

NOTICES

DEPARTMENT OF AGRICULTURE

Interstate/International and General Quarantine Order; Importation and Intrastate Movement of Swine

Recitals.

A. The Domestic Animal Law (Law) (3 Pa.C.S.A. §§ 2301—2389) provides the Pennsylvania Department of Agriculture (PDA) broad authority to regulate the keeping and handling of domestic animals to exclude, contain or eliminate dangerous transmissible diseases. This includes authority to issue quarantine orders that impose conditions relating to the testing and handling of animals, in 3 Pa.C.S.A. § 2329.

B. Pseudorabies (PRV) and brucellosis are designated as “dangerous transmissible diseases” of animals under the provisions of the Law, in 3 Pa.C.S.A. § 2321(a).

C. PRV is a viral disease most prevalent in swine. Other animals—such as cattle, sheep, goats, dogs and cats—are susceptible to PRV. Brucellosis is an infectious disease of animals—but can also infect humans.

D. PRV has been identified in feral swine and on two wild boar hunting preserves in this Commonwealth. This disease was thought to have been eliminated within this Commonwealth. PDA suspects that the disease was brought into this Commonwealth through infected swine that originated out-of-State.

E. PRV and brucellosis present serious threats to animal health and the economic vitality of the Commonwealth’s swine production industry. These diseases spread from animal-to-animal by many means, but primarily through direct contact of infected animals with noninfected animals.

F. Brucellosis is a contagious bacterial disease which affects several animal species, including swine. Introduction of brucellosis into the commercial swine herds of this Commonwealth would result in severe economic losses to the infected herd owners as well as loss of valuable National and International trade opportunities for all Pennsylvania’s pork producers. The PDA has very strong anecdotal evidence that feral swine, which are illegally entering wild boar hunting preserves in this Commonwealth, actually originate in states where feral swine have been documented to be infected with both brucellosis and pseudorabies. Introduction of brucellosis into the feral , swine population, through illegal hunting preserve swine, would pose a significant risk to the Commonwealth’s commercial swine industry.

G. PRV has caused significant loss in the past to the Commonwealth’s swine industry. Its presence in a herd may result in economic losses attributed to young pig mortality, decreased reproductive performance and the necessity to depopulate to eradicate the disease from a herd. The presence of PRV in a swine herd may severely limit the market for this Commonwealth’s product and cause increased expenses for producers if the Commonwealth’s PRV-free status is lost.

H. PDA seeks to establish reasonable requirements to allow intrastate movement and importation of swine into

this Commonwealth, while protecting against the introduction of PRV virus and brucella bacterium into this Commonwealth’s commercial production swine population.

I. The Law allows (3 Pa.C.S.A. § 2329(c)) for the establishment of an Interstate/International Quarantine under the circumstances described previously. Under that authority, PDA issues this Interstate/International Quarantine Order addressing PRV and brucellosis.

J. PDA will also pursue a formal regulation, under authority of the Law and in accordance with the Regulatory Review Act, to establish the terms and requirements of this Quarantine Order as formal regulatory requirements of PDA. This Quarantine Order will remain in effect until supplanted by these formal regulations.

Order:

With the foregoing recitals incorporated into this Order by reference, the PDA establishes: (1) an Interstate/International Quarantine Order under authority of the Law in 3 Pa.C.S.A. § 2329(c) and section 1702 of The Administrative Code of 1929 (71 P. S. § 442) with respect to the importation of swine into this Commonwealth; and (2) a General Quarantine Order under authority of the Law at 3 Pa.C.S.A. § 2329(d) and section 1702 of The Administrative Code of 1929 (71 P. S. § 442) with respect to the intrastate movement of swine within this Commonwealth. The following requirements and restrictions are hereby established with respect to the shipment of live swine within and into this Commonwealth:

Section 1. Overview.

This Order divides swine into four categories and prescribes handling, identification and recordkeeping protocols applicable to the importation or intrastate movement of swine in each category. These categories are based upon the commercial use to which swine in each category are put, the relative risk of exposure to PRV and brucellosis, the relative risk of spreading PRV and brucellosis, and other factors.

Section 2. Definitions.

The following words and phrases, when used in this Order, have the meanings given to them in this section:

Brucellosis-free State. State status with regard to brucellosis, as defined in Title 9 of the *Code of Federal Regulations*, Part 78—Brucellosis.

Certificate of Veterinary Inspection or *CVI.* A legible official document, made on a form (AAI-13) provided by the Department, prepared and signed by an accredited veterinarian, certifying the health of animals described therein according to the health requirements established by this Chapter. Other Department-approved forms may be used as interstate health certificates for importation of animals into Pennsylvania. A CVI or other approved form will be valid for 30 days after the date it was signed by an accredited veterinarian and a copy must accompany each animal to its final destination.

Commerce. The buying and selling, bartering, or other transfer of ownership of animals and/or animal products.

Dangerous transmissible disease. As Defined in the Domestic Animal Law, at 3 Pa.C.S.A. §§ 2303 and 2321.

Department. The Pennsylvania Department of Agriculture.

Hunting preserve. A site upon which hunting of animals held in captivity is permitted.

Importation. Bringing swine into the Commonwealth of Pennsylvania from another State or nation.

Intrastate movement. The transportation or movement of an animal or animal product within this Commonwealth, except the transportation or movement of an animal or animal product to another property owned, leased or rented by the animal owner.

ISO-compliant. In compliance with the standards of the *International Organization for Standardization* pertaining to animal identification.

Production swine. Commercial swine raised for breeding or slaughter.

Pseudorabies-free State or Stage V State. State status with regard to PRV as defined in the current version of the *Code of Federal Regulations*.

Qualified Pseudorabies-negative Herd. A swine herd which meets the specific provisions of a Qualified Pseudorabies-negative Swine herd in Title 9 of the Code of Federal Regulations, Part 85—Pseudorabies.

Shipment. All animals on one truck or other conveyance.

USDA. The United States Department of Agriculture.

USDA-APHIS. The United States Department of Agriculture Animal and Plant Health Inspection Service.

Validated Brucellosis-free Herd. A swine herd that meets the specific provisions of a Validated Brucellosis-free herd as defined in Title 9 of the *Code of Federal Regulations*, Part 78—Brucellosis.

Section 3. Categorization of swine.

(a) *Categories of swine.* For purposes of this Order, all swine within this Commonwealth shall be categorized into one of the following four categories:

(1) *Commercial production swine:* Swine that are continuously managed and have adequate facilities and practices to prevent exposure to either transitional swine or feral or wild swine.

(2) *Feral or wild swine:* Swine that are free roaming.

(3) *Hunting preserve swine:* Swine held on hunting preserves.

(4) *Transitional swine:* Swine that have reasonable opportunities to be exposed to feral or wild swine. The term includes swine that are maintained as pets.

(b) *Change of categorization.* The categorization of a swine may change among the four categories described in subsection (a). When that categorization changes, the provisions of this Order addressing that new categorization shall immediately apply.

(c) *Department assistance with categorization.* A person may request guidance from the Department as to the appropriate categorization of swine owned or kept by that person. Inquiries should be directed to the Department, using the contact information provide in Section 15 (titled *Contacting the Department*).

Section 4. Group identification and individual official identification.

The provisions of this Order require *group identification* of swine or *individual official identification* of swine as a condition of intrastate movement or importation of

the various categories of swine described in Section 3 (titled *Categorization of swine*). For purposes of this Order:

(1) *Group identification* shall consist of a writing that contains all of the following:

(i) A valid producer Federal Premise Identification Number.

(ii) The date on which the group was established.

(iii) The number of swine in the group.

(2) *Individual official identification* shall consist of each swine having one or more of the following:

(i) A herd tattoo in combination with an ear notch.

(ii) A State-issued metal ear tag.

(iii) An ISO-compliant 15-digit eartag (including RFID).

(iv) Other identification with written approval from the Department.

Section 5. Testing—USDA standards.

PRV tests and brucellosis tests described in this Order shall be USDA-approved tests as stated in the current *Code of Federal Regulations*, in the provisions addressing movement of swine.

Section 6. Swine affected with, showing symptoms of or exposed to a dangerous transmissible disease.

A swine showing symptoms of, affected with, or exposed to a dangerous transmissible disease shall not be imported into this Commonwealth without a written permit from the Department, authorizing the importation.

Section 7. Intrastate movement of commercial production swine for commerce.

(a) *Identification.* Group identification or individual official identification, as those terms are described in Section 4 (titled *Group identification and individual official identification*), is required for the intrastate movement of commercial production swine for commerce.

(b) *Certificate of veterinary inspection.* No CVI is required as a condition of intrastate movement of commercial production swine.

(c) *Testing.* No testing is required as a condition of intrastate movement of commercial production swine.

Section 8. Importation of commercial production swine.

(a) *Identification.* Group identification or individual official identification, as those terms are described in Section 4 (titled *Group identification and individual official identification*), is required for the importation of commercial production swine.

(b) *Certificate of veterinary inspection.*

(1) A CVI is required for the importation of commercial production swine. The CVI shall be issued within the 30 days prior to the date of entry into Pennsylvania. The CVI must include a statement verifying that the swine have not been fed raw garbage.

(2) The CVI described in paragraph (1) is not required as a condition of importation of commercial production swine for slaughter at an approved slaughter facility or to an approved slaughter-only market if the swine are slaughtered at an approved slaughter facility within 7 days after the date of entry into Pennsylvania and are not commingled with other animals that are not destined for slaughter within 7 days.

(c) *PRV testing.*

(1) Commercial production swine that originate from a herd in a Pseudorabies-free State (also referred to as a "Stage V" State) are exempt from the additional PRV testing requirements described in paragraph (4).

(2) Commercial production swine that originate from a currently Qualified Pseudorabies-negative herd in good standing are exempt from the additional PRV testing requirements described in paragraph (4) if the accompanying CVI (required under subsection (b)) contains the following additional information:

- (i) The Qualified Pseudorabies-negative herd number.
- (ii) The date of the last PRV test.

(3) Commercial production swine that are imported for slaughter at an approved slaughter facility or to an approved slaughter-only market are exempt from the PRV testing requirements described in paragraph (4) if the swine are slaughtered at an approved slaughter facility within 7 days after the date of entry into Pennsylvania and are not commingled with other animals that are not destined for slaughter within 7 days.

(4) PRV testing is required for the importation of commercial production swine that are not exempt from testing under paragraph (1), (2) or (3). Testing requirements are as follows:

(i) All swine in the shipment shall be test negative on a premovement test for PVR, and samples for that test must have been collected within the 30 days prior to the date of entry into Pennsylvania.

(ii) Sixty swine from each shipment shall be tested postmovement for PRV, and samples for that test shall be collected no sooner than 15 days and no later than 45 days after the date of entry into Pennsylvania. All swine in the shipment shall be isolated from other swine in the destination herd and shall be held in quarantine until negative results from the postmovement test are received.

(A) If fewer than 60 swine are imported, all of the imported swine shall be tested.

(B) If swine are moved directly to a hunting preserve (without being unloaded except at the destination hunting preserve), the postmovement testing requirement shall not be required.

(d) *Brucellosis testing.*

(1) Commercial production swine that originate from a herd in a Brucellosis-free State are exempt from the additional brucellosis testing requirements described in paragraph (4).

(2) Commercial production swine that originate from a currently Validated Brucellosis-free herd in good standing are exempt from the additional brucellosis testing requirements described in paragraph (4) if the accompanying CVI (required under subsection (b)) contains the following additional information:

- (i) The Validated herd number.
- (ii) The date of the last brucellosis test.

(3) Commercial production swine that are imported for slaughter at an approved slaughter facility or to an approved slaughter-only market are exempt from the brucellosis testing requirements described in paragraph (4) if the swine are slaughtered at an approved slaughter facility within 7 days after the date of entry into Pennsylvania and are not commingled with other animals that are not destined for slaughter within 7 days.

(4) Brucellosis testing is required for the importation of commercial production swine that are not exempt from testing under paragraph (1), (2) or (3). All swine in the shipment shall be test negative on a premovement test for brucellosis and samples for that test must have been collected within the 30 days prior to the date of entry into Pennsylvania.

(e) *Records.* Records of all imported commercial production swine shall be kept by the consignee and consignor for a minimum of 5 years and shall be made available for review upon request by the Department. Records shall include the following:

- (1) Swine identification information.
- (2) Name, address and phone number of consignee.
- (3) Name, address and phone number of consignor.
- (4) Date of import and sale.
- (5) Testing dates and results.

Section 9. Importation of swine embryos and swine semen originating from commercial production swine or transitional swine.(a) *PRV testing.*

(1) Swine embryos or swine semen that originate from a commercial production herd in a PRV-free State (also referred to as a "Stage V" State) are exempt from the additional PRV testing requirements described in paragraph (4).

(2) Swine embryos and swine semen that originate from a currently Qualified PRV-negative commercial production herd in good standing are exempt from the additional PRV testing requirements described in paragraph (4).

(3) Swine embryos and swine semen that originate from a currently Qualified PRV-negative transitional swine herd in good standing in a PRV-free State (also referred to as a "Stage V" State) are exempt from the additional PRV testing requirements described in paragraph (4).

(4) PRV testing is required for the importation of swine embryos or swine semen that are not exempt from testing under paragraphs (1), (2) or (3). The donor swine shall be test-negative for PRV, and samples for that test must have been collected within the 30 days prior to the collection of the embryos or semen.

(b) *Brucellosis testing.*

(1) Swine embryos or swine semen that originate from a commercial production herd in a Brucellosis-free State are exempt from the additional brucellosis testing requirements described in paragraph (4).

(2) Swine embryos and swine semen that originate from a currently Validated Brucellosis-free commercial production herd in good standing are exempt from the additional brucellosis testing requirements described in paragraph (4).

(3) Swine embryos and swine semen that originate from a currently Validated Brucellosis-free transitional swine herd in good standing in a Brucellosis-free State are exempt from the additional brucellosis testing requirements described in paragraph (4).

(4) Brucellosis testing is required for the importation of swine embryos or swine semen that are not exempt from testing under paragraph (1), (2) or (3). The donor swine shall be test-negative for brucellosis and samples for that

test must have been collected within the 30 days prior to the collection of the fertilized embryos or semen.

(c) *Accompanying documentation.* A certificate signed by an accredited veterinarian shall accompany the embryos or semen and shall state and confirm either or both of the following:

(1)

(i) If the donor animals are commercial production swine: The donor swine are members of a currently Pseudorabies Qualified-negative herd and a Brucellosis Validated-free herd in good standing or originate from a Pseudorabies-free and Brucellosis-free State, and have not been exposed to pseudorabies or brucellosis within the 30 days prior to the collection of the embryos or semen.

(ii) If the donor animals are transitional swine: The donor swine are members of a currently Pseudorabies Qualified-negative herd and a Brucellosis Validated-free herd in good standing and originate from a Pseudorabies-free and Brucellosis-free State, and have not been exposed to PRV or brucellosis within the 30 days prior to the collection of the embryos or semen.

(2) The commercial or transitional donor swine were negative on a USDA-approved PRV and brucellosis test and the samples for those tests were collected within the 30 days prior to the collection of the embryos or semen, and the donor swine are not known to be infected with or exposed to PRV or brucellosis.

Section 10. Intrastate movement of transitional swine for commerce.

(a) *Identification.* Individual official animal identification, as that term is described in Section 4 (titled *Group identification and individual official identification*), is required for the intrastate movement of transitional swine for commerce.

(b) *Certificate of veterinary inspection.* No CVI is required as a condition of intrastate movement of transitional swine.

(c) *PRV testing.*

(1) Transitional swine that originate from a currently Qualified Pseudorabies-negative herd in good standing are exempt from additional pseudorabies testing requirements described in paragraph (3).

(2) Transitional swine that are moved for slaughter at an approved slaughter facility or to an approved slaughter-only market are exempt from the pseudorabies testing requirements described in paragraph (3) if both of the following are accurate:

(i) The swine are slaughtered at an approved slaughter facility within 7 days after the date of movement.

(ii) The swine are not commingled with other animals that are not also to be slaughtered within 7 days.

(3) PRV testing is required for the intrastate movement of transitional swine that are not exempt under paragraphs (1) or (2). Testing requirements are as follows:

(i) All swine in the shipment shall be test negative on a premovement test for PRV, and samples for that test must have been collected within the 30 days prior to the date of movement.

(ii) Sixty swine from each shipment shall be tested postmovement for PRV, and samples for that test shall be collected no sooner than 15 days and no later than 45 days after the date of movement. All swine in the shipment shall be isolated from other swine in the

destination herd and shall be held in quarantine until negative results from the postmovement test are received.

(A) If fewer than 60 swine are moved all of the swine in the shipment shall be tested.

(B) If swine are moved directly to a hunting preserve (without being unloaded except at the destination hunting preserve), the postmovement testing requirement shall not be required.

(d) *Brucellosis testing.*

(1) Transitional swine that originate from a currently Validated Brucellosis-free herd in good standing are exempt from additional brucellosis testing requirements described in paragraph (3).

(2) Transitional swine that are moved for slaughter at an approved slaughter facility or to an approved slaughter-only market are exempt from the brucellosis testing requirements described in paragraph (3) if both of the following are accurate:

(i) The swine are slaughtered at an approved slaughter facility within 7 days after the date of movement.

(ii) The swine are not commingled with other animals that are not also to be slaughtered within 7 days.

(3) Brucellosis testing is required for the intrastate movement of transitional swine that are not exempt under paragraphs (1) or (2). Testing requirements are as follows:

(i) All swine in the shipment shall be test negative on a premovement test for brucellosis and samples for that test must have been collected within the 30 days prior to the date of movement.

(ii) Sixty swine from each shipment shall be tested postmovement for brucellosis and samples for that test shall be collected no sooner than 15 days and no later than 45 days after the date of movement. All swine in the shipment shall be isolated from other swine in the destination herd and shall be held in quarantine until negative results from the postmovement test are received.

(A) If fewer than 60 swine are moved, all of the swine in the shipment shall be tested.

(B) If swine are moved directly to a hunting preserve (without being unloaded except at the destination hunting preserve), the postmovement testing requirement shall not be required.

(e) *Records.* Records of all intrastate movement of transitional swine shall be maintained by the consignee and consignor for a minimum of 5 years and shall be made available for examination upon request by the Department. Records shall include:

(1) Swine identification information.

(2) Name, address and phone number of consignee.

(3) Name, address and phone number of consignor.

(4) Date of transfer.

(5) Testing dates and results.

Section 11. Importation of transitional swine.

(a) *Identification.* Individual official animal identification, as that term is described in Section 4 (titled *Group identification and individual official identification*), is required for the importation of transitional swine.

(b) *Certificate of veterinary inspection.*

(1) A CVI is required for the importation of transitional swine. The CVI shall be issued within the 30 days prior

to the date of entry into Pennsylvania. The CVI must include a statement verifying that the swine have not been fed raw garbage.

(2) The CVI described in paragraph (1) is not required as a condition of importation of transitional swine for slaughter at an approved slaughter facility or to an approved slaughter-only market if the swine are slaughtered at an approved slaughter facility within 7 days after the date of entry into Pennsylvania and are not commingled with other animals that are not destined for slaughter within 7 days.

(c) *PRV testing.*

(1) Transitional swine that originate from a currently Qualified PRV-negative herd in good standing in a PRV-free State (also referred to as a "Stage V" State) are exempt from the additional PRV testing requirements described in paragraph (3) if the accompanying CVI (required under subsection (b)) contains the following additional information:

(i) The Qualified PRV-negative herd number.

(ii) The date of the last PRV test.

(2) Transitional swine that are imported for slaughter at an approved slaughter facility or to an approved slaughter-only market are exempt from the PRV testing requirements described in paragraph (3), if the swine are slaughtered at an approved slaughter facility within 7 days after the date of entry into Pennsylvania and the swine are not commingled with other animals that are not also to be slaughtered within 7 days.

(3) PRV testing is required for the importation of transitional swine that are not exempt under paragraphs (1) or (2). Testing requirements are as follows:

(i) All swine in the shipment shall be test negative on a premovement test for PRV, and samples for that test must have been collected within the 30 days prior to the date of entry into Pennsylvania. The date of test and the test results must be included on the CVI.

(ii) Sixty swine from each shipment shall be tested postmovement for PRV, and samples for that test shall be collected no sooner than 15 days and no later than 45 days after the date of entry into Pennsylvania. All swine in the shipment shall be isolated from other swine in the destination herd and shall be held in quarantine until negative results from the postmovement test are received.

(A) If fewer than 60 swine are imported, all of the imported swine shall be tested.

(B) If swine are moved directly to a hunting preserve (without being unloaded except at the destination hunting preserve), the postmovement testing requirement shall not be required.

(d) *Brucellosis testing.*

(1) Transitional swine originating from a currently Validated Brucellosis-free herd in good standing in a Brucellosis-free State are exempt from the testing described in paragraph (3) if the accompanying CVI (required under subsection (b)) contains the following additional information:

(i) The Validated herd number.

(ii) The date of the last brucellosis test.

(2) Transitional swine that are imported for slaughter at an approved slaughter facility or to an approved slaughter-only market are exempt from the brucellosis testing requirements described in paragraph (3) if the

swine are slaughtered at an approved slaughter facility within 7 days after the date of entry into Pennsylvania and the swine are not commingled with other animals that are not also to be slaughtered within 7 days.

(3) Brucellosis testing is required for the importation of transitional swine that are not exempt under paragraphs (1) or (2). Testing requirements are as follows:

(i) All swine in the shipment must be test negative on a premovement test for brucellosis and the samples for that test must have been collected within the 30 days prior to the date of entry into Pennsylvania. The date of test and the test results must be included on the CVI.

(ii) Sixty swine from each shipment shall be tested postmovement for brucellosis and the samples for that test shall be collected no sooner than 15 days and no later than 45 days after the date of entry into Pennsylvania. All swine in the shipment shall be isolated from other swine in the destination herd and shall be held in quarantine until negative results from the postmovement test are received.

(A) If fewer than 60 swine are imported, all of the imported swine shall be tested.

(B) If swine are moved directly to a hunting preserve (without being unloaded except at the destination hunting preserve), the postmovement testing requirement shall not be required.

(e) *Records.* Records of all transitional swine imported shall be kept by the consignee and consignor for a minimum of 5 years and shall be made available for review upon request by the Department. Records shall include:

(1) Swine identification information.

(2) Name, address and phone number of consignee.

(3) Name, address and phone number of consignor.

(4) Date of import and sale.

(5) Testing dates and results.

Section 12. Importation of garbage-fed swine.

Swine that have been fed garbage shall not be imported into this Commonwealth unless they come directly from a farm which is licensed by the state of origin or USDA-APHIS to engage in the business of garbage feeding. The garbage feeding license number shall be included on the CVI. These swine shall meet all the applicable requirements for the importation of swine in accordance with this Order.

Section 13. Requirements for exhibition of swine.

Swine that originate from within Pennsylvania and are transported within Pennsylvania for exhibition, as well as swine that are imported into Pennsylvania for exhibition, shall meet all applicable requirements for the intrastate movement and importation of animals in accordance with this Order.

Section 14. Requirements for swine hunting preserves.

(a) *Identification.* Individual official identification, as that term is described in Section 4 (titled *Group identification and individual official identification*), is required for all swine on hunting preserves.

(b) *Certificate of veterinary inspection.* A CVI is required for the importation of swine. The CVI shall be issued within the 30 days prior to the date of entry into

Pennsylvania. The CVI must include a statement verifying that the swine have not been fed raw garbage.

(c) *Permit.* Any animal showing symptoms of, affected with, or exposed to a dangerous transmissible disease shall not be imported into this Commonwealth without a permit from the Department.

(d) *PRV testing.*

(1) If swine destined for a hunting preserve originate from a currently Qualified PRV-negative herd in good standing in a PRV-free State (also referred to as a "Stage V" State), there is no premovement testing requirement.

(2) If swine destined for a hunting preserve do not originate from a currently Qualified PRV-negative herd in good standing in a PRV-free State (also referred to as a "Stage V" State), all swine in the shipment (all ages) shall be test negative on a premovement test for PRV and samples for that test must have been collected within the 30 days prior to the date of entry into Pennsylvania.

(e) *Brucellosis testing.*

(1) If swine destined for a hunting preserve originate from a currently Validated Brucellosis-free herd in good standing in a Brucellosis-free State, there is no premovement testing requirement.

(2) If swine destined for a hunting preserve do not originate from a currently Validated Brucellosis-free herd in good standing in a Brucellosis-free State, all swine in the shipment must be test negative on a premovement test for brucellosis and the samples for that test must have been collected within the 30 days prior to the date of entry into Pennsylvania.

(f) *Castration of all male swine required.* All male swine entering a hunting preserve must be castrated before being released onto the premises. No intact male swine are permitted on a hunting preserve.

(g) *Records of movement of swine to hunting preserves.* Records of all swine shall be maintained by the consignee and consignor for at least 5 years after the animal is moved to the hunting preserve and shall be made available for examination upon request by the Department. Records shall include the following:

(1) Swine identification information.

(2) Name, address and phone number of consignee (origin).

(3) Name, address and phone number of consignor (destination).

(4) Date of transfer.

(5) Testing dates and results.

(h) *Records of movement of swine from hunting preserves.* Records of all swine moved from a hunting preserve shall be maintained by the consignee and consignor for at least 5 years after the animal is moved from the hunting preserve and shall be made available for examination upon request by the Department. Records shall include the same information required under subsection (g).

(i) *Fencing.* Perimeter fencing shall be adequate to prevent ingress and egress of live swine onto and off of a hunting preserve.

Section 15. Contacting the Department.

For purposes of this Order, interested persons may contact the Department as follows:

(a) By mail, to the following address:

Pennsylvania Department of Agriculture
ATTN: Chief, Regulations and Compliance Division
2301 North Cameron Street
Harrisburg, PA 17110-9408

(b) By telephone, to the Chief, Regulations and Compliance Division at (717) 772-2852.

Section 16. Quarantine Authority.

This Order shall not be construed as limiting PDA's authority to establish additional quarantine or testing requirements for the movement of swine and/or swine products.

Section 17. Current regulations; Conflicts.

If there is any inconsistency between a requirement or standard set forth in this Order and a requirement or standard set forth in the regulations in 7 Pa. Code Chapters 3 (titled *Health Requirements for Importation and Intrastate Transportation of Animals*), 7 (titled *Brucellosis Regulations*) or 9 (titled *Control and Eradication of Tuberculosis of Livestock*), the provision set forth in this Order shall control, to the extent of the inconsistency.

Section 18. Effective Date.

This Order is effective March 1, 2010.

DENNIS C WOLFF,
Secretary

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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 8, 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**Interim Incorporations**

<i>Date</i>	<i>Name and Location of Applicant</i>	<i>Action</i>
9-8-2009	The Victory Bank Interim Bank Royersford Montgomery County	Effective
	The purpose of The Victory Bank Interim Bank, Royersford, is to merge with The Victory Bank, Royersford, to facilitate the proposed reorganization of The Victory Bank into a bank holding company structure whereby The Victory Bank will become the wholly-owned subsidiary of The Victory Bancorp, Inc., Royersford, a new holding company in formation.	

Section 112 Acquisitions

<i>Date</i>	<i>Name of Applicant</i>	<i>Action</i>
9-1-2009	Walter D. Seigfried	Filed
	Application for approval to acquire up to 24.54% of the common stock of Manor Bank, Manor.	

Consolidations, Mergers, and Absorptions

<i>Date</i>	<i>Name and Location of Applicant</i>	<i>Action</i>
8-31-2009	Marquette Savings Bank Erie Erie County	Effective
	Purchase of assets and assumption of liabilities of three branches of National City Bank, Cleveland, OH, located at:	
	210 Water Street Conneaut Lake Crawford County	349 North Street Meadville Crawford County
	16086 Conneaut Lake Road Meadville Crawford County	
9-8-2009	The Victory Bank Royersford Montgomery County	Effective
	Merger of The Victory Bank Interim Bank, Royersford, with and into The Victory Bank, Royersford. As a result of this transaction, The Victory Bank has become the wholly-owned subsidiary of The Victory Bancorp, Inc., Royersford, a newly-formed holding company.	

Branch Applications**De Novo Branches**

<i>Date</i>	<i>Name and Location of Applicant</i>	<i>Location of Branch</i>	<i>Action</i>
8-24-2009	Fidelity Savings Bank Pittsburgh Allegheny County	5000 Centre Avenue Pittsburgh Allegheny County	Opened
9-2-2009	Commercial Bank & Trust of PA Latrobe Westmoreland County	West Point Plaza 1 Suite 1 100 West Point Drive Greensburg Westmoreland County	Approved
9-2-2009	Fidelity Savings Bank Pittsburgh Allegheny County	McKnight Road and Duncan Avenue McCandless Allegheny County	Filed
9-2-2009	Fleetwood Bank Fleetwood Berks County	455 Main Street Shoemakersville Berks County	Approved

Branch Relocations

<i>Date</i>	<i>Name and Location of Applicant</i>	<i>Location of Branch</i>	<i>Action</i>
9-3-2009	ESB Bank Ellwood City Lawrence County	<i>To:</i> 527 South Main Street Zelienople Butler County	Filed
		<i>From:</i> 17 Northgate Plaza Harmony Butler County	

Branch Discontinuances

<i>Date</i>	<i>Name and Location of Applicant</i>	<i>Location of Branch</i>	<i>Action</i>
8-31-2009	Union Bank and Trust Company Pottsville Schuylkill County	101 South Front Street Auburn Schuylkill County	Closed
9-2-2009	Merchants Bank of Bangor Bangor Northampton County	101 Held Drive Northampton Northampton County	Approved

SAVINGS INSTITUTIONS

No activity.

CREDIT UNIONS

No activity.

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

STEVEN KAPLAN,
Secretary

[Pa.B. Doc. No. 09-1724. Filed for public inspection September 18, 2009, 9:00 a.m.]

DEPARTMENT OF COMMUNITY AND ECONOMIC DEVELOPMENT

Action Plan for the Distribution and use of Community Development Block Grant—Recovery Funds

The Department of Community and Economic Development (Department) is proposing a minor amendment to the Commonwealth's Action Plan for Federal Fiscal Year (FFY) 2008 and the Program Year that began on January 1, 2008. The 2008 Action Plan is an update of the Commonwealth's Consolidated Plan for FFY 2004-2008. Due to revised activities for a small number of grantees, this minor amendment contains a revised Action Plan for the distribution and use of Community Development Block Grant-Recovery (CDBG-R) funds.

The United States Department of Housing and Urban Development (HUD) awarded the Commonwealth an allocation of \$12,434,921 in CDBG-R funds, as authorized by the American Recovery and Reinvestment Act of 2009 (42 U.S.C.A. § 5301).

The purpose of CDBG-R funds is to provide expedited funding for community development projects that will stimulate the economy and provide job creation and job retention benefits. The Department will award CDBG-R funds on a formula basis to local governments, which includes 13% of the funds for competitive/discretionary projects. The eligible activities include many of the regular activities eligible under the CDBG Program with several exceptions.

The Action Plan contains the list of projects that grantees will undertake using CDBG-R funds and local government contact information about those projects. This minor amendment to the Action Plan was submitted to

HUD on September 2, 2009. Copies of the Action Plan and a list of projects can be obtained at: <http://www.newpa.com/strengthen-your-community/technical-assistance/index.aspx>.

Persons who would like additional information about this amendment should contact Jody Michael, Department of Community and Economic Development, Center for Community Development, 400 North Street, 4th Floor, Harrisburg, PA 17120.

GEORGE E. CORNELIUS,
Acting Secretary

[Pa.B. Doc. No. 09-1725. Filed for public inspection September 18, 2009, 9:00 a.m.]

DEPARTMENT OF EDUCATION

Index Calculation Required by Special Session Act 1 of 2006

Under section 333(1) of the Taxpayer Relief Act (53 P. S. § 6926.33(1)), the Department of Education (Department) has calculated the index for the Fiscal Year (FY) 2010-2011.

The index is the average of the percentage increase in the Statewide average weekly wage and the Employment Cost Index. For the FY 2010-2011, the base index is 2.9%.

For school districts with a market value/income aid ratio greater than .4000, an adjusted index will be posted on the Department's web site at www.pde.state.pa.us/proptax by September 30, 2009.

GERALD L. ZAHORCHAK, D. Ed.,
Secretary

[Pa.B. Doc. No. 09-1726. Filed for public inspection September 18, 2009, 9:00 a.m.]

DEPARTMENT OF ENVIRONMENTAL PROTECTION

Applications, Actions and Special Notices

APPLICATIONS

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

This notice provides information about persons who have applied for a new, amended or renewed NPDES or WQM permit, a permit waiver for certain stormwater discharges or submitted a Notice of Intent (NOI) for coverage under a general permit. The applications concern, but are not limited to, discharges related to industrial, animal or sewage waste, discharges to groundwater, discharges associated with municipal separate storm sewer systems (MS4), stormwater associated with construction activities or concentrated animal feeding operations (CAFOs). This notice is provided in accordance with 25 Pa. Code Chapters 91 and 92 and 40 CFR Part 122, implementing The Clean Streams Law (35 P. S. §§ 691.1—691.1001) and the Federal Clean Water Act.

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

For NPDES renewal applications in Section I, the Department of Environmental Protection (Department) has made a tentative determination to reissue these permits for 5 years, subject to effluent limitations and monitoring and reporting requirements in their current permits, with appropriate and necessary updated requirements to reflect new and changed regulations and other requirements.

For applications for new NPDES permits and renewal applications with major changes in Section II, as well as applications for MS4 individual permits and individual stormwater construction permits in Sections IV and VI, the Department, based upon preliminary reviews, has made a tentative determination of proposed effluent limitations and other terms and conditions for the permit applications. These determinations are published as proposed actions for comments prior to taking final actions.

Unless indicated otherwise, the Environmental Protection Agency (EPA) Region III Administrator has waived the right to review or object to proposed NPDES permit actions under the waiver provision in 40 CFR 123.24(d).

Persons wishing to comment on an NPDES application are invited to submit a statement to the regional office noted before an application within 30 days from the date of this public notice. Persons wishing to comment on a WQM permit application are invited to submit a statement to the regional office noted before the application within 15 days from the date of this public notice. Comments received within the respective comment periods will be considered in the final determinations regarding the applications. Comments should include the name, address and telephone number of the writer and a concise statement to inform the Department of the exact basis of a comment and the relevant facts upon which it is based.

The Department will also accept requests for a public hearing on applications. A public hearing may be held if the responsible office considers the public response significant. If a hearing is scheduled, a notice of the hearing will be published in the *Pennsylvania Bulletin* and a newspaper of general circulation within the relevant geographical area. The Department will postpone its final determination until after a public hearing is held.

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

I. NPDES Renewal Applications

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

<i>NPDES No. (Type)</i>	<i>Facility Name & Address</i>	<i>County & Municipality</i>	<i>Stream Name (Watershed #)</i>	<i>EPA Waived Y/N ?</i>
PA0088307 (Sew)	Snyders, LLP Eagles Crossing Golf Course 501 Conodoguinet Avenue Carlisle, PA 17015	Cumberland County North Middleton Township	Conodoguinet Creek 7B	Y

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

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

PA0011517, Industrial, **Keystone Cement Company**, Route 329, Bath, PA 18104-0058. This proposed facility is located in East Allen Township, **Northampton County**.

Description of Proposed Activity: Renewal of Industrial Waste NPDES Permit.

The receiving stream, Monocacy Creek, is in the State Water Plan Watershed 2C and is classified for: HQ-CWF. The nearest downstream public water supply intake for Keystone Water Company is located on the Delaware River and is less than 25 miles below the point of discharge.

The proposed effluent limits for Internal Outfall 002 based on a design flow of 0.00225 mgd to onsite Quarry.

Parameter	Mass (lb/day)		Concentration (mg/l)	
	Average Monthly	Maximum Daily	Average Monthly	Maximum Daily
Total Suspended Solids				50
Temperature				Not to exceed 3° C rise above inlet temperature
pH	6.0 Minimum to 9.0 Maximum Standard Units			

The proposed effluent limits for Outfalls 003—006 for stormwater:

Parameter	Mass (lb/day)		Concentration (mg/l)	
	Average Monthly	Maximum Daily	Average Monthly	Maximum Daily
CBOD ₅				Report
Chemical Oxygen Demand				Report
Oil and Grease				Report
pH				Report
Total Suspended Solids (TSS)				Report
Total Kjeldahl Nitrogen (TKN)				Report
Total Phosphorus				Report
Iron (dissolved)				Report

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

1. Chemical Additives.
2. Stormwater.
3. Temperature.

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

Application No. PA 0085863, Industrial Waste, SIC Code 4953, **SC Holdings, Inc.**, 383 Meadow Road, Edison, NJ 08817. This facility is located in Dover Township, **York County**.

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

The receiving stream, UNT Davidsburg Run, is in Watershed 7-F, and is classified for WWF, water supply, recreation and fish consumption. The nearest downstream public water supply intake is Wrightsville Water Supply Co. located on the Susquehanna River, approximately 42.5 miles downstream. The discharge is not expected to affect the water supply.

The proposed effluent limits for Outfall 001 based on a design flow of 0.038 mgd are:

Parameter	Mass (lb/day)		Concentration (mg/l)		
	Average Monthly	Maximum Daily	Average Monthly	Maximum Daily	Instantaneous Maximum
Flow	Monitor and Report	Monitor and Report	XXX	XXX	XXX
pH	XXX	XXX	6.0 to 9.0 Standard Units at all times		
Total Iron	XXX	XXX	Monitor and Report	Monitor and Report	Monitor and Report
Total Dissolved Solids	XXX	XXX	Monitor and Report	Monitor and Report	Monitor and Report
Nitrate-Nitrite Nitrogen	XXX	XXX	Monitor and Report	Monitor and Report	Monitor and Report

Parameter	Mass (lb/day)		Concentration (mg/l)		
	Average Monthly	Maximum Daily	Average Monthly	Maximum Daily	Instantaneous Maximum
Ammonia Nitrogen	XXX	XXX	3.0	6.0	7.5
BOD ₅	XXX	XXX	Monitor and Report	Monitor and Report	Monitor and Report

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

The EPA waiver is in effect.

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

PA0218961, Industrial Waste, SIC 4941, **Pittsburgh Water and Sewer Authority**, 900 Freeport Road, Pittsburgh, PA 15238. This application is for the issuance of an NPDES permit to discharge backwash water, miscellaneous waters and stormwater from the Water Treatment Plant in Pittsburgh, **Allegheny County**.

The following effluent limitations are proposed for discharge to the receiving waters, Allegheny River, classified as a WWF with existing and/or potential uses for aquatic life, water supply and recreation. The first existing/proposed downstream potable water supply is West View Borough Municipal Authority, located at 210 Perry Highway, Pittsburgh, PA 15229, 13 miles below the discharge point.

Outfalls 001 and 010: new stormwater discharge.

Parameter	Mass (lb/day)		Concentration (mg/l)		
	Average Monthly	Maximum Daily	Average Monthly	Maximum Daily	Instantaneous Maximum

These outfalls shall consist solely of uncontaminated stormwater runoff.

Outfall 007: new discharge, maximum flow of 16.57 mgd.

Parameter	Mass (lb/day)		Concentration (mg/l)		
	Average Monthly	Maximum Daily	Average Monthly	Maximum Daily	Instantaneous Maximum
Flow (mgd)	Monitor and Report				
Suspended Solids			30		60
Total Residual Chlorine			0.5		1.0
Aluminum			4.0		8.0
Iron			2.0		4.0
Manganese			1.0		2.0
pH	not less than 6.0 nor greater than 9.0				

Other Conditions:

The EPA waiver is in effect.

Outfall 008: new discharge, maximum flow of 3.82 mgd.

Parameter	Mass (lb/day)		Concentration (mg/l)		
	Average Monthly	Maximum Daily	Average Monthly	Maximum Daily	Instantaneous Maximum
Flow (mgd)	Monitor and Report				
Suspended Solids			30		60
Oil and Grease			15		30
Total Residual Chlorine			0.5		1.0
Nitrate + Nitrite Nitrogen			Monitor and Report		
Iron			Monitor and Report		
Phenols, total			Monitor and Report		
pH	not less than 6.0 nor greater than 9.0				

Outfall 009: new discharge, maximum flow of 117 mgd.

Parameter	Mass (lb/day)		Concentration (mg/l)		
	Average Monthly	Maximum Daily	Average Monthly	Maximum Daily	Instantaneous Maximum
Flow (mgd)	Monitor and Report				
Suspended Solids			30		60
Oil and Grease			15		30

<i>Parameter</i>	<i>Mass (lb/day)</i>		<i>Concentration (mg/l)</i>		
	<i>Average Monthly</i>	<i>Maximum Daily</i>	<i>Average Monthly</i>	<i>Maximum Daily</i>	<i>Instantaneous Maximum</i>
Total Residual Chlorine			0.5		1.0
Iron			Monitor and Report		
Phenols, total			Monitor and Report		
pH	not less than 6.0 nor greater than 9.0				

Outfall 011: new groundwater discharge.

<i>Parameter</i>	<i>Mass (lb/day)</i>		<i>Concentration (mg/l)</i>		
	<i>Average Monthly</i>	<i>Maximum Daily</i>	<i>Average Monthly</i>	<i>Maximum Daily</i>	<i>Instantaneous Maximum</i>
Flow (mgd)	Monitor and Report				
Suspended Solids			30		60
Oil and Grease			15		30
Iron, dissolved					7.0
pH	not less than 6.0 nor greater than 9.0				

Outfall 012: new discharge, maximum flow of 6.12 mgd.

<i>Parameter</i>	<i>Mass (lb/day)</i>		<i>Concentration (mg/l)</i>		
	<i>Average Monthly</i>	<i>Maximum Daily</i>	<i>Average Monthly</i>	<i>Maximum Daily</i>	<i>Instantaneous Maximum</i>
Flow (mgd)	Monitor and Report				
Suspended Solids			30		60
Oil and Grease			15		30
Total Residual Chlorine			0.5		1.0
Iron			Monitor and Report		
Phenols, total			Monitor and Report		
pH	not less than 6.0 nor greater than 9.0				

Outfall 013: new stormwater discharge.

<i>Parameter</i>	<i>Mass (lb/day)</i>		<i>Concentration (mg/l)</i>		
	<i>Average Monthly</i>	<i>Maximum Daily</i>	<i>Average Monthly</i>	<i>Maximum Daily</i>	<i>Instantaneous Maximum</i>
Suspended Solids			Monitor and Report		
Oil and Grease			Monitor and Report		
pH			Monitor and Report		

Outfall 014: new discharge, maximum flow of 6.99 mgd.

<i>Parameter</i>	<i>Mass (lb/day)</i>		<i>Concentration (mg/l)</i>		
	<i>Average Monthly</i>	<i>Maximum Daily</i>	<i>Average Monthly</i>	<i>Maximum Daily</i>	<i>Instantaneous Maximum</i>
Flow (mgd)	Monitor and Report				
Suspended Solids			30		60
Oil and Grease			15		30
Total Residual Chlorine			0.5		1.0
Aluminum			Monitor and Report		
Iron			Monitor and Report		
Manganese			Monitor and Report		
Nitrate + Nitrite Nitrogen			Monitor and Report		
pH	not less than 6.0 nor greater than 9.0				

Outfall 015: new discharge, maximum flow of 4.76 mgd.

<i>Parameter</i>	<i>Mass (lb/day)</i>		<i>Concentration (mg/l)</i>		
	<i>Average Monthly</i>	<i>Maximum Daily</i>	<i>Average Monthly</i>	<i>Maximum Daily</i>	<i>Instantaneous Maximum</i>
Flow (mgd)	Monitor and Report				
Suspended Solids			30		60
Oil and Grease			15		30
Total Residual Chlorine			0.5		1.0
Aluminum			Monitor and Report		

Parameter	Mass (lb/day)		Concentration (mg/l)		
	Average Monthly	Maximum Daily	Average Monthly	Maximum Daily	Instantaneous Maximum
Iron			Monitor and Report		
Manganese			Monitor and Report		
pH	not less than 6.0 nor greater than 9.0				

Outfalls 016—018, 020 and 021: new stormwater discharges.

Parameter	Mass (lb/day)		Concentration (mg/l)		
	Average Monthly	Maximum Daily	Average Monthly	Maximum Daily	Instantaneous Maximum
Oil and Grease			Monitor and Report		
Nitrate + Nitrite Nitrogen			Monitor and Report		

Outfall 019: new discharge, maximum flow of 0.288 mgd.

Parameter	Mass (lb/day)		Concentration (mg/l)		
	Average Monthly	Maximum Daily	Average Monthly	Maximum Daily	Instantaneous Maximum
Flow (mgd)	Monitor and Report				
Suspended Solids			30		60
Oil and Grease			15		30
Total Residual Chlorine			0.5		1.0
Aluminum			Monitor and Report		
Iron			Monitor and Report		
Manganese			Monitor and Report		
Nitrate + Nitrite Nitrogen			Monitor and Report		
pH	not less than 6.0 nor greater than 9.0				

Outfalls 023 and 024: new discharge, maximum flow of 12.5 mgd and 32.5 mgd, respectively.

Parameter	Mass (lb/day)		Concentration (mg/l)		
	Average Monthly	Maximum Daily	Average Monthly	Maximum Daily	Instantaneous Maximum
Flow (mgd)	Monitor and Report				
Suspended Solids			30		60
Oil and Grease			15		30
Total Residual Chlorine			0.5		1.0
Nitrate + Nitrite Nitrogen			Monitor and Report		
Phenols, total			Monitor and Report		
pH	not less than 6.0 nor greater than 9.0				

PA0000507-A1, Industrial Waste, SIC 2821, **Eastman Chemical Resins, Inc.**, SR 837, P. O. Box 567, West Elizabeth, PA 15088-0567. This application is for amendment of an NPDES permit to discharge treated process water, groundwater, stormwater and noncontact cooling water from the Jefferson Plant in Jefferson Hills Borough, **Allegheny County**.

The following effluent limitations are proposed for discharge to the receiving waters, Monongahela River, classified as a WWF with existing and/or potential uses for aquatic life, water supply and recreation. The first existing/proposed downstream potable water supply is PA American Water Company, located at Mile 4.4—Monongahela River approximately 19.43 miles below the discharge point.

Outfall 026: new discharge, design flow of 0.0883 mgd.

Parameter	Mass (lb/day)		Concentration (mg/l)		
	Average Monthly	Maximum Daily	Average Monthly	Maximum Daily	Instantaneous Maximum
Flow (mgd)	Monitor and Report				
BOD ₅	12	32	24	64	80
Total Suspended Solids	20	66	40	130	163
Acenaphthene	0.0111	0.0299	0.022	0.059	0.073
Acenaphthylene	0.0111	0.0299	0.022	0.059	0.073
Acrylonitrile	0.0487	0.1229	0.096	0.242	0.302
Anthracene	0.0111	0.0299	0.022	0.059	0.073
Benzene	0.0188	0.0691	0.037	0.136	0.170
Benzo(a)anthracene	0.0111	0.0299	0.022	0.059	0.073
3,4-Benzofluoranthene	0.0116	0.0310	0.023	0.061	0.076
Benzo(k)fluoranthene	0.0111	0.0299	0.022	0.059	0.073

Parameter	Mass (lb/day)		Concentration (mg/l)		
	Average Monthly	Maximum Daily	Average Monthly	Maximum Daily	Instantaneous Maximum
Benzo(a)pyrene	0.0116	0.0310	0.023	0.061	0.076
Bis(2-ethylhexyl) phthalate	0.0523	0.1417	0.103	0.279	0.348
Carbon Tetrachloride	0.0091	0.0193	0.018	0.038	0.047
Chlorobenzene	0.0076	0.0142	0.015	0.028	0.035
Chloroethane	0.0528	0.1362	0.104	0.268	0.335
Chloroform	0.0106	0.0233	0.021	0.046	0.057
2-Chlorophenol	0.0157	0.0498	0.031	0.098	0.122
Chrysene	0.0111	0.0299	0.022	0.059	0.073
Di-n-butyl phthalate	0.0137	0.0289	0.027	0.057	0.071
1,2-Dichlorobenzene	0.0391	0.0828	0.077	0.163	0.203
1,3-Dichlorobenzene	0.0157	0.0223	0.031	0.044	0.055
1,4-Dichlorobenzene	0.0076	0.0142	0.015	0.028	0.035
1,1-Dichloroethane	0.0111	0.0299	0.022	0.059	0.073
1,2-Dichloroethane	0.0345	0.1072	0.068	0.211	0.263
1,1-Dichloroethylene	0.0081	0.0127	0.016	0.025	0.031
1,2-trans-Dichloroethylene	0.0106	0.0274	0.021	0.054	0.067
2,4-Dichlorophenol	0.0198	0.0569	0.039	0.112	0.140
1,2-Dichloropropane	0.0777	0.1168	0.153	0.230	0.287
1,3-Dichloropropylene	0.0147	0.0223	0.029	0.044	0.055
Diethyl phthalate	0.0411	0.1031	0.081	0.203	0.253
2,4-Dimethylphenol	0.0091	0.0182	0.018	0.036	0.045
Dimethyl phthalate	0.0096	0.0238	0.019	0.047	0.058
4,6-Dinitro-o-cresol	0.0396	0.1407	0.078	0.277	0.346
2,4-Dinitrophenol	0.0360	0.0625	0.071	0.123	0.153
2,4-Dinitrotoluene	0.0574	0.1448	0.113	0.285	0.356
2,6-Dinitrotoluene	0.1295	0.3257	0.255	0.641	0.801
Ethylbenzene	0.0190	0.0641	0.032	0.108	0.135
Fluoranthene	0.0127	0.0345	0.025	0.068	0.085
Fluorene	0.0111	0.0299	0.022	0.059	0.073
Hexachlorobenzene	0.0050	0.0101	0.010	0.020	0.025
Hexachlorobutadiene	0.0101	0.0249	0.020	0.049	0.061
Hexachloroethane	0.0106	0.0274	0.021	0.054	0.067
Methyl Chloride	0.0437	0.0965	0.086	0.190	0.237
Methylene Chloride	0.0203	0.0452	0.040	0.089	0.111
Naphthalene	0.0112	0.0300	0.022	0.059	0.073
Nitrobenzene	0.0137	0.0345	0.027	0.068	0.085
2-Nitrophenol	0.0208	0.0350	0.041	0.069	0.086
4-Nitrophenol	0.0365	0.0630	0.072	0.124	0.155
Phenanthrene	0.0111	0.0299	0.022	0.059	0.073
Phenol	0.0076	0.0132	0.015	0.026	0.032
Pyrene	0.0127	0.0340	0.025	0.067	0.083
Tetrachloroethylene	0.0111	0.0284	0.022	0.056	0.070
1,2,4-Trichlorobenzene	0.0345	0.0711	0.068	0.140	0.175
1,1,1-Trichloroethane	0.0106	0.0274	0.021	0.054	0.067
1,1,2-Trichloroethane	0.0106	0.0274	0.021	0.054	0.067
Trichloroethylene	0.0106	0.0274	0.021	0.054	0.067
Vinyl Chloride	0.0528	0.1362	0.104	0.268	0.335
Oil and Grease			15		30
Total Dissolved Solids			500	750	
Sulfates				250	
Nitrate + Nitrite Nitrogen				Monitor and Report	
Aluminum, Total				Monitor and Report	
Zinc, Total				Monitor and Report	
Cyanide, Total				Monitor and Report	
Styrene				Monitor and Report	
Xylenes, Total				Monitor and Report	
pH					not less than 6.0 nor greater than 9.0 Standard Units

The EPA waiver is not in effect.

PA0004081, Industrial Waste, SIC 3499, **CP Industries Holdings, Inc.**, 2214 Walnut Street, McKeesport, PA 15132. This application is for renewal of an NPDES permit to discharge process wastewater and stormwater from Christy Park Works in City of McKeesport, **Allegheny County**.

The following effluent limitations are proposed for discharge to the receiving waters, Youghiogheny River, classified as a WWF with existing and/or potential uses for aquatic life, water supply and recreation. The first existing/proposed

downstream potable water supply is McKeesport Water Treatment Plant, located at McKeesport, Allegheny County, 0.3 mile below the discharge point.

Outfalls 007 and 009: existing discharge, average flow of 0.004 mgd.

Parameter	Mass (lb/day)		Concentration (mg/l)		
	Average Monthly	Maximum Daily	Average Monthly	Maximum Daily	Instantaneous Maximum
Flow	Monitor and Report				
TSS	4.7	12.6	15		40
Oil and Grease		3.2			10
pH	not less than 6.0 nor greater than 9.0				

Outfalls 006 and 008: existing discharge, varied flow.

Parameter	Mass (lb/day)		Concentration (mg/l)		
	Average Monthly	Maximum Daily	Average Monthly	Maximum Daily	Instantaneous Maximum
TSS	Monitor and Report				

Outfalls 001—005: existing discharges, varied flow.

Parameter	Mass (lb/day)		Concentration (mg/l)		
	Average Monthly	Maximum Daily	Average Monthly	Maximum Daily	Instantaneous Maximum
	Discharge consists solely of uncontaminated stormwater runoff. No limits apply.				

Other Conditions:

A Part C Condition is included in the permit stating that the total combined pollutant mass discharged from Outfalls 007 and 009 for total suspended solids and oil and grease cannot exceed the average monthly and daily maximum mass effluent limitations.

A Part C Condition is included in the permit requiring completion of an SWPPP.

The EPA waiver is in effect.

PA0044679, Sewage, **Pigeon Creek Sanitary Authority**, 508 Main Street, Bentleyville, PA 15314. This application is for renewal of an NPDES permit to discharge treated sewage from Pigeon Creek Sewage Treatment Plant in Fallowfield Township, **Washington County**.

The following effluent limitations are proposed for discharge to the receiving waters, known as Pigeon Creek, which are classified as a WWF with existing and/or potential uses for aquatic life, water supply and recreation. The first downstream potable water supply intake from this facility is the Allegheny Power—Mitchell Station.

Outfall 001: existing discharge, design flow of 1.02 mgd.

Parameter	Concentration (mg/l)			
	Average Monthly	Average Weekly	Maximum Daily	Instantaneous Maximum
CBOD ₅	25	37.5		50
Suspended Solids	30	45		60
Ammonia Nitrogen				
(5-1 to 10-31)	3.4	5.1		6.8
(11-1 to 4-30)	10.2	15.3		20.4
Fecal Coliform				
(5-1 to 9-30)	200/100 ml as a Geometric Mean			
(10-1 to 4-30)	2,000/100 ml as a Geometric Mean			
Total Residual Chlorine	.60			2.0
pH	not less than 6.0 nor greater than 9.0			

The EPA waiver is not in effect.

PA0215872, Sewage, **Stephen D. Skeers**, 1989 Drennen Road, New Kensington, PA 15068. This application is for renewal of an NPDES permit to discharge treated sewage from Skeers SR STP in Plum Borough, **Allegheny County**.

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

Outfall 001: existing discharge, design flow of 0.0004 mgd.

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

The EPA waiver is in effect.

PA0098400, Sewage, **Albert Gallatin School District**, 2625 Morgantown Road, Uniontown, PA 15401. This application is for renewal of an NPDES permit to discharge treated sewage from Albert Gallatin South Junior High School and Friendship Hill Elementary School Sewage Treatment Plant in Springhill Township, **Fayette County**.

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

Outfall 001: existing discharge, design flow of 0.0143 mgd.

<i>Parameter</i>	<i>Concentration (mg/l)</i>			
	<i>Average Monthly</i>	<i>Average Weekly</i>	<i>Maximum Daily</i>	<i>Instantaneous Maximum</i>
CBOD ₅	25			50
Suspended Solids	30			60
Ammonia Nitrogen				
(5-1 to 10-31)	20.0			40.0
Fecal Coliform				
(5-1 to 9-30)	200/100 ml as a Geometric Mean			
(10-1 to 4-30)	2,000/100 ml as a Geometric Mean			
Total Residual Chlorine	1.4			
pH	not less than 6.0 nor greater than 9.0			

The EPA waiver is in effect.

PA0091049, Sewage, **United States Health and Human Services, Centers for Disease Control and Prevention, National Institute for Occupational Safety and Health**, 626 Cochran's Mill Road, P. O. Box 18070, Pittsburgh, PA 15236. This application is for renewal of an NPDES permit to discharge treated sewage from Lake Lynn Laboratory STP in Springhill Township, **Fayette County**.

The following effluent limitations are proposed for discharge to the receiving waters, known as UNT of Rubies Run—Dragoo Hollow, which are classified as a CWF with existing and/or potential uses for aquatic life, water supply and recreation. The first downstream potable water supply intake from this facility is the Albert Gallatin Municipal Authority on the Cheat River.

Outfall 001: existing discharge, design flow of 0.00035 mgd.

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

The EPA waiver is in effect.

PA0095478, Sewage, **Mary A. Sinclair**, P. O. Box 65, Perryopolis, PA 15473. This application is for renewal of an NPDES permit to discharge treated sewage from Jefferson Estates Sewage Treatment Plant in Jefferson Township, **Fayette County**.

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

Outfall 001: existing discharge, design flow of 0.021 mgd.

Parameter	Concentration (mg/l)			
	Average Monthly	Average Weekly	Maximum Daily	Instantaneous Maximum
CBOD ₅	25			50
Suspended Solids	30			60
Ammonia Nitrogen				
(5-1 to 10-31)	5.0			10.0
(11-1 to 4-30)	15.0			30.0
Fecal Coliform				
(5-1 to 9-30)	200/100 ml as a Geometric Mean			
(10-1 to 4-30)	2,000/100 ml as a Geometric Mean			
Total Residual Chlorine	1.4			3.3
Dissolved Oxygen	not less than 3.3 mg/l			
pH	not less than 6.0 nor greater than 9.0			

The EPA waiver is in effect.

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

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

WQM Permit No. 2109407, Sewerage, **Richard and Darlene Smith**, 1819 Mountain Road, Newburg, PA 17240. This proposed facility is located in Upper Mifflin Township, **Cumberland County**.

Description of Proposed Action/Activity: Installation/Operation of small flow sewage treatment facility to serve their existing three bedroom home.

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

WQM Permit No. 6309405, Sewerage, **Consol PA Coal Co., LLC**, 1525 Pleasant Grove Road, Claysville, PA 15323. This proposed facility is located in East Finley Township, **Washington County**.

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

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

WQM Permit No. 4373402, Sewerage, **Amendment No. 1, Ficks Enterprises, LLC**, 2155 Susquehanna Trail, McEwensville, PA 17749. This proposed facility is located in Jefferson Township, **Mercer County**.

Description of Proposed Action/Activity: Construction of a sludge holding tank to work with the original Sewage Treatment Plant.

WQM Permit No. 2509405, Sewerage, **Lawrence Park Township**, 4230 Iroquois Avenue, Erie, PA 16511-2164. This proposed facility is located in Lawrence Park Township, **Erie County**.

Description of Proposed Action/Activity: Replacement of the old Cunningham Drive Lift Station with a new lift station and associated influent sewers.

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.

NPDES Permit No.	Applicant Name & Address	County	Municipality	Receiving Water/Use
PAI01 1509028	S.T.B.I. 102 Reservoir Road Honey Brook, PA 19344	Chester	Honey Brook Township	West Branch Brandywine Creek HQ-TSF-MF
PAI01 1509028	Sweetwater Business Properties, LP 5051 Horseshoe Pike Honey Brook, PA 19344	Chester	Honey Brook Township	West Branch Brandywine Creek HQ-TSF-MF
PAI01 5109005	IATSE Local No. 8 2237 Hartranft Street Philadelphia, PA 19145	Philadelphia	City of Philadelphia	Delaware River WWF

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

<i>NPDES Permit No.</i>	<i>Applicant Name & Address</i>	<i>County</i>	<i>Municipality</i>	<i>Receiving Water/Use</i>
PAI033609004	PPL Holtwood, LLC Two North Ninth Street Allentown, PA 18101	Lancaster	Martic Township	Susquehanna River WWF

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

Allegheny County Conservation District: 400 North Lexington Avenue, Pittsburgh, PA 15208, (412) 241-7645.

<i>NPDES Permit No.</i>	<i>Applicant Name & Address</i>	<i>County</i>	<i>Municipality</i>	<i>Receiving Water/Use</i>
PAI050209005	Allegheny County Department of Public Works 501 County Office Building Pittsburgh, PA 15219	Allegheny	City of McKeesport	Monongahela River WWF

Greene County Conservation District: 19 South Washington Street, Waynesburg, PA 15370-2053, (724) 852-5278.

<i>NPDES Permit No.</i>	<i>Applicant Name & Address</i>	<i>County</i>	<i>Municipality</i>	<i>Receiving Water/Use</i>
PAI053009001	West Penn Power Co., d/b/a Allegheny Power 800 Cabin Hill Drive Greensburg, PA 15301	Greene	Center and Franklin Townships	Stewart Run and Pursley Creek HQ-WWF Smith Creek WWF

Indiana County Conservation District: USDA Service Center, 1432 Route 286 Highway East, Indiana, PA 15701-1467, (724) 463-8547.

<i>NPDES Permit No.</i>	<i>Applicant Name & Address</i>	<i>County</i>	<i>Municipality</i>	<i>Receiving Water/Use</i>
PAI053209001	Jonathon Juffe Lucerne Landings, LP 1209 Laurel Oak Lane York, PA 17403-9124	Indiana	White Township	UNT Two Lick Creek CWF

Somerset County Conservation District: 6024 Glades Pike, Suite 103, Somerset, PA 15501, (814) 445-4652. (This permit was originally published without all the receiving streams and classifications.)

<i>NPDES Permit No.</i>	<i>Applicant Name & Address</i>	<i>County</i>	<i>Municipality</i>	<i>Receiving Water/Use</i>
PAI053209005	Keith E. Newlin National Park Service 109 West Main Street Suite 104 Somerset, PA 15501	Somerset	Stonycreek Township	Grove Run EV Lamberts Run CWF Calendars Run CWF

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

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

**PUBLIC WATER SUPPLY (PWS)
PERMIT**

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

Persons wishing to comment on a permit application are invited to submit a statement to the office listed before the application within 30 days of this public notice. Comments received within the 30-day comment period will be considered in the formulation of the final determinations regarding the application. Comments should include the name, address and telephone number of the writer and a concise statement to inform the Department

of Environmental Protection (Department) of the exact basis of a comment and the relevant facts upon which it is based. A public hearing may be held after consideration of comments received during the 30-day public comment period.

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

The permit application and any related documents are on file at the office listed before the application and are available for public review. Arrangements for inspection

and copying information should be made with the office listed before the application.

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

SAFE DRINKING WATER

Applications Received under the Pennsylvania Safe Drinking Water Act

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

Permit No. 2809503, Public Water Supply.

Applicant	Shippensburg Borough Authority
Municipality	Lurgan Township
County	Franklin
Responsible Official	William W. Wolfe Manager 111 North Fayette Street P. O. Box 129 Shippensburg, PA 17257-0129
Type of Facility	Public Water Supply
Consulting Engineer	Peter Lusardi, P. E. CET Engineering Services 1240 North Mountain Road Harrisburg, PA 17112
Application Received	August 26, 2009
Description of Action	Construction of an air scour system and a powdered activated carbon system at the Gunther Valley plant.

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

Application No. 6109503, Public Water Supply.

Applicant	Aqua Pennsylvania, Inc.
Township or Borough	Emlenton Borough Venango County
Responsible Official	Jack N. Walter VP Production
Consulting Engineer	MaryJo Brown Environmental Scientist CET Engineering Services, Inc. 1240 North Mountain Road Harrisburg, PA 17112
Application Received Date	August 31, 2009
Description of Action	Construction of new water treatment plant at new location for service to customers of the former Emlenton Water Company; demolition of existing plant and construction of new raw water pumping station.

MINOR AMENDMENT

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

Application No. 5209502MA, Minor Amendment.

Applicant	Pennsylvania American Water Company Pine Ridge Water System 800 West Hersheypark Drive Hershey, PA
Township or Borough	Lehman Township Pike County
Responsible Official	David R. Kaufman
Type of Facility	Public Water System
Consulting Engineer	Daniel G. Rickard, P. E.
Application Received Date	August 26, 2009
Description of Action	Raise the casing, cap and disconnect well No. 1. Demolish the well pit, clear well and treatment equipment.

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

Application No. 0209517MA, Minor Amendment.

Applicant	Pennsylvania American Water Company 800 West Hersheypark Drive P. O. Box 888 Hershey, PA 17033
Township or Borough	Elizabeth Township
Responsible Official	David Kaufman Vice-President Engineering Pennsylvania American Water Company 800 West Hersheypark Drive P. O. Box 888 Hershey, PA 17033
Type of Facility	Elizabeth Township water storage tank
Consulting Engineer	Gannett Fleming, Inc. 207 Senate Avenue Camp Hill, PA 17011-2316
Application Received Date	August 13, 2009
Description of Action	Construction of the 1.25 mg Elizabeth Township water storage tank and connecting waterline.

Application No. 6509506MA, Minor Amendment.

Applicant	Municipal Authority of Westmoreland County 124 Park and Pool Road New Stanton, PA 15672
Township or Borough	Kiskiminetas Township
Responsible Official	Christopher Kerr Resident Manager Municipal Authority of Westmoreland County 124 Park and Pool Road New Stanton, PA 15672
Type of Facility	Flat Rock Road watermain
Consulting Engineer	

Application Received Date	September 2, 2009
Description of Action	Installation of approximately 13,400 feet of waterline.
Application No. 2609507MA, Minor Amendment.	
Applicant	Municipal Authority of Westmoreland County 124 Park and Pool Road New Stanton, PA 15672
Township or Borough	Hempfield and Salem Townships
Responsible Official	Christopher Kerr Resident Manager Municipal Authority of Westmoreland County 124 Park and Pool Road New Stanton, PA 15672
Type of Facility	Forbes Road watermain
Consulting Engineer	
Application Received Date	September 2, 2009
Description of Action	Installation of approximately 12,000 feet of waterline.
Application No. 2609508MA, Minor Amendment.	
Applicant	Municipal Authority of Westmoreland County 124 Park and Pool Road New Stanton, PA 15672
Township or Borough	Dunbar Township
Responsible Official	John Ashton Operations Manager Production Municipal Authority of Westmoreland County 124 Park and Pool Road New Stanton, PA 15672
Type of Facility	Water system
Consulting Engineer	Gibson-Thomas Engineering Co., Inc. 1004 Ligonier Street P. O. Box 853 Latrobe, PA 15650
Application Received Date	August 5, 2009
Description of Action	Installation of a new filter control console, flow control valves, flow meters and chemical metering pumps.

LAND RECYCLING AND ENVIRONMENTAL REMEDIATION

UNDER ACT 2, 1995

PREAMBLE 1

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

Sections 302—305 of the Land Recycling and Environmental Remediation Standards Act (act) require the Department of Environmental Protection (Department) to publish in the *Pennsylvania Bulletin* an acknowledgment noting receipt of Notices of Intent to Remediate. An

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

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

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

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

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

Loos and Dilworth-Bristol Facility, Bristol Township, **Bucks County**. Daniel Erdman, P. G., REA, Keystone E-Sciences Group, Inc., 590 East Lancaster Avenue, Suite 200, Frazer, PA 19355, and Richard Campbell, Loos and Dilworth, 61 East Green Lane, Bristol, PA 19007 on behalf of Michael Monahan, PetroChoice, P. O. Box 108, Defiance, PA 16633 have submitted a Notice of Intent to Remediate. Groundwater and soil have been impacted with the release of No. 6 fuel oil. The intended future use of this property will remain commercial.

Trumbauer Residence, Upper Hanover Township, **Montgomery County**. Richard D. Trimpi, Trimpi Associates, Inc., 1635 Old Plains Road, Pennsburg, PA 18073, and Jay Kerestus, State Farm Insurance Company, P. O.

Box 13, Concordville, PA 19331 on behalf of William and Alverda Trumbauer, 783 Gravel Pike, Palm, PA 18070 have submitted a Notice of Intent to Remediate. Soil at the site has been impacted with the release of No. 2 fuel oil. The intended future use of the site is residential. A summary of the Notice of Intent to Remediate was reported to have been published in *The Town and County* on August 13, 2009.

Simms Residence, Abington Township, **Montgomery County**. Richard D. Trimpi, Trimpi Associates, Inc., 1635 Old Plains Road, Pennsburg, PA 18073, and Ed Applegate, State Farm, P. O. Box 13, Concordville, PA 19331 on behalf of Delphine Simms, 1321 Meadowbrooks Drive, Jenkintown, PA 19406 have submitted a Notice of Intent to Remediate. Soil at the site has been impacted with the release of No. 2 fuel oil. The intended future use of the site is residential. A summary of the Notice of Intent to Remediate was reported to have been reported in the *Ambler Gazette* on July 22, 2009.

Tioga Marine Terminal Pier 179 N, City of Philadelphia, **Philadelphia County**. Greg Connell, Groundwater and Environmental Services, Inc., 440 Creamery Way, Suite 500, Exton, PA 19341, and Richard Sherman, Kinder Morgan Liquids Terminals, LLC, Carteret, NJ 07008 on behalf of Lisa Magee, Philadelphia Regional Port Authority, 3460 Delaware Avenue, Philadelphia, PA 19134 have submitted a Notice of Intent to Remediate. Groundwater and soil at the site have been impacted with the release of unleaded gasoline. The future use of the property for the foreseeable future will remain nonresidential.

Former Beach Street Asphalt Plant, City of Philadelphia, **Philadelphia County**. Craig Herr, RT Environmental Services, Inc., 215 West Church Road, King of Prussia, PA 19406, on behalf of Brain Chabak, Glasgrow, Inc., P. O. Box 1089, Glenside, PA 19038 has submitted a Notice of Intent to Remediate. Groundwater and soil at the site have been impacted with the release of unleaded gasoline. The proposed future use of the property will be nonresidential. A summary of the Notice of Intent to Remediate was published in *The Spirit Community Newspapers* on July 29, 2009.

Twins at the Frankford Creek AOC 001B&C, City of Philadelphia, **Philadelphia County**. Jenny Cutright, REPSG, 6901 Kingsessing Avenue, Suite 201, Philadelphia, PA 19142, and Michael Shurr, OKKS Development, LP, 3333 Street Road, Suite 101, Bensalem, PA 19020 on behalf of Robert LaBrum, Redevelopment Authority of Philadelphia, 1234 Market Street, 16th Floor, Philadelphia, PA 19107 have submitted a Notice of Intent to Remediate. Groundwater and soil at the site have been impacted with the release of chlorinated solvents. The future use of the site has will remain the same.

Willow Grove Air Reserve Station POL Site (ST-01), Horsham Township, **Montgomery County**. Scott Shaw, GeoTrans, Inc., A Tech Company, 21335 Signal Hill Plaza, Suite 100, Sterling, VA 20164, and William Downs, United States Air Force Reserve Command, 155 Richard Ray Boulevard, Robins AFB, GA 31098-1815 on behalf of Arnold Hagerty, Route 611 and County Line Road, Horsham, PA 19044 have submitted a Notice of Intent to Remediate. Soil at the site has been impacted with the release of jet fuel. The future use of the site will remain the same. A summary of the Notice of Intent to Remediate was reported to have been published in *The Intelligencer* on August 18, 2009.

Sloan Residence, Solebury Township, **Bucks County**. John VanWagenen, Coventry Environmental Associates,

Inc., 991 Ridge Road, Bucktown, PA 19465, on behalf of Gurney Sloan, Jr., 6701 Armitage Road, Lumberville, PA 18938 has submitted a Notice of Intent to Remediate. Soil and groundwater at the site have been impacted with the release of unleaded gasoline. The future use of the site will remain the same. A summary of the Notice of Intent to Remediate was reported to have been published in *The Intelligencer* on August 6, 2009.

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

Former Universal-Rundle Corp., Taylor Township, **Lawrence County**. ENVIRON International Corporation, 214 Carnegie Center, Princeton, NJ 08540 on behalf of Reed Beidler, 1235 Hartrey Avenue, Evanston, IL 60202 has submitted a Notice of Intent to Remediate. The property is currently used for the manufacture of fiberglass bathtubs and showers. The process includes the use of polyester resin, fiberglass and inert fillers. Prior onsite operations included the manufacture of vitreous china. Soil and groundwater impact were identified in certain areas of the site (primarily the southern portion). Stained soil was observed adjacent to a former paint spray booth. The site will be remediated to the Site-Specific Standard.

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.

20-106A: Greenleaf Corp. (18695 Greenleaf Drive, Saegertown, PA 16433-4429) for modification of conditions for the graphite resistance furnace at their manufacturing facility in Hayfield Township, **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.

46-0005AE: Merck & Co., Inc. (770 Sumneytown Pike, West Point, PA 19486) for a 20.1 ton VOC emission increase from disinfecting operations (Source 105) at an existing Title V facility in **Montgomery County**. The VOC emission limit shall be increased from 35.9 to 56.0 tpy. The plan approval will include monitoring, recordkeeping and reporting requirements designed to keep the facility operating within all applicable air quality requirements.

23-0001AA: Sunoco, Inc.—R & M—Marcus Hook Refinery (100 Green Street, Marcus Hook, PA 19061) for installation of one cooling tower to replace an existing one at the 12-2 plant at an existing Title V facility in **Delaware County**. There will be a potential decrease in PM emissions from this project of approximately 1.0 tpy. The plan approval will include monitoring, recordkeeping and reporting requirements designed to keep the facility operating within all applicable air quality requirements.

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

54-302-076: Van Hoekelen Greenhouses, Inc. (Route 309, P. O. Box 88, McAdoo, PA 18237) for installation and operation of a 25.6 mmBtu heat input anthracite coal fired boiler at the facility in Kline Township, **Schuylkill County**. The boiler will utilize anthracite coal containing sulfur and ash less than 0.645% and 16% by weight respectively. NSPS subpart Dc is applicable to this boiler for SO₂ emissions. SO_x emission rate of less than 1.02 pounds per mmBtu heat input (26.15 lb/hr) from the proposed boiler meet this requirement. Potential SO_x emissions from this boiler will be 115 tpy; however the

company will limit the combine SO_x emissions from the facility below 100 tpy from all the sources. The company has proposed to use a multicyclone to control PM emissions from the boiler, which will reduce the PM emissions from the boiler to 0.2 lb/mmBtu of heat input (5.12 lb/hr) and will meet the BAT requirements of the Department of Environmental Protection. The company will operate and maintain the boiler in accordance with the good engineering practices to assure proper operation. The Plan Approval and Operating permit will contain additional recordkeeping and operating restrictions designed to keep the facility operating within all applicable air quality requirements.

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

06-05069Q: East Penn Manufacturing Co., Inc. (P. O. Box 147, Lyon Station, PA 19636) for construction of additional sources for the manufacturing of lead/acid batteries controlled by various units and installation of HEPA filters on ten existing lead oxide mills in the battery assembly facility in Richmond Township, **Berks County**. The sources are subject to 40 CFR Part 60, Subpart KK, Standards of Performance for New Stationary Sources. The Plan Approval will include monitoring, work practices, recordkeeping and reporting requirements designed to keep the sources operating within all applicable air quality requirements. The facility presently has a pending Title V operating permit application No. 06-05069. The plan approval will be incorporated into any eventual Title V permit in accordance with 25 Pa. Code § 127.450 (Administrative Amendment).

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

25-124D: Mayer Bros. Construction Co., (1902 Cherry Street, Erie, PA 16502) to increase the facility's annual production limit from 100,000 tons to 250,000 tons of asphalt paving material in the City of Erie, **Erie County**.

Under 25 Pa. Code §§ 127.44(a) and 127.424(b), the Department of Environmental Protection (Department) intends to issue a Plan Approval for their facility located in the City of Erie, Erie County. This plan approval will increase the facility's annual production limit from 100,000 tons to 250,000 tons of asphalt paving material. The Plan Approval will subsequently be incorporated into the facility's Operating Permit through an administrative amendment in accordance with 25 Pa. Code § 127.450.

Plan Approval No. 25-124D will increase the facility's annual production limit from 100,000 tons to 250,000 tons of asphalt paving material. The facility's hourly production limit will not increase over currently permitted levels. Based on the information provided by the applicant and the Department's own analysis, the proposed modification will result in a potential emissions increase of 30 tons of CO, 9 tons of NO_x, 6.6 tons of SO_x, 3.15 tons of PM, 2.03 tons of PM₁₀ and 2.7 tons of VOCs per year.

The Plan Approval will contain additional testing, monitoring, recordkeeping and work practice requirements designed to keep the facility operating within all applicable air quality requirements. This proposed modification will additionally be subject to New Source Performance Standards, 40 CFR 60, Subpart I, the applicable requirements of which are contained in the Plan Approval.

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

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

1. Name, address and telephone number of the person submitting comments.
2. Identification of the proposed Plan Approval; No. 25-124D.
3. Concise statement regarding the relevancy of the information or any objections to issuance of the Plan Approval.

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

62-017R: United Refining Co. (15 Bradley Street, Warren, PA 16365) for removal of the external cyclones and expansion of the electric static precipitator that controls the FCC in Warren City, **Warren County**. This is a Title V facility. The public notice is required for sources required to obtain a Plan Approval in accordance with 25 Pa. Code § 127.44. This plan approval will, in accordance with 25 Pa. Code § 127.450, be incorporated into the State-only operating permit through an administrative amendment at a later date. The source shall comply with the following conditions, which will satisfy the requirements of 25 Pa. Code § 127.12b (pertaining to plan approval terms and conditions) and will demonstrate BAT for the source:

- Source is subject to 40 CFR 60, Subpart J.
- Source is subject to 40 CFR 63, Subpart CC and UUU.
- The NO_x emissions shall not exceed 11.5 lbs/hr.
- The NO_x emissions shall not exceed 40.2 tpy based on a consecutive 12-month period.
- The CO emissions shall not exceed 13.5 lbs/hr.
- The CO emissions shall not exceed 58.8 tpy based on a consecutive 12-month period.
- The TSP emissions shall not exceed 12.5 lbs/hr.
- The TSP emissions shall not exceed 54.8 tpy based on a consecutive 12-month period.
- The PM₁₀ emissions shall not exceed 9.0 lbs/hr.
- The PM₁₀ emissions shall not exceed 39.4 tpy based on a consecutive 12-month period.
- The SO_x emissions shall not exceed 285 lbs/hr.

- The SO_x emissions shall not exceed 1,248.3 tpy based on a consecutive 12-month period.

- Facility shall stack test for TSP/PM₁₀ after ESP upgrade.

- The permittee shall maintain a record of all preventative maintenance inspections of the control device. These records shall, at a minimum, contain the dates of the inspections, any problems or defects, the actions taken to correct the problems or defects, and any routine maintenance performed.

- The permittee shall record the following parameters from the operational inspection:

- Primary and Secondary Voltage of ESP.
- Primary and Secondary Current of ESP.
- Spark Rate of ESP.
- Ammonia charge rate.

- The permittee shall perform a daily operational inspection of the control device.

- The permittee shall operate the control device at all times that the source is in operation.

- The permittee shall maintain and operate the source and control device in accordance with the manufacturer's specifications and in accordance with good air pollution practices.

- The permittee shall maintain records of the fuel usage of each fuel type on a daily basis for the source and to use the fuel usage combined with the tested emission rate in lb/mmBtu of the most recent emission test (or AP-42 emission factor where a stack test has not been completed) to calculate the total annual emissions of each pollutant, respectively.

- The permittee shall keep records of the emissions for each month and maintain these emissions on a 12-month rolling basis.

- The applicant shall record the heat content of the fuel on a daily basis and record lb/hr on a 24 hour daily average.

- The permittee shall keep records of the hours of operation of the source.

- The records shall be maintained on a 12-month rolling basis and kept by the facility for a minimum of 5 years. The records shall be made available to the Department upon request.

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.

46-00060: Norristown State Hospital—DPW (1001 East Sterigere Street, Norristown, PA 19401) for a renewal of Title V Operating Permit No. 46-00060 in **Montgomery County**. The facility currently operates and maintains two natural gas/No. 2 fuel oil-fired boilers, one propane-fired and nine No. 2 fuel oil-fired emergency generators, and four No. 2 fuel oil-fired residential-style furnaces. The only significant changes to the Title V Operating Permit are the replacement of the NO_x plant-wide applicability limit of 98.5 tpy with a site-level NO_x emission restriction of less than 25 tpy and the addition

of source-level NO_x emission restrictions for the emergency generators. The Title V Operating Permit will include monitoring, recordkeeping, reporting and work practice requirements designed to keep the facility operating within all applicable air quality requirements.

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

20-00145: Pittsburgh Glass Works, LLC—PGW (Kebert Industrial Park, Meadville, PA 16335) for re-issuance of a Title V Permit to operate a flat glass manufacturing facility in Greenwood Township, **Crawford County**. The facility's major emission sources include Boilers 1—4, glass furnaces 1 and 2, Wareroom packers B and C, wareroom packers 1—3, cullet drop 0 line 1, cullet drop 0 line 2, raw material transfer, check scale line 1, check scale line 2, wareroom packer A, ede L1 generator, ede L2 generator, ede boiler room, ede L1 mill water, ede L2 mill water, ede fire water pump, ede city water pump, surface passivation 1, surface passivation 2, raw material transfer, soda ash silo, two soda silos, three cullet silos, limestone silo, gypsum silo, dolomite silo, w system line 1, w system line 2, batch mixer line 1, batch mixer line 2, parts cleaner (safety klean 77 gallons) and newly added soda ash handling system. PGW is a major facility due to NO_x and SO_x emissions more than 100 tpy. The facility is not subject to CAM plan because the precontrolled emissions were not exceeding Title V threshold limits.

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

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

46-00122: Unisys Corp. (Township and Union Meeting Roads, M/S E2-127 Unisys Way, Blue Bell, PA 19424) for operation of four boilers, four emergency generators and a heater at their Blue Bell central office in Whitpain Township, **Montgomery County**. The permit is for a non-Title V (State-only) facility. The facility has elected to cap NO_x to less than 25 tpy each; therefore, the facility is a Synthetic Minor. The renewal permit will include monitoring, recordkeeping and reporting requirements designed to keep the plant operating within all applicable air quality requirements.

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

13-00013: Ampal, Inc. (2125 Little Gap Road, LR 13013, Palmerton, PA 18071) for an atomized aluminum powder manufacturing facility in Lower Towamensing Township, **Carbon County**. The facility has potential to emit PM and PM₁₀ above the major emission thresholds. The proposed State-only (Synthetic Minor) Operating Permit contains applicable requirements for emissions limitations, monitoring, recordkeeping, reporting and work practice standards designed to ensure facility compliance with Federal and State air pollution regulations.

39-00051: Jaindl Farms, LLC (3150 Coffeetown Road, Orefield, PA 18069) for a Turkey Farm in North Whitehall Township, **Lehigh County**. The proposed State-only (Synthetic Minor) Operating Permit contains applicable requirements for emissions limitations, monitoring, recordkeeping, reporting and work practice stan-

dards designed to ensure facility compliance with Federal and State air pollution regulations.

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.

03031301 and NPDES Permit No. PA0235563, Bedrock Mines, LP, (111 Freeport Road, Pittsburgh, PA 15215), to transfer the permit and related NPDES permit for the Keystone East Mine in Plumcreek Township, **Armstrong County** to Bedrock Mines, LP from Rosebud Mining Company. No additional discharges. Application received July 13, 2009.

30831303 and NPDES Permit No. PA0013511, Cumberland Coal Resources, LP, (P. O. Box 1020, Waynesburg, PA 15370), to revise the permit for the Cumberland Mine in Center Township, **Greene County** to install five ventilation boreholes in longwall panel 58, Surface Acres Proposed 1.31. No additional discharges. Application received June 9, 2009.

32031301 and NPDES Permit No. PA0235580, Rosebud Mining Company, (301 Market Street, Kittanning, PA 16201), to revise the permit for the Lowry Deep Mine in White Township, **Indiana County** to add surface activity site acres for a new treatment pond site, a dewatering borehole and new NPDES discharge point. Surface Acres Proposed 9.6. Receiving stream: Yellow Creek, classified for the following uses: CWF, TSF. Application received June 26, 2009.

65091301 and NPDES Permit No. PA0235873, C and D Coal Company, (145 Ivy Lane, Tazwell, VA 24651), to operate the Kingston West Mine in Derry Township, **Westmoreland County** a new underground mine and related NPDES permit. Surface Acres Proposed 10.0, Underground Acres Proposed 999.0, Subsidence Control Plan Acres Proposed 599.0. Receiving streams: UNTs to Loyalhanna Creek, classified for the following use: WWF. Application received April 24, 2009.

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

16940107 and NPDES Permit No. PA0226831, RFI Energy, Inc. (P. O. Box 62, Sligo, PA 16255). Revision to an existing bituminous surface strip, sandstone removal and beneficial use of coal ash operation in Perry Township, **Clarion County** affecting 217.0 acres. Receiving

streams: Five UNTs to Cherry Run, classified for the following use: CWF. There are no potable surface water supply intakes within 10 miles downstream. Revision to add coal refuse disposal to the permit. Application received September 3, 2009.

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

17820129 and NPDES No. PA0610623. Kasubick Brothers Coal Company (501 David Street, Houtzdale, PA 16651). Permit renewal for the continued operation and restoration of a bituminous surface mine in Woodward Township, **Clearfield County**, affecting 161.8 acres. Receiving streams: Upper Morgan and North Branch Upper Morgan Runs, classified for the following use: CWF. There are no potable water supply intakes within 10 miles downstream. Application received August 24, 2009.

17803108 and NPDES No. PA0127906. SRP Coal Company, Inc. (5510 State Park Road, Penfield, PA 15849). Permit renewal for the continued operation and restoration of a bituminous surface mine in Lawrence Township, **Clearfield County**, affecting 55.0 acres. Receiving streams: UNT to Montgomery Run and Montgomery Run, classified for the following use: CWF. There are no potable water supply intakes within 10 miles downstream. Application received August 26, 2009.

17050107 and NPDES No. PA0256269. AMFIRE Mining Company, LLC (One Energy Place, Latrobe, PA

15650). Permit renewal for the continued operation and restoration of a bituminous surface and auger mine in Girard Township, **Clearfield County**, affecting 209.5 acres. Receiving streams: Surveyor Run, Little Surveyor Run and Bald Hill Run, classified for the following use: CWF. There are no potable water supply intakes within 10 miles downstream. Application received August 27, 2009.

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

49091301. Robert Shingara, (311 Shingara Lane, Sunbury, PA 17801), commencement, operation and restoration of an anthracite underground mine operation in Zerbe Township, **Northumberland County** affecting 4.9 acres, receiving stream: Sterling Mine Pool to Carbon Run, classified for the following use: CWF. Application received August 12, 2009.

49783007R5. Blaschak Coal Corp., (P. O. Box 12, Mahanoy City, PA 17948), renewal of an existing anthracite surface mine and coal refuse disposal operation in Coal Township, **Northumberland County** affecting 337.39 acres, receiving stream: none. Application received September 1, 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.

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

40060301C2. Pioneer Aggregates, Inc., (215 East Saylor Street, Laflin, PA 18702), depth correction for an existing quarry operation in Plains Township, **Luzerne County** affecting 190.5 acres, receiving stream: none. Application received August 27, 2009.

58990819. Tammy Lynn Norton, (430 Norton Road, New Milford, PA 18834), Stages I and II bond release from a quarry operation in Great Bend Township, **Susquehanna County** affecting 5.0 acres on property owned by John Buffamonte. Application received August 27, 2009.

58000842. Ronald B. Kiefer, (R. R. 4, Box 59, Montrose, PA 18801), Stages I and II bond release from a quarry operation in Rush Township, **Susquehanna County** affecting 1.0 acres on property owned by Ronald Kiefer. Application received August 28, 2009.

6576SM1A2C7 and NPDES Permit No. PA0119229. Eureka Stone Quarry, Inc., (P. O. Box 249, Chalfont,

PA 18914), renewal of NPDES Permit for discharge of treated mine drainage from a quarry operation in Hamilton Township, **Monroe County**, receiving stream: tributary to McMichael's Creek, classified for the following use: TSF. Application received September 1, 2009.

7973SM6A1C12 and NPDES Permit No. PA0120979. Eureka Stone Quarry, Inc., (P. O. Box 249, Chalfont, PA 18914), renewal of NPDES Permit for discharge of treated mine drainage from a quarry operation in Wrightstown Township, **Bucks County**, receiving stream: Neshaminy Creek, classified for the following uses: TSF and MF. Application received September 1, 2009.

FEDERAL WATER POLLUTION CONTROL ACT, SECTION 401

The following permit applications, requests for Environmental Assessment approval and requests for 401 Water Quality Certification have been received by the Department of Environmental Protection (Department). Section 401 of the Federal Water Pollution Control Act (FWPCA) (33 U.S.C.A. § 1341) requires the State to certify that the involved projects will not violate the applicable provisions of sections 301—303, 306 and 307 of the FWPCA (33 U.S.C.A. §§ 1311—1313, 1316 and 1317) as well as relevant State requirements. Persons objecting to approval of a request for certification under section 401 of the FWPCA or to the issuance of a Dam Permit, Water Obstruction and Encroachment Permit or the approval of

an Environmental Assessment must submit comments, suggestions or objections within 30 days of the date of this notice, as well as questions, to the regional office noted before the application. Comments should contain the name, address and telephone number of the person commenting, identification of the certification request to which the comments or objections are addressed and a concise statement of comments, objections or suggestions including the relevant facts upon which they are based.

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

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

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

WATER OBSTRUCTIONS AND ENCROACHMENTS

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

E46-1044. Turnpike Commission, 700 South Eisenhower Boulevard, Middletown, PA 17057-5529, Plymouth, Worcester and Whitpain Townships, Montgomery County, United States Corps of Engineers, Philadelphia District.

Project Description:

This application is part of an overall project for associated impacts, to construct and maintain the proposed approximately 10-mile segment of roadway reconstruction and widening of Northeast Extension of the Turnpike (I-476) from Mid-County Interchange (MP A20.2) to the Lansdale Interchange (MP A30.3). The overall project will widen the turnpike from four lanes to six lanes (three lanes per direction).

The overall 10-mile project proposes to permanently impact a total of approximately 1,297 linear feet of perennial streams and a total of approximately 2.27 acres of wetlands (PEM/PSS/PFO). Compensatory mitigation for the entire 10 mile project will occur at the Norristown Farm Park, East Norriton Township and Norristown Borough, located in Montgomery County. The total area of compensatory mitigation is 18.04 acres which includes the following:

- Establishment of approximately 5.76 acres of wetlands.
- Establishment of approximately 8.33 acres of riparian buffer along Stony Creek.
- Removal of the Stony Creek dam.
- Stabilization of approximately 300 feet of stream channel and stream bank.

- Protection of approximately 3.95 acres of existing wetlands and woodlands.

This permit is for the roadway reconstruction and widening of the 6-mile Southern Section of the Turnpike. The limit of work extends between Mid-County Interchange (MP A20.2) in Plymouth Township, Montgomery County (Norristown, PA USGS Quadrangle N: 21.1 inches; W: 4.0 inches) to just north of Bethel Road (MP A26.14) in Worcester Township, Montgomery County (Lansdale, PA USGS Quadrangle N: 12.3 inches; W: 9.2 inches).

The construction work for the Southern Section includes the following water obstruction and encroachment activities:

1. To place and maintain fill, to construct and maintain a retaining wall and to install, and maintain a temporary sediment basin in a UNT to Sawmill Run (WWF) at Station 87+00 (Lansdale, PA USGS Quadrangle N: 1.0 inch; W: 5.1 inches), permanently impacting 278 linear feet (0.04 acre) and temporarily impacting 591 linear feet (0.08 acre) of the stream.

2. To place and maintain fill, and to construct and maintain a retaining wall in a UNT to Sawmill Run (WWF) at Station 112+50 (Lansdale, PA USGS Quadrangle N: 2.2 inches; W: 5.3 inches), permanently impacting 148 linear feet (0.02 acre) and temporarily impacting 125 linear feet (0.02 acre) of the stream.

3. To place and maintain fill, and to extend a 36-inch RCP in wetlands which drains to a UNT to Sawmill Run (WWF) at Station 114+50 (Lansdale, PA USGS Quadrangle N: 2.6 inches; W: 5.4 inches), permanently impacting 0.50 acre and temporarily impacting 0.16 acre of wetlands.

4. To install and maintain a retaining wall and to conduct minor grading for roadway drainage adjacent to a UNT to Sawmill Run (WWF) at Station 123+50 (Lansdale, PA USGS Quadrangle N: 2.5 inches; W: 5.5 inches), temporarily impacting 57 linear feet (0.01 acre) of the stream.

5. To install and maintain a retaining wall and a temporary sediment basin, and to maintain surface runoff by installing a bioretention swale in a forested wetland which drains to a UNT to Sawmill Run (WWF) at Station 124+10 (Lansdale, PA USGS Quadrangle N: 2.6 inches; W: 5.5 inches), permanently impacting 0.01 acre of the wetlands.

6. To install and maintain a retaining wall and to maintain surface runoff by installing a bioretention swale in a wetland which drains to a UNT to Sawmill Run (WWF) at Station 125+00 (Lansdale, PA USGS Quadrangle N: 2.7 inches; W: 5.6 inches), permanently impacting 0.01 acre of the wetlands.

7. To place and maintain fill in a wetland which drains to Sawmill Run (WWF) at Station 130+60 (Lansdale, PA USGS Quadrangle N: 3.0 inches; W: 5.6 inches), permanently impacting 0.13 acre and temporarily impacting 0.06 acre of wetlands.

8. To extend and maintain a 6-foot wide by 6-foot rise box culvert in Sawmill Run (WWF) at Station 130+80 (Lansdale, PA USGS Quadrangle N: 3.0 inches; W: 5.6 inches), permanently impacting 61 linear feet (0.01 acre) and temporarily impacting 66 linear feet (0.01 acre) of the stream.

9. To place and maintain fill in a wetland which drains to Sawmill Run (WWF) at Station 131+00 (Lansdale, PA

USGS Quadrangle N: 3.0 inches; W: 5.5 inches), permanently impacting 0.04 acre and temporarily impacting 0.09 acre of wetlands.

10. To place and maintain fill in a UNT to Stony Creek (TSF) at Station 158+15 (Lansdale, PA USGS Quadrangle N: 4.5 inches; W: 5.8 inches), permanently impacting 1,323 linear feet (0.30 acre) and temporarily impacting 109 linear feet (0.03 acre) of the stream.

11. To construct and maintain a noise barrier and a temporary sediment basin, and to place and maintain fill in a UNT to Stony Creek (TSF) at Station 172+20 (Lansdale, PA USGS Quadrangle N: 5.2 inches; W: 6.2 inches), permanently impacting 436 linear feet (0.05 acre) and temporarily impacting 487 linear feet (0.08 acre) of the stream.

12. To place and maintain fill and to clean waterway of debris for proper drainage in a UNT to Stony Creek (TSF) at Station 172+20 (Lansdale, PA USGS Quadrangle N: 5.3 inches; W: 6.1 inches), permanently impacting 390 linear feet (0.05 acre) and temporarily impacting 739 linear feet (0.11 acre) of the stream.

13. To place and maintain fill in a UNT to Stony Creek (TSF) at Station 211+25 (Lansdale, PA USGS Quadrangle N: 6.8 inches; W: 7.0 inches), permanently impacting 490 linear feet (0.10 acre) of the stream.

14. To excavate and maintain a temporary sediment basin impacting 0.10 acre of wetlands which drains to a UNT to Stony Creek (TSF) at Station 221+80 (Lansdale, PA USGS Quadrangle N: 7.2 inches; W: 7.3 inches).

15. To place and maintain fill in a UNT to Stony Creek (TSF) at Station 222+00 (Lansdale, PA USGS Quadrangle N: 7.3 inches; W: 7.4 inches), permanently impacting 613 linear feet (0.13 acre) and temporarily impacting 31 linear feet (0.01 acre) of the stream.

16. To extend and maintain a 24-inch RC arch culvert in UNT to Stony Creek (TSF) at Station 222+40 (Lansdale, PA USGS Quadrangle N: 7.2 inches; W: 7.3 inches), permanently impacting 39 linear feet (0.02 acre) and temporarily impacting 30 linear feet (0.01 acre) of the stream. The work also includes placement and maintenance of 9,300 CY of fill in the 100-year floodplain of UNT to Stony Creek.

17. To place and maintain fill in a UNT to Stony Creek (TSF) at Station 228+00 (Lansdale, PA USGS Quadrangle N: 7.5 inches; W: 7.5 inches), permanently impacting 1,264 linear feet (0.23 acre) of the stream.

18. To place and maintain fill in a wetland which drains to a UNT to Stony Creek (TSF) at Station 231+00 (Lansdale, PA USGS Quadrangle N: 7.5 inches; W: 7.5 inches), permanently impacting 0.08 acre and temporarily impacting 0.10 acre of wetlands.

19. To place and maintain fill in a wetland which drains to a UNT to Stony Creek (TSF) at Station 232+90 (Lansdale, PA USGS Quadrangle N: 7.6 inches; W: 7.6 inches), permanently impacting 0.11 acre and temporary impacting 0.12 acre of wetlands.

20. To excavate and maintain a temporary sediment basin, impacting 236 linear feet (0.04 acre) of a UNT to Stony Creek (TSF) at Station 266+50 (Lansdale, PA USGS Quadrangle N: 9.2 inches; W: 8.1 inches).

21. To extend and maintain a 20-inch RC arch culvert in Stony Creek (TSF) at Station 268+10 (Lansdale, PA USGS Quadrangle N: 9.3 inches; W: 8.2 inches), permanently impacting 37 linear feet (0.03 acre) and temporarily impacting 64 linear feet (0.04 acre) of stream. This

work also includes placement and maintenance of 1,300 CY of fill in the 100-year floodplain of Stony Creek.

22. To construct and maintain a bioretention swale for maintaining surface runoff in a wetland which drains to Stony Creek (TSF) at Station 271+25 (Lansdale, PA USGS Quadrangle N: 9.5 inches; W: 8.2 inches), permanently impacting 0.01 acre of wetlands.

23. To excavate, depress, extend and maintain a 42-inch RC culvert in a tributary to Stony Creek (TSF) at Station 304+70 (Lansdale, PA USGS Quadrangle N: 11.0 inches; W: 8.7 inches), permanently impacting 21 linear feet (< 0.01 acre) and temporarily impacting 40 linear feet (0.01 acre) of the stream.

24. To excavate, depress, extend, relocate and maintain a 24-inch RC culvert in a UNT to Stony Creek (TSF) at Station 306+80 (Lansdale, PA USGS Quadrangle N: 11.0 inches; W: 8.7 inches), permanently impacting of 282 linear feet (0.04 acre) of the stream.

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

E67-870: South Height Manor, LP, Joe A. Myers, 160 Ram Drive, Hanover, PA 17331 in Penn Township, **York County,** United States Army Corps of Engineers, Baltimore District (Hanover, PA Quadrangle N: 4.75 inches; W: 16.25 inches, Latitude: 39° 46' 40"; Longitude: 76° 59' 20") Watershed 7H.

The applicant proposes: (1) to install and maintain a 114-foot length of precast stream enclosure having a single waterway opening of 12 feet by 4 feet high (12-inch depressed invert) with concrete wing walls in a UNT to Plum Creek (WWF); (2) to install and maintain a 111-foot long precast concrete box stream enclosure having a single waterway opening of 8 feet by 5 feet (12-inch depressed invert) with concrete wing walls in a UNT to Plum Creek (WWF); (3) to install utility line stream crossings for gas, electric, water and sewer lines across a UNT to Plum Creek (WWF) at the site of each proposed stream enclosure; (4) to construct and maintain three stormwater outfalls discharging into a UNT to Plum Creek (WWF); (5) to construct and maintain three separate sewer line crossings across a UNT to Plum Creek (WWF); and (6) to construct two separate temporary crossings across a UNT to Plum Creek (WWF). The project proposes to directly affect 225 linear feet of stream for the purpose of construction of a subdivision resulting in 64 lots for residential development.

E21-373: Community Refuse Service, Inc., 135 Vaughn Road, Shippensburg, PA 17257, Hopewell and North Newton Townships, **Cumberland County,** United States Corps of Engineers, Baltimore District.

The applicant proposes to construct and maintain 57.0 linear feet of 8.0-foot by 10.0-foot concrete box culvert depressed 2 feet below the existing streambed elevation on a UNT to Conodoguinet Creek (WWF) (Newburg, PA Quadrangle Latitude: 40° 08' 29"; Longitude: 77° 30' 16"); to fill or excavate a total of 0.49-acre of three PEM wetlands (Newburg, PA Quadrangle Latitude: 40° 08' 05", 40° 08' 10", 40° 08' 18"; Longitude: 77° 30' 21", 77° 30' 35", 77° 30' 28"); to fill or excavate an existing 0.19 acre pond (Newburg, PA Quadrangle Latitude: 40° 08' 18"; Longitude: 77° 30' 28"); to construct and maintain 1.08 acre of replacement wetland (Newburg, PA Quadrangle Latitude: 40° 07' 57"; Longitude: 77° 29' 50"); to fill in two UNTs to Conodoguinet Creek (Newburg, PA Quadrangle Latitude: 40° 07' 52.39"; Longitude: 77° 30' 17.5", Latitude: 40° 07' 52.25"; Longitude: 77° 30' 21.63" respec-

tively); and to mitigate stream impacts by enhancement of 1,513 linear feet of a UNT to Conodoguinet Creek (WWF) with nine step pools, two log vanes, rock toe protection, vegetative plantings, and debris removal (Newburg, PA Quadrangle from Latitude: 40° 07' 53"; Longitude: 77° 30' 06" to Latitude: 40° 07' 49"; Longitude: 77° 30' 22") all for the purpose of constructing a 102-acre expansion of the existing Cumberland County Landfill, and a 90-acre soil borrow area to the north and east of the intersection of SR 4003 and Vaughn Road in Hopewell Township, Cumberland County.

E22-550: Catholic Diocese of Harrisburg, c/o Jeffrey McCauslin, 4800 Union Deposit Road, P. O. Box 3657, Harrisburg, PA 17105 Lower Paxton Township, **Dauphin County**, United States Corps of Engineers, Baltimore District.

To construct and maintain a high school and associated parking and athletic fields impacting 0.036 acre of Palustrine Emergent (PEM) associated with Spring Creek (CWF) located near the intersection of Spring Creek and

Page Roads (Harrisburg East, PA Quadrangle N: 4.58 inches; W: 5.89 inches, Latitude: 40° 16' 33.2"; Longitude: 76° 47' 10.7") in Lower Paxton Township, Dauphin County.

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

E59-487. Seneca Resources Corporation, 51 Zents Boulevard, Brookeville, PA 15825-2701. Water Obstruction and Encroachment Joint Application, Seneca Production Pipeline SRC-2 and SRC-4, in Covington and Richmond Townships, **Tioga County**, United States Corps of Engineers, Baltimore District (Crooked Creek, PA Quadrangle N: 41° 44' 49.4"; W: 77° 9' 34.1").

To construct, operate and maintain 1.8 miles of 6-inch natural gas pipeline within the Elk Run Watershed (CWF-WT). Construction of the pipeline will require four stream and three wetland crossings. The project is centered along SR 2020 approximately 2.2 miles west of the Village of Covington, Tioga County.

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.

NPDES No. (Type)	Facility Name & Address	County & Municipality	Stream Name (Watershed #)	EPA Waived Y/N ?
PA0063118 (Industrial Waste)	Tri-Cel Plastic Company 1149 Franklin Street Old Forge, PA 18518	Lackawanna County Old Forge Borough	Tributary to St. John's Creek 5A	Y
PA0035629 Sewage	Department of Transportation Safety Rest Area 39 Interstate 80 Eastbound	Luzerne County Foster Township	Linesville Creek Watershed 2A	Y

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

NPDES No. (Type)	Facility Name & Address	County & Municipality	Stream Name (Watershed #)	EPA Waived Y/N ?
PA0085448 (Sew)	East Earl Sewer Authority P. O. Box 339 East Earl, PA 17506	Lancaster County East Earl Township	UNT to Conestoga River	Y

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

NPDES No. (Type)	Facility Name & Address	County & Municipality	Stream Name (Watershed #)	EPA Waived Y/N ?
PA0114545 IW	Troy E. Schoenly P. O. Box 156 Sylvania, PA 16945	Bradford County Troy Township	South Branch Sugar Creek 4C	Y

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

NPDES No. (Type)	Facility Name & Address	County & Municipality	Stream Name (Watershed #)	EPA Waived Y/N
PA0040177 Industrial Waste	PA American Water Company 800 Hersheypark Drive Hershey, PA 17003	Fayette County Brownsville Borough	Monongahela River	Y
PA0041441 Sewage	Somerset Township Municipal Authority P. O. Box 247 2209 North Center Avenue Somerset, PA 15501	Somerset County Somerset Township	Wells Creek	N

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. PA0051918, Industrial Waste, **Pepperidge Farm, Inc.**, 421 Boot Road, Downingtown, PA 19335-3043. This proposed facility is located in Downingtown Borough, **Chester County**.

Description of Proposed Action/Activity: Approval for the renewal to discharge from the facility into a UNT, locally known as Parke Run to East Branch Brandywine Creek in Watershed 3H.

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

NPDES Permit No. PA0247251, CAFO, **Esbenshade Farms, Mount Joy Farm**, 220 Eby Chiques Road, Mount Joy, PA 17552. This proposed facility is located in East Donegal and Rapho Townships, **Lancaster County**.

Description of Size and Scope of Proposed Operation/Activity: Authorization to operate a 3,199 Animal Equivalent Units poultry farm situated near a UNT of the Susquehanna River in Watershed 7-G.

NPDES Permit No. PA0248100, CAFO, **Esbenshade Farms, Maytown Farm**, 220 Eby Chiques Road, Mount Joy, PA 17552. This proposed facility is located in East Donegal Township, **Lancaster County**.

Description of Size and Scope of Proposed Operation/Activity: Authorization to operate a 2,400 Animal Equivalent Units poultry operation situated near a UNT of the Susquehanna River in Watershed 7-G.

NPDES Permit No. PA0248096, CAFO, **Esbenshade Farms, North Farm**, 220 Eby Chiques Road, Mount Joy, PA 17552. This proposed facility is located in Mount Joy Township, **Lancaster County**.

Description of Size and Scope of Proposed Operation/Activity: Authorization to operate a 1,977 Animal Equivalent Units poultry operation situated near a UNT of Little Chiques Creek in Watershed 7-G.

NPDES Permit No. 0247057, CAFO, **Hetrickdale Farms**, 69 Hetrick Road, Bernville, PA 19506. This proposed facility is located in Jefferson Township, **Berks County**.

Description of Size and Scope of Proposed Operation/Activity: Authorization to operate a 1,958 Animal Equivalent Units dairy operation near a UNT of Mill Creek in Watershed 3-C.

NPDES Permit No. PA0247588, CAFO, **Wenger's Feed Mill, Inc., Dutch Country Egg Farm**, 101 West Harrisburg Avenue, Rheems, PA 17570. This proposed facility is located in Bethel Township, **Lebanon County**.

Description of Size and Scope of Proposed Operation/Activity: Authorization to operate a 1,729 Animal Equivalent Units poultry operation near Oil Creek in Watershed 7-D.

NPDES Permit No. PA0087980, CAFO, **Dream Farms**, 13689 Dream Highway, Newburg, PA 17240. This proposed facility is located in Lurgan Township, **Franklin County**.

Description of Size and Scope of Proposed Operation/Activity: Authorization to operate a 2,295 Animal Equivalent Units heifer operation near UNTs of Conodoguinet Creek in Watershed 7-B.

NPDES Permit No. PA0247863, CAFO, **Brubaker Farms Partnership**, 493 Musser Road, Mount Joy, PA 17552. This proposed facility is located in East Donegal Township, **Lancaster County**.

Description of Size and Scope of Proposed Operation/Activity: Authorization to operate a 1,208 Animal Equivalent Units dairy and poultry operation near a UNT of Donegal Creek in Watershed 7-G.

NPDES Permit No. PA0247481, CAFO, **Noah W. Kreider and Sons, Mount Pleasant Farm**, 1461 Lancaster Road, Manheim, PA 17545. This proposed facility is located in South Annville Township, **Lebanon County**.

Description of Size and Scope of Proposed Operation/Activity: Authorization to operate a 7,871 Animal Equivalent Units poultry operation near Gingrich and Bachman Runs in Watershed 7-D.

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. 3109402, Sewage, **Mount Union Municipal Authority**, P. O. Box 90, Mount Union, PA 17066. This proposed facility is located in Mount Union Borough, **Huntingdon County**.

Description of Proposed Action/Activity: Permit approval for the construction/operation of the East Milford Street Sewers and Liverpool Pumping Station.

WQM Permit No. WQG02360903, Sewage, **Ephrata Township Sewer Authority**, 265 Akron Road, Ephrata, PA 17522. This proposed facility is located in Ephrata Township, **Lancaster County**.

Description of Proposed Action/Activity: Seeking approval for the construction and operation of the Murrell Pumping Station Project.

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

WQM Permit No. WQG02140902, Sewerage, SIC 4952, **Pennsylvania State University**, 155D, Office of Physical Plant, University Park, PA 16802. This proposed facility will be located in College Township, **Centre County**.

Description of Proposed Action/Activity: General Permit coverage issued authorizing the construction and operation of the East Campus Steam Plant Pumping Station and associated force main.

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

WQM Permit No. 0209402, Sewerage, **Stowe Township**, 555 Broadway Avenue, McKees Rocks, PA 15136. This proposed facility is located in Stowe Township, **Allegheny County**.

Description of Proposed Action/Activity: Permit issuance for the construction and operation of a sewer line replacement and installation.

WQM Permit No. WQG016176, Sewerage, **Jeffrey L. Bender**, 861 Tanner Street, Ebensburg, PA 15931. This proposed facility is located in Cambria Township, **Cambria County**.

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

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

WQM Permit No. 2082402, Sewerage, **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 Action/Activity: Issuance of a permit to install a new chlorination facility, chlorine contact tank and outfall sewer to meet current design standards for wastewater treatment facilities.

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

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>
Lower Merion Township Montgomery County	PAG200 4609064	1030 Mount Pleasant Road, LP 1500 Market Street 38th Floor Philadelphia, PA 19102	Mill Creek TSF	Southeast Regional Office 2 East Main Street Norristown, PA 19401 (484) 250-5900
Lower Allen Township Cumberland County	PAG2002109012	Corey Catlett Motel Sleepers, Inc. P. O. Box 3510 Little Rock, AR 72203	Cedar Run CWF	Cumberland County Conservation District 310 Allen Road Suite 301 Carlisle, PA 17013 (717) 240-7812
Hampden Township Cumberland County	PAG2002108031	Jeffrey Smith JSB Development, LP 4075 Market Street Camp Hill, PA 17011	Sears Run WWF	Cumberland County Conservation District 310 Allen Road Suite 301 Carlisle, PA 17013 (717) 240-7812
Derry Township Dauphin County	PAG2002204044R	Ian Salada Penn State University 101P Office of Physical Plant University Park, PA 16802-1118	Swatara Creek WWF Spring Creek (east) WWF	Dauphin County Conservation District 1451 Peters Mountain Road Dauphin, PA 17018
Bradford County Wyalusing Township	PAG2000809004	Ray Fleming Wyalusing Area School District 115 Main Street Wyalusing, PA 18853	Susquehanna River WWF	Bradford County Conservation District Stoll Natural Resource Center R. R. 5 Box 5030C Towanda, PA 18848 (570) 265-5539, Ext. 6
Allegheny County Richland Township	PAR10A429-1-R	Richland Properties 3751 Gibsonia Road Gibsonia, PA 15044	Deer Creek WWF	Allegheny County Conservation District (412) 241-7645

<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>
Allegheny County Pittsburgh	PAR10A510-1-R	Allstate Development 407 West 8th Avenue West Homestead, PA 15120	Monongahela River WWF	Allegheny County Conservation District (412) 241-7645
Allegheny County Robinson Township	PAR10A563-1-R	Maronda, Inc. 202 Park West Drive Pittsburgh, PA 15275	Montour Run TSF	Allegheny County Conservation District (412) 241-7645
Allegheny County South Park Township	PAR10A584-1-R	South Park School District 2005 Eagle Ridge Road Library, PA 15129-9289	Peters Creek TSF	Allegheny County Conservation District (412) 241-7645
Allegheny County West Deer Township	PAR10A605-R	Richland Holdings 1426 Pittsburgh Road Valencia, PA 16059	Deer Creek CWF	Allegheny County Conservation District (412) 241-7645
Allegheny County Pine Township	PAG2000203092-R	M. R. W. Realty, LLC 11040 Perry Highway Wexford, PA 15090	Pine Creek TSF	Allegheny County Conservation District (412) 241-7645
Allegheny County Harmar Township	PAG2000203101-R	Guys Run Properties 795-24 Pine Valley Drive Pittsburgh, PA 15239	Allegheny River WWF	Allegheny County Conservation District (412) 241-7645
Allegheny County Richland Township	PAG2000203105-R	Field Brook Farms 1700 North Highland Road Pittsburgh, PA 15241	Deer Creek CWF	Allegheny County Conservation District (412) 241-7645
Allegheny County Richland Township	PAG2000203111-R	Maronda Homes, Inc. 202 Park West Drive Pittsburgh, PA 15275	Pine Creek TSF	Allegheny County Conservation District (412) 241-7645
Allegheny County O'Hara Township	PAG2000203119-R	John Miller P. O. Box 244 Glenshaw, PA 15116	Pine Creek TSF	Allegheny County Conservation District (412) 241-7645
Allegheny County Indiana Township	PAG2000203122-R	Ageis Terrence Group 700 Pittsburgh Street Springdale, PA 15144 and Maronda Homes, Inc. 200 Park West Drive Pittsburgh, PA 15275	Deer Creek CWF	Allegheny County Conservation District (412) 241-7645
Allegheny County Baldwin Borough	PAG2000203076-R	Holly Hill Development Corporation 550 Washington Avenue Carnegie, PA 15106	Glass Run WWF	Allegheny County Conservation District (412) 241-7645
Allegheny County Indiana Township	PAG2000203122-R	Maronda, Inc. 202 Park West Drive Pittsburgh, PA 15275	Deer Creek CWF	Allegheny County Conservation District (412) 241-7645
Allegheny County McCandless Township	PAG2000203085-R	Harry B. Montgomery 9747 Babcock Boulevard Pittsburgh, PA 15237	Pine Creek CWF	Allegheny County Conservation District (412) 241-7645
Allegheny County McCandless Township	PAG2000203085-R	John B. Montgomery 1500 PPG Place Pittsburgh, PA 15222	Pine Creek CWF	Allegheny County Conservation District (412) 241-7645
Allegheny County Jefferson Hills Borough	PAG2000204049-R	MB2K Development 6 Clairton Boulevard Pittsburgh, PA 15236	Beams Run TSF	Allegheny County Conservation District (412) 241-7645
Allegheny County South Fayette Township	PAG2000204050-R	John Kosky P. O. Box 136 Cuddy, PA 15031	Millers Run WWF	Allegheny County Conservation District (412) 241-7645
Allegheny County Monroeville	PAG2000204002-R	Ronald Plisico P. O. Box 545 Monroeville, PA 15146	Thompson Run WWF	Allegheny County Conservation District (412) 241-7645

NOTICES

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<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>
Allegheny County Jefferson Hills Borough	PAG2000204020-R	Southersby Development Corporation 245 Summerlawn Drive Sewickley, PA 15142	Lick Run TSF	Allegheny County Conservation District (412) 241-7645
Allegheny County Robinson Township	PAG2000204006-R	Maronda, Inc. 202 Park West Drive Pittsburgh, PA 15275	Campbells Run WWF	Allegheny County Conservation District (412) 241-7645
Allegheny County Franklin Park Borough	PAG2000204058-R	Signature Homes 20421 Route 19 Cranberry Township, PA 16066	Fish Run CWF	Allegheny County Conservation District (412) 241-7645
Allegheny County Moon Township	PAG2000204066-R	Sonoma Ridge, LP 772 Pine Valley Drive Pittsburgh, PA 15239	Ohio River TSF	Allegheny County Conservation District (412) 241-7645
Allegheny County Bethel Park	PAG2000204073-R	Commerce Group, LP 1280 West Newport Center Drive Deerfield Beach, FL 33442	Ohio River WWF	Allegheny County Conservation District (412) 241-7645
Allegheny County Plum Borough and Penn Hills	PAG2000204079-R	Wal-Mart Real Estate Business Trust 2001 South East 10th Street Bentonville, AR 72716	Thompson Run WWF	Allegheny County Conservation District (412) 241-7645
Allegheny County Richland Township	PAG2000204081-R	Marathom Partners, LP 433 Hartmann Road Evans City, PA 16033	Deer Creek CWF	Allegheny County Conservation District (412) 241-7645
Allegheny County Shaler Township	PAG2000206034	Beth Shalom Cemetery 1501 Anderson Road Pittsburgh, PA 15209 Shaler Township 300 Wetzel Road Glenshaw, PA 15116	Girty's Run WWF	Allegheny County Conservation District (412) 241-7645
Allegheny County Hampton, Richland and Pine Townships	PAG2000207017-1	Turnpike Commission P. O. Box 67676 Harrisburg, PA 17106	Pine Creek CWF	Allegheny County Conservation District (412) 241-7645
Allegheny County Neville Township	PAG2000207019-1	Pittsburgh Terminals Corporation P. O. Box 2621 Harrisburg, PA 17105	Ohio River WWF	Allegheny County Conservation District (412) 241-7645
Allegheny County Pittsburgh	PAG2000207034-2	Sports and Exhibition Authority 425 Sixth Avenue Pittsburgh, PA 15219	Monongahela River WWF	Allegheny County Conservation District (412) 241-7645
Allegheny County Pine Township	PAG2000207055-1	Learning Child Center, LLC 9331 Marshall Road Cranberry Township, PA 16066	Brush Creek TSF	Allegheny County Conservation District (412) 241-7645
Allegheny County Robinson Township	PAG2000207071	BKG Industries, Inc. 3055 Santiago Road Imperial, PA 15126	Chartiers Creek WWF	Allegheny County Conservation District (412) 241-7645
Allegheny County Ross Township	PAG2000207105-1	North Hills School District 135 Sixth Avenue Pittsburgh, PA 15229	Loweries Run TSF	Allegheny County Conservation District (412) 241-7645

<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>
Allegheny County Pittsburgh Penn Hills and Wilkinsburg Boroughs	PAG2000208010-1	Wal-Mart Real Estate Business Trust 2001 South East 10th Street Bentonville, AZ 72716	Allegheny River WWF	Allegheny County Conservation District (412) 241-7645
Allegheny County Pittsburgh	PAG2000208021-1	Urban Redevelopment Authority of Pittsburgh 200 Ross Street Pittsburgh, PA 15219	Monongahela River WWF	Allegheny County Conservation District (412) 241-7645
Allegheny County North Versailles Township	PAG2000208022	One Hundred, Ltd. 60 Port Perry Road North Versailles, PA 15137	Turtle Creek WWF	Allegheny County Conservation District (412) 241-7645
Allegheny County Pine Township	PAG2000208037	Richland Properties 3751 Gibsonia Road Gibsonia, PA 15044	Pine Creek CWF	Allegheny County Conservation District (412) 241-7645
Allegheny County East Pittsburgh Borough	PAG2000208061	RIDC Southwest Growth Fund 425 Sixth Avenue Pittsburgh, PA 15219 and R and B Contracting and Excavation 407 West 8th Avenue West Homestead, PA 15120	Turtle Creek WWF	Allegheny County Conservation District (412) 241-7645
Allegheny County Robinson Township	PAG2000208079	Jim Esposito 82 Forest Grove Road Coraopolis, PA 15108	Montour Run TSF	Allegheny County Conservation District (412) 241-7645
Allegheny County Robinson Township	PAG2000208080	Coventry Park, LLC 533 Locust Place Sewickley, PA 15143	Moon Run WWF	Allegheny County Conservation District (412) 241-7645
Allegheny County Pittsburgh and Millvale Boroughs	PAG2000208082	Department of Transportation 45 Thoms Run Road Bridgeville, PA 15017	Allegheny River WWF	Allegheny County Conservation District (412) 241-7645
Allegheny County Moon Township	PAG2000208086	Moon Township 1000 Beaver Grade Road Coraopolis, PA 15108	Flaugherty Run WWF	Allegheny County Conservation District (412) 241-7645
Allegheny County North Fayette and Robinson Townships	PAG2000208087	Department of Transportation 45 Thoms Run Road Bridgeville, PA 15017	Montour Run TSF Campbells Run WWF	Allegheny County Conservation District (412) 241-7645
Allegheny County Plum Borough	PAG2000209001	Gordon H. Kidd, Jr. 8095 Saltsburg Road Pittsburgh, PA 15239	Abers Creek TSF	Allegheny County Conservation District (412) 241-7645
Allegheny County Monroeville	PAG2000209002	UPMC Corporate Construction and Real Estate 600 Grant Street Pittsburgh, PA 15219	Turtle Creek WWF	Allegheny County Conservation District (412) 241-7645
Allegheny County Monroeville	PAG2000209002-1	UPMC Corporate Construction and Real Estate 600 Grant Street Pittsburgh, PA 15219	Turtle Creek WWF	Allegheny County Conservation District (412) 241-7645

<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>
Allegheny County West Mifflin Borough	PAG2000209004	West Mifflin Area School District 3000 Lebanon Church Road West Mifflin, PA 15122	Monongahela River WWF	Allegheny County Conservation District (412) 241-7645
Allegheny County Robinson and Kennedy Townships	PAG2000209005	Department of Transportation 45 Thoms Run Road Bridgeville, PA 15017	Moon Run WWF	Allegheny County Conservation District (412) 241-7645
Allegheny County Franklin Park Borough	PAG2000209006	Reis Run Associates, LP 772 Pine Valley Drive Pittsburgh, PA 15239	Bear Run TSF	Allegheny County Conservation District (412) 241-7645
Allegheny County Ross Township	PAG2000209007	Minnock Land and Development Company 7202 Old McKnight Road Pittsburgh, PA 15237	Jacks Run WWF	Allegheny County Conservation District (412) 241-7645
Allegheny County Plum Borough	PAG2000209008	T. D. Holdings, LLC 100 Saxonburg Boulevard Cheswick, PA 15024	Plum Creek WWF	Allegheny County Conservation District (412) 241-7645
Allegheny County Moon Township	PAG2000209009	Felician Sisters 1500 Woodcrest Avenue Coraopolis, PA 15108	Montour Run TSF	Allegheny County Conservation District (412) 241-7645
Allegheny County Marshall Township	PAG2000209010	Islamic Center of North Pittsburgh 8512 Peters Road Cranberry Township, PA 16066	Pine Creek TSF	Allegheny County Conservation District (412) 241-7645
Allegheny County Monroeville	PAG2000209011	Joseph M. Knapp 748 New Texas Road Pittsburgh, PA 15239	Campbells Run WWF	Allegheny County Conservation District (412) 241-7645
Allegheny County Richland Township	PAG2000209012	Richland Township 4019 Dickey Road Gibsonia, PA 15044	Fish Run CWF	Allegheny County Conservation District (412) 241-7645
Allegheny County Shaler Township	PAG2000209013	Echo Real Estate 701 Alpha Drive Pittsburgh, PA 15238	Ohio River TSF	Allegheny County Conservation District (412) 241-7645
Allegheny County Monroeville	PAG2000209014	Orion Development 4125 Freedom Way Weirton, WV 26062	Turtle Creek WWF	Allegheny County Conservation District (412) 241-7645
Allegheny County Monroeville	PAG2000209015	Sampson Morris Group 2500 Eldo Road Monroeville, PA 15146	Thompson Run WWF	Allegheny County Conservation District (412) 241-7645
Allegheny County Richland Township	PAG2000209016	Richland Township 4019 Dickey Road Gibsonia, PA 15044	Ohio River WWF	Allegheny County Conservation District (412) 241-7645
Allegheny County Robinson Township	PAG2000209017	Verizon Wireless 19 Abele Road Bridgeville, PA 15017	Chartiers Creek WWF	Allegheny County Conservation District (412) 241-7645
Allegheny County Turtle Creek	PAG2000209018	Department of Transportation 45 Thoms Run Road Bridgeville, PA 15017	Turtle Creek WWF	Allegheny County Conservation District (412) 241-7645
Allegheny County McKeesport	PAG2000209019	Municipal Authority of the City of McKeesport 100 Atlantic Avenue McKeesport, PA 15132	Youghogheny River and Monongahela River WWF	Allegheny County Conservation District (412) 241-7645

<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>
Allegheny County Findlay Township	PAG2000209020	Chapman Commerce Center, LLC 100 Leetsdale Industrial Drive Leetsdale, PA 15056	Potato Garden Run WWF	Allegheny County Conservation District (412) 241-7645
Allegheny County City of Clairton	PAG2000209021	AGH Properties 1118 Rial Drive Bethel Park, PA 15102	Thompson Run WWF	Allegheny County Conservation District (412) 241-7645
Allegheny County Pittsburgh	PAG2000209022	Frank B. Fuhrer Wolesale Company 3100 East Carson Street Pittsburgh, PA 15203	Monongahela River WWF	Allegheny County Conservation District (412) 241-7645
Allegheny County Upper St. Clair Township	PAG2000209023	Upper St. Clair School District 1820 McLaughlin Run Road Pittsburgh, PA 15241	McLaughlin Run WWF	Allegheny County Conservation District (412) 241-7645
Allegheny County Upper St. Clair Township	PAG2000209024	Upper St. Clair School District 1820 McLaughlin Run Road Pittsburgh, PA 15241	Chartiers Creek and Brush Run WWF	Allegheny County Conservation District (412) 241-7645
Allegheny County North Fayette Township	PAG2000209025	Seabright Land Corporation 6 Commerce Drive Pittsburgh, PA 15239	Robinson Run WWF	Allegheny County Conservation District (412) 241-7645
Allegheny County Pittsburgh	PAG2000209026	Telesis Corporation 506 Fifth Avenue Brooklyn, NY 11215	Nine Mile Run TSF	Allegheny County Conservation District (412) 241-7645
Allegheny County Bethel Park	PAG2000209027	Bethel Park School District 301 Church Road Bethel Park, PA 15102	McLaughlin Run WWF	Allegheny County Conservation District (412) 241-7645
Allegheny County South Fayette Township	PAG2000209028	Bursca Frontgate, LP Foster Plaza 9 Pittsburgh, PA 15220	Coal Run WWF	Allegheny County Conservation District (412) 241-7645
Allegheny County Marshall Township Franklin Park Borough	PAG2000209030	Marshall Township 525 Pleasant Hill Road Warrendale, PA 15086	Big Sewickley Creek TSF	Allegheny County Conservation District (412) 241-7645
Allegheny County Indiana Township	PAG2000209031	Bryan Gentile 102 Riding Trail Lane Pittsburgh, PA 15215	Deer Creek CWF	Allegheny County Conservation District (412) 241-7645
Allegheny County Hampton Township	PAG2000209032	Hampton Township School District 4591 School Drive Allison Park, PA 15101	McCaslin Run TSF	Allegheny County Conservation District (412) 241-7645
Allegheny County Ross Township	PAG2000209034	Ralph A. Falbo, Inc. 429 Fourth Avenue Pittsburgh, PA 15219	Girty's Run WWF	Allegheny County Conservation District (412) 241-7645

<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>
Allegheny County Forward Two Allegheny County and Rostraver Township Westmoreland County	PAG2000209035	West Penn Power, d/b/a Allegheny Power 800 Cabin Hill Road Greensburg, PA 15601	Monongahela River UNT Monongahela River Kelly Hollow UNT Kelly Hollow, Kelly Run UNT Kelly Run UNT Perry Mill Run, Sunfish Run, Beckets Run, Farm Pond UNT Beckets Run Turkey Hollow UNT Turkey Hollow UNT Speers Run WWF	Allegheny County Conservation District (412) 241-7645
Allegheny County Scott Township	PAG2000209036	Senterra Building and Development 104 Kenyon Road Pittsburgh, PA 15205	Chartiers Creek WWF	Allegheny County Conservation District (412) 241-7645
Allegheny County West Mifflin Borough	PAG2000209038	West Mifflin Area School District 3000 Lebanon Church Road West Mifflin, PA 15122	Thompson Run and Monongahela River WWF	Allegheny County Conservation District (412) 241-7645
Allegheny County Baldwin Borough Pittsburgh	PAG2000209040	Pennsylvania American Water 300 Galley Road McMurray, PA 15317	Becks Run and Monongahela River WWF	Allegheny County Conservation District (412) 241-7645
Allegheny County North Fayette Township	PAG2000209041	T. A. Robinson Family, LP 1299 McLaughlin Run Road Bridgeville, PA 15017	Montour Run TSF	Allegheny County Conservation District (412) 241-7645
Allegheny County Duquesne	PAG2000209042	Allegheny County Housing Authority 625 Stanwix Street Pittsburgh, PA 15222	Monongahela River WWF	Allegheny County Conservation District (412) 241-7645
Allegheny County Pine Township	PAG2000209044	Joseph B. Fay Company P. O. Box 66 Russellton, PA 15076	Brush Creek WWF	Allegheny County Conservation District (412) 241-7645
Allegheny County McKeesport	PAG2000209045	McKeesport Housing Authority 2901 Brownless Avenue McKeesport, PA 15132	Monongahela River WWF	Allegheny County Conservation District (412) 241-7645
Allegheny County Richland Township	PAG2000209047	Joseph B. Fay Company P. O. Box 66 Russellton, PA 15076	Montour Run TSF	Allegheny County Conservation District (412) 241-7645
Allegheny County Richland Township	PAG2000209049	Joseph B. Fay Company P. O. Box 66 Russellton, PA 15076	Montour Run TSF	Allegheny County Conservation District (412) 241-7645
Allegheny County Pine Township	PAG2000209051	Joseph B. Fay Company P. O. Box 66 Russellton, PA 15076	Pine Creek CWF	Allegheny County Conservation District (412) 241-7645
Allegheny County Richland Township	PAG2000209059	Sampson-Morris Group 2500 Eldo Road Monroeville, PA 15146	Campbells Run WWF	Allegheny County Conservation District (412) 241-7645

<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>
Allegheny County Findlay Township	PAG2000208056	Imperial Land Corporation 200 Neville Road Pittsburgh, PA 15224	Potato Garden Run WWF	Allegheny County Conservation District (412) 241-7645
Allegheny County McCandless Township	PAG2000208073	Adventure/Champion Partners 8401 North Central Expressway Dallas, TX 75225	Pine Creek TSF	Allegheny County Conservation District (412) 241-7645
Allegheny County South Park Township	PAG2000208077	Alex Paris Contracting P. O. Box 369 Atlasburg, PA 15004	Peters Creek TSF	Allegheny County Conservation District (412) 241-7645
Allegheny County Monroeville Plum Borough Murrysville	PAG2000208083	Department of Transportation 45 Thoms Run Road Bridgeville, PA 15017	Abers Creek Piersons Run Humms Run TSF	Allegheny County Conservation District (412) 241-7645
Allegheny County Springdale Township	PAG2000208088	The Baron Group 3090 William Pitt Way Pittsburgh, PA 15238	Allegheny River WWF	Allegheny County Conservation District (412) 241-7645
Washington County Somerset Township	PAG2006309018	Department of Transportation District 12-0 825 North Gallatin Avenue Uniontown, PA 15041	Pigeon Creek WWF	Washington County Conservation District (724) 228-6774
Erie County Borough of Edinboro	PAG2002505031(1)	Edinboro University— Institute for Human Services, Edinboro University 200 Scotland Road Edinboro, PA 16444	Darrow Creek WWF	Erie County Conservation District (814) 825-6403
Erie County Fairview Township	PAG2002509011	Northern Border Patrol Station Acquest Development 80 Curtwright Drive Suite 5 Williamsville, NY 14221	Brandy Run CWF, MF	Erie County Conservation District (814) 825-6403

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>
Blair County Taylor Township	PAR603570	Carl D. Yerty Yerty Auto Service, Inc. 8358 Woodbury Pike Roaring Springs, PA 16673	Halter Creek WWF	DEP—SCRO 909 Elmerton Avenue Harrisburg, PA 17110 (717) 705-4707
Bedford County Londonderry Township	PAR603569	James Sacco Jim Sacco Auto Wrecker 2469 Cooksmill Road Hyndman, PA 15545	Wills Creek CWF	DEP—SCRO 909 Elmerton Avenue Harrisburg, PA 17110 (717) 705-4707
Blair County Antis Township	PAR603548	Robert Foshey Forshey's Garage and Auto Parts 151 Forshey Street Altoona, PA 16601	Little Juniata River TSF	DEP—SCRO 909 Elmerton Avenue Harrisburg, PA 17110 (717) 705-4707
Huntingdon County Morris Township	PAR603555	Shaffer Auto Salvage 3313 Union Furnace Road Tyrone, PA 16686	Little Juniata River CWF	DEP—SCRO 909 Elmerton Avenue Harrisburg, PA 17110 (717) 705-4707

*Facility Location:
Municipality &
County*City of Erie
Erie CountyPermit No.
PAR218318*Applicant Name &
Address*
Ready Mix Concrete
Company of Erie, Inc.
P. O. Box 1438
Erie, PA 16512-1438*Receiving
Water / Use*
City of Erie storm
sewers to Lake Erie*Contact Office &
Phone No.*
DEP—NWRO
Water Management
230 Chestnut Street
Meadville, PA 16335-3481
(814) 332-6942*General Permit Type—PAG-4**Facility Location:
Municipality &
County*Upper Mifflin
Township
Cumberland CountyPermit No.
PAG043892*Applicant Name &
Address*
Richard and
Darlene Smith
1819 Mountain Road
Newburg, PA 17240*Receiving
Water / Use*
UNT Three Square
Hollow Road
WWF*Contact Office &
Phone No.*
DEP—SCRO
909 Elmerton Avenue
Harrisburg, PA 17110
(717) 705-4707Cambria Township
Cambria CountyPermit No.
PAG046407*Applicant Name &
Address*
Jeffrey L. Bender
861 Tanner Street
Ebensburg, PA 15931*Receiving
Water / Use*
UNT of South Branch
Blacklick Creek*Contact Office &
Phone No.*
Southwest Regional Office
Water Management
Program Manager
400 Waterfront Drive
Pittsburgh, PA
15222-4745
(412) 442-4000North East
Township
Erie CountyPermit No.
PAG048829*Applicant Name &
Address*
Timothy A. Mowers
12582 Kerr Road North
East, PA 16428*Receiving
Water / Use*
UNT to Lake Erie
15*Contact Office &
Phone No.*
DEP—NWRO
Water Management
230 Chestnut Street
Meadville, PA 16335-3481
(814) 332-6942LeBoeuf Township
Erie CountyPermit No.
PAG048689*Applicant Name &
Address*
Lisa G. Black
15530 Union LeBoeuf
Road
Union City, PA 16438*Receiving
Water / Use*
UNT to French Creek
16A*Contact Office &
Phone No.*
DEP—NWRO
Water Management
230 Chestnut Street
Meadville, PA 16335-3481
(814) 332-6942**STATE CONSERVATION COMMISSION****NUTRIENT MANAGEMENT PLANS RELATED TO APPLICATIONS FOR
NATIONAL POLLUTION DISCHARGE ELIMINATION SYSTEM (NPDES)
PERMITS FOR CONCENTRATED ANIMAL FEEDING OPERATIONS (CAFO)**

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

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

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

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

CAFO PUBLIC NOTICE SPREADSHEET—ACTIONS

<i>Agricultural Operation Name and Address</i>	<i>County</i>	<i>Total Acres</i>	<i>Animal Equivalent Units</i>	<i>Animal Type</i>	<i>Special Protection Waters (HQ or EV or NA)</i>	<i>Approved or Disapproved</i>
Willow Behrer Farm 3288 Behrer Lane Spruce Creek, PA 16683	Huntingdon	1,149.9	1,347.50	Dairy	HQ	Approved
Thistle Creek Farm Justin and Eve Beamesderfer H— 10702 Jonestown Road Annville, PA 17003	Lebanon	74.5	362.72	Poultry Veal Beef	NA	Approved
F—10696 Jonestown Road Annville, PA 17003						
Weiler Farms 1 350 East Mill Avenue Myerstown, PA 17067	Lebanon	178.7	603.04	Swine	NA	Approved
Weiler Farms 3 P. O. Box 4418 Ridge Road Jonestown, PA 17038	Lebanon	56.7	904.56	Swine	HQ	Approved
Kenneth R. Martin 1397 Robert Fulton Highway Quarryville, PA 17566	Lancaster	130	941	Dairy Swine	HQ	Approved
Herman Zeager 159 Yoder Road Bainbridge, PA 17502	Lancaster	65.5	458.8	Swine	NA	Approved
Joe Sweeny Rocky Knoll Farm 1166 Gypsy Hill Road Lancaster, PA 17602	Lancaster	146	505.3	Swine	NA	Approved

PUBLIC WATER SUPPLY (PWS) PERMITS

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

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

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

Important legal rights are at stake, however, so individuals should show this notice to a lawyer at once. Persons who cannot afford a lawyer may qualify for 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. 4809505, Public Water Supply.

Applicant	Easton Suburban Water Authority 3700 Hartley Avenue Easton, PA 18043
Township or Borough	City of Easton
County	Northampton
Type of Facility	PWS
Consulting Engineer	David E. Marks, P. E. Gannett Fleming, Inc. P. O. Box 67100 Harrisburg, PA 17106
Permit to Operate Issued	September 1, 2009

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

Permit No. 3609501, Public Water Supply.
 Applicant **P. C. S. Chandaga**
 Township or Borough Penn Township
 County **Lancaster**
 Type of Facility Installation of pressure filtration at the Penn Valley Village Mobile Home Park
 Consulting Engineer Charles A. Kehew II, P. E. James R. Holley and Associates, Inc. 18 South George Street York, PA 17401
 Permit to Construct Issued: September 4, 2009

Operations Permit issued to **Huntingdon Borough Water Department**, 4310012, Huntingdon Borough, **Huntingdon County** on September 3, 2009, for the operation of facilities approved under Construction Permit No. 3109501.

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

Permit No. MA-5381501—Construction, Public Water Supply.

Applicant **Ulysses Municipal Authority**
 Township or Borough Ulysses Borough
 County **Potter**
 Responsible Official Betty Jo Hilfiger Ulysses Municipal Authority 518 Main Street Ulysses, PA 16948
 Type of Facility Public Water Supply—Construction
 Consulting Engineer Timothy P. Wells, P. E. Hill Engineering, Inc. 8 Gibson Street Northeast, PA 16428
 Permit Issued Date September 1, 2009
 Description of Action Repainting of the interior and exterior walls of the 117,000 gallon steel welded water storage tank.

Permit No. 4146426—EP122-Permit-By-Rule, Public Water Supply.

Applicant **H2O to Go**
 Township or Borough Watsontown Borough
 County **Northumberland**
 Responsible Official William Brightman, P. E. H2O to Go
 Type of Facility Public Water Supply—Construction
 Consulting Engineer N/A
 Permit Issued Date September 2, 2009
 Description of Action New entry point at Lingle's BiLo. PA American Water Company

Permit No. 5573503-T1—Transfer, Public Water Supply.

Applicant **Aqua Pennsylvania, Inc.**

Township or Borough Jackson Township
 County **Snyder**
 Responsible Official Christopher P. Luning Vice President Corporate Development Aqua Pennsylvania, Inc. 762 West Lancaster Avenue Bryn Mawr, PA 19010
 Type of Facility Public Water Supply—Operation
 Consulting Engineer N/A
 Permit Issued Date September 3, 2009
 Description of Action Transfer of ownership from Kratzerville Municipal Authority to Aqua Pennsylvania, Inc. Two active wells, including one minor amendment concerning disinfection. Approve the use of groundwater sources known as Well No. 4 (Kline Well)—Entry Point No. 101 and New Well—Entry Point No. 102 to supply water to the area served by Kratzerville Municipal Authority.

Permit No. MA-T1 (5573503)—Transfer, Public Water Supply.

Applicant **Aqua Pennsylvania, Inc.**
 Township or Borough Jackson Township
 County **Snyder**
 Responsible Official Christopher P. Luning Vice President Corporate Development Aqua Pennsylvania, Inc. 762 West Lancaster Avenue Bryn Mawr, PA 19010
 Type of Facility Public Water Supply—Operation
 Consulting Engineer N/A
 Permit Issued Date September 3, 2009
 Description of Action Transfer of ownership from Kratzerville Municipal Authority to Aqua Pennsylvania, Inc. Two active wells, including one minor amendment concerning disinfection. Approve the use of groundwater sources known as Well No. 4 (Kline Well)—Entry Point No. 101 and New Well—Entry Point No. 102 to supply water to the area served by Kratzerville Municipal Authority.

Permit No. 5588502-T1—Transfer, Public Water Supply.

Applicant **Aqua Pennsylvania, Inc.**
 Township or Borough Jackson Township
 County **Snyder**

Responsible Official Christopher P. Luning
Vice President Corporate
Development
Aqua Pennsylvania, Inc.
762 West Lancaster Avenue
Bryn Mawr, PA 19010

Type of Facility Public Water Supply—Operation

Consulting Engineer N/A

Permit Issued Date September 3, 2009

Description of Action Transfer of ownership from
Kratzerville Municipal Authority
to Aqua Pennsylvania, Inc. Two
active wells, including one minor
amendment concerning
disinfection. Approve the use of
groundwater sources known as
Well No. 4 (Kline Well)—Entry
Point No. 101 and New
Well—Entry Point No. 102 to
supply water to the area served
by Kratzerville Municipal
Authority.

Permit No. 5901502—Operation, Public Water Supply.

Applicant **Mansfield Borough
Municipal Authority**

Township or Borough Mansfield Borough

County **Tioga**

Responsible Official Ronald Weed
Mansfield Borough
Municipal Authority
19 East Wellsboro Street
Mansfield, PA 16933

Type of Facility Public Water Supply—Operation

Consulting Engineer N/A

Permit Issued Date September 2, 2009

Description of Action Operation of Well No. 3 and
appurtenances with
modifications to existing gas
chlorination facilities.

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

Permit No. 2608504, Public Water Supply.

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

Township or Borough North Union Township

County Fayette

Type of Facility Water System

Consulting Engineer Fayette Engineering
Company, Inc.
2200 University Drive
P. O. Box 1030
Uniontown, PA 15401-1030

Permit to Construct
Issued September 3, 2009

Permit No. 0409504MA, Minor Amendment, Public
Water Supply.

Applicant **Monaca Borough
Water Department**
928 Pennsylvania Avenue
Monaca, PA 15061

Township or Borough Monaca Borough

County **Beaver**

Type of Facility Blaine Road water storage tank

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

Permit to Construct
Issued September 3, 2009

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

Permit No. 2009505, Public Water Supply.

Applicant **Trustees of Conneaut
Lake Park, Inc.**

Township or Borough Sadsbury and Summit
Townships

County **Crawford County**

Type of Facility Public Water Supply

Consulting Engineer Bruce D. Patterson, P. E.
Porter Consulting Engineers, PC

Permit to Construct
Issued September 3, 2009

Operations Permit issued to **Farmington Town-
ship**, PWSID No. 6160043, Farmington Township,
Clarion County, September 3, 2009, to utilize refurb-
ished and repaired Potable Water Storage Standpipe, as
approved by construction permit number 1602502-MA1,
issued June 22, 2009.

Operations Permit issued to **Redbank Valley Mu-
nicipal Authority**, PWSID No. 6160010, New Bethlehem
Borough, **Clarion County**, and Mahoning Township,
Armstrong County on September 3, 2009, to allow
operation of two 200,000 gallon water storage tanks,
known as Beautiful Lookout Water Storage Tanks, as
approved by construction permit number 1606502, issued
May 21, 2007.

Local Wellhead Protection Program Approval is-
sued to the Cranberry Township General Authority,
PWSID No. 6610031, Cranberry Township, **Venango
County** on September 2, 2009.

SEWAGE FACILITIES ACT PLAN APPROVAL

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

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

Plan Location:

Borough or Township	Borough or Township Address	County
Upper Makefield	1076 Eagle Road, P. O. Box 113 R. D. 2 Newtown, PA 18940	Bucks

Plan Description: On August 31, 2009, the Southeast
Regional Office approved sewage facilities planning mod-
ules for the White Farm Subdivision (APS ID 640011 Site
ID 702822) and the Melsky Tract Subdivision (APS ID

640014 Site ID 697726). Both projects are located in Upper Makefield Township, Bucks County.

This approval provides for the following:

White Farm Subdivision. This revision provides for adequate sewage facilities planning to permit the development of an 82-lot residential subdivision (80 new single-family dwellings and two existing dwellings). This project is located at the intersection of Route 532, Stoopville and Highland Roads, in Upper Makefield Township, Bucks County.

This project will be connected to a new collection and conveyance system that will convey sewage from the development to the Gray Wastewater Treatment Facility. This project will generate 20,500 gallons of sewage per day.

Planning approval is also granted through this revision for a municipally-owned sewage pumping station and a force main, which will convey sewage flows from the development to the Gray Wastewater Treatment Facility. The pumping station will be located northeast of Lot No. 14 and west of Basin No. 3A. The pumping station will have average design flows of 20,500 gpd.

Melsky Tract Subdivision. This revision provides for adequate sewage facilities planning to permit the development of a 45-lot subdivision. This project is located on Stoopville Road, in Upper Makefield Township, Bucks County.

The proposed collection and conveyance system serving the Melsky Tract Subdivision will be connected to the sanitary sewers constructed as part of the Gray Tract Subdivision and conveyed to the Gray Wastewater Treatment Facility. This project will generate 11,250 gpd.

Gray Wastewater Treatment Facility and Gray Tract Subdivision. This revision also provides for the expansion of the previously approved Gray Wastewater Treatment Facility from an annual average flow of 20,000 sewage gpd to an annual average flow of 55,550 sewage gpd. The proposed treatment facility will provide tertiary treatment with denitrification. In addition, the discharge will be relocated from two detention basins on the Gray Tract Subdivision to perennial stream conditions at Hough's Creek. Sewage from the wastewater treatment facility will be conveyed by means of force main north on Creamery Road to Hough's Creek.

When Upper Makefield Township has secured the NPDES permit and Water Quality Management permit for the expansion of the Gray Wastewater Treatment Facility to discharge an annual sewage flow of 55,500 gpd, Upper Makefield must abandon and discontinue any discharge to the two stormwater basins and the intermittent stream and then must convey the treated sewage flows from the Gray Tract Subdivision only through the approved force main north on Creamery Road to Hough's Creek.

Plan Location:

<i>Borough or Township</i>	<i>Borough or Township Address</i>	<i>County</i>
Hilltown	13 Creamery Road P. O. Box 260 Hilltown, PA 18927	Bucks

Plan Description: On September 8, 2009, the Southeast Regional Office approved revisions to the previously approved sewage facilities planning modules for the Hilltown Chase Subdivision, DEP Code 1-09924-175-3H; the Preserves Subdivision, DEP Code 1-09924-300-3K;

and the Ashland Meadows Subdivision, DEP Code 1-09924-304-3H. These projects are located in Hilltown Township, Bucks County.

These revisions provide for a change in disposal location for these three developments from the Hilltown Township Water and Sewer Authority's (HTWSA) Highland Park Wastewater Treatment Facility to the Pennridge Wastewater Treatment Authority Wastewater Treatment Facility. The HTWSA Hillcrest Diversion Valve, located at Manhole I-64A, will be removed. Flows that were previously tributary to the diversion valve will now flow by means of gravity to the Pennridge Wastewater Treatment Authority Wastewater Treatment Facility. These flows include existing sewage flows from Seylar Elementary School (7 EDUs). All other details and requirements of the Department of Environmental Protection's previous planning approvals remain in place.

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>
Marshall Township	525 Pleasant Hill Road P. O. Box 2094 Warrendale, PA 15086	Allegheny

Plan Description: The approved plan provides for the construction of approximately 31,000 feet of 8-inch, 10-inch and 12-inch gravity interceptor and trunk sewers along Warrendale-Bayne, Spang and Pleasant Hill Roads with conveyance and connection to the existing Economy Borough Municipal Authority interceptor sewer system and treated at the Authorities Sewage Treatment Plant. There are approximately 125 existing homes that will be served with the project which will also eliminate an existing package wastewater treatment plant and existing pump station.

Any required NPDES Permits or WQM Permits must be obtained in the name of the municipality or authority as appropriate.

SEWAGE FACILITIES ACT PLAN DISAPPROVAL

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

Plan Location:

<i>Borough or Township</i>	<i>Borough or Township Address</i>	<i>County</i>
Hellam Township	44 Walnut Springs Road York, PA 17406	York

Plan Description: John and Fay Lehman, DEP Code No. A3-67929-214-2: The plan consists of a three lot single-family residential subdivision on 38.8 acres with total proposed sewage flows of 800 gpd to be treated by individual onlot disposal systems. The proposed development is located on the west side of Accomac Road, approximately 1,000 feet north of Codorus Furnace Road in Hellam Township, York County. The plan was disapproved because the ground water easement proposed and drawn for Lot No. 2 is not down gradient of the sewage systems that will serve that lot. As proposed, the onsite sewage system for Lot No. 2 will pollute the waters of the Commonwealth in violation of the Pennsylvania Clean Streams Law. Such a condition is considered a nuisance and is prohibited.

LAND RECYCLING AND ENVIRONMENTAL REMEDIATION

UNDER ACT 2, 1995

PREAMBLE 2

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

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

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

The Department has received the following plans and reports:

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

Chester Soccer Stadium Area, Chester City, Delaware County. Steve Johnson, Weston Solutions, Inc., 1400 Weston Way, West Chester, PA 19380 and Dan Morna, TN Ward Company, 129 Coulter Avenue, Ardmore, PA 19003 on behalf of Michael Hare, FC Pennsylvanian Stadium, LLC, 322 A Street, Suite 300, Wilmington, DE 19801-5356 have submitted a Remedial Investigation Report concerning remediation of site groundwater contaminated with inorganics. The report is intended to document remediation of the site to meet the Site-Specific Standard.

Mench Residence, Concord Township, Delaware County. Dan Ruch, Underwood Engineering, 143 Harding Avenue, Bellmawr, NJ 08031 on behalf of Robert Mench, 1120 Clayton Greenspring Road, Smyrna, DE

19977 has submitted a Final Report concerning remediation of site groundwater contaminated with unleaded gasoline and lead. The report is intended to document remediation of the site to meet the Site-Specific Standard.

Simms Residence, Abington Township, Montgomery County. Richard D. Trimpi, Trimpi Associates, Inc., 1635 Old Plains Road, Pennsburg, PA 18073 and Ed Applegate, State Farm, P. O. Box 11, Concordville, PA 19331 on behalf of Delphine Simms, 1321 Meadowbrook Road, Meadowbrook, PA 19046 have submitted a Final Report concerning remediation of site soil contaminated with petroleum. The report is intended to document remediation of the site to meet the Statewide Health Standard.

Trumbauer Residence, Upper Hanover Township, Montgomery County. Richard D. Trimpi, Trimpi Associates, Inc., 1635 Old Plains, Pennsburg, PA 18073 and Jay Kerestus, State Farm Insurance Company, P. O. Box 13, Concordville, PA 19331 on behalf of William and Alverda Trumbauer, 783 Gravel Pike, Palm, PA 18070 have submitted a Final Report concerning remediation of site soil contaminated with No. 2 fuel oil. The report is intended to document remediation of the site to meet the Statewide Health Standard.

Glasgow Beach Street Asphalt Plant, City of Philadelphia, Philadelphia County. Craig Herr, RT Environmental, Services, Inc., 215 West Church Road, King of Prussia, PA 19406, on behalf of Brian Chabak, Glasgrow, Inc., P. O. Box 1089, Glenside, PA 19038 has submitted a Final Report concerning remediation of site groundwater and soil contaminated with PAHs. The report is intended to document remediation of the site to meet the Statewide Health Standard.

Sloan Residence, Solebury Township, Bucks County. John VanWagenen, Coventry Environmental Associates, Inc., 991 Ridge Road, Bucktown, PA 19465 on behalf of Gurney Sloan, Jr., 6701 Armitage Road, Lumberville, PA 18938 has submitted a Final Report concerning remediation of site groundwater and soil contaminated with unleaded gasoline. The report is intended to document remediation of the site to meet the Statewide Health Standard.

Martin Limestone, Inc., Honey Brook Township, Chester County. Michael Raffoni, Reliance Environmental, Inc., 130 East Chestnut Street, Lancaster, PA 17602, on behalf of Paul Stoltzlius, Martin Limestone, Inc., 3580 Division Highway, East Earl, PA 17519 has submitted a Remedial Investigation Report concerning remediation of site soil and groundwater contaminated with petroleum. The report is intended to document remediation of the Site-Specific Standard.

1574 Bristol Pike Site, Bensalem Township, Buck County. Terry Harris, Boucher and James, Inc., Fountainville Professional Building, 1456 Ferry Road, Building 500, Doylestown, PA 18901 on behalf of Chris Mazullo, Mazmar, LLC, 77 West Court Street, Doylestown, PA 18901 has submitted a Final Report concerning remediation of site groundwater contaminated with MTBE and benzene. The report is intended to documents remediation of the Statewide Health Standard.

MA Bruder and Sons, City of Philadelphia, Philadelphia County. David Kershner, KU Resources, Inc., 22 South Linden Street, Duquesne, PA 15110 on behalf of Kenneth H. Stroebel, The Sherwin-Williams Company, 101 Prospect Avenue, North West Cleveland, OH 44115-1075 has submitted a Final Report concerning remediation of site groundwater and soil contaminated with organics. The report is intended to document remediation of the Statewide Health Standard.

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

RW Sauder, Inc., Lititz Division, Warwick Township, **Lancaster County**. Reliance Environmental, Inc., 130 East Chestnut Avenue, Lancaster, PA 17602, on behalf of RW Sauder, Inc., 570 Furnace Hills Pike, Lititz, PA 17543, submitted a Final Report concerning remediation of site soils contaminated with No. 2 fuel oil from an underground storage tank. The report is intended to document remediation of the site to meet the Residential Statewide Health Standard.

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

Armco Sawhill Tube (John Maneely Co—Sharon Pipe Plt), City of Sharon, **Mercer County**. ENVIRON International Corporation, 214 Carnegie Center, Princeton, NJ 08540-6284 and The Payne Firm, Inc., 11231 Cornell Park Drive, Cincinnati, OH 45242 on behalf of the John Maneely Company, 1 Council Avenue, Wheatland, PA 16161 have submitted a Cleanup Plan concerning remediation of site soil contaminated with VOCs, SVOCs, PCBs, metals and site groundwater contaminated with VOCs, SVOCs, PCBs, dioxins, metals, sulfate and nitrate. The Cleanup Plan is intended to document remediation of the site to meet the Site-Specific Standard.

LAND RECYCLING AND ENVIRONMENTAL REMEDIATION

UNDER ACT 2, 1995

PREAMBLE 3

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

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

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

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

The Department has received the following plans and reports:

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

Department of Transportation District 6 Maintenance Facility, Middletown Township, **Delaware County**. Peter Chronowski, Apex Companies, LLC, 269 Great Valley Parkway, Malvern, PA 19355, Joseph Maule, Apex Companies, LLC, 269 Great Valley Parkway, Malvern, PA 19355, and James Fogel, Department of Transportation, Engineering District 6-0, 700 Geeredes Boulevard, King of Prussia, PA 19406 have submitted a Remedial Investigation Report concerning the remediation of site soil and groundwater contaminated with petroleum. The Remedial Investigation Report was approved by the Department of Environmental Protection on September, 2 2009.

Martin Limestone, Inc., Honeybrook Township, **Chester County**. Michael Raffoni, Reliance Environmental, Inc., 130 East Chestnut Street, Lancaster, PA 17602, on behalf of Paul Stoltzfus, Martin Limestone, Inc., 3580 Division Highway has submitted a Final Report concerning the remediation of site soil contaminated with No. 2 fuel oil. The Final Report demonstrated attainment of the Site-Specific Standard and was approved by the Department of Environmental Protection on September 1, 2009.

JD Byrider, Inc., City of Philadelphia, **Philadelphia County**. Mark Kuczynski, REPSG, Inc., 6901 Kingsessing Avenue, Philadelphia, PA 19142 on behalf of Brad Pogachevsky, Harbison Properties, LLC, 2185—2187 Bridge Street, Philadelphia, PA 19124 has submitted a Baseline Environmental Report concerning the remediation of site groundwater and soil contaminated with gasoline. The Baseline Environmental Report was approved by the Department of Environmental Protection on August 24, 2009.

1574 Bristol Pike Site, Bensalem Township, **Bucks County**. Terry Harris, Boucher and James, Inc., Fountainville Professional Building, 1456 Ferry Road, Building 500, Doylestown, PA 18901 on behalf of Chris Mazullo, Mazmar, LLC, 77 West Court Street, Doylestown, PA 18901 has submitted a Final Report concerning the remediation of site groundwater contaminated with MTBE and benzene. The Final Report demonstrated attainment of the Statewide Health Standard and was approved by the Department of Environmental Protection on August 28, 2009.

St. John Meumann Place, LP, City of Philadelphia **Philadelphia County**. Christopher Orzechowski, Keating Environmental Management, Inc., 123 John Robert Thomas Drive, Exton, PA 19341 on behalf of Susan O'Grady Laurito, St. John Neumann Place, LP, 1941 Christiana Street, Philadelphia, PA 19146 has submitted a Remedial Investigation and Final Report concerning the remediation of site soil contaminated with PAHs. The Remedial Investigation and Final Report was approved by the Department of Environmental Protection on August 24, 2009.

U. S. Steel Fairless Work 35.26 Acre Liberty Coating KIPC, City of Philadelphia, **Philadelphia County**. Colleen Costello, Langan Engineering and Environmental Services, 30 South 17th Street, Suite 1300, Philadelphia, PA 19103 and Kathleen Mayher, U. S. Steel Corporation, 600 Grant Street, Room 2068, Pittsburgh, PA 15219 on behalf of Donald Barder, Liberty Coating Company, 21 South Steel Road, Morrisville, PA 19067 has submitted a Final Report concerning the remediation of site soil contaminated with inorganics. The Final Report demonstrated attainment of the Statewide Health Standard and was approved by the Department of Environmental Protection on August 24, 2009.

Wawa Food Market No. 168, East Norriton Township, **Montgomery County**. Matthew Winters, Wawa, Inc., 260 Baltimore Pike, Wawa, PA 19063 has submitted a Final Report concerning the remediation of site groundwater and soil contaminated with chlorinated solvents. The Final Report demonstrated attainment of the Site-Specific Standard and was approved by the Department of Environmental Protection on April 17, 2009.

Suburban West Chester Facility, Borough of West Chester, **Chester County**. J. Neil Ketchum P. G., Groundwater Sciences Corporation, 2601 Market Place Street, Suite 130, Harrisburg, PA 17100, on behalf of Richard D. Williams, Suburban PA Property Acquisitions, LLC, P. O. Box 4833, Syracuse, NY 13221-4833 has submitted a Final Report concerning the remediation of site groundwater and soil contaminated with No. 2 fuel oil. The Final Report demonstrated attainment of the Site-Specific Standard and was placed on hold by the Department of Environmental Protection on March 27, 2009.

Kotzen Residence, Hatboro Borough, **Montgomery County**. Richard D. Trimpi, Trimpi Associates, Inc., 1635 Old Plains Road, Pennsburg, PA 18073 and Ed Applegate, State Farm, P. O. Box 13, Concordville, PA 19331 on behalf of Jeffery Kotzen have submitted a Final Report concerning the remediation of site soil contaminated with No. 2 fuel oil. The Final Report demonstrated attainment of the Statewide Health Standard and was approved by the Department of Environmental Protection on August 27, 2009.

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

Former Rouse's Market, Hampden Township, **Cumberland County**. Herbert, Rowland and Grubic, Inc., 1820 Linglestown Road, Harrisburg, PA 17110, on behalf of Martin Rouse, 2707 Walnut Street, Camp Hill, PA 17011, submitted a combined Remedial Investigation and Final Report concerning remediation of site soils and groundwater contaminated with petroleum fuel products released from underground storage tanks. The combined report demonstrated attainment of the Residential Statewide Health and Site-Specific Standards, and was approved by the Department of Environmental Protection on September 1, 2009.

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

The Pennsylvania State University, University Park Campus, Eastview Terrace Housing Complex, State College Borough, **Centre County**. Meiser and Earl, Inc., 1512 West College Avenue, State College, PA 16801 on behalf of Pennsylvania State University, Room 101P, Office of Physical Plant, University Park, PA 16802 has submitted a Final Report concerning remediation of site groundwater contaminated with No. 2 fuel oil. The Final Report demonstrated attainment of Statewide Health Standard and was approved by the Department of Environmental Protection on September 4, 2009.

Former Beech Creek Market, Beech Creek Borough, **Clinton County**. ATC Associates, Inc., 101 Allegheny Street, Suite 2B, Hollidaysburg, PA 16648 on behalf of Former Beech Creek Market, 272 Main Street, Beech Creek, PA 16822 has submitted a Final Report concerning remediation of site soil contaminated with 1,3,5-trimethylbenzene and groundwater contaminated with benzene, 1,2,4-trimethylbenzene, 1,3,5-trimethylbenzene and MTBE. The Final Report demonstrated attainment of the Background Standard and was approved by the Department of Environmental Protection on September 2, 2009.

The News Item Property, City of Shamokin, **Northumberland County**. Golder Associates, Inc., The National Newark Building, 744 Broad Street, 25th Floor, Newark, NJ 07102 on behalf of Charles Moleski, Thomas Reuters Co., Metro Center, 1 Station Place, Stamford, CT 06902 has submitted a Final Report concerning remediation of site soil contaminated with MTBE. The Final Report demonstrated attainment of the Statewide Health Standard and was approved by the Department of Environmental Protection on September 4, 2009.

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

Farmers Valley Wax Plant Former Fly Ash Areas (Farmers Valley Wax Plant), Keating Township, **McKean County**. URS Corporation, 501 Holiday Drive, Building No. 4, Suite 300, Pittsburgh, PA 15220 on behalf of Pennzoil-Quaker State Company, 12700 Northborough Drive, 300 E-11, Houston, TX 77067 and Honeywell, Inc., has submitted a Final Report concerning remediation of site soil contaminated with toluene, aluminum, antimony, arsenic, barium, beryllium, calcium, chromium, cobalt, copper, iron, lead, magnesium, manganese, mercury, nickel, potassium, selenium, silver, sodium, vanadium, and zinc; site groundwater contaminated with aluminum, antimony, arsenic, barium, beryllium, calcium, chromium, cobalt, copper, iron, lead, magnesium, manganese, nickel, potassium, selenium, silver, sodium, thallium, and zinc. The Final Report demonstrated attainment of the Site-Specific Standard and was approved by the Department of Environmental Protection on September 3, 2009.

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 the remediation of site soil contaminated with iron. The Final Report demonstrated attainment of the Statewide Health Standard and was approved by the Department of Environmental Protection on September 2, 2009.

OPERATE WASTE PROCESSING OR DISPOSAL AREA OR SITE

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

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

Permit No. 100549. Waste Management Disposal Services of Pennsylvania, Inc., 448 Lincoln Highway, Fairless Hills, PA 19030, Douglass and West Pottsgrove Townships, **Berks and Montgomery Counties**. This modification is to update and consolidate, into a single, comprehensive document, all the activities required for the postclosure care, monitoring, and maintenance of the closed Pottstown Landfill. The permit was modified by the Southeast Regional Office on September 1, 2009.

Permit No. 400593. Covanta Delaware Valley, LP, 10 Highland Avenue, Chester, PA 19013-2231, City of Chester, **Delaware County**. This permit is for a 10-year renewal for continuing operation at the Delaware Valley Resource Recovery Facility, an existing solid waste facility, located in the City of Chester, Delaware County. The permit was issued by the Southeast Regional Office on September 4, 2009.

Applications 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 Regulations to Operate Solid Waste Processing or Disposal Area or Site.

Southcentral Region: Regional Solid Waste Manager, 909 Elmerton Avenue, Harrisburg, PA 17110.

Permit Application No. 100992. The Harrisburg Authority Waste Ash Landfill, located in Harrisburg City and Swatara Township, **Dauphin County**. An application was submitted to renew the Municipal Waste Ash Landfill permit. This notice approves a permit renewal.

Comments concerning the application should be directed to Anthony Rathfon, Program Manager, Southcentral Regional Office. Persons interested in obtaining more information about the general permit application may contact the Southcentral Regional Office, (717) 705-4706. TDD users may contact the Department of Environmental Protection through the Pennsylvania AT&T Relay Service, (800) 654-5984. Public comments must be submitted within 60 days of this notice and may recommend revisions to, and approval or denial of the application.

AIR QUALITY

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.

GP14-23-0124: Donohue Funeral Home (8401 West Chester Pike, Upper Darby, PA 19082) on September 4, 2009, to operate a human crematory in Upper Darby, **Delaware County**.

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

GP5-30-00179A: Energy Corporation of America (501 56th Street South East, Charleston, WV 25304) on August 28, 2009, under GP5 to construct and operate two Caterpillar G3516 TALE natural gas compressor engines and one Natco 150/275 GR .275mmBtu/hr dehydrator at their Cumberland Compressor Station facility in Cumberland Township, **Greene County**.

GP14-32-00371: Blairsville Wilbert Vault Co. (P. O. Box 7, 100 North East Lane, Blairsville, PA 15717-0007) on August 31, 2009, under GP14 to operate one natural gas fired Matthews Cremation Division Model No. IE43-PPII human crematory rated at 150 pph at their facility in Blairsville Borough, **Indiana County**.

GP5-63-00937B: MarkWest Liberty Midstream and Resources, LLC (1515 Arapahoe Street, Tower 2, Suite 700, Denver, CO 80202-2126) on August 28, 2009, under GP5 to construct and operate four Caterpillar G3516LE compressor engines, two equipped with Miratech ZHS-30x31-12-H1 catalytic converter; one Natco 30 MMscfd dehydrator with 750,000 Btu/hr reboiler; and two 440-bbl condensate tanks with vapor recovery units at their Fulton Booster Station facility in Mt. Pleasant Township, **Washington County**.

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

GP-25-1025A: Erie Cemetery—City of Erie (2116 Chestnut Street, Erie, PA 16502) on September 2, 2009, to operate a human crematory (BAQ-GPA/GP-14) at their facility in the City of Erie, **Erie County**.

GP-27-029A: Pennsylvania General Energy Co., LLC (Allegheny National Forest Road 165, Jenks Township, PA 16239) on September 4, 2009, to operate a natural gas production facility (BAQ-GPA/GP-5) at their facility in Jenks Township, **Forest County**.

GP-43-313A: Greenville Regional Hospital—UPMC Greenville (110 North Main Street, Greenville, PA 16125-1795) on September 3, 2009, to operate Storage Tanks for Volatile Organic Liquids (BAQ-GPA/GP-2) at their facility in Greenville, **Mercer 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.

23-0106: BPG Real Estate Investors Straw Party I, LP (3815 West Chester Pike, Betsy Ross Cottage, Newtown Square, PA 19073) on September 4, 2009, a plan approval for two 20.412 mmBtu/hr Boilers at their Ellis Preserve in Newtown Township, **Delaware County**. This central utilities plant provides for the distribution of certain utilities to all tenants located on the Ellis Preserve campus, and is currently operating under the

State-only Operating Permit No. 23-00106. Two 34.0 mmBtu/hr boilers have been removed from the plant. The new Clever Brooks Boilers utilize low-NOx burners and flue gas recirculation and burn natural gas and No. 2 fuel oil. The facility is subjected to 40 CFR Subpart Dc—New Source Performance Standards for Small Industrial, Commercial, and Institutional Steam—Generating Units. The plan approval will include monitoring, testing, recordkeeping and reporting requirements designed to keep the facility operating within all applicable air quality requirements.

46-0269A: Yellow Book USA, Inc. (2201 Renaissance Boulevard, King of Prussia, PA 19406) on September 4, 2009, to install one 1.5 MW diesel fuel-fired emergency generator to provide backup power at their office building in Upper Merion Township, **Montgomery County**. As a result of potential emissions of NOx, the facility is a State-only facility. The Plan Approval will contain recordkeeping requirements and operating restrictions designed to keep the facility operating within all applicable air quality requirements.

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

03-00245A: T. J. S. Mining, Inc. (2340 Smith Road, Shelocta, PA 15774-2416) on August 31, 2009, to construct and operate the T. J. S. No. 6 Coal Preparation Plant in Plumcreek Township, **Armstrong County**.

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

24-165A: Elkhorn Gas Processing, LLC (5422 Highland Road, Lamont, PA 16365) on September 2, 2009, to construct a new gas processing facility consisting of three compressor engines, a dehydrator, and a storage tank at their facility in Jones Township, **Elk 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.

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

10-355A: Glacial Sand and Gravel Co. (Intersection of Swope and West Liberty Roads, Harrisville, PA 16038) on September 1, 2009, to construct a 400 tph sand and gravel operation previously in **Lawrence County** under Operating Permit 37-00308. This is a State-only facility.

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

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.

67-05009: York Plant Holding, LLC (P. O. Box 3492, York, PA 17402-0492) on August 27, 2009, to operate their electrical power generating facility in Springettsbury Township, **York County**. This is a renewal of the Title V operating permit.

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

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

46-00167: Parkhouse (1600 Black Rock Road, Royersford, PA 19468) on September 4, 2009, for renewal of a Non-Title V Facility, State-only, Synthetic Minor Permit in Upper Providence Township, **Montgomery County**. Parkhouse operates two boilers, two emergency generators, laundry dryers, space heaters, a parts washer and a gasoline dispensing facility. The two emergency generators are new, and these generators are subject to the requirements of 40 CFR Part 60, Subpart IIII. The permit contains a facility-wide limit for NOx emissions of less than 25 tpy. The facility has a potential to emit 3.12 tons PM per year, 10 tons SO₂ per year, 13.03 tons CO per year, and 5.15 tons VOCs per year. Monitoring, recordkeeping and reporting requirements have been added to the permit to address applicable limitations.

09-00199: Mars Fishcare North America, Inc. (50 East Hamilton Street, Chalfont, PA 18914) on September 4, 2009, for an existing bulk material handling pneumatic conveying system, a dust collector and a vacuum filter receiver system at its facility in Chalfont Borough, **Bucks County**. The system will emit 1.03 tons of PM per year. This facility is a non-Title V (State-only) facility. The facility's potential to emit criteria pollutants is less than major thresholds; therefore the facility is a Natural Minor. The permit will contain recordkeeping requirements and operating restrictions designed to keep the facility operating within all applicable air quality requirements.

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

54-00015: Sunoco Partners Marketing and Terminals, LP—Tamaqua Terminal (65 Tuscarora State Park Road, Tamaqua, PA 18242-4501) on August 31, 2009, to operate petroleum bulk stations and terminals in Rush Township, **Schuylkill County**. The State-only operating permit includes emissions, work practice standards and testing, monitoring, recordkeeping and reporting requirements designed to keep the facility operating within all applicable air quality requirements. This is a State-only Synthetic Minor operating permit.

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

06-03010: Brenntag Northeast, Inc. (P. O. Box 13788, 81 West Huller Lane, Reading, PA 19612-3788) on September 1, 2009, to operate their Reading (Huller Lane) chemical distribution facility in Ontelaunee Township, **Berks County**. This is a renewal of the State-only operating permit.

06-05087: Haines and Kibblehouse, Inc. (P. O. Box 196, 2052 Lucon Road, Skippack, PA 19474) on September 1, 2009, for their asphalt plant at 1355 Reading Avenue,

Bechtelsville, in Colebrookdale Township, **Berks County**. This is a renewal of the State-only operating permit.

06-05092: Reading Materials, Inc. (2052 Lucon Road, P. O. Box 196, Skippack, PA 19474) on September 1, 2009, for their asphalt plant at 148 Angstadt Lane in Cumru Township, **Berks County**. This is a renewal of the State-only operating permit.

22-03052: Harman Home Heating (352 Mountain House Road, Halifax, PA 17032-9733) on August 28, 2009, to construct three paint booths for stove and heating appliance coating operations in Jackson Township, **Dauphin County**. This is a renewal of the State-only operating permit.

67-03145: Weldon Machine Tool, Inc. (1800 West King Street, York, PA 17404-5643) on August 31, 2009, for operation of a coating booth at their facility in West Manchester Township, **York County**.

67-05101: Kinsley Construction, Inc. (P. O. Box 2886, York, PA 17405-2886) on August 27, 2009, for operation of their Global Stone Drum Mix Asphalt Plant in West Manchester Township, **York County**. This is a renewal of the State-only operating permit.

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

25-00883: Millcreek Township Erie County (3608 West 26th Street, Erie, PA 16506-2059) on September 3, 2009, to issue a Natural Minor Operating Permit to operate a hot mix asphalt plant in Millcreek Township, **Erie County**. The facility's primary emission source is a hot mix asphalt process.

25-00996: Advanced Finishing USA (7401 Kleir Drive, Fairview Business Park, Fairview, PA 16415-2462) on September 3, 2009, to issue a Natural Minor Operating Permit to operate a facility that applies plastic powder and surface coatings to industrial equipment, fabrications, extrusions and assorted metal parts in Fairview Township, **Erie County**. The facility's primary emission sources include surface coating operations, a batch process oven and a burn off oven.

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

N08-004: Integrated Power Services (3240 South 78th Street, Philadelphia, PA 19153) on September 4, 2009, to operate a reconditioning of electric rotating machinery facility in the City of Philadelphia, **Philadelphia County**. The facility's air emissions sources include a 0.6 mmBtu/hr large burnout oven with a 0.825 mmBTU afterburner, a 0.150 mmBtu/hr small burnout oven with a 0.220 mmBtu/hr afterburner, a baghouse, a paint booth, and a varnish dip tank.

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.

09-00187: Simsmetal East, LLC (300 South Steel Road, Morrisville, PA 19067) on September 4, 2009, has been amended for change of ownership in Falls Township, **Bucks County**. The amended State-only Operating Per-

mit contains all of the applicable regulatory requirements including monitoring, recordkeeping, reporting and emission limits.

ACTIONS ON COAL AND NONCOAL MINING ACTIVITY APPLICATIONS

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

Coal Applications Returned

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

56070110 and NPDES No. PA0262498. PBS Coals, Inc., P. O. Box 260, Friedens, PA 15541, revision of an existing bituminous surface mine to add 13.9 acres for the installation of a haulroad, changing the total SMP acres from 282.4 to 296.3 in Stonycreek Township, **Somerset County**, affecting 282.4 acres. Receiving streams: Schrock Run and UNT No. 2 to Glades Creek classified for the following use: CWF. There are no potable water supply intakes within 10 miles downstream. Application received August 7, 2009. Application returned September 3, 2009.

Coal Permits Actions

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

03871303 and NPDES Permit No. PA0213667. Rosebud Mining Company, 301 Market Street, Kittanning, PA 16201, to transfer the permit for and related NPDES permit for the Darmac No. 2 Deep Mine in Plumcreek and Washington Townships, **Armstrong County** and Armstrong Township, **Indiana County** to Rosebud Mining Company from TJS Mining, Inc. No additional discharges. Application received January 6, 2009. Permit issued September 1, 2009.

17823701 and NPDES Permit No. PA0617083. Rosebud Mining Company, (301 Market Street, Kittanning, PA 16201), to transfer the permit and related NPDES Permit for the Bigler Coal Refuse Disposal Area No. 1 in Bradford Township, **Clearfield County** from Energy Resources, Inc. to Rosebud Mining Company and to change the operation name from Refuse Disposal Area No. 1. No additional discharges. Application received September 18, 2008. Permit issued September 1, 2009.

30861601 and NPDES Permit No. PA0214256. Coresco, LLC, (308 Dents Run Road, Morgantown, WV 26501), to transfer the permit for the Dunkard Preparation Plant in Monongahela Township, **Greene County** and related NPDES permit to Coresco, LLC from Cobra

Mining, LLC. No additional discharges. Application received August 1, 2008. Permit issued September 1, 2009

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

32010111 and NPDES No. PA0249050. Alverda Enterprises, Inc., P. O. Box 87, Alverda, PA 15710, revision of an existing bituminous surface mine to add 4.3 acres to the total SMP acres in Pine Township, **Indiana County**, affecting 34.6 acres. Receiving streams: a UNT to Yellow Creek classified for the following use: CWF. There are no potable water supply intakes within 10 miles downstream. Application received May 7, 2009. Permit issued August 31, 2009.

56080108 and NPDES No. PA0262692. PBS Coals, Inc., 1576 Stoystown Road, P. O. Box 260, Friedens, PA 15541, commencement, operation and restoration of a bituminous surface and auger mine in Brothersvalley Township, **Somerset County**, affecting 391.2 acres. Receiving streams: UNT to Blue Lick Creek, UNT to Swamp Creek and UNT to Buffalo Creek classified for the following use: CWF. There are no potable water supply intakes within 10 miles downstream. Application received October 6, 2008. Permit issued August 31, 2009.

56753048 and NPDES No. PA0119954. Gray Mining Company, Inc., 1134 Stoystown Road, Friedens, PA 15541, permit renewal for the continued operation and restoration of a bituminous surface and auger mine in Quemahoning and Stonycreek Townships, **Somerset County**, affecting 296 acres. Receiving stream: Stonycreek classified for the following use: WWF. The first downstream potable water supply intake from the point of discharge is Hooversville Borough Municipal Authority Stonycreek SWI. Application received November 13, 2008. Permit issued August 31, 2009.

56960110 and NPDES No. PA0234281. PBS Coals, Inc., P. O. Box 260, Friedens, PA 15541, revision of an existing bituminous surface mine to change land use from woodland to cropland in Brothersvalley Township, **Somerset County**, affecting 312.2 acres. Receiving streams: UNT to and Bluelick Creek classified for the following use: CWF. There are no potable water supply intakes within 10 miles downstream. Application received May 20, 2009. Permit issued September 3, 2009.

56040101 and NPDES No. PA0249556. Future Industries, Inc., P. O. Box 157, Meyersdale, PA 15552, permit renewal for reclamation only of a bituminous surface coal refuse removal mine in Black Township, **Somerset County**, affecting 52 acres. Receiving stream: Rhoads Creek classified for the following use: WWF. There are no potable water supply intakes within 10 miles downstream. Application received July 13, 2009. Permit issued September 3, 2009.

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

17703032 and NPDES No. PA0610291. River Hill Coal Company, Inc., P. O. Box 141, Kylertown, PA 16847. Permit renewal for the continued operation and restoration of a bituminous surface mine in Woodward Township, **Clearfield County**, affecting 116.3 acres. Receiving streams: Moshannon Creek to West Branch Susquehanna to Susquehanna River, classified for the following use: CWF. There are no potable water supply intakes within 10 miles downstream. Application received June 26, 2009. Permit issued August 25, 2009.

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

54030201R and NPDES Permit No. PA0224324. Timber Coal Co., LLC, P. O. Box 188, Sacramento, PA 17968, renewal of an existing anthracite surface mine operation in Hegins and Porter Townships, **Schuylkill County** affecting 300 acres, receiving stream: East Branch Rausch Creek. Application received August 1, 2008. Renewal issued August 31, 2009.

54030201T and NPDES Permit No. PA0224324. Timber Coal Co., LLC, P. O. Box 188, Sacramento, PA 17968, transfer of an existing anthracite surface mine operation in Hegins and Porter Townships, **Schuylkill County** affecting 300 acres, receiving stream: East Branch Rausch Creek. Application received December 15, 2008. Transfer issued August 31, 2009.

40980101T. Hazleton Materials, LLC, 2052 Lucon Road, Skippack, PA 19474, transfer of an existing anthracite surface mine operation in Foster Township, **Luzerne County** affecting 1,261.0 acres, receiving stream: none. Application received November 14, 2008. Transfer issued September 3, 2009.

Noncoal Applications Returned

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

16082805. Pioneer Oil and Gas Field Services, LP, P. O. Box 368, Elderton, PA 15736, commencement, operation and restoration of a small noncoal sandstone operation in Ashland Township, **Clarion County** affecting 5 acres. Receiving stream: Cogley Run. Application received June 26, 2008. Permit Withdrawn August 31, 2009.

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

14900301 and NPDES No. PA0206229. Glenn O. Hawbaker, Inc., 711 East College Avenue, Bellefonte, PA 16823. Revision of an existing large, noncoal surface mine to modify water handling system in Spring Township, **Centre County**, affecting 282.1 acres. Receiving streams: Logan Branch to Spring Creek to Bald Eagle Creek to West Branch Susquehanna River, classified for the following uses: CWF, CWF and WWF. There are no potable water supply intakes within 10 miles downstream. Application received October 2, 2007. Application withdrawn September 1, 2009.

Noncoal Permits Actions

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

44950803. Doug Sellers, 211 Greenbrier Road, Lewistown, PA 17044, bond release on a small noncoal (industrial minerals) operation in Bratton Township, **Mifflin County**, affecting 5 acres. Receiving streams: no discharge. Application received May 1, 2009. Permit issued August 25, 2009.

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

03090802. David Jay Edwards, 123 Wishbone Drive, Ford City, PA 162260. Permit issued for commencement, operation, and reclamation of a small noncoal (shale) surface mining site located in Manor Township, **Armstrong County**, affecting 2.3 acres. Receiving stream: UNT to Garrets Run. Application received March 27, 2009. Permit issued September 3, 2009.

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

25092802. J. D. Diversified Services, Inc., 3463 Beaver Street, Springboro, PA 16435, commencement, operation and restoration of a small noncoal sand and gravel operation in Springfield Township, **Erie County** affecting 5 acres. Receiving streams: UNT to Crooked Creek. Application received June 16, 2009. Permit Issued August 27, 2009.

20082806. A. A. Ames, Inc., 17162 Shreve Run Road, Pleasantville, PA 16341, commencement, operation and restoration of a small noncoal sandstone operation in Oil Creek Township, **Crawford County** affecting 5 acres. Receiving streams: UNT to McLaughlin Creek. Application received November 6, 2008. Permit Issued September 4, 2009.

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

58090814. John Nelson, 4018 Starrucca Road, Thompson, PA 18465, commencement, operation and restoration of a quarry operation in Thompson Township, **Susquehanna County** affecting 5.0 acres, receiving stream: none. Application received May 18, 2009. Permit issued September 2, 2009.

58090815. Richard C. Pompey, R. R. 1, Box 1125, Nicholson, PA 18446, commencement, operation and restoration of a quarry operation in New Milford Township, **Susquehanna County** affecting 1 acre, receiving stream: none. Application received June 10, 2009. Permit issued September 2, 2009.

58080853. Harold N. Lewis, R. R. 6, Box 6178, Montrose, PA 18801, commencement, operation and restoration of a quarry operation in Dimock Township, **Susquehanna County** affecting 3 acres, receiving stream: none. Application received June 30, 2009. Permit issued September 2, 2009.

40080301. Hazleton Materials, LLC, 2052 Lucon Road, Skippack, PA 19474, commencement, operation and restoration of a quarry operation in Foster Township, **Luzerne County** affecting 164 acres, receiving stream: none. Application received September 2, 2008. Permit issued September 3, 2009.

ACTIONS ON BLASTING ACTIVITY APPLICATIONS

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

Blasting Permits Actions

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

21094135. J. Roy's, Inc., P. O. Box 125, Bowmansville, PA 17507-0125, blasting activity permit issued for utility development in Silver Spring Township, **Cumberland County**. Blasting activity permit end date is August 24, 2010. Permit issued August 26, 2009.

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

09094106. Schlouch, Inc., P. O. Box 69, Blandon, PA 19510, construction blasting for Walnut Grove Development in Lower Southampton Township, **Bucks County** with an expiration date of August 25, 2010. Permit issued August 31, 2009.

06094112. J. Roy's, Inc., P. O. Box 125, Bowmansville, PA 17507, construction blasting for Iron Mountain—Thousand Oaks in Caernarvon Township, **Berks County** with an expiration date of September 5, 2010. Permit issued September 2, 2009.

35094108. Explosive Services, Inc., 7 Pine Street, Bethany, PA 18431, construction blasting for Leon Walczak Lumber in Greenfield Township, **Lackawanna County** with an expiration date of August 25, 2010. Permit issued September 2, 2009.

36094159. Keystone Blasting Service, 381 Reifsnyder Road, Lititz, PA 17543, construction blasting for a manure pit in Upper Leacock Township, **Lancaster County** with an expiration date of October 30, 2009. Permit issued September 2, 2009.

66094104. M and J Explosives, Inc., P. O. Box 608, Carlisle, PA 17013, construction blasting for Citris PG3V pipeline in Meshoppen and Washington Townships, **Wyoming County** with an expiration date of August 10, 2010. Permit issued September 2, 2009.

64094004. Northeast Blasting, 403 Middle Street, Honesdale, PA 18431, construction blasting for the Bob Boogertman House and Driveway Project in Paupack Township, **Wayne County** with an expiration date of August 17, 2010. Permit issued September 3, 2009.

36094160. Gerlach's Drilling and Blasting, 172 Bender Mill Road, Lancaster, PA 17603, construction blasting for Kingsley Subdivision in West Lampeter Township, **Lancaster County** with an expiration date of September 1, 2010. Permit issued September 3, 2009.

58094104. Meshoppen Blasting, Inc., P. O. Box 127, Meshoppen, PA 18630, construction blasting for Hoover Pad in Dimock Township, **Susquehanna County** with an expiration date of September 30, 2009. Permit issued September 3, 2009.

58094105. Meshoppen Blasting, Inc., P. O. Box 127, Meshoppen, PA 18630, construction blasting for Heitzman Water Truck Storage Pad in Dimock Township, **Susquehanna County** with an expiration date of September 30, 2009. Permit issued September 3, 2009.

67094118. J. Roy's, Inc., P. O. Box 125, Bowmansville, PA 17507, construction blasting for Mt. Wolf Sewer Treatment Plant in Mt. Wolf Borough, **York County** with an expiration date of September 4, 2010. Permit issued September 3, 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

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

E23-345. Marple Associates, LP, 1604 Walnut Street, 4th Floor, Philadelphia, PA 19103, Marple Township, **Delaware County**, United States Army Corps of Engineers, Philadelphia District.

To extend and maintain the existing 340-foot long, 18-foot wide and 9-foot rise concrete box culvert across Langford Run (WWF, MF) approximately 30 feet on the upstream side associated with the construction of new Langford Run Road. This work also includes the construction and maintenance of the associated concrete head wall and wing walls.

This project connects West Chester Pike (SR 0003) and Langford Road located in Marple Township, Delaware County (Lansdowne, PA USGS Quadrangle N: 18 inches; W: 13 inches).

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

E09-885. Highglen-Pineville Quakertown Associates, LP, 8120 Old York Road, Elkins Park, PA 19027,

Richland Township, **Bucks County**, United States Army Corps of Engineers, Philadelphia District.

To perform the following activities associated with the Trainers Corner Shopping Center:

1. To place and maintain fill in 0.11 acre of wetlands (PEM) associated with the construction of the proposed SR 03909 multidirectional access drive. The construction of this access drive may also temporarily impact wetlands.

2. To extend an existing 48-inch stormwater outfall structure (EW 1) into wetlands associated with the construction of the proposed access drive.

3. To construct and maintain a 15-inch stormwater outfall structure (EW 2) into wetlands associated with the construction of the proposed access drive.

4. To modify an existing stream enclosure consisting of two pipes, a 48-inch RCP, and a 29-inch by 45-inch RCP. This enclosure which carries a UNT to Tohicken Creek (TSF) across SR 0309 was previously authorized by an encroachment Permit No. E09-738. The existing 29-inch by 45-inch RCP structure will be extended upstream by construction of 75 linear feet of twin 19-inch by 30-inch RCP and associated endwall. The existing 48-inch RCP structure will be modified by replacing the upstream 15 linear feet of pipe and endwall and placing a junction box and stormwater outfall associated with the proposed inlet 6.

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

E22-547. Steelton Borough, Jeffrey Wright, 123 North Front Street, Steelton, PA, 17112, Steelton Borough, **Dauphin County**, United States Army Corps of Engineers, Baltimore District.

To construct and maintain a 48-inch SLCPP outfall to the Susquehanna River WWF temporarily impacting 0.03 acre of palustrine emergent wetlands (Hershey, PA Quadrangle N: 16.5 inches; W: 8.0 inches, Latitude: 40° 12' 32"; Longitude: 76° 48' 4") for the purpose of separating Steelton Borough's combined sewer system in Steelton Borough, Dauphin County.

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

E08-456. East Resources, Inc., 301 Brush Creek Road, Warrendale, PA 22203. Water Obstruction and Encroachment Joint Application, Troy Gas Gathering Pipeline, in Alba Borough, Canton, Troy and Armenia Townships, **Bradford County** and McNett Township, **Lycoming County**, United States Army Corps of Engineers, Baltimore District (Canton, PA Quadrangle N: 41° 45' 33"; W: 76° 54' 43").

To construct, operate and maintain 18.5 miles of 12-inch and 2 miles of 6-inch natural gas pipeline within the Susquehanna River Watershed (WWF). Construction of the pipeline will require 40 stream and 29 wetland crossings as follows:

<i>Stream Name</i>	<i>Chapter 93 Designation</i>	<i>Latitude</i>	<i>Longitude</i>
<i>~ Wetlands ~</i>			
Alba Creek	CWF	76° 50' 00"	41° 42' 57"
Alba Creek	CWF	76° 49' 19"	41° 42' 41"
Alba Creek	CWF	76° 49' 13"	41° 42' 41"
Alba Creek	CWF	76° 49' 10"	41° 42' 44"
Alba Creek	CWF	76° 49' 04"	41° 42' 47"
Alba Creek	CWF	76° 48' 57"	41° 42' 47"
Alba Creek	CWF	76° 48' 32"	41° 41' 39"
Alba Creek	CWF	76° 48' 26"	41° 41' 29"
Alba Creek	CWF	76° 48' 18"	41° 41' 12"
Alba Creek	CWF	76° 48' 18"	41° 41' 02"
Alba Creek	CWF	76° 48' 16"	41° 40' 05"
Alba Creek	CWF	76° 48' 22"	41° 39' 37"
Towanda Creek	CWF	76° 48' 23"	41° 39' 09"
Towanda Creek	CWF	76° 48' 23"	41° 39' 08"
Towanda Creek	CWF	76° 48' 23"	41° 39' 05"
Beech Flats Creek	CWF	76° 49' 05"	41° 38' 14"
Beech Flats Creek	CWF	76° 49' 23"	41° 37' 40"
Beech Flats Creek	CWF	76° 49' 40"	41° 37' 28"
Towanda Creek	CWF	76° 49' 57"	41° 37' 09"
Towanda Creek	CWF	76° 50' 21"	41° 36' 48"
Towanda Creek	CWF	76° 50' 43"	41° 36' 38"
Lycoming Creek	HQ-CWF	76° 51' 34"	41° 35' 48"
Lycoming Creek	HQ-CWF	76° 51' 56"	41° 34' 47"
Lycoming Creek	HQ-CWF	76° 51' 57"	41° 34' 46"
Lycoming Creek	HQ-CWF	76° 52' 50"	41° 34' 38"
Lycoming Creek	HQ-CWF	76° 53' 28"	41° 34' 30"
Lycoming Creek	HQ-CWF	76° 53' 30"	41° 34' 29"
Lycoming Creek	HQ-CWF	76° 53' 32"	41° 34' 29"
Cascade Run	HQ-CWF	76° 54' 15"	41° 34' 37"
<i>~ Streams~</i>			
UNT of North Branch Towanda Creek	CWF	76° 50' 23"	41° 44' 01"
UNT of North Branch Towanda Creek	CWF	76° 50' 21"	41° 43' 51"
North Branch Towanda Creek	CWF	76° 50' 21"	41° 43' 50"
UNT of North Branch Towanda Creek	CWF	76° 50' 22"	41° 43' 41"
UNT of Alba Creek	CWF	76° 50' 02"	41° 42' 58"
UNT of Alba Creek	CWF	76° 48' 56"	41° 42' 47"
UNT of North Branch Towanda Creek	CWF	76° 48' 35"	41° 42' 25"
UNT of Alba Creek	CWF	76° 48' 31"	41° 41' 38"
UNT of Alba Creek	CWF	76° 48' 26"	41° 41' 28"
UNT of Alba Creek	CWF	76° 48' 19"	41° 41' 14"
UNT of Alba Creek	CWF	76° 48' 17"	41° 41' 03"
UNT of Alba Creek	CWF	76° 48' 20"	41° 41' 00"
UNT of Alba Creek	CWF	76° 48' 12"	41° 40' 26"
Towanda Creek	CWF	76° 48' 24"	41° 39' 25"
UNT of Towanda Creek	CWF	76° 48' 37"	41° 38' 55"
UNT of Beech Flats Creek	CWF	76° 49' 05"	41° 38' 18"

<i>Stream Name</i>	<i>Chapter 93 Designation</i>	<i>Latitude</i>	<i>Longitude</i>
UNT of Beech Flats Creek	CWF	76° 49' 17"	41° 37' 53"
UNT of Towanda Creek	CWF	76° 49' 58"	41° 37' 05"
UNT of Towanda Creek	CWF	76° 50' 21"	41° 36' 49"
UNT of Towanda Creek	CWF	76° 50' 44"	41° 36' 37"
UNT of Towanda Creek	CWF	76° 50' 59"	41° 36' 25"
UNT of Towanda Creek	CWF	76° 51' 23"	41° 36' 10"
UNT to Lycoming Creek	HQ-CWF	76° 51' 34"	41° 35' 47"
UNT to Lycoming Creek	HQ-CWF	76° 51' 35"	41° 35' 46"
UNT to Lycoming Creek	HQ-CWF	76° 51' 38"	41° 35' 34"
UNT to Lycoming Creek	HQ-CWF	76° 51' 39"	41° 35' 32"
UNT to Lycoming Creek	HQ-CWF	76° 51' 39"	41° 35' 31"
UNT to Lycoming Creek	HQ-CWF	76° 51' 40"	41° 35' 30"
UNT to Hawk Run	HQ-CWF	76° 51' 57"	41° 34' 46"
UNT of Lycoming Creek	HQ-CWF	76° 52' 49"	41° 34' 39"
UNT of Lycoming Creek	HQ-CWF	76° 53' 21"	41° 34' 31"
UNT to Lycoming Creek	HQ-CWF	76° 53' 29"	41° 34' 30"
Cascade Run	HQ-CWF	76° 54' 08"	41° 34' 38"
UNT of Cascade Run	HQ-CWF	76° 54' 08"	41° 34' 38"
UNT of Cascade Run	HQ-CWF	76° 54' 09"	41° 34' 38"
UNT of Cascade Run	HQ-CWF	76° 54' 12"	41° 34' 37"
UNT of Cascade Run	HQ-CWF	76° 54' 13"	41° 34' 37"
Hawk Run	CWF	76° 51' 35"	41° 34' 42"
UNT of Hawk Run	CWF	76° 51' 30"	41° 34' 42"
UNT of Hawk Run	CWF	76° 51' 30"	41° 34' 42"

All pipeline crossings shall be placed beneath streambeds and wetlands so there will be a minimum of 3 feet of cover between the top of the pipe and the lowest point in the streambed or wetland. Trench plugs or clay dikes shall be used at every waterway and wetland crossing to ensure the existing hydrology is not altered. As proposed, the project temporarily impacts 2.49 acres of emergent wetland, 3.06 acres of scrub/shrub wetland and 0.03 acre of forested wetland. The project is centered south of SR 0414 approximately 2 miles east of the village of Canton, in Alba Borough, Canton, Troy and Armenia Townships, Bradford County and McNett Township, Lycoming County.

E14-523. Robyn Graboski, Randall Romesberg, Wendell and Ella Williams, and Kerry E. and Debra M. Becker, Engineering District 2-0, 1924—1930 Daisy Street, Clearfield, PA 16830. Kirstyn Lane drainage improvements, in Worth Township, **Centre County**, United States Army Corps of Engineers, Baltimore District (Port Matilda, PA Quadrangle N: 40° 49' 14"; W: 78° 1' 7").

To construct and maintain: 1) a 944-foot long rock-lined interceptor ditch; 2) a 29-inch by 45-inch elliptical reinforced concrete pipe with a Type D-E modified headwall, a Type D-W endwall and 26-foot long by 38-foot wide R-6 rock outlet apron to replace an existing 18-inch diameter corrugated plastic road crossing culvert and outlet; and 3) removal of three small existing cross pipes under Kirstyn Lane that will not be needed with the new interceptor

ditch, located 350 feet west of the intersection of Kirstyn Lane and SR 322. This permit also includes 401 Water Quality Certification.

E57-115. Garden Spot Hunting Club, c/o Christopher L. Hurst, 1750 Furnace Hill Road, Denver, PA 17517. Small Projects Water Obstruction and Encroachment Joint Permit, in Elkland Township, **Sullivan County**, United States Army Corps of Engineers, Susquehanna River Basin District (Shunk, PA Quadrangle N: 41° 34' 58"; W: 76° 38' 25").

To construct and maintain a residential addition measuring 12 feet by 26 feet in nondelineated floodway of a UNT to Elk Creek, all of which is located along the northern right-of-way of North Street 1.7 miles east of the intersection with SR 4007, in Elkland Township, Sullivan County. This permit was issued under Section 105.13(e) "Small Projects."

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

E26-352. Shallenberger Construction Company, 2611 Memorial Boulevard, Connellsville, PA 15425. To construct a water treatment facility in the floodway in Masontown Borough, **Fayette County**, United States Army Corps of Engineers, Pittsburgh District (Masontown, PA Quadrangle N: 18.9 inches; W: 6.9 inches, Latitude: 39° 51' 15"; Longitude: 79° 55' 27"). To construct and maintain a discharge pipe associated with an industrial water treatment facility in the floodway of the Monongahela River (WWF) and to construct and

maintain its outfall structure in the bank and above normal pool elevation of said river. The purpose of the project is to treat industrial waste water produced during gas well drilling and extraction. The project is located approximately 500 feet from the SR 21 Bridge.

E02-1577. One Hundred, Limited, 60 Port Perry Road, North Versailles, PA 15137. To install a culvert and place fill in wetlands in North Versailles Township, **Allegheny County**, United States Army Corps of Engineers, Pittsburgh District (Braddock, PA Quadrangle N: 2.7 inches; W: 9.9 inches, Latitude: 40° 23' 24"; Longitude: 79° 49' 14"). To construct and maintain the following structures and channels located within UNTs to Turtle Creek (WWF) having drainage areas less than 100 acres:

1. 280 linear feet stream enclosure of UNT-1 with an 18-inch diameter pipe for the placement of fill for the development; and 760 linear feet of fill in the floodway of UNT-1; and stream improvement at the lower end of the project. Three rock-lined outfalls in UNT-1 from three stormwater ponds.

2. 130 linear feet stream enclosure of UNT-3 with an 18-inch diameter pipe for the placement of fill for the development and an access road for a proposed stormwater pond.

3. 230 linear feet stream enclosure of UNT-5 with an 18-inch diameter pipe for the placement of fill for a proposed stormwater pond.

4. 210 linear feet stream enclosure of UNT-6 with an 18-inch diameter pipe for the placement of fill for a proposed stormwater pond.

5. 305 linear feet stream enclosure of a UNT (EPH1) with an 18-inch diameter pipe for the placement of fill for the development.

6. 370 linear feet stream enclosure of a UNT (EPH6) with an 18-inch diameter pipe for the placement of fill for the development.

7. To place and maintain fill in 0.009 acre of PEM wetland associated with the development.

For the purpose of constructing of a proposed residential development (Longvue at North Versailles) located between Greensburg Pike and East Pittsburgh/McKeesport Boulevard (Braddock, PA Quadrangle N: 3.3 inches; W: 10.4 inches, Latitude: 40° 23' 35"; Longitude: 79° 49' 29") in North Versailles Township, **Allegheny County**. This project will impact 3,105 feet of seven UNTs to Turtle Creek. To compensate for the impacts the permittee shall construct and maintain a 990-foot long mitigation channel, which replaces 820 feet of a UNT to Turtle Creek (EPH3). The new channel shall have plantings within the riparian corridor between 20 to 50 feet in width. As part of the new mitigation channel a 98-foot long, 24-inch diameter culvert, under the proposed Chateau Ridge, and a 235-foot long, 24-inch diameter, stream enclosure under the proposed Cascade Terrace will be constructed and maintained.

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

E33-235. Open Flow Gas Supply Corporation, 90 Beaver Drive, Suite 110 B, DuBois, PA 15801. Beaver Meadow Run Gas Pipeline Crossings, in Snyder Township, **Jefferson County**, United States Army Corps of Engineers, Pittsburgh District (Carman, Hazen and Munderf, PA Quadrangles N: 41° 15' 3"; W: 78° 52' 50").

To construct and maintain a 9,247-foot long natural gas pipeline involving the crossing by means of boring of two channels of Beaver Meadow Run (EV) and the crossing by means of boring of an approximately 400-foot length of exceptional value wetlands adjacent to Beaver Meadow Run.

ENVIRONMENTAL ASSESSMENTS

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

EA33-050. Mill Creek Coalition, 6 East 8th Street, Clarion, PA 16214, Glenn Site 19 Abandoned Mine Drainage Treatment System, in Union Township, **Jefferson County**, United States Army Corps of Engineers, Pittsburgh District (Corsica, PA Quadrangle N: 41° 11' 25"; W: 79° 12' 18").

The applicant will construct, operate and maintain a passive treatment system to treat at least four discreet abandoned mine drainage discharges impacting a UNT to Little Mill Creek. The discharges have approximate flows of approximately 25 to 100 gpm. The passive treatment shall consist of an anoxic limestone drain to generate alkalinity, an aerobic pond for the oxidation, precipitation and settling of iron, and a limestone basin for removal of high manganese concentrations. The project intends to reduce abandoned mine drainage pollution to the UNT, leading to restoration of water quality sufficient to sustain aquatic life, to decrease the overall abandoned mine drainage impacts to Little Mill Creek, and to provide sufficient alkalinity to the tributary to neutralize additional acidity in Little Mill Creek. Little Mill Creek is a perennial stream classified as a HQ-CWF.

This Environmental Assessment was originally published on July 25, 2009 as EA33-001.

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

D28-012EA. Richard Shoop, 13278 Stonewall Road, Shippensburg, PA 17257-9138. Southampton Township, **Franklin and Cumberland Counties**, United States Army Corps of Engineers, Baltimore District. Project proposes to breach and remove Lower Dam across Middle Spring Creek (CWF) 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 1,000 feet southwest of the intersection of Middle Spring (T334) and Fish Hatchery Roads (T304) (Shippensburg, PA Quadrangle Latitude: 40° 04' 45"; Longitude: -77° 03' 34").

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.

08/25/09

ESCGP-1 No.: ESX09-059-0034
 Applicant Name: EQT Gathering, LLC
 Contact Person: Hanna E. McCoy
 Address: 625 Liberty Avenue
 City: Pittsburgh State: PA Zip Code: 15222
 County: Greene Township(s): Morris
 Receiving Stream(s) and Classifications: Brown's Creek, HQ-WWF, HQ

08/25/09

ESCGP-1 No.: ESX09-059-0036
 Applicant Name: EQT Production Company
 Contact Person: Todd Klaner
 Address: 225 North Shore Drive, 3rd Floor
 City: Pittsburgh State: PA Zip Code: 15212
 County: Greene Township(s): Morgan
 Receiving Stream(s) and Classifications: Brown's Run, Other

08/27/09

ESCGP-1 No.: ESX09-125-0031
 Applicant Name: MarkWest Liberty Midstream and Resources
 Contact Person: Robert McHale
 Address: 100 Plaza Drive, Suite 102
 City: Atlasburg State: PA Zip Code: 15004
 County: Washington Township(s): Hopewell
 Receiving Stream(s) and Classifications: Cross Creek, HQ

08/27/09

ESCGP-1 No.: ESX09-125-0031
 Applicant Name: MarkWest Liberty Midstream and Resources
 Contact Person: Robert McHale
 Address: 100 Plaza Drive, Suite 102
 City: Atlasburg State: PA Zip Code: 15004
 County: Washington Township(s): Mt. Pleasant
 Receiving Stream(s) and Classifications: Chartiers Run, Other

08/27/09

ESCGP-1 No.: ESX09-059-0037
 Applicant Name: Atlas Resources, LLC
 Contact Person: Jeremy Hirtz
 Address: 800 Mountain View Drive
 City: Smithfield State: PA Zip Code: 15478
 County: Greene Township(s): Dunkard
 Receiving Stream(s) and Classifications: Ohio Basin, Subbasin Number 19, Watershed G, Other

08/27/09

ESCGP-1 No.: ESX09-125-0029
 Applicant Name: Atlas Resources, LLC
 Contact Person: Jeremy Hirtz
 Address: 800 Mountain View Drive
 City: Smithfield State: PA Zip Code: 15478
 County: Washington Township(s): Deemston
 Receiving Stream(s) and Classifications: UNT to Tenmile Creek, Other

08/27/09

ESCGP-1 No.: ESX09-059-0033
Applicant Name: Atlas Resources, LLC
Contact Person: Jeremy Hirtz
Address: 800 Mountain View Drive
City: Smithfield State: PA Zip Code: 15478
County: Greene Township(s): Monongahela
Receiving Stream(s) and Classifications: UNT to Whiteley Creek, Other

08/27/09

ESCGP-1 No.: ESX09-129-0021
Applicant Name: Atlas Resources, LLC
Contact Person: Jeremy Hirtz
Address: 800 Mountain View Drive
City: Smithfield State: PA Zip Code: 15478
County: Westmoreland Township(s): Sewickley
Receiving Stream(s) and Classifications: Pinkerton Run, Other

08/27/09

ESCGP-1 No.: ESX09-129-0019
Applicant Name: Atlas Resources, LLC
Contact Person: Jeremy Hirtz
Address: 800 Mountain View Drive
City: Smithfield State: PA Zip Code: 15478
County: Westmoreland Township(s): South Huntingdon
Receiving Stream(s) and Classifications: Painter's Run, Other

08/27/09

ESCGP-1 No.: ESX09-129-0020
Applicant Name: Atlas Resources, LLC
Contact Person: Jeremy Hirtz
Address: 800 Mountain View Drive
City: Smithfield State: PA Zip Code: 15478
County: Westmoreland Township(s): South Huntingdon
Receiving Stream(s) and Classifications: Painter's Run, Other

08/27/09

ESCGP-1 No.: ESX09-051-0027
Applicant Name: Atlas Resources, LLC
Contact Person: Jeremy Hirtz
Address: 800 Mountain View Drive
City: Smithfield State: PA Zip Code: 15478
County: Fayette Township(s): Nicholson
Receiving Stream(s) and Classifications: UNT to Monongahela River, Other

08/27/09

ESCGP-1 No.: ESX09-125-0026
Applicant Name: Atlas Resources, LLC
Contact Person: Jeremy Hirtz
Address: 800 Mountain View Drive
City: Smithfield State: PA Zip Code: 15478
County: Washington Township(s): Deemston
Receiving Stream(s) and Classifications: UNT to Plum Run, Other

08/27/09

ESCGP-1 No.: ESX09-059-0031
Applicant Name: Atlas Resources, LLC
Contact Person: Jeremy Hirtz
Address: 800 Mountain View Drive
City: Smithfield State: PA Zip Code: 15478
County: Greene Township(s): Monongahela and Cumberland
Receiving Stream(s) and Classifications: UNT to Goose Run, Other

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

Washington County Conservation District: 100 West Beau Street, Suite 105, Washington, PA 15301-4447, (724) 228-6774.

<i>ESCGP-1 No.</i>	<i>Applicant Name & Address</i>	<i>County</i>	<i>Municipality</i>	<i>Receiving Water/Use</i>
63 09 8 011	Columbia Gas Transmission, LLC 1700 MacCorkle Avenue Southeast Charleston, WV 25314	Washington	Blaine, Donegal, Hopewell, Mount Pleasant and West Finley Townships	UNT to Spotted Tail Creek WWF Spotted Tail Creek WWF Benham Run WWF UNT to Beham Run WWF UNT to Robinson Fork WWF UNT to Middle Wheeling Creek WWF UNT to Bonar Creek HQ-WWF Bonar Creek HQ-WWF Dutch Fork HQ-WWF UNT to Dutch Fork HQ-WWF UNT to Buck Run HQ-WWF UNT to Buffalo Creek HQ-WWF Buffalo Creek HQ-WWF Brush Run HQ-WWF UNT to Brush Run HQ-WWF Cross Creek HQ-WWF

Westmoreland County Conservation District: 211 Donohoe Road, Greensburg, PA 15601, (724) 837-5271.

<i>ESCGP-1 No.</i>	<i>Applicant Name & Address</i>	<i>County</i>	<i>Municipality</i>	<i>Receiving Water/Use</i>
65 09 803	Ray Reed Dominion Peoples Gas Company 432 Hyde Park Road Leechburg, PA 15656	Westmoreland	City of Lower Burrell	Pucketa Creek TSF

STORAGE TANKS

SITE-SPECIFIC INSTALLATION PERMITS

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

<i>SSIP Permit No.</i>	<i>Applicant Name & Address</i>	<i>County</i>	<i>Municipality</i>	<i>Tank Type</i>	<i>Tank Capacity</i>
09-40-008	MPW Industrial Water Services, Inc. 420 Stewart Road Wilkes-Barre, PA 18706-1457 Attn: Vishal Jain	Luzerne	Hanover Township	3 ASTs storing hazardous substances	40,674 gallons total

<i>SSIP Permit No.</i>	<i>Applicant Name & Address</i>	<i>County</i>	<i>Municipality</i>	<i>Tank Type</i>	<i>Tank Capacity</i>
09-15-003	Sunoco Partners Marketing and Terminals, LP 525 Fritztown Road Sinking Spring, PA 19608 Attn: Jed A. Werner	Chester	West Whiteland Township	2 ASTs storing biodiesel	64,000 gallons total

SPECIAL NOTICES

Notice of Certification to Perform Radon-Related Activities in Pennsylvania

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

<i>Name</i>	<i>Address</i>	<i>Type of Certification</i>
Ronald Black	1063 Mosser Road H-107 Breinigsville, PA 18031	Testing
George Curry	505 Philmar Court Unit B Springfield, PA 19064	Mitigation
Richard Delaney, Jr.	275 Pioneer Road Franklin, PA 16323	Testing
Tony Domingues	584 North Krocks Road Allentown, PA 18106	Testing
Harlan Glebe	1370 Horseshoe Drive Blue Bell, PA 19422	Testing
Joseph Hancaviz	406 Cherry Hill Road Nazareth, PA 18064	Testing
Ross Hartley	115 Hospital Road Gettysburg, PA 17325	Testing
Brian Kampi	2175 Ridge Drive Mars, PA 16046	Testing
Kevin Kerr	363 Hill Road Honey Brook, PA 19344	Testing
Anthony LaMastra A. B. E. Radiation Measurements	1005 Old 22 Lenhartsville, PA 19534	Testing and Laboratory
Stephen Maurer	3633 Buttonwood Drive Doylestown, PA 18902	Testing
Robert Meyer, Jr. Central Penn Radon, Inc.	247 Mine Bank Road Wellsville, PA 17365	Testing
Lawrence Nies	11021 May Road Wattsburg, PA 16442	Mitigation
Rachelle Painter	780 Pierson Run Road Pittsburgh, PA 15239	Testing
Dominick Peda	40 North Feathering Road Media, PA 19063	Testing
Gerald Raible	561 Janet Drive North Huntingdon, PA 15642	Testing
Lynne Russell	80 Cedar Ridge Road Hawley, PA 18428	Testing
Martin Smith U.S. Inspect, LLC	3650 Concorde Parkway No. 100 Chantilly, VA 20151	Laboratory

<i>Name</i>	<i>Address</i>	<i>Type of Certification</i>
James Stever	411 Fifth Street Ocean City, NJ 08226	Mitigation
Terry Wigfield	222 East Oak Ridge Avenue Hagerstown, MD 21740	Testing
William J. Wright	768 SR 307 Moscow, PA 18444	Testing

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

Project Notification: WHS Coal Company, PBF 56793078.4, Mine Drainage Treatment Project; Stonycreek Township, **Somerset County.** The site is located on lands of Mark S. Pavlic and of Ray Carver. The work will include rehabilitating existing passive treatment ponds. This project issues on September 5, 2009. Project documents will be at the preproposal meeting. A mandatory preproposal meeting will be conducted at the site on September 16, 2009; call for time and directions. Proposals will be opened on September 23, 2009. Contractors must obtain a Coal Mining License to qualify for the final award as per 25 Pa. Code § 86.189. Act 181 proposals shall be submitted to Attn: Malcolm Crittenden, Department of Environmental Protection, 286 Industrial Park, Ebensburg, PA 15931. For more information call, Malcolm Crittenden, (814) 472-1908 or mcrittende@state.pa.us.

Project Notification: H & H Coal, PBF 56783046.3, Mine Drainage Treatment Project; Brothersvalley Township, **Somerset County.** The site is located on lands of James E. and Mary Ann Long. The work will include rehabilitating existing passive treatment ponds. This project issues on September 5, 2009. Project documents will be available at the preproposal meeting. A mandatory preproposal meeting will be conducted at the site on September 16, 2009; call for time and directions. Proposals will be opened on September 23, 2009. Contractors must obtain a Coal Mining License to qualify for the final award as per 25 Pa. Code § 86.189. Act 181 proposals shall be submitted to Attn: Malcolm Crittenden, Department of Environmental Protection, 286 Industrial Park, Ebensburg, PA 15931. For more information call, Malcolm Crittenden, (814) 472-1908 or mcrittende@state.pa.us.

[Pa.B. Doc. No. 09-1727. Filed for public inspection September 18, 2009, 9:00 a.m.]

effectively meet their obligations or goals. The primary purpose of the Trading Program is to provide for more efficient ways for NPDES permittees to meet their effluent limits for nutrients and sediment. Currently, the focus of the program is on the Chesapeake Bay Watershed.

The actions described in this notice relate to: (1) submitted proposals; (2) approved proposals; and (3) registered credits through August 31, 2009.

Background

Before a credit can be used by an NPDES permittee, a three-step process is followed: (1) the credit or offset proposal must be approved; (2) it must be verified; and (3) it must be registered.

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

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

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

The Department has received 74 proposals that have been submitted for review to generate nutrient reduction credits in the Chesapeake Bay Watershed. Of those, 47 have been approved, one has been withdrawn and the remaining need additional clarification prior to certification.

Nutrient and Sediment Reduction Credit Trading Program

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

Trading is a market-based program that provides incentives for entities to create nutrient reduction credits by going beyond statutory, regulatory or voluntary obligations and goals by removing nutrients from a watershed. The credits can be traded to help others more cost-

Proposals under Review

There are no new proposals.

Certifications:

<i>Applicant and proposal description</i>	<i>Nitrogen Credits</i>	<i>Phosphorus Credits</i>
1. Lancaster County Conservation District: credits generated by exporting poultry manure from Lancaster to location outside of the watershed.	43,055	5,382
2. AET Agriculture Consulting: Nitrogen credits are to be generated from off-stream watering with stream fencing (pasture), precision grazing and stream restoration on conventional till and pasture. Once a copy of the grazing plan is received and acknowledged, these credits can be sold for use by a purchaser to meet Chesapeake Bay nutrient reduction requirements.	1,151	

Verifications and Registrations:

To date, there are no verifications and registrations.

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

JOHN HANGER,
Secretary

[Pa.B. Doc. No. 09-1728. Filed for public inspection September 18, 2009, 9:00 a.m.]

Temporary Radioactive Material Regulatory Relief

Pennsylvania is a U.S. Nuclear Regulatory Commission (NRC) Agreement State and has incorporated by reference many NRC regulations. The NRC has issued an "Exemption from 10 CFR Part 32 and 10 CFR Part 35 requirements on procurement and transfer for technetium-99m, and calibration of instrumentation using technetium-99m." Details of the exemption are available electronically at the NRC's Electronic Reading Room at <http://www.nrc.gov/reading-rm/adams.html>. From this site, the public can gain entry into the NRC Agencywide Documents Access and Management System (ADAMS), which provides text and image files of NRC's public documents. The ADAMS accession number for the exemption is ML091960585.

The Department of Environmental Protection (Department), Bureau of Radiation Protection, concurs with this exemption while there is a shortage of technetium-99m. Pennsylvania licensees should monitor the *Pennsylvania Bulletin* and the Department's web site for additional related information in the future.

Technetium-99m is a radioactive material that is used in approximately 16 million nuclear medicine procedures each year in the United States. The procedures include: detection and staging of cancer; detection of heart disease; detection of thyroid disease; study of brain and kidney function; and imaging of stress fractures. In addition to pinpointing the underlying cause of disease, physicians can see how disease is affecting other functions in the body.

For further information, contact Joseph M. Melnic, Chief, Division of Radiation Control, P. O. Box 8469, Rachel Carson State Office Building, Harrisburg, PA 17105-8469, (717) 787-3720; or Andrew Bockis, Assistant Counsel, Bureau of Regulatory Counsel, P. O. Box 8464, Rachel Carson State Office Building, Harrisburg, PA 17105-8464, (717) 787-7060. Persons with a disability may use the Pennsylvania AT&T Relay Service, (800) 654-5984 (TDD users) or (800) 654-5988 (voice users).

JOHN HANGER,
Secretary

[Pa.B. Doc. No. 09-1729. Filed for public inspection September 18, 2009, 9:00 a.m.]

**DEPARTMENT OF
GENERAL SERVICES****Real Estate for Sale
Westmoreland County**

The Department of General Services will accept bids for the purchase of over 0.32-acre + of land and building formerly known as the Latrobe National Guard Armory located at 1017 Ridge Avenue, City of Latrobe, Westmoreland County. Bids are due Monday, November 9, 2009. Interested parties wishing to receive a copy of Solicitation No. 94302 should view the Department's web site at www.dgs.state.pa.us or call Lisa Kettering at (717) 787-1321.

JAMES P. CREEDON,
Secretary

[Pa.B. Doc. No. 09-1730. Filed for public inspection September 18, 2009, 9:00 a.m.]

DEPARTMENT OF HEALTH**Department Authorized Infant Formula Manufacturers, Wholesalers, Distributors and Retailers**

Under 28 Pa. Code § 1105.3(a)(17) (relating to terms and conditions of participation), the WIC Program publishes notice of where to obtain the list of Department of Health authorized infant formula manufacturers, wholesalers, distributors and retailers. The list can be found at either of the following web links: http://www.pawic.com/retail/alerts/2005-11-02_Actual_List_of_Licensed_Infant_Formula_Sellers.pdf or <https://wic.health.state.pa.us/vendorassistant/>.

Persons with a disability who require an alternative format of this notice (for example, large print, audiotape, Braille) should contact Chris Harr at Department of Health, Division of WIC, 2150 Herr Street, Harrisburg,

PA 17105, (717) 783-1289 or for speech and/or hearing impaired persons V/TT (717) 783-6514 or the Pennsylvania AT&T Relay Service at (800) 654-5984.

EVERETTE JAMES,
Secretary

[Pa.B. Doc. No. 09-1731. Filed for public inspection September 18, 2009, 9:00 a.m.]

Long-Term Care Nursing Facilities; Request for Exception

The following long-term care nursing facility is seeking an exception to 28 Pa. Code § 205.28(c)(3) (relating to nurses' station).

Fox Subacute at Mechanicsburg
120 South Filbert Street
Mechanicsburg, PA 17055

This request is on file with the Department of Health (Department). Persons may receive a copy of a request for exception by requesting a copy from the Division of Nursing Care Facilities, Room 526, Health and Welfare Building, Harrisburg, PA 17120, (717) 787-1816, fax (717) 772-2163, paexcept@health.state.pa.us.

Persons who wish to comment on this exception request may do so by sending a letter by mail, e-mail or facsimile to the Division and address listed previously.

Comments received by the Department within 15 days after the date of publication of this notice will be reviewed by the Department before they decide whether to approve or disapprove the request for exception.

Persons with a disability who require an alternative format of this document or who wish to comment in an alternative format (for example, large print, audiotope, Braille), should contact the Division of Nursing Care Facilities at the address or phone numbers listed previously or for speech and/or hearing impaired persons V/TT (717) 783-6514 or the Pennsylvania AT&T Relay Service at (800) 654-5984 (TT).

EVERETTE JAMES,
Secretary

[Pa.B. Doc. No. 09-1732. Filed for public inspection September 18, 2009, 9:00 a.m.]

Special Supplemental Nutrition Program for Women, Infants and Children (WIC Program); Maximum Allowable Prices and Competitive Prices

Maximum Allowable Prices and Competitive Prices for Type 1 Stores in Regular Cost Counties

Under 28 Pa. Code §§ 1103.4(5) and 1105.3(a)(1) (relating to selection criteria for authorization and reauthorization; terms and conditions of participation) and 7 CFR 246.12 (relating to food delivery systems), the WIC Program hereby publishes notice of the Maximum Allowable Prices and Competitive Prices for Type 1 Stores in Regular Cost Counties.

Maximum Allowable Prices

Effective October 1, 2009, through December 31, 2009, the Maximum Allowable Prices the Department of Health (Department) will pay Type 1 Stores in Regular Cost Counties for WIC allowable foods are as follows:

<i>Description</i>	<i>Maximum Allowable Price</i>
Beans, Canned, 15.5/16 oz.	\$1.11
Beans/Peas—Dry, 16 oz.	\$1.53
Canned Fish—Pink Salmon	\$2.33
Canned Fish—Sardines	\$1.41
Canned Fish—Tuna	\$1.07
Cereal (per oz.)	\$0.32
Cheese, 16 oz.	\$6.17
Eggs	\$1.51
Gerber Infant Cereal, 8 oz.	\$2.01
Infant Fruits, 100%, 4 oz.	\$0.59
Infant Vegetables, 100%, 4 oz.	\$0.59
Infant Meats, 100%, 2.5 oz.	\$1.05
Juice, 11.5/12 oz.	\$2.28
Juice, 48 oz.	\$3.36
Juice, 64 oz.	\$3.79
Kosher Cheese	\$6.92
Kosher Low Fat Milk, quart	\$1.33
Kosher Low Fat Milk, 1/2 gallon	\$1.74
Kosher Whole Milk, quart	\$1.35
Kosher Whole Milk, 1/2 gallon	\$2.22
Milk, Dry, 16 oz.	\$6.03
Milk, Evaporated, 12 oz.	\$1.25
Milk, Low Fat, quart	\$1.18
Milk, Low Fat, 1/2 gallon	\$2.10
Milk, Low Fat Lactose Free, quart	\$2.12
Milk, Whole, quart	\$1.20
Milk, Whole, 1/2 gallon	\$2.15
Milk, Whole Lactose Free, quart	\$2.12
Milk, Whole Lactose Free, 1/2 gallon	\$3.71
Peanut Butter	\$2.68
Soy Beverage—Pacific Natural Foods/8th Continent, 32 oz.	\$3.45
Soy Beverage—Pacific Natural Foods/8th Continent, 64 oz.	\$3.02
Tofu—Soy Boy/House Premium, 12/16 oz.	\$2.51
Whole Grain—Bread, 16 oz.	\$3.59
Whole Grain—Bread, 24 oz.	\$3.72
Whole Grain—Brown Rice, 16 oz.	\$2.20
Whole Grain—Brown Rice, 24 oz.	\$2.70
Whole Grain—Oats, 16 oz.	\$2.21
Whole Grain—Oats, 24 oz.	\$5.89
Whole Grain—Soft Corn or Whole Wheat Tortillas, 16 oz.	\$2.24
Alimentum Advance Ready-to-Feed Formula, 32 oz.	\$8.91
Alimentum Advance Powder Formula, 16 oz.	\$25.41
Boost Ready-to-Feed Formula, 8 oz.	\$2.00
EnfaCare LIPIL w/Iron Ready to Feed, 32 oz. ...	\$7.01
EnfaCare LIPIL w/Iron Powder Formula, 12.8 oz.	\$13.99
Enfamil LIPIL Concentrate Formula, 13 oz.	\$4.48
Enfamil LIPIL Ready-to-Feed Formula, 32 oz. ...	\$6.57
Enfamil LIPIL Powder Formula, 12.9 oz.	\$13.48
Isomil DF Ready-to-Feed Formula, 32 oz.	\$6.21
Nestle Good Start Gentle PLUS Concentrate—Orange Formula, 13 oz.	\$4.21
Nestle Good Start Gentle PLUS Ready-to-Feed—Orange Formula, 32 oz.	\$6.35
Nestle Good Start Gentle PLUS Powder—Orange Formula, 12 oz.	\$13.73

<i>Description</i>	<i>Maximum Allowable Price</i>
Nestle Good Start Soy PLUS Concentrate—Blue Formula, 13 oz.	\$4.46
Nestle Good Start Soy PLUS Ready-to-Feed—Blue Formula, 32 oz.	\$6.56
Nestle Good Start Soy PLUS Powder—Blue Formula, 12.9 oz.	\$13.73
Nestle Good Start Soy PLUS 2 Powder—Blue w/blue, 24 oz.	\$20.82
Nestle Good Start Gentle Plus 2 Powder—Blue w/orange, 24 oz.	\$20.56
Nestle Good Start Protect PLUS 2 Powder—Blue w/green, 24 oz.	\$26.44
Nestle Good Start Protect PLUS 2 Powder—Green, 12 oz.	\$14.45
Nestle Good Start Nourish PLUS Powder—Purple, 12 oz.	\$10.79
Nutramigen Lipil Concentrate Formula, 13 oz. . .	\$7.01
Nutramigen Lipil Ready-to-Feed Formula, 32 oz..	\$8.98
Nutramigen Lipil Powder Formula, 16 oz.	\$25.26
Nutramigen Lipil w/Enflora Powder Formula, 12.6 oz.	\$22.16
Pediasure Ready-to-Feed Formula, 8 oz.	\$1.80
Pediasure w/Fiber Ready-to-Feed Formula, 8 oz. .	\$1.84
Similac Advance Concentrate Formula, 13 oz. . .	\$4.32
Similac Advance Ready-to-Feed Formula, 32 oz. .	\$6.34
Similac Advance Powder Formula, 12.9 oz.	\$13.20
Similac Neosure Advance Ready-to-Feed Formula, 32 oz.	\$7.40
Similac Neosure Advance Powder Formula, 12.8 oz.	\$15.21
Store Brand Milk Based Formula Concentrate, 13 oz.	\$2.84
Store Brand Milk Based Formula—Ready-to-Feed, 32 oz.	\$3.79
Store Brand Milk Based Formula—Powder, 25.75 oz.	\$16.13

A store must permit purchase of WIC allowable foods that exceed the maximum allowable price to WIC participants using a WIC check; however, the amounts that exceed the maximum allowable price of any WIC allowable foods sold to WIC participants will be billed to the store on a quarterly basis in accordance with 28 Pa. Code § 1105.2 (relating to price adjustments).

Competitive Prices

To remain WIC Authorized, each store must maintain the minimum inventory of the following WIC food items at, or below, the Competitive Prices listed for the store's peer group. Effective October 1, 2009, through December 31, 2009, the Competitive Prices for WIC Authorization for Type 1 Stores in Regular Cost Counties are as follows:

<i>Description</i>	<i>Competitive Prices</i>
Beans, Canned, 15.5/16 oz.	\$1.04
Beans/Peas—Dry, 16 oz.	\$1.42
Canned Fish—Pink Salmon	\$2.33
Canned Fish—Sardines	\$1.41
Canned Fish—Tuna	\$1.04
Cereal (per oz.)	\$0.32
Cheese, 16 oz.	\$5.12
Eggs	\$1.40
Gerber Infant Cereal, 8 oz.	\$2.01
Infant Fruits, 100%, 4 oz.	\$0.57
Infant Vegetables, 100%, 4 oz.	\$0.57

<i>Description</i>	<i>Competitive Prices</i>
Infant Meats, 100%, 2.5 oz.	\$1.02
Juice, 11.5/12 oz.	\$2.08
Juice, 48 oz.	\$3.34
Juice, 64 oz.	\$3.41
Kosher Cheese	\$6.89
Kosher Low Fat Milk, 1/2 gallon	\$1.74
Kosher Whole Milk, 1/2 gallon	\$2.10
Milk, Low Fat, 1/2 gallon	\$1.70
Milk, Whole, 1/2 gallon	\$2.01
Peanut Butter	\$2.52
Whole Grain—Bread, 16 oz.	\$3.49
Whole Grain—Brown Rice, 16 oz.	\$2.18
Whole Grain—Oats, 16 oz.	\$2.19
Whole Grain—Soft Corn or Whole Wheat Tortillas, 16 oz.	\$2.20
Nestle Good Start Gentle PLUS Concentrate—Orange Formula, 13 oz.	\$4.21
Nestle Good Start Gentle PLUS Ready-to-Feed—Orange Formula, 32 oz.	\$6.35
Nestle Good Start Gentle PLUS Powder—Orange Formula, 12 oz.	\$13.73
Nestle Good Start Soy PLUS Concentrate—Blue Formula, 13 oz.	\$4.46
Nestle Good Start Soy PLUS Ready-to-Feed—Blue Formula, 32 oz.	\$6.56
Nestle Good Start Soy PLUS Powder—Blue Formula, 12.9 oz.	\$13.73

Maximum Allowable Prices and Competitive Prices for Type 2 Stores in Regular Cost Counties

Under 28 Pa. Code §§ 1103.4(5) and 1105.3(a)(1) and 7 CFR 246.12, the WIC Program hereby publishes notice of the Maximum Allowable Prices and Competitive Prices for Type 2 Stores in Regular Cost Counties.

Maximum Allowable Prices

Effective October 1, 2009, through December 31, 2009, the Maximum Allowable Prices the Department will pay Type 2 Stores in Regular Cost Counties for WIC allowable foods are as follows:

<i>Description</i>	<i>Maximum Allowable Price</i>
Beans, Canned, 15.5/16 oz.	\$1.25
Beans/Peas—Dry, 16 oz.	\$1.53
Canned Fish—Pink Salmon	\$2.33
Canned Fish—Sardines	\$1.41
Canned Fish—Tuna	\$1.11
Cereal (per oz.)	\$0.33
Cheese, 16 oz.	\$6.17
Eggs	\$1.67
Gerber Infant Cereal, 8 oz.	\$2.13
Infant Fruits, 100%, 4 oz.	\$0.64
Infant Vegetables, 100%, 4 oz.	\$0.64
Infant Meats, 100%, 2.5 oz.	\$1.05
Juice, 11.5/12 oz.	\$2.43
Juice, 48 oz.	\$3.39
Juice, 64 oz.	\$3.89
Kosher Cheese	\$7.07
Kosher Low Fat Milk, quart	\$1.33
Kosher Low Fat Milk, 1/2 gallon	\$1.76
Kosher Whole Milk, quart	\$1.35
Kosher Whole Milk, 1/2 gallon	\$2.22
Milk, Dry, 16 oz.	\$6.45
Milk, Evaporated, 12 oz.	\$1.35
Milk, Low Fat, quart	\$1.18

<i>Description</i>	<i>Maximum Allowable Price</i>
Milk, Low Fat, 1/2 gallon	\$2.10
Milk, Low Fat Lactose Free, quart	\$2.12
Milk, Whole, quart	\$1.20
Milk, Whole, 1/2 gallon	\$2.15
Milk, Whole Lactose Free, quart	\$2.15
Milk, Whole Lactose Free, 1/2 gallon	\$3.97
Peanut Butter	\$2.78
Soy Beverage—Pacific Natural Foods/8th Continent 32 oz.	\$3.52
Soy Beverage—Pacific Natural Foods/8th Continent 64 oz.	\$3.23
Tofu—Soy Boy/House Premium 12/16 oz.	\$2.52
Whole Grain—Bread, 16 oz.	\$3.59
Whole Grain—Bread, 24 oz.	\$3.72
Whole Grain—Brown Rice, 16 oz.	\$2.20
Whole Grain—Brown Rice, 24 oz.	\$2.70
Whole Grain—Oats, 16 oz.	\$2.43
Whole Grain—Oats, 24 oz.	\$5.89
Whole Grain—Soft Corn or Whole Wheat Tortillas, 16 oz.	\$2.29
Alimentum Advance Ready-to-Feed Formula, 32 oz.	\$9.43
Alimentum Advance Powder Formula, 16 oz.	\$26.86
Boost Ready-to-Feed Formula, 8 oz.	\$2.00
EnfaCare LIPIL w/Iron Ready to Feed, 32 oz.	\$7.26
EnfaCare LIPIL w/Iron Powder Formula, 12.8 oz.	\$14.44
Enfamil LIPIL Concentrate Formula, 13 oz.	\$4.87
Enfamil LIPIL Ready-to-Feed Formula, 32 oz.	\$6.70
Enfamil LIPIL Powder Formula, 12.9 oz.	\$13.91
Isomil DF Ready-to-Feed Formula, 32 oz.	\$6.34
Nestle Good Start Gentle PLUS Concentrate—Orange Formula, 13 oz.	\$ 4.73
Nestle Good Start Gentle PLUS Ready-to-Feed—Orange Formula, 32 oz.	\$6.57
Nestle Good Start Gentle PLUS Powder—Orange Formula, 12 oz.	\$13.87
Nestle Good Start Soy PLUS Concentrate—Blue Formula, 13 oz.	\$4.90
Nestle Good Start Soy PLUS Ready-to-Feed—Blue Formula, 32 oz.	\$6.91
Nestle Good Start Soy PLUS Powder—Blue Formula, 12.9 oz.	\$13.87
Nestle Good Start Soy PLUS 2 Powder—Blue w/blue, 24 oz.	\$22.19
Nestle Good Start Gentle Plus 2 Powder—Blue w/orange, 24 oz	\$22.19
Nestle Good Start Protect PLUS 2 Powder—Blue w/green, 24 oz.	\$26.44
Nestle Good Start Protect PLUS 2 Powder—Green, 12 oz.	\$14.76
Nestle Good Start Nourish PLUS Powder—Purple, 12 oz.	\$10.79
Nutramigen Lipil Concentrate Formula, 13 oz.	\$7.30
Nutramigen Lipil Ready-to-Feed Formula, 32 oz.	\$9.20
Nutramigen Lipil Powder Formula, 16 oz.	\$26.93
Nutramigen Lipil w/Enflora Powder Formula, 12.6 oz.	\$23.56
Pediasure Ready-to-Feed Formula, 8 oz.	\$2.13
Pediasure w/Fiber Ready-to-Feed Formula, 8 oz.	\$2.09
Similac Advance Concentrate Formula, 13 oz.	\$4.49

<i>Description</i>	<i>Maximum Allowable Price</i>
Similac Advance Ready-to-Feed Formula, 32 oz.	\$6.38
Similac Advance Powder Formula, 12.9 oz.	\$13.72
Similac Neosure Advance Ready-to-Feed Formula, 32 oz.	\$7.65
Similac Neosure Advance Powder Formula, 12.8 oz.	\$15.89
Store Brand Milk Based Formula Concentrate, 13 oz.	\$2.89
Store Brand Milk Based Formula—Ready-to-Feed, 32 oz.	\$3.86
Store Brand Milk Based Formula—Powder, 25.75 oz.	\$16.99

A store must permit purchase of WIC allowable foods that exceed the maximum allowable price to WIC participants using a WIC check; however, the amounts that exceed the maximum allowable price of any WIC allowable foods sold to WIC participants will be billed to the store on a quarterly basis in accordance with 28 Pa. Code § 1105.2.

Competitive Prices

To remain WIC Authorized, each store must maintain the minimum inventory of the following WIC food items at, or below, the Competitive Prices listed for the store's peer group. Effective October 1, 2009, through December 31, 2009, the Competitive Prices for WIC Authorization for Type 2 Stores in Regular Cost Counties are as follows:

<i>Description</i>	<i>Competitive Prices</i>
Beans, Canned, 15.5/16 oz.	\$1.16
Beans/Peas—Dry, 16 oz	\$1.42
Canned Fish—Pink Salmon	\$2.33
Canned Fish—Sardines	\$1.41
Canned Fish—Tuna	\$1.04
Cereal (per oz.)	\$0.33
Cheese, 16 oz.	\$5.49
Eggs	\$1.56
Gerber Infant Cereal, 8 oz.	\$2.13
Infant Fruits, 100%, 4 oz.	\$0.63
Infant Vegetables, 100%, 4 oz.	\$0.63
Infant Meats, 100%, 2.5 oz.	\$1.04
Juice, 11.5/12 oz.	\$2.27
Juice, 48 oz.	\$3.34
Juice, 64 oz.	\$3.75
Kosher Cheese	\$7.01
Kosher Low Fat Milk, 1/2 gallon	\$1.74
Kosher Whole Milk, 1/2 gallon	\$2.10
Milk, Low Fat, 1/2 gallon	\$1.70
Milk, Whole, 1/2 gallon	\$2.01
Peanut Butter	\$2.78
Whole Grain—Bread, 16 oz.	\$3.49
Whole Grain—Brown Rice, 16 oz.	\$2.20
Whole Grain—Oats, 16 oz.	\$2.42
Whole Grain—Soft Corn or Whole Wheat Tortillas, 16 oz.	\$2.24
Nestle Good Start Gentle PLUS Concentrate—Orange Formula, 13 oz.	\$4.73
Nestle Good Start Gentle PLUS Ready-to-Feed—Orange Formula, 32 oz.	\$6.57
Nestle Good Start Gentle PLUS Powder—Orange Formula, 12 oz.	\$13.87
Nestle Good Start Soy PLUS Concentrate—Blue Formula, 13 oz.	\$4.90

<i>Description</i>	<i>Competitive Prices</i>
Nestle Good Start Soy PLUS Ready-to-Feed—Blue Formula, 32 oz.	\$6.91
Nestle Good Start Soy PLUS Powder—Blue Formula, 12.9 oz.	\$13.87

Maximum Allowable Prices and Competitive Prices for Type 3 Stores in Regular Cost Counties

Under 28 Pa. Code §§ 1103.4(5) and 1105.3(a)(1) and 7 CFR 246.12, the WIC Program hereby publishes notice of the Maximum Allowable Prices and Competitive Prices for Type 3 Stores in Regular Cost Counties.

Maximum Allowable Prices

Effective October 1, 2009, through December 31, 2009, the Maximum Allowable Prices the Department will pay Type 3 Stores in Regular Cost Counties for WIC allowable foods are as follows:

<i>Description</i>	<i>Maximum Allowable Price</i>
Beans, Canned, 15.5/16 oz.	\$1.27
Beans/Peas—Dry, 16 oz.	\$1.64
Canned Fish—Pink Salmon	\$2.33
Canned Fish—Sardines	\$1.41
Canned Fish—Tuna	\$1.18
Cereal (per oz.)	\$0.36
Cheese, 16 oz.	\$6.17
Eggs	\$1.79
Gerber Infant Cereal, 8 oz.	\$2.28
Infant Fruits, 100%, 4 oz.	\$0.78
Infant Vegetables, 100%, 4 oz.	\$0.78
Infant Meats, 100%, 2.5 oz.	\$1.18
Juice, 11.5/12 oz.	\$2.59
Juice, 48 oz.	\$3.39
Juice, 64 oz.	\$3.99
Kosher Cheese	\$7.27
Kosher Low Fat Milk, quart	\$1.34
Kosher Low Fat Milk, 1/2 gallon	\$1.91
Kosher Whole Milk, quart	\$1.38
Kosher Whole Milk, 1/2 gallon	\$2.95
Milk, Dry, 16 oz.	\$7.44
Milk, Evaporated, 12 oz.	\$1.39
Milk, Low Fat, quart	\$1.18
Milk, Low Fat, 1/2 gallon	\$2.10
Milk, Low Fat Lactose Free, quart	\$2.12
Milk, Whole, quart	\$1.20
Milk, Whole, 1/2 gallon	\$2.15
Milk, Whole Lactose Free, quart	\$2.15
Milk, Whole Lactose Free, 1/2 gallon	\$3.99
Peanut Butter	\$2.87
Soy Beverage—Pacific Natural Foods/8th Continent, 32 oz.	\$3.52
Soy Beverage—Pacific Natural Foods/8th Continent, 64 oz.	\$3.43
Tofu—Soy Boy/House Premium, 12/16 oz.	\$2.54
Whole Grain—Bread, 16 oz.	\$3.59
Whole Grain—Bread, 24 oz.	\$3.72
Whole Grain—Brown Rice, 16 oz.	\$2.26
Whole Grain—Brown Rice, 24 oz.	\$2.70
Whole Grain—Oats, 16 oz.	\$2.47
Whole Grain—Oats, 24 oz.	\$6.00
Whole Grain—Soft Corn or Whole Wheat Tortillas, 16 oz.	\$2.29
Alimentum Advance Ready-to-Feed Formula, 32 oz.	\$9.48
Alimentum Advance Powder Formula, 16 oz.	\$26.99

<i>Description</i>	<i>Maximum Allowable Price</i>
Boost Ready-to-Feed Formula, 8 oz.	\$2.00
EnfaCare LIPIL w/Iron Ready to Feed, 32 oz. ...	\$7.54
EnfaCare LIPIL w/Iron Powder Formula, 12.8 oz.	\$15.19
Enfamil LIPIL Concentrate Formula, 13 oz.	\$5.24
Enfamil LIPIL Ready-to-Feed Formula, 32 oz. ...	\$7.54
Enfamil LIPIL Powder Formula, 12.9 oz.	\$15.19
Isomil DF Ready-to-Feed Formula, 32 oz.	\$8.19
Nestle Good Start Gentle PLUS Concentrate—Orange Formula, 13 oz.	\$ 4.85
Nestle Good Start Gentle PLUS Ready-to-Feed—Orange Formula, 32 oz.	\$6.94
Nestle Good Start Gentle PLUS Powder—Orange Formula, 12 oz.	\$14.49
Nestle Good Start Soy PLUS Concentrate—Blue Formula, 13 oz.	\$5.12
Nestle Good Start Soy PLUS Ready-to-Feed—Blue Formula, 32 oz.	\$7.28
Nestle Good Start Soy PLUS Powder—Blue Formula, 12.9 oz.	\$14.49
Nestle Good Start Soy PLUS 2 Powder—Blue w/blue, 24 oz.	\$22.19
Nestle Good Start Gentle Plus 2 Powder—Blue w/orange, 24 oz.	\$22.76
Nestle Good Start Protect PLUS 2 Powder—Blue w/green, 24 oz.	\$26.44
Nestle Good Start Protect PLUS 2 Powder—Green, 12 oz.	\$14.77
Nestle Good Start Nourish PLUS Powder—Purple, 12 oz.	\$10.79
Nutramigen Lipil Concentrate Formula, 13 oz. ...	\$7.82
Nutramigen Lipil Ready-to-Feed Formula, 32 oz. ...	\$9.38
Nutramigen Lipil Powder Formula, 16 oz.	\$28.36
Nutramigen Lipil w/Enflora Powder Formula, 12.6 oz.	\$23.56
Pediasure Ready-to-Feed Formula, 8 oz.	\$2.58
Pediasure w/Fiber Ready-to-Feed Formula, 8 oz. ...	\$2.63
Similac Advance Concentrate Formula, 13 oz. ...	\$5.17
Similac Advance Ready-to-Feed Formula, 32 oz. ...	\$7.18
Similac Advance Powder Formula, 12.9 oz.	\$15.02
Similac Neosure Advance Ready-to-Feed Formula, 32 oz.	\$9.23
Similac Neosure Advance Powder Formula, 12.8 oz.	\$15.89
Store Brand Milk Based Formula Concentrate, 13 oz.	\$3.10
Store Brand Milk Based Formula—Ready-to-Feed, 32 oz.	\$4.32
Store Brand Milk Based Formula—Powder, 25.75 oz.	\$17.99

A store must permit purchase of WIC allowable foods that exceed the maximum allowable price to WIC participants using a WIC check; however, the amounts that exceed the maximum allowable price of any WIC allowable foods sold to WIC participants will be billed to the store on a quarterly basis in accordance with 28 Pa. Code § 1105.2.

Competitive Prices

To remain WIC Authorized, each store must maintain the minimum inventory of the following WIC food items at, or below, the Competitive Prices listed for the store's peer group. Effective October 1, 2009, through December 31, 2009, the Competitive Prices for WIC Authorization for Type 3 Stores in Regular Cost Counties are as follows:

<i>Description</i>	<i>Competitive Prices</i>	<i>Description</i>	<i>Maximum Allowable Price</i>
Beans, Canned, 15.5/16 oz.	\$1.18	Juice, 11.5/12 oz.	\$2.57
Beans/Peas—Dry, 16 oz.	\$1.54	Juice, 48 oz.	\$3.36
Canned Fish—Pink Salmon	\$2.33	Juice, 64 oz.	\$4.00
Canned Fish—Sardines	\$1.45	Kosher Cheese	\$7.48
Canned Fish—Tuna	\$1.14	Kosher Low Fat Milk, quart	\$1.35
Cereal (per oz.)	\$0.36	Kosher Low Fat Milk, 1/2 gallon	\$1.76
Cheese, 16 oz.	\$5.57	Kosher Whole Milk, quart	\$1.35
Eggs	\$1.71	Kosher Whole Milk, 1/2 gallon	\$2.22
Gerber Infant Cereal, 8 oz.	\$2.28	Milk, Dry, 16 oz.	\$6.03
Infant Fruits, 100%, 4 oz.	\$0.75	Milk, Evaporated, 12 oz.	\$1.33
Infant Vegetables, 100%, 4 oz.	\$0.76	Milk, Low Fat, quart	\$1.29
Infant Meats, 100%, 2.5 oz.	\$1.17	Milk, Low Fat, 1/2 gallon	\$2.27
Juice, 11.5/12 oz.	\$2.48	Milk, Low Fat Lactose Free, quart	\$2.25
Juice, 48 oz.	\$3.36	Milk, Whole, quart	\$1.25
Juice, 64 oz.	\$3.98	Milk, Whole, 1/2 gallon	\$2.32
Kosher Cheese	\$7.01	Milk, Whole Lactose Free, quart	\$2.25
Kosher Low Fat Milk, 1/2 gallon	\$1.91	Milk, Whole Lactose Free, 1/2 gallon	\$3.87
Kosher Whole Milk, 1/2 gallon	\$2.95	Peanut Butter	\$2.80
Milk, Low Fat, 1/2 gallon	\$1.76	Soy Beverage—Pacific Natural Foods/8th Continent, 32 oz.	\$3.52
Milk, Whole, 1/2 gallon	\$2.01	Soy Beverage—Pacific Natural Foods/8th Continent, 64 oz.	\$3.19
Peanut Butter	\$2.82	Tofu—Soy Boy/House Premium 12/16 oz.	\$2.65
Whole Grain—Bread, 16 oz.	\$3.49	Whole Grain—Bread, 16 oz.	\$3.59
Whole Grain—Brown Rice, 16 oz.	\$2.26	Whole Grain—Bread, 24 oz.	\$3.72
Whole Grain—Oats, 16 oz.	\$2.45	Whole Grain—Brown Rice, 16 oz.	\$2.26
Whole Grain—Soft Corn or Whole Wheat Tortillas, 16 oz.	\$2.28	Whole Grain—Brown Rice, 24 oz.	\$2.70
Nestle Good Start Gentle PLUS Concentrate— Orange Formula, 13 oz.	\$4.85	Whole Grain—Oats, 16 oz.	\$2.37
Nestle Good Start Gentle PLUS Ready-to-Feed— Orange Formula, 32 oz.	\$6.94	Whole Grain—Oats, 24 oz.	\$6.19
Nestle Good Start Gentle PLUS Powder—Orange Formula, 12 oz.	\$14.49	Whole Grain—Soft Corn or Whole Wheat Tortillas, 16 oz.	\$2.26
Nestle Good Start Soy PLUS Concentrate—Blue Formula, 13 oz.	\$5.12	Alimentum Advance Ready-to-Feed Formula, 32 oz.	\$9.18
Nestle Good Start Soy PLUS Ready-to-Feed—Blue Formula, 32 oz.	\$7.28	Alimentum Advance Powder Formula, 16 oz.	\$26.21
Nestle Good Start Soy PLUS Powder—Blue Formula, 12.9 oz.	\$14.49	Boost Ready-to-Feed Formula, 8 oz.	\$2.00
Maximum Allowable Prices and Competitive Prices for Type 1 Stores in High Cost Counties			
Under 28 Pa. Code §§ 1103.4(5) and 1105.3(a)(1) and 7 CFR 246.12, the WIC Program hereby publishes notice of the Maximum Allowable Prices and Competitive Prices for Type 1 Stores in High Cost Counties.			
Maximum Allowable Prices			
Effective October 1, 2009, through December 31, 2009, the Maximum Allowable Prices the Department will pay Type 1 Stores in High Cost Counties for WIC allowable foods are as follows:			
<i>Description</i>	<i>Maximum Allowable Price</i>		
Beans, Canned, 15.5/16 oz.	\$1.16	Nestle Good Start Soy PLUS 2 Powder—Blue w/blue, 24 oz.	\$21.65
Beans/Peas—Dry — 16 oz.	\$1.75	Nestle Good Start Gentle Plus 2 Powder—Blue w/orange, 24 oz.	\$21.44
Canned Fish—Pink Salmon	\$2.45	Nestle Good Start Protect PLUS 2 Powder—Blue w/green, 24 oz.	\$26.44
Canned Fish—Sardines	\$1.45	Nestle Good Start Protect PLUS 2 Powder—Green, 12 oz.	\$14.52
Canned Fish—Tuna	\$1.12	Nestle Good Start Nourish PLUS Powder—Purple, 12 oz.	\$10.79
Cereal (per oz.)	\$0.33	Nutramigen Lipil Concentrate Formula, 13 oz.	\$7.17
Cheese, 16 oz.	\$6.23		
Eggs	\$1.64		
Gerber Infant Cereal, 8 oz.	\$2.13		
Infant Fruits, 100%, 4 oz.	\$0.60		
Infant Vegetables, 100%, 4 oz.	\$0.60		
Infant Meats, 100%, 2.5 oz.	\$1.06		

<i>Description</i>	<i>Maximum Allowable Price</i>
Nutramigen Lipil Ready-to-Feed Formula, 32 oz.	\$9.02
Nutramigen Lipil Powder Formula, 16 oz.	\$26.02
Nutramigen Lipil w/Enflora Powder Formula, 12.6 oz.	\$22.52
Pediasure Ready-to-Feed Formula, 8 oz.	\$1.85
Pediasure w/Fiber Ready-to-Feed Formula, 8 oz.	\$1.92
Similac Advance Concentrate Formula, 13 oz. ...	\$4.43
Similac Advance Ready-to-Feed Formula, 32 oz.	\$6.34
Similac Advance Powder Formula, 12.9 oz.	\$13.60
Similac Neosure Advance Ready-to-Feed Formula, 32 oz.	\$7.62
Similac Neosure Advance Powder Formula, 12.8 oz.	\$15.60
Store Brand Milk Based Formula Concentrate, 13 oz.	\$2.87
Store Brand Milk Based Formula—Ready-to-Feed, 32 oz.	\$3.85
Store Brand Milk Based Formula—Powder, 25.75 oz.	\$16.19

A store must permit purchase of WIC allowable foods that exceed the maximum allowable price to WIC participants using a WIC check; however, the amounts that exceed the maximum allowable price of any WIC allowable foods sold to WIC participants will be billed to the store on a quarterly basis in accordance with 28 Pa. Code § 1105.2.

Competitive Prices

To remain WIC Authorized, each store must maintain the minimum inventory of the following WIC food items at, or below, the Competitive Prices listed for the store's peer group. Effective October 1, 2009, through December 31, the Competitive Prices for WIC Authorization for Type 1 Stores in High Cost Counties are as follows:

<i>Description</i>	<i>Competitive Prices</i>
Beans, Canned, 15.5/16 oz.	\$1.08
Beans/Peas—Dry, 16 oz.	\$1.61
Canned Fish—Pink Salmon.	\$2.37
Canned Fish—Sardines.	\$1.44
Canned Fish—Tuna.	\$1.05
Cereal (per oz.)	\$0.33
Cheese, 16 oz.	\$5.26
Eggs.	\$1.54
Gerber Infant Cereal, 8 oz.	\$2.13
Infant Fruits, 100%, 4 oz.	\$0.57
Infant Vegetables, 100%, 4 oz.	\$0.57
Infant Meats, 100%, 2.5 oz.	\$1.02
Juice, 11.5/12 oz.	\$2.31
Juice, 48 oz.	\$3.34
Juice, 64 oz.	\$3.82
Kosher Cheese.	\$7.38
Kosher Low Fat Milk, 1/2 gallon.	\$1.75
Kosher Whole Milk, 1/2 gallon.	\$2.10
Milk, Low Fat, 1/2 gallon.	\$1.75
Milk, Whole, 1/2 gallon.	\$2.16
Peanut Butter.	\$2.66
Whole Grain—Bread, 16 oz.	\$3.49
Whole Grain—Brown Rice, 16 oz.	\$2.25
Whole Grain—Oats, 16 oz.	\$2.34

<i>Description</i>	<i>Competitive Prices</i>
Whole Grain—Soft Corn or Whole Wheat Tortillas, 16 oz.	\$2.26
Nestle Good Start Gentle PLUS Concentrate—Orange Formula, 13 oz.	\$4.48
Nestle Good Start Gentle PLUS Ready-to-Feed—Orange Formula, 32 oz.	\$6.49
Nestle Good Start Gentle PLUS Powder—Orange Formula, 12 oz.	\$13.89
Nestle Good Start Soy PLUS Concentrate—Blue Formula, 13 oz.	\$4.64
Nestle Good Start Soy PLUS Ready-to-Feed—Blue Formula, 32 oz.	\$6.64
Nestle Good Start Soy PLUS Powder—Blue Formula, 12.9 oz.	\$13.89

Maximum Allowable Prices and Competitive Prices for Type 2 Stores in High Cost Counties

Under 28 Pa. Code §§ 1103.4(5) and 1105.3(a)(1) and 7 CFR 246.12, the WIC Program hereby publishes notice of the Maximum Allowable Prices and Competitive Prices for Type 2 Stores in High Cost Counties.

Maximum Allowable Prices

Effective October 1, 2009, through December 31, 2009, the Maximum Allowable Prices the Department will pay Type 2 Stores in High Cost Counties for WIC allowable foods are as follows:

<i>Description</i>	<i>Maximum Allowable Price</i>
Beans, Canned, 15.5/16 oz.	\$1.28
Beans/Peas—Dry, 16 oz.	\$1.75
Canned Fish—Pink Salmon.	\$2.45
Canned Fish—Sardines.	\$1.45
Canned Fish—Tuna.	\$1.21
Cereal (per oz.)	\$0.35
Cheese, 16 oz.	\$6.23
Eggs.	\$1.70
Gerber Infant Cereal, 8 oz.	\$2.21
Infant Fruits, 100%, 4 oz.	\$0.64
Infant Vegetables, 100%, 4 oz.	\$0.64
Infant Meats, 100%, 2.5 oz.	\$1.11
Juice, 11.5/12 oz.	\$2.63
Juice, 48 oz.	\$3.41
Juice, 64 oz.	\$4.07
Kosher Cheese.	\$7.48
Kosher Low Fat Milk, quart.	\$1.36
Kosher Low Fat Milk, 1/2 gallon.	\$1.76
Kosher Whole Milk, quart.	\$1.35
Kosher Whole Milk, 1/2 gallon.	\$2.22
Milk, Dry, 16 oz.	\$6.45
Milk, Evaporated, 12 oz.	\$1.40
Milk, Low Fat, quart.	\$1.29
Milk, Low Fat, 1/2 gallon.	\$2.27
Milk, Low Fat Lactose Free, quart.	\$2.25
Milk, Whole, quart.	\$1.25
Milk, Whole, 1/2 gallon.	\$2.32
Milk, Whole Lactose Free, quart.	\$2.25
Milk, Whole Lactose Free, 1/2 gallon.	\$3.97
Peanut Butter.	\$2.81
Soy Beverage—Pacific Natural Foods/8th Continent, 32 oz.	\$3.52
Soy Beverage—Pacific Natural Foods/8th Continent, 64 oz.	\$3.45
Tofu—Soy Boy/House Premium, 12/16 oz.	\$2.67
Whole Grain—Bread, 16 oz.	\$3.59

<i>Description</i>	<i>Maximum Allowable Price</i>
Whole Grain—Bread, 24 oz.	\$3.72
Whole Grain—Brown Rice, 16 oz.	\$2.33
Whole Grain—Brown Rice, 24 oz.	\$2.70
Whole Grain—Oats, 16 oz.	\$2.44
Whole Grain—Oats, 24 oz.	\$6.19
Whole Grain—Soft Corn or Whole Wheat Tortillas, 16 oz.	\$2.35
Alimentum Advance Ready-to-Feed Formula, 32 oz.	\$9.74
Alimentum Advance Powder Formula, 16 oz.	\$27.51
Boost Ready-to-Feed Formula, 8 oz.	\$2.00
EnfaCare LIPIL w/Iron Ready to Feed, 32 oz.	\$7.74
EnfaCare LIPIL w/Iron Powder Formula, 12.8 oz.	\$15.30
Enfamil LIPIL Concentrate Formula, 13 oz.	\$4.87
Enfamil LIPIL Ready-to-Feed Formula, 32 oz.	\$7.05
Enfamil LIPIL Powder Formula, 12.9 oz.	\$14.61
Isomil DF Ready-to-Feed Formula, 32 oz.	\$6.64
Nestle Good Start Gentle PLUS Concentrate—Orange Formula, 13 oz.	\$ 4.78
Nestle Good Start Gentle PLUS Ready-to-Feed—Orange Formula, 32 oz.	\$6.86
Nestle Good Start Gentle PLUS Powder—Orange Formula, 12 oz.	\$14.47
Nestle Good Start Soy PLUS Concentrate—Blue Formula, 13 oz.	\$4.95
Nestle Good Start Soy PLUS Ready-to-Feed—Blue Formula, 32 oz.	\$6.91
Nestle Good Start Soy PLUS Powder—Blue Formula, 12.9 oz.	\$14.47
Nestle Good Start Soy PLUS 2 Powder—Blue w/blue, 24 oz.	\$22.34
Nestle Good Start Gentle Plus 2 Powder—Blue w/orange, 24 oz.	\$22.19
Nestle Good Start Protect PLUS 2 Powder—Blue w/green, 24 oz.	\$26.44
Nestle Good Start Protect PLUS 2 Powder—Green, 12 oz.	\$14.85
Nestle Good Start Nourish PLUS Powder—Purple, 12 oz.	\$10.79
Nutramigen Lipil Concentrate Formula, 13 oz.	\$7.51
Nutramigen Lipil Ready-to-Feed Formula, 32 oz.	\$9.20
Nutramigen Lipil Powder Formula, 16 oz.	\$27.39
Nutramigen Lipil w/Enflora Powder Formula, 12.6 oz.	\$23.82
Pediasure Ready-to-Feed Formula, 8 oz.	\$2.29
Pediasure w/Fiber Ready-to-Feed Formula, 8 oz.	\$2.22
Similac Advance Concentrate Formula, 13 oz.	\$4.70
Similac Advance Ready-to-Feed Formula, 32 oz.	\$6.71
Similac Advance Powder Formula, 12.9 oz.	\$14.44
Similac Neosure Advance Ready-to-Feed Formula, 32 oz.	\$7.93
Similac Neosure Advance Powder Formula, 12.8 oz.	\$16.68
Store Brand Milk Based Formula Concentrate, 13 oz.	\$2.95
Store Brand Milk Based Formula—Ready-to-Feed, 32 oz.	\$4.05
Store Brand Milk Based Formula—Powder, 25.75 oz.	\$16.99

A store must permit purchase of WIC allowable foods that exceed the maximum allowable price to WIC participants using a WIC check; however, the amounts that exceed the maximum allowable price of any WIC allowable foods sold to WIC participants will be billed to the store on a quarterly basis in accordance with 28 Pa. Code § 1105.2.

Competitive Prices

To remain WIC Authorized, each store must maintain the minimum inventory of the following WIC food items at, or below, the Competitive Prices listed for the store's peer group. Effective October 1, 2009, through December 31, 2009, the Competitive Prices for WIC Authorization for Type 2 Stores in High Cost Counties are as follows:

<i>Description</i>	<i>Competitive Prices</i>
Beans, Canned, 15.5/16 oz.	\$1.19
Beans/Peas—Dry, 16 oz.	\$1.66
Canned Fish—Pink Salmon.	\$2.45
Canned Fish—Sardines.	\$1.44
Canned Fish—Tuna.	\$1.14
Cereal (per oz.)	\$0.35
Cheese, 16 oz.	\$5.60
Eggs.	\$1.58
Gerber Infant Cereal, 8 oz.	\$2.21
Infant Fruits, 100%, 4 oz.	\$0.63
Infant Vegetables, 100%, 4 oz.	\$0.63
Infant Meats, 100%, 2.5 oz.	\$1.09
Juice, 11.5/12 oz.	\$2.45
Juice, 48 oz.	\$3.34
Juice, 64 oz.	\$4.01
Kosher Cheese.	\$7.38
Kosher Low Fat Milk, 1/2 gallon.	\$1.75
Kosher Whole Milk, 1/2 gallon.	\$2.10
Milk, Low Fat, 1/2 gallon.	\$1.75
Milk, Whole, 1/2 gallon.	\$2.16
Peanut Butter.	\$2.80
Whole Grain—Bread, 16 oz.	\$3.49
Whole Grain—Brown Rice, 16 oz.	\$2.33
Whole Grain—Oats, 16 oz.	\$2.44
Whole Grain—Soft Corn or Whole Wheat Tortillas, 16 oz.	\$2.34
Nestle Good Start Gentle PLUS Concentrate—Orange Formula, 13 oz.	\$4.78
Nestle Good Start Gentle PLUS Ready-to-Feed—Orange Formula, 32 oz.	\$6.86
Nestle Good Start Gentle PLUS Powder—Orange Formula, 12 oz.	\$14.47
Nestle Good Start Soy PLUS Concentrate—Blue Formula, 13 oz.	\$4.95
Nestle Good Start Soy PLUS Ready-to-Feed—Blue Formula, 32 oz.	\$6.91
Nestle Good Start Soy PLUS Powder—Blue Formula, 12.9 oz.	\$14.47

Maximum Allowable Prices and Competitive Prices for Type 3 Stores in High Cost Counties

Under 28 Pa. Code §§ 1103.4(5) and 1105.3(a)(1) and 7 CFR 246.12, the WIC Program hereby publishes notice of the Maximum Allowable Prices and Competitive Prices for Type 3 Stores in High Cost Counties.

Maximum Allowable Prices

Effective October 1, 2009, through December 31, 2009, the Maximum Allowable Prices the Department will pay Type 3 Stores in High Cost Counties for WIC allowable foods are as follows:

<i>Description</i>	<i>Maximum Allowable Price</i>
Beans, Canned, 15.5/16 oz	\$1.29
Beans/Peas—Dry, 16 oz.	\$1.75
Canned Fish—Pink Salmon	\$2.45
Canned Fish—Sardines	\$1.45
Canned Fish—Tuna	\$1.25
Cereal (per oz.)	\$0.37
Cheese, 16 oz.	\$7.09
Eggs	\$1.95
Gerber Infant Cereal, 8 oz.	\$2.42
Infant Fruits, 100%, 4 oz.	\$0.81
Infant Vegetables, 100%, 4 oz.	\$0.81
Infant Meats, 100%, 2.5 oz.	\$1.18
Juice, 11.5/12 oz.	\$2.83
Juice, 48 oz.	\$3.41
Juice, 64 oz.	\$4.10
Kosher Cheese	\$7.48
Kosher Low Fat Milk, quart	\$1.59
Kosher Low Fat Milk, 1/2 gallon	\$2.13
Kosher Whole Milk, quart	\$1.50
Kosher Whole Milk, 1/2 gallon	\$2.95
Milk, Dry, 16 oz.	\$7.44
Milk, Evaporated, 12 oz.	\$1.40
Milk, Low Fat, quart	\$1.48
Milk, Low Fat, 1/2 gallon	\$2.39
Milk, Low Fat Lactose Free, quart	\$2.36
Milk, Whole, quart	\$1.30
Milk, Whole, 1/2 gallon	\$2.54
Milk, Whole Lactose Free, quart	\$2.36
Milk, Whole Lactose Free, 1/2 gallon	\$3.99
Peanut Butter	\$3.05
Soy Beverage—Pacific Natural Foods/8th Continent, 32 oz.	\$3.52
Soy Beverage—Pacific Natural Foods/8th Continent, 64 oz.	\$3.46
Tofu—Soy Boy/House Premium, 12/16 oz.	\$2.77
Whole Grain—Bread, 16 oz.	\$3.59
Whole Grain—Bread, 24 oz.	\$3.72
Whole Grain—Brown Rice, 16 oz.	\$2.34
Whole Grain—Brown Rice, 24 oz.	\$2.70
Whole Grain—Oats, 16 oz.	\$2.78
Whole Grain—Oats, 24 oz.	\$6.25
Whole Grain—Soft Corn or Whole Wheat Tortillas, 16 oz.	\$2.35
Alimentum Advance Ready-to-Feed Formula, 32 oz.	\$10.33
Alimentum Advance Powder Formula, 16 oz.	\$30.11
Boost Ready-to-Feed Formula, 8 oz.	\$2.00
EnfaCare LIPIL w/Iron Ready to Feed, 32 oz.	\$9.01
EnfaCare LIPIL w/Iron Powder Formula, 12.8 oz.	\$17.26
Enfamil LIPIL Concentrate Formula, 13 oz.	\$5.66
Enfamil LIPIL Ready-to-Feed Formula, 32 oz.	\$8.45
Enfamil LIPIL Powder Formula, 12.9 oz.	\$16.70
Isomil DF Ready-to-Feed Formula, 32 oz.	\$8.22
Nestle Good Start Gentle PLUS Concentrate—Orange Formula, 13 oz.	\$ 5.74
Nestle Good Start Gentle PLUS Ready-to-Feed—Orange Formula, 32 oz.	\$8.14
Nestle Good Start Gentle PLUS Powder—Orange Formula, 12 oz.	\$16.36
Nestle Good Start Soy PLUS Concentrate—Blue Formula, 13 oz.	\$5.53
Nestle Good Start Soy PLUS Ready-to-Feed—Blue Formula, 32 oz.	\$7.47
Nestle Good Start Soy PLUS Powder—Blue Formula, 12.9 oz.	\$16.36

<i>Description</i>	<i>Maximum Allowable Price</i>
Nestle Good Start Soy PLUS 2 Powder—Blue w/blue, 24 oz.	\$22.34
Nestle Good Start Gentle Plus 2 Powder—Blue w/orange, 24 oz.	\$22.76
Nestle Good Start Protect PLUS 2 Powder—Blue w/green, 24 oz.	\$26.44
Nestle Good Start Protect PLUS 2 Powder—Green, 12 oz.	\$15.89
Nestle Good Start Nourish PLUS Powder—Purple, 12 oz.	\$12.83
Nutramigen Lipil Concentrate Formula, 13 oz.	\$8.63
Nutramigen Lipil Ready-to-Feed Formula, 32 oz.	\$10.94
Nutramigen Lipil Powder Formula, 16 oz.	\$30.29
Nutramigen Lipil w/Enflora Powder Formula, 12.6 oz.	\$23.89
Pediasure Ready-to-Feed Formula, 8 oz.	\$2.64
Pediasure w/Fiber Ready-to-Feed Formula, 8 oz.	\$2.63
Similac Advance Concentrate Formula, 13 oz.	\$5.59
Similac Advance Ready-to-Feed Formula, 32 oz.	\$8.04
Similac Advance Powder Formula, 12.9 oz.	\$16.51
Similac Neosure Advance Ready-to-Feed Formula, 32 oz.	\$9.99
Similac Neosure Advance Powder Formula, 12.8 oz.	\$19.19
Store Brand Milk Based Formula Concentrate, 13 oz.	\$3.24
Store Brand Milk Based Formula—Ready-to-Feed, 32 oz.	\$4.82
Store Brand Milk Based Formula—Powder, 25.75 oz.	\$17.99

A store must permit purchase of WIC allowable foods that exceed the maximum allowable price to WIC participants using a WIC check; however, the amounts that exceed the maximum allowable price of any WIC allowable foods sold to WIC participants will be billed to the store on a quarterly basis in accordance with 28 Pa. Code § 1105.2.

Competitive Prices

To remain WIC Authorized, each store must maintain the minimum inventory of the following WIC food items at, or below, the Competitive Prices listed for the store's peer group. Effective October 1, 2009, through December 31, 2009, the Competitive Prices for WIC Authorization for Type 3 Stores in High Cost Counties are as follows:

<i>Description</i>	<i>Competitive Prices</i>
Beans, Canned, 15.5/16 oz	\$1.24
Beans/Peas—Dry, 16 oz	\$1.71
Canned Fish—Pink Salmon	\$2.45
Canned Fish—Sardines	\$1.45
Canned Fish—Tuna	\$1.23
Cereal (per oz.)	\$0.37
Cheese, 16 oz.	\$5.87
Eggs	\$1.92
Gerber Infant Cereal, 8 oz.	\$2.42
Infant Fruits, 100%, 4 oz.	\$0.75
Infant Vegetables, 100%, 4 oz.	\$0.76
Infant Meats, 100%, 2.5 oz.	\$1.17
Juice, 11.5/12 oz.	\$2.78
Juice, 48 oz.	\$3.36

<i>Description</i>	<i>Competitive Prices</i>
Juice, 64 oz.	\$4.09
Kosher Cheese	\$7.38
Kosher Low Fat Milk, 1/2 gallon	\$2.13
Kosher Whole Milk, 1/2 gallon	\$2.95
Milk, Low Fat, 1/2 gallon	\$2.36
Milk, Whole, 1/2 gallon	\$2.52
Peanut Butter	\$2.99
Whole Grain—Bread, 16 oz.	\$3.49
Whole Grain—Brown Rice, 16 oz.	\$2.34
Whole Grain—Oats, 16 oz.	\$2.75
Whole Grain—Soft Corn or Whole Wheat Tortillas, 16 oz.	\$2.35
Nestle Good Start Gentle PLUS Concentrate—Orange Formula, 13 oz.	\$5.74
Nestle Good Start Gentle PLUS Ready-to-Feed—Orange Formula, 32 oz.	\$8.14
Nestle Good Start Gentle PLUS Powder—Orange Formula, 12 oz.	\$16.36
Nestle Good Start Soy PLUS Concentrate—Blue Formula, 13 oz.	\$5.53
Nestle Good Start Soy PLUS Ready-to-Feed—Blue Formula, 32 oz.	\$7.47
Nestle Good Start Soy PLUS Powder—Blue Formula, 12.9 oz.	\$16.36

Persons with a disability who require an alternative format of this listing (for example, large print, audiotope, Braille), should contact Chris Harr, Department of Health, Division of WIC, 2150 Herr Street, 1st Floor, Harrisburg, PA 17105, (717) 783-1289 or for speech and/or hearing impaired persons VTT (717) 783-6514 or the Pennsylvania AT&T Relay Service at (800) 654-5984.

EVERETTE JAMES,
Secretary

[Pa.B. Doc. No. 09-1733. Filed for public inspection September 18, 2009, 9:00 a.m.]

DEPARTMENT OF PUBLIC WELFARE

Pharmacy; Prior Authorization List

The Department of Public Welfare (Department) announces that it will add conventional antipsychotics agents, when prescribed for children under 6 years of age, to the Medical Assistance (MA) Program's list of services and items requiring prior authorization, effective September 21, 2009.

Section 443.6(b)(7) of the Public Welfare Code (62 P. S. § 443.6(b)(7)) authorizes the Department to add items and services to the list of services requiring prior authorization by publication of notice in the *Pennsylvania Bulletin*.

The Department will issue MA Bulletins to providers enrolled in the MA Program specifying the procedures for obtaining prior authorization of prescriptions for conventional antipsychotic agents.

Fiscal Impact

It is estimated that the prior authorization requirement will result in minimal savings in the MA-Outpatient Program.

Public Comment

Interested persons are invited to submit written comments regarding this notice to the Department of Public Welfare, Office of Medical Assistance Programs, c/o Regulations Coordinator, Room 515, Health and Welfare Building, Harrisburg, PA 17120. Comments received within 30 days will be reviewed and considered for any subsequent revisions to these prior authorization requirements.

Persons with a disability who require an auxiliary aid or service may submit comments using the Pennsylvania AT&T Relay Service at (800) 654-5984 (TDD users) or (800) 654-5988 (voice users).

ESTELLE B. RICHMAN,
Secretary

Fiscal Note: 14-NOT-620. No fiscal impact; (8) recommends adoption.

[Pa.B. Doc. No. 09-1734. Filed for public inspection September 18, 2009, 9:00 a.m.]

DEPARTMENT OF REVENUE

Pennsylvania Big Winner Spectacular 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 Big Winner Spectacular.

2. *Price:* The price of a Pennsylvania Big Winner Spectacular instant lottery game ticket is \$10.

3. *Play Symbols:* Each Pennsylvania Big Winner Spectacular instant lottery game ticket will contain one play area featuring a "WINNING NUMBERS" area and a "YOUR NUMBERS" area. The play symbols and their captions located in the "WINNING NUMBERS" area are: 1 (ONE), 2 (TWO), 3 (THREE), 4 (FOUR), 5 (FIVE), 6 (SIX), 7 (SEVEN), 8 (EIGHT), 9 (NINE), 11 (ELEVN), 12 (TWLV), 13 (THRTN), 14 (FORTN), 15 (FIFTN), 16 (SIXTN), 17 (SVNTN), 18 (EGHTN), 19 (NINTN), 20 (TWENT), 21 (TWYONE), 22 (TWYTWO), 23 (TWYTHR), 24 (TWYFOR), 25 (TWYFIV), 26 (TWYSIX), 27 (TWYSVN), 28 (TWYEGT), 29 (TWYNIN), 30 (THIRTY), 31 (THYONE), 32 (THYTWO), 33 (THYTHR), 34 (THYFOR), 35 (THYFIV), 36 (THYSIX), 37 (THYSVN), 38 (THYEGT), 39 (THYNIN) and 40 (FORTY). The play symbols and their captions located in the "YOUR NUMBERS" area are: 1 (ONE), 2 (TWO), 3 (THREE), 4 (FOUR), 5 (FIVE), 6 (SIX), 7 (SEVEN), 8 (EIGHT), 9 (NINE), 11 (ELEVN), 12 (TWLV), 13 (THRTN), 14 (FORTN), 15 (FIFTN), 16 (SIXTN), 17 (SVNTN), 18 (EGHTN), 19 (NINTN), 20 (TWENT), 21 (TWYONE), 22 (TWYTWO), 23 (TWYTHR), 24 (TWYFOR), 25 (TWYFIV), 26 (TWYSIX), 27 (TWYSVN), 28 (TWYEGT), 29 (TWYNIN), 30 (THIRTY), 31 (THYONE), 32 (THYTWO), 33 (THYTHR), 34 (THYFOR), 35 (THYFIV), 36 (THYSIX), 37 (THYSVN), 38 (THYEGT), 39 (THYNIN), 40 (FORTY), Moneybag symbol (MNYBAG), 10X symbol (10TIMES) and a Star symbol (STAR).

4. *Prize Symbols:* The prize symbols and their captions located in the "YOUR NUMBERS" area are: \$5⁰⁰ (FIV DOL), \$10⁰⁰ (TEN DOL), \$15⁰⁰ (FIFTN), \$20⁰⁰ (TWENTY), \$40⁰⁰ (FORTY), \$50⁰⁰ (FIFTY), \$100 (ONE HUN), \$500 (FIV HUN), \$1,000 (ONE THO), \$10,000 (TEN THO) and \$250,000 (TWHNFYTH).

5. *Prizes:* The prizes that can be won in this game are: \$5, \$10, \$15, \$20, \$40, \$50, \$100, \$500, \$1,000, \$10,000 and \$250,000. A player can win up to 15 times on a ticket.

6. *Approximate Number of Tickets Printed For the Game:* Approximately 12,000,000 tickets will be printed for the Pennsylvania Big Winner Spectacular instant lottery game.

7. *Determination of Prize Winners:*

(a) Holders of tickets upon which any one of the "YOUR NUMBERS" play symbols matches any of the "WINNING NUMBERS" play symbols and a prize symbol of \$250,000 (TWHNFYTH) appears in the "Prize" area under the matching "YOUR NUMBERS" play symbol, on a single ticket, shall be entitled to a prize of \$250,000.

(b) Holders of tickets upon which any one of the "YOUR NUMBERS" play symbols matches any of the "WINNING NUMBERS" play symbols and a prize symbol of \$10,000 (TEN THO) appears in the "Prize" area under the matching "YOUR NUMBERS" play symbol, on a single ticket, shall be entitled to a prize of \$10,000.

(c) Holders of tickets upon which any one of the "YOUR NUMBERS" play symbols matches any of the "WINNING NUMBERS" play symbols and a prize symbol of \$1,000 (ONE THO) appears in the "Prize" area under the matching "YOUR NUMBERS" play symbol, on a single ticket, shall be entitled to a prize of \$1,000.

(d) Holders of tickets upon which any one of the "YOUR NUMBERS" play symbols is a Moneybag symbol (MNYBAG), and a prize symbol of \$500 (FIV HUN) appears in the "Prize" area under the Moneybag symbol (MNYBAG), on a single ticket, shall be entitled to a prize of \$1,000.

(e) Holders of tickets upon which any one of the "YOUR NUMBERS" play symbols is a 10X symbol (10TIMES), and a prize symbol of \$100 (ONE HUN) appears in the "Prize" area under the 10X symbol (10TIMES), on a single ticket, shall be entitled to a prize of \$1,000.

(f) Holders of tickets upon which any one of the "YOUR NUMBERS" play symbols is a Star symbol (STAR), and a prize symbol of \$50⁰⁰ (FIFTY) appears in ten of the "Prize" areas, and a prize symbol of \$100 (ONE HUN) appears in five of the "Prize" areas, on a single ticket, shall be entitled to a prize of \$1,000.

(g) Holders of tickets upon which any one of the "YOUR NUMBERS" play symbols matches any of the "WINNING NUMBERS" play symbols and a prize symbol of \$500 (FIV HUN) appears in the "Prize" area under the matching "YOUR NUMBERS" play symbol, on a single ticket, shall be entitled to a prize of \$500.

(h) Holders of tickets upon which any one of the "YOUR NUMBERS" play symbols is a 10X symbol (10TIMES), and a prize symbol of \$50⁰⁰ (FIFTY) appears in the "Prize" area under the 10X symbol (10TIMES), on a single ticket, shall be entitled to a prize of \$500.

(i) Holders of tickets upon which any one of the "YOUR NUMBERS" play symbols is a Star symbol (STAR), and a prize symbol of \$40⁰⁰ (FORTY) appears in ten of the

"Prize" areas, and a prize symbol of \$20⁰⁰ (TWENTY) appears in five of the "Prize" areas, on a single ticket, shall be entitled to a prize of \$500.

(j) Holders of tickets upon which any one of the "YOUR NUMBERS" play symbols is a Moneybag symbol (MNYBAG), and a prize symbol of \$100 (ONE HUN) appears in the "Prize" area under the Moneybag symbol (MNYBAG), on a single ticket, shall be entitled to a prize of \$200.

(k) Holders of tickets upon which any one of the "YOUR NUMBERS" play symbols matches any of the "WINNING NUMBERS" play symbols and a prize symbol of \$100 (ONE HUN) appears in the "Prize" area under the matching "YOUR NUMBERS" play symbol, on a single ticket, shall be entitled to a prize of \$100.

(l) Holders of tickets upon which any one of the "YOUR NUMBERS" play symbols is a Moneybag symbol (MNYBAG), and a prize symbol of \$50⁰⁰ (FIFTY) appears in the "Prize" area under the Moneybag symbol (MNYBAG), on a single ticket, shall be entitled to a prize of \$100.

(m) Holders of tickets upon which any one of the "YOUR NUMBERS" play symbols is a 10X symbol (10TIMES), and a prize symbol of \$10⁰⁰ (TEN DOL) appears in the "Prize" area under the 10X symbol (10TIMES), on a single ticket, shall be entitled to a prize of \$100.

(n) Holders of tickets upon which any one of the "YOUR NUMBERS" play symbols is a Star symbol (STAR), and a prize symbol of \$5⁰⁰ (FIV DOL) appears in ten of the "Prize" areas, and a prize symbol of \$10⁰⁰ (TEN DOL) appears in five of the "Prize" areas, on a single ticket, shall be entitled to a prize of \$100.

(o) Holders of tickets upon which any one of the "YOUR NUMBERS" play symbols matches any of the "WINNING NUMBERS" play symbols and a prize symbol of \$50⁰⁰ (FIFTY) appears in the "Prize" area under the matching "YOUR NUMBERS" play symbol, on a single ticket, shall be entitled to a prize of \$50.

(p) Holders of tickets upon which any one of the "YOUR NUMBERS" play symbols is a 10X symbol (10TIMES), and a prize symbol of \$5⁰⁰ (FIV DOL) appears in the "Prize" area under the 10X symbol (10TIMES), on a single ticket, shall be entitled to a prize of \$50.

(q) Holders of tickets upon which any one of the "YOUR NUMBERS" play symbols matches any of the "WINNING NUMBERS" play symbols and a prize symbol of \$40⁰⁰ (FORTY) appears in the "Prize" area under the matching "YOUR NUMBERS" play symbol, on a single ticket, shall be entitled to a prize of \$40.

(r) Holders of tickets upon which any one of the "YOUR NUMBERS" play symbols is a Moneybag symbol (MNYBAG), and a prize symbol of \$20⁰⁰ (TWENTY) appears in the "Prize" area under the Moneybag symbol (MNYBAG), on a single ticket, shall be entitled to a prize of \$40.

(s) Holders of tickets upon which any one of the "YOUR NUMBERS" play symbols matches any of the "WINNING NUMBERS" play symbols and a prize symbol of \$20⁰⁰ (TWENTY) appears in the "Prize" area under the matching "YOUR NUMBERS" play symbol, on a single ticket, shall be entitled to a prize of \$20.

(t) Holders of tickets upon which any one of the "YOUR NUMBERS" play symbols is a Moneybag symbol

(MNYBAG), and a prize symbol of \$10⁰⁰ (TEN DOL) appears in the "Prize" area under the Moneybag symbol (MNYBAG), on a single ticket, shall be entitled to a prize of \$20.

(u) Holders of tickets upon which any one of the "YOUR NUMBERS" play symbols matches any of the "WINNING NUMBERS" play symbols and a prize symbol of \$15⁰⁰ (FIFTN) appears in the "Prize" area under the matching "YOUR NUMBERS" play symbol, on a single ticket, shall be entitled to a prize of \$15.

(v) Holders of tickets upon which any one of the "YOUR NUMBERS" play symbols matches any of the "WINNING NUMBERS" play symbols and a prize symbol of \$10⁰⁰ (TEN DOL) appears in the "Prize" area under the matching "YOUR NUMBERS" play symbol, on a single ticket, shall be entitled to a prize of \$10.

(w) Holders of tickets upon which any one of the "YOUR NUMBERS" play symbols is a Moneybag symbol (MNYBAG), and a prize symbol of \$5⁰⁰ (FIV DOL) appears in the "Prize" area under the Moneybag symbol (MNYBAG), on a single ticket, shall be entitled to a prize of \$10.

(x) Holders of tickets upon which any one of the "YOUR NUMBERS" play symbols matches any of the "WINNING NUMBERS" play symbols and a prize symbol of \$5⁰⁰ (FIV DOL) appears in the "Prize" area under the matching "YOUR NUMBERS" play symbol, 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>When Any Of Your Numbers Match Any Of The Winning Numbers, Win With Prize(s) Of:</i>	<i>Win:</i>	<i>Approximate Odds Are 1 In:</i>	<i>Approximate No. Of Winners Per 12,000,000 Tickets:</i>
\$5 × 2	\$10	24	500,000
\$5 w/MONEYBAG	\$10	23.53	510,000
\$10	\$10	21.82	550,000
\$5 × 3	\$15	57.14	210,000
\$15	\$15	52.17	230,000
\$5 × 4	\$20	60	200,000
\$10 × 2	\$20	60	200,000
\$10 w/MONEYBAG	\$20	60	200,000
\$20	\$20	60	200,000
\$5 × 8	\$40	400	30,000
\$10 × 4	\$40	400	30,000
\$20 w/MONEYBAG	\$40	400	30,000
\$40	\$40	400	30,000
\$5 × 10	\$50	1,200	10,000
\$5 w/10X	\$50	300	40,000
(\$20 w/MONEYBAG) + (\$5 × 2)	\$50	400	30,000
\$40 + \$10	\$50	600	20,000
\$50	\$50	600	20,000
STAR w/(\$5 × 10) + (\$10 × 5)	\$100	400	30,000
\$10 w/10X	\$100	400	30,000
\$20 × 5	\$100	400	30,000
\$50 × 2	\$100	400	30,000
\$50 w/MONEYBAG	\$100	300	40,000
\$100	\$100	300	40,000
STAR w/(\$40 × 10) + (\$20 × 5)	\$500	10,000	1,200
(\$40 × 10) + (\$50 × 2)	\$500	10,000	1,200
\$50 w/10X	\$500	10,000	1,200
\$100 × 5	\$500	10,000	1,200
(\$100 w/MONEYBAG) + (\$100 × 3)	\$500	10,000	1,200
\$500	\$500	9,231	1,300
STAR w(\$50 × 10) + (\$100 × 5)	\$1,000	12,000	1,000
\$100 × 10	\$1,000	12,000	1,000
\$100 w/10X	\$1,000	12,000	1,000
\$500 w/MONEYBAG	\$1,000	12,000	1,000
\$1,000	\$1,000	12,000	1,000
\$1,000 × 10	\$10,000	96,000	125
\$10,000	\$10,000	96,000	125
\$250,000	\$250,000	480,000	25

Get a "MONEYBAG" (MNYBAG) symbol, win double the prize under that symbol.
 Get a "10X" (10TIMES) symbol, win 10 times the prize under that symbol.
 Get a "STAR" (STAR) symbol, win all 15 prizes shown.

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

9. *Retailer Incentive Awards:* The Lottery may conduct a separate Retailer Incentive Game for retailers who sell Pennsylvania Big Winner Spectacular 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 Big Winner Spectacular, prize money from winning Pennsylvania Big Winner Spectacular 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 Big Winner Spectacular 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 Big Winner Spectacular or through normal communications methods.

STEPHEN H. STETLER,
Secretary

[Pa.B. Doc. No. 09-1735. Filed for public inspection September 18, 2009, 9:00 a.m.]

Pennsylvania Winner Take All '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 Winner Take All '09.

2. *Price:* The price of a Pennsylvania Winner Take All '09 instant lottery game ticket is \$2.

3. *Play Symbols:* Each Pennsylvania Winner Take All '09 instant lottery game ticket will contain one play area featuring a "WINNING NUMBERS" area, a "YOUR NUMBERS" area and a "WINNER TAKE ALL NUMBER" area. The play symbols and their captions located in the "WINNING NUMBERS" area and in the "WINNER TAKE ALL NUMBER" area are: 1 (ONE), 2 (TWO), 3 (THREE), 4 (FOUR), 5 (FIVE), 6 (SIX), 7 (SEVEN), 8 (EIGHT), 9 (NINE), 10 (TEN), 11 (ELEVN), 12 (TWLV), 13 (THRTN), 14 (FORTN), 15 (FIFTN), 16 (SIXTN), 17 (SVNTN), 18 (EGHTN), 19 (NINTN) and 20 (TWENT). The play symbols and their captions located in the "YOUR NUMBERS" area are: 1 (ONE), 2 (TWO), 3 (THREE), 4 (FOUR), 5 (FIVE), 6 (SIX), 7 (SEVEN), 8 (EIGHT), 9 (NINE), 10 (TEN), 11 (ELEVN), 12 (TWLV),

13 (THRTN), 14 (FORTN), 15 (FIFTN), 16 (SIXTN), 17 (SVNTN), 18 (EGHTN), 19 (NINTN), 20 (TWENT) and a Cash symbol (CASH).

4. *Prize Symbols:* The prize symbols and their captions located in the "YOUR NUMBERS" area are: \$1.⁰⁰ (ONE DOL), \$2.⁰⁰ (TWO DOL), \$4.⁰⁰ (FOR DOL), \$5.⁰⁰ (FIV DOL), \$10.⁰⁰ (TEN DOL), \$20.⁰⁰ (TWENTY), \$40.⁰⁰ (FORTY), \$50.⁰⁰ (FIFTY), \$100 (ONE HUN), \$400 (FOR HUN), \$500 (FIV HUN), \$1,000 (ONE THO) and \$24,000 (TWYFORTHO).

5. *Prizes:* The prizes that can be won in this game are: \$1, \$2, \$4, \$5, \$10, \$20, \$40, \$50, \$100, \$400, \$500, \$1,000 and \$24,000. A player can win up to 10 times on a ticket.

6. *Approximate Number of Tickets Printed For the Game:* Approximately 12,000,000 tickets will be printed for the Pennsylvania Winner Take All '09 instant lottery game.

7. Determination of Prize Winners:

(a) Holders of tickets upon which any one of "YOUR NUMBERS" play symbols matches either of the "WINNING NUMBERS" play symbols and a prize symbol of \$24,000 (TWYFORTHO) appears under the matching "YOUR NUMBERS" play symbol, on a single ticket, shall be entitled to a prize of \$24,000.

(b) Holders of tickets upon which any one of "YOUR NUMBERS" play symbols matches either of the "WINNING NUMBERS" play symbols and a prize symbol of \$1,000 (ONE THO) appears under the matching "YOUR NUMBERS" play symbol, on a single ticket, shall be entitled to a prize of \$1,000.

(c) Holders of tickets upon which any one of "YOUR NUMBERS" play symbols matches either of the "WINNING NUMBERS" play symbols and a prize symbol of \$500 (FIV HUN) appears under the matching "YOUR NUMBERS" play symbol, on a single ticket, shall be entitled to a prize of \$500.

(d) Holders of tickets upon which any one of "YOUR NUMBERS" play symbols matches the "WINNER TAKE ALL NUMBER" play symbol, and a prize symbol of \$50.⁰⁰ (FIFTY) appears in all ten of the "prize" areas, on a single ticket, shall be entitled to a prize of \$500.

(e) Holders of tickets upon which any one of "YOUR NUMBERS" play symbols matches either of the "WINNING NUMBERS" play symbols and a prize symbol of \$400 (FOR HUN) appears under the matching "YOUR NUMBERS" play symbol, on a single ticket, shall be entitled to a prize of \$400.

(f) Holders of tickets upon which any one of "YOUR NUMBERS" play symbols matches the "WINNER TAKE ALL NUMBER" play symbol, and a prize symbol of \$40.⁰⁰ (FORTY) appears in all ten of the "prize" areas, on a single ticket, shall be entitled to a prize of \$400.

(g) Holders of tickets upon which any one of "YOUR NUMBERS" play symbols matches the "WINNER TAKE ALL NUMBER" play symbol, and a prize symbol of \$20.⁰⁰ (TWENTY) appears in five of the "prize" areas, a prize symbol of \$50.⁰⁰ (FIFTY) appears in four of the "prize" areas and a prize symbol of \$100 (ONE HUN) appears in one of the "prize" areas, on a single ticket, shall be entitled to a prize of \$400.

(h) Holders of tickets upon which any one of "YOUR NUMBERS" play symbols is a Cash symbol (CASH), and

a prize symbol of \$100 (ONE HUN) appears under the Cash symbol (CASH), on a single ticket, shall be entitled to a prize of \$200.

(i) Holders of tickets upon which any one of "YOUR NUMBERS" play symbols matches either of the "WINNING NUMBERS" play symbols and a prize symbol of \$100 (ONE HUN) appears under the matching "YOUR NUMBERS" play symbol, on a single ticket, shall be entitled to a prize of \$100.

(j) Holders of tickets upon which any one of "YOUR NUMBERS" play symbols is a Cash symbol (CASH), and a prize symbol of \$50⁰⁰ (FIFTY) appears under the Cash symbol (CASH), on a single ticket, shall be entitled to a prize of \$100.

(k) Holders of tickets upon which any one of "YOUR NUMBERS" play symbols matches the "WINNER TAKE ALL NUMBER" play symbol, and a prize symbol of \$10⁰⁰ (TEN DOL) appears in all ten of the "prize" areas, on a single ticket, shall be entitled to a prize of \$100.

(l) Holders of tickets upon which any one of "YOUR NUMBERS" play symbols matches the "WINNER TAKE ALL NUMBER" play symbol, and a prize symbol of \$4⁰⁰ (FOR DOL) appears in five of the "prize" areas, a prize symbol of \$10⁰⁰ (TEN DOL) appears in two of the "prize" areas, and a prize symbol of \$20⁰⁰ (TWENTY) appears in three of the "prize" areas, on a single ticket, shall be entitled to a prize of \$100.

(m) Holders of tickets upon which any one of "YOUR NUMBERS" play symbols matches either of the "WINNING NUMBERS" play symbols and a prize symbol of \$50⁰⁰ (FIFTY) appears under the matching "YOUR NUMBERS" play symbol, on a single ticket, shall be entitled to a prize of \$50.

(n) Holders of tickets upon which any one of "YOUR NUMBERS" play symbols matches the "WINNER TAKE ALL NUMBER" play symbol, and a prize symbol of \$5⁰⁰ (FIV DOL) appears in all ten of the "prize" areas, on a single ticket, shall be entitled to a prize of \$50.

(o) Holders of tickets upon which any one of "YOUR NUMBERS" play symbols matches the "WINNER TAKE ALL NUMBER" play symbol, and a prize symbol of \$2⁰⁰ (TWO DOL) appears in five of the "prize" areas, a prize symbol of \$5⁰⁰ (FIV DOL) appears in four of the "prize" areas and a prize symbol of \$20⁰⁰ (TWENTY) appears in one of the "prize" areas, on a single ticket, shall be entitled to a prize of \$50.

(p) Holders of tickets upon which any one of "YOUR NUMBERS" play symbols matches either of the "WINNING NUMBERS" play symbols and a prize symbol of \$40⁰⁰ (FORTY) appears under the matching "YOUR NUMBERS" play symbol, on a single ticket, shall be entitled to a prize of \$40.

(q) Holders of tickets upon which any one of "YOUR NUMBERS" play symbols is a Cash symbol (CASH), and a prize symbol of \$20⁰⁰ (TWENTY) appears under the Cash symbol (CASH), on a single ticket, shall be entitled to a prize of \$40.

(r) Holders of tickets upon which any one of "YOUR NUMBERS" play symbols matches the "WINNER TAKE ALL NUMBER" play symbol, and a prize symbol of \$4⁰⁰ (FOR DOL) appears in all ten of the "prize" areas, on a single ticket, shall be entitled to a prize of \$40.

(s) Holders of tickets upon which any one of "YOUR NUMBERS" play symbols matches the "WINNER TAKE ALL NUMBER" play symbol, and a prize symbol of \$2⁰⁰

(TWO DOL) appears in five of the "prize" areas, a prize symbol of \$5⁰⁰ (FIV DOL) appears in four of the "prize" areas and a prize symbol of \$10⁰⁰ (TEN DOL) appears in one of the "prize" areas, on a single ticket, shall be entitled to a prize of \$40.

(t) Holders of tickets upon which any one of "YOUR NUMBERS" play symbols matches either of the "WINNING NUMBERS" play symbols and a prize symbol of \$20⁰⁰ (TWENTY) appears under the matching "YOUR NUMBERS" play symbol, on a single ticket, shall be entitled to a prize of \$20.

(u) Holders of tickets upon which any one of "YOUR NUMBERS" play symbols is a Cash symbol (CASH), and a prize symbol of \$10⁰⁰ (TEN DOL) appears under the Cash symbol (CASH), on a single ticket, shall be entitled to a prize of \$20.

(v) Holders of tickets upon which any one of "YOUR NUMBERS" play symbols matches the "WINNER TAKE ALL NUMBER" play symbol, and a prize symbol of \$2⁰⁰ (TWO DOL) appears in all ten of the "prize" areas, on a single ticket, shall be entitled to a prize of \$20.

(w) Holders of tickets upon which any one of "YOUR NUMBERS" play symbols matches either of the "WINNING NUMBERS" play symbols and a prize symbol of \$10⁰⁰ (TEN DOL) appears under the matching "YOUR NUMBERS" play symbol, on a single ticket, shall be entitled to a prize of \$10.

(x) Holders of tickets upon which any one of "YOUR NUMBERS" play symbols is a Cash symbol (CASH), and a prize symbol of \$5⁰⁰ (FIV DOL) appears under the Cash symbol (CASH), on a single ticket, shall be entitled to a prize of \$10.

(y) Holders of tickets upon which any one of "YOUR NUMBERS" play symbols matches the "WINNER TAKE ALL NUMBER" play symbol, and a prize symbol of \$1⁰⁰ (ONE DOL) appears in all ten of the "prize" areas, on a single ticket, shall be entitled to a prize of \$10.

(z) Holders of tickets upon which any one of "YOUR NUMBERS" play symbols matches either of the "WINNING NUMBERS" play symbols and a prize symbol of \$5⁰⁰ (FIV DOL) appears under the matching "YOUR NUMBERS" play symbol, on a single ticket, shall be entitled to a prize of \$5.

(aa) Holders of tickets upon which any one of "YOUR NUMBERS" play symbols matches either of the "WINNING NUMBERS" play symbols and a prize symbol of \$4⁰⁰ (FOR DOL) appears under the matching "YOUR NUMBERS" play symbol, on a single ticket, shall be entitled to a prize of \$4.

(bb) Holders of tickets upon which any one of "YOUR NUMBERS" play symbols is a Cash symbol (CASH), and a prize symbol of \$2⁰⁰ (TWO DOL) appears under the Cash symbol (CASH), on a single ticket, shall be entitled to a prize of \$4.

(cc) Holders of tickets upon which any one of "YOUR NUMBERS" play symbols matches either of the "WINNING NUMBERS" play symbols and a prize symbol of \$2⁰⁰ (TWO DOL) appears under the matching "YOUR NUMBERS" play symbol, on a single ticket, shall be entitled to a prize of \$2.

(dd) Holders of tickets upon which any one of "YOUR NUMBERS" play symbols is a Cash symbol (CASH), and a prize symbol of \$1⁰⁰ (ONE DOL) appears under the Cash symbol (CASH), on a single ticket, shall be entitled to a prize of \$2.

(ee) Holders of tickets upon which any one of "YOUR NUMBERS" play symbols matches either of the "WINNING NUMBERS" play symbols and a prize symbol of \$1.⁰⁰ (ONE DOL) appears under the matching "YOUR NUMBERS" play symbol, on a single ticket, shall be entitled to a prize of \$1.

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>When Any Of Your Numbers Match Either Winning Number Win With Prize(s) Of:</i>	<i>Win:</i>	<i>Approximate Odds Are 1 In:</i>	<i>Approximate No. Of Winners Per 12,000,000 Tickets</i>
\$1 × 2	\$2	37.50	320,000
\$1 w/CASH	\$2	18.75	640,000
\$2	\$2	75	160,000
\$1 × 4	\$4	75	160,000
\$2 × 2	\$4	75	160,000
\$2 w/CASH	\$4	37.50	320,000
\$4	\$4	75	160,000
\$1 × 5	\$5	150	80,000
(\$1 w/CASH) + (\$1 × 3)	\$5	75	160,000
\$5	\$5	150	80,000
WINNER TAKE ALL MATCH w/\$1 × 10	\$10	166.67	72,000
\$1 × 10	\$10	750	16,000
\$2 × 5	\$10	750	16,000
\$5 w/CASH	\$10	500	24,000
\$5 × 2	\$10	750	16,000
\$10	\$10	750	16,000
WINNER TAKE ALL MATCH w/\$2 × 10	\$20	375	32,000
\$2 × 10	\$20	750	16,000
\$4 × 5	\$20	750	16,000
\$5 × 4	\$20	1,500	8,000
\$10 w/CASH	\$20	1,500	8,000
\$20	\$20	1,500	8,000
WINNER TAKE ALL MATCH w/(\$2 × 5) + (\$5 × 4) + \$10	\$40	1,714	7,000
WINNER TAKE ALL MATCH w/\$4 × 10	\$40	1,714	7,000
\$5 × 8	\$40	4,000	3,000
\$10 × 4	\$40	4,000	3,000
\$20 w/CASH	\$40	3,000	4,000
\$20 × 2	\$40	4,000	3,000
\$40	\$40	4,000	3,000
WINNER TAKE ALL MATCH w/(\$2 × 5) + (\$5 × 4) + \$20	\$50	4,000	3,000
WINNER TAKE ALL MATCH w/\$5 × 10	\$50	4,000	3,000
\$10 × 5	\$50	6,000	2,000
(\$10 w/CASH) + (\$10 × 3)	\$50	4,615	2,600
\$50	\$50	6,000	2,000
WINNER TAKE ALL MATCH w/(\$4 × 5) + (\$10 × 2) + (\$20 × 3)	\$100	6,000	2,000
WINNER TAKE ALL MATCH w/\$10 × 10	\$100	6,000	2,000
\$20 × 5	\$100	12,000	1,000
\$50 w/CASH	\$100	6,000	2,000
\$100	\$100	12,000	1,000
WINNER TAKE ALL MATCH w/(\$20 × 5) + (\$50 × 4) + \$100	\$400	24,000	500
WINNER TAKE ALL MATCH w/\$40 × 10	\$400	24,000	500
(\$100 w/CASH) + (\$100 × 2)	\$400	24,000	500
\$400	\$400	24,000	500
WINNER TAKE ALL MATCH w/\$50 × 10	\$500	40,000	300
\$100 × 5	\$500	40,000	300
\$500	\$500	40,000	300
(\$100 × 5) + \$500	\$1,000	60,000	200
\$500 × 2	\$1,000	60,000	200
\$1,000	\$1,000	60,000	200
\$24,000	\$24,000	60,000	20

CASH (CASH) = Win double the prize under it.

WINNER TAKE ALL MATCH = Match any of YOUR NUMBERS to the WINNER TAKE ALL NUMBER, win all 10 prizes shown.

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

9. *Retailer Incentive Awards:* The Lottery may conduct a separate Retailer Incentive Game for retailers who sell Pennsylvania Winner Take All '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 Winner Take All '09, prize money from winning Pennsylvania Winner Take All '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 Winner Take All '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 Winner Take All '09 or through normal communications methods.

STEPHEN H. STETLER,
Secretary

[Pa.B. Doc. No. 09-1736. Filed for public inspection September 18, 2009, 9:00 a.m.]

DEPARTMENT OF STATE

Statewide Uniform Registry of Electors Advisory Board and State Plan Advisory Board Meetings

On Thursday, October 1, 2009, the Statewide Uniform Registry of Electors (SURE) Advisory Board will meet from 10 a.m. to 12 p.m. in Senate Hearing Room 3 of the North Office Building, Harrisburg, PA. The SURE Advisory Board was established under section 1302-C of the Pennsylvania Election Code (25 P. S. § 3150.2), for the purpose of conferring with the Department of State (Department) on matters relative to the SURE system. Persons wishing to attend should contact Jonathan Marks of the Department by Friday, September 25, by e-mailing e-mail at jmaks@state.pa.us or (717) 346-0461.

The State Plan Advisory Board (Board) will meet on Thursday, October 1, 2009. The Board will meet from 1 p.m. to 3 p.m., in Senate Hearing Room 3 of the North Office Building, Harrisburg, PA. The Board is responsible for developing a plan, which details how the Commonwealth will use grants from the Federal government to meet the requirements of the Federal Help America Vote Act of 2002, and "to carry out other activities to improve the administration of elections." This meeting will afford the Secretary the opportunity to address the Board as a whole and will also provide an opportunity for the new members to be introduced to the established members. Persons wishing to attend should contact Dorothy Cox of the Department by Friday, September 25, by e-mailing dorcox@state.pa.us or by calling (717) 787-5280.

PEDRO A. CORTÉS,
Secretary

[Pa.B. Doc. No. 09-1738. Filed for public inspection September 18, 2009, 9:00 a.m.]

Public Utility Realty Tax Act; Surcharge Rate Notice for the Tax Year Beginning January 1, 2010

Section 8111-A(d) of 72 P. S. requires the Secretary of Revenue to publish the rate of the Public Utility Realty Tax Act (PURTA) surcharge in the form of a notice in the *Pennsylvania Bulletin* by October 1, 2003, and by each October 1 thereafter. The tax rate established in 72 P. S. § 8111-A(d) shall be imposed upon gross receipts taxes as provided in 72 P. S. § 8111-A(d) for the period beginning the next January 1.

The result of the PURTA surcharge calculation provided in 72 P. S. § 8111-A for the tax year beginning January 1, 2010, is zero mills. Therefore, no PURTA surcharge under 72 P. S. § 8111-A(d) will be imposed for the taxable period beginning January 1, 2010.

STEPHEN H. STETLER,
Secretary

[Pa.B. Doc. No. 09-1737. Filed for public inspection September 18, 2009, 9:00 a.m.]

ENVIRONMENTAL HEARING BOARD

Milton Regional Sewer Authority v. DEP; EHB Doc. No. 2009-121-R; NPDES Permit No. PA0020273

Milton Regional Sewer Authority has appealed the issuance by the Department of Environmental Protection of an NPDES permit to Milton Regional Sewer Authority for a facility in West Chillisquaque Township, Northumberland County.

A date for the hearing on the appeal has not yet been scheduled.

The appeal is filed with the Environmental Hearing Board (Board) at its office on the Second Floor, Rachel Carson State Office Building, 400 Market Street, P. O. Box 8457, Harrisburg, PA 17105-8457, and may be reviewed by any interested party on request during normal business hours. If information concerning this notice is required in an alternative form, contact the Secretary to the Board at (717) 787-3483. TDD users may telephone the Board through the Pennsylvania AT&T Relay Center at (800) 654-5984.

Petitions to intervene in the appeal may be filed with the Board by interested parties under 25 Pa. Code § 1021.81 (relating to intervention). Copies of the Board's rules of practice and procedure are available upon request from the Board.

THOMAS W. RENWAND,
Acting Chairperson

[Pa.B. Doc. No. 09-1739. Filed for public inspection September 18, 2009, 9:00 a.m.]

INSURANCE DEPARTMENT

Application and Request for a Certificate of Authority to Provide a Continuing Care Retirement Community by Grandview Health Homes, Inc.

Grandview Health Homes, Inc. has applied for a Certificate of Authority to operate a Continuing Care Retirement Community at Grandview Health Homes in Danville, PA. The initial filing was received on September 1, 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. 09-1740. Filed for public inspection September 18, 2009, 9:00 a.m.]

Capital Advantage Insurance Company; Filing No. 09-JJJ; Filing for Approval of Revised Rates for Nongroup Medicare Supplemental Security Plan A, Hospital Benefits; Rate Filing

Capital Advantage Insurance Company has filed for approval revised rates for the hospital benefits component of its nongroup Medicare Supplemental Security Plan A Program. The aggregate rate increase requested is 19.6%, and the average monthly premium increase is \$13.18. The requested effective date of the revised rates is January 1, 2010. The most recent prior rate revision for this program took effect on January 1, 2009. The current rate for first eligible issues is \$67.64, and the requested rate is \$80.90. The rate adjustment would affect approximately 519 members, and would produce approximately \$82,000 in additional premium annually.

Unless formal administrative action is taken prior to December 9, 2009, the subject filing may be deemed approved by operation of law.

A copy of the filing is available on the Insurance Department's (Department) web site at www.ins.state.pa.us.

state.pa.us. To access the filing, under "Quick Links" click on "Rate Filings Published in the PA Bulletin."

A copy of the filing is 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 or e-mail comments, suggestions or objections to Michael Gurgiolo, Insurance Department, Insurance Product Regulation, 1311 Strawberry Square, Harrisburg, PA 17120, mgurgiolo@state.pa.us within 30 days after publication of this notice in the *Pennsylvania Bulletin*.

JOEL SCOTT ARIO,
Insurance Commissioner

[Pa.B. Doc. No. 09-1741. Filed for public inspection September 18, 2009, 9:00 a.m.]

Capital Advantage Insurance Company; Filing No. 09-KKK; Filing for Approval of Revised Rates for Nongroup Medicare Supplemental Security Plan F, Medical Benefits; Rate Filing

Capital Advantage Insurance Company has filed for approval revised rates for the medical benefits component of its nongroup Medicare Supplemental Security Plan F Program. The aggregate rate increase requested is 15.0%, and the average monthly premium increase is \$10.90. The requested effective date of the revised rates is January 1, 2010. The most recent prior rate revision for this program took effect on January 1, 2009. The current rate for first eligible issues is \$67.08, and the requested rate is \$77.14. The rate adjustment would affect approximately 517 members, and would produce approximately \$68,000 in additional premium annually.

Unless formal administrative action is taken prior to December 9, 2009, the subject filing may be deemed approved by operation of law.

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

A copy of the filing is 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 or e-mail comments, suggestions or objections to Michael Gurgiolo, Insurance Department, Insurance Product Regulation, 1311 Strawberry Square, Harrisburg, PA 17120, mgurgiolo@state.pa.us within 30 days after publication of this notice in the *Pennsylvania Bulletin*.

JOEL SCOTT ARIO,
Insurance Commissioner

[Pa.B. Doc. No. 09-1742. Filed for public inspection September 18, 2009, 9:00 a.m.]

Capital Advantage Insurance Company; Filing No. 09-RRR; Filing for Approval of Revised Rates for Nongroup Medicare Supplemental Security Plan B, Medical Benefits; Rate Filing

Capital Advantage Insurance Company has filed for approval revised rates for the medical benefits component

of its nongroup Medicare Supplemental Security Plan B Program. The aggregate rate increase requested is 19.6%, and the average monthly premium increase is \$13.18. The requested effective date of the revised rates is January 1, 2010. The most recent prior rate revision for this program took effect on January 1, 2009. The current rate for First Eligible issues is \$67.64, and the requested rate is \$80.90. The rate adjustment would affect approximately 7,964 members, and would produce approximately \$1,257,000 in additional premium annually.

Unless formal administrative action is taken prior to December 9, 2009, the subject filing may be deemed approved by operation of law.

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

A copy of the filing is 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 or e-mail comments, suggestions or objections to Michael Gurgiolo, Insurance Department, Insurance Product Regulation, 1311 Strawberry Square, Harrisburg, PA 17120, mgurgiolo@state.pa.us within 30 days after publication of this notice in the *Pennsylvania Bulletin*.

JOEL SCOTT ARIO,
Insurance Commissioner

[Pa.B. Doc. No. 09-1743. Filed for public inspection September 18, 2009, 9:00 a.m.]

Capital Advantage Insurance Company; Filing No. 09-SSS; Filing for Approval of Revised Rates for Nongroup Medicare Supplemental Security Plan C, Medical Benefits; Rate Filing

Capital Advantage Insurance Company has filed for approval revised rates for the medical benefits component of its nongroup Medicare Supplemental Security Plan C Program. The aggregate rate increase requested is 18.0%, and the average monthly premium increase is \$13.96. The requested effective date of the revised rates is January 1, 2010. The most recent prior rate revision for this program took effect on January 1, 2009. The current rate for First Eligible issues is \$78.46, and the requested rate is \$92.55. The rate adjustment would affect approximately 20,317 members, and would produce approximately \$3,405,000 in additional premium annually.

Unless formal administrative action is taken prior to December 9, 2009, the subject filing may be deemed approved by operation of law.

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

A copy of the filing is 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 or e-mail comments, suggestions or objections to Michael Gurgiolo, Insurance Department, Insurance Product Regulation, 1311 Strawberry Square, Harrisburg, PA

17120, mgurgiolo@state.pa.us within 30 days after publication of this notice in the *Pennsylvania Bulletin*.

JOEL SCOTT ARIO,
Insurance Commissioner

[Pa.B. Doc. No. 09-1744. Filed for public inspection September 18, 2009, 9:00 a.m.]

Capital Advantage Insurance Company; Filing No. 09-TTT; Filing for Approval of Revised Rates for Nongroup Medicare Supplemental Security Plan H, Medical Benefits; Rate Filing

Capital Advantage Insurance Company has filed for approval revised rates for the medical benefits component of its nongroup Medicare Supplemental Security Plan H Program. The aggregate rate increase requested is 19.6%, and the average monthly premium increase is \$13.18. The requested effective date of the revised rates is January 1, 2010. The most recent prior rate revision for this program took effect on January 1, 2009. The current rate for First Eligible issues is \$67.64, and the requested rate is \$80.90. The rate adjustment would affect approximately 1,717 members, and would produce approximately \$272,000 in additional premium annually.

Unless formal administrative action is taken prior to December 9, 2009, the subject filing may be deemed approved by operation of law.

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

A copy of the filing is 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 or e-mail comments, suggestions or objections to Michael Gurgiolo, Insurance Department, Insurance Product Regulation, 1311 Strawberry Square, Harrisburg, PA 17120, mgurgiolo@state.pa.us within 30 days after publication of this notice in the *Pennsylvania Bulletin*.

JOEL SCOTT ARIO,
Insurance Commissioner

[Pa.B. Doc. No. 09-1745. Filed for public inspection September 18, 2009, 9:00 a.m.]

Capital BlueCross; Filing No. 09-EEE; Filing for Approval of Revised Rates for Nongroup Medicare Supplemental Security Plan A, Hospital Benefits; Rate Filing

Capital BlueCross has filed for approval revised rates for the hospital benefits component of its nongroup Medicare Supplemental Security Plan A Program. The aggregate rate increase requested is 17.6%, and the average monthly premium increase is \$4.49. The requested effective date of the revised rates is January 1, 2010. The most recent prior rate revision for this program took effect on January 1, 2009. The current rate for First Eligible issues is \$25.07, and the requested rate is \$29.48. The rate adjustment would affect approximately 519 members, and would produce approximately \$28,000 in additional premium annually.

Unless formal administrative action is taken prior to December 9, 2009, the subject filing may be deemed approved by operation of law.

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

A copy of the filing is 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 or e-mail comments, suggestions or objections to Michael Gurgiolo, Insurance Department, Insurance Product Regulation, 1311 Strawberry Square, Harrisburg, PA 17120, mgurgiolo@state.pa.us within 30 days after publication of this notice in the *Pennsylvania Bulletin*.

JOEL SCOTT ARIO,
Insurance Commissioner

[Pa.B. Doc. No. 09-1746. Filed for public inspection September 18, 2009, 9:00 a.m.]

Capital BlueCross; Filing No. 09-FFF; Filing for Approval of Revised Rates for Nongroup Medicare Supplemental Security Plan F, Hospital Benefits; Rate Filing

Capital BlueCross has filed for approval revised rates for the hospital benefits component of its nongroup Medicare Supplemental Security Plan F Program. The aggregate rate increase requested is 15.0%, and the average monthly premium increase is \$8.28. The requested effective date of the revised rates is January 1, 2010. The most recent prior rate revision for this program took effect on January 1, 2009. The current rate for first eligible issues is \$50.03, and the requested rate is \$57.53. The rate adjustment would affect approximately 517 members, and would produce approximately \$51,000 in additional premium annually.

Unless formal administrative action is taken prior to December 9, 2009, the subject filing may be deemed approved by operation of law.

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

A copy of the filing is 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 or e-mail comments, suggestions or objections to Michael Gurgiolo, Insurance Department, Insurance Product Regulation, 1311 Strawberry Square, Harrisburg, PA 17120, mgurgiolo@state.pa.us within 30 days after publication of this notice in the *Pennsylvania Bulletin*.

JOEL SCOTT ARIO,
Insurance Commissioner

[Pa.B. Doc. No. 09-1747. Filed for public inspection September 18, 2009, 9:00 a.m.]

Capital BlueCross; Filing No. 09-OOO; Filing for Approval of Revised Rates for Nongroup Medicare Supplemental Security Plan B, Hospital Benefits; Rate Filing

Capital BlueCross has filed for approval revised rates for the hospital benefits component of its nongroup Medicare Supplemental Security Plan B Program. The aggregate rate increase requested is 11.7%, and the average monthly premium increase is \$6.44. The requested effective date of the revised rates is January 1, 2010. The most recent prior rate revision for this program took effect on January 1, 2009. The current rate for first eligible issues is \$54.53, and the requested rate is \$60.91. The rate adjustment would affect approximately 7,964 members, and would produce approximately \$615,000 in additional premium annually.

Unless formal administrative action is taken prior to December 9, 2009, the subject filing may be deemed approved by operation of law.

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

A copy of the filing is 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 or e-mail comments, suggestions or objections to Michael Gurgiolo, Insurance Department, Insurance Product Regulation, 1311 Strawberry Square, Harrisburg, PA 17120, mgurgiolo@state.pa.us within 30 days after publication of this notice in the *Pennsylvania Bulletin*.

JOEL SCOTT ARIO,
Insurance Commissioner

[Pa.B. Doc. No. 09-1748. Filed for public inspection September 18, 2009, 9:00 a.m.]

Capital BlueCross; Filing No. 09-PPP; Filing for Approval of Revised Rates for Nongroup Medicare Supplemental Security Plan C, Hospital Benefits; Rate Filing

Capital BlueCross has filed for approval revised rates for the hospital benefits component of its nongroup Medicare Supplemental Security Plan C Program. The aggregate rate increase requested is 17.6%, and the average monthly premium increase is \$13.81. The requested effective date of the revised rates is January 1, 2010. The most recent prior rate revision for this program took effect on January 1, 2009. The current rate for first eligible issues is \$77.94, and the requested rate is \$91.63. The rate adjustment would affect approximately 20,317 members, and would produce approximately \$3,367,000 in additional premium annually.

Unless formal administrative action is taken prior to December 9, 2009, the subject filing may be deemed approved by operation of law.

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

A copy of the filing is 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 or e-mail comments, suggestions or objections to Michael Gurgiolo, Insurance Department, Insurance Product Regulation, 1311 Strawberry Square, Harrisburg, PA 17120, mgurgiolo@state.pa.us within 30 days after publication of this notice in the *Pennsylvania Bulletin*.

JOEL SCOTT ARIO,
Insurance Commissioner

[Pa.B. Doc. No. 09-1749. Filed for public inspection September 18, 2009, 9:00 a.m.]

Capital BlueCross; Filing No. 09-QQQ; Filing for Approval of Revised Rates for Nongroup Medicare Supplemental Security Plan H, Hospital Benefits; Rate Filing

Capital BlueCross has filed for approval revised rates for the hospital benefits component of its nongroup Medicare Supplemental Security Plan H Program. The aggregate rate increase requested is 4.1% for insureds who retained prescription drug coverage, and 12.5% for insureds who chose to eliminate their prescription drug benefits. The average monthly premium increase is \$6.26 for insureds who retained prescription drug coverage, and \$11.32 for insureds who chose to eliminate their prescription drug benefits. The requested effective date of the revised rates is January 1, 2010. The most recent prior rate revision for this program took effect on January 1, 2009. For insureds who retained prescription drug coverage, the current rate for first eligible issues is \$151.42, and the requested rate is \$157.67. For insureds who chose to eliminate their prescription drug benefits, the current rate for first eligible issues is \$90.77, and the requested rate is \$102.08. These rate adjustments would affect approximately 1,717 members, and would produce approximately \$172,000 in additional premium annually.

Unless formal administrative action is taken prior to December 9, 2009, the subject filing may be deemed approved by operation of law.

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

A copy of the filing is 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 or e-mail comments, suggestions or objections to Michael Gurgiolo, Insurance Department, Insurance Product Regulation, 1311 Strawberry Square, Harrisburg, PA 17120, mgurgiolo@state.pa.us within 30 days after publication of this notice in the *Pennsylvania Bulletin*.

JOEL SCOTT ARIO,
Insurance Commissioner

[Pa.B. Doc. No. 09-1750. Filed for public inspection September 18, 2009, 9:00 a.m.]

Review Procedure Hearings; Cancellation or Refusal of Insurance

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

Appeal of Glenda Whitaker; file no. 09-216-73758; American Independent Insurance Company; Doc. No. PH09-08-018; October 8, 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. Fleischaer, Human Resources Director, at (717) 705-4194.

JOEL SCOTT ARIO,
Insurance Commissioner

[Pa.B. Doc. No. 09-1751. Filed for public inspection September 18, 2009, 9:00 a.m.]

The Travelers Home and Marine Insurance Company; Private Passenger Automobile; Rate Revisions; Rate Filing

On August 28, 2009, the Insurance Department (Department) received from The Travelers Home and Marine Insurance Company a filing for rate level changes for private passenger automobile insurance.

The company requests an overall 1.38% increase amounting to \$2.148 million annually, to be effective October 30, 2009.

Unless formal administrative action is taken prior to October 27, 2009, the subject filing may be deemed approved by operation of law.

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

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

JOEL SCOTT ARIO,
Insurance Commissioner

[Pa.B. Doc. No. 09-1752. Filed for public inspection September 18, 2009, 9:00 a.m.]

LEGISLATIVE REFERENCE BUREAU

Documents Filed But Not Published

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

Governor's Office

Management Directive No. 205.38—Emergency Evacuation and Safe Assembly, Amended July 31, 2009.

Management Directive No. 325.5—State-Level Single Audit Costs, Amended August 17, 2009.

Management Directive No. 325.6—Auditing Computer-Based Systems, Amended August 17, 2009.

Management Directive No. 325.7—Implementation of the Commonwealth's State-Level Single Audit Process, Amended August 20, 2009.

Management Directive No. 325.8—Remedies for Recipient Noncompliance with Audit Requirements, Amended August 17, 2009.

Management Directive No. 325.9—Processing Audits of Federal Pass-Through Funds, Amended August 20, 2009.

Administrative Circular No. 09-13—Revenue Estimates, 2010-11 Fiscal Year, Dated July 31, 2009.

Administrative Circular No. 09-14—Availability—Commonwealth Telephone Directory, Dated July 29, 2009.

MARY JANE PHELPS,
Director
Pennsylvania Code and Bulletin

[Pa.B. Doc. No. 09-1753. Filed for public inspection September 18, 2009, 9:00 a.m.]

MILK MARKETING BOARD

Hearing and Presubmission Schedule; Milk Marketing Area No. 1

Under the Milk Marketing Law (31 P. S. §§ 700j-101—700j-1302), that the Milk Marketing Board (Board) will conduct a public hearing for Milk Marketing Area No. 1 on November 4, 2009, commencing at 10 a.m. in Room 202 of the Agriculture Building, 2301 North Cameron Street, Harrisburg, PA.

The purpose of the hearing is to receive testimony and exhibits concerning cost replacement in Milk Marketing Area No. 1. Evidence will be limited to the following: annualized processing, packaging and delivery costs; updated costs for containers, ingredients and Class II products; updated labor, utility and insurance costs based on comparisons between costs per point for the second quarters of calendar years 2008 and 2009; skim and butterfat contents of products regulated by the Board; adjustment for shrinkage, sales of bulk products and cream processing costs; monthly adjustments to in-store handling costs; and a reasonable rate of return to milk dealers and stores. In accordance with OGO A-937, evidence and testimony will be considered regarding the heating fuel adjuster in Area No. 1. In accordance with OGO A-939, evidence and testimony will be considered regarding the diesel fuel cost adjuster in Area No. 1.

The staff of the Board is deemed to be a party to this hearing, and the attorney representing staff is deemed to have entered an appearance. Other persons who wish to present evidence may be included on the Board's list of parties by: (1) having their attorney file with the Board on or before 4 p.m. on September 30, 2009, a notice of appearance substantially in the form prescribed by 1 Pa. Code § 31.25 (relating to form of notice of appearance); or (2) if unrepresented by counsel, filing with the Board on or before 4 p.m. on September 30, 2009, notification of their desire to be included as a party. Parties should indicate in their notices of appearance if alternate means of service, that is, e-mail or fax, are acceptable. Notices of appearance filed electronically should be directed to deberly@state.pa.us.

The parties shall observe the following requirements for advance filing of witness information and exhibits:

1. By 4 p.m. on October 7, 2009, Board Staff shall file with the Board, in person or by mail, one original and six copies and ensure receipt by all other parties of one copy of:

a. A list of witnesses who will testify for the party, along with a statement compiling the subjects each witness's testimony will cover. A witness who will be offered as an expert shall be so identified, along with the witness's area or areas of proposed expertise. For expert

witnesses, there shall also be filed a statement of the substance of the facts and opinions to which the expert is expected to testify and a summary of the grounds for each opinion.

b. Each exhibit to be presented, including testimony to be offered in written form.

2. By 4 p.m. on October 21, 2009, each responding party shall file and serve as set forth in paragraph 1 information concerning rebuttal witnesses and copies of rebuttal exhibits.

3. By 4 p.m. on October 28, 2009, each party shall file and serve as set forth in paragraph 1 information concerning surrebuttal witnesses and copies of surrebuttal exhibits.

Parties that wish to offer in evidence documents on file with the Board, public documents, or records in other proceedings before the Board, or who wish the Board to take official notice of facts, shall comply with, respectively, 1 Pa. Code § 35.164, § 35.165, § 35.167 or § 35.173. Whenever these rules require production of a document as an exhibit, copies shall be provided to each Board member and to all other parties; in addition, at least 20 copies shall be available for distribution to nonparties attending the hearing.

Requests by parties for Board staff to provide data pertinent to the hearing shall be made in writing and received in the Board office by 1 p.m. on October 23, 2009.

The filing address for the Board is Milk Marketing Board, Room 110, Agriculture Building, 2301 North Cameron Street, Harrisburg, PA 17110.

KEITH BIERLY,
Secretary

[Pa.B. Doc. No. 09-1754. Filed for public inspection September 18, 2009, 9:00 a.m.]

Hearing and Presubmission Schedule; Milk Marketing Area No. 2

Under the Milk Marketing Law (31 P. S. §§ 700j-101—700j-1302), the Milk Marketing Board (Board) will conduct a public hearing for Milk Marketing Area No. 2 on November 4, 2009, commencing at 10:30 a.m. in Room 202 of the Agriculture Building, 2301 North Cameron Street, Harrisburg, PA.

The purpose of the hearing is to receive testimony and exhibits concerning cost replacement in Milk Marketing Area No. 2. Evidence will be limited to the following: annualized processing, packaging and delivery costs; updated costs for containers, ingredients and Class II products; updated labor, utility and insurance costs based on comparisons between costs per point for the second quarters of calendar years 2008 and 2009; skim and butterfat contents of products regulated by the Board; adjustment for shrinkage, sales of bulk products and cream processing costs; monthly adjustments to in-store handling costs; and a reasonable rate of return to milk dealers and stores. In accordance with OGO A-937, evidence and testimony will be considered regarding the heating fuel adjuster in Area No. 2. In accordance with OGO A-939, evidence and testimony will be considered regarding the diesel fuel cost adjuster in Area No. 2.

The staff of the Board is deemed to be a party to this hearing, and the attorney representing staff is deemed to

have entered an appearance. Other persons who wish to present evidence may be included on the Board's list of parties by: (1) having their attorney file with the Board on or before 4 p.m. on September 30, 2009, a notice of appearance substantially in the form prescribed by 1 Pa. Code § 31.25 (relating to form of notice of appearance); or (2) if unrepresented by counsel, filing with the Board on or before 4 p.m. on September 30, 2009, notification of their desire to be included as a party. Parties should indicate in their notices of appearance if alternate means of service, that is, e-mail or fax, are acceptable. Notices of appearance filed electronically should be directed to deberly@state.pa.us.

The parties shall observe the following requirements for advance filing of witness information and exhibits:

1. By 4 p.m. on October 7, 2009, Board Staff shall file with the Board, in person or by mail, one original and six copies and ensure receipt by all other parties of one copy of:

a. A list of witnesses who will testify for the party, along with a statement compiling the subjects each witness's testimony will cover. A witness who will be offered as an expert shall be so identified, along with the witness's area or areas of proposed expertise. For expert witnesses, there shall also be filed a statement of the substance of the facts and opinions to which the expert is expected to testify and a summary of the grounds for each opinion.

b. Each exhibit to be presented, including testimony to be offered in written form.

2. By 4 p.m. on October 21, 2009, each responding party shall file and serve as set forth in paragraph 1 information concerning rebuttal witnesses and copies of rebuttal exhibits.

3. By 4 p.m. on October 28, 2009, each party shall file and serve as set forth in paragraph 1 information concerning surrebuttal witnesses and copies of surrebuttal exhibits.

Parties that wish to offer in evidence documents on file with the Board, public documents, or records in other proceedings before the Board, or who wish the Board to take official notice of facts, shall comply with, respectively, 1 Pa. Code § 35.164, § 35.165, § 35.167 or § 35.173. Whenever these rules require production of a document as an exhibit, copies shall be provided to each Board member and to all other parties; in addition, at least 20 copies shall be available for distribution to nonparties attending the hearing.

Requests by parties for Board staff to provide data pertinent to the hearing shall be made in writing and received in the Board office by 1 p.m. on October 23, 2009.

The filing address for the Board is Milk Marketing Board, Room 110, Agriculture Building, 2301 North Cameron Street, Harrisburg, PA 17110.

KEITH BIERLY,
Secretary

[Pa.B. Doc. No. 09-1755. Filed for public inspection September 18, 2009, 9:00 a.m.]

**PENNSYLVANIA
INFRASTRUCTURE
INVESTMENT AUTHORITY
DEPARTMENT OF
ENVIRONMENTAL
PROTECTION**

**Clean Water and Drinking Water State Revolving
Fund Programs; Public Meeting on Federal Fiscal
Year 2009 Intended Use Plans**

The Department of Environmental Protection (Department) and the Pennsylvania Infrastructure Investment Authority (PENNVEST) have prepared the Federal Fiscal Year (FY) 2009 Intended Use Plans (IUPs). These plans include a list of drinking water, wastewater treatment and pollution abatement projects to be considered for a design and engineering or construction loan from funds the Commonwealth expects to receive from the Federal FY 2009 Drinking Water State Revolving Fund (DWSRF) and Clean Water State Revolving Fund (CWSRF) programs. In accordance with United States Environmental Protection Agency guidelines on the development of the IUPs, a public meeting has been scheduled for September 30 at 1 p.m. in the 2nd Floor Auditorium, Rachel Carson State Office Building, 400 Market Street, Harrisburg, PA. This meeting is scheduled for the purpose of receiving comments from the public regarding the Federal FY 2009 IUPs. Interested persons are invited to express their views on the narrative portion of the IUPs, the set aside work plan or the priority rating or ranking of projects on the IUPs. Persons wishing to offer comments at the public meeting should contact the Division of Technical and Financial Assistance at the address or telephone number listed at the end of this notice or by e-mail to vbkasi@state.pa.us by 4 p.m. on September 29, 2009. Where written statements are prepared and will be submitted at the meeting, speakers will be asked to restrict the oral portion of the statement to a summary of the written comments.

The projects to be considered for a loan from the DWSRF and CWSRF programs must meet the Federal requirements for funding in accordance with the Federal Safe Drinking Water Act and Clean Water Act. Accordingly, the projects included in the IUPs are expected to meet the requirements applicable to use of the DWSRF and CWSRF loan funds. Projects listed in the FY 2009 IUPs are on the Commonwealth's Project Priority Lists (PPLs) and are expected to proceed with design and engineering or construction within the next 2 years. A project must appear on a PENNVEST-approved IUP before it can receive a loan from the SRF programs. A project's readiness to proceed and the reasonable availability of alternative funds also have a bearing on project selection for the IUPs. Consequently, the rank ordered list of projects on the PPLs does not solely dictate the order in which projects will be chosen for inclusion in an IUP.

The DWSRF will be capitalized with approximately \$49.1 million in Federal funds and approximately \$9.8 million of State funds. Approximately \$5.5 million of these funds will be set aside for technical assistance to small systems, operator training and certification and source water assessment and protection, as authorized under the Safe Drinking Water Act. Another \$3.6 million will be set aside for program administration. The DWSRF IUP also includes a narrative work plan that describes how these set aside funds will be used.

The CWSRF will be capitalized with approximately \$26.9 million of Federal funds and approximately \$1.05 million of State funds. Approximately \$0.2 million will be set aside for program administration costs.

It is not necessary to appear at the public meeting to present comments on the narrative portion of the IUPs, the set aside work plan or the PPLs. Interested persons may also submit written comments to the Department at the address that follows. Written comments will be considered equivalent to oral statements presented at the meeting. To be considered by the Department and PENNVEST, the written comments must be received by the Division of Technical and Financial Assistance by close of business, October 10, 2009.

Persons in need of accommodations as provided for in the Americans With Disabilities Act of 1990 should contact Veronica Kasi at (717) 772-4053 or through the Pennsylvania AT&T Relay Service at (800) 654-5984 (TDD) to discuss how the Department may accommodate their needs.

A copy of the IUPs, the PPLs, and the DWSRF set aside work plan may be obtained by contacting the Division of Technical and Financial Assistance at (717) 772-4053 or through the Department's web site <http://www.depweb.state.pa.us/watersupply/cwp/view.asp?a=1263&Q=448094&watersupplyNav|30198>

Department of Environmental Protection
Bureau of Water Standards and Facility Regulation
Division of Technical and Financial Assistance
P. O. Box 8467
11th Floor
Rachel Carson State Office Building
400 Market Street
Harrisburg, PA 17101
(717) 787-0122

PENNVEST
22 South Third Street
4th Floor
Keystone Building
Harrisburg, PA 17101
(717) 787-8137

JOHN HANGER,
Secretary
Department of Environmental Protection
Vice-Chairperson
Pennsylvania Infrastructure Investment Authority

PAUL K. MARCHETTI,
Executive Director
Pennsylvania Infrastructure Investment Authority

[Pa.B. Doc. No. 09-1756. Filed for public inspection September 18, 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 October 5, 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-2009-2128001. Edna Weiler (2601 Newport Road, Manheim, Lancaster County, PA 17545)—for the right to begin to transport, as a common carrier by motor vehicle, persons in paratransit service, limited to persons whose personal convictions prevent them from owning or operating motor vehicles, between points in Lancaster County.

A-2009-2128939. Personal Touch Transportation, LLC (3186 Greentree Drive, Lancaster, Lancaster County, PA 17601)—a limited liability company of the Commonwealth—for the right to begin to transport persons, in paratransit service, from points in the Counties of Lancaster, York, Dauphin, Cumberland, Adams and Lebanon, to points in Pennsylvania, and return.

A-2009-2129062. Ryan Duane Morgan, t/a Morgan's Taxi Service (209 South Smith Street, Port Matilda, Centre County, PA 16870)—persons, upon call or demand in the Counties of Centre, Clearfield, Clinton, Union, Mifflin, Huntingdon, Blair and Cambria.

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

A-2009-2129120. Goose Moving, LLC (220 Second Avenue, Hanover, York County, PA 17331), a limited liability company of the Commonwealth—begin right to transport by motor vehicle, household goods in use, from points in the Counties of Adams, Cumberland, Dauphin, Franklin, Lancaster, Lebanon and York.

Applications of the following for the approval of the *transfer of stock as described under each application.*

A-2009-2128308. Harrisburg City Cab, Inc. (1601 Paxton Street, Harrisburg, Dauphin County, PA 17104), a corporation of the Commonwealth—ownership transfer—for the approval of the transfer of 50 shares of outstanding stock held by Peter Equere to Lamont Palmer. *Attorney: J. Bruce Walter, Rhoads & Sinon, LLP, P.O. Box 1146, Harrisburg, PA 17108-1146.*

A-2009-2128476. Armen Limousines Corporation (One Penn Center, 19th Floor, Philadelphia, Philadelphia

County, PA 19103), a corporation of the Commonwealth—ownership transfer—for the approval of the transfer of 100 shares of issued and outstanding stock held by Dezdemonna Bijani, Administratrix of the Estate of Armen Carapetian, Deceased to Larry H. Heard, Jr. *Attorney: Jack M. Bernard, 1930 Land Title Building, 100 South Broad Street, Philadelphia, PA 19110.*

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

A-2009-2117512. Renzenberger, Inc. (14325 West 95th Street, Lenexa, Johnson County, KS 66215), a corporation of the State of Kansas—for the discontinuance of service and cancellation of its Certificate of Public Convenience, as a contract carrier, by motor vehicle, persons for CSX between points in the Counties of Allegheny, Mercer, Somerset, Westmoreland, Huntingdon, Cameron, Lycoming, Snyder, Cumberland, York, Lehigh, Philadelphia, Chester, Beaver, Crawford, Fayette, Cambria, Mifflin, Potter, Union, Dauphin, Franklin, Lebanon, Northampton, Delaware, Lawrence, Erie, Greene, Blair, McKean, Clinton, Northumberland, Perry, Lancaster, Berks, Bucks and Montgomery.

A-2009-2124283. Deer Lake Services, Inc., d/b/a Deer Lake Limousine Services, Inc. (1728 Centre Turnpike, Auburn, Schuylkill County, PA 17922), a corporation of the Commonwealth—for the discontinuance of service and cancellation of its Certificate of Public Convenience as a common carrier, by motor vehicle, authorizing the transportation of persons in group and party service in vehicles with a seating capacity of 11 to 15 passengers, including the driver, between points in the Counties of Berks, Carbon, Columbia, Dauphin, Lebanon, Luzerne, Northumberland and Schuylkill, and from points in said counties to points in Pennsylvania and return.

A-2009-2124284. Deer Lake Services, Inc., t/a Deer Lake Limousine Services, Inc. (1728 Centre Turnpike, Auburn, Schuylkill County, PA 17922), a corporation of the Commonwealth—for the discontinuance of service and cancellation of its Certificate of Public Convenience as a common carrier by motor vehicle, authorizing the transportation of persons in limousine service between points in Pennsylvania.

JAMES J. MCNULTY,
Secretary

[Pa.B. Doc. No. 09-1757. Filed for public inspection September 18, 2009, 9:00 a.m.]

Smart Meter Technology Plan; Notice of Technical Conference

M-2009-2123948, Duquesne Light Company. The Pennsylvania Public Utility Commission (Commission) has directed that a technical conference be held on the previously-captioned case. At the technical conference, Duquesne Light Company will present personnel with in-depth knowledge of the Smart Meter Technology Plan who can respond to questions regarding all aspects of the plan. Only lay persons affiliated with an admitted party of record will be permitted to directly ask questions of the company representatives.

To be admitted as a party of record, a Petition to Intervene must be filed with the Secretary and served on

the company, on all parties of record and on the presiding Administrative Law Judge on or before 4:30 p.m., Friday, September 25, 2009. The presiding officer is Administrative Law Judge Robert P. Meehan, 1103 Pittsburgh State Office Building, 300 Liberty Avenue, Pittsburgh, PA 15222, (412) 565-3550, fax (412) 565-5692.

By the Commission

JAMES J. MCNULTY,
Secretary

Notice

This is to inform you that the Technical Conference in the perviously-captioned case will be held as follows:

Type: Technical Conference
Date: Tuesday, October 27, 2009
Time: 10 a.m.
Location: Hearing Room 3
Plaza Level
Commonwealth Keystone Building
400 North Street
Harrisburg, PA 17120
Presiding: Administrative Law Judge Louis G. Cocheres*
P. O. Box 3265
Harrisburg, PA 17105-3265
Phone: (717) 783-5452
Fax: (717) 787-0481

*Note ALJ Cocheres will only preside over the Technical Conference.

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

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

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

[Pa.B. Doc. No. 09-1758. Filed for public inspection September 18, 2009, 9:00 a.m.]

Smart Meter Technology Plan; Notice of Technical Conference

M-2009-2123950, Joint Petition of Metropolitan Edison Company, Pennsylvania Electric Company and Pennsylvania Power Company for Approval of Smart Meter Technology Procurement and Installation Plan. The Pennsylvania Public Utility Commission (Commission) has directed that a technical conference be held on the previously-captioned case. At the technical conference, Metropolitan Edison Company, Pennsylvania Electric Company and Pennsylvania Power Company will present personnel with in-depth knowledge of the Smart Meter Technology Plan who can respond to questions regarding all aspects of the plan. Only lay persons affiliated with an admitted party of record will be permitted to directly ask questions of the company representatives.

To be admitted as a party of record, a Petition to Intervene must be filed with the Secretary and served on the company, on all parties of record and on the presiding Administrative Law Judge on or before 4:30 p.m., Friday, September 25, 2009. The presiding officer is Administrative Law Judge Susan D. Colwell, P. O. Box 3265, Harrisburg, PA 17105-3265, (717) 783-5452, fax (717) 787-0481.

By the Commission

JAMES J. MCNULTY,
Secretary

Notice

This is to inform you that the Technical Conference in the previously-captioned case will be held as follows:

Type: Technical Conference
Date: Tuesday, October 20, 2009
Time: 10 a.m.
Location: Hearing Room 1
Plaza Level
Commonwealth Keystone Building
400 North Street
Harrisburg, PA 17120
Presiding: Administrative Law Judge David A. Salapa*
P. O. Box 3265
Harrisburg, PA 17105-3265
Phone: (717) 783-5452
Fax: (717) 787-0481

*Note ALJ Salapa will only preside over the Technical Conference.

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

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

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

[Pa.B. Doc. No. 09-1759. Filed for public inspection September 18, 2009, 9:00 a.m.]

Smart Meter Technology Plan; Notice of Technical Conference

M-2009-2123945, PPL Electric Utilities Corporation. The Pennsylvania Public Utility Commission (Commission) has directed that a technical conference be held on the previously-captioned case. At the technical conference, PPL Electric Utilities Corporation will present personnel with in-depth knowledge of the Smart Meter Technology Plan who can respond to questions regarding all aspects of the plan. Only lay persons affiliated with an admitted party of record will be permitted to directly ask questions of the company representatives.

To be admitted as a party of record, a Petition to Intervene must be filed with the Secretary and served on the company, on all parties of record and on the presiding

Administrative Law Judge on or before 4:30 p.m., Friday, September 25, 2009. The presiding officer is Administrative Law Judge Wayne L. Weismandel, P. O. Box 3265, Harrisburg, PA 17105-3265, (717) 783-5452, fax (717) 787-0481.

By the Commission

JAMES J. MCNULTY
Secretary

Notice

This is to inform you that the Technical Conference in the previously-captioned case will be held as follows:

Type: Technical Conference
Date: Tuesday, October 6, 2009
Time: 10 a.m.
Location: Hearing Room 5
Plaza Level
Commonwealth Keystone Building
400 North Street
Harrisburg, PA 17120
Presiding: Administrative Law Judge Kandace F. Melillo*
P. O. Box 3265
Harrisburg, PA 17105-3265
Phone: (717) 783-5452
Fax: (717) 787-0481

*Note ALJ Melillo will only preside over the Technical Conference.

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

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

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

JAMES J. MCNULTY,
Secretary

[Pa.B. Doc. No. 09-1760. Filed for public inspection September 18, 2009, 9:00 a.m.]

Smart Meter Technology Plan; Notice of Technical Conferencetion Plans

M-2009-2123944, Petition of PECO Energy Company for Approval of its Smart Meter Technology Procurement and Installation Plan. The Pennsylvania Public Utility Commission (Commission) has directed that a technical conference be held on the previously-captioned case. At the technical conference, PECO Energy Company will present personnel with in-depth knowledge of the Smart Meter Technology Plan who can respond to questions regarding all aspects of the plan. Only lay persons affiliated with an admitted party of record will be permitted to directly ask questions of the company representatives.

To be admitted as a party of record, a Petition to Intervene must be filed with the Secretary and served on the company, on all parties of record and on the presiding Administrative Law Judge on or before 4:30 p.m., Friday, September 25, 2009. The presiding officer is Administrative Law Judge Marlane R. Chestnut, 801 Market Street, 4th Floor, Philadelphia, PA 19103, (215) 560-2105, fax (215) 560-3133.

By the Commission

JAMES J. MCNULTY,
Secretary

Notice

This is to inform you that the Technical Conference in the previously-captioned case will be held as follows:

Type: Technical Conference
Date: Wednesday, October 7, 2009
Time: 10 a.m.
Location: Hearing Room 3
Plaza Level
Commonwealth Keystone Building
400 North Street
Harrisburg, PA 17120
Presiding: Administrative Law Judge David A. Salapa*
P. O. Box 3265
Harrisburg, PA 17105-3265
Phone: (717) 783-5452
Fax: (717) 787-0481

*Note ALJ Salapa will only preside over the Technical Conference.

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

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

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

[Pa.B. Doc. No. 09-1761. Filed for public inspection September 18, 2009, 9:00 a.m.]

Smart Meter Technology Plan; Notice of Technical Conference

M-2009-2123951, Petition of West Penn Power Company, d/b/a Allegheny Power for Expedited Approval of its Smart Meter Technology Procurement and Instatation Plan. The Pennsylvania Public Utility Commission (Commission) has directed that a technical conference be held on the previously-captioned case. At the technical conference, West Penn Power Company will present personnel with in-depth knowledge of the Smart Meter Technology Plan who can respond to questions regarding all aspects of the plan. Only lay persons affiliated with an admitted party of record will be permitted to directly ask questions of the company representatives.

To be admitted as a party of record, a Petition to Intervene must be filed with the Secretary and served on the company, on all parties of record and on the presiding Administrative Law Judge on or before 4:30 p.m., Friday, September 25, 2009. The presiding officer is Administrative Law Judge Mark A. Hoyer, 1103 Pittsburgh State Office Building, 300 Liberty Avenue, Pittsburgh, PA 15222, (412) 565-3550 fax (412) 565-5692.

By the Commission

JAMES J. MCNULTY,
Secretary

Notice

This is to inform you that the Technical Conference in the previously-captioned case will be held as follows:

Type: Technical Conference
Date: Monday, October 5, 2009
Time: 10 a.m.
Location: Hearing Room 2
Plaza Level
Commonwealth Keystone Building
400 North Street
Harrisburg, PA 17120
Presiding: Administrative Law Judge Louis G. Cocheres*
P. O. Box 3265
Harrisburg, PA 17105-3265
Phone: (717) 783-5452
Fax: (717) 787-0481

*Note ALJ Cocheres will only preside over the Technical Conference.

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

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

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

[Pa.B. Doc. No. 09-1762. Filed for public inspection September 18, 2009, 9:00 a.m.]

Tentative Order

Public Meeting held
August 27, 2009

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

In re: Dynalink Communications, Inc.;
Doc. No. A-311424

Tentative Order

By the Commission:

Dynalink Communications, Inc. (Dynalink) has failed to file its 2007 Annual Report pursuant to section 504 of the Public Utility Code. 66 Pa.C.S. § 504. Specifically, 66 Pa.C.S. § 504 provides that:

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

Dynalink is a reseller of interexchange toll services certificated at A-311424. By Default Order entered March 19, 2009, the Commission revoked Dynalink's certificate as a competitive local exchange carrier that was docketed at A-311424F0002. In the earlier case, Dynalink failed to respond to the complaint that was filed against it. In the present case, Dynalink has similarly failed to respond to Commission attempts by mail using the same address to have the company file the missing report.

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

It Is Ordered That:

1. The revocation of Dynalink Communications, Inc.'s certificate of public convenience is hereby tentatively approved as being in the public interest.
2. The Secretary serve a copy of this Tentative Order upon the Office of Consumer Advocate, the Office of Small Business Advocate, and the Office of Trial Staff, and also cause a copy of this Tentative Order to be published in the *Pennsylvania Bulletin* with a 30-day comment period.
3. The absence of the filing of adverse public comment within 30 days after publication in the *Pennsylvania Bulletin*, this Tentative Order shall become final without further action by the Commission.
4. Upon this order becoming final, and without further action by the Commission, the certificate of public convenience held by Dynalink Communications, Inc. at A-311424 shall be canceled, and Dynalink Communications, Inc.'s name stricken from all active utility lists maintained by the Commission's Bureau of Fixed Utility Services and the Assessment Section of the Bureau of Administrative Services.

JAMES J. MCNULTY,
Secretary

[Pa.B. Doc. No. 09-1763. Filed for public inspection September 18, 2009, 9:00 a.m.]

Tentative Order

Public Meeting held
August 27, 2009

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

In re: Preferred Carrier Services, Inc.;
Doc. No. A-310403

Tentative Order

By the Commission:

Preferred Carrier Services, Inc. (Preferred Carrier) has failed to file its 2007 Annual Report pursuant to section 504 of the Public Utility Code. 66 Pa.C.S. § 504. Specifically, 66 Pa.C.S. § 504 provides that:

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

Preferred Carrier is a reseller of interexchange toll services certificated at A-310403. By Final Order entered April 21, 2009, the Commission approved an earlier Tentative Order entered December 24, 2008, at C-2008-2036563, revoking Preferred Carrier's certificate as a competitive local exchange that was docketed at A-310403F0002. The address and telephone number for both certificated businesses are the same, and, as found in the earlier Tentative Order, the company's address and telephone number are both no longer valid and no information is available for any new address or phone number. Notwithstanding the above facts, Commission staff has made several attempts to reach Preferred Carrier by mail, e-mail, and phone to file the missing report and each of these attempts has been unsuccessful.

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

It Is Ordered That:

1. The revocation of Preferred Carrier Services, Inc.'s certificate of public convenience is hereby tentatively approved as being in the public interest.
2. The Secretary serve a copy of this Tentative Order upon the Office of Consumer Advocate, the Office of Small Business Advocate, and the Office of Trial Staff, and also cause a copy of this Tentative Order to be published in the *Pennsylvania Bulletin* with a 30-day comment period.
3. The absence of the filing of adverse public comment within 30 days after publication in the *Pennsylvania Bulletin*, this Tentative Order shall become final without further action by the Commission.

4. Upon this order becoming final, and without further action by the Commission, the certificate of public convenience held by Preferred Carrier Services, Inc. at A-310403 shall be canceled, and Preferred Carrier Services, Inc.'s name stricken from all active utility lists maintained by the Commission's Bureau of Fixed Utility Services and the Assessment Section of the Bureau of Administrative Services.

JAMES J. MCNULTY,
Secretary

[Pa.B. Doc. No. 09-1764. Filed for public inspection September 18, 2009, 9:00 a.m.]

Wastewater Service

A-2009-2129046. Pennsylvania American Water Company—Wastewater Division. Application of Pennsylvania American Water Company—Wastewater Division, for approval to offer, render, furnish or supply wastewater service to the public in a portion of South Coatesville Borough, Chester County, PA.

Formal protests and petitions to intervene must be filed in accordance with 52 Pa. Code (relating to public utilities). Filings must be made with the Secretary of the Pennsylvania Public Utility Commission, P. O. Box 3265, Harrisburg, PA 17105-3265, with a copy served on the applicant, on or before October 5, 2009. The documents filed in support of the application are available for inspection and copying at the Office of the Secretary between 8 a.m. and 4:30 p.m., Monday through Friday, and at the applicant's business address.

Applicant: Pennsylvania American Water Company—Wastewater Division

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

JAMES J. MCNULTY,
Secretary

[Pa.B. Doc. No. 09-1765. Filed for public inspection September 18, 2009, 9:00 a.m.]

**STATE BOARD
OF NURSING**

Bureau of Professional and Occupational Affairs v. Martha Serbin Hudson, R.N., Doc. No. 0308-51-08

On July 30, 2009, Martha Serbin Hudson, R.N., license number RN-527559-L, of McKeesport, Allegheny County, had her license to practice professional nursing indefinitely suspended, retroactive to May 11, 2009, based on her inability to practice professional nursing with reasonable skill and safety to patients due to mental or physical illness or condition or physiological or psychological dependence upon alcohol, hallucinogenic or narcotic drugs or other drugs which tend to impair judgment or coordination.

Individuals may obtain a copy of the adjudication by writing to Beth Sender Michlovitz, Board Counsel State Board of Nursing, P. O. Box 2649, Harrisburg, PA 17105-2649.

This adjudication and order represents the State Board of Nursing’s (Board) final decision in this matter. It may be appealed to the Commonwealth Court of Pennsylvania by the filing of a petition for review with that court in accordance with the Pennsylvania Rules of Appellate Procedure. Individuals who take an appeal to the Commonwealth Court must serve the Board with a copy of their petition for review. The Board contact for receiving service of the appeals is the previously-named Board counsel.

ANN L. O’SULLIVAN, Ph.D., FAAN, CRNP,
Chairperson

[Pa.B. Doc. No. 09-1766. Filed for public inspection September 18, 2009, 9:00 a.m.]

STATE CONSERVATION COMMISSION

Action on Odor Management Plans for Concentrated Animal Operations, and Concentrated Animal Feeding Operations and Volunteers Complying with Pennsylvania’s Facility Odor Management Program

The State Conservation Commission has taken the following actions on previously received applications for

odor management plans under 3 Pa.C.S. §§ 501–522 (relating to nutrient management and odor management).

Persons aggrieved by any action may appeal under 3 Pa.C.S. § 517 (relating to appealable actions), section 4 of the Environmental Hearing Board Act (35 P. S. § 7514) and 2 Pa.C.S. §§ 501–508 and 701–704 (relating to Administrative Agency Law) to the Environmental Hearing Board, Second Floor, Rachael Carson State Office Building, 400 Market Street, P. O. Box 8457, Harrisburg, PA 17105-8457, (717) 787-3483. TDD users should contact the Environmental Hearing Board (Board) through the Pennsylvania AT&T Relay Service at (800) 654-5984. Appeals must be filed with the Board within 30 days of publication of this notice in the *Pennsylvania Bulletin*. Copies of the appeal form and the Board’s rules of practice and procedure may be obtained from the Board. The appeal form and the Board’s rules of practice and procedure are also available in Braille or on audiotape from the Secretary of the Board at (717) 787-3483. This paragraph does not, in and of itself, create any right of appeal beyond that permitted by applicable statutes and decision law.

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

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

Odor Management Plan—Public Notice Spreadsheet—Actions

<i>Ag Operation Name, Address</i>	<i>County/Township</i>	<i>Animal Equivalent Units</i>	<i>Animal Type</i>	<i>New or Amended</i>	<i>Action Taken</i>
Stephan Zook 1387 Route 403 North Northern Cambria, PA 15714	Indiana County Pine Township	0—Manure Storage Only	None	New	9/1/2009
Lloyd Hoover 40 Lengele Road Myerstown, PA 17067	Lebanon County Jackson Township	197	Broiler	New	9/1/2009

JOHN HANGER,
Secretary

[Pa.B. Doc. No. 09-1767. Filed for public inspection September 18, 2009, 9:00 a.m.]

