

# NOTICES

## DEPARTMENT OF AGING

### Redesignation of Area Agency on Aging for Bradford, Sullivan, Susquehanna and Tioga Counties; Notice of Intent and Public Hearings

The Secretary of the Department of Aging (Department), under authority in the act of June 20, 1978 (P. L. 477, No. 70) (71 P. S. §§ 581-1—581-12), in conformity with the Older Americans Act of 1965 (42 U.S.C.A. §§ 3001—3058ee) and in accordance with the provisions in 6 Pa. Code Chapter 30 (relating to designation and redesignation of area agencies on aging), intends to redesignate an Area Agency of Aging for Planning and Service Area (PSA) Number 36, which has the same boundaries as Bradford, Sullivan, Susquehanna and Tioga Counties.

On June 12, 2009, the Department received a formal request from the Chairperson of the Governing Board of the Bradford, Sullivan, Susquehanna and Tioga Counties Area Agency on Aging to redesignate the Area Agency on Aging from its current public designation to a nonprofit organization. The Governing Board, which is comprised of Commissioners from each of the four counties that comprise the Area Agency on Aging, voted unanimously in favor of the request at their May 2009 Board meeting.

This notice of intent to redesignate the Area Agency of Aging is issued to initiate a review of the requested action. The Department seeks additional information from all concerned parties, including the public residing in Bradford, Sullivan, Susquehanna and Tioga Counties. The Department is required under 45 CFR 1321 and by the provisions in 6 Pa. Code Chapter 30 to hold public hearings on this proposed action. Accordingly, the Department will hold public hearings in each of the four affected counties to provide interested parties an opportunity to present testimony on the following issues:

- (1) The effectiveness of services for older persons provided under the administration of the current Area Agency of Aging.
- (2) The basis for naming a new nonprofit agency to administer those services.
- (3) The qualifications and capabilities of the intended nonprofit agency to develop and carry out an effective area plan for older persons in the PSA.
- (4) The continuing appropriateness of the PSA boundaries based on demographic, economic and geographic factors.
- (5) The potential positive and negative effects of redesignation on agency personnel, older adults in the PSA, and the costs and quality of agency services.

In conjunction with its consideration of public testimony, the Department will be reviewing the current Area

Agency Aging's overall compliance with departmental policy and service goals, as the agency has asserted that its anticipated operations as a private nonprofit agency will be comparable to its current operations as a multicounty agency.

Public hearings will be held as follows:

#### **Tioga County**

Wednesday, October 14, 2009  
9 a.m. to 10 a.m.  
Tioga County Courthouse  
Commissioners Conference Room  
116—118 Main Street  
Wellsboro, PA 16901

#### **Bradford County**

Wednesday, October 14, 2009  
1 p.m. to 2 p.m.  
Lackawanna College  
Conference Room 2/3  
One Progress Plaza, Suite 2  
Towanda, PA 18848

#### **Susquehanna County**

Thursday, October 15, 2009  
9 a.m. to 10 a.m.  
Montrose Bible Conference  
Dreyer Lodge Chapel  
5 Locust Street  
Montrose, PA 18801

#### **Sullivan County**

Thursday, October 15, 2009  
1 p.m. to 2 p.m.  
Sullivan County Courthouse  
Courtroom  
Main and Muncy Streets  
Laporte, PA 18626

Persons who wish to present oral testimony at one of these scheduled hearings regarding these issues are asked to notify William Farley, Executive Director, B/S/S/T Area Agency of Aging, 220 Main Street, Unit 2, Towanda, PA 18848, (570) 265-6121 or fax (570) 265-5680, in advance of the hearing.

The Department will also accept written testimony on these issues until October 15, 2009, from any interested parties who are unable to attend the public hearings or present oral testimony. Written testimony should be mailed to Michael Smith, Chief of Staff, Department of Aging, 555 Walnut Street, 5th Floor, Harrisburg, PA 17101-1919.

JOHN MICHAEL HALL,  
*Secretary*

[Pa.B. Doc. No. 09-1786. Filed for public inspection September 25, 2009, 9:00 a.m.]

## DEPARTMENT OF BANKING

### Actions and 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 15, 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, at 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 of Banking 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 non-confidential portions of the applications may be requested consistent with the Department of Banking's Right-to-Know Law Records Request policy.

### BANKING INSTITUTIONS

#### Section 112 Acquisitions

<i>Date</i>	<i>Name and Location of Applicant</i>	<i>Action</i>
9-11-2009	Black River BancVenture, Inc. Memphis, TN  Application for approval to acquire up to 24.9% of the shares of Allegiance Bank of North America, Bala Cynwyd.	Approved
9-15-2009	Ask America, LLC Fairfield, NJ Anita Khubani; Ashok Khubani; and Anand V. Khubani  Application for approval to acquire up to 11% of the common stock of New Century Bank, Phoenixville.	Filed
9-15-2009	Jay S. Sidhu  Application for approval to acquire up to 13% of the common stock of New Century Bank, Phoenixville.	Filed

#### Consolidations, Mergers, and Absorptions

<i>Date</i>	<i>Name and Location of Applicant</i>	<i>Action</i>
8-28-2009	TriState Capital Bank Pittsburgh Allegheny County  Purchase of assets and assumption of liabilities of one branch of Sterling Bank, Mount Laurel, New Jersey, located at:  101 Gaither Drive Mount Laurel Burlington County, NJ	Authorized Surrendered

#### Branch Applications

##### De Novo Branches

<i>Date</i>	<i>Name and Location of Applicant</i>	<i>Location of Branch</i>	<i>Action</i>
9-11-2009	Beneficial Mutual Savings Bank Philadelphia Philadelphia County	1901 Route 70 East Cherry Hill Camden County, NJ	Approved

##### Branch Relocations

<i>Date</i>	<i>Name and Location of Applicant</i>	<i>Location of Branch</i>	<i>Action</i>
9-15-2009	Citizens Bank of Pennsylvania Philadelphia Philadelphia County	<i>To:</i> 100 Settlers Ridge Center Drive Pittsburgh Allegheny County  <i>From:</i> 6511 Steubenville Pike Pittsburgh Allegheny County	Filed

## SAVINGS INSTITUTIONS

No activity.

## CREDIT UNIONS

## Branch Applications

## De Novo Branches

<i>Date</i>	<i>Name and Location of Applicant</i>	<i>Location of Branch</i>	<i>Action</i>
9-15-2009	TruMark Financial Credit Union Trevose Bucks County	984 Second Street Pike Richboro Bucks County	Filed

The Department's web site at [www.banking.state.pa.us](http://www.banking.state.pa.us) includes public notices for more recently filed applications.

STEVEN KAPLAN,  
*Secretary*

[Pa.B. Doc. No. 09-1787. Filed for public inspection September 25, 2009, 9:00 a.m.]

### Maximum Lawful Rate of Interest for Residential Mortgages for the Month of October 2009

The Department of Banking (Department), under the authority contained in section 301 of the act of January 30, 1974 (P. L. 13, No. 6) (41 P. S. § 301), determines that the maximum lawful rate of interest for residential mortgages for the month of October 2009, is 6 1/2%.

The interest rate limitations under the State's usury statute were preempted to a great extent by Federal law, the Depository Institutions Deregulation and Monetary Control Act of 1980 (Pub. L. 96-221). Further preemption was instituted with the signing of Pub. L. 96-399, which overrode State interest rate limitations on any individual who finances the sale or exchange of residential real property which such individual owns and which such individual occupies or has occupied as the principal residence.

Each month the Department is required by State law to compute and announce the ceiling rate on residential mortgages in Pennsylvania. This maximum rate is determined by adding 2.50 percentage points to the yield rate on long-term government bonds as published by the Federal Reserve Board and/or the U.S. Treasury. The latest yield rate on long-term government securities is 3.96 to which was added 2.50 percentage points for a total of 6.46 that by law is rounded off to the nearest quarter at 6 1/2%.

STEVEN KAPLAN,  
*Secretary*,

[Pa.B. Doc. No. 09-1788. Filed for public inspection September 25, 2009, 9:00 a.m.]

## DEPARTMENT OF COMMUNITY AND ECONOMIC DEVELOPMENT

### Commonwealth's Action Plan

The Department of Community and Economic Development (Department) is proposing a minor amendment to the Commonwealth's Action Plan for FFY 2008 and the Program Year that began on January 1, 2008. The 2008

Action Plan is an update of the Commonwealth's Consolidated Plan for FFY 2004-2008.

The United States Department of Housing and Urban Development (HUD) awarded the Commonwealth an allocation of \$23,411,484 for the Homelessness Prevention and Rapid Re-housing Program (HPRP), as authorized by the American Recovery and Reinvestment Act of 2009. HPRP funds provide financial assistance and stabilization services to prevent homelessness and to assist people who are homeless.

The Department is making a minor amendment to the County housing partnerships component of the Action Plan for HRRP, because four counties either did not submit applications or did not submit them in a timely manner for the county housing partnerships component of the Department's Action Plan for HPRP, which was allocated by means of a formula, the Department is making a minor amendment to the Action Plan. The Department will increase the funds provided to the underserved populations and pilot initiatives component of the Action Plan for HPRP by \$300,487, for a total of \$1,800,487. The amount of funds distributed to the county housing partnerships component of HPRP, by means of a formula, will be reduced comparably to \$20,065,428. The Department also reserves the right to re-allocate funds in future years if grantees do not spend funds in a manner that meets the timeliness requirements of the program.

The Action Plan includes the final allocations for the county housing partnerships that the Department will provide using HPRP funds. This minor amendment to the Action Plan was submitted to HUD on September 16, 2009.

Copies of the Action Plan and list of allocations 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 CORNELIUS,  
*Acting Secretary*

[Pa.B. Doc. No. 09-1789. Filed for public inspection September 25, 2009, 9:00 a.m.]

# DEPARTMENT OF ENVIRONMENTAL PROTECTION

## Applications, Actions and Special Notices

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### APPLICATIONS

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#### 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

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

<i>NPDES No. (Type)</i>	<i>Facility Name &amp; Address</i>	<i>County &amp; Municipality</i>	<i>Stream Name (Watershed #)</i>	<i>EPA Waived Y/N ?</i>
PA0037737 (Sew)	Elizabethville Area Authority 4154 North Route 225 Elizabethville, PA 17023-9704	Dauphin County Washington Township	Wiconisco Creek 6-C	Y

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

<i>NPDES No. (Type)</i>	<i>Facility Name &amp; Address</i>	<i>County &amp; Municipality</i>	<i>Stream Name (Watershed#)</i>	<i>EPA Waived Y/N ?</i>
PA0020672 (Sewage)	Washingtonville Municipal Authority STP Route 254 Washingtonville, PA 17884	Montour County Derry Township	Chillisquaque Creek WWF 10D	Y
PA0228745 (Sewage)	Carl N. and Karen J. Beaver 63 Beaver Meadow Road Catawissa, PA 17820	Columbia County Locust Township	UNT to Roaring Creek 5E	Y
PA0114332	Former Dresser Industries Facility Dresser Road Wellsboro, PA 16901	Tioga County Delmar Township	UNT to Baldwin Run 9A	Y
PA0112895 (Sewerage)	Daniel L. Roeder 205-B Independent Street Catawissa, PA 17820	Columbia County Roaring Creek Township	UNT to Roaring Creek 5E	Y
PA0112372 (Sewage) Nonpublic	Mayfair Village Mobile Homes Park 612 North Shamokin Street Shamokin, PA 17872	Northumberland County Shamokin Township	UNT to Shamokin Creek SWP 6B	Y
PA0045993 SP	Ulysses Municipal Authority 522 Main Street Ulysses, PA 16948-0392	Potter County Ulysses Borough	UNT to Genesee River 14	Y

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

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

**PA0011282**, Industrial Waste, SIC 4941, **Aqua Pennsylvania, Inc.**, 762 West Lancaster Avenue, Bryn Mawr, PA 19010. This proposed facility is located in Springfield Township, **Delaware County**.

Description of Proposed Activity: Renewal of an NPDES permit to discharge treated process wastewater from the Crum Creek Water Filtration Plant.

The receiving stream, Crum Creek, is in the State Water Plan Watershed 3G and is classified for: WWF, aquatic life, water supply and recreation. There is no downstream public water supply intake below the point of discharge.

The proposed effluent limits for Outfall 001 are based on an emergency discharge flow:

<i>Parameters</i>	<i>Concentration (mg/l)</i>		<i>Instantaneous</i>
	<i>Average Monthly</i>	<i>Maximum Daily</i>	<i>Maximum (mg/l)</i>
TSS	30	60	75
Aluminum, Total	1.24	2.48	3.10
Iron, Total	2.0	4.0	5.0
Manganese, Total	1.0	2.0	2.5
pH	6.0 to 9.0 Standard Units at all times		
TRC	0.5	1.0	1.2
Chlorodibromomethane	Monitor and Report		
Chloroform	Monitor and Report		
Dichlorobromomethane	Monitor and Report		

The proposed effluent limits for Outfall 002 are based on a design flow of 0.89 mgd:

<i>Parameters</i>	<i>Concentration (mg/l)</i>		<i>Instantaneous</i>
	<i>Average Monthly</i>	<i>Maximum Daily</i>	<i>Maximum (mg/l)</i>
TSS	30	60	75
Aluminum, Total	4.0	8.0	10.0
Iron, Total	2.0	4.0	5.0
Manganese, Total	2.0	4.0	5.0
pH	6.0 to 9.0 Standard Units at all times		
TRC	0.5	1.0	1.2
Chlorodibromomethane	Monitor and Report		
Chloroform	Monitor and Report		



<i>Parameters</i>	<i>Concentration (mg/l)</i>		<i>Instantaneous</i>
	<i>Average Monthly</i>	<i>Maximum Daily</i>	<i>Maximum (mg/l)</i>
Dichlorobromomethane		Monitor and Report	

The proposed effluent limits for Outfalls 003 and 004 are based on emergency discharge flows:

<i>Parameters</i>	<i>Concentration (mg/l)</i>
	<i>Maximum Daily</i>
TSS	Monitor and Report
Aluminum, Total	Monitor and Report
Iron, Total	Monitor and Report
Manganese, Total	Monitor and Report
pH	6.0 to 9.0 Standard Units at all times

The proposed effluent limits for Outfall 013 are based on a design flow of 0.094 mgd:

<i>Parameters</i>	<i>Concentration (mg/l)</i>	<i>Instantaneous</i>
	<i>Average Monthly</i>	<i>Maximum (mg/l)</i>
TRC	0.5	1.0
pH	6.0 to 9.0 Standard Units at all times	

Outfalls 006—009 and 014 are not required to monitor based on the groundwater flow.

Outfalls 010 and 011 are not required to monitor based on the raw creek water flow.

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

1. Remedial Measures if Unsatisfactory Effluent.
2. Small Stream Discharge.
3. ELG Reopener.
4. Change in Ownership.
5. Proper Sludge Disposal.
6. TRC Restriction for Potable Drinking Water Discharge.
7. Notification to DEP.

**PA0056413**, Sewage, **Lower Salford Township Authority**, P. O. Box 243, Harleysville, PA 19438. This facility is located in Lower Salford Township, **Montgomery County**.

Description of Proposed Activity: Renewal of an NPDES permit to discharge treated sewage from Mainland STP.

The receiving stream, Skippack Creek, is in the State Water Plan Watershed 3E and is classified for: TSE, aquatic life, water supply and recreation. The nearest downstream public water supply intake for the Aqua Pennsylvania is located on Perkiomen Creek.

The proposed effluent limits for Outfall 001 based on an average design flow of 0.900 mgd:

<i>Parameters</i>	<i>Average Monthly (mg/l)</i>	<i>Average Weekly (mg/l)</i>	<i>Maximum Daily (mg/l)</i>	<i>Instantaneous Maximum (mg/l)</i>
CBOD <sub>5</sub>				
(5-1 to 10-31)	10	15		20
(11-1 to 4-30)	20	30		40
Suspended Solids	30	45		60
Ammonia (as N)				
(5-1 to 10-31)	1.4			2.8
(11-1 to 4-30)	4.2			8.4
NO <sub>2</sub> + NO <sub>3</sub> as N	Monitor and Report			
Total Kjeldahl Nitrogen	Monitor and Report			
Phosphorous (as P)				
first 12 months				
(4-1 to 10-31)	2.0			4.0
(11-1 to 3-31)	Monitor and Report			
after 12 months				
(4-1 to 10-31)	1.0			2.0
(11-1 to 3-31)	2.0			4.0

<i>Parameters</i>	<i>Average Monthly (mg/l)</i>	<i>Average Weekly (mg/l)</i>	<i>Maximum Daily (mg/l)</i>	<i>Instantaneous Maximum (mg/l)</i>
Fecal Coliform		200 #/100 ml as a Geometric Mean, nor greater than 1,000 #/100 ml in more than 10% of samples		
Dissolved Oxygen		Minimum of 6.0 mg/l at all times		
pH		Within limits of 6.0 to 9.0 Standard Units at all times		
Copper, Total	Monitor and Report			
Hardness, Total	Monitor and Report			
Iron, Total	Monitor and Report			
Iron, Dissolved	Monitor and Report			
Aluminum, Total	Monitor and Report			

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

1. Designation of Responsible Operator.
2. Remedial Measures if Public Nuisance.
3. No Stormwater to Sewers.
4. Necessary Property Rights.
5. Small Stream Discharge.
6. Change in Ownership.
7. Proper Sludge Disposal.
8. TMDL/WLA Analysis.
9. UV Disinfection.
10. Laboratory Certification.

**PA0026603**, Sewage, SIC 4952, **Borough of Ambler**, 122 East Butler Avenue, Ambler, PA 19002-4476. This existing facility is located in Upper Dublin Township, **Montgomery County**.

Description of Proposed Activity: Renewal of NPDES permit for discharge of treated effluent and site stormwater from Ambler Borough Sewage Treatment Plant.

The receiving stream, Wissahickon Creek, is in the State Water Plan Watershed 3F and is classified for: TSF, MF, water supply, recreation and fish consumption. The nearest downstream public water supply intake for Philadelphia Water Department is located on the Schuylkill River and is approximately 13 miles below the point of discharge.

The proposed effluent limits for Outfall 001 are based on an average annual design flow of 6.5 mgd.

<i>Parameters</i>	<i>Average Monthly (mg/l)</i>	<i>Average Weekly (mg/l)</i>	<i>Maximum Daily (mg/l)</i>	<i>Instantaneous Maximum (mg/l)</i>
CBOD <sub>5</sub>				
(5-1 to 10-31)	10	15		20
(11-1 to 4-30)	20	30		
Total Suspended Solids	30	45		40
NH <sub>3</sub> -N				
(5-1 to 10-31)	1.5			60
(11-1 to 4-30)	4.5			3.0
Dissolved Oxygen	7.0, I-Minimum			9.0
pH (Standard Units)	6.0, I-Minimum			
Fecal Coliform (col/100 ml)	200			9.0
Ortho-Phosphorus as P:				
(4-1 to 10-31)	1.0			1,000*
(11-1 to 3-31)	4.0			2.0
Aluminum				
(Issuance—Year 3)	Monitor		Monitor	8.0
(Year 4—Expiration)	0.742		1.158	
Copper, Total	Monitor		Monitor	
Chromium, Hexavalent	Monitor		Monitor	
Chromium, Total	Monitor		Monitor	
Silver, Total	Monitor		Monitor	
Lead, Total	Monitor		Monitor	
Arsenic, Total	Monitor		Monitor	
Cadmium, Total	Monitor		Monitor	
Mercury, Total	Monitor		Monitor	
Nickel, Total	Monitor		Monitor	
Zinc, Total	Monitor		Monitor	
Cyanide, Free	Monitor		Monitor	
Selenium, Total	Monitor		Monitor	
Phenolics, Total	Monitor		Monitor	

<i>Parameters</i>	<i>Average Monthly (mg/l)</i>	<i>Average Weekly (mg/l)</i>	<i>Maximum Daily (mg/l)</i>	<i>Instantaneous Maximum (mg/l)</i>
Hardness as CaCO <sub>3</sub>	Monitor		Monitor	
Total Residual Chlorine (NO <sub>2</sub> + NO <sub>3</sub> ) as N	0.1 Monitor			0.3 Monitor
Total Dissolved Solids	1,000			2,500

\* Not to exceed 1,000 col/100 ml in greater than 10% of the samples.

The proposed effluent limits for Stormwater Outfall 006 are based on a design flow of an average storm event:

<i>Parameters</i>	<i>Average Annual (mg/l)</i>	<i>Average Semi-Annual (mg/l)</i>	<i>Maximum Daily (mg/l)</i>	<i>Instantaneous Maximum (mg/l)</i>
CBOD <sub>5</sub>	Monitor		Monitor	
COD	Monitor		Monitor	
Oil and Grease	Monitor		Monitor	
pH	Monitor		Monitor	
Total Suspended Solids	Monitor		Monitor	
Total Kjeldahl Nitrogen	Monitor		Monitor	
Total Phosphorus	Monitor		Monitor	
Iron, Dissolved	Monitor		Monitor	
Fecal Coliform (col/100 ml)	Monitor		Monitor	

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

1. Definition of Average Weekly.
2. Remedial Measures if Public Nuisance.
3. No Stormwater to Sanitary Sewers.
4. Necessary Property Rights.
5. Specification of Test Methods.
6. Upstream Monitoring.
7. Instantaneous Maximum Limitations.
8. Proper Sludge Handling.
9. Whole Effluent Toxicity Testing with Renewal.
10. Pretreatment Program.
11. Stormwater Requirements.
12. Notification of Designation of Responsible Operator.
13. Operator Training.
14. Operations and Maintenance Plan.
15. Laboratory Certification.
16. Fecal Coliform Reporting.

The EPA waiver is not in effect.

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

**Application No. PA 0261386**, Sewage, **Albert C. Kuhn**, P. O. Box 121, Carlisle, PA 17013. This facility is located in North Middleton Township, **Cumberland County**.

Description of activity: The application is for issuance of an NPDES permit for a new discharge of treated sewage.

The receiving stream, Conodoguinet Creek, is in Watershed 7-B, and classified for WWF, water supply, recreation and fish consumption. The nearest downstream public water supply intake for Carlisle Borough is located on the Conodoguinet Creek, approximately 2.8 miles downstream. The discharge is not expected to affect the water supply.

The proposed effluent limits for Outfall 001 for a design flow of 0.0005 mgd are:

<i>Parameter</i>	<i>Average Monthly (mg/l)</i>	<i>Average Weekly (mg/l)</i>	<i>Instantaneous Maximum (mg/l)</i>
CBOD <sub>5</sub>	25	XXX	50
Total Suspended Solids	30	XXX	60
Total Residual Chlorine			XXX
	Report	XXX	



<i>Parameter</i>	<i>Average Monthly (mg/l)</i>	<i>Average Weekly (mg/l)</i>	<i>Instantaneous Maximum (mg/l)</i>
pH		From 6.0 to 9.0 inclusive	
Fecal Coliform (5-1 to 9-30)		200/100 ml as a Geometric Average	
(10-1 to 4-30)		2,000/100 ml as a Geometric Average	

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.

**Application No. PA 0021601**, Sewage, **Hamburg Municipal Authority**, 61 North Street, Hamburg, PA 19526. This facility is located in Hamburg Borough, **Berks County**.

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

The receiving stream, Schuylkill River, is in Watershed 3-B, and classified for WWF, water supply, recreation and fish consumption. The nearest downstream public water supply intake for Pottstown Borough Water and Sewer Authority is located on the Schuylkill River, approximately 41 miles downstream. The discharge is not expected to affect the water supply.

The proposed effluent limits for Outfall 001 for a design flow of 1.5 mgd are:

<i>Parameter</i>	<i>Average Monthly (mg/l)</i>	<i>Average Weekly (mg/l)</i>	<i>Instantaneous Maximum (mg/l)</i>
CBOD <sub>5</sub>	25	40	50
Total Suspended Solids	30	45	60
NH <sub>3</sub> -N	20		40
Total Residual Chlorine	0.5		1.6
Dissolved Oxygen		Minimum of 5.0 at all times	
pH		From 6.0 to 9.0 inclusive	
Fecal Coliform (5-1 to 9-30)		200/100 ml as a Geometric Average	
(10-1 to 4-30)		2,000/100 ml as a Geometric Average	

#### Schuylkill River TMDL

<i>Parameter</i>	<i>Concentration (mg/L) Monthly Average</i>
Total PCBs	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 not in effect.

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

**PA0020613**, Sewage, **Waynesburg Borough**, 90 East High Street, Waynesburg, PA 15370. This application is for renewal of an NPDES permit to discharge treated sewage from Waynesburg STP in Franklin Township, **Greene County**.

The following effluent limitations are proposed for discharge to the receiving waters, known as South Fork Tenmile 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 Tri-County Joint Municipal Authority on the Monongahela River.

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

<i>Parameter</i>	<i>Concentration (mg/l)</i>			
	<i>Average Monthly</i>	<i>Average Weekly</i>	<i>Maximum Daily</i>	<i>Instantaneous Maximum</i>
CBOD <sub>5</sub> (5-1 to 10-31)	20	30		40
(11-1 to 4-30)	25	38		50
Suspended Solids	30	45		60
Ammonia Nitrogen (5-1 to 10-31)	2.0	3.0		4.0
(11-1 to 4-30)	4.0	6.0		8.0

Parameter	Concentration (mg/l)			
	Average Monthly	Average Weekly	Maximum Daily	Instantaneous Maximum
Fecal Coliform (5-1 to 9-30)	200/100 ml as a Geometric Mean			
(10-1 to 4-30)	2,000/100 ml as a Geometric Mean			
Total Residual Chlorine	0.15			0.50
Dissolved Oxygen	not less than 5.0 mg/l			
pH	not less than 6.0 nor greater than 9.0			

Other Conditions: Outfalls 002 and 003, which discharge to the receiving waters known as South Fork Tenmile Creek, serve as combined sewer overflows necessitated by stormwater entering the sewer system and exceeding the hydraulic capacity of the sewers and/or the treatment plant. These are permitted to discharge only for such reason. There are at this time no specific effluent limitations on the outfalls. Each discharge shall be monitored for cause, frequency, duration, and quantity of flow.

The EPA waiver is in effect.

**PA0025798**, Sewage, **Centerville Borough Sanitary Authority**, P. O. Box 332, Richeyville, PA 15358. This application is for renewal of an NPDES permit to discharge treated sewage from Richeyville Sewage Treatment Plant in Centerville Borough, **Washington County**.

The following effluent limitations are proposed for discharge to the receiving waters, known as Pike Run, 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 Newell Municipal Authority on the Monongahela River.

*Outfall 001*: existing discharge, design flow of 0.17 mgd.

Parameter	Concentration (mg/l)			
	Average Monthly	Average Weekly	Maximum Daily	Instantaneous Maximum
CBOD <sub>5</sub> (5-1 to 10-31)	20	30		40
(11-1 to 4-30)	25	38		50
Suspended Solids	30	45		60
Ammonia Nitrogen (5-1 to 10-31)	5.0	7.5		10.0
(11-1 to 4-30)	15.0	22.5		30.0
Fecal Coliform (5-1 to 9-30)	200/100 ml as a Geometric Mean			
(10-1 to 4-30)	2,000/100 as a Geometric Mean			
pH	not less than 6.0 nor greater than 9.0			

The EPA waiver is in effect.

**PA0204064**, Sewage, **Jeffrey S. and Laura A. Robson**, 829 Bailey's Run Road, Tarentum, PA 15084. This application is for renewal of an NPDES permit to discharge treated sewage from Robson Single-Residence STP in Frazer Township, **Allegheny County**.

The following effluent limitations are proposed for discharge to the receiving waters, known as Bailey Run, 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 Cheswick Borough Water Department.

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

Parameter	Concentration (mg/l)			
	Average Monthly	Average Weekly	Maximum Daily	Instantaneous Maximum
CBOD <sub>5</sub>	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.

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

**PA0263605**, Sewage, **Joanne F. and Richard A. Mosier SFTF**, 26833 Highway 408, Cambridge Springs, PA 16403. This proposed facility is located in Rockdale Township, **Crawford County**.

Description of Proposed Activity: a new discharge of treated residential sewage from a Small Flow Treatment Facility.

The receiving water is the UNT to Dead Creek. The receiving stream is in State Water Plan 16-A and is classified for the following uses: HQ-TSF, aquatic life, water supply and recreation. The nearest downstream potable water supply, Cambridge Springs Borough water intake, is located on the French Creek and is approximately 10.0 miles below the point of discharge.

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

Parameter	Concentrations		
	Average Monthly (mg/l)	Average Weekly (mg/l)	Instantaneous Maximum (mg/l)
Flow		XX	
CBOD <sub>5</sub>	10		20
Total Suspended Solids	20		40
Fecal Coliform	200/100 ml as a Geometric Average		
pH	6.0 to 9.0 Standard Units at all times		

XX—Monitor and report.

The EPA waiver is in effect.

**PA0240133, Amendment No. 1**, Industrial Waste, **Mahoning Distribution, Inc.**, 35 Main Street, Corsica, PA 15829-6115. This proposed facility is located in Knox Borough, **Clarion County**.

Description of Proposed Activity: A new NPDES permit for a new discharge of remediated groundwater contaminated with unleaded gasoline.

The receiving water is UNT to Canoe Creek. The receiving stream is in State Water Plan 17-B and is classified for the following uses: HQ-CWF, aquatic life, water supply and recreation. The nearest downstream potable water supply, Parker City Water System intake, is located on the Allegheny River and is approximately 18.8 miles below the point of discharge.

The proposed effluent limits for Outfall 001 based on a design flow of 0.004608 mgd.

Parameters	Loadings		Concentrations		
	Average Monthly (lb/day)	Maximum Daily (lb/day)	Average Monthly (mg/l)	Maximum Daily (mg/l)	Instantaneous Maximum (mg/l)
Flow	XX				
Benzene			0.001		0.0025
Total BTEX			0.1		0.25
Toluene			0.01		0.025
Ethylbenzene			0.01		0.025
Total Xylenes			0.01		0.025
MTBE			XX		XX
pH	6.0 to 9.0 Standard Units at all times				
Oil and Grease			10		20
Dissolved Iron				1.7	
Total Suspended Solids			10		20

XX—Monitor and Report

The EPA waiver is in effect.

*Northwest Region: Oil and Gas Management Program Manager, 230 Chestnut Street, Meadville, PA 16335-3481.*

**PA0105295**, Industrial Waste, **Minard Run Oil Company—Dent Water Treatment Facility**, P. O. Box 18, Bradford, PA 16701. This existing facility is located in Lafayette Township, **McKean County**.

Description of Proposed Activity: renewal of an existing discharge of treated industrial waste.

For the purpose of evaluating effluent requirements for TDS, phenolics, sulfate and chloride, the existing/proposed downstream potable water supply (stream and Public Water Supplier) considered during the evaluation is Tunungwant Creek at the PA/NY state border, approximately 13 miles below the point of discharge.

The receiving stream, Lewis Run, is in Watershed 16-C and classified for: HQ-CWF, aquatic life, water supply and recreation.

The proposed effluent limits for Outfall 002 are based on a maximum flow of 0.016 mgd.

Parameters	Loadings		Concentrations		
	Average Monthly (lb/day)	Maximum Daily (lb/day)	Average Monthly (mg/l)	Maximum Daily (mg/l)	Instantaneous Maximum (mg/l)
Flow (mgd)		0.016			
Total Suspended Solids			30		60
Oil and Grease			15		30
Total Iron			3.5		7.0
TDS					
(January)		39,026	XX	XX	
(February)		39,853	XX	XX	
(March)		68,236	XX	XX	
(April)		83,341	XX	XX	
(May)		40,362	XX	XX	
(June)		20,194	XX	XX	
(July)		13,948	XX	XX	
(August)		9,431	XX	XX	
(September)		8,765	XX	XX	
(October)		11,541	XX	XX	
(November)		29,132	XX	XX	
(December)		50,168	XX	XX	
Benzene			0.380	0.761	0.951
Acidity				Less than Alkalinity	
Alkalinity			XX		
Chloride			XX		
Sulfate			XX		
pH			6.0 to 9.0 Standard Units at all times		

XX—Monitor and Report

The EPA waiver is in effect.

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*Northwest Region: Oil and Gas Management Program Manager, 230 Chestnut Street, Meadville, PA 16335-3481.*

**PA0263516**, Industrial Waste, **Pennsylvania Brine Treatment, Inc.—Rouseville Facility**, 5148 US Route 322, Franklin, PA 16323. This proposed facility is located in Cornplanter Township, **Venango County**.

Description of Proposed Activity: a new discharge of treated industrial waste.

The receiving water is Oil Creek. The receiving stream is in State Water Plan 16-E and is classified for the following uses: WWF, aquatic life, water supply and recreation. The nearest downstream potable water supply, Aqua Pennsylvania at Emlenton, is located on the Allegheny River and is approximately 44 miles below the point of discharge.

The proposed effluent limits for Outfall 001 based on a design flow of 0.08 mgd.

Interim Limits—These limits will be applicable from issuance date through December 31, 2010.

Parameter	Loadings		Concentrations		
	Average Monthly (lb/day)	Maximum Daily (lb/day)	Average Monthly (mg/l)	Maximum Daily (mg/l)	Instantaneous Maximum (mg/l)
Flow (mgd)		0.08			
Oil and Grease			15		30
TSS			30		60
BOD <sub>5</sub>			53	163	16.3
Iron (Total)			3	6	7.5
Ammonia			25	50	62.5
Barium			10	20	25
Strontium			10	20	25
Manganese			2	4	5
Copper			0.757	0.865	1.893
Zinc			0.420	0.497	1.05
Acetone			7.97	30.2	30.2
Acetophenone			0.0562	0.114	0.140
2-Butanone			1.85	4.81	4.81
o-Cresol			0.561	1.92	1.92
p-Cresol			0.205	0.699	0.699
Phenol			1.08	3.65	3.65
Pyridine			0.182	0.37	0.455
2,4,6-Trichlorophenol			0.106	0.155	0.263
TDS					

Parameter	Loadings		Concentrations		
	Average Monthly (lb/day)	Maximum Daily (lb/day)	Average Monthly (mg/l)	Maximum Daily (mg/l)	Instantaneous Maximum (mg/l)
(January)		631,798	XX	XX	
(February)		757,738	XX	XX	
(March)		1,269,933	XX	XX	
(April)		1,284,434	XX	XX	
(May)		767,389	XX	XX	
(June)		375,923	XX	XX	
(July)		239,949	XX	XX	
(August)		189,660	XX	XX	
(September)		155,779	XX	XX	
(October)		213,298	XX	XX	
(November)		415,315	XX	XX	
(December)		682,124	XX	XX	
Acidity				Less than Alkalinity	
Sulfate			XX	XX	
Chloride			XX	XX	
Benzene			XX	XX	
Lead			XX	XX	
Aluminum			XX	XX	
Alkalinity			XX	XX	
pH	Within limits of 6.0 to 9.0 Standard Units at all times.				

The proposed effluent limits for Outfall 001 based on a design flow of 0.08 mgd.

Final Limits: These limits will be applicable from January 1, 2011, until the permit expires.

Parameter	Loadings		Concentrations		
	Average Monthly (lb/day)	Maximum Daily (lb/day)	Average Monthly (mg/l)	Maximum Daily (mg/l)	Instantaneous Maximum (mg/l)
Flow (mgd)		0.08			
Oil and Grease			15		30
TSS			30		60
BOD <sub>5</sub>			53	163	16.3
Iron (Total)			3	6	7.5
Ammonia			25	50	62.5
Barium			10	20	25
Strontium			10	20	25
Manganese			2	4	5
Copper			0.757	0.865	1.893
Zinc			0.420	0.497	1.05
Acetone			7.97	30.2	30.2
Acetophenone			0.0562	0.114	0.140
2-Butanone			1.85	4.81	4.81
o-Cresol			0.561	1.92	1.92
p-Cresol			0.205	0.699	0.699
Phenol			1.08	3.65	3.65
Pyridine			0.182	0.37	0.455
2,4,6-Trichlorophenol			0.106	0.155	0.265
TDS			500	1000	1250
Acidity				Less than Alkalinity	
Sulfate			250	500	625
Chloride			250	500	625
Benzene			XX	XX	
Lead			XX	XX	
Aluminum			XX	XX	
Alkalinity			XX	XX	
pH	Within limits of 6.0 to 9.0 Standard Units at all times.				

XX—Monitor and report on monthly DMRs.

The EPA waiver is not in effect.

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

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

**WQM Permit No. 1509409**, Sewerage, **Lower Oxford Township**, 220 Township Road, Oxford, PA 19363. This proposed facility is located in Lower Oxford Township, **Chester County**.



Description of Action/Activity: Construct an LPS system to collect sewers along a section of Route 10 and construct a force main for a proposed pump station not included in this project.

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

**WQM Permit No. 4509403**, Sewerage, **Tobyhanna Army Depot**, 11 Hap Arnold Boulevard, Tobyhanna, PA 18466-5100. This proposed facility is located in Coolbaugh Township, **Monroe County**.

Description of Proposed Action/Activity: This project is for an upgrade to the existing wastewater treatment plant process and structures at the Tobyhanna Army Depot wastewater treatment plant.

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

**WQM Permit No. 0692402, Amendment 09-1**, Sewerage, **Exeter Township, Berks County, Authority**, 4975 De Moss Road, Reading, PA 19606. This proposed facility is located in Birdsboro Borough, **Berks County**.

Description of Proposed Action/Activity: Replace existing dewater equipment and provide sludge drying equipment at existing plant.

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

**WQM Permit No. 4909402**, Sewerage, SIC 4952, **Shamokin-Coal Township Joint Sewer Authority**, 114 Bridge Street, Shamokin, PA 17872-9603. This proposed facility will be located in Coal Township and the City of Shamokin, **Northumberland County**.

Description of Proposed Action/Activity: The applicant proposes the Springfield Area Sanitary Sewer Separation.

**WQM Permit No. 4709402**, Sewage, SIC 4952, **Danville Municipal Authority**, P. O. Box 179, 12 West Market Street, Danville, PA 17821. This proposed facility is located in Danville, **Montour County**.

Description of Proposed Action/Activity: The applicant proposes to renovate their sewage plant for total nitrogen and phosphorus removal.

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

**WQM Permit No. WQG016177**, Sewerage, **Jamie Gaus**, 137 Mt. Vernon Road, Pittsburgh, PA 15229. This proposed facility is located in Jefferson Township, **Washington County**.

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

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

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

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

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

<i>NPDES Permit No.</i>	<i>Applicant Name &amp; Address</i>	<i>County</i>	<i>Municipality</i>	<i>Receiving Water/Use</i>
PAI011509030	Stillwater Presbyterian Church P. O. Box 641 Kennett Square, PA 19348	Chester	London Grove Township	UNT East Branch White Clay Creek EV

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

*Schuylkill County Conservation District: 1206 Agriculture Center Drive, R. R. 5, Box 5810, Pottsville, PA 17901, (570) 622-3742.*

<i>NPDES Permit No.</i>	<i>Applicant Name &amp; Address</i>	<i>County</i>	<i>Municipality</i>	<i>Receiving Water/Use</i>
PAI025409002	Greater Tamaqua Industrial Development Enterprises 114 West Broad Street Tamaqua, PA 18252	Schuylkill	Rush Township	Nesquehoning Creek HQ-CWF, MF
PAI025409003	Greater Tamaqua Industrial Development Enterprises 114 West Broad Street Tamaqua, PA 18252	Schuylkill	Rush Township	Nesquehoning Creek HQ-CWF, MF

## NOTICES

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

<i>NPDES Permit No.</i>	<i>Applicant Name &amp; Address</i>	<i>County</i>	<i>Municipality</i>	<i>Receiving Water/Use</i>
PAI032809003	Lex and Louise Skelly 3631 North Front Street Harrisburg, PA 17110	Franklin	Guilford Township	Falling Spring Creek HQ
PAI032805007-1	Department of Military and Veterans Affairs PA Army National Guard Building 0-47 Fort Indiantown Gap Annville, PA 17003	Franklin	Guilford and Quincy Townships	Raccoon Creek HQ-CWF

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

<i>NPDES Permit No.</i>	<i>Applicant Name &amp; Address</i>	<i>County</i>	<i>Municipality</i>	<i>Receiving Water/Use</i>
PAI041409009	Northeastern ITS 6779 Engle Road Middleburg Heights, OH 44130-7926	Mercer	West Salem, Sugar Grove, Hempfield, Salem, Sandy Creek, Deer Creek, New Vernon and Mill Creek Townships Sheakleyville and New Lebanon Boroughs	UNT to Shenango River WWF UNTs to Booth Run WWF Big Run WWF UNTs to Big Run WWF Shenango River WWF UNTs to Little Shenango River TSF Little Shenango River TSF UNT to Morrison Run TSF Morrison Run TSF UNT to Mill Run WWF Mill Run WWF UNTs to Morrison Run TSF UNT to Mill Creek CWF Sandy Creek WWF UNTs to Sandy Creek WWF Schofield Run WWF UNTs to Sandy Creek WWF UNT to Little Sandy Creek HQ-CWF UNT to Sandy Run WWF UNTs to Little Sandy Creek HQ-CWF

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<i>NPDES Permit No.</i>	<i>Applicant Name &amp; Address</i>	<i>County</i>	<i>Municipality</i>	<i>Receiving Water/Use</i>
		Venango	Frenchcreek, Cranberry, Sandy Creek and Rockland Townships City of Franklin	UNT to Little Sandy Creek HQ-CWF UNTs to French Creek WWF Allegheny River WWF Lower Two Mile Run CWF UNT to Allegheny River WWF Burford Run CWF Halls Run CWF UNTs to East Sandy Creek CWF East Sandy Creek CWF UNT to Little East Sandy Creek CWF UNT to Halls Run CWF

## NOTICES

<i>NPDES Permit No.</i>	<i>Applicant Name &amp; Address</i>	<i>County</i>	<i>Municipality</i>	<i>Receiving Water/Use</i>
		Clarion	Ashland, Elk, Paint, Clarion and Limestone Townships Shipperville, Clarion and Strattanville Boroughs	UNT Pine Run CWF UNTs to Little East Sandy Creek CWF UNTs to Canoe Creek HQ-CWF UNTs to Deer Creek CWF Deer Creek CWF Paint Creek CWF UNTs to Clarion River CWF Clarion River CWF UNTs to Brush Run CWF UNT to Douglass Run CWF Douglass Run CWF UNTs to Little Piney Creek CWF UNT to Paint Creek CWF UNT to Douglass Run CWF Little Piney Creek CWF

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<i>NPDES Permit No.</i>	<i>Applicant Name &amp; Address</i>	<i>County</i>	<i>Municipality</i>	<i>Receiving Water/Use</i>
		Jefferson	Union, Rose, Pine Creek and Winslow Townships Corsica, Brookville and Reynoldsville Boroughs	North Fork River HQ-CWF Mill Creek TSF UNTs to Sandy Lick Creek TSF UNTs to O'Donnell Run CWF O'Donnell Run CWF UNTs to Schoolhouse Run HQ-CWF Schoolhouse Run HQ-CWF Sandy Lick Creek TSF UNTs to Soldier Run CWF Soldier Run CWF Fehley Run CWF Rathmel Run CWF UNT to Campbell Run CWF Clement Run CWF Pitchpine Run CWF



## NOTICES

<i>NPDES Permit No.</i>	<i>Applicant Name &amp; Address</i>	<i>County</i>	<i>Municipality</i>	<i>Receiving Water/Use</i>
		Clearfield	Sandy, Brady, Union, Bloom, Pike, Lawrence, Boggs, Decatur Townships Curwensville Borough	Soldier Run CWF Little Anderson Creek CWF UNTs to Anderson Creek CWF Katzner Run CWF Anderson Creek CWF West Branch Susquehanna River CWF Laurel Run CWF Clearfield Creek WWF UNTs to Clearfield Creek CWF UNT to Simeling Run HQ-CWF Simeling Run HQ-CWF UNT to Pentz Run CWF UNT to Limestone Run CWF Limestone Run CWF UNT to Luthersburg Branch CWF UNT to Stump Creek CWF Stump Creek CWF Hughey Run CWF UNTs to West Branch Susquehanna River CWF Hartshorn Run CWF Little Clearfield Creek HQ-CWF UNT to Morgan Run CWF UNTs to Laurel Run CWF

<i>NPDES Permit No.</i>	<i>Applicant Name &amp; Address</i>	<i>County Centre</i>	<i>Municipality</i>	<i>Receiving Water/Use</i>
			Rush, Worth, Huston, Patton, Ferguson, Harris, Potter, Gregg, Penn and Haines Townships	Moshannon Creek TSF Cold Stream Creek CWF Laurel Run CWF
			Philipsburg, Port Matilda and Millheim Boroughs	Oliver Run CWF UNTs to Bald Eagle Creek CWF Bald Eagle Creek TSF Buffalo Run HQ-CWF UNTs to Buffalo Run HQ-CWF UNT to Spring Creek HQ-CWF UNT to Slab Cabin Run HQ-CWF Slab Cabin Run HQ-CWF UNT to Slab Cabin Run HQ-CWF Roaring Run HQ-CWF UNTs to Spring Creek HQ-CWF Spring Creek HQ-CWF UNT to Cedar Run CWF Penns Creek CWF UNTs to Penns Creek CWF UNTs to Elk Creek EV Elk Creek EV UNTs to Pine Creek HQ-CWF UNTs to Pine Creek EV Pine Creek EV UNT to Black Bear Run EV Sixmile Run HQ-CWF UNTs to Laurel Run CWF UNT to Buffalo Run HQ-CWF



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<i>NPDES Permit No.</i>	<i>Applicant Name &amp; Address</i>	<i>County</i>	<i>Municipality</i>	<i>Receiving Water/Use</i>
		Northumberland	Upper Augusta, Rockefeller, Shamokin, Ralpho, Coal and Mt. Carmel Townships City of Sunbury	Shamokin Creek WWF Little Shamokin Creek CWF UNT to Plum Creek CWF UNTs to Shamokin Creek CWF UNT to Lick Creek CWF Millers Run CWF UNTs to Millers Run CWF UNT to South Branch Roaring Creek HQ-CWF North Branch Shamokin Creek CWF UNTs to North Branch Shamokin Creek CWF Lick Creek CWF South Branch Roaring Creek HQ-CWF Locust Creek CWF

NOTICES

<i>NPDES Permit No.</i>	<i>Applicant Name &amp; Address</i>	<i>County</i>	<i>Municipality</i>	<i>Receiving Water/Use</i>
		Schuylkill	Butler, Newcastle, West Mahanoy, Mahanoy, Ryan, Schuylkill, Walker and West Penn Townships Frackville Borough	UNTs to Mahanoy Creek CWF Mahanoy Creek WWF Little Mahanoy Creek CWF Stony Creek UNT to Mill Creek CWF UNTs to Mill Creek CWF UNT to Codorus Creek CWF Locust Creek CWF UNTs to Locust Creek CWF Schuylkill River CWF Little Schuylkill River CWF UNTs Little Schuylkill River CWF Lizard Creek CWF UNTs to Lizard Creek CWF UNT to Mahanoy Creek CWF UNT to Schuylkill River CWF UNTs to Beaver Creek CWF Stump Run CWF UNT to Stump Run CWF



<i>NPDES Permit No.</i>	<i>Applicant Name &amp; Address</i>	<i>County</i>	<i>Municipality</i>	<i>Receiving Water/Use</i>
		Lehigh	Lynn, Heidelberg, North Whitehall and Whitehall Townships	UNT to Ontelaunee Creek EV Ontelaunee Creek EV School Creek EV UNTs to School Creek EV UNTs to Jordan Creek HQ-CWF Jordan Creek TSF UNTs Mill Creek CWF Mill Creek CWF Coplay Creek CWF UNTs to Coplay Creek CWF Lehigh River TSF
		Northampton	Allen, East Allen, Hanover, Lower Nazareth, Palmer and Forks Townships Northampton Borough City of Easton	Indian Creek CWF Quarry Creek CWF UNT to Lehigh River CWF Catasauqua Creek CWF East Branch Monocacy Creek HQ-CWF UNT to Bushkill Creek HQ-CWF Bushkill Creek HQ-CWF Delaware River WWF UNTs to Catasauqua Creek CWF UNT to Monocacy Creek HQ-CWF

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

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

<i>NPDES Permit No.</i>	<i>Applicant Name &amp; Address</i>	<i>County</i>	<i>Municipality</i>	<i>Receiving Water/Use</i>
PAI055609004	Turnpike Commission P. O. Box 67676 Harrisburg, PA 17106	Somerset	Jefferson Township	UNT to Laurel Hill Creek HQ-CWF

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

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

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

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

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

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

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

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

**NUTRIENT MANAGEMENT PLAN—PUBLIC NOTICE SPREADSHEET—APPLICATIONS**

<i>Agricultural Operation Name and Address</i>	<i>County</i>	<i>Total Acres</i>	<i>Animal Equivalent Units</i>	<i>Animal Type</i>	<i>Special Protection Waters (HQ or EV or NA)</i>	<i>Renewal/New</i>
Jeff F. Flemmens 158 Leathery Road East Berlin, PA 17316	Adams	38.1	300.7	Turkeys	NA	New
Lakeland Dairy 272 Angel Road and New Wilmington, PA 16142	Mercer Lawrence	650	1,155	Dairy	NA	Application

**PUBLIC WATER SUPPLY (PWS)  
PERMIT**

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

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

Following the comment period, the Department will make a final determination regarding the proposed permit. Notice of this final determination will be published

in the *Pennsylvania Bulletin* at which time this determination may be appealed to the Environmental Hearing Board.

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

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

**SAFE DRINKING WATER**

**Applications Received under the Pennsylvania Safe  
Drinking Water Act**

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

**Application No. 4009521**, Public Water Supply.

Applicant **Eagle Rock Community Association**  
1031 Valley of Lakes  
Hazleton, PA 18201

Township or Borough Hazle Township

Responsible Official Randy Grace  
VP Double Diamond  
1031 Valley of Lakes  
Hazleton, PA 18201

Type of Facility PWS

Consulting Engineer John O. Hammell, P. E.  
CMX  
941 Marcon Boulevard  
Suite 801  
Allentown, PA 18109

Application Received Date July 30, 2009

Description of Action Applicant proposes to construct a new PWS system including two new sources of supply, treatment facilities, storage and distribution system to serve the Mountain View Phases I and II residential development project located in Hazle Township, Luzerne County.

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

**Permit No. 9996408**, Public Water Supply.

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

Township or Borough Lorton, Virginia

Responsible Official J. Marks Evan  
Vice President

Type of Facility Out-of-State Bottled Water System

Application Received Date September 8, 2009

Description of Action Applicant requesting a permit amendment to change company name from Ionics, Incorporated to Nestle Waters North America, Inc. Bottled water to be sold in Pennsylvania under the brand name: Deer Park Purified Water.

**Biosolids Individual Permits (PABIG and PABIS)**

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

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

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

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

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

**Biosolids Individual Permits (PABIG and PABIS)**

The following parties have received a renewal for an Individual Generator Permit (PABIG) for beneficial use of sewage sludge (biosolids) by land application.

*General Permit Type—PABIG*

<i>Facility Location &amp; Municipality</i>	<i>Permit No.</i>	<i>Applicant Name &amp; Address</i>	<i>Site Name &amp; Location</i>	<i>Contact Office &amp; Phone No.</i>
Baltimore, MD (Mobile line unite)	PABIG9903	Synagro Mid-Atlantic 7014 East Baltimore Street Baltimore, MD 21224	Synagro Mid-Atlantic 7014 East Baltimore Street Baltimore, MD 21224	BWSFR (717) 787-8184

**AIR QUALITY**  
**PLAN APPROVAL AND OPERATING PERMIT**  
**APPLICATIONS**  
**NEW SOURCES AND MODIFICATIONS**

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

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

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

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

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

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

**PLAN APPROVALS**

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

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

**54-399-044: Future Power PA** (72 Glenmaura National Boulevard, Moosic, PA 18507) for construction and

operation of an Anthracite Coal fired IGCC plant with controls at their facility to be in Porter Township, **Schuylkill County**.

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

**65-01006A: Ameresco Greenridge LLC** (111 Speen Street, Suite 410, Framingham, MA 01701) for installation of engines at their Greenridge Landfill in East Huntingdon Township, **Westmoreland County** to use treated landfill gas to power engines/gensets to produce electricity for distribution to power grid.

**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.**

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

**36-05106A: Premier Custom Built, Inc.** (110 Short Street, New Holland, PA 17557) for use of the emissions averaging program under 25 Pa. Code § 129.102(2) for coatings used at their cabinet manufacturing facility in East Earl Township, **Lancaster County**. Allowable emissions will not increase at the facility since the facility is currently limited to 50 tons of VOC, 25 tons of multiple HAPs and 10 tons of any one HAP per year. The plan approval will include monitoring, recordkeeping, reporting and work practice standards designed to keep the facility operating within all applicable air quality requirements.

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

**25-069N: BASF Catalysts, LLC** (1729 East Avenue, Erie, PA 16503) for authorization to operate a chrome oxide powder load hopper with a dust collector and a fluidized bed reactor to complete the calcination as described in their application of February 2, 2009, for their plant 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 plant located in the City of Erie, Erie County. This plan approval will authorize the applicant to operate a chrome oxide powder load hopper with a dust collector and a fluidized bed reactor to complete the calcination as described in the applicant's application of February 2, 2009. The Plan Approval will subsequently be incorporated into a State-only Operating Permit through an administrative amendment in accordance with 25 Pa. Code § 127.450.

The control unit has an estimated 99.99 plus percent removal efficiency and shall not exceed the PM emissions of 0.02 gr/dscf. The source is not considered major precontrolled, therefore, CAM is not applicable. The facility will demonstrate compliance with the restrictions by performing daily pressure drop readings and quarterly preventative maintenance.

Copies of the application, the Department's analysis, and other documents used in the evaluation are available for public inspection between 8 a.m. and 4 p.m. weekdays at the address shown. To make an appointment, contact Records Management at (814) 332-6340, 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. 25-069N.
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.

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

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

**22-03049: Turbine Airfoils Design, Inc.** (1400 North Cameron Street, Harrisburg, PA 17103) for their turbine parts manufacturing facility in the City of Harrisburg, **Dauphin County**. This is a renewal of the State-only operating permit issued in 2004.

**67-05106: Donsco, Inc.** (P. O. Box 2001, Wrightsville, PA 17368) for operation of the company's gray iron foundry in Wrightsville Borough, **York County**. This renewal of the State-only operating permit will retain the previous requirements for monitoring, recordkeeping, emission limits and work practice standards to ensure the facility complies with the applicable air quality regulations.

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

**04-00466: NSPC, LLC** (P. O. Box 311, Zelienople, PA 16063-0311) for continued operation of the New Sewickley Pet Crematory, in New Sewickley Township, **Beaver County**. This is for renewal of the State-only Operating Permit issued in 2005.

**04-00709: Colona Transfer, LP** (P. O. Box 311, Portersville PA 16051-0311) for continued operation of the Colona Dock No. 2, in Monaca Borough, **Beaver County**. This is for renewal of the State-only Operating Permit issued in 2005.

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

**37-00280: Ennstone Inc., d/b/a Three Rivers Aggregates** (1288 Reese Road, Slippery Rock, PA 16057-6028) for issuance of a Synthetic Minor Operating Permit to

operate a sand and gravel processing facility. in Plain Grove Township, **Lawrence County**. The facility's primary emission sources include a sand and gravel processing plant and a diesel engine.

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

**S08-004: St. Christopher's Hospital for Children, LLC** (Erie Avenue at Front Street, Philadelphia, PA 19134) for operation of a hospital in the City of Philadelphia, **Philadelphia County**. The facility's air emission source includes one 200 hp boiler, one 300 hp boiler, one 500 hp boiler, two less than 50 hp boilers, two 1,520 hp emergency generators and one 145 hp emergency generator.

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

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

**S03-010: General Services Administration—William J. Green Jr.—Federal Building** (600 Arch Street, Philadelphia, PA 19106) for operation of a Federal building in the City of Philadelphia, **Philadelphia County**. The facility's air emission sources include three 13.39 mmBtu/hr boilers, three hot water heaters, one 746 kW Emergency Generator and one 175 kW emergency generator.

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

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

## COAL AND NONCOAL MINING ACTIVITY APPLICATIONS

Applications under the Surface Mining Conservation and Reclamation Act (52 P. S. §§ 1396.1—1396.19a); the Noncoal Surface Mining Conservation and Reclamation Act (52 P. S. §§ 3301—3326); The Clean Streams Law (35 P. S. §§ 691.1—691.1001); the Coal Refuse Disposal Act

(52 P. S. §§ 30.51—30.66); The Bituminous Mine Subsidence and Land Conservation Act (52 P. S. §§ 1406.1—1406.21). Mining activity permits issued in response to such applications will also address the applicable permitting requirements of the following statutes: the Air Pollution Control Act (35 P. S. §§ 4001—4015); the Dam Safety and Encroachments Act (32 P. S. §§ 693.1—693.27); and the Solid Waste Management Act (35 P. S. §§ 6018.101—6018.1003).

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

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

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

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

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

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

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

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

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

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

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

*Coal Applications Received*

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

Table 1

Parameter	30-Day Average	Daily Maximum	Instantaneous Maximum
Iron (Total)	1.5 to 3.0 mg/l	3.0 to 6.0 mg/l	3.5 to 7.0 mg/l
Manganese (Total)	1.0 to 2.0 mg/l	2.0 to 4.0 mg/l	2.5 to 5.0 mg/l
Suspended solids	10 to 35 mg/l	20 to 70 mg/l	25 to 90 mg/l

Parameter	30-Day Average	Daily Maximum	Instantaneous Maximum
Aluminum (Total) pH <sup>1</sup>	0.75 to 2.0 mg/l	1.5 to 4.0 mg/l	2.0 to 5.0 mg/l
Alkalinity greater than acidity <sup>1</sup>		greater than 6.0; less than 9.0	

<sup>1</sup> The parameter is applicable at all times.

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

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

**30841316 and NPDES Permit No. PA0213535, Consol Pennsylvania Coal Company, LLC**, (P. O. Box J, 1525 Pleasant Grove Road, Claysville, PA 15323), to revise the permit for the Bailey Mine and Prep Plant in Richhill and Aleppo Townships, **Greene County** to amend 1,173.70 subsidence control plan area acres from development mining to longwall mining. No additional discharges. Application received July 6, 2009.

**30841317 and NPDES Permit No. PA0213527, Consol Pennsylvania Coal Company, LLC**, (P. O. Box J, 1525 Pleasant Grove Road, Claysville, PA 15323), to revise the permit for the Enlow Fork Mine in East Finley, South Franklin, and Morris Townships, **Washington County** to revise the longwall mining plan and perform stream restoration as may be necessary to two areas of Crafts Creek UNT as shown on the Prosperity USGS Quad from N: 10.28 inches; W: 9.31 to N: 11.20 inches; W: 9.72 inches, two areas of Sawhill Run as shown on the Claysville USGS Quad from N: 18.02 inches; W: 0.45 inch to N: 18.89 inches; W: 16.55 inches on the Prosperity USGS Quad, six areas of Buffalo Creek and Buffalo Creek UNT as shown on the Prosperity USGS Quad from N: 15.74 inches; W: 17.19 inches to N: 19.14 inches; W: 15.73 inches, and five areas of Tenmile Creek as shown on the Prosperity USGS Quad from N: 12.00 inches; W: 8.5 inches to N: 15.33 inches; W: 10.92 inches. No additional discharges. Application received June 29, 2009.

**30960701 and NPDES Permit No. PA0215201, Emerald Coal Resources, LP**, (158 Portal Road, P. O. Box 1020, Waynesburg, PA 15370), to renew the permit for the Emerald Mine No. 1—Coal Refuse Disposal Area No. 2 in Franklin Township, **Greene County** and related NPDES permit. No additional discharges. Application received March 27, 2009.

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

**11070202. NPDES No. PA0262439 and General Permit GP-12-11070202, Ebensburg Power Company**, 2840 New Germany Road, P. O. Box 845, Ebensburg, PA 15931, revision of an existing bituminous coal refuse site to obtain coverage for coal refuse reprocessing under air quality general permit GP-12 in Jackson Township and Nanty Glo Borough, **Cambria County**, affecting 57.8 acres. Receiving streams: UNT to Pergrin Run and Southern Branch of Blacklick Creek classified for the following use: CWF. There are no potable water supply intakes within 10 miles downstream. Application received September 1, 2009.

**32090201 and NPDES No. PA0262854. Britt Energies, Inc.**, 2450 Philadelphia Street, Indiana, PA 15701, commencement, operation and restoration of a bituminous coal refuse reprocessing surface mine in Conemaugh Township, **Indiana County**, affecting 11.9 acres. Receiving streams: UNTs to/and Sulfur Run classified for the following use: CWF. There are no potable water supply intakes within 10 miles downstream. Application received August 26, 2009.

**56793091 and NPDES No. PA0119296. Hardrock Coal Company**, 275 Saddle Ridge Road, Berlin, PA 15530, permit renewal for the continued operation and restoration of a bituminous surface and auger mine in Brothersvalley Township, **Somerset County**, affecting 559.9 acres. Receiving streams: UNTs to/and Tubs Run and UNT to Millers Run classified for the following use: CWF. There are no potable water supply intakes within 10 miles downstream. Application received August 27, 2009.

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

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

**63090103 and NPDES Permit No. PA0251747. Amerikohl Mining, Inc.** (1384 SR 711, Stahlstown, PA 15687). Application for commencement, operation and reclamation of a bituminous surface mine, located in Fallowfield and Somerset Townships, **Washington County**, affecting 222.2 acres. Receiving streams: Sawmill Creek and UNTs to Sawmill Creek, classified for the following use: WWF. There is no potable water supply intake within 10 miles downstream from the point of discharge. Application received September 2, 2009.

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

**17070107 and NPDES No. PA0256536. P & N Coal Company, Inc.** (P. O. Box 332, Punxsutawney, PA 15767). Revision of an existing bituminous surface mine to amend the permit boundary in Penn Township, **Clearfield County**, affecting 119.2 acres. Receiving stream: Kratzer Run, classified for the following use: CWF. There are no potable water supply intakes within 10 miles downstream. Application received July 24, 2009.

**17070107 and NPDES No. PA0256536. P & N Coal Company, Inc.** (P. O. Box 332, Punxsutawney, PA 15767). Revision of an existing bituminous surface mine to request a variance to conduct surface mining and coal removal within 100 feet of SR 729, in Penn Township, **Clearfield County**, affecting 114.6 acres. Receiving stream: UNT to Kratzer Run, classified for the following



use: CWF. There are no potable water supply intakes within 10 miles downstream. Application received September 3, 2009.

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

**54970101C2 and NPDES Permit No. PA0223832. Premium Fine Coal, Inc.,** (P. O. Box 268, Tamaqua, PA 18252), correction to an existing anthracite surface mine, coal refuse reprocessing and refuse disposal operation in Schuylkill Township, **Schuylkill County** to increase the permitted acreage from 632 acres to 727 acres, receiving stream: UNT of Mary D Mine Pool, classified for the following use: CWF. Application received August 12, 2009.

**49090101. Fox Coal Company, Inc.,** (1380 Tioga Street, Shamokin, PA 17866), commencement, operation and restoration of an anthracite surface mine operation in Zerbe Township, **Northumberland County** affecting 1298 acres, receiving stream: Zerbe Run, classified for the following use: CWF. Application received August 31, 2009.

**54840206R5. William Penn Breaker, Inc.,** (46 Public Square, Suite 600, Wilkes-Barre, PA 18701), renewal of an existing anthracite surface mining operation for reclamation activities only in West Mahanoy Township, **Schuylkill County** affecting 164.3 acres, receiving stream: none. Application received September 2, 2009.

**54890102R4 and NPDES Permit No. PA0594504. White Pine Coal Co., Inc.,** (P. O. Box 119, Ashland, PA 17921), renewal of an existing anthracite surface mine and coal refuse reprocessing operation in Cass, Foster and Reilly Townships, **Schuylkill County** affecting 729.78 acres, receiving stream: Muddy Branch Creek. Application received September 8, 2009.

*Noncoal Applications Received*

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

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

\* The parameter is applicable at all times.

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

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

**32082801. Ridge Limestone, Inc.,** 1094 Lantz Road, Avonmore, PA 15618, bond release on a small noncoal (industrial minerals) operation in Young Township, **Indiana County**, affecting 2 acres. Receiving stream: no discharge. Application received September 1, 2009.

**28990803. Paul Clapsaddle,** 11401 Creek Road, Fanettsburg, PA 17221, bond release on a small noncoal (industrial minerals) operation in Metal Township, **Franklin County**, affecting 0.75 acres. Receiving stream: no discharge. Application received September 1, 2009.

**05090801. Troy A. Crist,** 2496 North Imler Valley Road, Imler, PA 16655, commencement, operation and restoration of a small noncoal (industrial minerals) operation in Kimmel Township, **Bedford County**, affecting 5.0 acres, receiving streams: UNTs to the Frankstown Branch of the Juniata River; Beaverdam Creek. Permit received September 1, 2009.

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

**09920302C4 and NPDES Permit No. PA0595497. Delaware Valley Landscape Stone, Inc.,** (P. O. Box 778, New Hope, PA 18938), renewal of NPDES Permit for discharge of treated mine drainage from a quarry operation in Middletown Township, **Bucks County**, receiving

stream: UNT to Neshaminy Creek, classified for the following use: WWF. Application received September 2, 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

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

**E36-858: Wonderland Amusement Management, LLC, Richard Stammel, 2249 Lincoln Highway East, Lancaster, PA 17602, East Lampeter Township, Lancaster County, United States Army Corps of Engineers, Baltimore District.**

To remove six single-span pedestrian stream crossings, each having a width of 7 feet and spans of 28 feet, 25 feet, 24.5 feet, 26 feet, 29 feet and 28 feet, in a canal located in the floodway of Mill Creek (WWF). Also to construct and maintain an 8.5-foot wide dual span bridge having normal spans of 30 feet and 36 feet and an underclearance of 5.4 feet, a 6-inch depressed, 42-foot long 36-inch diameter RCP culvert pipe in a canal located in the floodway of Mill Creek (WWF). A temporary road crossing consisting of two 29-foot long, 48-inch diameter culvert pipes in Mill Creek, and a 30-foot by 56-foot pavilion located in the floodway of Mill Creek (WWF), all for the purpose of improvements at the Dutch Wonderland Family Amusement Park located off of Route 30 (Leola, PA Quadrangle: 5.75 inches North; 13.12 inches West, Latitude: 40 1' 53.9" N; Longitude: 76 13' 6.7" W) in East Lampeter Township, Lancaster County.

**E67-871: Stonebridge Crossing, LP, William P. Eichelberger, 124 West Church Street, P. O. Box 459, Dillsburg, PA 17019-0459, Carroll Township, York County, United States Army Corps of Engineers, Baltimore District.**

The applicant proposes: (1) to install and maintain a 50-foot length of Con-Span Bridge with concrete wing walls having a single waterway opening 32-feet wide by 9-feet high across Fishers Run (CWF); (2) to install and maintain five 42-inch culvert pipes 100 feet in length in a wetland associated with Fishers Run (CWF); and (3) to install a utility line stream crossing across Fishers Run (CWF). The purpose of the project is for the construction of a residential subdivision (Dillsburg, PA Quadrangle N: 22.5 inches; W: 1.5 inches, Latitude: 40° 07' 30"; Longitude: 77° 00' 37") Watershed 7E.

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

**E08-457. Department of Transportation, Engineering District 3-0, P. O. Box 218, Montoursville, PA 17754-0218. SR 1049 Section 001 Bridge Structure Replacement over Pendleton Creek, Warren Township, Bradford**

**County, United States Army Corps of Engineers, Baltimore District (Little Meadows, PA Quadrangle N: 41° 55' 34"; W: 76° 14' 19").**

The Department of Transportation, Engineering District 3-0 proposes to replace the existing bridge structure located over Pendleton Creek, Warren Township, Bradford County. The existing structure is a single-span steel I-beam bridge with a 59° skew, 8-foot underclearance, and 24-foot clear span. The structure will be replaced with a single span 11-foot by 28-foot concrete arch culvert. The proposed culvert will be placed on the existing horizontal and vertical alignment. The project proposes 0.12 acre of floodway fill associated with the required approach work. Pendleton Creek is classified as a CWF by 25 Pa. Code Chapter 93 Water Quality Standards. The bridge replacement will not result in any wetland impacts.

**E17-452. City of DuBois, P. O. Box 408, 16 West Scribner Avenue, DuBois, PA 15801. Pedestrian Bridge Across Beaver Run, DuBois City, Clearfield County, United States Army Corps of Engineers, Pittsburgh District (DuBois, PA Quadrangle Latitude: 41° 07' 16.44"; Longitude: 78° 44' 32.64").**

The applicant proposes to construct, operate and maintain a pedestrian bridge crossing Beaver Run for public access to recreational facilities. The bridge across Beaver Run shall be constructed as a single span structure having a minimum span of 50 feet, underclearance of 4.5 feet, and width of 4 feet. The project poses no wetland impact, while permanently impacting 50 feet of Beaver Run that is located along the southern right-of-way of Beaver Drive approximately 3,250 feet west of Shaffer Road and Beaver Drive intersection. This permit application was received for review under Section 105.13(e) "Small Projects."

**E19-278. Department of Transportation, Engineering District 3-0, P. O. Box 218, Montoursville, PA 17754-0218. SR 0080 Section 078 Bridge Structure Replacement and Rehabilitation over the Susquehanna River, Mifflin and South Centre Townships, Columbia County, United States Army Corps of Engineers, Baltimore District (Mifflinville, PA Quadrangle N: 41° 01' 42"; W: 76° 19' 34").**

The Department of Transportation, Engineering District 3-0 proposes to rehabilitate the existing SR 0080 Eastbound and replace the SR 0080 Westbound bridge structures located over the Susquehanna River in Mifflin and South Centre Townships, Columbia County. Both existing structures are 19-foot span reinforced concrete bridges. The Eastbound superstructure will be replaced and the existing piers will be modified to accommodate the new superstructure. The Westbound Structure will be completely replaced. The proposed westbound structure will be a 17-foot span prestressed concrete T-beam Bridge. The proposed Westbound bridge will be located between the existing east and westbound bridge structures. The project will utilize a half width causeway in the Susquehanna River. The total project includes additional work over SR 339 and SR 11, which will not have an effect on any water resources. The Susquehanna River is classified as a WWF by 25 Pa. Code Chapter 93 Water Quality Standards. The Westbound bridge replacement will result in approximately 1,062 ft<sup>2</sup> of impact to the Susquehanna River and no wetland impacts.

**E59-490. Department of Transportation, Engineering District 3-0, P. O. Box 218, Montoursville, PA 17754-0218. SR 3014 Section 001 Bridge Structure Replacement over Zimmerman Creek, Liberty Township, Tioga**

**County**, United States Army Corps of Engineers, Baltimore District (Nauvoo, PA Quadrangle N: 41° 33' 54"; W: 77° 12' 30").

The Department of Transportation, Engineering District 3-0 proposes to replace the existing bridge structure located over Zimmerman Creek, Liberty Township, Tioga County. The existing structure is a two span steel I-beam bridge with a timber deck. The existing bridge has a span of 25 feet on both spans and an underclearance of 10.8 feet. The project proposes to shift the horizontal alignment upstream approximately 10 feet. The proposed structure is a single-span prestressed concrete spread box beam bridge. The proposed structure will have a span of 50 ft. and an underclearance of 9.7 ft. The project proposes to construct a wall to protect the existing barn located adjacent to the existing bridge. The wall will be constructed on the right downstream bank. Zimmerman Creek is classified as a HQ-CWF by 25 Pa. Code Chapter 93 Water Quality Standards. The bridge replacement will not result in any wetland impacts.

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

**E02-1621. Department of Transportation, District 11**, 45 Thoms Run Road, Bridgeville, PA 15017. To regrade and maintain streambank in Etna Borough, **Allegheny County**, United States Army Corps of Engineers, Pittsburgh District (Pittsburgh East, PA Quadrangle N: 21.4 inches; W: 9.7 inches, Latitude: 40° 1' 34"; Longitude: 79° 56' 50"). The applicant proposes to regrade and maintain 700 feet of stream bank along Pine Creek (TSF) required to stabilize the slope for the widening of SR 28. The project is located in Etna Borough and centered approximately 3,000 feet upstream of Pine Creek's confluence with the Allegheny River.

**E03-449. Department of Transportation, District 10**, P. O. Box 429, Indiana, PA 15701. To remove existing and replace with new, bridge between Redbank Township, **Clarion County** and Redbank Township, **Armstrong County** (New Bethlehem, PA Quadrangle: N: 6.0 inches; W: 0.1 inch, Latitude: 41° 1' 54"; Longitude: 79° 15' 3.4"). The applicant proposes to remove the existing 28-foot wide, 220-foot long, two span, SR 536 bridge with a 90° skew and to construct and maintain a new 29.5-foot wide, 250-foot long, two span bridge and underclearance of 20.9-foot with a 73° skew over Redbank Creek (TSF); to construct and maintain associated outfalls; and construct a temporary causeway. The new bridge is located adjacent to and upstream of the existing bridge with the skew change to better align the Armstrong county approach road.

**E63-618. Department of Transportation, District 12-0**, 825 Gallatin Avenue Extension, P. O. Box 459, Uniontown, PA 15401-0459. To construct and maintain culvert, drainage area, replacement bridge, temporary crossings and stormwater outfalls, and permanent fill of PEM/PSS wetlands in South Strabane and Somerset Townships, **Washington County**, United States Army Corps of Engineers, Pittsburgh District (Washington East, PA Quadrangle N: 5.6 inches; W: 1.25 inches, Latitude 40° 9' 22.8"; Longitude 80° 8' 2.1" and extending east to Hackett, PA Quadrangle North 5 inches; West 17.0 inches, Latitude: 40° 9' 27"; Longitude: 80° 7' 16.3"). The applicant proposes to construct and maintain:

1. a 174-foot long extension of an existing 168-foot long, 21-foot span arch culvert with a drainage area of 6 square miles under the to-be widened SR 70 and recon-

structed SR 519 access ramps in Little Chartiers Creek (HQ-WWF) (Washington East, PA Quadrangle North 5.6 inches; West 1.25 inches, Latitude: 40° 9' 22.8" and Longitude: 80° 8' 2.1");

2. a 70 ft. long extension of an existing 183.5 ft. long, 5 ft. span, 6 ft clearance box culvert under the to be widened SR 70 in a UNT of Opossum Run (HQ-WWF) (Hackett, PA Quadrangle North 5.9 inches; West 17.0 inches, Latitude: 40° 9' 27"; Longitude: 80° 7' 16.3");

3. a 22 ft. span, 51.9 ft. wide with a 3.4 ft. underclearance replacement bridge with a drainage area of 1.3 square miles for the existing 31.5 ft. wide bridge under the to be widened SR 519 and in Opossum Run (HQ-WWF). (Washington East, PA Quadrangle North 5.0 inches; West 0.75 inch, Latitude: 40° 9' 11"; Longitude: 80° 7' 49.8");

4. Road construction associated temporary crossings and stormwater outfalls;

5. In addition a total of 0.095 acre of permanent fill and maintenance of PEM/PSS wetlands;

Constructed wetland mitigation is intended to be provided onsite. This project is associated with SR 70 and SR 519 interchange improvements starting approximately 4.5 miles east of Washington, PA and extending east approximately 1.5 miles and is located in South Strabane and Somerset Townships (Washington East, PA Quadrangle North 5.6 inches; West 1.25 inches, Latitude: 40° 9' 22.8"; Longitude: 80° 8' 2.1"; and extending east to Hackett, PA Quadrangle North 5 inches; West 17.0 inches, Latitude: 40° 9' 27" Longitude: 80° 7' 16.3"), Washington County.

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

**E42-347, University of Pittsburgh**, 3400 Forbes Avenue, Pittsburgh, PA 15260. Bradford Campus Parking Lot Addition, **McKean County**, United States Army Corps of Engineers, Pittsburgh District (Bradford, PA Quadrangle N: 41° 56' 35"; W: 78° 40' 32").

The applicant proposes to construct and maintain a parking lot in the northwestern portion of the University of Pittsburgh Bradford Campus within the FEMA 100-year floodplain of Marilla Brook the West Branch of Tunungwant Creek south of Taylor Drive involving a net removal of 345 cubic yards of material/earth from the FEMA floodplain. West Branch of Tunungwant Creek and Marilla Brook are perennial streams classified as a CWF.

#### ENVIRONMENTAL ASSESSMENTS

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

**EA21-005: The Nature Conservancy**, 2101 North Front Street, Building 1, Suite 200, Harrisburg, PA 17110, Dickinson Township, **Cumberland County**, United States Army Corps of Engineers, Baltimore District.

The applicant proposes to restore six isolated vernal pools totaling 0.41 acre of wetland: two by use of HDPE liners, three by excavation of subsoil to groundwater table, and one by excavation/compaction of subsoil clay, all in the Watershed of a UNT to Yellow Breeches Creek (HQ-CWF) on The Nature Conservancy's Forest Pools Preserve at King's Gap (Dickinson, PA Quadrangle N: 18.56 inches; W: 4.74 inches, Latitude: 40° 06' 08"; Longitude: -77° 17' 02") in Dickinson Township, Cumberland County.

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

**D40-020EA. Theta Land Corporation**, 1004 Exeter Avenue, Exeter, PA 18643. Hanover Township, **Luzerne County**, United States Army Corps of Engineers, Baltimore District.

Project proposes to breach and remove Pine Run No. 1 Dam across Pine 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 600 feet of stream channel. The dam is located approximately 4,500 feet south of the intersection of US 81 and SR 309 (Wilkes-Barre, West, PA Quadrangle Latitude: 41° 11' 47"; Longitude: -75° 53' 30").

**D40-023EA. Theta Land Corporation**, 1004 Exeter Avenue, Exeter, PA 18643. Plains Township, **Luzerne County**, United States Army Corps of Engineers, Baltimore District.

Project proposes to breach and remove Laurel Run No. 2 Dam across Laurel Run (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 1,100 feet of stream channel. The dam is located approximately 1,200 feet southeast of the intersection of US 81 and SR 309 (Wilkes-Barre, East, PA Quadrangle Latitude: 41° 14' 53"; Longitude: -75° 49' 04").

**D64-148EA. Department of Conservation and Natural Resources**, Rachel Carson State Office Building, 400 Market Street, Harrisburg, PA 17101, Lehigh Township, **Wayne County**, United States Army Corps of Engineers, Philadelphia District.

To remove an existing sheet pile cut-off wall and construct and maintain an earthen berm to control runoff at Gouldsboro Lake Dam across Oakes Swamp Run (HQ-CWF). The dam is located at a point on the Tobyhanna, PA Quadrangle Latitude: 41° 14' 05"; Longitude: -75° 27' 07").

The proposed cut-off berm will permanently impact 0.016-acre of PEM wetland. Construction will necessitate temporary impacts to 0.01-acre of PEM wetland.

**D37-031EA. The Salvation Army, Western Pennsylvania Division**, 424 Third Street, Pittsburgh, PA 15219, Wayne and Perry Townships, **Lawrence County**, United States Army Corps of Engineers, Pittsburgh District.

Project proposes to breach and remove Fairless Murray Dam across Slippery Rock 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 800 feet of stream channel. The dam is located approximately 1.4 miles north of the intersection of SR 488 and Vangorder Mill Road (T529) (Portersville, PA Quadrangle Latitude: 40° 53' 6"; Longitude: -80° 13' 52").

## 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.

Location	Permit Authority	Application Type or Category
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.

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### I. NPDES Renewal Permit Actions

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

<i>NPDES No. (Type)</i>	<i>Facility Name &amp; Address</i>	<i>County &amp; Municipality</i>	<i>Stream Name (Watershed #)</i>	<i>EPA Waived Y/N ?</i>
PA0060755 (Minor Sewage)	Wyoming County Housing Authority Meshoppen Towne House Apartments P. O. Box 350 Nicholson, PA 18446	Wyoming County Meshoppen Township	Little Meshoppen Creek 04G	Y

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

<i>NPDES No. (Type)</i>	<i>Facility Name &amp; Address</i>	<i>County &amp; Municipality</i>	<i>Stream Name (Watershed #)</i>	<i>EPA Waived Y/N ?</i>
PA0038326 (Sew)	Pequea Valley School District 166 South New Holland Road P. O. Box 130 Kinzers, PA 17535	Lancaster County Leacock Township	Pequea Creek 7-K	Y
PA0038318 (Sew)	Pequea Valley School District 166 South New Holland Road P. O. Box 130 Kinzers, PA 17535	Lancaster County Leacock Township	Pequea Creek 7-K	Y
PA0081515 (Sew)	Lancaster County Career and Technology Center 1730 Hans Herr Drive P. O. Box 527 Willow Street, PA 17584	Lancaster County West Earl Township	Conestoga River 7-J	Y
PA0082937 (IW)	R. R. Donnelley and Sons Company 1375 Harrisburg Pike Lancaster, PA 17601	Lancaster County Lancaster City	UNT to Little Conestoga Creek 7-J	Y

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

<i>NPDES No. (Type)</i>	<i>Facility Name &amp; Address</i>	<i>County &amp; Municipality</i>	<i>Stream Name (Watershed #)</i>	<i>EPA Waived Y/N ?</i>
PA0228401 CAFO	Schrack Farms Partnership 860 West Valley Road Loganton, PA 17747	Clinton County Greene Township	Fishing Creek 9C	N
PA0228770	Bishcroft Farm, LLC R. R. 1, Box 58 Roaring Branch, PA 17765	Tioga County Liberty Township	Little Elk Run #10A	N
PA0228443 CAFO	Dotterer and Sons Farm 6795 Nittany Valley Drive Mill Hall, PA 17751	Clinton County Porter and Lamar Townships	UNT to Cedar Run 9C	N
PA0208825 SP	Austin Borough P. O. Box 297 Austin, PA 16720	Potter County Portage Township	Freeman Run 8A	Y
PA0208566 IW	Bressler Truck Plaza, LLC 2994 East Valley Road Loganton, PA 17847	Northumberland County Turbot Township	Storm Sewer to Limestone Run 10D	Y

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

<i>NPDES No. (Type)</i>	<i>Facility Name &amp; Address</i>	<i>County &amp; Municipality</i>	<i>Stream Name (Watershed #)</i>	<i>EPA Waived Y/N</i>
PA0205729 Sewage	John W. and Lynne M. Lindley 208 Rural Valley Road Claysville, PA 15323 and Barry J. Goff 206 Rural Valley Road Claysville, PA 15323	Washington County Blaine Township	Wolf Run	Y
PA0204587 Sewage	Timothy Braniff 108 Front Street Fallentimber, PA 16639	Cambria County White Township	Clearfield Creek	Y
PA0031402 Sewage	Brownsville Area School District 1025 Lewis Street Brownsville, PA 15417	Fayette County Luzerne Township	UNT of the Monongahela Township	Y
PA0090557 Sewage	Extendicare Health Services, Inc. 257 Georgetown Road Beaver Falls, PA 15010	Beaver County South Beaver Township	Swale of Painter Run	Y
PA0204285 Sewage	Waynesburg, LLP 3101 Homestead Duquesne Boulevard West Mifflin, PA 15122	Greene County Morgan Township	UNT of South Fork Tenmile Creek	Y
PA0216151 Sewage	Michael Apple 1183 Executive Drive P. O. Box 130 Glasgow, PA 16644	Cambria County Reade Township	UNT of Clearfield Creek	Y
PA0041301 Sewage	Uniontown Area School District 23 East Church Street Uniontown, PA 15401-3578	Fayette County Henry Clay Township	UNT of Beaver Creek	Y
PA0218014 Sewage	Gary and Connie Nicewonger R. D. 1, Box 148 Armaugh, PA 15920	Indiana County East Wheatfield Township	Swale to Mardis Run	Y
PA0032425 Sewage	Department of Conservation and Natural Resources— Bureau of State Parks Ohiopyle State Park P. O. Box 105 Ohiopyle, PA 15470-0105	Fayette County Stewart Township	UNT of Youghiogheny River	Y
PA0092932 Sewage	Berardo Maragni 152 Green Lane Greensburg, PA 15601	Westmoreland County Hempfield Township	UNT of Brush Creek	Y

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

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

**NPDES Permit No. PA0013862**, Industrial Waste, **Corixa Corporation, d/b/a Glaxosmithkline Biologicals NA**, 325 North Bridge Street, Marietta, PA 17547. This proposed facility is located in East Donegal Township, **Lancaster County**.

Description of Proposed Action/Activity: Authorization to discharge to the Susquehanna River in Watershed 7-J.

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

**PA0233579**, CAFO SIC 212, 213, **Marvin Carpenter**, R. D. 3, Box 471, Shunk, PA 17768. This facility is located in Fox Township, **Sullivan County**.

Description of Activity: The Marvin Carpenter Farm is an existing Beef Steer Farm, totaling 50 Animal Equivalent Units (AEUs). He will be adding a finished Swine operation of 4,360 head equaling 581 AEUs. Total AEUs for the permit is 631.

The receiving stream, Hoagland Branch Elk Creek, is in the State Water Plan Watershed No. 10B and is classified for: HQ-CWF.

The proposed effluent limits for the operation/activity include: Except for the chronic or catastrophic rainfall events defined as over the 25-year/24-hour rain storms, the CAFO permit is a nondischarge NPDES permit. Where applicable, compliance with 40 CFR Federal effluent limitation guidelines is required. The permit requires no other numeric effluent

limitations and compliance with the Pennsylvania Nutrient Management Act and The Clean Stream Law constitutes compliance with the state narrative water quality standards.

In addition to the effluent limits, the permit contains the following major special conditions: The permittee shall have a PE certify the structural integrity of the manure storage facility upon completion of the construction.

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

**NPDES Permit No. PA0253910**, Sewage, **Dan Ireland**, 101 East Crossbow Lane, Slippery Rock, PA 16057. This proposed facility is located in Penn Hills Township, **Allegheny County**.

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

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

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

**WQM Permit No. 5409402**, Sewerage, **Borough of Ashland**, 401 South 18th Street, Ashland, PA 17921. This proposed facility is located in Ashland Borough, **Schuylkill County**.

Description of Proposed Action/Activity: Issuance of Water Quality Management Permit.

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

**WQM Permit No. 6509402**, Sewerage, **Municipal Authority of Washington Township**, 283 Pine Run Church Road, Apollo, PA 15613. This proposed facility is located in Washington Township, **Westmoreland County**.

Description of Proposed Action/Activity: Permit issuance for the construction and operation of 8, 12 and 15-inch diameter PVC sanitary sewers.

**WQM Permit No. 0497402-A1**, Sewerage, **Rochester Borough Sewer and Maintenance Authority**, P. O. Box 563, Rochester, PA 15074. This existing facility is located in Rochester Borough, **Beaver County**.

Description of Proposed Action/Activity: Permit issuance for the construction and operation of sanitary sewer replacement, new service laterals and spot repair of existing sewers.

**WQM Permit No. 0309404**, Sewerage, **East Franklin Township**, R. D. 3, Box 211A, Cherry Orchard Avenue, Kittanning, PA 16201. This proposed facility is located in East Franklin Township, **Armstrong County**.

Description of Proposed Action/Activity: Permit issuance for the construction and operation of an STP, Pump Station and Sanitary Sewers.

**WQM Permit No. 0309402**, Sewerage, **East Franklin Township**, R. D. 3, Box 211A, Cherry Orchard Avenue, Kittanning, PA 16201. This proposed facility is located in East Franklin Township, **Armstrong County**.

Description of Proposed Action/Activity: Permit issuance for the construction and operation of a wastewater treatment plant, three pump stations, 4,100 feet force mains and 21,500 feet of sanitary sewers.

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

**WQM Permit No. 0309404**, Sewerage, **East Franklin Township**, R. D. 3, Box 211A, Cherry Orchard Avenue, Kittanning, PA 16201. This proposed facility is located in East Franklin Township, **Armstrong County**.

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

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

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

**WQM Permit No. 2596423**, Sewerage, Amendment No. 2, **North East Borough**, 31 West Main Street, North East, PA 16428. This proposed facility is located in North East Borough, **Erie County**.

Description of Proposed Action/Activity: Issuance of a permit to upgrade the Site I and expand the Site II Wastewater Treatment Plant.

**WQM Permit No. WQG018709**, Sewerage, **David A. Jones**, 735 Sirak Drive, Fairview, PA 16415. This proposed facility is located in Elk Creek Township, **Erie County**.

Description of Proposed Action/Activity: Issuance of a single-residence Sewage Treatment Plant.

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

**WQM Permit No. 1509408**, Sewerage, **New Garden Township Sewer Authority**, 299 Starr Road, Landenberg, PA 19350. This proposed facility is located in New Garden Township, **Chester County**.

Description of Action/Activity: A pump station with associated force main and control building.

**WQM Permit No. WQG02230910**, Sewerage, **Thornbury Township**, 6 Township Drive, Cheyney, PA 19319. This proposed facility is located in Thornbury Township, **Delaware County**.

Description of Action/Activity: Construct public sewers to serve existing properties.

**WQM Permit No. 1505403**, Sewerage, **New Garden Township Sewer Authority**, 299 Starr Road, Landenberg, PA 19350. This proposed facility is located New Garden Township, **Chester County**.

Description of Action/Activity: Upgrades to the existing Hartfeld PS No. 4 to increase capacity of the pump station.

**WQM Permit No. 0909401**, Sewerage, **Bucks County Water and Sewer Authority**, 1275 Almshouse Road, Warrington, PA 18976. This proposed facility is located in Bensalem Township, **Bucks County**.

Description of Action/Activity: Installation of a 1.9 million gallon surge tank and two associated pump stations.

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#### IV. NPDES Stormwater Discharges from MS4 Permit Actions

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#### V. NPDES Waiver Stormwater Discharges from MS4 Actions

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

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

<i>NPDES Permit No.</i>	<i>Applicant Name &amp; Address</i>	<i>County</i>	<i>Municipality</i>	<i>Receiving Water/Use</i>
PAI01 1509019	Citadel Federal Credit Union P. O. Box 147 Thorndale, PA 19372	Chester	Willistown Township	Little Valley and Crum Creeks EV-HQ-CWF
PAI01 1509025	Woodcrest at East Coventry, LP 100 Springhouse Drive Collegeville, PA 19426	Chester	East Coventry Township	Pigeon Creek HQ-TSF
PAI01 2309004	Elwyn, Inc. 111 Elwyn Road Media, PA 19063	Delaware	Middletown Township	Ridley Creek HQ-TSF

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

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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).

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#### List of NPDES and/or Other General Permit Types

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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 &amp; County</i>	<i>Permit No.</i>	<i>Applicant Name &amp; Address</i>	<i>Receiving Water/Use</i>	<i>Contact Office &amp; Phone No.</i>
Thornbury Township Chester County	PAG200 1509026	Thornbury Township 8 Township Drive Cheyney, PA 19373-1019	Waln Run TSF-MF	Southeast Regional Office 2 East Main Street Norristown, PA 19401 (484) 250-5900



<i>Facility Location: Municipality &amp; County</i>	<i>Permit No.</i>	<i>Applicant Name &amp; Address</i>	<i>Receiving Water / Use</i>	<i>Contact Office &amp; Phone No.</i>
Westtown Township Chester County	PAG200 1509029	L. V. Associates, LP 55 Country Club Drive Suite 200 Downingtown, PA 19335	UNT Chester Creek	Southeast Regional Office 2 East Main Street Norristown, PA 19401 (484) 250-5900
New Garden Township Chester County	PAG200 1509024	CFMC Associates, LLC 8990 Gap Newport Pike Avondale, PA 19311	UNT West Branch Red Clay Creek TSF	Southeast Regional Office 2 East Main Street Norristown, PA 19401 (484) 250-5900
Skippack Township Montgomery County	PAG200 4609050	Department of General Services 18th and Herr Streets Harrisburg, PA 17125	Perkiomen Creek TSF	Southeast Regional Office 2 East Main Street Norristown, PA 19401 (484) 250-5900
Upper Hanover Township Montgomery County	PAG200 4608043	Mary Blake Stauffer 3026 Bowers Mill Road Pennsburg, PA 18073	Perkiomen Creek/Green Lane Reservoir TSF	Southeast Regional Office 2 East Main Street Norristown, PA 19401 (484) 250-5900
Limerick Township Montgomery County	PAG200 4609061	Central Perkiomen Rotary Club P. O. Box 36 209 Silverbrook Drive Schwenksville, PA 19473	UNT Perkiomen Creek TSF	Southeast Regional Office 2 East Main Street Norristown, PA 19401 (484) 250-5900
City of Philadelphia Philadelphia County	PAG201 5109008	School District of Philadelphia 440 North Broad Street Philadelphia, PA 19130	Schuylkill River CWF	Southeast Regional Office 2 East Main Street Norristown, PA 19401 (484) 250-5900
Plains Township Luzerne County	PAG2004009012	Richland Real Estate Investments, LTD 1140 Route 315 Wilkes-Barre, PA 18711	Tributary to Mill Creek CWF, MF	Luzerne County Conservation District (570) 674-7991
Orwigsburg Borough Schuylkill County	PAG2005409009	Blue Mountain School District Attn: Jeffry Ritschel P. O. Box 188 685 Red Dale Road Orwigsburg, PA 17961	Mahannon Creek CWF, MF Pine Creek CWF, MF	Schuylkill County Conservation District (570) 622-3742
McConnellsburg Borough Fulton County	PAG2002909003	Fulton County Commissioners 116 West Market Street Suite 203 McConnellsburg, PA 17233	Big Cove Creek CWF	Fulton County Conservation District 216 North Second Street McConnellsburg, PA 17233 (717) 485-3547, Ext. 122
Washington Township Franklin County	PAR10M171R-R	Geoffrey Miller 11144 Old Forge Road Waynesboro, PA 17268	Bailey's Run CWF	Franklin County Conservation District 185 Franklin Farm Lane Chambersburg, PA 17201 (717) 264-5499
Greene Township Franklin County	PAG2002809004	Poetry Estates Kirk Martin Acorn Land Development 4961 Cumberland Highway Chambersburg, PA 17202	Conococheague CWF	Franklin County Conservation District 185 Franklin Farm Lane Chambersburg, PA 17201 (717) 264-5499
Greene Township Franklin County	PAG2002809022	Cumberland Valley Animal Shelter Jamie Kasadra 2325 Country Road Chambersburg, PA 17202	Rocky Springs TSF	Franklin County Conservation District 185 Franklin Farm Lane Chambersburg, PA 17201 (717) 264-5499



## NOTICES

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<i>Facility Location: Municipality &amp; County</i>	<i>Permit No.</i>	<i>Applicant Name &amp; Address</i>	<i>Receiving Water / Use</i>	<i>Contact Office &amp; Phone No.</i>
Antrim Township Franklin County	PAG2002809017	Sheetz Matt Donegan The Bowman Group 10228 Governor Lane Road Suite 3002 Williamsport, MD 21795	Conococheague Creek CWF	Franklin County Conservation District 185 Franklin Farm Lane Chambersburg, PA 17201 (717) 264-5499
South Heidelberg Township Berks County	PAR10C229R-R	Thomas Masano Galen Hall Corporation 855 Berkshire Boulevard Wyomissing, PA 19610	Cacoosing Creek NC	Berks County Conservation District 1238 County Welfare Road Suite 200 Leesport, PA 19533-9710 (610) 372-4657, Ext. 201
Cumru Township Berks County	PAG2000609018	John Broadbent, Jr. Chestnut Hill Farms Co. One Chestnut Hill Drive Mohnton, PA 19540	Angelica Creek CWF	Berks County Conservation District 1238 County Welfare Road Suite 200 Leesport, PA 19533-9710 (610) 372-4657, Ext. 201
Chambersburg Borough Franklin County	PAG002804019-R	Armstron—Heinz Warehouse Sam Armstrong 9523 Lincoln Way West St. Thomas, PA 17252	Conococheague Creek WWF	Franklin County Conservation District 185 Franklin Farm Lane Chambersburg, PA 17201 (717) 264-5499
Antrim Township Franklin County	PAG2002809006	Leo Rocca Stone Bridge Farms, LLC 8730 Fox Gap Road Middletown, MD 21769	Conococheague Creek WWF	Franklin County Conservation District 185 Franklin Farm Lane Chambersburg, PA 17201 (717) 264-5499
Southampton Township Franklin County	PAG2002807015-1	Dirk Baumgardner 26 Truck Tech Way Shippensburg, PA 17257	Rowe Run CWF	Franklin County Conservation District 185 Franklin Farm Lane Chambersburg, PA 17201 (717) 264-5499
West St. Clair Township Bedford County	PAG2000509007	Department of Transportation District 9-0 1620 North Juniata Street Hollidaysburg, PA 16648	Barefoot Run WWF	Bedford County Conservation District 702 West Pitt Street Fairlawn Court Suite 4 Bedford, PA 15522 (814) 623-7900
East Manchester Township York County	PAG2006709020	Sam Barbush J. C. Bar Properties 3100 Market Street Camp Hill, PA 17011	Codorus Creek WWF	York County Conservation District 118 Pleasant Acres Road York, PA 17402-8984 (717) 840-7430
Lower Windsor Township York County	PAG2006706118	Gerald Horst 160 North Point Boulevard Lancaster, PA 17601	Canadochly Creek— Kreutz Creek WWF	York County Conservation District 118 Pleasant Acres Road York, PA 17402-8984 (717) 840-7430
Conewago Township York County	PAG2006703142-R	Cornerstone at Hunters Creek, LP John M. Huenke 1 Market Way East Suite 401 York, PA 17404	Little Conewago Creek TSF	York County Conservation District 118 Pleasant Acres Road York, PA 17402-8984 (717) 840-7430

<i>Facility Location: Municipality &amp; County</i>	<i>Permit No.</i>	<i>Applicant Name &amp; Address</i>	<i>Receiving Water / Use</i>	<i>Contact Office &amp; Phone No.</i>
York Township York County	PAG2006709045	Charter Homes at Chanticleer, Inc. James Brubaker 1190 Dillerville Road Lancaster, PA 17601	UNT to Codorus Creek WWF	York County Conservation District 118 Pleasant Acres Road York, PA 17402-8984 (717) 840-7430
Lower Allen Township York County	PAG2002108029	Russ Burnell West Shore School District 507 Fishing Creek Road P. O. Box 803 New Cumberland, PA 17070-0803	UNT to Yellow Breeches Creek CWF	Cumberland County Conservation District 310 Allen Road Suite 301 Carlisle, PA 17013-9131 (717) 240-7812
Windsor Township York County	PAG2006708062-1	John Forrey Pyxos Properties, LP 175 East Walnut Street Red Lion, PA 17356	UNT to Pine Creek Run CWF	York County Conservation District 118 Pleasant Acres Road York, PA 17402-8984 (717) 840-7430
McConnellsburg Borough Fulton County	PAG2002909003	Bonnie Keefer Fulton County Commissioners Office 116 West Market Street Suite 203 McConnellsburg, PA 17233	Cove Creek CWF	Fulton County Conservation District 216 North Second Street Suite 15 McConnellsburg, PA 17233 (717) 485-3547
Codorus Township York County	PAG2006709006	St. Jacob's Luthern Church LB Mack 5152 Stone Church Road Glenville, PA 17329	South Branch Codorus Creek WWF	York County Conservation District 118 Pleasant Acres Road York, PA 17402-8984 (717) 840-7430
Stewartstown Borough York County	PAG2006709029	Tim Rutter CHR Corporation 2295 Susquehanna Trail Suite C York, PA 17404	UNT to Ebaughs Creek CWF	York County Conservation District 118 Pleasant Acres Road York, PA 17402-8984 (717) 840-7430
Juniata Township Bedford County	PAG2000509008	Turnpike Commission P. O. Box 67676 Harrisburg, PA 17106	Raystown Branch Juniata River TSF	Bedford County Conservation District 702 West Pitt Street Fairlawn Court Suite 4 Bedford, PA 15522 (814) 623-7900
York Township York County	PAG2006704091-R	Sam Juffe Cornerstone at Carriate Crossing, LP 1 Market Way East Suite 401 York, PA 17401	Mill Creek WWF	York County Conservation District 118 Pleasant Acres Road York, PA 17402-8984 (717) 840-7430
Peach Bottom Township York County	PAG2006708086	Calvary Chapel of Delta Vince Sabatino 5911 Delta Road Delta, PA 17314	Muddy Creek TSF	York County Conservation District 118 Pleasant Acres Road York, PA 17402-8984 (717) 840-7430
Hellam Township York County	PAG2006706120	Dave Lewis Marietta Gravity Water Company 1195 River Road P. O. Box 302 Marietta, PA 17547	Kreutz Creek— Dugan Run WWF	York County Conservation District 118 Pleasant Acres Road York, PA 17402-8984 (717) 840-7430

<i>Facility Location: Municipality &amp; County</i>	<i>Permit No.</i>	<i>Applicant Name &amp; Address</i>	<i>Receiving Water / Use</i>	<i>Contact Office &amp; Phone No.</i>
North Middleton Township Cumberland County	PAG2002107028	Fred A. Gettys 1950 Chestnut Court Camp Hill, PA 17011	Wertz Run— Cornman Run WWF	Cumberland County Conservation District 310 Allen Road Suite 301 Carlisle, PA 17013-9131 (717) 240-7812
Fairview Township York County	PAG2006708081	James V. Hoffman JVH Excavating, Inc. P. O. Box 1009 Mechanicsburg, PA 17055	UNT to Yellow Breeches Creek CWF	York County Conservation District 118 Pleasant Acres Road York, PA 17402-8984 (717) 840-7430
York City York County	PAG2006709028	Traci Foster Logos Academy P. O. Box 1272 York, PA 17405	Codorus Creek WWF	York County Conservation District 118 Pleasant Acres Road York, PA 17402-8984 (717) 840-7430
Hanover Borough York County	PAG2006708051	Charles Bittinger Bi—Wis Corporation 1010 Eichelberger Street Hanover, PA 17331	UNT to South Branch Conewago Creek WWF	York County Conservation District 118 Pleasant Acres Road York, PA 17402-8984 (717) 840-7430
Fairview Township York County	PAG2006707041	Jim Garling Grace Baptist Church of Lewisberry 780 Woodland Avenue Lewisberry, PA 17339	Fishing Creek TSF	York County Conservation District 118 Pleasant Acres Road York, PA 17402-8984 (717) 840-7430
York Township York County	PAG2006704070-R	James Brubaker Charter Homes at Springwood, Inc. 1190 Dillerville Road Lancaster, PA 17601	Mill Creek WWF	York County Conservation District 118 Pleasant Acres Road York, PA 17402-8984 (717) 840-7430
York Township York County	PAG2006709041	Robert Holweck Southern Heights Tract, Inc. 118 Teila Drive Dallastown, PA 17313	UNT to Inners Creek CWF	York County Conservation District 118 Pleasant Acres Road York, PA 17402-8984 (717) 840-7430
Spring Garden Township York County	PAG2006709033	Department of Transportation District 8-0 2140 Herr Street Harrisburg, PA 17103-1699	Mill Creek- Codorus Creek WWF	York County Conservation District 118 Pleasant Acres Road York, PA 17402-8984 (717) 840-7430
Springettsbury Township York County	PAG2006709037	Department of Transportation District 8-0 2140 Herr Street Harrisburg, PA 17103-1699	Mill Creek- Codorus Creek WWF	York County Conservation District 118 Pleasant Acres Road York, PA 17402-8984 (717) 840-7430
Penn Township York County	PAG2006708084	Joe A. Myers Stonewicke, LP 107 Little Bridge Road Hanover, PA 17331	Plum Creek WWF	York County Conservation District 118 Pleasant Acres Road York, PA 17402-8984 (717) 840-7430
Manor Township Lancaster County	PAG2003609025	Star Rock Dairy, LLC 175 Chestnut Grove Road Conestoga, PA 17516	Susquehanna River WWF	Lancaster County Conservation District 1383 Arcadia Road, Room 200 Lancaster, PA 17601 (717) 299-5361

<i>Facility Location: Municipality &amp; County</i>	<i>Permit No.</i>	<i>Applicant Name &amp; Address</i>	<i>Receiving Water / Use</i>	<i>Contact Office &amp; Phone No.</i>
Brecknock Township Lancaster County	PAG2003608076	Boulder Hill Properties, LLC 825 Reading Road P. O. Box 528 Bowmansville, PA 17507	Muddy Creek TSF	Lancaster County Conservation District 1383 Arcadia Road, Room 200 Lancaster, PA 17601 (717) 299-5361
Manheim Township York County	PAG2006708078	Arthur Binner 7294 Blue Hill Road Glenville, PA 17329	UNT to Long Run WWF	York County Conservation District 118 Pleasant Acres Road York, PA 17402-8984 (717) 840-7430
East Hempfield Township Lancaster County	PAG2003609032	Healthy Lifestyle Properties, LLC 223 Wohlsen Way Lancaster, PA 17603	Swarr Run TSF	Lancaster County Conservation District 1383 Arcadia Road Room 200 Lancaster, PA 17601 (717) 299-5361
East Lampeter Township Lancaster County	PAG2003609046	Lafayette Fire Company 1836 Lincoln Highway East Lancaster, PA 17602	Conestoga River- Mill Creek WWF	Lancaster County Conservation District 1383 Arcadia Road Room 200 Lancaster, PA 17601 (717) 299-5361
Letterkenny Township Franklin County	PAR10M181R-R	Dan VanKampen Foothills of Kensington 249 Sandoeshire Lane Chambersburg, PA 17201	Rocky Spring TSF	Franklin County Conservation District 185 Franklin Farm Lane Chambersburg, PA 17201 (717) 264-5499
Greene Township Franklin County	PAG2002809012	Tim Rutter CHR Corporation 2295 Susquehanna Trail York, PA 17404	Conococheague Creek WWF	Franklin County Conservation District 185 Franklin Farm Lane Chambersburg, PA 17201 (717) 264-5499
Greene Township Franklin County	PAR10M145R-R1	Terry Wagner Scot Greene Estates P. O. Box 400 Scotland, PA 17254	Conococheague Creek CWF	Franklin County Conservation District 185 Franklin Farm Lane Chambersburg, PA 17201 (717) 264-5499
Hamilton Township Franklin County	PAG2002807039-R	Richard Rockwell Laurich Ridge 3745 Lincoln Way West Chambersburg, PA 17202	Back Creek TSF	Franklin County Conservation District 185 Franklin Farm Lane Chambersburg, PA 17201 (717) 264-5499
Greene Township Franklin County	PAG2002809015	Donald Stonecipher Chambersburg Baptist Church 588 South Second Street Chambersburg, PA 17201	Conococheague Creek CWF-MF	Franklin County Conservation District 185 Franklin Farm Lane Chambersburg, PA 17201 (717) 264-5499
Southampton Township Franklin County	PAG2002809020	Ian Maule Raystown Crossings 229 Huber Village Boulevard Suite 100 Westerville, OH 43081	Gum Run CWF	Franklin County Conservation District 185 Franklin Farm Lane Chambersburg, PA 17201 (717) 264-5499
Antrim and Guilford Townships Franklin County	ESCGP-1-28- 09-8-02	Jeff Barger Dominion Transmission 445 West Main Street Clarksburg, WV 26301	Muddy Run— Conococheague Creek HQ-CWF	Franklin County Conservation District 185 Franklin Farm Lane Chambersburg, PA 17201 (717) 264-5499

## NOTICES

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<i>Facility Location: Municipality &amp; County</i>	<i>Permit No.</i>	<i>Applicant Name &amp; Address</i>	<i>Receiving Water / Use</i>	<i>Contact Office &amp; Phone No.</i>
Chambersburg Borough Franklin County	PAG2002809028	David Sciamanna CADC 100 Lincoln Way East Suite A Chambersburg, PA 17202	UNT to Falling Spring Creek TSF	Franklin County Conservation District 185 Franklin Farm Lane Chambersburg, PA 17201 (717) 264-5499
Penn Township Perry County	PAG2035009008	Stanley S. Snyder 701 North Laurel Street Hazleton, PA 18201	UNT to Shermans Creek WWF	Perry County Conservation District P. O. Box 36 31 West Main Street New Bloomfield, PA 17068
North Lebanon Township Lebanon County	PAG2003808029	Cliff Weaver Landmark Homes 1767 West Main Street Ephrata, PA 17522-1103	UNT to Brandywine Creek TSF	Lebanon County Conservation District 2120 Cornwall Road Suite 5 Lebanon, PA 17042-9788 (717) 272-3908, Ext. 4
Penn Township Perry County	PAG2035009008	Stanley S. Snyder 701 North Laurel Street Hazleton, PA 18201	UNT to Shermans Creek WWF	Perry County Conservation District P. O. Box 36 31 West Main Street New Bloomfield, PA 17068 (717) 582-5119
Huston Township Blair County	PAG2000709007	Howard L. and Harold L. Blattenberger 109 West Penn Street Martinsburg, PA 16662	Plum Creek WWF	Blair County Conservation District 1407 Blair Street Hollidaysburg, PA 16648 (814) 696-0877, Ext. 5
South Annville and North Annville Townships Lebanon County	PAG2003809008	William C. Kurtz MFS, Inc. P. O. Box 340 Annville, PA 17003-0340	Killinger Creek TSF	Lebanon County Conservation District 2120 Cornwall Road Suite 5 Lebanon, PA 17042-9788 (717) 272-3908, Ext. 4
South Londonderry Township Lebanon County	PAG2003808012	Donald Lechleitner Springbrook Farms 1840 Fishburn Road Hershey, PA 17033	Spring Creek WWF	Lebanon County Conservation District 2120 Cornwall Road Suite 5 Lebanon, PA 17042-9788 (717) 272-3908, Ext. 4
Myerstown Borough Lebanon County	PAG2003809004	Michael Zerbe Mike's Pharmacy 452 West Lincoln Drive Myerstown, PA 17067	Tulpehocken Creek TSF	Lebanon County Conservation District 2120 Cornwall Road Suite 5 Lebanon, PA 17042-9788 (717) 272-3908, Ext. 4
Sandy Township Clearfield County	PAG2001709008	Developac, Inc. Joe Varacallo 996 Beaver Drive DuBois, PA 15801	Beaver Run CWF	Clearfield County Conservation District 650 Leonard Street Clearfield, PA 16830 (814) 765-2629
Curwensville Borough Clearfield County	PAG2001709009	Curwensville Area School District 650 Beech Street Curwensville, PA 16833	West Branch of Susquehanna River WWF	Clearfield County Conservation District 650 Leonard Street Clearfield, PA 16830 (814) 765-2629
Ralpho Township Northumberland County	PAG2004909010	Whitetail Run 2095 State Route 54 Elysburg, PA 17824	Miller's Run CWF	Northumberland County Conservation District R. R. 3, Box 238-C Sunbury, PA 17801 (570) 286-7114, Ext. 4



<i>Facility Location: Municipality &amp; County</i>	<i>Permit No.</i>	<i>Applicant Name &amp; Address</i>	<i>Receiving Water / Use</i>	<i>Contact Office &amp; Phone No.</i>
Charleston Township Tioga County	PAG2005909007	Craig West 90 Bodine Street Wellsboro, PA 16901	UNT to Charleston Creek WWF	Tioga County Conservation District 50 Plaza Lane Wellsboro, PA 16901 (570) 724-1801, Ext. 3
Ward Township Tioga County	PAG2005909008	Pine Hill Landfill P. O. Box 62 Bloomsburg, PA 16912	Fall Brook CWF	Tioga County Conservation District 50 Plaza Lane Wellsboro, PA 16901 (570) 724-1801, Ext. 3
Kelly Township Union County	PAG2006009007	Max Bossert 155 Bossert Boulevard West Milton, PA 17886	UNT to Susquehanna River WWF	Union County Conservation District Union County Government Center 155 North 15th Street Lewisburg, PA 17837 (570) 524-3860
Bell Township Jefferson County	PAG2003309003	SR 0119 Section 571 Department of Transportation 2550 Oakland Avenue Indiana, PA 15701	Mahoning Creek WWF	Jefferson County Conservation District (814) 849-7463
Pine Township Mercer County	PAG2004309006	George Junior Republic School	UNT Wolf Creek CWF	Mercer County Conservation District (724) 662-2242

*General Permit Type—PAG-3*

<i>Facility Location: Municipality &amp; County</i>	<i>Permit No.</i>	<i>Applicant Name &amp; Address</i>	<i>Receiving Water / Use</i>	<i>Contact Office &amp; Phone No.</i>
Logan Township Blair County	PAR603561	William Kustaborder East End Auto Parts 600 East Sixth Avenue Road Altoona, PA 16602	Spring TSF	DEP—SCRO 909 Elmerton Avenue Harrisburg, PA 17110 (717) 705-4707
Snyder Township Blair County	PAR603562	Miller Parts and Service, Inc. R. D. 3 Box 140 Tyrone, PA 16686	Vanscoyoc Run CWF	DEP—SCRO 909 Elmerton Avenue Harrisburg, PA 17110 (717) 705-4707
East Huntingdon Township Westmoreland County	PAR606147	Henderson Auto, Inc. 802 Mt. Pleasant Road Scottsdale, PA 15683	UNT of Jacobs Creek	Southwest Regional Office: Water Management Program Manager 400 Waterfront Drive Pittsburgh, PA 15222-4745 (412) 442-4000
Center Township Indiana County	PAR806209	Waste Management 625 Cherrington Parkway Moon Township, PA 15108	Tearing Run	Southwest Regional Office: Water Management Program Manager 400 Waterfront Drive Pittsburgh, PA 15222-4745 (412) 442-4000

## NOTICES

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<i>Facility Location: Municipality &amp; County</i>	<i>Permit No.</i>	<i>Applicant Name &amp; Address</i>	<i>Receiving Water / Use</i>	<i>Contact Office &amp; Phone No.</i>
Big Beaver Borough Beaver County	PAR806267	Valley Waste Service, Inc. 121 Brickyard Road Mars, PA 16046	Wallace Run	Southwest Regional Office: Water Management Program Manager 400 Waterfront Drive Pittsburgh, PA 15222-4745 (412) 442-4000
Richland Township Cambria County	PAR126106	Pepsi Bottling Group, LLC 429 Industrial Park Road Johnstown, PA 15904	Stony Creek	Southwest Regional Office: Water Management Program Manager 400 Waterfront Drive Pittsburgh, PA 15222-4745 (412) 442-4000
Ambridge Borough Beaver County	PAR606117	Waste Management of PA, Inc. 2097 Duss Avenue Ambridge, PA 15003	UNT to Ohio River	Southwest Regional Office: Water Management Program Manager 400 Waterfront Drive Pittsburgh, PA 15222-4745 (412) 442-4000
Youngwood Borough Westmoreland County	PAR116118	DME Company 70 East Hillis Street Youngwood, PA 15697	Jacks Run	Southwest Regional Office: Water Management Program Manager 400 Waterfront Drive Pittsburgh, PA 15222-4745 (412) 442-4000
Kennedy Township Allegheny County	PAR606215	Tri-State Petroleum Recovery 12 Creek Road McKees Rocks, PA 15136	Chartiers Creek	Southwest Regional Office: Water Management Program Manager 400 Waterfront Drive Pittsburgh, PA 15222-4745 (412) 442-4000
City of Pittsburgh Allegheny County	PAR326114	Pannier Corporation 1130 Old Butler Plank Road Glenshaw, PA 15116	Pine Creek	Southwest Regional Office: Water Management Program Manager 400 Waterfront Drive Pittsburgh, PA 15222-4745 (412) 442-4000
Braddock Borough Allegheny County	PAR606213	Liberty Tire Services of Ohio, LLC 100 Talbot Avenue Braddock, PA 15104	Monongahela River	Southwest Regional Office: Water Management Program Manager 400 Waterfront Drive Pittsburgh, PA 15222-4745 (412) 442-4000

<i>Facility Location: Municipality &amp; County</i>	<i>Permit No.</i>	<i>Applicant Name &amp; Address</i>	<i>Receiving Water / Use</i>	<i>Contact Office &amp; Phone No.</i>
Chartiers Township Washington County	PAR236121	Cooper Industries, Inc. P. O. Box 579 Meadowlands, PA 15347	Chartiers Creek	Southwest Regional Office: Water Management Program Manager 400 Waterfront Drive Pittsburgh, PA 15222-4745 (412) 442-4000
Somerset Borough Somerset County	PAR806106	FTCA, Inc. P. O. Box 111 258 Beacon Street Somerset, PA 15501	Coxes Creek	Southwest Regional Office: Water Management Program Manager 400 Waterfront Drive Pittsburgh, PA 15222-4745 (412) 442-4000
Chartiers Township Washington County	PAR806123	UPS Freight 1000 Semmes Avenue Richmond, VA 23224	Chartiers Creek	Southwest Regional Office: Water Management Program Manager 400 Waterfront Drive Pittsburgh, PA 15222-4745 (412) 442-4000
Smithfield Borough Fayette County	PAR806268	Johnson Matthey, Inc. 605 Mountain View Drive Smithfield, PA 15478	Georges Creek	Southwest Regional Office: Water Management Program Manager 400 Waterfront Drive Pittsburgh, PA 15222-4745 (412) 442-4000
Rochester Borough Beaver County	PAR156102	Valspar Corporation, Inc. 372 Cleveland Street Rochester, PA 15074	UNT of Beaver River	Southwest Regional Office: Water Management Program Manager 400 Waterfront Drive Pittsburgh, PA 15222-4745 (412) 442-4000
Avonmore Borough Westmoreland County	PAR206122	Akers National Roll 400 Railroad Avenue Avonmore, PA 15618	Kiskiminetas River	Southwest Regional Office: Water Management Program Manager 400 Waterfront Drive Pittsburgh, PA 15222-4745 (412) 442-4000
City of Johnstown Cambria County	PAR206145	Johnstown Redevelopment Authority 4th Floor Public Safety Building 401 Washington Street Johnstown, PA 15901-1892	Conemaugh River	Southwest Regional Office: Water Management Program Manager 400 Waterfront Drive Pittsburgh, PA 15222-4745 (412) 442-4000



<i>Facility Location: Municipality &amp; County</i>	<i>Permit No.</i>	<i>Applicant Name &amp; Address</i>	<i>Receiving Water/Use</i>	<i>Contact Office &amp; Phone No.</i>
Ohioville Borough Beaver County	PAR806233	S. H. Bell Company 644 Alpha Drive Pittsburgh, PA 15238	Ohio River	Southwest Regional Office: Water Management Program Manager 400 Waterfront Drive Pittsburgh, PA 15222-4745 (412) 442-4000
Slippery Rock Township Lawrence County	PAR608348	Aluminum and Carbon Plus, Inc. 3 Latchgate Lane Mechanicsburg, PA 17050	UNT to Muddy Creek	DEP—NWRO Water Management 230 Chestnut Street Meadville, PA 16335-3481 (814) 332-6942

*General Permit Type—PAG-4*

<i>Facility Location: Municipality &amp; County</i>	<i>Permit No.</i>	<i>Applicant Name &amp; Address</i>	<i>Receiving Water/Use</i>	<i>Contact Office &amp; Phone No.</i>
Franconia Township Montgomery County	PAG040127	William and Donna Hodson 999 Long Mill Road Telford, PA 18969	East Branch of the Perkiomen Creek Watershed 3J	Southeast Regional Office 2 East Main Street Norristown, PA 19401
Lancaster County East Earl Township	PAG043893	Barton E. Short 5451 Division Highway Narvon, PA 17555	UNT Conestoga River 7J	DEP—SCRO 909 Elmerton Avenue Harrisburg, PA 17110 (717) 705-4707
Franklin Park Borough Allegheny County	PAG046401	Heather E. Evans 2520 A Wexford Bayne Road Sewickley, PA 15143	Tributary of Rippling Run	Southwest Regional Office: Water Management Program Manager 400 Waterfront Drive Pittsburgh, PA 15222-4745 (412) 442-4000
Elk Creek Township Erie County	PAG049532	David A. Jones 735 Sirak Drive Fairview, PA 16415	Stormwater channel to Cussawago Creek 16D	DEP—NWRO Water Management 230 Chestnut Street Meadville, PA 16335-3481 (814) 332-6942

*General Permit Type—PAG-12*

<i>Facility Location &amp; Municipality</i>	<i>Permit No.</i>	<i>Applicant Name &amp; Address</i>	<i>Receiving Water/Use</i>	<i>Contact Office &amp; Phone No.</i>
Lancaster County Rapho Township	PAG123682— Amendment #1	Joel H. Rutt Joel Rutt Farm 1178 White Oak Road Manheim, PA 17545	UNT 8005 to Chickies Creek WWF Watershed 07-G	DEP—SCRO 909 Elmerton Avenue Harrisburg, PA 17110 (717) 705-4802
Terry Township Bradford County	PAG124810	Gerald and Libby Vargason Rob Wood Mountain Farm R. R. 2, Box 77 Wyalusing, PA 18853	UNT to Sugar Run CWF	Northcentral Regional Office Watershed Management Program 208 West Third Street Suite 101 Williamsport, PA 17701 (570) 327-0529

<i>Facility Location &amp; Municipality</i>	<i>Permit No.</i>	<i>Applicant Name &amp; Address</i>	<i>Receiving Water/Use</i>	<i>Contact Office &amp; Phone No.</i>
Adams Township Snyder County	PAG124807	Drew Derstein Hamilton Farms, LLC 10049 Ferguson Valley Road Lewistown, PA 17044	North Branch Middle Creek Trout Stocking	Northcentral Regional Office Water Management Program 208 West Third Street Suite 101 Williamsport, PA 17701 (570) 327-3664

## 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. 2400076, Operations Permit, Public Water Supply.**

Applicant	<b>United Water Pennsylvania, Inc.</b> 4211 East Park Circle Harrisburg, PA 17111
Borough or Township	Dallas Township
County	<b>Luzerne</b>
Type of Facility	PWS
Consulting Engineer	N/A

Permit to Operate Issued September 8, 2009

**Permit No. 2400103, Operations Permit, Public Water Supply.**

Applicant	<b>United Water Pennsylvania, Inc.</b> 4211 East Park Circle Harrisburg, PA 17111
Borough or Township	Harvey's Lake Borough
County	<b>Luzerne</b>
Type of Facility	PWS
Consulting Engineer	N/A
Permit to Operate Issued	September 8, 2009

**Permit No. 2660012, Operations Permit, Public Water Supply.**

Applicant	<b>United Water Pennsylvania, Inc.</b> 4211 East Park Circle Harrisburg, PA 17111
Borough or Township	Noxen Township
County	<b>Wyoming</b>
Type of Facility	PWS
Consulting Engineer	N/A
Permit to Operate Issued	September 8, 2009

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

**Permit No. 3609503, Public Water Supply.**

Applicant	<b>Cherry Lane Motor Inn</b>
Borough or Township	East Lampeter Township
County	<b>Lancaster</b>
Type of Facility	Installation of nitrate treatment
Consulting Engineer	Brent W. Cowan, P. E. CSC Technology, Inc. 170 Netherwood Drive Coatesville, PA 19320
Permit to Construct Issued:	September 11, 2009

**Permit No. 0109502 MA, Minor Amendment, Public Water Supply.**

Applicant	<b>New Oxford Municipal Authority</b>
Borough or Township	New Oxford Borough

County **Adams**  
 Type of Facility Installation of a roof over the sedimentation basins  
 Consulting Engineer Kennetx T. Grubb, P. E.  
 CET Engineering Services  
 1240 North Mountain Road  
 Harrisburg, PA 17112  
 Permit to Construct Issued: September 9, 2009

**Operations Permit** issued to **Aqua Pennsylvania, Inc.**, 3061153, Cumru Township, **Berks County** on September 2, 2009 for the operation of facilities approved under Construction Permit No. 0609508 MA.

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

**Permit No. 4109501—Construction** Public Water Supply.

Applicant **Montgomery Borough Water and Sewer Authority**  
 Borough or Township Clinton Township  
 County **Lycoming**  
 Responsible Official John Lynch, Executive Director  
 Montgomery Borough Water and Sewer Authority  
 35 South Main Street  
 Montgomery, PA 17752  
 Type of Facility Public Water Supply—Construction  
 Consulting Engineer Eric Moore, P. E.  
 Larson Design Group  
 1000 Commerce Park Drive  
 P. O. Box 487  
 Williamsport, PA 17703  
 Permit Issued Date September 4, 2009  
 Description of Action Construction of Well No. 2R, transmission line, gas chlorination facilities, cation exchange softening system and anion exchange nitrate removal system.

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

**Operations Permit** issued to **John C. and Karla R. Edwards, d/b/a Edwards Mobile Home Park**, PWSID No. 6250014, Springfield Township, **Erie County**, September 2, 2009, to utilize the installed nitrate removal facilities at Edwards Mobile Home Park, as approved by construction permit number 2507507, issued June 2, 2008.

**Operations Permit** issued to **Municipal Authority of Conneaut Lake**, PWSID No. 6200015, Conneaut Lake Borough, **Crawford County**, September 9, 2009, for the operation of the recently renovated 100,000 gallon elevated steel storage tank, located on High Street, Conneaut Lake Borough, as approved by construction permit number 2076501-MA2, issued June 8, 2009.

**Operations Permit** issued to **Redbank Valley Municipal Authority**, PWSID No. 6160010, New Bethlehem Borough, **Clarion County**, September 10, 2009, for the construction and operation of the temporary intake structure in Redbank Creek. This emergency water supply

permit is for a 90-day duration, or when the proposed permanent intake is constructed and functional, whichever comes first.

**SEWAGE FACILITIES ACT PLAN DISAPPROVAL**

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

*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>
(Bart Township)	(46 Quarry Rd Quarryville, PA 17566)	Lancaster County

*Plan Description:* The Benjamin G King proposed plan revision for a second dwelling on a farm using an onlot sewage system, was disapproved because the mass balance equation in the preliminary hydrogeologic study incorrectly used the sewage flow figures for a three bedroom home. When adjusted for the proposed five bedroom home and the existing six bedroom home, the results indicate that the lot will be too small to adequately provide the recharge necessary to dilute the nitrate/nitrogen generated from the onlot systems that will serve both dwellings. The average nitrate/nitrogen levels in the groundwater leaving this lot will exceed 10 mg/l. The proposed subdivision is located at the intersection of Hollow Road and Drywells Road at 225 Hollow Road in Bart Township, Lancaster County. The Department of Environmental Protection number is A3-36913-173-2 and the APS number is 663806.

**HAZARDOUS SITES CLEAN-UP UNDER THE ACT OF OCTOBER 18, 1988**

**PUBLIC NOTICE OF PROPOSED SETTLEMENT AGREEMENT PENNSYLVANIA DEPARTMENT OF ENVIRONMENTAL PROTECTION FORWARD TOWNSHIP FLY ASH LANDSLIDE SITE FORWARD TOWNSHIP, ALLEGHENY COUNTY**

Under section 1113 of the Pennsylvania Hazardous Sites Cleanup Act (35 P. S. §§ 6020.101—6020.1305), notice is hereby given that the Department of Environmental Protection (Department) has entered into a proposed Settlement Agreement (Agreement) with Barbara and Stewart Diess, David Gregory, and other individuals, as well as the Commonwealth of Pennsylvania, Department of Transportation; Allegheny Energy, Inc. and West Penn Power Company; the Municipal Authority of Westmoreland County (MAWC); URS Corporation; and Weavertown Transport Leasing, Inc., d/b/a Weavertown Environmental Group. The Agreement resolves civil litigation and related matters resulting from a January 2005 fly ash landslide in Forward Township, Washington County.

Under the Agreement, the Department will be doing additional cleanup of fly ash resulting from the landslide; Allegheny Energy, Inc. and West Penn Power Company and MAWC will be reimbursing the Department for a portion of its past and future cleanup costs; and claims by local residents for cleanup, response costs, personal injuries and property damages will be resolved.

The specific terms of the settlement are set forth in the Agreement. The Department will receive and consider comments relating to the Agreement for sixty days from the date of this Public Notice. The Department has reserved the right to withdraw its consent to the Agreement if comments concerning the Agreement disclose facts or considerations which indicate that the Agreement is impracticable or not in the public interest.

Copies of the Agreement are available for inspection at the Department's Southwest Regional Office. Comments may be submitted, in writing, to Barbara Gunter, Department of Environmental Protection, Hazardous Sites Cleanup, 400 Waterfront Drive, Pittsburgh, PA 15222. Further information may be obtained by contacting Barbara Gunter at (412) 442-4000. TDD users may contact the Department through the Pennsylvania AT&T Relay Services at (800) 645-5984.

## LAND RECYCLING AND ENVIRONMENTAL REMEDIATION

### UNDER ACT 2, 1995

#### PREAMBLE 2

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

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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:

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

**Former New Jersey Zinc Company-West Plant, Mauch Chunk Road, Palmerton Borough, Carbon County.** J. Mark Nielsen, ENVIRON International Corporation, 1760 Market Street, Suite 1000, Philadelphia, PA 19103 on behalf of his client, CBS Operations, Inc., 299 South Main Street, Suite 1800, Salt Lake City, UT 84111, has submitted a Remedial Investigation Report concerning the remediation of soil and groundwater found to have been impacted by VOCs, Semi-VOCs and metals as a result of historical operations at this former zinc manufacturing plant. The report was submitted in partial fulfillment of the Site-Specific Standard. A public notice regarding the submission of the Remedial Investigation Report was published in *The Morning Call* on August 6, 2009.

**Former Reinhard Elementary School, 309-315 Northampton Street, Hellertown Borough, Northampton County.** Christopher T. Kotch, Barry Isett and Associates, Inc., P. O. Box 147, 85 South Route 100 and Kressler Lane, Trexlertown, PA 18087 on behalf of his client, Hellertown Borough, 685 Main Street, Hellertown, PA 18041, has submitted a Final Report concerning the remediation of soil found to have been impacted by No. 2 fuel oil as a result of a release from a 6,000-gallon underground storage tank during the tank removal process. The report was submitted to document attainment of the Statewide Health Standard. A public notice regarding the submission of the Final Report was published in *The Morning Call* on August 28, 2009.

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

**Former Wolf's Head Property North Parcel, Sugarcreek Township, Venango County.** URS Corporation, Foster Plaza 4, 501 Holiday Drive, Suite 300, Pittsburgh, PA 15220 on behalf of Pennzoil-Quaker State Company, 910 Louisiana OSP 687, Houston, TX 77002 has submitted a Combined Remedial Investigation/Risk Assessment/Final Report concerning remediation of site soil contaminated with acenaphthene, acetone, anthracene, arsenic, barium and compounds, benzene, benzo[a]anthracene, benzo[a]pyrene, benzo[b]fluoranthene, benzo[k]fluoranthene, bis[2-ethylhexyl] phthalate, cadmium, carbazole, chromium (III), chrysene, cresol, 0- (methylphenol, 2-), cresol, p (methylphenol, 4-), dibenzo[a,h]anthracene, dibenzofuran, fluoranthene, fluorene, indeno[1,2,3-cd]pyrene, lead, mercury, methyl-naphthalene, 2-, naphthalene, pentachlorophenol, phenanthrene, selenium, silver and site groundwater contaminated with acenaphthene, acetone, anthracene, arsenic, barium and compounds, benzo[a]anthracene, benzo[a]pyrene, benzo[b]fluoranthene, benzo[ghi]perylene, benzo[k]fluoranthene, beryllium, bis[2-ethylhexyl] phthalate, boron and compounds, cadmium, chromium (III), chrysene, dibenzo[a,h]anthracene, fluoranthene, fluorene, iron, isophorone, lead, manganese, naphthalene, nickel, nitroaniline m-, phenanthrene, pyrene, selenium, silver and zinc compounds. The report is intended to document remediation of the site to meet the Site-Specific Standard.



## LAND RECYCLING AND ENVIRONMENTAL REMEDIATION

UNDER ACT 2, 1995

### PREAMBLE 3

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

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

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

The Department has received the following plans and reports:

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

**Eastern Industries, Inc.**, Wyalusing Township, **Bradford County**. Pennsylvania Tectonics, 826 Main Street, Peckville, PA 18452 on behalf of Eastern Indus-

tries, Inc., Route 347, Clifford, PA 18421 has submitted a Final Report within 90 days of the release concerning remediation of site soil contaminated with diesel fuel and used motor oil. The Final Report demonstrated attainment of the Statewide Health Standard and was approved by the Department on September 10, 2009.

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

**Burning Well Crude Oil Gathering Facility**, Sergeant Township, **McKean County**. ATC Associates, Inc., 103 North Meadows Drive, Suite 215, Wexford, PA 15090 on behalf of SOPUS, Inc., 203 Steepleview Drive, Clarion, PA 16214 has submitted a Final Report concerning the remediation of site soil contaminated with 1,3,5-trimethylenbenzene. The Final Report demonstrated attainment of the Statewide Health Standard and was approved by the Department on September 14, 2009.

### RESIDUAL WASTE GENERAL PERMITS

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

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

**General Permit Number WMGR076. Jerart, Inc.**, P. O. Box 153, Baden, PA 15005-0153. The permit authorizes processing and beneficial use of slag fines (approximately less than 1/4 inch), classifier sludge and filter cake from the production of steel using the basic oxygen process (BOP) in a demonstration project as subbase material for construction of an historic park at the Legionville/Logstown site in Harmony Township, **Beaver County**. The approved processing is limited to blending the BOP wastes in a 4:1:1 by weight ratio of slag fines:classifier sludge:filter cake. The permit was revoked at the request of Jerart, Inc. by Central Office on September 14, 2009.

Jerart, Inc. has never operated under General Permit Number WMGR076. The Department intends on releasing Jerart's bond for the site.

Persons interested in reviewing the general permit revocation may contact Ronald C. Hassinger, Chief, General Permits/Beneficial Use Section, Division of Municipal and Residual Waste, Bureau of Land Recycling and Waste Management, P. O. Box 8472, Harrisburg, PA 17105-8472, (717) 787-7381. TDD users may contact the Department through the Pennsylvania AT&T Relay Service, (800) 654-5984.

### OPERATE WASTE PROCESSING OR DISPOSAL AREA OR SITE

**Permit Terminated 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. 301321. Atlas Environmental Services and Equipment Company**, 6801 SR Building A, Philadelphia, PA 19135, City of Philadelphia, **Philadelphia County**. The facility was permitted as a waste oil transfer facility on September 13, 1999. Operations at the facility ceased at the end of 2000 and the facility was clean closed. Permit revocation was never requested nor has the operator applied for permit renewal. Operations were never restarted under the existing permit, the facility has remained clean closed, and the permit term has now expired. As a result, the permit is considered terminated and the bond will be released. The permit was terminated by the Southeast Regional Office on September 13, 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. 101389. The Lancaster County Solid Waste Management Authority**, located in Manor Township, **Lancaster County**. The Department of Environmental Protection (Department) has reviewed the above referenced application for permit modification in order to determine whether it contains the information, maps, fees and other documents necessary to be considered administratively complete. Be advised that the application has been determined to be administratively complete.

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 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.*

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

**58-323-001GP5: Exco-North Coast Energy, Inc.** (280 Executive Drive, Cranberry Township, PA 16066) on September 10, 2009, to construct and operate a Natural Gas Compressor Engine No. 1 at their site in Clifford Township, **Susquehanna County**.

**58-323-002GP5: Exco-North Coast Energy, Inc.** (280 Executive Drive, Cranberry Township, PA 16066) on September 10, 2009, to construct and operate a Natural

Gas Compressor Engine No. 2 at their site in Clifford Township, **Susquehanna County**.

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

**GP9-1-07-03014: New Enterprise Stone and Lime Co., Inc.** (P. O. Box 77, New Enterprise, PA 16664) on September 8, 2009, for a Diesel or No. 2 fuel-fired Internal Combustion Engine under GP9 in Taylor Township, **Blair County**.

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

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

**54-303-020: Pottsville Materials, LLC—Wadesville-Quarry Asphalt Plant** (P. O. Box 1467, Skippack, PA 19474) on September 1, 2009, to construct an asphalt plant with RAP and WDLF at their facility in New Castle Township, **Schuylkill County**.

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

**36-03115A: Pennsy Supply, Inc.** (P. O. Box 3331, Harrisburg, PA 17105) on September 3, 2009, to install one vibrating pan feeder, one tertiary crusher and one 36-inch wide conveyor belt to the wet portion of the processing plant for their facility in West Hempfield Township, **Lancaster County**.

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

**16-132H: Clarion Boards, Inc.** (P. O. Box 340, 143 Fiberboard Road, Shippensburg, PA 16254-0340) on September 9, 2009, for the NSR application for VOC emissions as a result of testing performed that showed the facility is major for VOC in Paint Township, **Clarion County**. This is a Title V facility.

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

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

**46-0031C: SmithKline Beecham d/b/a GlaxoSmith-Kline** (1250 South Collegeville Road, Collegeville, PA 19426) on September 4, 2009, to operate two scrubbers in Upper Providence Township, **Montgomery County**.

**09-0186A: Kinder Morgan Bulk Terminals, Inc.** (1 Sinter Road, Fairless Hills, PA 19030) on September 10, 2009, to operate a fertilizer transfer and storage operation in Falls Township, **Bucks County**.



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

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

**01-05029: RRI Energy Wholesale Generation, LLC** (121 Champion Way, Suite 200, Canonsburg, PA 15317-5817) on August 26, 2009, to operate a natural gas fired electric generating facility at their Hunterstown Station in Straban Township, **Adams County**. This Title V operating permit was administratively amended due to a name change. This is Revision No. 1.

**06-05022: PA State System of Higher Education** (Main Street, Kutztown, PA 19530) on September 4, 2009, to operate the Kutztown University of Pennsylvania in Maxatawny Township, **Berks County**. This action is a renewal of the Title V operating permit.

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

**TV-56-00232: Shade Landfill, Inc.** (625 Cherrington Parkway, Moon Township, PA 15108-4321) on August 31, 2009, for continued operation of their municipal solid waste landfill in Shade Township, **Somerset County**. The company operates landfill, gas collection and control system, and soil processing system at this site. The facility wide potential emissions of air contaminants are 40.38 tpy of NO<sub>x</sub>, 2.52 tpy of SO<sub>x</sub>, 31.35 tpy of VOCs, 85.80 tpy of PM<sub>10</sub> and 96.94 tpy of CO. The Title V Operating Permit contains applicable emission limits, as well as testing, monitoring, recordkeeping and reporting requirements.

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**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.**

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

**67-03143: The ESAB Group, Inc.** (801 Wilson Avenue, Hanover, PA 17331-7948) on September 10, 2009, for operation of their welding equipment and consumables manufacturing facility in Hanover Borough, **York County**.

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**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.**

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

**15-00078: Centocor, Inc.** (200 Great Valley Parkway, Malvern, Pennsylvania 19355) on September 9, 2009, to issue a revised State-only Operating Permit to operate four emergency generators, three boilers, water heaters and space heaters in East Whitelead Township, **Chester County**. The facility is synthetic minor for NO<sub>x</sub>. The following Plan Approvals and Operating Permits, PA-15-0078, PA-15-0078B, PA-15-0078C, OP-15-0078 are being incorporated into the facility permit, SMOP-15-00078. This Operating Permit shall include monitoring, and

recordkeeping designed to ensure this facility complies with all applicable air quality regulations.

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

**38-05020: Keystone Protein Co.** (P. O. Box 37, Fredericksburg, PA 17026-0037) on September 3, 2009, for modification to rendering operations with a new cooker controlled by existing scrubber and a 600 hp boiler in **Lebanon County**. This State-only operating permit was administratively amended to incorporate Plan Approval 38-05020B. This is Revision No. 1.

**67-03110: Protech Powder Coating, Inc.** (939 Monocacy Road, York, PA 17404-1615) on September 10, 2009, for powder coating operations in the City of York, **York County**. This State-only operating permit was administratively amended due to a change of ownership. This is Revision No. 1.

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**ACTIONS ON COAL AND NONCOAL MINING ACTIVITY APPLICATIONS**

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**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).**

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*Coal Permits Actions*

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

**32011302 and GP12-32011302-R10. AMFIRE Mining Company, LLC**, One Energy Place, Latrobe, PA 15650, to revise the permit for the Gillhouser Run Deep Mine in Brush Valley Township, **Indiana County** to establish an emission inventory based on a revised maximum total annual raw coal throughput for the mine of 340,000 tons/calendar year and the addition of a 46 HP diesel engine and a portable screen for reject material based on 275 tons/hour operating 5,900 hours/year. Approval is authorized under General Permit BAQ-GPA/GP12 and is required to meet all applicable limitations, terms, and conditions of Authorization GP12-32011302-R10. No additional discharges. Application received March 2, 2009. Permit issued September 9, 2009.

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

**16070101 and NPDES Permit No. PA0258270. Amerikohl Mining, Inc.**, 202 Sunset Drive, Butler, PA 16001, revision to an existing bituminous surface strip operation to add 2 acres for support and delete 2 of unaffected acres in Monroe Township, **Clarion County**. Receiving streams: UNTs to Brush Run and Brush Run,

UNT to Piney Creek. Application received January 22, 2009. Permit Issued September 10, 2009.

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

**17010101. Waroquier Coal Company**, P. O. Box 128, Clearfield, PA 16830, permit renewal for reclamation only of a bituminous surface mine in Pike and Lawrence Townships, **Clearfield County**, affecting 70.2 acres. Permit issued August 31, 2009.

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

**54880203R4 and NPDES Permit No. PA0594393. Rausch Creek Land, LP**, 978 Gap Street, Valley View, PA 17983, renewal of an existing anthracite coal refuse reprocessing operation for reclamation activities only in Tremont Township, **Schuylkill County**, affecting 15.8 acres, receiving stream: Rowe Tunnel to Lorberrry Creek. Application received February 3, 2009. Renewal issued September 10, 2009.

**54870101R4 and NPDES Permit No. PA0593842. Kuperavage Enterprises, Inc.**, P. O. Box 99, Middleport, PA 17953-0099, renewal of an existing anthracite surface mine and refuse disposal operation in Blythe Township, **Schuylkill County**, affecting 638 acres, receiving stream: UNT to Schuylkill River. Application received February 4, 2009. Renewal issued September 10, 2009.

**54813009R5. Joe Kuperavage Coal Company**, 916 Park Avenue, Port Carbon, PA 17965, renewal of an existing anthracite surface mine and coal refuse reprocessing operation in East Norwegian Township, **Schuylkill County** affecting 57.7 acres, receiving stream: none. Application received January 2, 2009. Renewal issued September 11, 2009.

**54030103R and NPDES Permit No. PA0224367. Jett Contracting Company**, P. O. Box 243, Brockton, PA 17925, renewal of an existing anthracite surface mine operation in Blythe Township, **Schuylkill County**, affecting 116 acres, receiving stream: Morgan's Run. Application received October 23, 2008. Renewal issued September 14, 2009.

#### *Noncoal Permits Actions*

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

**6875SM3 and NPDES No. PA0612383. Eastern Industries Inc.**, 4401 Camp Meeting Road, Suite 200, Center Valley, PA 18034-9454, renewal of NPDES permit in Armagh Township, **Mifflin County**, affecting 103.6 acres. Receiving streams: UNTs to, and, Honey Creek, classified for the following use: HQ-CWF. There are no potable water supply intakes within 10 miles downstream. Application received May 20, 2009. Permit issued September 9, 2009.

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

**20070302. W. L. Dunn Construction Company**, 180 North Franklin Street, Cochranon, PA 16314. Application for a stream encroachment for mining activities to be conducted no closer than 50 feet to UNT 2 to Little Sugar Creek for the purposes of support facility construction and maintenance. Receiving streams: Little Sugar Creek. Application Received July 2, 2009. Permit Issued September 10, 2009.

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

**22880301C10 and PA0223948. Rocky Licensing Corp.**, P. O. Box 3331, Harrisburg, PA 17105, correction to an existing quarry to update the average discharge rate of treated mine drainage from the NPDES Permit from 0.1444 mgd to 1.5 mgd in Lower Swatara Township, **Dauphin County**, receiving stream: Swatara Creek. Application received May 8, 2009. Correction issued September 11, 2009.

**15830602C8 and NPDES Permit No. PA0614203. Allan A. Myers, LP d/b/a Independence Construction Materials**, 638 Lancaster Avenue, Malvern, PA 19355, renewal of NPDES Permit for discharge of treated mine drainage from a quarry operation in Charlestown Township, **Chester County**, receiving stream: intermittent UNT to Pickering Creek. Application received July 16, 2009. Renewal issued September 11, 2009.

**8074SM1C3 and NPDES Permit No. PA0013722. Glasgow, Inc.**, P. O. Box 1089, Glenside, PA 19038, renewal of NPDES Permit for discharge of treated mine drainage from a quarry operation in Montgomery Township, **Montgomery County**, receiving stream: Park Creek. Application received July 23, 2009. Renewal issued September 11, 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.*

**07094004. Douglas Explosives, Inc.**, P. O. Box 77, Philipsburg, PA 16866, blasting activity permit issued for site development project at Spring Cove School in Taylor Township, **Blair County**. Blasting activity permit end date is December 30, 2009. Permit issued September 9, 2009.

**21094136. Newville Construction Service, Inc.**, 408 Mohawk Road, Newville, PA 17241-9424, blasting activity permit issued for Murphy Pool development in West Pennsboro Township, **Cumberland County**. Blasting activity permit end date is September 1, 2010. Permit issued September 3, 2009.

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

**26094007. Demtech, Inc.**, 65 Bald Mountain Road, Dubois, WY 82513. Blasting activity permit for the demolition of a coal silo, located in Luzerne Township, **Fayette County**. The duration of blasting is expected to last 30 days. Blasting permit issued September 10, 2009.

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

**22094109. Warren's Excavating and Drilling, Inc.**, P. O. Box 214, Myerstown, PA 17067, construction blasting for Northwoods Crossing in Lower Paxton Township, **Dauphin County** with an expiration date of September 8, 2010. Permit issued September 10, 2009.



**36094161. M and J Explosives, Inc.**, P. O. Box 608, Carlisle, PA 17013, construction blasting for Pioneer Crossing in West Lampeter Township, **Lancaster County** with an expiration date of September 30, 2010. Permit issued September 10, 2009.

**36094162. Warren's Excavating and Drilling, Inc.**, P. O. Box 214, Myerstown, PA 17067, construction blasting for Summerlyn Green in Ephrata Borough and Ephrata Township, **Lancaster County** with an expiration date of September 8, 2010. Permit issued September 10, 2009.

**45094130. Explosive Services, Inc.**, 7 Pine Street, Bethany, PA 18431, construction blasting for Castle Rock Acres in Middle Smithfield Township, **Monroe County** with an expiration date of September 30, 2010. Permit issued September 10, 2009.

**48094110. Schlouch, Inc.**, P. O. Box 69, Blandon, PA 19510, construction blasting for St. Luke's Hospital in Bethlehem Township, **Northampton County** with an expiration date September 2, 2010. Permit issued September 10, 2009.

**46094115. J. Roy's, Inc.**, P. O. Box 125, Bowmansville, PA 17507, construction blasting for Ambler YMCA in Douglass Township, **Montgomery County** with an expiration date of September 3, 2010. Permit issued September 13, 2009.

**46094116. Schlouch, Inc.**, P. O. Box 69, Blandon, PA 19510, construction blasting for Douglass Township Giant in Lower Gwynedd Township, **Montgomery County** with an expiration date of September 5, 2010. Permit issued September 13, 2009.

## FEDERAL WATER POLLUTION CONTROL ACT SECTION 401

The Department of Environmental Protection (Department) has taken the following actions on previously received permit applications, requests for Environmental Assessment approval and requests for Water Quality Certification under section 401 of the Federal Water Pollution Control Act (FWPCA) (33 U.S.C.A. § 1341).

Except as otherwise noted, the Department has granted 401 Water Quality Certification certifying that the construction and operation described will comply with the applicable provisions of sections 301—303, 306 and 307 of the FWPCA (33 U.S.C.A. §§ 1311—1313, 1316 and 1317) and that the construction will not violate applicable Federal and State water quality standards.

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

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

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

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**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).**

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*Permits, Environmental Assessments and 401 Water Quality Certifications Issued:*

### WATER OBSTRUCTIONS AND ENCROACHMENTS

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

**E06-641: Berks County Industrial Development Authority**, Berks County Services Center, 14th Floor, 633 Court Street, Reading, PA 19610, Bethel Township, **Berks County**, United States Army Corps of Engineers Philadelphia District.

To (1) remove two 18-inch CMP culvert pipes and one 18-inch RCP culvert pipe and restore 30-linear feet of a UNT to Swatara Creek (CWF) (Bethel, PA Quadrangle N: 17.86 inches; W: 8.14 inches, Latitude: 40° 28' 24"; Longitude: 75° 41' 0.60"); (2) construct and maintain a 79-foot long, 1-foot depressed 6-foot by 6-foot concrete box culvert and an 8-inch diameter cement lined ductile iron pipe water line crossing in and across a UNT to Swatara Creek (CWF) (Bethel, PA Quadrangle N: 18.01 inches; W: 8.12 inches, Latitude: 40° 28' 27"; Longitude: 75° 41' 0.24"); (3) construct and maintain an 8-inch diameter cement lined ductile iron water line across a UNT to Swatara Creek (CWF) (Bethel, PA Quadrangle N: 17.36 inches; W: 8.13 inches, Latitude: 40° 28' 24"; Longitude: 75° 41' 0.50"); (4) construct and maintain an 8-inch diameter SDR sewer line utility across a UNT to Swatara Creek (CWF) (Bethel, PA Quadrangle N: 17.86 inches; W: 8.14 inches, Latitude: 40° 28' 24"; Longitude: 75° 41' 0.59"); (5) construct and maintain an 88-foot long, 1-foot depressed 12-foot by 6-foot concrete box culvert in a UNT to Swatara Creek (CWF) impacting 3,144 square feet (0.072 acre) of Palustrine Emergent wetlands and 325 cubic yards of fill for the roadway impacting 2,610 square feet (0.06 acres) of Palustrine Emergent wetlands (Bethel, PA Quadrangle N: 18.71 inches; W: 9.19 inches, Latitude: 40° 28' 41"; Longitude: 75° 41' 28"); (6) construct and maintain a 105-foot long, 1-foot depressed 12-foot by 6-foot concrete box culvert, an 8-inch diameter cement lined ductile iron pipe water line and a 10-inch diameter SDR sewer line in and across a UNT to Swatara Creek (CWF) and impacting 1,506 square feet (0.034 acre) of Palustrine, emergent scrub/shrub wetlands (Bethel, PA Quadrangle N: 18.71 inches; W: 9.46 inches, Latitude: 40° 28' 41"; Longitude: 75° 41' 35"); (7) construct and maintain an 8-inch diameter SDR sewer line utility line crossing over an existing 8-foot by 6-foot concrete box culvert in a UNT to Swatara Creek (CWF) (Bethel, PA Quadrangle N: 18.11 inches; W: 9.46 inches, Latitude: 40° 28' 29"; Longitude: 75° 41' 35"); (8) drain an

existing 2,650-square foot pond and restore 181-linear feet of a UNT to Swatara Creek (CWF) (Bethel, PA Quadrangle N: 0.35 inches; W: 8.09 inches, Latitude: 40° 45' 7"; Longitude: 75° 41' 0.24"); and (9) drain an existing 505-square foot pond and restore 246 linear feet of a UNT to the Swatara Creek (CWF) (Bethel, PA Quadrangle N: 17.81 inches; W: 8.14 inches, Latitude: 40° 28' 23"; Longitude: 75° 41' 0.6"), and to drain an existing 11,550-square foot pond and place 3,100 cubic yards of fill to establish the area as 0.40 acre of Palustrine, Emergent wetlands (Bethel, PA Quadrangle N: 18.56 inches; W: 9.27 inches, Latitude: 40° 28' 38"; Longitude: 75° 41' 30"). All for the purpose of creating an industrial park in Bethel Township, Berks County. Wetland mitigation in the amount of 5.7 acres will occur onsite.

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

**E14-523. Robyn Graboski, Randall Romesberg, Wendell and Ella Williams, and Kerry E. and Debra M. Becker,** Engineering District 2-0, 1924-30 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; (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.

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

**E02-1589. Pennsylvania Department of Conservation and Natural Resources,** 195 Park Road, P. O. Box 387, Prospect, PA 16058. To construct a sheet pile wall in the City of Pittsburgh, **Allegheny County**, Pittsburgh United States Army Corps of Engineers District. (Pittsburgh West, PA Quadrangle N: 11.65 inches; W: 1.28 inches, Latitude: 40° 26' 21"; Longitude: 80° 00' 33"). To construct and maintain a sheet pile wall of various heights and approximately 1,000 feet in length, to place and maintain fill in the channel of and along the right bank of the Monongahela River (WWF) and to extend and operate and maintain the existing outfall structures along the right bank of said stream for the purpose of constructing a pedestrian walkway known as the Mon Wharf Connector. The project location begins just upstream from the Fort Pitt Bridge and extends underneath this bridge. The applicant will install thirty-seven porcupine jr. crib structures in the river, within the project area, to compensate for the habitat to be lost by the fill in the river.

**E04-324. Norfolk Southern Railway Company,** 1200 Peachtree Street, Box 184, Atlanta, GA 30309. To construct two additional mooring cells in Conway Borough, **Beaver County**, Pittsburgh United States Army Corps of Engineers District. (Beaver, PA Quadrangle N: 8.5 inches; W: 0.6 inches, Latitude: 40° 40' 19"; Longitude: 80° 15' 16"). To construct and maintain two additional 17-foot diameter mooring cells (Cells 3 and 4) in the channel and along the right bank of the Ohio River

(WWF) for the purpose of expanding the existing barge mooring facility, to operate and maintain the two existing 17-foot diameter mooring cells (Cells 1 and 2) in the channel and along the right bank of said stream and to perform maintenance dredging (345 feet in length by 70 feet in width) in the channel and along the right bank of said stream around the mooring cells for the purpose of allowing safer access for barges and a more efficient way to unload barges. The entire barge mooring facility is approximately 345 feet in length by 90 feet in width and is located at the Conway Yard near River Mile 22.5 in Conway Borough, Beaver County and will impact approximately 350 linear feet of stream channel.

**E30-228. Pennsylvania Department of Transportation, District 12-0,** P. O. Box 459, Uniontown, PA 15401. To remove and construct a bridge in Center Township, **Greene County**, Pittsburgh United States Army Corps of Engineers District. (Rogersville, PA Quadrangle: N: 1.75 inches; W: 8 inches, Latitude: 39° 52' 59"; Longitude: 80° 18' 24.3"). To remove the existing two span SR 21 bridge and to construct and maintain a new 35.5-inch wide bridge having a span of 53.5 inches (single span) and underclearance of 9.1 feet over the South Fork of Tenmile Creek (HQ-WWF); to construct and maintain associated stormwater outfalls; and construct temporary stream diversion and causeways. The work is associated with the proposed roadway improvements to SR 21. The new bridge is located approximately 65 feet upstream of the existing bridge. To compensate for the stream impacts the applicant will construct and maintain a fish habitat structure at the site of the existing bridge.

**E65-926. Loyalhanna Watershed Association, Inc.,** 110 Andi Lane, Ligonier, PA 15668. To construct a culvert, outfall and temporary wetland fill in Derry Township, **Westmoreland County**, Pittsburgh United States Army Corps of Engineers District. (Latrobe, PA Quadrangle N: 13.47 inches; W: 0.35 inches, Latitude: 40° 19' 27"; Longitude: 79° 22' 39"). To

1. install and maintain a 5-foot by 5-foot Powerhouse;
2. install, maintain and remove a temporary road crossing;
3. install and maintain an outfall structure;
4. install and maintain three 24-inch HDPE waterline crossings across Saxman Run (WWF) and two crossings of UNTs to Saxman Run (WWF);
5. install and maintain a 24-inch HDPE waterline in approximately 0.54 acres of wetlands.

All for the purpose of installing a micro turbine electric generation facility and acid mine drainage treatment facility.

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

**E10-451, Mars Holdings, Inc.,** P. O. Box 928, 500 Wittenberg Way, Mars, PA 16046-2607, Alzheimers Assisted Living Center Culvert in Adams Township and Mars Borough, **Butler County**, United States Army Corps of Engineers Pittsburgh District (Mars, PA Quadrangle N: 40° 41' 24.9"; W: 80° 0' 48.9").

To construct and maintain a 47-foot long, 20-foot wide by 6-foot high Con Span arch culvert road crossing in a UNT Breakneck Creek serving as an entrance to a proposed specialty medical care and residential center.

**E61-286, Oil Creek Township,** 16835 Shreve Run Road, Pleasantville, PA 16341. Wastewater Collection and Conveyance Extension, in Oil Creek Township, **Venango**

**County**, United States Army Corps of Engineers Pittsburgh District (Pleasantville, PA Quadrangle N: 41° 35' 41"; W: 79° 34' 51").

To construct and maintain 60,000 linear feet sewerline extension and seven pump stations conveying sewage to the Borough of Pleasantville wastewater treatment plant involving the following:

1. To construct and maintain 11 sewer line stream crossings by directional drilling in UNTs to Pine Creek (HQ-CWF, 7 crossings), UNTs to Pine Creek (CWF, 2 crossings), and UNTs to Pithole Creek (CWF, 2 crossings)

2. To construct and maintain 5 sewer line crossings of PFO exceptional value wetlands and 6 sewer line crossings of other PFO wetlands by directional drilling To construct and maintain a 20-foot by 30-foot pump station and associated access road within the floodway of an UNT to Pine Creek.

#### ENVIRONMENTAL ASSESSMENTS

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

**EA41-004. U.S. Fish and Wildlife Service**, 315 South Allen Street, Suite 322, State College, PA 16801. Lycoming Creek Stream Restoration Project at Trout Run Park, Lewis Township, **Lycoming County**, Baltimore United States Army Corps of Engineers District.

(Trout Run, PA Quadrangle N: 41° 22' 35"; W: 77° 04' 00").

To stabilize and improve aquatic habitat along a 4,800-foot section of Lycoming Creek. The project will involve relocation of the stream to a relic channel. A total of nine rock vanes and six log vanes will be constructed throughout the length of the reconstructed channel. The stream restoration work will result in impacts to 3,300 linear feet of Lycoming Creek, and 1.35 acres of PEM/PEM-SS wetlands. The wetland area that will be created in the abandoned stream channel will exceed the wetland acre-

age affected by the channel relocation. This activity has been authorized under Section 105.12(a) (16) as a restoration waiver. This environmental assessment grants Water Quality Certification under Section 401 of the Federal Water Pollution Control Act [33 U.S.C.A. 1341(a)].

#### EROSION AND SEDIMENT CONTROL

The following Erosion and Sediment Control Permits have been issued.

Any person aggrieved by these actions may appeal, under section 4 of the Environmental Hearing Board Act (35 P.S. § 7514) and 2 Pa.C.S. Chapter 5, Subchapter A (relating to practice and procedure of Commonwealth agencies), to the Environmental Hearing Board, Second Floor, Rachel Carson State Office Building, 400 Market Street, P. O. Box 8457, Harrisburg, PA 17105-8457, (717) 787-3483. TDD users may contact the Environmental Hearing Board (Board) through the Pennsylvania AT&T Relay Service, (800) 654-5984. Appeals must be filed with the Board within 30 days of publication of this notice in the *Pennsylvania Bulletin*, unless the appropriate statute provides a different time period. Copies of the appeal form and the Board's rules of practice and procedure may be obtained from the Board. The appeal form and the Board's rules of practice and procedure are also available in Braille or on audiotape from the Secretary to the Board at (717) 787-3483. This paragraph does not, in and of itself, create any right of appeal beyond that permitted by applicable statutes and decisional law.

If individuals want to challenge this action, their appeal must reach the Board within 30 days. Individuals do not need a lawyer to file an appeal with the Board. Important legal rights are at stake, however, so individuals should show this notice to a lawyer at once. If individuals cannot afford a lawyer, individuals may qualify for pro bono representation. Call the Secretary to the Board (717) 787-3483 for more information.

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

08/18/2009

ESCGP-1 No.: ESX09-111-0005

Applicant Name: Chief Oil and Gas, LLC

Contact Person: Michael D. Hritz

Address: 6051 Wallace Road Extension, Suite 210

City: Wexford State: PA Zip Code: 15090

County: Somerset Township(s): Middlecreek

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

08/18/2009

ESCGP-1 No.: ESX09-125-0027

Applicant Name: Range Resources—Appalachia, LLC

Contact Person: Carla Suszkowski

Address: 380 Southpointe Boulevard, Suite 300

City: Canonsburg State: PA Zip Code: 15317

County: Washington Township(s): South Franklin

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

08/19/09

ESCGP-1 No.: ESX09-129-0018

Applicant Name: Rex Energy Corporation

Contact Person: William Ottaviani

Address: 476 Rolling Ridge Drive, Suite 300

City: State College State: PA Zip Code: 16801

County: Westmoreland Township(s): Derry

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



08/19/09

ESCGP-1 No.: ESX09-125-0028

Applicant Name: MarkWest Liberty Midstream and Resources

Contact Person: Brian Rayburn

Address: 100 Plaza Drive, Suite 102

City: Atlasburg State: PA Zip Code: 15004

County: Washington Township(s): Mt. Pleasant

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

08/19/09

ESCGP-1 No.: ESX09-059-0032

Applicant Name: EQT Production Company

Contact Person: Hanna E. McCoy

Address: 225 North Shore Drive, 3rd Floor

City: Pittsburgh State: PA Zip Code: 15212

County: Greene Township(s): Morris

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

09/01/09

ESCGP-1 No.: ESX09-051-0028

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): Brownsville

Receiving Stream(s) and Classifications: UNT to Dunlap Creek, Other

09/01/09

ESCGP-1 No.: ESX09-051-0029

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): Georges

Receiving Stream(s) and Classifications: UNT to Mountain Creek, Other

09/01/09

ESCGP-1 No.: ESX09-059-0038

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): Greene

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

09/02/09

ESCGP-1 No.: ESX09-125-0030

Applicant Name: Range Resources—Appalachia, LLC

Contact Person: Carla Suszkowski

Address: 380 Southpointe Boulevard, Suite 300

City: Canonsburg State: PA Zip Code: 15317

County: Washington Township(s): Amwell

Receiving Stream(s) and Classifications: UNT to Little Tenmile Creek, Other

09/02/09

ESCGP-1 No.: ESX09-125-0033

Applicant Name: Range Resources—Appalachia, LLC

Contact Person: Carla Suszkowski

Address: 380 Southpointe Boulevard, Suite 300

City: Canonsburg State: PA Zip Code: 15317

County: Washington Township(s): Hopewell

Receiving Stream(s) and Classifications: UNT to Dunkle Run, HQ

09/02/09

ESCGP-1 No.: ESX09-059-0039

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): Cumberland

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

09/09/09  
 ESCGP-1 No.: ESX09-125-0037  
 Applicant Name: Antero Resources Appalachian Corporation  
 Contact Person: Gerard Alberts  
 Address: 1625 17th Street, Suite 300  
 City: Denver State: CO Zip Code: 80202  
 County: Washington Township(s): West Pike Run  
 Receiving Stream(s) and Classifications: Little Pike Run, Other

09/10/09  
 ESCGP-1 No.: ESX09-125-0034  
 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): Amwell  
 Receiving Stream(s) and Classifications: UNT and Little Tenmile Creek/Little Tenmile Creek, Other

09/10/09  
 ESCGP-1 No.: ESX09-125-0035  
 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): Blaine/Hopewell  
 Receiving Stream(s) and Classifications: 3 UNTs to Brush Run, Brush Run, and 1 UNT to Buffalo Creek, HQ

09/10/09  
 ESCGP-1 No.: ESX09-125-0036  
 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): Blaine  
 Receiving Stream(s) and Classifications: Buffalo Creek, HQ

**SPECIAL NOTICES**

**DRINKING WATER STATE REVOLVING FUND**

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

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

*Project Location:*

<i>Applicant</i>	<i>Applicant Address</i>	<i>County</i>
Aqua Pennsylvania, White Haven, PA 18661 Inc.	50 Woodhaven Drive	South Whitehall Township Lehigh County

*Project Description:* The Pennsylvania Infrastructure Investment Authority, which administers the Commonwealth's State Revolving Fund, is intended to be the funding source for this project. Aqua Pennsylvania, Inc. proposes to upgrade the community water system serving Springhouse Farms. The Department's review of the project and the information received in the Environmental Report for the project has not identified any significant, adverse environmental impact resulting from this proposal. The Department hereby approves the project for Categorical Exclusion.

*Project Location:*

<i>Applicant</i>	<i>Applicant Address</i>	<i>County</i>
Aqua Pennsylvania, White Haven, PA 18661 Inc.	50 Woodhaven Drive	Lower Macungie Township Lehigh County

*Project Description:* The Pennsylvania Infrastructure Investment Authority, which administers the Common-

wealth's State Revolving Fund, is intended to be the funding source for this project. Aqua Pennsylvania, Inc. proposes to upgrade the community water system serving Maple Hills development. The Department's review of the project and the information received in the Environmental Report for the project has not identified any significant, adverse environmental impact resulting from this proposal. The Department hereby approves the project for Categorical Exclusion.

*Project Location:*

<i>Applicant</i>	<i>Applicant Address</i>	<i>County</i>
South Wayne County Water and Sewer Authority/ Roamingwood Sewer and Water Association	P. O. Box 6 Lake Ariel, PA 18436	Lake and Salem Townships Wayne

*Project Description:* The Pennsylvania Infrastructure Investment Authority, which administers the Commonwealth's State Revolving Fund, is intended to be the funding source for this project. The South Wayne County Water and Sewer Authority proposes relocation of water and sewer conveyance lines along portions of Highpoint Drive and Wildwood Court. The Department's review of the project and the information received in the Environmental Report for the project has not identified any significant, adverse environmental impact resulting from this proposal. The Department hereby approves the project for Categorical Exclusion.

The Little Schuylkill River TMDL, originally approved by USEPA in March 2007, has been revised to reflect the inclusion of wasteload allocations for additional NPDES permits not included in the originally approved TMDL.



The data and all supporting documentation used to develop the proposed TMDLs are available from the Department. To request a copy of the proposed TMDL, contact Jennifer Orr, TMDL Development Section, Watershed Protection Division, Pennsylvania Department of Environmental Protection, P. O. Box 8555, Harrisburg, PA 17105-8555, (717) 772-5670, e-mail jeorr@state.pa.us.

The TMDLs can be accessed through the DEP Website (<http://www.dep.state.pa.us>) by clicking on the Water Topics Link, then the TMDL link. Persons with a disability may use the Pennsylvania AT&T Relay Service by calling (800) 654-5984 (TDD users) or (800) 654-5988 (voice users) and request that the call be relayed.

Written and Email comments will be accepted at the above addresses and must be received by October 30, 2009. Comments will not be accepted by facsimile or voice mail. The Department will consider all comments in developing the final TMDL, which will be submitted to EPA for approval.

#### **Availability of Final Total Maximum Daily Loads (TMDLs)**

The Department of Environmental Protection has developed Total Maximum Daily Loads (TMDLs) for the watersheds listed below. The TMDL sets the pollutant loading amounts for impaired waters that are allocated among the sources in the watershed. These TMDLs have been approved by EPA and satisfy the Department's obligations under section 303(d) of the Federal Clean Water Act.

#### *Stream Name and County*

##### *2007 AMD TMDLs*

Alder Run (Clearfield)  
 Babcock Creek (Cambria, Somerset)  
 Bear Run (Clearfield, Indiana, Jefferson)  
 Beaverdam Branch (Blair)  
 Black Creek (Luzerne)  
 Boone Run (Somerset)  
 Brewer Run (Indiana)  
 Caylor Run (Armstrong, Jefferson)  
 Clearfield Creek (Clearfield, Cambria)  
 Coal Bank Run (Armstrong)  
 Dooley Run (Greene)  
 Dunkard Creek (Greene)  
 East Branch Mahoning Creek (Cambria, Jefferson)  
 Ferrier Run (Indiana)  
 Foundry Run (Armstrong, Jefferson)  
 Freeman Run (Westmoreland)  
 Harmon Creek (Washington)  
 Laborde Branch (Clearfield)  
 Lamberts Run (Somerset)  
 Laurel Run (Clearfield)  
 Little Deer Creek (Allegheny)  
 Little Mill Creek (Clarion, Jefferson)  
 Little Nescopeck Creek (Luzerne)  
 Little Schuylkill River (Schuylkill)  
 Little Scrubgrass (Butler, Venango)  
 Luthersburg Branch (Clearfield)  
 Mahanoy Creek (Schuylkill, Northumberland)  
 North Branch Elk Creek (Cambria)  
 Nye Branch (Armstrong, Jefferson)  
 Otto Run (Cambria)  
 Paint Creek/UNT Paint Creek (Cambria, Somerset)  
 Penn Run (Indiana)  
 Pine Run (Armstrong, Jefferson)  
 Plum Creek (Allegheny)  
 Reeds Run (Indiana)  
 Richards Run (Indiana)

Sandy Creek (Clearfield)  
 Sawmill Run (Allegheny)  
 Shafer Run (Somerset)  
 Shenandoah Creek (Schuylkill, Northumberland)  
 Sixmile Run (Bedford)  
 Solomon Creek (Luzerne)  
 South Branch Bear Creek (Butler)  
 South Branch Beech Creek (Centre)  
 South Branch Elk Creek (Cambria)  
 Spring Run (Cambria)  
 Stump Creek (Jefferson, Clearfield)  
 Sulphur Creek (Cambria)  
 Tearing Run (Indiana)  
 UNT Buffalo Creek (Armstrong)  
 UNT Little Nescopeck Creek (Luzerne)  
 UNT Stoneycreek River (Somerset)  
 UNTs Trout and Pine Runs (Clearfield)  
 Upper Schuylkill River (Schuylkill)  
 Walley Run (Clarion)  
 West Creek (Elk)  
 Zerbe Run (Northumberland)

##### *2007 Non-AMD TMDLs*

Beaver Dam Branch (Blair)  
 Bernhart Creek (Berks)  
 Coon Run (Crawford)  
 Crosskill Creek (Berks, Lebanon)  
 Glades Run (Somerset)  
 Laurel Run (Berks)  
 Oil Creek (Crawford)  
 Red Clay Creek (Chester)  
 Wells Creek (Somerset)  
 White Clay Creek (Chester)

##### *2007 Delistings*

Black Creek (Luzerne)  
 Codus Creek (York)  
 Connoquenessing Creek (Butler)  
 Fox Hollow Run (Lycoming)  
 Frankstown Branch Juniata (Blair)  
 Hermesprot Creek (Delaware)  
 Mill Run (Blair)  
 UNT Schuylkill 2177 (Berks)  
 UNT Schuylkill 2179 (Berks)

##### *2009 AMD TMDLs*

Beech Creek (Centre, Clinton)  
 Beech Creek (Centre, Clinton)  
 Bennett Branch Sinnemahoning Creek (Cameron, Clearfield, Elk)  
 Black Creek (Carbon, Schuylkill, Luzerne)  
 Brush Run (Clarion)  
 Brush Run, Beaver County  
 Buck Mountain Creek (Carbon, Luzerne)  
 Buffalo Creek (Somerset)  
 Buffalo Run (Westmoreland)  
 Casselman River (Somerset, Fayette)  
 Clarion River (Clarion)  
 Coxes Creek (Somerset)  
 Crooked Creek (Armstrong, Indiana)  
 Deer Creek (Clarion)  
 Duck Run (Lawrence)  
 Fallen Timbers Run (Allegheny)  
 Ferguson Run (Fayette)  
 Gathers Run (Clarion)  
 Jacks Run (Westmoreland)  
 Laurel Run (Somerset)  
 Leatherwood Creek (Clarion)  
 Leatherwood Creek (Clarion)  
 Lehigh River (Monroe, Wayne, Lackawanna, Luzerne,

Carbon, Schuylkill, Bucks, Lehigh, Northampton)  
 Licking Creek (Clarion)  
 Little Connoquenessing Creek (Butler)  
 Little Connoquenessing Creek (Butler)  
 Little Toby Creek (Elk, Jefferson)  
 Mill Creek (Clarion, Jefferson)  
 Moshannon Creek (Clearfield, Centre)  
 Narrows Creek (Clearfield)  
 Nesquehoning Creek (Carbon)  
 Newport Creek (Luzerne)  
 Nicely Run (Jefferson)  
 Peters Creek (Allegheny, Washington)  
 Pond Creek (Luzerne)  
 Redbank Creek (Armstrong, Clarion, Clearfield, Jefferson)  
 Redstone Creek (Fayette)  
 Reids Run (Clarion)  
 Saltlick Run (Fayette)  
 Sandy Run (Luzerne)  
 Scrubgrass Creek (Venango, Butler)  
 Sewickley Creek (Westmoreland)  
 Stauffer Run (Westmoreland)  
 Streets Run (Allegheny)  
 Susquehanna River (Luzerne)  
 Town Run (Clarion)  
 Turtle Creek (Allegheny, Westmoreland)  
 UNT 04226 Sandy Run (Luzerne)  
 UNT 49508 Brush Run (Clarion)  
 UNT Connoquenessing Creek (Butler)  
 UNT Georges Creek (Fayette)  
 UNT Monongahela River (Allegheny)  
 Wallace Run (Fayette)  
 Welch Run (Jefferson)  
 Welty Run (Westmoreland)  
 West Br. Susquehanna (Multiple)  
 Whites Creek (Somerset)  
 Wilson Creek (Somerset)  
 York Run (Fayette)

#### 2009 Delisting

Kimber Run (Bedford)

To request a copy of the TMDL, contact the Division of Watershed Protection P. O. Box 8555, Harrisburg, PA 17105-8555, (717) 772-5807, or access the TMDL through the Department's web site: [www.dep.state.pa.us/water\\_management\\_apps/tmdl/](http://www.dep.state.pa.us/water_management_apps/tmdl/) (choose "Stream You Are Interested In" under "Select By TMDL Name").

[Pa.B. Doc. No. 09-1790. Filed for public inspection September 25, 2009, 9:00 a.m.]

copy of any of the Department's draft or final technical guidance documents by contacting the Department at (717) 783-8727.

In addition, bound copies of some of the Department's documents are available as Department publications. Check with the appropriate bureau for more information about the availability of a particular document as a publication.

#### *Changes to Technical Guidance Documents*

Following is the current list of recent changes. Persons who have questions or comments about a particular document should call the contact person whose name and phone number is listed with each document.

#### *Draft Technical Guidance*

DEP ID: 394-5600-001. Title: Riparian Forest Buffer Guidance. Background: The Riparian Forest Buffer Guidance outlines recommendations for installation and protection of riparian forest buffers that are useful in mitigating or controlling point and nonpoint source pollution to waters of the Commonwealth. Riparian forest buffers serve as a barrier to prevent most pollutants from getting into aquatic environments. They also provide enhanced instream contaminant sequestration and degradation. The primary purpose of this guidance is to assist the Department staff in providing and further developing general buffer recommendations for regulatory, voluntary, and grant programs. It will also serve to assist any interested entities in understanding the functions and values of riparian forest buffers, the importance of sustaining and enhancing riparian forest buffers, and in developing appropriate science-based guidelines or policies. Written Comments: Interested persons may submit written comments on this guidance by November 24, 2009. Comments submitted by facsimile will not be accepted. The Department will accept comments submitted by e-mail. A return name and address must be included in each e-mail transmission. Written comments should be submitted to Diane Wilson, Department of Environmental Protection, Rachel Carson State Office Building, P. O. Box 8555, Harrisburg, PA 17105-8555 or [diawilson@state.pa.us](mailto:diawilson@state.pa.us). Contact: Questions regarding the draft technical guidance document should be directed to Diane Wilson at (717) 787-3730 or [diawilson@state.pa.us](mailto:diawilson@state.pa.us). Effective Date: Upon publication as final in the *Pennsylvania Bulletin*.

JOHN HANGER,  
*Secretary*

[Pa.B. Doc. No. 09-1791. Filed for public inspection September 25, 2009, 9:00 a.m.]

### Availability of Technical Guidance

Technical guidance documents are available on the Department of Environmental Protection's (Department) web site at <http://www.depweb.state.pa.us> (DEP Keywords: "Technical Guidance"). The "Final Documents" heading is the link to a menu of the various Department bureaus where each bureau's final technical guidance documents are posted. The "Draft Technical Guidance" heading is the link to the Department's draft technical guidance documents.

The Department will continue to revise its nonregulatory documents, as necessary, throughout 2009.

#### *Ordering Paper Copies of Department Technical Guidance*

The Department encourages the use of the Internet to view and download technical guidance documents. When this option is not available, persons can order a paper

### Pennsylvania Sunshine Program; Guidelines

The Department of Environmental Protection (Department) announces a stakeholder meeting to discuss improvements to the Pennsylvania Sunshine Program (Program). On November 4, 2009, the Department will host a public discussion on the Program guidelines. This meeting will be held from 10 a.m. to 12 p.m. in Room 105 of the Rachel Carson State Office Building, 400 Market Street, Harrisburg, PA 17105. RSVP for this meeting by emailing [arothrock@state.pa.us](mailto:arothrock@state.pa.us) or calling Angela Rothrock at (717) 772-8911.

This incentive program is for homeowners and small businesses undertaking solar energy projects. In May

2009, the Program began to provide \$100 million in rebates, to Commonwealth homeowners and small businesses to purchase and install solar photovoltaic and solar hot water systems. The Department is seeking suggestions for ways to improve upon the existing Program. The existing Program guidelines are available on the Department's web site at [www.depweb.state.pa.us/pasunshine](http://www.depweb.state.pa.us/pasunshine).

Persons in need of accommodations as provided for in the Americans With Disabilities Act of 1990 should contact Angela Rothrock at (717) 772-8911, or through the Pennsylvania AT&T Relay Service at (800) 654-5984 (TDD) to discuss how the Department may accommodate their needs.

JOHN HANGER,  
*Secretary*

[Pa.B. Doc. No. 09-1792. Filed for public inspection September 25, 2009, 9:00 a.m.]

## DEPARTMENT OF HEALTH

### Application of Albert Einstein Medical Center for Exception

Under 28 Pa. Code § 51.33 (relating to requests for exceptions), the Department of Health (Department) gives notice that Albert Einstein Medical Center has requested an exception to the requirements of 28 Pa. Code § 127.32 (relating to written orders).

This request is on file with the Department. Persons may receive a copy of a request for exception by requesting a copy from the Department of Health, Division of Acute and Ambulatory Care, Room 532, Health and Welfare Building, Harrisburg, PA 17120, (717) 783-8980, fax (717) 772-2163, [paexcept@health.state.pa.us](mailto:paexcept@health.state.pa.us).

This facility is requesting a waiver of the comment period, as set forth in 28 Pa. Code § 51.33(c).

Persons with a disability who wish to obtain a copy of a request and/or provide comments to the Department and require an auxiliary aid, service or other accommodation to do so should contact the Division at the previously listed address or phone numbers or for speech and/or hearing impaired persons V/TT (717) 783-6154 or the Pennsylvania AT&T Relay Service at (800) 654-5984.

EVERETTE JAMES,  
*Secretary*

[Pa.B. Doc. No. 09-1793. Filed for public inspection September 25, 2009, 9:00 a.m.]

### Application of Allegheny General Hospital for Exception

Under 28 Pa. Code § 51.33 (relating to requests for exceptions), the Department of Health (Department) gives notice that Allegheny General Hospital has requested an exception to the requirements of 28 Pa. Code §§ 103.31—103.35 (relating to management and administration of operations).

This request is on file with the Department. Persons may receive a copy of a request for exception by requesting a copy from the Department of Health, Division of Acute and Ambulatory Care, Room 532, Health and

Welfare Building, Harrisburg, PA 17120, (717) 783-8980, fax (717) 772-2163, [ra-paexcept@state.pa.us](mailto:ra-paexcept@state.pa.us).

Persons who wish to comment on an 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 10 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 wish to obtain a copy of a request and/or provide comments to the Department and require an auxiliary aid, service or other accommodation to do so should contact the Director, Division of Acute and Ambulatory Care at (717) 783-8980, for speech and/or hearing impaired persons V/TT (717) 783-6154 or the Pennsylvania AT&T Relay Service at (800) 654-5984 (TT).

EVERETTE JAMES,  
*Secretary*

[Pa.B. Doc. No. 09-1794. Filed for public inspection September 25, 2009, 9:00 a.m.]

### Application of Butler Memorial Hospital for Exception

Under 28 Pa. Code § 51.33 (relating to requests for exceptions), the Department of Health (Department) gives notice that Butler Memorial Hospital has requested an exception to the requirements of 28 Pa. Code § 153.1, which requires compliance with minimum standards contained in the following publication: *Guidelines for Design and Construction of Hospitals and Healthcare Facilities*. The facility specifically requests exemption from the following standards contained in this publication: 3.1.5.2.1 (relating to corridor width), 3.1.5.2.1.2 (relating to ceiling height) and 3.1.5.2.1.3 (relating to exits).

These requests are on file with the Department. Persons may receive a copy of a request for exception by requesting a copy from the Department of Health, Division of Acute and Ambulatory Care, Room 532, Health and Welfare Building, Harrisburg, PA 17120, (717) 783-8980, fax (717) 772-2163, [ra-paexcept@state.pa.us](mailto:ra-paexcept@state.pa.us).

Persons who wish to comment on an 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 10 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 wish to obtain a copy of the request and require an auxiliary aid, service or other accommodation to do so should contact the Director, Division of Acute and Ambulatory Care at (717) 783-8980, V/TT (717) 783-6154 for speech and/or hearing impaired persons or the Pennsylvania AT&T Relay Service at (800) 654-5984 (TT).

EVERETTE JAMES,  
*Secretary*

[Pa.B. Doc. No. 09-1795. Filed for public inspection September 25, 2009, 9:00 a.m.]



### Application of Canonsburg General Hospital for Exception

Under 28 Pa. Code § 51.33 (relating to requests for exceptions), the Department of Health (Department) gives notice that Canonsburg General Hospital has requested an exception to the requirements of 28 Pa. Code § 127.32 (relating to written orders).

This request is on file with the Department. Persons may receive a copy of a request for exception by requesting a copy from the Department of Health, Division of Acute and Ambulatory Care, Room 532, Health and Welfare Building, Harrisburg, PA 17120, (717) 783-8980, fax (717) 772-2163, paexcept@health.state.pa.us.

This facility is requesting a waiver of the comment period, as set forth in 28 Pa. Code § 51.33(c).

Persons with a disability who wish to obtain a copy of a request and/or provide comments to the Department and require an auxiliary aid, service or other accommodation to do so should contact the Division at the previously listed address or phone numbers, or for speech and/or hearing impaired persons V/TT (717) 783-6154 or the Pennsylvania AT&T Relay Service at (800) 654-5984.

EVERETTE JAMES,  
*Secretary*

[Pa.B. Doc. No. 09-1796. Filed for public inspection September 25, 2009, 9:00 a.m.]

### Application of Drexel Centers for Digestive Health for Exception

Under 28 Pa. Code § 51.33 (relating to requests for exceptions), the Department of Health (Department) gives notice that Drexel Centers for Digestive Health has requested an exception to the requirements of 28 Pa. Code §§ 551.3 and 555.31 (relating to definitions; and principle).

This request is on file with the Department. Persons may receive a copy of a request for exception by requesting a copy from the Department of Health, Division of Acute and Ambulatory Care, Room 532, Health and Welfare Building, Harrisburg, PA 17120, (717) 783-8980, fax (717) 772-2163, ra-paexcept@state.pa.us.

Persons who wish to comment on an 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 10 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 wish to obtain a copy of a request and/or provide comments to the Department and require an auxiliary aid, service or other accommodation to do so should contact the Director, Division of Acute and Ambulatory Care at (717) 783-8980, for speech and/or hearing impaired persons V/TT (717) 783-6154 or the Pennsylvania AT&T Relay Service at (800) 654-5984 (TT).

EVERETTE JAMES,  
*Secretary*

[Pa.B. Doc. No. 09-1797. Filed for public inspection September 25, 2009, 9:00 a.m.]

### Application for Exception to 28 Pa. Code § 107.61

Under 28 Pa. Code § 51.33 (relating to requests for exceptions), the Department of Health (Department) gives notice that the following facilities have requested an exception to the requirements of 28 Pa. Code § 107.61 (relating to written orders):

Children's Hospital of Pittsburgh of UPMC  
UPMC Braddock  
UPMC Passavant

These requests are on file with the Department. Persons may receive a copy of a request for exception by requesting a copy from the Department of Health, Division of Acute and Ambulatory Care, Room 532, Health and Welfare Building, Harrisburg, PA 17120, (717) 783-8980, fax (717) 772-2163, paexcept@health.state.pa.us.

Persons who wish to comment on an 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 10 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 wish to obtain a copy of a request and/or provide comments to the Department and require an auxiliary aid, service or other accommodation to do so should contact the Division at the previously listed address or phone numbers, or for speech and/or hearing impaired persons V/TT (717) 783-6154 or the Pennsylvania AT&T Relay Service at (800) 654-5984.

EVERETTE JAMES,  
*Secretary*

[Pa.B. Doc. No. 09-1798. Filed for public inspection September 25, 2009, 9:00 a.m.]

### Application for Exception to 28 Pa. Code § 551.21(d)(2)

Under 28 Pa. Code § 51.33 (relating to requests for exceptions), the Department of Health (Department) gives notice that the following facilities have requested an exception to the requirements of 28 Pa. Code § 551.21(d)(2) (relating to criteria for ambulatory surgery):

Crossroads Surgery Center  
Physicians Surgical Center  
The Physicians' Surgery Center Lancaster General, LLC  
Turks Head Surgery Center

These requests are on file with the Department. Persons may receive a copy of a request for exception by requesting a copy from the Department of Health, Division of Acute and Ambulatory Care, Room 532, Health and Welfare Building, Harrisburg, PA 17120, (717) 783-8980, fax (717) 772-2163, paexcept@health.state.pa.us.

These facilities are requesting a waiver of the comment period, as set forth in 28 Pa. Code § 51.33(c).

Persons with a disability who wish to obtain a copy of a request and/or provide comments to the Department and require an auxiliary aid, service or other accommodation to do so should contact the Division at the previously listed address or phone numbers, or for speech and/or

hearing impaired persons V/TT (717) 783-6154 or the Pennsylvania AT&T Relay Service at (800) 654-5984.

EVERETTE JAMES,  
Secretary

[Pa.B. Doc. No. 09-1799. Filed for public inspection September 25, 2009, 9:00 a.m.]

### Application of Hamot Medical Center for Exception

Under 28 Pa. Code § 51.33 (relating to requests for exceptions), the Department of Health (Department) gives notice that Hamot Medical Center has requested an exception to the requirements of 28 Pa. Code §§ 107.64 and 117.30 (relating to administration of drugs; and emergency paramedic services).

This request is on file with the Department. Persons may receive a copy of a request for exception by requesting a copy from the Department of Health, Division of Acute and Ambulatory Care, Room 532, Health and Welfare Building, Harrisburg, PA 17120, (717) 783-8980, fax (717) 772-2163, ra-paexcept@state.pa.us.

Those persons who wish to comment on an 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 10 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 wish to obtain a copy of a request and/or provide comments to the Department and require an auxiliary aid, service or other accommodation to do, so should contact the Director, Division of Acute and Ambulatory Care at (717) 783-8980, for speech and/or hearing impaired persons V/TT (717) 783-6154 or the Pennsylvania AT&T Relay Service at (800) 654-5984 (TT).

EVERETTE JAMES,  
Secretary

[Pa.B. Doc. No. 09-1800. Filed for public inspection September 25, 2009, 9:00 a.m.]

### Application of Kane Community Hospital for Exception

Under 28 Pa. Code § 51.33 (relating to requests for exceptions), the Department of Health (Department) gives notice that Kane Community Hospital has requested an exception to the requirements of 28 Pa. Code § 153.1, which requires compliance with minimum standards contained in the following publication: *Guidelines for Design and Construction of Hospitals and Healthcare Facilities*. The facility specifically requests exemption from the following standard contained in this publication: Table 2.1-5 (relating to medical air outlets).

The request is on file with the Department. Persons may receive a copy of a request for exception by requesting a copy from the Department of Health, Division of Acute and Ambulatory Care, Room 532, Health and Welfare Building, Harrisburg, PA 17120, (717) 783-8980, fax (717) 772-2163 ra-paexcept@state.pa.us.

Persons who wish to comment on an 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 10 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 wish to obtain a copy of the request and require an auxiliary aid, service or other accommodation to do so should contact the Director, Division of Acute and Ambulatory Care at (717) 783-8980, V/TT (717) 783-6154 for speech and/or hearing impaired persons or the Pennsylvania AT&T Relay Service at (800) 654-5984 (TT).

EVERETTE JAMES,  
Secretary

[Pa.B. Doc. No. 09-1801. Filed for public inspection September 25, 2009, 9:00 a.m.]

### Application of Lancaster Regional Medical Center for Exception

Under 28 Pa. Code § 51.33 (relating to requests for exceptions), the Department of Health (Department) gives notice that Lancaster Regional Medical Center has requested an exception to the requirements of 28 Pa. Code § 101.31(7) and (9)(iii) (relating to hospital requirements).

This facility has also requested an exception to the requirements of 28 Pa. Code § 153.1, which requires compliance with minimum standards contained in the following publication: *Guidelines for Design and Construction of Hospitals and Healthcare Facilities*. The facility specifically requests exemption from the following standard contained in this publication: 9.9.2(b)(1) (relating to general purpose exam room).

These requests are on file with the Department. Persons may receive a copy of a request for exception by requesting a copy from the Department of Health, Division of Acute and Ambulatory Care, Room 532, Health and Welfare Building, Harrisburg, PA 17120, (717) 783-8980, fax (717) 772-2163, ra-paexcept@state.pa.us.

Persons who wish to comment on an 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 10 days after the date of publication of this notice will be reviewed by the Department before it decides whether to approve or disapprove the request for exception.

Persons with a disability who wish to obtain a copy of a request and/or provide comments to the Department and require an auxiliary aid, service or other accommodation to do so should contact the Director, Division of Acute and Ambulatory Care at (717) 783-8980 for speech and/or hearing impaired persons V/TT (717) 783-6154 or the Pennsylvania AT&T Relay Service at (800) 654-5984 (TT).

EVERETTE JAMES,  
Secretary

[Pa.B. Doc. No. 09-1802. Filed for public inspection September 25, 2009, 9:00 a.m.]



### Application of Lee Ambulatory Surgery Facility for Exception

Under 28 Pa. Code § 51.33 (relating to requests for exceptions), the Department of Health (Department) gives notice that Lee Ambulatory Surgery Facility has requested an exception to the requirements of 28 Pa. Code §§ 551.3 and 555.32 (relating to definitions; and administration of anesthesia).

These requests are on file with the Department. Persons may receive a copy of a request for exception by requesting a copy from the Department of Health, Division of Acute and Ambulatory Care, Room 532, Health and Welfare Building, Harrisburg, PA 17120, (717) 783-8980, fax (717) 772-2163, ra-paexcept@state.pa.us.

Persons who wish to comment on an 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 10 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 wish to obtain a copy of a request and/or provide comments to the Department and require an auxiliary aid, service or other accommodation to do so should contact the Director, Division of Acute and Ambulatory Care at (717) 783-8980 for speech and/or hearing impaired persons V/TT (717) 783-6154 or the Pennsylvania AT&T Relay Service at (800) 654-5984 (TT).

EVERETTE JAMES,  
Secretary

[Pa.B. Doc. No. 09-1803. Filed for public inspection September 25, 2009, 9:00 a.m.]

### Application of Norwin Medical Commons for Exception

Under 28 Pa. Code § 51.33 (relating to requests for exceptions), the Department of Health (Department) gives notice that Norwin Medical Commons has requested an exception to the requirement of 28 Pa. Code § 569.35 (relating to general safety precautions).

This request is on file with the Department. Persons may receive a copy of a request for exception by requesting a copy from the Department of Health, Division of Acute and Ambulatory Care, Room 532, Health and Welfare Building, Harrisburg, PA 17120, (717) 783-8980, fax (717) 772-2163, paexcept@health.state.pa.us.

The facility is requesting a waiver of the comment period, as set forth in 28 Pa. Code § 51.33(c).

Persons with a disability who wish to obtain a copy of a request and/or provide comments to the Department and require an auxiliary aid, service or other accommodation to do so should contact the Division at the previously listed address or phone numbers, or for speech and/or hearing impaired persons V/TT (717) 783-6154 or the Pennsylvania AT&T Relay Service at (800) 654-5984.

EVERETTE JAMES,  
Secretary

[Pa.B. Doc. No. 09-1804. Filed for public inspection September 25, 2009, 9:00 a.m.]

### Application of Physicians Surgical Center for Exception

Under 28 Pa. Code § 51.33 (relating to requests for exceptions), the Department of Health (Department) gives notice that Physicians Surgical Center has requested an exception to the requirements of 28 Pa. Code § 153.1, which requires compliance with minimum standards contained in the following publication: *Guidelines for Design and Construction of Hospitals and Healthcare Facilities*. The facility specifically requests exemption from the following standard contained in this publication: 3.7—2.3.1.2 (relating class B operation room size).

The request is on file with the Department. Persons may receive a copy of a request for exception by requesting a copy from the Department of Health, Division of Acute and Ambulatory Care, Room 532, Health and Welfare Building, Harrisburg, PA 17120, (717) 783-8980, fax (717) 772-2163, ra-paexcept@state.pa.us.

Persons who wish to comment on an 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 10 days after the date of publication of this notice will be reviewed by the Department before it decides whether to approve or disapprove the request for exception.

Persons with a disability who wish to obtain a copy of the request and require an auxiliary aid, service or other accommodation to do so should contact the Director, Division of Acute and Ambulatory Care at (717) 783-8980, V/TT (717) 783-6154 for speech and/or hearing impaired persons or the Pennsylvania AT&T Relay Service at (800) 654-5984 (TT).

EVERETTE JAMES,  
Secretary

[Pa.B. Doc. No. 09-1805. Filed for public inspection September 25, 2009, 9:00 a.m.]

### Application of Pottstown Memorial Medical Center for Exception

Under 28 Pa. Code § 51.33 (relating to requests for exceptions), the Department of Health (Department) gives notice that Pottstown Memorial Medical Center has requested an exception to the requirements of 28 Pa. Code § 153.1, which requires compliance with minimum standards contained in the following publication: *Guidelines for Design and Construction of Hospitals and Healthcare Facilities*. The facility specifically requests exemption from the following standards contained in this publication: 2.1—5.5.6.2 (relating to patient toilets) and 2.1—5.5.8.5 (relating to patient holding area).

The request is on file with the Department. Persons may receive a copy of a request for exception by requesting a copy from the Department of Health, Division of Acute and Ambulatory Care, Room 532, Health and Welfare Building, Harrisburg, PA 17120, (717) 783-8980, fax (717) 772-2163, ra-paexcept@state.pa.us.

Persons who wish to comment on an 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 10 days after the date of publication of this notice will be

reviewed by the Department before it decides whether to approve or disapprove the request for exception.

Persons with a disability who wish to obtain a copy of the request and require an auxiliary aid, service or other accommodation to do so should contact the Director, Division of Acute and Ambulatory Care at (717) 783-8980 V/TT (717) 783-6154 for speech and/or hearing impaired persons or the Pennsylvania AT&T Relay Service at (800) 654-5984 (TT).

EVERETTE JAMES,  
*Secretary*

[Pa.B. Doc. No. 09-1806. Filed for public inspection September 25, 2009, 9:00 a.m.]

### Application of The Western Pennsylvania Hospital for Exception

Under 28 Pa. Code § 51.33 (relating to requests for exceptions), the Department of Health (Department) gives notice that The Western Pennsylvania Hospital has requested an exception to the requirements of 28 Pa. Code §§ 103.31—103.35 (relating to management and administration of operations).

This request is on file with the Department. Persons may receive a copy of a request for exception by requesting a copy from the Department of Health, Division of Acute and Ambulatory Care, Room 532, Health and Welfare Building, Harrisburg, PA 17120, (717) 783-8980, fax (717) 772-2163, ra-paexcept@state.pa.us.

Persons who wish to comment on an 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 10 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 wish to obtain a copy of a request and/or provide comments to the Department and require an auxiliary aid, service or other accommodation to do so should contact the Director, Division of Acute and Ambulatory Care at (717) 783-8980 for speech and/or hearing impaired persons V/TT (717) 783-6154 or the Pennsylvania AT&T Relay Service at (800) 654-5984 (TT).

EVERETTE JAMES,  
*Secretary*

[Pa.B. Doc. No. 09-1807. Filed for public inspection September 25, 2009, 9:00 a.m.]

### Approval of Drugs Which May Be Used by Certain Optometrists

Under the Optometric Practice and Licensure Act (act) (63 P. S. §§ 244.1—244.12), and specifically as the act was amended by the act of December 16, 2002 (P. L. 1950, No. 225) (Act 225), the Secretary of Health (Secretary) has the authority to approve drugs for use in the practice of optometry as the “practice of optometry” is defined in Act 225. The State Board of Optometry, through the Secretary of State, sent the Secretary a letter on August 7, 2009, requesting that the Secretary approve the use of the following drug. Act 225 requires that the Secretary,

within 90 days of the receipt of the list of drugs, and in consultation with the Physician General, approve or disapprove for good cause each drug. The Secretary has found good cause to approve the use of the following drug in the practice of optometry:

Besifloxacin ophthalmic suspension (Besivance®), topical solution only.

The approval of the use of this drug is effective upon publication of this notice in the *Pennsylvania Bulletin*.

Persons with a disability who require an alternative format of this notice (for example, large print, audiotape or Braille) should contact Janice Staloski, Director, Bureau of Community Program Licensure and Certification, 132 Kline Plaza, Suite A, Harrisburg, PA 17104, (717) 783-8665. For speech and/or hearing impaired persons V/TT (717) 783-6514 or the Pennsylvania AT&T Relay Services at (800) 654-5984 (TT).

EVERETTE JAMES,  
*Secretary*

[Pa.B. Doc. No. 09-1808. Filed for public inspection September 25, 2009, 9:00 a.m.]

### Infant Hearing Screening Advisory Committee Meeting

The Infant Hearing Screening Advisory Committee, established under the Infant Hearing Education Assessment, Reporting and Referral Act (11 P. S. §§ 876-1—876-9) will hold a public meeting from 10 a.m. to 3 p.m. on Wednesday, November 4, 2009, at the Dixon University Center, Administration Building, Conference Rooms A/B, 2986 North 2nd Street, Harrisburg, PA 17110. Driving directions can be found on the Dixon University web site at: [www.dixonuniversitycenter.org](http://www.dixonuniversitycenter.org).

For additional information or persons with a disability and who wish to attend the meeting and require auxiliary aid, service or other accommodation to do so should contact Arthur A. Florio, Public Health Program Administrator, Newborn Hearing Screening Program, Division of Newborn Screening and Genetics at (717) 783-8143. Speech and/or hearing impaired persons use V/TT (717) 783-6514 or the Pennsylvania AT&T Relay Service at (800) 654-5984 (TT).

This meeting is subject to cancellation without notice.

EVERETTE JAMES,  
*Secretary*

[Pa.B. Doc. No. 09-1809. Filed for public inspection September 25, 2009, 9:00 a.m.]

### Long-Term Care Nursing Facilities; Requests for Exception

The following long-term care nursing facility is seeking an exception to 28 Pa. Code § 205.67(j)—(k) (relating to electrical requirements for existing and new construction).

Countryside Christian Community  
200 Bellann Court  
Annville, PA 17003  
FAC ID 470802

The following long-term care nursing facility is seeking an exception to 28 Pa. Code § 211.3 (relating to oral and telephone orders).

Charles Cole Memorial Hospital ECF  
1001 East Second Street  
Coudersport, PA 16915  
FAC ID 031802

These requests are on file with the 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, ra-paexcept@state.pa.us.

Persons who wish to comment on an 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 it decides whether to approve or disapprove the request for exception.

Persons with a disability who wish to obtain a copy of the request and/or provide comments to the Department and require an auxiliary aid, service or other accommodation to do so should contact V/TT (717) 783-6514 for speech and/or hearing impaired persons or the Pennsylvania AT&T Relay Service at (800) 654-5984 (TT).

EVERETTE JAMES,  
*Secretary*

[Pa.B. Doc. No. 09-1810. Filed for public inspection September 25, 2009, 9:00 a.m.]

### Organ Donation Advisory Committee Meeting

The Organ Donation Advisory Committee, established under 20 Pa.C.S. § 8622 (relating to The Governor Robert P. Casey Memorial Organ and Tissue Donation Awareness Trust Fund), will hold a public meeting on Tuesday, October 22, 2009, from 10 a.m. to 3 p.m. The meeting will be held at the Giant Community Center, 2nd Floor, Giant Food Store, 3301 Trindle Road, Camp Hill, PA 17011.

For additional information or persons with a disability and who wish to attend the meeting and require an auxiliary aid, service or other accommodation to do so should contact Cyndi Malinen, Public Health Program Administrator, Division of Nutrition and Physical Activity, Bureau of Health Promotion and Risk Reduction, Room 1000, Health and Welfare Building, Harrisburg, PA at (717) 787-5876 or for speech and/or hearing impaired persons V/TT (717) 783-6514 or the Pennsylvania AT&T Relay Service at (800) 654-5984.

This meeting is subject to cancellation without notice.

EVERETTE JAMES,  
*Secretary*

[Pa.B. Doc. No. 09-1811. Filed for public inspection September 25, 2009, 9:00 a.m.]

## DEPARTMENT OF PUBLIC WELFARE

### Disproportionate Share and Supplemental Hospital Payments

#### *Purpose of Notice*

The Department of Public Welfare (Department) is announcing its intent to reduce funding for inpatient disproportionate share hospital (DSH), outpatient DSH, and direct medical education payments distributed during Fiscal Year (FY) 2009-2010, as a result of anticipated reductions in funding allocations proposed during the ongoing 2009-2010 Commonwealth budget negotiations. The Department believes this action is necessary to ensure that the Medical Assistance (MA) Program is able to operate within the funding allocated for the Program under the 2009-2010 Commonwealth budget. Upon enactment of the final FY 2009-2010 Commonwealth budget, the Department will issue notice detailing the actual funds to be distributed for the payments with reduced funding allocations.

The Department proposes to reduce DSH funding distributed in FY 2009-2010 for inpatient DSH payments. The Department also proposes to reduce funding for outpatient DSH and direct medical education which are classes of payments separate from and in addition to the payments made to hospitals for inpatient hospital services provided to MA recipients and are not otherwise required to be made under State or Federal law.

#### *Fiscal Impact*

The FY 2009-2010 fiscal impact, as a result of the changes to these payments is up to \$158.219 million (\$55.608 million in State Funds).

#### *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 revision of the notice.

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-624. No fiscal impact; (8) recommends adoption.

[Pa.B. Doc. No. 09-1812. Filed for public inspection September 25, 2009, 9:00 a.m.]

### Medical Assistance Program Fee Schedule Revisions

#### Purpose of Notice

The Department of Public Welfare (Department) announces that it will revise the fees, or a component of the fee, on the Medical Assistance (MA) Program Fee Schedule for select medical, surgical, laboratory, durable medical equipment and radiological services effective October 5, 2009.

#### Fee Schedule Revisions

The Pennsylvania Medicaid State Plan (State Plan) specifies that maximum fees for services covered under the MA Program are to be determined on the basis of the following: fees may not exceed the Medicare upper limit when applicable; fees must be consistent with efficiency, economy and quality of care; and fees must be sufficient to assure the availability of services to recipients. The regulations at 55 Pa. Code § 1150.62(a) (relating to payment levels and notice of rate setting changes) also specify that the MA fees may not exceed the Medicare upper limit.

The Department has determined that MA fees for approximately 320 medical, surgical, laboratory, durable medical equipment and radiological procedure codes or combinations of procedure codes and modifiers, are above the Medicare upper limit for the same procedure codes. The Department is adjusting the fees on the MA Program Fee Schedule for these combinations of procedure codes and modifiers to equal the Medicare upper limit. Revision of these fees is necessary to comply with the regulation and State Plan, and to avoid a Federal disallowance. When adjusting the assistant surgeon fee (modifier 80), the Department followed the Medicare guidelines of paying 16% of the maximum allowable payment to a primary surgeon, as MA fees may not exceed the Medicare upper limit.

The Department has revised the total fee (billed with no modifier) and, as applicable, the professional component fee (billed with modifier 26), the technical component fee (billed with modifier TC), the assistant surgeon fee (billed with modifier 80), and the fee when billing for the purchase (NU) or rental (RR) of Durable Medical Equipment; "N/A" indicates that the modifier is not on the MA Program Fee Schedule for the procedure code, and "N/C" indicates that there is no change in the fee associated with the modifier:

<i>Procedure Code / Modifier NU or RR where indicated</i>	<i>Procedure Code Description</i>	<i>Assistant Surgeon fee Revision (Billing with Modifier 80)</i>	<i>Professional Component Fee Revision (Billing with Modifier 26)</i>	<i>Technical Component Fee Revision (Billing with Modifier TC)</i>	<i>Billing with No Modifier or with Pricing Modifiers NU or RR</i>
15600	Delay of flap or sectioning of flap (division and inset); at trunk	N/A	N/A	N/A	\$174.94
15610	Delay of flap or sectioning of flap (division and inset); at scalp, arms, or legs	N/A	N/A	N/A	\$207.79
17003	Destruction (e.g., laser surgery, electrosurgery, cryosurgery, chemosurgery, surgical curettement), premalignant lesions (e.g., actinic keratoses); second through 14 lesions, each (List separately in addition to code for first lesion)	N/A	N/A	N/A	\$4.25
20900	Bone graft, any donor area; minor or small (e.g., dowel or button)	\$39.40	N/A	N/A	\$246.27
23921	Disarticulation of shoulder; secondary closure or scar revision	N/A	N/A	N/A	\$354.51
26432	Closed treatment of distal extensor tendon insertion, with or without percutaneous pinning (e.g., mallet finger)	N/A	N/A	N/A	\$426.63
26434	Repair of extensor tendon, distal insertion, primary or secondary; with free graft (includes obtaining graft)	N/A	N/A	N/A	\$553.32
26510	Cross intrinsic transfer, each tendon	\$82.41	N/A	N/A	\$515.05
26591	Repair, intrinsic muscles of hand, each muscle	N/A	N/A	N/A	\$372.93
26593	Release, intrinsic muscles of hand, each muscle	N/A	N/A	N/A	\$513.36
27250	Closed treatment of hip dislocation, traumatic; without anesthesia	N/A	N/A	N/A	\$219.33



<i>Procedure Code / Modifier NU or RR where indicated</i>	<i>Procedure Code Description</i>	<i>Assistant Surgeon fee Revision (Billing with Modifier 80)</i>	<i>Professional Component Fee Revision (Billing with Modifier 26)</i>	<i>Technical Component Fee Revision (Billing with Modifier TC)</i>	<i>Billing with No Modifier or with Pricing Modifiers NU or RR</i>
27740	Arrest, epiphyseal (epiphysiodesis), any method, combined, proximal and distal tibia and fibula;	\$97.27	N/A	N/A	\$607.94
28456	Percutaneous skeletal fixation of tarsal bone fracture (except talus and calcaneus), with manipulation, each	N/A	N/A	N/A	\$239.78
28530	Closed treatment of sesamoid fracture	N/A	N/A	N/A	\$89.45
29520	Strapping; hip	N/A	N/A	N/A	\$32.99
30150	Rhinectomy; partial	N/A	N/A	N/A	\$694.00
36598	Contrast injection(s) for radiologic evaluation of existing central venous access device, including fluoroscopy, image documentation and report	N/A	N/A	N/A	\$58.00
41510	Suture of tongue to lip for micrognathia (Douglas type procedure)	N/A	N/A	N/A	\$351.41
41825	Excision of lesion or tumor (except listed above), dentoalveolar structures; without repair	N/A	N/A	N/A	\$110.59
42220	Palatoplasty for cleft palate; secondary lengthening procedure	\$78.13	N/A	N/A	\$488.29
42509	Parotid duct diversion, bilateral (Wilke type procedure); with excision of both submandibular glands	N/A	N/A	N/A	\$750.02
46614	Anoscopy; with control of bleeding (e.g., injection, bipolar cautery, unipolar cautery, laser, heater probe, stapler, plasma coagulator)	N/A	N/A	N/A	\$64.21
47525	Change of percutaneous biliary drainage catheter	N/A	N/A	N/A	\$124.12
51102	Aspiration of bladder; with insertion of suprapubic catheter	N/A	N/A	N/A	\$154.34
52400	Cystourethroscopy with incision, fulguration, or resection of congenital posterior urethral valves, or congenital obstructive hypertrophic mucosal folds	\$79.25	N/A	N/A	\$495.31
52640	Transurethral resection; of postoperative bladder neck contracture	N/A	N/A	N/A	\$306.02
62350	Implantation, revision or repositioning of tunneled intrathecal or epidural catheter, for long-term medication administration via an external pump or implantable reservoir/infusion pump; without laminectomy	\$57.48	N/A	N/A	\$359.25
62355	Removal of previously implanted intrathecal or epidural catheter	\$42.91	N/A	N/A	\$268.17
62362	Implantation or replacement of device for intrathecal or epidural drug infusion; programmable pump, including preparation of pump, with or without programming	\$60.58	N/A	N/A	\$378.64
62365	Removal of subcutaneous reservoir or pump, previously implanted for intrathecal or epidural infusion	\$47.60	N/A	N/A	\$297.52



<i>Procedure Code / Modifier NU or RR where indicated</i>	<i>Procedure Code Description</i>	<i>Assistant Surgeon fee Revision (Billing with Modifier 80)</i>	<i>Professional Component Fee Revision (Billing with Modifier 26)</i>	<i>Technical Component Fee Revision (Billing with Modifier TC)</i>	<i>Billing with No Modifier or with Pricing Modifiers NU or RR</i>
63650	Percutaneous implantation of neurostimulator electrode array, epidural	N/A	N/A	N/A	\$372.95
64416	Injection, anesthetic agent; brachial plexus, continuous infusion by catheter (including catheter placement)	N/A	N/A	N/A	\$89.38
64446	Injection, anesthetic agent; sciatic nerve, continuous infusion by catheter (including catheter placement)	N/A	N/A	N/A	\$87.42
64448	Injection, anesthetic agent; femoral nerve, continuous infusion by catheter (including catheter placement)	N/A	N/A	N/A	\$77.48
64449	Injection, anesthetic agent; lumbar plexus, posterior approach, continuous infusion by catheter (including catheter placement)	N/A	N/A	N/A	\$85.81
64585	Revision or removal of peripheral neurostimulator electrodes	N/A	N/A	N/A	\$145.54
64590	Insertion or replacement of peripheral or gastric neurostimulator pulse generator or receiver, direct or inductive coupling	\$25.99	N/A	N/A	\$162.41
64595	Revision or removal of peripheral or gastric neurostimulator pulse generator or receiver	N/A	N/A	N/A	\$128.57
65150	Reinsertion of ocular implant; with or without conjunctival graft	N/A	N/A	N/A	\$469.22
66820	Discission of secondary membranous cataract (opacified posterior lens capsule and/or anterior hyaloid); stab incision technique (Ziegler or Wheeler knife)	N/A	N/A	N/A	\$315.96
69120	Excision external ear; complete amputation	N/A	N/A	N/A	\$348.46
70140	Radiologic examination, facial bones; less than 3 views	N/A	\$9.24	\$18.91	\$28.15
70350	Cephalogram, orthodontic	N/A	\$8.52	\$10.79	\$19.31
70355	Orthopantogram	N/A	\$9.94	\$11.90	\$21.84
70371	Complex dynamic pharyngeal and speech evaluation by cine or video recording	N/A	\$40.86	\$52.05	\$92.91
72020	Radiologic examination, spine, single view, specify level	N/A	N/C	\$14.46	\$21.40
72070	Radiologic examination, spine; thoracic, 2 views	N/A	N/C	\$20.91	\$30.94
73020	Radiologic examination, shoulder; 1 view	N/A	\$7.47	\$14.46	\$21.93
73542	Radiological examination, sacroiliac joint arthrography, radiological supervision and interpretation	N/A	\$27.79	\$47.38	\$75.17
74485	Dilation of nephrostomy, ureters, or urethra, radiological supervision and interpretation	N/A	\$27.65	\$84.36	\$112.01

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75962	Transluminal balloon angioplasty, peripheral artery, radiological supervision and interpretation	N/A	\$27.32	\$243.87	\$271.19
75964	Transluminal balloon angioplasty, each additional peripheral artery, radiological supervision and interpretation (List separately in addition to code for primary procedure)	N/A	\$18.49	\$140.87	\$159.36
75966	Transluminal balloon angioplasty, renal or other visceral artery, radiological supervision and interpretation	N/A	\$67.94	\$250.21	\$318.15
75968	Transluminal balloon angioplasty, each additional visceral artery, radiological supervision and interpretation (List separately in addition to code for primary procedure)	N/A	\$18.77	\$140.87	\$159.64
75978	Transluminal balloon angioplasty, venous (e.g., subclavian stenosis), radiological supervision and interpretation	N/A	\$26.59	\$240.20	\$266.79
75994	Transluminal atherectomy, renal, radiological supervision and interpretation	N/A	\$61.99	N/C	\$585.68
76098	Radiological examination, surgical specimen	N/A	\$8.16	\$10.79	\$18.95
76377	3D rendering with interpretation and reporting of computed tomography, magnetic resonance imaging, ultrasound, or other tomographic modality; requiring image postprocessing on an independent workstation	N/A	\$41.28	\$68.47	\$109.75
76511	Ophthalmic ultrasound, diagnostic; quantitative A-scan only	N/A	N/C	\$44.76	\$75.76
76512	Ophthalmic ultrasound, diagnostic; B-scan (with or without superimposed non-quantitative A-scan)	N/A	N/C	\$39.60	\$77.10
76516	Ophthalmic biometry by ultrasound echography, A-scan;	N/A	\$26.87	\$36.76	\$63.63
76519	Ophthalmic biometry by ultrasound echography, A-scan; with intraocular lens power calculation	N/A	\$27.21	\$40.76	\$67.97
76529	Ophthalmic ultrasonic foreign body localization	N/A	\$28.67	\$36.15	\$64.82
76811	Ultrasound, pregnant uterus, real time with image documentation, fetal and maternal evaluation plus detailed fetal anatomic examination, transabdominal approach; single or first gestation	N/A	\$92.38	\$107.51	\$199.89
76820	Doppler velocimetry, fetal; umbilical artery	N/A	\$24.54	\$28.37	\$52.91
76827	Doppler echocardiography, fetal, pulsed wave and/or continuous wave with spectral display; complete	N/A	\$28.04	\$41.04	\$69.08

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76828	Doppler echocardiography, fetal, pulsed wave and/or continuous wave with spectral display; follow-up or repeat study	N/A	\$27.37	\$24.14	\$51.51
76936	Ultrasound guided compression repair of arterial pseudoaneurysm or arteriovenous fistulae (includes diagnostic ultrasound evaluation, compression of lesion and imaging)	N/A	\$101.19	\$88.25	\$189.44
76946	Ultrasonic guidance for amniocentesis, imaging supervision and interpretation	N/A	\$18.49	\$24.92	\$43.41
76977	Ultrasound bone density measurement and interpretation, peripheral site(s), any method	N/A	\$2.86	\$10.96	\$13.82
77003	Fluoroscopic guidance and localization of needle or catheter tip for spine or paraspinal diagnostic or therapeutic injection procedures (epidural, transforaminal epidural, subarachnoid, paravertebral facet joint, paravertebral facet joint nerve, or sacroiliac joint), including neurolytic agent destruction	N/A	N/C	\$29.08	\$50.29
77012	Computed tomography guidance for needle placement (e.g., biopsy, aspiration, injection, localization device), radiological supervision and interpretation	N/A	\$58.46	\$132.81	\$191.27
77031	Stereotactic localization guidance for breast biopsy or needle placement (e.g., for wire localization or for injection), each lesion, radiological supervision and interpretation	N/A	\$79.87	\$107.17	\$187.04
77032	Mammographic guidance for needle placement, breast (e.g., for wire localization or for injection), each lesion, radiological supervision and interpretation	N/A	N/C	\$29.42	\$50.00
77051	Computer-aided detection (computer algorithm analysis of digital image data for lesion detection) with further physician review for interpretation, with or without digitization of film radiographic images; diagnostic mammography (List separately in addition to code for primary procedure)	N/A	\$3.22	\$8.40	\$11.62
77052	Computer-aided detection (computer algorithm analysis of digital image data for lesion detection) with further physician review for interpretation, with or without digitization of film radiographic images; screening mammography (List separately in addition to code for primary procedure)	N/A	\$3.22	\$8.40	\$11.62
77053	Mammary ductogram or galactogram, single duct, radiological supervision and interpretation	N/A	\$18.10	\$54.83	\$72.93
77077	Joint survey, single view, 2 or more joints (specify)	N/A	N/C	\$25.03	\$36.74

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77079	Computed tomography, bone mineral density study, 1 or more sites; appendicular skeleton (peripheral) (e.g., radius, wrist, heel)	N/A	\$10.33	\$43.65	\$53.98
77081	Dual-energy X-ray absorptiometry (DXA), bone density study, 1 or more sites; appendicular skeleton (peripheral) (e.g., radius, wrist, heel)	N/A	\$10.66	\$18.30	\$28.96
77083	Radiographic absorptiometry (e.g., photodensitometry, radiogrammetry), 1 or more sites	N/A	\$9.60	\$15.96	\$25.56
77295	Therapeutic radiology simulation-aided field setting; 3-dimensional	N/A	\$225.14	\$436.36	\$661.50
77331	Special dosimetry (e.g., TLD, microdosimetry) (specify), only when prescribed by the treating physician	N/A	N/C	\$17.46	\$57.81
77333	Treatment devices, design and construction; intermediate (multiple blocks, stents, bite blocks, special bolus)	N/A	\$41.53	\$25.97	\$67.50
77417	Therapeutic radiology port film(s)	N/A	N/A	N/A	\$15.24
77418	Intensity modulated treatment delivery, single or multiple fields/arcs, by means of narrow spatially and temporally modulated beams, binary, dynamic MLC, per treatment session	N/A	N/A	N/A	\$478.80
78320	Bone and/or joint imaging; tomographic (SPECT)	N/A	\$52.08	\$185.90	\$237.98
78461	Myocardial perfusion imaging; multiple studies (planar), at rest and/or stress (exercise and/or pharmacologic), and redistribution and/or rest injection, with or without quantification	N/A	\$62.32	\$137.52	\$199.84
78464	Myocardial perfusion imaging; tomographic (SPECT), single study (including attenuation correction when performed), at rest or stress (exercise and/or pharmacologic), with or without quantification	N/A	\$57.22	\$201.92	\$259.14
78478	Myocardial perfusion study with wall motion, qualitative or quantitative study (List separately in addition to code for primary procedure)	N/A	\$26.82	\$30.25	\$57.07
78480	Myocardial perfusion study with ejection fraction (List separately in addition to code for primary procedure)	N/A	\$17.27	\$30.25	\$47.52
78710	Kidney imaging morphology; tomographic (SPECT)	N/A	\$33.31	\$186.57	\$219.88
79005	Radiopharmaceutical therapy, by oral administration	N/A	N/C	\$58.84	\$132.03
79101	Radiopharmaceutical therapy, by intravenous administration	N/A	N/C	\$63.84	\$143.82
79200	Radiopharmaceutical therapy, by intracavitary administration	N/A	N/C	\$68.51	\$133.51

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79403	Radiopharmaceutical therapy, radiolabeled monoclonal antibody by intravenous infusion	N/A	\$114.07	\$95.87	\$209.94
80047	Basic metabolic panel (Calcium, ionized)	N/A	N/A	N/A	\$12.36
88182	Flow cytometry, cell cycle or DNA analysis	N/A	\$34.95	N/C	\$41.31
89230	Sweat collection by iontophoresis	N/A	N/A	N/A	\$3.78
91022	Duodenal motility (manometric) study	N/A	N/C	\$98.75	\$158.07
91034	Esophagus, gastroesophageal reflux test; with nasal catheter pH electrode(s) placement, recording, analysis and interpretation	N/A	N/C	\$131.78	\$172.10
91040	Esophageal balloon distension provocation study	N/A	N/C	\$291.58	\$331.90
92270	Electro-oculography with interpretation and report	N/A	\$39.39	\$38.48	\$77.87
92284	Dark adaptation examination with interpretation and report	N/A	\$11.38	\$40.76	\$52.14
92565	Stenger test, pure tone	N/A	N/A	N/A	\$11.90
92577	Stenger test, speech	N/A	N/A	N/A	\$16.41
92586	Auditory evoked potentials for evoked response audiometry and/or testing of the central nervous system; limited	N/A	\$23.14	\$34.70	\$57.84
92587	Evoked otoacoustic emissions; limited (single stimulus level, either transient or distortion products)	N/A	\$6.74	\$29.98	\$36.72
92588	Evoked otoacoustic emissions; comprehensive or diagnostic evaluation (comparison of transient and/or distortion product otoacoustic emissions at multiple levels and frequencies)	N/A	\$17.71	\$42.10	\$59.81
92977	Thrombolysis, coronary; by intravenous infusion	N/A	N/A	N/A	\$126.69
93000	Electrocardiogram, routine ECG with at least 12 leads; with interpretation and report	N/A	N/A	N/A	\$19.98
93005	Electrocardiogram, routine ECG with at least 12 leads; tracing only, without interpretation and report	N/A	N/A	N/A	\$11.12
93015	Cardiovascular stress test using maximal or submaximal treadmill or bicycle exercise, continuous electrocardiographic monitoring, and/or pharmacological stress; with physician supervision, with interpretation and report	N/A	N/A	N/A	\$95.56
93041	Rhythm ECG, 1-3 leads; tracing only without interpretation and report	N/A	N/A	N/A	\$5.06



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93224	Wearable electrocardiographic rhythm derived monitoring for 24 hours by continuous original waveform recording and storage, with visual superimposition scanning; includes recording, scanning analysis with report, physician review and interpretation	N/A	N/A	N/A	\$113.18
93226	Wearable electrocardiographic rhythm derived monitoring for 24 hours by continuous original waveform recording and storage, with visual superimposition scanning; scanning analysis with report	N/A	N/A	N/A	\$51.83
93270	Wearable patient activated electrocardiographic rhythm derived event recording with presymptom memory loop, 24-hour attended monitoring, per 30 day period of time; recording (includes connection, recording, and disconnection)	N/A	N/A	N/A	\$20.47
93278	Signal-averaged electrocardiography (SAECG), with or without ECG	N/A	\$12.74	\$26.31	\$39.05
93321	Doppler echocardiography, pulsed wave and/or continuous wave with spectral display (List separately in addition to codes for echocardiographic imaging); follow-up or limited study (List separately in addition to codes for echocardiographic imaging)	N/A	\$8.13	\$25.14	\$33.27
93555	Imaging supervision, interpretation and report for injection procedure(s) during cardiac catheterization; ventricular and/or atrial angiography	N/A	\$43.73	\$69.64	\$113.37
93556	Imaging supervision, interpretation and report for injection procedure(s) during cardiac catheterization; pulmonary angiography, aortography, and/or selective coronary angiography including venous bypass grafts and arterial conduits (whether native or used in bypass)	N/A	\$44.78	\$112.96	\$157.74
93724	Electronic analysis of antitachycardia pacemaker system (includes electrocardiographic recording, programming of device, induction and termination of tachycardia via implanted pacemaker, and interpretation of recordings)	N/A	\$261.25	\$63.74	\$324.99
95027	Intracutaneous (intra-dermal) tests, sequential and incremental, with allergenic extracts for airborne allergens, immediate type reaction, including test interpretation and report by a physician, specify number of tests	N/A	N/A	N/A	\$4.42
95834	Muscle testing, manual (separate procedure) with report; total evaluation of body, including hands	N/A	N/A	N/A	\$29.15

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97597	Removal of devitalized tissue from wound(s), selective debridement, without anesthesia (e.g., high pressure waterjet with/without suction, sharp selective debridement with scissors, scalpel and forceps), with or without topical application(s), wound assessment, and instruction(s) for ongoing care, may include use of a whirlpool, per session; total wound(s) surface area less than or equal to 20 square centimeters	N/A	N/A	N/A	\$31.54
97598	Removal of devitalized tissue from wound(s), selective debridement, without anesthesia (e.g., high pressure waterjet with/without suction, sharp selective debridement with scissors, scalpel and forceps), with or without topical application(s), wound assessment, and instruction(s) for ongoing care, may include use of a whirlpool, per session; total wound(s) surface area greater than 20 square centimeters	N/A	N/A	N/A	\$41.81
A4615	Cannula, nasal	N/A	N/A	N/A	\$0.75
A4620	Variable concentration mask	N/A	N/A	N/A	\$0.62
E0143-RR	Walker, folding, wheeled, adjustable or fixed height	N/A	N/A	N/A	\$19.54
E0158-NU	Leg extensions for walker, per set of 4	N/A	N/A	N/A	\$29.12
E0250-RR	Hospital bed, fixed height, with any type side rails, with mattress	N/A	N/A	N/A	\$88.47
E0251-RR	Hospital bed, fixed height, with any type side rails, without mattress	N/A	N/A	N/A	\$67.04
E0255-RR	Hospital bed, variable height, hi-lo, with any type side rails, with mattress	N/A	N/A	N/A	\$103.50
E0256-RR	Hospital bed, variable height, hi-lo, with any type side rails, without mattress	N/A	N/A	N/A	\$70.67
E0260-RR	Hospital bed, semi-electric (head and foot adjustment), with any type side rails, with mattress	N/A	N/A	N/A	\$127.12
E0261-RR	Hospital bed, semi-electric (head and foot adjustment), with any type side rails, without mattress	N/A	N/A	N/A	\$116.43
E0271-RR	Mattress, innerspring	N/A	N/A	N/A	\$20.87
E0272-RR	Mattress, foam rubber	N/A	N/A	N/A	\$19.12
E0280-NU	Bed cradle, any type	N/A	N/A	N/A	\$33.49
E0290-RR	Hospital bed, fixed height, without side rails, with mattress	N/A	N/A	N/A	\$67.64
E0291-RR	Hospital bed, fixed height, without side rails, without mattress	N/A	N/A	N/A	\$49.14
E0292-RR	Hospital bed, variable height, hi-lo, without side rails, with mattress	N/A	N/A	N/A	\$73.37
E0293-RR	Hospital bed, variable height, hi-lo, without side rails, without mattress	N/A	N/A	N/A	\$64.72

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E0296-RR	Hospital bed, total electric (head, foot, and height adjustments), without side rails, with mattress	N/A	N/A	N/A	\$148.60
E0297-RR	Hospital bed, total electric (head, foot, and height adjustments), without side rails, without mattress	N/A	N/A	N/A	\$127.31
E0424-RR	Stationary compressed gaseous oxygen system, rental; includes container, contents, regulator, flowmeter, humidifier, nebulizer, cannula or mask, and tubing	N/A	N/A	N/A	\$175.79
E0431-RR	Portable gaseous oxygen system, rental; includes portable container, regulator, flowmeter, humidifier, cannula or mask, and tubing	N/A	N/A	N/A	\$28.77
E0434-RR	Portable liquid oxygen system, rental; includes portable container, supply reservoir, humidifier, flowmeter, refill adaptor, contents gauge, cannula or mask, and tubing	N/A	N/A	N/A	\$28.77
E0439-RR	Stationary liquid oxygen system, rental; includes container, contents, regulator, flowmeter, humidifier, nebulizer, cannula or mask and tubing	N/A	N/A	N/A	\$175.79
E0560-RR	Humidifier, durable for supplemental humidification during IPPB treatment or oxygen delivery	N/A	N/A	N/A	\$18.19
E0776-NU	IV pole	N/A	N/A	N/A	\$98.86
E0910-RR	Trapeze bars, also known as Patient Helper, attached to bed, with grab bar	N/A	N/A	N/A	\$18.10
E1390-RR	Oxygen concentrator, single delivery port, capable of delivering 85% or greater oxygen concentration at the prescribed flow rate	N/A	N/A	N/A	\$175.79
E1391-RR	Oxygen concentrator, dual delivery port, capable of delivering 85% or greater oxygen concentration at the prescribed flow rate, each	N/A	N/A	N/A	\$175.79
E1405-RR	Oxygen and water vapor enriching system with heated delivery	N/A	N/A	N/A	\$212.61
E1406-RR	Oxygen and water vapor enriching system without heated delivery	N/A	N/A	N/A	\$192.70
E2209-NU	Accessory, arm trough, with or without hand support, each	N/A	N/A	N/A	\$96.98
E2209-RR	Accessory, arm trough, with or without hand support, each	N/A	N/A	N/A	\$9.72
E2210-NU	Wheelchair accessory, bearings, any type, replacement only, each	N/A	N/A	N/A	\$5.93
E2601-NU	General use wheelchair seat cushion, width less than 22 inch, any depth	N/A	N/A	N/A	\$55.35
E2601-RR	General use wheelchair seat cushion, width less than 22 inch, any depth	N/A	N/A	N/A	\$5.55
E2602-NU	General use wheelchair seat cushion, width 22 inch or greater, any depth	N/A	N/A	N/A	\$108.06

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E2602-RR	General use wheelchair seat cushion, width 22 inch or greater, any depth	N/A	N/A	N/A	\$10.81
E2603-NU	Skin protection wheelchair seat cushion, width less than 22 inch, any depth	N/A	N/A	N/A	\$137.19
E2603-RR	Skin protection wheelchair seat cushion, width less than 22 inch, any depth	N/A	N/A	N/A	\$13.73
E2604-NU	Skin protection wheelchair seat cushion, width 22 inch or greater, any depth	N/A	N/A	N/A	\$170.51
E2604-RR	Skin protection wheelchair seat cushion, width 22 inch or greater, any depth	N/A	N/A	N/A	\$17.04
E2605-NU	Positioning wheelchair seat cushion, width less than 22 inch, any depth	N/A	N/A	N/A	\$243.60
E2605-RR	Positioning wheelchair seat cushion, width less than 22 inch, any depth	N/A	N/A	N/A	\$24.37
E2611-NU	General use wheelchair back cushion, width less than 22 inch, any height, including any type mounting hardware	N/A	N/A	N/A	\$282.68
E2611-RR	General use wheelchair back cushion, width less than 22 inch, any height, including any type mounting hardware	N/A	N/A	N/A	\$28.26
E2612-NU	General use wheelchair back cushion, width 22 inch or greater, any height, including any type mounting hardware	N/A	N/A	N/A	\$382.40
E2612-RR	General use wheelchair back cushion, width 22 inch or greater, any height, including any type mounting hardware	N/A	N/A	N/A	\$38.24
G0108	Diabetes outpatient self-management training services, individual, per 30 minutes	N/A	N/A	N/A	\$21.41
G0109	Diabetes outpatient self-management training services, group session (2 or more), per 30 minutes	N/A	N/A	N/A	\$12.07
Q0035	Cardiokymography	N/A	\$8.19	\$10.12	\$18.31

*Fiscal Impact*

It is anticipated that these revisions will result in savings of \$0.979 million (\$0.351 million in State funds) in the MA Outpatient Program in Fiscal Year (FY) 2009-2010 and annualized savings of \$1.679 million (\$0.694 million in State funds) in FY 2010-2011. These State fund estimates are based on the increased Federal Medical Assistance Percentages as determined under the American Recovery and Reinvestment Act (ARRA) of 2009.

*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 of the MA Program Fee Schedule.

Persons with a disability who require 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-622. No fiscal impact; (8) recommends adoption.

[Pa.B. Doc. No. 09-1813. Filed for public inspection September 25, 2009, 9:00 a.m.]



## FISH AND BOAT COMMISSION

### Proposed Removal from List of Class A Wild Trout Waters Section of Cross Fork, Potter County

The Fish and Boat Commission (Commission) is considering a change to its list of Class A Wild Trout Streams. Under 58 Pa. Code § 57.8a (relating to Class A wild trout streams), it is the Commission's policy to manage self-sustaining Class A wild trout populations as a renewable natural resource to conserve that resource and the angling it provides. Class A wild trout populations represent the best of Pennsylvania's naturally reproducing trout fisheries. The Commission manages these stream sections solely for the perpetuation of the wild trout population and fishery with no stocking.

In 2005, 2006 and 2007, Commission staff surveyed a section of Cross Fork, Potter County, and the results of those surveys indicated the presence of excellent wild brook and brown trout populations that exceeded the minimum criteria for designation as a Class A wild trout water ( $\geq 40$  kg/ha). Staff subsequently recommended that the 1.83-mile section of Cross Fork (Section 03) from the confluence with Rhulo Hollow/Bear Trap Lodge downstream to the confluence with Windfall Run be added to the Class A Wild Trout Streams List. The Commission approved the addition of Cross Fork, Section 03, to the list in January 2009. See 39 Pa.B. 914 (February 14, 2009).

During a follow-up stream survey on August 18 and 19, 2009, Commission staff documented a Class D (9 kg/ha) wild trout population (brook and brown combined), in the most downstream 0.55-mile reach of the designated Class A section. This section of Cross Fork is located on private property and extends from the Susquehannock State Forest Boundary downstream to the confluence with Windfall Run. The Commission intends to consider removing this 0.55-mile stream section from its list of Class A Wild Trout Streams at a future meeting. If removed, this 0.55-mile reach of stream could be considered for future trout stocking.

Persons with comments, objections or suggestions concerning the removal are invited to submit comments in writing to Executive Director, Fish and Boat Commission, P. O. Box 67000, Harrisburg, PA 17106-7000, within 30 days after publication of this notice in the *Pennsylvania Bulletin*. Comments also may be submitted electronically by completing the form at [www.fishandboat.com/regcomments](http://www.fishandboat.com/regcomments). If an acknowledgment of electronic comments is not received by the sender within 2 working days, the comments should be retransmitted to ensure receipt. Electronic comments submitted in any other manner will not be accepted.

The Commission will also consider comments from riparian landowners within Section 03 that were submitted by means of the postal mail survey conducted by the Commission in August-September 2009. These landowners do not have to resubmit their comments unless they are inclined to do so or have additional information to share.

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

[Pa.B. Doc. No. 09-1814. Filed for public inspection September 25, 2009, 9:00 a.m.]

### Removal from List of Class A Wild Trout Waters Baldwin Run, Tioga County

The Fish and Boat Commission (Commission) has approved the removal of a section of Baldwin Run, Tioga County, from its list of Class A Wild Trout Streams as set forth at 39 Pa.B. 4499 (August 1, 2009). Specifically, the Commission removed the section of Baldwin Run from "The Muck" to the mouth of the stream. The revised limits now read "From the headwaters downstream to the confluence with the unnamed tributary at RM 1.16 (outflow of wetlands)."

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

[Pa.B. Doc. No. 09-1815. Filed for public inspection September 25, 2009, 9:00 a.m.]

### Temporary Changes to Fishing Regulations North Park Lake, Allegheny County

The Executive Director of the Fish and Boat Commission (Commission), acting under the authority of 58 Pa. Code § 65.25 (relating to temporary changes to fishing regulations), has taken immediate action to temporarily modify fishing regulations at North Park Lake, Allegheny County, in anticipation of a complete drawdown of the lake. The Executive Director is lifting all seasons, sizes and creel limits for all species, effective September 14, 2009. The Executive Director has found that this action is necessary and appropriate for the management of fish, and to conserve and preserve fishing opportunities. This action does not apply to Pine Creek upstream and downstream of the impoundment.

The Executive Director has caused these temporary modifications to fishing regulations to be posted in the vicinity of the lake, and the modified regulations are fully effective and enforceable. These temporary modifications will be in effect until further notice but in no event will they remain in place after March 13, 2010.

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

[Pa.B. Doc. No. 09-1816. Filed for public inspection September 25, 2009, 9:00 a.m.]

## HISTORICAL AND MUSEUM COMMISSION

### National Register Nominations to be Reviewed by the Historic Preservation Board

The Historic Preservation Board (Board) will hold a meeting on October 6, 2009, at 9:45 a.m. in Hearing Room 2, Commonwealth Keystone Building, 400 North Street, Harrisburg, PA. Persons with a disability who wish to attend this meeting and require an auxiliary aid, service or other accommodation to participate should contact Cheri Garrett at (717) 783-9933 or through the Pennsylvania AT&T Relay Service at (800) 654-5984 (TDD) to discuss how the agency can accommodate their needs. Persons with any with any questions or comments should contact the Bureau for Historic Preservation at (717) 783-8946.

1. Hamnett Historic District, roughly bonded by Rebecca Avenue, Center Street, Lytle Way, and the Norfolk Southern RR right-of-way, Wilkinsburg, Allegheny County, No. 094906.

2. Newville Historic District, roughly bounded by Cove Avenue, Big Spring Creek, Cumberland Valley Railroad and Washington Street, Newville, Cumberland County, No. 112116.

3. Hamburg Historic District, roughly bounded by Windsor and South Second Streets, Quince and Primrose Alleys, and Mill Creek, Hamburg, Berks County, No. 101959.

4. Pennsylvania State Office Building, Philadelphia County, No. 144396.

5. Experimental and Safety Research Coal Mines, South Park Township, Allegheny County, No. 143924.

6. Cheyney Farm, Thornbury Township, Chester County, No. 065271.

7. Hopewell Farm, Valley Township, Chester County, No. 078885.

8. Chandler Mill Road Bridge, Kennett Township, Chester County, No. 132096.

9. Philadelphia Quartermaster Depot, Philadelphia County, No. 105013.

BARBARA FRANCO,  
*Executive Director*

[Pa.B. Doc. No. 09-1817. Filed for public inspection September 25, 2009, 9:00 a.m.]

## INSURANCE DEPARTMENT

### Application for Approval of a Proposed Merger Between Washington Fire and Storm Insurance Company and Tuscarora Wayne Insurance Company

Tuscarora Wayne Insurance Company, a domestic stock casualty insurance company, has filed an application for approval to merge with Washington Fire and Storm Insurance Company, also a domestic stock casualty insurance company, with Tuscarora Wayne Insurance Company surviving the merger. The filing was made under the requirements set forth under the Insurance Holding Companies Act of 1921 (40 P. S. §§ 991.1401—991.1413); 15 Pa.C.S. §§ 1921—1932; and the GAA Amendments Act of 1990 (15 P. S. §§ 21101—21404). Persons wishing to comment on the merger are invited to submit a written statement to the Insurance Department (Department) within 7 days from the date of this issue of the *Pennsylvania Bulletin*. Each written statement must include name, address and telephone number of the interested party; identification of the application to which the statement is addressed; and a concise statement with sufficient detail and relevant facts to inform the Department of the exact basis of the statement. Written statements should be directed to Robert Brackbill, Company Licensing Division, Insurance Department, 1345 Strawberry Square, Harrisburg, PA 17120, fax (717) 787-8557, rbrackbill@state.pa.us.

JOEL SCOTT ARIO,  
*Insurance Commissioner*

[Pa.B. Doc. No. 09-1818. Filed for public inspection September 25, 2009, 9:00 a.m.]

### Application and Request for a Certificate of Authority to Provide a Continuing Care Retirement Community by St. Mary's Villa Nursing Home, Inc.

St. Mary's Villa Nursing Home, Inc. has applied for a Certificate of Authority to operate a Continuing Care Retirement Community at St. Mary's Villa Nursing Home, Inc. in Moscow, PA. The initial filing was received on September 9, 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 Pennsylvania 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, by fax (717) 787-8557 or by e-mail to syerger@state.pa.us.

JOEL SCOTT ARIO,  
*Insurance Commissioner*

[Pa.B. Doc. No. 09-1819. Filed for public inspection September 25, 2009, 9:00 a.m.]

### UPMC Health Plan; Group Base Rate Filing

The Insurance Department (Department) received a filing from UPMC Health Plan requesting approval to increase the base rates by 48%. This filing will impact approximately 12,000 members and produce additional income of about \$14 million annually. The requested effective date is January 1, 2010.

Unless formal administrative action is taken prior to December 10, 2009, the subject filing may be deemed approved by operation of law.

A copy of the filing is available on the Department's website at [www.ins.state.pa.us](http://www.ins.state.pa.us). Under the Quick Links section, click on the link "Rate Filings Published in the PA Bulletin".

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

Interested parties are invited to submit written comments, suggestions or objections to Cherri Sanders-Jones, Insurance Department, Insurance Product Regulation and Administration, Room 1311, Strawberry Square, Harrisburg, PA 17120, csandersjo@state.pa.us within 30 days after publication of this notice in the *Pennsylvania Bulletin*.

[Pa.B. Doc. No. 09-1820. Filed for public inspection September 25, 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 13, 2009. Documents filed in support of the applications are available for inspection and copying at the Office of the Secretary between 8 a.m. and 4:30 p.m., Monday through Friday, and at the business address of the respective applicant.

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

**A-2009-2129165. Clair Zimmerman and Debra Sensenig, Copts., t/a C & D Medical Transport** (P. O. Box 15, Terre Hill, Lancaster County, PA 17581), for the right to begin to transport nonambulatory persons, in paratransit service, in van type vehicles with wheelchair lifts and/or stretcher mounted, from points in the Counties of Berks, Bucks, Chester, Cumberland, Dauphin, Lancaster, Lebanon, Lehigh, Montgomery, Schuylkill and York, to points in Pennsylvania, and return.

### Application of the following for *amendment* to the certificate of public convenience approving the operation of motor vehicles as *common carriers for transportation of persons as described under the application.*

**A-2009-2129525. Metro Transportation of Pennsylvania, LLC, t/a Metro Taxi** (P. O. Box 122, Meadville, Crawford County, PA 16335)—persons, upon call or demand, in the County of Erie.

JAMES J. MCNULTY,  
*Secretary*

[Pa.B. Doc. No. 09-1821. Filed for public inspection September 25, 2009, 9:00 a.m.]

## PENNSYLVANIA STIMULUS OVERSIGHT COMMISSION

### Public Meeting

The public meeting scheduled for the Pennsylvania Stimulus Oversight Commission for Thursday, October 8, 2009, at 11 a.m. will be held in Conference Room 1, Forum Place Building, 555 Walnut Street, Harrisburg, PA.

RONALD NAPLES,  
*Chairperson*

[Pa.B. Doc. No. 09-1822. Filed for public inspection September 25, 2009, 9:00 a.m.]

## STATE BOARD OF COSMETOLOGY

### Professional and Occupational Affairs v. Tony Pham t/d/b/a Gorgeous Nails Salon; Doc. No. 0434-45-2008

On August 7, 2009, Tony Pham, t/d/b/a Gorgeous Nails Salon, license no. CY194821, of Philadelphia, Philadelphia County, was ordered to pay a civil penalty of \$500, because he violated the Cosmetology Law.

Individuals may obtain a copy of the adjudication by writing to David Markowitz, Board Counsel, State Board of Cosmetology, P. O. Box 2649, Harrisburg, PA 17105-2649.

This adjudication and order represents the State Board of Cosmetology (Board) final decision in this matter. It may be appealed to the Commonwealth Court of Pennsylvania by the filing of a petition for review with that court in accordance with the Pennsylvania Rules of Appellate Procedure. Individuals who take an appeal to the Commonwealth Court must serve 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.

JANET G. M. SANKO,  
*Chairperson*

[Pa.B. Doc. No. 09-1823. Filed for public inspection September 25, 2009, 9:00 a.m.]

## STATE EMPLOYEES' RETIREMENT BOARD

### Hearings Scheduled

The following hearings have been scheduled, as authorized by 71 Pa.C.S. Part XXV (relating to the State Employees' Retirement Code), in connection with the State Employees' Retirement System's denial of Claimants requests concerning the indicated accounts.

The hearings will be held before a hearing examiner at the State Employees' Retirement System, 30 North Third Street, Fifth Floor, Harrisburg, PA 17101:

October 7, 2009	Elizabeth G. Warner Transfer from TIAA-CREF to SERS Membership	1 p.m.
October 27, 2009	Dean F. Martinson (Dec'd) Contested Death Benefit	1 p.m.

Parties in each respective case may appear with or without counsel and offer relevant testimony or evidence to support their respective positions. The hearings will be held in accordance with the requirements of 2 Pa.C.S. §§ 501—508 and 701—704 (relating to the Administrative Agency Law). Under 4 Pa. Code § 250.1 (relating to applicability of general rules), procedural matters will be in conformance with 1 Pa. Code Part II (relating to the General Rules of Administrative Practice and Procedure), unless specific exemption is granted.

LEONARD KNEPP,  
*Secretary*

[Pa.B. Doc. No. 09-1824. Filed for public inspection September 25, 2009, 9:00 a.m.]

