

NOTICES

CANINE HEALTH BOARD

Public Meeting

The Canine Health Board, under its authority in 3 P. S. § 459.207(i)(3)(iii) of the Dog Law (relating to requirements for kennels), gives notice of its public meeting on Wednesday, March 31, 2010, at 1 p.m. for the purpose of considering flooring options submitted by commercial kennel operators, "that meet the provision of subpara-

graph (i)," of the Dog Law, and other matters as they may arise.

The meeting will be held in Conference Room 309 of the Department of Agriculture Building, 2301 North Cameron Street, Harrisburg, PA 17110.

JENNIFER MULLER,
Chairperson

[Pa.B. Doc. No. 10-503. Filed for public inspection March 19, 2010, 9:00 a.m.]

DEPARTMENT OF BANKING

Actions on Applications

The Department of Banking (Department), under the authority contained in the act of November 30, 1965 (P. L. 847, No. 356), known as the Banking Code of 1965; the act of December 14, 1967 (P. L. 746, No. 345), known as the Savings Association Code of 1967; the act of May 15, 1933 (P. L. 565, No. 111), known as the Department of Banking Code; and the act of December 19, 1990 (P. L. 834, No. 198), known as the Credit Union Code, has taken the following action on applications received for the week ending March 9, 2010.

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

Section 112 Acquisitions

<i>Date</i>	<i>Name and Location of Applicant</i>	<i>Action</i>
3-9-2010	First Niagara Financial Group, Inc. Buffalo, NY	Approved
	Application for approval to acquire up to 19.9% of the common stock of Berkshire Bancorp, Inc., Wyomissing, and thereby indirectly acquire up to 19.9% of the common stock of Berkshire Bank, Wyomissing.	

Holding Company Acquisitions

<i>Date</i>	<i>Name and Location of Applicant</i>	<i>Action</i>
3-9-2010	Tower Bancorp, Inc. Harrisburg Dauphin County	Filed
	Application for approval to acquire 100% of First Chester County Corporation, West Chester, and thereby indirectly acquire 100% of First National Bank of Chester County, West Chester.	
3-9-2010	First Niagara Financial Group, Inc. Buffalo, NY	Approved
	Application for approval to acquire of 100% of Harleysville National Corporation, Harleysville, and thereby indirectly acquire 100% of The Harleysville National Bank and Trust Company, Harleysville.	

Consolidations, Mergers, and Absorptions

<i>Date</i>	<i>Name and Location of Applicant</i>	<i>Action</i>
3-9-2010	Graystone Tower Bank Lancaster Lancaster County	Filed
	Application for approval to merge First National Bank of Chester County, West Chester, with and into Graystone Tower Bank, Lancaster.	

NOTICES

Branch Applications

De Novo Branches

<i>Date</i>	<i>Name and Location of Applicant</i>	<i>Location of Branch</i>	<i>Action</i>
2-26-2010	Harleysville Savings Bank Harleysville Montgomery County	41 County Line Road Souderton Bucks County	Opened
3-1-2010	Graystone Tower Bank Lancaster Lancaster County	329 East Beaver Avenue State College Centre County	Opened

Branch Relocations

<i>Date</i>	<i>Name and Location of Applicant</i>	<i>Location of Branch</i>	<i>Action</i>
3-9-2010	Graystone Tower Bank Lancaster Lancaster County	<i>To:</i> 800 Norland Avenue Chambersburg Franklin County <i>From:</i> 488 Gateway Avenue Chambersburg Franklin County	Approved
3-9-2010	Northwest Savings Bank Warren Warren County	<i>To:</i> 841 West Erie Plaza Erie Erie County <i>From:</i> 2256 West 8th Street Erie Erie County	Approved

SAVINGS INSTITUTIONS

No activity.

CREDIT UNIONS

No activity.

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

STEVEN KAPLAN,
Secretary

[Pa.B. Doc. No. 10-504. Filed for public inspection March 19, 2010, 9:00 a.m.]

Maximum Lawful Rate of Interest for Residential Mortgages for the Month of April 2010

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 April, 2010, is 6 1/2%.

The interest rate limitations under the State's usury statute were preempted to a great extent by Federal law, the Depository Institutions Deregulation and Monetary Control Act of 1980 (Pub. L. 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 4.09 to which was added 2.50 percentage points for a total of 6.59 that by law is rounded off to the nearest quarter at 6 1/2%.

STEVEN KAPLAN,
Secretary

[Pa.B. Doc. No. 10-505. Filed for public inspection March 19, 2010, 9:00 a.m.]

DEPARTMENT OF CONSERVATION AND NATURAL RESOURCES

Proposed Exchange of Lands

The Department of Conservation and Natural Resources (Department) and Kyle and Tamara Boltz are proposing an exchange of lands in Union Township, Lebanon County.

The Department is proposing to convey 4.191 acres of Swatara State Park, in Union Township, Lebanon County, to Kyle and Tamara Boltz. In return, Kyle and Tamara

Boltz propose to convey 11.908 acres in Union Township, Lebanon County, to the Department, Swatara State Park.

As is the policy of the Department, the public is hereby notified of this exchange. A 30-day period for public inquiry and/or comment will be in effect commencing March 22, 2010, and ending April 22, 2010. Oral or written comments or questions concerning this proposed exchange may be addressed to John Norbeck, Director, Bureau of State Parks, P. O. Box 8551, Harrisburg, PA 17105-8551, telephone (717) 787-6640. These oral and/or written comments will become part of the official document used in the final decision process.

A public informational meeting has been scheduled to respond to any questions or concerns the general public may have regarding this exchange of lands. The meeting has been scheduled for Monday, March 22, 2010, between 7 p.m. and 9 p.m. The meeting will be held at the Fort Indiantown Gap, Community Club—Vista Room, Grantville, PA 17028. For details, call (717) 865-6470.

JOHN QUIGLEY,
Acting Secretary

[Pa.B. Doc. No. 10-506. Filed for public inspection March 19, 2010, 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>
PA0060801 (Sewage)	Montrose Municipal Authority P. O. Box 306 Montrose, PA 18801-1219	Susquehanna County Bridgewater Township	Unnamed Tributary to Pettis Creek 04D	N

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

Southcentral Region: Water Management Program Manager, 909 Elmerton Avenue, Harrisburg, PA 17110. Phone: 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>
PA0087955 (Sew)	Cassville Water & Sewer Authority P. O. Box 48 16893 Sportsman Club Road Cassville, PA 16623	Huntingdon County Cass Township	UNT to Trough Creek 11-D	Y
PA0053104 (Sew)	Frank T. Perano GSP Management Company P. O. Box 677 Morgantown, PA 19543	Berks County Tilden Township	UNT to Schuylkill River 3-B	Y
PA0083534 (Sew)	Karen and Shirley Johnson 13 Elizabeth Avenue Everett, PA 15537-1118	Bedford County West Providence Township	UNT to Raystown Branch 11-C	Y
PA0085219 (IW)	Department of Conservation and Natural Resources— Bureau of State Parks Gifford Pinchot State Park 2200 Rosstown Road Lewisberry, PA 17739-9787	York County Warrington Township	Beaver Creek 7-F	Y
PA0084026 (Sew)	Northwestern Lancaster County Authority 97 North Penryn Road Manheim, PA 17545	Lancaster County Penn Township	Chickies Creek 7-G	Y
PA0247227 (Sew)	Dublin Township 1366 Cole Road Hustontown, PA 17229	Fulton County Dublin Township	South Branch of Little Aughwick Creek 12-C	Y
PA0085529 (IW)	Altoona Water Authority 122 Greenwood Road Altoona, PA 16602-7114	Blair County Logan Township	Mill Run 11-A	Y
PA0085812 (IW)	Altoona Water Authority 122 Greenwood Road Altoona, PA 16602-7114	Blair County Tyrone Township	Kettle Run 11-A	Y
PA0085821 (IW)	Altoona Water Authority 122 Greenwood Road Altoona, PA 16602-7114	Blair County Logan Township	Homer Gap Run 11-A	Y

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

<i>NPDES No. (Type)</i>	<i>Facility Name & Address</i>	<i>County & Municipality</i>	<i>Stream Name (Watershed #)</i>	<i>EPA Waived Y/N?</i>
PA0222852	West Fallowfield Township 6817 Main Street P. O. Box 157 Hartstown, PA 16131	Crawford West Fallowfield Township	Patton Run 20-A	Y
PA0221279	Station Road Property Owners' Association, Inc. 6992 Station Road Erie, PA 16510	Harborcreek Township Erie County	Unnamed tributary to Six Mile Creek 15	Y

<i>NPDES No. (Type)</i>	<i>Facility Name & Address</i>	<i>County & Municipality</i>	<i>Stream Name (Watershed #)</i>	<i>EPA Waived Y/N ?</i>
PA0100927	R.B. Food, Drink and Lodging, Inc. 5801 Platz Road Fairview, PA 16415-2554	Fairview Township Erie County	Trout Run 15	Y
PA0025534	United States Department of Agriculture Forest Service Allegheny National Forest Kiasutha Recreation Area 4 Farm Colony Drive Warren, PA 16365	Hamilton Township McKean County	Kinzua Creek— Allegheny Reservoir 16-B	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.

PA0058882, Industrial Waste, SIC 3272, **Trans-Fleet Concrete, Inc.**, 101 First Avenue, P. O. Box 26483, Collegeville, PA 19335. This facility is located in West Whiteland Township, **Chester County**.

Description of Proposed Activity: This application requests approval of a renewal NPDES permit to discharge stormwater runoff from the site of a ready mix concrete batch plant located at 606 Jeffers Circle in Exton, PA.

The receiving stream, an unnamed tributary to Valley Creek, is in the State Water Plan watershed 3H and is classified for: CWF, MF, aquatic life, water supply and recreation.

The proposed effluent limits for Outfall 001 are as follows:

<i>Parameters</i>	<i>Mass (lb/day)</i>		<i>Concentration (mg/l)</i>			
	<i>Average Monthly</i>	<i>Maximum Daily</i>	<i>Average Annual</i>	<i>Average Semiannual</i>	<i>Maximum Daily</i>	<i>Instantaneous Maximum (mg/l)</i>
Total Suspended Solids			50	M/R	100	100
pH (STD)			6.0 (Min)		9.0 (Max)	
Oil and Grease			M/R	M/R	M/R	
pH (Upstream)			M/R	M/R	M/R	
pH (Downstream)			M/R	M/R	M/R	

M/R = Monitor/Report

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

1. DMR to DEP.
2. BAT/ELG Reopener.
3. Change of Name or Ownership.
4. Stormwater Outfall Requirements.
5. In-stream pH Monitoring.
6. Laboratory Certification.

PA0244007, Sewage, **Edward and Jane Bacon**, 1900 Fairview Road, Glenmore, PA 19343. This existing facility is located in East Nantmeal Township, **Chester County**.

Description of Proposed Activity: This application is for renewal of an NPDES permit for the existing discharge of treated sewage from a single residence sewage treatment plant.

The receiving stream, an unnamed tributary to Beaver Run, is in the State Water Plan watershed 3D and is designated: HQ-TSF, MF.

The proposed effluent limits for Outfall 001 are based on a design flow of 400 gpd:

<i>Parameters</i>	<i>Mass (lb/day)</i>		<i>Concentration (mg/l)</i>		
	<i>Average Monthly</i>	<i>Maximum Daily</i>	<i>Average Monthly</i>	<i>Maximum Daily</i>	<i>Instantaneous Maximum (mg/l)</i>
BOD ₅			10		20
Total Suspended Solids			20		40
Fecal Coliform			200/100 ml Geo. Mean		
Total Residual Chlorine			0.5		1.2
pH	Within limits of 6.0—9.0 Standard Units at all times				

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

1. AMR Submittal to DEP.
2. Abandon STP when Municipal Sewers Available.
3. Remedial Measures if Unsatisfactory Effluent.
4. No Stormwater.
5. Acquire Necessary Property Rights.
6. Change of Ownership.
7. Proper Sludge Disposal.
8. Total Residual Chlorine Requirement.
9. Fecal Coliform I-Max Reporting.

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

PA5314802, Industrial Waste, SIC 1389, **Halliburton Energy Services, Inc.**, 11545 State Road 120, Emporium, PA 15834. This proposed facility is located in Shippen Township, **Cameron County**.

Description of Proposed Activity: The applicant is seeking coverage under an individual stormwater permit to discharge into a HQ-CWF creek.

The receiving stream, West Creek, is in the State Water Plan watershed 8A and is classified for: HQ-CWF, MF. The nearest downstream public water supply intake for Emporium Water Company is located on Driftwood Branch Sinnemahoning Creek and is 3.46 miles below the point of discharge.

There are no effluent limits in this individual stormwater permit. The permit contains monitoring requirements and stormwater best management practices.

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

PA0254193, Industrial Waste, SIC 2499, **Recycling Products & Services, Inc.**, 23C Dewey Lane, Gibsonia, PA 15044. This application is for issuance of an NPDES permit to discharge storm water from the Recycling Products & Services, Inc. mulch processing facility in West Deer Township, **Allegheny County**.

The following effluent limitations are proposed for discharge to the receiving waters, Dawson Run, classified as a cold water fishery with existing and/or potential uses for aquatic life, water supply and recreation. The first existing/proposed downstream potable water supply (PWS) is the Wilkinsburg—Penn Joint Sewer Authority, located near Penn Hills approximately 16 miles below the discharge point.

Outfall 001: new discharge of storm water.

<i>Parameter</i>	<i>Mass (lb/day)</i>		<i>Concentration (mg/l)</i>		
	<i>Average Monthly</i>	<i>Maximum Daily</i>	<i>Average Monthly</i>	<i>Maximum Daily</i>	<i>Instantaneous Maximum</i>
Flow (MGD)	Monitor and Report				
BOD ₅			Monitor and Report		
Chemical Oxygen Demand			Monitor and Report		
Total Suspended Solids			Monitor and Report		
Ammonia Nitrogen			Monitor and Report		
Fecal Coliform			Monitor and Report		
Total Phosphorus			Monitor and Report		
Total Kjeldahl Nitrogen			Monitor and Report		
Nitrate-Nitrite Nitrogen			Monitor and Report		
Aluminum, Total			Monitor and Report		
Iron, Total			Monitor and Report		
Manganese, Total			Monitor and Report		
pH	Report (Minimum)		Report (Maximum)		

Outfall 002: new discharge of storm water.

<i>Parameter</i>	<i>Mass (lb/day)</i>		<i>Concentration (mg/l)</i>		
	<i>Average Monthly</i>	<i>Maximum Daily</i>	<i>Average Monthly</i>	<i>Maximum Daily</i>	<i>Instantaneous Maximum</i>
Flow (MGD)	Monitor and Report				
BOD ₅			Monitor and Report		
Chemical Oxygen Demand			Monitor and Report		
Total Suspended Solids			Monitor and Report		
Ammonia Nitrogen			Monitor and Report		
Fecal Coliform			Monitor and Report		
Total Phosphorus			Monitor and Report		

Parameter	Mass (lb/day)		Concentration (mg/l)		
	Average Monthly	Maximum Daily	Average Monthly	Maximum Daily	Instantaneous Maximum
Total Kjeldahl Nitrogen			Monitor and Report		
Nitrate-Nitrite Nitrogen			Monitor and Report		
Aluminum, Total			Monitor and Report		
Iron, Total			Monitor and Report		
Manganese, Total			Monitor and Report		
pH	Report (Minimum)		Report (Maximum)		

Outfall 003: new discharge of storm water.

Parameter	Mass (lb/day)		Concentration (mg/l)		
	Average Monthly	Maximum Daily	Average Monthly	Maximum Daily	Instantaneous Maximum
Flow (MGD)	Monitor and Report				
BOD ₅			Monitor and Report		
Chemical Oxygen Demand			Monitor and Report		
Total Suspended Solids			Monitor and Report		
Ammonia Nitrogen			Monitor and Report		
Fecal Coliform			Monitor and Report		
Total Phosphorus			Monitor and Report		
Total Kjeldahl Nitrogen			Monitor and Report		
Nitrate-Nitrite Nitrogen			Monitor and Report		
Aluminum, Total			Monitor and Report		
Iron, Total			Monitor and Report		
Manganese, Total			Monitor and Report		
pH	Report (Minimum)		Report (Maximum)		

Other Conditions: Permit conditions for residual waste disposal, controls for floating materials, oil, grease, scum and substances which produce tastes, odors, turbidity or settle to form deposits, prohibition of sheen or discoloration of waters of the Commonwealth for oil bearing wastewaters, and a requirement to develop a Storm Water Pollution Prevention Plan.

The EPA waiver is in effect.

PA0002879-A1, Industrial Waste, SIC 3312, **Union Electric Steel Corporation**, P. O. Box 465, Carnegie, PA 15106. This application is for amendment of an NPDES permit to discharge untreated cooling water from the Harmon Creek Plant in Smith Township, **Washington County**.

The following effluent limitations are proposed for discharge to the receiving waters, Unnamed Tributary to Burgetts Fork, classified as a warm water fishery with existing and/or potential uses for aquatic life, water supply and recreation. The first existing/proposed downstream potable water supply (PWS) is the Midland Borough Municipal Water Authority, located at Midland, PA, over 40 miles below the discharge point.

Outfall 002: existing discharge, design flow of 0.01056 mgd.

Parameter	Mass (lb/day)		Concentration (mg/l)		
	Average Monthly	Maximum Daily	Average Monthly	Maximum Daily	Instantaneous Maximum
Flow	Monitor and Report				
Iron			Monitor and Report		
Magnesium			Monitor and Report		
Temperature ° F					
January 1-31				42.4	
February 1-29				42.6	
March 1-31				52.2	
April 1-15				58.9	
April 16-30				64.9	
May 1-15				68.5	
May 16-31				79.5	
June 1-15				85.8	
June 16-30				89.8	
July 1-31				90.0	
August 1-31				89.7	
September 1-15				86.1	
September 16-30				80.1	
October 1-15				74.1	
October 16-31				68.1	
November 1-15				60.4	

Parameter	Mass (lb/day)		Concentration (mg/l)		
	Average Monthly	Maximum Daily	Average Monthly	Maximum Daily	Instantaneous Maximum
November 16-30				51.9	
December 1-31				43.8	

The EPA waiver is in effect.

Internal Monitoring Point 202: new discharge, design flow of 0.00576 mgd.

Parameter	Mass (lb/day)		Concentration (mg/l)		
	Average Monthly	Maximum Daily	Average Monthly	Maximum Daily	Instantaneous Maximum
Flow	Monitor and Report				
Total Residual Chlorine			0.5		1.25
Dissolved Iron				7.0	
Total Dissolved Solids			Monitor and Report		
Bromide			Monitor and Report		
Sulfates			Monitor and Report		
Iron, Total			Monitor and Report		
Magnesium			Monitor and Report		
pH	not less than 6.0 nor greater than 9.0				

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

PA0025356, Sewage, SIC Code 4952, **Mercer Borough**, 145 North Pitt Street, Mercer, PA 16137-0069. Facility Name: Mercer Borough WWTP. This existing facility is located in Mercer Borough, **Mercer County**.

Description of Existing Activity: The application is for a renewal of an NPDES permit for an existing discharge of treated Sewage.

The receiving stream(s), Neshannock Creek, is located in State Water Plan watershed 20-A and is classified for Trout Stocking, aquatic life, water supply and recreation. The discharge is not expected to affect public water supplies.

The proposed effluent limits for Outfall 001 are based on a design flow of 1.04 MGD.

Parameters	Mass (lb/day)			Concentration (mg/l)		
	Average Monthly	Weekly Average	Minimum	Average Monthly	Weekly Average	Instantaneous Maximum
Flow (MGD)	Report	Report				
pH (S.U.)			6.0			9.0
Total Residual Chlorine				0.42		1.4
CBOD ₅						
May 1 - Oct 31	155	230		15	22.5	30
Nov 1 - Apr 30	215	345		25	40	50
Total Suspended Solids	260	390		30	45	60
Fecal Coliform (CFU/100 ml)						
May 1 - Sep 30				200 Geo Mean		
Oct 1 - Apr 30				2,000 Geo Mean		
Ammonia-Nitrogen						
May 1 - Oct 31	37			4		8
Nov 1 - Apr 30	110			12		24

You may make an appointment to review the Department of Environmental Protection's files on this case by calling the File Review Coordinator at 814-332-6340.

The EPA waiver is not in effect.

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

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

WQM Permit No. 1310401, Sewerage, **Borough of Palmerton**, 443 Delaware Avenue, Palmerton, PA 18071. This proposed facility is located in Palmerton Borough, **Carbon County**.

Description of Proposed Action/Activity: The project consists of upgrading the existing 0.750 MGD wastewater treatment plant including: influent flow monitoring, raw sewage pumps and controls, sequencing batch reactors, equalization tanks, ultraviolet disinfection, cascade aeration and Cannibal solids reduction.

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

WQM Permit No. 3610402, Sewerage, **Playful Pups Retreat, LLC**, 950 North Milton Grove Road, Elizabethtown, PA 17022. This proposed facility is located in Mount Joy Township, **Lancaster County**.

Description of Proposed Action/Activity: Seeking approval for construction/operation of a small flow wastewater treatment facility to serve new dog boarding and grooming facility.

WQM Permit No. 2196201, Amendment 10-1, Industrial Waste, **Land O'Lakes, Inc.**, 405 Park Drive, Carlisle, PA 17015-9270. This proposed facility is located in South Middleton Township, **Cumberland County**.

Description of Proposed Action/Activity: Seeking permit amendment approval for the phase 1 improvements to the existing industrial wastewater treatment plant at Land O'Lakes', Carlisle, PA facility will be constructed. The major Phase 1 improvements include two new larger influent equalization tanks, a new dissolved air flotation unit, and a new post-equalization tank.

WQM Permit No. 2890201, Amendment 10-1, Industrial Waste, **Letterkenny Army Depot**, One Overcash Avenue, Building 14, AMSAM-LE-EE-N, Chambersburg, PA 17201-4150. This proposed facility is located in Greene Township, **Franklin County**.

Description of Proposed Action/Activity: Seeking permit amendment approval for the replacement of existing trickling filter with new moving bed bioreactor system.

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

WQM Permit No. 4910402, Sewerage, SIC 4952, **Milton Regional Sewer Authority**, P. O. Box 433, 5585 SR 405, Milton, PA 17847-0433. This proposed facility is located in Milton Borough, **Northumberland County**.

Description of Proposed Action/Activity: The proposed project will consist of the abandonment and demolition of the existing Brown Avenue Pump Station and the associated replacement and re-alignment of approximately 3,900 ft. of existing downstream sanitary sewers. Approximately 1,200 ft. of existing upstream sanitary sewers will also be rehabilitated utilizing cured-in-place pipe (CIPP).

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

WQM Permit No. 6510403, Sewerage, **Hempfield Township Municipal Authority**, 1146 Woodward Drive, Greensburg, PA 15601. This proposed facility is located in Hempfield Township, **Westmoreland County**.

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

WQM Permit No. 0472402-A4, Sewerage, **The City of Beaver Falls**, 715 15th Street, Beaver Falls, PA 15010. This existing facility is located in the City of Beaver Falls, **Beaver County**.

Description of Proposed Action/Activity: Application for permit amendment.

WQM Permit No. 0410401, Sewerage, **Borough of Ambridge Municipal Authority**, 600 Eleventh Street, Ambridge, PA 15003. This proposed facility is located in Ambridge Borough, **Beaver County**.

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

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

WQM Permit No. 6510404, Sewerage, **Washington Township Municipal Authority**, 283 Pine Run Church Road, Apollo, PA 15613.

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

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

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 1505043-R	The Hankin Group 707 Eagleview Boulevard P. O. Box 562 Exton, PA 19341	Chester	Uwchlan Township	Shamona Creek HQ

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

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

<i>NPDES Permit No.</i>	<i>Applicant Name & Address</i>	<i>County</i>	<i>Municipality</i>	<i>Receiving Water/Use</i>
PAI023910002	Upper Macungie Township Attn: Scott Faust 8330 Schantz Road Breinigsville, PA 18031	Lehigh	Upper Macungie Township	Iron Run HQ-CWF, MF

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

<i>NPDES Permit No.</i>	<i>Applicant Name & Address</i>	<i>County</i>	<i>Municipality</i>	<i>Receiving Water/Use</i>
PAI024809011	John H. Oberly 1441 Spring Valley Road Bethlehem, PA 18015	Northampton	Lower Saucon Township	Cooks Creek EV, MF
PAI024804032R	Nic Zawarski & Sons Developers, Inc. Attn: Taras W. Zawarski 1441 Linden Street Bethlehem, PA 18018-2695	Northampton	Forks Township	Bushkill Creek HQ-CWF, MF
PAI024804004R	Forks Village, LP Santino Calantoni 6065 William Penn Highway Easton, PA 18042	Northampton	Forks Township	Bushkill Creek HQ-CWF, MF

Pike County Conservation District: 556 Route 402, Suite 1, Hawley, PA 18428, 570-226-8220.

<i>NPDES Permit No.</i>	<i>Applicant Name & Address</i>	<i>County</i>	<i>Municipality</i>	<i>Receiving Water/Use</i>
PAI025210001	Dingman Township 118 Fisher Lane Milford, PA 18337	Pike	Dingman Township	Raymondskill Creek HQ-CWF, MF

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

<i>NPDES Permit No.</i>	<i>Applicant Name & Address</i>	<i>County</i>	<i>Municipality</i>	<i>Receiving Water/Use</i>
PAI024507008(2)	Pocono Township Supervisors Route 611 P. O. Box 197 Tannersville, PA 18372	Monroe	Stroud Township Stroudsburg Borough	Wigwam Run HQ-CWF, MF Flagler Run HQ-CWF, MF Big Meadow Run HQ-CWF, MF Tributary to Pocono Creek HQ-CWF, MF Tributary to Brodhead Creek TSF, 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>
PAI034410001	Dave McNitt CENPA Development, LLC P. O. Box 171 Thornton, PA 19373-0171	Mifflin	Brown Township	Quillas Creek WWF

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

Lycoming County Conservation District: 542 County Farm Road, Suite 202, Montoursville, PA 17754, (570) 433-3003.

<i>NPDES Permit No.</i>	<i>Applicant Name & Address</i>	<i>County</i>	<i>Municipality</i>	<i>Receiving Water/Use</i>
PAI044110001	Fisher Mining Company 40 Choate Circle Montoursville, PA 17754-9791	Lycoming	McHenry Township	Right Fork Otter Run HQ-CWF

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

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

STATE CONSERVATION COMMISSION

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

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

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

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

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

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

NUTRIENT MANAGEMENT PLAN—PUBLIC NOTICE SPREADSHEET—APPLICATIONS

<i>Agricultural Operation Name and Address</i>	<i>County</i>	<i>Total Acres</i>	<i>Animal Equivalent Units</i>	<i>Animal Type</i>	<i>Special Protection Waters (HQ or EV or NA)</i>	<i>Renewal/New</i>
Greystone Pork 12950 Forge Road Mercersburg, PA 17236	Franklin	87.7	715.12	Swine	NA	Renewal
Robert Shearer 806 Anderson Ferry Road Mount Joy, PA 17552	Lancaster	300	370.34	Hogs Beef	NA	Renewal

PUBLIC WATER SUPPLY (PWS) PERMIT

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

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

Following the comment period, the Department will make a final determination regarding the proposed per-

mit. Notice of this final determination will be published in the *Pennsylvania Bulletin* at which time this determination may be appealed to the Environmental Hearing Board.

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

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

SAFE DRINKING WATER

Applications Received under the Pennsylvania Safe Drinking Water Act

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

Permit No. 3610501, Public Water Supply.
 Applicant **Paul Lantz Builders, Inc.**
 Municipality Bart Township
 County **Lancaster**
 Responsible Official Paul L. Lantz, President
 140 Strubel Road
 Strasburg, PA 17579
 Type of Facility Public Water Supply
 Consulting Engineer Charles A. Kehew II, P. E.
 James A. Holley & Associates,
 Inc.
 18 South George Street
 York, PA 17401
 Application Received: 1/8/2010
 Description of Action New Community Water System
 for Villas at Georgetown.

Permit No. 3610503, Public Water Supply.
 Applicant **Columbia Water Company**
 Municipality West Hempfield Township
 County **Lancaster**
 Responsible Official David T. Lewis
 General Manager
 220 Locust Street
 Columbia, PA 17512
 Type of Facility Public Water Supply
 Consulting Engineer David T. Lewis, P. E.
 Columbia Water Company
 220 Locust Street
 Columbia, PA 17512
 Application Received: 2/24/2010
 Description of Action Additon of Chlorine Booster
 Pump Station on Marietta
 Avenue.

Permit No. 6710502, Public Water Supply.
 Applicant **Catholic Charities of the
 Roman Catholic Diocese of
 Harrisburg**
 Municipality Paradise Township
 County **York**
 Responsible Official Jeffrey McCausin
 Director of Buildings and
 Properties
 4800 Union Deposit Road
 Harrisburg, PA 17111
 Type of Facility Public Water Supply
 Consulting Engineer Stephen J. Cordaro, P. E.
 Century Engineering, Inc.
 200 Airport Road
 New Cumberland, PA 17070
 Application Received: 2/16/2010
 Description of Action New booster pump installation.

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

Permit No. 1109508, Public Water Supply.
 Applicant **Glendale Valley Municipal
 Authority**
 1800 Beaver Valley Road
 Flinton, PA 16640
 Township or Borough White Township
 Responsible Official James E. Krause
 Glendale Valley Municipal
 Authority
 1800 Beaver Valley Road
 Flinton, PA 16640
 Type of Facility Water treatment plant
 Consulting Engineer Keller Engineers, Inc.
 420 Allegheny Street
 P. O. Box 61
 Hollidaysburg, PA 16648
 Application Received Date December 11, 2009
 Description of Action Installation of approximately
 46,000 LF of water main and an
 interconnection with Reade
 Township Municipal Authority.

Permit No. 3010501, Public Water Supply.
 Applicant **Southwestern Pennsylvania
 Water Authority**
 P. O. Box 187
 1442 Jefferson Road
 Jefferson, PA 15344
 Township or Borough Franklin Township
 Responsible Official Joseph Simatic, Manager
 Southwestern Pennsylvania
 Water Authority
 P. O. Box 187
 1442 Jefferson Road
 Jefferson, PA 15344
 Type of Facility Water treatment plant
 Consulting Engineer Bankson Engineers, Inc.
 267 Blue Run Road
 P. O. Box 200
 Indianola, PA 15051
 Application Received Date March 1, 2010
 Description of Action Replacement of the existing
 Kirby Pump Station with a
 larger pump station and
 replacement of the existing
 sodium hypochlorite feed system
 with gas chlorination.

Permit No. 6310501, Public Water Supply.
 Applicant **Authority of the Borough of
 Charleroi**
 3 McKean Avenue
 P. O. Box 211
 Charleroi, PA 15022
 Township or Borough Cokeburg Borough
 Somerset Township

Responsible Official Edward Golanka
General Manager
Authority of the Borough of
Charleroi
3 McKean Avenue
P. O. Box 211
Charleroi, PA 15022

Type of Facility Water treatment plant

Consulting Engineer Chester Engineers
501 McKean Avenue
Third Floor
Charleroi, PA 15022

Application Received Date March 9, 2010

Description of Action Installation of water line from
Ellsworth Borough through
Somerset Township to Cokeburg
Borough.

Permit No. 5610501, Public Water Supply.

Applicant **Central City Water Authority**
314 Central Avenue
Suite 203
Central City, PA 15926

Township or Borough Shade Township

Responsible Official Robert Sankovitch
Chairperson
Central City Water Authority
314 Central Avenue
Suite 203
Central City, PA 15926

Type of Facility Water treatment plant

Consulting Engineer The EADS Group, Inc.
450 Aberdeen Drive
Somerset, PA 15501

Application Received Date March 9, 2010

Description of Action Installation of approximately
8,600 feet of waterline to the
Village of Rockingham and the
installation of approximately
8,000 feet of waterline with the
construction of the Sorber water
storage tank along Bunkerhill
Road.

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

Application No. 1010501, Public Water Supply.

Applicant **Keystone Senior Care, LLC**

Township or Borough Penn Township
Butler County

Responsible Official Melissa Rezak
Administrator

Consulting Engineer Dennis J. Duryea, P. E.
D Squared Environmental
Services
100 Sunset Drive
Cheswick, PA 15024

Application Received Date 02/16/2010

Description of Action Addition of location point for
injection of sodium hypochlorite
to achieve compliance with 4-Log
Treatment of viruses, and the
addition of two 500-gallon water
supply tanks to increase
residence time of the oxidant.

Application No. 1010502, Public Water Supply.

Applicant **St. Barnabas Health System,
Inc.**

Township or Borough Valencia Borough
Butler County

Responsible Official Michelle Jenkins
Administrator

Consulting Engineer Dennis J. Duryea, P. E.
D Squared Environmental
Services
100 Sunset Drive
Cheswick, PA 15024

Application Received Date 02/16/2010

Description of Action Addition of location point for
injection of sodium hypochlorite
to achieve compliance with 4-Log
Treatment of viruses.

Application No. 4310504, Public Water Supply.

Applicant **Leesburg Community Water
Association**

Township or Borough Springfield Township
Mercer County

Responsible Official Phyllis Sue Schepp President

Consulting Engineer John L. Schaude, P. E.
Bankson Engineers
267 Blue Run Road
P. O. Box 200
Indianola PA 1551

Application Received Date 03/01/2010

Description of Action Demolition of existing
pressurized water tank; install
new well pumps, chlorine feed
system, water meter, emergency
generator and water lines.

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

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

WA 67-62C, Water Allocations, **York Water Company,
York County**. The applicant is requesting the right to
expand its service area into portions of Dover Township in
York County. Engineer: Jeffery R. Hines. Date Application
Received: 10/5/2009.

LAND RECYCLING AND ENVIRONMENTAL REMEDIATION

UNDER ACT 2, 1995

PREAMBLE 1

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

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

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

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

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

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

Kapp Property, 128 Belmont Terrace, **Scranton City, Lackawanna County**. Martin Gilgallon, Pennsylvania Tectonics, Inc., 826 Main Street, Peckville, PA 18452 has submitted a Notice of Intent to Remediate (on behalf of his client, Robert Kapp, 104 Woodlawn Avenue, Mountaintop, PA 18707), concerning the remediation of soil found to have been impacted by No. 2 fuel oil as a result of a release from a ruptured 175-gallon aboveground storage tank. The applicant proposes to remediate the site to meet the Statewide Health Standard. The intended future use of the property is for residential purposes. A summary of the Notice of Intent to Remediate is expected to be published in a local newspaper serving the general area sometime in the near future.

Ozark Motor Lines, Inc., Diesel fuel Spill, I-78 Eastbound—Mile Marker 46.7, Weisenberg Township, **Lehigh County**. Dennis Fisher, Taylor GeoServices, Inc., 38 Bishop Hollow Road, Newtown Square, PA 19073 has submitted a Notice of Intent to Remediate (on behalf of his clients, Department of Transportation, Engineering District 5-0, 1002 West Hamilton Street, Allentown, PA 18101 and Frank A. and Anna H. Tercha, 1919 Heffner Road, Fogelsville, PA 18051), concerning the remediation of soil found to have been impacted by diesel fuel as a result of a vehicular accident involving two tractor trailers, which caused the rupturing of two tractor saddle tanks. The applicant proposes to remediate the site to meet the Residential Statewide Health Standard. The intended future use of the property will be for infrastructure and residential development. A summary of the Notice of Intent to Remediate was published in *The Morning Call* on December 1, 2009.

AIR QUALITY

PLAN APPROVAL AND OPERATING PERMIT APPLICATIONS

NEW SOURCES AND MODIFICATIONS

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

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

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

Persons wishing to receive a copy of a proposed plan approval or operating permit must indicate their interest to the Department regional office within 30 days of the date of this notice and must file protests or comments on a proposed plan approval or operating permit within 30 days of the Department providing a copy of the proposed document to that person or within 30 days of its publication in the *Pennsylvania Bulletin*, whichever comes first.

Interested persons may also request that a hearing be held concerning the proposed plan approval and operating permit. Comments or protests filed with the Department regional offices must include a concise statement of the objections to the issuance of the Plan approval or operating permit and relevant facts which serve as the basis for the objections. If the Department schedules a hearing, a notice will be published in the *Pennsylvania Bulletin* at least 30 days prior the date of the hearing.

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

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

PLAN APPROVALS

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

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

09-0196D: Abington Reldan Metals, LLC (550 Old Bordentown Road, Fairless Hills, PA 19030) for construction of the metal recovery acid and strip processes, and three (3) units of scrubbers at a new precious metal recovery facility, in Falls Township, **Bucks County**. This facility is a non-Title V facility. This construction will not result in an emission increase of total facility limit for nitrogen oxides (NOx) and hazardous air pollutants (HAPs) being emitted into the atmosphere. The Plan Approval will contain monitoring requirements, record keeping requirements, operating conditions and performance testing requirements designed to keep the facility operating within the allowable emission limitations and all applicable air quality requirements.

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

58-329-016: Cabot Oil & Gas Corp. (5 Penn Center West, Suite 401, Pittsburgh, PA 15276) for installation of three (3) new compressor engines, one stand-by engine and a hot water boiler at their Lathrop Compressor Station site in Springville Township, **Susquehanna County**.

58-329-015: Chief Gathering, LLC (6051 Wallace Road Extension, Suite 201, Wexford, PA 15090) for installation of two (2) new compressor engines at their Korban Compressor Station site in Lathrop Township, **Susquehanna County**.

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

63-00936C: MarkWest Liberty Midstream & Resources, LLC (1515 Arapahoe Street, Tower 2, Suite 700, Denver, CO 80202) for installation of (2) natural gas heaters at their Houston Gas Plant in Chartiers Township, **Washington County**.

63-00953A: Antero Resources Appalachian Corp. (1625 17th Street, Suite 300, Denver, CO 80202) for expansion of the existing Doerfler Compressor Station in West Pike Run Township, **Washington County**. Sources will increase four engines, emergency generator, Triethylene Glycol Dehydration Produced Fluid Storage Tanks and Truck Loading Operations.

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. Contact: Sachin Shankar, New Source Review Chief—Telephone: 484-250-5920.

09-0214: Haddon Windows, LLC (1211 Ford Road, Bensalem, PA 19020) for installation of two (2) spray booths at an existing un-permitted assembly facility **Bucks County**. There will also be a 0.288 natural gas-fired drying oven installed. There will be operational limitations (operation hours, as well as throughput) in place to ensure compliance with the aggregate VOC emissions of 3.42 tons and total HAP emissions of 2.03 tons. Particulate matter emissions will be controlled by a single bank of panel filters that are designed to capture 90% of the overspray. The plan approval will include monitoring, recordkeeping and reporting requirements designed to keep the facility operating within all applicable air quality requirements.

46-0069D: Highway Materials, Inc.—Plymouth Meeting Quarry (5000 Joshua Road, Plymouth Meeting, PA 19462) for replacement of the tertiary crusher at the existing stone crushing facility in Whitmarsh Township, **Montgomery County**. Sources at the quarry currently operate under Synthetic Minor Operating Permit No. 46-00069. Facility Nitrogen Oxide (NOx) emissions are restricted to less than 25 tons per year. The new equipment is the same as the equipment to be replaced: crusher maximum capacity is 225 tons per year. Particulate matter emissions from the new tertiary crusher (Source ID No. 1003) will be controlled by wet suppression system only. There will be no increase in emissions. Plan Approval No. 46-0069D will include monitoring, testing, recordkeeping and reporting requirements designed to keep the facility operating within all applicable air quality requirements.

Southwest Region: Air Quality Program, 400 Waterfront Drive, Pittsburgh, PA 15222-4745. Contact: B. Hatch, Environmental Engineer Managers—Telephone: 412-442-4163/5226.

03-00215: Allegheny Mineral Corp. (P. O. Box 1022, One Glade Park East, Kittanning, PA 16201) for construction of a new limestone preparation facility by Allegheny Mineral Corporation in Franklin Township, **Armstrong County**.

In accordance with 25 Pa. Code §§ 127.44—127.46 the Department of Environmental Protection intends to issue Air Quality Plan Approval PA-03-00215A to authorize the construction of a new limestone preparation facility by Allegheny Mineral Corporation in Franklin Township,

Armstrong County. Sources at this facility will consist of crushers, screens, conveyors, storage piles and other miscellaneous equipment associated with this type of operations. Facility shall be limited to throughput of 800 tons per hour and a 2500,000 tons per 12 month rolling total. Annual emissions from the facility are estimated to be 65.34 tons of total particulate matter and 20.63 tons of PM10. This installation is subject to State and Federal regulations, including 40 CFR 60, Subpart OOO—Standards of Performance for Nonmetallic Mineral Processing. Plan Approval has been conditioned to ensure compliance with all applicable rules.

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. Contact: Ray Kempa, New Source Review Chief—Telephone: 570-826-2507.

39-00014: Department of Public Welfare—Allentown State Hospital (1600 Hanover Avenue, Allentown, PA, 18109) for renewal of a Title V Operating Permit of psychiatric hospital services in the City of Allentown, **Lehigh County**. The proposed Title V Operating Permit shall include emission restrictions, work practice standards and testing, monitoring, recordkeeping and reporting requirements to ensure compliance with all applicable Federal and State air quality regulations.

39-00004: Mack Trucks, Inc. (7000 Alburdis Road, Macungie, PA 18062) for renewal of their Title V Operating Permit for their motor vehicle manufacturing facility in Lower Macungie Township, **Lehigh County**. The facility's main sources include (2) No. 6/No. 2 fuel oil fired boilers, (2) emergency generators, (2) emergency fire pumps, (1) burn-off oven, (5) spray booths, (1) touch up booth and (1) adhesive booth, (1) paint lab, (1) paint mix room, (1) solvent storage tank, (1) waste solvent tank, (5) bake ovens, (1) roller wash station, one (1) sanding booth, four (4) parts washing stations, and (1) spray gun cleaner station. The sources have the potential to emit major quantities of regulated pollutants above Title V emission thresholds. The proposed Title V Operating Permit contains all applicable requirements including Federal and State regulations. In addition, monitoring, recordkeeping and reporting conditions regarding compliance with all applicable requirements are included.

39-00009: PPL Corp. (Plaza 6, Two Ninth Street, Allentown, PA 18101) for renewal of their Title V Operating Permit for the Allentown Combustion Turbines facility in the City of Allentown, **Lehigh County**. The facility's main sources include (4) No. 2 fuel oil fired combustion turbines. The sources have the potential to emit major quantities of regulated pollutants above Title V emission thresholds. The proposed Title V Operating Permit contains all applicable requirements including Federal and State regulations. In addition, monitoring, recordkeeping and reporting conditions regarding compliance with all applicable requirements are included.

Southcentral Region: Air Quality Program, 909 Elmerton Avenue, Harrisburg, PA 17110. Contact: Thomas J. Hanlon, Chief, East Permitting Section—Telephone: 717-705-4862 or Gary Helsel, Chief, West Permitting Section—Telephone: 814-949-7935.

36-05029: High Steel Structures, Inc. plant (1853 William Penn Way, P. O. Box 10008, Lancaster, PA 17605)

for operation of their bridge girders manufacturing plant located at 144 Greenfield Road in East Lampeter Township, **Lancaster County**. This action is a renewal of the Title V Operating Permit issued in May 2005.

67-05001: Magnesita Refractories Co. (425 South Salem Church Road, York, PA 17408) for operation of a refractory products manufacturing facility in West Manchester Township, **York County**. The facility is subject to 40 CFR Part 63, Subpart AAAAA—National Emissions Standards for Hazardous Air Pollutants for Lime Manufacturing Plants and Subpart SSSSS—National Emissions Standards for Hazardous Air Pollutants for Refractory Products Manufacturing. This is a renewal of the facility's Title V operating permit issued in 2005.

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

65-00207: OMNOVA Solutions, Inc. (1001 Chambers Avenue, Jeannette, PA 15644) for operation of manufacturing unsupported plastics, film and sheet at their Jeannette plant facility, Jeannette, **Westmoreland County**. This is a Title V Renewal.

63-00066: Severstal Wheeling—Allenport, Inc. (1134 Market Street, Wheeling, WV 26003-2906) for operation of manufacturing cold finishing of steel shapes at their Allenport Plant facility, Allenport Borough, **Washington County**. This is a Title V Renewal.

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. Contact: Janine Tulloch-Reid, Facilities Permitting Chief—Telephone: 484-250-5920.

09-00034: Penn Protective Coatings Corp. (474-C Pike Road, Huntingdon Valley, PA 19006) submitted a renewal application for a Non-Title V Facility, State-only, Synthetic Minor Permit in Lower Southampton Township, **Bucks County**. Penn Protective Coatings is a metal coating and allied services manufacturer. The sources of emissions include: three spray booths. The facility has a VOC emission limit of 24.9 tons per year calculated on a 12-month rolling sum. Monitoring, recordkeeping and reporting requirements have been added to the permit to address applicable limitations.

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

39-00090: Fluoro Seal International, LP (744 Roble Road, No. 180, Allentown, PA 18109) for a State-only Operating Permit for manufacturing plastics materials and resins in Hanover Township, **Lehigh County**. The proposed State-only Operating Permit contains applicable requirements for emissions limitations, monitoring, recordkeeping, reporting and work practice standards used to maintain facility compliance with Federal and State air pollution regulations.

Southcentral Region: Air Quality Program, 909 Elmerton Avenue, Harrisburg, PA 17110. Contact: Thomas J. Hanlon, Chief, East Permitting Section—Telephone: 717-705-4862 or Gary Helsel, Chief, West Permitting Section—Telephone: 814-949-7935.

06-03146: Troutman Industries, Inc. (2201 Reading Avenue, West Lawn, PA 19609) for operation of their hard and decorative chrome plating operation in Spring Township, **Berks County**. The State-only operating permit will include monitoring, recordkeeping, reporting requirements, emission restrictions and work practice standards designed to keep the facility operating within all applicable air quality requirements.

06-05016: Grafika Commercial Printing, Inc. (710 Johnston Street, P. O. Box 2153, Sinking Spring, PA 19608) for their printing plant including various types of printing presses in the Borough of Sinking Spring, **Berks County**. This is a renewal of the State-only operating permit issued in 2005.

22-05048: Amerigas Propane, LP (5400 Paxton Street, Harrisburg, PA 17111) for operation of its propane cylinder filling line in their facility in Swatara Township, **Dauphin County**. This is a renewal of the state only operating permit issued in July 2005.

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

63-00936: MarkWest Liberty Midstream & Resources, LLC (1515 Arapahoe Street, Tower 2, Suite 700, Denver, CO 80202-2126) for operation of a Gas Processing Plant at the Houston Gas Plant in Chartiers Township, **Washington County**.

63-00954: Markwest Liberty Midstream & Resources, LLC (1515 Arapahoe Street, Tower 2, Suite 700, Denver, CO 80202-2126) for operation of Compressor Station at Brighig Compressor Station in Chartiers Township, **Washington County**. This is a Synthetic Minor.

63-00933: Markwest Liberty Midstream & Resources, LLC (1515 Arapahoe Street, Tower 2, Suite 700, Denver, CO 80202-2126) for operation of Compressor Station at Johnston Compressor Station in Chartiers Township, **Washington County**. This is a Synthetic Minor.

63-00937: Markwest Liberty Midstream & Resources, LLC (1515 Arapahoe Street, Tower 2, Suite 700, Denver, CO 80202-2126) for operation of Compressor Station at Fulton Booster Station in Mt. Pleasant Township, **Washington County**. This is a Synthetic Minor.

63-00940: Markwest Liberty Midstream & Resources, LLC (1515 Arapahoe Street Tower 2, Suite 700, Denver, CO 80202-2126) for operation of a Compressor Station at Shaw Compressor Station in Chartiers Township, **Washington County**.

26-00569: Holt & Bugbee Hardwoods, Inc. (P. O. Box 37, 1600 Shawsheen Street, Tewksbury, MA 01876) for operation of sawmills and planing mills at Mt. Braddock Site in North Union Township, **Fayette County**.

30-00112: EQT Plaza (625 Liberty Avenue, Suite 1700, Pittsburgh, PA 15222) for operation of compressor station at Mt. Morris in Dunkard Township, **Greene County**. This is a State-only Operating Permit Renewal

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

10-00310: Air Products & Chemicals Inc. (357 Marian Avenue, Tamaqua, PA 18252) to issue a renewal State-only Operating Permit for the facility in Butler Township, **Butler County**. The facility is a Natural

Minor. The primary sources at the facility include a hydrogen reformer, hydrogen purification, process water deaeration, and a parts washer. The renewal permit contains emission restrictions, recordkeeping, work practice and additional requirements to ensure compliance with the Clean Air Act and the Air Pollution Control Act.

20-00263: Tapco Tube Co. (10748 South Water Street Extension, Meadville, PA 16335-9098) for issuance of a Synthetic Minor Operating Permit to operate a manufacturing facility that produces round and rectangular steel tubing in West Mead Township, **Crawford County**. The facility's primary emission sources include dip coating, powder coating, parts washers and miscellaneous natural gas combustion.

42-00192: IA Construction Corp.—McKean Plant (7024 Route 59, Lewis Run, PA 16738) for a Synthetic Minor Permit to operate a hot mix asphalt plant in Lafayette Township, **McKean County**. The significant sources are hot mix batch plant; fugitives from transfer points and propane storage tank 30,000 gallons. The facility has taken a restriction on production not exceeding 495,000 tons per year to qualify as a Synthetic Minor facility.

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

N09-022: AT&T Communications of Pennsylvania, LLC (500 South 27th Street, Philadelphia, PA 19146) for operation of a telecommunications facility in the City of Philadelphia, **Philadelphia County**. The facility's air emission sources include six (6) 750-kilowatt Turbine emergency generators firing kerosene.

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

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

COAL AND NONCOAL MINING ACTIVITY APPLICATIONS

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

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

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

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

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

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

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

For noncoal mining activities, the proposed limits are found in Table 2. Discharges from noncoal mines located in some geologic settings (for example, in the coal fields)

may require additional effluent limits. If additional effluent limits are needed for an NPDES permit associated with a noncoal mining permit, then the permit description below specifies the parameters. The limits will be in the ranges specified in Table 1.

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

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

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

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

Coal Applications Received

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

Table 1

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

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.

56061301 and NPDES Permit # PA0235709, RoxCOAL, Inc., (P. O. Box 149, Friedens, PA 15541), to revise the permit for the Kimberly Run Mine in Somerset Township, **Somerset County** to add surface activity site acres to the permit area for installation of additional treatment facilities and sludge drying area. Surface Acres Proposed 4.1. No additional discharges. Application received: February 5, 2010.

30841317 and NPDES Permit # PA0213535, Consol Pennsylvania Coal Company, LLC, (P. O. Box J, 1525 Pleasant Grove Road, Claysville, PA 15323), to revise the permit for the Enlow Fork Mine in Morris Township, **Washington County**, ACOE Pittsburgh. Prosperity, PA Quadrangle USGS map from N: 9.80 inches; W: 12.23 inches to N: 8.94 inches; W: 12.81 inches.

This is a Chapter 105 Water Obstruction and Encroachment permit application (Stream Module 15), and 401 Water Quality Certification request, if applicable, submitted as part of the mining permit revision application to authorize the stream restoration for pooling/flow loss due to longwall mining in one area of Crafts Creek.

Written comments or objections on the request for Section 401 Water Quality Certification or to the issuance of the Water Obstruction and Encroachment Permit, (Stream Module 15) may be submitted to the Department of Environmental Protection within 30 days of the date of this notice to the District Mining Office identified previously. Comments should contain the name, address and telephone number of the person commenting, identification of the request for 401 Water Quality Certification and Chapter 105 permit application, (Stream Module 15) to which the comments or objections are addressed and a concise statement of comments, objections or suggestions including relevant facts upon which they are based.

The Water Obstruction and Encroachment permit application is available for review at the California District Mining Office, by appointment, at the address listed previously.

Application received: February 5, 2010.

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

24100101 and NPDES Permit No. PA0258822. P. and N. Coal Co., Inc. (P. O. Box 332, Punxsutawney, PA 15767) Commencement, operation and restoration of a bituminous strip operation in Jay Township, **Elk County** affecting 102.2 acres. Receiving streams: Unnamed tributary to Kersey Run, classified for the following state-wide uses: CWF. The first downstream potable water supply intake from the point of discharge is Jay Township Water Authority. Application received: February 18, 2010.

24673003 and NPDES Permit No. PA0119849. Tamburlin Bros. Coal Co., Inc. (P. O. Box 1419, Clearfield, PA 16830) Renewal of an existing bituminous strip, auger, and co-product operation in Fox Township, **Elk County** affecting 56.2 acres. Receiving streams: Limestone Run, classified for the following state-wide

uses: CWF. There are no potable surface water supply intakes within 10 miles downstream. Application for reclamation only. Application received: March 1, 2010.

61050101 and NPDES Permit No. PA0257940. Ben Hal Mining Company (389 Irishtown Road, Grove City, PA 16127) Renewal of an existing bituminous strip in Irwin Township, **Venango County** affecting 13.1 acres. Receiving streams: Unnamed tributary to Gilmore Run, classified for the following state-wide uses: CWF. There are no potable surface water supply intakes within 10 miles downstream. Application received: March 3, 2010.

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

12100101 and NPDES No. PA0257281. Allegheny Enterprises, Inc. (3885 Roller Coaster Road, Corsica, PA 15829). Commencement, operation and restoration of a bituminous surface mine located in Shippen and Lumber Townships, **Cameron County** affecting 324.2 acres. Receiving streams: Portable Run, Miller Hollow and May Hollow Run all classified for Cold Water Fisheries. There are no potable water supply intakes within 10 miles downstream. Application received: February 17, 2010.

17860135 and NPDES No. PA0115622. Strishock Coal Co. (220 Hillcrest Drive, DuBois, PA 15801). Permit renewal for the continued operation and restoration of a bituminous surface mine in Union, Sandy and Brady Townships, **Clearfield County** affecting 361.4 acres. Receiving streams: Laborde Branch, Sugar Camp Run to Luthersburg Branch to Laborde Branch, tributaries to Stony Run to Laborde Branch to Sandy Lick Creek to Red Bank Creek to the Allegheny River classified for the following uses: Cold Water Fishery—Warm Water Fishery. Application received: February 5, 2010.

17030115 and NPDES No. PA0243612. Hilltop Coal Co. (12 Dutchtown Road, Houtzdale, PA 16651-9225). Renewal for the continued operation and restoration of a bituminous surface mine located in Bigler Township, **Clearfield County** affecting 212.6 acres. Receiving streams: Japling Run classified for Cold Water Fishery and unnamed tributaries to Muddy Run classified for Cold Water Fishery. There are no potable water supply intakes within 10 miles downstream. Application received: February 1, 2010.

17030112 and NPDES No. PA0243566. U. S. Operating Company (2151 Lisbon Road, Kennerdell, PA 16374). Permit renewal for the continued operation and restoration of a bituminous surface mine located in Chest Township, **Clearfield County** affecting 148.9 acres. Receiving streams: unnamed tributaries to North Camp Run to Chest Creek to the West Branch Susquehanna River classified for Cold Water Fishery. Application received: February 22, 2010.

17100103 and NPDES No. PA0257290. Swisher Contracting, Inc. (P. O. Box 1223, Clearfield, PA 16830). Commencement, operation and restoration of a bituminous surface mine in Bradford Township, **Clearfield County** affecting 219.8 acres. Receiving streams: unnamed tributaries to Sulphur Run and unnamed tributaries to Abes Run, classified for Cold Water Fishery. There are no potable water supply intakes within 10 miles downstream. Application received: March 2, 2010.

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

54743007R5 and NPDES Permit No. PA0123617. Schuylkill Reclamation Corporation, (10 Gilberton Road, Gilberton, PA 17934), renewal of an existing an-

thracite surface mine operation in Branch and Cass Townships, **Schuylkill County** affecting 326.0 acres, receiving stream: West Creek to West Branch Schuylkill River. Application received: February 25, 2010.

49050101R and NPDES Permit No. PA0224430. Farragut Anthracite Company, (122 Wilburton Road, Mt. Carmel, PA 17851), renewal of an existing anthracite surface mine operation in Coal and Zerbe Townships, **Northumberland County** affecting 578.0 acres, receiving stream: Shamokin Creek. Application received: March 2, 2010.

54-305-014GP12. Waste Management & Processors, Inc., (P. O. Box K, Frackville, PA 17931), application to operate a coal preparation plant whose pollution control

equipment is required to meet all applicable limitations, terms and conditions of General Permit, BAQ-GPA/GP-12 on Surface Mining Permit No. 54080201 in Port Carbon and Mechanicsburg Boroughs, **Schuylkill County**. Application received: March 2, 2010.

54850107R5. Lone Eagle Coal Co., Inc., (2068 Old Phoenix Road, Pottsville, PA 17901), renewal of an existing anthracite surface mine operation in Foster Township, **Schuylkill County** affecting 59.93 acres, receiving stream: none. Application received: March 5, 2010.

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.

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

3374SM58 and NPDES Permit No. PA0591588. Coolspring Mining, Inc. (P. O. Box 1328, Uniontown, PA 15401) NPDES renewal application for continued mining of a large noncoal surface mine, located in North Union Township, **Fayette County**, affecting 146.6 acres. Receiving streams: unnamed tributary to Coolspring Run and Coolspring Run, classified for the following use: WWF. There is no potable water supply intake within 10 miles downstream from the point of discharge. Renewal application received: February 18, 2010.

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

25900301. Lakeland Aggregates, Inc. (13053 SR 89, Wattsburg, PA 16442) Revision to an existing large sand and gravel operation to mine below the water table in Venango Township, **Erie County** affecting 18.0 acres. Receiving streams: West Branch French Creek, classified for the following uses: WWF. There are no potable surface water supply intakes within 10 miles downstream. Revision to include a post-mining land use change from scrubland/unmanaged natural habitat to unmanaged water impoundment on the properties of Adzima Properties, Inc. Application received: March 3, 2010.

43040302. New Castle Lime and Stone Company (P. O. Box 442, Edinburg, PA 16116) Renewal of an existing large sand and gravel operation in Shenango Township, **Mercer County** affecting 48.3 acres. Receiving streams: Unnamed tributary to Shenango River, classified for the following uses: WWF. There are no potable surface water supply intakes within 10 miles downstream. Application received: February 22, 2010.

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

4773SM2 and NPDES No. PA0596680. Hanson Aggregates Pennsylvania (7600 Imperial Way, Allentown, PA 18195) Renewal of the NPDES Permit for discharges of treated mine drainage from a quarry operation in Potter Township, **Centre County** affecting 15.0 acres. Receiving streams: unnamed tributary to Cedar Creek classified for Cold Water Fishery. Application received: February 16, 2010.

59020302 and NPDES No. PA0243272. Fred J. Robbins (R. R. 2, Box 25A, Tioga, PA 16946) Renewal of the NPDES Permit. There are no discharges from this gravel pit operation located in Lawrence Township, **Tioga County** affecting 17.5 acres. Application received: January 28, 2010.

6775SM1 and NPDES No. PA0613819. National Limestone Quarry, Inc. (P. O. Box 397, Milldeburg, PA 17842) Renewal of the NPDES Permit for discharges of treated mine drainage from a quarry operation in Beaver and Franklin Townships, **Snyder County** affecting 97.0 acres. Receiving stream: Middlecreek classified for Trout Stocked Fishery. Application received: February 5, 2010.

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

40980301C5 and NPDES Permit No. PA0223867. Brdaric Excavating, Inc., (913 Miller Street, Luzerne, PA 18709), correction to an existing quarry operation to increase the permitted acres from 44.8 to 86.5 and increase the depth of mining from 160 feet to 260 feet in Kingston Township and Swoyersville Borough, **Luzerne County**, receiving stream: unnamed tributaries to Susquehanna River, classified for the following use: cold water fishery. Application received: March 2, 2010.

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 Depart-

ment of Environmental Protection (Department). Section 401 of the Federal Water Pollution Control Act (FWPCA) (33 U.S.C.A. § 1341) requires the State to certify that the involved projects will not violate the applicable provisions of sections 301—303, 306 and 307 of the FWPCA (33 U.S.C.A. §§ 1311—1313, 1316 and 1317) as well as relevant State requirements. Persons objecting to approval of a request for certification under section 401 of the FWPCA or to the issuance of a Dam Permit, Water Obstruction and Encroachment Permit or the approval of an Environmental Assessment must submit comments, suggestions or objections within 30 days of the date of this notice, as well as questions, to the regional office noted before the application. Comments should contain the name, address and telephone number of the person commenting, identification of the certification request to which the comments or objections are addressed and a concise statement of comments, objections or suggestions including the relevant facts upon which they are based.

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

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

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

WATER OBSTRUCTIONS AND ENCROACHMENTS

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

E39-492. Brookside Country Club, 901 Willow Lane, Macungie, PA 18062-9350, in Lower Macungie Township, **Lehigh County**, U.S. Army Corps of Engineers, Philadelphia District.

To construct and maintain 2,350 linear feet of channel restoration and stream bank stabilization of Swabia Creek (HQ-CWF) and adjacent floodway utilizing FGM techniques. The project is located approximately 2.9 miles south of the intersection of I-476 and U.S. Route 222 (Allentown West, PA Quadrangle Latitude: 40° 31' 28"; Longitude: -75° 33' 1").

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

E06-652: MB Investments, Pasquale Mascaro, 2650 Audubon Road, Audubon, PA 19403, Amity Township, **Berks County**, ACOE Philadelphia District.

To place and maintain fill in 0.087 acre of PEM wetlands and 5,904.0 cubic feet of fill in 55.0 feet of an unnamed tributary to the Schuylkill River (WWF). To

construct and maintain (3) three 1.0-foot depressed, 24.0-inch diameter CPE culvert pipes in an unnamed tributary to the Schuylkill River (WWF) and (2) two 1.0-foot depressed, 24.0-inch diameter CPE culvert pipes and 84,524.0-cubic feet of fill in 345.0-feet of an unnamed tributary to the Schuylkill River (WWF) all for the purpose of constructing a motorcycle park (Birdsboro, PA Quadrangle 4.34 inches North; 5.19 inches West, Latitude: 40° 16' 26" N; Longitude: 75° 47' 14" W) located off of SR 422 East in Amity Township, Berks County.

E22-557: Old Reliance Partnership, Ronald Burkholder, 1403 Farmhouse Lane, Middletown, PA 17057, Lower Swatara Township, **Dauphin County**, ACOE Baltimore District.

To relocate and maintain 215.0 feet of an unnamed tributary to Swatara Creek (WWF) impacting 0.049 acre of PEM wetlands. The relocation will include the construction and maintenance of 100.0 feet of 0.50-foot depressed, 42.0-inch CMP culvert pipe, and 140.0 feet of open channel, for the purpose of creating a residential subdivision (Steelton, PA Quadrangle N: 22.0 inches; W: 1.5 inches, Latitude: 40° 14' 43"; Longitude: 76° 45' 34") located on the south side of Longview Drive, at the intersection of Longview Drive and Strites Road, in Lower Swatara Township, Dauphin County.

E38-166: Alden Place, Louie Hurst, Principal, Cornwall Associates LP, 530 West Trout Road, Ephrata, PA 17522, West Cornwall Township and Cornwall Borough, **Lebanon County**, ACOE Baltimore District.

To construct and maintain: 1) a 96.0-foot long, 1.0-foot depressed with fish baffles, 5.0-foot by 8.0-foot concrete box culvert with a depressed rip rap apron extending 39.0 feet downstream, and an 8.0-inch diameter DICL waterline and 8.0-inch diameter PVC sanitary sewer line utility crossing in and across an unnamed tributary to Snitz Creek (TSF, MF) permanently impacting 0.096 acre of PEM/SS/FO wetlands; 2) a 90.0-foot long, 0.50-foot depressed, 24.0-inch by 38.0-inch RCP culvert pipe with depressed rip rap aprons extending 25.0 feet upstream and 16.0 feet downstream, and an 8.0-inch diameter DICL waterline and 8.0-inch diameter PVC sanitary sewer line in and across an unnamed tributary to Snitz Creek (TSF, MF) permanently impacting 0.079 acre PEM/SS/FO wetlands; 3) an 8.0-inch diameter DICL waterline in an unnamed tributary to Snitz Creek (TSF, MF) temporarily impacting 0.023 acre of PEM/SS wetland; and 4) a 126.0-foot long, 0.50-foot depressed, 36.0-inch diameter RCP culvert pipe with a depressed rip rap apron extending 16.0 feet downstream, and an 8.0-inch diameter DICL waterline in and across an unnamed tributary to Snitz Creek (TSF, MF) impacting 0.031 acre PSS/FO wetlands, all for the purpose of expanding travel corridors throughout a residential subdivision at a point just south of the intersection between Alden Lane and Route 419 (Lebanon, PA Quadrangle 4.1 inches North; 8.2 inches West, Latitude: 40° 16' 22" N; Longitude: 76° 25' 59" W) in West Cornwall Township and Cornwall Borough, Lebanon County. To compensate for wetland impacts, the applicant shall provide a minimum of 1.3 acres of PEM/PSS/PFO replacement wetlands onsite.

E22-559: Bridge Construction Project, State Game Lands 211, Game Commission, 2001 Elmerton Avenue, Harrisburg, PA 17110, Rush Township, **Dauphin County**, ACOE Baltimore District. To construct and maintain a 14.0-foot wide single-span bridge having a normal span of 48.0 feet and an underclearance of 6.0 feet, across Clarks Creek (HQ-CWF) for the purpose of

providing access for timber harvest and food plot management activities. The project is located on State Game Lands No. 211 (Tower City, PA Quadrangle N: 3.0"; W: 17.2", Latitude: 40° 30' 59"; Longitude: 76° 37' 26") in Rush Township, Dauphin County.

E01-291: Realty Leasing & Management Company, 1270 Fairfield Road, Gettysburg, PA 17325, Cumberland Township, **Adams County**, ACOE Baltimore District.

The applicant proposes to place and maintain fill in two palustrine emergent (PEM) wetlands totaling 0.03 acre and two intermittent unnamed tributaries to Willoughby Run (WWF), totaling 515.0 linear feet, for the purpose of constructing a housing development. The project is located west of the Borough of Gettysburg on Deatrack Drive (Fairfield, PA Quadrangle N: 13.47 inches; W: 0.82 inch, Latitude: 39° 49' 27"; Longitude: -77° 15' 21") in Cumberland Township, Adams County. The permittee proposes to provide a minimum of 0.04 acre of replacement wetlands onsite.

E67-877: Department of Transportation, Engineering District 8-0, 2140 Herr Street, Harrisburg, PA 17103-1699, ACOE Baltimore District.

To: (1) remove the existing structure and to construct and maintain a 60.0-foot long, 1.0-foot depressed with baffles, 15.0-foot by 5.0-foot reinforced concrete box culvert with concrete wing walls and depressed rip rap aprons extending 5.0 feet upstream and 5.0 feet downstream in an unnamed tributary to Kreutz Creek (York, PA Quadrangle N: 20.2 inches; W: 1.2 inches, Latitude: 39° 59' 13"; Longitude: -76° 38' 02"); (2) remove the existing structure and construct and maintain a 96.0-foot long, 1.0-foot depressed with baffles, 9.0-foot by 5.5-foot reinforced concrete box culvert with concrete wing walls and depressed rip rap aprons extending 5.0 feet upstream and 5.0 feet downstream in an unnamed tributary to Kreutz Creek (York, PA Quadrangle N: 19.2 inches; W: 1.1 inches, Latitude: 39° 58' 53"; Longitude: -76° 37' 57"); and (3) construct and maintain an endwall with rock protection around an existing 33.0-inch by 49.0-inch outfall structure discharging to an unnamed tributary to Kreutz Creek (York, PA Quadrangle N: 20.2 inches; W: 1.2 inches, Latitude: 39° 59' 13"; Longitude: -76° 38' 02") for the purpose of improving transportation safety and roadway standards along SR 2017 (Stonewood Road) in Springettsbury Township, **York County**.

E22-556: The Harrisburg Authority, 212 Locust Street, Suite 302, Harrisburg, PA 17101, Harrisburg City and Swatara Township, **Dauphin County**, ACOE Baltimore District.

To replace an existing 82.0-foot by 60.0-foot steel storage building with a 84.0-foot by 61.0-foot steel building, and to construct and maintain an 84.0-foot by 61.0-foot steel building with associated access and loading facilities in the floodplains of Spring Creek (CWF, MF) and the Susquehanna River (WWF), for the purpose of upgrading the existing wastewater treatment facility. The project is located near the intersection of SR 230 and Elliot Street (Steelton, PA Quadrangle N: 21.4 inches; W: 15.3 inches, Latitude: 40° 14' 28"; Longitude: 76° 51' 30") in Harrisburg City and Swatara Township, Dauphin County.

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

E08-460. Chesapeake Appalachia, LLC, 100 IST Center, Horseheads, NY 14845-1016. Water Obstruction and Encroachment Joint Permit Application, in Monroe

Township, **Bradford County**, ACOE Susquehanna River Basin District (Monroeton, PA Quadrangle N: 41° 42' 1.55"; W: 76° 27' 3.59").

To construct and maintain a steel beam, concrete abutment, bridge over an UNT to the South Branch of Towanda Creek, located 1.0 mi. east of the intersection of SR 0220 along Wickam Falls Road. This project proposes to permanently impact 90 linear feet of the UNT to South Branch of Towanda Creek, which is designated a Cold Water Fishery and does not propose to impact any jurisdictional wetlands.

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

E02-1628. Lawrence E. and Martha T Madson, Jr., 61 Lambeth Drive, Pittsburgh, PA 15291. To construct and maintain addition to existing building in Bridgeville Borough, **Allegheny County**, Pittsburgh ACOE District (Bridgeville, PA Quadrangle N: 19.0 inches; W: 14.5 inches, Latitude: 40° 21' 17"; Longitude: 80° 06' 15"). The applicant proposes to construct and maintain an addition to the existing building on the left bank of McLaughlin Run (WWF) for the purpose of expanding the existing garage. The project is located on the north side of McLaughlin Run Road, approximately 550.0 feet northwest from the intersection of McLaughlin Run Road and Coolidge Street.

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

E20-578, Iroquois Boating & Fishing Club. Maintenance Dredging, in Sadsbury Township, **Crawford County**, ACOE Pittsburgh District (Conneaut Lake, PA Quadrangle N: 41° 36' 42"; W: 80° 17' 52").

The applicant proposes to dredge around 595 cubic yards of lake bed material from a swimming area measuring approximately 130 feet by 50 feet on the east shore of Conneaut Lake approximately 450 feet northwest of the intersection of Konneyaut Trail and Iroquois Road. Conneaut Lake is a body of water classified as HQ-WWF.

E25-725, TSK Partners, Inc., d/b/a McInnes Rolled Rings, 1533 East 12th Street, Erie, PA 16511. McInnes Rolled Rings Manufacturing Site Expansion, in the City of Erie, **Erie County**, ACOE Pittsburgh District (Erie North, PA Quadrangle N: 42° 8' 80"; W: 80° 2' 51").

The applicant is proposing to fill 0.076 acre of PEM wetlands for the expansion of the McInnes Rolled Rings industrial facilities at 1533 East 12th Street in the City of Erie, Erie County. The proposed mitigation is a payment to the PA Wetland Replacement Fund and contribution to the Walnut Creek—Zimmerly Road stream restoration project in the Walnut Creek Watershed, Millcreek Township, Erie County.

ENVIRONMENTAL ASSESSMENTS

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

D48-043EA. Horwith Leasing Co., Inc., P. O. Box 7, Northampton, PA 18067, Northampton Borough, **Northampton County**, ACOE Philadelphia District. Project proposes to breach and remove Water Supply Dam across Hokendauqua Creek (CWF) for the purpose of eliminating a threat to public safety and restoring the stream to a free flowing condition. The project will restore approximately 4,000 feet of stream channel. The dam is located approximately 4,500 feet southeast of the intersection of

East Twentyfirst (SR 329) and Main Streets (SR 4003) (Catasauqua, PA Quadrangle Latitude: 40° 41' 18"; Longitude: -75° 29' 00").

D15-093EA. Mr. Willard Sunstein, 860 Cupola Road, Honey Brook, PA 19344, Honey Brook Township, **Chester County**, ACOE Philadelphia District. Project Proposes to breach and remove Cupola Mill Dam across East Branch Brandywine Creek (HQ-TSF) for the purpose of eliminating a threat to public safety and restoring the stream to a free flowing condition. The project will restore approximately 2,800 feet of stream channel. The dam is located approximately 350 feet south of the intersection of Creek (SR 4031) and Chestnut Tree Roads (SR 4025) (Wagontown, PA Quadrangle Latitude: 40° 05' 54"; Longitude: -75° 50' 44").

D17-005EA. City of Dubois, 16 West Scribner Avenue, DuBois, PA 15801, Union Township, **Clearfield County**, ACOE Baltimore District. To construct and maintain overtopping protection at Anderson Creek Reservoir Dam across Anderson Creek (CWF) to meet current Dam Safety Standards. The dam is located approximately 1.0 mile southeast of the intersection of Home Camp and Anderson Creek Roads (Luthersburg, PA Quadrangle Latitude: 41° 5' 47"; Longitude: 78° 38' 11"). The project will permanently impact 88 lineal feet of Anderson Creek and 0.27-acre of Palustrine Emergent Wetland. The applicant is required to provide a minimum of 0.27-acre of replacement wetland.

ACTIONS

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

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

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

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

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

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

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

I. NPDES Renewal Permit Actions

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>
PA0228133 IW	Department of Transportation Engineering District 2 1924 Daisy Street Ext. Clearfield, PA 16830	Cameron County Lumber Township	Driftwood Branch Sinnemahoning Creek 8A	Y
PA0112771 (Sewage)	Port Matilda Borough Authority Port Matilda WWTP Municipal Building Port Matilda, PA 16870	Port Matilda Borough Centre County	Bald Eagle Creek TSF-MF	Y
PA0009318 IW	Alcan Cable 409 Reighard Avenue Williamsport, PA 17701-4195	Lycoming County City of Williamsport	Fox Hollow Run 10A	Y
PA0228184 (Sewage) Non-Municipal	J & D Campground 973 Southern Drive Catawissa, PA 17820	Columbia County Franklin Township	Roaring Creek SWP 5E	Y

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

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

NPDES Permit No. PA0053082, Sewage, **Alexander Hionis & Partners**, P. O. Box 208, Mendenhall, PA 19357. This proposed facility is located in Kennett Township, **Chester County**.

Description of Proposed Action/Activity: Approval for the renewal to discharge 20,600 gpd of treated sewage into an Unnamed Tributary to Brandywine Creek in Watershed 3H.

NPDES Permit No. PA0057029, Amendment 1, Industrial Waste, **Hewlett Packard Company**, 10375 Park Meadows Drive, Suite 150, Littleton, CO 80124. This proposed facility is located in New Garden Township, **Chester County**.

Description of Proposed Action/Activity: Approval for the amendment of the NPDES permit for an existing discharge from the Hewlett Packard Company Avondale groundwater remediation system site to an Unnamed Tributary to Egypt Run in Watershed 3I.

NPDES Permit No. PA0243949, Industrial Waste, **Landis Block & Concrete Company, Inc.**, P. O. Box 64418, Souderton, PA 18964-0418. This proposed facility is located in Hilltown Township, **Bucks County**.

Description of Proposed Action/Activity: Approval for the renewal to discharge industrial wastewater commingled with stormwater from a concrete manufacturing facility located in Telford Borough, Bucks County into an Unnamed Tributary to Mill Creek in Watershed 3E.

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

NPDES Permit No. PA0246409, CAFO, **Donald Hess, Chickies Creek Farm, LLC**, 2537 Risser Mill Road, Mount Joy, PA 17552-8614. This proposed facility is located in Mount Joy Township, **Lancaster County**.

Description of Size and Scope of Proposed Operation/Activity: Transfer of Permit.

NPDES Permit No. PA0088935, Amendment No. 1, CAFO, **Robert Barley**, 37 Chestnut Grove Road, Conestoga, PA 17516-9315 and William C. Fink, Country View Family Farms, LLC, 5714 Raystown Road, Hopewell, PA 16650. This proposed facility is located in North Codorus Township, **York County**.

Description of Size and Scope of Proposed Operation/Activity: Authorization to operate an 1893-AEU swine operation in Watershed 7-H.

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

NPDES Permit No. PA0002062-A2, Industrial Waste, **RRI Energy Northeast Management Company**, 121 Champion Way, Canonsburg, PA 15317. This existing facility is located in Plumcreek Township, **Armstrong County**.

Description of Proposed Action/Activity: Permit amendment issuance to reflect additional discharges.

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

NPDES Permit No. PA0263567, Industrial Waste, **Borough of Ridgway, Ridgway Borough WTP**, P. O. Box 149, Ridgeway, PA 15853-0149. This proposed facility is located in Ridgway Township, **Elk County**.

Description of Proposed Action/Activity: Issuance of a new NPDES permit for discharge of treated filter backwash wastewater.

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

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

WQM Permit No. 4509402, Sewerage, **Rainmaker Capital of Chestnuthill, LLC**, 3 Quail Run, Boonton, NJ 07005. This proposed facility is located in Chestnuthill Township, **Monroe County**.

Description of Proposed Action/Activity: Denial of Water Quality Management Permit for construction of a 5,000 gpd sewage treatment system and an elevated sand mound absorption area.

WQM Permit No. 4809403, Sewerage, **Nazareth Borough Municipal Authority**, 872 Tatamy Road, P. O. Box A, Nazareth, PA 18064. This facility is located in Lower Nazareth Township, **Northampton County**.

Description of Proposed Action/Activity: Issuance of Water Quality Management Permit for an upgrade to the existing wastewater treatment plant, consisting of the addition of two ICEAS basins, to improve operational performance.

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

WQM Permit No. 3801401, Amendment 10-1, Sewage, **Department of Military and Veteran's Affairs**, Fort Indiantown Gap, Building 0—11, Annville, PA 17003. This proposed facility is located in East Hanover Township, **Lebanon County**.

Description of Proposed Action/Activity: Permit amendment approval for the construction of sewerage facilities consisting of: installation of a new building and sludge press at the Fort Indiantown Gap Wastewater Treatment Plant.

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

WQM Permit No. 0309202, Industrial Waste, **RRI Energy Northeast Management Company**, 121 Champion Way, Suite 200, Canonsburg, PA 15317. This proposed facility is located in Plumcreek Township, **Armstrong County**.

Description of Proposed Action/Activity: Permit issuance for the construction and operation of a settling basin to manage storm water runoff.

WQM Permit No. 0283436-A2, Sewerage, **Thomas I. Wiles**, 110 Sandy Creek Road, Verona, PA 15147-1728. This existing facility is located in Penn Hills Township, **Allegheny County**.

Description of Proposed Action/Activity: Permit amendment issuance for replacement of failed small flow treatment facility.

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

WQM Permit No. WQG018735, Sewerage, **Sandra L. Bartosek**, 3414 U.S. Route 6, Waterford, PA 16441. This proposed facility is located in LeBoeuf 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 1509031 Phase 2	Morphotek, Inc. 210 Welsh Pool Road Exton, PA 19341	Chester	Uwchlan Township	Picker Creek HQ-TSF
PAI01 2309002	Rose Tree Media School District 1900 North Providence Road Media, PA 19063	Delaware	Upper Providence Township	Ridley Creek HQ-TSF

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>
PAI025208010	Nikles Realty, Inc. 104 Bennet Plaza Suite 1A Milford, PA 18337	Pike	Dingman Township	Raymondskill Creek HQ-CWF, MF

<i>NPDES Permit No.</i>	<i>Applicant Name & Address</i>	<i>County</i>	<i>Municipality</i>	<i>Receiving Water/Use</i>
PAS10S019R(1)	Big Ridge Developers, LP 130 Buck Road Suite 201 Holland, PA 18966	Monroe	Middle Smithfield Township	Tom X Run HQ-CWF, MF Long Shore Creek HQ-CWF, MF Bushkill Creek HQ-CWF, MF Pond Creek HQ-CWF, MF Exceptional Value Wetlands EV

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

<i>NPDES Permit No.</i>	<i>Applicant Name & Address</i>	<i>County</i>	<i>Municipality</i>	<i>Receiving Water/Use</i>
PAI033608006	Michael H. Martin 680 Wide Hollow Road East Earl, PA 17519	Lancaster	East Earl Township Terre Hill Borough	UNT to Black Creek HQ-WWF
PAI032109008	Land O' Lakes, Inc. Greg Wakefield 405 Park Drive Carlisle, PA 17015	Cumberland	South Middleton Township	Yellow Breeches Creek HQ-CWF

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

Centre County Conservation District: 414 Holmes Avenue, Suite 4, Bellefonte, PA 16823, (814) 355-6817.

<i>NPDES Permit No.</i>	<i>Applicant Name & Address</i>	<i>County</i>	<i>Municipality</i>	<i>Receiving Water/Use</i>
PAI041409013	Ed Poprick State College Area School District 131 West Nittany Avenue State College, PA 16801	Centre	College and Harris Townships	Spring Creek HQ-CWF

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

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

<i>NPDES Permit No.</i>	<i>Applicant Name & Address</i>	<i>County</i>	<i>Municipality</i>	<i>Receiving Water/Use</i>
PAI056509004	Ted Decesare Patrisa Corporation 4241 William Penn Highway Murrysville, PA 15668	Westmoreland	Murrysville	Steeles Run HQ-CWF

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

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

List of NPDES and/or Other General Permit Types

PAG-1	General Permit for Discharges From Stripper Oil Well Facilities
PAG-2	General Permit for Discharges of Stormwater Associated With Construction Activities (PAR)
PAG-3	General Permit for Discharges of Stormwater From Industrial Activities
PAG-4	General Permit for Discharges From Small Flow Treatment Facilities
PAG-5	General Permit for Discharges From Gasoline Contaminated Ground Water Remediation Systems
PAG-6	General Permit for Wet Weather Overflow Discharges From Combined Sewer Systems (CSO)
PAG-7	General Permit for Beneficial Use of Exceptional Quality Sewage Sludge by Land Application
PAG-8	General Permit for Beneficial Use of Nonexceptional Quality Sewage Sludge by Land Application to Agricultural Land, Forest, a Public Contact Site or a Land Reclamation Site
PAG-8 (SSN)	Site Suitability Notice for Land Application Under Approved PAG-8 General Permit Coverage
PAG-9	General Permit for Beneficial Use of Residential Septage by Land Application to Agricultural Land, Forest, or a Land Reclamation Site

PAG-9 (SSN)	Site Suitability Notice for Land Application Under Approved PAG-9 General Permit Coverage
PAG-10	General Permit for Discharge Resulting from Hydrostatic Testing of Tanks and Pipelines
PAG-11	(To Be Announced)
PAG-12	Concentrated Animal Feeding Operations (CAFOs)
PAG-13	Stormwater Discharges from Municipal Separate Storm Sewer Systems (MS4)

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

<i>Municipality & County</i>	<i>Permit No.</i>	<i>Applicant Name & Address</i>	<i>Receiving Water/Use</i>	<i>Contact Office & Phone No.</i>
Bedminster Township Bucks County	PAG00 0904051-R	Pennland Bedminster, LP 248 Pennland Farm Drive Perkasie, PA 18944	Deep Run WWF	Southeast Regional Office 2 East Main Street Norristown, PA 19401 484-250-5900
Buckingham Township Bucks County	PAG200 0909082	William Black 1260 Forest Grove Road Furlong, PA 18925	Robin Run Unnamed Tributary Mill Creek WWF-MF	Southeast Regional Office 2 East Main Street Norristown, PA 19401 484-250-5900
Falls Township Bucks County	PAG200 0909096	Waste Management Disposal Services of PA 1000 New Ford Mill Road Morrisville, PA 19067	Delaware River WWF-MF	Southeast Regional Office 2 East Main Street Norristown, PA 19401 484-250-5900
Falls Township Bucks County	PAG02 000910001	United States Steel Corporation One Ben Fairless Drive Fairless Hills, PA 19030	Delaware River WWF-MF	Southeast Regional Office 2 East Main Street Norristown, PA 19401 484-250-5900
Caln Township Chester County	PAG200 1509050	Janiec Builders 1518 Meadowbrook Lane West Chester, PA 19380	Unnamed Tributary Beaver Creek TSF-MF	Southeast Regional Office 2 East Main Street Norristown, PA 19401 484-250-5900
Penn Township Chester County	PAG200 1504113-R	Church in the Vineyard 111 Vineyard Way West Grove, PA 19390	Unnamed Tributary West Branch White Clay Creek TSF-MF	Southeast Regional Office 2 East Main Street Norristown, PA 19401 484-250-5900
East Vincent Township Chester County	PAG200 1509046	Department of Military and Veteran's Affairs One Veterans Drive Spring City, PA 19475-1241	Unnamed Tributary Schuylkill River WWF-MF	Southeast Regional Office 2 East Main Street Norristown, PA 19401 484-250-5900
New Garden Township Chester County	PAG200 1509034	Archdiocese of Philadelphia Mission Santa Maria Madre Dedios P. O. Box 1019 Avondale, PA 19311	Broad Run CWF Bucktoe Creek TSF Egypt Run CWF	Southeast Regional Office 2 East Main Street Norristown, PA 19401 484-250-5900
Lower Chichester Township Delaware County	PAG0200 2308040	Department of Transportation P. O. Box 3451 Harrisburg, PA 17105-3451	Naamans Creek WWF	Southeast Regional Office 2 East Main Street Norristown, PA 19401 484-250-5900
Concord Township Delaware County	PAR10- J160-R2	Brinton Land Development, Assoc. 33 Rock Hill Road Suite 200 Bala Cynwyd, PA 19004-2051	West Branch Chester Creek TSF-MF	Southeast Regional Office 2 East Main Street Norristown, PA 19401 484-250-5900

<i>Facility Location: Municipality & County</i>	<i>Permit No.</i>	<i>Applicant Name & Address</i>	<i>Receiving Water / Use</i>	<i>Contact Office & Phone No.</i>
Limerick Township Montgomery County	PAG200 4608136	Northpointe Community Church P. O. Box 451 456 West Ridge Road Royersford, PA 19468	Mine Run TSF	Southeast Regional Office 2 East Main Street Norristown, PA 19401 484-250-5900
Upper Merion Township Montgomery County	PAG200 4608126	SSN Ruchi Hotel Land Development 119 South College Avenue Newark, DE 19713	Trout Creek WWF	Southeast Regional Office 2 East Main Street Norristown, PA 19401 484-250-5900
Upper Merion Township Montgomery County	PAG202 4608155	MPO Properties, LLC 1 Geoffrey Way Wayne, NJ 07470	Tributary Trout Creek WWF	Southeast Regional Office 2 East Main Street Norristown, PA 19401 484-250-5900
Foster Township Luzerne County	PAG2004009024	MMI Preparatory School Attn: Thomas Hood 154 Centre Street Freeland, PA 18224	Little Black Creek CWF, MF	Luzerne County Conservation District 570-674-7991
City of Harrisburg Dauphin County	PAG2002204005R-1	City of Harrisburg 123 Walnut Street Suite 212G Harrisburg, PA 17101	Susquehanna River WWF	Dauphin County Conservation District 1451 Peters Mountain Road Dauphin, PA 17018 717-921-8100
Strasburg Borough Lancaster County	PAG2003610007	44 Strasburg Associates 503 Bedford Place Lititz, PA 17543	Pequea-Octoraro Creek WWF	Lancaster County Conservation District 1383 Arcadia Road Room 200 Lancaster, PA 17601 717-299-5361, Ext. 5
East Hempfield Township Lancaster County	PAG2003610008	York Technical Institute 3050 Hempland Road Lancaster, PA 17601	Brubaker Run WWF	Lancaster County Conservation District 1383 Arcadia Road Room 200 Lancaster, PA 17601 717-299-5361, Ext. 5
Sandy Township Falls Creek Borough Clearfield County	PAG2001709010	Department of Transportation 1924-30 Daisy Street Ext. Clearfield, PA 16830	Wolf Run CWF Slab Run CWF	Clearfield County Conservation District 650 Leonard Street Clearfield, PA 16830 (814) 765-2629
Danville Borough Montour County	PAG2004709006	Danville Municipal Authority P. O. Box 179 12 West Market Street Danville, PA 17821-0179	Mahoning Creek WWF	Montour County Conservation District 112 Woodbine Lane Suite 2 Danville, PA 17821 (570) 271-1140
Danville Borough Montour County	PAG2004710002	Danville Area School District 600 Walnut Street Danville, PA 17821	Sechlar Run CWF	Montour County Conservation District 112 Woodbine Lane Suite 2 Danville, PA 17821 (570) 271-1140
Washington County Cecil Township	PAG2006305042-1	Washington County Authority 100 West Beau Street Washington, PA 15301	UNT to Chartiers Creek WWF	Washington County Conservation District 602 Courthouse Square Washington, PA 15301 724-228-6774

<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>
Jefferson County Reynoldsville Borough	PAG02003310001	Sintergy, Inc. 500 Chestnut Street Punxsutawney, PA 15767 and Allison & Associates 611 Division Street DuBois, PA 15801	Sandy Lick Creek TSF	Jefferson County Conservation District 814-849-7463

General Permit Type—PAG-3

<i>Facility Location: Municipality & County</i>	<i>Permit No.</i>	<i>Applicant Name & Address</i>	<i>Receiving Water/Use</i>	<i>Contact Office & Phone No.</i>
RÜTGERS Organics Cooperation College Township Centre County	PAR234819	RÜTGERS Organics Cooperation 201 Struble Road State College, PA 16801-7487	Unnamed Tributary to Spring Creek CWF, MF	Northcentral Regional Office Water Management Program 208 West Third Street Suite 101 Williamsport, PA 17701 (570) 327-3664
LeBoeuf Township Erie County	PAG049561	Sandra L. Bartosek 3414 U.S. Route 6 Waterford, PA 16441	Unnamed tributary to French Creek 16A	DEP—NWRO Water Management 230 Chestnut Street Meadville, PA 16335-3481 814/332-6942

General Permit Type—PAG-9

<i>Facility Location: Municipality & County</i>	<i>Permit No.</i>	<i>Applicant Name & Address</i>	<i>Site Name & Location</i>	<i>Contact Office & Phone No.</i>
Derry Township Mifflin County	PAG093545	Brannon and Royer Septic Service 1922 Back Maitland Road Lewistown, PA 17044	Brannon and Royer Septic Service 1922 Back Maitland Road Lewistown, PA 17044	DEP—SCRO 909 Elmerton Avenue Harrisburg, PA 17110-8200 717-705-4707
Spring Township Perry County	PAG093528	Advanced Septic Services, Inc. 185 Richard Lane Landisburg, PA 17040	Advanced Septic Services, Inc. 185 Richard Lane Landisburg, PA 17040	DEP—SCRO 909 Elmerton Avenue Harrisburg, PA 17110-8200 717-705-4707
Frankstown Township Blair County	PAG093546	Ken Wertz Hauling and Septic Service, Inc. 2567 West Loop Road Hollidaysburg, PA 16648	Ken Wertz Hauling and Septic Service, Inc. 2567 West Loop Road Hollidaysburg, PA 16648	DEP—SCRO 909 Elmerton Avenue Harrisburg, PA 17110-8200 717-705-4707

General Permit Type—PAG-10

<i>Facility Location: Municipality & County</i>	<i>Permit No.</i>	<i>Applicant Name & Address</i>	<i>Receiving Water/Use</i>	<i>Contact Office & Phone No.</i>
Blair County Allegheny Township	PAG103526	Sunoco Partners Marketing & Terminals, LP 620 Sugar Run Road Altoona, PA 16601	Sugar Run CWF—Outfall 001 Burgoon Run TSF—Outfalls 002—004	DEP—SCRO 909 Elmerton Avenue Harrisburg, PA 17110 717-705-4707

General Permit Type—PAG-12

Facility Location:

Municipality & County	Permit No.	Applicant Name & Address	Receiving Water/Use	Contact Office & Phone No.
Dauphin County Washington Township	PAG123650- (transfer)	Nanette Furnia Egg Basket Farm 2380 Donegal Springs Road Marietta, PA 17547	6C	DEP—SCRO— Watershed Management 909 Elmerton Avenue Harrisburg, PA 17110 717-705-4802
Lebanon County South Annville Township	PAG123664- (transfer)	Nelson W. Martin 1850 Horseshoe Pike Annville, PA 17003	7D	DEP—SCRO— Watershed Management 909 Elmerton Avenue Harrisburg, PA 17110 717-705-4802

STATE CONSERVATION COMMISSION

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

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

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

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

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

CAFO PUBLIC NOTICE SPREADSHEET—ACTIONS

Agricultural Operation Name and Address	County	Total Acres	Animal Equivalent Units	Animal Type	Special Protection Waters (HQ or EV or NA)	Approved or Disapproved
Hanover Shoe Farm 2310 Hanover Pike P. O. Box 339 Hanover, PA 17331	Adams	2,840	1,035.54	Horses	NA	Approved
Walnut Run Farms Carl and John Myer 292 Elm Road Lititz, PA 17543	Lancaster	1,100	1,369.4	Dairy	NA	Approved
Eugene Nolt 143 Kurtz Road New Holland, PA 17557	Lancaster	73.6	614.98	Hogs/Beef	NA	Approved
Martin Farms 167 Overcash Road Chambersburg, PA 17202	Franklin	1,061	1,406.25	Dairy	HQ	Approved

**PUBLIC WATER SUPPLY (PWS)
PERMITS**

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

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

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

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

SAFE DRINKING WATER

Actions taken under the Pennsylvania Safe Drinking Water Act

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

Permit No. 3609520 MA, Minor Amendment, Public Water Supply.

Applicant	Brereton Manor, LLC
Municipality	Manor Township
County	Lancaster
Responsible Official	William J. Boyd, Principal Officer 3028 Anchor Road Washington, PA 17582-9650
Type of Facility	Conversion of disinfection system from UV to sodium hypochlorite
Consulting Engineer	Charles A. Kehew II, P. E. James A. Holley & Associates, Inc. 18 South George Street York, PA 17401
Permit to Construct Issued:	3/8/2010

Operations Permit issued to **Mountain View Apartments**, 3061184, South Heidelberg Township, **Berks County** on 2/25/2010 for the operation of facilities approved under Construction Permit No. 0608520.

Operations Permit issued to **United Water Pennsylvania**, 7220015, Swatara Township, **Dauphin County** on 3/8/2010 for the operation of facilities approved under Construction Permit No. 2209504.

Operations Permit issued to **Bel Air Park Apartments**, 4070060, Logan Township, **Blair County** on 2/25/2010 for the operation of facilities approved under Construction Permit No. 0709507 MA.

Operations Permit issued to **Manheim Borough Authority**, 7360078, Manheim Borough, **Lancaster County** on 3/8/2010 for the operation of facilities approved under Construction Permit No. 3609508.

Operations Permit issued to **Marietta Gravity Water Company**, 7360082, West Hempfield Township, **Lancaster County** on 2/22/2010 for the operation of facilities approved under Construction Permit No. 3609519 MA.

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

Permit No. 1491503-T1—Transfer, Public Water Supply.

Applicant	PA American Water Company
Township or Borough	Walker Township
County	Centre
Responsible Official	Paul A. Zielinski, Sr., Director Water Quality & Environmental Compliance Pennsylvania American Water Company 800 West Hersheypark Drive Hershey, PA 17033
Type of Facility	Public Water Supply—Transfer
Consulting Engineer	N/A
Permit Issued Date	March 3, 2010
Description of Action	Transfer of ownership of Nittany Water Company's PWS permit that authorizes operation of the well source known as Well 1 and the facilities of disinfection, transmission lines and finished water storage.

SEWAGE FACILITIES ACT PLAN APPROVAL

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

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

Plan Location:

<i>Borough or Township</i>	<i>Borough or Township Address</i>	<i>County</i>
Warrington Township	3345 Rosstown Road Wellsville, PA 17365	York County

Plan Description: The Warrington Township Official Act 537 Sewage Facilities Plan, DEP Code No. A3-67960-ACT. The approved plan provides for the development of On-lot Disposal System (OLDS) Management Program through adoption of an ordinance meant to provide assurance of proper operation and maintenance of the on-lot sewage facilities with the Township. The plan also includes revision of the Township's Subdivision and Land

Development Ordinance (SLDO) and Holding Tank Ordinance. Revisions to the SLDO will address nitrate-nitrogen concerns within the Township and the need for Preliminary Hydrogeologic Studies for subdivisions and new land development. The plan specifies that all subdivisions containing three lots or more or subdivisions located within 1/4 mile of a well that tested greater than 5 mg/l nitrate-nitrogen will be required to complete a preliminary hydrogeologic study. The plan also documents nitrate-nitrogen issues in areas underlain by the Gettysburg Geologic Formation and the Heidelberg Member west of Old York and Carlisle Roads (SR 0074). Preliminary hydrogeologic studies will also be required for subdivisions proposed within these areas.

SEWAGE FACILITIES ACT PLAN DISAPPROVAL

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

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

Plan Location: Located on the south side of Deodate Road between the township border and Brills Run, Conewago Township, Dauphin County.

<i>Borough or Township</i>	<i>Borough or Township Address</i>	<i>County</i>
Conewago Township	3279 Old Hershey Road Elizabethtown, PA 17022	Dauphin County

Plan Description: The Official Plan Revision, entitled Creekside Meadows Subdivision, DEP Code No. A3-22910-168-2, proposing 33 new single family residential lots using individual on-lot sewage disposal systems. The plan was disapproved because the groundwater sampling program in the Preliminary Hydrogeologic Report did not accurately characterize the background nitrate-nitrogen concentrations in the groundwater beneath the proposed lots. An underestimation of background nitrate-nitrogen concentrations in the hydrogeologic study will result in a minimum lot size that will be insufficient to protect the groundwater quality and proposed drinking water wells for this project.

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

Notice of Proposed Interim Response Proposed Interim Response

Morris Run TCE HSCA Site, Hilltown and Bedminster Townships, Bucks County

The Department of Environmental Protection (Department), under the authority of the Hazardous Sites Cleanup Act, 35 P. S. §§ 6020.101—6020.1305 (HSCA), is proposing an Interim Response at the Morris Run TCE HSCA Site (Site) in Hilltown and Bedminster Townships, Bucks County, PA.

The Department, under the authority of HSCA, is conducting an investigation of the Site. This investigation includes the sampling of private drinking water supply wells located in the vicinity of Minsi Trail, Blue School Road, and Dublin Pike in Hilltown and Bedminster Townships, Bucks County. Approximately 35 wells are contaminated or may potentially become contaminated with detectable levels of Trichloroethylene (TCE), Tetrachloroethylene (PCE), and Dichloroethylene (DCE), but TCE is the primary contaminant of concern.

To address the release and threat of release of hazardous substances at the Site, and corresponding threats to human health and the environment, the Department proposes a response action at the Site under section 501(a) of HSCA, 35 P. S. § 6020.501(a). The Department hereby proposes the installation of whole-house carbon filtration units. This proposed alternative complies with Applicable, Relevant and Appropriate Requirements (ARARs) and is feasible and cost-effective. Other possible alternatives include no action, installation of connections to a public water system, or supplying bottled water indefinitely.

An Administrative Record, which contains more detailed information concerning this proposed response action, is available for public inspection. The Administrative Record may be examined from 8 a.m. until 4 p.m. at the Department's office at 2 East Main Street, Norristown, PA 19401. Those interested in examining the Administrative Record should contact David Ewald at (484) 250-5725 to arrange for an appointment. An additional copy of the Administrative Record is available for review at the Hilltown Township Municipal Building, 13 West Creamery Road, Hilltown, PA.

Under section 506(d) of HSCA, 35 P. S. § 6020.506(d), the Department shall conduct a public hearing on May 5, 2010 beginning at 7 p.m. at the Bedminster Township Municipal Building, 3112 Bedminster Road, Bedminster, PA. Anyone who would like to present formal oral comments regarding this Interim Response should register with the Department before the meeting. Individuals may register by calling the Department's Community Relations Coordinator, Lynda Rebarchak at (484) 250-5820.

Individuals with a disability who wish to attend the public hearing and will require an auxiliary aid, service or other accommodation to participate in the proceedings should contact Lynda Rebarchak at the telephone number listed previously or through the Pennsylvania AT&T Relay Service at (800) 654-5984 (TDD) to discuss how the Department may accommodate their needs. The public may also submit written comments regarding the Department's proposed Interim Response action during the period of public comment. In accordance with section 506(c) of HSCA, the Department has established a period for public comment that is now open until close of business on Friday, June 18, 2010. Written comments should be addressed to David Ewald, Project Officer, Department of Environmental Protection, 2 East Main Street, Norristown, PA 19401.

Individuals with questions regarding this notice should contact David Ewald at 484.250.5725.

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:

Southwest Region: David E. Eberle, Environmental Cleanup Program Manager, 400 Waterfront Drive, Pittsburgh, PA 15222-4745.

LTV Southside Parcel D3, City of Pittsburgh, Allegheny County. Mr. Martin C. Knuth, Civil and Environmental Consultants, Inc. on behalf of the Urban Redevelopment Authority of Pittsburgh, 200 Ross Street, Pittsburgh, PA and AEO Realty Co., LLC has submitted a Final Report concerning remediation of site soils contaminated with metals, volatiles and semi-volatiles. The Report is intended to document remediation of the site to meet the nonresidential Site-Specific Standard. Notice of the Final Report submittal was published in the *Pittsburgh Post-Gazette* on October 15, 2009.

LTV Southside Portions of S. 26th, S. Water and Sidney Streets and Sarah Street Extension, City of Pittsburgh, Allegheny County. Mr. Martin C. Knuth, Civil and Environmental Consultants, Inc. on behalf of the Urban Redevelopment Authority of Pittsburgh, 200 Ross Street, Pittsburgh, PA has submitted a Final Report concerning remediation of site soils contaminated with metals, volatiles and semi-volatiles. The Report is intended to document remediation of the site to meet the Nonresidential Site-Specific Standard. Notice of the Final Report submittal was published in the *Pittsburgh Post-Gazette* on February 19, 2010.

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

Bethlehem Commerce Center—Lot 14, 1805 East 4th Street, Bethlehem City, Northampton County. Kenneth G. Robbins, HDR Engineering, Inc., 1720 Spillman Drive, Suite 280, Bethlehem, PA 18015-2165 has submitted a Cleanup Plan (on behalf of her client, Lehigh Valley

Industrial Park, Inc., 1720 Spillman Drive, Suite 150, Bethlehem, PA 18015-2164), concerning the remediation of soils found to have been impacted by inorganics, VOCs and SVOCs as a result of historical manufacturing operations at the site. The Report was submitted in partial fulfillment for demonstrating attainment of the Site-Specific Standard for soils. A public notice regarding the submission of the Cleanup Plan was published in *The Express Times* on November 11, 2009.

Ozark Motor Lines, Inc. Diesel fuel Spill, I-78 Eastbound—Mile Marker 46.7, Weisenberg Township, Lehigh County. Dennis Fisher, Taylor GeoServices, Inc., 38 Bishop Hollow Road, Newtown Square, PA 19073 has submitted a Final Report (on behalf of his clients, Department of Transportation, Engineering District 5-0, 1002 W. Hamilton Street, Allentown, PA 18101 and Frank A. and Anna H. Tercha, 1919 Heffner Road, Fogelsville, PA 18051), concerning the remediation of soil found to have been impacted by diesel fuel as a result of a vehicular accident involving two tractor trailers, which caused the rupturing of two tractor saddle tanks. The Report was submitted to document attainment of the Residential Statewide Health Standard. A public notice regarding the submission of the Final Report was published in *The Morning Call* on December 16, 2009.

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

Former Lancaster Brickyard Site, Manheim Township, Lancaster County. ARM Group, Inc., P. O. Box 797, Hershey, PA 17033-0797, on behalf of Lancaster County Solid Waste Management Authority, P. O. Box 4425, Lancaster, PA 17604 and Franklin and Marshall College, P. O. Box 3003, Lancaster, PA 17604-3003, has submitted a Final Report concerning remediation of site soils, non-media solids and groundwater impacted by petroleum products, solvents, plasticizers, synthetic lubricants and metals. The Report is intended to document remediation of the site to meet a combination of Statewide Health and Site-Specific Standards.

Gichner Shelter Systems, York Township, York County. Synergy Environmental, Inc., 155 Railroad Plaza, 1st Floor, Royersford, PA 19468, on behalf of Gichner Shelter Systems, Inc., 490 East Locust Street, Dallastown, PA 17313, has submitted a combined Remedial Investigation and Final Report concerning remediation of site soils and groundwater contaminated with sulfochromate etch solution released from a containment pit. The Report is intended to document remediation of the site to meet the Site-Specific Standard.

Gichner Shelter Systems, York Township, York County. Synergy Environmental, Inc., 155 Railroad Plaza, 1st Floor, Royersford, PA 19468, on behalf of Gichner Shelter Systems, Inc., 490 East Locust Street, Dallastown, PA 17313, has submitted a combined Remedial Investigation and Final Report concerning remediation of site soils, groundwater and surface water contaminated with heavy metals, solvents, BTEX, PHCs and PAHs. The Report is intended to document remediation of the site to meet a combination of the Site-Specific and Statewide Health Standards.

Ellis Residence, Tuscarora Township, Perry County. Trimpi Associates, Inc., 1635 Old Plains Road, Pennsylvania, PA 18073, on behalf of Mr. and Mrs. Thorpe Ellis, 7091 Raccoon Valley Road, Millerstown, PA 17062, submitted a Final Report concerning remediation of site soils, surface water and groundwater contaminated with No. 2 fuel oil. The Report is intended to document remediation of the site to meet the Residential Statewide Health Standard.

Utz Quality Foods, Hanover Borough, **York County**. GEI Consultants, Inc., 18000 Horizon Way, Mount Laurel, NJ 08054, on behalf of Utz Quality Foods, Inc., 900 High Street, Hanover, PA 17331, submitted a Remedial Investigation Report and Cleanup Plan concerning remediation of site soils and groundwater contaminated with gasoline from unregulated underground storage tanks. The site will be remediated to the Site-Specific Standard.

Former Giffuni Property/Turkey Hill Experience, Columbia Borough, **Lancaster County**. Herbert, Rowland, & Grubic, Inc., 1820 Linglestown Road, Harrisburg, PA 17110, on behalf of Columbia Borough, 308 Locust Street, Columbia, PA 17512, submitted a Remedial Investigation Report concerning remediation of site soils and groundwater contaminated with inorganics, PAHs and VOCs from historical industrial processes. The site will be remediated to the Site-Specific Standard.

Agway Lebanon Surplus Property, West Lebanon Township, **Lebanon County**. Groundwater Sciences Corporation, 2601 Market Place Street, Suite 310, Harrisburg, PA 17110, on behalf of CU16, LP, P. O. 333, Lebanon, PA 17042, submitted a Final Report concerning remediation of site soils and groundwater impacted by petroleum hydrocarbons, pesticides, herbicides and coal tar. The Report is intended to document remediation of the site to meet the Site-Specific Standard.

LAND RECYCLING AND ENVIRONMENTAL REMEDIATION

UNDER ACT 2, 1995

PREAMBLE 3

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

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

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

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

The Department has received the following plans and reports:

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

Bethlehem Commerce Center-Slag Bank 3, 530 East 3rd Street, Bethlehem City, **Northampton County**. Kenneth G. Robbins, HDR Engineering, 1720 Spillman Drive, Suite 280, Bethlehem, PA 18015-2165 submitted a Remedial Investigation Report (on behalf of his client, Lehigh Valley Industrial Park, Inc., 1720 Spillman Drive, Suite 150, Bethlehem, PA 18015-2164), concerning the remediation of soil found to have been impacted by VOCs, Semi-VOCs and Inorganic constituents as a result of historical operations at the former Bethlehem Steel Plant. The Report met the requirements of the Site-Specific Standard and was approved by Central Office on February 19, 2010.

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

Former Giffuni Property/Turkey Hill Experience, Columbia Borough, **Lancaster County**. Herbert, Rowland & Grubic, Inc., 1820 Linglestown Road, Harrisburg, PA 17110, on behalf of Columbia Borough, 308 Locust Street, Columbia, PA 17512, submitted a Remedial Investigation Report concerning remediation of site soils and groundwater contaminated with inorganics, PAHs and VOCs from historical industrial processes. The Remedial Investigation Report was approved by the Department of Environmental Protection on March 8, 2010.

DETERMINATION OF APPLICABILITY FOR RESIDUAL WASTE GENERAL PERMITS

Determination of Applicability for General Permit issued 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.

Northeast Region: Regional Solid Waste Manager, 2 Public Square, Wilkes-Barre, PA 18711-0790.

General Permit No. WMGR116NE001. UGI Development Company (UGI Hunlock Creek Plant), 390 US Route 11, P. O. Box 224, Hunlock Creek, PA 18621-0024. A General Permit Determination of Applicability (DOA)

application was issued under General Permit #WMGR116 for the beneficial use of the resulting ash generated by co-firing alternate fuels (petroleum coke) with waste coal/coal in circulating and bubbling fluidized bed boilers and pulverized coal-fired boilers, at the site located in Hunlock Creek Township, **Luzerne County**. The Determination of Applicability application was received in the Regional Office on October 26, 2009, and was issued on February 25, 2010.

Persons interested in reviewing the general permit may contact William Tomayko, Program Manager, Waste Management Program, Northeast Regional Office, 2 Public Square, Wilkes-Barre, PA 18711-0790, 570-826-2511. TDD users may contact the Department of Environmental Protection through the Pennsylvania AT&T Relay Service, (800) 654-5984.

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

General Permit Application No. WMGR039SC001. ICM of Pennsylvania, Inc., 638 Lancaster Avenue, Malvern, PA 19355.

The Southcentral Regional Office, Waste Management Program has received an application for a determination of applicability (DOA) under Residual Waste General Permit No. WMGR039 for the ICM of Pennsylvania, Inc., Cedar Hill Quarry located at 219 Quarry Road, Peach Bottom, Fulton Township, Lancaster County, PA 17563. This general permit is for the processing and beneficial use of post-consumer asphalt shingles (tear-offs) and pre-consumer asphalt shingles (that is, imperfections, tabs, trimming scraps, and the like, generated in the manufacturing of new asphalt shingles and damaged, unused shingles) as an ingredient in hot-mix and cold-mix paving asphalt material, a component of a sub-base material, as dust control on rural roads when applied with a binder, and as a component or ingredient in fuel used in cement or manufacturing or in the generation of electricity or steam. The processing is limited to transferring, screening, shredding, grinding, sorting, and magnetic removal of ferrous metal. The application for DOA was determined to be administratively complete by the Southcentral Regional Office on February 26, 2010.

Persons interested in obtaining more information about this determination of applicability may contact the Waste Management Program at 717-705-4706. TDD users may contact the Department of Environmental Protection through the Pennsylvania AT&T Relay Service, (800) 654-5984.

Southcentral Regional Office: Waste Management Program, 909 Elmerton Avenue, Harrisburg, PA 17110-8200.

General Permit Application: WMGM027SC001. **Royal Green, LLC**, 30 West Huller Lane, Temple, PA 19560.

The Southcentral Regional Office, Waste Management Program has issued WMGM027-SC001, a Determination of Applicability (DOA) under Residual Waste General Permit WMGM027 for Royal Green, LLC located in Ontelaunee Township, Berks County. This General Permit is for the processing by grinding, shredding, screening and blending of various organic wastes for beneficial use as an alternative fuel material. The DOA was issued by the Southcentral Regional Office on January 8, 2010.

Persons interested in reviewing the general permit may contact John Oren, Facilities Manager, Waste Management Program, 909 Elmerton Avenue, Harrisburg, PA 17110, (717) 705-4706. TDD users may contact the De-

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

OPERATE WASTE PROCESSING OR DISPOSAL AREA OR SITE

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

Northwest Region: Regional Solid Waste Manager, 230 Chestnut Street, Meadville, PA 16335-3481.

Permit No. 301353. Advanced Waste Services, Inc., 1001 Sampson Street, New Castle, PA 16101, New Castle, **Lawrence County**. This is a new residual waste processing permit for a facility that previously operated under permit-by-rule. The primary processing utilized by the facility is volume reduction by pressure filtration and wastewater treatment. Solids are sent off for proper landfill disposal and liquids, after treatment, are discharged to the New Castle Sanitation Authority. The permit was issued by the Northwest Regional Office on March 9, 2010.

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. Contact: Thomas J. Hanlon, Chief, East Permitting Section—Telephone: 717-705-4862 or Gary Helsel, Chief, West Permitting Section—Telephone: 814-949-7935.

GP1-67-03161: Maine Industrial Tire, LLC (207 Redco Avenue, Red Lion, PA 17356) on March 3, 2010, for a natural gas fired boiler in Red Lion Borough, **York County**.

GP4-67-03161: Maine Industrial Tire, LLC (207 Redco Avenue, Red Lion, PA 17356) on March 1, 2010 for a Burn-Off Oven under GP4 located in Red Lion Borough, **York County**.

Southwest Region: Air Quality Program, 400 Waterfront Drive, Pittsburgh, PA 15222-4745. Contact: Barb Hatch, Environmental Engineer Managers—Telephone: 412-442-4163/5226.

GP5-30-00188: Coal Gas Recovery, LLC (158 Portal Road, P. O. Box 1020, Waynesburg, PA 15370) on March 8, 2010, to install and operate a natural gas-fired compressor engine under GP-5 for coal bed methane extraction at their DFM-13/14 Site, in Wayne Township, **Greene County**.

GP5-30-00189: Coal Gas Recovery, LLC (158 Portal Road, P. O. Box 1020, Waynesburg, PA 15370) on March 8, 2010, to install and operate a natural gas-fired compressor engine under GP-5 for coal bed methane extraction at their DD-14/16 Site, in Wayne Township, **Greene County**.

GP5-30-00169B: Laurel Mountain Midstream, LLC (1550 Coraopolis Height Road, 2nd Floor, Moon Township, PA 15108) on March 2, 2010, for their Ceylon Compressor Station at Cumberland Township, **Greene County**. The

General Permit is being authorized for use at this existing facility due to change of ownership from the former operator Atlas Pipeline Pennsylvania, LLC.

GP5-26-00577A: Laurel Mountain Midstream, LLC (1550 Coraopolis Height Road, 2nd Floor, Moon Township, PA 15108) on March 2, 2010, for their Howser Compressor Station at Franklin Township, **Fayette County**. The General Permit is being authorized for use at this existing facility due to change of ownership from the former operator Atlas Pipeline Pennsylvania, LLC.

GP5-65-00979C: Laurel Mountain Midstream, LLC (1550 Coraopolis Height Road, 2nd Floor, Moon Township, PA 15108) on March 1, 2010, for their Hermine Compressor Station at Newton Borough, **Westmoreland County**. The General Permit is being authorized for use at this existing facility due to change of ownership from the former operator Atlas Pipeline Pennsylvania, LLC.

GP5-26-00578A: Laurel Mountain Midstream, LLC (1550 Coraopolis Height Road, 2nd Floor, Moon Township, PA 15108) on March 1, 2010, for their Pritts Compressor Station at Cumberland Township, **Greene County**. The General Permit is being authorized for use at this existing facility due to change of ownership from the former operator Atlas Pipeline Pennsylvania, LLC.

GP5-32-00399A: Laurel Mountain Midstream, LLC (1550 Coraopolis Height Road, 2nd Floor, Moon Township, PA 15108) on March 1, 2010, for their Clyde Compressor Station at West Wheatfield Township, **Indiana County**. The General Permit is being authorized for use at this existing facility due to change of ownership from the former operator Atlas Pipeline Pennsylvania, LLC.

GP5-30-00170B: Laurel Mountain Midstream, LLC (1550 Coraopolis Height Road, 2nd Floor, Moon Township, PA 15108) on February 26, 2010, for their Brown Compressor Station at Monongahela Township, **Greene County**. The General Permit is being authorized for use at this existing facility due to change of ownership from the former operator Atlas Pipeline Pennsylvania, LLC.

GP5-30-00175B: Laurel Mountain Midstream, LLC (1550 Coraopolis Height Road, 2nd Floor, Moon Township, PA 15108) on February 26, 2010, for their Davis Compressor Station at Jefferson Township, **Greene County**. The General Permit is being authorized for use at this existing facility due to change of ownership from the former operator Atlas Pipeline Pennsylvania, LLC.

GP5-26-00555B: Laurel Mountain Midstream, LLC (1550 Coraopolis Height Road, 2nd Floor, Moon Township, PA 15108) on February 26, 2010, for their Joseph Compressor Station at Dunbar Township, **Fayette County**. The General Permit is being authorized for use at this existing facility due to change of ownership from the former operator Atlas Pipeline Pennsylvania, LLC.

GP5-03-00247: Snyder Brothers Inc. (P. O. Box 1022, 90 Glade Drive, Kittanning, PA 16201) on March 3, 2010, to operate one natural gas compressor engine and one natural gas dehydrator at the Furnace Run Compressor Station on Tarrtown Road, East Franklin Township, **Armstrong County**.

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

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

54-302-080: Pine Grove Area School District—Pine Grove High School (101 School Street, Pine Grove, PA 17963) on March 9, 2010, to construct a new coal fired boiler at their facility in Pine Grove Borough, **Schuylkill County**.

Southcentral Region: Air Quality Program, 909 Elmerton Avenue, Harrisburg, PA 17110. Contact: Thomas J. Hanlon, Chief, East Permitting Section—Telephone: 717-705-4862 or Gary Helsel, Chief, West Permitting Section—Telephone: 814-949-7935.

36-03121D: Cadmus Journal Services, Inc. (3575 Hempland Road, Lancaster, PA 17601-6912) on March 1, 2010, for installation and start up of a thermal incinerator in West Hempfield Township, **Lancaster County**.

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

26-00413A: Texas Eastern Transmission, LP (P. O. Box 1642, Houston, TX 77251-1642) on March 1, 2010, to authorize VOC emission increases from the installation of an electric compressor and natural gas-fired space heater, and the uprate of an existing electric compressor at Uniontown Compressor Station in North Union Township, **Fayette County**. Allowable hours of operation for the existing natural gas-fired compressor engines have been reduced to 100 hours per year each, and emission limits have been established for each of the existing natural gas-fired turbines during startup, shutdown, and low temperature conditions.

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

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

23-0003I: ConocoPhillips Co. (4101 Post Road, Trainer, PA 19061) on March 2, 2010, to operate an existing boilers in Trainer Borough, **Delaware County**.

09-0186B: Kinder Morgan Bulk Terminals, Inc. (1 Sinter Road, Fairless Hills, PA 19030) on February 25, 2010, to operate a self-unloading vessels and fertilizer in Falls Township, **Bucks County**.

15-0060E: SECCRA Landfill (P. O. Box 221, Kennett Square, PA 19348) on March 3, 2010, to operate an internal combustion engine in London Grove Township, **Chester County**.

46-0031C: SmithKline Beecham, d/b/a GlaxoSmith Kline (709 Swedeland Road, King of Prussia, PA 19406) on March 3, 2010, to operate (2) two new scrubbers in Upper Providence Township, **Montgomery County**.

46-0032D: SPS Technologies, Inc. (301 Highland Avenue, Jenkintown, PA 19046) on March 3, 2010, to operate a new plating line in Abington Township, **Montgomery County**.

46-0241A: Gibraltar Rock, Inc. (355 Newbold Road, Fairless Hills, PA 19030) on March 3, 2010, to operate a stone crushing equipment in New Hanover Township, **Montgomery County**.

15-0060C: SECCRA Landfill (P. O. Box 221, Kennett Square, PA 19348) on March 3, 2010, to operate an internal combustion engine in London Grove Township, **Chester County**.

Southcentral Region: Air Quality Program, 909 Elmerton Avenue, Harrisburg, PA 17110. Contact: Thomas J. Hanlon, Chief, East Permitting Section—Telephone: 717-705-4862 or Gary Helsel, Chief, West Permitting Section—Telephone: 814-949-7935.

28-05035A: St. Thomas Development Incorporated (1750 Walton Road, P. O. Box 1667, Blue Bell, PA 19422) on March 1, 2010, for their mining of construction aggregates and production of asphaltic paving mixtures in St. Thomas Township, **Franklin County**. This Plan Approval was extended.

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

65-302-071: ArcelorMittal-Monessen, LLC (345 Donner Avenue, Monessen, PA 15062) on March 4, 2010, to allow for continued temporary operation of two (2) coke oven gas/natural gas boilers until September 25, 2010, at their Monessen Coke Plant in the City of Monessen, **Westmoreland County**. This plan approval has been extended.

26-00574A: Stone Materials, LLC, Rehoboth Quarry (P. O. Box 423, Reedsville, WV 26547) on March 4, 2010, to complete construction of their stone processing plant in Georges Township, **Fayette County**. The company has requested additional time to delays caused by issues with the facility's mining permit. The new expiration date for this plan approval is August 13, 2010. The plan approval has been extended.

65-302-071: ArcelorMittal-Monessen, LLC (345 Donner Avenue, Monessen, PA 15062) on March 4, 2010, to allow for continued temporary operation of two (2) coke oven gas/natural gas boilers at their Monessen Coke Plant in the City of Monessen, **Westmoreland County** with an expiration date of September 25, 2010. This plan approval has been extended.

Northwest Region: Air Quality Program, 230 Chestnut Street, Meadville, PA 16335-3481. Contact: Mark Gorog, New Source Review Chief—Telephone: 814-332-6940.

10-333B: Penn United Technologies, Inc. (799 North Pike Road, Cabot, PA 16023-2223) on February 28, 2010, for a change to existing solvent being used in the batch vapor solvent degreasing unit, from a halogenated hazardous air pollutant (HAP) to a non-HAP solvent at facility in Jefferson Township, **Butler County**.

25-025N: General Electric Transportation Systems—Erie Plant (2901 East Lake Road, Room 9-201, Erie, PA 16531) on February 28, 2010, for replacement of the existing VPI system (Source 178) and expansion of the source by adding another VPI tank and six (6) ovens in Lawrence Park Township, **Erie County**. This is a Title V facility.

61-004D: Electralloy (175 Main Street, Oil City, PA 16301) on March 31, 2010, to install a new fabric filter to replace the existing scrubber to control emissions from the electric arc furnace and AOD vessels at their facility in the Borough of Oil City, **Venango County**. This is a Title V facility.

62-017P: United Refining Co. (15 Bradley Street, Warren, PA 16365) on March 31, 2010, to modify Boiler

No. 4 to install flue gas recirculation in City of Warren, **Warren County**. This is a Title V facility.

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

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

V09-019: Cardone Industries (5501 Whitaker Avenue, Philadelphia, PA 19124) on March 8, 2010, to operate an automotive parts re-manufacturing facility in the City of Philadelphia, **Philadelphia County**. The Title V facility's air emissions' sources include thirteen (13) Spraybooths, eighty-three (83) combustion units, twelve (12) burn out ovens, nineteen (19) cold cleaning degreasers, fifteen (15) shot blasting units.

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.

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

20-00040: Advanced Cast Products, Inc. (18700 Mill Street, Meadville, PA 16335) on March 2, 2010, to re-issue their Title V Operating Permit to manufacture grey and ductile iron foundries casting products in Vernon Township, **Crawford County**. The facility's major emission sources include preheating and charge, melting and transfer, pouring-cooling-shakeout, new grinding and goff, grinding and cleaning, shell core making and core drying, sand handling, heat treating-austemper operation, painting operation, air-makeup units (3), miscellaneous natural gas usage and two degreaser units. The facility is a major facility due to its potential to emit of particulate matter less than 10 microns in diameter. Therefore, the facility is subject to the Title V Operating Permit requirements adopted in 25 Pa. Code Chapter 127, Subchapter G. The facility is also subject to the Compliance Assurance Monitoring Rule (CAM) found in 40 CFR Part 64.

33-00132: Matson Lumber Co.—Brookville Plant (132 Main Street, Brookville, PA 15825-1213) on February 28, 2010, to issue a renewal State-only Operating Permit for their sawmill in Brookville Borough, **Jefferson County**. The primary sources at the facility include a 20.6 mmBtu/hr wood fired boiler controlled by a multiclone, two natural gas boilers for backup to the wood fired boiler, miscellaneous woodworking and wood silo controlled by a cyclone, ten wood drying kilns, and a parts washer. The renewal permit contains emission restrictions, recordkeeping, work practice and additional requirements to ensure compliance with the Clean Air Act and the Air Pollution Control Act.

43-00152: Wheatland Tube—Mill Street Plant (P. O. Box 608, Wheatland, PA 16161) on February 25, 2010, to issue a modification of the Synthetic Minor State-only Operating Permit for their steel tube and pipe manufacturing facility at 134 Mill Street in Sharon City, **Mercer County**. This permit modification includes the Ferrocote Cold Draw Rust Inhibitor (Source 141). During the modification, the responsible official was changed, the mailing address was changed, and the number of cold cleaning degreasers was decreased to reflect 10 units for Source 105. The facility has an existing facility-wide VOC

limit of 49.9 TPY during any 12-month consecutive period. The permittee shall maintain monthly records of all VOC containing materials consumed at this facility. These records shall contain sufficient information to clearly demonstrate compliance with the VOC emission limit for this facility. The VOC content of the rust inhibitor is limited to 1.27 lb/gallon. The source contains restrictions on the amount of rust inhibitor used (4,000 gallons in any calendar month and 3,000 gallons as a 12-month rolling average). The permit also contains recordkeeping, reporting and work practice requirements to ensure compliance with the above limitations.

61-00193: NFG Henderson Compressor Station (P. O. Box 2081, Erie, PA 16512), on February 28, 2010, to issue a renewal State-only Operating Permit for the natural gas transmission station in Mineral Township, **Venango County**. The facility is a Natural Minor. The primary sources at the facility include two 1,350 hp compressor units, a 119 hp auxiliary generator, a natural gas fired triethylene glycol (TEG) dehydrator reboiler, a TEG dehydrator still, a 75 hp natural gas fired air compressor, and two parts washers. The VOC emissions from the TEG dehydrator still are controlled by a thermal oxidizer.

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.

Southcentral Region: Air Quality Program, 909 Elmerton Avenue, Harrisburg, PA 17110. Contact: Thomas J. Hanlon, Chief, East Permitting Section—Telephone: 717-705-4862 or Gary Helsel, Chief, West Permitting Section—Telephone: 814-949-7935.

06-05090: Chiyoda America, Inc. (P. O. Box 470, Morgantown, PA 19543-0470) on March 1, 2010, for operation of the Mixing Room/Color Labs/Quality Control Rooms at their Morgantown Plant in Caernarvon Township, **Berks County**. This State-only operating permit was administratively amended to incorporate Plan Approval No. 06-05090C and a previously approved minor modification regarding oxidizer venting options. This is Revision No. 1.

De Minimis Emissions Increases Authorized under 25 Pa. Code § 127.449.

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

42-00004: American Refining Group (77 North Kendall Avenue, Bradford, PA 16701) for their facility in Bradford City, **Erie County**. The *De minimis* emission increase is related to the modification of two existing low VOC product tanks and the addition of a new bio-diesel tank. In addition, this source is exempt from plan approval as it complies with 25 Pa. Code § 127.14(a)(8) No. 31.

The Department of Environmental Protection hereby approves the *De minimis* emission increase. The following table is a list of the *De minimis* emission increases as required by 25 Pa. Code § 127.449(i). This list includes the *De minimis* emission increases since the Title V Operating Permit issuance on September 1, 2006.

Date	Source	VOC (tons)
	Tanks Project	0.018
Total Reported Increases		0.018
Allowable		1 ton/source 5 tons/facility

ACTIONS ON COAL AND NONCOAL MINING ACTIVITY APPLICATIONS

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

Coal Permits Actions

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

26040105 and NPDES Permit No. PA0250635. Amerikohl Mining, Inc. (1384 SR 711, Stahlstown, PA 15687) Revision permit issued for stream variances and revised erosion and sedimentation control plan to an existing bituminous surface mine, located in Dunbar Township, **Fayette County**, affecting 382.7 acres. Receiving streams: unnamed tributaries to Laurel and Ferguson Runs. Application received: January 19, 2010. Permit issued: March 3, 2010.

03080106 and NPDES Permit No. PA0251542. Amerikohl Mining, Inc. (202 Sunset Drive, Butler, PA 16001) Permit issued for commencement, operation and reclamation of a bituminous surface mining site located in Redbank Township, **Armstrong County**, affecting 261.0 acres. Receiving streams: unnamed tributaries to Mahoning Creek; unnamed tributary to Pine Run to Mahoning Creek, to the Allegheny River, to the Ohio River. Application received: December 17, 2008. Permit issued: March 4, 2010.

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

17050109 and NPDES No. PA0256293. Forcey Coal, Inc. (P. O. Box 225, Madera, PA 16661) Revision of an existing bituminous surface mine to add 3.9 acres in Bloom Township, **Clearfield County** affecting 116.0 acres. Receiving streams: unnamed tributary to Little Anderson Creek and unnamed tributary to Bell Run, classified for Cold Water Fisheries. There are no potable water supply intakes within 10 miles downstream. Application received: September 23, 2009. Permit issued: February 19, 2010.

17030102 and NPDES No. PA0243426. River Hill Coal Co., Inc. (P. O. Box 141, Kylertown, PA 16847)

Renewal for the continued operation and restoration of a bituminous surface mine in Decatur Township, **Clearfield County** affecting 104.0 acres. Receiving streams: unnamed tributaries to Little Laurel Run classified for Cold Water Fishery and Little Laurel Run classified for Cold Water Fishery. There are no potable water supply intakes within 10 miles downstream. Application received: December 10, 2009. Permit issued: February 23, 2010.

18793005 and NPDES No. PA0596129. Confer Coal Co. (P. O. Box 471, Milesburg, PA 16853) Permit renewal for the continued operation and restoration of a bituminous surface mine located in Beech Creek Township, **Clinton County** affecting 329.0 acres. Receiving stream: South Fork of Tangascootack Creek classified for Cold Water Fishery. There are no potable water supply intakes within 10 miles downstream. Application received: August 12, 2009. Permit issued: February 19, 2010.

17040111 and NPDES No. PA0243892. Swisher Contracting, Inc. (P. O. Box 1223, Clearfield, PA) Permit renewal of an existing bituminous surface mine operation located in Lawrence Township, **Clearfield County** affecting 41.8 acres. Receiving streams: unnamed tributary to Moose Creek-Cold Water Fishery, Moose Creek to the West Branch of the Susquehanna River classified for Cold Water Fishery. There are no potable supply intakes within 10 miles downstream. The permit has a revised baseline pollution load for pre-existing (Subchapter F) discharges 3, 4, 11 and 16. Application received: November 13, 2009. Permit issued: February 26, 2010.

17030120 and NPDES No. PA0243663. RES Coal, LLC (224 Grange Hall Road, P. O. Box 228, Armagh, PA 15920) Permit renewal of a bituminous surface mine located in Beccaria and Bigler Townships, **Clearfield County** affecting 96.3 acres. Receiving streams: unnamed tributary to Banian Run classified for Cold Water Fishery. There are no potable water supply intakes within 10 miles downstream. Application received: January 11, 2010. Permit issued: March 4, 2010.

17990121 and NPDES No. PA0242764. Lee Coal Contracting, Inc. (1395 German Road, P. O. Box 147, Drifting, PA 16834-1047). Permit renewal for reclamation only of an existing surface mine located in Cooper Township, **Clearfield County** affecting 23.9 acres. Receiving streams: Sulphur Run to Moshannon Creek to the West Branch of the Susquehanna River classified for Cold Water Fisheries. There are no potable water supply intakes within 10 miles downstream. Application received: January 25, 2010. Permit issued: March 3, 2010.

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

49870201R4. Susquehanna Coal Company, (P. O. Box 27, Nanticoke, PA 18634), renewal of an existing anthracite coal refuse reprocessing operation in Mt. Carmel Township, **Northumberland County** affecting 206.0 acres, receiving stream: none. Application received: July 29, 2009. Renewal issued: March 5, 2010.

Noncoal Permits Actions

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

3372SM25A and NPDES Permit No. PA0591963, Hanson Aggregates BMC, Inc. (2200 Springfield Pike, Connellsville, PA 15425) NPDES renewal issued for continued operation and reclamation of a large noncoal surface mining site (limestone/sandstone quarry) located

in Bullsken Township, **Fayette County**, affecting 451.8 acres. Receiving streams: unnamed tributaries to Polecat Hollow and Breakneck Runs. Application received: December 23, 2009. Renewal issued: March 3, 2010.

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

4880501C6 and NPDES Permit No. PA0121681. Sreebs Slate & Stone Co., Inc., (6596 Sullivan Trail, Wind Gap, PA 18091), renewal of NPDES Permit for discharge of treated mine drainage from a quarry operation in Plainfield Township, **Northampton County**, receiving stream: Little Bushkill Creek. Application received: January 11, 2010. Renewal issued: March 5, 2010.

ACTIONS ON BLASTING ACTIVITY APPLICATIONS

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

Blasting Permits Actions

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

63094003. Alex E. Paris Contracting Company (1595 Smith Township State Road, Atlasburg, PA 15004) Blasting activity permit for the construction of the Archer Road Project, located in Morris Township, **Washington County**. The duration of this project is 5 years. Permit issued: March 5, 2010.

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

24104008. Appalachian Geophysical Services, LLC (2659 SR 66, P. O. Box 426, Killbuck, OH 44637) Blasting activity permit for seismic exploration in Highland and Wetmore Townships, **Elk and McKean Counties**. This blasting activity permit will expire on August 14, 2010. Permit Issued: February 24, 2010.

27104001. Pennsylvania General Energy Co., LLC (120 Market Street, Warren, PA 16365) Blasting activity permit for a borrow pit for oil and gas well development in Jenks Township, **Forest County**. This blasting activity permit will expire on July 1, 2010. Permit Issued: March 2, 2010.

24104002. Dynamic Drilling, LLC (10373 Taylor Hawks Road, Herron, MI 46744) Blasting activity permit for seismic exploration in the City of Saint Marys, **Elk County**. This blasting activity permit will expire on May 30, 2010. Permit Issued: March 2, 2010.

42104003. Conquest Seismic Services, Inc. (504 1st Center, Horseheads, NY 14845) Blasting activity permit for seismic exploration in Hamlin, Sergeant, Jones and Wetmore Townships, **McKean and Elk Counties**. This blasting activity permit will expire on March 31, 2010. Permit Issued: March 2, 2010.

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

08104104. Meshoppen Blasting, Inc. (Frantz Road, P. O. Box 127, Meshoppen, PA 18630). Blasting for Plymouth well and drive site located in Terry Township, **Bradford County**. Permit issued: February 23, 2010. Permit expires: March 31, 2010.

55104001. Douglas Explosives, Inc. (P. O. Box 77, Philipsburg, PA 16866), construction blasting for Oakwood Grove Phase 1 sewer and utilities located in Monroe Township, **Snyder County**. Permit issued: February 23, 2010. Permit expires: December 30, 2010.

55104101. Warrens Excavating & Drilling, Inc. (P. O. Box 214, Myerstown, PA 17067-0214). Construction blasting for the Oakwood Development located in Monroe Township, **Snyder County**. Permit issued: February 23, 2010. Permit expires: February 17, 2011.

12104002. Dynamic Drilling, LLC (10373 Taylor Hawks Road, Herron, MI 46744). Seismic survey blasting located in Shippen Township, **Cameron County**. Permit issued February 24, 2010. Permit expires July 30, 2010.

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

36104106. Keystone Blasting Service (381 Reifsnnyder Road, Lititz, PA 17543), construction blasting for Melvin Fisher Barn in Paradise Township, **Lancaster County** with an expiration date of April 30, 2010. Permit issued: March 2, 2010.

38104103. Abel Construction Co., Inc. (P. O. Box 476, Mountville, PA 17554), construction blasting for Arbor Greene in Palmyra Borough, North and South Annville Townships, **Lebanon County** with an expiration date of February 28, 2011. Permit issued: March 2, 2010.

67104105. Warren's Excavating & Drilling, Inc. (P. O. Box 214, Myerstown, PA 17067), construction blasting for Logan Meadows Subdivision in Carroll Township, **York County** with an expiration date of February 24, 2011. Permit issued: March 2, 2010.

23014101. American Infrastructure, Inc. (P. O. Box 98, Worcester, PA 19490), construction blasting for Lianerch Quarry Stream Restoration in Haverford Township, **Delaware County** with an expiration date of December 1, 2010. Permit issued: March 4, 2010.

58104007. M & S Blasting LLC (943 Gontarski Road, Hallstead, PA 18822), construction blasting for the D. Simpson 1H—2H Gas Pad in Dimock Township, **Susquehanna County** with an expiration date of February 1, 2011. Permit issued: March 5, 2010.

15104103. Brubacher Excavating, Inc. (P. O. Box 528, Bowmansville, PA 17507), construction blasting for Applecross Golf Course in East Brandywine Township, **Chester County** with an expiration date of February 28, 2011. Permit issued: March 5, 2010.

36104107. Geological Technologies, Inc. (P. O. Box 70, Falling Waters, WV 25419), construction blasting for Our Lady of Lourdes Catholic Church in Earl Township, **Lancaster County** with an expiration date of April 30, 2010. Permit issued: March 5, 2010.

FEDERAL WATER POLLUTION CONTROL ACT SECTION 401

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

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

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

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

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

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

Permits, Environmental Assessments and 401 Water Quality Certifications Issued:

WATER OBSTRUCTIONS AND ENCROACHMENTS

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

E36-846: Victoria and Gregory Wilson, 861 Balltown Road, Lititz, PA 17543, Strasburg Township, **Lancaster County**, ACOE Baltimore District.

To construct and maintain an open bottom concrete arch culvert having a length of 24.0 feet, a width of 16.0 feet and a rise of 6.2 feet in an unnamed tributary to Little Beaver Creek (TSF) (Quarryville, PA Quadrangle

N: 15.20"; W: 4.60", Latitude: 39° 57' 31"; Longitude: 76° 09' 54") for the purpose of a driveway crossing for 169 Sides Mill Road, Strasburg Township, Lancaster County.

E67-832: Gwen Loose, York County Rail Trail Authority, P. O. Box 335, Seven Valleys, PA 17360, York County Rails to Trails Authority/Northern Extension, Manchester and Springettsbury Townships, York County, ACOE Baltimore District.

To: (1) construct and maintain a 23-foot long, 6-inch uniformly depressed, 47-inch high by 71-inch wide corrugated metal pipe arch culvert in an unnamed tributary to Codorus Creek (WWF) (Latitude: 40° 00' 10"; Longitude: 76° 42' 35"); (2) construct and maintain a 40-foot long, 6-inch uniformly depressed, 24-inch high by 35-inch wide corrugated metal pipe arch culvert in an unnamed tributary to Codorus Creek (WWF) (Latitude: 40° 00' 28"; Longitude: 76° 42' 30"); (3) construct and maintain a 10.2-foot wide, 258.5-foot long, three span pedestrian bridge, having normal spans of 73.1 feet, 91.6 feet, and 73.5 feet and minimum under-clearances of 1.6 feet, 14.6 feet and 1.3 feet, respectively, across Codorus Creek (WWF) and to place and maintain approximately 50 cubic yards of fill in the floodway of Codorus Creek (WWF) (Latitude: 40° 00' 39"; Longitude: 76° 42' 38"); and (4) place and maintain approximately 939 cubic yards of fill in the floodway of Codorus Creek (WWF): (640 yd³ from Sta: 38+26 to Sta: 56+31, 103 yd³ from Sta: 106+45 to Sta: 109+94, and 196 yd³ from Sta: 121+09 to Sta: 134+06). The project also includes the construction and maintenance of a 6-inch outfall structure, nine 8-inch outfall structures, and twenty 10-inch stormwater outfall structures, including endwalls and R-4 rip-rap aprons, discharging to the Codorus Creek (WWF). The project parallels the Codorus Creek from US Route 30 (York, PA Quadrangle N: 21.45 inches; W: 13.75 inches, Latitude:

39° 59' 36"; Longitude: 76° 43' 25") to Mundis Mill Road (York Haven, PA Quadrangle N: 1.96 inches; W: 12.00 inches, Latitude: 40° 00' 39"; Longitude: 76° 42' 38") in Manchester and Springettsbury Townships, York County. The project purpose is to convert an abandoned train rail bed into a trail for recreational use.

E36-866: West Earl Township, Patrick Barrett, Township Manager, 157 West Metzler Road, Brownstown, PA 17508, West Earl Township, Lancaster County, ACOE Baltimore District.

To construct and maintain a 28-foot long by 16-foot wide restroom facility building, a 20-foot long by 5-foot wide concrete stairway/access and associated grading in the floodplain of the Conestoga River (WWF) for the purpose of improving the West Earl Township Park's facilities at a point just northeast of the intersection of Louise Avenue and Route 772 (Leola, PA Quadrangle 21.75-inches North; 5.13-inches West, Latitude: 40° 7' 8.00" N; Longitude: 76° 12' 44.71" W) in West Earl Township, Lancaster County.

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

E59-489. Ultra Resources, Inc., 304 Inverness Way South, Suite 295, Englewood, CO 80112-5828. Water Obstruction and Encroachment Joint Permit, Marshlands Play Pipelines, in Elk and Gaines Township, Tioga County, ACOE Baltimore District (Galeton, PA Quadrangle N: 41° 43' 8.7"; W: 77° 37' 12.8").

To construct, operate and maintain a natural gas and water pipeline within the Elk Run Watershed (EV—Exceptional Value). Construction of the pipelines will require nine (9) stream and eight (8) wetland crossings at the following locations:

<i>Stream Name</i>	<i>Chapter 93 Designation</i>	<i>Latitude</i>	<i>Longitude</i>
~ Wetlands & Streams ~			
Dewey Hollow	EV	41-41-27	77-32-28
Elk Run	EV	41-41-07	77-32-48
Maynard Hollow	EV	41-40-42	77-35-16
Elk Run	EV	41-42-05	77-33-43
Gormanian Branch	EV	41-41-24	77-35-23
McCracken Hollow	EV	41-42-14	77-33-21
Lewis Run	EV	41-41-51	77-32-52
Lewis Run (South)	EV	41-42-02	77-32-30
Lewis Run (North)	EV	41-42-17	77-32-24

All pipeline crossings shall be placed beneath streambeds and wetlands so there will be a minimum of 3 feet of cover between the top of the pipe and the lowest point in the streambed or wetland. Trench plugs or clay dikes shall be used at every waterway and wetland crossing to ensure the existing hydrology is not altered. As proposed, the project will not impact any wetlands or streams. All crossings are to be bored. The project is centered along SR 3001 approximately 2.7 miles south of the intersection with SR 0006 outside the Village of Marshlands, Tioga County.

E60-204. Department of Transportation, Engineering District 3-0, P. O. Box 218 Montoursville, PA 17754-

0218. SR 0015, Section 110 Roadway Widening Project, Union Township, **Union County**, ACOE Baltimore District (Northumberland, PA Quadrangle N: 40° 54' 08"; W: 76° 50' 54").

Department of Transportation, Engineering District 3-0 proposes to upgrade the existing four lane roadway to a five lane roadway with a center turning lane. The roadway upgrades will include the replacement of the adjacent storm sewer system. The project will permanently impact 0.04 acre of wetland and relocate the associated drainage system. The existing drainage system is 513 ft. and the proposed is 507 ft. This project will not require mitigation. The project is located in Union Town-

ship, Union County. This permit also includes 401 Water Quality Certification.

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

E02-1444-A1. Chris Castagnari, 2125 Babcock Boulevard, Pittsburgh, PA 15209. To amend Permit E02-1444 in Ross Township, **Allegheny County**, Pittsburgh ACOE District (Glenshaw, PA Quadrangle N: 2.4 inches; W: 17.3 inches, Latitude: 40° 30' 48"; Longitude: 79° 59' 58"). To amend permit E02-1444 which authorized the construction and maintenance of a 15,000 sq. ft. building on the left bank floodway of Girty's Run (WWF) and the construction and maintenance of a stormwater outfall to the same stream. The project is located on the south side of Babcock Boulevard approximately 0.5 mile east of its intersection with McKnight Road. For this permit application, the applicant proposes to amend this permit to operate and maintain an approximately 104' long retaining wall along the left bank of Girty's Run and to construct and maintain an approximately 20' long extension on the upstream end of the wall. The wall is located on the west of the U.S.A. Baby store and extends upstream.

E03-450. Department of Transportation, District 10-0, Route 286 South, P. O. Box 429, Indiana, PA 15701. To construct and maintain replacement bridge in Freeport Borough and South Buffalo Township in **Armstrong County** and Buffalo Township in **Butler County**, Pittsburgh ACOE District. To:

1. remove the existing SR128/356, 33 ft wide, west bound, 4 span bridge having a total length of 365 ft, and having an underclearance of 34 ft; over Buffalo Creek (TSF) with a drainage area of 170.2 square miles. This bridge is on the western edge Freeport Borough (Freeport, PA Quadrangle N: 9.3 inches; W: 9.1 inches, Latitude: 40° 40' 34"; Longitude: 79° 41' 26").

2. remove the existing SR 128/356, 44 ft wide, east bound, 5 span bridge having a total length of 334 ft, and having an underclearance of 42 ft over Buffalo Creek (TSF) with a drainage area of 170.3 square miles. This Bridge is located downstream of the item 1 bridge on the western edge of Freeport Borough (Freeport, PA Quadrangle N: 8.9 inches; W: 9.2 inches, Latitude: 40° 40' 25"; Longitude: 79° 41' 31").

3. construct and maintain a replacement SR 128/356, 60.5 ft wide, 3 span bridge having a total length of 338 ft, and having an underclearance of 42 ft over Buffalo Creek (TSF) with a drainage area of 170.2 square miles. This bridge will be located between the two removed bridges Borough (Freeport, PA Quadrangle N: 9.1 inches; W: 9.2 inches, Latitude: 40° 40' 30"; Longitude: 79° 41' 29").

4. construct and maintain a replacement of 150 ft of 78 inch RCP enclosure, 170 ft of concrete channel and 60 ft of natural stream channel in an unnamed tributary of Buffalo Creek with a drainage area of 200 acres extending from Buffalo Township, Butler County to the adjoining Freeport Borough, Armstrong County (Freeport, PA Quadrangle N: 8.7 inches; W: 9.4 inches, Latitude: 40° 40' 22"; Longitude: 79° 41' 34").

5. construct and maintain approximately 505 ft of stream impacts (total relocations and smaller diameter culverts) in unnamed tributaries to Buffalo Creek with

drainage areas less than 100 acres, temporary causeways for pier work, and associated stormwater outfalls.

In addition a total of 0.18 acre of PEM wetland will be filled and maintained, and wetland mitigation will be provided at the Department of Environmental Protection's Armstrong County Wetland Bank. Temporary wetland impacts to 0.01 as of PEM wetlands will result due to required temporary construction easements. To mitigate for the 105 linear feet of stream loss resulting from proposed construction activities, 110 linear feet of stream bank restoration is planned for Little Sewickley Creek in Arona Borough, Westmoreland County This project is associated with SR 128/356 reconstruction and improvement work with these encroachments located in Buffalo Township in Butler County, and Freeport Borough in Armstrong County (Freeport, PA Quadrangle beginning from North 8.7 inches; West 9.4 inches, Latitude: 40° 40' 22"; Longitude: 79° 41' 34"; and ending North 9.3 inches; West 9.1 inches, Latitude: 40° 40' 34"; Longitude: 79° 41' 26").

E02-1626. Chris Castagnari, 308 Thompson Run Road, Pittsburgh, PA 15237. To operate and maintain retaining wall in Ross Township, **Allegheny County**, Pittsburgh ACOE District (Glenshaw, PA Quadrangle N: 1.7 inches; W: 16.2 inches, Latitude: 40° 30' 34"; Longitude: 79° 59' 30"). To operate and maintain a retaining wall approximately 150 feet long along the left bank of Girty's Run (WWF). The wall was built after Hurricane Ivan to stabilize the bank. The project is located along the southwest side of Babcock Boulevard at its intersection with Rosecliff Drive.

EROSION AND SEDIMENT CONTROL

The following Erosion and Sediment Control Permits have been issued.

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

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

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

ESCGP-1 # ESX10-015-0036
 Applicant Name Chesapeake Appalachia, LLC
 Contact Person Eric Haskins
 Address 100 1st Center
 City, State, Zip Horseheads, NY 14845
 County Bradford
 Township(s) Orwell Township
 Receiving Stream(s) and Classification(s) UNT to Jerome Creek/Bonin Lake
 Secondary—Jerome Creek

ESCGP-1 # ESX10-015-0039
 Applicant Name Chesapeake Appalachia, LLC
 Contact Person Eric Haskins
 Address 100 1st Center
 City, State, Zip Horseheads, NY 14845
 County Bradford
 Township(s) Overton Township
 Receiving Stream(s) and Classification(s) Millstone Creek
 Secondary—UNT to Lick Creek

ESCGP-1 # ESX10-131-0001
 Applicant Name Chesapeake Appalachia, LLC
 Contact Person Eric Haskins
 Address 100 1st Center
 City, State, Zip Horseheads, NY 14845
 County Wyoming
 Township(s) Windham Township
 Receiving Stream(s) and Classification(s) UNT of Susquehanna River
 Secondary—Susquehanna River

ESCGP-1 # ESX10-117-0034
 Applicant Name East Resources, Inc.
 Contact Person Jefferson Long
 Address 301 Brush Creek Road
 City, State, Zip Warrendale, PA 15086
 County Tioga
 Township(s) Union Township
 Receiving Stream(s) and Classification(s) UNT (non-designated)/West Branch Susquehanna River Basin
 West Mill Creek (non-designated)

ESCGP-1 # ESX10-117-0033
 Applicant Name East Resources, Inc.
 Contact Person Jefferson Long
 Address 301 Brush Creek Road
 City, State, Zip Warrendale, PA 15086
 County Tioga
 Township(s) Union Township
 Receiving Stream(s) and Classification(s) West Mill Creek (non-designated) West Branch Susquehanna River Basin
 Secondary—Lycoming Creek

ESCGP-1 # ESX10-015-0046
 Applicant Name Chesapeake Appalachia, LLC
 Contact Person Eric Haskins
 Address 100 1st Center
 City, State, Zip Horseheads, NY 14845
 County Bradford
 Township(s) Monroe Township
 Receiving Stream(s) and Classification(s) UNT to Towanda Creek
 Secondary—South Branch Towanda Creek

ESCGP-1 # ESX10-015-0043
 Applicant Name East Resources, Inc.
 Contact Person Jefferson Long
 Address 301 Brush Creek Road
 City, State, Zip Warrendale, PA 15086
 County Bradford
 Township(s) Canton Township
 Receiving Stream(s) and Classification(s) UNT/Susquehanna River Basin
 Secondary—Towanda Creek

ESCGP-1 # ESX10-015-0040
 Applicant Name Fortuna Energy, Inc.
 Contact Person Eric Potter
 Address 337 Daniel Zenker Drive
 City, State, Zip Horseheads, NY 14845
 County Bradford
 Township(s) Herrick Township
 Receiving Stream(s) and Classification(s) UNTs to Cold Creek

ESCGP-1 # ESX10-015-0024
 Applicant Name Appalachia Midstream Services, LLC
 Contact Person Patrick Myers
 Address 100 1st Center
 City, State, Zip Horseheads, NY 14845
 County Bradford
 Township(s) Terry Township
 Receiving Stream(s) and Classification(s) Durrell Creek and Sugar Run Creek

ESCGP-1 # ESX10-081-0006
 Applicant Name Range Resources-Appalachia, LLC
 Contact Person Carla Suszkowski
 Address 380 Southpointe Boulevard, Suite 300
 City, State, Zip Canonsburg, PA 15317
 County Lycoming
 Township(s) Cummings
 Receiving Stream(s) and Classification(s) Tarklin Run, Tributary of Tombs Run, UNT to Ramsey Run

ESCGP-1 # ESX10-117-0033
 Applicant Name East Resources, Inc.
 Contact Person Jefferson Long
 Address 301 Brush Creek Road
 City, State, Zip Warrendale, PA 15086
 County Tioga
 Township(s) Delmar Township
 Receiving Stream(s) and Classification(s) Horse Thief Run, Marsh Creek

ESCGP-1 # ESX10-015-0042
 Applicant Name EOG Resources Inc.
 Contact Person
 Address 400 Southpoint Boulevard, Suite 300
 City, State, Zip Canonsburg, PA 15317
 County Bradford
 Township(s) Springfield Township
 Receiving Stream(s) and Classification(s) UNT Mill Creek, UNT West Branch Tomjack Creek
 Secondary—Mill Creek, West Branch Tomjack Creek

ESCGP-1 # ESX10-117-0039
 Applicant Name East Resources, Inc.
 Contact Person Jefferson Long
 Address 301 Brush Creek Road
 City, State, Zip Warrendale, PA 15086
 County Tioga
 Township(s) Richmond Township
 Receiving Stream(s) and Classification(s) North Elk Run

ESCGP-1 # ESX10-117-0033
 Applicant Name East Resources, Inc.
 Contact Person Jefferson Long
 Address 301 Brush Creek Road
 City, State, Zip Warrendale, PA 15086
 County Tioga
 Township(s) Union
 Receiving Stream(s) and Classification(s) East Breek
 Sugar Works Run; UNT to Towanda Creek

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

Fayette County Conservation District: 10 Nickman Plaza, Lemont Furnace, PA 15456. (724-438-4497).

<i>ESCGP-1 No.</i>	<i>Applicant Name & Address</i>	<i>County</i>	<i>Municipality</i>	<i>Receiving Water/Use</i>
26-10-08-01	Ronald Heuer Spectra Energy Transmission, LLC 5400 Westheimer County 5D-65 Houston, TX 77056	Fayette	North Union Township	Unnamed tributary to Cove Run WWF

Greene County Conservation District: 93 East High Street, Room 215, Waynesburg, PA 15370. (724-852-5278).

<i>ESCGP-1 No.</i>	<i>Applicant Name & Address</i>	<i>County</i>	<i>Municipality</i>	<i>Receiving Water/Use</i>
OG3009 033(1)	Texas Eastern Transmission, LP Attn: William Brett 890 Winter Street Suite 300 Waltham, MA 02451	Greene	Center, Franklin, Richhill, Cumberland, Jefferson and Morgan Townships	Whitethorn Run TSF Unnamed tributaries to Jacobs Run HQ-WWF Naranda Run HQ-WWRF Grays Fork HQ-WWF Morris Run HQ-WWF Scott Run HQ-WWF West Run HW-WWF Lightner Run HQ-WWF Rush Run HQ-WWF Clear Run HQ-WWF Throckmorton Run HQ-WWF Browns Creek HQ-WWF South Fork Ten Mile Creek WWF Muddy Creek WWF Pumpkin Run WWF Unnamed Ponds WWF Coal Run WWF North Fork Dunkard Fork TSF

STORAGE TANKS

SITE-SPECTIFIC 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>
10-65-010	Sunoco Partners Marketing & Terminals, LP 525 Fritztown Road Sinking Spring, PA 19608 Attn: Mr. Jed A. Werner	Westmoreland	Salem Township	2 ASTs storing biodiesel	67,680 gallons total

SPECIAL NOTICES

OSM PA(MAP-10). Contract Information: Notice is given that the Department of Environmental Protection is issuing a Request for Proposal (RFP) to retain up to two (2) firms to provide aerial photography, surveying, mapping, map reproduction and other technical services as required, for the development of plans for reclamation of abandoned mine lands, control and extinguishment of subsurface mine fires, abatement of acid mine drainage (AMD) water pollution, water line extension/water line replacement and flood protection projects.

The majority of these projects will be financed with funds Pennsylvania receives from the Federal Government under authority of the Surface Mining Control and Reclamation Act. The projects will be primarily located in the bituminous coalfields of western and the anthracite coalfields of northeastern Pennsylvania. RFPs may be requested by mail, fax or e-mail. Letters shall be sent to George M. Steiner, Project Coordinator, Department of Environmental Protection, Bureau of Abandoned Mine Reclamation, Division of Acid Mine Drainage Abatement, P. O. Box 8476, Harrisburg, PA 17105-8476. Faxed requests will be accepted at 717-783-0470. E-mail requests (entire subject line "OSM PA(MAP-10) RFP request") should be submitted to gsteiner@state.pa.us. Proposals in response to the RFP must be received by 2 p.m., April 20, 2010. Electronic versions of the RFP are available upon request.

Department / Agency: Environmental Protection
Location: Primarily the Bituminous and Anthracite Coal Regions
County: Statewide
Duration: One (1) Year with up to Four (4) Additional Consecutive (renewal) Years from the Effective Date of the contract.
Contact: George Steiner
 Phone: 717-783-5645

[Pa.B. Doc. No. 10-507. Filed for public inspection March 19, 2010, 9:00 a.m.]

Bid Opportunity

AMD 17(1416)202.1, DGS 193-37, Acid Mine Drainage Abatement Project, Hollywood, Huston Township, Clearfield County and Jay Township, Elk County, PA. This project was previously bid as contract No. AMD 17(1416)102.1. All bids were rejected and this is a rebid. The principal items of work and approximate quantities include site preparation and restoration; 19,836 L.F. of installation of AMD conveyance; 20 each of wet mine seals; 5,125 L.F. of installation of sludge conveyance; general earthwork; two each of mine dewatering pumps; 250 L.F. of vertical drilling and appurtenances; 1,024 L.F. of horizontal drilling and appurtenances; three each of pump station complete; treatment plant facilities; facilities lighting, electrical, power; facilities control and processing; facilities training, startup and operation and facilities warranty period. This project issues on March 19, 2010, and bids will be opened on April 13, 2010, at 2 p.m. Bid documents cost \$50 per set and will not be mailed until payment has been received. Planholders from the original project will not be charged the \$50 fee. 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. 10-508. Filed for public inspection March 19, 2010, 9:00 a.m.]

Bid Opportunity

C40:3-102.1, Plymouth Flood Protection Project Fence Replacement, Borough of Plymouth, Luzerne County. The principal items of work include 444 each of removal and disposal of existing fence posts; 444 each of grout fence post core holes; 138 cubic feet of concrete wall repair; 154 linear feet of removal and disposal of existing fence; 2,918 linear feet of removal and reinstalling fence fabric; 927 linear feet of new fence installation; new plastic coated ladder rungs; removing existing SS ladder rungs; 4,851 square feet of seal concrete wall tops and 45 each of grounding rods. This project issues on March 19, 2010, and bids will be opened on April 15, 2010, at 2 p.m. Bid documents cost \$10 per set and will not be mailed

until payment has been received. 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. 10-509. Filed for public inspection March 19, 2010, 9:00 a.m.]

Bid Opportunity

C40:15-102.1, Concrete Rehabilitation and Fence Replacement, Harveys Lake/Wordan Place Flood Protection Project, Harveys Lake Borough, Luzerne County. The principal items of work include 26 cubic yards of excavation; 7.25 cubic yards of removal of concrete and masonry structures; 66 cubic feet of removal of surface concrete; 40 cubic feet of removal of through wall concrete; 6 cubic yard of concrete wall; 1.25 cubic yard of concrete bridge; 460 pounds of steel reinforcement; eight each of drilling and grouting dowels; 787 cubic yards of shotcrete; 232 each of removal and disposal of existing fence posts; 66 cubic feet of concrete repair—spall repair; 40 cubic feet of concrete repair—through wall; 232 each of remaining void repair; 2,150 linear feet of existing chain link fence removal and disposal and new chain link fence; access gate; double swing gate; ladder rung; 190 square yards of waterproofing; grounding rod; 404 linear feet of guide rail; topsoiling and seeding. This project issues on March 19, 2010, and bids will be opened on April 15, 2010, at 2 p.m. Bid documents cost \$10 per set and will not be mailed until payment has been received. 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. 10-510. Filed for public inspection March 19, 2010, 9:00 a.m.]

Chesapeake Bay Watershed Implementation Plans Meeting

The Department of Environmental Protection (Department) provides notice of an upcoming meeting related to initial discussions concerning the development of Chesapeake Bay Watershed Implementation Plans (WIPs). The United States Environmental Protection Agency (EPA) is developing a Total Maximum Daily Load (TMDL) for the Chesapeake Bay. As part of this process, the EPA is requiring Chesapeake Bay states to develop WIPs to demonstrate how they will meet the goals of the TMDL.

The meeting is scheduled to be held on March 31, 2010, starting at 10 a.m. in the Susquehanna Room, Southcentral Regional Office, 909 Elmerton Avenue, Harrisburg, PA 17110.

For further information, contact Karen Price, Water Planning Office, P. O. Box 2063, Harrisburg, PA 17105-2063, (717) 772-4785, kprice@state.pa.us or visit the

Department's web site at www.depweb.state.pa.us (DEP Keywords: "Chesapeake Bay").

JOHN HANGER,
Secretary

[Pa.B. Doc. No. 10-511. Filed for public inspection March 19, 2010, 9:00 a.m.]

Clean Air Interstate Rule (CAIR); Proposed 2014 Annual and Ozone Season CAIR Nitrogen Oxides (NOx) Allowance Allocations

In accordance with 25 Pa. Code §§ 145.211(d) and 145.221(d) (relating to timing requirements for CAIR NOx allowance allocations; and timing requirements for CAIR NOx ozone season allowance allocations), the Department of Environmental Protection (Department) is providing notice and an opportunity to comment on the proposed 2014 annual and ozone season CAIR NOx allowance allocations during the required 15-day public comment period. The Commonwealth's NOx budget for the annual CAIR program contains 99,049 NOx allowances; 97,761 NOx allowances are proposed for allocation. The remaining 1,288 (1.3% of the annual CAIR program budget) NOx allowances are set-aside for future allocation in accordance with 25 Pa. Code §§ 145.212(f)(2) (relating to allocations to qualifying resources and units exempted by section 405(g)(6)(A) of the Clean Air Act). The Commonwealth's NOx budget for the ozone season CAIR program contains 42,171 NOx allowances, all of which are in the proposed allocations.

For each CAIR unit and qualifying resource receiving a NOx allocation, Tables 1 and 2 list the following: the facility name, ORIS code, the unit ID for each CAIR unit, either the gross loading or steam loading depending on type of unit, county, converted heat input from the base year and control period allowance allocation.

Action at the Federal or State level could affect these allocations, once final. Annual and ozone season CAIR NOx allowances do not constitute property rights.

Written Comments

Written comments on the proposed annual and ozone season CAIR NOx allowance allocations for 2014 should be sent to the attention of Randy Bordner, Environmental Group Manager, Air Resource Management Division, Bureau of Air Quality, DEP, P. O. Box 8468, Harrisburg, PA 17105-8468 or e-mail ranbordner@state.pa.us no later than 15 days from publication date of this notice in the *Pennsylvania Bulletin*. Any written comments (including e-mails) should include the name, affiliation (if any), mailing address and telephone number of the interested person and contain "Proposed 2014 Annual and Ozone Season CAIR Nitrogen Oxides (NOx) Allowance Allocations" in the subject line.

Questions concerning this notice should be directed to Randy Bordner at (717) 772-3921. TDD users may contact the Pennsylvania AT&T Relay Service at (800) 654-5984 to discuss how the Department can best accommodate their needs.

JOHN HANGER,
Secretary

Table 1: Preliminary Pennsylvania 2014 Annual CAIR NOx Allowance Allocation Table

FACILITY NAME	ORIS CODE	UNIT ID	GLOAD (Megawatt Hours)	SLOAD (Thousand Lbs. of Steam)	COUNTY	2008 Converted Heat Input (MMBtu)	2014 CAIR NOx Allowance Allocation
AES Beaver Valley LLC	10676	32	0	2,471,090	Beaver	2,981,524.23	258
AES Beaver Valley LLC	10676	33	0	2,802,573	Beaver	3,381,479.18	292
AES Beaver Valley LLC	10676	34	0	2,476,089	Beaver	2,987,556.44	258
AES Beaver Valley LLC	10676	35	0	1,391,005	Beaver	1,678,334.17	145
AES Ironwood	55337	1	591,254	0	Lebanon	3,946,617.38	341
AES Ironwood	55337	2	499,005	0	Lebanon	3,330,858.51	288
Allegheny Energy Hunlock Unit 4	56397	4	17,673	0	Luzerne	117,969.81	10
Allegheny Energy Unit 1 and Unit 2	55196	1	18,072	0	Allegheny	120,631.40	10
Allegheny Energy Unit 1 and Unit 2	55196	2	15,803	0	Allegheny	105,485.63	9
Allegheny Energy Unit 8 and Unit 9	55377	8	9,236	0	Fayette	61,650.50	5
Allegheny Energy Unit 8 and Unit 9	55377	9	13,006	0	Fayette	86,817.59	8
Allegheny Energy Units 3, 4 & 5	55710	3	48,550	0	Allegheny	324,073.59	28
Allegheny Energy Units 3, 4 & 5	55710	4	38,971	0	Allegheny	260,131.49	23
Armstrong Energy Ltd Part	55347	1	3,125	0	Armstrong	20,861.98	2
Armstrong Energy Ltd Part	55347	2	5,972	0	Armstrong	39,863.10	3
Armstrong Energy Ltd Part	55347	3	1,258	0	Armstrong	8,397.15	1
Armstrong Energy Ltd Part	55347	4	8,473	0	Armstrong	56,555.81	5
Armstrong Power Station	3178	1	920,005	0	Armstrong	7,268,041.87	629
Armstrong Power Station	3178	2	647,947	0	Armstrong	5,118,781.22	443
Bethlehem Power Plant	55690	1	253,898	0	Northampton	1,694,769.15	147
Bethlehem Power Plant	55690	2	249,640	0	Northampton	1,666,347.00	144
Bethlehem Power Plant	55690	3	399,390	0	Northampton	2,665,928.25	231
Bethlehem Power Plant	55690	5	216,935	0	Northampton	1,448,041.13	125
Bethlehem Power Plant	55690	6	213,713	0	Northampton	1,426,534.28	123
Bethlehem Power Plant	55690	7	128,670	0	Northampton	858,872.25	74
Bruce Mansfield	6094	1	6,185,704	0	Beaver	48,867,061.60	4,227
Bruce Mansfield	6094	2	6,712,522	0	Beaver	53,028,923.80	4,587
Bruce Mansfield	6094	3	7,296,207	0	Beaver	57,640,035.30	4,986
Brunner Island	3140	1	2,611,280	0	York	20,629,113.34	1,784
Brunner Island	3140	2	2,805,454	0	York	22,163,087.71	1,917
Brunner Island	3140	3	5,095,547	0	York	40,254,817.82	3,482

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FACILITY NAME	ORIS CODE	UNIT ID	GLOAD (Megawatt Hours)	SLOAD (Thousand Lbs. of Steam)	COUNTY	2008 Converted Heat Input (MMBtu)	2014 CAIR NOx Allowance Allocation
Brunot Island Power Station	3096	2A	688	0	Allegheny	4,590.13	0
Brunot Island Power Station	3096	2B	812	0	Allegheny	5,421.44	0
Brunot Island Power Station	3096	3	797	0	Allegheny	5,320.38	0
Cambria Cogen	10641	1	0	3,562,317	Cambria	4,298,158.11	372
Cambria Cogen	10641	2	0	3,495,652	Cambria	4,217,722.62	365
Chambersburg Units 12 and 13	55654	12	51,406	0	Franklin	343,134.45	30
Chambersburg Units 12 and 13	55654	13	48,999	0	Franklin	327,065.86	28
Cheswick	8226	1	2,635,207	0	Allegheny	20,818,131.75	1,801
Colver Power Project	10143	AAB01	975,237	0	Cambria	7,704,372.30	666
Conemaugh	3118	1	5,251,098	0	Indiana	41,483,670.96	3,588
Conemaugh	3118	2	6,962,010	0	Indiana	54,999,880.26	4,758
Cromby	3159	1	715,687	0	Chester	5,653,927.30	489
Cromby	3159	2	55,794	0	Chester	372,424.95	32
Croydon Generating Station	8012	11	907	0	Bucks	6,054.23	1
Croydon Generating Station	8012	12	1,201	0	Bucks	8,016.68	1
Croydon Generating Station	8012	21	701	0	Bucks	4,679.18	0
Croydon Generating Station	8012	22	1,119	0	Bucks	7,469.33	1
Croydon Generating Station	8012	31	995	0	Bucks	6,641.63	1
Croydon Generating Station	8012	32	957	0	Bucks	6,387.98	1
Croydon Generating Station	8012	41	995	0	Bucks	6,641.63	1
Croydon Generating Station	8012	42	814	0	Bucks	5,433.45	0
Ebensburg Power Company	10603	31	0	4,906,913	Cambria	5,920,497.22	512
Eddystone Generating Station	3161	1	1,166,212	0	Delaware	9,213,074.80	797
Eddystone Generating Station	3161	2	1,311,068	0	Delaware	10,357,437.20	896
Eddystone Generating Station	3161	3	56,726	0	Delaware	378,646.05	33
Eddystone Generating Station	3161	4	44,473	0	Delaware	296,857.28	26
Elrama	3098	1	169,536	0	Washington	1,339,336.14	116
Elrama	3098	2	273,728	0	Washington	2,162,451.28	187
Elrama	3098	3	252,496	0	Washington	1,994,716.50	173
Elrama	3098	4	608,041	0	Washington	4,803,520.27	416
FPL Energy MH50	50074	1	77,887	0	Delaware	519,896.06	45
FPL Energy Marcus Hook, LP	55801	1	628,054	0	Delaware	4,192,262.85	363

FACILITY NAME	ORIS CODE	UNIT ID	GLOAD (Megawatt Hours)	SLOAD (Thousand Lbs. of Steam)	COUNTY	2008 Converted Heat Input (MMBtu)	2014 CAIR NOx Allowance Allocation
FPL Energy Marcus Hook, LP	55801	2	639,992	0	Delaware	4,271,946.07	370
FPL Energy Marcus Hook, LP	55801	3	589,055	0	Delaware	3,931,944.13	340
Fairless Energy, LLC	55298	1A	1,188,753	0	Bucks	7,934,927.94	686
Fairless Energy, LLC	55298	1B	1,171,860	0	Bucks	7,822,162.70	677
Fairless Energy, LLC	55298	2A	981,527	0	Bucks	6,551,694.93	567
Fairless Energy, LLC	55298	2B	926,390	0	Bucks	6,183,650.51	535
Fairless Hills Generating Station	7701	PHBLR3	0	0	Bucks	0.00	0
Fairless Hills Generating Station	7701	PHBLR4	167,109	0	Bucks	1,115,452.58	96
Fairless Hills Generating Station	7701	PHBLR5	50,980	0	Bucks	340,291.50	29
Fayette Energy Facility	55516	CTG1	215,301	0	Fayette	1,437,137.31	124
Fayette Energy Facility	55516	CTG2	222,933	0	Fayette	1,488,077.44	129
G F Weaton	50130	34	284,534	0	Beaver	2,247,817.89	194
G F Weaton	50130	35	241,428	0	Beaver	1,907,279.23	165
Gilberton Power Company	10113	31	0	3,054,842	Schuylkill	3,685,857.22	319
Gilberton Power Company	10113	32	0	3,029,979	Schuylkill	3,655,859.18	316
Grays Ferry Cogen Partnership	54785	2	280,926	0	Philadelphia	1,875,180.32	162
Grays Ferry Cogen Partnership	54785	25	0	2,557,723	Philadelphia	3,086,052.38	267
Handsome Lake Energy	55233	EU-1A	4,234	0	Venango	28,261.95	2
Handsome Lake Energy	55233	EU-1B	3,823	0	Venango	25,518.53	2
Handsome Lake Energy	55233	EU-2A	3,493	0	Venango	23,315.78	2
Handsome Lake Energy	55233	EU-2B	3,443	0	Venango	22,982.03	2
Handsome Lake Energy	55233	EU-3A	4,018	0	Venango	26,820.15	2
Handsome Lake Energy	55233	EU-3B	4,018	0	Venango	26,820.15	2
Handsome Lake Energy	55233	EU-4A	3,635	0	Venango	24,263.63	2
Handsome Lake Energy	55233	EU-4B	3,108	0	Venango	20,745.90	2
Handsome Lake Energy	55233	EU-5A	3,918	0	Venango	26,152.65	2
Handsome Lake Energy	55233	EU-5B	3,963	0	Venango	26,453.03	2
Hatfields Ferry Power Station	3179	1	3,839,664	0	Greene	30,333,346.94	2,624
Hatfields Ferry Power Station	3179	2	3,903,596	0	Greene	30,838,406.35	2,668
Hatfields Ferry Power Station	3179	3	3,921,161	0	Greene	30,977,168.90	2,680
Hazleton Generation	10870	TURB2	1,940	0	Luzerne	12,947.83	1
Hazleton Generation	10870	TURB3	912	0	Luzerne	6,090.20	1

FACILITY NAME	ORIS CODE	UNIT ID	GLOAD (Megawatt Hours)	SLOAD (Thousand Lbs. of Steam)	COUNTY	2008 Converted Heat Input (MMBtu)	2014 CAIR NOx Allowance Allocation
Hazleton Generation	10870	TURB4	1,709	0	Luzerne	11,406.57	1
Hazleton Generation	10870	TURBIN	507	0	Luzerne	3,386.49	0
Homer City	3122	1	3,485,805	0	Indiana	27,537,858.71	2,382
Homer City	3122	2	4,231,979	0	Indiana	33,432,630.47	2,892
Homer City	3122	3	4,394,035	0	Indiana	34,712,876.42	3,003
Hunlock Power Station	3176	6	284,963	0	Luzerne	2,251,210.86	195
Hunterstown Combined Cycle	55976	CT101	291,291	0	Adams	1,944,365.89	168
Hunterstown Combined Cycle	55976	CT201	160,880	0	Adams	1,073,875.34	93
Hunterstown Combined Cycle	55976	CT301	294,919	0	Adams	1,968,587.60	170
Keystone	3136	1	7,394,908	0	Armstrong	58,419,769.88	5,053
Keystone	3136	2	7,577,595	0	Armstrong	59,862,998.45	5,178
Liberty Electric Power Plant	55231	1	774,814	0	Delaware	5,171,881.78	447
Liberty Electric Power Plant	55231	2	796,337	0	Delaware	5,315,551.14	460
Lower Mount Bethel Energy	55667	CT01	959,202	0	Northampton	6,402,671.41	554
Lower Mount Bethel Energy	55667	CT02	1,056,027	0	Northampton	7,048,980.69	610
Martins Creek	3148	3	276,252	0	Northampton	1,843,982.37	160
Martins Creek	3148	4	103,718	0	Northampton	692,319.39	60
Mitchell Power Station	3181	1	331	0	Washington	2,211.43	0
Mitchell Power Station	3181	2	0	0	Washington	0.00	0
Mitchell Power Station	3181	3	331	0	Washington	2,211.43	0
Mitchell Power Station	3181	33	1,601,660	0	Washington	12,653,113.21	1,095
Montour	3149	1	4,059,345	0	Montour	32,068,828.19	2,774
Montour	3149	2	5,561,846	0	Montour	43,938,580.16	3,801
Mountain	3111	31	2,578	0	Cumberland	17,208.15	1
Mountain	3111	32	3,420	0	Cumberland	22,828.50	2
Mt. Carmel Cogeneration	10343	SG-101	277,311	0	Northumberland	2,190,753.90	190
New Castle	3138	3	367,964	0	Lawrence	2,906,912.28	251
New Castle	3138	4	362,271	0	Lawrence	2,861,943.67	248
New Castle	3138	5	618,609	0	Lawrence	4,887,007.86	423
North East Cogeneration Plant	54571	1	5,261	0	Erie	35,115.51	3
North East Cogeneration Plant	54571	2	4,588	0	Erie	30,624.77	3
Northampton Generating Plant	50888	NGC01	1,025,515	0	Northampton	8,101,565.34	701

FACILITY NAME	ORIS CODE	UNIT ID	GLOAD (Megawatt Hours)	SLOAD (Thousand Lbs. of Steam)	COUNTY	2008 Converted Heat Input (MMBtu)	2014 CAIR NOx Allowance Allocation
Northeastern Power Company	50039	31	457,143	0	Schuylkill	3,611,427.88	312
Ontelaunee Energy Center	55193	CT1	713,720	0	Berks	4,764,079.40	412
Ontelaunee Energy Center	55193	CT2	788,752	0	Berks	5,264,919.73	455
PEI Power Corporation	50279	2	31,971	0	Lackawanna	213,405.42	18
Panther Creek Energy Facility	50776	1	360,493	0	Carbon	2,847,894.70	246
Panther Creek Energy Facility	50776	2	380,066	0	Carbon	3,002,521.40	260
Piney Creek Power Plant	54144	31	301,932	0	Clarion	2,385,260.19	206
Portland	3113	1	728,041	0	Northampton	5,751,521.06	498
Portland	3113	2	1,551,371	0	Northampton	12,255,830.35	1,060
Portland	3113	5	10,786	0	Northampton	71,995.55	6
Richmond	3168	91	1,318	0	Philadelphia	8,797.65	1
Richmond	3168	92	1,511	0	Philadelphia	10,085.93	1
Schuylkill	3169	1	32,574	0	Philadelphia	217,431.45	19
Scrubgrass Generating Plant	50974	1	396,505	0	Venango	3,132,389.50	271
Scrubgrass Generating Plant	50974	2	380,955	0	Venango	3,009,544.50	260
Seward	3130	1	2,337,558	0	Indiana	18,466,708.20	1,597
Seward	3130	2	1,995,974	0	Indiana	15,768,194.60	1,364
Shawville	3131	1	723,155	0	Clearfield	5,712,923.32	494
Shawville	3131	2	746,494	0	Clearfield	5,897,301.10	510
Shawville	3131	3	1,098,301	0	Clearfield	8,676,579.56	751
Shawville	3131	4	1,155,208	0	Clearfield	9,126,139.80	789
St. Nicholas Cogeneration Project	54634	1	0	6,008,747	Schuylkill	7,249,929.37	627
Sunbury	3152	1A	285,517	0	Snyder	2,255,580.35	195
Sunbury	3152	1B	287,012	0	Snyder	2,267,395.59	196
Sunbury	3152	2A	289,787	0	Snyder	2,289,314.14	198
Sunbury	3152	2B	268,597	0	Snyder	2,121,915.51	184
Sunbury	3152	3	614,705	0	Snyder	4,856,172.66	420
Sunbury	3152	4	765,457	0	Snyder	6,047,111.09	523
Titus	3115	1	441,854	0	Berks	3,490,645.02	302
Titus	3115	2	419,625	0	Berks	3,315,038.92	287
Titus	3115	3	441,047	0	Berks	3,484,272.56	301
Tolna	3116	31	1,026	0	York	6,848.55	1

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FACILITY NAME	ORIS CODE	UNIT ID	GLOAD (Megawatt Hours)	SLOAD (Thousand Lbs. of Steam)	COUNTY	2008 Converted Heat Input (MMBtu)	2014 CAIR NOx Allowance Allocation
Tolna	3116	32	1,005	0	York	6,708.38	1
Trigen Energy - Schuylkill	50607	23	0	708,331	Philadelphia	854,645.62	74
Trigen Energy - Schuylkill	50607	24	0	707,310	Philadelphia	853,413.72	74
Trigen Energy - Schuylkill	50607	26	0	889,459	Philadelphia	1,073,187.96	93
Trigen Energy Corporation-Edison St	880006	1	0	189,455	Philadelphia	228,589.30	20
Trigen Energy Corporation-Edison St	880006	2	0	99,864	Philadelphia	120,492.16	10
Trigen Energy Corporation-Edison St	880006	3	0	241,105	Philadelphia	290,908.25	25
Trigen Energy Corporation-Edison St	880006	4	0	428,601	Philadelphia	517,133.89	45
WPS Westwood Generation, LLC	50611	31	236,002	0	Schuylkill	1,864,418.25	161
Warren	3132	5	1	0	Warren	6.68	0
Wheelabrator - Frackville	50879	GEN1	0	3,082,693	Schuylkill	3,719,461.48	322
Total						1,130,179,027	97,761

Table 2: Preliminary Pennsylvania 2014 CAIR NOx Ozone Season Allowance Allocation Table

FACILITY NAME	ORIS CODE	UNIT ID	GLOAD (Megawatt Hours)	SLOAD (Thousand Lbs. of Steam)	COUNTY	2008 Converted Heat Input (MMBtu)	2014 CAIR NOx Ozone Season Allowance Allocation
AES Beaver Valley LLC	10676	32	0	1,180,924	Beaver	1,424,858.92	126
AES Beaver Valley LLC	10676	33	0	1,227,466	Beaver	1,481,014.75	131
AES Beaver Valley LLC	10676	34	0	1,025,689	Beaver	1,237,557.58	109
AES Beaver Valley LLC	10676	35	0	593,682	Beaver	716,314.14	63
AES Ironwood	55337	1	329,113	0	Lebanon	2,196,829.54	194
AES Ironwood	55337	2	266,330	0	Lebanon	1,777,753.15	157
Allegheny Energy Hunlock Unit 4	56397	4	7,699	0	Luzerne	51,391.49	5
Allegheny Energy Unit 1 and Unit 2	55196	1	6,513	0	Allegheny	43,476.95	4
Allegheny Energy Unit 1 and Unit 2	55196	2	5,238	0	Allegheny	34,960.98	3
Allegheny Energy Unit 8 and Unit 9	55377	8	6,359	0	Fayette	42,447.19	4
Allegheny Energy Unit 8 and Unit 9	55377	9	5,463	0	Fayette	36,468.20	3
Allegheny Energy Units 3, 4 & 5	55710	3	36,309	0	Allegheny	242,361.64	21
Allegheny Energy Units 3, 4 & 5	55710	4	28,091	0	Allegheny	187,507.22	17
Armstrong Energy Ltd Part	55347	1	2,727	0	Armstrong	18,204.46	2
Armstrong Energy Ltd Part	55347	2	5,097	0	Armstrong	34,025.01	3
Armstrong Energy Ltd Part	55347	3	247	0	Armstrong	1,646.79	0
Armstrong Energy Ltd Part	55347	4	7,365	0	Armstrong	49,163.64	4
Armstrong Power Station	3178	1	431,003	0	Armstrong	3,404,924.65	300
Armstrong Power Station	3178	2	311,565	0	Armstrong	2,461,363.26	217
Bethlehem Power Plant	55690	1	173,881	0	Northampton	1,160,655.68	102
Bethlehem Power Plant	55690	2	172,125	0	Northampton	1,148,934.38	101
Bethlehem Power Plant	55690	3	165,166	0	Northampton	1,102,483.05	97
Bethlehem Power Plant	55690	5	151,493	0	Northampton	1,011,215.78	89
Bethlehem Power Plant	55690	6	149,743	0	Northampton	999,534.53	88
Bethlehem Power Plant	55690	7	144,884	0	Northampton	967,100.70	85
Bruce Mansfield	6094	1	2,246,827	0	Beaver	17,749,933.30	1,566
Bruce Mansfield	6094	2	3,024,454	0	Beaver	23,893,188.58	2,108
Bruce Mansfield	6094	3	3,057,799	0	Beaver	24,156,608.15	2,132
Brunner Island	3140	1	1,013,786	0	York	8,008,907.27	707
Brunner Island	3140	2	1,298,837	0	York	10,260,812.30	905
Brunner Island	3140	3	1,839,236	0	York	14,529,963.29	1,282

NOTICES

FACILITY NAME	ORIS CODE	UNIT ID	GLOAD (Megawatt Hours)	SLOAD (Thousand Lbs. of Steam)	COUNTY	2008 Converted Heat Input (MMBtu)	2014 CAIR NOx Ozone Season Allowance Allocation
Brunot Island Power Station	3096	2A	688	0	Allegheny	4,590.13	0
Brunot Island Power Station	3096	2B	812	0	Allegheny	5,421.44	0
Brunot Island Power Station	3096	3	797	0	Allegheny	5,320.38	0
Cambria Cogen	10641	1	0	1,478,174	Cambria	1,783,509.32	157
Cambria Cogen	10641	2	0	1,441,822	Cambria	1,739,648.36	154
Chambersburg Units 12 and 13	55654	12	29,954	0	Franklin	199,942.28	18
Chambersburg Units 12 and 13	55654	13	27,556	0	Franklin	183,937.77	16
Cheswick	8226	1	915,803	0	Allegheny	7,234,842.59	638
Colver Power Project	10143	AAB01	434,202	0	Cambria	3,430,195.80	303
Conemaugh	3118	1	2,589,279	0	Indiana	20,455,303.63	1,805
Conemaugh	3118	2	2,984,566	0	Indiana	23,578,069.58	2,081
Cromby	3159	1	315,606	0	Chester	2,493,287.40	220
Cromby	3159	2	48,007	0	Chester	320,446.73	28
Croydon Generating Station	8012	11	848	0	Bucks	5,660.40	0
Croydon Generating Station	8012	12	1,149	0	Bucks	7,669.58	1
Croydon Generating Station	8012	21	680	0	Bucks	4,539.00	0
Croydon Generating Station	8012	22	972	0	Bucks	6,488.10	1
Croydon Generating Station	8012	31	975	0	Bucks	6,508.13	1
Croydon Generating Station	8012	32	933	0	Bucks	6,227.78	1
Croydon Generating Station	8012	41	946	0	Bucks	6,314.55	1
Croydon Generating Station	8012	42	787	0	Bucks	5,253.23	0
Ebensburg Power Company	10603	31	0	2,129,834	Cambria	2,569,777.84	227
Eddystone Generating Station	3161	1	641,947	0	Delaware	5,071,381.30	448
Eddystone Generating Station	3161	2	712,879	0	Delaware	5,631,744.10	497
Eddystone Generating Station	3161	3	37,688	0	Delaware	251,567.40	22
Eddystone Generating Station	3161	4	36,783	0	Delaware	245,526.53	22
Elrama	3098	1	39,972	0	Washington	315,776.35	28
Elrama	3098	2	75,755	0	Washington	598,461.42	53
Elrama	3098	3	51,539	0	Washington	407,158.02	36
Elrama	3098	4	147,302	0	Washington	1,163,684.54	103
FPL Energy MH50	50074	1	68,397	0	Delaware	456,550.84	40
FPL Energy Marcus Hook, LP	55801	1	309,032	0	Delaware	2,062,791.07	182

FACILITY NAME	ORIS CODE	UNIT ID	GLOAD (Megawatt Hours)	SLOAD (Thousand Lbs. of Steam)	COUNTY	2008 Converted Heat Input (MMBtu)	2014 CAIR NOx Ozone Season Allowance Allocation
FPL Energy Marcus Hook, LP	55801	2	305,560	0	Delaware	2,039,614.60	180
FPL Energy Marcus Hook, LP	55801	3	277,584	0	Delaware	1,852,872.33	164
Fairless Energy, LLC	55298	1A	498,915	0	Bucks	3,330,256.76	294
Fairless Energy, LLC	55298	1B	493,646	0	Bucks	3,295,087.58	291
Fairless Energy, LLC	55298	2A	507,312	0	Bucks	3,386,309.27	299
Fairless Energy, LLC	55298	2B	485,203	0	Bucks	3,238,729.56	286
Fairless Hills Generating Station	7701	PHBLR3	0	0	Bucks	0.00	0
Fairless Hills Generating Station	7701	PHBLR4	75,609	0	Bucks	504,690.08	45
Fairless Hills Generating Station	7701	PHBLR5	12,938	0	Bucks	86,361.15	8
Fayette Energy Facility	55516	CTG1	102,263	0	Fayette	682,606.13	60
Fayette Energy Facility	55516	CTG2	117,093	0	Fayette	781,594.77	69
G F Weaton	50130	34	140,700	0	Beaver	1,111,533.00	98
G F Weaton	50130	35	127,944	0	Beaver	1,010,757.60	89
Gilberton Power Company	10113	31	0	1,427,598	Schuylkill	1,722,486.59	152
Gilberton Power Company	10113	32	0	1,410,676	Schuylkill	1,702,068.19	150
Grays Ferry Cogen Partnership	54785	2	111,982	0	Philadelphia	747,481.59	66
Grays Ferry Cogen Partnership	54785	25	0	817,811	Philadelphia	986,740.51	87
Handsome Lake Energy	55233	EU-1A	2,544	0	Venango	16,981.20	1
Handsome Lake Energy	55233	EU-1B	2,334	0	Venango	15,579.45	1
Handsome Lake Energy	55233	EU-2A	1,810	0	Venango	12,081.75	1
Handsome Lake Energy	55233	EU-2B	1,777	0	Venango	11,861.48	1
Handsome Lake Energy	55233	EU-3A	2,037	0	Venango	13,596.98	1
Handsome Lake Energy	55233	EU-3B	2,037	0	Venango	13,596.98	1
Handsome Lake Energy	55233	EU-4A	2,575	0	Venango	17,188.13	2
Handsome Lake Energy	55233	EU-4B	2,543	0	Venango	16,974.53	1
Handsome Lake Energy	55233	EU-5A	2,692	0	Venango	17,969.10	2
Handsome Lake Energy	55233	EU-5B	2,688	0	Venango	17,942.40	2
Hatfields Ferry Power Station	3179	1	1,470,702	0	Greene	11,618,543.98	1,025
Hatfields Ferry Power Station	3179	2	1,531,363	0	Greene	12,097,769.91	1,068
Hatfields Ferry Power Station	3179	3	1,538,128	0	Greene	12,151,210.02	1,072
Hazleton Generation	10870	TURB2	1,850	0	Luzerne	12,345.41	1
Hazleton Generation	10870	TURB3	848	0	Luzerne	5,660.40	0

FACILITY NAME	ORIS CODE	UNIT ID	GLOAD (Megawatt Hours)	SLOAD (Thousand Lbs. of Steam)	COUNTY	2008 Converted Heat Input (MMBtu)	2014 CAIR NOx Ozone Season Allowance Allocation
Hazleton Generation	10870	TURB4	1,611	0	Luzerne	10,751.76	1
Hazleton Generation	10870	TURBIN	347	0	Luzerne	2,312.89	0
Homer City	3122	1	1,384,658	0	Indiana	10,938,798.83	965
Homer City	3122	2	2,027,608	0	Indiana	16,018,104.31	1,413
Homer City	3122	3	1,761,160	0	Indiana	13,913,161.24	1,228
Hunlock Power Station	3176	6	128,016	0	Luzerne	1,011,328.69	89
Hunterstown Combined Cycle	55976	CT101	227,009	0	Adams	1,515,285.54	134
Hunterstown Combined Cycle	55976	CT201	130,850	0	Adams	873,426.95	77
Hunterstown Combined Cycle	55976	CT301	233,346	0	Adams	1,557,583.62	137
Keystone	3136	1	3,123,370	0	Armstrong	24,674,620.47	2,177
Keystone	3136	2	3,170,558	0	Armstrong	25,047,410.18	2,210
Liberty Electric Power Plant	55231	1	393,839	0	Delaware	2,628,876.99	232
Liberty Electric Power Plant	55231	2	406,005	0	Delaware	2,710,081.71	239
Lower Mount Bethel Energy	55667	CT01	369,597	0	Northampton	2,467,058.37	218
Lower Mount Bethel Energy	55667	CT02	504,556	0	Northampton	3,367,909.23	297
Martins Creek	3148	3	119,376	0	Northampton	796,835.80	70
Martins Creek	3148	4	52,470	0	Northampton	350,237.38	31
Mitchell Power Station	3181	1	331	0	Washington	2,211.43	0
Mitchell Power Station	3181	2	0	0	Washington	0.00	0
Mitchell Power Station	3181	3	331	0	Washington	2,211.43	0
Mitchell Power Station	3181	33	633,528	0	Washington	5,004,868.51	442
Montour	3149	1	1,316,747	0	Montour	10,402,300.67	918
Montour	3149	2	2,275,535	0	Montour	17,976,724.68	1,586
Mountain	3111	31	1,276	0	Cumberland	8,517.30	1
Mountain	3111	32	1,367	0	Cumberland	9,124.73	1
Mt. Carmel Cogeneration	10343	SG-101	93,522	0	Northumberland	738,821.83	65
New Castle	3138	3	106,478	0	Lawrence	841,176.20	74
New Castle	3138	4	106,997	0	Lawrence	845,276.06	75
New Castle	3138	5	195,659	0	Lawrence	1,545,706.34	136
North East Cogeneration Plant	54571	1	2,532	0	Erie	16,899.43	1
North East Cogeneration Plant	54571	2	2,123	0	Erie	14,170.62	1
Northampton Generating Plant	50888	NGC01	436,713	0	Northampton	3,450,035.78	304

FACILITY NAME	ORIS CODE	UNIT ID	GLOAD (Megawatt Hours)	SLOAD (Thousand Lbs. of Steam)	COUNTY	2008 Converted Heat Input (MMBtu)	2014 CAIR NOx Ozone Season Allowance Allocation
Northeastern Power Company	50039	31	194,301	0	Schuylkill	1,534,979.16	135
Ontelaunee Energy Center	55193	CT1	419,367	0	Berks	2,799,277.66	247
Ontelaunee Energy Center	55193	CT2	420,252	0	Berks	2,805,181.77	248
PEI Power Corporation	50279	2	14,299	0	Lackawanna	95,447.89	8
Panther Creek Energy Facility	50776	1	162,392	0	Carbon	1,282,896.80	113
Panther Creek Energy Facility	50776	2	166,223	0	Carbon	1,313,161.70	116
Piney Creek Power Plant	54144	31	121,295	0	Clarion	958,233.58	85
Portland	3113	1	237,663	0	Northampton	1,877,533.75	166
Portland	3113	2	577,128	0	Northampton	4,559,312.39	402
Portland	3113	5	3,750	0	Northampton	25,031.58	2
Richmond	3168	91	916	0	Philadelphia	6,114.30	1
Richmond	3168	92	1,019	0	Philadelphia	6,801.83	1
Schuylkill	3169	1	10,610	0	Philadelphia	70,821.75	6
Scrubgrass Generating Plant	50974	1	166,915	0	Venango	1,318,628.50	116
Scrubgrass Generating Plant	50974	2	165,353	0	Venango	1,306,288.70	115
Seward	3130	1	1,040,782	0	Indiana	8,222,177.80	726
Seward	3130	2	836,226	0	Indiana	6,606,185.40	583
Shawville	3131	1	293,539	0	Clearfield	2,318,961.02	205
Shawville	3131	2	334,467	0	Clearfield	2,642,291.99	233
Shawville	3131	3	443,022	0	Clearfield	3,499,870.80	309
Shawville	3131	4	466,391	0	Clearfield	3,684,492.69	325
St. Nicholas Cogeneration Project	54634	1	0	2,376,607	Schuylkill	2,867,525.34	253
Sunbury	3152	1A	128,571	0	Snyder	1,015,713.27	90
Sunbury	3152	1B	129,245	0	Snyder	1,021,033.92	90
Sunbury	3152	2A	130,494	0	Snyder	1,030,904.18	91
Sunbury	3152	2B	120,952	0	Snyder	955,522.38	84
Sunbury	3152	3	276,809	0	Snyder	2,186,789.52	193
Sunbury	3152	4	351,913	0	Snyder	2,780,114.52	245
Titus	3115	1	194,199	0	Berks	1,534,173.44	135
Titus	3115	2	196,932	0	Berks	1,555,764.46	137
Titus	3115	3	168,077	0	Berks	1,327,809.64	117
Tolna	3116	31	722	0	York	4,819.35	0

FACILITY NAME	ORIS CODE	UNIT ID	GLOAD (Megawatt Hours)	SLOAD (Thousand Lbs. of Steam)	COUNTY	2008 Converted Heat Input (MMBtu)	2014 CAIR NOx Ozone Season Allowance Allocation
Tolna	3116	32	731	0	York	4,879.43	0
Trigen Energy - Schuylkill	50607	23	0	13,863	Philadelphia	16,726.58	1
Trigen Energy - Schuylkill	50607	24	0	0	Philadelphia	0.00	0
Trigen Energy - Schuylkill	50607	26	0	83,251	Philadelphia	100,447.44	9
Trigen Energy Corporation-Edison St	880006	1	0	784	Philadelphia	945.95	0
Trigen Energy Corporation-Edison St	880006	2	0	955	Philadelphia	1,152.27	0
Trigen Energy Corporation-Edison St	880006	3	0	2,467	Philadelphia	2,976.59	0
Trigen Energy Corporation-Edison St	880006	4	0	2,679	Philadelphia	3,232.38	0
WPS Westwood Generation, LLC	50611	31	117,434	0	Schuylkill	927,729.31	82
Warren	3132	5	1	0	Warren	6.68	0
Wheelabrator - Frackville	50879	GEN1	0	1,456,389	Schuylkill	1,757,224.18	155
Total						477,978,704	42,171

[Pa.B. Doc. No. 10-512. Filed for public inspection March 19, 2010, 9:00 a.m.]

Interstate Pollution Transport Reduction; Proposed 2010 Ozone Season NOx Emission Limits for Nonelectric Generating Units

The Department of Environmental Protection (Department) is providing notice and an opportunity for comment concerning the proposed nonelectric generating unit (non-EGU) 2010 ozone season NOx emission limitations established in accordance with 25 Pa. Code § 145.8(d) (relating to transition to CAIR NOx trading programs). The 15-day public comment period will end on April 5, 2010.

The NOx Budget Trading Program was amended in Pennsylvania's Clean Air Interstate Rule (CAIR) to allow the owners and operators of non-EGUs in this Commonwealth to transition to the CAIR NOx Trading Program. Specifically, 25 Pa. Code § 145.8(d) establishes a non-EGU NOx Budget Trading Program budget of 3,619 tons of NOx, less a specified adjustment amount, to serve as a Statewide ozone season NOx emissions cap for new and existing non-EGUs. This NOx emissions cap will also apply to CAIR-exempt EGUs that were subject to the NOx Budget Trading Program. If total emissions from all of the units exceed the Statewide NOx emissions cap of 3,438 tons, the owners and operators of non-EGUs must comply with the NOx emission limitations established under subsection (d). The proposed NOx emissions cap ensures that non-EGUs in this Commonwealth continue to meet the emission limits of the NOx Budget Trading Program, as required under the United States Environmental Protection Agency's (EPA) CAIR.

The proposed NOx emissions cap provides 181 tons of NOx emissions for non-EGUs and the other units that need to address their emissions through accounting adjustments, including units that previously participated in the NOx Budget Trading Program; emissions from these units were below the 25-ton exemption threshold. Adjustments were also made for the permanent retirement of NOx allowance due to generation of emission reduction credits. The Department will also use a portion of the 181 tons of the budgeted NOx emissions, if necessary, to address mistakes or miscalculations. This year, the Department is proposing to use 121 tons of the 181 tons of NOx for account adjustments, leaving 60 tons available for any additional adjustments at the end of the control period.

The Department made accounting adjustments for the following facilities:

Retired Units: Naval Surface Warfare Division Unit 98; Shenango Units Nos. 6 and 9 (the generation of emission offsets for small non-NOx Budget Trading Program units, resulted in a permanent NOx accounting adjustment of 45 tons).

Exempt Units: Each of the following units has a 25-ton NOx permit limit: Armagh Compressor Station (Unit 31301); Entrioken Compressor Station (Unit 31601); and the Naval Surface Warfare Division (Unit 100). The Naval Surface Warfare Division (Unit 99) has a 1-ton

NOx permit limit. All of these 25-ton exempt status units account for a total adjustment of 76 tons of NOx emissions.

Units subject to the requirements in 25 Pa. Code § 145.8 are required to meet the monitoring and reporting requirements of the EPA's CAIR, found in 40 CFR Part 96, Subpart HHHH (relating to monitoring and reporting) and maintain general accounts and account representatives under 40 CFR Part 96, Subparts BBBB and FFFF (relating to CAIR designated representative for CAIR NOx ozone season sources; and CAIR NOx ozone season allowance tracking system). The "Proposed Non-EGU 2010 Ozone Season NOx Limits" table lists the following: the Facility Name, ORIS code, the Unit ID for each non-EGU unit, the operating year, the heat input for the 2009 ozone season, the calculated 2010 rate and the 2010 NOx ozone season limit.

Written Comments

Written comments on the proposed non-EGU 2010 Ozone Season NOx Emission Limits should be sent to the attention of Randy Bordner, Environmental Group Manager, Air Resource Management Division, Bureau of Air Quality, DEP, P. O. Box 8468, Harrisburg, PA 17105-8468 or e-mail ranbordner@state.pa.us no later than April 5, 2010. Any written comments (including e-mails) should include the name, affiliation (if any), mailing address and telephone number of the interested person and contain "proposed non-EGU 2010 ozone season NOx emission limits" in the subject line.

Questions concerning this notice should be directed to Randy Bordner at (717) 772-3921. TDD users may contact the Pennsylvania AT&T Relay Service at (800) 654-5984 to discuss how the Department can best accommodate their needs.

Table 1: Proposed Non-EGU 2010 Ozone Season NOx Emission Limits

<i>Facility Name</i>	<i>ORIS CODE</i>	<i>Unit ID</i>	<i>Operating Year</i>	<i>NOx Rate lb/MMBtu</i>	<i>NOx Mass tons</i>	<i>Heat Input MMBtu</i>	<i>2010 Rate</i>	<i>2010 NOx Limit</i>
Armagh Compressor Station	880071	31301	2009	25-Ton Exemption (Limit 25-tons)	0.0	0	0.261	0 0
Bernville Station	880049	32001	2009	0.000	0.0	0	0.261	0
Conoco Phillips Co., Trainer Refinery	880025	32	2009	Retired	0.0	0	0.261	0
Conoco Phillips Co., Trainer Refinery	880025	33	2009	0.217	75.3	691,401	0.261	90
Conoco Phillips Co., Trainer Refinery	880025	34	2009	0.005	1.6	534,619	0.261	70
Conoco Phillips Co., Trainer Refinery	880025	35	2009	0.006	1.9	573,745	0.261	75
Domtar Paper Company, LLC	54638	40	2009	0.342	166.7	977,790	0.261	128
Domtar Paper Company, LLC	54638	41	2009	0.344	163.1	949,688	0.261	124
Entriken Compressor Station	880072	31601	2009	25-Ton Exemption (Limit 25-tons)	0.0	0	0.261	0
FPL Energy Marcus Hook, LP	55801	AB01	2009	0.022	6.0	538,275	0.261	70
FPL Energy Marcus Hook, LP	55801	AB02	2009	0.033	10.9	638,296	0.261	83
FPL Energy Marcus Hook, LP	55801	AB03	2009	0.032	7.3	463,572	0.261	61
FPL Energy Marcus Hook, LP	55801	AB04	2009	0.033	10.9	656,585	0.261	86
Kimberly—Clark Tissue Company	50410	34	2009	2.00	0.0	10	0.261	0
Kimberly—Clark Tissue Company	50410	35	2009	0.060	100.5	3,673,949	0.261	480
Merck & Company—West Point	52149	39	2009	0.095	17.7	377,183	0.261	49

<i>Facility Name</i>	<i>ORIS CODE</i>	<i>Unit ID</i>	<i>Operating Year</i>	<i>NOx Rate lb/MMBtu</i>	<i>NOx Mass tons</i>	<i>Heat Input MMBtu</i>	<i>2010 Rate</i>	<i>2010 NOx Limit</i>
Merck & Company— West Point	52149	40	2009	0.025	9.1	742,715	0.261	97
P H Glatfelter Company	50397	34	2009	0.470	281.6	1,198,104	0.261	157
P H Glatfelter Company	50397	35	2009	0.522	268.6	1,021,643	0.261	133
P H Glatfelter Company	50397	36	2009	0.225	202.8	1,809,070	0.261	236
Philadelphia Refinery	52106	150137	2009	0.119	46.8	784,574	0.261	103
Philadelphia Refinery	52106	150138	2009	0.147	35.8	491,960	0.261	64
Philadelphia Refinery	52106	150139	2009	0.119	44.3	741,340	0.261	97
Philadelphia Refinery	52106	150140	2009	0.141	87.1	1,182,635	0.261	155
Procter & Gamble Paper Products	50463	328001	2009	0.161	129.4	1,620,502	0.261	212
Shenango Incorporated	54532	6	2009	Retired	0.0	0	0.261	0
Shenango Incorporated	54532	9	2009	Retired	0.0	0	0.261	0
Shermans Dale Station	880050	31801	2009	0.000	0.0	0	0.261	0
Sunoco Chemicals Frankford Plant	880007	52	2009	0.054	15.0	568,054	0.261	74
US Steel (Clariton Coke)	50729	CLBLR1	2009	0.136	89.8	1,305,944	0.261	171
US Steel (Clariton Coke)	50729	CLBLR2	2009	0.000	0.0	0	0.261	0
US Steel (Edgar Thompson)	50732	ETBLR1	2009	0.027	18.2	1,359,123	0.261	178
US Steel (Edgar Thompson)	50732	ETBLR2	2009	0.028	19.7	1,426,418	0.261	186
US Steel (Edgar Thompson)	50732	ETBLR3	2009	0.032	22.7	1,445,930	0.261	189
Naval Surface Warfare Division	880009	98	2009	Retired	0.0	0	0.261	0
Naval Surface Warfare Division	880009	99	2009	25-Ton Exemption (Limit 1-ton)	0.0	0	0.261	0
Naval Surface Warfare Division	880009	100	2009	25-Ton Exemption (Limit 25-Tons)	0.0	0	0.261	0
United Refining	880099	4	2009	0.173	46.7	539,884	0.261	71
				Totals:	1879.7	26,313,010	0.261	3438

JOHN HANGER,
Secretary

[Pa.B. Doc. No. 10-513. Filed for public inspection March 19, 2010, 9:00 a.m.]

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

The Department of Environmental Protection (Department) announces the following grants to municipalities for recycling programs under the Municipal Waste Planning, Recycling and Waste Reduction Act (act) (53 P. S. § 4000.902).

Grant funds are used to develop and implement recycling programs. Municipalities and Counties are eligible for up to 90% funding of approved recycling program costs. Municipalities considered financially distressed under the Financial Distressed Communities Act, P. L. 246, No. 47 of 1987, are eligible to receive funding for an additional 10% of approved costs. All grant awards are predicated on the receipt of recycling fees required by sections 701 and 702 of the act, and the availability of moneys in the Recycling Fund.

Inquiries regarding the grant offerings should be directed to Mark Vottero, Recycling Grants Coordinator, Department of Environmental Protection, Bureau of Waste Management, Division of Waste Minimization and Planning, Rachel Carson State Office Building, P. O. Box 8472, Harrisburg, PA 17105-8472.

<i>Municipality:</i>	<i>Recycling Project:</i>	<i>Awarded:</i>
East Rockhill Township Bucks County	Yard Waste Collection and Processing	\$27,000
Northampton Township Bucks County	Yard Waste Processing	\$496,250
Central Chester Co. Recycling Authority Chester County	Yard Waste Program and Curbside Recycling	\$281,925
Phoenixville Borough Chester County	Yard Waste Program	\$473,114
Valley Township Chester County	Curbside Recycling	\$441,810
West Bradford Township Chester County	Curbside Recycling	\$500,000
West Brandywine Township Chester County	Yard Waste Program	\$171,810
Aston Township Delaware County	Curbside Recycling	\$144,000
Haverford Township Delaware County	Yard Waste Program	\$228,232
Marple Township Delaware County	Yard Waste Program and Curbside Recycling	\$41,454
Nether Providence Township Delaware County	Curbside Recycling	\$207,900
Radnor Township Delaware County	Yard Waste Processing	\$495,000
Springfield Township Delaware County	Yard Waste Program and Curbside Recycling	\$94,089
Swarthmore Borough Delaware County	Curbside Recycling	\$74,993

<i>Municipality:</i>	<i>Recycling Project:</i>	<i>Awarded:</i>
Upper Chichester Township Delaware County	Yard Waste Program	\$153,945
Upper Darby Township Delaware County	Curbside Recycling	\$240,000
Abington Township Montgomery County	Curbside Recycling	\$499,500
Conshocken Borough Montgomery County	Curbside Recycling	\$225,007
Plymouth Township Montgomery County	Curbside Recycling	\$123,405
Rockledge Borough Montgomery County	Yard Waste Program	\$32,031
City of Philadelphia Philadelphia County	Curbside Recycling	\$500,000
Mayfield Borough Lackawanna County	Curbside Recycling	\$13,680
Moosic Borough Lackawanna County	Yard Waste and Recycling Program	\$93,306
Emmaus Borough Lehigh County	Curbside Recycling	\$2,156
Upper Macungie Township Lehigh County	Yard Waste Program	\$39,848
Dallas Area Municipal Authority Luzerne County	Curbside Recycling	\$3,330
Dupont Borough Luzerne County	Curbside Recycling	\$149,132
Exeter Borough Luzerne County	Yard Waste Program	\$473,073
Municipality of Kingston Luzerne County	Yard Waste and Recycling Program	\$221,347
Nanticoke City Luzerne County	Curbside Recycling	\$54,441
Plains Township Luzerne County	Curbside Recycling	\$149,132
West Pittston Borough Luzerne County	Curbside Recycling and Drop-off Collection	\$236,782
Wright Township Luzerne County	Yard Waste Program	\$383,990
Chestnuthill Township Monroe County	Recycling Center	\$209,915
Forest City Borough Susquehanna County	Curbside Recycling	\$132,474
Susquehanna County Susquehanna County	Recycling Center	\$46,052
Wayne County Wayne County	Recycling Center	\$71,028
Adams County Adams County	Recycling Center and Community Events	\$97,510
Amity Township Berks County	Yard Waste Program	\$63,016
Berks County SWA Berks County	Drop-off Recycling and School recycling	\$297,507

<i>Municipality:</i>	<i>Recycling Project:</i>	<i>Awarded:</i>	<i>Municipality:</i>	<i>Recycling Project:</i>	<i>Awarded:</i>
Bernville Borough Berks County	Yard Waste Program and Community Event Recycling	\$57,376	Lebanon County Lebanon County	Curbside and Drop-off Recycling Programs	\$130,500
Cumru Township Berks County	Yard Waste Program	\$39,550	North Londonderry Township Lebanon County	Drop-off Recycling and Yard Waste Program	\$32,968
Exeter Township Berks County	Yard Waste Program	\$213,721	North Cornwall Township Lebanon County	Yard Waste Program	\$136,590
Kutztown Borough Berks County	Drop-off Facility and Processing	\$164,545	Palmyra Borough Lebanon County	Curbside Recycling and Yard Waste Program	\$36,220
Marion Township Berks County	Curbside Recycling and Community Events	\$8,983	West Lebanon Township Lebanon County	Yard Waste Program	\$18,504
Mohnton Borough Berks County	Yard Waste Program	\$70,135	Dover Township York County	Yard Waste Program	\$71,964
Shillington Borough Berks County	Yard Waste Program and Curbside Recycling	\$45,425	Springettsbury Township York County	Yard Waste Program	\$59,174
Shoemakersville Borough Berks County	Curbside Recycling and Yard Waste Program	\$43,465	Northern Tier Bradford County	Recycling Center	\$304,717
South Heidelberg Township Berks County	Yard Waste Program and Curbside Recycling	\$87,317	Sayre Borough Bradford County	Yard Waste Composting	\$343,000
Spring Township Berks County	Yard Waste Program and Curbside Recycling	\$244,254	Cameron County Cameron County	Drop-off Recycling	\$60,858
Wyomissing Borough Berks County	Yard Waste Program and Curbside Recycling	\$55,080	Centre County SWA Centre County	Curbside Recycling and Recycling Center	\$347,360
Camp Hill Borough Cumberland County	Yard Waste Program	\$112,093	Ferguson Township Centre County	Yard Waste Program	\$38,220
Cumberland County R&WA Cumberland County	Community Events Recycling	\$23,057	State College Borough Centre County	Yard and Food Waste Recycling Programs	\$302,289
Hampden Township Cumberland County	Yard Waste Program and Curbside Recycling	\$128,395	Patton Township Centre County	Yard Waste Program	\$171,380
Middlesex Township Cumberland County	Yard Waste Program	\$408,773	Clinton County SWA Clinton County	Recycling Center	\$199,913
Middletown Borough Dauphin County	Yard Waste Program and Curbside Recycling	\$294,442	Berwick Borough Columbia County	Curbside and Drop-off Recycling Program	\$144,300
Susquehanna Township Dauphin County	Yard Waste Program	\$86,786	Town of Bloomsburg Columbia County	Recycling Center and Yard Waste Program	\$426,072
Huntingdon County Huntingdon County	Curbside and Drop-off Recycling Programs	\$61,950	Lycoming County RMS Lycoming County	Drop-off Recycling and Recycling Center	\$361,534
Chambersburg Borough Franklin County	Curbside Recycling Program	\$78,590	City of Williamsport Lycoming County	Yard Waste Program	\$128,821
East Hempfield Township Lancaster County	Yard Waste Program	\$43,200	Coal Township Northumberland County	Recycling Center	\$81,943
Lancaster City Lancaster County	Drop-off Facility	\$318,831	Kulpmont Borough Northumberland County	Curbside Recycling	\$87,096
Mount Joy Borough Lancaster County	Yard Waste Processing	\$254,525	Milton Borough Northumberland County	Drop-off Recycling	\$65,070
			City of Shamokin Northumberland County	Curbside and Drop-off Recycling Program	\$52,207
			Potter County SWA Potter County	Drop-off Recycling	\$59,205
			Selinsgrove Borough Snyder County	Yard Waste Program	\$26,328

<i>Municipality:</i>	<i>Recycling Project:</i>	<i>Awarded:</i>
Snyder County Snyder County	Recycling Drop-off	\$326,975
Allegheny County Allegheny County	Municipal Program and Special Event Recycling	\$99,000
Crafton Borough Allegheny County	Yard Waste Program	\$36,405
Borough of Franklin Park Allegheny County	Yard Waste Program and Curbside Recycling	\$500,000
Town of McCandless Allegheny County	Curbside Recycling and Yard Waste Recycling	\$500,000
North Fayette Township Allegheny County	Curbside Recycling	\$20,900
North Hills Council of Governments Allegheny County	Yard Waste Program	\$127,582
O'Hara Township Allegheny County	Yard Waste Recycling Program	\$43,538
Ohio Township Allegheny County	Curbside Recycling and Yard Waste Recycling	\$500,000
City of Pittsburgh Allegheny County	Curbside Recycling and Drop-off Program	\$482,942
Wilkesburg Borough Allegheny County	Yard Waste Program and Recycling Study	\$22,800
Armstrong County Armstrong County	Recycling Center and Drop-off Program	\$117,260
Ambridge Borough Beaver County	Yard Waste Program and Drop-off Recycling	\$38,430
Beaver County Beaver County	Yard Waste Program	\$228,510
Chippewa Township Beaver County	Yard Waste Program	\$58,080
Borough of New Brighton Beaver County	Yard Waste Program	\$101,000
Upper Yoder Township Cambria County	Yard Waste Program	\$70,508
Fayette County Fayette County	Recycling Center	\$208,303
Washington Township Fayette County	Yard Waste Program	\$48,865
Indiana County SWA Indiana County	Recycling Center	\$227,100
Peters Township Washington County	Yard Waste Program	\$71,376
Cranberry Township Butler County	Curbside Recycling	\$83,358
Clarion Borough Clarion County	Yard Waste Program	\$282,545
City of Erie Erie County	Yard Waste Composting	\$472,679

<i>Municipality:</i>	<i>Recycling Project:</i>	<i>Awarded:</i>
Millcreek Township Erie County	Yard Waste Composting and Curbside Recycling	\$459,792
Grove City Borough Mercer County	Yard Waste Composting	\$156,142

JOHN HANGER,
Secretary

[Pa.B. Doc. No. 10-514. Filed for public inspection March 19, 2010, 9:00 a.m.]

DEPARTMENT OF GENERAL SERVICES

Real Estate for Sale Delaware County

The Department of General Services (Department) will accept bids for the purchase of .25-acre of land and single family residence located at 962 East 20th Street, City of Chester, Delaware County. Bids are due Tuesday, June 8, 2010. Interested parties wishing to receive a copy of Solicitation No. 94327 should view the Department's web site at www.dgs.state.pa.us or call Bradley Swartz at (717) 705-5764.

JAMES P. CREEDON,
Secretary

[Pa.B. Doc. No. 10-515. Filed for public inspection March 19, 2010, 9:00 a.m.]

Real Estate for Sale Delaware County

The Department of General Services (Department) will accept bids for the purchase of .25-acre of land and single family residence located at 215 East Avon Road, City of Chester, Delaware County. Bids are due Tuesday, June 8, 2010. Interested parties wishing to receive a copy of Solicitation No. 94328 should view the Department's web site at www.dgs.state.pa.us or call Bradley Swartz at (717) 705-5764.

JAMES P. CREEDON,
Secretary

[Pa.B. Doc. No. 10-516. Filed for public inspection March 19, 2010, 9:00 a.m.]

DEPARTMENT OF HEALTH

Long-Term Care Nursing Facilities; Requests for Exception

The following long-term care nursing facility is seeking an exception to 28 Pa. Code § 201.3 (relating to definitions).

Greenleaf Nursing & Convalescent Center
400 South Main Street
Doylestown, PA 18901
Facility ID 070102

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

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

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

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

EVERETTE JAMES,
Secretary

[Pa.B. Doc. No. 10-517. Filed for public inspection March 19, 2010, 9:00 a.m.]

Special Supplemental Nutrition Program for Women, Infants and Children (WIC Program); Minimum Technology Standards

Under 28 Pa. Code § 1103.4(15) (relating to selection criteria for authorization and reauthorization), the WIC Program publishes notice of minimum technology standards. A store applying to become a WIC Authorized store must have all of the following to be considered for Authorization:

Minimum Technology Standards

Have an existing, active, hard wire telephone line on the store's premises.

An active email account for the store owner or manager.

Upon Authorization a store must maintain an active WIC Vendor Assistant account.

Internet connection on store premises (one of the following):

- Dial-up through an Internet provider
- Broadband DSL
- Broadband cable

A personal computer on store premises:

- Internet browser capable of accessing the WIC Vendor Assistant web site
- Adobe Reader software
- If using CheckScan, the following minimum software and hardware is required. Note: These are Windows XP minimum requirements. Newer operating systems may require additional hardware.
 - PC with 300 megahertz or higher processor clock speed
 - Microsoft Windows XP, Vista, or Windows 7 operating system
 - Microsoft .Net Framework 2.0 or higher (software)
 - 256 mb RAM
 - 1.5 gigabytes (GB) of available hard drive space
 - An available USB port (Version 1.1 or 2.0)

Persons with a disability who require an alternative format of this notice (for example, large print, audiotape, Braille) should contact Chris Harr at the Department of Health, Division of WIC, 2150 Herr Street, Harrisburg, PA 17105, (717) 783-1289, or for speech and/or hearing impaired persons V/TT (717) 783-6514, or the Pennsylvania AT&T Relay Service at (800) 654-5984.

EVERETTE JAMES,
Secretary

[Pa.B. Doc. No. 10-518. Filed for public inspection March 19, 2010, 9:00 a.m.]

DEPARTMENT OF REVENUE

Pennsylvania Golden Millions 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 Golden Millions.

2. *Price:* The price of a Pennsylvania Golden Millions instant lottery game ticket is \$20.

3. *Play Symbols:* Each Pennsylvania Golden Millions instant lottery game ticket will contain one play area featuring a "GOLDEN NUMBERS" area, a "YOUR NUMBERS" area, a "\$40 Gold Bar Cash" area, a "\$50 Gold Bar Cash" area, a "\$100 Gold Bar Cash" area and a "\$500 Gold Bar Cash" area. The play symbols and their captions located in the "GOLDEN NUMBERS" area are: 1 (ONE), 2 (TWO), 3 (THREE), 4 (FOUR), 5 (FIVE), 6 (SIX), 7 (SEVEN), 8 (EIGHT), 9 (NINE), 10 (TEN), 11 (ELEVN), 12 (TWLV), 13 (THRTN), 14 (FORTN), 15 (FIFTN), 16 (SIXTN), 17 (SVNTN), 18 (EGHTN), 19 (NINTN), 20 (TWENT), 21 (TWYONE), 22 (TWYTWO), 23 (TWYTHR), 24 (TWYFOR), 25 (TWYFIV), 26 (TWYSIX), 27 (TWYSVN), 28 (TWYEGT), 29 (TWYNIN), 30 (THIRTY), 31 (THYONE), 32 (THYTWO), 33 (THYTHR), 34 (THYFOR), 35 (THYFIV), 36 (THYSIX), 37 (THYSVN), 38 (THYEGT), 39 (THYNIN) and 40 (FORTY). The play symbols and their captions located in the "YOUR NUMBERS" area are: 1 (ONE), 2 (TWO), 3 (THREE), 4 (FOUR), 5 (FIVE), 6 (SIX), 7 (SEVEN), 8 (EIGHT), 9 (NINE), 10 (TEN), 11 (ELEVN), 12 (TWLV), 13 (THRTN), 14 (FORTN), 15 (FIFTN), 16 (SIXTN), 17 (SVNTN), 18 (EGHTN), 19 (NINTN), 20 (TWENT), 21 (TWYONE), 22 (TWYTWO), 23 (TWYTHR), 24 (TWYFOR), 25 (TWYFIV), 26 (TWYSIX), 27 (TWYSVN), 28 (TWYEGT), 29 (TWYNIN), 30 (THIRTY), 31 (THYONE), 32 (THYTWO), 33 (THYTHR), 34 (THYFOR), 35 (THYFIV), 36 (THYSIX), 37 (THYSVN), 38 (THYEGT), 39 (THYNIN), 40 (FORTY), Coin symbol (COIN) and a Gold Bar symbol (GOLD). The prize play symbol and the play symbols and their captions located in the "\$40 Gold Bar Cash" area are: \$40⁰⁰ (FORTY), NO BONUS (TRY AGAIN) and TRY AGAIN (NO BONUS). The prize play symbol and the play symbols and their captions located in the "\$50 Gold Bar Cash" area are: \$50⁰⁰ (FIFTY), NO BONUS (TRY AGAIN) and TRY AGAIN (NO BONUS). The prize play symbol and the play symbols and their captions located in

the "\$100 Gold Bar Cash" area are: \$100 (ONE HUN), NO BONUS (TRY AGAIN) and TRY AGAIN (NO BONUS). The prize play symbol and the play symbols and their captions located in the "\$500 Gold Bar Cash" area are: \$500 (FIV HUN), NO BONUS (TRY AGAIN) and TRY AGAIN (NO BONUS). Each play area is played separately.

4. *Prize Symbols:* The prize symbols and their captions located in the "YOUR NUMBERS" area are: \$10⁰⁰ (TEN DOL), \$20⁰⁰ (TWENTY), \$40⁰⁰ (FORTY), \$50⁰⁰ (FIFTY), \$100 (ONE HUN), \$200 (TWO HUN), \$400 (FOR HUN), \$500 (FIV HUN), \$1,000 (ONE THO), \$2,500 (TWYFIVHUN), \$10,000 (TEN THO), \$100,000 (ONEHUNTHO) and \$1MILL (ONE MIL).

5. *Prizes:* The prizes that can be won in this game are: \$10, \$20, \$40, \$50, \$100, \$200, \$400, \$500, \$1,000, \$2,500, \$10,000, \$100,000 and \$1,000,000. The \$1,000,000 top prize is a lump sum cash payment. The prize that can be won in the "\$40 Gold Bar Cash" area is \$40. The prize that can be won in the "\$50 Gold Bar Cash" area is \$50. The prize that can be won in the "\$100 Gold Bar Cash" area is \$100. The prize that can be won in the "\$500 Gold Bar Cash" area is \$500. A player can win up to 20 times on a ticket.

6. *Approximate Number of Tickets Printed For the Game:* Approximately 2,160,000 tickets will be printed for the Pennsylvania Golden Millions instant lottery game.

7. *Determination of Prize Winners:*

(a) Holders of tickets upon which any one of the "YOUR NUMBERS" play symbols matches any of the "GOLDEN NUMBERS" play symbols and a prize symbol of \$1MILL (ONE MIL) appears under the matching "YOUR NUMBERS" play symbol, on a single ticket, shall be entitled to a prize of \$1,000,000.

(b) Holders of tickets upon which any one of the "YOUR NUMBERS" play symbols matches any of the "GOLDEN NUMBERS" play symbols and a prize symbol of \$100,000 (ONEHUNTHO) appears under the matching "YOUR NUMBERS" play symbol, on a single ticket, shall be entitled to a prize of \$100,000.

(c) Holders of tickets upon which any one of the "YOUR NUMBERS" play symbols matches any of the "GOLDEN NUMBERS" play symbols and a prize symbol of \$10,000 (TEN THO) appears under the matching "YOUR NUMBERS" play symbol, on a single ticket, shall be entitled to a prize of \$10,000.

(d) Holders of tickets upon which any one of the "YOUR NUMBERS" play symbols is a Gold Bar symbol (GOLD), and a prize symbol of \$500 (FIV HUN) appears in each of the twenty "Prize" areas, on a single ticket, shall be entitled to a prize of \$10,000.

(e) Holders of tickets upon which any one of the "YOUR NUMBERS" play symbols matches any of the "GOLDEN NUMBERS" play symbols and a prize symbol of \$2,500 (TWYFIVHUN) appears under the matching "YOUR NUMBERS" play symbol, on a single ticket, shall be entitled to a prize of \$2,500.

(f) Holders of tickets upon which any one of the "YOUR NUMBERS" play symbols matches any of the "GOLDEN NUMBERS" play symbols and a prize symbol of \$1,000 (ONE THO) appears under the matching "YOUR NUMBERS" play symbol, on a single ticket, shall be entitled to a prize of \$1,000.

(g) Holders of tickets upon which any one of the "YOUR NUMBERS" play symbols is a Coin symbol

(COIN), and a prize symbol of \$500 (FIV HUN) appears under that Coin symbol (COIN), on a single ticket, shall be entitled to a prize of \$1,000.

(h) Holders of tickets upon which any one of the "YOUR NUMBERS" play symbols is a Gold Bar symbol (GOLD), and a prize symbol of \$20⁰⁰ (TWENTY) appears in five of the "Prize" areas, and a prize symbol of \$40⁰⁰ (FORTY) appears in ten of the "Prize" areas, and a prize symbol of \$100 (ONE HUN) appears in five of the "Prize" areas, on a single ticket, shall be entitled to a prize of \$1,000.

(i) Holders of tickets upon which any one of the "YOUR NUMBERS" play symbols matches any of the "GOLDEN NUMBERS" play symbols and a prize symbol of \$500 (FIV HUN) appears under the matching "YOUR NUMBERS" play symbol, on a single ticket, shall be entitled to a prize of \$500.

(j) Holders of tickets with a \$500 (FIV HUN) prize play symbol in the "\$500 Gold Bar Cash" area, on a single ticket, shall be entitled to a prize of \$500.

(k) Holders of tickets upon which any one of the "YOUR NUMBERS" play symbols is a Gold Bar symbol (GOLD), and a prize symbol of \$20⁰⁰ (TWENTY) appears in fifteen of the "Prize" areas, and a prize symbol of \$40⁰⁰ (FORTY) appears in five of the "Prize" areas, on a single ticket, shall be entitled to a prize of \$500.

(l) Holders of tickets upon which any one of the "YOUR NUMBERS" play symbols matches any of the "GOLDEN NUMBERS" play symbols and a prize symbol of \$400 (FOR HUN) appears under the matching "YOUR NUMBERS" play symbol, on a single ticket, shall be entitled to a prize of \$400.

(m) Holders of tickets upon which any one of the "YOUR NUMBERS" play symbols is a Coin symbol (COIN), and a prize symbol of \$200 (TWO HUN) appears under that Coin symbol (COIN), on a single ticket, shall be entitled to a prize of \$400.

(n) Holders of tickets upon which any one of the "YOUR NUMBERS" play symbols is a Gold Bar symbol (GOLD), and a prize symbol of \$20⁰⁰ (TWENTY) appears in each of the twenty "Prize" areas, on a single ticket, shall be entitled to a prize of \$400.

(o) Holders of tickets upon which any one of the "YOUR NUMBERS" play symbols matches any of the "GOLDEN NUMBERS" play symbols and a prize symbol of \$200 (TWO HUN) appears under the matching "YOUR NUMBERS" play symbol, on a single ticket, shall be entitled to a prize of \$200.

(p) Holders of tickets upon which any one of the "YOUR NUMBERS" play symbols is a Coin symbol (COIN), and a prize symbol of \$100 (ONE HUN) appears under that Coin symbol (COIN), on a single ticket, shall be entitled to a prize of \$200.

(q) Holders of tickets upon which any one of the "YOUR NUMBERS" play symbols is a Gold Bar symbol (GOLD), and a prize symbol of \$10⁰⁰ (TEN DOL) appears in each of the twenty "Prize" areas, on a single ticket, shall be entitled to a prize of \$200.

(r) Holders of tickets upon which any one of the "YOUR NUMBERS" play symbols matches any of the "GOLDEN NUMBERS" play symbols and a prize symbol of \$100 (ONE HUN) appears under the matching "YOUR NUMBERS" play symbol, on a single ticket, shall be entitled to a prize of \$100.

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

(t) Holders of tickets upon which any one of the “YOUR NUMBERS” play symbols is a Coin symbol (COIN), and a prize symbol of \$50⁰⁰ (FIFTY) appears under that Coin symbol (COIN), on a single ticket, shall be entitled to a prize of \$100.

(u) Holders of tickets upon which any one of the “YOUR NUMBERS” play symbols matches any of the “GOLDEN NUMBERS” play symbols and a prize symbol of \$50⁰⁰ (FIFTY) appears under the matching “YOUR NUMBERS” play symbol, on a single ticket, shall be entitled to a prize of \$50.

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

(w) Holders of tickets upon which any one of the “YOUR NUMBERS” play symbols matches any of the “GOLDEN NUMBERS” play symbols and a prize symbol of \$40⁰⁰ (FORTY) appears under the matching “YOUR NUMBERS” play symbol, on a single ticket, shall be entitled to a prize of \$40.

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

(y) Holders of tickets upon which any one of the “YOUR NUMBERS” play symbols is a Coin symbol (COIN), and a prize symbol of \$20⁰⁰ (TWENTY) appears under that Coin symbol (COIN), on a single ticket, shall be entitled to a prize of \$40.

(z) Holders of tickets upon which any one of the “YOUR NUMBERS” play symbols matches any of the “GOLDEN NUMBERS” play symbols and a prize symbol of \$20⁰⁰ (TWENTY) appears under the matching “YOUR NUMBERS” play symbol, on a single ticket, shall be entitled to a prize of \$20.

(aa) Holders of tickets upon which any one of the “YOUR NUMBERS” play symbols is a Coin symbol (COIN), and a prize symbol of \$10⁰⁰ (TEN DOL) appears under that Coin symbol (COIN), on a single ticket, shall be entitled to a prize of \$20.

(bb) Holders of tickets upon which any one of the “YOUR NUMBERS” play symbols matches any of the “GOLDEN NUMBERS” play symbols and a prize symbol of \$10⁰⁰ (TEN DOL) appears under the matching “YOUR NUMBERS” play symbol, on a single ticket, shall be entitled to a prize of \$10.

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

<i>When Any Of Your Numbers Match Any Of The Golden Numbers, Win With Prize(s) Of:</i>	<i>Win:</i>	<i>Approximate Odds Are 1 In:</i>	<i>Approximate No. Of Winners Per 2,160,000 Tickets</i>
\$10 × 2	\$20	20	108,000
\$10 w/COIN	\$20	15	144,000
\$20	\$20	15	144,000
\$10 × 4	\$40	75	28,800
\$20 × 2	\$40	75	28,800
\$20 w/COIN	\$40	75	28,800
\$40 GOLD BAR CASH w/\$40	\$40	75	28,800
\$40	\$40	75	28,800
\$10 × 5	\$50	150	14,400
(\$20 w/COIN) + \$10	\$50	150	14,400
\$50 GOLD BAR CASH w/\$50	\$50	100	21,600
\$50	\$50	100	21,600
\$10 × 10	\$100	300	7,200
\$50 w/COIN	\$100	300	7,200
(\$50 GOLD BAR CASH w/\$50) + \$50	\$100	300	7,200
\$100 GOLD BAR CASH w/\$100	\$100	300	7,200
\$100	\$100	150	14,400
GOLD w/\$10 × 20	\$200	600	3,600
\$100 w/COIN	\$200	600	3,600
(\$40 GOLD BAR CASH w/\$40) + (\$40 × 4)	\$200	600	3,600
(\$100 GOLD BAR CASH w/\$100) + \$100	\$200	600	3,600
\$200	\$200	600	3,600
\$20 × 20	\$400	6,000	360
GOLD w/\$20 × 20	\$400	6,000	360
\$40 × 10	\$400	6,000	360
\$50 × 8	\$400	6,000	360
(\$40 GOLD BAR CASH w/\$40) + (\$40 × 9)	\$400	6,000	360
\$100 × 4	\$400	6,000	360
(\$100 GOLD BAR CASH w/\$100) + (\$100 × 3)	\$400	6,000	360
\$200 w/COIN	\$400	6,000	360
(\$50 GOLD BAR CASH w/\$50) + (\$50 × 7)	\$400	6,000	360
\$400	\$400	6,000	360
GOLD w/(\$20 × 15) + (\$40 × 5)	\$500	12,000	180
(\$20 × 10) + (\$40 × 5) + (\$50 × 2)	\$500	12,000	180
(\$40 × 10) + (\$50 × 2)	\$500	12,000	180
\$50 × 10	\$500	12,000	180

When Any Of Your
Numbers Match Any Of The Golden Numbers,
Win With Prize(s) Of:

	Win:	Approximate Odds Are 1 In:	Approximate No. Of Winners Per 2,160,000 Tickets
\$100 × 5	\$500	12,000	180
(\$100 GOLD BAR CASH w/\$100) + (\$100 × 4)	\$500	12,000	180
(\$200 w/COIN) + \$100	\$500	12,000	180
\$500 GOLD BAR CASH w/\$500	\$500	12,000	180
\$500	\$500	12,000	180
GOLD w/(\$20 × 5) + (\$40 × 10) + (\$100 × 5)	\$1,000	10,000	216
\$50 × 20	\$1,000	10,000	216
\$100 × 10	\$1,000	10,000	216
(\$500 GOLD BAR CASH w/\$500) + \$500	\$1,000	10,000	216
\$500 w/COIN	\$1,000	10,000	216
\$1,000	\$1,000	12,000	180
\$500 × 5	\$2,500	60,000	36
(\$500 GOLD BAR CASH w/\$500) + (\$500 × 4)	\$2,500	60,000	36
\$2,500	\$2,500	60,000	36
GOLD w/\$500 × 20	\$10,000	720,000	3
\$1,000 × 10	\$10,000	720,000	3
\$2,500 × 4	\$10,000	720,000	3
\$10,000	\$10,000	720,000	3
\$100,000	\$100,000	720,000	3
\$1,000,000	\$1,000,000	720,000	3

“COIN” (COIN) symbol = Win double the prize under that symbol.

“GOLD” (GOLD) symbol = Win all 20 prizes shown.

\$40 GOLD BAR CASH = Reveal \$40, win that amount.

\$50 GOLD BAR CASH = Reveal \$50, win that amount.

\$100 GOLD BAR CASH = Reveal \$100, win that amount.

\$500 GOLD BAR CASH = Reveal \$500, win that amount.

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

9. *Retailer Incentive Awards:* The Lottery may conduct a separate Retailer Incentive Game for retailers who sell Pennsylvania Golden Millions instant lottery game tickets. The conduct of the game will be governed by 61 Pa. Code § 819.222 (relating to retailer bonuses and incentive).

10. *Unclaimed Prize Money:* For a period of 1 year from the announced close of Pennsylvania Golden Millions, prize money from winning Pennsylvania Golden Millions 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 Golden Millions instant lottery game, the right of a ticket holder to claim the prize represented by the ticket, if any, will expire and the prize money will be paid into the State Lottery Fund and used for purposes provided for by statute.

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

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

C. DANIEL HASSELL,
Acting Secretary

[Pa.B. Doc. No. 10-519. Filed for public inspection March 19, 2010, 9:00 a.m.]

Pennsylvania Mother's Day Surprise 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 Mother's Day Surprise.

2. *Price:* The price of a Pennsylvania Mother's Day Surprise lottery game ticket is \$5.

3. *Play Symbols:*

(a) Each Pennsylvania Mother's Day Surprise instant lottery game ticket will contain three play areas known as “Game 1,” “Game 2,” “Game 3” and a “Surprise Bonus” area. Each game has a different game play method and is played separately. Only the highest prize won in “Game 2” will be paid.

(b) The prize play symbols and their captions located in the play area for “Game 1” are: \$5^{.00} (FIV DOL), \$10^{.00} (TEN DOL), \$15^{.00} (FIFTN), \$20^{.00} (TWENTY), \$30^{.00} (THIRTY), \$40^{.00} (FORTY), \$50^{.00} (FIFTY), \$100 (ONE HUN), \$200 (TWO HUN) and \$1,000 (ONE THO).

(c) The play symbols and their captions located in the play area for “Game 2” are: Bills symbol (BILLS), Cake symbol (CAKE), Candle symbol (CANDL), Confetti symbol (CNFTI), Cupcake symbol (CUPC), Goldbar symbol (GLDBAR), Gold Nugget symbol (GLDNGT), Piggy Bank symbol (PIGBNK), Stack symbol (STACK), Wallet symbol (WALLET) and Heart symbol (HEART).

(d) The play symbols and their captions located in the “YOUR SYMBOLS” and “MOTHER'S DAY SYMBOLS” areas for “Game 3” are: Balloon symbol (BALLOON), Candy symbol (CANDY), Car symbol (CAR), Diamond

symbol (DIAMOND), Emerald symbol (EMERALD), Gift symbol (GIFT), House symbol (HOUSE), Mink Coat symbol (MINK), Money symbol (MONEY), Necklace symbol (NCKLACE), Ring symbol (RING) and Rose symbol (ROSE).

(e) The prize play and play symbols and their captions located in the "Surprise Bonus" area: \$5⁰⁰ (FIV DOL), \$10⁰⁰ (TEN DOL), \$15⁰⁰ (FIFTN), \$20⁰⁰ (TWENTY), \$30⁰⁰ (THIRTY), \$40⁰⁰ (FORTY), \$50⁰⁰ (FIFTY), \$100 (ONE HUN), \$200 (TWO HUN), NO BONUS (TRY AGAIN) and TRY AGAIN (NO BONUS).

4. *Prize Symbols*: The play area for "Game 3" will contain six "prize" areas. The prize symbols and their captions located in the six "prize" areas for "Game 3" are: \$5⁰⁰ (FIV DOL), \$10⁰⁰ (TEN DOL), \$15⁰⁰ (FIFTN), \$20⁰⁰ (TWENTY), \$30⁰⁰ (THIRTY), \$40⁰⁰ (FORTY), \$50⁰⁰ (FIFTY), \$100 (ONE HUN), \$200 (TWO HUN), \$1,000 (ONE THO) and \$50,000 (FTY THO).

5. *Prizes*: The prizes that can be won in "Game 1" are: \$5, \$10, \$15, \$20, \$30, \$40, \$50, \$100, \$200 and \$1,000. The prizes that can be won in "Game 2" are: \$10, \$20, \$30 and \$40. Only the highest prize won in "Game 2" will be paid. The prizes that can be won in "Game 3" are: \$5, \$10, \$15, \$20, \$30, \$40, \$50, \$100, \$200, \$1,000 and \$50,000. The prizes that can be won in the "Surprise Bonus" are: \$5, \$10, \$15, \$20, \$30, \$40, \$50, \$100 and \$200. A player can win up to 9 times on a ticket.

6. *Approximate Number of Tickets Printed For the Game*: Approximately 3,840,000 tickets will be printed for the Pennsylvania Mother's Day Surprise instant lottery game.

7. *Determination of Prize Winners*:

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

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

(2) Holders of tickets with three matching prize play symbols of \$200 (TWO HUN) in the play area, on a single ticket, shall be entitled to a prize of \$200.

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

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

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

(6) Holders of tickets with three matching prize play symbols of \$30⁰⁰ (THIRTY) in the play area, on a single ticket, shall be entitled to a prize of \$30.

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

(8) Holders of tickets with three matching prize play symbols of \$15⁰⁰ (FIFTN) in the play area, on a single ticket, shall be entitled to a prize of \$15.

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

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

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

(1) Holders of tickets upon which four Heart (HEART) play symbols appear in the "PLAY AREA," on a single ticket, shall be entitled to a prize of \$40.

(2) Holders of tickets upon which three Heart (HEART) play symbols appear in the "PLAY AREA," on a single ticket, shall be entitled to a prize of \$30.

(3) Holders of tickets upon which two Heart (HEART) play symbols appear in the "PLAY AREA," on a single ticket, shall be entitled to a prize of \$20.

(4) Holders of tickets upon which one Heart (HEART) play symbol appears in the "PLAY AREA," on a single ticket, shall be entitled to a prize of \$10.

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

(1) Holders of tickets upon which any one of the "YOUR SYMBOLS" play symbols matches either of the "MOTHER'S DAY SYMBOLS" play symbols and a prize symbol of \$50,000 (FTY THO) appears under the matching "YOUR SYMBOLS" play symbol, on a single ticket, shall be entitled to a prize of \$50,000.

(2) Holders of tickets upon which any one of the "YOUR SYMBOLS" play symbols matches either of the "MOTHER'S DAY SYMBOLS" play symbols and a prize symbol of \$1,000 (ONE THO) appears under the matching "YOUR SYMBOLS" play symbol, on a single ticket, shall be entitled to a prize of \$1,000.

(3) Holders of tickets upon which any one of the "YOUR SYMBOLS" play symbols matches either of the "MOTHER'S DAY SYMBOLS" play symbols and a prize symbol of \$200 (TWO HUN) appears under the matching "YOUR SYMBOLS" play symbol, on a single ticket, shall be entitled to a prize of \$200.

(4) Holders of tickets upon which any one of the "YOUR SYMBOLS" play symbols matches either of the "MOTHER'S DAY SYMBOLS" play symbols and a prize symbol of \$100 (ONE HUN) appears under the matching "YOUR SYMBOLS" play symbol, on a single ticket, shall be entitled to a prize of \$100.

(5) Holders of tickets upon which any one of the "YOUR SYMBOLS" play symbols matches either of the "MOTHER'S DAY SYMBOLS" play symbols and a prize symbol of \$50⁰⁰ (FIFTY) appears under the matching "YOUR SYMBOLS" play symbol, on a single ticket, shall be entitled to a prize of \$50.

(6) Holders of tickets upon which any one of the "YOUR SYMBOLS" play symbols matches either of the "MOTHER'S DAY SYMBOLS" play symbols and a prize symbol of \$40⁰⁰ (FORTY) appears under the matching "YOUR SYMBOLS" play symbol, on a single ticket, shall be entitled to a prize of \$40.

(7) Holders of tickets upon which any one of the "YOUR SYMBOLS" play symbols matches either of the "MOTHER'S DAY SYMBOLS" play symbols and a prize symbol of \$30⁰⁰ (THIRTY) appears under the matching "YOUR SYMBOLS" play symbol, on a single ticket, shall be entitled to a prize of \$30.

(8) Holders of tickets upon which any one of the "YOUR SYMBOLS" play symbols matches either of the "MOTHER'S DAY SYMBOLS" play symbols and a prize symbol of \$20⁰⁰ (TWENTY) appears under the matching "YOUR SYMBOLS" play symbol, on a single ticket, shall be entitled to a prize of \$20.

(9) Holders of tickets upon which any one of the "YOUR SYMBOLS" play symbols matches either of the

“MOTHER’S DAY SYMBOLS” play symbols and a prize symbol of \$15⁰⁰ (FIFTN) appears under the matching “YOUR SYMBOLS” play symbol, on a single ticket, shall be entitled to a prize of \$15.

(10) Holders of tickets upon which any one of the “YOUR SYMBOLS” play symbols matches either of the “MOTHER’S DAY SYMBOLS” play symbols and a prize symbol of \$10⁰⁰ (TEN DOL) appears under the matching “YOUR SYMBOL” play symbol, on a single ticket, shall be entitled to a prize of \$10.

(11) Holders of tickets upon which any one of the “YOUR SYMBOLS” play symbols matches either of the “MOTHER’S DAY SYMBOLS” play symbols and a prize symbol of \$5⁰⁰ (FIV DOL) appears under the matching “YOUR SYMBOLS” play symbol, on a single ticket, shall be entitled to a prize of \$5.

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

(1) Holders of tickets with a \$200 (TWO HUN) play symbol in the “BONUS” area, on a single ticket, shall be entitled to a prize of \$200.

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

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

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

(5) Holders of tickets with a \$30⁰⁰ (THIRTY) play symbol in the “BONUS” area, on a single ticket, shall be entitled to a prize of \$30.

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

(7) Holders of tickets with a \$15⁰⁰ (FIFTN) play symbol in the “BONUS” area, on a single ticket, shall be entitled to a prize of \$15.

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

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

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

<i>Surprise Bonus</i>	<i>Game 1</i>	<i>Game 2</i>	<i>Game 3</i>	<i>Win:</i>	<i>Approximate Odds Are 1 In:</i>	<i>Approximate No. Of Winners Per 3,840,000 Tickets</i>
\$5				\$5	12	320,000
			\$5	\$5	15	256,000
\$10	\$10			\$10	120	32,000
		1 Heart		\$10	120	32,000
\$5			\$5	\$10	120	32,000
			\$10	\$10	120	32,000
			\$5 × 2	\$10	120	32,000
\$15	\$15			\$15	200	19,200
\$5		1 Heart		\$15	200	19,200
	\$5	1 Heart		\$15	300	12,800
\$5			\$5 × 2	\$15	200	19,200
			\$15	\$15	300	12,800
\$10			\$5	\$15	300	12,800
			\$5 × 3	\$15	300	12,800
\$20	\$20			\$20	300	12,800
		2 Hearts		\$20	300	12,800
\$10		1 Heart		\$20	300	12,800
\$10			\$20	\$20	600	6,400
\$30			\$5 × 2	\$20	600	6,400
	\$30			\$30	600	6,400
			\$30	\$30	600	6,400
\$10		2 Hearts		\$30	600	6,400
			\$5 × 6	\$30	600	6,400
\$40	\$40			\$40	600	6,400
			\$40	\$40	600	6,400
\$10		3 Hearts		\$40	600	6,400
	\$10	2 Hearts	\$10	\$40	600	6,400
\$100	\$100			\$100	1,200	3,200
			\$100	\$100	1,200	3,200
\$5	\$5	3 Hearts	\$15 × 4	\$100	1,200	3,200

Surprise Bonus	Game 1	Game 2	Game 3	Win:	Approximate Odds Are 1 In:	Approximate No. Of Winners Per 3,840,000 Tickets
\$15		1 Heart	\$15 × 5	\$100	1,200	3,200
\$20	\$20	2 Hearts	\$20 × 2	\$100	1,200	3,200
\$30		4 Hearts	\$5 × 6	\$100	1,200	3,200
			\$20 × 5	\$100	1,200	3,200
\$20			\$40 × 2	\$100	1,200	3,200
\$200				\$200	20,000	192
	\$200			\$200	20,000	192
			\$200	\$200	24,000	160
\$20		3 Hearts	\$30 × 5	\$200	20,000	192
\$40		4 Hearts	\$40 × 3	\$200	20,000	192
\$40	\$20	2 Hearts	\$20 × 6	\$200	20,000	192
\$50	\$50		\$50 × 2	\$200	24,000	160
\$100	\$100			\$200	24,000	160
\$100			\$100	\$200	24,000	160
\$5	\$5	1 Heart	\$30 × 6	\$200	20,000	192
	\$1,000			\$1,000	120,000	32
			\$200 × 5	\$1,000	120,000	32
			\$1,000	\$1,000	120,000	32
			\$50,000	\$50,000	768,000	5

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

Game 2—Scratch play area. Get: 1 “Heart” (HEART), win \$10; 2 “Hearts” (HEART), win \$20; 3 “Hearts” (HEART), win \$30; 4 “Hearts” (HEART), win \$40.

Game 3—When any of YOUR SYMBOLS match either MOTHER’S DAY SYMBOL, win prize shown below that symbol.

Surprise Bonus—Reveal prize amount from \$5 to \$200 and win that prize.

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

9. *Retailer Incentive Awards:* The Lottery may conduct a separate Retailer Incentive Game for retailers who sell Pennsylvania Mother’s Day Surprise instant lottery game tickets. The conduct of the game will be governed by 61 Pa. Code § 819.222 (relating to retailer bonuses and incentive).

10. *Unclaimed Prize Money:* For a period of 1 year from the announced close of Pennsylvania Mother’s Day Surprise, prize money from winning Pennsylvania Mother’s Day Surprise 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 Mother’s Day Surprise instant lottery game, the right of a ticket holder to claim the prize represented by the ticket, if any, will expire and the prize money will be paid into the State Lottery Fund and used for purposes provided for by statute.

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

12. *Termination of the Game:* The Secretary may announce a termination date, after which no further tickets from this game may be sold. The announcement will be disseminated through media used to advertise or promote Pennsylvania Mother’s Day Surprise or through normal communications methods.

C. DANIEL HASSELL,
Acting Secretary

[Pa.B. Doc. No. 10-520. Filed for public inspection March 19, 2010, 9:00 a.m.]

DEPARTMENT OF TRANSPORTATION

Sale of Land No Longer Needed for Transportation Purposes

The Department of Transportation, (Department), 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 is a Bedford County property available for sale by the Department:

Property measuring 50,424.31 square feet abutting SR 0026, east of Yellow Creek, being known as Tax Map No. G.06-47, formerly owned by Roger D. and Robin A. Donovan.

Interested public bodies are invited to express their interest in purchasing the site within 30 calendar days from the date of publication of this notice to Sherry L. Peck, Property Manager, Department of Transportation, R/W Unit, 1620 North Juniata Street, Hollidaysburg, PA 16648-1080.

Questions regarding this property may be directed to Sherry L. Peck, District Property Manager, 1620 North Juniata Street, Hollidaysburg, PA 16648-1080, (814) 696-7215.

ALLEN D. BIEHLER, P. E.,
Secretary

[Pa.B. Doc. No. 10-521. Filed for public inspection March 19, 2010, 9:00 a.m.]

Watercraft Trailer Forfeiture; Maximum Amount

Chapter 73, Subchapter B of the Vehicle Code, 75 Pa.C.S. (relating to watercraft trailer forfeiture) applies only to a watercraft trailer with a resale value based upon established industry standards equal to less than the amount set forth in 75 Pa.C.S. § 7321(c) (relating to scope of subchapter and legislative intent). This subsection provides that for the year 2006, the maximum amount will be \$1,000 and for each year thereafter, the maximum amount will be fixed annually by the Department of Transportation (Department) based upon the maximum amount in the prior year as adjusted to reflect the change in the Consumer Price Index for All Urban Consumers (CPI-U) for the United States for all items as published by the United States Department of Labor, Bureau of Labor Statistics, for the previous 12-month period. The subsection further provides that the maximum amount as adjusted will be rounded to the nearest multiple of \$5 and that the Department will give notice of the new maximum amount by publication in the *Pennsylvania Bulletin*.

Under 75 Pa.C.S. § 7321(c), the Department has fixed the maximum amount for 2010 as \$1,095.

ALLEN D. BIEHLER, P. E.,
Secretary

[Pa.B. Doc. No. 10-522. Filed for public inspection March 19, 2010, 9:00 a.m.]

FISH AND BOAT COMMISSION

Boat and Marine Forfeiture; Maximum Amount

Chapter 53, Subchapter C of 30 Pa.C.S. (relating to boat and marine forfeiture) applies only to boats and related equipment with a resale value based upon established industry standards equal to or less than the maximum amount set forth in 30 Pa.C.S. § 5331(c) (relating to scope of subchapter). This subsection provides that for the year 2006, the maximum amount will be \$5,000 and for each year thereafter, the maximum amount will be fixed annually by the Fish and Boat Commission (Commission) based upon the maximum amount in the prior year as adjusted to reflect the change in the Consumer Price Index for All Urban Consumers (CPI-U) for the United States for all items as published by the United States Department of Labor, Bureau of Labor Statistics, for the previous 12-month period. The subsection further provides that the maximum amount as adjusted will be rounded to the nearest multiple of \$5 and that the Commission will give notice of the new maximum amount by publication in the *Pennsylvania Bulletin*. The Commission previously fixed the maximum amount for 2009 at \$5,340.

Under 30 Pa.C.S. § 5331(c), the Commission has fixed the maximum amount for 2010 as \$5,485.

JOHN A. ARWAY,
Executive Director

[Pa.B. Doc. No. 10-523. Filed for public inspection March 19, 2010, 9:00 a.m.]

HEALTH CARE COST CONTAINMENT COUNCIL

Continued Collection of Laboratory Data for the Purposes of Risk Adjusting Healthcare Outcomes; Announces a 30-Day Public Comment Period

Summary:

The Health Care Cost Containment Council (Council) is seeking public comment on the continued collection of laboratory (lab) data to be used for the purposes of risk adjusting healthcare outcomes. Lab data, submitted by hospitals through a third-party vendor, has been used as part of the Council's risk-adjustment approach since 1989. Prior to 2008, hospitals submitted additional Key Clinical Findings from the medical records, which were used along with lab data to calculate a patient's severity of illness. For most inpatient records, the requirement to submit the additional Key Clinical Findings beyond the lab data was halted in January 2008. The lab data continues to be a critical component to the Council's risk-adjustment methodology.

Dates:

Comments must be received in writing by one of the methods described as follows no later than 5 p.m. ET on April 20, 2010. Comments must include a signature and be on letterhead.

Methods for Submitting Comments:

1. Electronically. Electronic comments should be submitted to comments@phc4.org.
2. Fax. Fax comments to Joseph Martin, Executive Director at (717) 232-7029.
3. Regular mail, express or overnight mail, hand delivery or courier. Address comments to: Joseph Martin, Executive Director, Health Care Cost Containment Council, 225 Market Street, Suite 400, Harrisburg, PA 17101.

For Further Information:

Contact: René Greenawalt at rgreenawalt@phc4.org or (717) 232-6787.

Supplementary Information:

Comments received by the close of the comment period will be available for viewing by the public. Comments will be posted on the Council's web site (www.phc4.org) subsequent to the Council's May 6, 2010, meeting.

A document that summarizes the comments and responds to statements and/or inquiries raised in the comments will be prepared and made available to the public. This document will be posted on the Council's web site subsequent to the Council's May 6, 2010, meeting.

Importance of Risk Adjustment:

The Council is an independent State agency charged with collecting, analyzing and reporting information that can be used to improve the quality and restrain the cost of health care in the Commonwealth.

A critical component to the Council's public reports on healthcare outcomes is the ability to appropriately and adequately risk adjust the data. Risk adjusting the data allows for fair comparisons across health care providers, including hospitals and physicians, because it accounts for varying illness levels among patients. Patients who

are more severely ill may be more likely to die, stay in the hospital longer, or be readmitted. Risk adjusting patient care data enables a better assessment of the performance of health care providers in treating patients, particularly those who are more seriously ill.

Purpose of the Public Comment Period:

When the Council was reauthorized in June of 2009 (Act 3 of 2009), language was included that states the Council “shall not require any data sources to contract with any specific vendor for submission of any specific data elements to the Council.” This provision takes effect July 1, 2010. As such, the Council has been exploring potential options for risk adjustment beyond July 1, 2010.

At its March 4, 2010, meeting, the Council voted to continue the collection of lab data from this Commonwealth’s hospitals. The Council’s decision to continue the lab data collection requirement was based on recommendations from its Technical Advisory Group, which includes physicians, biostatisticians, researchers, and a representative each from the Hospital and Healthsystem Association of PA and the PA Medical Society. The Technical Advisory Group advised the Council to continue to collect and use the lab data for risk adjustment after reviewing detailed analyses that demonstrated the superiority of using lab data for risk adjustment purposes.

The intent of this public comment period is to solicit input from hospitals, physicians, other health care professionals, and other interested parties on potential implementation approaches as they relate to the continued collection of the lab data.

The following bullets represent points the Council has been discussing with regard to the continued collection of the lab data:

- One option is for the Council to collect the lab data directly from the hospitals. In collecting lab data, the Council would mirror the way in which the uniform billing data (often referred to as “administrative” or “UB-04” data) are currently collected. That is, specifications would be provided to hospitals, and they could choose to contract with a third-party vendor of their choice to submit the data to the Council or submit the lab data to the Council directly themselves.

- One approach being discussed is for the Council to contract with a third-party vendor to collect the lab data from the hospitals. In this scenario, hospitals would submit the lab data to the third-party vendor, who would be working on behalf of the Council. Given the Council’s current budget constraints, such an agreement would likely be based on an “in-kind” arrangement with a third-party vendor rather than a paid one, at least for the immediate future. The Council’s Technical Advisory Group was not in favor of pursuing an in-kind arrangement of this nature given concerns about potential difficulties that could arise with regard to ensuring accountability. The Council has not made a final decision on this issue.

- With regard to the specific lab data elements to be collected by the hospitals and submitted to the Council, hospitals would likely be required to submit one value (for example, the “first” or the “worst” value recorded, see below) for the 29 lab elements that they currently collect for the Council’s risk-adjustment purposes (not all records will have values for all 29 lab elements). Also needed would be information indicating the units of measure and a date/time stamp for each lab element. See Attachment A.

- Determination as to which lab value for the 29 lab elements currently collected is under discussion. Consideration is being given to the “first” lab value recorded or the “worst” lab value recorded (within a prescribed period of time after admission). Currently, the “worst” lab value is collected within 1 or 2 days of admission, depending on the time of day the patient is admitted.

- While hospitals might wish to send all of their lab data to the Council by means of an electronic download rather than send a single lab value for each of the lab tests collected as described previously, currently the Council’s resources, including staff time, data storage and processing, would not permit such an approach at this time. This is similar to the Council’s UB-04 data collection processes in that only the data used by the Council will be collected.

- If the Council collects the lab data directly, the recommended approach for hospitals to submit the data would likely be an electronic file in which hospitals supply one value for each of the lab elements currently collected as noted.

- Currently hospitals submit clinical data beyond the lab data for cardiac surgery cases included in the Council’s *Cardiac Surgery in Pennsylvania Report*. Potential options to collect risk-adjustment data for these cases would have to be identified.

In particular, the Council is seeking input on the following questions:

- What file format should the Council establish for the submission of lab data to the Council?

- What are the issues the Council should consider in collecting lab data directly or through a third-party vendor?

- What are the potential issues, including increased or decreased costs, for hospitals in manually abstracting or electronically downloading selected lab data for submission to the Council?

- Are there any issues for providers regarding the submission of lab data for selected conditions that are included in the Council public reports?

- What are the issues to consider regarding submission of the first or the worst lab values for selected lab tests administered early in the patient stay?

- What are the issues to consider in using the first or the worst lab values for selected lab tests administered early in the patient stay for the purposes of risk adjusting the data?

- What are the potential options to consider in continuing to collect clinical data beyond the lab data for the cardiac surgery cases included in the Council’s *Cardiac Surgery in Pennsylvania Report*?

Hospitals Affected:

Currently general acute care hospitals and specialty general acute care hospitals submit lab data through a third-party vendor for the Council’s risk-adjustment purposes. There is no anticipated change in the facility types that would be required to submit the lab data.

Implementation Schedule:

It is anticipated that Quarter 1, 2011 data (discharges from January 1, 2011 through March 31, 2011, which would be due to the Council June 30, 2011) would be the first quarter for which the lab data would be submitted directly to the Council or to a third-party vendor on behalf of the Council if the Council chooses to engage in such an arrangement.

**Attachment A
Lab Data Collection**

Hospitals submit specified lab data elements for no more than 50% of the inpatient records as required by Act 3 of 2009. At a maximum, hospitals currently submit lab values for the 29 lab tests shown in the table as follows. While 29 is the maximum, not all cases for which lab data is currently required will have values for all 29 tests. The important data components include a date/time stamp, the lab test result, and the unit of measure associated with the result.

	<i>Lab Test Name</i>	<i>Date and Time Specimen Collected</i>		<i>Test Result</i>	<i>Test Unit of Measure</i>
1	Base Units Deficit/Excess	07-01-2010	09:15	3.0	mEq/L
2	Bicarbonate (HCO ₃) Arterial	07-01-2010	09:15	22.1	mEq/L
3	O ₂ Saturation Arterial	07-01-2010	09:15	99	%
4	pCO ₂ Arterial	07-01-2010	09:15	33	mmHg
5	pH Arterial	07-01-2010	09:15	7.46	none
6	pO ₂ Arterial	07-01-2010	09:15	335	mmHg
7	Albumin	07-01-2010	09:15	3.2	g/dL
8	Alkaline Phosphatase	07-01-2010	09:15	42	U/L
9	Aspartate Aminotransferase AST (SGOT)	07-01-2010	09:15	269	U/L
10	Bilirubin Total	07-01-2010	09:15	0.6	mg/dL
11	beta Naturetic Peptide (BNP)	07-01-2010	09:15	214	pg/mL
12	Calcium	07-01-2010	09:15	8.7	mg/dL
13	Creatine Kinase (CPK)	07-01-2010	09:15	132	U/L
14	Creatine Kinase MB	07-01-2010	09:15	3.3	ng/mL
15	Creatinine Serum	07-01-2010	09:15	1.2	umol/L
16	Glucose	07-01-2010	09:15	213	mg/dL
17	Potassium	07-01-2010	09:15	5.4	mEq/L
18	pro-BNP	07-01-2010	09:15	1001	pg/mL
19	Sodium	07-01-2010	09:15	1.8	mEq/L
20	Troponin I	07-01-2010	09:15	0.09	ng/ml
21	Troponin T	07-01-2010	09:15	0.2	ng/ml
22	Urea Nitrogen Blood (BUN)	07-01-2010	09:15	32	mg/dL
23	INR	07-01-2010	09:15	1.3	ratio
24	Partial Thromboplastin Time (PTT)	07-01-2010	09:15	29.6	sec
25	Prothrombin Time (PT)	07-01-2010	09:15	14.7	sec
26	Hemoglobin	07-01-2010	09:15	13.3	g/dL
27	Neutrophils Band	07-01-2010	09:15	5	%
28	Platelet Count	07-01-2010	09:15	52	10 ⁹ cells/uL
29	White Blood Count	07-01-2010	09:15	5.1	10 ⁹ cells/uL

JOE MARTIN,
Executive Director

[Pa.B. Doc. No. 10-524. Filed for public inspection March 19, 2010, 9:00 a.m.]

HISTORICAL AND MUSEUM COMMISSION

National Register Nominations to be Reviewed by the Historic Preservation Board

The Historic Preservation Board (Board) will hold a meeting on April 6, 2010, at 9:45 a.m. at the Camp Curtin United Methodist Church, 2221 North 6th Street, Harrisburg, PA. Persons with a disability who wish to attend this meeting, and require an auxiliary aid, service

or other accommodation to participate, should contact Cheri Garrett at (717) 783-9933 or through the Pennsylvania AT&T Relay Service at (800) 654-5984 (TDD) to discuss how the agency can accommodate their needs. Persons with any questions or comments should contact the National Register office of the Bureau for Historic Preservation at (717) 783-8947.

1. Camp Curtin Memorial Methodist Episcopal Church, 2221 North 6th Street, Harrisburg, Dauphin County, No. 016602.
2. Mine Roof Simulator, west side of Cochran Mill Road approximately 2 miles south of Bruceton, South Park

Township, Allegheny County, No. 155434.

3. Martin Tower, 1170 8th Avenue, Bethlehem, Lehigh County, No. 155517.

4. East Liberty Commercials HD, Roughly Bounded by Penn, Sheridan and Centre Avenues, and Kirkwood and South Whitfield Streets, Pittsburgh, Allegheny County, No. 143269.

5. Rose Valley, roughly bounded by Brookhaven and Rose Valley Roads, south of Woodward Road, Rose Valley, Delaware County, No. 144484.

6. Callowhill Industrial HD, roughly bounded by Pearl Street, North Broad Street, Hamilton Street, and the Reading Railroad Viaduct, Philadelphia County, No. 155669.

7. Bellemonte Silk Mill, 230 Welwood Avenue, Hawley, Wayne County, No. 155601.

8. H. W. Butterworth & Sons Company Building, 2410 York Street, Philadelphia County, No. 155396.

9. Steel Heddle Mfg. Company, 201 West Allegheny Avenue, Philadelphia County, No. 155207.

10. Colebrook Iron Master's House, Intersection of Routes 241 and 117 in Colebrook, South Londonderry Township, Lebanon County, No. 086479.

11. Heller, Margaret and Michael, House, 1892 Friedensville Road, Lower Saucon Township, Northampton County, No. 110538.

12. Salem Evangelical Lutheran Church, 119 North 8th Street, Lebanon, Lebanon County, No. 086471.

13. Podrum Farm, 360 Loder Road, Exeter Township, Berks County, No. 025712.

14. Stokesay, 141 Castle Lane, Lower Alsace Township, Berks County, No. 093860.

BARBARA FRANCO,
Executive Director

[Pa.B. Doc. No. 10-525. Filed for public inspection March 19, 2010, 9:00 a.m.]

INDEPENDENT REGULATORY REVIEW COMMISSION

Action Taken by the Commission

The Independent Regulatory Review Commission met publicly at 10 a.m., Thursday, February 25, 2010, and announced the following:

Action Taken—Regulation Disapproved:

State Board of Funeral Directors #16A-4816: Preneed Activities of Unlicensed Employee (adds Section 13.206a to 49 Pa. Code)

Disapproval Order

Public Meeting held
February 25, 2010

Commissioners Voting: Arthur Coccodrilli, Chairperson, by Phone; George D. Bedwick, Vice Chairperson; S. David Fineman, Esq.; Silvan B. Lutkewitte, III; John F. Mizner, Esq., Dissenting

*State Board of Funeral Directors—
Preneed Activities of Unlicensed Employee;
Regulation No. 16A-4816 (#2639)*

On September 19, 2007, the Independent Regulatory Review Commission (Commission) received this proposed regulation from the State Board of Funeral Directors (Board). This rulemaking adds Section 13.206a to 49 Pa. Code. The proposed regulation was published in the September 29, 2007 *Pennsylvania Bulletin* with a 30-day public comment period. The initial final-form regulation was submitted to the Commission on October 6, 2009. The Commission's majority voted to disapprove the final-form regulation on November 19, 2009. The Board submitted its report and the revised final-form regulation to the Commission on January 7, 2010.

The revised regulation sets forth procedures and requirements for the utilization of unlicensed individuals by funeral directors and funeral entities. A key provision requires that the funeral director or entity be "professionally responsible" for the actions of the unlicensed individual. Permissible activities for unlicensed individuals would include furnishing customers with general price lists and other materials in print or electronic media, telemarketing, direct mail solicitation or communicating with customers in ways "not otherwise prohibited by the act or this chapter." Prohibited activities are divided into seven areas. Unlicensed individuals would not be allowed to communicate with customers about the "actual selection" of services or merchandise, or payment arrangements.

This rulemaking is the Board's response to two court decisions. First, the Pennsylvania Commonwealth Court in *Ferguson v. State Bd. of Funeral Directors*, 768 A.2d 393 (2001) (*Ferguson*) upheld the Board's interpretation of the state Funeral Director Law (Law) as prohibiting unlicensed individuals from helping customers select and purchase preneed contracts. Subsequently, the federal court in *Walker v. Flitton*, 364 F.Supp.2d 503 (USDC, MD Pa. 2005) (*Walker*) also accepted Commonwealth Court's interpretation that state law prohibited unlicensed individuals from executing preneed funeral contracts. However, the court held that the Board's actions to enforce the state statute infringed upon the commercial free speech rights of unlicensed employees of funeral businesses. A key distinction between the two cases was that the *Walker* plaintiffs were employees whose activities were supervised by the licensed funeral director. Accordingly, such activities can include the following:

- Interacting with consumers,
- Disseminating accurate price information, and
- Discussing preneed plans with consumers so long as these communications occur under the auspices, employment, direction, and control of a licensed funeral director.

364 F.Supp.2d at 526-527. The *Walker* court also cited the lack of clarifying regulations as a significant issue to be addressed by the Board.

We commend the Board for its efforts to respond to our previous order submitted on November 30, 2009. After the Board's submittal of the revised final-form regulation, we received comments from a variety of organizations expressing concern and opposition. The Majority and Minor-

ity Chairs of the Senate Consumer Protection and Professional Licensure Committee and two Representatives also submitted letters expressing serious concerns. No one submitted comments in support.

In evaluating the revised regulation and report submitted by the Board, the Commission must look at our previous order and the criteria set forth by the Regulatory Review Act (Act). See 71 P. S. § 745.5b. Substantive concerns and objections remain and form the basis for our vote to again disapprove the revised final-form regulation.

Statutory authority, Legislative intent, Pertinent opinions of courts (71 P. S. § 745.5b(a))

Our previous order began its findings on these issues with the following observation:

... The rules of statutory construction at 1 Pa.C.S. § 1922(3) require the presumption that a statute was not intended to violate the Constitution of the United States or of this Commonwealth. Therefore, any interpretation of a statute must be balanced with the rights established under the First Amendment. This was the task set for the Board by the court in *Walker*.

The Board specifically identified additional activities that may be performed by unlicensed individuals. However, the list of prohibited activities remains in the revised regulation and is overly broad. In exercising its authority under the Law, the Board must devise precise rules that accomplish clearly recognizable, limited and necessary objectives without imposing undue infringement on free speech.

Additionally, Section 13.206a(d) includes new language that requires a licensed insurance producer to “inform the consumer that the person is not acting on behalf of the funeral director or funeral entity while acting as an insurance producer.” Representatives for the insurance industry question the Board’s authority to place disclosure requirements on insurance licensees. Although the Board stated that it was not the intent to regulate the actions of insurance producers, the language of the regulation does impose a disclosure mandate on these professionals who are licensed and regulated by the Insurance Department, not this Board.

Need for the regulation (71 P. S. § 745.5b(b)(3)(iii))

In our previous order, we asked the Board “to respond to the guidance provided by *Walker* that prohibitions on commercial speech should be ‘narrowly tailored’ to achieve a governmental interest or purpose.” See 364 F.Supp.2d at 525-526. In addition, we requested that the Board “identify and thoroughly explain the need for, or harm to be resolved by each provision,” and that the harm must be real rather than “speculative.” See 364 F.Supp.2d at 521.

In reply, the Board states the regulation is needed because *Walker* directs the Board to promulgate regulations. On page 12 of the Preamble, the Board also states that four of the seven paragraphs in the list of prohibited activities in Section 13.206(a)(c) “are directly from the act [Law] and therefore are consistent with the act and are necessary and proper to safeguard the standards of the profession.” However, there is no description of any harm, how the prohibitions protect consumers, or why they are necessary. In response to questions about consumer complaints, the Board reports on pages four and five of the Preamble that from 1999 to 2008, while there were 420 complaints concerning possible unlicensed practice of funeral directing, only one case “involved a situation where a licensed funeral entity utilized an unlicensed individual to engage in preneed sales.” These statistics

are consistent with the record in both *Ferguson* and *Walker* that indicated there was little to no record of consumer complaints or harm related to the activities of unlicensed individuals and unlicensed employees. See 768 A.2d at 393 (note 5) and 364 F.Supp.2d at 511-513.

In contrast to Board’s position, *Walker* indicated a potentially wide breadth of activities allowable to unlicensed individuals, including the handling a multitude of questions and subjects with consumers. The Federal court also noted that unlicensed people may currently sell caskets in Pennsylvania. *Walker* mentioned how the Board’s statements and actions could be construed to prohibit such sales, and made this observation: “Again, there is no evidence that they intend to extend their prohibitions to this area, but this lack of clarity as well as the potential sweeping effect of the Board members’ statements clearly create unconstitutional restrictions on the Plaintiffs’ right of free speech.” See 364 F.Supp.2d at 525-526 and 528.

Our previous order observed that *Walker* “asked the Board to clarify the Law not repeat it.” This challenge remains unmet. In order to justify prohibitions and restrictions on rights guaranteed by the First Amendment, the Board must clarify the Law by identifying and documenting real harm, why a prohibition or restriction is necessary, and how it narrowly prevents or resolves the harm. We strongly recommend that the Board discard the prohibitions in this regulation, and use the guidelines established by *Walker* to fashion a new rulemaking.

Possible conflict with other statutes (71 P. S. § 745.5b(b)(3)(i))

Under Act 1059 of 1963, also known as the Future Interment Law (Act 1059), any person may sell funeral-related merchandise in Pennsylvania. In our previous order, we noted a possible conflict with Act 1059 and recommended that the rule “should be amended to allow unlicensed employees to sell merchandise for their employing funeral entity.” The Board did not adopt this recommendation. In its reply, the Board included a reference to the decision in *Pennsylvania Funeral Directors Association v. State Board of Funeral Directors*, 494 A.2d 67 (Pa. Cmwlth 1985), affirmed 511 A.2d 763 (Pa. 1986). However, this decision touched upon the differing trust requirements in the Law and Act 1059, and not on who could sell merchandise. In addition, the Board failed to identify why this restriction is necessary or how it is narrowly tailored to address a problem or harm.

Reasonableness; Clarity (71 P. S. §§ 745.5b(b)(3)(ii) and (iv))

We have identified three areas of concern related to these criteria. Our previous order included the following observation:

At our public meeting, the Board’s counsel indicated that it was the Board’s intent to allow unlicensed employees to go beyond just handing out general price lists and printed materials. Their actions could include discussing or answering questions about prices for various services or combinations of services, selling funeral merchandise, handing out samples of unsigned contracts, and arranging alternative forms of payment, especially if they are licensed insurance producers. However, the final-form regulation does not reflect the Board’s intent.

As noted above, the revised regulation provides more details concerning permissible activities for unlicensed individuals. In addition, on page four of its Report, the Board states that even though unsigned contracts are not

expressly mentioned in the regulation, “providing sample unsigned contracts is included in this paragraph’s authorization to ‘furnish truthful and non-misleading printed . . . materials. . . .’” See Section 13.206a(b)(2). Likewise, the Board contends that since it has deleted the word “worksheets” from the list of prohibited activities, unlicensed individuals will be allowed to prepare them. See Section 13.206a(c)(2).

The first concern is that since these activities are not specifically listed in the regulation, it will remain unclear to the regulated community that they are permissible for unlicensed individuals. In addition, the regulation still prohibits unlicensed individuals from preparing “a statement of funeral goods and services selected or other proposal” and from discussing the “actual selection” of services with consumers. The Board explains its intent on page 11 of the Preamble:

Actually selecting funeral services is little different from accepting an offer (even if conditional) to provide those services. By prohibiting unlicensed individuals from participating in the actual selection of funeral services, the Board has drawn a *bright line* between informational exchanges and selling preneed funeral services. . . . (Emphasis added.)

Unfortunately, none of these terms are defined. What is the difference between a worksheet and a proposal or a statement of goods and services? Without the list of goods and services selected by a customer, how will an insurance producer determine the costs of the preneed insurance policy? If a licensed funeral director still must sign the preneed contract to provide services and goods, what harm occurs if an unlicensed employee discusses the selection of goods and services with the customer before the licensee and customer sign the contract?

A second area of concern is the disclosure requirements. The prescribed list for the disclosure form in Section 13.206a(a)(5)(iii) is not consistent with new language in the revised Section 13.206a(c). For example, it states that an unlicensed individual “may not make financial arrangements” but nothing in the disclosure form indicates that this prohibition does not apply to licensed insurance producers. As stated on page two of this order, representatives for insurance companies question the Board’s authority to place disclosure mandates on insurance licensees. See Section 13.206a(d). They also contend it will unnecessarily confuse their customers.

The third set of concerns relates to Section 13.206a(e), which serves as a “definitions” subsection. In a partial response to our previous order, the Board amended its definition of “direct personal contact” to include “private courier mail.” As we stated in our previous order, the regulation should also allow for delivery by an unlicensed individual employed by a licensed funeral director or entity. We support the Board’s move to allow licensees to communicate, and offer and enter into contracts with consumers via telephone, fax, email, or postal service or private courier mail. However, it is a needless infringement not to also allow an unlicensed employee or agent supervised by a licensee to perform the same task.

A final issue in Subsection (e) is the addition of a definition for “preneed funeral contract.” A similar definition was in the proposed version but was deleted from the previous final-form submittal. A definition for this term was also in the other preneed regulation #16A-4815 (IRRC #2627). We commented on this definition in the proposed versions of both regulations. In response to our comments, the Board amended the definition in the other

regulation to clarify its intent. The clarifying language is missing from the definition in this revised regulation. If the Board believes this definition is necessary, it should use the language that was in the final-form version of #16A-4815 (IRRC #2627) which was submitted by the Board on September 21, 2009.

Fiscal impact; Compliance with the provisions of the Act and the Commission’s regulations (71 P. S. §§ 745.5b(b)(1) and (6))

On the issue of fiscal impact, our order stated:

A similar concern is the lack of a substantive response to requests for fiscal impact estimates by the House Professional Licensure Committee in its letter dated November 14, 2007, and this Commission in its comments on the proposed regulation. The Board needs to provide a detailed fiscal impact analysis of the regulation.

In the Preamble, the Board noted that stakeholders have not substantiated their claim that the regulation will have an adverse fiscal or economic impact on their operations. The Board asserts that any impact will be minimal because the *Walker* decision did not alter the scope of practice of licensed funeral directors, and limitations on unlicensed activities established by the interpretation of the Law in *Ferguson* still apply. As noted above, the Board’s position is that unlicensed people should be prohibited from working with consumers in the “actual” selection of services and goods. On the other hand, while they have not been forthcoming with detailed information describing the fiscal impact, the commentators strongly disagree with the Board’s analysis. Based upon the level of comments received, it is evident that the revised regulation will create confusion and may restrict currently lawful activities of unlicensed agents and employees working for licensees. It will have a significant impact on both these businesses and consumers. Under the Act, the Board is still responsible for providing estimates of this impact.

Based upon the information presented to us and after considering the criteria of the Regulatory Review Act discussed above, we find that promulgation of this revised regulation is not in the public interest.

By Order of the Commission:

The regulation #16A-4816 (IRRC #2639) from the State Board of Funeral Directors: Preneed Activities of Unlicensed Employee was disapproved on February 25, 2010.

ARTHUR COCCODRILLI,
Chairperson

[Pa.B. Doc. No. 10-526. Filed for public inspection March 19, 2010, 9:00 a.m.]

Notice of Filing of Final Rulemakings

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

Final-Form

<i>Reg. No.</i>	<i>Agency/Title</i>	<i>Received</i>	<i>Public Meeting</i>
125-106	Pennsylvania Gaming Control Board Employees Credentials, Design Standards and Internal Controls	3/4/10	4/8/10
125-91	Pennsylvania Gaming Control Board Preliminary Provisions; Onsite Shopkeepers Certification, Labor Organizations; and Slot Machine Licenses	3/4/10	4/8/10

ARTHUR COCCODRILLI,
Chairperson

[Pa.B. Doc. No. 10-527. Filed for public inspection March 19, 2010, 9:00 a.m.]

INSURANCE DEPARTMENT

Application and Request for a Certificate of Authority to Provide a Continuing Care Retirement Community by Somerset Care, Inc.

Somerset Care, Inc. has applied for a Certificate of Authority to operate a Continuing Care Retirement Community at Meadow View Nursing Center in Berlin, PA. The initial filing was received on March 2, 2010, and was made under the requirements set forth under the Continuing Care Provider Registration and Disclosure Act (40 P. S. §§ 3201—3325).

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 or syerger@state.pa.us.

JOEL SCOTT ARIO,
Insurance Commissioner

[Pa.B. Doc. No. 10-528. Filed for public inspection March 19, 2010, 9:00 a.m.]

List of Names of Qualified Unlicensed Reinsurers

Under section 319.1 of The Insurance Company Law of 1921 (40 P. S. § 442.1), the Insurance Commissioner (Commissioner) hereby lists reinsurers not licensed by the Insurance Department (Department) which shall be considered qualified to accept reinsurance from insurers licensed by the Department.

This listing of qualified unlicensed reinsurers shall be published in the *Pennsylvania Bulletin* when additions to

or deletions from such listing are made by the Commissioner. This present listing shall replace in their entirety previously published listings of qualified unlicensed reinsurers which appeared at 6 Pa.B. 2423 (September 25, 1976); 6 Pa.B. 3140 (December 18, 1976); 7 Pa.B. 501 (February 19, 1977); 7 Pa.B. 1766 (June 25, 1977); 8 Pa.B. 276 (January 28, 1978); 8 Pa.B. 1646 (June 17, 1978); 8 Pa.B. 3461 (December 2, 1978); 9 Pa.B. 4235 (December 22, 1979); 11 Pa.B. 38 (January 3, 1981); 12 Pa.B. 37 (January 2, 1982); 12 Pa.B. 2368 (July 23, 1982); 13 Pa.B. 657 (February 5, 1983); 13 Pa.B. 2826 (September 10, 1983); 14 Pa.B. 1053 (March 24, 1984); 14 Pa.B. 3065 (August 18, 1984); 15 Pa.B. 402 (February 2, 1985); 15 Pa.B. 3214 (September 7, 1985); 16 Pa.B. 290 (January 25, 1986); 17 Pa.B. 461 (January 24, 1987); 17 Pa.B. 5368 (December 26, 1987); 18 Pa.B. 5540 (December 10, 1988); 19 Pa.B. 713 (February 18, 1989); 19 Pa.B. 3129 (July 22, 1989); 19 Pa.B. 5476 (December 23, 1989); 20 Pa.B. 6227 (December 15, 1990); 21 Pa.B. 3286 (July 20, 1991); 21 Pa.B. 5445 (November 23, 1991); 22 Pa.B. 4591 (September 5, 1992); 23 Pa.B. 60 (January 2, 1993); 23 Pa.B. 5678 (November 27, 1993); 24 Pa.B. 4151 (August 13, 1994); 24 Pa.B. 6033 (December 3, 1994); 25 Pa.B. 5799 (December 16, 1995); 26 Pa.B. 5665 (November 16, 1996); 27 Pa.B. 2593 (May 24, 1997); 27 Pa.B. 6019 (November 15, 1997); 28 Pa.B. 5733 (November 14, 1998); 28 Pa.B. 5922 (December 5, 1998); 29 Pa.B. 5965 (November 20, 1999); 30 Pa.B. 6033 (November 18, 2000); 31 Pa.B. 205 (January 13, 2001); 31 Pa.B. 6251 (November 10, 2001); 31 Pa.B. 7083 (December 29, 2001); 33 Pa.B. 92 (January 4, 2003); 33 Pa.B. 6474 (December 27, 2003); 34 Pa.B. 6617 (December 11, 2004); 35 Pa.B. 7073 (December 31, 2005); 36 Pa.B. 7359 (December 2, 2006); 38 Pa.B. 327 (January 12, 2008); 38 Pa.B. 6670 (December 6, 2008); and 40 Pa.B. 824 (February, 6, 2010).

Qualified Reinsurers List

10651	AIG Global Trade & Political Risk Insurance Company, Parsippany, New Jersey
10852	Allstate New Jersey Insurance Company, Northbrook, Illinois
37990	American Empire Insurance Company, Cincinnati, Ohio
10316	Appalachian Insurance Company, Johnston, Rhode Island
11680	Aspen Insurance UK Limited, London, England
27189	Associated International Insurance Company, Woodland Hills, California
50687	Attorneys' Title Insurance Fund, Inc., Orlando, Florida
19925	Audubon Indemnity Company, Ridgeland, Mississippi
98167	Blue Cross Blue Shield of Florida, Jacksonville, Florida
30511	Castle Key Insurance Company, Northbrook, Illinois
36951	Century Surety Company, Columbus, Ohio
10932	Chartis Select Insurance Company, Wilmington, Delaware
26883	Chartis Specialty Insurance Company, Anchorage, Alaska
36552	Coliseum Reinsurance Company, Wilmington, Delaware
39993	Colony Insurance Company, Richmond, Virginia

40371	Columbia Mutual Insurance Company, Columbia, Missouri	88536	Protective Life and Annuity Insurance Company, Birmingham, Alabama
27955	Commercial Risk Re-Insurance Company, South Burlington, Vermont	29807	PXRE Reinsurance Company, Hartford, Connecticut
40509	EMC Reinsurance Company, Des Moines, Iowa	87017	SCOR Global Life Re Insurance Company of Texas, Los Angeles, California
39020	Essex Insurance Company, Wilmington, Delaware		RiverStone Insurance (UK) Limited, London, England
35378	Evanston Insurance Company, Evanston, Illinois	28053	Rockhill Insurance Company, Phoenix, Arizona
21555	Farm Bureau Mutual Insurance Company of Michigan, Lansing, Michigan	21911	San Francisco Reinsurance Company, Novato, California
97071	Generali USA Life Reassurance Company, Lansing, Michigan	90670	Scottish Re Life Corporation, Wilmington, Delaware
11049	Genworth Mortgage Reinsurance Corporation, Raleigh, North Carolina	41297	Scottsdale Insurance Company, Columbus, Ohio
37532	Great American E & S Insurance Company, Wilmington, Delaware	23388	Shelter Mutual Insurance Company, Columbia, Missouri
41858	Great American Fidelity Insurance Company, Wilmington, Delaware	26557	Shelter Reinsurance Company, Columbia, Missouri
14117	Grinnell Mutual Reinsurance Company, Grinnell, Iowa	39187	Suecia Insurance Company, Nanuet, New York
88340	Hannover Life Reassurance Company of America, Orlando, Florida	19887	Trinity Universal Insurance Company, Dallas, Texas
10241	Hannover Ruckversicherung AG, Hannover, Germany	37982	Tudor Insurance Company, Keene, New Hampshire
93505	Hartford International Life Reassurance Corporation, Hartford, Connecticut	10292	Unionamerica Insurance Company Limited, London, England
78972	Healthy Alliance Life Insurance Company, St. Louis, Missouri	36048	Unione Italiana Reinsurance Company of America, Inc., New York, New York
42374	Houston Casualty Company, Houston, Texas	10172	Westchester Surplus Lines Insurance Company, Atlanta, Georgia
27960	Illinois Union Insurance Company, Chicago, Illinois	13196	Western World Insurance Company, Keene, New Hampshire
22829	Interstate Fire & Casualty Company, Chicago, Illinois	10242	Zurich Specialties London Limited, London, England
35637	Landmark Insurance Company, Los Angeles, California		
19437	Lexington Insurance Company, Wilmington, Delaware		
41939	Liberty Northwest Insurance Corporation, Portland, Oregon		
	Lloyd's Underwriters, London, England		
12324	Mapfre Re, Compania de Reaseguros, S.A., Madrid, Spain		
10744	Markel International Insurance Company Limited, London, England		
32089	Medmarc Mutual Insurance Company, Montpelier, Vermont		
20079	National Fire & Marine Insurance Company, Omaha, Nebraska		
41629	New England Reinsurance Corporation, Hartford, Connecticut		
17400	Noetic Specialty Insurance Company, Chicago, Illinois		
31143	Old Republic Union Insurance Company, Chicago, Illinois		
88099	Optimum Re Insurance Company, Dallas, Texas	NAIC #	<i>Insurer Qualified to Issue Annuity Contracts Under MCARE Act</i>
38636	Partner Reinsurance Company of the U. S., New York, New York	60607	American International Life Assurance Company of New York

Changes to the Qualified Unlicensed Reinsurers List

The following company has been removed since the list was published at 40 Pa.B. 824:

- Max Specialty Insurance Company

JOEL SCOTT ARIO,
Insurance Commissioner

[Pa.B. Doc. No. 10-529. Filed for public inspection March 19, 2010, 9:00 a.m.]

Qualified Annuity Contractors for Awarded Peri- odic Medical Professional Liability Payments

Under section 509(b)(6) of the Medical Care Availability and Reduction of Error (MCARE) Act (40 P. S. § 1303.509(b)(6)), the Insurance Commissioner hereby lists insurers designated by the Insurance Department as qualified to participate in the funding of periodic payment judgments:

	<i>Insurer Qualified to Issue Annuity Contracts Under MCARE Act</i>
NAIC #	
60607	American International Life Assurance Company of New York

NAIC #	Insurer Qualified to Issue Annuity Contracts Under MCARE Act
93432	C.M. Life Insurance Company
70025	Genworth Life Insurance Company
88072	Hartford Life Insurance Company
65838	John Hancock Life Insurance Company (USA)
65935	Massachusetts Mutual Life Insurance Company
87726	Metlife Insurance Company of Connecticut
65978	Metropolitan Life Insurance Company
70416	MML Bay State Life Insurance Company
66281	Monumental Life Insurance Company
66915	New York Life Insurance Company
61271	Principal Life Insurance Company
68241	The Prudential Insurance Company of America

JOEL SCOTT ARIO,
Insurance Commissioner

[Pa.B. Doc. No. 10-530. Filed for public inspection March 19, 2010, 9:00 a.m.]

PENNSYLVANIA PUBLIC UTILITY COMMISSION

Service of Notice of Motor Carrier Applications

The following temporary authority and/or permanent authority applications for the right to render service as a common carrier or contract carrier in this Commonwealth have been filed with the Pennsylvania Public Utility Commission. Formal protests and petitions to intervene must be filed in accordance with 52 Pa. Code (relating to public utilities). A protest shall indicate whether it applies to the temporary authority application, the permanent authority application, or both. Filings must be made with the Secretary, Pennsylvania Public Utility Commission, P. O. Box 3265, Harrisburg, PA 17105-3265, with a copy served on the applicant by April 5, 2010. Documents filed in support of the applications are available for inspection and copying at the Office of the Secretary between 8 a.m. and 4:30 p.m., Monday through Friday, and at the business address of the respective applicant.

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

A-2010-2163223. D & V, LLC, t/a Life Line (9988 Gantry Road, Rear Building, Philadelphia, PA 19115)—a limited liability corporation of the Commonwealth—in paratransit service, limited to residents of nursing homes to medical facilities, from points in Bucks County, Montgomery County and the City and County of Philadelphia, to points in Pennsylvania, and return.

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

A-2010-2162470. Ruth Ann and Carl McFadden (2642 Robert Fulton Highway, Peach Bottom, Lancaster

County, PA 17563)—discontinuance of service and cancellation of their certificate—persons, in paratransit service, between points in Lancaster County, and from points in said county, to points in Pennsylvania, and return,

Subject to the following condition:

That the service is limited to the transportation of persons whose personal convictions prevent them from owning or operating motor vehicles.

JAMES J. McNULTY,
Secretary

[Pa.B. Doc. No. 10-531. Filed for public inspection March 19, 2010, 9:00 a.m.]

Telecommunications

A-2010-2162818. Verizon Pennsylvania, Inc. and Cincinnati Bell Any Distance of Pennsylvania, LLC. Joint petition of Verizon Pennsylvania, Inc. and Cincinnati Bell Any Distance of Pennsylvania, LLC for approval of an interconnection agreement and amendment No. 1 to the interconnection agreement under section 252(e) of the Telecommunications Act of 1996.

Verizon Pennsylvania, Inc. and Cincinnati Bell Any Distance of Pennsylvania, LLC, by its counsel, filed on March 3, 2010, at the Pennsylvania Public Utility Commission (Commission), a joint petition for approval of an interconnection agreement and amendment No. 1 to the 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 Verizon Pennsylvania, Inc. and Cincinnati Bell Any Distance of Pennsylvania, LLC joint petition are on file with the Commission and are available for public inspection.

The contact person is Cheryl Walker Davis, Director, Office of Special Assistants, (717) 787-1827.

JAMES J. McNULTY,
Secretary

[Pa.B. Doc. No. 10-532. Filed for public inspection March 19, 2010, 9:00 a.m.]

PUBLIC SCHOOL EMPLOYEES' RETIREMENT BOARD

Hearing Scheduled

A hearing has been scheduled, as authorized by 24 Pa.C.S. Part IV (relating to Public School Employees' Retirement Code), in connection with the Public School Employees' Retirement System's (System) denial of Claimants' requests concerning the indicated accounts.

The hearing will be held before a hearing examiner at the Public School Employees' Retirement System, 5 North Fifth Street, Harrisburg, PA 17101:

April 28, 2010 Charles P. Griffin 2:30 p.m.
(Credited Years of Service)

Persons with a disability wishing to attend the previously-listed hearing, and require an auxiliary aid, service or other accommodation to participate in the proceedings, should contact Barb Fluire, Assistant to the Executive Director at (717) 720-4921 to discuss how the System may best accommodate their needs.

Parties may appear with or without counsel and offer relevant testimony or evidence to support their respective positions. The hearing will be held in accordance with the requirements of 2 Pa.C.S. §§ 501—508 and 701—704 (relating to the Administrative Agency Law). Under 22 Pa. Code § 201.1 (relating to applicability of general rules), procedural matters will be in conformance with 1 Pa. Code Part II (relating to General Rules of Administrative Practice and Procedure), unless specific exemption is granted.

JEFFREY B. CLAY,
Executive Director

[Pa.B. Doc. No. 10-533. Filed for public inspection March 19, 2010, 9:00 a.m.]

STATE BOARD OF COSMETOLOGY

Bureau of Professional and Occupational Affairs v. Thomas Santoro; Doc. No. 1764-45-2008

On February 3, 2010, Thomas Santoro, license no. CO114282L, of Philadelphia, Philadelphia County was ordered to pay a civil penalty of \$250, because he practiced cosmetology on a lapsed license.

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

This adjudication and order represents the State Board of Cosmetology's (Board) final decision in this matter. It may be appealed to the Commonwealth Court of Pennsylvania by the filing of a petition for review with that court in accordance with the Pennsylvania Rules of Appellate Procedure. Individuals who take an appeal to the Commonwealth Court, must serve the Board with a copy of their petition for review. The Board contact for receiving service of the appeals is the previously-named Board Counsel.

JANET G. M. SANKO,
Chairperson

[Pa.B. Doc. No. 10-534. Filed for public inspection March 19, 2010, 9:00 a.m.]

STATE BOARD OF NURSING

Bureau of Professional and Occupational Affairs v. Stefanie Anne Cannon, RN; Doc. No. 1781-51- 2009

On December 18, 2009, Stefanie Anne Cannon, license no. RN-56514, of Glenside, Montgomery County, was suspended for no less than 3 years retroactive to September 28, 2009, for violating the terms of the Voluntary Recovery Program Consent Agreement and Order.

Individuals may obtain a copy of the order by writing to Beth Sender Michlovitz, Board Counsel, State Board of Nursing, P. O. Box 2649, Harrisburg, PA 17105-2649.

This final order represents the State Board of Nursing's (Board) final decision in this matter. It may be appealed to the Commonwealth Court of Pennsylvania by the filing of a petition for review with that court in accordance with the Pennsylvania Rules of Appellate Procedure. Individuals who take an appeal to the Commonwealth Court, must serve the Board with a copy of their petition for review. The Board contact for receiving service of the appeals is the previously-named Board Counsel.

ANN L. O'SULLIVAN, Ph.D., FAAN, CRNP,
Chairperson

[Pa.B. Doc. No. 10-535. Filed for public inspection March 19, 2010, 9:00 a.m.]

Bureau of Professional and Occupational Affairs v. Joann Johnson Ferguson, RN; Doc. No. 1476-51- 2009

On January 6, 2010, Joann Johnson Ferguson, license no. RN-294947-L, of Slippery Rock, Butler County, was suspended for no less than 3 years retroactive to July 27, 2009, for violating the terms of the Voluntary Recovery Program Consent Agreement and Order.

Individuals may obtain a copy of the order by writing to Beth Sender Michlovitz, Board Counsel, State Board of Nursing, P. O. Box 2649, Harrisburg, PA 17105-2649.

This final order represents the State Board of Nursing's (Board) final decision in this matter. It may be appealed to the Commonwealth Court of Pennsylvania by the filing of a petition for review with that court in accordance with the Pennsylvania Rules of Appellate Procedure. Individuals who take an appeal to the Commonwealth Court, must serve the Board with a copy of their petition for review. The Board contact for receiving service of the appeals is the previously-named Board Counsel.

ANN L. O'SULLIVAN, Ph.D., FAAN, CRNP,
Chairperson

[Pa.B. Doc. No. 10-536. Filed for public inspection March 19, 2010, 9:00 a.m.]

**Bureau of Professional and Occupational Affairs v.
Diane Finnegan, LPN; Doc. No. 0355-51-2009**

On January 27, 2010, Diane Finnegan, license no. PN-103976-L, of Collingdale, Delaware County, was suspended for no less than 3 years retroactive to February 23, 2009, for violating the terms of the Voluntary Recovery Program Consent Agreement and Order.

Individuals may obtain a copy of the order by writing to Beth Sender Michlovitz, Board Counsel, State Board of Nursing, P. O. Box 2649, Harrisburg, PA 17105-2649.

This final order represents the State Board of Nursing's (Board) final decision in this matter. It may be appealed to the Commonwealth Court of Pennsylvania by the filing of a petition for review with that court in accordance with the Pennsylvania Rules of Appellate Procedure. Individuals who take an appeal to the Commonwealth Court, must serve the Board with a copy of their petition for review. The Board contact for receiving service of the appeals is the previously-named Board Counsel.

ANN L. O'SULLIVAN, Ph.D., FAAN, CRNP,
Chairperson

[Pa.B. Doc. No. 10-537. Filed for public inspection March 19, 2010, 9:00 a.m.]

**Bureau of Professional and Occupational Affairs v.
Marsha A. Garvey, LPN; Doc. No. 2011-51-2009**

On December 30, 2009, Marsha A. Garvey, license no. PN-271747, of West Milton, Union County, was automatically suspended retro to November 4, 2009, based upon her conviction under The Controlled Substance, Drug, Device and Cosmetic Act (35 P.S. §§ 780-101—780-144).

Individuals may obtain a copy of the order by writing to Beth Sender Michlovitz, Board Counsel, State Board of Nursing, P. O. Box 2649, Harrisburg, PA 17105-2649.

This final order represents the State Board of Nursing's (Board) final decision in this matter. It may be appealed to the Commonwealth Court of Pennsylvania by the filing of a petition for review with that court in accordance with the Pennsylvania Rules of Appellate Procedure. Individuals who take an appeal to the Commonwealth Court, must serve the Board with a copy of their petition for review. The Board contact for receiving service of the appeals is the previously-named Board Counsel.

ANN L. O'SULLIVAN, Ph.D., FAAN, CRNP,
Chairperson

[Pa.B. Doc. No. 10-538. Filed for public inspection March 19, 2010, 9:00 a.m.]

**Bureau of Professional and Occupational Affairs v.
Deborah R. Jones, RN; Doc. No. 2055-51-2007**

January 13, 2010, Deborah R. Jones, license no. RN-218704-L, of Williamstown, NJ, had her Pennsylvania license suspended for a period of 3 years with the first year to be active and remainder to be stayed in favor of probation, for repeatedly failing to document and maintain accurate records.

Individuals may obtain a copy of the order by writing to Beth Sender Michlovitz, Board Counsel, State Board of Nursing, P. O. Box 2649, Harrisburg, PA 17105-2649.

This final order represents the State Board of Nursing's (Board) final decision in this matter. It may be appealed to the Commonwealth Court of Pennsylvania by the filing of a petition for review with that court in accordance with the Pennsylvania Rules of Appellate Procedure. Individuals who take an appeal to the Commonwealth Court, must serve the Board with a copy of their petition for review. The Board contact for receiving service of the appeals is the previously-named Board Counsel.

ANN L. O'SULLIVAN, Ph.D., FAAN, CRNP,
Chairperson

[Pa.B. Doc. No. 10-539. Filed for public inspection March 19, 2010, 9:00 a.m.]

STATE BOARD OF PHYSICAL THERAPY

**Bureau of Professional and Occupational Affairs v.
Andrea L. Katine; Doc. No. 1142-65-2009**

On January 6, 2010, Andrea L. Katine, unlicensed, of Philadelphia, Philadelphia County, was levied a civil penalty of \$5,000, for practicing as a physical therapist assistant without being registered to do so.

Individuals may obtain a copy of the adjudication by writing to Beth Sender Michlovitz, Board Counsel, State Board of Physical Therapy, P. O. Box 2649, Harrisburg, PA 17105-2649.

This final order represents the State Board of Physical Therapy's (Board) final decision in this matter. It may be appealed to the Commonwealth Court of Pennsylvania by the filing of a petition for review with that court in accordance with the Pennsylvania Rules of Appellate Procedure. Individuals who take an appeal to the Commonwealth Court, must serve the Board with a copy of their petition for review. The Board contact for receiving service of the appeals is the previously-named Board Counsel.

CHARLES E. MEACCI,
Chairperson

[Pa.B. Doc. No. 10-540. Filed for public inspection March 19, 2010, 9:00 a.m.]

STATE EMPLOYEES' RETIREMENT BOARD

Hearings Scheduled

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

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

April 6, 2010	PA Highlands Community College SERS Membership Claim	1 p.m.
April 20, 2010	Ernest B. Ruffin (Dec'd.) Death Benefit	1 p.m.
April 29, 2010	George R. Janosko Disability Retirement Benefits	1 p.m.

Parties in each respective case may appear with or without counsel and offer relevant testimony or evidence to support their respective positions. The hearings will be held in accordance with the requirements of 2 Pa.C.S. §§ 501—508 and 701—704 (relating to the Administrative Agency Law). Under 4 Pa. Code § 250.01 (relating to applicability of general rules), procedural matters will be in conformance with 1 Pa. Code Part II (relating to General Rules of Administrative Practice and Procedure), unless specific exemption is granted.

LEONARD KNEPP,
Secretary

[Pa.B. Doc. No. 10-541. Filed for public inspection March 19, 2010, 9:00 a.m.]

SUSQUEHANNA RIVER BASIN COMMISSION

Public Hearing and Meeting

The Susquehanna River Basin Commission (Commission) held its regular business meeting on December 17, 2009, in Lancaster, PA, the Commission held a public hearing as part of its regular business meeting. At the public hearing, the Commission: 1) approved and tabled certain water resources projects; 2) rescinded approval for a water resources project; 3) approved settlement involving a water resources project; 4) tabled a request for extension from Sunnyside Ethanol, LLC until its March 2010 meeting; 5) adopted a revised Regulatory Program Fee Schedule to take effect on January 1, 2010; and 6) amended its comprehensive plan. Details concerning these and other matters addressed at the public hearing and business meeting are contained in the Supplementary Information section of this notice.

For further information contact Richard A. Cairo, General Counsel, (717) 238-0423, Ext. 306, fax (717) 238-2436, rcairo@srbc.net or Stephanie L. Richardson, Secretary to the Commission, (717) 238-0423, Ext. 304, fax (717) 238-2436, srichardson@srbc.net. Regular mail inquiries may be sent to Susquehanna River Basin Commission, 1721 North Front Street, Harrisburg, PA 17102-2391.

Supplementary Information

In addition to the public hearing and its related action items identified as follows, the following items were also presented or acted on at the business meeting: 1) a report on the Commonwealth's current involvement in Marcellus Gas Drilling regulation and Chesapeake Bay clean-up by Department of Environmental Protection Secretary John Hanger; 2) information on hydrologic conditions in the basin indicating a mostly normal status; 3) adoption of a resolution urging the U.S. Congress to provide adequate funding to the Susquehanna Flood Forecast & Warning System (SFFWS) for Fiscal Year (FY) 2011; 4) adoption of a Water Resources Program for FY 2010/2011 along with

a presentation by the Executive Director focusing on the Priority Management Area (PMA) of Coordination, Cooperation and Public Information; 5) adoption of a Low Flow Monitoring Plan designed to help the Commission follow low flow events occurring throughout the basin; 6) approval/ratification of several grants and contracts related to water resources management, approval of a contract for compensation and benefits review, and approval for deployment of the Remote Water Quality Monitoring Network project; and 7) acceptance of the Fiscal Year 2009 Annual Independent Audit Report. The Commission also heard counsel's report on legal matters affecting the Commission.

The Commission convened a public hearing and took the following actions:

Public Hearing—Compliance Actions

The Commission approved a settlement in lieu of civil penalties for the following project:

1. Tyco Electronics Corporation, Lickdale Facility—\$25,000

Public Hearing—Projects Approved

1. Project Sponsor and Facility: Chesapeake Appalachia, LLC (Susquehanna River—Hicks), Great Bend Township, Susquehanna County, PA. Surface water withdrawal of up to 0.750 mgd.

2. Project Sponsor and Facility: East Resources, Inc. (Susquehanna River—Welles), Sheshequin Township, Bradford County, PA. Surface water withdrawal of up to 0.850 mgd.

3. Project Sponsor and Facility: Eastern American Energy Corporation (West Branch Susquehanna River—Moore), Goshen Township, Clearfield County, PA. Surface water withdrawal of up to 2.000 mgd.

4. Project Sponsor and Facility: Fortuna Energy, Inc. (Fall Brook—Tioga State Forest C.O.P.), Ward Township, Tioga County, PA. Surface water withdrawal of up to 0.999 mgd.

5. Project Sponsor and Facility: Fortuna Energy, Inc. (Fellows Creek—Tioga State Forest C.O.P.), Ward Township, Tioga County, PA. Surface water withdrawal of up to 0.999 mgd.

6. Project Sponsor and Facility: Fortuna Energy, Inc. (Susquehanna River—Thrush), Sheshequin Township, Bradford County, PA. Modification to increase surface water withdrawal from 0.250 mgd of up to 2.000 mgd (Docket No. 20080909).

7. Project Sponsor and Facility: Montgomery Water and Sewer Authority, Clinton Township, Lycoming County, PA. Groundwater withdrawal of up to 0.200 mgd from Well 2R.

8. Project Sponsor and Facility: Nissin Foods (USA) Co., Inc., East Hempfield Township, Lancaster County, PA. Modification to increase consumptive water use from 0.090 mgd of up to 0.150 mgd (Docket No. 20021021).

9. Project Sponsor and Facility: Southwestern Energy Company (Lycoming Creek—Reichenbach), Lewis Township, Lycoming County, PA. Surface water withdrawal of up to 1.500 mgd.

10. Project Sponsor and Facility: Southwestern Energy Company (Lycoming Creek—Wascher), Lewis Township, Lycoming County, PA. Surface water withdrawal of up to 1.500 mgd.

11. Project Sponsor and Facility: Southwestern Energy Company (Lycoming Creek—Schaefer), McIntyre Township, Lycoming County, PA. Surface water withdrawal of up to 1.500 mgd.

12. Project Sponsor and Facility: Sunbury Generation, LP, Monroe Township and Shamokin Dam Borough, Snyder County, PA. Modification for use of up to 0.100 mgd of the approved surface water withdrawal by natural gas companies (Docket No. 20081222).

Public Hearing—Project Tabled

1. Project Sponsor and Facility: Southwestern Energy Company (Lycoming Creek—Parent), McIntyre Township, Lycoming County, PA. Application for surface water withdrawal of up to 1.500 mgd.

Public Hearing—Rescission of Project Approval

1. Project Sponsor: Eastern American Energy Corporation. Pad ID: Whitetail Gun and Rod Club #1, ABR-20090418, Goshen Township, Clearfield County, PA.

The Commission also authorized the executive director to hereafter rescind approvals granted under 18 CFR 806.22.

Public Hearing—Request for Extension from Sunnyside Ethanol, LLC

The Commission tabled until its March 2010 meeting a request from Sunnyside Ethanol, LLC (Docket No.

20061203), Curwensville Borough, Clearfield County, PA, for a 2-year extension of its 3-year time limit to commence water use following Commission approval.

Public Hearing—Regulatory Program Fee Schedule

The Commission adopted a revised Regulatory Program Fee Schedule. The revisions adjust categorical fees, make format changes and include a new compliance and monitoring fee table to apply only to projects approved or modified after December 31, 2009. Future revisions to the fee schedule will be made on an FY basis.

Public Hearing—Comprehensive Plan Amendments

The Commission amended its comprehensive plan to include the newly adopted Water Resources Program (FY 2010/2011), the Low Flow Monitoring Plan, and all projects approved by the Commission during 2009. Future revisions to the comprehensive plan will be made on a FY basis.

Authority: Pub. L. No. 91-575, 84 Stat. 1509 et seq., 18 CFR Parts 806—808. Dated: February 24, 2010.

STEPHANIE L. RICHARDSON,
Secretary

[Pa.B. Doc. No. 10-542. Filed for public inspection March 19, 2010, 9:00 a.m.]

