

NOTICES

DEPARTMENT OF AGRICULTURE

Continuing Education Requirements for Affiliated Qualified Inspectors of Certain Categories of Amusement Rides or Amusement Attractions

The Department of Agriculture (Department) administers and enforces the Amusement Ride Inspection Act (act) (4 P. S. §§ 401—419).

The regulations promulgated under authority of the act (7 Pa. Code Chapter 139 (relating to amusement rides and attractions erected permanently or temporarily at carnivals, fairs and amusement parks)) establish continuing education requirements for “qualified inspectors” of amusement rides and amusement attractions. These requirements are set forth in detail in 7 Pa. Code § 139.9(l) (relating to qualified inspectors). Qualified inspectors are divided into two categories: affiliated qualified inspectors and general qualified inspectors. An affiliated qualified inspector’s authority is limited only to rides and attractions owned or leased by a particular owner or lessee. A general qualified inspector has no such restriction, and may inspect rides or attractions without regard to who owns or leases them.

The continuing education requirements for qualified inspectors include a mandatory minimum number of hours of continuing education instruction that a qualified inspector must obtain before the Department will renew its certification of that qualified inspector. In general, this minimum-hour requirement is 24 hours for an affiliated qualified inspector and 48 hours for a general qualified inspector. This training must be obtained during the 3 years preceding an application for renewal of certification.

The regulation in 7 Pa. Code § 139.9(b) requires the Department to establish specific categories of amusement rides and amusement attractions by publishing this categorization on its web site. This has been done; and the list can be accessed through the following web site address: www.agriculture.state.pa.us.

The regulation in 7 Pa. Code § 139.9(l) allows the Department to reduce the continuing education require-

ment with respect to any of these Department-established categories of amusement rides and amusement attractions to as few as 16 hours if it determines that rides or attractions within that category are of a comparatively simple design or operation to “. . . reasonably justify a requirement of fewer hours of continuing education for qualified inspectors of that particular category of ride or attraction than are otherwise required under that subsection.”

Under the discretion afforded it under the regulation in 7 Pa. Code § 139.9(l), the Department hereby gives notice that the mandatory minimum continuing education requirement for persons who are affiliated qualified inspectors with respect to any of the following Department-designated categories of rides and attractions shall be 16 hours, rather than the 24 hours otherwise required under that subsection:

1. Water Attractions (including Water Slides).
2. Go-Carts and Bumper Boats.
3. Walk-through Attractions (including “Haunted” Attractions).
4. Inflatable Amusement Attractions.
5. Extreme Sports (including Climbing Walls and Bungee Trampolines).

This notice does not pertain to general qualified inspectors.

Interested persons may direct questions or comments to the Director of the Department’s Bureau of Ride and Measurement Standards at (717) 787-9089, or to the following address:

Pennsylvania Department of Agriculture
Bureau of Ride and Measurement Standards
ATTN: Director
2301 North Cameron Street
Harrisburg, PA 17110-9408

This Notice shall take effect January 29, 2009, and shall remain in effect until rescinded or modified.

DENNIS C WOLFF,
Secretary

[Pa.B. Doc. No. 09-257. Filed for public inspection February 13, 2009, 9:00 a.m.]

DEPARTMENT OF BANKING

Actions on Applications

The Department of Banking (Department), under the authority contained in the act of November 30, 1965 (P. L. 847, No. 356), known as the Banking Code of 1965; the act of December 14, 1967 (P. L. 746, No. 345), known as the Savings Association Code of 1967; the act of May 15, 1933 (P. L. 565, No. 111), known as the Department of Banking Code; and the act of December 9, 2002 (P. L. 1572, No. 207), known as the Credit Union Code, has taken the following action on applications received for the week ending February 3, 2009.

Under section 503.E of the Department of Banking Code (71 P. S. § 733-503.E), any person wishing to comment on the following applications, with the exception of branch applications, may file their comments in writing with the Department of Banking, Corporate Applications Division, 17 North Second Street, Suite 1300, Harrisburg, PA 17101-2290. Comments must be received no later than 30 days from the date notice regarding receipt of the application is published in the *Pennsylvania Bulletin*. The nonconfidential portions of the applications are on file at the Department and are available for public inspection, by appointment only, during regular business hours. To schedule an appointment, contact the Corporate Applications Division at (717) 783-2253. Photocopies of the nonconfidential portions of the applications may be requested consistent with the Department’s Right-to-Know Law Records Request policy.

BANKING INSTITUTIONS

Branch Applications

De Novo Branches

<i>Date</i>	<i>Name of Bank</i>	<i>Location</i>	<i>Action</i>
1-28-2009	Beneficial Mutual Savings Bank Philadelphia Philadelphia County	818 Haddonfield Road Cherry Hill Camden County, NJ	Approved

Branch Relocations

<i>Date</i>	<i>Name of Bank</i>	<i>Location</i>	<i>Action</i>
1-28-2009	The Fidelity Deposit and Discount Bank Dunmore Lackawanna County	<i>To:</i> Water Street and Kennedy Boulevard Pittston Luzerne County <i>From:</i> 801 Wyoming Avenue West Pittston Luzerne County	Approved

Branch Consolidations

<i>Date</i>	<i>Name of Bank</i>	<i>Location</i>	<i>Action</i>
1-27-2009	Citizens Bank of Pennsylvania Philadelphia Philadelphia County	<i>Into:</i> 2 West Main Street Mechanicsburg Cumberland County <i>From:</i> Main and Filbert Streets Mechanicsburg Cumberland County	Filed
1-27-2009	Citizens Bank of Pennsylvania Philadelphia Philadelphia County	<i>Into:</i> 100 South Union Street Middletown Dauphin County <i>From:</i> 37 Brown Street Middletown Dauphin County	Filed
1-27-2009	Citizens Bank of Pennsylvania Philadelphia Philadelphia County	<i>Into:</i> Frankford Avenue and Teesdale Street Philadelphia Philadelphia County <i>From:</i> 7149 Frankford Avenue Philadelphia Philadelphia County	Filed
1-27-2009	Citizens Bank of Pennsylvania Philadelphia Philadelphia County	<i>Into:</i> 2 East Baltimore Avenue Media Delaware County <i>From:</i> Second and Olive Streets Media Delaware County	Filed
1-27-2009	Citizens Bank of Pennsylvania Philadelphia Philadelphia County	<i>Into:</i> 160 West Eagle Road Havertown Delaware County <i>From:</i> 1635 East Darby Road Havertown Delaware County	Filed

Branch Discontinuances

<i>Date</i>	<i>Name of Bank</i>	<i>Location</i>	<i>Action</i>
1-27-2009	Citizens Bank of Pennsylvania Philadelphia Philadelphia County	70 Buckwalter Road Royersford Montgomery County	Filed

<i>Date</i>	<i>Name of Bank</i>	<i>Location</i>	<i>Action</i>
1-27-2009	Citizens Bank of Pennsylvania Philadelphia Philadelphia County	8423 Frankford Avenue Philadelphia Philadelphia County	Filed
1-27-2009	Citizens Bank of Pennsylvania Philadelphia Philadelphia County	190 Gamma Drive Pittsburgh Allegheny County	Filed
1-27-2009	Citizens Bank of Pennsylvania Philadelphia Philadelphia County	656 Broadway McKees Rocks Allegheny County	Filed
1-27-2009	Citizens Bank of Pennsylvania Philadelphia Philadelphia County	5925 Sixth Avenue Altoona Blair County	Filed
1-27-2009	Citizens Bank of Pennsylvania Philadelphia Philadelphia County	2900 East College Avenue State College Centre County	Filed
1-27-2009	Citizens Bank of Pennsylvania Philadelphia Philadelphia County	1500 Garrett Road Upper Darby Delaware County	Filed
1-27-2009	Citizens Bank of Pennsylvania Philadelphia Philadelphia County	5045 Township Line Road Drexel Hill Delaware County	Filed
1-27-2009	Citizens Bank of Pennsylvania Philadelphia Philadelphia County	815 East 38th Street Erie Erie County	Filed
1-27-2009	Citizens Bank of Pennsylvania Philadelphia Philadelphia County	270 Main Street Landisville Lancaster County	Filed
1-27-2009	Citizens Bank of Pennsylvania Philadelphia Philadelphia County	222 West Main Street Collegeville Montgomery County	Filed
1-27-2009	Citizens Bank of Pennsylvania Philadelphia Philadelphia County	512 Pennsylvania Avenue Fort Washington Montgomery County	Filed
1-27-2009	Citizens Bank of Pennsylvania Philadelphia Philadelphia County	3154 SR 257 Seneca Venango County	Filed
1-27-2009	Citizens Bank of Pennsylvania Philadelphia Philadelphia County	45 East Main Street Dallastown York County	Filed
1-27-2009	Citizens Bank of Pennsylvania Philadelphia Philadelphia County	33 West Gay Street West Chester Chester County	Filed
1-27-2009	Citizens Bank of Pennsylvania Philadelphia Philadelphia County	720 Downingtown Pike West Chester Chester County	Filed
1-29-2009	Firsttrust Savings Bank Conshohocken Montgomery County	405 Oxford Valley Road Fairless Hills Bucks County	Filed

Articles of Amendment

<i>Date</i>	<i>Name of Bank</i>	<i>Purpose</i>	<i>Action</i>
1-29-2009	Colonial American Bank West Conshohocken Montgomery County	Amend Articles II, V, VI, VII and XII of the Articles of Incorporation	Approved and Effective

Amendment to Article II provides for a change of the principal place of business of the institution *From:* 300 Conshohocken State Road, Suite 160, West Conshohocken, PA 19428 *To:* 300 Welsh Road, Building 4, Suite 100, Horsham, PA 19044.

Amendment to Articles V and VI provides for the issuance of common stock and preferred stock.

<i>Date</i>	<i>Name of Bank</i>	<i>Purpose</i>	<i>Action</i>
		Amendment to Article VII provides for a change of the authorized number of directors <i>From</i> : not less than five nor more than nine <i>To</i> : not less than five nor more than 15.	
		Amendment to Article XII clarifies provisions relating to the acquisition of voting control of the institution.	

SAVINGS INSTITUTIONS

No activity.

CREDIT UNIONS**Consolidations, Mergers and Absorptions**

<i>Date</i>	<i>Name of Credit Union</i>	<i>Location</i>	<i>Action</i>
1-29-2009	Alcose Credit Union, White Oak, and Basil Community Credit Union, Pittsburgh Surviving Institution: Alcose Credit Union, White Oak	White Oak	Filed

Branch Applications**De Novo Branches**

<i>Date</i>	<i>Name of Credit Union</i>	<i>Location</i>	<i>Action</i>
1-30-2009	TruMark Financial Credit Union Trevose Bucks County	1931 South Broad Street Philadelphia Philadelphia County	Approved

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

STEVEN KAPLAN,
Secretary

[Pa.B. Doc. No. 09-258. Filed for public inspection February 13, 2009, 9:00 a.m.]

Maximum Lawful Rate of Interest for Residential Mortgages for the Month of March 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 March, 2009, is 5 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. No. 96-221). Further preemption was instituted with the signing of Pub. L. No. 96-399, which overrode State interest rate limitations on any individual who finances the sale or exchange of residential real property which the individual owns and which the individual occupies or has occupied as his principal residence.

Each month the Department is required by State law to compute and announce the ceiling rate on residential mortgages in this Commonwealth. This maximum rate is determined by adding 2.50 percentage points to the yield rate on long-term government bonds as published by the Federal Reserve Board and/or the United States Treasury. The latest yield rate on long-term government securities is 2.99 to which was added 2.50 percentage points for a total of 5.49 that by law is rounded off to the nearest quarter at 5 1/2%.

STEVEN KAPLAN,
Secretary

[Pa.B. Doc. No. 09-259. Filed for public inspection February 13, 2009, 9:00 a.m.]

**DEPARTMENT OF
CONSERVATION AND
NATURAL RESOURCES****Conservation and Natural Resources Advisory
Council Meeting**

The Conservation and Natural Resources Advisory Council to the Department of Conservation and Natural Resources (Department) will hold a meeting on Wednesday, February 25, 2009, at 10 a.m. in Room 105, Lobby Level, Rachel Carson State Office Building, 400 Market Street, Harrisburg, PA.

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

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

MICHAEL F. DIBERARDINIS,
Secretary

[Pa.B. Doc. No. 09-260. Filed for public inspection February 13, 2009, 9:00 a.m.]

DEPARTMENT OF EDUCATION

Application of Robert Turner for Reinstatement of Teaching Certificate; Doc. No. Re-08-04

Hearing

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

On or about September 24, 2008, Robert Turner filed an application for reinstatement of his teaching certification under section 16 of the act (24 P. S. § 2070.16), 1 Pa. Code §§ 35.1 and 35.2 (relating to applications) and 22 Pa. Code § 233.123 (relating to reinstatements). Under section 16 of the act, the Department of Education on December 26, 2008, advised the Commission that it opposed the application for reinstatement. In accordance with the act and 1 Pa. Code Part II (relating to General Rules of Administrative Practice and Procedure), the Commission will appoint a hearing examiner to serve as presiding officer to conduct the proceedings and hearings as might be necessary, and to prepare a proposed report

to the Commission containing findings of fact, conclusions of law and a recommended decision on the application.

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

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

GERALD L. ZAHORCHAK, D.Ed.,
Secretary

[Pa.B. Doc. No. 09-261. Filed for public inspection February 13, 2009, 9:00 a.m.]

DEPARTMENT OF ENVIRONMENTAL PROTECTION

Applications, Actions and Special Notices

APPLICATIONS

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

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

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

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

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

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

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

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

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

I. NPDES Renewal Applications

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

<i>NPDES No. (Type)</i>	<i>Facility Name & Address</i>	<i>County & Municipality</i>	<i>Stream Name (Watershed #)</i>	<i>EPA Waived Y/N ?</i>
PA-0061786 (Minor Sewage)	Manwalamink Sewer Company Ft. DePuy P. O. Box 48 Shawnee on Delaware, PA 18356-0048	Smithfield Township Monroe County	Broadhead Creek 1E	Y
PA0020109 (Industrial Waste)	PPL Interstate Energy Company Martins Creek Terminal 214 Shoemaker Road Pottstown, PA 19464	Lower Mt. Bethel Township Northampton County	Delaware River 01F	Y

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

<i>NPDES No. (Type)</i>	<i>Facility Name & Address</i>	<i>County & Municipality</i>	<i>Stream Name (Watershed #)</i>	<i>EPA Waived Y/N ?</i>
PA0085715 (Sew)	Lloyd and Bertha Geib 504 Hemlock Lane Lebanon, PA 17042-9015	Lebanon County Cornwall Borough	UNT Shearers Creek 7-G	Y
PA0055328 (IW)	New Morgan Landfill Company, Inc. 420 Quarry Road P. O. Box 128 Morgantown, PA 19543-0128	Berks County New Morgan Borough	UNT to East Branch Conestoga River 7-J	Y
PA0086908 (Sew)	Middle Creek Bible Conference, Inc. P. O. Box 1 Cascade, MD 21719	Adams County Freedom and Liberty Townships	Middle Creek 13-D	Y
PA0008761 (IW)	Armstrong World Industries, Inc. 1507 River Road Marietta, PA 17547	Lancaster County East Donegal Township	Susquehanna River 7-G	Y
PA0052396 (IW)	OZ/Gedney, LLC Shoemakersville Foundry 150 Birch Hill Road Shoemakersville, PA 19555	Berks County Perry Township	UNT Schuylkill River 3-B	Y

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

<i>NPDES No. (Type)</i>	<i>Facility Name & Address</i>	<i>County & Municipality</i>	<i>Stream Name (Watershed #)</i>	<i>EPA Waived Y/N ?</i>
PA0115266 SP	Gregg Township Sewer Authority P. O. Box 103 Spring Mills, PA 16875-0103	Centre County Gregg Township	Penns Creek 6A	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.

PA0036447 A1, Industrial Waste, **Naval Surface Warfare Center, Carderock Division—SSES, Philadelphia Naval Business Center**, 5001 South Broad Street, Philadelphia, PA 19112.

This facility is located in the City of Philadelphia, **Philadelphia County**. The application is for an amendment of a NPDES permit to extend the monitor period for Total Residual Chlorine (TRC) of the fire pumps discharge at Monitoring Point MP105, though expiration of the permit. The current permit requires numerical limitations after 2 years of the permit. Due to installation and operational issues, the facility was not able to operate the fire pumps to collect TRC data during first 2 years of the permit. Amendment is also included reduction of flow from both fire pumps from 78,000 gallons per month to 45,000 gallons per month.

The receiving stream, Delaware Estuary, Zone 4, is in the State Water Plan Watershed 3F and is classified for WWF. There are no any known public water supply intakes downstream of the discharge.

The EPA waiver is in effect.

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

PA-0027065, Sewage, **Lackawanna River Basin Sewer Authority**, P. O. Box 9068, Dickson City, PA 18519-9068. This proposed facility is located in Archbald Borough, **Lackawanna County**.

Description of Proposed Activity: Renewal of NPDES permit for discharge of 6.0 mgd of treated sewage.

The receiving stream, Lackawanna River, is in the State Water Plan Watershed 5A and is classified for: HQ-CWF. The nearest downstream public water supply intake for Danville is located on the Susquehanna River and is approximately 83 miles below the point of discharge.

The proposed effluent limits for Outfall 001 based on a design flow of 6.0 mgd.

<i>Parameter</i>	<i>Average Monthly (mg/l)</i>	<i>Average Weekly (mg/l)</i>	<i>Instantaneous Maximum (mg/l)</i>
CBOD ₅	22.6	34.0	45.2
Total Suspended Solids	30	45.0	60.0
NH ₃ -N			
(5-1 to 10-31)	4.0		8.0
(11-1 to 4-30)	12.0		24.0
Dissolved Oxygen	A minimum of 5.0 mg/l at all times.		
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		
pH	6.0 to 9.0 Standard Units at all times.		
Total Residual Chlorine			

Chesapeake Bay Tributary Strategy Nutrient Requirements

<i>Parameter</i>	<i>Concentration (mg/l)</i>		<i>Mass (lbs)</i>	
	<i>Monthly Average</i>	<i>Monthly Load</i>	<i>Monthly Load</i>	<i>Annual Load</i>
Ammonia-N	Report	Report	Report	Report**
Kjeldahl-N	Report	Report	Report	Report
Nitrate-Nitrate as N	Report	Report	Report	Report
Total Nitrogen	Report	Report	Report	Report
Total Phosphorus	Report	Report	Report	Report
Net Total Nitrogen		Report	Report	109,587*
Net Total Phosphorus		Report	Report	14,612*

* This permit contains conditions which authorize the permittee to apply nutrient reduction credits to meet the Net Total Nitrogen and the Net Total Phosphorus effluent mass limits, under the Department of Environmental Protection's (Department) Trading of Nutrients and Sediment Reduction Credits Policy and Guidelines (Document No. 392-0900-001, December 30, 2006). The condition includes the requirement to report the application of these credits in Supplemental Discharge Monitoring Reports (DMRs) submitted to the Department.

* The compliance date for Net Total Nitrogen and Net Total Phosphorus will begin on September 1, 2011. Since these reporting requirements are annual loads, the reporting on compliance with the annual limitations will be required to be reported on the Supplemental DMR—Annual Nutrient Summary by November 28, 2012. This facility is required to monitor and report for Net Total Nitrogen and Net Total Phosphorus from the effective date of the permit until August 31, 2011.

** Total Annual Ammonia Load will be required to be reported on the Supplemental DMR—Annual Nutrient Summary by November 28, 2012.

*Outfall 019 (Stormwater)**

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

* Permittee has the option to perform annual inspection of facility in lieu of annual monitoring.

Point Sources 002, 010—013 and 018 serve as combined sewer reliefs necessitated by stormwater entering the sewer system and exceeding the hydraulic capacity of the sewer and/or the treatment plant. In accordance with the Department's CSO strategy, a special permit requirement is included in Part C of this permit.

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

1. WETT, CSO, Stormwater, Chesapeake Bay Strategy, Industrial Pretreatment.

PA0053147, Sewage, **Upper Saucon Sewage Treatment Authority**, 5500 Camp Meeting Road, Center Valley, PA 18034-9444. This existing facility is located in Upper Saucon Township, **Lehigh County**.

Description of Proposed Activity: Renewal of a major NPDES permit to discharge treated sewage. This notice reflects changes from the notice published in 38 Pa.B. 3897 (July 19, 2008).

The receiving stream, Saucon Creek, is in the State Water Plan Watershed 02C and is classified for: aquatic life, CWF, water supply and recreation. The nearest downstream public water supply intake for Keystone Water Company is located on the Delaware River and is 50 miles below the point of discharge.

The proposed effluent limits for Outfall 001 based on a design flow of 2.5 mgd are as follows:

<i>Parameter</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 ₅				
(5-1 to 10-31)	10.0	15.0		20.0
(11-1 to 4-30)	20.0	30.0		40.0
Total Suspended Solids	30.0	45.0		60.0
NH ₃ -N				
(5-1 to 10-31)	3.0			6.0
(11-1 to 4-30)	9.0			18.0
Phosphorus as "P"	Monitor and Report			
Dissolved Oxygen	A minimum of 5.0 mg/l at all times.			
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			
pH	6.0 to 9.0 Standard Units at all times.			
Total Copper				
(Months 1—36)	Monitor and Report		Monitor and Report	
(Months 37—60)	0.030		0.047	0.060
Whole Effluent Toxicity				
(Months 1—48)	Monitor and Report maximum result			
(Months 49—60)	1.9 TUC maximum result			

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

1. Whole Effluent Toxicity (WET) Permit Limit, WET testing within final 18 months of permit, Toxics Reduction Evaluation (TRE).

The EPA waiver is not in effect.

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

Application No. PA 0080314, Amendment No. 2, Sewage, **Hampden Township**, 230 South Sporting Hill Road, Mechanicsburg, PA 17050-3097. This facility is located in Hampden Township, **Cumberland County**.

Description of activity: The application is for an amendment of an NPDES permit for an existing 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 Steelton Municipal Waterworks is located on the Susquehanna River, approximately 15.2 miles downstream. The discharge is not expected to affect the water supply.

The proposed Interim effluent limits for Outfall 001 for a design flow of 4.65 mgd are:

<i>Parameter</i>	<i>Average Monthly (mg/l)</i>	<i>Average Weekly (mg/l)</i>	<i>Instantaneous Maximum (mg/l)</i>
CBOD ₅	25	40	67
Total Suspended Solids	30	45	81
NH ₃ -N			
(5-1 to 10-31)	6.9		18
(11-1 to 4-30)	15		40
Total Residual Chlorine	0.35		1.2
Total Phosphorus	2.0		5.4
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	

The proposed Final effluent limits for Outfall 001 for a design flow of 4.82 mgd are:

<i>Parameter</i>	<i>Average Monthly (mg/l)</i>	<i>Average Weekly (mg/l)</i>	<i>Instantaneous Maximum (mg/l)</i>
CBOD ₅	15	22	40
Total Suspended Solids	30	45	81
NH ₃ -N			
(5-1 to 10-31)	1.8		4.8
(11-1 to 4-30)	5.4		14
Total Phosphorus	2.0		5.4
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	

Chesapeake Bay Requirements

	<i>Concentration (mg/l) Monthly Average</i>	<i>Monthly</i>	<i>Mass (lbs) Annual</i>
Ammonia-N	Report	Report	Report**
Kjeldahl-N	Report	Report	XXX
Nitrate-Nitrite as N	Report	Report	XXX
Total Nitrogen	Report	Report	Report
Total Phosphorus	Report	Report	Report
Net Total Nitrogen	XXX	Report	101,997*
Net Total Phosphorus	XXX	Report	12,359*

* The permit contains conditions which authorize the permittee to apply nutrient reduction credits, to meet the Net Total Nitrogen and Net Total Phosphorus effluent limits, under the Department of Environmental Protection's (Department) Trading of Nutrient and Sediment Reduction Credits Policy and Guidelines (392-0900-001, December 30, 2006). The conditions include the requirement to report application of these credits in Supplemental Discharge Monitoring Reports (DMRs) submitted to the Department.

* Net Total Nitrogen and Net Total Phosphorus limits compliance date will begin on October 1, 2010. Since these reporting requirements are annual loads, reporting on compliance with the annual limitations will be required on the Supplemental DMR Report—Annual Nutrient Summary by November 28, 2011. The facility is required to monitor and report for Net Total Nitrogen and Net Total Phosphorus from the effective date of the permit until October 1, 2010.

** Total Annual Ammonia Load will be required to be reported on the Supplemental DMR—Annual Nutrient Summary by November 28, 2011.

Persons may make an appointment to review the Department'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.

PA0040274, Industrial Waste, SIC 3316, **Allegheny Ludlum Corporation**, 100 River Road, Brackenridge, PA 15014. This application is for a renewal of an NPDES permit to discharge treated process water, untreated noncontact cooling water and stormwater runoff from Vandergrift Plant in Vandergrift Borough, **Westmoreland County**.

The following effluent limitations are proposed for discharge to the receiving waters, Kiskiminetas River, classified as a WWF with existing and/or potential uses for aquatic life, water supply and recreation. The first existing/proposed downstream potable water supply is Buffalo Township Municipal Authority, located at Allegheny River, 11.6 miles below the discharge point.

Internal Monitoring Point 107: existing discharge, design flow of 0.7 mgd.

<i>Parameter</i>	<i>Mass (lbs/day)</i>			<i>Concentration (mg/l)</i>		
	<i>Average Monthly</i>	<i>Maximum Daily</i>	<i>Average Monthly</i>	<i>Maximum Daily</i>	<i>Instantaneous Maximum</i>	
Flow (mgd)	Monitor and Report					
Temperature (° F)						110
Total Residual Chlorine						1.25
pH	not less than 6.0 nor greater than 9.0					

Internal Monitoring Point 207: existing discharge, design flow of 0.45 mgd.

<i>Parameter</i>	<i>Mass (lbs/day)</i>			<i>Concentration (mg/l)</i>		
	<i>Average Monthly</i>	<i>Maximum Daily</i>	<i>Average Monthly</i>	<i>Maximum Daily</i>	<i>Instantaneous Maximum</i>	
Flow	Monitor and Report					
Total Suspended Solids	312	728	30	70	87.5	
Oil and Grease						30
Chromium	4.2	10.4	0.4	1.0	1.25	
Nickel	3.1	9.4	0.3	0.9	1.13	
Total Residual Chlorine						1.25
Zinc						Monitor and Report
pH	not less than 6.0 nor greater than 9.0					

Outfall 007: existing discharge to Kiskiminetas River, design flow of 0.61 mgd.

<i>Parameter</i>	<i>Mass (lbs/day)</i>			<i>Concentration (mg/l)</i>	
	<i>Average Monthly</i>	<i>Maximum Daily</i>	<i>Average Monthly</i>	<i>Maximum Daily</i>	<i>Instantaneous Maximum</i>
This discharge shall consist of uncontaminated stormwater runoff, the discharge from Internal Monitoring Point 107 and Internal Monitoring Point 207 and strainer backwash water from river pump house.					

Outfalls 008 and 009: existing stormwater discharge to Kiskiminetas River.

<i>Parameter</i>	<i>Mass (lbs/day)</i>			<i>Concentration (mg/l)</i>		
	<i>Average Monthly</i>	<i>Maximum Daily</i>	<i>Average Monthly</i>	<i>Maximum Daily</i>	<i>Instantaneous Maximum</i>	
Zinc						Monitor and Report

The EPA waiver is not in effect.

PA0001465, Industrial Waste, SIC 2816, **Ceramic Color and Chemical Manufacturing Company**, P. O. Box 297, New Brighton, PA 15066. This application is for renewal of an NPDES permit to discharge noncontact cooling water from a glass frit manufacturing facility in New Brighton, **Beaver County**.

The following effluent limitations are proposed for discharge to the receiving waters, Blockhouse Run, classified as a WWF with existing and/or potential uses for aquatic life, water supply and recreation. The first existing/proposed downstream potable water supply is the Municipal Authority of Midland Borough, located at Midland Borough, 13 miles below the discharge point.

Outfall 001: existing discharge, design flow of 0.00346 mgd.

<i>Parameter</i>	<i>Mass (lbs/day)</i>			<i>Concentration (mg/l)</i>		
	<i>Average Monthly</i>	<i>Maximum Daily</i>	<i>Average Monthly</i>	<i>Maximum Daily</i>	<i>Instantaneous Maximum</i>	
Flow (mgd)	Monitor and Report					
Temperature (° F)						110
pH	not less than 6.0 nor greater than 9.0					

The EPA waiver is in effect.

PA0042234, Sewage, **Kittanning Borough Municipal Authority**, 300 South McKean Street, Kittanning, PA 16201. This application is for renewal of an NPDES permit to discharge treated sewage from Kittanning Borough STP in Kittanning Borough, **Armstrong County**.

The following effluent limitations are proposed for discharge to the receiving waters, known as Allegheny River, which are classified as a WWF with existing and/or potential uses for aquatic life, water supply and recreation. The first downstream potable water supply intake from this facility is the Buffalo Township Municipal Authority, Freeport Plant, on the Allegheny River.

Outfall 001: existing discharge, design flow of 1.2 mgd.

<i>Parameter</i>	<i>Concentration (mg/l)</i>			
	<i>Average Monthly</i>	<i>Average Weekly</i>	<i>Maximum Daily</i>	<i>Instantaneous Maximum</i>
CBOD ₅	25	37.5		50
Suspended Solids	30	45		60
Fecal Coliform				
(5-1 to 9-30)	200/100 ml as a Geometric Mean			
(10-1 to 4-30)	2,000/100 ml as a Geometric Mean			
Total Residual Chlorine	1.0			3.3
pH	not less than 6.0 nor greater than 9.0			

Outfalls 002 and 011, which discharge to the receiving waters known as Allegheny River, 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 outfalls 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.

Outfalls 020 and 021, which discharge to the receiving waters known as Allegheny River, serve as stormwater discharges from areas in and around the treatment plant. Refer to Part C of the NPDES permit, Requirements Applicable to Stormwater Outfalls.

The EPA waiver is not in effect.

PA0030856, Sewage, **Western Beaver County School District**, 343 Ridgemont Drive, Midland, PA 15059. This application is for renewal of an NPDES permit to discharge treated sewage from Western Beaver Jr./Sr. High School STP in Industry Borough, **Beaver County**.

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

Outfall 001: existing discharge, design flow of 0.032 mgd.

<i>Parameter</i>	<i>Concentration (mg/l)</i>			
	<i>Average Monthly</i>	<i>Average Weekly</i>	<i>Maximum Daily</i>	<i>Instantaneous Maximum</i>
CBOD ₅	25			50
Suspended Solids	30			60
Ammonia Nitrogen				
(5-1 to 10-31)	2.1			4.2
(11-1 to 4-30)	4.4			8.8
Fecal Coliform				
(5-1 to 9-30)	200/100 ml as a Geometric Mean			
(10-1 to 4-30)	2,000/100 ml as a Geometric Mean			
Total Residual Chlorine	1.4			3.3
Dissolved Oxygen	not less than 5 mg/l			
pH	not less than 6.0 nor greater than 9.0			

The EPA waiver is in effect.

PA0216381, Sewage, **Holly Hill Inc.**, P. O. Box 801, Warrendale, PA 15095. This application is for renewal of an NPDES permit to discharge treated sewage from Holly Hill Mobile Home Park Sewage Treatment Plant in New Sewickley Township, **Beaver County**.

The following effluent limitations are proposed for discharge to the receiving waters, known as UNT of Crows 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 Midland Borough Water Authority located on the Ohio River.

Outfall 001: existing discharge, design flow of 0.0178 mgd.

<i>Parameter</i>	<i>Concentration (mg/l)</i>			
	<i>Average Monthly</i>	<i>Average Weekly</i>	<i>Maximum Daily</i>	<i>Instantaneous Maximum</i>
CBOD ₅	25			50
Suspended Solids	30			60
Ammonia Nitrogen				
(5-1 to 10-31)	20.0			40.0
Fecal Coliform				
(5-1 to 9-30)	200/100 ml as a Geometric Mean			

Parameter	Concentration (mg/l)			
	Average Monthly	Average Weekly	Maximum Daily	Instantaneous Maximum
(10-1 to 4-30)	2,000/100 ml as a Geometric Mean			
Total Residual Chlorine	1.4			3.3
Dissolved Oxygen	not less than 3.0 mg/l			
pH	not less than 6.0 nor greater than 9.0			

The EPA waiver is in effect.

PA0037044, Sewage, **Ford City Borough Municipal Sewage Disposal Authority**, P. O. Box 66, Ford City, PA 16226. This application is for renewal of an NPDES permit to discharge treated sewage from Ford City Municipal Sewage Disposal Authority Wastewater Treatment Plant in Ford City Borough, **Armstrong County**.

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

Outfall 001: existing discharge, design flow of 1.3 mgd.

Parameter	Concentration (mg/l)			
	Average Monthly	Average Weekly	Maximum Daily	Instantaneous Maximum
CBOD ₅	25			50
Suspended Solids	30			60
Fecal Coliform	200/100 ml as a Geometric Mean			
(5-1 to 9-30)	2,000/100 ml as a Geometric Mean			
(10-1 to 4-30)	.5			1.6
Total Residual Chlorine	not less than 6.0 nor greater than 9.0			
pH	not less than 6.0 nor greater than 9.0			

The EPA waiver is not in effect.

PA0253812, Sewage, **Glendale Valley Municipal Authority**, 743 Ridge Road, Fallentimber, PA 16639. This application is for issuance of an NPDES permit to discharge treated sewage from Glendale Valley Municipal Authority STP in White Township, **Cambria County**.

The following effluent limitations are proposed for discharge to the receiving waters, known as Clearfield 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 Shawville Power Plant.

Outfall 001: new discharge, design flow of 0.3 mgd.

Parameter	Concentration (mg/l)			
	Average Monthly	Average Weekly	Maximum Daily	Instantaneous Maximum
CBOD ₅	25	37.5		50
Suspended Solids	30	45		60
Fecal Coliform	200/100 ml as a Geometric Mean			
(5-1 to 9-30)	2,000/100 ml as a Geometric Mean			
(10-1 to 4-30)	0.5			1.6
Total Residual Chlorine	not less than 6.0 nor greater than 9.0			
pH	not less than 6.0 nor greater than 9.0			

As part of Pennsylvania's Chesapeake Bay Tributary Strategy Implementation Plan for NPDES Permitting, the NPDES permit will include monitoring requirements for the first 2 years of the permit for the parameters of Ammonia-N, Total Nitrogen (calculated as the sum of Kjeldahl-N, Nitrite-N and Nitrate-N) and Total Phosphorus.

The EPA waiver is not in effect.

PA0092894, Sewage, **Consol Pennsylvania Coal Company, LLC**, P. O. Box J, Claysville, PA 15323. This application is for renewal of an NPDES permit to discharge treated sewage from Bailey Mine—Main Portal Sewage Treatment Plant in Richhill Township, **Greene County**.

The following effluent limitations are proposed for discharge to the receiving waters, known as Enlow Fork, 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 City of Sistersville Water Company located on the Ohio River.

Outfall 004: existing discharge, design flow of 0.05 mgd.

Parameter	Concentration (mg/l)			
	Average Monthly	Average Weekly	Maximum Daily	Instantaneous Maximum
CBOD ₅ (5-1 to 10-31)	20			40
(11-1 to 4-30)	25			50
Suspended Solids	30			60
Ammonia Nitrogen (5-1 to 10-30)	4.0			8.0
(11-1 to 4-30)	12.0			24.0
Fecal Coliform (5-1 to 9-30)	200/100 ml as a Geometric Mean			
(10-1 to 4-30)	2,000/100 ml as a Geometric Mean			
Total Residual Chlorine	1.4			3.3
Dissolved Oxygen	not less than 3.0 mg/l			
pH	not less than 6.0 nor greater than 9.0			

The EPA waiver is in effect.

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

PA0263478, Sewage, **Edward F. and Lorraine D. Selvoski**, 3287 West Washington Street, Bradford, PA 16701. This proposed facility is located in Corydon Township, **McKean County**.

Description of Proposed Activity: To replace a malfunctioning onlot system within a HQ-CWF.

The receiving water is the Willow Creek. The receiving stream is in State Water Plan 16-B and is classified for the following uses: HQ-CWF, aquatic life, water supply and recreation. The nearest downstream potable water supply, the Emlenton Water Company, is located on the Allegheny River and is approximately 120 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 ₅	10		20
Total Suspended Solids	20		40
Fecal Coliform	200/100ml as a Geometric Average		
UV Light	XXX		
pH	6.0 to 9.0 Standard Units at all times		

XX—Monitor and report.

XXX—Inspect and Clean Monthly

The EPA waiver is in effect.

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

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

WQM Permit No. 2308405, Sewerage, **Central Delaware County Authority**, 212 B Unity Terrace, Rutledge, PA 19070. This proposed facility is located in Newtown Township, **Delaware County**.

Description of Action/Activity: Reline segments of existing and provide and install supplemental/replacement segments of 12—42" diameter pipe.

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

WQM Permit No. 0509402, Sewerage, **Garren Wilkins**, 10538 Hyndman Road, Manns Choice, PA 15537. This proposed facility is located in Harrison Township, **Bedford County**.

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

WQM Permit No. 2109401, Sewerage, **Hampden Township Sewer Authority**, 230 South Sporting Hill Road, Mechanicsburg, PA 17050. This proposed facility is located in Hampden Township, **Cumberland County**.

Description of Proposed Action/Activity: Seeking approval for the construction/operation of a new sanitary sewer gravity main, sewage pumping station and force main in the Trindle Road area.

WQM Permit No. 0509403, Sewerage, **Municipal Authority of the Borough of Bedford**, 244 West Penn Street, Bedford, PA 15522. This proposed facility is located in Bedford Borough, **Bedford County**.

Description of Proposed Action/Activity: Seeking approval for the proposed improvements of construction and replacement of the sewage treatment facilities to comply with the regulations set forth by the Chesapeake Bay Tributary Strategy.

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

WQM Permit No. 4209401, Sewerage, **Eldred Township Municipal Authority**, 1834 West Eldred Road, Eldred, PA 16731. This proposed facility is located in Eldred and Otto Townships, **McKean County**.

Description of Proposed Action/Activity: Eldred Township is proposing to construct a wastewater collection and conveyance system to serve portions of the Township. Wastewater will be conveyed along SR 346 south to the existing Otto Township wastewater treatment plant. The proposed project will serve 87 EDU's and will consist of pressure sewer force main lines, low pressure sewer collectors and one duplex pump station.

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

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

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

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

<i>NPDES Permit No.</i>	<i>Applicant Name & Address</i>	<i>County</i>	<i>Municipality</i>	<i>Receiving Water/Use</i>
PAI01 1509005	Greenpoint Farms, Inc. 402 Bayard Road Suite 100 Kennett Square, PA 19348	Chester	East Nottingham Township	Little Elk Creek HQ-TSF-MF
PAI01 1509006	Hopewell Village, LP 722 Yorklyn Road Suite 350 Hockessin, DE 19707	Chester	Elverson Borough	South Branch French Creek EV East Branch Conestoga River WWF

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

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

<i>NPDES Permit No.</i>	<i>Applicant Name & Address</i>	<i>County</i>	<i>Municipality</i>	<i>Receiving Water/Use</i>
PAI023907003(1)	Susanne Meixsell Northwestern Lehigh School District 6493 Route 309 New Tripoli, PA 18066	Lehigh	Heidelberg and Lynn Townships	Tributary to Jordan Creek HQ-CWF, MF School Creek EV
PAI023909007	Joe Lenzi Prime Land Development P. O. Box 95 Womelsdorf, PA 19567	Lehigh	Lowhill Township	Tributary to Lyon Creek HQ-CWF, MF
PAI023909008	Kelly and Matthew Stubits 3608 East Grant Street Slatington, PA 18080	Lehigh	Heidelberg Township	Tributary to Jordan Creek HQ-CWF, MF

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

<i>NPDES Permit No.</i>	<i>Applicant Name & Address</i>	<i>County</i>	<i>Municipality</i>	<i>Receiving Water/Use</i>
PAI032809001	Humbert Ho Greenspring Valley Development 5709 Avery Park Drive Rockville, MD 20855	Franklin	Antrim Township	Muddy Run HQ-CWF

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

Erie County Conservation District: 1927 Wager Road, Erie, PA 16509, (814) 825-6403.

NPDES Permit No.	Applicant Name & Address	County	Municipality	Receiving Water/Use
PAI062509002	ERI-Runway 6-24 Improvement Erie Regional Airport Authority 4411 West 12th Street Erie, PA 16505	Erie	Millcreek and Girard Townships	Lake Erie and Crooked Creek HQ-CWF, MF

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

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

STATE CONSERVATION COMMISSION

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

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

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

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

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

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

NUTRIENT MANAGEMENT PLAN—PUBLIC NOTICE SPREADSHEET—APPLICATIONS

Agricultural Operation Name and Address	County	Total Acres	Animal Equivalent Units	Animal Type	Special Protection Waters (HQ or EV or NA)	Renewal/New
Ted Miller Farm 1334 Valentine Road Ickesburg, PA 17037	Perry	87.1	585.1	Swine	None	Renewal

PUBLIC WATER SUPPLY (PWS) PERMIT

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

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

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

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

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

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

SAFE DRINKING WATER

Applications Received under the Pennsylvania Safe Drinking Water Act

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

Application No. 2009501, Public Water Supply.

Applicant	Raymond Drive Water Company
Township or Borough	West Mead Township Crawford County
Responsible Official	Ronald G. Irwin Principal Owner
Consulting Engineer	John C. Galbo, P. E. Allegheny Professional Services, LLC 24378 Gravel Run Road Cambridge Springs, PA 16403
Application Received Date	January 30, 2009
Description of Action	Permit existing public water supply system.

Application No. 4209501, Public Water Supply.

Applicant	Mount Jewett Borough Authority
Township or Borough	Mt. Jewett Borough Hamlin Township McKean County
Responsible Official	Christine B. Park Secretary
Consulting Engineer	Taffi J. Skopinski Project Coordinator Northwest Engineering P. O. Box Q Tidioute, PA 16351
Application Received Date	January 27, 2009
Description of Action	Addition of spring source to existing permitted water supply system.

MINOR AMENDMENT

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

Application No. 5298502MA, Minor Amendment, Public Water Supply.

Applicant	Municipal Authority of the Borough of Milford Milford Borough
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Responsible Official	Ronald Gregory Chairperson Municipal Authority of the Borough of Milford P. O. Box 459 120 Pear Alley Milford, PA
Type of Facility	Public Water System
Consulting Engineer	CDM Byrne E. Remphrey, P. E. 205 Granite Run Drive Suite 350 Lancaster, PA
Application Received Date	January 12, 2009
Description of Action	The replacement of the gas chlorination system at the drinking water treatment plant with liquid sodium hypochlorite.

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 the Department Regional Office noted 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 (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 the Department Regional Office indicated previously 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.

PABIS 3501, Municipal Authority of the Borough of Bedford WWTP, Bedford Township, **Bedford County**. The Municipal Authority of the Borough of Bedford, 244 West Penn Street, Bedford, PA 15522 has applied to beneficially use their biosolids on the Natali Brothers Farm in Colerain Township, Bedford County.

The permittee must notify the County Conservation District and Regional Department Staff 48 hours prior to each land application event at this site.

LAND RECYCLING AND ENVIRONMENTAL REMEDIATION

UNDER ACT 2, 1995

PREAMBLE 1

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

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

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

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

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

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

Former Valley Hand Screen Printing Property, City of Lebanon, **Lebanon County**. Earth Resource Associates, Inc., 544 Hemlock Lane, Lebanon, PA 17042, on behalf of The Housing Authority of Lebanon County, P. O. Box 420, Lebanon, PA 17402-0420, submitted a Notice of Intent to Remediate groundwater contaminated with VOCs from historical industrial activities. The site will be remediated as a Special Industrial Area, and will be developed for residential townhouses.

Pennfield Corporation/Diesel Fuel Release, Mount Joy Borough, **Lancaster County**. GemChem, Inc., 53 North Cedar Street, P. O. Box 384, Lititz, PA 17543-0384, on behalf of Pennfield Corporation, 711 Rohrerstown Road, Lancaster, PA 17604, and Kline's Services, 5 Holland Street, Salunga, PA 17538, submitted a Notice of Intent to Remediate site soils contaminated with diesel fuel released during a tractor trailer fire. The site will be remediated to a Residential Statewide Health Standard and will remain industrial.

Bard Town Houses, Shippensburg Township, **Cumberland County**. BL Companies, Inc., 213 Market Street, Harrisburg, PA 17101, on behalf of Shippensburg Reserve Partnership, 2601 West 26th Street, Erie, PA 16506, submitted a Notice of Intent to Remediate soils and groundwater impacted with No. 2 fuel oil. The site will be remediated to a combination of Statewide Health and Site-Specific Standards, and will remain residential.

3200 Market Street Site, Camp Hill Borough, **Cumberland County**. BL Companies, Inc., 213 Market Street, Harrisburg, PA 17101, on behalf of RAP Camp Hill, LLC, 571 McGlaughlin Road, P. O. Box 3247, Gettysburg, PA 17325, submitted a Notice of Intent to Remediate site soils and groundwater contaminated with gasoline and petroleum products from the operation of a former automotive service station. The site will be remediated to a combination of Statewide Health and Site-Specific Standards, and will remain commercial.

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

Sunoco Pipeline Release. Coal Township, **Northumberland County**. CBA Environmental Services, Inc., 57 Park Lane, Hegins, PA 17938 on behalf of Mallard Contracting Company, Inc., 100 Lehigh Avenue, Mount Carmel, PA 17851 has submitted a Notice of Intent to Remediate soil contaminated with gasoline released from an underground pipeline owned by Sunoco Pipeline Partners, LP. The applicant proposes to remediate the site to meet the Statewide Health Standard. A summary of the Notice of Intent to Remediate was reported to have been published in the *Republican Herald* on January 27, 2009. The proposed future use of the property will be nonresidential for mining related activities.

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

Erie Golf Course Expansion Parcel 33-186-554-25, Millcreek Township, **Erie County**. Environmental Remediation & Recovery, Inc., 4250 Route 6N, Edinboro, PA 16412 on behalf of The City of Erie, 626 State Street, Room 400, Erie, PA 16501 has submitted a Notice of Intent to Remediate. Historical use of this parcel was a landfill for municipal wastes by the City of Erie. Wastes at the site consist of nonmedia solids including glass,

rubber, wood, concrete and small metal containers. Trichloroethene and vinyl chloride were detected in groundwater internal to the site. The future usage of the property is to remain as a public golf course. The Notice of Intent to Remediate was published in the *Erie Times-News* on January 15, 2009.

Former National Transit Company Pipeyard Site, Cornplanter Township, Venango County. URS Corporation, Foster Plaza 4, 501 Holiday Drive, Suite 300, Pittsburgh, PA 15220 on behalf of Pennzoil-Quaker State Company DBA SOPUS Products, 12700 Northborough Drive, 300 E-11, Houston, TX 77067-2502 has submitted a Notice of Intent to Remediate. The site is affected by commingled releases of crude petroleum from former oil storage operations on the site and from a more recent release of unleaded gasoline on an adjacent retail petroleum property. Constituents of potential concern include benzene, ethylbenzene, xylenes, naphthalene and lead in soil; benzene and methyl tert-butyl ether in groundwater. The property is currently used for nonresidential purposes and will continue to be used for nonresidential purposes. The Notice of Intent to Remediate was published in *The Derrick* on January 12, 2009.

AIR QUALITY

PLAN APPROVAL AND OPERATING PERMIT APPLICATIONS

NEW SOURCES AND MODIFICATIONS

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

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

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

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

Persons with a disability who wish to comment and require an auxiliary aid, service or other accommodation to participate should contact the regional office identified

before the application. TDD users should contact the Department through the Pennsylvania AT&T Relay Service at (800) 654-5984.

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

PLAN APPROVALS

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

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

56-00025H: New Enterprise Stone and Lime Co., Inc. (P. O. Box 77, New Enterprise, PA 16664) for installation of a vibrating screen at their Bakersville Quarry in Jefferson Township, **Somerset County.**

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

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

46-0005AD: Merck and Co., Inc. (Sumneytown Pike, West Point, PA 19486) for installation of one portable emergency diesel-fired generator at their facility in Upper Gwynedd Township, **Montgomery County.** This installation is subject to the Department of Environmental Protection (Department) NSR regulations under 25 Pa. Code § 127.211(b)(1), for de minimis emission increases of VOC. Thirty-four and twenty-four hundredths (34.24) tons of VOC ERCs will be surrendered to the Department for this project. There are no add-on control devices for this source. The plan approval will include monitoring, recordkeeping and reporting requirements designed to keep the facility operating within all applicable air quality requirements.

1. To address the NSR regulations for this source, the permittee shall surrender 34.24 tons of VOC ERCs to the Department. These ERCs are currently held by the permittee in the Department's ERC registry. This amount includes the de minimis VOC increases (26.34 tons) times a multiplier of 1.3.

The generator shall not start up until the ERCs are transferred.

2. Air contaminant emissions shall not exceed any of the following:

- (a) VOC—0.29 g/bhp-hr;
- (b) NO_x—4.48 g/bhp-hr;
- (c) PM and PM₁₀—0.12 g/bhp; and
- (d) CO—1.42 g/bhp-hr.

3. Only diesel fuel with 0.05% sulfur or less, by weight, shall be used in the operation of this source.

4. The source shall not operate more than 500 hours in any 12-consecutive month period, including no more than 100 hours for maintenance checks and readiness tests.

5. The permittee shall monitor and record the hours of operation, and the operating hours for maintenance checks and readiness tests, using a nonresettable hour meter or Department approved equivalent.

6. The fuel usage and operating times for this source shall be recorded monthly and aggregated on a 12-consecutive month basis.

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

63-00936A: MarkWest Liberty Gas Gathering, LLC, (1515 Arapahoe Street, Tower 2, Suite 700, Denver, CO 80202-2126) construction of a depropanizer unit and other supporting equipment at their Houston Gas Processing Plant, in Chartiers Township, **Washington County**.

In accordance with 25 Pa. Code §§ 127.44(b) and 127.45, the Department of Environmental Protection (Department) intends to issue a Plan Approval to allow the construction of a depropanizer unit and other supporting equipment at the Houston Gas Processing Plant, located in Chartiers Township, Washington County.

Emissions from this depropanizer unit are estimated to be 6.06 tons of VOC per year and total facility emissions are estimated to be 22.98 tons of NO_x, 22.37 tons of CO and 15.35 tons of VOC per year. The proposed facility is subject to the applicable requirements of 25 Pa. Code, Chapter 127, related to construction, modification, reactivation and operation of sources. The Department believes that the facility will meet these requirements by complying with the following Plan Approval conditions:

1. This Plan Approval is for the installation of a new depropanizer at the MarkWest Liberty Gas Gathering, LLC, Houston Gas Plant located in Chartiers Township, Washington County. (25 Pa. Code § 127.12b)

2. Permittee shall comply with the applicable requirements of 40 CFR 60, Subpart KKK—Standards of Performance for Equipment Leaks of VOC from Onshore Natural Gas Processing Plants.

3. Permittee shall institute and conduct an audio, visual and olfactory leak detection and repair (LDAR) program performed on a biweekly basis to minimize VOC emissions. Records of each inspection must be maintained onsite for a period of 5 years and be made available to the Department upon request. Inspection records shall, at a minimum, identify each leak and the length of time until it is repaired. All repairs shall be made within 15 calendar days unless otherwise approved by the Department in writing. (25 Pa. Code § 127.12b)

4. Propane storage tanks shall be maintained at sufficient working pressures at all times to prevent vapor or gas loss to the atmosphere. (25 Pa. Code § 127.12b)

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

6. This facility is subject to the odor emission requirements of 25 Pa. Code § 123.31(b).

7. Upon completion of the construction of the facility, company must request that the existing Operating Permit be updated to include the new equipment and the new requirements. Notify the Department when the installation is completed so that the facility can be inspected for issuance of an operating permit.

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

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

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

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

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

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

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

11. If, at any time, the Department has cause to believe that air contaminant emissions from the sources listed in this plan approval may be in excess of the limitations specified in, or established under this plan approval or the permittee's operating permit, the permittee may be required to conduct test methods and procedures deemed necessary by the Department to determine the actual emissions rate. The testing shall be conducted in accordance with 25 Pa. Code Chapter 139, where applicable, and in accordance with any restrictions or

limitations established by the Department at the time as it notifies the company that testing is required. (25 Pa. Code § 127.12b)

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

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

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

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

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

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

A justification for the extension.

A schedule for the completion of the construction.

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

If the construction, modification or installation is not commenced within 18-months of the issuance of this plan approval or if there is more than an 18-month lapse in construction, modification or installation, a new plan approval application that meets the requirements of 25 Pa. Code Chapter 127, Subchapters B, D and E (relating to plan approval requirements; prevention of significant deterioration of air quality; and new source review) shall be submitted. (25 Pa. Code § 127.13)

This plan approval may not be transferred from one person to another except when a change of ownership is

demonstrated to the satisfaction of the Department and the Department approves the transfer of the plan approval in writing.

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

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

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

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

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

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

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

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

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

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

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

22. No person may permit the use of a device, stack height which exceeds good engineering practice stack height, dispersion technique or other technique which, without resulting in reduction of the total amount of air contaminants emitted, conceals or dilutes an emission of air contaminants which would otherwise be in violation of this plan approval, the APCA or the regulations promulgated thereunder, except that with prior approval of the Department, the device or technique may be used for control of malodors. (25 Pa. Code §§ 121.9 and 127.216)

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

Regional Air Program Manager
Department of Environmental Protection
(At the address given on the plan approval transmittal
letter or otherwise notified) (25 Pa. Code § 127.12c)

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

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

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

Three years after the date on which a regulated substance is first listed under § 68.130; or,

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

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

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

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

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

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

Identification of the proposed Plan Approval (specify the Plan Approval number).

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

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

PLAN APPROVAL

PUBLIC HEARINGS

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

67-05083B: Conectiv Mid Merit, LLC, Delta Power Plant (P. O. Box 6066 92 DC 72, Newark, DE 19714-6066) to authorize the transfer and use of emission reduction credits (ERCs) for offset purposes for their gas turbine generator units located in Peach Bottom Township, York County. Conectiv Mid Merit, LLC (Conectiv) is a major facility subject to the emission offset requirements of 25 Pa. Code Chapter 127, Subchapter E (relating to new source review). This plan approval is granted solely for the transfer and use of ERCs according to 25 Pa. Code § 127.208(2), and does not authorize a person to construct, modify, or reactivate an air contaminant source or allow for the installation of an air cleaning device on an air contaminant source.

This plan approval authorizes the transfer and use of 3,521.09 tpy of NO_x, 13,241.30 tpy of SO₂ and 33.76 tpy of PM_{2.5} ERCs. This plan approval allows the use of 331.03 tpy of PM_{2.5} as offsets which is generated from the interpollutant trading of 13,241.30 tpy of SO₂ ERCs using Environmental Protection Agency's (EPA) recommended interpollutant trading ratio of 40 tpy of SO₂ to one tpy of PM_{2.5} as provided under EPA's final rule entitled "Implementation of the New Source Review Program for Particulate Matter less than 2.5 Micrometers (PM_{2.5})." (72 Fed Reg 28349, May 16, 2008). The Department may terminate, modify or suspend the transfer and use of interpollutant trading of PM_{2.5} credits based on a decision by EPA regarding interprecursor trading hierarchy and ratio as required under 40 CFR Part 51 Appendix S. The previously mentioned PM_{2.5}, SO₂ and NO_x ERCs were generated from the shutdown of PPL's Holtwood facility on April 29, 1999, in the Martic Township, Lancaster County, PA. This ERC transfer meets the criteria set forth in 25 Pa. Code § 127.208(11).

Interested persons may submit written comments. Comments, suggestions or objections shall be sent to William Weaver, Air Quality, 909 Elmerton Avenue, Harrisburg, PA 17110-8200 within 30 days of this notice. Written comments should include the name, address and telephone number of the persons submitting the comments along with the reference number of the proposed permit (67-05083B). Copies of the plan approval application, proposed plan approval and other relevant information are available for public inspection at the Department of Environmental Protection's Southcentral Regional Office, 909 Elmerton Avenue, Harrisburg, PA 17110-8200. An appointment to review the documents may be scheduled by contacting Jennifer Troutman at (717) 705-4732 between 8 a.m. and 3:30 p.m., Monday through Friday, except holidays.

One public hearing will be held for the purpose of receiving comments on the proposal. The hearing will be held on Tuesday, March 17, 2009, at the Department's South Central Regional Office, located at 909 Elmerton Avenue, Harrisburg, PA from 9 a.m. until all scheduled comments are presented.

OPERATING PERMITS

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

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

TV 39-00014: Department of Public Welfare—Allentown State Hospital (1600 Hanover Avenue, Allentown, PA 18109-2408) for operation of a State Hospital facility, Title V Operating Permit in City of Allentown, **Lehigh County**.

TV 39-00069: Victaulic Co. (P. O. Box 31, Easton, PA 18044-0031) for operation of gray and ductile foundries, Title V Operating Permit in Alburtis Borough, **Lehigh County**.

TV 48-00018: Rockwood Pigments—Easton (1525 Wood Avenue, Easton, PA 18042-3186) for manufacture of inorganic pigments, Title V Operating Permit in City of Easton, **Northampton County**.

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

36-05072: Mount Joy Wire Corp. (1000 East Main Street, Mount Joy, PA 17552) for operation of a steel wire manufacturing facility in Mount Joy Borough, **Lancaster County**. The Title V operating permit will contain monitoring, recordkeeping and reporting requirements designed to keep the facility operating within all applicable air quality requirements. This action is a renewal of the facility's Title V operating permit issued in 2003.

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

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

09-00117: Heucotech, LTD (99 Newbold Road, Fairless Hills, PA 19030) for issuance of a State-only Operating Permit to operate organic pigments production in Falls Township, **Bucks County**. The facility is natural minor. Plan Approval, PA-09-00117B is being incorporated into this new State-only Operating Permit. This Operating Permit shall include monitoring and recordkeeping designed to ensure this facility complies with all applicable air quality regulations.

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

35-00028: Moses Taylor Hospital (700 Quincy Avenue, Scranton, PA 18510) for operation of boilers at their facility in the City of Scranton, **Lackawanna County**. This action is a renewal of the State-only (Synthetic Minor) Operating Permit for this facility. This Operating Permit shall include emission restrictions, monitoring, recordkeeping and reporting requirements designed to ensure this facility complies with all applicable air quality regulations.

35-00045: Eureka Stone Quarry, Inc. (P. O. Box 249, Chalfont, PA 18914) for operation of a rock crushing operation and batch asphalt plant with associated air cleaning devices at their Daleville Quarry in Covington Township, **Lackawanna County**. This action is a renewal of the State-only (Synthetic Minor) Operating Permit for this facility. This Operating Permit shall include emission restrictions, monitoring, recordkeeping and reporting requirements designed to ensure this facility complies with all applicable air quality regulations.

35-00048: Pioneer Aggregates, Inc. (202 Main Street, Laflin, PA 18702) for operation of a rock crushing operation and associated air cleaning devices at their Simpson Stone Quarry in Fell Township, **Lackawanna County**. This action is a renewal of the State-only (Natural Minor) Operating Permit for this facility. This Operating Permit shall include emission restrictions, monitoring, recordkeeping and reporting requirements designed to ensure this facility complies with all applicable air quality regulations.

39-00058: Packaging Corporation of America (7451 Centronia Road, Trexlertown, PA 18087) for a State-only (Natural Minor) Operating Permit for operation of a corrugated and solid fiber box manufacturing facility in Upper Macungie Township, **Lehigh County**. This Operating Permit shall include emission restrictions, monitoring, recordkeeping and reporting requirements designed to ensure this facility complies with all applicable air quality regulations.

40-00054: Barletta Materials and Construction, Inc. (P. O. Box 550, Tamaqua, PA 18252) for operation of a batch asphalt plant and associated air cleaning devices at their facility in Nescopeck Township, **Luzerne County**. This action is a renewal of the State-only (Synthetic Minor) Operating Permit for this facility. This Operating Permit shall include emission restrictions, monitoring, recordkeeping and reporting requirements designed to ensure this facility complies with all applicable air quality regulations.

48-00062: Haines and Kibble House, Inc. (2052 Lucon Road, Skippack, PA 19474) for operation of a rock crushing operation and associated air cleaning devices at their ABE Materials—Easton Crushing Plant in Lower Mount Bethel Township, **Northampton County**. This action is a renewal of the State-only (Natural Minor) Operating Permit for this facility. This Operating Permit shall include emission restrictions, monitoring, recordkeeping and reporting requirements designed to ensure this facility complies with all applicable air quality regulations.

54-00017: Lehigh Asphalt Paving & Construction Co. (P. O. Box 449, Tamaqua, PA 18252) for operation of a rock crushing operation and associated air cleaning devices at their facility in West Penn Township, **Schuylkill County**. This action is a renewal of the State-only (Natural Minor) Operating Permit for this facility. This Operating Permit shall include emission restrictions, monitoring, recordkeeping and reporting requirements designed to ensure this facility complies with all applicable air quality regulations.

54-00047: Pennsy Supply, Inc. (1001 Paxton Street, Harrisburg, PA 17104) for operation of a rock crushing operation and associated air cleaning devices at their Summit Station Quarry in Wayne Township, **Schuylkill County**. This action is a renewal of the State-only (Natural Minor) Operating Permit for this facility. This Operating Permit shall include emission restrictions, monitoring, recordkeeping and reporting requirements designed to ensure this facility complies with all applicable air quality regulations.

64-00005: Wayco, Inc. (P. O. Box Y, Waymart, PA 18472) for operation of a batch asphalt plant and associated air cleaning devices at their facility in Hawley Borough, **Wayne County**. This action is a renewal of the State-only (Synthetic Minor) Operating Permit for this facility. This Operating Permit shall include emission restrictions, monitoring, recordkeeping and reporting re-

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

45-00007: National Electrical Carbon Products (100 Stokes Avenue, East Stroudsburg, PA 18301) for manufacture of carbon and graphite products in East Stroudsburg Borough, **Monroe County**. This is a renewal of a State-only Natural Minor operating permit for this facility.

35-00004: Steamtown National Historic Site (150 South Washington Avenue, Scranton, PA 18503) for operation of their facility in Scranton, **Lackawanna County**. This is a renewal of a State-only Natural Minor operating permit for this facility.

40-00027: PPL Susquehanna, LLC (769 Salem Boulevard, Berwick, PA 18603) for operation of an electric transmission and utilities facility in Salem Township, **Luzerne County**. This is a renewal of a State-only Synthetic Minor operating permit for this facility.

48-00029: GAF Premium Products—Wind Gap (440 Katherine Road, Wind Gap, PA 18091) for manufacture of fiber cement siding in Wind Gap Borough, **Northampton County**. This is a renewal of a State-only Synthetic Minor operating permit for this facility.

40-00066: Hazelton Casting Co. (P. O. Box 196, Skippack, PA 19474) for operation of a small foundry operation in Foster Township, **Luzerne County**. This is a renewal of a State-only Synthetic Minor operating permit for this facility.

40-00113: Hazelton Materials, LLC (P. O. Box 196, Skippack, PA 19474) for operation of a small foundry operation in Foster Township, **Luzerne County**. This is a State-only Synthetic Minor operating permit.

40-00015: Mountaintop Anthracite (1550 Crestwood Road, Mountaintop, PA 18707-2132) for operation of a coal processing plant in Wright Township, **Luzerne County**. This is a State-only Natural Minor operating permit.

39-00091: Service Tire Truck Center, Inc. (2255 Avenue A, Bethlehem, PA 18017) for operation of tire retreading facility in Bethlehem, **Lehigh County**. This is a State-only Natural Minor operating permit.

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

01-05033: Knouse Foods Cooperative, Inc. (P. O. Box 807, Biglerville, PA 17307) to operate their Peach Glen fruit processing facility in Tyrone Township, **Adams County**. This is a renewal of the State-only operating permit issued in August 2003.

06-03015: F. M. Brown's Sons, Inc. (South Furnace Street, Birdsboro, PA 19508) for operation of their existing feed mill in Birdsboro Borough, **Berks County**. This is a permit renewal of their existing operating permit. The State-only operating permit will include monitoring, recordkeeping, reporting requirements, emission restrictions and work practice standards designed to keep the facility operating within all applicable air quality requirements.

28-03043: CAM Superline, Inc. (4763 Zane A. Miller Drive, Waynesboro, PA 17268) for operation of their surface coating facility in Washington Township, **Franklin County**. This is a renewal of the State-only operating permit issued in September 2003.

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

63-00883: Pennsylvania Transformer Technology, Inc. (30 Curry Avenue, Canonsburg, PA 15317) for operation of an electrical transformer manufacturing facility in Canonsburg Borough, **Washington County**. This is a renewal for this synthetic minor facility.

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

10-00326: Oesterling Sandblasting and Painting, Inc. (686 Glennwood Way, Butler, PA 16001-8422) for re-issuance of the Natural Minor Operating Permit for operation of their facility's air contamination sources consisting of: 1.2 mmBtu/hr natural gas space heaters, Abrasive Blasting, two large Paint Booths and a 30-gallon parts washer in Center Township, **Butler County**. The facility is not permitted to emit more than 20 tpy of VOCs from the spray painting operation.

25-00066: Accuride Erie, LP (1015 East 12th Street, Erie, PA 16503-1520), for re-issuance of the Synthetic Minor Permit, to operate a nonferrous forging plant in the City of Erie, **Erie County**. The significant sources included, 1,995 quench tank, 5,000 ton forging press, 8,000 ton forging press, three 7,000 ton forging presses, 2,000 heat treating furnaces, 1,995 solution furnace, 1,995 age furnace, cold cleaning machines, process heating, miscellaneous natural gas usage, three wheel washers, two carbottom furnaces, 2,006 solution furnace, 2,006 quench tank and 2,006 age furnace. The facility has taken a restriction of CO emission, 95 tpy to qualify as synthetic minor. The permit also contains additional monitoring, recordkeeping and reporting requirements to assure compliance with the facility-wide CO emission limit.

COAL AND NONCOAL MINING ACTIVITY APPLICATIONS

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

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

Written comments or objections, or requests for an informal conference, or a public hearing, as applicable, on a mining permit application may be submitted by any person or any officer or head of any Federal, State or local government agency or authority to the Department at the address of the district mining office indicated above each application within 30 days of this publication, or within 30 days after the last publication of the applicant's

newspaper advertisement, as provided by 25 Pa. Code §§ 77.121—77.123 and 86.31—86.34.

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

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

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

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

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

More restrictive effluent limitations, restrictions on discharge volume, or restrictions on the extent of mining that may occur, will be incorporated into an NPDES permit when necessary for compliance with water quality

standards and antidegradation requirements (in accordance with 25 Pa. Code Chapters 91—96).

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

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

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

Coal Applications Received

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

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

¹The parameter is applicable at all times.

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

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

17041301 and NPDES Permit No. PA0235628, (Rosebud Mining Company, 301 Market Street, Kittanning, PA 16201), to revise the permit for the Penfield Mine in Huston Township, **Clearfield County** to add underground permit and subsidence control plan acreage. Underground Acres Proposed 388.0, Subsidence Control Plan Acres Proposed 388.0. No additional discharges. Application received January 12, 2009.

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

56010105 and NPDES No. PA0249068. Godin Brothers, Inc., P. O. Box 216, Boswell, PA 15531, revision of an existing bituminous surface mine to change land use from woodland to unmanaged natural habitat in Jenner Township, **Somerset County**, affecting 34.8 acres. Receiving streams: UNTs to/and Quemahoning Creek classified for the following use: CWF. The first downstream potable water supply intake from the point of discharge is Cambria Somerset Authority Quemahoning SW1. Application received January 21, 2009.

56090101 and NPDES No. PA0262714. Future Industries, Inc., P. O. Box 157, Meyersdale, PA 15552, commencement, operation and restoration of a bituminous surface mine in Elk Lick Township, **Somerset County**, affecting 186.0 acres. Receiving streams: UNT to/and Casselman River; UNTs to Piney Creek classified for the following use: CWF. There are no potable water supply intakes within 10 miles downstream. Application received January 13, 2009.

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

26090101 and NPDES Permit No. PA0251569. Neiswonger Construction, Inc. (17592 Route 322,

Strattanville, PA 16258). Application for commencement, operation and reclamation of a bituminous surface mine, located in Dunbar Township, **Fayette County**, affecting 160.7 acres. Receiving streams: Craig Branch to Bute Run, classified for the following use: WWF. There is no potable water supply intake within 10 miles downstream from the point of discharge. Application received January 28, 2009.

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

40940203C4 and NPDES Permit No. PA0224731. Hudson Anthracite, Inc., (202 Main Street, Laflin, PA 18702), correction to an existing anthracite coal refuse reprocessing operation to include surface mining and an NPDES Permit for discharge of treated mine drainage affecting 174.1 acres, receiving stream: Susquehanna River, classified for the following use: CWF. Application received January 27, 2009.

Noncoal Applications Received

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

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

* The parameter is applicable at all times.

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

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

3072SM3. Allegheny Mineral Corporation (P. O. Box 1022, Kittanning, PA 16201) Renewal of NPDES Permit No. PA0605336, Mercer and Marion Townships, **Butler County**. Receiving streams: Two UNTs to McMurray Run, classified for the following statewide water use: CWF. There are no potable surface water supply intakes within 10 miles downstream. The Department of Environmental Protection has made a tentative determination to impose effluent limitations within the ranges specified on Table 1 for Iron, Manganese and Total Suspended Solids (in addition to the limits identified in Table 2). NPDES Renewal application received January 29, 2009.

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

64940804. Pykus Sand and Gravel, Inc., (1880 Great Bend Turnpike, Honesdale, PA 18431), Stages I and II bond release for a quarry operation in Buckingham Township, **Wayne County** affecting 2.0 acres on property owned by Pykus Sand and Gravel, Inc. Application received January 23, 2009.

7975SM5C5. KPK Development Corp., (1082 Temperance Lane, Richboro, PA 18954), correction of an existing quarry operation to reconstruct earthen berms using clean fill in Falls Township, **Bucks County** affecting 454.3 acres, receiving stream: Delaware Canal by means of Martin's Creek. Application received January 26, 2009.

58992809. Douglas G. Kilmer, (R. R. 1, Box 85K, Union Dale, PA 18470), Stages I and II bond release for a quarry operation in New Milford Township, **Susquehanna County** affecting 1.0 acre on property owned by Robert Alexander. Application received January 28, 2009.

FEDERAL WATER POLLUTION CONTROL ACT, SECTION 401

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

noted before the application. Comments should contain the name, address and telephone number of the person commenting, identification of the certification request to which the comments or objections are addressed and a concise statement of comments, objections or suggestions including the relevant facts upon which they are based.

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

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

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

WATER OBSTRUCTIONS AND ENCROACHMENTS

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

E46-1037. Upper Gwynedd Township, P. O. Box 1, West Point, PA 19486, Upper Gwynedd Township, **Montgomery County**, United States Army Corps of Engineers, Philadelphia District.

Project Description:

To construct and maintain an approximately 200-foot long, 8-foot wide, 15-foot high pedestrian bridge across Wissahickon Creek (TSF). The site is located just north of the existing Sumneytown Pike Bridge over Wissahickon Creek (Lansdale, PA USGS Quadrangle N: 16.2"; W: 5.8").

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

E64-278. Department of Transportation, Engineering District 4-0, 55 Keystone Industrial Park, Dunmore, PA 18103, in Palmyra Township, **Wayne County**, United States Army Corps of Engineers, Philadelphia District.

To remove the existing structure and to construct and maintain a 2-span, steel I-beam bridge over Middle Creek (HQ-CWF, MF) and to relocate 132 linear feet of a tributary to Middle Creek. The project is located at SR 2004, Segment 0030, Offset 0000, approximately 1.1 mile west of the intersection of SR 2004 and SR 2006 (Hawley, PA Quadrangle Latitude: 41° 28' 49"; Longitude: 75° 12' 04").

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

E19-274. Kawneer Company, Inc., 500 East 12th Street, P. O. Box 629, Bloomsburg, PA 17815. Culvert Crossing, in Town of Bloomsburg, **Columbia County**,

United States Army Corps of Engineers, Baltimore District (Bloomsburg, PA Quadrangle Latitude: 40° 59' 47.5"; Longitude: 76° 26' 32.3").

The applicant proposed to remove the existing culvert crossing and replace it with a new 14 foot by 9 foot box culvert with a clear span of 12 feet. The length of the crossing will be 66 feet not to include the end sections on the inlet and outlet of the structure. This structure will impact less than 100 linear feet of Kinney Run and will only impact 0.66 acre of total area. This project will not impact any wetlands. This project is located on Kinneys Run and carries a 25 Pa. Code Chapter 93 water quality designation as CWF.

E49-302. West Chillisquaque Township, P. O. Box 252, Montandon, PA 17850. Old Canal Culvert Replacement, in West Chillisquaque Township, **Northumberland County**, United States Army Corps of Engineers, Baltimore District (Northumberland, PA Quadrangle Latitude: 40° 58' 3.8"; Longitude: 76° 51' 50.1").

The applicant proposes to replace an existing culvert under SR 0045. The existing 42-inch, 78 foot long culvert pipe is intended to be replaced with a 60-inch, 85 foot long culvert with a slight change in horizontal alignment. The existing headwalls will be removed and new headwalls installed at the inlet and outlet of the structure. This project is intending to lower the bottom elevation of the new culvert 3 feet below the existing structure. The proposed 3 foot depression is to facilitate a potential future project of stormwater removal for the Municipality. This project impacts 100 linear feet of a UNT to the Chillisquaque Creek, which carries a water quality designation of WWF and the present project does not impact any wetlands.

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

E03-448. Roaring Run Watershed Association, P. O. Box 333, Apollo, PA 15613-1338. To construct a pedestrian bridge in Kiskiminetas Township, **Armstrong County**, United States Army Corps of Engineers, Pittsburgh District (Vandergrift, PA Quadrangle N: 6.7 inches; W: 0.55 inch, Latitude: 40° 32' 14"; Longitude: 79° 30' 14"). The applicant proposes to construct and maintain a pedestrian bridge having a span of 32 feet and an underclearance of 7 feet on a trail across a UNT to the Kiskiminetas River (WWF).

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

E24-252. Jeffrey L. Buchheit, Elk County Freshwater Association, 10 Erie Avenue, Saint Marys, PA 15837. Ellithorpe Run Treatment System, in Highland Township, **Elk County**, United States Army Corps of Engineers, Pittsburgh District (James City, PA Quadrangle N: 41° 34' 55"; W: 78° 49' 8").

The applicant proposes to construct and maintain a passive water treatment system on a UNT to Ellithorpe Run situated approximately 2,000 feet upstream from its confluence with Ellithorpe Run. The treatment system proposes to mitigate the impacts of acid deposition by alkaline addition. The applicant proposes to conduct the following activities associated with the construction of the passive water treatment system.

1. To install and maintain across the UNT to Ellithorpe Run a reinforced concrete dam having dimensions of 25 feet wide by 1 1/2 feet thick and having a maximum height of 2.95 feet.

2. To install and maintain an intake structure consisting of a screened pipe upstream of the dam to divert a portion of stream flow to the treatment system.

3. To install and maintain a passive water treatment system involving a combination aerobic limestone basin and anaerobic vertical flow wetland within 50 feet of the top of the western bank of the UNT to Ellithorpe Run.

4. To install and maintain a rock lined channel downstream of the treatment facility to return the treated flow to the UNT to Ellithorpe Run.

The UNT to Ellithorpe Run is a perennial stream classified as HQ-CWF.

E62-420, WestPanet, 216 Pennsylvania Avenue West, Warren, PA 16365. Fiber Optic Crossing Allegheny River, in City of Warren, **Warren County**, United States Army Corps of Engineers, Pittsburgh District (Warren, PA Quadrangle N: 17.0 inches; W: 3.4 inches).

The applicant proposes to install and maintain a 420-foot long aerial fiber optic cable crossing of the Allegheny River adjacent to the upstream end of the Hickory Street Bridge. The Allegheny River is a perennial stream classified as a WWF.

DAM SAFETY

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

D64-007. Glass Pond One, LTD, 162 Smith Farm Road, Honesdale, PA 18431. To modify, operate and maintain Glass Pond No. 1 Dam across a tributary to West Branch Lackawaxen River (HQ-CWF), for the purpose of constructing a new spillway on an existing recreational dam to pass the required design storm in (Honesdale, PA Quadrangle N: 21.9 inches; W: 8.9 inches), Dyberry Township, **Wayne County**.

ACTIONS

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

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

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

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

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

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

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

I. NPDES Renewal Permit Actions

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

<i>NPDES No. (Type)</i>	<i>Facility Name & Address</i>	<i>County & Municipality</i>	<i>Stream Name (Watershed #)</i>	<i>EPA Waived Y/N ?</i>
PA0060852 (Minor Sewage)	St. Michael's School P. O. Box 370 Tunkhannock, PA 18657-0370	Falls Township Wyoming County	Susquehanna River 04G	Y
PA-0061417 (Minor Industrial Waste)	Northeast Power Company P. O. Box 7 McAdoo, PA 18237	Schuylkill County Kline Township	Little Schuylkill River 5E	Y

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

<i>NPDES No. (Type)</i>	<i>Facility Name & Address</i>	<i>County & Municipality</i>	<i>Stream Name (Watershed #)</i>	<i>EPA Waived Y/N ?</i>
PA0085537 (IW)	Altoona City Authority 20 Greenwood Road Altoona, PA 16602-7114	Blair County Antis Township	Bells Gap Run 11-A	Y

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

<i>NPDES No. (Type)</i>	<i>Facility Name & Address</i>	<i>County & Municipality</i>	<i>Stream Name (Watershed #)</i>	<i>EPA Waived Y/N ?</i>
PA0112054	Mifflin Manor STP 2152 Heim Hill Road Montoursville, PA 17754	Lycoming County Mifflin Township	Larrys Creek SWP 10A	Y
PA0112305 Sewerage	Wyalusing Municipal Authority P. O. Box 61 Wyalusing, PA 18853-0061	Wyalusing Borough Bradford County	Susquehanna River 4D	Y

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

<i>NPDES No. (Type)</i>	<i>Facility Name & Address</i>	<i>County & Municipality</i>	<i>Stream Name (Watershed #)</i>	<i>EPA Waived Y/N</i>
PA0090832 Sewage	West Pike Run Township P. O. Box 222 Daisytown, PA 15427	Washington County West Pike Run Township	UNT of Pike Run	Y
PA0252603 Sewage	Cecil Township Municipal Authority 3599 Millers Run Road Suite 104 Cecil, PA 15321	Washington County Cecil Township	UNT of Millers Run	Y
PA0026824 Sewage	Clairton Municipal Authority One North State Street Clairton, PA 15025	Allegheny County City of Clairton	Peters Creek	N
PA0252531 Sewage	Independence-Cross Creek Joint Sewer Authority 16 Campbell Street P. O. Box 156 Avella, PA 15312	Washington County Independence Township	Cross 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. PA0028649, Amendment No. 1, Sewage, Borough of Sinking Spring, 3940 Penn Avenue, Sinking Spring, PA 19608. This proposed facility is located in Spring Township, **Berks County**.

Description of Proposed Action/Activity: Authorization to discharge to the Cacoosing Creek in Watershed 3-C.

NPDES Permit No. PA0031062, Sewage, Robeson-Wernersville Municipal Authority, P. O. Box 202, Wernersville, PA 19565. This proposed facility is located in Heidelberg Township, **Berks County**.

Description of Proposed Action/Activity: Authorization to discharge to the Spring Creek in Watershed 3-C.

NPDES Permit No. PA0029866, Sewage, Cumberland Valley School District, 6746 Carlisle Pike, Mechanicsburg, PA 17050. This proposed facility is located in Silver Spring Township, **Cumberland County**.

Description of Proposed Action/Activity: Authorization to discharge to a UNT of Conodoguinet Creek in Watershed 7-B. **NPDES Permit No. PA0080268**, Sewage, **Regency Woods North Mobile Home Park**, 130 Rex Drive, Carlisle, PA 17015. This proposed facility is located in Middlesex Township, **Cumberland County**.

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

NPDES Permit No. PA0246719, CAFO, **Rodney Metzler, Pleasant View Farms, Inc.**, R. D. 1, Box 124, Martinsburg, PA 16662. This proposed facility is located in North Woodbury Township, **Blair County**.

Description of Size and Scope of Proposed Operation/Activity: Authorization to operate a 2,938-AEU dairy operation located in Watershed 11-A.

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

NPDES Permit No. PA0002941-A1, Industrial Waste, **Allegheny Energy Supply Company**, LLC, 800 Cabin Hill Drive, Greensburg, PA 15601. This existing facility is located in Monongahela Township, **Greene County**.

Description of Proposed Action/Activity: Permit amendment issuance.

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

NPDES Permit No. PA0238686, Sewage, **Brandy One, LLC**, P. O. Box 449, Mars, PA 16046. This proposed facility is located in Connoquenessing Township, **Butler County**.

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

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

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

WQM Permit No. 0194403, Amendment No. 08-1, Sewage, **Blue Ridge Sportsman Association, Inc.**, 3009 Waynesboro Pike, Fairfield, PA 17320. This proposed facility is located in Liberty Township, **Adams County**.

Description of Proposed Action/Activity: Permit amendment approving the modification of sewerage facilities consisting of the installation of two new small extended aeration treatment units, an integral settling tank and a Bio-Kinetic effluent filter into the existing treatment train.

WQM Permit No. 5003403 T-1, Sewage, **Camille Otto**, 100 Reed Drive, Marysville, PA 17053. This proposed facility is located in Rye Township, **Perry County**.

Description of Proposed Action/Activity: Amendment approval for the transfer of sewerage facilities consisting of an aerobic treatment unit, 500-gallon dosing tank with pump, three 40-ft sand filters, tablet chlorinator and chlorine contact tank.

WQM Permit No. 0608403 T-1, Sewage, **Borough of Sinking Spring**, 3940 Penn Avenue, Sinking Spring, PA 19608. This proposed facility is located in Spring Township, **Berks County**.

Description of Proposed Action/Activity: Permit transfer approving the transfer of sewerage facilities consisting of collection/interceptor sewers and a wastewater treatment plant comprised of grit removal, fine screen oxidation ditches, final clarifiers, chlorine contact tanks, aerobic digesters, reed beds, buildings, pumps and other appurtenances.

WQM Permit No. 6708404, Amendment No. 08-1, Sewage, **Springettsbury Township**, 3501 North Sherman Street, York, PA 17402. This proposed facility is located in Springettsbury Township, **York County**.

Description of Proposed Action/Activity: Permit approving the construction of sewerage facilities consisting of the replacement of the existing chlorination system with a new UV disinfection system.

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

WQM Permit No. 1908201, Industrial Waste, SIC 2041, **Del Monte Corporation**, One Market Street, San Francisco, CA 94119-3575. This proposed facility is located in South Centre Township, **Columbia County**.

Description of Proposed Action/Activity: The applicant proposes to reline and resize their earthen extended aeration basin.

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

WQM Permit No. 465S23-A2, Sewerage, **Belle Vernon Municipal Authority**, P. O. Box 181, 10 Main Street, Belle Vernon, PA 15012. This existing facility is located in Belle Vernon Borough, **Fayette County**.

Description of Proposed Action/Activity: Permit amendment issuance.

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

WQM Permit No. WQG018666, Sewerage, **Daniel R. and Diane M. Wheeler**, 10100 Silverthorn Road, Edinboro, PA 16412. This proposed facility is located in McKean Township, **Erie County**.

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

IV. NPDES Stormwater Discharges from MS4 Permit Actions**V. NPDES Waiver Stormwater Discharges from MS4 Actions****VI. NPDES Discharges of Stormwater Associated with Construction Activities Individual Permit Actions**

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

<i>NPDES Permit No.</i>	<i>Applicant Name & Address</i>	<i>County</i>	<i>Municipality</i>	<i>Receiving Water/Use</i>
PAI01 0908006	Josh Duke 1929 Route 212 Quakertown, PA 18951	Bucks	Springfield Township	Cooks Creek EV
PAI01 0908013	Our Kinder, LP 5 Glen Eagles Drive New Hope, PA 18938	Bucks	Solebury Township	UNT Aquetong Creek HQ
PAI01 1508067	Chester County Parks and Recreation Department 601 Westtown Road Suite 160 P. O. Box 2747 West Chester, PA 2747	Chester and Montgomery	East Whiteland, West Whiteland, Tredyffrin and Upper Merion Townships	Little Valley Creek EV
PAI01 1506018	Turnpike Commission P. O. Box 67676 Harrisburg, PA 17106-7676	Chester	Charlestown, East Whiteland and Tredyffrin Townships	Cedar Hollow Run/Valley Creek Watershed EV
PAI01 2308010	Anderson & Anderson, LLC 4511 Helton Drive Florence, AL 35630	Delaware	Upper and Lower Chichester Townships	Naaman's Creek/Marcus Hook Creek WWF-MF

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

<i>NPDES Permit No.</i>	<i>Applicant Name & Address</i>	<i>County</i>	<i>Municipality</i>	<i>Receiving Water/Use</i>
PAI024507012	First National Community Bank 102 East Drinker Street Dunmore, PA 18512	Monroe	Paradise Township	Swiftwater Creek HQ-CWF
PAI025808001	Turn Key Operations, LLC 10 Durham Court Middletown, NY 10940	Susquehanna	New Milford Township	Salt Lick Creek HQ-CWF

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

<i>NPDES Permit No.</i>	<i>Applicant Name & Address</i>	<i>County</i>	<i>Municipality</i>	<i>Receiving Water/Use</i>
PAI032108005	The Business Airport of Carlisle Jim Kingsborough 228 Petersburg Road Carlisle, PA 17013-3178	Cumberland	South Middleton Township	Letort Spring Run—Susquehanna River EV

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

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

List of NPDES and/or Other General Permit Types

PAG-1	General Permit for Discharges From Stripper Oil Well Facilities
PAG-2	General Permit for Discharges of Stormwater Associated With Construction Activities (PAR)
PAG-3	General Permit for Discharges of Stormwater From Industrial Activities
PAG-4	General Permit for Discharges From Small Flow Treatment Facilities
PAG-5	General Permit for Discharges From Gasoline Contaminated Groundwater Remediation Systems
PAG-6	General Permit for Wet Weather Overflow Discharges From Combined Sewer Systems (CSO)
PAG-7	General Permit for Beneficial Use of Exceptional Quality Sewage Sludge by Land Application

PAG-8	General Permit for Beneficial Use of Nonexceptional Quality Sewage Sludge by Land Application to Agricultural Land, Forest, a Public Contact Site or a Land Reclamation Site
PAG-8 (SSN)	Site Suitability Notice for Land Application Under Approved PAG-8 General Permit Coverage
PAG-9	General Permit for Beneficial Use of Residential Septage by Land Application to Agricultural Land, Forest, or a Land Reclamation Site
PAG-9 (SSN)	Site Suitability Notice for Land Application Under Approved PAG-9 General Permit Coverage
PAG-10	General Permit for Discharge Resulting from Hydrostatic Testing of Tanks and Pipelines
PAG-11	(To Be Announced)
PAG-12	Concentrated Animal Feeding Operations (CAFOs)
PAG-13	Stormwater Discharges from Municipal Separate Storm Sewer Systems (MS4)

*General Permit Type—PAG-2**Facility Location:*

<i>Municipality & County</i>	<i>Permit No.</i>	<i>Applicant Name & Address</i>	<i>Receiving Water/Use</i>	<i>Contact Office & Phone No.</i>
Richland Township Bucks County	PAG200 0903113-R	Judd Builders, Inc. 1750 Walton Road Blue Bell, PA 19422	Morgan Creek TSF	Southeast Regional Office 2 East Main Street Norristown, PA 19401 (484) 250-5900
Plumstead Township Bucks County	PAG200 0908150	Department of Transportation District 6-0 7000 Geerdes Boulevard King of Prussia, PA 19406	Geedes Run to Tohickon Creek CWF	Southeast Regional Office 2 East Main Street Norristown, PA 19401 (484) 250-5900
West Chester Borough Chester County	PAG200 1508074	Borough of West Chester 401 East Gay Street West Chester, PA 19380	Taylor Run TSF, MF	Southeast Regional Office 2 East Main Street Norristown, PA 19401 (484) 250-5900
Kennett Township Chester County	PAG200 1503119-R	Jeff Berlin 402 Pyles Mountain Lane Avondale, PA 19311	Red Clay Creek TSF	Southeast Regional Office 2 East Main Street Norristown, PA 19401 (484) 250-5900
East Caln Township Chester County	PAG200 1508028	Downingtown Quarry Assoc., Inc. 1195 McDermott Drive Greenhill Corporate Park West Chester, PA 19380	UNT East Branch Brandywine Creek WWF	Southeast Regional Office 2 East Main Street Norristown, PA 19401 (484) 250-5900
Ridley Township Delaware County	PAG200 2308003	Charlene Schwartz 41 University Avenue Suite 105 Newtown, PA 18940	Darby Creek WWF, MF	Southeast Regional Office 2 East Main Street Norristown, PA 19401 (484) 250-5900
Conshohocken Borough Montgomery County	PAG200 4608168	Rumsey Electric 15 Colwell Lane Conshohocken, PA 19428	Plymouth Creek WWF	Southeast Regional Office 2 East Main Street Norristown, PA 19401 (484) 250-5900
Towamencin Township Montgomery County	PAG200 4608161	Regency Realty Group, Inc. 121 West Forsyth Street Suite 200 Jacksonville, FL 32202	Towamencin Creek WWF	Southeast Regional Office 2 East Main Street Norristown, PA 19401 (484) 250-5900
Limerick and Upper Providence Townships Montgomery County	PAG200 4608158	Spring Ford Area School District 199 Bechtel Road Collegeville, PA 19426	Mingo Creek WWF	Southeast Regional Office 2 East Main Street Norristown, PA 19401 (484) 250-5900
Springfield Township Montgomery County	PAG200 4608142	West Oak Lane Church of God 7401 Limekiln Pike Philadelphia, PA 19138	Cresheim Creek TSF	Southeast Regional Office 2 East Main Street Norristown, PA 19401 (484) 250-5900

<i>Facility Location: Municipality & County</i>	<i>Permit No.</i>	<i>Applicant Name & Address</i>	<i>Receiving Water/Use</i>	<i>Contact Office & Phone No.</i>
Lower Pottsgrove Township Montgomery County	PAG200 4608111	Eye Consultants of Pennsylvania 1 Granite Point Drive Suite 100 Wyomissing, PA 19610	Schuylkill River WWF, MF	Southeast Regional Office 2 East Main Street Norristown, PA 19401 (484) 250-5900
Upper Gwynedd Township Montgomery County	PAG200 4608046	Upper Gwynedd Township P. O. Box 1 Parkside Place West Point, PA 19486	Wissahickon Creek TSF	Southeast Regional Office 2 East Main Street Norristown, PA 19401 (484) 250-5900
Limerick Township Montgomery County	PAG200 4608073-1	Ribon Partnership, Ltd. 1502 East Philadelphia Avenue Gilbertsville, PA 19525	UNT Schuylkill River WWF	Southeast Regional Office 2 East Main Street Norristown, PA 19401 (484) 250-5900
New Hanover Township Montgomery County	PAG200 4608141	Windlestrae Associates 375 Morris Road P. O. Box 1479 Lansdale, PA 19446	UNT Minister Creek TSF, MF	Southeast Regional Office 2 East Main Street Norristown, PA 19401 (484) 250-5900
Hatfield Township Montgomery County	PAG200 4608094	Department of Transportation District 6-0 7000 Geerdes Boulevard King of Prussia, PA 19406	West Branch Neshaminy Creek TSF	Southeast Regional Office 2 East Main Street Norristown, PA 19401 (484) 250-5900
Limerick Township Montgomery County	PAG200 4608106	Vincent Mazzamuto 51 Heffner Road Limerick, PA 19468	Mingo Creek WWF	Southeast Regional Office 2 East Main Street Norristown, PA 19401 (484) 250-5900
City of Philadelphia Philadelphia County	PAG201 5108019	School District of Philadelphia 440 North Broad Street Philadelphia, PA 19130-4015	Schuylkill River WWF, MF	Southeast Regional Office 2 East Main Street Norristown, PA 19401 (484) 250-5900
City of Philadelphia Philadelphia County	PAG201 5108028	The Provco Group 795 East Lancaster Avenue Building 2 Suite 200 Villanova, PA 19085	Wissahickon Creek TSF	Southeast Regional Office 2 East Main Street Norristown, PA 19401 (484) 250-5900
City of Philadelphia Philadelphia County	PAG201 5108030	Universal Health Systems 561 Fairthome Avenue Philadelphia, PA 19128-2412	Wissahickon Creek TSF	Southeast Regional Office 2 East Main Street Norristown, PA 19401 (484) 250-5900
Smithfield Township Monroe County	PAR10S031R(1)	Smithfield Dev. Corp. c/o Peter Ahnert, Jr. P. O. Box 1158 Marshalls Creek, PA 18335	Sambo Creek CWF, MF	Monroe County Conservation District (570) 629-3060
Duryea Borough Luzerne County	PAG2004008028	Copart of Connecticut, Inc. Attn: Tom Smith 4665 Business Center Drive Fairfield, PA 94534	Lackawanna River CWF	Luzerne County Conservation District (570) 674-7991
Pittston Township Hughestown Borough Luzerne County	PAG2004008029	Pittston Plaza Commons, LP Attn: Anthony Mazonkey P. O. Box 1389 Kingston, PA 18704-1389	Susquehanna River WWF	Luzerne County Conservation District (570) 674-7991

<i>Facility Location: Municipality & County</i>	<i>Permit No.</i>	<i>Applicant Name & Address</i>	<i>Receiving Water/Use</i>	<i>Contact Office & Phone No.</i>
Upper Saucon Township Lehigh County	PAR10Q126-3	James Wrigley Trefoil Properties 4000 West Drive Center Valley, PA 18034	Saucon Creek CWF	Lehigh County Conservation District (610) 391-9583
Hazle Township Luzerne County	PAG2004008020	Hazle Township Supervisors Attn: William Gallagher P. O. Box 506 Harleigh, PA 18225-0506	Black Creek CWF	Luzerne County Conservation District (570) 674-7991
Jackson Township Luzerne County	PAG2004008019	Presidential Land Co., Inc. Attn: Frank Pedriani P. O. Box 239 Mahanoy City, PA 17948	Huntsville Creek CWF	Luzerne County Conservation District (570) 674-7991
Susquehanna and Lower Paxton Townships Dauphin County	PAG2002208027	The Roman Catholic Diocese of Harrisburg 4800 Union Deposit Road Harrisburg, PA 17105-2153	Paxton Creek WWF	Dauphin County Conservation District 1451 Peters Mountain Road Dauphin, PA 17018 (717) 921-8100
Derry Township Dauphin County	PAG2002208041	Rebecca Hills 1281 Waltonville Road Hummelstown, PA 17036	Iron Run WWF	Dauphin County Conservation District 1451 Peters Mountain Road Dauphin, PA 17018 (717) 921-8100
Lower Paxton Township Dauphin County	PAG2002204046	Pinnacle Health Systems P. O. Box 8700 Harrisburg, PA 17105-8700	Spring Creek WWF	Dauphin County Conservation District 1451 Peters Mountain Road Dauphin, PA 17018 (717) 921-8100
Lower Paxton Township Dauphin County	PAG2002204002-R	Larry Hatter and Cliff Weaver 3245 Market Street Camp Hill, PA 17011	Beaver Creek WWF	Dauphin County Conservation District 1451 Peters Mountain Road Dauphin, PA 17018 (717) 921-8100
Greene Township Franklin County	PAG2002809002	The Sunny Company Jeff Knouse DLL Properties 5800 Cumberland Highway Chambersburg, PA 17201	UNT to Rowe Run CWF	Franklin County Conservation District 185 Franklin Farm Lane Chambersburg, PA 17201 (717) 264-5499
Southampton Township Shippensburg Borough Franklin County	PAG2002809003	Volvo Site Expansion Chris Stone 312 Volvo Way Shippensburg, PA 17257	Rowe Run CWF	Franklin County Conservation District 185 Franklin Farm Lane Chambersburg, PA 17201 (717) 264-5499
Southampton Township Franklin County	PAG2002808035	Maizefield Bonnie Heights Homes 7048 Carlisle Pike Carlisle, PA 17015	UNT to Rowe Run CWF	Franklin County Conservation District 185 Franklin Farm Lane Chambersburg, PA 17201 (717) 264-5499
St. Thomas Township Franklin County	PAG2002808039	River Brethren Church Matthew Meyers 2246 Community Center Road St. Thomas, PA 17252	UNT to Wilson Run TSF	Franklin County Conservation District 185 Franklin Farm Lane Chambersburg, PA 17201 (717) 264-5499

<i>Facility Location: Municipality & County</i>	<i>Permit No.</i>	<i>Applicant Name & Address</i>	<i>Receiving Water/Use</i>	<i>Contact Office & Phone No.</i>
Warrington Township York County	PAG2006707086	Donald W. Samples 22 Dartmouth Lane Haverford, PA 19041-1020	Bermudian Creek Watershed WWF	York County Conservation District 118 Pleasant Acres Road York, PA 17402 (717) 840-7430
Todd Township Fulton County	PAG2002909001	Jason Hawkins Fulton County Medical Center 214 Peach Orchard Road McConnellsburg, PA 17233	Big Cove Creek CWF	Timothy Keebaugh Fulton County Conservation District 216 North Second Street McConnellsburg, PA 17233 (717) 485-3547, Ext. 122
Cumberland Township Adams County	PAG2000108018	Edward Jenkins Adams County Interfaith Housing Corporation 40 East High Street Gettysburg, PA 17325	Rock Creek WWF	Adams County Conservation District 670 Old Harrisburg Road Suite 201 Gettysburg, PA 17325 (717) 334-0636
Reading Township Adams County	PAG2000107022	Chester Linka 1675 Hanover Road Gettysburg, PA 17325	West Conewago Creek WWF	Adams County Conservation District 670 Old Harrisburg Road Suite 201 Gettysburg, PA 17325 (717) 334-0636
Highland Township Adams County	PAG2000108027	Tom McLaughlin DTM Land Development, Inc. 116 Artillery Drive Gettysburg, PA 17325	UNT to Marsh Creek CWF	Adams County Conservation District 670 Old Harrisburg Road Suite 201 Gettysburg, PA 17325 (717) 334-0636
West Earl Township Lancaster County	PAG2003608088	Warren H. Nolt 152 North Hershey Avenue Leola, PA 17540	Groff Creek WWF	Lancaster County Conservation District 1383 Arcadia Road Room 200 Lancaster, PA 17601 (717) 299-5361, Ext. 5
Earl Township Lancaster County	PAG2003609001	JA-LYN Developers 148 Brick Church Leola, PA 17540	Mill Creek WWF	Lancaster County Conservation District 1383 Arcadia Road Room 200 Lancaster, PA 17601 (717) 299-5361, Ext. 5
West Donegal Township Lancaster County	PAG2003609002	Robert L. Gruber 48 South Market Street Elizabethtown, PA 17022	Conoy Creek TSF	Lancaster County Conservation District 1383 Arcadia Road Room 200 Lancaster, PA 17601 (717) 299-5361, Ext. 5
Providence Township Lancaster County	PAG2003609003	David L. Fite 103 Fite Way Suite D Quarryville, PA 17566	Big Beaver Creek South Fork WWF	Lancaster County Conservation District 1383 Arcadia Road Room 200 Lancaster, PA 17601 (717) 299-5361, Ext. 5
Cambria County Blacklick Township	PAG2001108013	Blacklick Township 138 Duman Road Belsano, PA 15922	UNT to Elk Creek CWF	Cambria County Conservation District (814) 472-2120
Cambria County Cambria Township	PAG2001108015	Daniel L. Penatzer Borough of Ebensburg 300 West High Street Ebensburg, PA 15931	South Branch Blacklick Creek CWF	Cambria County Conservation District (814) 472-2120

*Facility Location:
Municipality &
County*

<i>Facility Location: Municipality & County</i>	<i>Permit No.</i>	<i>Applicant Name & Address</i>	<i>Receiving Water/Use</i>	<i>Contact Office & Phone No.</i>
Fayette County North Union and Dunbar Townships	PAG2002608019	Terry Shallenberger Fayette County Airport Authority 874 Airport Road Lemont Furnace, PA 15456	UNT to Redstone Creek WWF	Fayette County Conservation District (724) 438-4497
Washington County North Strabane Township	PAG2006309005	Meadowlands Hospitality, Inc. 303 East Sixth Street Tarentum, PA 15084	UNT to Chartiers Creek WWF	Washington County Conservation District (724) 228-6774
Elk County Johnsonburg Borough	PAG200240 001	Johnsonburg Municipal Authority 520-A Market Street Johnsonburg, PA 15845	Clarion River CWF	Elk County Conservation District (814) 776-5373
Erie County Millcreek Township	PAG 002508025	Sisters of Saint Joseph 5301 West Ridge Road Erie, PA 16506-1429	UNT Wilkins Run CWF; MF	Erie County Conservation District (814) 825-6403
McKean County Eldred and Otto Townships	PAG2004208003	Eldred Township 1834 West Eldred Road Eldred, PA 16731	Knapp Creek and UNTs CWF	McKean County Conservation District (814) 887-4001
Mercer County City of Sharon	PAG2004309001	Department of Transportation P. O. Box 398 255 Elm Street Oil City, PA 16301	Shenango River WWF	Mercer County Conservation District (724) 662-2242

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

<i>Facility Location: Municipality & County</i>	<i>Permit No.</i>	<i>Applicant Name & Address</i>	<i>Receiving Water/Use</i>	<i>Contact Office & Phone No.</i>
Berks County Colebrookdale Township	PAG043612	Frank Gussoni 2825 Soni Drive Trooper, PA 19403	Ironstone Creek 3D TSF	DEP—SCRO 909 Elmerton Avenue Harrisburg, PA 17110 (717) 705-4707
McKean Township Erie County	PAG049483	Daniel R. and Diane M. Wheeler 10100 Silverthorn Road Edinboro, PA 16412	UNT to Elk Creek 15	DEP—NWRO Water Management 230 Chestnut Street Meadville, PA 16335-3481 (814) 332-6942
East Mead Township Crawford County	PAG048502	Pedro J. Figueroa 22368 West Oil Creek Road Meadville, PA 16335	UNT to Tamarack Lake Mill Run 16-D	DEP—NWRO Water Management 230 Chestnut Street Meadville, PA 16335-3481 (814) 332-6942
Pine Grove Township Warren County	PAG048497	Gail R. Wright 11 Wildwood Lane Russell, PA 16345-5433	UNT to Akeley Run 16-B	DEP—NWRO Water Management 230 Chestnut Street Meadville, PA 16335-3481 (814) 332-6942
Elk Creek Township Erie County	PAG049489	Howard T. Wagner 6565 Meadville Road Girard, PA 16417-7301	UNT to Cussawago Creek 16D	DEP—NWRO Water Management 230 Chestnut Street Meadville, PA 16335-3481 (814) 332-6942

*General Permit Type—PAG-8**Facility Location:*

<i>Municipality & County</i>	<i>Permit No.</i>	<i>Applicant Name & Address</i>	<i>Site Name & Location</i>	<i>Contact Office & Phone No.</i>
South Middleton Township Cumberland County	PAG083603	South Middleton Township Municipal Authority 345 Criswell Drive P. O. Box 8 Boiling Springs, PA 17007	South Middleton Township Cumberland County	DEP—SCRO 909 Elmerton Avenue Harrisburg, PA 17110-8200 (717) 705-4707

*General Permit Type—PAG-12**Facility Location:*

<i>Municipality & County</i>	<i>Permit No.</i>	<i>Applicant Name & Address</i>	<i>Receiving Water/Use</i>	<i>Contact Office & Phone No.</i>
Lancaster County Sadsbury Township	PAG123674	Keith Beiler 2185 Smyrna Road Paradise, PA 17562	Buck Run TSF 7K	DEP—SCRO Watershed Management 909 Elmerton Avenue Harrisburg, PA 17110 (717) 705-4802
Franklin County St. Thomas Township	PAG123668	Jeffrey Kline 167 Coble Road Chambersburg, PA 17201	UNT Back Creek TSF 13-C	DEP—SCRO Watershed Management 909 Elmerton Avenue Harrisburg, PA 17110 (717) 705-4802
Perry County Miller Township	PAG123606	Ken Beers 1236 Newport Road Duncannon, PA 17020	Craig Run WWF 12-B and Losh Run WWF 12-B	DEP—SCRO Watershed Management 909 Elmerton Avenue Harrisburg, PA 17110 (717) 705-4802

PUBLIC WATER SUPPLY (PWS) PERMITS

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

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

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

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

SAFE DRINKING WATER

Actions taken under the Pennsylvania Safe Drinking Water Act

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

Permit No. 0907523, Public Water Supply.

Applicant	Ole Colonial Greene P. O. Box 557 Fountainville, PA 18923
Township	Doylestown
County	Bucks
Type of Facility	PWS
Consulting Engineer	Ebert Engineering, Inc. 4092 Skippack Pike Skippack, PA 19474
Permit to Construct Issued	December 13, 2007

Permit No. 4605501, Public Water Supply.

Applicant	Aqua Pennsylvania, Inc. 762 West Lancaster Avenue Bryn Mawr, PA 19010
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Township Whitemarsh
 County **Montgomery**
 Type of Facility PWS
 Consulting Engineer CET Engineering Services
 1240 North Mountain Road
 Harrisburg, PA 17112
 Permit to Construct December 1, 2005
 Issued

Permit No. 4608504, Public Water Supply.

Applicant **New Life Youth and Family Services**
 585 Freeman School Road
 Schwenksville, PA 19473

Township Lower Salford
 County **Montgomery**
 Type of Facility PWS
 Consulting Engineer Carroll Engineering Corporation
 555 Second Avenue
 Collegeville, PA 19426
 Permit to Construct December 6, 2008
 Issued

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

Permit No. 2450034, Operations Permit, Public Water Supply.

Applicant **Brodhead Creek Regional Authority**
 410 Stokes Avenue
 East Stroudsburg, PA 18301
 Stroud Township

County **Monroe**
 Type of Facility PWS
 Consulting Engineer Russell D. Scott, P. E.
 RKR Hess Associates
 112 North Courtland Street
 East Stroudsburg, PA 18301
 Permit to Operate January 23, 2009
 Issued

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

Operations Permit issued to **The York Water Company**, 7670100, Berwick Township, **Adams County** on January 29, 2009, for the operation of facilities approved under Construction Permit No. 0108510.

Operations Permit issued to **Williamstown Borough Authority**, 7220037, Williams Township, **Dauphin County** on January 28, 2009, for the operation of facilities approved under Construction Permit No. 2208506 MA.

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

Permit No. 6003501—Construction, Public Water Supply.

Applicant **Borough of Mifflinburg**
 Township or Borough Mifflinburg Borough
 County **Union**

Responsible Official Steven B. Benner
 Borough of Mifflinburg
 333 Chestnut Street
 Mifflinburg, PA 17844

Type of Facility Public Water
 Supply—Construction

Consulting Engineer Jason Wert, P. E.
 HRG, Inc.
 474 Windmere Drive
 State College, PA 16801

Permit Issued Date January 30, 2009

Description of Action Construction of Well No. 2, with associated appurtenances and a transmission line to the existing filtration plant.

Permit No. 1407502-IT—Operation, Public Water Supply.

Applicant **Madisonburg Water Works**
 Township or Borough Miles Township
 County **Centre**
 Responsible Official Timothy Snyder, Board President
 Madisonburg Water Works
 P. O. Box 50
 Madisonburg, PA 16852

Type of Facility Public Water Supply—Operation

Consulting Engineer Michael J. Peleschak
 Alfred Benesch & Company
 400 One Norwegian Plaza
 Pottsville, PA 17901

Permit Issued Date January 30, 2009

Description of Action Approval of Innovative Technology Operation of a Siemens/Memcor 3L10V microfiltration plant, disinfection and a 60,000 gallon finished water storage tank.

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

Applicant **Madisonburg Water Works**
 Township or Borough Miles Township
 County **Centre**
 Responsible Official Timothy Snyder, Board President
 Madisonburg Water Works
 P. O. Box 50
 Madisonburg, PA 16852

Type of Facility Public Water Supply—Operation

Consulting Engineer Michael J. Peleschak
 Alfred Benesch & Company
 400 One Norwegian Plaza
 Pottsville, PA 17901

Permit Issued Date February 2, 2009

Description of Action Temporary operation of treatment for compliance with the lead and copper rule, pH adjustment with 25% caustic soda.

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

Permit No. 4287502-MA5, Public Water Supply.
 Applicant **Bradford City Water Authority**
 Township or Borough City of Bradford
 County **McKean County**
 Type of Facility Public Water Supply
 Consulting Engineer Kirt Ervin, P. E.
 US Engineering, LLC
 13742 Mary Lane
 Aviston, IL 62216
 Permit to Construct Issued January 30, 2009

Transfer and Consolidation of Operations Permits issued to **Riverview Communities, LP**, PWSID No. 6620036 (North Well) and PWSID No. 6620883 (South Well), Conewango Township, **Warren County**, February 2, 2009, under Permit No. 6207503-T1, for the operation of Riverview Communities, per specifications approved by construction permit 62875103, issued October 22, 1987, and 6207503, issued November 7, 2008. All historic information, including applications and reviews are now incorporated into Permit No. 6207503-T1.

SEWAGE FACILITIES ACT PLAN APPROVAL

Plan Approvals Granted under section 5 of the Pennsylvania Sewage Facilities Act (35 P. S. § 750.5)

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

Plan Location:

<i>Borough or Township</i>	<i>Borough or Township Address</i>	<i>County</i>
Lynn Township	7911 Kings Highway New Tripoli, PA 18066	Lehigh County

Plan Description: The approved plan provides for the upgrade and expansion of the Wastewater Treatment Plant (WWTP) from 80,000 gpd to 160,000 gpd (average daily flow). The Virginia Initiative Plant (VIP) Process has been identified as the preferred method of wastewater treatment. The WWTP discharges effluent to the Ontelaunee Creek, which flows into Maiden Creek, a tributary of the Schuylkill River and the Delaware River.

The approved plan also provides for a New Sewer Service Area for the WWTP, as indicated on Map IV-2 dated December 17, 2004, as prepared by Keystone Consulting Engineers, Inc. The approved project will require an NPDES Permit Amendment for the proposed increase in the effluent discharge and also will require a Water Quality Management Permit for the construction and operation of the proposed sewage facilities. The permit applications must be submitted in the name of the municipality or authority, as appropriate. The Department of Environmental Protection's review of the Plan has not identified any significant environmental impacts from the proposal.

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

Categorical Exclusion

Altoona City Authority—Westerly Treatment Plant, 20 Greenwood Road, Altoona, PA 16602.

The Pennsylvania Infrastructure Investment Authority (Authority) which administers the Commonwealth's State Revolving Fund is intended to be the funding source for this project. The project is undertaken by the Authority to meet future NPDES limits on annual Total Nitrogen and Total Phosphorus at the Westerly plant. The Department of Environmental Protection's (Department) review of the project and the information received has not identified any significant adverse environmental impact resulting from this proposal. The Department hereby categorically excludes this project from the State Environmental Review Process.

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

Plan Location:

<i>Borough or Township</i>	<i>Borough or Township Address</i>	<i>County</i>
Sugar Grove Township	195 Creek Road Sugar Grove, PA 16350	Warren County

Plan Description: The approved plan provides for the extension of sewers into 10 areas of the Township to serve 125 existing EDU's. The areas involve Jones Hill, Route 957 East, Creek/Trask Roads, Teal Hill, Rounds Hill, Chandlers Valley, Page Hollow/Stoney Run, Patchen Road, Hessel Valley and SR 27. Wastewater will be conveyed to the Sugar Grove Area Sewage Authority and Youngsville WWTP. The Department of Environmental Protection's review of the sewage facilities update revision has not identified any significant environmental impacts resulting from this proposal. Any required NPDES Permits or WQM Permits must be obtained in the name of the municipality or authority as appropriate.

Plan Location:

<i>Borough or Township</i>	<i>Borough or Township Address</i>	<i>County</i>
Eldred Township	1834 West Eldred Road Eldred, PA 16731	McKean County

Plan Description: The approved plan provides for the construction of a small diameter low pressure sewer system to serve 84 existing EDU's in the West Project area, which includes portions of Route 346 and Windfall, Smith and Loop Roads. Wastewater will be conveyed to the Otto Township WWTP for treatment. The Department of Environmental Protection's review of the sewage facilities update revision has not identified any significant environmental impacts resulting from this proposal. Any required NPDES Permits or WQM Permits must be obtained in the name of the municipality or authority as appropriate.

SEWAGE FACILITIES ACT PLAN DISAPPROVAL

Plan Disapprovals Granted under section 5 of 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>
Sadsbury Township	7182 White Oak Road Christiana, PA 17509	Lancaster County

Plan Description: The Jonathan Zook proposed plan revision for a second dwelling on an existing lot using an onlot sewage system, was disapproved because the well tested on the previous subdivision creating this current lot (A3-36949-193-2) to be used for the second dwelling had a well sample for nitrate nitrogen of 9.52 ppm. However, the well sampled for this current proposal used a well supplying the new house but did not use the well for the previous subdivision which is nearer to the newly proposed residence and thus would better characterize the background nitrate nitrogen concentration underneath the site. Further, the preliminary hydrogeologic study from the previous subdivision determined that the minimum lot size of 26.5 acres was necessary to dilute the nitrates from the septic system to below the MCL of 10 ppm. The lot proposed for the second dwelling in this proposal is not in conformance with the previous planning as it is only 22.3 acres in size, over 4 acres too small based on the planning which created it. The Department of Environmental Protection code number for the current proposal is A3-36949-219-2 and the APS number is 663587. It is located on the west side of Mount Vernon Road off of Clearwater Drive in Sadsbury Township, Lancaster County.

Plan Location:

<i>Borough or Township</i>	<i>Borough or Township Address</i>	<i>County</i>
Paradise Township	2 Township Drive Paradise, PA 17562	Lancaster County

Plan Description: The White Oak Road Subdivision proposed plan revision for two lot residential subdivision using an onlot sewage disposal plus a lot addition, was disapproved because The Preliminary Hydrogeologic study failed to accurately characterize the background nitrate-nitrogen concentration of the groundwater beneath the site of the subdivision. Groundwater samples that are not hydrogeologically representative of the site were used to generate an average concentration of nitrate-nitrogen for the mass balance equation. The groundwater sample which is most representative of the site is the sample from Lot 2, with a concentration of 11.6 mg/l, indication that the groundwater is already polluted with nitrates. If the groundwater is already polluted, the proposed groundwater recharge easements will do nothing to mitigate the impact of the onlot sewage system on the waters of this Commonwealth. Further, the proposed groundwater recharge easements are not located downgradient from the sewage disposal systems, both existing and proposed and would therefore have no effect on mitigating the impact of the on lot systems on the waters of this Commonwealth. The topographic lines indicate that the property is sloping generally to the northwest. The proposed groundwater recharge easements are located west and southwest of the sewage disposal systems. In addition, no language appeared in either the project narrative or on the plot plan to detail the restrictions to activities with on the groundwater recharge easements. The Department of Environmental Protection Code number for this project is A3-36943-177-2 and the APS number is 662268. The proposal is located on the north side of White Oak Road at its intersection with Peach Lane in Paradise Township, Lancaster County.

Plan Location: Located along Rice Road in Southampton Township, Franklin County.

<i>Borough or Township</i>	<i>Borough or Township Address</i>	<i>County</i>
Southampton Township	P. O. Box 352 Shippensburg, PA 17257	Franklin County

Plan Description: The Official Plan Revision, entitled Melvin Diem, proposing a new single-family residence using an individual onlot sewage disposal system, was disapproved because the hydrogeologic study required by Chapter 71 § 71.62(c) indicated that the proposed lot is not sized large enough to provide enough clean groundwater recharge to dilute the proposed septic system discharge which would lead to pollution of the waters of this Commonwealth. The groundwater easement proposed to mitigate said pollution largely failed to lie down gradient of the proposed lot and is not acceptable as a mitigation measure. As proposed, the onsite sewage system proposed for this subdivision will pollute the Waters of the Commonwealth in violation of The Clean Streams Law. Such a condition is considered a nuisance and is prohibited.

Plan Location: Located on the northwest corner of the intersection of College Street and Arch Street in Palmyra Borough, Lebanon County.

<i>Borough or Township</i>	<i>Borough or Township Address</i>	<i>County</i>
Palmyra Borough	325 South Railroad Street Palmyra, PA 17078	Lebanon County

Plan Description: The Official Plan Revision, entitled Jubilee Ministries, Department of Environmental Protection Code No. A3-38804-040-3, proposing four townhouse units using sewer service provided by the Palmyra Borough Authority, was disapproved because the planning module forms were not filled out completely and lacked the necessary supporting documentation and review fee.

Plan Location: Located on the southeast corner of the intersection of North Chestnut and East High Streets in Palmyra Borough, Lebanon County.

<i>Borough or Township</i>	<i>Borough or Township Address</i>	<i>County</i>
Palmyra Borough	325 South Railroad Street Palmyra, PA 17078	Lebanon County

Plan Description: The Official Plan Revision, entitled Kuligowski Bricker Development, Department of Environmental Protection Code No. A3-38804-041-3, proposing four townhouse units using sewer service provided by the Palmyra Borough Authority, was disapproved because the planning module forms were not filled out completely and lacked the necessary supporting documentation and review fee.

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

Public Notice of Proposed Consent Order and Agreement

Dupont/New Castle Junk Site City of New Castle and Union Township, Lawrence County

Under Section 1113 of the Hazardous Sites Cleanup Act (HSCA), (35 P. S. §§ 6020.101—6020.1305), notice is hereby provided that the Department of Environmental Protection (Department) has entered into a Consent Order and Agreement with CJLM Real Estate, LP (CJLM) concerning the redevelopment of a portion of the DuPont/New Castle Junk Site (Site).

In the past, wastes containing hazardous substances were disposed at the Site and these substances contaminated the environment at the Site. The Department and some of the responsible persons for the Site conducted response actions at the Site between 1992 and 2002. These response actions included treatment of wastes and soils contaminated by hazardous substances, followed by placement of a soil cap on one portion of the treated wastes and proper closure of a residual waste landfill on another portion of the Site. In the past, the Site contained two properties: the treated waste and soils area is primarily within the "Battery property" and the closed residual waste landfill is primarily within the "China property." Realities U.S.A., Inc. currently owns the China property and D&D Development, LP (D&D) owns a portion of the Battery property.

CJLM is purchasing a portion of the Site that includes the China property and a portion of the Battery property, currently owned by D&D. CJLM is not a "responsible party" as defined in section 103 of HSCA, (35 P.S. § 6020.103). However, in recognition of the extensive cleanup efforts at the Site, under the terms of the Consent Order and Agreement (Agreement), CJLM has agreed to manage this portion of the Site property consistent with the completed response actions at the Battery Property. Any additional redevelopment on this parcel will require a Department approved work plan.

The specific terms of this settlement are set forth in the Agreement between the Department and CJLM. The Department will receive and consider comments relating to the Agreement for 60 days from the date of this Public Notice. The Department has the right to withdraw its consent to the Agreement if the comments disclose facts or considerations that indicate that the Agreement is inappropriate, improper or not in the public interest. After the public comment period, the Department's settlement with CJLM shall be effective upon the date that the Department notifies CJLM, in writing, that this Agreement is final and effective in its present form and that the Department has filed a response to significant written comments to the Agreement, or that no such comments were received.

Copies of the Agreement are available for inspection at the Department's Northwest Regional Office. Comments may be submitted, in writing, to Gary Mechtly, Environmental Group Manager, Hazardous Sites Cleanup, Department of Environmental Protection, 230 Chestnut Street, Meadville, PA 16335. Further information may be obtained by contacting Gary Mechtly, at (814) 332-6648. TDD users should contact the Department through the Pennsylvania AT&T Relay Service at (800) 645-5984.

LAND RECYCLING AND ENVIRONMENTAL REMEDIATION

UNDER ACT 2, 1995

PREAMBLE 2

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

Provisions of Chapter 3 of the Land Recycling and Environmental Remediation Standards Act (act) require the Department of Environmental Protection (Department) to publish in the *Pennsylvania Bulletin* a notice of submission of plans and reports. A final report is submitted to document cleanup of a release of a regulated

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

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

The Department has received the following plans and reports:

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

Bethlehem Commerce Center—Lot 51, 1235 Easton Road, Bethlehem City, **Northampton County**. Kenneth G. Robbins, P. E., HDR Engineering, Inc., 1720 Spillman Drive, Suite 280, Bethlehem, PA 18015-2165 has submitted a Final Report (on behalf of his client, Lehigh Valley Industrial Park, Inc., 1805 East 4th Street, Bethlehem, PA 18015), concerning the remediation of soils found to have been impacted by VOCs, semi-VOCs and heavy metals as a result of historical manufacturing operations at the site. The Report was submitted to document attainment of the Site-Specific Standard for soils. A public notice regarding the submittal of the Final Report was published in *The Morning Call* and *The Express-Times* on January 19, 2009.

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

Betty Miller Residence, Millersburg Borough, **Dauphin County**. Chambers Environmental Group, Inc., 629 East Rolling Ridge Drive, Bellefonte, PA 16823, on behalf of Betty Miller, 279 Center Street, Millersburg, PA 17061, submitted a Final Report concerning remediation of site soils contaminated with No. 2 fuel oil. The report is intended to document remediation of the site to meet the Residential Statewide Health Standard.

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

Former J. C. Ehrlich Site, City of Williamsport, **Lycoming County**. Molesevich Environmental, LLC, P. O. Box 654, Lewisburg, PA 17837 on behalf of Victor Hammel, JCE Real Estate, LLC, 500 Spring Road Drive,

Wyomissing, PA 19610 has submitted a Remedial Investigation/Final Report concerning remediation of site soil contaminated with No. 2 fuel oil and gasoline. The reports are intended to document remediation of the site to meet the Site-Specific Standard.

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

Honeywell Farmers Valley South of Cole Creek (Farmers Valley Wax Plant—Area South of Cole Creek), Keating Township, **McKean County**. URS Corporation, Foster Plaza 4, 501 Holiday Drive, Suite 300, Pittsburgh, PA 15220, on behalf of Pennzoil-Quaker State Company, d/b/a SOPUS Products, 12700 Northborough Drive, 300 E-11, Houston, TX 77067, has submitted a Cleanup Plan concerning remediation of site soil and site groundwater contaminated with compounds related to petroleum refining. The Cleanup Plan is intended to document remediation of the site to meet the Site-Specific Standard.

LAND RECYCLING AND ENVIRONMENTAL REMEDIATION

UNDER ACT 2, 1995

PREAMBLE 3

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

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

approve or disapprove plans and reports submitted. This notice provides the Department's decision and, if relevant, the basis for disapproval.

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

The Department has received the following plans and reports:

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

Former Sherwood Herring Signs, Inc., 423—429 Green Street, Emmaus Borough, **Lehigh County**. Donald G. Rood and Christopher A. Jacangelo, J. Rockwood & Associates, Inc., P. O. Box 1006, Easton, PA 18044-1006 submitted a Final Report (on behalf of their client, Stellar Construction Company, P. O. Box 52, Route 309 and Lowhill Road, Schnecksville, PA 18078), concerning the remediation of soils found to have been impacted by unleaded/leaded gasoline and heating oil constituents. The report documented attainment of the Statewide Health Standard and was approved on January 26, 2009.

Tarkett, Inc., 1139 Lehigh Avenue, Whitehall Township, **Lehigh County**. Kenneth Battyanyi, ENSR, Inc., Four Gateway Center, 444 Liberty Avenue, Suite 700, Pittsburgh, PA 15222-1220 submitted a Final Report Addendum (on behalf of his client, Tarkett, Inc., 1001 Yamaska Street, East, Farnham, Quebec, Canada J2N 1J7), concerning the remediation of groundwater found to have been impacted by several VOCs. The report documented attainment of the Statewide Health Standard in groundwater for all compounds analyzed and was approved on December 26, 2008.

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

Former Myers Great Value Market, Dillsburg Borough, **York County**. EPSYS Corporation, 1414 North Cameron Street, Harrisburg, PA 17103, on behalf of Parula Properties, LLC, 100 South 7th Street, Akron, PA 17501, submitted a combined Remedial Investigation and Final Report concerning remediation of site soils and groundwater contaminated by leaded gasoline from underground storage tanks. The combined report demonstrated attainment of the Site-Specific Standard and was approved by the Department of Environmental Protection on January 30, 2009.

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

Sel-lo Oil Co. Gasoline Tanker Spill, Muncy Creek Township, **Lycoming County**. Taylor GeoServices, 38 Bishop Hollow Road, Suite 200, Newtown Square, PA 19073 on behalf of Sel-lo Oil Co., R. R. 2, Box 269, Altoona, PA 16601 has submitted a Final Report concerning remediation of site soil and groundwater contaminated with unleaded gasoline. The Final Report demonstrated attainment of the Statewide Health Standard and was approved by the Department of Environmental Protection on January 6, 2009.

DETERMINATION OF APPLICABILITY FOR RESIDUAL WASTE GENERAL PERMITS

Determination of Applicability for General Permit approved 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/or the Beneficial Use of Residual Waste Other Than Coal Ash.

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

Permit No. WMGR038 NC-006. Tire Advantage Group, Inc., 29 Frosty Valley Road, Bloomsburg, PA 17815, Hemlock Township, **Columbia County**. The Determination of Applicability under existing Department of Environmental Protection's (Department) General Permit ID No. WMGR038 for the processing of waste tires was approved by the Regional Office on January 26, 2009.

Persons interested in reviewing the general permit should contact David Garg, P. E., Environmental Engineer Manager, Williamsport Regional Office, 208 West Third Street, Suite 101, Williamsport, PA 17701. Persons interested in obtaining more information about the Determination of Applicability application should contact the Williamsport Regional Office, (570) 327-3740. TDD users should contact the Department through the Pennsylvania AT&T Relay Service, (800) 654-5984.

OPERATE WASTE PROCESSING OR DISPOSAL AREA OR SITE

Permit Revoked 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. WMGR038SE001. Bergeys, Inc., 462 Harleysville Pike, Franconia, PA 18924. The Perkasio Rubber Recycling Facility, a tire processing facility located in West Rockhill Township, **Bucks County**, has been clean closed and the permittee has requested that the permit be revoked and the bond released. The permit was revoked by the Southeast Regional Office on January 26, 2009.

AIR QUALITY

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

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

GP1-36-03148: Heart of Lancaster Regional Medical Center (1500 Highlands Drive, Lititz, PA 17543) on January 29, 2009, for a Small Gas and No. 2 Oil Fired Combustion Unit under GP1 in Warwick Township, **Lancaster County**.

GP9-36-03076: Lancaster General Hospital (555 North Duke Street, P. O. Box 3555, Lancaster, PA 17604) on January 28, 2009, for Diesel or No. 2 fuel-fired Internal Combustion Engines under GP9 in the City of Lancaster, **Lancaster County**.

GP19-07-03057: McLanahan Corp. (200 Wall Street, Hollidaysburg, PA 16648) on January 27, 2009, for Dry Abrasive Blasting Operations under GP19 in Hollidaysburg Borough, **Blair County**.

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

GP5-63-00937A: Mark West Liberty Gas Gathering, LLC (1515 Arapahoe Street, Tower 2, Suite 700, Denver CO 80202-2126) on January 26, 2009, authorized under BAQ-GPA/GP-5 to construct and operate two Caterpillar 3516LE compressor engines rated at 1,340-bhp and one NATCO Dehydrator rated at 0.275 mmBtu/hr at their Fulton Booster Compressor Station located at Mount Pleasant Township, **Washington County**.

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

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

46-0048D: Wyeth Pharmaceuticals (500 Arcola Road, Collegeville, PA 19426) On January 29, 2009, to install one 2,000-kW No. 2 fuel oil/diesel fired electric generator at an existing facility in Upper Providence Township, **Montgomery County**. The engine will be limited to 17,363 gallons of diesel/No. 2 fuel oil and 2.79 tons of NOx both on a 12-month rolling sum basis. The Plan Approval is a modification of the earlier Plan Approval 46-0048C. The generator will be used exclusively for emergency power generation. The facility is a major facility. The owner/operator shall keep records of fuel usage and sulfur content to show compliance with the requirements of the Plan Approval.

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

05-05021A: Hill & Smith Holdings, Inc. (214 Industrial Lane, Alum Bank, PA 15521-8304) on January 22, 2009, to install a pultrusion machine at their Alum Bank facility in West St. Clair Township, **Bedford County**.

21-03078B: Carlisle Coatings & Waterproofing, Inc. (1275 Ritner Highway, Carlisle, PA 17013-9381) on January 28, 2009, to vent an existing dust collector directly to the atmosphere at their sheet roofing plant in Carlisle Borough, **Cumberland County**.

ERC-44-05002: CNH America, LLC (700 State Street, Racine, WI 53404) on January 27, 2009, to operate a farm equipment manufacturing facility in Union Township, **Mifflin County**.

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

35-00077B: Texas Eastern Transmission, LP (P. O. Box 1642, Houston, TX 77251-1642) on January 26, 2009, to authorize installation of a new Solar Mars 100-150002S III turbine rated at 15,000 hp, installation of a turbine fuel gas heater rated at 0.874 mmBtu/hr, installation of a remote reservoir parts washer, update of transient emission estimates for an existing Solar Mars 100-150002S II turbine and removal of four existing Cooper Bessemer GMV-10-S internal combustion engines (Sources 103—105, 107) at Texas Eastern's Holbrook Station located in Wind Ridge, Richhill Township, **Greene County**.

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

25-996B: Advanced Finishing, USA (7401 Klier Drive East, Fairview Business Park, Fairview, PA 16506) on January 14, 2009, to construct an additional coating booth in Fairview Township, **Erie County**. This is a State-only facility.

43-036B: Hodge Foundry, Inc. (42 Leech Road, Greenville, PA 16125) on January 29, 2009, to expand the foundry operations, increase the sand processing capacity and improve and modernize the casting finishing processes and work flow at the facility in Hempfield Township, **Mercer County**. This is a State-only facility.

61-185F: Heath Oil Co. (SR 8, Barkeyville, PA 16038) on January 7, 2009, to modify the fuel usage condition for the heaters to include the use of reprocessed/recycled No. 5 fuel oil at the facility in Barkeyville Borough, **Venango County**. This is a State-only facility.

62-032D: Ellwood National Steel (3 Front Street, Irvine, PA 16329) on January 13, 2009, to install two natural gas fired annealing furnaces at their facility in Brokenstraw Township, **Warren County**. This is a Title V facility.

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

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

56-00305A: SG Somerset Power, LLC (94 Spruce Street, Indiana, PA 15701) on February 1, 2009, Plan Approval denied for the SG Somerset Waste Coal Fired Power Generation Facility in Shade Township, **Somerset County**. The plan approval application has been deemed technically deficient. Per section 165(c) of the Clean Air Act, final action on a PSD application must be taken within 1 year of the date it is deemed to be administratively complete. The application was deemed to be administratively complete on February 1, 2008.

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

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

35-00007: Department of Public Welfare—Clarks Summit State Hospital (1451 Hillside Drive, Clarks Summit, PA 18411) on January 30, 2009, for renewal of a Title V Operating Permit to operate two anthracite coal

fired boilers, one No. 2 fuel oil fired boiler and 11 emergency generators ranging from 7.5 kW to 200 kW at their facility in Newton Township, **Lackawanna County**.

48-00017: C.F. Martin & Co., Inc. (510 Sycamore Street, Nazareth, PA 18064) on January 30, 2009, for renewal of a Title V Operating Permit to operate a guitar manufacturing facility in Upper Nazareth Township, **Northampton County**.

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

22-05013: MI Metals, Inc. (P. O. Box 4490, Clearwater, FL 33758-4490) on January 26, 2009, to operate a surface coating facility in Millersburg Borough, **Dauphin County**. This is a renewal of the Title V operating permit.

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

24-00016: Keystone Powdered Metal Co. (251 State Street, St. Marys, PA 15857) on January 26, 2009, the Department of Environmental Protection re-issued Title V Permit Number 24-00016, for Keystone Powdered Metal Company to operate a Fabricated Metal Products facility, in the City of St. Marys, **Elk County**.

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

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

15-00061: Phoenixville Hospital (140 Nutt Road, Phoenixville, PA 19460) on January 29, 2009, for operation of boilers and emergency generators at their hospital in Phoenixville Borough, **Chester County**. The renewal permit is for a non-Title V (State-only) facility. The facility has elected to cap their NO_x and SO₂ emissions to Minor Source threshold levels to remain a Synthetic Minor. The renewal permit includes one new source, Source ID 105—two Ethylene Oxide Sterilizers. The source is of minor significance, according to 25 Pa. Code § 127.14(a)(8) and (b) because potential VOC emissions are less than 1 tpy. The source is subject to the work practice standard and reporting requirement of 40 CFR Part 63 Subpart WWWW—National Emission Standards for Hospital Ethylene Oxide Sterilizers (the facility is an area source for HAPs). The permit will include monitoring, recordkeeping and reporting requirements designed to keep the hospital operating within all applicable air quality requirements.

09-00136: Powdersize, Inc. (20 Pacific Drive, Quakertown, PA 18951-3601) on January 29, 2009, for operation of pulverizing powder form products to meet customer specifications in Richland Township, **Bucks County**. This action is a renewal of the State-only Operating Permit (Natural Minor). The original State-only Operating Permit was issued on January 29, 2004. The renewal contains all applicable requirements including monitoring, recordkeeping and reporting designed to keep the facility operating within all applicable air quality requirements.

09-00115: Draper DBS, Inc. (1803 North 5th Street, Perkaspie, PA 18944) on January 30, 2009, for a State-only,

Synthetic Minor Operating Permit in East Rockhill Township, **Bucks County**. Draper designs, manufactures and finishes custom wood cabinetry. The facility operates four spray booths in which the primary pollutants of concern are VOCs and HAPs. The company has elected to take appropriate operating and emission restrictions to restrict VOC emissions to below 24.9 tpy and maintain a minor operating status. Monitoring, recordkeeping and reporting requirements have been added to the permit to address applicable limitations.

09-00084: Grandview Hospital (700 Lawn Avenue, Sellersville, PA 18960) on January 30, 2009, for renewal of the State-only Operating Permit in West Rockhill Township, **Bucks County**. The initial permit was issued on January 29, 2004. The permit is for the operation of three dual fuel (that is, natural gas and No. 6 fuel oil) boilers and four diesel-fired emergency generators. The permit will include monitoring, recordkeeping, reporting and work practice standards designed to keep the facility operating within all applicable air quality requirements.

15-00074: RA Ferris & Co., Inc. (899 Fern Hill Road, West Chester, PA 19380) on January 30, 2009, for operation of three Waste Type I and Type IV retorts (that is, crematories) in West Goshen Township, **Chester County**. The permit is a renewal of a non-Title V, State-only Operating Permit. The facility's potential to emit criteria pollutants is less than major thresholds; therefore the facility is a Natural Minor. The renewed permit will include monitoring, recordkeeping, reporting and work practice standards designed to keep the facility operating within all applicable air quality requirements.

09-00114: Active Brass Foundry (330 Progress Drive, Telford, PA 18969) on January 30, 2009, for renewal of State-only (Natural Minor) Operating Permit No. 09-00114, which was originally issued on November 18, 2002. The State-only Operating Permit (SOOP) is for the operation of four electric induction and two No. 2 fuel oil-fired crucible furnaces and various operations for producing metal castings at the facility, as well several dust collectors to control PM emissions from each of these sources or operations. No changes have occurred at the facility since the SOOP was originally issued. The renewed SOOP will include monitoring, recordkeeping, reporting and work practice requirements designed to keep the facility operating within all applicable air quality requirements.

09-00082: Quakertown Veterinary Clinic, PC (2250 North Old Bethlehem Pike, Quakertown, PA 18951) On January 30, 2009, for operation of one unit of animal crematorium in Milford Township, **Bucks County**. This action is a renewal of a State-only Operating Permit (Natural Minor), which was originally issued on July 30, 2004. Plan Approval, No. 09-0082 (the replacement of the animal crematorium), has been incorporated in to the permit. The renewal contains monitoring, recordkeeping and reporting requirements designed to keep the facility operating within all applicable air quality requirements.

46-00052: Pottstown Memorial Medical Center (1600 East High Street, Pottstown, PA 19464) on January 30, 2009, for operation of three boilers and five emergency generators in Pottstown, **Montgomery County**. This action is a renewal of the original State-only Operating Permit (Synthetic Minor), which was issued on October 14, 2003. Several typographical changes have been made to the permit. An emergency generator was added to the facility. The facility shall continue to remain a synthetic minor. The permit includes monitoring, recordkeeping

and reporting requirements designed to keep the facility operating within all applicable air quality requirements.

46-00024: McNeil Consumer Healthcare (7050 Camp Hill Road, Fort Washington, PA 19034-2210) on January 3, 2009, for operation of pharmaceutical manufacturing of healthcare products in Whitmarsh Township, **Montgomery County**. This action is a renewal of the original State-only Operating Permit (Synthetic Minor), which was issued on November 24, 2003, and amended on April 15, 2008. Several typographical changes have been made to the permit. A source installed under an RFD is being incorporated into this renewed Operating Permit. The facility shall continue to remain a synthetic minor. The permit includes monitoring, recordkeeping and reporting requirements designed to keep the facility operating within all applicable air quality requirements.

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

40-00082: Reading Materials, Inc. (2052 Lucon Road, Skippack, PA 19474) on January 29, 2009, to issue a State-Only (Synthetic Minor) Operating Permit to operate a batch asphalt plant and associated air cleaning devices at their facility in Foster Township, **Luzerne County**.

48-00075: Crayola, LLC (1100 Church Lane, Easton, P. O. Box 431, Easton, PA 18044-0431) on February 3, 2009, for watercolor paint manufacturing and paint and paste manufacturing processes in Bethlehem Township, **Northampton County**. This is a State-only Natural Minor operating permit.

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

22-03040: Advanced Communications Agency, Inc. (3000 Canby Street, Harrisburg, PA 17103-2148) on January 20, 2009, for operation of a printing facility in Penbrook Borough, **Dauphin County**. This is a renewal of the State-only operating permit.

22-03055: Kimmel's Coal & Packaging, Inc. (Machamer Avenue, P. O. Box 1, Wiconisco, PA 17097) on February 2, 2009, for operation of a coal preparation facility located in Wiconisco Township, **Dauphin County**. This is a renewal of the State-only operating permit.

28-05033: Appalachian Mill, Inc. (11427 Church Hill Road, Mercersburg, PA 17236-9664) on January 21, 2009, for operation on a woodworking plant located in Mercersburg Borough, **Franklin County**. This is a renewal of the State-only operating permit.

36-03063: Kearney A. Snyder Funeral Home, Inc. (141 East Orange Street, Lancaster, PA 17602-2851) on January 21, 2009, for operation of a cremation chamber in the City of Lancaster, **Lancaster County**. This is a renewal of the State-only operating permit.

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

37-00257: Mohawk Area School District—Mohawk Elementary School (Mohawk School Road, Bessemer, PA 16112) on January 28, 2009, to re-issue a Natural Minor Operating Permit for their educational facility in North Beaver Township, **Lawrence County**. The facility's primary emissions are from two tri-fuel boilers and a water heater used to provide comfort heat and hot water to the school.

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

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

23-00049: PPL Interstate Energy Co. (1111 Ridge Road, Linwood, PA 19061) on January 30, 2009, for an Administrative Amendment to State-only (Synthetic Minor) Operating Permit No. 23-00049 for their Marcus Hook pump station facility in Linwood, Lower Chichester Township, **Delaware County**. The Administrative Amendment incorporates the requirements of Plan Approval No. 23-0049 for the reactivation of three mainline fuel heaters permitted under the original State-only Operating Permit (SOOP).

Other significant changes reflected in the amended SOOP include:

The addition of a natural gas and No. 2 fuel oil throughput restriction (expressed as an equation) for the facility.

The changing of the PM and SO_x emission restrictions for the mainline fuel heaters and maintenance heater as a result of correcting the source type from 'combustion unit' to 'process.'

The addition of emission factors, based on the results of the most recent stack testing, to be used to calculate the emissions from the mainline fuel heaters and maintenance heater.

The Administrative Amendment to SOOP No. 23-00049 is issued under the Air Pollution Control Act (35 P. S. §§ 4001—4015) and 25 Pa. Code § 127.450.

09-00030: Brightsmith, LLC (120 Enterprise Avenue, Morrisville, PA 19067-3703) on January 30, 2009, for operation of metal coil coating in Falls Township, **Bucks County**. On January 30, 2009, the Title V Operating Permit was administratively amended to transfer ownership from Material Sciences Corporation to Brightsmith, LLC.

46-00107: ITW Phila. Resins (130 Commerce Drive, Montgomeryville, PA 18936) on January 30, 2009, to operate seven mixers that manufacture both VOC and non-VOC containing materials for the manufacture of a variety of adhesives and specialty coatings for industrial and marine applications in Montgomery Township, **Montgomery County**.

The State-only Operating Permit has been administratively amended to remove the baghouse-carbon absorption unit (Source C01), which had not been in use and add two cold cleaning machines subject to the provisions of 25 Pa. Code § 129.63(a) (Degreasing Operations).

09-00022: Cleveland Steel Container Corp. (350 Mill Street, Quakertown, PA 18951) on January 3, 2009, for an Administrative Amendment of Title V Operating Permit issued under the Air Pollution Control Act (35 P. S. §§ 4001—4015) and 25 Pa. Code § 127.450 in Quakertown Borough, **Bucks County**. The facility's major emission points include paint booths and lithographic printing presses, which emits major levels of VOCs. The amendment includes pressure drop ranges across the Roller Coater Pillar System Incinerator (C02) and the Regenerative Thermal Oxidizer (C05). The requirement appears as a work practice standard condition for each

source (C02 and C05). The permit will include monitoring, recordkeeping and reporting requirements designed to keep the facility within all applicable air quality requirements.

15-00027: Johnson Matthey, Inc. (456 Devon Park Drive, Wayne, PA 19087) on January 3, 2009, for a minor modification of TVOP No. 15-00027 for their facility in Tredyffrin Township, **Chester County**. The minor modification changes the operating pH range of the acid gas scrubber control device (Source C012A) to better control bacteria and fungi growth in the scrubber. The modified TVOP includes monitoring, recordkeeping, reporting and work practice requirements designed to keep the facility operating within all applicable air quality requirements.

Minor modification of TVOP No. 15-00027 is issued under the Air Pollution Control Act (35 P. S. §§ 4001—4015) and 25 Pa. Code § 127.462.

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

16-00021: Nature's Blend Wood Products, Inc.—North Plant (2465 Penn Street, Fairmount City, PA 16224) on February 2, 2009, to administratively amend the Title V Operating Permit to incorporate the change of ownership, responsible official and permit contact person into the Operating Permit in Redbank Township, **Clarion County**.

ACTIONS ON COAL AND NONCOAL MINING ACTIVITY APPLICATIONS

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

Coal Applications Returned

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

56841608 and NPDES Permit No. PA0213721, PBS Coals, Inc., (P. O. Box 260, Friedens, PA 15541), to revise the permit for the Cambria Fuel Prep Plant in Stonycreek Township, **Somerset County** to treat water transported by a buried pipeline to existing water treatment facilities at the prep plant from a dewatering borehole at the abandoned Cambria Fuels Mine and to inject slurry into the mine through an injection borehole. Dewater the mine will promote safety for miners at the adjacent Horning mine. Surface Acres Proposed 3.3. No additional discharges. Application received May 6, 2008. Application withdrawn January 15, 2009.

Coal Permits Actions

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

03871303 and NPDES Permit No. PA0213667, TJS Mining, Inc., (2340 Smith Road, Shelocta, PA 15774), to revise the permit for the Darmac No. 2 Deep Mine in Washington Township, **Indiana County** to add underground and subsidence control plan area permit acres. Underground Acres Proposed 515.3, Subsidence Control Plan Acres Proposed 515.3. Application received September 10, 2008. Permit issued January 26 2009.

30841312 and NPDES Permit No. PA0013790, Consolidation Coal Company, (1 Bridge Street, Monongah, WV 26554), to revise the permit for the Blacksville No. 2 Mine in Jackson and Gilmore Townships, **Greene County** to install 30 degasification boreholes. Surface Acres Proposed 24.7. No additional discharges. Application received May 1, 2007. Permit issued January 26, 2009.

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

17773075 and NPDES No. PA0127949. Black Oak Development, Inc., P. O. Box 176, Glen Campbell, PA 15742, permit renewal for reclamation only of a bituminous surface mine in Banks, Bell and Burnside Townships, **Indiana and Clearfield Counties**, affecting 343.0 acres. Receiving streams: Martin Run and two UNTs to West Branch Susquehanna River to Susquehanna River classified for the following uses: CWF and WWF. There are no potable water supply intakes within 10 miles downstream. Application received November 25, 2008. Permit issued January 23, 2009.

56930107 and NPDES No. PA0212466. Future Industries, Inc., P. O. Box 157, Meyersdale, PA 15552, permit renewal for the continued operation and restoration of a bituminous surface mine in Brothersvalley Township, **Somerset County**, affecting 70.3 acres. Receiving streams: UNTs to/and Buffalo Creek classified for the following use: CWF. There are no potable water supply intakes within 10 miles downstream. Application received August 5, 2008. Permit issued January 23, 2009.

56930110 and NPDES No. PA0212610. Future Industries, Inc., P. O. Box 157, Meyersdale, PA 15552, permit renewal for the continued operation and restoration of a bituminous surface mine in Black Township, **Somerset County**, affecting 129.0 acres. Receiving streams: UNTs to Rhoades Creek; Rhoades Creek; UNT to Isers Run and UNT to Casselman River classified for the following uses: WWF; WWF; EV; CWF, respectively. There are no potable water supply intakes within 10 miles downstream. Application received October 27, 2008. Permit issued January 26, 2009.

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

63080102 and NPDES Permit No. PA0251429. Neiswonger Construction, Inc. (17592 Route 322, Strattanville, PA 16258). Permit for commencement, operation and reclamation of a bituminous surface mine, located in Somerset Township, **Washington County**, affecting 187.8 acres. Receiving streams Center Branch of Pigeon Creek. Application received June 17, 2008. Permit issued January 30, 2009.

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

24880103 and NPDES Permit No. PA0104779. Energy Resources, Inc. (34 Kelley Way, Suite 100, Brilliant, OH 43913) Renewal of an existing bituminous strip operation in Horton Township, **Elk County** affecting 541.0 acres. This renewal is issued for reclamation only. Receiving streams: UNT to Mead Run, UNT to Vineyard Run, two UNTs to Laurel Run, two UNTs to West Branch Walburn Run. Application received October 31, 2008. Permit issued January 27, 2009.

10030101 and NPDES Permit No. PA0242331. (4955 Steubenville Pike, Suite 245, Pittsburgh, PA 15205) Renewal of an existing bituminous strip, auger and coal ash placement operation in Venango Township, **Butler County** affecting 108.0 acres. Receiving streams: UNT No. 2 to Seaton Creek. Application received November 21, 2008. Permit issued January 27, 2009.

33990106 and NPDES Permit No. PA0228010. (568 Silvis Hollow Road, Kittanning, PA 16201) Renewal of an existing bituminous strip and auger operation in McCalmont Township, **Jefferson County** affecting 168.7 acres. This renewal is issued for reclamation only. Receiving streams: Turnip Run. Application received December 10, 2008. Permit issued January 29, 2009.

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

54860206R4 and NPDES Permit No. PA0593583. WPS Westwood Generation, LLC, (1716 Lawrence Drive, DePere, WI 54115), renewal of an existing anthracite coal refuse reprocessing operation and NPDES Permit for discharge of treated mine drainage in Frailey and Porter Townships, **Schuylkill County** affecting 441.4 acres, receiving stream: Lower Rausch Creek. Application received August 13, 2008. Renewal issued January 27, 2009.

54793009R4. Coal Contractors (1991), Inc., (P. O. Box 39, Hazleton, PA 18201), renewal of an existing anthracite surface mine operation for reclamation activities only in North Union, Beaver and Black Creek Townships, **Schuylkill, Luzerne and Carbon Counties** affecting 991.3 acres, receiving stream: none. Application received December 30, 2004. Renewal issued January 28, 2009.

54840202T2. Penn Equipment Corp., (15 Main Street, Port Carbon, PA 17965), transfer of an existing coal refuse reprocessing operation in Branch Township, **Schuylkill County** affecting 50.0 acres, receiving stream: none. Application received November 24, 2008. Transfer issued January 30, 2009.

Noncoal Permits Actions

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

56980301 and NPDES Permit No. PA0234991. Keystone Lime Company, P. O. Box 278, Springs, PA 15562, renewal of NPDES permit, Addison and Elk Lick Townships, **Somerset County**. Receiving streams: Christener Run, UNT to Zehner Run, UNT to Christener Run classified for the following uses: HQ-CWF. There are no potable water supply intakes within 10 miles downstream. Application received November 7, 2008. Permit issued January 27, 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

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

15094102. American Rock Mechanics, Inc., (7531 Chestnut Street, Zionsville, PA 18092), construction blasting for Worthington in East Whiteland Township, **Chester County** with an expiration date of January 15, 2010. Permit issued January 28, 2009.

46094104. American Rock Mechanics, Inc., (7531 Chestnut Street, Zionsville, PA 18092), construction blasting for Allentown Road Sewer Extension in Franconia Township, **Montgomery County** with an expiration date of January 15, 2010. Permit issued January 28, 2009.

36094103. Keystone Blasting Service, (381 Reifsnyder Road, Lititz, PA 17543), construction blasting for Pine Hill Project in East Lampeter Township, **Lancaster County** with an expiration date of June 30, 2009. Permit issued January 29, 2009.

36094104. Keystone Blasting Service, (381 Reifsnyder Road, Lititz, PA 17543), construction blasting for a single dwelling in Earl Township, **Lancaster County** with an expiration date of June 30, 2009. Permit issued January 29, 2009.

45094103. Explosive Services, Inc., (7 Pine Street, Bethany, PA 18431), construction blasting for Winona Lakes in Middle Smithfield Township, **Monroe County** with an expiration date of February 28, 2010. Permit issued January 29, 2009.

45094104. Silver Valley Drilling & Blasting, Inc., (R. R. 4, Box 4196, Saylorsburg, PA 18353), construction blasting for Borgor Development in Polk Township, **Monroe County** with an expiration date of August 19, 2009. Permit issued January 29, 2009.

52094101. Explosive Services, Inc., (7 Pine Street, Bethany, PA 18431), construction blasting for Pocono Mt. Lake Estates in Lackawaxen and Lehman Townships, **Pike County** with an expiration date of January 31, 2010. Permit issued January 29, 2009.

FEDERAL WATER POLLUTION CONTROL ACT SECTION 401

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

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

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

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

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

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

Permits, Environmental Assessments and 401 Water Quality Certifications Issued

WATER OBSTRUCTIONS AND ENCROACHMENTS

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

E23-472. BPG Land Partners XII Seaport GP, LLC, 322 A Street, Suite 300, Wilmington, DE 19438, City of Chester, **Delaware County**, United States Army Corps of Engineers, Philadelphia District.

To perform the following activities in and along the 100-year floodplain of the Delaware River (WWF/MF):

1. To construct and maintain an approximately 18,500 seat professional soccer stadium.
2. To construct and maintain approximately 3,200 linear feet of a proposed trail.
3. To rehabilitate and maintain approximately 350 linear feet of the existing bulkhead.
4. To construct and maintain approximately 1,200 linear feet of proposed bulkhead.
5. To stabilize approximately 500 linear feet of the existing shoreline.
6. To place 0.5 acre of fill in the existing tidal channel associated with the relocation of the existing combined Sanitary Sewer Overflow outfall Structure.

This work permanently impacts 0.85 acre of open waters. The site is located approximately 80 feet south of the intersection of Byram Road and Front Street, adja-

cent to Commodore Barry Bridge (SR 0433) (Marcus Hook, PA USGS Quadrangle N: 15.2 inches; W: 0.75 inch).

E23-466. Borough of Upland, 224 Castle Avenue, Upland, PA 19015, Upland Borough, **Delaware County**, United States Army Corps of Engineers, Philadelphia District.

To modify the Kerlin Street Bridge along the Chester Creek (WWF-MF) by performing the following water obstructions or encroachments:

1. To construct and maintain 100 linear feet of twin 24-foot arch culverts through the causeway approach fill south of the existing bridge.

2. To grade and stabilize the floodplain upstream and downstream of the existing bridge.

3. To construct and maintain a rock weir upstream of the existing bridge and a debris deflector at the center pier of the Kerlin Street Bridge.

The project will require the relocation or modification of the following utilities:

1. 20-inch diameter water main.
2. 21-inch diameter sanitary interceptor line.
3. 30-inch diameter combined sewer overflow pipe.

This project, the Chester Creek Flood Abatement Pilot Project, is part of Delaware County's Renaissance Program in conjunction with the Borough of Upland. The upstream boundary of the project is the Incinerator Road Bridge (Upland Road) and the downstream boundary is just downstream of the Kerlin Street Bridge. The Kerlin Street Bridge is located 240 feet southeast of the intersection of Upland Avenue and Kerlin Street (Marcus Hook, PA USGS Quadrangle N: 19.2 inches; W: 0.3 inch).

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

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

E22-535: Susquehanna Township Authority, Attn. Pamela Winters, 1900 Linglestown Road, Harrisburg, PA 17110, Susquehanna Township, **Dauphin County**, United States Army Corps of Engineers, Baltimore District.

To construct and maintain approximately 2,739.0 lineal feet of 15.0-inch sanitary sewer pipe in the floodway of a UNT to Paxton Creek (WWF) (Harrisburg East, PA Quadrangle N: 14.0 inches; W: 15.0 inches, Latitude 40° 19' 32"; Longitude: 76° 51' 17"). The 15.0-inch sanitary sewer interceptor will also cross the UNT and wetlands associated with the UNT to Paxton Creek (WWF) (Harrisburg East, PA Quadrangle N: 14.0 inches; W: 15.0 inches, Latitude 40° 19' 32"; Longitude: 76° 51' 17"). The sanitary sewer line will impact 0.024 acre of PEM wetland. The project is located east of North Progress Avenue, approximately 1,400.0 feet south of its intersection with Linglestown Road in Susquehanna Township, Dauphin County.

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

E08-454. Johnson Quarries, Inc., R. R. 1, Box 23C, LeRaysville, PA 18829. Water Obstruction and Encroach-

ment Joint Permit in Asylum Township, **Bradford County**, United States Army Corps of Engineers, Susquehanna River Basin District (Wyalusing, PA Quadrangle N: 41° 42' 35.8"; W: 76° 21' 40.8").

To construct and maintain a permanent ford of Durell Creek to provide access for an existing rock quarry. The ford is approximately 30-feet in length and 25-feet in width. The ford is located 150-feet northwest of the intersection of T-376, O'Brian Road and SR 0187 in Durell Creek, Asylum Township, Bradford County. This project proposes to impact an approximate total of 30 linear feet of Durell Creek, which is designated as a WWF and does not propose to impact any jurisdictional wetlands. This permit was issued under section 105.13(e) "Small Projects."

E14-512. Department of Transportation, Engineering District 2-0, 1924 Daisy Street Extension, Clearfield, PA 16830. Jonathan Run Acid Rock Drainage Treatment Facility in Boggs and Snow Shoe Townships, **Centre County**, United States Army Corps of Engineers, Baltimore District (Snow Shoe, PA Quadrangle Latitude: 41° 1' 0.62"; Longitude 77° 52' 58").

The applicant proposes to construct, operate and maintain an acid rock drainage treatment system containing both active and passive treatment system components in an effort to remediate acid rock drainage entering Jonathan Run from historic Interstate 80 embankment fill containing pyritic sandstone. Jonathan Run is classified as a CWF. Siting of treatment system components will result in 0.32 acre of permanent wetland impacts (PFO, PSS and PEM), 0.01 acre of temporary wetland impacts (PEM), 191 feet of temporary stream impacts and 60 feet of permanent stream impacts. The applicant is proposing to construct 0.75 acre of wetland replacement onsite. This project was issued under a Standard Joint Permit. This permit also includes 401 Water Quality Certification.

E14-515. Glenn O. Hawbaker, Inc., 1952 Waddle Road, State College, PA 16803. Water Obstruction and Encroachment Joint Permit in Patton Township, **Centre County**, United States Army Corps of Engineers, Susquehanna River Basin District (Julian, PA Quadrangle N: 40° 48' 47.7"; W: 77° 54' 38.4").

To construct and maintain three culvert pipe crossings in a UNT to Spring Creek to provide vehicular and construction access to the divided property. Culvert crossing No. 1 will consist of placing a 60-inch CMP, having a length of 129.85 linear feet, at the southern end of the site. Culvert crossing No. 2 will consist of placing three 42-inch HDPE pipes, having a length of 87.96 linear feet, near the northcentral end of the site. Culvert crossing No. 3 will consist of placing an 18-inch HDPE pipe, having a length of 74.30 linear feet, at the northeastern corner of the site. The projects are located 450-feet northeast of the intersection of North Atherton Street and Hawbaker Industrial Boulevard in a UNT to Spring Creek, Patton Township, Centre County. This project proposes to impact an approximate total of 292 linear feet of a UNT to Spring Creek, which is designated as a CWF and does not propose to impact any jurisdictional wetlands. This permit was issued under section 105.13(e) "Small Projects."

E55-221. Kevin and Betty Klinger, 37 East Market Street, Middleburg, PA 17842. Shed in Floodway, in Middleburg Borough, **Snyder County**, United States Army Corps of Engineers, Baltimore District (Middleburg, PA Quadrangle N: Latitude 40° 47' 32.47"; W: 77° 2' 40.71").

To construct, operate and maintain a 10 foot by 10 foot concrete pad level with the existing ground in the floodway of Middle Creek. This permit also authorizes the installation of 80 linear feet of underground utility line, an outdoor wood furnace set to a bottom elevation of 498.5 and a stream crossing hung on an existing foot bridge, all within the floodway of Middle Creek. The project is located behind the property located at 37 East Market Street in the Borough of Middleburg. This permit was issued under section 105.13(e) "Small Projects."

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

E20-572, Department of Transportation, District 1-0, 255 Elm Street, Oil City, PA 16301. SR 0018-0010-1442 Channel Cleaning in West Fallowfield Township, **Crawford County**. United States Army Corps of Engineers, Pittsburgh District (Greenville East, PA Quad-range N: 41° 29' 21.84"; W: 80° 22' 10.65").

To apply stream bank stabilization along approximately 50 feet of the left (north) bank of a tributary to Crooked Creek extending downstream from SR 18 and to abandon fill from channel cleaning remaining along the right (south) bank and within the assumed floodway having a total width of approximately 20 feet and a maximum depth of 2.25 feet extending approximately 200 feet downstream from SR 0018, Segment 0010, Offset 1442 approximately 1.5 miles south of Adamsville.

EROSION AND SEDIMENT CONTROL

The following Erosion and Sediment Control (ESCP) Permits have been issued.

ESCP 0809805	Fortuna Energy, Inc. 337 Daniel Zenker Drive Horseheads, NY 14845	Bradford County	Armenia and Troy Townships	North Branch Towanda Creek CWF
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STORAGE TANKS

SITE-SPECIFIC INSTALLATION PERMITS

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

<i>SSIP Permit No.</i>	<i>Applicant Name & Address</i>	<i>County</i>	<i>Municipality</i>	<i>Tank Type</i>	<i>Tank Capacity</i>
09-46-004	Norristown State Hospital DPW 1001 East Sterigere Street Norristown, PA 19401-5300 Attn: Clifford K. Schwartz	Montgomery	Norristown Borough, West and East Norriton Townships	3 ASTs storing No. 2 Fuel Oil	120,000 gallons total

SPECIAL NOTICES

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

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

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

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

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

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

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

JOHN HANGER,
Secretary

Act 101, Section 901 Planning Grant

<i>Region</i>	<i>County</i>	<i>Applicant</i>	<i>Project Description</i>	<i>Grant Award</i>
Southeast				
Northeast				
Southcentral				
Northcentral				
Southwest	Washington	Washington	Plan Revision	\$64,000
Northwest				

Draft Hazardous Waste Permit

Public Hearing and Notice of Intent to Modify a Hazardous Waste Storage Permit

Permit ID NO. PAD002389559. Keystone Cement Company, P. O. Box A, Bath, PA 18014-0058, East Allen Township, Northampton County.

The Department of Environmental Protection (Department) will hold a public hearing regarding Keystone Cement Company's proposed modification of their Hazardous Waste Storage permit, PAD002389559, in accordance with an Application for Class 3 Hazardous Waste Permit Modification. The Hazardous Waste Storage Facility, located in Bath, PA, between Routes 512 and 329, consists of the site access roads, weight scales, site laboratory, truck staging area, truck unloading area and the hazardous waste storage tanks. The Permit Modification will permit a new "dry process" cement kiln to burn wastes for energy recovery; approve a closure schedule and plan for the two existing "wet process" kilns; permit a new "Combined Hazardous Waste Management Unit" including new storage tanks, new truck/railcar unloading and staging areas; permit the acceptance and management of rail-shipped wastes onsite; permit the closure and partial conversion of the existing HW storage tanks and truck unloading area to waste oil management; and modify the Waste Analysis Plan and Standard Operating Procedures. The Permit will regulate the incoming approved wastes and their use as fuel within the site cement kilns.

A public hearing is scheduled for March 4, 2009, at 7 p.m. The hearing will be held at the East Allen Township Municipal Building, 5344 Nor-Bath Boulevard, Northampton, PA 18067. The public hearing will be held on the Draft Permit Modification for Hazardous Waste Management.

Copies of the application, draft permit and fact sheet for the Hazardous Waste Management Facility may be reviewed at the following offices of the Department:

Bethlehem District Office
4530 Bath Pike
Bethlehem, PA 18017
(610) 861-2070

Northeast Regional Office
2 Public Square
Wilkes-Barre, PA 18711-0790
(570) 826-2511

Those interested in reviewing the draft permit and fact sheet should call to schedule an appointment to review the files.

The Department, in completing its review and prior to taking final action on the permit application to Keystone Cement Company, will consider all written comments received during the comment period and oral or written statements received during the public hearing, the requirements of the hazardous waste regulations of 25 Pa. Code Chapter 260a—270a and 40 CFR Parts 260—270 and 273 as incorporated by reference and the Department's permitting policies.

The public comment period will begin on February 14, 2009, and will end on March 31, 2009. Any person interested in commenting on the application or draft permit must do so within this comment period.

Persons intending to testify at the hearing should submit written notice to Mark Carmon, Hearing Examiner, Department of Environmental Protection, 2 Public Square, Wilkes-Barre, PA 18711-0790. This written notice should include the person's name, address, telephone number and a brief description as to the nature of the testimony. Comments should be kept brief and, depending on the number of speakers, may be limited to 10 minutes per speaker. The Department requests that individuals present written copies of their testimony in addition to their oral presentation.

Persons may present oral or written statements or data concerning the draft permit directly to the Department before, during, or after the public hearing, as long as the Department receives the statement and data before March 31, 2009. Comments should include name, address and telephone number of the writer and a concise statement to inform the Department regarding the exact basis of any comment and relevant fact on which it is based.

Following the public comment period, the Department will make a final determination regarding the draft hazardous waste permit. Notice of this determination will be published in the *Pennsylvania Bulletin*, at which time the determination may be appealed to the Environmental Hearing Board. The Department will provide a written justification for changes to the draft hazardous waste permit to persons providing comment to the Department.

Persons with disabilities who wish to attend the hearing and require an auxiliary aid, service or other accommodation to participate in the proceedings, should contact Mark Carmon of the Department at (570) 826-2035 or the Pennsylvania AT&T Relay Service at (800) 654-5984 (TDD) to discuss how the Department may accommodate their needs.

Notice of Certification to Perform Radon-Related Activities in Pennsylvania

In the month of January 2009, the Department of Environmental Protection of the Commonwealth of Pennsylvania, under the authority contained in the Radon Certification Act, act of July 9, 1987 (P. L. 238, No. 43) (63 P. S. §§ 2001—2014) and regulations promulgated thereunder at 25 Pa. Code Chapter 240, has certified the persons listed to perform radon-related activities in this

Commonwealth. The period of certification is 2 years. For a complete list of persons currently certified to perform radon-related activities in this Commonwealth and for information as to the specific testing devices that persons certified for testing or laboratory are certified to use, contact the Bureau of Radiation Protection, Radon Division, P. O. Box 8469, Harrisburg, PA 17105-8469, (800) 23RADON.

<i>Name</i>	<i>Address</i>	<i>Type of Certification</i>
Anthracite Radon	768 SR 307 Moscow, PA 18444	Mitigation
Michael Ashburn	629 Shearer Street Greensburg, PA 15601	Testing
William Astorino	3 Banyan Street Selinsgrove, PA 17870	Testing
Roger Burens, Jr.	630 Freedom Business Center Drive Third Floor King of Prussia, PA 19406	Testing
Jason Carlson	3624 Derry Street Harrisburg, PA 17111	Testing
Mark Desmond	4 Lindberg Avenue Wilmington, DE 19804	Mitigation
Clete Isenberg	5126 Chevy Chase Drive Finleyville, PA 15332	Testing
Scott Kelly	8491 East Barkhurst Drive Pittsburgh, PA 15237	Testing
John Kerrigan RHIS, Inc.	100 Old Kennett Road Wilmington, DE 19807	Testing
David Koloskee	4021 West 12th Street Erie, PA 16505	Testing
Ronald Kuntz	P. O. Box 174 Alexandria, PA 16611	Testing
Paul Malmquist	P. O. Box 410 4327 Point Pleasant Pike Danboro, PA 18916	Testing
James Nuzum, Jr.	400 Interchange Road Lehighton, PA 18235	Testing
James Nuzum, Jr. R.F. Ohl Fuel Oil, Inc.	400 Interchange Road Lehighton, PA 18235	Mitigation
Anne Parke	3201 Addison Drive Wilmington, DE 19808	Testing
Roger Priest	132 Old Skippack Road Salfordville, PA 18958	Testing
David Sperring	4826 Thoroughbred Loop Erie, PA 16506	Testing
David Teter	224 East Mifflin Street Orwigsburg, PA 17961	Testing
Todd Giddings & Associates, Inc.	3049 Enterprise Drive State College, PA 16801	Mitigation
Keith Weigman	P. O. Box 165 Orefield, PA 18069	Testing
Terry A. Wilver Pro-Tech Home & Business	1015 Green Street Milton, PA 17847	Mitigation
Bill Wright	768 SR 307 Moscow, PA 18444	Mitigation

**Request for Comment and Notice of Public Meeting
Proposed Total Maximum Daily Load (TMDL)s for
the Ferguson Run Watershed in Fayette County**

*Greensburg District Mining Office: Armbrust Building,
8205 Route 819, Greensburg, PA 15601.*

The Department of Environmental Protection (Department) is holding a public meeting on March 5, 2009, beginning at 11 a.m. at the Greensburg District Mining Office, Armbrust Building, 8205 Route 819, Greensburg, PA to discuss and accept comments on a proposed TMDL. The proposed TMDL was established in accordance with the requirements of the 1996 section 303(d) of The Clean Water Act. One stream segment in the Ferguson Run Watershed has been identified as impaired on the 1996 Pennsylvania 303(d) list due to high concentrations of metals and acidity. The listed segment and miles degraded are shown in the following table:

<i>Stream Code</i>	<i>Stream Name</i>	<i>Miles Degraded</i>
38171	Ferguson Run	1.0

The proposed plan provides calculations of the stream's total capacity to accept metals (aluminum, iron and manganese) and acidity, while maintaining levels below water quality criteria. The applicable water quality criteria are as follows:

<i>Parameter</i>	<i>Criterion value (mg/l)</i>	<i>Total Recoverable/Dissolved</i>
Aluminum	0.75	Total Recoverable
Iron	1.5	Total Recoverable
Manganese	1.00	Total Recoverable
pH	6.0 to 9.0	NA

The primary pollutant source for the watershed is abandoned mine workings. This watershed was heavily mined for coal in the 20th century. The effects of this are still present. The TMDL consists of load allocations, which are made to nonpoint sources of pollution and waste load allocations, which are made to permitted point sources.

The TMDL was developed using Monte Carlo Simulation to determine long-term average concentrations that each stream segment could accept and still meet water quality criteria 99% of the time. Monte Carlo Simulation allows for the expansion of a dataset based on its statistical makeup. Since there was no critical flow condition where criteria were exceeded, the Department used the average flow to express the loading values in the TMDL.

The TMDL sets allowable loading rates for metals and acidity at specified points in the watershed. The basis of information used in the establishment of this TMDL is field data collected from 2007 through 2008.

The data and all supporting information used to develop the proposed TMDL are available from the Department. To request a copy of the proposed TMDL and an information sheet, contact Scott Heidel at (717) 787-1421 between 7:45 a.m. and 3:45 p.m., Monday through Friday, at Rachel Carson State Office Building, 10th Floor, 400 Market Street, Harrisburg, PA 17101. E-mail will be received at scheidel@state.pa.us. Directions to the meeting place can also be obtained through this contact.

The TMDL can be viewed and printed by accessing the Department's web site at www.dep.state.pa.us (PA Keyword: TMDL).

Written comments will be accepted at the previous address and must be postmarked by March 20, 2009.

Persons who plan to make a presentation at the public meeting should notify the Department no later than 3 p.m. Friday, February 27, 2009. The Department will consider all comments in developing the final TMDL, which will be submitted to the EPA for approval.

**Request for Comment and Notice of Public
Meeting—Correction Notice Proposed Total
Maximum Daily Load (TMDL)s for Deer Creek
(Clarion County), Redbank Creek (Armstrong and
Clarion Counties) and the Lower Clarion River,
(Forest, Clarion and Jefferson Counties)**

The Department of Environmental Protection (Department) is announcing a correction to the closing date of the public comment period for the Deer and Redbank Creeks and Lower Clarion River TMDLs. The date of the closing of the public comment period was published incorrectly in the January 31, 2009, *Pennsylvania Bulletin* as Wednesday, April 1, 2009. The correct deadline for the submission of written comments is Monday, March 2, 2009.

The data and all supporting information used to develop the proposed TMDL are available from the Department. To request a copy of the proposed TMDL and an information sheet, contact Elias Heferle at (814) 797-1191 between 8 a.m. and 4 p.m., Monday through Friday, at the Knox District Mining Office, White Memorial Building, P. O. Box 669, Knox, PA 16232. E-mail will be received at ehferle@state.pa.us. Directions to the meeting place can also be obtained through this contact.

The TMDLs can be viewed and printed by accessing the Department's web site at www.dep.state.pa.us (PA Keyword: TMDL).

**Request for Comment and Notice of Public Meeting
for the Proposed Total Maximum Daily Loads
(TMDLs) Developed for the West Branch
Susquehanna River Watershed**

The Department of Environmental Protection (Department) and the Susquehanna River Basin Commission are holding a public meeting on March 5, 2009, at 7 p.m., at the Clearfield County Conservation District, 650 Leonard Street, Clearfield, PA. The purpose of the meeting is to discuss and accept comments on the proposed TMDLs developed for the West Branch Susquehanna River. In accordance with the requirements of section 303(d) of The Clean Water Act, stream segments in the West Branch Susquehanna River have been identified as impaired due to high levels of metals and low pH as a result of abandoned mine drainage.

The proposed TMDLs set allowable loadings to meet water quality standards at specified points in the West Branch Susquehanna River for iron, manganese, aluminum and acidity. Loads have been allocated to both point and nonpoint sources. The TMDLs were established using field data collected in 2004 and 2005, as well as data collected from prior water quality surveys performed by other agencies.

The data and all supporting documentation used to develop the proposed TMDLs are available from the Department. The proposed TMDL and information on the TMDL program can be viewed on the Department's web site (www.dep.state.pa.us/watermanagement_apps/tmdl/). To request a copy of any of the TMDLs, contact Bill Brown, Department of Environmental Protection, Water Quality Assessment and Standards, 400 Market Street, P. O. Box 8467, Harrisburg, PA 17105, (717) 783-2951.

Written comments will be accepted at the previous address and must be postmarked no later than 30 days

from the date of this bulletin notice. The Department will consider all comments in developing the final TMDL, which will be submitted to United States Environmental Protection Agency for approval.

[Pa.B. Doc. No. 09-262. Filed for public inspection February 13, 2009, 9:00 a.m.]

Bid Opportunity

BOGM 08-3, Cleaning out and plugging 46 abandoned oil wells, (Oil Creek State Park Property), Cornplanter Township, Venango County. The principal items of work include cleaning out and plugging 46 abandoned oil wells, estimated to be 650 feet in depth, to Department of Environmental Protection specifications, preparing and restoring well sites and mobilizing and demobilizing plugging equipment. This project issues on February 20, 2009, and bids will be opened on March 26, 2009, at 2 p.m. Bid documents cost \$10 per set and will not be mailed until payment has been received. A prebid conference is scheduled for March 10 and 11, 2009. Use the contact information contained in this advertisement to find out more about the prebid. Contact the Construction Contracts Section at (717) 787-7820 or joelmiller@state.pa.us for more information on this bid.

JOHN HANGER,
Secretary

[Pa.B. Doc. No. 09-263. Filed for public inspection February 13, 2009, 9:00 a.m.]

Bid Opportunity

BOGM 08-11, Cleaning out and plugging 17 abandoned and orphan oil wells, (Mr. and Mrs. Terence Bane Property), Otto Township, McKean County. The principal items of work include cleaning out and plugging 17 abandoned and orphan oil wells, estimated to be between 1,440 and 2,050 feet in depth, to Department of Environmental Protection's specifications, preparing and restoring well sites and mobilizing and demobilizing plugging equipment. This project issues on February 13, 2009, and bids will be opened on March 19, 2009, at 2 p.m. Bid documents cost \$10 per set and will not be mailed until payment has been received. A prebid conference is scheduled for March 3, 2009. Use the contact information contained in this advertisement to find out more about the prebid. Contact the Construction Contracts Section at (717) 787-7820 or joelmiller@state.pa.us for more information on this bid.

JOHN HANGER,
Acting Secretary

[Pa.B. Doc. No. 09-264. Filed for public inspection February 13, 2009, 9:00 a.m.]

Bid Opportunity

OSM 37(4481)101.1, Abandoned mine land reclamation project, Duckrun East, Wayne Township, Lawrence County. The principal items of work and approximate quantities include mobilization and demobilization, 26,000 cubic yards of grading, 500 cubic yards of

ditch excavation, 700 square yards of high velocity erosion control blanket, 200 square yards of seeding and implementation of erosion and sediment pollution control plan. This project issues on February 13, 2009, and bids will be opened on March 12, 2009, at 2 p.m. Bid documents cost \$10 per set and will not be mailed until payment has been received. This project is financed by the Federal Government under the authority given it by Pub. L. No. 95-87 dated August 3, 1977, The Surface Mining Control and Reclamation Act of 1977, and is subject to that law, and to the Federal Grant for this project. Contact the Construction Contracts Section at (717) 787-7820 or joelmiller@state.pa.us for more information on this bid.

JOHN HANGER,
Acting Secretary

[Pa.B. Doc. No. 09-265. Filed for public inspection February 13, 2009, 9:00 a.m.]

Bond Rate Guidelines for the Calculation of Land Reclamation Bonds on Coal Mining Operations

The Department of Environmental Protection (Department) announces the 2009 bond rate guidelines for anthracite and bituminous coal mining operations. These rates become effective April 1, 2009. The authority for bonding coal mining operations is found under The Clean Streams Law (35 P. S. §§ 691.1—691.1001), the Surface Mining Conservation and Reclamation Act (52 P. S. §§ 1396.1—1396.19a), the Coal Refuse Disposal Control Act (52 P. S. §§ 30.51—30.66) and 25 Pa. Code Chapter 86, Subchapter F (relating to bonding and insurance requirements). The unit costs listed in these guidelines will be used in calculating the land reclamation bonds for surface coal mining operations including, surface mines, coal refuse disposal sites, coal refuse reprocessing sites, coal processing facilities and the surface facilities of underground mining operations. The procedures for calculating land reclamation bonds are described in technical guidance 563-2504-001, "Conventional Bonding for Land Reclamation—Coal," which is available on the Department's web site at the following link: <http://164.156.71.80/WXOD.aspx?fs=2087d8407c0e0000800006fb000006fb&ft=1>.

The Department may review the adequacy of bonds on existing permits based on the bond rate guidelines at any time. The Department will conduct these reviews before issuing permit renewals. The Department may conduct similar reviews at the midterm of a permit and before approving a permit revision.

The bond rate guidelines do not apply to bonds assuring replacement of water supplies under subsection 3.1(c) of the Surface Mining Conservation and Reclamation Act (52 P. S. § 1396.3a(c)) or to bonds ensuring compliance with the requirements of the Bituminous Mine Subsidence and Land Conservation Act (52 P.S §§ 1406.1—1410d).

General Methodology

The Department developed the bond rate guidelines for 2009 from the unit costs for competitively bid contracts for mine reclamation. Contract bid data is available for various unit operations needed to complete reclamation of a mine site for the years 1998-2008. For most categories, a 3-year (2006-2008) average was used to calculate the guidelines. Some categories required another approach due to limited data. For example, there were no contracts

in 2007 that included selective grading, and during 2006 there were only 30 acres of selective grading under contract. Therefore, a 5-year average was used for the 2009 selective grading bond rate.

In general, the bond rate for a given unit operation is the weighted average of the three lowest total bids for each contract. However, grading costs were calculated using the number of bids at a cost per cubic yard frequency distribution and a weighted total number of yards at a cost per cubic yard frequency distribution, in combination with the averages and a cost trend analysis.

In the event that a unit operation necessary to calculate a reclamation bond is not listed in Tables 1 or 2, then any additional cost information available will be used. If enough data is still not available, the rate will be set from a standard reference like "Means Building Construction Cost Data" or "Walker's Building Estimator's Reference Book."

The fees associated with the Land Maintenance Bond Program are presented in Table 3. There has been no

change in these rates for 2009.

The bond rate guidelines are available electronically at <http://www.dep.state.pa.us/dep/deputate/minres/bmr/programs/bonding.htm>. For background information and supporting documentation regarding bonding rate guidelines, contact the Bureau of Mining and Reclamation, Division of Monitoring and Compliance, P. O. Box 8461, Harrisburg, PA 17105-8461, (717) 787-5103.

Mine Sealing Costs

The mine sealing bond rate guidelines are presented in Table 2. Review of the contract data for mine sealing projects reveals that they are designed and bid on a volume and material basis. The Department has evaluated these bond rate guidelines resulting in updated mine sealing bond rate guidelines for 2009. The Department also developed bond rate guidelines for sealing boreholes.

Effective Date

The bond rate guidelines in this notice become effective April 1, 2009.

TABLE 1
Standard Bond Rate Guidelines
For Year 2009

<i>Unit Operation</i>	<i>Unit Measure</i>	<i>Unit Costs (\$)</i>
<i>Mobilization/Demobilization</i>	<i>Job</i>	<i>4% of direct costs or \$40,000, whichever is less</i>
Grading (< 500-foot push)	Cubic Yard	0.95
Grading (≥ 500-foot push/haul)	Cubic Yard	1.20
Selective Grading	Acre	1,250.00
Revegetation	Acre	1,600.00
Tree Planting	Tree	0.15
Ditch Excavation	Cubic Yard	5.25
Jute Matting	Square Yard	3.25
High Velocity Erosion Control	Square Yard	3.50
R3 Rock Lining	Square Yard	25.00
R4 Rock Lining	Square Yard	22.00
R5 Rock Lining	Square Yard	21.00
Geotextile/Filter Fabric	Square Yard	2.00
PVC Lining ¹	Square Yard	11.00
Subsurface Drain	Lineal Foot	18.50
Erosion and Sedimentation Control (Temporary Installation)	Job	Lump sum (5% of direct costs for site)
Pond Removal Active Phase ²	Pond	3,800.00
Stage 3 Maintenance Bond Noncropland Areas (Land Uses Where Crop Yields Are Not Required)	Acre	100.00
Stage 3 Maintenance Bond Cropland (Not Row Crops) Pastureland Or Land Occasional Cut For Hay (Excludes Seed Cost)	Acre	550.00
Stage 3 Maintenance Bond Cropland Area-Row Crops (includes seed cost)	Acre	800.00
Stage 3 Mobilization	Job	2,500.00

¹ Typically used for lining of ponds or ditches crossing fill material.

² Unit cost not from BAMR bids; includes dewatering, grading, topsoil placement and revegetation.

<i>Unit Operation</i>	<i>Unit Measure</i>	<i>Unit Costs (\$)</i>
<i>Mobilization/Demobilization</i>	<i>Job</i>	<i>4% of direct costs or \$40,000, whichever is less</i>
Pond Removal-Stage ³	Cubic Yards (Embankment volume) Plus Topsoiling and Revegetation Cost	Use < 500 grading for pond embankment volume plus Topsoiling and Revegetation cost for the area disturbed
Ditch Removal-Stage ³	Lineal Foot	0.75
Equipment Tire Removal and Disposal	Tire	300.00
Structure Demolition	Costs will be calculated using costs listed in the construction industry's latest annual cost publications, such as <i>Means Building Construction Cost Data</i> .	

TABLE 2

**Mine Sealing Bond Rate Guidelines
For Year 2009**

Sealing Bituminous Underground Mine Drift and Slope Openings

<i>Unit Operation</i>	<i>Unit Measure</i>	<i>Unit Costs (\$)</i>
Concrete Work	Cubic yard	128.00
Masonry Work	Square foot	11.00
Fill Material and Earthwork ³	Cubic yard	23.00
Security Fencing	Lineal foot	29.00
Mobilization Cost	Job	5% of Total Amount

Sealing Bituminous Underground Mine Shaft Openings

Concrete Material	Cubic Yard	96.00
Aggregate Material	Cubic Yard	27.00
Fill material and Earthwork ³	Cubic Yard	4.00
Security Fencing	Lineal Foot	29.00
Mobilization Cost	Job	5% of Total Amount

Sealing Boreholes at Bituminous Underground Mines

<i>Dimension</i>	<i>Minimum Cost Per Hole (\$)</i>	<i>Unit Cost (\$ Per Lineal Foot</i>
12 Inch or Less Diameter	1,500	5.50
Larger Than 12 Inch Diameter	2,000	5.50

³ Mine sealing costs are minimum costs. Additional costs per mine seal will be assessed based on specific design criteria, such as the thickness of the seal and the volume of backfill material required, using appropriate material, equipment, and labor costs from BAMR bid abstracts or from an industry-standard cost estimation publications, such as, *Means Estimating Handbook* or *Walker's Building Estimator's Reference Book*.

TABLE 3

**Land Maintenance Financial Guarantee Fees
For Year 2009**

<i>Fee Category</i>	<i>Fee (\$)</i>
Publication	\$1,000
Administrative	\$300

JOHN HANGER,
Acting Secretary

[Pa.B. Doc. No. 09-266. Filed for public inspection February 13, 2009, 9:00 a.m.]

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

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

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

The actions described in this notice relate to: (1) submitted proposals; (2) approved proposals; and (3) registered credits, through January 27, 2009.

Background

Before a credit can be used by an NPDES permittee, a three-step process is followed. First, the credit or offset proposal must be approved, second, it must be verified and third, it must be registered.

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

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

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

The Department has received 65 proposals that have been submitted for review to generate nutrient reduction credits in the Chesapeake Bay Watershed. Of those, 43 have been approved, one is in review, one has been withdrawn and the remaining need additional clarification prior to certification.

Proposals under Review

There are currently no new proposals under review.

Certifications

The Department has given conditional pre-approval to ElectroCell Technologies, Inc., for calculating credits, related to a hog manure technology that the company operates.

Correction: At 39 Pa.B. 288 (January 10, 2009), the credit certification for Lancaster County Conservation District noticed that nitrogen credits were generated by implementation of cover crops and no-till and nitrogen and phosphorus credits generated by manure export. The notice was not specific in the credit amounts related to each activities. To clarify, Lancaster County Conservation District generated 10,680 nitrogen credits and 1,335 phosphorus credits by the exportation of poultry manure and will generate 3,590 nitrogen credits by the implementation of cover crops and no-till.

Verifications and Registrations

To date, there are no verifications and registrations.

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

JOHN HANGER,
Acting Secretary

[Pa.B. Doc. No. 09-267. Filed for public inspection February 13, 2009, 9:00 a.m.]

Proposed Designation Recommendations for the 2008 8-Hour Ozone Standard; Public Meetings Announcement

Ground-level ozone concentrations above the Federal health-based standard are a serious human health threat and can also cause damage to crops, forests and wildlife. In March 2008, the U. S. Environmental Protection Agency (EPA) promulgated a revised 8-hour ozone national ambient air quality standard (NAAQS). The revised ozone standard of 75 parts per billion, measured over an 8-hour period, is more protective of public health than the 1997 8-hour ozone standard.

The Governor of each state must now submit designation recommendations to EPA in accordance with Section 107(d) of the Federal Clean Air Act. Pennsylvania's designation recommendations are based on air quality monitoring data for 2006-2008, demographic information and other criteria, as recommended by EPA. EPA expects to make final designations in March 2010.

The Department of Environmental Protection (Department) is seeking public input on the proposed designation recommendations for the 2008 ozone NAAQS. Based on air quality, demographic information and political boundary factors, the Department is proposing to recommend that:

- Erie, Greene, Indiana, Lancaster, Berks and Monroe Counties be designated as single-county nonattainment areas;

- Allegheny, Armstrong, Beaver, Butler, Washington, Fayette and Westmoreland Counties be designated as a multicounty nonattainment area;

- Adams and York Counties be designated as a multicounty nonattainment area;

- Cumberland, Perry, Dauphin and Lebanon Counties be designated as a multicounty nonattainment area;

- Carbon, Lehigh and Northampton Counties be designated as a multicounty nonattainment area;

- Bucks, Chester, Delaware, Montgomery and Philadelphia counties be designated as part of a multicounty interstate nonattainment area; and

- Mercer County be designated as a nonattainment area, most likely part of an interstate area.

The remainder of the Commonwealth would be designated as attainment.

This proposal is available on the Department's web site at www.depweb.state.pa.us or through the contact persons listed. The Department will hold public informational meetings as follows:

March 3, 2009 1 p.m. Waterfront A 400 Waterfront Drive Pittsburgh, PA	March 3, 2009 1 p.m. Susquehanna Room 909 Elmerton Avenue Harrisburg, PA	March 4, 2009 1 p.m. Delaware River Room 2 East Main Street Norristown, PA
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For more information on the public meetings, contact Yvette House at (717) 787-9495; yhouse@state.pa.us. Individuals with a disability who wish to attend a meeting and require an auxiliary aid, service or other accommodation to participate in the proceeding should also contact Yvette House. TDD users may contact the Pennsylvania AT&T Relay Service at (800) 654-5984 to discuss how the Department can best accommodate their needs.

Written comments on the recommendations should be sent to Arleen Shulman, Chief, Air Resource Management Division, Bureau of Air Quality, Department of Environmental Protection, P. O. Box 8468, Harrisburg, PA 17105-8468 or ashulman@state.pa.us (preferred) no later than 4 p.m. on March 6, 2009. Written comments (including e-mail submittals) must include the name, affiliation (if any), mailing address and telephone number of the interested person.

JOHN HANGER,
Acting Secretary

[Pa.B. Doc. No. 09-268. Filed for public inspection February 13, 2009, 9:00 a.m.]

visual inspection of emission components performed by safety inspection stations in 42 Pennsylvania counties as part of the vehicle safety inspection program. These 42 counties are not subject to the Commonwealth's vehicle inspection and maintenance program. In addition to ensuring that statutorily required emissions components are present and have not been rendered inoperative, the safety program visual inspection test and quality assurance program bolster emission reductions toward meeting the goals of areas of the Commonwealth that are subject to I/M program testing.

The proposed SIP revision pertains only to a portion of the quality assurance program in the SIP implemented by PennDOT. The quality assurance program in the SIP provides a window in which program auditors can determine whether randomly selected vehicles properly passed the visual inspection portion of the safety inspection. PennDOT has conducted a pilot study in which the timing of the audit of inspected vehicles was examined. As a result of the study, PennDOT advised increasing the length of the window between the initial inspection of a vehicle and the audit inspection from 2 days to 5 days. The Department is proposing to revise Pennsylvania's SIP to update the quality assurance program information in this way. This proposal is available on the Department's web site at www.depweb.state.pa.us (DEP Keyword: Air Plans), or through the contact persons listed.

The Department will hold a public hearing to receive comments on the proposed SIP revision on Thursday, March 19, 2009, at 1 p.m. at the Department of Environmental Protection's Southcentral Regional Office, 909 Elmerton Avenue, Susquehanna Room A, Harrisburg, PA 17110.

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

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

The Department must receive comments no later than March 20, 2009. Written comments should be sent to the attention of Arleen Shulman, Division of Air Resource Management, Bureau of Air Quality, P. O. Box 8468, Harrisburg, PA 17105-8468 or ashulman@state.pa.us.

JOHN HANGER,
Acting Secretary

[Pa.B. Doc. No. 09-269. Filed for public inspection February 13, 2009, 9:00 a.m.]

Proposed Revision to the State Implementation Plan for the Vehicle Emissions Anti-Tampering Quality Assurance Program in the Inspection and Maintenance Program; Public Hearing

The Department of Environmental Protection (Department) is seeking public comment on a State Implementation Plan (SIP) revision. The proposed SIP revision addresses the quality assurance program implemented by the Department of Transportation (PennDOT) for the

Rates to Be Used for Calculating Long-Term Operation and Maintenance Cost Bonds for Water Supply Replacement-Mining Operations

The Department of Environmental Protection (Department) announces the rates to be used to calculate bond amounts for water supply replacement operation and

maintenance costs for anthracite and bituminous coal and industrial mineral mining operations. The authority for bonding mining operations is found under The Clean Streams Law (35 P. S. §§ 691.1—691.1001), the Surface Mining Conservation and Reclamation Act (52 P. S. §§ 1396.1—1396.19a), the Coal Refuse Disposal Control Act (52 P. S. §§ 30.51—30.66), the Bituminous Mine Subsidence and Land Conservation Act (52 P. S. §§ 1406.1—1406.21), the Noncoal Surface Mining Conservation and Reclamation Act (52 P. S. §§ 3301—3326) and the regulations promulgated thereunder at 25 Pa. Code Chapters 77 and 86 (relating to noncoal mining; and surface mining of coal).

The rates are used in calculating the water supply operation and maintenance bond amounts for replacement water supplies affected by activities at mining operations including: surface mines, coal refuse disposal sites, coal refuse reprocessing sites, coal processing facilities, underground coal mining operations and industrial mineral surface mines. The procedures for calculating water supply operation and maintenance bonds are described in technical guidance 562-4000-102, "Increased Operation and Maintenance Costs of Replacement Water Supplies," which is available on the Department's web site www.depweb.state.pa., at the Public Participation Center page.

The Department may review the adequacy of bonds on existing permits at any time. The Department will conduct these reviews before issuing permit renewals. The Department may conduct similar reviews at the mid-term of a permit and before approving a permit revision.

Rates

The Department calculated the rate of inflation and rate of return using 5-year averages. For the rate of inflation, the Consumer Price Index (Northeast Urban) was averaged for the calendar years 2004—2008, resulting in a rate of 3.46%. For the rate of return, the interest rate for the 20-year Treasury bill as reported by the Federal Reserve was averaged for the calendar years 2004—2008 resulting in a rate of 4.79%.

For background information and supporting documentation regarding the rates, contact the Bureau of Mining and Reclamation, Division of Monitoring and Compliance, P. O. Box 8461, Harrisburg, PA 17105-8461, (717) 787-5103.

Effective Date

The rates in this notice become effective on April 1, 2009. They will remain in effect until new rates are published. It is anticipated that these new rates will be published in the *Pennsylvania Bulletin* in February 2010 to be effective April 1, 2010.

JOHN HANGER,
Acting Secretary

[Pa.B. Doc. No. 09-270. Filed for public inspection February 13, 2009, 9:00 a.m.]

Solar Workgroup Meeting

The Solar Workgroup (Workgroup) will hold a meeting on February 26, 2009, at 10 a.m. in the Second Floor Training Room of the Rachel Carson State Office Building, 400 Market Street, Harrisburg, PA 17101.

The agenda and materials for the February 26, 2009, meeting will be available at the meeting. Questions

concerning this meeting should be directed to Libby Dodson, Office of Energy and Technology Deployment, Division of Energy Promotion, 400 Market Street, Harrisburg, PA 17101, (717) 772-8907, ldodson@state.pa.us.

Persons with a disability who require accommodations to attend the February 26, 2009, meeting of the Workgroup 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 of Environmental Protection may accommodate their needs.

JOHN HANGER,
Acting Secretary

[Pa.B. Doc. No. 09-271. Filed for public inspection February 13, 2009, 9:00 a.m.]

DEPARTMENT OF LABOR AND INDUSTRY

Prevailing Wage Appeals Board Meeting

The Prevailing Wage Appeals Board will hold a public meeting on Tuesday, February 17, 2009, at 10 a.m. in the Capitol Associates Building, 901 North Seventh Street, 3rd Floor Conference Room, Harrisburg, PA.

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

STEPHEN M. SCHMERIN,
Secretary

[Pa.B. Doc. No. 09-272. Filed for public inspection February 13, 2009, 9:00 a.m.]

DEPARTMENT OF REVENUE

Pennsylvania \$100,000 Wild Number Bingo Instant Lottery Game

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

1. *Name:* The name of the game is Pennsylvania \$100,000 Wild Number Bingo.

2. *Price:* The price of a Pennsylvania \$100,000 Wild Number Bingo instant lottery game ticket is \$5.

3. *Play Symbols:*

(a) Each Pennsylvania \$100,000 Wild Number Bingo instant lottery game ticket will contain 10 play areas designated as "Card 1," "Card 2," "Card 3," "Card 4," "Card 5," "Card 6," "Card 7," "Card 8," "Card 9" and "Card 10." The 77 play symbols located in the ten play areas are: The numbers 1 through 75, "FREE" symbol and a "5X" symbol. The "FREE" symbol is a free space. The "5X" symbol is a free space, and when it appears in a winning pattern, the prize quintuples.

(b) Each ticket will also contain a "Caller's Card" area and a separate "Wild Number" area. The "Caller's Card"

area will consist of 30 spaces on a 5 by 6 grid. The play symbols that may be located in each space on the grid are: The letter B with a number 1 through 15; the letter I with a number 16 through 30; the letter N with a number 31 through 45; the letter G with a number 46 through 60; and the letter O with a number 61 through 75. The "Wild Number" area will contain a play symbol of 0 (ZERO), 1 (ONE), 2 (TWO), 3 (THREE), 4 (FOUR), 5 (FIVE), 6 (SIX), 7 (SEVEN), 8 (EIGHT) or 9 (NINE). When the "Wild Number" play symbol appears as the last digit of any of the play symbols located in the 10 "Card" play areas, that play symbol is a free space.

4. *Prizes:* The prizes that can be won in this game are: \$5, \$10, \$15, \$25, \$50, \$100, \$250, \$500, \$1,000, \$10,000 and \$100,000. The player can win up to seven times on each ticket.

5. *Approximate Number of Tickets Printed For the Game:* Approximately 7,200,000 tickets will be printed for the Pennsylvania \$100,000 Wild Number Bingo instant lottery game.

6. *Determination of Prize Winners:*

(a) Holders of tickets matching the "Caller's Card" play symbols, or a combination of the matching "Caller's Card" play symbols and those play symbols located in the 10 play areas whose last digit matches the "Wild Number" play symbol, to twelve of the thirteen spaces appearing in the highlighted "W" pattern, which includes the spaces appearing in the top horizontal row in the "B" and "O" columns; the spaces appearing in the second horizontal row from the top in the "B" and "O" columns; the spaces appearing in the third horizontal row from the top in the "B" and "O" columns and the "FREE" space in the "N" column; the spaces appearing in the fourth horizontal row from the top in the "B," "I," "G" and "O" columns; and the spaces appearing in the fifth horizontal row from the top in the "B" and "O" columns on "Card 1" or "Card 2" or "Card 3" or "Card 4" or "Card 5" or "Card 6" or "Card 7" or "Card 8" or "Card 9" or "Card 10," shall be entitled to a prize of \$100,000.

(b) Holders of tickets matching the "Caller's Card" play symbols, or a combination of the matching "Caller's Card" play symbols and those play symbols located in the 10 play areas whose last digit matches the "Wild Number" play symbol, in an "X" pattern extending through the "FREE" space and through to each of the four corner spaces, on "Card 10," shall be entitled to a prize of \$10,000.

(c) Holders of tickets matching the "Caller's Card" play symbols, or a combination of the matching "Caller's Card" play symbols and those play symbols located in the 10 play areas whose last digit matches the "Wild Number" play symbol, in an "X" pattern extending through the "FREE" space and through to each of the four corner spaces, on "Card 8" or "Card 9," shall be entitled to a prize of \$1,000.

(d) Holders of tickets matching the "Caller's Card" play symbols, or a combination of the matching "Caller's Card" play symbols and those play symbols located in the 10 play areas whose last digit matches the "Wild Number" play symbol, in a postage stamp pattern matching four numbers to form a postage stamp (a 2 × 2 grid) in any of the four corners on "Card 10," shall be entitled to a prize of \$1,000.

(e) Holders of tickets matching the "Caller's Card" play symbols, or a combination of the matching "Caller's Card" play symbols and those play symbols located in the 10 play areas whose last digit matches the "Wild Number"

play symbol, in an "X" pattern extending through the "FREE" space and through to each of the four corner spaces, on "Card 4," or "Card 5," or "Card 6" or "Card 7," shall be entitled to a prize of \$500.

(f) Holders of tickets matching the "Caller's Card" play symbols, or a combination of the matching "Caller's Card" play symbols and those play symbols located in the 10 play areas whose last digit matches the "Wild Number" play symbol, in a postage stamp pattern matching four numbers to form a postage stamp (a 2 × 2 grid) in any of the four corners on "Card 8" or "Card 9," shall be entitled to a prize of \$500.

(g) Holders of tickets matching the "Caller's Card" play symbols, or a combination of the matching "Caller's Card" play symbols and those play symbols located in the 10 play areas whose last digit matches the "Wild Number" play symbol, in the four corners on "Card 10," shall be entitled to a prize of \$500.

(h) Holders of tickets matching the "Caller's Card" play symbols, or a combination of the matching "Caller's Card" play symbols and those play symbols located in the 10 play areas whose last digit matches the "Wild Number" play symbol, in four of the five spaces in a horizontal, vertical or diagonal line, and a "5X" play symbol in the remaining space of that same horizontal, vertical or diagonal line on "Card 10," shall be entitled to a prize of \$500.

(i) Holders of tickets matching the "Caller's Card" play symbols, or a combination of the matching "Caller's Card" play symbols and those play symbols located in the 10 play areas whose last digit matches the "Wild Number" play symbol, in a postage stamp pattern matching four numbers to form a postage stamp (a 2 × 2 grid) in any of the four corners on "Card 6" or "Card 7," shall be entitled to a prize of \$250.

(j) Holders of tickets matching the "Caller's Card" play symbols, or a combination of the matching "Caller's Card" play symbols and those play symbols located in the 10 play areas whose last digit matches the "Wild Number" play symbol, in the four corners on "Card 9," shall be entitled to a prize of \$250.

(k) Holders of tickets matching the "Caller's Card" play symbols, or a combination of the matching "Caller's Card" play symbols and those play symbols located in the 10 play areas whose last digit matches the "Wild Number" play symbol in four of the five spaces in a horizontal, vertical or diagonal line, and a "5X" play symbol in the remaining space of that same horizontal, vertical or diagonal line on "Card 9," shall be entitled to a prize of \$250.

(l) Holders of tickets matching the "Caller's Card" play symbols, or a combination of the matching "Caller's Card" play symbols and those play symbols located in the 10 play areas whose last digit matches the "Wild Number" play symbol, in an "X" pattern extending through the "FREE" space and through to each of the four corner spaces, on "Card 2" or "Card 3," shall be entitled to a prize of \$100.

(m) Holders of tickets matching the "Caller's Card" play symbols, or a combination of the matching "Caller's Card" play symbols and those play symbols located in the 10 play areas whose last digit matches the "Wild Number" play symbol, in a postage stamp pattern matching four numbers to form a postage stamp (a 2 × 2 grid) in any of the four corners on "Card 4" or "Card 5," shall be entitled to a prize of \$100.

(n) Holders of tickets matching the "Caller's Card" play symbols, or a combination of the matching "Caller's Card" play symbols and those play symbols located in the 10 play areas whose last digit matches the "Wild Number" play symbol, in the four corners on "Card 7" or "Card 8," shall be entitled to a prize of \$100.

(o) Holders of tickets matching the "Caller's Card" play symbols, or a combination of the matching "Caller's Card" play symbols and those play symbols located in the 10 play areas whose last digit matches the "Wild Number" play symbol, in a five-space horizontal, vertical or diagonal line on "Card 10," shall be entitled to a prize of \$100.

(p) Holders of tickets matching the "Caller's Card" play symbols, or a combination of the matching "Caller's Card" play symbols and those play symbols located in the 10 play areas whose last digit matches the "Wild Number" play symbol, in an "X" pattern, extending through the "FREE" space and through to each of the four corner spaces, on "Card 1," shall be entitled to a prize of \$50.

(q) Holders of tickets matching the "Caller's Card" play symbols, or a combination of the matching "Caller's Card" play symbols and those play symbols located in the 10 play areas whose last digit matches the "Wild Number" play symbol, in a postage stamp pattern matching four numbers to form a postage stamp (a 2 x 2 grid) in any of the four corners on "Card 3," shall be entitled to a prize of \$50.

(r) Holders of tickets matching the "Caller's Card" play symbols, or a combination of the matching "Caller's Card" play symbols and those play symbols located in the 10 play areas whose last digit matches the "Wild Number" play symbol, in the four corners on "Card 4" or "Card 5" or "Card 6," shall be entitled to a prize of \$50.

(s) Holders of tickets matching the "Caller's Card" play symbols, or a combination of the matching "Caller's Card" play symbols and those play symbols located in the 10 play areas whose last digit matches the "Wild Number" play symbol, in a five-space horizontal, vertical or diagonal line on "Card 9," shall be entitled to a prize of \$50.

(t) Holders of tickets matching the "Caller's Card" play symbols, or a combination of the matching "Caller's Card" play symbols and those play symbols located in the 10 play areas whose last digit matches the "Wild Number" play symbol, in four of the five spaces in a horizontal, vertical or diagonal line, and a "5X" play symbol in the remaining space of that same horizontal, vertical or diagonal line on "Card 6" or "Card 7" or "Card 8," shall be entitled to a prize of \$50.

(u) Holders of tickets matching the "Caller's Card" play symbols, or a combination of the matching "Caller's Card" play symbols and those play symbols located in the 10

play areas whose last digit matches the "Wild Number" play symbol, in a postage stamp pattern matching four numbers to form a postage stamp (a 2 x 2 grid) in any of the four corners on "Card 2," shall be entitled to a prize of \$25.

(v) Holders of tickets matching the "Caller's Card" play symbols, or a combination of the matching "Caller's Card" play symbols and those play symbols located in the 10 play areas whose last digit matches the "Wild Number" play symbol, in the four corners on "Card 3," shall be entitled to a prize of \$25.

(w) Holders of tickets matching the "Caller's Card" play symbols, or a combination of the matching "Caller's Card" play symbols and those play symbols located in the 10 play areas whose last digit matches the "Wild Number" play symbol, in four of the five spaces in a horizontal, vertical or diagonal line, and a "5X" play symbol in the remaining space of that same horizontal, vertical or diagonal line on "Card 1" or "Card 2" or "Card 3" or "Card 4" or "Card 5," shall be entitled to a prize of \$25.

(x) Holders of tickets matching the "Caller's Card" play symbols, or a combination of the matching "Caller's Card" play symbols and those play symbols located in the 10 play areas whose last digit matches the "Wild Number" play symbol, in a postage stamp pattern matching four numbers to form a postage stamp (a 2 x 2 grid) in any of the four corners on "Card 1," shall be entitled to a prize of \$15.

(y) Holders of tickets matching the "Caller's Card" play symbols, or a combination of the matching "Caller's Card" play symbols and those play symbols located in the 10 play areas whose last digit matches the "Wild Number" play symbol, in the four corners on "Card 1" or "Card 2," shall be entitled to a prize of \$10.

(z) Holders of tickets matching the "Caller's Card" play symbols, or a combination of the matching "Caller's Card" play symbols and those play symbols located in the 10 play areas whose last digit matches the "Wild Number" play symbol, in a five-space horizontal, vertical or diagonal line on "Card 6" or "Card 7" or "Card 8," shall be entitled to a prize of \$10.

(aa) Holders of tickets matching the "Caller's Card" play symbols, or a combination of the matching "Caller's Card" play symbols and those play symbols located in the 10 play areas whose last digit matches the "Wild Number" play symbol, in a five-space horizontal, vertical or diagonal line on "Card 1" or "Card 2" or "Card 3" or "Card 4" or "Card 5," shall be entitled to a prize of \$5.

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

<i>Win With Prize(s) Of:</i>	<i>Win:</i>	<i>Approximate Odds Are 1 In:</i>	<i>Approximate No. of Winners Per 7,200,000 Tickets</i>
LINE CARD 1	\$5	40	180,000
LINE CARD 2	\$5	40	180,000
LINE CARD 3	\$5	40	180,000
LINE CARD 4	\$5	40	180,000
LINE CARD 5	\$5	60	120,000
LINE CARD 6	\$10	120	60,000
LINE CARD 7	\$10	120	60,000
LINE CARD 8	\$10	120	60,000
LINE CARDS 1 & 2	\$10	120	60,000

<i>Win With Prize(s) Of:</i>	<i>Win:</i>	<i>Approximate Odds Are 1 In:</i>	<i>Approximate No. of Winners Per 7,200,000 Tickets</i>
LINE CARDS 4 & 5	\$10	120	60,000
4 CORNERS CARD 1	\$10	120	60,000
4 CORNERS CARD 2	\$10	120	60,000
POSTAGE STAMP CARD 1	\$15	60	120,000
LINE CARDS 1, 2, 3 & 4	\$20	100	72,000
(LINE CARDS 2 & 5) + (4 CORNERS CARD 1)	\$20	300	24,000
4 CORNERS CARDS 1 & 2	\$20	300	24,000
LINE CARD 1 w/5X MULTIPLIER	\$25	300	24,000
LINE CARD 2 w/5X MULTIPLIER	\$25	600	12,000
LINE CARD 3 w/5X MULTIPLIER	\$25	600	12,000
LINE CARD 4 w/5X MULTIPLIER	\$25	600	12,000
LINE CARD 5 w/5X MULTIPLIER	\$25	600	12,000
LINE CARDS 1, 2, 3, 4 & 5	\$25	300	24,000
4 CORNERS CARD 3	\$25	600	12,000
POSTAGE STAMP CARD 2	\$25	600	12,000
LINE CARD 9	\$50	1,200	6,000
(LINE CARD 1 w/5X MULTIPLIER) + (LINE CARD 2 w/5X MULTIPLIER)	\$50	800	9,000
(LINE CARD 3 w/5X MULTIPLIER) + (LINE CARD 4 w/5X MULTIPLIER)	\$50	800	9,000
LINE CARD 6 w/5X MULTIPLIER	\$50	857	8,400
LINE CARD 7 w/5X MULTIPLIER	\$50	857	8,400
LINE CARD 8 w/5X MULTIPLIER	\$50	857	8,400
LINE CARDS 2, 3, 4, 5, 6, 7 & 8	\$50	857	8,400
(POSTAGE STAMP CARDS 1 & 2) + (LINE CARDS 3 & 4)	\$50	1,200	6,000
X CARD 1	\$50	1,200	6,000
4 CORNERS CARD 4	\$50	1,200	6,000
4 CORNERS CARD 5	\$50	1,200	6,000
4 CORNERS CARD 6	\$50	1,200	6,000
POSTAGE STAMP CARD 3	\$50	1,200	6,000
LINE CARD 10	\$100	2,400	3,000
4 CORNERS CARD 7	\$100	2,400	3,000
4 CORNERS CARD 8	\$100	2,400	3,000
POSTAGE STAMP CARD 4	\$100	2,400	3,000
POSTAGE STAMP CARD 5	\$100	2,400	3,000
X CARD 2	\$100	2,400	3,000
X CARD 3	\$100	2,400	3,000
(X CARD 1) + (4 CORNERS CARD 4)	\$100	2,400	3,000
LINE CARD 9 w/5X MULTIPLIER	\$250	60,000	120
POSTAGE STAMP CARD 6	\$250	60,000	120
POSTAGE STAMP CARD 7	\$250	60,000	120
4 CORNERS CARD 9	\$250	60,000	120
LINE CARD 10 w/5X MULTIPLIER	\$500	120,000	60
4 CORNERS CARD 10	\$500	120,000	60
X CARD 4	\$500	120,000	60
X CARD 5	\$500	120,000	60
X CARD 6	\$500	120,000	60
X CARD 7	\$500	120,000	60
POSTAGE STAMP CARD 8	\$500	120,000	60
POSTAGE STAMP CARD 9	\$500	120,000	60
(X CARD 4) + (POSTAGE STAMP CARD 8)	\$1,000	60,000	120
(X CARD 5) + (4 CORNERS CARD 10)	\$1,000	60,000	120
X CARD 8	\$1,000	60,000	120
X CARD 9	\$1,000	60,000	120
POSTAGE STAMP CARD 10	\$1,000	60,000	120
X CARD 10	\$10,000	360,000	20
W PATTERN ON ANY CARD	\$100,000	720,000	10

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

8. *Retailer Incentive Awards:* The Lottery may conduct a separate Retailer Incentive Game for retailers who sell Pennsylvania \$100,000 Wild Number Bingo instant lottery game tickets. The conduct of the game will be governed by 61 Pa. Code § 819.222 (relating to retailer bonuses and incentive).

9. *Unclaimed Prize Money:* For a period of 1 year from the announced close of Pennsylvania \$100,000 Wild Number Bingo, prize money from winning Pennsylvania \$100,000 Wild Number Bingo instant lottery game tickets will be retained by the Secretary for payment to the persons entitled thereto. If no claim is made within 1 year of the announced close of the Pennsylvania \$100,000 Wild Number Bingo instant lottery game, the right of a ticket holder to claim the prize represented by the ticket, if any, will expire and the prize money will be paid into the State Lottery Fund and used for purposes provided for by statute.

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

11. *Termination of the Game:* The Secretary may announce a termination date, after which no further tickets from this game may be sold. The announcement will be disseminated through media used to advertise or promote Pennsylvania \$100,000 Wild Number Bingo or through normal communications methods.

STEPHEN H. STETLER,
Acting Secretary

[Pa.B. Doc. No. 09-273. Filed for public inspection February 13, 2009, 9:00 a.m.]

DEPARTMENT OF TRANSPORTATION

Sale of Land No Longer Needed for Transportation Purposes

The Department of Transportation (Department), District 9-0, under section 2003(e)(7) of The Administrative Code of 1929 (71 P. S. § 513(e)(7)) intends to sell certain land owned by the Department.

The following property is available for sale by the Department.

Parcel No. 4, David A. and Denise A. Huber, husband and wife, and Parcel No. 5, John J. and Joan F. Kokoski, husband and wife, and Mark and Kimberly J. Kokoski, husband and wife, located in Ebensburg Borough, Cambria County. The parcel contains 0.844 acre of unimproved land adjoining the property of the Church of the Nazarene. The property has been appraised for \$43,000 and may be inspected on March 4, 2009, between 1 p.m. and 3 p.m.

Interested public entities are invited to express their interest in purchasing the sites within 30 calendar days from the date of publication of this notice to Sherry Peck, Property Manager, Department of Transportation, 1620 North Juniata Street, Hollidaysburg, PA 16648-1080.

ALLEN D. BIEHLER, P. E.,
Secretary

[Pa.B. Doc. No. 09-274. Filed for public inspection February 13, 2009, 9:00 a.m.]

FISH AND BOAT COMMISSION

Additions to List of Class A Wild Trout Waters

The Fish and Boat Commission (Commission) has approved additions to the list of Class A Wild Trout Waters as set forth at 38 Pa. B. 6824 (December 13, 2008). During recent surveys, Commission staff documented the following stream sections to have Class A Wild Trout populations (ST=Brook Trout, BT=Brown Trout). The Commission added these waters to its list of Class A Wild Trout Streams at its meeting on January 30, 2009.

<i>County</i>	<i>Stream</i>	<i>Limits</i>	<i>Brook Trout (kg/ha)</i>	<i>Brown Trout (kg/ha)</i>	<i>Length (miles)</i>
Schuylkill	UNT to Little Schuylkill River	Headwaters at spring fed pond to mouth	35.92		0.81
Potter	Cross Fork	Confluence with Rhulo Hollow/Bear Trap Lodge downstream to confluence with Windfall Run	17.05 (2005) 18.6 (2006) 33.58 (2007)	37.67 (2005) 34.94 (2006) 64.7 (2007)	1.83
Luzerne	Phillips Creek Sec 01	Headwaters to Route 118	ST 46.01		1.80
Luzerne	Phillips Creek Sec 02	Route 118 to mouth	ST 22.59 BT 28.14		3.16
Luzerne	Kitchen Creek Sec 01	Confluence Ganoga Glen/Glen Leigh to Shedy Hill Road (T 559)	ST 47.12		4.15
Luzerne	Crooked Creek	Headwaters to mouth	ST 41.06		1.80

County	Stream	Limits	Brook Trout (kg/ha)	Brown Trout (kg/ha)	Length (miles)
Luzerne	Maple Run Sec 01	Headwaters to pipeline crossing	ST 90.37		2.42
Luzerne	Wasp Branch	Headwaters to mouth	ST 45.98		1.74

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 and to conserve that resource and the angling that it provides. Class A wild trout populations represent the best of this Commonwealth's naturally reproducing trout fisheries. The Commission manages these stream sections for wild trout with no stocking.

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

[Pa.B. Doc. No. 09-275. Filed for public inspection February 13, 2009, 9:00 a.m.]

INSURANCE DEPARTMENT

Application and Request for a Certificate of Authority to Provide a Continuing Care Retirement Community by Villa Saint Martha

Villa Saint Martha has applied for a Certificate of Authority to operate a Continuing Care Retirement Community at Villa Saint Martha in Downingtown, PA. The initial filing was received on February 3, 2009, and was made under the requirements set forth under the Continuing Care Provider Registration and Disclosure Act (40 P. S. §§ 3201—3225). Persons wishing to comment on the grounds of public or private interest to the issuance of a Certificate of Authority are invited to submit a written statement to the Insurance Department (Department) within 30 days from the date of this issue of the *Pennsylvania Bulletin*. Each written statement must include name, address and telephone number of the interested party, identification of the application to which the statement is addressed and a concise statement with sufficient detail to inform the Department of the exact basis of the statement. Written statements should be directed to Steven L. Yerger, Insurance Department, 1345 Strawberry Square, Harrisburg, PA 17120, fax (717) 787-8557, syerger@state.pa.us.

JOEL SCOTT ARIO,
Insurance Commissioner

[Pa.B. Doc. No. 09-276. Filed for public inspection February 13, 2009, 9:00 a.m.]

Application for Approval to Merge with Windsor-Mount Joy Mutual Insurance Company

Windsor-Mount Joy Mutual Insurance Company, a Pennsylvania domiciled mutual property insurance company, has submitted a Plan of Merger, whereby it proposes to merge with Farmers' Mutual Fire Insurance Company of Dug Hill in Carroll County, a Maryland domiciled mutual property insurance company. The survivor of the merger would be Windsor-Mount Joy Mutual Insurance Company. The filing was made under the requirements set forth under 15 Pa.C.S. §§ 1921—1932 (relating to merger, consolidation, share exchanges and sale of assets); the GAA Amendments Act of 1990 (15 P. S. §§ 21205—21207) and the Insurance Holding Companies Act of 1921 (40 P. S. §§ 991.1402—991.1413). Persons wishing to comment on the grounds of public or private interest in this merger are invited to submit a written

statement to the Insurance Department (Department) within 14 days from the date of this issue of the *Pennsylvania Bulletin*. Each written statement must include name, address and telephone number of the author, 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 and the relevant facts upon which it is based. 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. 09-277. Filed for public inspection February 13, 2009, 9:00 a.m.]

Community Health Reinvestment Activities; Notice No. 2009-01

This notice is to inform you of your new responsibilities for the reporting of community health reinvestment activities as a result of the recent enactment of Act 62 of 2008.

Under Article XXV of The Insurance Company Law of 1921 (P. L. 682, No. 284), as added by section 9 of Act 62 of 2008 (Article XXV), the Insurance Department (Department) has the duty to approve or disapprove expenditures related to community health reinvestment activities. Community health reinvestment activities are community health services and projects that improve health care or make health care more accessible. The term includes funding, subsidization, or provision of health care coverage for persons who are unable to pay for coverage, of health care services for persons who are uninsured and unable to pay for services, and for programs for the prevention and treatment of disease or injury, including mental retardation, mental disorders, mental health counseling or the promotion of health or wellness. The term does not include expenditures for advertising, public relations, sponsorships, bad debt, administrative costs associated with State health care programs, programs provided as an employee benefit, use of facilities for meetings held by community groups or expenses for in-service training, continuing education, orientation or mentoring of employees.

In accordance with Article XXV, each hospital plan corporation and professional health service plan corporation is required to submit to the Department on or before

March 30 of each calendar year its proposal for the manner in which the plan will provide anticipated community health reinvestment activities during the next fiscal year. Specifically, each plan must provide an itemization of the individual community health reinvestment activities and the cost of each activity. A form for submittal of the proposals is appended to this notice as Exhibit "A." The first submittal will be for the 2009-2010 fiscal year (July 1, 2009—June 30, 2010) and is due on or before March 30, 2009. Once submitted, the proposals are public records and will be posted on the Department's web site.

Questions concerning this notice and proper reporting of community health reinvestment activities should be directed to: Stephen J. Johnson, CPA, Deputy Insurance Commissioner, Office of Corporate and Financial Regulation, 1345 Strawberry Square, Harrisburg, PA 17120, (717) 783-2142, fax (717) 787-8557, stjohanson@state.pa.us.

JOEL SCOTT ARIO,
Insurance Commissioner

[Pa.B. Doc. No. 09-278. Filed for public inspection February 13, 2009, 9:00 a.m.]

**PLAN PROPOSAL FOR
COMMUNITY HEALTH REINVESTMENT ACTIVITIES**

Proposal for Fiscal Year 20_____.

FEIN:

NAIC:

I. HOSPITAL PLAN CORPORATION OR PROFESSIONAL HEALTH SERVICE PLAN CORPORATION NAME AND ADDRESS:

II. PLANNED EXPENDITURES:

	Projected Expenditures
1. Proposed annual community health reinvestment activities for health care coverage for persons unable to pay for coverage (list and describe proposed endeavors below):	
a.	
b.	
c.	
d.	
2. Proposed annual community health reinvestment activities for health care services for persons uninsured and unable to pay for services (list and describe proposed endeavors below):	
a.	
b.	
c.	
d.	
3. Proposed annual community health reinvestment activities for programs for prevention and treatment of disease or injury or the promotion of health or wellness (list and describe proposed endeavors below):	
a.	
b.	
c.	
d.	
4. Community health reinvestment activities proposed in your application under paragraph 3 of the Agreement dated February 5, 2005 and published at 35.Pa.B. 4155 or any successor or other agreements (list and describe proposed endeavors below):	
a.	
b.	
c.	
d.	
5. Other proposed annual community health reinvestment activities (list and describe proposed endeavors below):	
a.	
b.	
c.	
d.	
TOTALS	

*NOTE: IF A PROPOSED ACTIVITY APPLIES TO MORE THAN ONE CATEGORY, IT MAY BE REPORTED IN EACH APPLICABLE CATEGORY; HOWEVER, THE PROJECTED EXPENDITURE MAY ONLY BE COUNTED ONCE.

Mikes Bustleton Auto Repair; Prehearing

Appeal of Mikes Bustleton Auto Repair under the Storage Tank and Spill Prevention Act; Underground Storage Tank Indemnification Fund; USTIF File No. 2007-0179(S); Doc. No. UT09-01-018

The proceedings in this matter will be governed by 2 Pa.C.S. §§ 501—508 and 701—704 (relating to the Administrative Agency Law); 1 Pa. Code Part II (relating to General Rules of Administrative Practice and Procedure); and any other relevant procedure provisions of law.

A prehearing telephone conference shall be held on April 1, 2009, at 10 a.m. Motions preliminary to those at hearing, protests, petitions to intervene, notices of appearance or notices of intervention, if any, must be filed with the Hearings Administrator, at the Administrative Hearings Office, Room 200, Capitol Associates Building, 901 North Seventh Street, Harrisburg, PA 17102, on or before March 18, 2009. Answers to petitions to intervene, if any, shall be filed on or before March 31, 2009.

A date for a hearing shall be determined, if necessary, at the prehearing/settlement telephone conference.

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

JOEL SCOTT ARIO,
Insurance Commissioner

[Pa.B. Doc. No. 09-279. Filed for public inspection February 13, 2009, 9:00 a.m.]

Nettles Auto Service; Prehearing

Appeal of Nettles Auto Service under the Storage Tank and Spill Prevention Act; Underground Storage Tank Indemnification Fund; USTIF File No. 2006-0170(S); Doc. No. UT09-01-015

The proceedings in this matter will be governed by 2 Pa.C.S. §§ 501—508 and 701—704 (relating to the Administrative Agency Law); 1 Pa. Code Part II (relating to General Rules of Administrative Practice and Procedure); and any other relevant procedure provisions of law.

A prehearing telephone conference shall be held on March 26, 2009, at 9:30 a.m. A hearing shall occur on Thursday, April 9, 2009, at 9:30 a.m., in the Administrative Hearings Office, Room 200, Capitol Associates Building, 901 North Seventh Street, Harrisburg, PA 17102. Motions preliminary to those at hearing, protests, petitions to intervene, notices of appearance or notices of intervention, if any, must be filed with the Hearings Administrator at the previously listed address on or before March 11, 2009. Answers to petitions to intervene, if any, shall be filed on or before March 25, 2009.

On or before March 11, 2009, each party shall file with the Administrative Hearings Office a prehearing statement which shall contain: (1) a comprehensive statement of undisputed facts to be stipulated between the parties; (2) a statement of additional contended facts; (3) names and address of witnesses along with the specialties of experts to be called; (4) a list of documents to be used at the hearing; (5) special evidentiary or other legal issues; and (6) the estimated time for the party's case. Contemporaneously with service of the prehearing statement on the opposing party, each party shall supply the other with a copy of any report generated by an expert witness

designated on the prehearing statement. Any report subsequently received from a party's expert witness prior to hearing shall be supplied to the other party within 2 business days. Copies of expert reports need not be filed with the Administrative Hearings Office. Experts will be permitted to testify only on matters substantially contemplated by reports supplied to the other party in accordance with this paragraph.

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

JOEL SCOTT ARIO,
Insurance Commissioner

[Pa.B. Doc. No. 09-280. Filed for public inspection February 13, 2009, 9:00 a.m.]

Property and Casualty Insurance Companies and Producers Issuing Certificates of Insurance in Pennsylvania; Notice No. 2009-02

"Certificates of Insurance" regarding Property and Casualty coverage are typically used to provide proof of liability insurance to and summarize the terms of a policy for a third party in lieu of providing the third party with a complete copy of the policy. This notice clarifies the acceptable use of certificates of insurance with respect to Property and Casualty insurance policies in Pennsylvania.

Certificates of insurance that clearly and accurately state the insurance coverage provided to an insured or third party are not forms subject to filing with the Insurance Department (Department) because these certificates do not in any context amend, extend or alter coverage of the insurance policy. They simply summarize the coverages provided by that policy.

Where an insurer or insurance producer uses a certificate of insurance or other evidence of coverage that goes beyond or does not accurately summarize the policy, the insurer or producer may be misrepresenting the policy language, terms, conditions or coverage limits as issued by the insurer. Similarly, language included in a certificate that amends or extends coverage of the underlying policy or states that coverage is actually in force when it is not constitutes a misrepresentation of the coverage provided by the policy; as such, any insurer or producer issuing such a certificate would be in violation of Pennsylvania insurance statutes and regulations. Additionally, when a certificate of insurance is used in such a manner that it attempts to modify the terms and conditions of coverage this may subject the certificate to the filing requirements of 31 Pa. Code Chapter 89b (relating to approval for life insurance, accident and health insurance and property and casualty insurance filing and form). Violations of Pennsylvania statutes and regulations may be subject the person issuing or providing the certificate to administrative penalties including possible license suspension or revocation and civil monetary penalty.

Questions regarding this notice may be directed to Jack Yanosky, Director of Licensing and Enforcement for the Department at (717) 783-2627.

JOEL SCOTT ARIO,
Insurance Commissioner

[Pa.B. Doc. No. 09-281. Filed for public inspection February 13, 2009, 9:00 a.m.]

Review Procedure Hearings; Cancellation or Refusal of Insurance

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

The following hearings will be held in the Pittsburgh Regional Office, Room 304, State Office Building, 300 Liberty Avenue, Pittsburgh, PA 15222.

Appeal of Frances and John Ciamacco; file no. 08-302-62149; Nationwide Mutual Insurance Company; Doc. No. PI09-01-016; April 21, 2009, 9 a.m.

Appeal of Deborah L. Matlick; file no. 08-302-60189; Allstate Fire and Casualty Insurance Company; Doc. No. PI08-10-040; April 21, 2009, 10 a.m.

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

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

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

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

JOEL SCOTT ARIO,
Insurance Commissioner

[Pa.B. Doc. No. 09-282. Filed for public inspection February 13, 2009, 9:00 a.m.]

Review Procedure Hearings under the Unfair Insurance Practices Act

The following insured has requested a hearing as authorized by section 8 of the Unfair Insurance Practices

Act (40 P. S. § 1171.8) in connection with their companies' termination of the insureds' policies. The administrative hearing will be held in the Insurance Department's regional office in Pittsburgh, PA. Failure by an appellant to appear at a scheduled hearing may result in dismissal with prejudice.

The following hearings will be held in the Pittsburgh Regional Office, Room 304, State Office Building, 300 Liberty Avenue, Pittsburgh, PA 15222.

Appeal of William M. and S. Gretok; file no. 08-302-61328; State Farm Fire and Casualty Insurance Company; Doc. No. PI08-11-012; April 21, 2009, 11 a.m.

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

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

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

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

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

JOEL SCOTT ARIO,
Insurance Commissioner

[Pa.B. Doc. No. 09-283. Filed for public inspection February 13, 2009, 9:00 a.m.]

Surplus Lines Agents and Interested Parties; Export List of Insurance Coverages

In May 2008, the Insurance Commissioner (Commissioner) determined that certain insurance coverages were generally unavailable in the authorized market and declared those coverages as exportable. A list of exportable coverages was published at 38 Pa.B. 2426 (May 24, 2008). Accordingly, for those insurance coverages that are included on the export list, a diligent search among insurers admitted to do business in this Commonwealth is not required before placement of the coverages in the surplus lines market.

The Commissioner declared that the export list would remain in effect until revised or superseded by a subsequent list.

At this time, the Commissioner is soliciting comments regarding the current export list. Persons may request in writing that a coverage be added or removed from the list.

Persons wishing to comment on the Commissioner's current export list are invited to submit a written statement within 30 days from the date of publication of this notice in the *Pennsylvania Bulletin*. Each written statement must include sufficient detail and relevant facts to inform the Insurance Department of the exact basis of the statement. Written statements should be directed to Cressinda Bybee, Office of Corporate and Financial Regulation, Insurance Department, 1345 Strawberry Square, Harrisburg, PA, 17120, fax (717) 787-8557, cbybee@state.pa.us. After consideration of all comments received, the Commissioner will publish a notice in the *Pennsylvania Bulletin* providing a 15-day opportunity to comment on any proposed changes before formal publication of the revised list.

JOEL SCOTT ARIO,
Insurance Commissioner

[Pa.B. Doc. No. 09-284. Filed for public inspection February 13, 2009, 9:00 a.m.]

Teachers Protective Mutual Insurance Company; 25% Rate Increase Filing for Several LTC Policy Forms; Rate Filing

Teachers Protective is requesting approval to increase the premium 25% on 2,718 Long-Term Care policy forms issued in Pennsylvania. The company is requesting a 25% increase on the following forms: H880-EC, H881-HC, QH-9606-LTC-APC, QH-9610-HCP, SH-9606-LTC-APC, SH-9610-HCP, TNQ-LTC-2000(PA), TNQ-LTC-2000(PA)-R, TNQ-NHO-2004(PA), TQ-LTC-2000(PA), TQ-LTC-2000(PA)-R and TQ-NHO-2004(PA).

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

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

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

JOEL SCOTT ARIO,
Insurance Commissioner

[Pa.B. Doc. No. 09-285. Filed for public inspection February 13, 2009, 9:00 a.m.]

Title Insurance Rating Bureau of Pennsylvania, Inc.; Rate Simplification, Rate Increase and Manual Revisions Filing; Rate Filing

On February 2, 2009, the Insurance Department (Department) received from Title Insurance Rating Bureau of Pennsylvania, Inc. (the Rating Bureau) a filing for rate level changes for title insurance.

The Rating Bureau requests an overall 3.2% increase which includes the effects of increasing the Closing Service Letter charge from \$35 to \$75 and extending the existing rate schedule for limits of liability greater than \$30 million, to be effective May 1, 2009.

Unless formal administrative action is taken prior to April 3, 2009, the subject filing may be deemed effective by operation of law.

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

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

JOEL SCOTT ARIO,
Insurance Commissioner

[Pa.B. Doc. No. 09-286. Filed for public inspection February 13, 2009, 9:00 a.m.]

PENNSYLVANIA PUBLIC UTILITY COMMISSION

Commercial Mobile Radio Service

A-2009-2088083. Frontier Communications of Oswayo River, LLC, Frontier Communications of Pennsylvania, LLC, Frontier Communications of Lakewood, LLC, Frontier Communications of Breezewood, LLC, Frontier Communications of Canton, LLC, and Nextel West Corp., Nextel Communications of the Mid-Atlantic, Inc. Joint petition of Frontier Communications of Oswayo River, LLC, Frontier Communications of Pennsylvania, LLC, Frontier Communications of Lakewood, LLC, Frontier Communications of Breezewood, LLC, Frontier Communications of Canton, LLC, and Nextel West Corp., Nextel Communications of the Mid-Atlantic, Inc. for approval of an interconnection and traffic interchange agreement for commercial mobile radio service under section 252(e) of the Telecommunications Act of 1996.

Frontier Communications of Oswayo River, LLC, Frontier Communications of Pennsylvania, LLC, Frontier Communications of Lakewood, LLC, Frontier Communications of Breezewood, LLC, Frontier Communications of Canton, LLC, and Nextel West Corp., Nextel Communications of the Mid-Atlantic, Inc., by its counsel, filed on January 29, 2009, at the Pennsylvania Public Utility Commission (Commission), a joint petition for approval of a local interconnection agreement under sections 251 and 252 of the Telecommunications Act of 1996.

Interested parties may file comments concerning the petition and agreement with the Secretary, Pennsylvania Public Utility Commission, P. O. Box 3265, Harrisburg, PA 17105-3265. Comments are due on or before 10 days after the date of publication of this notice. Copies of the Frontier Communications of Oswayo River, LLC, Frontier Communications of Pennsylvania, LLC, Frontier Communications of Lakewood, LLC, Frontier Communications of Breezewood, LLC, Frontier Communications of Canton, LLC, and Nextel West Corp., Nextel Communications of the Mid-Atlantic, Inc. joint petition are on file with the Commission and are available for public inspection.

The contact person is Cheryl Walker Davis, Director, Office of Special Assistants, (717) 787-1827.

JAMES J. MCNULTY,
Secretary

[Pa.B. Doc. No. 09-287. Filed for public inspection February 13, 2009, 9:00 a.m.]

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 March 4, 2009. Documents filed in support of the applications are available for inspection and copying at the Office of the Secretary between 8 a.m. and 4:30 p.m., Monday through Friday, and at the business address of the respective applicant.

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

A-2008-2067116. Kirk Eric Ashe, t/a Hanover Cab and Sedan Service (2196 Smith Station Road, Hanover, York County, PA 17331)—persons, in paratransit service from points in the Boroughs of McSherrystown and New

Oxford and Townships of Conewago and Berwick located in Adams County; and the Boroughs of Hanover and Spring Grove and the Townships of Heidelberg and Penn located in York County, to points in Pennsylvania, and return.

A-2009-2082600. Linda M. Weber-Davis and Claude M. Davis, d/b/a Charlie's Yellow Cab (1397 East Evergreen Drive, No. 3, Palatine, IL 60074)—persons upon call or demand in the Counties of Carbon and Schuylkill. *Attorney:* Jennifer M. Sultzaberger, Esquire, Thomas, Thomas, Armstrong & Niesen, 212 Locust Street, P. O. Box 9500, Harrisburg, PA 17108-9500.

Application of the following for approval of the *beginning of the exercise of the right and privilege of operating motor vehicles as common carriers for the transportation of persons by transfer of rights as described under the application.*

A-2009-2087837. Suzanne M. Pelton (701 East Pleasant Valley Boulevard, Altoona, Blair County, PA 16602)—for the right to transport, as a common carrier, by motor vehicle, persons upon call or demand in the City of Altoona, and in the Townships of Allegheny and Logan, all in Blair County; which is to be a transfer of all of the operating rights under the certificate issued at A-00112699, to Linda L. Pelton, t/a A-1 Altoona Taxi.

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

A-00119025. Scott F. Lengyel, t/a Scott's Limousine Service (601 Bascom Avenue, Pittsburgh, Allegheny County, PA 15212)—discontinuance of service—persons, in limousine service between points in the County of Allegheny.

A-00123055. Edgar K. Malick (217 Honeysuckle Lane, Lehighton, Carbon County, PA 18235)—discontinuance of service—persons, in paratransit service, from points in the Counties of Carbon, Lehigh and Northampton, to points in Pennsylvania and return.

JAMES J. MCNULTY,
Secretary

[Pa.B. Doc. No. 09-288. Filed for public inspection February 13, 2009, 9:00 a.m.]

