of Commissions; Elections and Legislation

The State Plan Advisory Board (Board) has amendments to the announcement published in the 39 Pa.B. 4693 (August 15, 2009) the meeting will be held in Room 302, Third Floor, North Office Building, Harrisburg, PA 17120 on Wednesday, September 9, 2009, commencing at 10 a.m. The agenda will include discussion of the Board's achievements and updates. Additionally the new members will be introduced to the Board, and the Secretary of the Commonwealth will address the members.

PEDRO A. CORTÉS,
Secretary

[Pa.B. Doc. No. 09-1625. Filed for public inspection August 28, 2009, 9:00 a.m.]

DEPARTMENT OF TRANSPORTATION

Meetings Scheduled

The Aviation Advisory Committee (AAC) will hold a meeting on Tuesday, September 1, 2009, from 11 a.m. to 3 p.m. in Conference Room 8N1 on the 8th Floor of the Commonwealth Keystone Building, Harrisburg, PA. For more information, contact the Executive Secretary of AAC, Patrice Bratcher at (717) 783-2026 or by means of e-mail at pbratcher@state.pa.us.

The Pedalcycle and Pedestrian Advisory Committee (PPAC) will hold a meeting on Thursday, September 17, 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 PPAC Administrator, Gary Modi at (717) 783-1990 or by means of e-mail gmodi@state.pa.us.

The Motor Carrier Safety Advisory Committee (MCAC) will hold a meeting on Thursday, September 24, 2009, from 11:30 a.m. to 3 p.m. at the Turnpike Commission Building, Harrisburg, PA. For more information, contact the MCAC Administrator, Nicole Cristini at (717) 772-2511 or by means of e-mail ncristini@state.pa.us.

ALLEN D. BIEHLER, P. E.,
Secretary

[Pa.B. Doc. No. 09-1626. Filed for public inspection August 28, 2009, 9:00 a.m.]

ENVIRONMENTAL QUALITY BOARD

Acceptance of Rulemaking Petition for Study

On August 18, 2009, the Environmental Quality Board (Board) accepted a rulemaking petition for study under 25 Pa. Code Chapter 23 (relating to Environmental Quality Board Policy for Processing Petitions—Statement of Policy). The petition, submitted by the Lycoming Creek Watershed Association, requests the redesignation of the main stem of Lycoming Creek (source to Long Run; and Long Run to the mouth; in Tioga and Lycoming Counties) from Cold Water Fishes (CWF) and Warm Water Fishes (WWF), respectively, to High Quality (HQ); and Roaring Branch (source to confluence with Lycoming Creek; Tioga County) from HQ-CWF to Exceptional Value (EV). Under 25 Pa. Code § 93.4d(a) (relating to processing petitions, evaluations and assessments to change a designated use), the Department of Environmental Protection (Department) is required to publish a notice of intent to assess candidate waters. The Department's assessment notice for Lycoming Creek and Roaring Branch will appear in a future issue of the *Pennsylvania Bulletin*.

The previously-referenced petition is available to the public by contacting the Environmental Quality Board, P. O. Box 8477, Harrisburg, PA 17105-8477, (717) 787-4526, and is accessible on the Department's web site at <http://www.depweb.state.pa.us>. (DEP Keywords: "EQB" ("EQB Meeting/Agendas/Handouts/Minutes; August 18, 2009").

JOHN HANGER,
Chairperson

[Pa.B. Doc. No. 09-1627. Filed for public inspection August 28, 2009, 9:00 a.m.]

FISH AND BOAT COMMISSION

Classification of Wild Trout Streams; Addition of Walker Run, Luzerne County

Under 58 Pa. Code § 57.11 (relating to listing of wild trout streams), it is the policy of the Fish and Boat Commission (Commission) to accurately identify and classify stream sections supporting naturally reproducing populations of trout as wild trout streams. The Commission's Fisheries Management Division maintains the list of wild trout streams. The Executive Director, with the approval of the Commission, will from time-to-time publish the list of wild trout streams in the *Pennsylvania Bulletin*. The listing of a stream section as a wild trout stream is a biological designation that does not determine how it is managed. The Commission relies upon many factors in determining the appropriate management of streams.

At the next Commission meeting on October 5 and 6, 2009, the Commission will consider adding Walker Run, Luzerne County, from the headwaters downstream to the mouth, to the list. Fisheries Management Area 4 surveyed Walker Run in 2006, and the Division of Environmental Services resurveyed Walker Run in 2009. Both

surveys found wild brown trout, and the Division of Environmental Services' survey found both fingerlings and multiple year classes.

Persons with comments, objections or suggestions concerning the classification of the stream listed may submit them in writing to Executive Director, Fish and Boat Commission, P. O. Box 67000, Harrisburg, PA 17106-7000, within 30 days after publication of this notice in the *Pennsylvania Bulletin*. Comments submitted by facsimile will not be accepted.

Comments also may be submitted electronically by completing the form at www.fishandboatcom/reg comments. If an acknowledgment of electronic comments is not received by the sender within 2 working days, the comments should be retransmitted to ensure receipt. Electronic comments submitted in any other manner will not be accepted.

DOUGLAS J. AUSTEN, Ph.D.,
Executive Director

[Pa.B. Doc. No. 09-1628. Filed for public inspection August 28, 2009, 9:00 a.m.]

Lake Erie Commercial Fishing; 2009 Revised Total Allowable Catch for Yellow Perch

The Executive Director (Director) of the Fish and Boat Commission (Commission), acting under the authority of 58 Pa. Code § 69.31(c) (relating to seasons), previously established that the 2009 total allowable commercial catch for yellow perch from this Commonwealth waters of Lake Erie is 30,000 pounds. See 39 Pa.B. 1277 (March 7, 2009). Section 69.31(c) provides that after the announcement, the Director may, from time to time, revise the total allowable catch for the year if the Director determines that the conditions so warrant.

When the Director originally set the total allowable catch for yellow perch at 30,000 pounds, the Director did so in anticipation that the quota allocated to this Commonwealth through the Lake Erie Committee of the Great Lakes Fishery Commission would be reduced by about 16%. The Director also determined at the time that there was little chance that the 30,000 pounds would be attained by the commercial fishing licensees. However, the Commonwealth's share of the 2009 yellow perch quota (693,090 pounds) was not reduced, and it is likely that the 30,000-pound quota will be attained by the end of August. In light of these conditions, the Director has determined that it is reasonable to increase the total allowable catch for yellow perch by 10,000 pounds for the remainder of the season. The commercial fishing season for yellow perch on Lake Erie is accordingly January 1 until the date the Director determines that 40,000 pounds of yellow perch probably have been taken by commercial fishing interests fishing in this Commonwealth waters of Lake Erie. With this increase, the share allocated to Commonwealth's commercial fishing interests is less than 6% of the total allocated to the Commonwealth.

DOUGLAS J. AUSTEN, Ph.D.,
Executive Director

[Pa.B. Doc. No. 09-1629. Filed for public inspection August 28, 2009, 9:00 a.m.]

Proposed Special Regulation Redesignation; Fishing Creek, Columbia County

The Fish and Boat Commission (Commission) has approved guidelines with regard to encouraging public participation on possible changes to the designation of streams, stream sections or lakes for special regulation programs. Under 58 Pa. Code Chapter 65 (relating to special fishing regulations), the Commission designates certain streams, stream sections and lakes as being subject to special fishing regulations. These designations are effective after Commission approval when they are posted at the site and a notice is published in the *Pennsylvania Bulletin*. Under the Commission's guidelines, a notice concerning the proposed designation or redesignation of a stream, stream section or lake under special regulations ordinarily will be published in the *Pennsylvania Bulletin* before the matter is reviewed by the Commissioners.

At the next Commission meeting on October 5 and 6, 2009, the Commission will consider redesignating the following stream section as a water subject to special fishing regulations under 58 Pa. Code Chapter 65, effective upon publication in the *Pennsylvania Bulletin*:

58 Pa. Code § 65.6. Delayed Harvest Artificial Lures Only (DHALO) Areas.

The Commission will consider removing the following stream section currently regulated and managed as DHALO area:

County	Water on which located	Description
Columbia	Fishing Creek	From the upstream Richard Kriebel property line downstream to a point located 180 yards upstream from the Benton Borough line, a distance of 0.7 mile

At this time, the Commission is soliciting public input concerning the previous redesignation. Persons with comments, objections or suggestions concerning the redesignation are invited to submit comments in writing to Executive Director, Fish and Boat Commission, P. O. Box 67000, Harrisburg, PA 17106-7000, within 30 days after publication of this notice in the *Pennsylvania Bulletin*. Comments submitted by facsimile will not be accepted.

Comments also may be submitted electronically by completing the form at <http://fishandboat.com/regcomments>. If an acknowledgment of electronic comments is not received by the sender within 2 working days, the comments should be retransmitted to ensure receipt. Electronic comments submitted in any other manner will not be accepted.

DOUGLAS J. AUSTEN, Ph.D.,
Executive Director

[Pa.B. Doc. No. 09-1630. Filed for public inspection August 28, 2009, 9:00 a.m.]

HEALTH CARE COST CONTAINMENT COUNCIL

Meetings Scheduled

The following meetings of the Health Care Cost Containment Council (Council) have been scheduled: Wednesday, September 2, 2009, Data Systems Committee—10 a.m.; Education Committee—1 p.m.; Audit Committee—4 p.m. and Thursday, September 3, 2009, Executive Committee—9 a.m.; Council Meeting—10 a.m. Additional Council meetings are scheduled for November 3 and 4, 2009. The meetings will be held in the conference room at the Council Office, 225 Market Street, Suite 400, Harrisburg, PA 17101. The public is invited to attend. Persons in need accommodations due to a disability and want to attend the meetings should contact Cherie Elias, Health Care Cost Containment Council, 225 Market Street, Harrisburg, PA 17101 or call (717) 232-6787 at least 24 hours in advance so that arrangements can be made.

DAVID H. WILDERMAN,
Acting Executive Director

[Pa.B. Doc. No. 09-1631. Filed for public inspection August 28, 2009, 9:00 a.m.]

INDEPENDENT REGULATORY REVIEW COMMISSION

Notice of Comments Issued

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

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

Reg. No.	Agency/Title	Close of the Public Comment Period	IRRC Comments Issued
7-434	Environmental Quality Board Environmental Laboratory Accreditation 39 Pa.B. 3051 (June 20, 2009)	7/20/09	8/19/09

**Environmental Quality Board
Regulation #7-434 (IRRC #2770)**

Environmental Laboratory Accreditation

August 19, 2009

We submit for your consideration the following comments on the proposed rulemaking published in the June 20, 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 Environmental Quality Board (Board) to respond to all comments received from us or any other source.

1. Records.—Clarity.

Several sections of this regulation require record retention or recording of information. However, it is unclear what method of retention or recording the Board requires and the duration of the required retention is not set forth. The final-form regulation should clarify these requirements. The concern applies to several subsections, including § 252.304(b)(3)(vi)(E) and (F), 252.306(f)(2)(ii)(C), (4)(v), (5)(iii)(v), (6)(iv), (h)(2) and (4), 252.404(c)(1)(iii) and (vii), (2)(ii) and (iv) and 252.706(a).

2. Section 252.304. Personnel requirements.—Reasonableness; Clarity.

Subsection (b)(3)(vi)(E)

This subsection allows lab methods used prior to January 1, 2005, to be exempt in certain circumstances from the initial demonstration of capability. How did the Board determine this was an appropriate date?

Subsection (b)(3)(vi)(F)

This subsection requires labs to retain “all data necessary” to reproduce the initial demonstration of capability. What types of data would meet this requirement? The final-form regulation should clarify the Board’s intent.

Subsection (b)(3)(vi)(G)(I)

Under this subsection, a new employee in a work cell must work with an experienced analyst. However, it is not clear how long this must occur. The final-form regulation should clearly state how long an experienced analyst must work with a new work cell employee.

Subsection (b)(3)(vi)(G)(II)

This subsection mentions “acceptable” quality control performance checks. This term is vague. The final-form regulation should specify what the Board considers “acceptable.”

3. Section 252.306. Equipment, supplies and reference materials.—Reasonableness; Clarity.

Subsection (f)(9)(i)

In this subsection, what does the Board consider an “appropriate” method for checking delivery volumes of mechanical volumetric dispensing devices? This term is vague. The Board should delete this term or set forth the “acceptable” methods.

Subsection (h)(6)

This subsection refers to a “Department approved procedure” to reevaluate and validate certain materials used past their expiration date. The final-form regulation

should set forth this procedure or provide a citation to an existing procedure that will be used.

ARTHUR COCCODRILLI,
Chairperson

[Pa.B. Doc. No. 09-1632. Filed for public inspection August 28, 2009, 9:00 a.m.]

Notice of Filing of Final Rulemaking

The Independent Regulatory Review Commission (Commission) received the following regulation. It is scheduled to be considered on the date noted. The Commission’s public meetings are held at 333 Market Street, 14th Floor, in Harrisburg, PA at 10:30 a.m. To obtain a copy of the regulation, interested parties should first contact the promulgating agency. If a copy cannot be obtained from the promulgating agency, the Commission will provide a copy, or you can obtain a copy from our web site, www.irrc.state.pa.us.

Final-Form

<i>Reg. No.</i>	<i>Agency/Title</i>	<i>Received</i>	<i>Public Meeting</i>
7-431	Environmental Quality Board Oil and Gas Wells	8/14/09	9/17/09

ARTHUR COCCODRILLI,
Chairperson

[Pa.B. Doc. No. 09-1633. Filed for public inspection August 28, 2009, 9:00 a.m.]

INSURANCE DEPARTMENT

Application and Request for a Certificate of Authority to Provide a Continuing Care Retirement Community by Colonial Senior Living of Western PA, LLC

Colonial Senior Living of Western PA, LLC has applied for a Certificate of Authority to operate a Continuing Care Retirement Community at Village at Pennwood in Pittsburgh, PA. The initial filing was received on August 18, 2009, and was made under the requirements set forth under the Continuing Care Provider Registration and Disclosure Act of 1984 (40 P.S. §§ 3201—3225).

Persons wishing to comment on the grounds of public or private interest to the issuance of a Certificate of Authority are invited to submit a written statement to the Insurance Department (Department) within 30 days from the date of this issue of the *Pennsylvania Bulletin*. Each written statement must include name, address and telephone number of the interested party; identification of the application to which the statement is addressed; and a concise statement with sufficient detail to inform the Department of the exact basis of the statement. Written statements should be directed to Steven L. Yerger, Insurance Department, 1345 Strawberry Square, Harrisburg, PA 17120, fax (717) 787-8557, syerger@state.pa.us.

JOEL SCOTT ARIO,
Insurance Commissioner

[Pa.B. Doc. No. 09-1634. Filed for public inspection August 28, 2009, 9:00 a.m.]

Application for Voluntary Surrender of Pennsylvania Certificate of Authority Filed by Capital Health Plans, Inc.

Capital Health Plans, Inc., a domestic risk assuming preferred provider organization which is not a licensed insurer, has submitted an application for approval to surrender its Insurance Department (Department) Certificate of Authority. Persons wishing to comment on the grounds of public or private interest concerning the surrender, are invited to submit a written statement to the Department within 7 days from the date of this issue of the *Pennsylvania Bulletin*. Each written statement must include the name, address and telephone number of the writer, identification of the application to which the comment is addressed and a concise statement with sufficient detail to inform the Department of the exact basis of the comment and the relevant facts upon which it is based. Written statements should be directed to Robert Brackbill, Company Licensing Division, 1345 Strawberry Square, Harrisburg, PA 17120, fax (717) 787-8557 or rbrackbill@state.pa.us.

JOEL SCOTT ARIO,
Insurance Commissioner

[Pa.B. Doc. No. 09-1635. Filed for public inspection August 28, 2009, 9:00 a.m.]

Wayne Crecelius; Prehearing

**Appeal of Wayne Crecelius; Consent Order;
Doc. No. CO09-04-021**

A prehearing telephone conference initiated by this office is scheduled for September 2, 2009, at 10 a.m. in the Administrative Hearings Office, Room 200, Capitol Associates Building, 901 North Seventh Street, Harrisburg, PA 17102. Motions preliminary to those at hearing, protests, petitions to intervene, notices of appearance or intervention, if any, must be filed with the Hearings Administrator at the previous address on or before August 21, 2009. Answers to petitions to intervene, if any, shall be filed on or before September 1, 2009.

On or before August 21, 2009, each party shall file a prehearing statement with the Administrative Hearings Office which shall contain: (1) a comprehensive statement of undisputed facts to be stipulated between the parties; (2) a statement of additional contended facts; (3) names and address of witnesses along with the specialties of experts to be called; (4) a list of documents to be used at the hearing; (5) special evidentiary or other legal issues; and (6) the estimated time for the party's case. Contemporaneously with service of the prehearing statement on the opposing party, each party shall supply the other with a copy of any report generated by an expert witness to the other party within 2 business days. Copies of expert reports need not be filed with the Administrative Hearings Office. Experts will be permitted to testify only on matters substantially contemplated by reports supplied to the other party in accordance with this paragraph.

A written request for continuance of the scheduled prehearing telephone conference and hearing, for good cause will be considered by the Presiding Officer. Prior to requesting a continuance, a party must contact the opposing party. All continuance requests must indicate whether the opposing party objects to a continuance.

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 Analyst at (717) 705-4194.

JOEL SCOTT ARIO,
Insurance Commissioner

[Pa.B. Doc. No. 09-1636. Filed for public inspection August 28, 2009, 9:00 a.m.]

Independence Blue Cross; Blue Cross Nongroup Special Care Hospital Program (11-P-09); Rate Filing

On August 10, 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 37.04% increase will affect 5,800 contracts and generate an additional \$2,600,000 annually. The requested effective date of this change is January 1, 2010.

Unless formal administrative action is taken prior to November 12, 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. 09-1637. Filed for public inspection August 28, 2009, 9:00 a.m.]

Independence Blue Cross; Community Rated Basic Blue Cross Hospital Adjustment (12-P-09); Rate Filing

On August 10, 2009, Independence Blue Cross filed for an increase in its community rated Basic Blue Cross hospital rates in its five-county Southeastern Pennsylvania service area. The proposed 13.12% increase will affect 300 contracts and generate an additional \$500,000 annually. The requested effective date of this change is January 1, 2010.

Unless formal administrative action is taken prior to November 12, 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. 09-1638. Filed for public inspection August 28, 2009, 9:00 a.m.]

Independence Blue Cross; Nongroup Basic Blue Cross Hospital Program (10-P-09); Rate Filing

On August 10, 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 36.83% increase for the non-HCTC eligible product and proposed 43.37% increase for the HCTC eligible product will affect 2,500 contracts and generate an additional \$3,600,000 annually. The requested effective date of this change is January 1, 2010.

Unless formal administrative action is taken prior to November 12, 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. 09-1639. Filed for public inspection August 28, 2009, 9:00 a.m.]

Notice to Medical Malpractice Insurance Carriers and Self-Insured Health Care Providers

Insurance companies that offer basic limits medical malpractice coverage are required to report medical malpractice claims information to the Insurance Department (Department) for those insured who are subject to the Medical Care Availability and Reduction of Error (MCARE) Act (40 P. S. §§ 1303.101—1303.910). Organizations and physicians that self-insure their medical malpractice exposures are also required to report this claims information. These reports are required under section 743 of the MCARE.

The claims information must be reported to MCARE and to the Department. The following calendar year 2008 claims information is due to the Fund and the Department by October 15, 2009:

- The aggregate amount of premium earned.
- The aggregate amount of losses paid.
- The aggregate amount of losses incurred.
- The aggregate amount of loss reserves outstanding.
- The aggregate amount of loss adjustment expenses paid.
- The aggregate amount of loss adjustment expenses incurred.
- The aggregate amount of loss adjustment expense reserves outstanding.
- A table showing separately, by accident year and county, the number of claims first reported (or arising) in 2008.
- A table showing separately by accident year and disposition (that is, judgment of arbitration panel, judgment of court, settlement or other) the number of claims closed by county (or disposed) in 2008.
- A separate table for each type of disposition previously identified; showing for claims closed (or disposed) in 2008 separately by accident year; the number of claims closed (or disposed) with payment; the total losses incurred for those claims closed with payment; and the basic coverage premiums collected.

Reports must be submitted as an Excel spreadsheet. A letter has been mailed instructing medical malpractice carriers to submit their 2008 data.

Medical malpractice carriers who have not received a letter should contact Bojan Zorkic, Actuarial Associate, 1311 Strawberry Square, Harrisburg, PA 17120, (717) 787-6968, bzorkic@state.pa.us. Questions should be directed to Bojan Zorkic.

JOEL SCOTT ARIO,
Insurance Commissioner

[Pa.B. Doc. No. 09-1640. Filed for public inspection August 28, 2009, 9:00 a.m.]

PATIENT SAFETY AUTHORITY

Public Meeting

The Patient Safety Authority (Authority), established by section 303 of the Medical Care Availability and Reduction of Error Act (40 P. S. § 1303.303), enacted on March 20, 2002, announces a meeting of the Authority's Board to be held at the Harrisburg Area Community College, One HACC Drive, Harrisburg, PA at 10 a.m. on Tuesday, September 8, 2009.

Individuals having questions regarding this meeting, which is open to the public, should contact the Authority at (717) 346-0469.

MICHAEL C. DOERING,
Executive Director

[Pa.B. Doc. No. 09-1641. Filed for public inspection August 28, 2009, 9:00 a.m.]

PENNSYLVANIA PUBLIC UTILITY COMMISSION

Service of Notice of Motor Carrier Applications

The following temporary authority and/or permanent authority applications for the right to render service as a common carrier or contract carrier in this Commonwealth have been filed with the Pennsylvania Public Utility Commission. Formal protests and petitions to intervene must be filed in accordance with 52 Pa. Code (relating to public utilities). A protest shall indicate whether it applies to the temporary authority application, the permanent authority application, or both. Filings must be made with the Secretary, Pennsylvania Public Utility Commission, P. O. Box 3265, Harrisburg, PA 17105-3265, with a copy served on the applicant by September 14, 2009. Documents filed in support of the applications are available for inspection and copying at the Office of the Secretary between 8 a.m. and 4:30 p.m., Monday through Friday, and at the business address of the respective applicant.

Applications of the following for 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-2009-2124277. Faye A. Wise (2480 Leaman Road, Ronks, Lancaster County, PA 17572)—discontinuance of service and cancellation of her Certificate of Public Convenience as a common carrier by motor vehicle at A-00122530, to transport persons, in paratransit service, limited to persons whose personal convictions prevent them from owning or operating motor vehicles, from points in the County of Lancaster to other points in Pennsylvania, and return.

A-2009-2124280. Scalp Level-Paint Volunteer Fire Company and Windber Volunteer Fire Company #1, Inc., t/d/b/a Northern EMS (1620 Somerset Avenue, Windber, Somerset County, PA 15963), a corporation of the Commonwealth—for the discontinuance of service and cancellation of its Certificate of Public Convenience as a common carrier by motor vehicle at A-00115215, to transport persons in paratransit service, between points in the Boroughs of Windber, Paint, Central City, Indian Lake, Hooversville and Benson and the Townships of Paint, Ogle, Shade, Stoney Creek and Conemaugh, all located in Somerset County, and the Borough of Scalp Level and the Township of Adams, located in Cambria County, and from points in said territory, to other points in Pennsylvania, and return.

A-2009-2124281. Mary E. Russell (39 Chickadee Circle, Leola, Lancaster County, PA 17540), for the discontinuance of service and cancellation of her Certificate of Public Convenience as a common carrier, by motor vehicle at A-00123112, authorizing the transportation of persons in paratransit service, from points in the County of Lancaster to other points in Pennsylvania, and return; limited to the transportation of persons whose personal convictions prevent them from owning or operating motor vehicles.

JAMES J. MCNULTY,
Secretary

[Pa.B. Doc. No. 09-1642. Filed for public inspection August 28, 2009, 9:00 a.m.]

Smart Meter Technology Procurement and Installation Plans

M-2009-2123948, Duquesne Light Company—Petition for approval of its Smart Meter Technology Procurement and Installation Plan. Under the Pennsylvania Public Utility Commission's (Commission) Order, entered June 24, 2009, comments addressing the Smart Meter Plan are to be filed by September 25, 2009. Filings must be made with the Secretary of the Pennsylvania Public Utility Commission, P. O. Box 3265, Harrisburg, PA 17105-3265, with a copy served to the petitioner and the Administrative Law Judge on or before September 25, 2009. The documents filed in support of the petition 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 petitioner's business address.

Petitioner: Duquesne Light Company

Through and By Counsel: Gary A. Jack, 411 Seventh Avenue, Pittsburgh, PA 15219

The following is the initial prehearing conference notice in this proceeding. Petitions for Intervention should be filed with the Secretary and a copy served to the Administrative Law Judge on or before September 25, 2009.

By the Commission

JAMES J. MCNULTY,
Secretary

Notice

This is to inform you that an initial prehearing conference on the previously-captioned case will be held as follows:

Date: Wednesday, October 7, 2009

Time: 10 a.m.

Location: 11th Floor Hearing Room—
PITTSBURGH PARTIES
Pittsburgh State Office Building
300 Liberty Avenue
Pittsburgh, PA 15222

Location: Hearing Room 5—
HARRISBURG PARTIES
Plaza Level
Commonwealth Keystone Building
400 North Street
Harrisburg, PA

Presiding: Administrative Law Judge
Robert P. Meehan
1103 Pittsburgh State Office Building
300 Liberty Avenue
Pittsburgh, PA 15222
Telephone: (412) 565-3550
Fax: (412) 565-5692

Persons with a disability, who wish to attend the hearing, the Commission may be able to make arrangements for their special needs. Call the scheduling office at the Commission at least 5 business days prior to the hearing to submit a request.

For individuals requiring an interpreter to participate in the hearings, the Commission will make every reasonable effort to have an interpreter present. Call the scheduling office at the Commission at least 10 business days prior to the hearing to submit a request.

- Scheduling Office: (717) 787-1399
- Pennsylvania AT&T Relay Service number for persons who are deaf or hearing-impaired: (800) 654-5988

[Pa.B. Doc. No. 09-1643. Filed for public inspection August 28, 2009, 9:00 a.m.]

Smart Meter Technology Procurement and Installation Plans

M-2009-2123950, First Energy (MetEd, Penelec, and Penn Power)—Petitions for approval of their Smart Meter Technology Procurement and Installation Plans. Under the Pennsylvania Public Utility Commission's (Commission) Order, entered June 24, 2009, comments addressing the Smart Meter Plan are to be filed by September 25, 2009. Filings must be made with the Secretary of the Pennsylvania Public Utility Commission, P. O. Box 3265, Harrisburg, PA 17105-3265, with a copy served to the petitioner and the Administrative Law Judge on or before September 25, 2009. The documents filed in support of the petition 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 petitioner's business address.

Petitioner: First Energy Company

Through and By Counsel: Bradley A. Bingaman, 2800 Pottsville Pike, P. O. Box 16001, Reading, PA 19612-6001

The following is the initial prehearing conference notice in this proceeding. Petitions for Intervention should be filed with the Secretary and a copy served to the Administrative Law Judge on or before September 25, 2009.

By the Commission

JAMES J. MCNULTY,
Secretary

Notice

This is to inform you that an initial prehearing conference on the previously-captioned case will be held as follows:

Type: Initial Prehearing Conference
Date: Tuesday, September 29, 2009
Time: 1 p.m.
Location: Hearing Room 2
Plaza Level
Commonwealth Keystone Building
400 North Street
Harrisburg, PA 17120
Presiding: Administrative Law Judge
Susan D. Colwell
P. O. Box 3265
Harrisburg, PA 17105-3265
Phone: (717) 783-5452
Fax: (717) 787-0481

Persons with a disability, who wish to attend the hearing, the Commission may be able to make arrangements for their special needs. Call the scheduling office at the Commission at least 5 business days prior to the hearing to submit a request.

For individuals requiring an interpreter to participate in the hearings, the Commission will make every reasonable effort to have an interpreter present. Call the

scheduling office at the Commission at least 10 business days prior to the hearing to submit a request.

- Scheduling Office: (717) 787-1399
- Pennsylvania AT&T Relay Service number for persons who are deaf or hearing-impaired: (800) 654-5988

[Pa.B. Doc. No. 09-1644. Filed for public inspection August 28, 2009, 9:00 a.m.]

Smart Meter Technology Procurement and Installation Plans

M-2009-2123944, PECO Energy Company—Petition for approval of its Smart Meter Technology Procurement and Installation Plan. Under the Pennsylvania Public Utility Commission's (Commission) Order, entered June 24, 2009, comments addressing the Smart Meter Plan are to be filed by September 25, 2009. Filings must be made with the Secretary of the Pennsylvania Public Utility Commission, P. O. Box 3265, Harrisburg, PA 17105-3265, with a copy served to the petitioner and the Administrative Law Judge on or before September 25, 2009. The documents filed in support of the petition 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 petitioner's business address.

Petitioner: Peco Energy Company

Through and By Counsel: Anthony E. Gay, Peco Energy Company, 2301 Market Street S23-1, and P. O. Box 8699, Philadelphia, PA 19101-8699

The following is the initial prehearing conference notice in this proceeding. Petitions for Intervention should be filed with the Secretary and a copy served to the Administrative Law Judge on or before September 25, 2009.

By the Commission

JAMES J. MCNULTY,
Secretary

Notice

This is to inform you that an initial prehearing conference on the previously-captioned case will be held as follows:

Type: Initial Prehearing Conference
Date: Tuesday, September 29, 2009
Time: 10 a.m.
Location: Hearing Room 3
Plaza Level
Commonwealth Keystone Building
400 North Street
Harrisburg, PA 17120
Presiding: Administrative Law Judge
Marlane R. Chestnut
1302 Philadelphia State Office Building
1400 West Spring Garden Street
Philadelphia, PA 19130
Telephone: (215) 560-2105
Fax: (215) 560-3133

Persons with a disability, who wish to attend the hearing, the Commission may be able to make arrangements for their special needs. Call the scheduling office at the Commission at least 5 business days prior to the hearing to submit a request.

For individuals requiring an interpreter to participate in the hearings, the Commission will make every reasonable effort to have an interpreter present. Call the scheduling office at the Commission at least 10 business days prior to the hearing to submit their request.

- Scheduling Office: (717) 787-1399
- Pennsylvania AT&T Relay Service number for persons who are deaf or hearing-impaired: (800) 654-5988

[Pa.B. Doc. No. 09-1645. Filed for public inspection August 28, 2009, 9:00 a.m.]

Smart Meter Technology Procurement and Installation Plans

M-2009-2123945, PPL Electric Utilities Corporation—Petition for approval of its Smart Meter Technology Procurement and Installation Plan. Under the Pennsylvania Public Utility Commission’s (Commission) Order, entered June 24, 2009, comments addressing the Smart Meter Plan are to be filed by September 25, 2009. Filings must be made with the Secretary of the Pennsylvania Public Utility Commission, P. O. Box 3265, Harrisburg, PA 17105-3265, with a copy served to the petitioner and the Administrative Law Judge on or before September 25, 2009. The documents filed in support of the petition 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 petitioner’s business address.

Petitioner: PPL Electric Utilities Corporation

Through and By Counsel: Paul E. Russell, Associate General Counsel, Two North Ninth Street, Allentown, PA 18101

The following is the initial prehearing conference notice in this proceeding. Petitions for Intervention should be filed with the Secretary and a copy served to the Administrative Law Judge on or before September 25, 2009.

By the Commission

JAMES J. MCNULTY,
Secretary

Notice

This is to inform you that an initial prehearing conference on the previously-captioned case will be held as follows:

- Type:* Initial Prehearing Conference
- Date:* Tuesday, September 29, 2009
- Time:* 10 a.m.
- Location:* Hearing Room 2
Plaza Level
Commonwealth Keystone Building
400 North Street
Harrisburg, PA 17120
- Presiding:* Administrative Law Judge
Wayne L. Weisman
P. O. Box 3265
Harrisburg, PA 17105-3265
Phone: (717) 783-5452
Fax: (717) 787-0481

Persons with a disability, who wish to attend the hearing, the Commission may be able to make arrangements for their special needs. Call the scheduling office at the Commission at least 5 business days prior to the hearing to submit a request.

For individuals requiring an interpreter to participate in the hearings, the Commission will make every reasonable effort to have an interpreter present. Call the scheduling office at the Commission at least 10 business days prior to the hearing to submit their request.

- Scheduling Office: (717) 787-1399
- Pennsylvania AT&T Relay Service number for persons who are deaf or hearing-impaired: (800) 654-5988

[Pa.B. Doc. No. 09-1646. Filed for public inspection August 28, 2009, 9:00 a.m.]

Smart Meter Technology Procurement and Installation Plans

M-2009-2123951, West Penn Power Company—Petition for approval of its Smart Meter Technology Procurement and Installation Plan. Under the Pennsylvania Public Utility Commission’s (Commission) Order, entered June 24, 2009, comments addressing the Smart Meter Plan are to be filed by September 25, 2009. Filings must be made with the Secretary of the Pennsylvania Public Utility Commission, P. O. Box 3265, Harrisburg, PA 17105-3265, with a copy served the petitioner and the Administrative Law Judge on or before September 25, 2009. The documents filed in support of the petition 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 petitioner’s business address.

Petitioner: West Penn Power Company

Through and By Counsel: John L. Munsch, 800 Cabin Hill Drive, Greensburg, PA 15601-1689

The following is the initial prehearing conference notice in this proceeding. Petitions for Intervention should be filed with the Secretary and a copy served to the Administrative Law Judge on or before September 25, 2009.

By the Commission

JAMES J. MCNULTY,
Secretary

Notice

This is to inform you that an initial prehearing conference on the previously-captioned case will be held as follows:

- Date:* Wednesday, September 30, 2009.
- Time:* 10 a.m.
- Location:* 11th Floor Hearing Room—
PITTSBURGH PARTIES
Pittsburgh State Office Building
300 Liberty Avenue
Pittsburgh, PA 15222

Date: Wednesday, September 30, 2009.
Location: Hearing Room 3—
 HARRISBURG PARTIES
 Plaza Level
 Commonwealth Keystone Building
 400 North Street
 Harrisburg, PA
Presiding: Administrative Law Judge
 Mark A. Hoyer
 1103 Pittsburgh State Office Building
 300 Liberty Avenue
 Pittsburgh, PA 15222
 Telephone: (412) 565-3550
 Fax: (412) 565-5692

Persons with a disability, who wish to attend the hearing, the Commission may be able to make arrangements for their special needs. Call the scheduling office at the Commission at least 5 business days prior to the hearing to submit a request.

For individuals requiring an interpreter to participate in the hearings, the Commission will make every reasonable effort to have an interpreter present. Call the scheduling office at the Commission at least 10 business days prior to the hearing to submit a request.

- Scheduling Office: (717) 787-1399
 - Pennsylvania AT&T Relay Service number for persons who are deaf or hearing-impaired: (800) 654-5988
- [Pa.B. Doc. No. 09-1647. Filed for public inspection August 28, 2009, 9:00 a.m.]

Telecommunications Services

A-2009-2125041. Cooperative Communications, Inc. Application of Cooperative Communications, Inc. for approval to offer, render, furnish or supply telecommunications services to the public as a Competitive Local Exchange Carrier in the service territory of The United Telephone Company of Pennsylvania, d/b/a Embarq Pennsylvania.

Formal protests and petitions to intervene must be filed in accordance with 52 Pa. Code (relating to public utilities). Filings must be made with the Secretary of the Pennsylvania Public Utility Commission, P. O. Box 3265, Harrisburg, PA 17105-3265, with a copy served on the applicant, on or before September 14, 2009. The documents filed in support of the application are available for inspection and copying at the Office of the Secretary between 8 a.m. and 4:30 p.m., Monday through Friday, and at the applicant's business address.

Applicant: Cooperative Communications, Inc.

Through and By Counsel: Dennis Linken, Stryker Tams & Dill, 2 Penn Plaza East, Newark, NJ 07105, (973) 491-9500

JAMES J. MCNULTY,
 Secretary

[Pa.B. Doc. No. 09-1648. Filed for public inspection August 28, 2009, 9:00 a.m.]

Tentative Order

Public Meeting held
 August 6, 2009

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

In re: Capital Telecommunications, Inc.;
Doc. Nos. A-310084 and A-310084F0002

Tentative Order

By the Commission:

Capital Telecommunications, Inc. (Capital) is a reseller of interexchange toll services and a competitive local exchange carrier certificated at A-310082 and A-310082F0002, respectively. Capital has failed to file its 2007 Annual Reports under section 504 of the Public Utility Code. 66 Pa.C.S. § 504. Specifically, 66 Pa.C.S. § 504 provides that:

The commission may require any public utility to file periodical reports, at such times, and in such form, and of such content, as the commission may prescribe, and special reports concerning any matter whatsoever about which the commission is authorized to inquire, or to keep itself informed, or which it is required to enforce.

Commission staff's several attempts to reach Capital by mail and phone to file the missing report have been unsuccessful. Telephone calls to the last known business address of Capital reveals that the number is not a properly working number and no information is available for any new phone numbers. In addition, we are not aware that Capital has any current customers in Pennsylvania, and Capital was never assigned any NXX codes.

The Commission puts the industry on notice that we will not hesitate to invoke our authority under the Public Utility Code to ensure timely compliance with our regulations and orders including the ordering of such other remedy as the Commission may deem appropriate. 66 Pa.C.S. §§ 504, 505, 506 and 3301. Based on the above facts, we believe it is appropriate to revoke Capital's certificates of public convenience without the necessity of a formal complaint. For these reasons, we tentatively conclude that revocation of Capital's certificates of public convenience under 66 Pa.C.S. § 1102(a)(2) is in the public interest. Furthermore, the Commission may take other appropriate action, including the imposition of penalties under section 3301, in lieu of cancellation, if Capital seeks relief from this Tentative Order; *Therefore,*

It Is Ordered That:

1. The revocation of Capital Telecommunications, Inc.'s certificates of public convenience are hereby tentatively approved as being in the public interest.

2. The Secretary serve a copy of this Tentative Order upon the Office of Consumer Advocate, the Office of Small Business Advocate, and the Office of Trial Staff, and also cause a copy of this Tentative Order to be published in the *Pennsylvania Bulletin* with a 30-day comment period.

3. The absence of the filing of adverse public comment within 30 days after publication in the *Pennsylvania Bulletin*, this Tentative Order shall become final without further action by the Commission.

4. Upon this order becoming final, and without further action by the Commission, the certificates of public convenience held by Capital Telecommunications, Inc. at

A-310084 and A-310084F0002 shall be canceled, and Capital Telecommunications, Inc.'s name stricken from all active utility lists maintained by the Commission's Bureau of Fixed Utility Services and the Assessment Section of the Bureau of Administrative Services.

JAMES J. MCNULTY,
Secretary

[Pa.B. Doc. No. 09-1649. Filed for public inspection August 28, 2009, 9:00 a.m.]

Tentative Order

Public Meeting held
August 6, 2009

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

In re: Eastern Telephone Systems, Inc.;
Doc. No. A-310082

Tentative Order

By the Commission:

Eastern Telephone Systems, Inc. (Eastern) is a reseller of interexchange toll services certificated at A-310082. Eastern has failed to file its 2007 Annual Report pursuant to section 504 of the Public Utility Code. 66 Pa.C.S. § 504. Specifically, 66 Pa.C.S. § 504 provides that:

The commission may require any public utility to file periodical reports, at such times, and in such form, and of such content, as the commission may prescribe, and special reports concerning any matter whatsoever about which the commission is authorized to inquire, or to keep itself informed, or which it is required to enforce.

Commission staff's several attempts to reach Eastern by mail and phone to file the missing report have been unsuccessful. Telephone calls to the last known business address of Eastern reveals that the number is not a properly working number and no information is available for any new phone numbers.

The Commission puts the industry on notice that we will not hesitate to invoke our authority under the Public Utility Code to ensure timely compliance with our regulations and orders, including the ordering of such other remedy as the Commission may deem appropriate. 66 Pa.C.S. §§ 504, 505, 506 and 3301. Based on the above facts, we believe it is appropriate to revoke Eastern's certificate of public convenience without the necessity of a formal complaint. For these reasons, we tentatively conclude that revocation of Eastern's certificate of public convenience under 66 Pa.C.S. § 1102(a)(2) is in the public interest. Furthermore, the Commission may take other appropriate action, including the imposition of penalties under section 3301, in lieu of cancellation, if Eastern seeks relief from this Tentative Order; *Therefore,*

It Is Ordered That:

1. The revocation of Eastern Telephone Systems, Inc.'s certificate of public convenience is hereby tentatively approved as being in the public interest.

2. The Secretary serve a copy of this Tentative Order upon the Office of Consumer Advocate, the Office of Small Business Advocate, and the Office of Trial Staff, and also

cause a copy of this Tentative Order to be published in the *Pennsylvania Bulletin* with a 30-day comment period.

3. The absence of the filing of adverse public comment within 30 days after publication in the *Pennsylvania Bulletin*, this Tentative Order shall become final without further action by the Commission.

4. Upon this order becoming final, and without further action by the Commission, the certificate of public convenience held by Eastern Telephone Systems, Inc. at A-310082 shall be canceled, and Eastern Telephone Systems, Inc.'s name stricken from all active utility lists maintained by the Commission's Bureau of Fixed Utility Services and the Assessment Section of the Bureau of Administrative Services.

JAMES J. MCNULTY,
Secretary

[Pa.B. Doc. No. 09-1650. Filed for public inspection August 28, 2009, 9:00 a.m.]

Tentative Order

Public Meeting held
August 6, 2009

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

In re: Quick Tel, Inc.;
Doc. No. A-311086

Tentative Order

By the Commission:

Quick Tel, Inc. (Quick Tel) is a reseller of interexchange toll services certificated at A-311086. Quick Tel has failed to file its 2007 Annual Report pursuant to section 504 of the Public Utility Code. 66 Pa.C.S. § 504. Specifically, 66 Pa.C.S. § 504 provides that:

The commission may require any public utility to file periodical reports, at such times, and in such form, and of such content, as the commission may prescribe, and special reports concerning any matter whatsoever about which the commission is authorized to inquire, or to keep itself informed, or which it is required to enforce.

Commission staff's several attempts to reach Quick Tel by mail and phone to file the missing report have been unsuccessful. Telephone calls to the last known business address of Quick Tel confirmed that the number is disconnected and no information is available for any new phone numbers.

The Commission puts the industry on notice that we will not hesitate to invoke our authority under the Public Utility Code to ensure timely compliance with our regulations and orders, including the ordering of such other remedy as the Commission may deem appropriate. 66 Pa.C.S. §§ 504, 505, 506 and 3301. Based on the above facts, we believe it is appropriate to revoke Quick Tel's certificate of public convenience without the necessity of a formal complaint. For these reasons, we tentatively conclude that revocation of Quick Tel's certificate of public convenience pursuant to 66 Pa.C.S. § 1102(a)(2) is in the public interest. Furthermore, the Commission may take other appropriate action, including the imposition of

penalties under section 3301, in lieu of cancellation, if Quick Tel seeks relief from this Tentative Order; *Therefore,*

It Is Ordered That:

1. The revocation of Quick Tel, Inc.'s certificate of public convenience is hereby tentatively approved as being in the public interest.

2. The Secretary serve a copy of this Tentative Order upon the Office of Consumer Advocate, the Office of Small Business Advocate, and the Office of Trial Staff, and also cause a copy of this Tentative Order to be published in the *Pennsylvania Bulletin* with a 30-day comment period.

3. The absence of the filing of adverse public comment within 30 days after publication in the *Pennsylvania Bulletin*, this Tentative Order shall become final without further action by the Commission.

4. Upon this order becoming final, and without further action by the Commission, the certificate of public convenience held by Quick Tel, Inc. at A-311086 shall be canceled, and Quick Tel, Inc.'s name stricken from all active utility lists maintained by the Commission's Bureau of Fixed Utility Services and the Assessment Section of the Bureau of Administrative Services.

JAMES J. MCNULTY,
Secretary

[Pa.B. Doc. No. 09-1651. Filed for public inspection August 28, 2009, 9:00 a.m.]

STATE BOARD OF BARBER EXAMINERS

**Bureau of Professional and Occupational Affairs v.
Jeffrey A. Thomas, Sr.; Doc. No. 1273-42-2009**

On July 7, 2009, Jeffrey A. Thomas, Sr., license no. BL049409L, of Philadelphia, Philadelphia County, was suspended under the Order of the Court of Common Pleas of Philadelphia County dated June 24, 2009, which the Court issued under section 4355 of the Domestic Rela-

tions Code (relating to denial or suspension of licenses). The suspension is effective immediately.

Persons may obtain a copy of the order by writing to Cynthia K. Montgomery, Senior Counsel in Charge, State Board of Barber Examiners, P. O. Box 2649, Harrisburg PA 17105-2649.

L. ANTHONY SPOSSEY,
Chairperson

[Pa.B. Doc. No. 09-1652. Filed for public inspection August 28, 2009, 9:00 a.m.]

STATE BOARD OF COSMETOLOGY

**Bureau of Professional and Occupational Affairs v.
Julie Thi Le; Doc. No. 0562-45-2008**

On July 15, 2009, Julie Thi Le license no. CO258798, of Upper Darby, Delaware County, PA, was revoked and ordered to pay a civil penalty of \$1,000, because she obtained her license as a cosmetologist by dishonest and unethical means.

Persons may obtain a copy of the order by writing to David Markowitz, Board Counsel, State Board of Cosmetology, P. O. Box 2649, Harrisburg, PA 17105-2649.

This order represents the State Board of Cosmetology (Board) final decision in this matter. It may be appealed to the Commonwealth Court of Pennsylvania by the filing of a petition for review with that court in accordance with the Pennsylvania Rules of Appellate Procedure. Individuals who take an appeal to the Commonwealth Court must serve their Board with a copy of the petition for review. The Board contact for receiving service of the appeals is the previously-named Board Counsel.

JANET G. M. SANKO,
Chairperson

[Pa.B. Doc. No. 09-1653. Filed for public inspection August 24, 2009, 9:00 a.m.]

