

NOTICES

DEPARTMENT OF AGRICULTURE

Year 2010 Dog Control Facility Bill Reimbursement Grant Program

The Department of Agriculture (Department) gives notice that it intends to award up to \$550,000 in grants under its Year 2010 Dog Control Facility Bill Reimbursement Program (Program). The Program will award bill reimbursement grants of up to \$15,000 per recipient to humane societies or associations for the prevention of cruelty to animals that meet the guidelines and conditions of this Program. The Program will be funded from the Dog Law Restricted Account, from funds which are hereby declared to be "surplus" funds for the limited purposes set forth in section 1002(b) of the Dog Law (3 P. S. § 459-1002(b)).

The Department hereby gives notice that although it proposes the Program for year 2010, there is not likely to be a similar program in 2011. Humane societies or associations for the prevention of cruelty to animals are hereby provided notice of this fact and—for budgeting and financial planning purposes—should proceed on the assumption that the Department will not be offering a year—2011 version of the Program or, at best, will be offering a significantly scaled-back version of the Program.

In fulfillment of 7 Pa. Code § 23.4 (relating to guidelines and conditions), the Department invites public and legislative review of the proposed guidelines and conditions set forth as follows. Comments should be submitted, in writing, so they are received by the Department no later than October 12, 2009—30 days from the date the proposed guidelines and conditions are published in the *Pennsylvania Bulletin*. Comments should be directed to Sue West, Director, Bureau of Dog Law Enforcement, Department of Agriculture, 2301 North Cameron Street, Harrisburg, PA 17110-9408.

The Department will review and consider all written comments in preparing the final guidelines and conditions for the Program. The final guidelines and conditions for the Program will be published in the *Pennsylvania Bulletin* after the close of the comment period referenced. The Department will invite the submission of grant applications at that time.

The proposed guidelines and conditions for the Program are as follows.

Proposed Guidelines and Conditions for the Year 2010

Dog Control Facility Bill Reimbursement Grant Program

1. *Definitions.*

The following words and terms, when used in these guidelines and conditions, have the following meanings:

Department—The Department of Agriculture.

Dog control—The apprehending, holding and disposing of stray or unwanted dogs, or as otherwise defined in the Dog Law (3 P. S. § 459-102).

Eligible Bill—A document seeking payment for materials, services (other than veterinary services and spaying/neutering services) or utilities from a grant recipient, setting forth the following:

i. The date the document is issued.

ii. The name and address of the humane society or association for the prevention of cruelty to animals to which the bill is issued.

iii. If for materials, a description of the materials and the date of delivery must be included. Invoices and/or receipts for materials must set forth or be accompanied by a written description of the intended use of the material and the date the material is used. Materials may not include computers, computer equipment or software. Examples of eligible materials include the following:

- Cleaning supplies;
- Office supplies—typical supplies used to carry on daily office duties;
- Materials for building and repair projects; and
- Purchases of medication, needles, and the like.

iv. If for services, the services must be other than veterinary services or spaying/neutering services, and shall include a description of the nature of the services and the dates upon which the services were rendered. Examples of services include the following:

- Labor charges with respect to which the invoice details the exact service performed and the date of performance;
- Cremation services with respect to which the invoice either verifies that only dogs were cremated or—in the event that animals other than dogs were cremated—separates the dogs from those other animals and identifies a charge attributable to only the cremation of the dogs.
- Exterminator services with respect to which the invoice identifies the date of the service and identifies location of the service.

- Property, casualty and liability insurance services (excluding workers compensation insurance).

v. If for utilities (such as electricity, water, sewer, waste disposal and similar purposes), a statement of the period for which the utility, for which payment is sought, was provided.

vi. The name, address and telephone number of the entity issuing the invoice or receipt.

Humane society or association for the prevention of cruelty to animals (SPCA)—A nonprofit society or association duly incorporated under 15 Pa.C.S. Chapter 53, Subchapter A (relating to incorporation generally) for the purpose of prevention of cruelty to animals, or as otherwise defined in the Dog Law (3 P. S. § 459-102).

Program—The Year 2010 Dog Control Facility Bill Reimbursement Program.

2. *Eligibility.*

A humane society or association for the prevention of cruelty to animals is eligible to apply to receive a grant under the Program if that humane society or association for the prevention of cruelty to animals:

a. Has been in operation for at least 1 year immediately preceding the application date.

b. Has performed dog control functions for at least 1 year immediately preceding the application date.

c. Has, in the performance of its dog control functions, accepted at least 100 stray or unwanted dogs into its facility within the year immediately preceding the application date.

d. Is not a party to a contract with the Department under which the Department pays that humane society or association for the prevention of cruelty to animals for dog control activities performed in the year 2010.

e. Agrees—as a condition of receiving any grant money under the Program—to continue to perform dog control activities and to accept stray or unwanted dogs from the Department's State Dog Wardens performing dog control functions, through the year 2010.

f. Agrees—as a condition of receiving any grant money under the Program—to accept stray or unwanted dogs as described in the preceding paragraph without regard to whether the stray or unwanted dog originates from a county other than the county in which the humane society or association for the prevention of cruelty to animals is located.

g. Has a valid Pennsylvania 2010 "Non Profit" kennel license, and operates only a nonprofit kennel at the facility for which grant reimbursement is requested. Facilities which house kennel operations other than a nonprofit facility (that is, boarding kennel and/or commercial kennel) at the same location are not eligible to participate in this program.

h. If the Humane Society/SPCA has a total operating budget of \$350,000 or less for the 2010 calendar year or, if its budget is on a basis other than calendar year, has a total operating budget of \$350,000 or less for each fiscal year comprising any portion of calendar year 2010, the maximum grant amount will not exceed \$15,000.

i. If the Humane Society/SPCA has a total operating budget exceeding \$350,000 for the 2010 calendar year or, if its budget is on a basis of other than calendar year, has a total operating budget over \$350,000 for each fiscal year comprising any portion of calendar year 2010, the maximum grant amount will not exceed \$10,000.

3. Use of Grant Funds.

The Department will allocate a specific maximum grant amount to a successful grant applicant through a written grant agreement. This maximum grant amount will be specified in the grant agreement, and will not exceed \$15,000 with respect to any application.

The maximum grant amount will be retained by the Department and used to reimburse the grant recipient for eligible bills the grant recipient has paid with respect to materials, services or utilities provided to the grant recipient from January 1, 2010, through December 31, 2010. The total reimbursement the Department will pay a grant recipient will not exceed the maximum grant amount. Any money remaining in a grant allocation beyond the termination date of the grant agreement will lapse into the Dog Law Restricted Account. If a bill covers materials, services or utilities provided, in whole or in part, before January 1, 2010, or after December 31, 2010, that bill is not an eligible bill and will not be reimbursed by the Department under the Program.

4. Application Process.

a. *Application required.* A humane society or association for the prevention of cruelty to animals seeking a grant under the Program must complete a written application form and deliver it to the Department no later than 30 days from the date this notice is published in the *Pennsylvania Bulletin*. Applications received by the Department beyond that date will not be considered.

b. *Obtaining an application form.* The Department will provide grant application forms upon request, or the application may be downloaded from the Department's web site: www.agriculture.state.pa.us.

Requests for application forms should be directed to Susan West, Director, Bureau of Dog Law Enforcement, Department of Agriculture, 2301 North Cameron Street, Harrisburg, PA 17110-9408, (717) 787-4833, fax (717) 772-4352.

c. *Contents of grant application form.* A grant application form shall require the following information:

i. The name and address of the applicant.

ii. Information to verify that the applicant is a humane society or association for the prevention of cruelty to animals and otherwise meets the eligibility requirements set forth in paragraph 2.

iii. The maximum grant amount sought by the applicant—not to exceed \$15,000 (or \$10,000, if Paragraph 2(i) is applicable).

iv. A description of the eligible bills for which the grant applicant intends to seek reimbursement, including a description (and copies, if available) of bills received by the applicant in 2009 for the same type of materials, services (other than veterinary services and spaying/neutering services), or utilities for which reimbursement will be sought under the grant agreement.

v. Verification that, in the event a grant is awarded, the applicant will continue to perform dog control activities, and to accept stray or unwanted dogs from the Department's State Dog Wardens performing dog control functions, through the year 2010.

vi. Other information as the Department might reasonably require.

5. Review and approval of grant application.

a. *Review and notification.* The Department will review each timely grant application and provide the applicant written notification of whether the Department awards the grant, denies the grant or awards a grant in some amount less than the applicant sought. This written notification will be mailed no later than 30 days from the date the Bureau of Dog Law Enforcement receives the grant application, to the address provided by the applicant on the grant application form. If an application is incomplete or the Department requires additional information or documentation to evaluate the grant request, it will so advise the applicant within 30 days from the date it receives the grant application.

b. *Review criteria.* The Department will consider the following, among other factors, in determining whether to award a grant application:

i. The number of applications received and the availability of funds for the grants sought.

ii. The relative contribution of the applicant to dog control activities in the area it serves.

iii. The relative contribution of the applicant to dog control as compared to the relative contribution of other applicants.

iv. The relative importance of the grant to the continued operation of the applicant's dog control facility.

v. The expense or logistical difficulty the Department would encounter if the applicant's dog control facility was no longer in operation.

vi. The relative contribution of the applicant in terms of the number of stray or unwanted dogs it accepts from the Department's State Dog Wardens performing dog control functions.

6. *Grant agreement.*

a. *Grant agreement required.* A successful grant applicant must execute a grant agreement with the Department, setting forth the terms and conditions pursuant to which the grant money will be used by the Department to reimburse the grant recipient for payment of eligible bills.

b. *Reimbursement requests.* The grant agreement will set forth the exact procedure by which a grant recipient shall seek reimbursement from the Department for payment of eligible bills. The basic reimbursement request procedure will be as follows:

By July 15, 2010, the grant recipient will: (1) deliver copies of the eligible bills it has paid between January 1, 2010 and June 30, 2010; (2) verify that these bills have been paid and are eligible for reimbursement; and (3) provide a detailed report of the dog control activities performed by the successful applicant during the referenced 6-month period.

By January 15, 2011, the grant recipient will: (1) deliver copies of the eligible bills it has paid between July 1, 2010 and December 31, 2010; (2) verify that these bills have been paid and are eligible for reimbursement; and (3) provide a detailed report of the dog control activities performed by the successful applicant during the referenced 6-month period.

c. *Payment by the Department.* The Department will reimburse a grant recipient for eligible bills within 60 days of receiving a complete and timely reimbursement request.

d. *Termination.* The Department may terminate a grant agreement at any time by providing the grant recipient written notice of termination at the address set forth on the grant application.

DENNIS C WOLFF,
Secretary

[Pa.B. Doc. No. 09-1685. Filed for public inspection September 11, 2009, 9:00 a.m.]

DEPARTMENT OF BANKING

Actions on Applications

The Department of Banking (Department), under the authority contained in the act of November 30, 1965 (P. L. 847, No. 356), known as the Banking Code of 1965; the act of December 14, 1967 (P. L. 746, No. 345), known as the Savings Association Code of 1967; the act of May 15, 1933 (P. L. 565, No. 111), known as the Department of Banking Code; and the act of December 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 September 1, 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

Branch Applications

De Novo Branches

<i>Date</i>	<i>Name and Location of Applicant</i>	<i>Location of Branch</i>	<i>Action</i>
8-21-2009	Community State Bank of Orbisonia Orbisonia Huntingdon County	415 Fulton Drive McConnellsburg Fulton County	Opened
8-21-2009	Susquehanna Bank Lititz Lancaster County	1800 Dual Highway Hagerstown Washington County, MD	Filed

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<i>Date</i>	<i>Name and Location of Applicant</i>	<i>Location of Branch</i>	<i>Action</i>
8-25-2009	Beneficial Mutual Savings Bank Philadelphia Philadelphia County	545 West Street Road Warminster Bucks County	Filed

Branch Discontinuances

<i>Date</i>	<i>Name and Location of Applicant</i>	<i>Location of Branch</i>	<i>Action</i>
8-21-2009	Northwest Savings Bank Warren Warren County	325 Center Street Chardon Geauga County, OH	Closed

Articles of Amendment

<i>Date</i>	<i>Name and Location of Institution</i>	<i>Action</i>
8-27-2009	Mifflinburg Bank and Trust Company Mifflinburg Union County	Filed

Articles of Amendment provide for the institution's Articles of Incorporation to be amended and restated in their entirety.

SAVINGS INSTITUTIONS

No activity.

CREDIT UNIONS

Consolidations, Mergers and Absorptions

<i>Date</i>	<i>Name and Location of Applicant</i>	<i>Action</i>
8-28-2009	First Choice Federal Credit Union New Castle Lawrence County	Filed

Application for approval to merge New Castle Postal Employees Credit Union, New Castle, with and into First Choice Federal Credit Union, New Castle.

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. 09-1686. Filed for public inspection September 11, 2009, 9:00 a.m.]

DEPARTMENT OF CONSERVATION AND NATURAL RESOURCES

Conservation and Natural Resources Advisory Council Meeting Notice

The Conservation and Natural Resources Advisory Council to the Department of Conservation and Natural Resources (Department) will hold a meeting on Wednesday, September 23, 2009, at 10 a.m. in Room 105, Lobby Level, Rachel Carson State Office Building, 400 Market Street, Harrisburg, PA.

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

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

C. ALLEN SACHSE,
Chairperson

[Pa.B. Doc. No. 09-1687. Filed for public inspection September 11, 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>
PA0063924 (Sewage)	Department of Conservation and Natural Resources Delaware Canal State Park Teddy Roosevelt Picnic Area 11 Lodi Hill Road Upper Black Eddy, PA 18972-9540	Northampton County Williams Township	Delaware River 2D	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>
PA0061026 (Sewage)	Big Pocono Utilities, Inc. Ski Side Village and Chateau Resort Tannersville, PA 18372	Monroe County Pocono Township	Pocono Creek 1E	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>
PA0038865 (Sewage)	Zerbe Township Wastewater Treatment Plant Off Route 225 Trevorton, PA 17881	Zerbe Township Northumberland County	Zerbe Run CWF 6B	Y
PA0228095 (Sewage)	Tulpehocken Spring Water Co., Inc. 750 Point Township Drive Northumberland, PA 17857	Point Township Northumberland County	Catawissa/Roaring Creeks 5E	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>
PA0100315	Farma Parks, Inc. 87 Hughey Road Greenville, PA 16125-09628	Perry Township Mercer County	UNT of Little Shenango River 20-A	Y

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

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

PA0244210, Industrial Waste, SIC 2841, **Crystal, Inc.—PMC**, 601 West Eight Street, Lansdale, PA 19446. This facility is located in Lansdale Borough, **Montgomery County**.

Description of Proposed Activity: Amendment 1 to an NPDES permit for the discharge of stormwater from an industrial facility. A monitoring requirement for sulfite will be added to the permit.

The receiving stream, a UNT (Pa. Stream Code 02889) to the West Branch Neshaminy Creek, is in the State Water Plan Watershed 2F and is classified for: WWF and MF. The nearest downstream public water intake is located on Neshaminy Creek.

The proposed effluent limits for Outfalls 001—004 are based on a stormwater event.

<i>Parameters</i>	<i>Mass (lb/day)</i>		<i>Concentration (mg/l)</i>		
	<i>Average Monthly</i>	<i>Maximum Daily</i>	<i>Average Monthly</i>	<i>Maximum Daily</i>	<i>Instantaneous Maximum (mg/l)</i>
CBOD ₅					Monitor and Report
COD					Monitor and Report
Oil and Grease					30
pH					Monitor and Report
Total Suspended Solids					Monitor and Report
Total Phosphorus					Monitor and Report
Total Kjeldahl Nitrogen					Monitor and Report
Iron, Total					Monitor and Report
Surfactants (MBAS)					Monitor and Report
Sulfite					Monitor and Report

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

1. Stormwater Conditions.

PA0058882, Industrial Waste, SIC 3272, **Delaware Valley Concrete Company, Inc.**, 248 East County Line Road, Hatboro, PA 19040. This facility is located in Kennett Township, **Chester County**.

Description of Proposed Activity: This application requests approval of a NPDES permit to discharge stormwater run-off from the site of a manufacturer of concrete products located at 2 Ways Lane in Kennett Square, PA.

The receiving stream, a UNT to East Branch Red Clay Creek, is in the State Water Plan Watershed 3I and is classified for: TSF, aquatic life, water supply, and recreation.

<i>Parameters</i>	<i>Mass (lb/day)</i>		<i>Concentration (mg/l)</i>			
	<i>Average Monthly</i>	<i>Maximum Daily</i>	<i>Average Annual</i>	<i>Average Semi-Annual</i>	<i>Maximum Daily</i>	<i>Instantaneous Maximum (mg/l)</i>
Total Suspended Solids (Issuance—year 2) (Year 3—expiration)			M/R 50	M/R M/R	M/R 100	100
pH (Standard Units) (Issuance—year 2) (Year 3—expiration)			M/R 6.0 (Minimum)	M/R	M/R 9.0 (Maximum)	
Oil and Grease			M/R	M/R	M/R	
pH (Upstream) (Downstream)			M/R M/R	M/R M/R	M/R M/R	

M/R—Monitor and Report.

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

1. DMR to DEP.
2. BAT/ELG Reopener.
3. Change of Name or Ownership.
4. Stormwater Outfall Requirements.
5. Instream pH Monitoring.

PA0058629, Industrial Waste, SIC 5015, **Francis E. Schultz, Jr., d/b/a Jamison's Used Auto Parts**, 529 Flint Hill Road, King of Prussia, PA 19406. This facility is located in Upper Merion Township, **Montgomery County**.

Description of Proposed Activity: Renewal of NPDES permit to discharge stormwater from an automotive recycling and salvage facility.

The receiving stream, a UNT to the Schuylkill River, is in the State Water Plan Watershed 3F and is classified for: WWF, aquatic life, water supply and recreation. The nearest downstream public water supply intake for Philadelphia Water Department is located on the Schuylkill River and is approximately 9.0 miles below the point of discharge.

The proposed effluent limits for Outfall 001 are based on a design flow of an average storm event:

<i>Parameters</i>	<i>Mass (lb/day)</i>		<i>Concentration (mg/l)</i>		
	<i>Average Monthly</i>	<i>Maximum Daily</i>	<i>Average Monthly</i>	<i>Maximum Daily</i>	<i>Instantaneous Maximum (mg/l)</i>
COD					Monitor
Total Suspended Solids					Monitor
Oil and Grease				15.0	30.0
pH (Standard Units)			6.0 Minimum		9.0
Dissolved Iron					Monitor
Aluminum					Monitor
Cadmium					Monitor
Chromium					Monitor
Copper					Monitor
Lead					Monitor
Zinc					Monitor
Total Recoverable					
Petroleum Hydrocarbons					Monitor
Gasoline Range Organics					Monitor
Diesel Range Organics					Monitor
BTEX					Monitor

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

1. Remedial Measures if Public Nuisance.
2. Small Stream Discharge.
3. Necessary Property Rights.
4. BAT/ELG Reopener.
5. Change in Ownership.

- 6. Proper Sludge Disposal.
- 7. Stormwater Requirements.

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

Application No. PA0260398, CAFO, **Yippee Farms**, 880 Pinkerton Road, Mount Joy, PA 17552. Arlin Benner has submitted an application for an Individual NPDES permit for a CAFO known Yippee Farms, located in Rapho Township, **Lancaster County**.

The CAFO is situated near Little Chickies Creek, which is classified as a TSF. The CAFO includes a home farm and two satellite farms designed to maintain an animal population of approximately 1,471 animal equivalent units consisting of 690 milk cows, 130 dry cows, 570 heifers, 90 dairy calves and seven bulls. Liquid manure is stored in a combination of above ground steel Slurrystore and below ground concrete tanks with a capacity of approximately 1.1 million gallons. Manure produced at the operation is applied onsite or exported to local farmers in accordance with an approved Nutrient Management Plan. A release or discharge to waters of the Commonwealth under normal operating conditions is not expected. Normal operating conditions are defined as conditions below a 25-year, 24-hour storm event.

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

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

Persons wishing to comment on the proposed permit are invited to submit written comments to the previous address within 30 days from the date of this public notice. Comments received within this 30-day period will be considered in formulating the Department's final determination regarding the application. Following the 30-day comment period, the Watershed Management Program Manager will make a final determination regarding the proposed permit. Notice of this determination will be published in the *Pennsylvania Bulletin* at which time the determination may be appealed to the Environmental Hearing Board.

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

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

PA0263575, Sewage, **Sheryl A. Colangeli**, 793 Saxonburg Boulevard, Saxonburg, PA 16056. This proposed facility is located in Clinton Township, **Butler County**.

Description of Proposed Activity: A new NPDES permit for a new discharge of treated sewage.

The receiving water is Rocky Run. The receiving stream is in State Water Plan 18-A and is classified for the following uses: TSF, aquatic life, water supply and recreation. The nearest downstream potable water supply, Oakmont Borough Municipal Authority intake, is located on the Allegheny River and is approximately 16.46 miles below the point of discharge.

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

<i>Parameter</i>	<i>Concentrations</i>		
	<i>Average Monthly (mg/l)</i>	<i>Average Weekly (mg/l)</i>	<i>Instantaneous Maximum (mg/l)</i>
Flow	XX		
CBOD ₅	10		10
Total Suspended Solids	10		10
Fecal Coliform		200/100 ml as a Geometric Average	
pH		6.0 to 9.0 Standard Units at all times	

XX—Monitor and Report.

The EPA waiver is in effect.

PA0101265, Sewage, **Andrew L. Hatton, d/b/a Shangri La Mobile Home Court**, 25368 Maple Lane, Cochranon, PA 16314. This proposed facility is located in West Shenango Township, **Crawford County**.

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

For the purpose of evaluating effluent requirements for TDS, NO₂-NO₃, fluoride, phenolics, sulfate and chloride, the existing/proposed downstream potable water supply, considered during the evaluation, is located on the Shenango River (Greenville Municipal Authority) and is approximately 11 miles below point of discharge.

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

The proposed effluent limits for Outfall 001 are based on a design flow of 0.0056 mgd.

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

XX—Monitor and Report on monthly DMRs.

The EPA waiver is in effect.

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

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

WQM Permit No. 5809402, Sewerage, **Forest City Borough**, 535 Main Street, Forest City, PA 18421. This proposed facility is located in Forest City Borough, **Susquehanna County**.

Description of Proposed Action/Activity: This project is for the replacement of the Borough's existing sewage collection system with new gravity sanitary sewers.

WQM Permit No. 4009409, Sewerage, **Little Washington Wastewater Company**, 762 West Lancaster Avenue, Bryn Mawr, PA 19010-3420. This proposed facility is located in White Haven Borough, **Luzerne County**.

Description of Proposed Action/Activity: This project involves modifications to the Powerhouse Road Pump Station and construction of a 1,100 foot force main.

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

WQM Permit No. 6793404, Amendment 09-1, Sewerage, **Exit II WWTP, Inc.**, P. O. Box 1387, York, PA 17405-1387. This proposed facility is located in Springfield Township, **York County**.

Description of Proposed Action/Activity: Addition of a tertiary filter and other improvements at existing wastewater treatment plant.

WQM Permit No. 6709402, Sewerage, **York City Sewer Authority**, 345 East Market Street, York, PA 17403. This proposed facility is located in Manchester Township, **York County**.

Description of Proposed Action/Activity: Upgrade of existing WWTP to meet proposed nutrient limits.

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

WQM Permit No. 1490410-A2, Sewerage, SIC 4952, **Spring-Benner-Walker Joint Municipal Authority**, South Rockview Road and PA-26 (East College Avenue), Bellefonte, PA 16823. This proposed facility is located in Benner Township, **Centre County**.

Description of Proposed Action/Activity: SCI Benner Township is proposing to relocate a portion of force main from the Spring-Benner-Walker Joint Municipal Authority Pump Station No. 6 located on SR 26, because the existing force main crosses the section of property where the new 2,000 inmate SCI Benner Township Prison will be built.

WQM Permit No. 1409407, Sewerage, SIC 4952, **Department of General Services**, South Rockview Road and PA-26 (East College Avenue), Bellefonte, PA 16823. This proposed facility is located in Benner Township, **Centre County**.

Description of Proposed Action/Activity: SCI Benner Township is proposing to construct a 2,000 inmate correctional facility, which will necessitate the construction of a sewer line extension and a comminutor/screen unit to pretreat the wastewater.

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>
PAI014609002	Montgomery County Community College 101 College Drive Pottstown, PA 19484	Montgomery	Pottstown Borough	Schuylkill River WWF-M

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

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

<i>NPDES Permit No.</i>	<i>Applicant Name & Address</i>	<i>County</i>	<i>Municipality</i>	<i>Receiving Water/Use</i>
PAI024509012	Tobyhanna Army Depot 11 Hap Arnold Boulevard Mail Stop 5078 Tobyhanna, PA 18466	Monroe	Coolbaugh Township	Tobyhanna Creek HQ-CWF, MF
PAI024509013	Snydersville Development Group, LLC P. O. Box K Stroudsburg, PA 18360	Monroe	Hamilton Township	Appenzell Creek HQ-CWF, MF
PAI024509010	Stroudsburg Area School District 123 Linden Street Stroudsburg, PA 18360	Monroe	Stroudsburg Borough	Pocono Creek HQ-CWF, MF
PAI024509011	Verizon Wireless 4642 Jonestown Road Suite 200 Harrisburg, PA 17109	Monroe	Price Township	Brodhead Creek HQ-CWF, MF

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

<i>NPDES Permit No.</i>	<i>Applicant Name & Address</i>	<i>County</i>	<i>Municipality</i>	<i>Receiving Water/Use</i>
PAI023909004(1)	Christopher Fencel Cedar-Trexler Plaza 2, LLC and Cedar-Trexler Plaza 3, LLC 3307 Trindle Road Camp Hill, PA 17011	Lehigh	Upper Macungie and Lower Macungie Townships	Tributary to Iron Run HQ-CWF, MF

Northampton County Conservation District: 14 Gracedale Avenue, Greystone Building, Nazareth, PA 18064-9211, (610) 746-1971.

<i>NPDES Permit No.</i>	<i>Applicant Name & Address</i>	<i>County</i>	<i>Municipality</i>	<i>Receiving Water/Use</i>
PAI024804031R	Tim Frankenfield Plainfield Township 6292 Sullivan Trail Nazareth, PA 18064	Northampton	Plainfield Township	Mud Run CWF Little Bushkill Creek HQ-CWF, MF

Wayne County Conservation District: Agricultural 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>
PAI026409005	Robert Wieggers 486 Crawford Road Narrowsburg, NY	Wayne	Damascus Township	Tributary to Delaware River HQ-CWF, MF
PAI026409006	Association of Property Owners of The Hideout, Inc. 640 The Hideout Lake Ariel, PA 18431	Wayne	Lake Township	Tributary to Wagnum Creek Wallenpaupack Creek HQ-CWF, MF

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

<i>NPDES Permit No.</i>	<i>Applicant Name & Address</i>	<i>County</i>	<i>Municipality</i>	<i>Receiving Water/Use</i>
PAI033809001	Robert Kettering Ketterline, Inc. 3121A Mount Joy Road Mount Joy, PA 17552	Lebanon	Heidelberg Township	Segloch Run 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>
PAI041409010	Jack Raykovitz Second Mile-Center for Excellence 1402 Atherton Street State College, PA 16801	Centre	Patton Township	UNT to Buffalo Run HQ-CWF

Union County Conservation District: Union County Government Center, 155 North 15th Street, Lewisburg, PA 17837, (570) 524-3860.

<i>NPDES Permit No.</i>	<i>Applicant Name & Address</i>	<i>County</i>	<i>Municipality</i>	<i>Receiving Water/Use</i>
PAI046009001	Edwin Hoover 2165 Paddy Mountain Road Millmont, PA 17845	Union	Hartley Township	UNT to Penns Creek HQ-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)

STATE CONSERVATION COMMISSION

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

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

Based upon preliminary reviews, the State Conservation Commission (SCC), or County Conservation Districts (CCD) working under a delegation agreement with the SCC, have completed an administrative review of NMPs described. These NMPs are published as proposed plans for comment prior to taking final actions. The NMPs are available for review at the CCD office for the county where the agricultural operation is located. A list of CCD office locations is available at www.pacd.org/districts/directory.htm or can be obtained from the SCC at the office address listed or by calling (717) 787-8821.

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

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

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

NUTRIENT MANAGEMENT PLAN—PUBLIC NOTICE SPREADSHEET—APPLICATIONS

<i>Agricultural Operation Name and Address</i>	<i>County</i>	<i>Total Acres</i>	<i>Animal Equivalent Units</i>	<i>Animal Type</i>	<i>Special Protection Waters (HQ or EV or NA)</i>	<i>Renewal/New</i>
Douglas E. Rohrer 1728 Bridge Road Lancaster, PA 17602	Lancaster	705	835.2	Poultry	NA	Renewal

PUBLIC WATER SUPPLY (PWS) PERMIT

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

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

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

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

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

SAFE DRINKING WATER

Applications Received under the Pennsylvania Safe Drinking Water Act

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

Permit No. 5009502, Public Water Supply.

Applicant	Newport Borough Water Authority
Municipality	Newport Borough
County	Perry
Responsible Official	Barbara Hart Chairperson 231 Market Street Newport, PA 17074
Type of Facility	Public Water Supply
Consulting Engineer	Max E. Stoner, P. E. Glace Associates, Inc. 3705 Trindle Road Camp Hill, PA 17011
Application Received	August 28, 2009

Description of Action	The construction of a 500,000 gpd membrane filtration plant, a booster station and replacement of approximately 7,000 linear feet of watermain.
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Northwest Region: Water Supply Management Program Manager, 230 Chestnut Street, Meadville, PA 16335-3481.

Application No. 1009502, Public Water Supply.

Applicant	Evans City Water and Sewer Authority
Township or Borough	Jackson Township Butler County
Responsible Official	Timothy Schoeffel Chairperson
Consulting Engineer	Joseph P. Pacchioni, P. E. Herbert, Rowland & Grubic, Inc. 200 West Kensing Drive Suite 400 Cranberry Township, PA 16066
Application Received	August 24, 2009

Description of Action	New public water supply to service Glade Run Estates development, as well as future expansion. System is considered to be a consecutive system.
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Application No. 2009507, Public Water Supply.

Applicant	Saegertown Borough
Township or Borough	Saegertown Borough Crawford County
Responsible Official	Charles T. Lawrence Borough Manager
Consulting Engineer	Bruce D. Patterson, P. E. Design Engineer Porter Consulting Engineers 814 North Main Street Meadville, PA 16335
Application Received	August 28, 2009

Description of Action	Construct Wells No. 6 and No. 7, a well house and treatment system to add capacity to the Borough water supply.
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MINOR AMENDMENT

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

Application No. 1601502-MA1, Minor Amendment.

Applicant	Foxburg Borough Area Water and Sewer Authority
Township or Borough	Foxburg Borough Clarion County
Responsible Official	Larry Preston Chairperson Foxburg Area Water and Sewer Authority P. O. Box 2 Foxburg, PA 16036-0002
Type of Facility	Public Water System

Application Received Date	August 25, 2009
Description of Action	Facilities upgrade including renovation existing finished water storage tank; addition of new glass fused potable water tank system, replacing undersized lines, nonworking hydrants, and the like.

WATER ALLOCATIONS

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

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

WA 10-1011, Water Allocations. Evans City Water & Sewer Authority, 204B South Jackson Street, Evans City, PA 16033, **Butler County**. The permittee has submitted a permit application for bulk purchase of water from Cranberry Township to serve the 19 unit Glade Run Estates located in Jackson Township. The amount of water to be purchased is 7,000 gpd peak month (30 day average).

LAND RECYCLING AND ENVIRONMENTAL REMEDIATION

UNDER ACT 2, 1995

PREAMBLE 1

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

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

Under sections 304(n)(1)(ii) and 305(c)(2) of the act, there is a 30-day public and municipal comment period for sites proposed for remediation using a Site-Specific Standard, in whole or in part, and for sites remediated as

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

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

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

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

Former New Jersey Zinc Company—West Plant, Mauch Chunk Road, Palmerton Borough, **Carbon County**. J. Mark Nielsen, ENVIRON International Corporation, 1760 Market Street, Suite 1000, Philadelphia, PA 19103 has submitted a Notice of Intent to Remediate (on behalf of his client, CBS Operations, Inc., 299 South Main Street, Suite 1800, Salt Lake City, UT 84111), concerning the remediation of soil and groundwater found to have been impacted by VOCs, SemiVOCs, and metals as a result of historical operations at this former zinc manufacturing plant. The applicant proposes to remediate the site to meet the Site-Specific Standard. The proposed future use of the property will remain nonresidential for industrial purposes. A summary of the Notice of Intent to Remediate was published in *The Morning Call* on August 6, 2009.

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

Vulcan Materials Company, formerly York Lintel and Cast Stone, Inc., Oxford Township, **Adams County**. Herbert, Rowland, & Grubic, Inc., 1820 Linglestown Road, Harrisburg, PA 17110, on behalf of Vulcan Materials Company, 875 Oxford Avenue, Hanover, PA 17331, submitted a Notice of Intent to Remediate site soils contaminated with diesel fuel. The site formerly operated as a manufacturer of cast concrete lintels and will remain industrial.

HAZARDOUS WASTE TREATMENT, STORAGE AND DISPOSAL FACILITIES

Applications Received under the Solid Waste Management Act of July 7, 1980 (P. L. 380, No. 97) (35 P. S. §§ 6018.101—6018.1003) and Regulations to Operate a Hazardous Waste Treatment, Storage or Disposal Facility.

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

PAD002312791. Sunoco Chemicals, Inc., Frankford Plant, Margaret and Bermuda Streets, Philadelphia, PA 19137-1193, City of Philadelphia, **Philadelphia County**. This class I permit modification application is requesting the approval to change the permittee's legal name from "Sunoco, Inc. (R & M)" to "Sunoco Chemicals, Inc." for the existing RCRA permit for Sunoco's Frankford Plant located in the City of Philadelphia. Application was received by the Southeast Regional Office on July 31, 2009.

OPERATE WASTE PROCESSING OR DISPOSAL AREA OR SITE

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

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

Permit Application No. 400590. Riddle Memorial Hospital, 1068 West Baltimore Pike, Route 1, Media, PA 19063. This permit application is for the 10-year renewal of the existing solid waste permit to continue the operation of the infectious/pathological waste incinerator at the Riddle Memorial Hospital in Middletown Township, **Delaware County**. The application was received by the Southeast Regional Office on August 26, 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.

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

20-302A: Farley's Industrial Services (818 West Spring Street, Titusville, PA 16354) for installation of two solvent recovery dryers for print towels at their facility in the City of Titusville, **Crawford County**.

20-303A: Crawford Central School District (860 Thurston Road, Meadville, PA 16335) for construction of a new biomass combustion unit providing renewal energy to heat the Meadville Area Middle—High School, Crawford County Career and Technical Center and the Meadville Recreation Complex in the City of Meadville, **Crawford 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.

23-0113: AT&T Communications of Pennsylvania, LLC. (60 West Avenue, Wayne, PA 19087) for operation of two combustion turbine electric generators at an existing facility in Wayne, **Delaware County**. These kerosene-fired turbine generator sets are being permitted for operation to provide emergency and demand response power generation for the facility. The primary pollutant of concern is NO_x as a result of the combustion process. The operation of these sources do not cause any major thresholds to be exceeded. The Plan Approval will contain recordkeeping and operating restrictions designed to keep the facility operating within the allowable emissions and all applicable air quality requirements.

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

39-309-074: Lafarge North America, Inc. (5160 Main Street, Whitehall, PA 18052) for construction and opera-

tion of a dust collector at their facility in Whitehall Township, **Lehigh County**. The source's main emission is PM. The plan approval will include all appropriate testing, monitoring, recordkeeping and reporting requirements designed to keep the operations within all applicable air quality requirements.

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

06-05066H: Exide Technologies (P. O. Box 13995, Reading, PA 19612-3995) for installation of a replacement thermal oxidizer to control emissions from the existing secondary lead smelting system at their Reading Smelter in Laureldale Borough and Muhlenberg Township, **Berks County**. The new oxidizer will replace an existing oxidizer. The oxidizer is used to control emissions of odors, VOC and CO emitted from the No. 1 Smelting System which includes a blast furnace and reverberatory furnace. The furnaces are subject to 40 CFR Part 52, Subpart A, Prevention of Significant Deterioration; Part 60 Subpart L, Standards of Performance for New Stationary Sources, NSPS; and Part 63, Subpart X, National Emission Standards for HAPs from Secondary Lead Smelters, MACT. The plan approval will include monitoring, recordkeeping, work practices and reporting requirements designed to keep the source operating within all applicable air quality requirements. The facility is presently covered by the Title V operating permit No. 06-06066. The plan approval will be incorporated into this permit in accordance with 25 Pa. Code § 127.450 (Administrative Amendment).

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

08-313-024D: Global Tungsten & Powders, Corp. (Hawes Street, Towanda, PA 18848-0504) for installation of a new CAMCORP model 9SFTRW84x81 fabric collector and final filter to control the PM from existing sources in department (003) at their facility in North Towanda Township, **Bradford County**. This is a State-only facility.

The Department of Environmental Protection's (Department) review of the information contained in the application submitted by GTP indicates that the sources controlled by the proposed fabric collector and final filter will comply with all applicable air quality requirements pertaining to air contamination sources and the emission of air contaminants, including the fugitive air contaminant emission requirement of 25 Pa. Code § 123.1, the PM emission limitation of 25 Pa. Code § 123.13, and the visible emission limitation of 25 Pa. Code § 123.41. The plan approval, if issued, will subsequently be incorporated into the State-only operating permit by means of an administrative amendment in accordance with 25 Pa. Code § 127.450 at a later date.

Based upon this finding, the Department proposes to issue a plan approval for the installation of the fabric collector and final filter to control PM emissions from the sources. The following is a summary of the conditions the Department proposes to place in the plan approval to ensure compliance with all applicable regulatory requirements:

Source ID P301 consists of the following equipment: one boat loading station, five furnace loading stations, 19 furnace dumping stations, nine sifters, one furnace and one tote bin transfer station. The PM emissions from Source ID P301 shall be controlled by a CAMCORP model 9SFTRW84x81 fabric collector (ID C301A) and final filter (ID C301B).

Work practice requirements to operate the sources and control devices with good air pollution control practices.

Recordkeeping and Reporting conditions to verify compliance with all applicable requirements.

A copy of the plan approval application and the Department's review is available for public review between 8 a.m. and 4 p.m. at the Department's Northcentral Regional Office, 208 West Third Street, Suite 101, Williamsport, PA 17701. Appointments for scheduling a review may be made by calling the Department at (570) 327-3693. Written comments or requests for a public hearing should be directed to Muhammad Q. Zaman, Manager, Facilities Permitting Section, Department of Environmental Protection, Air Quality Program, Northcentral Regional Office, 208 West Third Street, Suite 101, Williamsport, PA 17701, (570) 327-0512.

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

63-00936B: Mark West Liberty Midstream and Resources, LLC (1515 Arapahoe Street, Tower 2, Suite 700, Denver, CO 80202-2126) for construction of four new sources units: a depropanizer, deethanizer and process heaters H-101 and H-801 at the existing Mark West Liberty Midstream and Resources, LLC, Houston Gas Plant in Chartiers Township, **Washington County**.

In accordance with 25 Pa. Code §§ 127.44(b) and 127.45, the Department of Environmental Protection (Department) intends to issue a Plan Approval to allow the construction of four new sources units: a depropanizer, deethanizer and process heaters H-101 and H-801 at the existing Mark West Liberty Midstream and Resources, LLC, Houston Gas Plant located in Chartiers Township, Washington County. The facility processes natural gas.

Emissions from the new process units are estimated to be 15.86 tons of NO₂, 12.66 tons of CO, 12.98 tons of VOC and 1.18 tons of PM₁₀. Following completion of this project, emissions from this facility will be 38.85 tons of NO₂, 35.03 tons of CO, 32.28 tons of VOC and 2.38 tons of PM₁₀. The proposed process units are subject to the applicable requirements of 25 Pa. Code Chapter 127, related to construction, modification, reactivation and operation of sources and 40 CFR 60, Subpart KKK. The Department believes that the process units will meet these requirements by complying with the following Plan Approval conditions relating to restrictions, monitoring, recordkeeping, reporting and work practice standards:

1. Plan Approval authorizes the construction of four new sources: a depropanizer, deethanizer and process heaters H-101 and H-801 at the existing Mark West Liberty Midstream and Resources, LLC, Houston Gas Plant located in Chartiers Township, Washington County. The facility processes natural gas. (25 Pa. Code § 127.12b)

2. Emission into the outdoor atmosphere of PM from process combustion units H-101 and H-801 in excess of the rate of 0.4 pound per mmBtu of heat input, when the heat input to the combustion unit in mmBtu/hr is greater than 2.5 but less than 50, is prohibited. (25 Pa. Code § 123.11(a)(1))

3. Emission into the outdoor atmosphere of SO_x, expressed as SO₂, from process combustion units, H-101 and H-801 in excess of the rate of 4 pounds per mmBtu of heat input over any 1-hour is prohibited. (25 Pa. Code § 123.22(a)(1))

4. These process units shall be operated in compliance with the applicable requirements of 40 CFR 60, Subpart KKK—Standards of Performance for Equipment Leaks of VOC from Onshore Natural Gas Processing Plants. (40 CFR 60, Subpart KKK)

5. Reports submitted for 40 CFR 60, Subpart KKK purposes shall be submitted to both the Department and United States Environmental Protection Agency (EPA) at the following addresses:

Regional Air Protection Manager
Department of Environmental Protection
400 Waterfront Drive
Pittsburgh, PA, 15222

Director, Air Protection Division
United States EPA Region III
1650 Arch Street
Philadelphia, PA, 19103-2029

6. Permittee shall institute and conduct an audio, visual, and olfactory leak detection and repair (LDAR) program performed once each 2 weeks to minimize VOC emissions. (25 Pa. Code § 127.12b)

7. The owner/operator shall keep daily records of all product delivery. These records shall be kept on site for a period of 5 years and be made available to the Department upon request. (25 Pa. Code § 127.12b)

8. Emission into the outdoor atmosphere of any malodorous air contaminants from any source, in such a manner that the malodors are detectable outside the property of the person on whose land the source is being operated are prohibited. (25 Pa. Code § 123.31(b))

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

A. Upon determination by the Owner/Operator that the sources covered by this Plan Approval are in compliance with all conditions of the Plan Approval the Owner/Operator shall contact the Department (25 Pa. Code § 127.12b).

B. Upon completion of Initial Operating Permit Inspection and determination by the Department that the sources covered by this Plan Approval are in compliance with all conditions of the Plan Approval the Owner/Operator shall submit a State-only Operating Permit application at least 60 days prior to the expiration date of the Plan Approval (25 Pa. Code § 127.12b).

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

10. This approval to construct shall become invalid if: the construction, modification or installation is not commenced (as defined in 40 CFR 52.21(b)(8)) within 18 months of the issuance of the plan approval or if there is more than an 18-month lapse in construction, modification or installation. The Department may extend the

18-month period upon a satisfactory showing that an extension is justified. (25 Pa. Code § 127.13(c))

11. Notify the Department when the installation is completed so that the facility can be inspected for issuance of an operating permit. Submit an Operating Permit application within 180 days of commencement of construction.

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

13. The issuance of this plan approval does not prevent the future adoption by the Department of any rules, regulations or standards, or the issuance of orders necessary to comply with the requirements of the Federal Clean Air Act (CAA) or the APCA or to achieve or maintain ambient air quality standards. The issuance of this plan approval shall not be construed to limit the Department's enforcement authority. (25 Pa. Code § 127.12b(a) and (b))

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

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

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

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

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

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

15. If, at any time, the Department has cause to believe that air contaminant emissions from the sources

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

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

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

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

18. This plan approval will be valid for a limited time, as specified by the expiration date contained on page 1 of this plan approval.

A. Except as provided in §§ 127.11a and 127.215 (relating to reactivation of sources; and reactivation), at the end of the time, if the construction, modification, reactivation or installation has not been completed, a new plan approval application or an extension of the previous approval will be required.

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

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

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

D. If the construction, modification or installation is not commenced within 18-months of the issuance of this plan approval or if there is more than an 18-month lapse

in construction, modification or installation, a new plan approval application that meets the requirements of 25 Pa. Code Chapter 127, Subchapters B, D and E (relating to plan approval requirements; prevention of significant deterioration of air quality; and new source review) shall be submitted. (25 Pa. Code § 127.13)

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

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

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

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

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

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

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

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

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

C. The permittee fails to submit a report required by this plan approval.

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

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

27. No person may permit the use of a device, stack height which exceeds good engineering practice stack height, dispersion technique or other technique which, without resulting in reduction of the total amount of air contaminants emitted, conceals or dilutes an emission of

air contaminants which would otherwise be in violation of this plan approval, the APCA or the regulations promulgated thereunder, except that with prior approval of the Department, the device or technique may be used for control of malodors. (25 Pa. Code §§ 121.9 and 127.216)

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

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

29. If required by section 112(r) of the CAA, the permittee shall develop and implement an accidental release program consistent with requirements of the CAA, 40 CFR Part 68 (relating to chemical accident prevention provisions) and the Federal Chemical Safety Information, Site Security and Fuels Regulatory Relief Act (P.L. 106-40).

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

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

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

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

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

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

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

Those who wish to provide the Department with additional written information that they believe should be considered prior to the issuance of the Plan Approval may submit the information to the Department of Environmental Protection, 400 Waterfront Drive, Pittsburgh, PA 15222. Each written comment must contain the following:

- Name, address and telephone number of the person submitting the comments.
- Identification of the proposed Plan Approval (specify the Plan Approval number).

- Concise statements regarding the relevancy of the information or objections to issuance of the Plan Approval.

All comments must be received prior to the close of business 30 days after the date of this publication.

OPERATING PERMITS

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

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

46-00045: PECO Energy—West Conshohocken Gas Plant (300 Front Street, Building 3, West Conshohocken, PA 19428) for compression and storage of liquid natural gas in West Conshohocken Borough, **Montgomery County**. The facility's major air emission points include: vaporizers, preheaters, emergency generators, and a combustion turbine, which emit major levels of NOx and PM10. The facility is not subject to Compliance Assurance Monitoring under 40 CFR Part 64.

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

08-00003: CraftMaster Manufacturing, Inc. (P. O. Box 311, Towanda, PA 18848-0311) for their engineered wood products manufacturing facility in Wysox Township, **Bradford County**.

Under 25 Pa. Code § 127.521, the Department of Environmental Protection (Department) intends to issue a significant modification of Title V Operating Permit to CraftMaster Manufacturing, Inc. for their engineered wood products manufacturing facility located in Wysox Township, Bradford County. The CraftMaster representative to contact regarding this operating permit is Colby Benton, Environmental and Technical Manager, CraftMaster Manufacturing, Inc., P. O. Box 311, Towanda, PA 18848-0311.

The facility's major sources include a 273.2 mmBtu/hr natural gas/wood fired boiler, two lines of first and second stage fiber dryers, three hardboard presses, two natural gas fired tempering kilns, five coating lines, numerous woodworking operations (that is, sawing, sanding, planing, hogging, and the like) and wood fuel handling operations. The sources at the facility have the potential to emit major quantities of CO, PM10, NOx, VOCs and HAPs. The facility emits SOx below the major emission thresholds. The Title V operating permit includes compliance assurance monitoring conditions as required in 40 CFR Part 64 and applicability conditions for two maximum achievable control technology rules, including, 40 CFR Part 63, Subpart QQQQ and 40 CFR Part 63, Subpart DDDD. Numerous conditions were revised for clarification and administrative purposes, including the monitoring and recording requirements and emission and fuel restrictions. The proposed Title V operating permit modification contains all applicable regulatory requirements including monitoring, recordkeeping and reporting conditions.

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 the Department of Environmental Protection, 208 West Third Street, Suite 101, Williamsport, PA 17701. Appointments for scheduling a review

must be made by calling (570) 327-3693. Written comments or requests for a public hearing should be directed to Muhammad Q. Zaman, Manager, Facilities Permitting Section, Department of Environmental Protection, Air Quality Program, Northcentral Regional Office, 208 West Third Street, Suite 101, Williamsport, PA 17701, (570) 327-0512.

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

V09-010: Allied Tube & Conduit Corp. (11350 Norcom Road, Philadelphia, PA 19154) for operation of a tube and conduit manufacturing facility in the City of Philadelphia, **Philadelphia County**. The Title V facility's air emissions' sources include three mills, one space heater rated at 3.76 mmBtu/hr, and four space heaters rated at 801,000 Btu/hr each.

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

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

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

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

35-00030: General Dynamics Land Systems (175 East Street, Eynon, PA 16403) to manufacture military tank components in Archbald Borough, **Lackawanna County**. This is a State-only Synthetic 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.

45-00032: BioSpectra, Inc. (R. R. 32, Box 2129G, Stroudsburg, PA 18360) for operation of a pharmaceutical excipient manufacturing process consisting of a urea dryer process line and a tris/HCL dryer process line using an individual dust collector to control PM emissions from each process line at their facility in Stroud Township, **Monroe County**. This facility is currently operating under Operating Permit 45-313-014. All permit requirements shall be included in the new State-only (Natural Minor) Operating Permit for this facility. This Operating Permit shall include emission restrictions, monitoring, recordkeeping and reporting requirements designed to ensure this facility complies with all applicable air quality regulations.

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

06-03047: Metropolitan Steel Industries, Inc. (601 Fritztown Road, Sinking Springs, PA 19608) for a renewal of their State-only operating permit for operation of their steel fabrication plant in Spring Township, **Berks County**. The State-only operating permit will include monitoring, recordkeeping, reporting requirements, emission restrictions and work practice standards designed to keep the facility operating within all applicable air quality requirements.

21-05064: Atlas Roofing Corp. (817 Spangler Road, Camp Hill, PA 17011) for their polyisocyanurate foam manufacturing facility in Camp Hill Borough, **Cumberland County**. This is a renewal of the State-only operating permit issued in 2004.

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.

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

59-0004D: Ward Manufacturing, LLC (117 Gulick Street, P. O. Box 9, Blossburg, PA 16912) to construct a natural gas-fired wastewater evaporator in Blossburg Borough, **Tioga County**.

COAL AND NONCOAL MINING ACTIVITY APPLICATIONS

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

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

Written comments or objections, or requests for an informal conference, or a public hearing, as applicable, on a mining permit application may be submitted by any person or any officer or head of any Federal, State or local government agency or authority to the Department at the address of the district mining office indicated above

each application within 30 days of this publication, or within 30 days after the last publication of the applicant's newspaper advertisement, as provided by 25 Pa. Code §§ 77.121—77.123 and 86.31—86.34.

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

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

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:

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			

¹The parameter is applicable at all times.

A settleable solids instantaneous maximum limit of 0.5 ml/l applied to: surface runoff (resulting from a precipitation event of less than or equal to a 10-year 24-hour event) from active mining areas; active areas disturbed by coal refuse disposal activities; and mined areas backfilled and revegetated; and drainage (resulting from a precipitation event of less than or equal to a 1-year 24-hour event) from coal refuse disposal piles.

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

11040701 and NPDES Permit No. PA0235717, AMFIRE Mining Company, LLC, (One Energy Place, Latrobe, PA 15650), to revise the permit for the Refuse Area No. 1 in Portage Township, **Cambria County** for a stream variance to a UNT to Spring Run to install brush

windrows. No additional discharges. Application received May 7, 2009.

17831601 and NPDES Permit No. PA0215317, River Hill Coal Company, Inc., (P. O. Box 141, Kylertown, PA 16847), to renew the permit for Belford Siding in Karthaus Township, **Clearfield County** and related NPDES permit. No additional discharges. Application received June 12, 2009.

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

56930114 and NPDES No. PA0212679. Fieg Brothers, 3070 Stoystown Road, Stoystown, PA 15563, permit renewal for reclamation only of a bituminous surface mine in Brothersvalley Township, **Somerset County**, affecting 28.8 acres. Receiving streams: UNTs to/and Buffalo Creek classified for the following use: CWF. There are no potable water supply intakes within 10 miles downstream. Application received August 21, 2009.

56813104 and NPDES No. PA0599115. Finzel Coal, 12152 National Pike, Grantsville, MD 21536-2105, permit renewal for reclamation only of a bituminous surface mine in Brothersvalley Township, **Somerset County**, affecting 344.7 acres. Receiving streams: UNTs to/and Tubs Run classified for the following use: CWF. There are no potable water supply intakes within 10 miles downstream. Application received August 24, 2009.

32990104 and NPDES No. PA0235059. ABM Mining Company, Inc., 3330 Johnston Road, Smicksburg, PA 16256, permit renewal for the continued operation and restoration of a bituminous surface mine in Grant Township, **Indiana County**, affecting 112.0 acres. Receiving streams: UNTs to Little Mahoning Creek classified for the following use: HQ-CWF. There are no potable water supply intakes within 10 miles downstream. Application received August 24, 2009.

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

61090103 and NPDES Permit No. PA0258784. Ben Hal Mining Company (389 Irishtown Road, Grove City, PA 16127). Commencement, operation and restoration of a bituminous surface strip operation in Irwin Township, **Venango County** affecting 58.5 acres. Receiving streams: Two UNTs to North Branch Slippery Rock Creek to Slippery Rock Creek, classified for the following use: CWF. There are no potable surface water supply intakes within 10 miles downstream. Application received August 21, 2009.

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

17030108 and NPDES No. PA0243507. Larry D. Baumgardner Coal Company, Inc. (P. O. Box 186, Lanse, PA 16849), permit renewal for the continued operation and restoration of a bituminous surface mine in Woodward and Decatur Townships, **Clearfield County**, affecting 176.0 acres. Receiving streams: North Branch and Wall Run to Upper Morgan Run to Clearfield Creek to West Branch Susquehanna River, classified for the following uses: CWF and WWF. There are no potable water supply intakes within 10 miles downstream. Application received July 21, 2009.

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

35840205R5. The Ransom Quarry Co., Inc., (1001 Underwood Road, Olyphant, PA 18447), renewal of an existing anthracite coal refuse reprocessing and anthracite surface mine operation in Olyphant and Throop Boroughs, **Lackawanna County** affecting 161.0 acres, receiving stream: none. Application received August 20, 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.

6478NC4 and NPDES No. PA0121606. David H. Martin Excavating, Inc., 4961 Cumberland Highway, Chambersburg, PA 17202-9655, renewal of NPDES permit in Antrim Township, **Franklin County**. Receiving streams: UNTs to/and Muddy Run, classified for the following use: WWF. There are no potable water supply intakes within 10 miles downstream. NPDES renewal application received August 5, 2009.

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

02850301. LaFarge North America, Inc. (5160 Main Street, Whitehall, PA 18052). Renewal application for reclamation only of a large noncoal surface mine, located in West Mifflin Borough, **Allegheny County**, affecting 68.2 acres. Receiving stream: Lewis Run, classified for the following use: TSF. There is no potable water supply intake within 10 miles downstream from the point of discharge. Renewal application received August 24, 2009.

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

8073SM1C9 and NPDES Permit No. PA0614602. Highway Materials, Inc., (1750 Walton Road, Blue Bell, PA 19422), correction to an existing quarry operation for a boundary correction and to update NPDES Permit for discharge of treated mine drainage in Marlborough Town-

ship, **Montgomery County** affecting 80.9 (increase from 75.9) acres, receiving stream: Unami Creek, classified for the following use: HQ-TSF. Application received August 21, 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

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

EA40-012. Eastern Middle Anthracite Region Recovery, Inc. (EMARR), 25 Jaycee Drive, Hazleton, PA 18202. Hazle Township, **Luzerne County**, United States Army Corps of Engineers, Baltimore District.

To construct and maintain a passive wetland treatment system proposed in and along Black Creek (CWF). The project will divert and treat water from the Black Creek with the purpose of approving water quality within the Black Creek Watershed. The project is located approximately 0.5 mile east of where Black Creek intersects with SR 0940 (Hazleton, PA Quadrangle Latitude: 40° 58' 39"; Longitude: 75° 58' 04").

EA54-018. Schuylkill Headwaters Association, P. O. Box 1385, Pottsville, PA 17901, in Blythe Township, **Schuylkill County**, United States Army Corps of Engineers, Philadelphia District.

To construct and maintain an abandoned mine discharge (AMD) passive wetland treatment system proposed in and along Silver Creek (CWF). The purpose of the project is to treat and reduce AMD loadings discharging from the Silver Creek mine outfall to restore the water quality of the Silver Creek Watershed. The project is located approximately 0.5 mile north of SR 0209 along TR T-748 Pine Road (Pottsville, PA Quadrangle Latitude: 40° 43' 41"; Longitude: 76° 07' 22").

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

E06-630. Ralph Weaver/Weaver Property, 2030 Old Lancaster Pike, Sinking Spring, PA 19608, Spring Township, **Berks County**, United States Army Corps of Engineers, Baltimore District.

To stabilize 450.0-feet of a UNT to Little Muddy Creek (TSF) by constructing a low flow channel and a vegetated floodplain bench, and creating a stilling basin at the outlet of an existing 42.0-inch RCP culvert pipe and (Sinking Spring, PA Quadrangle N: 2.5 inches; W: 4.8 inches, Latitude: 40° 15' 51"; Longitude: 76° 2' 1") in Spring Township, Berks County.

E05-353. Department of Transportation, Engineering District 9-0, 1620 North Juniata Street, Holidaysburg, PA 16648, Bedford Township, **Bedford County**, United States Army Corps of Engineers, Baltimore District.

To extend and maintain an existing open bottom arch culvert 12 feet having a clear span of 18.0 feet, a minimum underclearance of 9.0 feet, a skew of 75.0° and a total length of 91.8 feet within a UNT to Raystown Branch Juniata River (WWF). The proposed activities will result in 0.07 acre permanent impact to a PEM wetland and 0.02 acre temporary impact to a PEM wetland. The purpose of the project is to add a turn lane along SR 0030 at the intersection with SR 0056 (Bedford, PA Quadrangle Latitude: 40° 2' 34"; Longitude: 78° 32' 21", North: 8.8 inches; West: 7.1 inches) in Bedford Township, Bedford County. The applicant is required to provide a minimum of 0.07 acre replacement wetlands, and has proposed to replace the wetlands at the Huntingdon Advanced Wetland Compensation site.

E22-549. Consolidated Scrap Resources, Inc, Benjamin Abrams; 1616 North Cameron Street, P. O. Box 1761, Harrisburg PA 17105; Harrisburg City, **Dauphin County**, United States Army Corps of Engineers, Baltimore District.

To construct and maintain 900.0 linear feet of 10.0-foot high stacked concrete EcoBlock wall in the floodway of Paxton Creek (Harrisburg West, PA Quadrangle N: 5.5"; W: 0.8", Latitude: 40° 16' 41.7"; Longitude: 76° 52' 53.8" Beginning, N: 4.8"; W: 0.8", Latitude: 40° 16' 33"; Longitude: 76° 52' 49.4" Ending) for the purpose of stabilizing erosion in Harrisburg City, Dauphin County.

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

E14-525. Bellefonte Borough, 236 West Main Street, Bellefonte, PA 16823. Talleyrand Park, in Bellefonte, PA, **Centre County**, United States Army Corps of Engineers,

Baltimore District (Bellefonte, PA Quadrangle Latitude: 40° 54' 41"; Longitude: 77° 47' 12").

To construct and maintain: 1) a 30-foot clear span steel-beam concrete-deck pedestrian bridge with associated concrete footers, 40 cubic yards of clean fill, approach ramps and a 3.25 foot underclearance; 2) temporary cofferdams on each side of the stream to build the abutments; and 3) Talleyrand Park pedestrian improvements; such as, concrete walkways, special open cell block paving, 8-foot diameter fountain, site lighting, benches, and native vegetation, located next to the Big Spring Building in Talleyrand Park. This project proposes to permanently impact 30 linear feet of Big Spring Outfall and temporary impact of 60 linear feet for the cofferdam in a tributary to Spring Creek, which is classified as CWF.

E18-446. Bald Eagle Township Board of Supervisors, 12 Fairpoint Road, Mill Hall, PA 17751. Water Obstruction and Encroachment Joint Permit, in Bald Eagle Township, **Clinton County**, United States Army Corps of Engineers, Susquehanna River Basin District (Mill Hall, PA Quadrangle N: 41° 06' 52"; W: 77° 27' 14").

To construct and maintain a recreational park area in the floodway of Fishing Creek (HQ-CWF). The applicant proposes to construct two 24-foot by 30-foot by 9-foot open picnic pavilions with concrete pads at grade. There will be a 1,080 square foot gravel parking area, 10-foot by 10-foot at-grade concrete pad and 60 linear feet of rip rap bank stabilization along Fishing Creek. All excavation material will be removed from the site and disposed of outside of the 100-year floodplain. This project is located 1,700 feet east of the intersection of SR 150 and SR 2015, Country Club Lane (Mill Hall, PA Quadrangle N: 41° 06' 52"; W: 77° 27' 14") in Bald Eagle Township, Clinton County. This project proposes to have a minimal impact to Fishing Creek, which is designated a HQ-CWF, and does not propose to impact any jurisdictional wetlands.

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

E02-1619. Eastman Chemical Resins, Inc., State Highway 837, West Elizabeth, PA 15088-0567. To operate and maintain the existing barge facility in Jefferson Borough, **Allegheny County**, United States Army Corps of Engineers, Pittsburgh District (Glassport, PA Quadrangle N: 3.0 inches; W: 3.5 inches, Latitude: 40° 15' 57.8"; Longitude: 79° 54' 1.7"). The applicant proposes to operate and maintain the existing barge loading/unloading facility (originally constructed under Permit No. 10717) in the channel and along the left bank of the Monongahela River (WWF) located at River Mile 23.7, just downstream from Lock and Dam No. 3.

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

E10-452, Gigliotti Holdings, LP, 11279 Perry Highway, Suite 509, Wexford, PA 15090. Weatherburn Heights Subdivision, in Middlesex Township, **Butler County**, United States Army Corps of Engineers, Pittsburgh District (Valencia, PA Quadrangle N: 40° 41' 57"; W: 79° 57' 25.6").

The applicant proposes to construct a residential subdivision involving to construct and maintain:

- 1) an approximately 700-foot entrance road parallel to a UNT Glade Run (Watercourse WC-1) portions of which encroach in the floodway (50-foot TOB),
- 2) a sanitary sewer line crossing of UNT Glade Run (Watercourse WC-1) by open trenching,
- 3) a sanitary sewer line crossing of UNT Glade Run (Watercourse WC-4) by open trenching,
- 4) a sanitary sewer line crossing of UNT Glade Run (Watercourse WC-5) by open trenching,
- 5) a water line crossing of UNT Glade Run (Watercourse WC-3) by open trenching,
- 6) a water line crossing of UNT Glade Run (Watercourse WC-1) by open trenching,
- 7) sanitary sewer lines and water lines running parallel and within 25 feet of UNTs Glade Run for a total length of approximately 656 feet, and
- 8) associated stormwater outfalls to UNTs Glade Run and wetlands.

UNTs Glade Run are classified as a WWF.

ENVIRONMENTAL ASSESSMENTS

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

D07-083EA. Hollidaysburg Borough Authority, 400 Blair Street, Hollidaysburg, PA 16648, Juniata Township, **Blair County**, United States Army Corps of Engineers, Baltimore District.

To rehabilitate Muleshoe Reservoir across Blair Run (TSF) to meet current Dam Safety requirements. The dam is located at a point on the Cresson, PA Quadrangle Latitude: 40° 25' 55"; Longitude: -78° 31' 14" Proposed dam rehabilitation will permanently impact 0.05-acre of PEM wetland and 45 lineal feet of Blair Run. Construction will necessitate temporary impacts to 0.02-acre of PEM wetland and 30 lineal feet of Blair Run. The applicant is required to provide a minimum of 0.05-acre of replacement wetland.

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

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>
PA0064335 (Industrial Waste)	Gulf Oil Limited Partnership 275 Washington Street Suite 300 Newton, MA 02458-1646	Luzerne County Pittston Township	Collins Creek 05A	Y
PA0070009 (Sewage)	Little Washington Wastewater Company, d/b/a Suburban Wastewater Company 762 West Lancaster Avenue Bryn Mawr, PA 19010 formerly Cove Village Community Trust and Leisure Equities Corporation	Schuylkill County North Union Township	Catawissa Creek 5E	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>
PA0114049 (Sewage)	Municipal Authority of Lewis Township Lewis Township WWTP P. O. Box 51 Millmont, PA 17845	Union County Lewis Township	Cold Run TSF	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>
PA0022306 Sewage	Brownsville Municipal Authority P. O. Box 330 Brownsville, PA 15417-0330	Fayette County Brownsville Borough	Dunlap Creek	Y
PA0031330 Sewage	Brownsville Area School District 1025 Lewis Street Brownsville, PA 15417	Fayette County Redstone Township	UNT of Dunlap Creek	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>
PA0222721	Squaw Valley Woodlands STP Byron Center Road Emlenton, PA 16373	Butler County Allegheny Township	UNTs to Carrs Run 16-G	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. PA0010944, Industrial Waste, **Glenn Springs Holdings, Inc.**, 5005 LBJ Freeway, Suite 1350, Dallas, TX 75244-6119. This proposed facility is located in Lower Pottsgrove Township, **Montgomery County**.

Description of Proposed Action/Activity: Approval for the renewal to discharge treated groundwater from a facility known as Occidental chemical, located at 375 Armand Hammer Boulevard into the Schuylkill River by means of intermittent swale in Watershed 3D.

NPDES Permit No. PA0012327, Industrial Waste, **County of Bucks Department of Public Works**, 55 East Court Street, Doylestown, PA 18901. This proposed facility is located in Nockamixon Township, **Bucks County**.

Description of Proposed Action/Activity: Approval for the renewal to discharge from a facility known as hidden Valley Landfill into Gallows Run (Outfall 001 and MP 101) and a UNT to Gallows Run (MP 102) in Watershed 2D.

NPDES Permit No. PA0042641, Sewage, **Department of Conservation and Natural Resources**, 2808 Three Mile Road, Perkasio, PA 18944-2065. This proposed facility is located in Bedminster Township, **Bucks County**.

Description of Proposed Action/Activity: Approval for the renewal to discharge treated sewage serving Nockamixon State Park to a UNT of Tohickon Creek in Watershed 2D.

NPDES Permit No. PA0058785, Sewage, **Gregory and Marion Gans**, 196 Springton Road, Glenmoore, PA 19343. This proposed facility is located in West Brandywine Township, **Chester County**.

Description of Proposed Action/Activity: Approval for the renewal to discharge treated sewage to a UNT to Culbertson Run in Watershed 3H.

NPDES Permit No. PA0244503, Sewage, **Bruce Shepherd**, 1009 Telegraph Road, Coatesville, PA 19320. This proposed facility is located in West Caln Township, **Chester County**.

Description of Proposed Action/Activity: Issuance of an NPDES permit to discharge 500 gpd of treated sewage from a small flow treatment plant serving a single-family home located at 191 Creamery Road to a UNT of West Branch of Brandywine Creek in Watershed 3H.

NPDES Permit No. PA0244511, Sewage, **Bruce Shepherd**, 1009 Telegraph Road, Coatesville, PA 19320. This proposed facility is located in West Caln Township, **Chester County**.

Description of Proposed Action/Activity: Issuance of an NPDES permit to discharge 500 gpd of treated sewage from a small flow treatment plant serving a single-family home located 177 Creamery Road to a UNT of West Branch of Brandywine Creek in Watershed 3H.

NPDES Permit No. PA0244490, Sewage, **Bruce Shepherd**, 1009 Telegraph Road, Coatesville, PA 19320. This proposed facility is located in West Caln Township, **Chester County**.

Description of Proposed Action/Activity: Issuance of an NPDES permit to discharge 500 gpd of treated sewage from a small flow treatment plant serving a single-family home located at 171 Creamery Road to a UNT of West Branch of Brandywine Creek in Watershed 3H.

NPDES Permit No. PA0057819, Sewage, **New Hanover Township Authority**, 2900 Fagleysville Road, Gilbertsville, PA 19525. This proposed facility is located in New Hanover Township, **Montgomery County**.

Description of Proposed Action/Activity: Approval for the renewal to discharge treated wastewater from the facility into Swamp Creek in Watershed 3E.

NPDES Permit No. PA0051730, Sewage, **Philadelphia Country Club**, 1601 Spring Mill Road, Gladwyne, PA 19035. This proposed facility is located in Lower Merion Township, **Montgomery County**.

Description of Proposed Action/Activity: Approval for the renewal to discharge treated sewage from the facility into Sawmill Creek in Watershed 3F—Lower Schuylkill.

NPDES Permit No. PA0045187, Sewage, **Richland Meadows, Inc.**, 232 Yankee Road, Lot 500, Quakertown, PA 18951. This proposed facility is located in Richland Township, **Bucks County**.

Description of Proposed Action/Activity: Approval for the renewal to discharge from the facility into the Dry Swale to Morgan Creek in Watershed 2D.

NPDES Permit No. PA0058343, Sewage, **Bedminster Municipal Authority**, 432 Elephant Road, Perkasié, PA 18944. This proposed facility is located in Bedminster Township, **Bucks County**.

Description of Proposed Action/Activity: Approval for the renewal to discharge from the facility into a UNT to Deep Run in Watershed 2D.

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

NPDES Permit No. PA0060071, Industrial Waste, **Sanofi Pasteur**, Discovery Drive, Swiftwater, PA 18370-0187. This proposed facility is located in Pocono Township, **Monroe County**.

Description of Proposed Action: Issuance of an NPDES Permit for new 5-year term.

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

NPDES Permit No. PA0100013, Sewage, **National Fuel Gas Distribution Corporation**, P. O. Box 2081, Erie, PA 16512. This proposed facility is located in Fairview, **Erie County**.

Description of Proposed Action/Activity: Issuance of an NPDES permit for the discharge of treated sewage from a sewage treatment plant serving a utility maintenance center. Treatment consists of a septic tank, surface sand filter, phosphorus treatment and chlorine tablet disinfection.

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

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

WQM Permit No. 2809404, Sewage, **Antrim Township Sewer Authority**, 10655 Antrim Church Road, Greencastle, PA 17225. This proposed facility is located in Antrim Township, **Franklin County**.

Description of Proposed Action/Activity: Permit approval for the upgrade of the existing aerobic sludge digestion aeration system, addition of a new aerobic digestion tank, and an aeration system and addition of a new solar sludge drier system.

WQM Permit No. 3609202, CAFO, **Arlin Benner, Yippee Farms**, 1103 Iron Bridge Road, Mount Joy, PA 17552. This proposed facility is located in Rapho Township, **Lancaster County**.

Description of Proposed Action/Activity: Permit approval for the construction of manure storage and sand settling facilities.

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

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

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

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

WQM Permit No. 2608201, Industrial Waste, **Shallenberger Construction, Inc.**, 2611 Memorial Boulevard, Connellsville, PA 15425. This proposed facility is located in German Township, **Fayette County**.

Description of Proposed Action/Activity: Permit issuance for the construction and operation of an industrial waste treatment facility.

WQM Permit No. 5608405, Sewerage, **Rox Coal, Inc.**, P. O. Box 260, Friedens, PA 15541. This proposed facility is located in Somerset Township, **Somerset County**.

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

WQM Permit No. 0209405, Sewerage, **Neville Township**, 5050 Grand Avenue, Pittsburgh, PA 15225. This proposed facility is located in Neville Township, **Allegheny County**.

Description of Proposed Action/Activity: Permit issuance for the construction and operation of a replacement sanitary force main.

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

Description of Proposed Action/Activity: Permit amendment issuance to modify existing Victory Hill and Valley Inn Pump Station.

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

WQM Permit No. WQG028319, Sewerage, **Millcreek Township Sewer Authority**, 3608 West 26th Street, Erie, PA 16506. This proposed facility is located in Millcreek Township, **Erie County**.

Description of Proposed Action/Activity: Issuance of a permit to construct a sanitary sewer extension project serving existing homes in the Young Road/Scenic Crest Area. The construction will include a new, sanitary sewer line, laterals and a sewage pump station. The sanitary wastewater will ultimately be disposed of by the Erie Wastewater 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>
PAI01 0907021	Solebury Partners and Logan Square Condominium Association 2005 South Easton Road Doylestown, PA 18901	Bucks	Solebury Township	Aquetong Creek HQ-CWF
PAI01 0908014	Milford Township P. O. Box 86 Spinnerstown, PA 18968	Bucks	Milford Township	Unami Creek HQ-TSF
PAI01 0909006	Hager Development Company, Inc. P. O. Box 26767 Elkins Park, PA 19027	Bucks	Tinicum Township	Tinicum Creek EV
PAI01 1508065	Daniel K. Stoudt 3892 Coventryville Road Coventryville, PA 19465	Chester	East Nantmeal Township	UNT to Beaver Run EV

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

<i>NPDES Permit No.</i>	<i>Applicant Name & Address</i>	<i>County</i>	<i>Municipality</i>	<i>Receiving Water/Use</i>
PAI024804003(1)	Nic Zawarski and Sons Development, Inc. 1441 Linden Street Bethlehem, PA 18018	Northampton	Forks Township	Bushkill Creek HQ-CWF, MF
PAI024808021	Easton Suburban Water Authority 3700 Hartley Avenue P. O. Box 3819 Easton, PA 18043	Northampton	Palmer Township	Bushkill Creek HQ-CWF, MF

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

Armstrong County Conservation District: Armsdale Administration Building, Suite B-2, 124 Armsdale Road, Kittanning, PA 16201, (724) 548-3425.

<i>NPDES Permit No.</i>	<i>Applicant Name & Address</i>	<i>County</i>	<i>Municipality</i>	<i>Receiving Water/Use</i>
PAI050309001	Borough of Apollo P. O. Box 306 Apollo, PA 15613	Armstrong	Apollo Borough	Kiskiminetas River WWF

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>
PAI062709001	State Correctional Institution Department General Services 18th and Herr Streets Harrisburg, PA 17120	Forest	Jenks Township	Scott Run HQ-CWF

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

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

List of NPDES and/or Other General Permit Types

PAG-1	General Permit for Discharges From Stripper Oil Well Facilities
PAG-2	General Permit for Discharges of Stormwater Associated With Construction Activities (PAR)

PAG-3	General Permit for Discharges of Stormwater From Industrial Activities
PAG-4	General Permit for Discharges From Small Flow Treatment Facilities
PAG-5	General Permit for Discharges From Gasoline Contaminated 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>
Warminster Township Bucks County	PAG200 0909062	Andrew Good 496 Ivy Street Warminster, PA 18974	Little Neshaminy Creek WWF-MF	Southeast Regional Office 2 East Main Street Norristown, PA 19401 (484) 250-5900
Northampton Township Bucks County	PAG200 0904147-R	Judd Builders/Developers 1750 Walton Road Blue Bell, PA 19422	UNT Little Neshaminy Creek WWF-MF	Southeast Regional Office 2 East Main Street Norristown, PA 19401 (484) 250-5900
Hilltown Township Bucks County	PAG200 0908102	Peruzzi Limited Family Partnership 165 Lincoln Highway Fairless Hills, PA 19030	West Branch Neshaminy Creek WWF	Southeast Regional Office 2 East Main Street Norristown, PA 19401 (484) 250-5900
Hilltown Township Bucks County	PAG200 0904126-R	Stanton Properties, LLC 339 Armwell Road Building C Hillsborough, NJ 08844	UNT Pleasant Spring Creek TSF	Southeast Regional Office 2 East Main Street Norristown, PA 19401 (484) 250-5900
Middletown Township Bucks County	PAG200 0904087-1	St. Mary Medical Center 1201 Langhorne- Newtown Road Langhorne, PA 19047	Neshaminy Creek WWF	Southeast Regional Office 2 East Main Street Norristown, PA 19401 (484) 250-5900
Concord Township Delaware County	PAG200 2309012	James Panetta 2 Lee Boulevard Frazer, PA 19355	Chester Creek TSF	Southeast Regional Office 2 East Main Street Norristown, PA 19401 (484) 250-5900
Marcus Hook Borough Lower Chichester Township Delaware County	PAG200 2304019-R	Department of Transportation 7000 Geerdes Boulevard King of Prussia, PA 19406-1525	Delaware River Basin WWF-MF	Southeast Regional Office 2 East Main Street Norristown, PA 19401 (484) 250-5900
Upper Merion Township Montgomery County	PAG200 4605047-1	GlaxoSmithKline Pharmaceuticals Mail Code UW 2106 709 Swedeland Road King of Prussia, PA 19406	Schuylkill River 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>
Hatfield Township Montgomery County	PAG200 4608122	2801 Township Line Road Association 2701 Renaissance Boulevard King of Prussia, PA 19406	Neshaminy Creek WWF-MF	Southeast Regional Office 2 East Main Street Norristown, PA 19401 (484) 250-5900
Trappe Borough Montgomery County	PAG200 4607143	2801 Township Line Road Association 2701 Renaissance Boulevard King of Prussia, PA 19406	Neshaminy Creek WWF-MF	Southeast Regional Office 2 East Main Street Norristown, PA 19401 (484) 250-5900
Montgomery Township Montgomery County	PAG200 4609010	Trefoil Properties, Inc. 1690 Sumneytown Pike Suite 240 Lansdale, PA 19446	Little Neshaminy Creek WWF	Southeast Regional Office 2 East Main Street Norristown, PA 19401 (484) 250-5900
City of Philadelphia Philadelphia County	PAG201 5109020	The Presbytery of Philadelphia 2200 Locust Street Philadelphia, PA 19103	Tacony Creek WWF	Southeast Regional Office 2 East Main Street Norristown, PA 19401 (484) 250-5900
City of Philadelphia Philadelphia County	PAG201 5109025	Knights of Pythias Greenwood Cemetery Company 1600 Kongens Gade St. Thomas, VI 00802	Tookany/Tacony- Frankford Creek WWF	Southeast Regional Office 2 East Main Street Norristown, PA 19401 (484) 250-5900
Jessup Borough Lackawanna County	PAG2003509014	David DeCamp PPL Electric Utilities Corporation 2 North Ninth Street Genn 5 Allentown, PA 18101	Tributary to Lackawanna River CWF, MF	Lackawanna County Conservation District (570) 281-9495
Bethlehem Township Northampton County	PAG2004809004	Wagner Enterprises, LTD P. O. Box 3154 Easton, PA 18043-3154	Lehigh River WWF, MF	Northampton County Conservation District (610) 746-1971
Allen Township Northampton County	PAG2004804008R	Jaindl Land Company David Jaindl 3150 Coffeetown Road Orefield, PA 18069-2511 and The Atlantic Companies Brett Owing 25A Hanover Road Suite 310 Florham, NJ 07932-1425	Dry Run CWF, MF Catasauqua Creek CWF, MF	Northampton County Conservation District (610) 746-1971
City of Scranton Lackawanna County	Mark S. Goldsmith Wal-Mart Store, Inc.	2001 SE 10th Street Bentonville, AR 72716-0550	Lackawanna River Basin CWF	Lackawanna County Conservation District (570) 281-9495
City of Reading Berks County	PAG2000609027	William Heim City of Reading Police Department 815 Washington Street Reading, PA 19601	Schuylkill River WWF, MF	Berks County Conservation District 1238 County Welfare Road Suite 200 Leesport, PA 19533-9710 (610) 372-4657, Ext. 201

<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>
Exeter Township Berks County	PAG2000609031	Louis Gambone Lorane Road Partners LP 700 West Germantown Pike East Norriton, PA 19403	UNT, Antietam Creek CWF	Berks County Conservation District 1238 County Welfare Road Suite 200 Leesport, PA 19533-9710 (610) 372-4657, Ext. 201
Ferguson Township Centre County	PAG2001409005	Daniel Sahakian Hillside Farm Estates 477 East Beaver Avenue State College, PA 16801	Slab Cabin Run CWF	Centre County Conservation District 414 Holmes Avenue Suite 4 Bellefonte, PA 16823 (814) 355-6817
Scott Township Columbia County	PAG2001909005	Paul Gardner, Sr. Gardner Gas, Inc./Land Development 500 North Poplar Street Berwick, PA 18603	UNT to North Branch of Susquehanna River CWF	Columbia County Conservation District 702 Sawmill Road Suite 204 Bloomsburg, PA 17815 (570) 784-1310, Ext. 102
City of Williamsport Lycoming County	PAG2004109007	William Nichols 1500 West Third Street Williamsport, PA 17701	West Branch of Susquehanna River WWF	Lycoming County Conservation District 542 County Farm Road Suite 202 Montoursville, PA 17754 (570) 433-3003
Brighton Township Beaver County	PAG2000409005	Ronald W. Wolf Maronda Homes, Inc. 202 Park West Drive Pittsburgh, PA 15273	Fourmile Run WWF	Beaver County Conservation District (724) 378-1701
Peters Township Washington County	PAG2006309017	Peters Township 610 East McMurray Road McMurray, PA 15317	Brush Run WWF	Washington County Conservation District (724) 228-6774
South Strabane Township Washington County	PAG2006309021	Sam's Real Estate Business Trust 2001 South East 10th Street Bentonville, AR 72716	Chartiers Creek WWF	Washington County Conservation District (724) 228-6774
Cranberry Township Butler County	PAG2001008007	Pittsburgh Lifetime Care Community 100 Norman Drive Cranberry Township, PA 16066	UNT Brush Creek WWF	Butler County Conservation District (724) 284-5270

General Permit Type—PAG-3

<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>
Boggs Township Centre County	PAR234815	CCDA Waters, LLC 217 Aqua Penn Drive Milesburg, PA 16841	Bald Eagle Creek TSF	Northcentral Regional Office Water Management Program 208 West Third Street Suite 101 Williamsport, PA 17701 (570) 327-3666

*Facility Location:
Municipality &
County*City of DuBois
Clearfield County

Permit No.

PAR214835

*Applicant Name &
Address*DuBrook, Inc.
P. O. Box 388
DuBois, PA 15801*Receiving
Water / Use*Beaver Run
CWF
and
Sandy Lick Creek
TSF*Contact Office &
Phone No.*Northcentral Regional
Office
Water Management
Program
208 West Third Street
Suite 101
Williamsport, PA 17701
(570) 327-3666*General Permit Type—PAG-4**Facility Location:
Municipality &
County*Milford Township
Bucks County

Permit No.

PAG040126

*Applicant Name &
Address*Glen Nash
1845 Klines Mill Road
Quakertown, PA 19851*Receiving
Water / Use*Hazelbach Creek
Watershed
3E*Contact Office &
Phone No.*Southeast Regional Office
2 East Main Street
Norristown, PA 19401
(484) 250-5970Londonderry
Township
Dauphin County

Permit No.

PAG043891

*Applicant Name &
Address*
Bright Hope Fellowship
BIC Church
345 North Deodate Road
Middletown, PA 17057*Receiving
Water / Use*
UNT Lynch Run
TSF
7G*Contact Office &
Phone No.*
DEP—SCRO
909 Elmerton Avenue
Harrisburg, PA 17110
(717) 705-4707**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 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. 2350016, Operations Permit, Public Water Supply.

Applicant **Mt. Pennbrook, Inc.**
P. O. Box 974
Moscow, PA 18444

Borough or Township Madison Township
County **Lackawanna**

Type of Facility PWS

Consulting Engineer N/A

Permit to Operate August 24, 2009
Issued

Permit No. 3540057, Operations Permit, Public Water Supply.

Applicant **Aqua Pennsylvania, Inc.**
762 West Lancaster Avenue
Bryn Mawr, PA 19010

Borough or Township East and North Union Townships
County **Schuylkill**

Type of Facility PWS

Consulting Engineer N/A

Permit to Operate August 24, 2009
Issued

Permit No. 3391012, Operations Permit, Public Water Supply.

Applicant **Chernay Printing, Inc.**
7483 South Main Street
Coopersburg, PA 18036

Borough or Township Upper Saucon Township
County **Lehigh**

Type of Facility PWS

Consulting Engineer N/A

Permit to Operate August 27, 2009
Issued

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

Permit No. 0609506 MA, Minor Amendment, Public Water Supply.

Applicant **Aqua Pennsylvania**
Municipality Marion Township
County **Berks**
Type of Facility New softening facilities at the existing Stonecroft Village treatment building.

Consulting Engineer William A. LaDieu
CET Engineering Services
1240 North Mountain Road
Harrisburg, PA 17112

Permit to Construct August 25, 2009
Issued

Permit No. 2109502 MA, Minor Amendment, Public Water Supply.

Applicant **United Water Pennsylvania**
Municipality Upper Allen Township
County **Cumberland**
Type of Facility Installation of a 36-inch diameter by 120-foot chlorine contact pipe.

Consulting Engineer Steven Metzler, P. E.
United Water Pennsylvania
4211 East Park Circle
Harrisburg, PA 17111

Permit to Construct August 20, 2009
Issued

Permit No. 2109503 MA, Minor Amendment, Public Water Supply.

Applicant **United Water Pennsylvania**
Municipality Upper Allen Township
County **Cumberland**
Type of Facility Installation of a 36-inch diameter by 140-foot contact pipe.

Consulting Engineer Steven Metzler, P. E.
United Water Pennsylvania
4211 East Park Circle
Harrisburg, PA 17111

Permit to Construct August 20, 2009
Issued

Permit No. 6709505 MA, Minor Amendment, Public Water Supply.

Applicant **United Water Pennsylvania**
Municipality Newberry Township
County **York**
Type of Facility Installation of a 36-inch diameter by 60-foot chlorine contact pipe.

Consulting Engineer Steven Metzler, P. E.
United Water Pennsylvania
4211 East Park Circle
Harrisburg, PA 17111

Permit to Construct August 20, 2009
Issued

Permit No. 6709506 MA, Minor Amendment, Public Water Supply.

Applicant **United Water Pennsylvania**
Municipality Newberry Township
County **York**
Type of Facility Installation of a 24-inch diameter by 95-foot chlorine contact pipe.

Consulting Engineer Steven Metzler, P. E.
United Water Pennsylvania
4211 East Park Circle
Harrisburg, PA 17111

Permit to Construct August 20, 2009
Issued

Operations Permit issued to **Creek View Mobile Home Community**, 7210001, Upper Frankford Township, **Cumberland County** on August 28, 2009, for the operation of facilities approved under Construction Permit No. 7210001.

Operations Permit issued to **Arden Diller**, 7280071, Antrim Township, **Franklin County** on August 26, 2009, for the operation of facilities approved under Construction Permit No. 2807503.

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

Permit No. MA-1893501—Operation, Public Water Supply.

Applicant **Central Clinton County Water Filtration Authority**
Borough or Township Wayne Township
County **Clinton**

Responsible Official Jack D. Peters, Chairperson
Central Clinton County Water Filtration Authority
70 Filtration Drive
Lock Haven, PA 17745

Type of Facility Public Water Supply—Operation

Consulting Engineer David M. Swisher, P. E.
HRG, Inc.
474 Windmere Drive
Suite 100
State College, PA 16801

Permit Issued Date August 31, 2009

Description of Action Addition of sodium permanganate and polyaluminum chloride.

Permit No. MA-1795501—Operation, Public Water Supply.

Applicant **Total Environmental Solutions, Inc.**
Borough or Township Sandy Township
County **Clearfield**

Responsible Official William Schoening
Total Environmental Solutions, Inc.
906 Beaver Drive
Dubois, PA 15801

Type of Facility Public Water Supply—Operation
 Consulting Engineer N/A
 Permit Issued Date August 31, 2009
 Description of Action Additional piping and valves are to be used to increase the contact time of water from Well N-23 with potassium permanganate.

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

Permit No. 0409505, Public Water Supply.

Applicant **Municipal Water Authority of Aliquippa**
 160 Hopewell Avenue
 Aliquippa, PA 15001

Borough or Township Hopewell and Raccoon Townships
 County **Beaver**

Type of Facility First Alley booster pump station and Raccoon booster pump station

Consulting Engineer Widmer Engineering, Inc.
 806 Lincoln Place
 Beaver Falls, PA 15010

Permit to Construct Issued August 27, 2009

Permit No. 0209515, Public Water Supply.

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

Borough or Township City of Pittsburgh
 County **Allegheny**

Type of Facility Herron Hill water storage tank

Consulting Engineer

Permit to Construct Issued August 31, 2009

Permit No. 2609505MA, Minor Amendment, Public Water Supply.

Applicant **North Fayette County Municipal Authority**
 1634 University Drive
 P. O. Box 368
 Dunbar, PA 15431

Borough or Township Lower Tyrone Township
 County **Fayette**

Type of Facility Lower Tyrone Township water storage tank

Consulting Engineer Widmer Engineering
 225 West Crawford Avenue
 Connellsville, PA 15425

Permit to Construct Issued August 27, 2009

Permit No. 0209510MA, Minor Amendment, Public Water Supply.

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

Borough or Township Edgeworth Borough
 County **Allegheny**

Type of Facility Sewickley and Edgeworth interconnection

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

Permit to Construct Issued August 4, 2009

Permit No. 0409506MA, Minor Amendment, Public Water Supply.

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

Borough or Township City of Rochester
 County **Beaver**

Type of Facility Hill Street water storage tank

Consulting Engineer World International Testing, Inc.
 2228 Sunset Boulevard
 Suite One
 Steubenville, OH 43952

Permit to Construct Issued August 31, 2009

SEWAGE FACILITIES ACT PLAN APPROVAL

Plan 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, (412) 442-4000.

Plan Location:

<i>Borough or Township</i>	<i>Borough or Township Address</i>	<i>County</i>
Center Township	Center Township	Beaver County
Township	224 Center Grange Road Aliquippa, PA 15001	County

Plan Description: The approved plan provides for construction of a 400 gpd single-residence sewage treatment plant to serve the Louise Loncar single-family home. The property is located at 203 Simonfield Road, Center Township, Beaver County. The proposed discharge point is a UNT to Poorhouse Run, classified as a WWF. Any required NPDES Permits or WQM Permits must be obtained in the name of the applicant as appropriate. The Department of Environmental Protection's review of the sewage facilities revision has not identified any significant impacts resulting from this proposal.

LAND RECYCLING AND ENVIRONMENTAL REMEDIATION

UNDER ACT 2, 1995

PREAMBLE 2

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

Provisions of Chapter 3 of the Land Recycling and Environmental Remediation Standards Act (act) require the Department of Environmental Protection (Department) to publish in the *Pennsylvania Bulletin* a notice of submission of plans and reports. A final report is submitted to document cleanup of a release of a regulated substance at a site to one of the act's remediation standards. A final report provides a description of the site investigation to characterize the nature and extent of contaminants in environmental media, the basis for selecting the environmental media of concern, documentation supporting the selection of residential or nonresidential exposure factors, a description of the remediation performed and summaries of sampling analytical results which demonstrate that remediation has attained the cleanup standard selected. Submission of plans and reports, other than the final report, shall also be published in the *Pennsylvania Bulletin*. These include the remedial investigation report, risk assessment report and cleanup plan for a Site-Specific Standard remediation. A remedial investigation report includes conclusions from the site investigation, concentration of regulated substances in environmental media; benefits of refuse of the property and, in some circumstances, a fate and transport analysis. If required, a risk assessment report describes potential adverse effects caused by the presence of regulated substances. If required, a cleanup plan evaluates the abilities of potential remedies to achieve remedy requirements.

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

The Department has received the following plans and reports:

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

Vulcan Materials Company, formerly York Lintel and Cast Stone, Inc., Oxford Township, **Adams County**. Herbert, Rowland, and Grubic, Inc., 1820 Linglestown Road, Harrisburg, PA 17110, on behalf of Vulcan Materials Company, 875 Oxford Avenue, Hanover, PA 17331, submitted a Final Report concerning remediation of site soils contaminated with diesel fuel. The report is intended to document remediation of the site to meet the Statewide Health Standard.

Safe Harbor Former Incinerator Site, Conestoga Township, **Lancaster County**. NTH Consultants, 444 Creamery Way, Suite 100, Exton, PA 19341, on behalf of Safe Harbor Water Power Corporation, 1 Powerhouse Road, Conestoga, PA 17516, submitted a Final Report concerning remediation of site soils contaminated with

metals and PAHs associated with an abandoned incinerator. The report is intended to document remediation of the site to meet the Nonresidential Statewide Health Standard.

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

Eastern Industries, Inc., Wyalusing Township, **Bradford County**. Pennsylvania Tectonics, 826 Main Street, Peckville, PA 18452 on behalf of Eastern Industries, Inc., Route 347, Clifford, PA 18421 has submitted a Final Report within 90 days of the release concerning remediation of site soil contaminated with diesel fuel and used motor oil. The report is intended to document remediation of the site to meet the Statewide Health Standard.

Joseph Bellanca Estate, Muncy Township, **Lycoming County**. United Environmental, 86 Hillside Drive, Drums, PA 18222 on behalf of Michael Collins, McNerney, Page, Vanderlin & Hall, P. O. Box 7, Williamsport, PA 17703 has submitted a Final Report concerning remediation of site soil and groundwater contaminated with petroleum. The report is intended to document remediation of the site to meet the Statewide Health Standard.

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

Trinity Ind Soil (Former Trinity Industries Site), City of Butler, **Butler County**. Civil and Environmental Consultants, Inc., 333 Baldwin Road, Pittsburgh, PA 15205 on behalf of the Community Development Corporation of Butler County, 112 Woody Drive, Butler, PA 16001 has submitted a Final Report concerning remediation of site soil contaminated with iron. The report is intended to document remediation of the site to meet the Statewide Health Standard.

LAND RECYCLING AND ENVIRONMENTAL REMEDIATION

UNDER ACT 2, 1995

PREAMBLE 3

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

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

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

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

The Department has received the following plans and reports:

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

Midas Residence, 529 East Ridge Street, Lansford Borough, **Carbon County**. Jeffrey Wynn, Patriot Environmental Management, LLC, P. O. Box 629, Douglassville, PA 19518 submitted a Final Report, on behalf of his client, David Midas, 529 East Ridge Street, Lansford, PA 18232, concerning the remediation of soil found to have been impacted by No. 2 fuel oil due to a release that occurred during a fuel oil delivery as the result of an accidental overflow of a 275-gallon aboveground storage tank. The report documented attainment of the Statewide Health Standard and was approved on August 26, 2009.

70 Hilton Street Property, Williams Township, **Northampton County**. David Fennimore and George Seidman, Earth Data Northeast, Inc., Whiteland Technology Center, 924 Springdale Drive, Exton, PA 19341 submitted a Final Report, on behalf of their client, Quantico Associates, Ltd., 50 Hilton Street, Easton, PA 18042, concerning soils sampled because of historical site operations, including foundry operations and manufacturing at the property. The report documented attainment of the Nonresidential Statewide Health Standard for soils and was approved on August 21, 2009.

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

Station Mall, Altoona City, **Blair County**. Mountain Research, LLC, 825 25th Street, Altoona, PA 16601 on behalf of Joseph Grappone, Grappone Law Office, 411 A Logan Boulevard, Altoona, PA 16602, submitted a combined Remedial Investigation and Final Report concerning remediation of site soils and groundwater contaminated with metals, PAHs and VOCs. The combined report demonstrated attainment of the Nonresidential Statewide

Health and Site-Specific Standards and was approved by the Department of Environmental Protection on August 28, 2009.

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

Former Eureka Packaging Plant, City of Williamsport, **Lycoming County**. Alternative Environmental Solutions, 480 New Holland Avenue, Suite 8203, Lancaster, PA 17602 on behalf of Henry Perciballi, Gunga Enterprises, LLC, 429 Market Street, Williamsport, PA 17701 has submitted a Final Report concerning remediation of site groundwater contaminated with tetrachloroethylene (PCE) and Trichloroethylene (TCE). The Final Report demonstrated attainment of the Site-Specific Standard and was approved by the Department of Environmental Protection on August 24, 2009.

RESIDUAL WASTE GENERAL PERMITS

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

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

General Permit No. WMGR028NC001A. Glenn O. Hawbaker, 711 East College Avenue, Bellefonte, PA 16823. Permit for the beneficial use of baghouse fines as an aggregate in hot-mix asphalt at the Spring Township, **Centre County** facility. The permit was issued by NCRO on August 19, 2009.

Persons interested in reviewing the general permit may contact Lisa Houser, P. E., Facilities Manager, Williamsport Regional Office, 208 West Third Street, Suite 101, Williamsport, PA 17701, (570) 327-3752. TDD users may contact the Department of Environmental Protection through the Pennsylvania AT&T Relay Service, (800) 654-5984.

General Permit No. WMGR028NC001C. Glenn O. Hawbaker, 711 East College Avenue, Bellefonte, PA 16823. Permit for the beneficial use of baghouse fines as an aggregate in hot-mix asphalt at the Loyalsock Township, **Lycoming County** facility. The permit was issued by NCRO on August 19, 2009.

Persons interested in reviewing the general permit may contact Lisa Houser, P. E., Facilities Manager, Williamsport Regional Office, 208 West Third Street, Suite 101, Williamsport, PA 17701, (570) 327-3752. TDD users may contact the Department of Environmental Protection through the Pennsylvania AT&T Relay Service, (800) 654-5984.

General Permit No. WMGR028NC001B. Glenn O. Hawbaker, 711 East College Avenue, Bellefonte, PA 16823. Permit for the beneficial use of baghouse fines as an aggregate in hot-mix asphalt at the Sandy Township, **Clearfield County** facility. The permit was issued by NCRO on August 19, 2009.

Persons interested in reviewing the general permit may contact Lisa Houser, P. E., Facilities Manager, Williamsport Regional Office, 208 West Third Street, Suite 101, Williamsport, PA 17701, (570) 327-3752. TDD users may

contact the Department of Environmental Protection through the Pennsylvania AT&T Relay Service, (800) 654-5984.

AIR QUALITY

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

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

GP1-46-0238: Saint Charles Borromeo Seminary (100 East Wynnewood Road, Wynnewood, PA 19106) on August 6, 2009, to operate two small natural gas No. 2 oil-fired combustion units in Lower Merion Township, **Delaware County**.

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

GP-42-221A: McKean County Joint Venture Group—Hedgehog Compressor Station (Hedgehog Lane, Bradford, PA 16701) on August 21, 2009, to operate a natural gas fired compressor engine (BAQ-GPA/GP-5) at facility in Bradford Township, **McKean 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.

15-0122A: Kennett Square Specialties, LLC (556 East South Street, P. O. Box 652, Kennett Square, PA 19348) on August 27, 2009, for installation of a spent shiitake mushroom growth media fired boiler rated at 9.6 mmBtu/hr (boiler), at the Kennett Square Specialties mushroom substrate and spawn production facility, located at 556 East South Street, Kennett Township, **Chester County**. The permittee will take limitations to keep emission of NO_x and VOC below the major facility threshold levels. The Plan Approval will contain additional recordkeeping and operating restrictions designed to keep the facility operating within all applicable air quality requirements.

46-0024E: McNeil Consumer Healthcare (7050 Camp Hill Road, Fort Washington, PA 19034-2210) on August 28, 2009, for re-activation of a Glatt 60 Fluid Bed Processor in Whitmarsh Township, **Montgomery County**. This process has a potential to emit less than one tpy of VOC and less than 1 tpy of PM₁₀. The facility shall continue to remain a synthetic minor. The plan approval includes monitoring, recordkeeping and reporting requirements designed to keep the facility operating within all applicable air quality requirements.

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

40-328-006: UGI Development Co. (P. O. Box 224, 390 Route 11, Hunlock Creek, PA 18621) on August 21,

2009, to construct and operate two GE LM 000 PC Sprint combustion turbines (50MW), two supplementary fired HRSG, two selective catalytic reduction systems, two CO Oxidation Catalyst, and one 49.9 mmBtu/hr boiler at their facility in Hunlock Township, **Luzerne County**.

40-399-065: Vita-Line Products, Inc. (1111 North Park Drive, Hazleton, PA 18202) on August 27, 2009, to install a new dog food manufacturing operation at their facility to be in Hazle Township, **Luzerne County**.

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

36-05008F: Tyson Foods, Inc. (P. O. Box 1156, 403 South Custer Avenue, New Holland, PA 17557-0901) on August 24, 2009, to construct a vegetable oil poultry fryer controlled by a wet scrubber in Earl Township, **Lancaster County**.

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

08-399-038D: Global Tungsten and Powders, Corp. (Hawes Street, Towanda, PA 18848-0504) on August 25, 2009, to modify control devices for 11 existing tungsten wire drawing capstan annealing heads and ten existing wire annealing ovens in department (012), at their North Towanda Township, **Bradford County** facility.

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

25-053E: Urick Foundry Co. (1501 Cherry Street, Erie, PA 16502) on August 21, 2009, for modernization of the sand cooling operation including three new finishing/sand handling baghouses in Erie City, **Erie County**. This is a State-only facility.

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.

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

08-00003G: CraftMaster Manufacturing, Inc. (P. O. Box 311, Shiner Road, Towanda, PA 18848) on August 24, 2009, to extend the deadline for the required PM stack test of the Line 1 Refiner Reject and Line 1 Second Stage Dryers/Felter Operations and associated Felter Scrubber (Control ID D41). The required testing shall be completed on or before November 30, 2009, at their facility in Wysox Township, **Bradford County**.

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

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

36-05138: Quality Custom Kitchens, Inc. (125 Peters Road, New Holland, PA 17557-9205) on August 25, 2009, to operate a wooden cabinet manufacturing facility in Earl Township, **Lancaster County**. This Title V operating permit was administratively amended to incorporate Plan Approval No. 36-05138A. This is Revision No. 1.

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

V05-004: Temple University, Main Campus (1009 West Montgomery Avenue, Philadelphia, PA 19122) on August 13, 2009, to operate a college, university, and professional school in the City of Philadelphia, **Philadelphia County**. The Title V facility's air emission sources include the following: five 41.24—63.9 mmBtu/hr boilers firing natural-gas (NG) or No. 6 fuel oil; one 20.92 mmBtu/hr boiler firing NG; three 86.8—91.3 mmBtu/hr boilers firing NG or No. 2 fuel oil; three 9.996 mmBtu/hr boilers firing NG or No. 2 fuel oil; two 2.396—2.887 mmBtu boilers firing NG or No. 2 fuel oil; 11 boilers or water heaters, each rated 2.0 mmBtu/hr or less, firing NG; ten 2,250 hp standby generators firing natural gas; 12 emergency generators, each rated 170 kw or less, firing NG; 32 emergency generators, each rated 1,825 kw or less, firing No. 2 fuel oil; and one 110 hp fire pump firing No. 2 fuel oil.

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.

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

36-03019: Flury Foundry Co. (1160 Elizabeth Avenue, Lancaster, PA 17601-4364) on August 26, 2009, for the foundry operations in the City of Lancaster, **Lancaster County**. This is a renewal of the State-only operating permit.

36-05148: Country Value Woodworks, LLC (2302 Beaver Valley Pike, New Providence, PA 17560-9610) on August 24, 2009, for operation of a wood furniture finishing operation in Providence Township, **Lancaster County**.

38-05023: Pennsy Supply, Inc. (1 Clear Spring Road, Annville, PA 17003) on August 26, 2009, for operation of their Prescott Asphalt Plant in South Lebanon Township, **Lebanon County**. This is a renewal of the State-only operating permit.

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

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

09-00006: U.S. Steel Corporation—Fairless Works (Fairless Hills, PA 19030) on August 25, 2009, is a Title V facility in Falls Township, **Bucks County**. This Title V Permit was revised to change the contact information for the responsible official and the permit contact name in both Sections A and C of the Title V Permit. The revisions and notification of these changes to the Title V Permit were made in accordance with 25 Pa. Code § 127.450. The changes to the Title V Permit do not result in an increase of emissions, and comments will only be taken on the changes covered in this notice.

23-00001: Sunoco, Inc.—R and M (Delaware Avenue and Green Street, P.O. Box 426, Marcus Hook, PA 19061-0426) on August 25, 2009, to incorporate plan

approval 23-0001Z into the Title V Operating Permit in Marcus Hook Borough, **Delaware County**. New sources added were numbered 031—034. Additionally, this administrative amendment provides operation flexibility for the loading of cyclohexane and benzene using the currently permitted control devices. Potentially, the amount of benzene loading will increase 220%, while emissions will decrease by almost 11 tons. The administrative amendment has been issued in accordance with 25 Pa. Code § 127.450. The Title V Operating Permit contains all applicable regulatory requirements.

23-00009: The Boeing Co.—Integrated Defense Systems—Rotorcraft (P. O. Box 16858, Philadelphia, PA 19142) on August 27, 2009, for the major (Title V) facility in Ridley Township, **Delaware County**. The Administrative Amendment incorporates the conditions of Plan Approval 23-0009E and also incorporates RFD No. 827.

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

ARP-06-05024: RRI Energy Mid-Atlantic Power Holdings, LLC (121 Champion Way, Suite 200, Canonsburg, PA 16317-5817) on August 24, 2009, for the three bituminous coal firing boilers in Cumru Township, **Berks County**. This is a revision to the Title V operating permit.

67-03071: PA State Pet Memorial at Golden Lake (210 Andersontown Road, Mechanicsburg, PA 17055-6023) on August 20, 2009, to operate their animal crematories in Monaghan Township, **York County**. This State-only operating permit was administratively amended to incorporate Plan Approval 67-03071A. This is Revision No. 2.

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

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

43-00284: Xaloy Inc.—FR Gross Co., Inc. (P. O. Box 368, 40 Council Avenue, Wheatland, PA 16161-0368) on August 25, 2009, to revoke their State-only operating permit for the operation of the chrome plating facility in the Borough of Wheatland, **Mercer County**. This operating permit was revoked because of a permanent shutdown of operations at the facility.

ACTIONS ON COAL AND NONCOAL MINING ACTIVITY APPLICATIONS

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

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

Coal Permits Actions

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

63901701 and NPDES Permit No. PA0001147, Consolidation Coal Company, Consol Energy, Inc., CNX Center, 1000 Consol Energy Drive, Canonsburg, PA 15317, to renew the permit for the Montour No. 4 Mine—Hahn Treatment Facility in Cecil Township, **Washington County** and related NPDES permit. No additional discharges. Application received April 3, 2009. Permit issued August 21, 2009.

30841317. Consol Pennsylvania Coal Company, LLC, P. O. Box J, 1525 Pleasant Grove Road, Claysville, PA 15323, to revise the permit for the Enlow Fork Mine, in East Finley Township, **Washington County**, United States Army Corps of Engineers, Pittsburgh District (Claysville, PA Quadrangle N: 8.98 inches; W: 2.02 inches, N: 9.21 inches; W: 1.47 inches). This is a Chapter 105 Water Obstruction and Encroachment permit application (Stream Module 15), and 401 Water Quality Certification request, if applicable, submitted as part of the mining permit revision application to authorize the stream restoration to Templeton Fork to alleviate subsidence pooling impacts from longwall mining. The permit applicant has met the wetland replacement requirement by participating in the Pennsylvania Wetland Replacement Project. Application received March 11, 2008. Permit issued August 27, 2009.

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

56940101 and NPDES No. PA0212768. Future Industries, Inc., P. O. Box 157, Meyersdale, PA 15552, permit renewal for the continued operation and restoration of a bituminous surface and auger mine in Brothersvalley Township, **Somerset County**, affecting 205.9 acres. Receiving streams: UNTs to/and Buffalo Creek classified for the following use: CWF. There are no potable water supply intakes within 10 miles downstream. Application received May 15, 2009. Permit issued August 25, 2009.

05753004 and NPDES No. PA0124869. Forcey Coal, Inc., P. O. Box 225, Madera, PA 16661, permit renewal for the continued operation and restoration of a bituminous surface mine in Broad Top and Carbon Townships, **Bedford and Huntingdon Counties**, affecting 222.1 acres. Receiving streams: UNTs to/and Coal Bank Run classified for the following use: WWF. There are no potable water supply intakes within 10 miles downstream. Application received April 23, 2009. Permit issued August 27, 2009.

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

33-08-13 and NPDES Permit No. PA0258709. P. and N. Coal Co., Inc., P. O. Box 332, Punxsutawney, PA 15767, proposal to enter into a Government Financed Reclamation Construction Contract on a 14.6 acre site in Winslow Township, **Jefferson County**. The proposal includes total reclamation of 14.4 acres of abandoned mine lands while remining 9.2 acres of coal incidental and necessary to the reclamation activities. Receiving streams: UNT "B" to Fehley Run. Application received February 24, 2009. Contract issued August 21, 2009.

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

17820141. SRP Coal Company, Inc., R. R. 1, Box 180, Penfield, PA 15849, renewal for reclamation only of a bituminous surface mine in Pike and Lawrence Townships, **Clearfield County**, affecting 108 acres. Permit issued August 19, 2009.

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

54830107R5 and NPDES Permit No. PA0613568. Selkirk Enterprises, LLC, 10 Gilberton Road, Gilberton, PA 17934, renewal of an existing anthracite surface mine and coal refuse reprocessing operation in Branch and Reilly Townships, **Schuylkill County**, affecting 1,211.99 acres. Receiving stream: West Branch Schuylkill River. Application received January 9, 2009. Renewal issued August 24, 2009.

54930201R3. Wheelabrator Culm Services, Inc., 4 Liberty Lane West, Hampton, NH 03842, renewal of an existing anthracite coal refuse reprocessing for reclamation activities only in Mahanoy Township, **Schuylkill County**, affecting 117.0 acres. Receiving stream: none. Application received January 14, 2009. Renewal issued August 24, 2009.

40763208R4. Popple Brothers Coal Company, P. O. Box 126, Duryea, PA 18642, renewal of an existing anthracite coal refuse reprocessing, disposal and coal processing operation in Duryea and Old Forge Boroughs and Ransom Township, **Luzerne and Lackawanna Counties**, affecting 130.0 acres. Receiving stream: none. Application received August 11, 2006. Renewal issued August 25, 2009.

40840203R5. Mammoth Anthracite, LLC, P. O. Box Q, Milnesville, PA 18239, renewal of an existing anthracite surface mine and coal refuse reprocessing operation in Hazle Township, **Luzerne County**, affecting 101.0 acres. Receiving stream: none. Application received September 22, 2008. Renewal issued August 25, 2009.

19980101R2. Kovalchick Coal Company, P. O. Box 251, Mt. Carmel, PA 17851, renewal of an existing anthracite surface mine operation in Conyngham Township, **Columbia County**, affecting 215.0 acres. Receiving stream: none. Application received November 18, 2008. Renewal issued August 26, 2009.

54921601R3. Gale Mining Company, 1441 Oak Road, Pottsville, PA 17901, renewal of an existing anthracite coal processing facility in Rush Township, **Schuylkill County**, affecting 10.3 acres. Receiving stream: none. Application received February 4, 2009. Renewal issued August 26, 2009.

Noncoal Permits Actions

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

6475SM10C and NPDES Permit No. PA0224391. Pennsy Supply, Inc., P. O. Box 3331, Harrisburg, PA 17105, renewal of an NPDES Permit for discharge of treated mine drainage from a quarry operation in Jenkins Township, **Luzerne County**, receiving stream: Lampblack Creek. Application received June 10, 2009. Renewal issued August 24, 2009.

6374SM1C6 and NPDES Permit No. PA0224383. Hanson Aggregates Pennsylvania, Inc., 7660 Imperial Way, Suite A103, Allentown, PA 18195, renewal of an NPDES Permit for discharge of treated mine drainage from a quarry operation in Hemlock and Madison Town-

ships, **Columbia County**. Receiving streams: UNT to Little Fishing Creek. Application received June 25, 2009. Renewal issued August 24, 2009.

7775SM4C3 and NPDES Permit No. PA0594563. Lehigh Cement Company, 537 Evansville Road, Fleetwood, PA 19522, renewal of an NPDES Permit for discharge of treated mine drainage from a quarry operation in Oley Township, **Berks County**. Receiving stream: UNT to Manatawny Creek. Application received July 13, 2009. Renewal issued August 24, 2009.

64030301C4 and NPDES Permit No. PA0224332. Middle Creek Quarry, Inc., 2893A Owego Turnpike, Hawley, PA 18428, renewal of an NPDES Permit for discharge of treated mine drainage from a quarry operation in Palmyra Township, **Wayne County**, receiving stream: Middle Creek. Application received June 29, 2009. Renewal issued August 25, 2009.

ABANDONED MINE RECLAMATION ACT 181 ONLY

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

Primacy Bond Forfeiture Contract Awarded	PBF 56763022.1
Location	Elk Lick Township Somerset County, PA
Description	Act 181 Surface Mine Reclamation Project Delta Mining, Inc. Maust Site SMP No. 56763022.1
Contractor	Earth Shapers, LLC 266 Scout Dam Road Ebensburg, PA 15931
Amount	\$13,423.95
Date of Award	August 20, 2009

ACTIONS ON BLASTING ACTIVITY APPLICATIONS

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

Blasting Permits Actions

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

03094001. Wampum Hardware, 636 Paden Road, New Galilee, PA 16141, blasting activity permit issued for the Dominion Gas Rural Valley Compressor Station Project, located in Cowanshannock Township, **Armstrong County**. The duration of blasting is expected to be 4 months. Blasting permit issued August 24, 2009.

02094006. USA South Hills Landfill, 3100 Hill Road, South Park Township, PA 15127, blasting activity permit issued for the landfill cell expansion, located in South Park Township, **Allegheny County**. The duration of blasting is expected to be 6 months. Blasting permit issued August 24, 2009.

26094005. Amerikohl Mining, Inc., 1384 SR 711, Stahlstown, PA 15687, blasting activity permit issued for remediation at the Ridec Surface Mine (SMP No. 26040105), located in Dunbar Township, **Fayette County**. The duration of blasting is expected to be 5 months. Blasting permit issued August 25, 2009.

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

59094006. Conquest Seismic Services, Inc., 504 IST Center, Horseheads, NY 14845, seismic exploration blasting located in Charleston, Covington, Delmar, Duncan, Richmond and Putnam Townships, **Tioga County**. Permit issued August 25, 2009. Permit expires April 15, 2010.

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

36094158. Warren's Excavating & Drilling, Inc., P. O. Box 214, Myerstown, PA 17067, construction blasting for a commercial building on Quarry Road in Upper Leacock Township, **Lancaster County** with an expiration date of August 13, 2010. Permit issued August 24, 2009.

35094001. John Brainard, 2978 SR 2073, Kingsley, PA 18826, construction blasting for a House Foundation in Dalton Borough, **Lackawanna County** with an expiration date of October 31, 2009. Permit issued August 26, 2009.

35094002. Latona Trucking & Excavating, 620 South Main Street, Pittston, PA 18640 and ORICA USA, 971 Mountain Road, Bloomsburg, PA 17815, construction blasting for the St. Mary's Bridge Project in the City of Scranton, **Lackawanna County** with an expiration date of August 1, 2010. Permit issued August 26, 2009.

06094110. Explosive Services, Inc., 7 Pine Street, Bethany, PA 18431, construction blasting at Perry Township Recreation Area in Perry Township, **Berks County** with an expiration date of August 25, 2010. Permit issued August 26, 2009.

40094114. Douglas Explosives, Inc., P. O. Box 77, Philipsburg, PA 16866, construction blasting for Warrior Run Verizon Tower City in Rice and Hanover Townships, **Luzerne County** with an expiration date of December 30, 2009. Permit issued August 26, 2009.

49094102. Kesco, Inc., P. O. Box 95, Adrian, PA 16210, construction blasting for Mt. Carmel Area Waste Water Treatment Plant in Mt. Carmel Township, **Northumberland County** with an expiration date of January 31, 2010. Permit issued August 26, 2009.

06094111. Brubacher Excavating, Inc., P. O. Box 528, Bowmansville, PA 17507, construction blasting for Tilden Township Sanitary Sewage Treatment Plant in Tilden Township, **Berks County** with an expiration date of December 27, 2009. Permit issued August 27, 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 Floodplain Management Act (32 P.S. § 679.302) and The Clean Streams Law (35 P.S. §§ 691.1—691.702) and Notice of Final Action for Certification under section 401 of the FWPCA (33 U.S.C.A. § 1341).

Permits, Environmental Assessments and 401 Water Quality Certifications Issued:

WATER OBSTRUCTIONS AND ENCROACHMENTS

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

E45-524. Henryville Flyfishers, 2119 Long Beach Boulevard, Ship Bottom, NJ 08008, Paradise Township, **Monroe County**, United States Army Corps of Engineers, Philadelphia District.

To construct and maintain a stream restoration project along 2.5 miles of Paradise Creek (HQ-CWF) with work consisting of: 1) removing approximately 0 to 4 feet of accumulated silt and sediment from 14 pools at various locations within the 2.5 mile reach; 2) stabilizing the stream banks with boulders at various locations within the 2.5 mile reach; 3) installing two boulder deflectors along the left bank immediately downstream of the SR 0191 bridge; and 4) maintaining the existing stone dams and fish enhancement structures located within the 2.5 mile reach. The project will also temporarily impact 0.01 acre of wetlands for the purpose of constructing a temporary construction access road. The project begins approximately 0.5 mile northwest of the intersection of SR 0715 and SR 0191 and continues south along Paradise Creek to approximately 1.5 miles southeast of the intersection of

SR 0715 and SR 0191 (East Stroudsburg, PA Quadrangle Latitude: 41° 6' 3" / 41° 4' 52"; Longitude: -75° 14' 57" / -75° 13' 48") in Paradise Township, Monroe County.

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

E29-096: Dublin Township, 1366 Cole Road, Hustontown, PA 17229, Dublin Township, **Fulton County**, United States Army Corps of Engineers, Baltimore District.

To: 1) remove an existing low flow concrete bridge with 12 27.0-inch diameter corrugated metal pipes having a width of 12.3 feet, a length of 35.0 feet, and a skew of 90.0°; and 2) construct and maintain a single span prestressed concrete adjacent box beam bridge having a clear span of 80.5 feet, a width of 225.3 feet, a skew of 85.0° and a minimum underclearance of 7.0 feet carrying T-452 (Boy Scout Road) over Little Augwick Creek (TSF) in Dublin Township, Fulton County (McConnellsburg, PA Quadrangle N: 16.5 inches; W: 12.7 inches, Latitude: 40° 05' 23"; Longitude: 77° 57' 52"). The project will permanently impact 0.05 acre of PSS wetland and temporarily impact an additional 0.05 acre of PSS wetland at the proposed bridge location. The permittee is required to provide a minimum of 0.08 acre of replacement wetlands, and has proposed to compensate for the impact at the Whitsel Advance Wetland Compensation Site.

E21-407: Lower Allen Township, 2233 Gettysburg Road, Camp Hill, PA 17011, Cedar Spring Run Trailhead, Lower Allen Township, **Cumberland County**, United States Army Corps of Engineers, Baltimore District.

To construct and maintain a 6-foot wide by 1.5-foot high trail, and associated improvements in a channel beneath a railroad culvert and the floodway of a UNT to Cedar Run (CWF) for the purpose of providing access and a trail for area residents located at a point downstream of Gettysburg Road (Lemoyne, PA Quadrangle N: 18.69 inches; W: 6.30 inches, Latitude: 40° 13' 40.5"; Longitude: 76° 55' 12.4") in Lower Allen Township, Cumberland County.

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

E14-524. Tobias Z. Hostetler, 437 Bower Hollow Road, Aaronsburg, PA 16820. New house driveway, in Haines Township, **Centre County**, United States Army Corps of Engineers, Baltimore District (Millheim, PA Quadrangle Latitude: 40° 53' 53.22"; Longitude -77° 25' 17.03").

To construct and maintain a 5-foot diameter, 20-foot long culvert, set 1-foot into the streambed with the associated stone headwalls in a UNT to Pine Creek for the purpose of making a single residence driveway, located 2,400 feet down Bower Hollow Road from SR 45. The project proposes to permanently impact 20 linear feet of the UNT to Pine Creek, which is an Exceptional Quality waterway. This permit was issued under Section 105.13(e) "Small Projects." This permit also includes 401 Water Quality Certification.

E55-223. David Mull, 32 Cinder Lane, Selinsgrove, PA 17870. Mull Pavilion, in Centre Township, **Snyder County**, United States Army Corps of Engineers, Baltimore District (Middleburg, PA Quadrangle Latitude: 40° 51' 32.5"; Longitude: 77° 01' 41.2").

To construct, operate and maintain a 20-foot by 40-foot open sided picnic pavilion. Associated with the pavilion

will be a 24-foot by 44-foot concrete slab poured under the pavilion that will not exceed the existing ground surface elevations as noted on the plans. Also included in this permit is the removal and installation of 100 linear feet of 8-inch drain tile and the removal and installation of a 30-inch cross culvert. This project is located in the floodway of Penns Creek, 1 mile on Walnut Acres Road from SR 104 turn left on to Kerr Road and travel 3/10 of a mile to the site. This permit was issued under Section 105.13(e) "Small Projects."

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

To construct and maintain a riverside park called Bucknell Landing consisting of: 1) 740 square feet of synthetic floating and removable kayak/canoe dock with pile anchors and a hinged gangway; 2) removal of 690 cubic yards of earthen fill to create a 4,000 square foot articulated concrete block boat ramp; 3) a 20-foot by 20-foot open-sided pavilion on a concrete slab; 4) 485 square feet of stairway; 5) a 5-foot wide by 620 linear foot low impact at-grade walking trail; 6) 1,885 square feet of rain garden; 7) 2,400 horizontal square feet of an entry plaza; 8) a 5-foot wide by 740 linear foot paved at-grade low-impact trail; 9) secured picnic tables, signs, trash receptacles, bike racks; 10) Bucknell light standards and call box; 11) 6,570 square feet of at-grade gravel access drive; 12) council ring discovery area made of stone seats, fire ring and gravel path; and 13) a steel pipe rack to keep the dock anchored securely out of the river during the winter months, all of which is located in the right 100-year floodway of the West Branch Susquehanna River between the intersection of Snake Road and Seventh Street with River Road. This permit was issued under Section 105.13(e) "Small Projects."

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

E32-488. SFAM, LLC, 349 North Fourth Street, Indiana, PA 15701.

To construct a culvert and fill in White Township, **Indiana County**, United States Army Corps of Engineers, Pittsburgh District (Indiana, PA Quadrangle N: 22.0 inches; W: 9.8 inches, Latitude: 40° 37' 15"; Longitude: 79° 11' 45"). To construct and maintain a steel beam bridge with a steel grate deck; a span of 20 inches, a width of 23 feet, and an underclearance of approximately 5 feet; with precast concrete block abutments, to construct and maintain a storm water outfall; to place and maintain fill in the floodway of an existing tributary to McCarthy Run (CWF); to maintain existing fill in the floodway of a UNT to McCarthy Run, all for the purpose of expanding an existing automobile dealership. The project is approximately 570 feet west of the intersection of Ben Franklin Road and Philadelphia Street.

E32-491. Department of Transportation, District 10-0, 2550 Oakdale Avenue, P. O. Box 429, Indiana, PA 15701. To remove two single-span bridges in Clymer Borough, **Indiana County**, United States Army Corps of Engineers, Pittsburgh District.

1. To remove the existing SR 403 two lane, 48 feet wide, single span bridge having a total length of 115 feet, and having an underclearance of 6.4 feet; construct and maintain on the same alignment a

two lane 45.3 feet wide, single-span bridge having a total length of 115 feet with an underclearance of 6.1 feet; construct and remove a temporary bridge and causeways located downstream of the bridge, and construct and maintain associated stormwater outfalls over and in Two Lick Creek (TSF) with a drainage area of 41.4 square miles. This bridge is located in the center of Clymer Borough (Clymer, PA Quadrangle N: 8.1 inches; W: 1.8 inches, Latitude: 40° 40' 9"; Longitude: 79° 0' 48").

2. To remove the existing SR 403 two lane, 45.3 feet wide, single-span bridge having a total length of 38 feet, and having an underclearance of 6.6 feet; and construct and maintain on the same alignment a two lane 51.4 feet wide, single-span bridge having a total length of 51.4 feet with an underclearance of 6.7 feet; construct and remove temporary causeways; construct and maintain 90 feet of stream mitigation; and construct and maintain associated stormwater outfalls over and in Dixon Run (CWF) with a drainage area of 10.7 square miles. This Bridge is located in the western portion of Clymer Borough (Clymer, PA Quadrangle N: 8.2 inches; W: 2.2 inches, Latitude: 40° 40' 11"; Longitude: 79° 0' 53").

ENVIRONMENTAL ASSESSMENTS

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

D46-148EA. Upper Merion Township, 175 West Valley Forge Road, King of Prussia, PA 19406. Upper Merion Township, **Montgomery County**, United States Army Corps of Engineers, Philadelphia District.

Project proposes to breach and remove Upper Dam across Gulph Creek (WWF) for the purpose of eliminating a threat to public safety and restoring the stream to a free flowing condition. The project will restore approximately 1,200 feet of stream channel. The dam is located approximately 1,300 feet east of the intersection of SR 320 and SR 3031 (Gulph Road) (Norristown, PA Quadrangle Latitude: 40° 04' 10"; Longitude: -75° 22' 08").

DAM SAFETY

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

D40-242A. Department of Environmental Protection—Bureau of Waterways Engineering, P. O. Box 8460, Harrisburg, PA 17105-8460. To modify, operate, and maintain the Toby Creek Impounding Basin Dam across Toby Creek (TSF), impacting approximately 1,000 linear feet of stream, for the purpose of rehabilitating the existing facility to assure compliance with Department of Environmental Protection Regulations and increase spillway capacity (Kingston, PA Quadrangle N: 4.4 inches; W: 2.5 inches) in Pringle Borough, **Luzerne County**.

EROSION AND SEDIMENT CONTROL

The following Erosion and Sediment Control Permits have been issued.

Any person aggrieved by these actions may appeal, under section 4 of the Environmental Hearing Board Act (35 P. S. § 7514) and 2 Pa.C.S. Chapter 5, Subchapter A (relating to practice and procedure of Commonwealth agencies), to the Environmental Hearing Board, Second Floor, Rachel Carson State Office Building, 400 Market

Street, P. O. Box 8457, Harrisburg, PA 17105-8457, (717) 787-3483. TDD users 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.

08/18/2009

ESCGP-1 No.: ESX09-111-0005

Applicant Name: Chief Oil and Gas, LLC

Contact Person: Michael D. Hritz

Address: 6051 Wallace Road Extension, Suite 210

City: Wexford State: PA Zip Code: 15090

County: Somerset Township(s): Middlecreek

Receiving Stream(s) and Classifications: UNT to Middle Creek and UN and UNT to Lost Creek, HQ, Other

08/18/2009

ESCGP-1 No.: ESX09-125-0027

Applicant Name: Range Resources—Appalachia, LLC

Contact Person: Carla Suszkowski

Address: 380 Southpointe Boulevard, Suite 300

City: Canonsburg State: PA Zip Code: 15317

County: Washington Township(s): South Franklin

Receiving Stream(s) and Classifications: Bane Creek, Other

08/19/09

ESCGP-1 No.: ESX09-129-0018

Applicant Name: Rex Energy Corporation

Contact Person: William Ottaviani

Address: 476 Rolling Ridge Drive, Suite 300

City: State College State: PA Zip Code: 16801

County: Westmoreland Township(s): Derry

Receiving Stream(s) and Classifications: McCune Run, Union Run, and Stony Run, Other, TSF, WWF and CWF, respectively

08/19/09

ESCGP-1 No.: ESX09-125-0028

Applicant Name: MarkWest Liberty Midstream and Resources

Contact Person: Brian Rayburn

Address: 100 Plaza Drive, Suite 102

City: Atlasburg State: PA Zip Code: 15004

County: Washington Township(s): Mt. Pleasant

Receiving Stream(s) and Classifications: Cross Creek and UNT to Cross Creek, HQ

08/19/09

ESCGP-1 No.: ESX09-059-0032

Applicant Name: EQT Production Company

Contact Person: Hanna E. McCoy

Address: 225 North Shore Drive, 3rd Floor

City: Pittsburgh State: PA Zip Code: 15212

County: Greene Township(s): Morris

Receiving Stream(s) and Classifications: Browns Creek/Patterson Creek, HQ

Northcentral Region: Oil and Gas Management Program Manager, 208 West Third Street, Williamsport, PA 17701.

ESCGP-1 #	ESX09-117-0009
Applicant Name	Seneca Resources Corporation
Contact Person	Doug Kepler
Address	51 Zents Boulevard
City, State, Zip	Brookville, PA 15825
County	Tioga
Township(s)	Covington Township
Receiving Stream(s) and Classification(s)	UNT to Elk Run

ESCGP-1 #	58-09-802
Applicant Name	Cabot Oil and Gas Corporation
Contact Person	Jeffrey Keim
Address	900 Lee Street East, Suite 1100
City, State, Zip	Charleston, WV 25301
County	Susquehanna
Township(s)	Dimock Township
Receiving Stream(s) and Classification(s)	West Branch of Meshoppen Creek
ESCGP-1 #	ESX09-015-0026
Applicant Name	Chief Oil and Gas, LLC
Contact Person	Michael Hritz
Address	6051 Wallace Road Extension, Suite 210
City, State, Zip	Wexford, PA 15090
County	Bradford
Township(s)	West Burlington Township
Receiving Stream(s) and Classification(s)	UNT to North Branch Towanda Creek
ESCGP-1 #	ESX09-033-0004
Applicant Name	EXCO—North Coast Energy, Inc.
Contact Person	Joel Heiser
Address	1 GOJO Plaza, Suite 325
City, State, Zip	Akron, OH 44311-1057
County	Clearfield
Township(s)	Brady Township
Receiving Stream(s) and Classification(s)	UNT to Beaver Run and UNT to East Branch of Mahoning Creek
ESCGP-1 #	ESX09-117-0011
Applicant Name	Seneca Resources Corporation
Contact Person	Doug Kepler
Address	51 Zents Boulevard
City, State, Zip	Brookville, PA 15825
County	Tioga
Township(s)	Covington, Charleston, Richmond Townships
Receiving Stream(s) and Classification(s)	UNT to Elk Run, Elk Run, UNT to Tioga River, UNT to Catlin Hollow
ESCGP-1 #	ESX09-015-0024
Applicant Name	Chesapeake Appalachia, LLC
Contact Person	Eric Haskins/Tal Oden
Address	P. O. Box 18496
City, State, Zip	Oklahoma City, OK 73154-0496
County	Bradford
Township(s)	Terry Township
Receiving Stream(s) and Classification(s)	Baillets Pond which drains to Sugar Run
ESCGP-1 #	ESX09-081-0005
Applicant Name	Range Resources—Appalachia, LLC
Contact Person	Stephen Rupert
Address	380 Southpointe Boulevard, Suite 300
City, State, Zip	Canonsburg, PA 15317
County	Lycoming
Township(s)	Cogan House Township
Receiving Stream(s) and Classification(s)	Hoagland Run
ESCGP-1 #	ESX09-117-0006
Applicant Name	Ultra Resources, Inc.
Contact Person	W. R. Picquet
Address	304 Inverness Way South, Suite 295
City, State, Zip	Englewood, CO 80112-5828
County	Tioga
Township(s)	Gaines Township
Receiving Stream(s) and Classification(s)	Lewis Run, Elk Run
ESCGP-1 #	58-09-802
Applicant Name	Cabot Oil and Gas Corp
Contact Person	Jeffrey Keim
Address	900 Lee Street East, Suite 1100
City, State, Zip	Charleston, WV 25301

County	Susquehanna
Township(s)	Dimock Township
Receiving Stream(s) and Classification(s)	Meshoppen Creek
ESCGP-1 #	08-09-818
Applicant Name	EOG Resources
Contact Person	Nathan Wells
Address	2039 Sixth Street
City, State, Zip	Indiana, PA 15701
County	Bradford
Township(s)	Springfield Township
Receiving Stream(s) and Classification(s)	Mill Creek, West Branch of Tomjack Creek, Sugar Creek, Susquehanna River
ESCGP-1 #	ESX09-069-0003
Applicant Name	EXCO—North Coast Energy, Inc.
Contact Person	Joel Heiser
Address	1 Gojo Plaza, Suite 325
City, State, Zip	Akron, OH 44311-1057
County	Lackawanna
Township(s)	Greenfield Township
Receiving Stream(s)and Classification(s)	Rush Brook to Lackawanna River and UNT South Branch Tunkhannock Creek
ESCGP-1 #	ESX09-069-0002
Applicant Name	EXCO—North Coast Energy, Inc.
Contact Person	Joel Heiser
Address	1 Gojo Plaza, Suite 325
City, State, Zip	Akron, OH 44311-1057
County	Lackawanna
Township(s)	Greenfield Township
Receiving Stream(s) and Classification(s)	UNT to Dundaff Creek
ESCGP-1 #	ESX09-069-0002
Applicant Name	EXCO—North Coast Energy, Inc.
Contact Person	Joel Heiser
Address	1 Gojo Plaza, Suite 325
City, State, Zip	Akron, OH 44311-1057
County	Lackawanna
Township(s)	Greenfield Township
Receiving Stream(s) and Classification(s)	UNT to Dundaff Creek
ESCGP-1 #	ESX09-033-0005
Applicant Name	Chief Oil and Gas, LLS
Contact Person	Michael Hritz
Address	6051 Wallace Road Ext., Suite 210
City, State, Zip	Wexford, PA 15090
County	Clearfield
Township(s)	Lawrence Township
Receiving Stream(s) and Classification(s)	Little Clearfield Creek
ESCGP-1 #	08-09-811
Applicant Name	Fortuna Energy, Inc.
Contact Person	Tracy Gregory
Address	337 Daniel Zenker Drive
City, State, Zip	Horseheads, NY 14845
County	Bradford
Township(s)	Troy Township
Receiving Stream(s) and Classification(s)	North Branch Towanda Creek
ESCGP-1 #	ESX09-015-0034
Applicant Name	East Resources, Inc.
Contact Person	William Fustos
Address	301 Brush Creek Road
City, State, Zip	Warrendale, PA 15086
County	Lycoming and Bradford
Township(s)	McNett; Canton, Troy, Armenia Township and Alba Borough
Receiving Stream(s) and Classification(s)	North Branch Towanda Creek

ESCGP-1 #	ESX-09-105-0003
Applicant Name	Dominion Transmission, Inc.
Contact Person	Kevin Zink
Address	5094 Route 349
City, State, Zip	Westfield, PA 16950
County	Potter
Township(s)	Harrison Township
Receiving Stream(s) and Classification(s)	UNT to North Branch of Cowanesque

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 18711-0790.

Project Location:

<i>Applicant</i>	<i>Applicant Address</i>	<i>County</i>
Wolfgang, Eugene H. Enterprises, Inc.	3426 Faye Drive Orefield, PA 18069	Lehigh

Project Description: The Pennsylvania Infrastructure Investment Authority, which administers the Commonwealth's State Revolving Fund, is intended to be the funding source for this project. Wolfgang, Eugene H. Enterprises, Inc. proposes modification of the existing community water system serving Ossie's Mobile Home Community to provide a replacement well and hydropneumatic tank. The Department of Environmental Protection's (Department) review of the project and the information received in the Environmental Report for the project has not identified any significant, adverse environmental impact resulting from this proposal. The Department hereby approves the project for Categorical Exclusion.

[Pa.B. Doc. No. 09-1688. Filed for public inspection September 11, 2009, 9:00 a.m.]

Air Quality Technical Advisory Committee Meeting Cancellation

The September 24, 2009, meeting of the Air Quality Technical Advisory Committee (Committee) has been cancelled. The next meeting is scheduled for November 18, 2009, at 9:15 a.m., in Room 105 of the Rachel Carson State Office Building, 400 Market Street, Harrisburg, PA 17105. Questions concerning the next scheduled meeting of the Committee can be directed to Arleen Shulman at (717) 772-3436 or ashulman@state.pa.us. The agenda and meeting materials for the November 18, 2009, meeting will be available through the Public Participation Center on the Department of Environmental Protection's (Department) web site at <http://www.depweb.state.pa.us> (DEP Keywords: "Public Participation, Participate").

Persons in need of accommodations as provided for in the Americans With Disabilities Act of 1990 should

contact Yvette House at (717) 772-3436 or the Pennsylvania AT&T Relay Service at (800) 654-5984 (TDD) to discuss how the Department may accommodate their needs.

JOHN HANGER,
Secretary

[Pa.B. Doc. No. 09-1689. Filed for public inspection September 11, 2009, 9:00 a.m.]

Bid Opportunity

BOGM 09-7, cleaning out and plugging four abandoned oil wells, (National Fuel Gas Corporation (c/o Matt Dubowski) Property), Warren City, Warren County. The principal items of work include cleaning out and plugging four abandoned oil wells, estimated to be 700 feet in depth, to the Department of Environmental Protection's specifications; preparing and restoring well sites; and mobilizing and demobilizing plugging equipment. This project issues on September 11, 2009, and bids will be opened on October 15, 2009, at 2 p.m. Bid documents cost \$10 per set and will not be mailed until payment has been received. A prebid conference is planned for this project but a date has not been set. Use the contact information contained in this advertisement to find out more about the prebid. 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. 09-1690. Filed for public inspection September 11, 2009, 9:00 a.m.]

PA Green Energy Works! Biogas; \$5 Million Funding Opportunity Available

On behalf of Governor Edward G. Rendell, Secretary John Hanger announces that on September 21, 2009, the Department of Environmental Protection (Department) will open a \$5 million solicitation for renewable energy projects for motivated businesses, local governments and nonprofit entities.

The program is administered by the Department, and funding is provided through the American Recovery and Reinvestment Act of 2009 (42 U.S.C.A. § 5301). This program provides funds to units of local and state government, Native American tribes, and territories to develop and implement projects to improve energy efficiency and reduce energy use and fossil fuel emissions, and to create jobs and promote economic recovery.

For purposes of this financial assistance opportunity, eligible projects include the generation of electricity from

biological materials including, but not limited to, animal manures, septage, food processing wastes, and yard waste.

All projects must create jobs, be able to start work within 6 months, and be completed within 24 months and prior to April 30, 2012.

For grants under this solicitation, the following entities are eligible to apply: Corporations, partnerships, sole proprietorship, limited liability company, business trust, or other legal business entities; incorporated not for profit organizations that maintain 501(c)(3) status with the U.S. Internal Revenue Service and are also registered with the PA Bureau of Charitable Organizations; colleges or universities located within Pennsylvania; nonprofit corporations or associations whose purpose is the enhancement of economic conditions in their community; Pennsylvania municipalities or counties; municipal electric utilities; rural electric cooperatives; and municipal authorities. Direct recipients of ARRA-ECEBG funds are not eligible to apply.

This is a competitive solicitation. Guidelines may be viewed at www.recovery.pa.gov. Applications must be submitted by means of the Environmental eGrants system at www.grants.dcnr.state.pa.us. Applications will be accepted from September 21, 2009, through October 23, 2009.

JOHN HANGER,
Secretary

[Pa.B. Doc. No. 09-1691. Filed for public inspection September 11, 2009, 9:00 a.m.]

PA Green Energy Works! Combined Heat and Power; \$11 Million Funding Opportunity Available

On behalf of Governor Edward G. Rendell, Secretary John Hanger announces that on September 7, 2009, the Department of Environmental Protection (Department) will open an \$11 million solicitation for renewable energy projects for motivated businesses, local governments and nonprofit entities.

The program is administered by the Department, and funding is provided through the American Recovery and Reinvestment Act of 2009 (42 U.S.C.A. § 5301). This program provides funds to units of local and state government, Native American tribes, and territories to develop and implement projects to improve energy efficiency and reduce energy use and fossil fuel emissions, and to create jobs and promote economic recovery.

For purposes of this financial assistance opportunity, eligible projects may include projects that use AEPS tier 1 eligible biomass (organic material from a plant that is grown for the purpose of producing electricity and any solid nonhazardous, cellulosic waste material such as waste pallets, crates and landscape or right-of-way tree trimmings or agricultural sources, including orchard tree crops, vineyards, grain, legumes, sugar and other crop by-products or residues) or natural gas for the sequential or simultaneous generation of electricity and useful thermal energy for industrial or commercial heating or cooling purposes in a single integrated system. All projects must have a projected thermal efficiency of at least 60%. For all projects, the sum of all usable thermal energy products must constitute at least 20% of the technology's

total usable output and the sum of all usable power must constitute at least 15% of the technology's total usable output.

All projects must create jobs, be able to start work within 6 months, and be completed within 24 months and prior to April 30, 2012.

For grants under this solicitation, the following entities are eligible to apply: Corporations, partnerships, sole proprietorship, limited liability company, business trust, or other legal business entities; incorporated not for profit organizations that maintain 501(c)(3) status with the U.S. Internal Revenue Service and are also registered with the PA Bureau of Charitable Organizations; colleges or universities located within Pennsylvania; nonprofit corporations or associations whose purpose is the enhancement of economic conditions in their community; Pennsylvania municipalities or counties; municipal electric utilities; rural electric cooperatives; and municipal authorities. Direct recipients of ARRA-ECEBG funds are not eligible to apply.

This is a competitive solicitation. Guidelines may be viewed at www.recovery.pa.gov. Applications must be submitted by means of the Environmental eGrants system at www.grants.dcnr.state.pa.us. Applications will be accepted from September 7, 2009, through October 9, 2009.

JOHN HANGER,
Secretary

[Pa.B. Doc. No. 09-1692. Filed for public inspection September 11, 2009, 9:00 a.m.]

Pennsylvania Sunshine Program Meeting Cancellation

The September 18, 2009, meeting of the Pennsylvania Sunshine Program is cancelled. The meeting will be rescheduled for later in the fall. The rescheduled meeting will be announced in the *Pennsylvania Bulletin*. Questions concerning the rescheduled meeting of the Pennsylvania Sunshine Program can be directed to Angela Rothrock at (717) 772-8911 SunshineComments@state.pa.us.

JOHN HANGER,
Secretary

[Pa.B. Doc. No. 09-1693. Filed for public inspection September 11, 2009, 9:00 a.m.]

Proposed Revision to the State Implementation Plan for the Pennsylvania Portion of the Philadelphia-Wilmington-Atlantic City 8-Hour Ozone Nonattainment Area; Public Hearing

On August 29, 2007, the Department of Environmental Protection (Department) submitted a State Implementation Plan (SIP) revision for the Pennsylvania portion of the Philadelphia-Wilmington-Atlantic City, PA-NJ-DE 8-Hour Ozone Nonattainment Area (Philadelphia Nonattainment Area) to the U.S. Environmental Protection Agency (EPA) that included the 2002 Base Year Inventory and a Reasonable Further Progress (RFP) Demonstration. The values for stationary sources in the 2002 Base Year Inventory submitted on August 29, 2007, are incorrect because name changes were not fully incorporated into

the Department's databases, causing some facilities to be included multiple times during the inventory development. Therefore, the emissions estimated for 2002 were too high. Additionally, an error was found in the calculation formula for the projected area source values for 2008. These errors affect the calculations in the RFP Demonstration.

These SIP revisions correct the inventory values in the 2002 Base Year Inventory, and the calculations in the RFP Demonstration. The Department is seeking comment on the revisions to the 2002 Base Year Inventory and the RFP Demonstration for the Philadelphia Nonattainment Area. The proposals are available on the Department's web site at www.dep.state.pa.us (DEP keywords: Air Quality or Clean Air Plans) or through the contact persons listed as follows. Notice of the proposed SIP revisions will also be published in newspapers of general circulation in the affected region of the Commonwealth.

The Department will hold a public hearing to receive comments on the proposed SIP revisions, only if a request for a public hearing is received from a member of the public. A request for a public hearing must be received by 4 p.m. on Tuesday, October 27, 2009. If a request for a public hearing is received by 4 p.m. on Tuesday, October 27, 2009, the public hearing will be held on Thursday, October 29, 2009, at 1 p.m. at the Department's Southeast Regional Office, 2 East Main Street, Norristown, PA. If no request for public hearing is received by 4 p.m. on Tuesday, October 27, 2009, the hearing will be cancelled and notice of the cancellation will be published on Wednesday, October 28, 2009, at 12 p.m., on the Department's web site at www.depweb.state.pa.us (DEP keyword: Air Plans). Interested parties may also call (717) 787-9495 to find out if the hearing has been cancelled.

Persons wishing to request a public hearing or who wish to present testimony at a scheduled hearing should contact Yvette House, P. O. Box 8468, Harrisburg, PA 17105, (717) 787-9495, yhouse@state.pa.us to reserve a time. The Department will consider a request to present testimony at a scheduled hearing to be a request for a public hearing. Persons who do not reserve a time will be able to testify as time allows. Witnesses should keep testimonies to 10 minutes and should provide two written copies of their statement at the hearing.

Persons with a disability who wish to attend the hearing and require an auxiliary aid, service or other accommodation to participate in the proceeding should contact Yvette House at (717) 787-9495 or yhouse@state.pa.us. TDD users may contact the Pennsylvania AT&T Relay Service at (800) 654-5984 to discuss how the Department can best accommodate their needs.

Persons interested in these proposed SIP revisions are invited to submit written comments on the proposed SIP revisions. The Department must receive written comments no later than Friday, October 30, 2009. Written comments should be sent to the attention of Arleen Shulman, Division of Air Resource Management, Bureau of Air Quality, P. O. Box 8468, Harrisburg, PA 17105-8468 or ashulman@state.pa.us. Use "RFP/2002 Base-Year Inventory SIP Revision" in the subject line.

JOHN HANGER,
Secretary

[Pa.B. Doc. No. 09-1694. Filed for public inspection September 11, 2009, 9:00 a.m.]

DEPARTMENT OF REVENUE

Pennsylvania \$50,000 Birthday Cash '09 Instant Lottery Game

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

1. *Name:* The name of the game is Pennsylvania \$50,000 Birthday Cash '09.

2. *Price:* The price of a Pennsylvania \$50,000 Birthday Cash '09 instant lottery game ticket is \$5.

3. *Play and Prize Play Symbols:*

(a) Each Pennsylvania \$50,000 Birthday Cash '09 instant lottery game ticket will contain three play areas known as "Game 1," "Game 2" and "Game 3" respectively. Each game has a different game play method and is played separately. Each Pennsylvania \$50,000 Birthday Cash '09 instant lottery game ticket will also contain a "Birthday Bonus" area.

(b) The prize play symbols and their captions located in the play area for "Game 1" are: \$5⁰⁰ (FIV DOL), \$10⁰⁰ (TEN DOL), \$20⁰⁰ (TWENTY), \$40⁰⁰ (FORTY), \$50⁰⁰ (FIFTY), \$100 (ONE HUN), \$500 (FIV HUN) and \$50,000 (FTY THO).

(c) The play symbols and their captions located in the play area for "Game 2" are: Balloon symbol (BALLOON) and an X symbol (XXX).

(d) The play area for "Game 3" will contain a "YOUR SYMBOLS" area and a "LUCKY SYMBOLS" area. The play symbols and their captions located in the "YOUR SYMBOLS" area and the "LUCKY SYMBOLS" area are: Rocket symbol (RCKT), Ice Cream Cone symbol (ICEC), Noisemaker symbol (NOISE), Money Bag symbol (\$BAG), Bills symbol (BILLS), Stack Of Coins symbol (STACK), Bow symbol (BOW), Hat symbol (HAT), Party Favor symbol (FAVOR), Cake symbol (CAKE), Gift symbol (GIFT), Horn symbol (HORN), Cupcake symbol (CUPC), Music symbol (MUSIC), Dance symbol (DANCE), Confetti symbol (CNFTI) and a Candle symbol (CANDL).

(e) The prize play symbols and the play symbols and their captions located in the "Birthday Bonus" area are: \$5⁰⁰ (FIV DOL), \$10⁰⁰ (TEN DOL), \$20⁰⁰ (TWENTY), \$40⁰⁰ (FORTY), \$50⁰⁰ (FIFTY), \$100 (ONE HUN), \$500 (FIV HUN), NO BONUS (TRY AGAIN) and TRY AGAIN (NO BONUS).

4. *Prize Symbols:*

(a) The play area for "Game 2" will contain a "PRIZE" area. The prize symbols and their captions located in the "PRIZE" area for "Game 2" are: \$5⁰⁰ (FIV DOL), \$10⁰⁰ (TEN DOL), \$20⁰⁰ (TWENTY), \$40⁰⁰ (FORTY), \$50⁰⁰ (FIFTY), \$100 (ONE HUN), \$500 (FIV HUN), \$1,000 (ONE THO) and \$50,000 (FTY THO).

(b) The play area for "Game 3" will contain six "Prize" areas. The prize symbols and their captions located in the six "Prize" areas for "Game 3" are: \$5⁰⁰ (FIV DOL), \$10⁰⁰ (TEN DOL), \$20⁰⁰ (TWENTY), \$40⁰⁰ (FORTY), \$50⁰⁰ (FIFTY), \$100 (ONE HUN), \$500 (FIV HUN), \$1,000 (ONE THO) and \$50,000 (FTY THO).

5. *Prizes:* The prizes that can be won in "Game 1" are: \$5, \$10, \$20, \$40, \$50, \$100, \$500 and \$50,000. The prizes that can be won in "Game 2" and "Game 3" are: \$5, \$10, \$20, \$40, \$50, \$100, \$500, \$1,000 and \$50,000. The prizes that can be won in the "Birthday Bonus" area are: \$5, \$10, \$20, \$40, \$50, \$100 and \$500. The player can win up to 8 times on a ticket.

6. *Approximate Number of Tickets Printed For the Game:* Approximately 9,600,000 tickets will be printed for the Pennsylvania \$50,000 Birthday Cash '09 instant lottery game.

7. *Determination of Prize Winners:*

(a) Determination of prize winners for "Game 1" are:

(1) Holders of tickets with three matching prize play symbols of \$50,000 (FTY THO) in the play area, on a single ticket, shall be entitled to a prize of \$50,000.

(2) Holders of tickets with three matching prize play symbols of \$500 (FIV HUN) in the play area, on a single ticket, shall be entitled to a prize of \$500.

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

(4) Holders of tickets with three matching prize play symbols of \$50⁰⁰ (FIFTY) in the play area, on a single ticket, shall be entitled to a prize of \$50.

(5) Holders of tickets with three matching prize play symbols of \$40⁰⁰ (FORTY) in the play area, on a single ticket, shall be entitled to a prize of \$40.

(6) Holders of tickets with three matching prize play symbols of \$20⁰⁰ (TWENTY) in the play area, on a single ticket, shall be entitled to a prize of \$20.

(7) Holders of tickets with three matching prize play symbols of \$10⁰⁰ (TEN DOL) in the play area, on a single ticket, shall be entitled to a prize of \$10.

(8) Holders of tickets with three matching prize play symbols of \$5⁰⁰ (FIV DOL) in the play area, on a single ticket, shall be entitled to a prize of \$5.

(b) Determination of prize winners for "Game 2" are:

(1) Holders of tickets with three matching Balloon (BALLOON) play symbols in the same row, column or diagonal, and a prize symbol of \$50,000 (FTY THO) in the "PRIZE" area for that game, on a single ticket, shall be entitled to a prize of \$50,000.

(2) Holders of tickets with three matching Balloon (BALLOON) play symbols in the same row, column or diagonal, and a prize symbol of \$1,000 (ONE THO) in the "PRIZE" area for that game, on a single ticket, shall be entitled to a prize of \$1,000.

(3) Holders of tickets with three matching Balloon (BALLOON) play symbols in the same row, column or diagonal, and a prize symbol of \$500 (FIV HUN) in the "PRIZE" area for that game, on a single ticket, shall be entitled to a prize of \$500.

(4) Holders of tickets with three matching Balloon (BALLOON) play symbols in the same row, column or diagonal, and a prize symbol of \$100 (ONE HUN) in the "PRIZE" area for that game, on a single ticket, shall be entitled to a prize of \$100.

(5) Holders of tickets with three matching Balloon (BALLOON) play symbols in the same row, column or diagonal, and a prize symbol of \$50⁰⁰ (FIFTY) in the "PRIZE" area for that game, on a single ticket, shall be entitled to a prize of \$50.

(6) Holders of tickets with three matching Balloon (BALLOON) play symbols in the same row, column or diagonal, and a prize symbol of \$40⁰⁰ (FORTY) in the "PRIZE" area for that game, on a single ticket, shall be entitled to a prize of \$40.

(7) Holders of tickets with three matching Balloon (BALLOON) play symbols in the same row, column or diagonal, and a prize symbol of \$20⁰⁰ (TWENTY) in the "PRIZE" area for that game, on a single ticket, shall be entitled to a prize of \$20.

(8) Holders of tickets with three matching Balloon (BALLOON) play symbols in the same row, column or diagonal, and a prize symbol of \$10⁰⁰ (TEN DOL) in the "PRIZE" area for that game, on a single ticket, shall be entitled to a prize of \$10.

(9) Holders of tickets with three matching Balloon (BALLOON) play symbols in the same row, column or diagonal, and a prize symbol of \$5⁰⁰ (FIV DOL) in the "PRIZE" area for that game, on a single ticket, shall be entitled to a prize of \$5.

(c) Determination of prize winners for "Game 3" are:

(1) Holders of tickets where any one of the "YOUR SYMBOLS" play symbols matches either of the "LUCKY SYMBOLS" play symbols and a prize symbol of \$50,000 (FTY THO) appears in the "Prize" area under the matching "YOUR SYMBOLS" play symbol, on a single ticket, shall be entitled to a prize of \$50,000.

(2) Holders of tickets where any one of the "YOUR SYMBOLS" play symbols matches either of the "LUCKY SYMBOLS" play symbols and a prize symbol of \$1,000 (ONE THO) appears in the "Prize" area under the matching "YOUR SYMBOLS" play symbol, on a single ticket, shall be entitled to a prize of \$1,000.

(3) Holders of tickets where any one of the "YOUR SYMBOLS" play symbols matches either of the "LUCKY SYMBOLS" play symbols and a prize symbol of \$500 (FIV HUN) appears in the "Prize" area under the matching "YOUR SYMBOLS" play symbol, on a single ticket, shall be entitled to a prize of \$500.

(4) Holders of tickets where any one of the "YOUR SYMBOLS" play symbols matches either of the "LUCKY SYMBOLS" play symbols and a prize symbol of \$100 (ONE HUN) appears in the "Prize" area under the matching "YOUR SYMBOLS" play symbol, on a single ticket, shall be entitled to a prize of \$100.

(5) Holders of tickets where any one of the "YOUR SYMBOLS" play symbols matches either of the "LUCKY SYMBOLS" play symbols and a prize symbol of \$50⁰⁰ (FIFTY) appears in the "Prize" area under the matching "YOUR SYMBOLS" play symbol, on a single ticket, shall be entitled to a prize of \$50.

(6) Holders of tickets where any one of the "YOUR SYMBOLS" play symbols matches either of the "LUCKY SYMBOLS" play symbols and a prize symbol of \$40⁰⁰ (FORTY) appears in the "Prize" area under the matching "YOUR SYMBOLS" play symbol, on a single ticket, shall be entitled to a prize of \$40.

(7) Holders of tickets where any one of the "YOUR SYMBOLS" play symbols matches either of the "LUCKY SYMBOLS" play symbols and a prize symbol of \$20⁰⁰ (TWENTY) appears in the "Prize" area under the matching "YOUR SYMBOLS" play symbol, on a single ticket, shall be entitled to a prize of \$20.

(8) Holders of tickets where any one of the "YOUR SYMBOLS" play symbols matches either of the "LUCKY

SYMBOLS” play symbols and a prize symbol of \$10⁰⁰ (TEN DOL) appears in the “Prize” area under the matching “YOUR SYMBOLS” play symbol, on a single ticket, shall be entitled to a prize of \$10.

(9) Holders of tickets where any one of the “YOUR SYMBOLS” play symbols matches either of the “LUCKY SYMBOLS” play symbols and a prize symbol of \$5⁰⁰ (FIV DOL) appears in the “Prize” area under the matching “YOUR SYMBOLS” play symbol, on a single ticket, shall be entitled to a prize of \$5.

(d) Determination of prize winners for the “Birthday Bonus” are:

(1) Holders of tickets with a prize play symbol of \$500 (FIV HUN) in the “Birthday Bonus” area, on a single ticket, shall be entitled to a prize of \$500.

(2) Holders of tickets with a prize play symbol of \$100 (ONE HUN) in the “Birthday Bonus” area, on a single ticket, shall be entitled to a prize of \$100.

(3) Holders of tickets with a prize play symbol of \$50⁰⁰ (FIFTY) in the “Birthday Bonus” area, on a single ticket, shall be entitled to a prize of \$50.

(4) Holders of tickets with a prize play symbol of \$40⁰⁰ (FORTY) in the “Birthday Bonus” area, on a single ticket, shall be entitled to a prize of \$40.

(5) Holders of tickets with a prize play symbol of \$20⁰⁰ (TWENTY) in the “Birthday Bonus” area, on a single ticket, shall be entitled to a prize of \$20.

(6) Holders of tickets with a prize play symbol of \$10⁰⁰ (TEN DOL) in the “Birthday Bonus” area, on a single ticket, shall be entitled to a prize of \$10.

(7) Holders of tickets with a prize play symbol of \$5⁰⁰ (FIV DOL) in the “Birthday Bonus” area, on a single ticket, shall be entitled to a prize of \$5.

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

<i>Birthday Bonus</i>	<i>Game 1</i>	<i>Game 2</i>	<i>Game 3</i>	<i>Win:</i>	<i>Approximate Odds Are 1 In:</i>	<i>Approximate No. Of Winners Per 9,600,000 Tickets</i>
\$5				\$5	30	320,000
	\$5			\$5	30	320,000
		\$5		\$5	37.50	256,000
			\$5	\$5	37.50	256,000
\$10				\$10	85.71	112,000
	\$10			\$10	85.71	112,000
		\$10		\$10	85.71	112,000
			\$10	\$10	100	96,000
\$5			\$5	\$10	100	96,000
			\$5 × 2	\$10	85.71	112,000
\$20				\$20	200	48,000
	\$20			\$20	200	48,000
		\$20		\$20	200	48,000
			\$20	\$20	300	32,000
\$10	\$5	\$5		\$20	200	48,000
\$10			\$5 × 2	\$20	200	48,000
			\$5 × 4	\$20	200	48,000
\$40				\$40	600	16,000
	\$40			\$40	600	16,000
		\$40		\$40	600	16,000
			\$40	\$40	600	16,000
\$20		\$20		\$40	600	16,000
			\$10 × 4	\$40	600	16,000
\$50				\$50	1,200	8,000
	\$50			\$50	1,200	8,000
		\$50		\$50	1,200	8,000
			\$50	\$50	1,200	8,000
\$5	\$20	\$20		\$50	1,200	8,000
\$10	\$10	\$10	\$10 × 2	\$50	1,200	8,000
\$20			\$5 × 6	\$50	1,200	8,000
			\$10 × 5	\$50	1,200	8,000
\$100				\$100	1,875	5,120
	\$100			\$100	2,000	4,800
		\$100		\$100	2,000	4,800
			\$100	\$100	2,000	4,800
\$10	\$20	\$20	\$10 × 5	\$100	2,000	4,800
\$20	\$20	\$20	\$20 × 2	\$100	2,000	4,800
\$50	\$50			\$100	2,000	4,800
			\$20 × 5	\$100	2,000	4,800
\$500				\$500	12,000	800
	\$500			\$500	12,000	800
		\$500		\$500	12,000	800
			\$500	\$500	12,000	800

<i>Birthday Bonus</i>	<i>Game 1</i>	<i>Game 2</i>	<i>Game 3</i>	<i>Win:</i>	<i>Approximate Odds Are 1 In:</i>	<i>Approximate No. Of Winners Per 9,600,000 Tickets</i>
			\$100 × 5	\$500	12,000	800
		\$1,000		\$1,000	30,000	320
			\$1,000	\$1,000	30,000	320
			\$500 × 2	\$1,000	40,000	240
	\$50,000			\$50,000	1,920,000	5
		\$50,000		\$50,000	960,000	10
			\$50,000	\$50,000	960,000	10

Game 1—Get 3 like amounts, win that amount.

Game 2—Get three “BALLOON” (BALLOON) symbols in a row, column or diagonal, win prize shown.

Game 3—When any of YOUR SYMBOLS match either LUCKY SYMBOL, win prize shown below the matching symbol.

Birthday Bonus—Reveal prize amount from \$5 to \$500 and win that prize.

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

9. *Retailer Incentive Awards:* The Lottery may conduct a separate Retailer Incentive Game for retailers who sell Pennsylvania \$50,000 Birthday Cash '09 instant lottery game tickets. The conduct of the game will be governed by 61 Pa. Code § 819.222 (relating to retailer bonuses and incentive).

10. *Unclaimed Prize Money:* For a period of 1 year from the announced close of Pennsylvania \$50,000 Birthday Cash '09, prize money from winning Pennsylvania \$50,000 Birthday Cash '09 instant lottery game tickets will be retained by the Secretary for payment to the persons entitled thereto. If no claim is made within 1 year of the announced close of the Pennsylvania \$50,000 Birthday Cash '09 instant lottery game, the right of a ticket holder to claim the prize represented by the ticket, if any, will expire and the prize money will be paid into the State Lottery Fund and used for purposes provided for by statute.

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

12. *Termination of the Game:* The Secretary may announce a termination date, after which no further tickets from this game may be sold. The announcement will be disseminated through media used to advertise or promote Pennsylvania \$50,000 Birthday Cash '09 or through normal communications methods.

STEPHEN H. STETLER,
Secretary

[Pa.B. Doc. No. 09-1695. Filed for public inspection September 11, 2009, 9:00 a.m.]

documents accepted from July 1, 2009, to June 30, 2010. The date of acceptance of a document is rebuttably presumed to be its date of execution, that is, the date specified in the body of the document as the date of the instrument. See 61 Pa. Code § 91.102 (relating to acceptance of documents).

<i>County</i>	<i>Revised Common Level Ratio Factor</i>
* Lawrence	1.19

* Adjusted by the Department of Revenue based on a Board's decision effective August 18, 2009, retroactive to July 1, 2009.

STEPHEN H. STETLER,
Secretary

[Pa.B. Doc. No. 09-1696. Filed for public inspection September 11, 2009, 9:00 a.m.]

INDEPENDENT REGULATORY REVIEW COMMISSION

Notice of Filing of Final Rulemakings

The Independent Regulatory Review Commission (Commission) received the following regulations, which are scheduled to be considered on the date noted. The Commission's public meetings are held at 333 Market Street, 14th Floor, 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 a copy can be obtained at their web site, www.irrc.state.pa.us.

Final-Form

<i>Reg. No.</i>	<i>Agency/Title</i>	<i>Received</i>	<i>Public Meeting</i>
125-102	Pennsylvania Gaming Control Board Key Employees and Complimentary Services or Items	8/31/09	10/1/09

Realty Transfer Tax Revised; 2008 Common Level Ratio Real Estate Valuation Factor

The following real estate valuation factor is based on sales data compiled by the State Tax Equalization Board (Board) in 2008. This factor is the mathematical reciprocal of the actual common level ratio. For Pennsylvania Realty Transfer Tax purposes, this factor is applicable for

<i>Reg. No.</i>	<i>Agency/Title</i>	<i>Received</i>	<i>Public Meeting</i>
14-517	Department of Public Welfare Revisions to the Special Allowance for Supportive Services Requirements	8/31/09	10/1/09

ARTHUR COCCODRILLI,
Chairperson

[Pa.B. Doc. No. 09-1697. Filed for public inspection September 11, 2009, 9:00 a.m.]

INSURANCE DEPARTMENT

Application and Request for a Certificate of Authority to Provide a Continuing Care Retirement Community by Bethel Pointe Foundation

Bethel Pointe Foundation has applied for a Certificate of Authority to operate a Continuing Care Retirement Community at Bethel Pointe at Hill Farm Estate in Annville, PA. The initial filing was received on August 21, 2009, and was made under the requirements set forth under the Continuing Care Provider Registration and Disclosure Act (40 P. S. §§ 3201—3225).

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

JOEL SCOTT ARIO,
Insurance Commissioner

[Pa.B. Doc. No. 09-1698. Filed for public inspection September 11, 2009, 9:00 a.m.]

Application and Request for a Certificate of Authority to Provide a Continuing Care Retirement Community by Garvey Manor Nursing Home

Garvey Manor Nursing Home has applied for a Certificate of Authority to operate a Continuing Care Retirement Community at Our Ladies of The Alleghenies Residence in Hollidaysburg, PA. The initial filing was received on August 19, 2009, and was made under the requirements set forth under the Continuing Care Provider Registration and Disclosure Act (40 P. S. §§ 3201—3225).

Persons wishing to comment on the grounds of public or private interest to the issuance of a Certificate of Authority are invited to submit a written statement to the Insurance Department (Department) within 30 days from the date of this issue of the *Pennsylvania Bulletin*. Each

written statement must include name, address and telephone number of the interested party; identification of the application to which the statement is addressed; and a concise statement with sufficient detail to inform the Department of the exact basis of the statement. Written statements should be directed to Steven L. Yerger, Department, 1345 Strawberry Square, Harrisburg, PA 17120, fax (717) 787-8557, syerger@state.pa.us.

JOEL SCOTT ARIO,
Insurance Commissioner

[Pa.B. Doc. No. 09-1699. Filed for public inspection September 11, 2009, 9:00 a.m.]

Application and Request for a Certificate of Authority to Provide a Continuing Care Retirement Community by Woodland Place

Woodland Place has applied for a Certificate of Authority to operate a Continuing Care Retirement Community at Woodland Place in Mercer, PA. The initial filing was received on August 24, 2009, and was made under the requirements set forth by the Continuing Care Provider Registration and Disclosure Act (40 P. S. §§ 3201—3225).

Persons wishing to comment on the grounds of public or private interest to the issuance of a Certificate of Authority are invited to submit a written statement to the Insurance Department (Department) within 15 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. 09-1700. Filed for public inspection September 11, 2009, 9:00 a.m.]

Application for Approval of a Proposed Merger Between Century Reinsurance Company and Century Indemnity Insurance Company

Century Indemnity Insurance Company, a stock property insurance company, organized under the laws of the Commonwealth, has filed an application for approval to merge with Century Reinsurance Company, a Pennsylvania domiciled stock casualty insurance company, with Century Indemnity Insurance Company surviving the merger. The filing was made under the requirements set forth by the Insurance Holding Companies Act (40 P. S. §§ 991.1401—991.1413); 15 Pa.C.S. §§ 1921—1932; and the GAA Amendments Act of 1990 (15 P. S. §§ 21101—21404).

Persons wishing to comment on the merger are invited to submit a written statement to the Insurance Department (Department) within 7 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 and relevant facts to inform the Department of the exact basis of the statement. Written statements should be directed to Robert Brackbill, Company Licensing Division, Insurance Department, 1345 Strawberry Square, Harrisburg, PA 17120, fax (717) 787-8557, rbrackbill@state.pa.us.

JOEL SCOTT ARIO,
Insurance Commissioner

[Pa.B. Doc. No. 09-1701. Filed for public inspection September 11, 2009, 9:00 a.m.]

Capital BlueCross; Hospitalization Portion of Traditional Nongroup Individual Direct Pay Basic Hospitalization/Medical-Surgical/Major Medical Plan; Filing No. 09-MM; Rate Filing

On August 26, 2009, the Insurance Department (Department) received from Capital BlueCross a filing for a rate increase for the hospitalization portion of its Traditional Nongroup Individual Direct Pay Basic Hospitalization/Medical-Surgical/Major Medical Plan.

The company requests a 27.0% increase or about \$136.47 per contract per month on average. This will affect about 475 contractholders and will produce additional income of about \$777,879 annually. The requested effective date of the change is January 1, 2010.

Unless formal administrative action is taken prior to November 26, 2009, the subject filing may be deemed approved by operation of law.

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

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

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

JOEL SCOTT ARIO,
Insurance Commissioner

[Pa.B. Doc. No. 09-1702. Filed for public inspection September 11, 2009, 9:00 a.m.]

Marc J. Finder, M. D.; Prehearing

Appeal of Marc J. Finder, M. D. under the Medical Care Availability and Reduction of Error (MCARE) Act (40 P. S. §§ 1303.101—1303.910); Doc. No. MM09-08-017

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

On or before October 1, 2009, the appellant shall file a concise statement setting forth the factual and/or legal basis for the disagreement with MCARE's March 12, 2009, determination. The statement may be in narrative form or in numbered paragraphs, but in either event shall not exceed two pages. A prehearing telephone conference initiated by this office is scheduled for October 29, 2009, at 9:30 a.m. Each party shall provide a telephone number to be used for the telephone conference to the Hearings Administrator on or before October 27, 2009. A hearing date shall be determined, if necessary, at the prehearing telephone conference.

Motions preliminary to those at hearing, protests, petitions to intervene or notices of intervention, if any, must be filed on or before October 14, 2009, with the Hearings Administrator, Administrative Hearings Office, Capitol Associates Building, Room 200, 901 North Seventh Street, Harrisburg, PA 17102. Answers to petitions to intervene, if any shall be filed on or before October 28, 2009.

Persons with a disability who wish to attend the previously-referenced administrative hearing and require an auxiliary aid, service or other accommodation to participate in the hearing, contact Donna R. Fleischauer, Human Resources Director, at (717) 705-4194.

JOEL SCOTT ARIO,
Insurance Commissioner

[Pa.B. Doc. No. 09-1703. Filed for public inspection September 11, 2009, 9:00 a.m.]

Review Procedure Hearings; Cancellation or Refusal of Insurance

The following insureds have requested a hearing as authorized by the act of June 17, 1998 (P. L. 464, No. 68) (Act 68) in connection with the termination of the insureds' automobile policies. The hearings will be held in accordance with the requirements of Act 68; 1 Pa. Code Part II (relating to the General Rules of Administrative Practice and Procedure); and 31 Pa. Code §§ 56.1—56.3 (relating to Special Rules of Administrative Practice and Procedure). The administrative hearings will be held in the Insurance Department's regional office in Philadelphia, PA. Failure by an appellant to appear at the scheduled hearing may result in dismissal with prejudice.

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

Appeal of Derek and Yvette Brown; file no. 09-217-70736; AIG Preferred Insurance Company; Doc. No. PH09-06-027; October 7, 2009, 1 p.m.

Appeal of Allen Burke; file no. 09-216-71774; Nationwide Mutual Insurance Company; Doc. No. PH09-07-015; October 7, 2009, 9 a.m.

Appeal of Rose Dwyer; file no. 09-215-71885; Erie Insurance Exchange; Doc. No. PH09-08-015; October 8, 2009, 1 p.m.

Appeal of Marion Kamilatos; file no. 09-214-71948; Cumberland Insurance Company, Inc.; Doc. No. PH09-07-021; October 7, 2009, 2 p.m.

Appeal of Carla A. Slater; file no. 09-214-71150; Unitrin Direct Auto and Home Insurance; Doc. No. PH09-07-006; October 6, 2009, 2 p.m.

Appeal of Keisha D. Spruill; file no. 09-215-69949; Nationwide Mutual Insurance Company; Doc. No. PH09-06-024; October 7, 2009, 10 a.m.

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

In some cases, the Insurance Commissioner (Commissioner) may order that the company reimburse an insured for the higher cost of replacement insurance coverage obtained while the appeal is pending. Reimbursement is available only when the insured is successful on appeal, and may not be ordered in all instances. If an insured wishes to seek reimbursement for the higher cost of replacement insurance, the insured must produce documentation at the hearing which will allow comparison of coverages and costs between the original policy and the replacement policy.

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

Persons with a disability who wish to attend the previously-referenced administrative hearing and require an auxiliary aid, service or other accommodation to participate in the hearing, contact Donna R. Fleischauer, Human Resources Director, at (717) 705-4194.

JOEL SCOTT ARIO,
Insurance Commissioner

[Pa.B. Doc. No. 09-1704. Filed for public inspection September 11, 2009, 9:00 a.m.]

Review Procedure Hearings under the Unfair Insurance Practices Act

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

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

Appeal of Lawrence E. and Robyn Feldman; file no. 09-217-70643; Great Northern Insurance Company; Doc. No. PH09-06-028; October 7, 2009, 11 a.m.

Appeal of Lori Ann Lucas; file no. 09-215-74112; Erie Insurance Exchange; Doc. No. PH09-08-013; October 8, 2009, 11 a.m.

Parties may appear with or without counsel and offer relevant testimony and/or other relevant evidence. Each party must bring documents, photographs, drawings, claims files, witnesses, and the like, necessary to support

the party's case. A party intending to offer documents or photographs into evidence shall bring enough copies for the record and for each opposing party.

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

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

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

Persons with a disability who wish to attend the previously-referenced administrative hearing and require an auxiliary aid, service or other accommodation to participate in the hearing, contact Donna R. Fleischauer, Human Resources Director, at (717) 705-4194.

JOEL SCOTT ARIO,
Insurance Commissioner

[Pa.B. Doc. No. 09-1705. Filed for public inspection September 11, 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 28, 2009. Documents filed in support of the applications are available for inspection and copying at the Office of the Secretary between 8 a.m. and 4:30 p.m., Monday through Friday, and at the business address of the respective applicant.

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

A-2009-2126367. Santos E. Pineda, t/a Pineda Driving Services (129 Park Avenue, Quakertown, Bucks County, PA 18951)—persons, upon call or demand, in the Borough of Souderton, Montgomery County and the Boroughs of Quakertown, Sellersville, Perkasio and the Township of Richland, all in Bucks County.

A-2009-2127155. David R. Boyd, Jr. (1131 Rawlinsville Road, Willow Street, Lancaster County, PA 17584)—persons, in paratransit service, from points in the County of Lancaster, to points in Pennsylvania, and return.

A-2009-2127185. Paradise Transit, Inc. (131 East Gay Street, West Chester, Chester County, PA 19382)—a corporation of the Commonwealth—on schedule, within the Borough of West Chester, upon the following route: Beginning on West Rosedale Avenue heading west; thence turn left on South New Street and continue south; thence turn right on South Campus Drive going northwest; thence turn left onto Carey Drive going southwest; thence a pick up/drop off location at the intersection of Carey and South Campus Drives; thence continue on Carey Drive through South Campus Apartment Complex thence turn right back onto South Campus Drive heading southeast; thence turn left on South New Street going north; thence turn right on West Rosedale Avenue going east; thence turn right on South Matlack Street going southeast; thence turn left into the West Chester Commons Apartment Complex, West Chester Commons Drive, heading east; thence a pick up/drop off location at the intersection of West Chester Commons Drive and South Matlack Street; thence continue through the complex and head back on West Chester Commons Drive heading west; thence turn right on South Matlack Street going northwest; thence turn left on Rosedale Avenue going west; thence a pick up/drop off location at the intersection of Rosedale Avenue and South High Street; thence turn right on South High Street going north; thence a pick up/drop off location at the intersection of South High and Price Streets; thence turn right on East Market Street going northeast; thence a pick up/drop off location at the intersection of East Market and High Streets; thence continue on the route for two blocks until the next pick up/drop off location at the intersection of East Market and Matlack Streets; thence turn left on Matlack Street going north; thence turn left on East Gay Street going west; thence a pick up/drop off location at the intersection of South High and East Gay Streets; thence continue on said route for another block which leads to the next pick up/drop off location at the intersection of East Gay and Darlington Streets; thence turn left on North New Street going south; thence turn left on West Market Street going east; thence turn right on High Street going south; thence returning to the point of origin by means of West Rosedale Avenue. *Attorney:* Christopher J. Bailey, 882 South Matlack Street, Suite 101, West Chester, PA 19382.

A-2009-2127009. Call Jeff, LLC (134 Monticello Drive, Monroeville, Allegheny County, PA 15146), a limited liability company of the Commonwealth—for the right to begin to transport, as a common carrier, by motor vehicle, persons in call or demand service, in the Counties of Allegheny and Westmoreland. *Attorney:* William A. Buck, Esquire, 525 William Penn Place, 30th Floor, Pittsburgh, PA 15219.

A-2009-2127204. Khurshid Haque (309 Indigo Way, Allentown, Lehigh County, PA 18104)—persons, in paratransit service, from points in the Counties of Lehigh and Northampton, to points in Pennsylvania, and return.

Application of the following for approval of the beginning of the exercise of the right and privilege of operating motor vehicles as common carriers for the transportation of household goods as described under the application.

A-2009-2127620. John Elias Donton, t/a Schuylkill Moving Service (136 Chestnut Street, Cressona, Schuyl-

kill County, PA 17929)—household goods in use, from points in the County of Schuylkill, to points in Pennsylvania.

Application of the following for the approval of the right and privilege to *discontinue/abandon operating as common carriers* by motor vehicle and for cancellation of the certificate of public convenience as described under the application.

A-2009-2124838. Leon M. Brubacher (430 Pleasant Valley Road, Denver, PA 17517)—for the discontinuance of service and cancellation of his certificate for the transportation of persons in paratransit service, limited to persons whose personal convictions prevent them from owning or operating motor vehicles, between points in the County of Lancaster, and from points in said county, to points in Pennsylvania, and return.

Pennsylvania Public Utility Commission, Bureau of Transportation and Safety v. Pompee Transport, Inc.;
Doc. No. C-2009-2041317

COMPLAINT

The Pennsylvania Public Utility Commission (Commission) is a duly constituted agency of the Commonwealth of Pennsylvania empowered to regulate public utilities within the Commonwealth. The Commission has delegated its authority to initiate proceedings which are prosecutory in nature to the Bureau of Transportation and Safety and other bureaus with enforcement responsibilities. Pursuant to that delegated authority and Section 701 of the Public Utility Code, the Bureau of Transportation and Safety Prosecutory Staff hereby represents as follows:

1. That all authority issued to Pompee Transport, Inc. (respondent) is under suspension effective March 5, 2008, for failure to maintain evidence of insurance on file with this Commission.
2. That respondent maintains a principal place of business at P. O. Box 1892, Horsham, PA 19044.
3. That respondent was issued a Certificate of Public Convenience by this Commission on July 27, 2007, at A-00123841.
4. That respondent has failed to maintain evidence of Liability insurance and Cargo insurance on file with this Commission. The penalty is \$250 and cancellation of the Certificate of Public Convenience.
5. That respondent, by failing to maintain evidence of insurance on file with this Commission, violated 66 Pa.C.S. § 512, 52 Pa. Code § 32.2(c), and 52 Pa. Code § 32.11(a), § 32.12(a) or § 32.13(a).

Wherefore, unless respondent pays the penalty of \$250 and causes its insurer to file evidence of insurance with this Commission within twenty (20) days of the date of service of this Complaint, the Bureau of Transportation and Safety Prosecutory Staff will request that the Commission issue an Order which: (1) cancels the Certificate of Public Convenience held by respondent at A-00123841 for failure to maintain evidence of current insurance on file with the Commission; (2) fines Respondent the sum of two hundred and fifty dollars (\$250.00) for the illegal activity described in this Complaint; (3) orders such other remedy as the Commission may deem to be appropriate, which may include the suspension of a vehicle registration; and (4) imposes an additional fine on the respondent should cancellation occur.

Respectfully submitted,

Wendy J. Keezel, Chief of Enforcement
Motor Carrier Services & Enforcement Division
Bureau of Transportation and Safety
P. O. Box 3265
Harrisburg, PA 17105-3265

VERIFICATION

I, Wendy J. Keezel, hereby state that the facts above set forth are true and correct to the best of my knowledge, information and belief and that I expect that the Bureau will be able to prove same at any hearing held in this matter. I understand that the statements herein are made subject to the penalties of 18 Pa.C.S. § 4904 relating to unsworn falsification to authorities.

Date: _____

Wendy J. Keezel, Chief of Enforcement
Motor Carrier Services and Enforcement
Bureau of Transportation and Safety

NOTICE

A. You must file an Answer within twenty (20) days of the date of service of this Complaint. The date of service is the mailing date as indicated at the top of the Secretarial Cover Letter for this Complaint and Notice, 52 Pa. Code § 1.56(a). An Answer is a written explanation of circumstances wished to be considered in determining the outcome. The Answer shall raise all factual and legal arguments that you wish to claim in your defense and must include the reference number of this Complaint. Your Answer must be verified and the original and three (3) copies sent to:

James J. McNulty, Secretary
Pennsylvania Public Utility Commission
P. O. Box 3265
Harrisburg, PA 17105-3265

B. If you fail to answer this Complaint within twenty (20) days of the date of service, the Bureau of Transportation and Safety will request that the Commission issue an Order imposing a penalty. Under 66 Pa.C.S. § 3301(a), the penalty could include a fine of up to \$1,000 for each violation, the revocation of your Certificate of Public Convenience, or any other remedy as may be appropriate. Each day you continue to violate any regulation, direction, requirement, determination or Order of the Commission is a separate and distinct offense, subject to additional penalties.

C. You may elect not to contest this Complaint by causing your insurer to file proper evidence of current insurance in accordance with the Commission's regulations **and by paying the \$250 fine** proposed in the Complaint by certified check or money order within twenty (20) days of the date of service of this Complaint.

The proof of insurance must be filed with the:

Compliance Office, Bureau of Transportation and
Safety
Pennsylvania Public Utility Commission
P. O. Box 3265
Harrisburg, PA 17105-3265

Acord Certificates of Insurance and Faxed Form Es and Hs are **Unacceptable** as Evidence of Insurance.

The fine payment must be made to the Commonwealth of Pennsylvania and forwarded to:

James J. McNulty, Secretary
Pennsylvania Public Utility Commission
P. O. Box 3265
Harrisburg, PA 17105-3265

Your payment is an admission that you committed the alleged violation and an agreement to cease and desist from further violations.

Upon receipt of the evidence of insurance from your insurer **and receipt of your fine payment**, the Complaint proceeding shall be closed.

D. If you file an Answer which admits or fails to deny the allegations of the Complaint, the Bureau of Transportation and Safety will request that the Commission issue an Order imposing a penalty, which may include the cancellation of your Certificate of Public Convenience. Should the Commission cancel your Certificate of Public Convenience, it may also impose an additional fine of up to \$1,000.

E. If you file an Answer which contests the Complaint, the matter will be assigned to an Administrative Law Judge for hearing and decision. The judge is not bound by the optional fine set forth above.

F. If you have questions regarding this Complaint or if you would like an alternative format of this Complaint (for persons with disabilities), please contact the Compliance Office at (717) 787-1227.

Complaint

Lehigh Valley Taxicab Co., Inc.
Last Known Address
1766 West Market Street
Bethlehem, PA 18018

*Pennsylvania Public Utility Commission v.
Re: Lehigh Valley Taxicab Co., Inc.
Docket No.: C-2009-2058197, A-00088477*

Respondent:

On June 26, 2009, the Bureau of Transportation and Safety instituted a Complaint against Lehigh Valley Taxicab Co., Inc., Respondent, for failure to maintain evidence of bodily injury and property damage liability insurance on file with this Commission, a violation of the Public Utility Code at 66 Pa.C.S. § 512, 52 Pa. Code § 32.2(c), and 52 Pa. Code § 32.11(a), § 32.12(a) or § 32.13(a).

In accordance with 52 Pa. Code § 5.61, the Bureau of Transportation and Safety notified the Respondent that, unless the insurer files evidence of insurance with this Commission, and Respondent pays the proposed fine, an Answer to the Complaint must be filed within twenty (20) days of the date of service. The Notice further specified that, if Respondent failed to answer the Complaint within twenty (20) days, the Bureau of Transportation and Safety would request that the Commission cancel Respondent's Certificate of Public Convenience.

The Complaint could not be served on Respondent, Lehigh Valley Taxicab Co., Inc., and a physical check found no forwarding address or physical address for the Respondent. The Complaint was published in the *Pennsylvania Bulletin* on August 8, 2009. To date, more than twenty (20) days later, respondent has failed to file an

Answer to the Complaint and has failed to pay the fine and have its insurer file evidence of insurance with this Commission.

Therefore, the allegations in the Complaint are deemed to be admitted. The Complaint is hereby sustained and the Certificate of Public Convenience, issued to Respondent at A-00088477 is hereby canceled.

Respondent is assessed a fine of \$250 for failure to maintain evidence of insurance on file with this Commission as required at 52 Pa. Code § 32. Payment must be made by certified check or money order payable to the Pa. Public Utility Commission, P. O. Box 3265, Harrisburg, PA 17105-3265.

Furthermore, this Commission will request the Pennsylvania Department of Transportation to put an administrative hold on Respondent's vehicle registrations. Respondent will NOT be able to register any new vehicles or renew any existing vehicle registrations until all past due assessments are paid, all past due fines are paid, all insurance filings are up to date, and it holds an active Certificate of Public Convenience issued by this Commission.

This Secretarial Cancellation Letter will also be served on:

The Department of Revenue
Bureau of Audit Programs
Sales and Use Taxes
Tenth Floor, Strawberry Square
Harrisburg, PA 17128-1061

and on respondent's insurance carriers:

First Keystone Risk Retention Group, Inc.
4421 Aramingo Avenue
Philadelphia, PA 19124

Respondent is hereby notified to cease and desist from further violations of the Public Utility Code, 66 Pa.C.S. §§ 1.1 et seq. and the regulations of the Commission, 52 Pa. Code §§ 1.1 et seq. In view of the cancellation of respondent's Certificate of Public Convenience, [he, she, it, they] [is, are] specifically prohibited from rendering service as a common carrier by motor vehicle in intrastate commerce in the Commonwealth of Pennsylvania.

Should Respondent wish to again begin transportation operations in the Commonwealth of Pennsylvania, Respondent must file a new application for authority in order to obtain a Certificate of Public Convenience. The Respondent must pay all outstanding assessments and fines before this Commission will act on an application for authority. Payment must be made by certified check or money order payable to the Pa. Public Utility Commission, P. O. Box 3265, Harrisburg, PA 17105-3265.

If you believe that you have received this letter in error, you must write a letter stating the reasons you believe this letter is in error and requesting that it be rescinded within thirty (30) days of the date of this letter. The letter shall be sent to Secretary, PA Public Utility Commission, P. O. Box 3265, Harrisburg, PA 17105-3265.

Very truly yours,
JAMES J. MCNULTY,
Secretary

[Pa.B. Doc. No. 09-1706. Filed for public inspection September 11, 2009, 9:00 a.m.]

Telecommunications

A-2009-2126965. Windstream Pennsylvania, LLC and AT&T Communications of Pennsylvania, LLC. Joint petition of Windstream Pennsylvania, LLC and AT&T Communications of Pennsylvania, LLC for approval of an interconnection agreement under section 252(e) of the Telecommunications Act of 1996.

Windstream Pennsylvania, LLC and AT&T Communications of Pennsylvania, LLC, by its counsel, filed on August 25, 2009, at the Pennsylvania Public Utility Commission (Commission), a joint petition for approval of an interconnection agreement under sections 251 and 252 of the Telecommunications Act of 1996.

Interested parties may file comments concerning the petition and agreement with the Secretary, Pennsylvania Public Utility Commission, P. O. Box 3265, Harrisburg, PA 17105-3265. Comments are due 10 days after the date of publication of this notice in the *Pennsylvania Bulletin*. Copies of the Windstream Pennsylvania, LLC and AT&T Communications of Pennsylvania, LLC joint petition are on file with the Commission and are available for public inspection.

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

JAMES J. MCNULTY,
Secretary

[Pa.B. Doc. No. 09-1707. Filed for public inspection September 11, 2009, 9:00 a.m.]

Telecommunications

A-2009-2126951. Windstream Pennsylvania, LLC and TCG Pittsburgh. Joint petition of Windstream Pennsylvania, LLC and TCG Pittsburgh for approval of an interconnection agreement under section 252(e) of the Telecommunications Act of 1996.

Windstream Pennsylvania, LLC and TCG Pittsburgh, by its counsel, filed on August 25, 2009, at the Pennsylvania Public Utility Commission (Commission), a joint petition for approval of an interconnection agreement under sections 251 and 252 of the Telecommunications Act of 1996.

Interested parties may file comments concerning the petition and agreement with the Secretary, Pennsylvania Public Utility Commission, P. O. Box 3265, Harrisburg, PA 17105-3265. Comments are due 10 days after the date of publication of this notice in the *Pennsylvania Bulletin*. Copies of the Windstream Pennsylvania, LLC and TCG Pittsburgh joint petition are on file with the Commission and are available for public inspection.

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

JAMES J. MCNULTY,
Secretary

[Pa.B. Doc. No. 09-1708. Filed for public inspection September 11, 2009, 9:00 a.m.]

PUBLIC SCHOOL EMPLOYEES' RETIREMENT BOARD

Hearings Scheduled

Hearings have been scheduled, as authorized by 24 Pa.C.S. Part IV (relating to Public School Employees' Retirement Code), in connection with the Public School Employees' Retirement System's (System) denial of Claimants' requests concerning the indicated accounts.

The hearings will be held before a hearing examiner at the Public School Employees' Retirement System, 5 North Fifth Street, Harrisburg, PA 17101:

October 14, 2009	Pamela Jonas (Purchase of Service)	1 p.m.
	Sheila A. Eberhardt (D) (Change of Option)	1 p.m.
October 21, 2009	Robert A. Carr (Change of Option)	1 p.m.
	Toby M. Greco (Purchase of Service)	2:30 p.m.
November 4, 2009	Ruth A. Landry (Effective Date of Retirement)	1 p.m.

Persons with a disability, wishing to attend the previously-listed hearings, and require an auxiliary aid, service or other accommodation to participate in the proceedings should contact Barb Fluire, Assistant to the Executive Director, at (717) 720-4921 to discuss how the System may best accommodate their needs.

Parties may appear with or without counsel and offer relevant testimony or evidence to support their respective positions. The hearings will be held in accordance with the requirements of 2 Pa.C.S. §§ 501—508 and 701—704 (relating to the Administrative Agency Law). Under 22 Pa. Code § 201.1 (relating to applicability of general

rules), procedural matters will be in conformance with 1 Pa. Code Part II (relating to General Rules of Administrative Practice and Procedure), unless specific exemption is granted.

JEFFREY B. CLAY,
Executive Director

[Pa.B. Doc. No. 09-1709. Filed for public inspection September 11, 2009, 9:00 a.m.]

STATE BOARD OF VEHICLE MANUFACTURERS, DEALERS AND SALESPERSONS

Bureau of Professional and Occupational Affairs v. Dennis J. Perez; Doc. No. 1301-60-2009

On July 7, 2009, Dennis J. Perez, license no. MV209587, of Hazleton, Luzerne County, was suspended under the Order of the Court of Common Pleas of Dauphin County dated July 7, 2009, which the Court issued under 23 Pa.C.S. § 4355 (relating to denial or suspension of licenses). The suspension is effective immediately.

Individuals may obtain a copy of the order by writing to Cynthia K. Montgomery, Senior Counsel in Charge, State Board of Vehicle Manufacturers, Dealers and Salespersons, P. O. Box 2649, Harrisburg, PA 17105-2649.

GARY M. BARBERA,
Chairperson

[Pa.B. Doc. No. 09-1710. Filed for public inspection September 11, 2009, 9:00 a.m.]