

# NOTICES

## DEPARTMENT OF CONSERVATION AND NATURAL RESOURCES

### Execution of Oil and Gas Lease for State Forest Lands

Effective January 20, 2010, an Oil and Gas Lease for State Forest Lands, Contract No. M-110419-13, was executed by and between the Commonwealth, acting through the Department of Conservation and Natural Resources (lessor) and Chesapeake Appalachia, LLC (lessee), with its principal place of business located at 6100 North Western Avenue, Oklahoma City, OK 73118.

The lease is for Tract 419, located in Lumber and Grove Townships, Cameron County, within the Elk State Forest. The lease was issued to the highest winning and qualified bidder for the tract at the lessor's competitive lease sale held on January 12, 2010. The lease was recorded at the Cameron County courthouse on April 9, 2010, instrument no. 201000218, Book 205, page 254. Contract No. M-110419-13 may be viewed online at <http://contracts.patreasury.org/View.aspx?ContractID=78369>.

Questions regarding this lease should be directed to Bureau of Forestry, Minerals Section at (717) 787-2703.

JOHN QUIGLEY,  
*Secretary*

[Pa.B. Doc. No. 10-941. Filed for public inspection May 21, 2010, 9:00 a.m.]

## DEPARTMENT OF ENVIRONMENTAL PROTECTION

### Applications, Actions and Special Notices

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### APPLICATIONS

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

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

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

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

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

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

Persons wishing to comment on an NPDES application are invited to submit a statement to the regional office noted before an application within 30 days from the date of this public notice. Persons wishing to comment on a WQM permit application are invited to submit a statement to the regional office noted before the application within 15 days from the

date of this public notice. Comments received within the respective comment periods will be considered in the final determinations regarding the applications. Comments should include the name, address and telephone number of the writer and a concise statement to inform the Department of the exact basis of a comment and the relevant facts upon which it is based.

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

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

### I. NPDES Renewal Applications

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

**PA0011801**, Industrial Waste, SIC Code 2819, **Air Products & Chemicals, Inc.**, 7201 Hamilton Boulevard, Allentown, PA 18195-1526. Facility Name: Air Products & Chemicals. This existing facility is located in Glendon Borough, **Northampton County**.

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

The receiving stream(s), Unnamed Tributary to Lehigh River, is located in State Water Plan watershed 2-C and is classified for 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 0.135 MGD.

| Parameters             | Mass (lb/day)   |               | Concentration (mg/l) |               |               | Instantaneous Maximum |
|------------------------|-----------------|---------------|----------------------|---------------|---------------|-----------------------|
|                        | Average Monthly | Daily Maximum | Average Monthly      | Daily Maximum | Daily Maximum |                       |
| Flow (MGD)             | report          | report        |                      |               |               |                       |
| pH (S.U.)              |                 |               | 6.0 Minimum          |               |               | 9.0                   |
| Color (Pt-Co Units)    |                 |               |                      |               |               | 100                   |
| Temperature (° F)      |                 |               |                      |               |               | 110                   |
| Chemical Oxygen Demand |                 |               | Report               |               |               |                       |
| Total Suspended Solids | 33.7            | 67.4          | 30                   | 60            |               | 75                    |
| Total Dissolved Solids |                 |               | 1,300                | 2,600         |               | 3,250                 |
| Oil and Grease         |                 |               | 15                   |               |               | 30                    |
| Ammonia-Nitrogen       | 22.5            | 45            | 20                   | 40            |               | 50                    |
| Fluoride               |                 |               | Report               |               |               |                       |
| Total Organic Carbon   |                 |               | 50                   |               |               |                       |

In addition, the permit contains the following major special conditions:

- Chemical additives.

You may make an appointment to review the Department of Environmental Protection's files on this case by calling the File Review Coordinator at 570-826-5472.

The EPA waiver is in effect.

| NPDES No.<br>(Type)   | Facility Name &<br>Address   | County &<br>Municipality                  | Stream Name<br>(Watershed #) | EPA Waived<br>Y/N? |
|-----------------------|--|---|------------------------------|--------------------|
| PA0064220<br>(Sewage) | Twin County Joint Municipal<br>Authority WWTP<br>309 Mahanoy Street<br>Nuremburg, PA 18241 | Schuylkill County<br>North Union Township | Tomhicken Creek<br>5-E       | Y                  |

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.*

| NPDES No.<br>(Type) | Facility Name &<br>Address  | County &<br>Municipality                 | Stream Name<br>(Watershed #) | EPA Waived<br>Y/N? |
|---------------------|---|--|------------------------------|--------------------|
| PA0085723<br>(Sew)  | Exit II WWTP, Inc.<br>P. O. Box 1387<br>York, PA 17405-1387               | York County<br>Springfield Township      | Seaks Run<br>7-H             | Y                  |
| PA0053091<br>(IW)   | Giorgio Foods, Inc.<br>P. O. Box 96<br>1161 Park Road<br>Temple, PA 19560 | Berks County<br>Maiden Creek<br>Township | Willow Creek<br>3-B          | Y                  |

| <i>NPDES No.<br/>(Type)</i> | <i>Facility Name &amp;<br/>Address</i>                                      | <i>County &amp;<br/>Municipality</i>  | <i>Stream Name<br/>(Watershed #)</i> | <i>EPA Waived<br/>Y/N ?</i> |
|-----------------------------|---|---------------------------------------|--------------------------------------|-----------------------------|
| PA0247782<br>(IW)           | Value Auto Salvage<br>13058 Greenwood Road<br>Huntingdon, PA 16652          | Huntingdon County<br>Jackson Township | Standing Stone Creek<br>11-B         | Y                           |
| PA0033995<br>(Sew)          | County of Berks<br>633 Court Street<br>16th Floor<br>Reading, PA 19601-4322 | Berks County<br>Bern Township         | Plum Creek<br>3-C                    | Y                           |

*Northcentral Regional Office: Water Management Program Manager, 208 West Third Street, Suite 101, Williamsport, PA 17701-6448. Phone: 570-327-0532.*

| <i>NPDES No.<br/>(Type)</i> | <i>Facility Name &amp;<br/>Address</i>  | <i>County &amp;<br/>Municipality</i> | <i>Stream Name<br/>(Watershed #)</i>       | <i>EPA Waived Y/N?</i> |
|-----------------------------|---|--------------------------------------|--|------------------------|
| PA0228931<br>(Sewage)       | Kathy Weaver and Robert<br>Martin SFTF<br>2495 Valley View Road<br>Bellefonte, PA 16823 | Centre County<br>Benner<br>Township  | Unnamed Tributary of<br>Buffalo Run<br>9-C | 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.*

**PA0056081**, Sewage, SIC Code 5812, **Kevin P. Dougherty**, 937 Worthington Mill Road, Wrightstown, PA 18940. Facility Name: Wycombe Pub & Grill. This existing facility is located in Wrightstown Township, **Bucks 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), Unnamed Tributary to Mill Creek, is located in State Water Plan watershed 2-F and is classified for Warm Water Fishes and Migratory Fishes, 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 0.00175 MGD.

| <i>Parameters</i>              | <i>Mass (lb/day)</i>       |                          |                | <i>Concentration (mg/l)</i> |                          | <i>Instantaneous<br/>Maximum</i> |
|--------------------------------|----------------------------|--------------------------|----------------|-----------------------------|--------------------------|----------------------------------|
|                                | <i>Average<br/>Monthly</i> | <i>Daily<br/>Maximum</i> | <i>Minimum</i> | <i>Average<br/>Monthly</i>  | <i>Daily<br/>Maximum</i> |                                  |
| Flow (MGD)                     | Report                     |                          |                |                             |                          |                                  |
| pH (S.U.)                      |                            |                          | 6.0            |                             |                          | 9.0                              |
| Dissolved Oxygen               |                            |                          | 3.0            |                             |                          |                                  |
| Total Residual Chlorine        |                            |                          |                | 0.5                         |                          | 1.2                              |
| CBOD <sub>5</sub>              |                            |                          |                |                             |                          |                                  |
| May 1 - Oct 31                 |                            |                          |                | 10                          |                          | 20                               |
| Nov 1 - Apr 30                 |                            |                          |                | 20                          |                          | 40                               |
| Total Suspended Solids         |                            |                          |                | 10                          |                          | 20                               |
| Oil and Grease                 |                            |                          |                | 15                          |                          | 30                               |
| Fecal Coliform<br>(CFU/100 ml) |                            |                          |                | 200                         |                          |                                  |
| Nitrate-Nitrite as N           |                            |                          |                | Geometric<br>Mean<br>Report |                          |                                  |
| Ammonia-Nitrogen               |                            |                          |                |                             |                          |                                  |
| May 1 - Oct 31                 |                            |                          |                | 3.0                         |                          | 6.0                              |
| Nov 1 - Apr 30                 |                            |                          |                | 9.0                         |                          | 18.0                             |
| Total Kjeldahl Nitrogen        |                            |                          |                | Report                      |                          |                                  |
| Total Phosphorus               |                            |                          |                | Report                      |                          |                                  |

In addition, the permit contains the following major special conditions:

1. Abandon STP.
2. Remedial Measures.
3. No Stormwater.
4. Dry Stream Discharge.
5. Chlorine Minimization.
6. Property Rights.
7. Change of Ownership.

- 8. Proper Sludge Disposal.
- 9. IMAX limits to DMR.
- 10. Laboratory Certification.

You may make an appointment to review the Department of Environmental Protection's files on this case by calling the File Review Coordinator at 484-250-5910.

The EPA waiver is in effect.

**PA0056430**, Industrial Waste, SIC Code 4226, 4613, **Sunoco Partners Marketing & Terminals, LP**, 4041 Market Street, Aston, PA 19014. Facility Name: Fort Mifflin Terminal. This existing facility is located in Tinticum Township, **Delaware County**.

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

The receiving stream(s), Unnamed Tributary to Delaware River, is located in State Water Plan watershed 3-F and is classified for Warm Water Fishes, 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 an average stormwater runoff.

| Parameters     | Concentration (mg/l) |                       |
|----------------|----------------------|-----------------------|
|                | Average Monthly      | Instantaneous Maximum |
| Oil and Grease | 15                   | 30                    |
| TRPH           | 15                   | 30                    |

In addition, the permit contains the following major special conditions:

- 1. Remedial Measures.
- 2. Change in Ownership.
- 3. PPC Plan.
- 4. Other Wastewater Discharges.
- 5. Definitions.
- 6. Laboratory Certification.
- 7. Hydrostatic Test Water Discharge.

You may make an appointment to review the Department of Environment Protection's files on this case by calling the File Review Coordinator at 484-250-5910.

The EPA waiver is in effect.

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

**PA0044741**, Industrial Waste, SIC Code 2033, **Hanover Foods, Corp.**, P. O. Box 334, Hanover, PA 17331-334. Facility Name: Hanover Foods. This existing facility is located in Penn Township, **York County**.

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

The receiving stream(s), Oil Creek and Unnamed Tributary to Oil Creek, is located in State Water Plan watershed 7-H and is classified for Warm Water Fishes, 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 0.643 MGD.

| Parameters              | Mass (lb/day)   |               |         | Concentration (mg/l) |               |                       |
|-------------------------|-----------------|---------------|---------|----------------------|---------------|-----------------------|
|                         | Average Monthly | Daily Maximum | Minimum | Average Monthly      | Daily Maximum | Instantaneous Maximum |
| Flow (MGD)              | Report          | Report        | XXX     | XXX                  | XXX           | XXX                   |
| pH (S.U.)               | XXX             | XXX           | 6.0     | XXX                  | XXX           | 9.0                   |
| Dissolved Oxygen        | XXX             | XXX           | 5.0     | XXX                  | XXX           | XXX                   |
| Total Residual Chlorine | XXX             | XXX           | XXX     | 0.1                  | XXX           | 0.3                   |
| CBOD <sub>5</sub>       |                 |               |         |                      |               |                       |
| May 1 - Oct 31          | 53              | 105           | XXX     | 10                   | 20            | XXX                   |
| Nov 1 - Apr 30          | 160             | 320           | XXX     | 30                   | 60            | XXX                   |
| Total Suspended Solids  | 53              | 105           | XXX     | 10                   | 20            | XXX                   |

## NOTICES

| <i>Parameters</i>                                | <i>Mass (lb/day)</i>   |                      |                | <i>Concentration (mg/l)</i>       |                      |                              |
|--|------------------------|----------------------|----------------|-----------------------------------|----------------------|------------------------------|
|  | <i>Average Monthly</i> | <i>Daily Maximum</i> | <i>Minimum</i> | <i>Average Monthly</i>            | <i>Daily Maximum</i> | <i>Instantaneous Maximum</i> |
| Fecal Coliform<br>(CFU/100 ml)<br>May 1 - Sep 30 | XXX                    | XXX                  | XXX            | 200<br>Geometric<br>Mean<br>2,000 | XXX                  | XXX                          |
| Oct 1 - Apr 30                                   | XXX                    | XXX                  | XXX            | Geometric<br>Mean                 | XXX                  | XXX                          |
| Ammonia-Nitrogen<br>May 1 - Oct 31               | 8                      | 16                   | XXX            | 1.5                               | 3.0                  | XXX                          |
| Nov 1 - Apr 30                                   | 24                     | 48                   | XXX            | 4.5                               | 9.0                  | XXX                          |
| Total Phosphorus (Interim)                       | Report                 | Report               | XXX            | Report                            | Report               | XXX                          |
| Total Phosphorus (Final)                         | 2.5                    | 5.0                  | XXX            | 0.5                               | 1.0                  | XXX                          |

The proposed monitoring requirements and, where appropriate, effluent limits for implementation of the Chesapeake Bay Tributary Strategy are as follows for Outfall 001.

| <i>Parameters</i>    | <i>Mass (lb/day)</i> |               |                | <i>Concentration (mg/l)</i> |                |
|----------------------|----------------------|---------------|----------------|-----------------------------|----------------|
|                      | <i>Monthly</i>       | <i>Annual</i> | <i>Minimum</i> | <i>Monthly Average</i>      | <i>Maximum</i> |
| Ammonia-N            | Report               | Report        | XXX            | Report                      | XXX            |
| Kjeldahl-N           | Report               | XXX           | XXX            | Report                      | XXX            |
| Nitrate-Nitrite as N | Report               | XXX           | XXX            | Report                      | XXX            |
| Total Nitrogen       | Report               | Report        | XXX            | Report                      | XXX            |
| Total Phosphorus     | Report               | Report        | XXX            | Report                      | XXX            |
| Net Total Nitrogen   | Report               | Report        | XXX            | XXX                         | XXX            |
| Net Total Phosphorus | Report               | Report        | XXX            | XXX                         | XXX            |

You may make an appointment to review the Department of Environmental Protection's files on this case by calling the File Review Coordinator at 717-705-4732.

The EPA waiver is in effect.

**PA0261459**, Sewage, SIC Code 6514, **Anthony M. and Lori Todaro**, 605 Roxbury Road, Newville, PA 17241. Facility Name: Todaro SFTF. This proposed facility is located in Upper Mifflin Township, **Cumberland County**.

Description of Proposed Activity: The application is for a new NPDES permit for a new discharge of treated Sewage.

The receiving stream(s), Unnamed Tributary to Whisky Run, is located in State Water Plan watershed 7-B 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 0.0006 MGD.

| <i>Parameters</i>                                | <i>Mass (lb/day)</i>   |                      |                | <i>Concentration (mg/l)</i>       |                      |                              |
|--|------------------------|----------------------|----------------|-----------------------------------|----------------------|------------------------------|
|  | <i>Average Monthly</i> | <i>Daily Maximum</i> | <i>Minimum</i> | <i>Average Monthly</i>            | <i>Daily Maximum</i> | <i>Instantaneous Maximum</i> |
| Flow (MGD)                                       | Report                 | Report               |                |                                   |                      |                              |
| pH (S.U.)  |                        |                      | 6.0            |                                   |                      | 9.0                          |
| Total Residual Chlorine                          |                        |                      |                | Report                            |                      |                              |
| CBOD <sub>5</sub>                                |                        |                      |                | 25                                |                      | 50                           |
| Total Suspended Solids                           |                        |                      |                | 30                                |                      | 60                           |
| Fecal Coliform<br>(CFU/100 ml)<br>May 1 - Sep 30 |                        |                      |                | 200<br>Geometric<br>Mean<br>2,000 |                      |                              |
| Oct 1 - Apr 30                                   |                        |                      |                | Geometric<br>Mean                 |                      |                              |

You may make an appointment to review the Department of Environmental Protection's files on this case by calling the File Review Coordinator at 717-705-4732.

The EPA waiver is in effect.

**Application No. PA 0042269**, Sewage, **Lancaster Area Sewer Authority**, 130 Centerville Road, Lancaster, PA 17603. This facility is located in Manor Township, **Lancaster County**.

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

The receiving stream, Dry Run, is in Watershed 7-J, and classified for warm water fishery, water supply, recreation and fish consumption. The nearest downstream public water supply intake for Safe Harbor Power Plant is located on the Susquehanna River, approximately 7 miles downstream. The discharge is not expected to affect the water supply.

The proposed amendment would add a Part C condition allowing offsets for accepting septage:

You may make an appointment to review the Department of Environmental Protection's files on this case by calling the File Review Coordinator at 717-705-4732.

The EPA waiver is not in effect.

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

**PA 0233889, Troester Dairy**, 175 Cannon Road, Mifflinburg, PA 17844. This proposed facility is located in Buffalo Township, **Union County**.

Description of Proposed Activity: Dairy Farm.

The receiving stream, UNTs of Buffalo Creek, is in the State Water Plan Buffalo Creek Watershed 10C and is classified for: Cold Water Fishery (CWF).

The proposed effluent limits for the operation/activity include: Except for the chronic or catastrophic rainfall events defined as over the 25-year/24-hour rain storms, the CAFO individual permit is a nondischarge NPDES permit. Where applicable, compliance with 40 CFR Federal effluent limitation guidelines is required.

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

1. Compliance with the Farm's Nutrient Management Plan.
2. Compliance with the Farm's Preparedness, Prevention and Contingency Plan.
3. Compliance with the Farm's Erosion and Sedimentation Control Plan for plowing and tilling.
4. Erosion and Sedimentation Control Plan requirements for stormwater during construction activities.
5. Animal mortality handling and disposing requirements.
6. Certification requirements for manure storage facilities.
7. Requirements for storage of feed and other raw materials.
8. Best Management Practices requirements.

The EPA waiver will not be in effect.

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

**PA0025941**, Sewage, **Canonsburg-Houston Joint Authority**, 68 East Pike Street, Canonsburg, PA 15317. This application is for renewal of an NPDES permit to discharge treated sewage from Canonsburg-Houston Joint Authority Wastewater Treatment Plant in Cecil Township, **Washington County**.

The following effluent limitations are proposed for discharge to the receiving waters, known as Chartiers Creek, which are classified as a warm water fishery with existing and/or potential uses for aquatic life, water supply and recreation. The first downstream potable water supply intake from this facility is the West View Municipal Authority located on the Ohio River.

*Outfall 001*: existing discharge, design flow of 5 mgd.

| Parameter               | Concentration (mg/l)                   |                |               |                       |
|-------------------------|--|----------------|---------------|-----------------------|
|                         | Average Monthly                        | Average Weekly | Maximum Daily | Instantaneous Maximum |
| CBOD <sub>5</sub>       |  |                |               |                       |
| May 1 to Oct 31         | 20                                     | 30             |               | 40                    |
| Nov 1 to Apr 30         | 25                                     | 37.5           |               | 50                    |
| Suspended Solids        | 30                                     | 45             |               | 60                    |
| Ammonia Nitrogen        |  |                |               |                       |
| May 1 to Oct 31         | 4.0                                    | 6.0            |               | 8.0                   |
| Nov 1 to Apr 30         | 7.0                                    | 10.5           |               | 14.0                  |
| Fecal Coliform          |  |                |               |                       |
| May 1 to Sep 30         | 200/100 ml as a Geometric Mean         |                |               |                       |
| Oct 1 to Apr 30         | 2,000/100 ml as a Geometric Mean       |                |               |                       |
| Total Residual Chlorine | 0.6                                    |                |               | 2.0                   |
| Dissolved Oxygen        | not less than 5.0 mg/l                 |                |               |                       |
| pH                      | not less than 6.0 nor greater than 9.0 |                |               |                       |
| CYANIDE, FREE           | 17 ug/l                                |                | 27ug/l        |                       |

The EPA waiver is not in effect.

**PA0027111**, Sewage, **Municipal Sanitary Authority of the City of New Kensington**, 120 Logans Ferry Road, New Kensington, PA 15068-2046. This application is for renewal of an NPDES permit to discharge treated sewage from Municipal Sanitary Authority of the City of New Kensington Wastewater Pollution Control Plant in City of New Kensington, **Westmoreland County**.

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

*Outfall 001*: existing discharge, design flow of 6 mgd.

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

The EPA waiver is not in effect.

**PA0096229**, Sewage, **Marianna-West Bethlehem Joint Sewerage Authority**, P. O. Box 428, Marianna, PA 15345-0428. This application is for renewal of an NPDES permit to discharge treated sewage from Marianna-West Bethlehem Sewage Treatment Plant in West Bethlehem Township, **Washington County**.

The following effluent limitations are proposed for discharge to the receiving waters, known as Ten Mile Creek, which are classified as a trout stock fishery with existing and/or potential uses for aquatic life, water supply and recreation. The first downstream potable water supply intake from this facility is the Tri-County Joint Municipal Authority located on the Monongahela River.

*Outfall 001*: existing discharge, design flow of 0.307 mgd.

| <i>Parameter</i>        | <i>Concentration (mg/l)</i>            |                       |                      |                              |
|-------------------------|--|-----------------------|----------------------|------------------------------|
|                         | <i>Average Monthly</i>                 | <i>Average Weekly</i> | <i>Maximum Daily</i> | <i>Instantaneous Maximum</i> |
| CBOD <sub>5</sub>       |  |                       |                      |                              |
| May 1 to Oct 31         | 20                                     | 30                    |                      | 40                           |
| Nov 1 to Apr 30         | 25                                     | 37.5                  |                      | 50                           |
| Suspended Solids        | 30                                     | 45                    |                      | 60                           |
| Ammonia Nitrogen        |  |                       |                      |                              |
| May 1 to Oct 31         | 5.0                                    | 7.5                   |                      | 10.0                         |
| Nov 1 to Apr 30         | 15.0                                   | 22.5                  |                      | 30.0                         |
| Fecal Coliform          |  |                       |                      |                              |
| May 1 to Sep 30         | 200/100 ml as a Geometric Mean         |                       |                      |                              |
| Oct 1 to Apr 30         | 2,000/100 ml as a Geometric Mean       |                       |                      |                              |
| Total Residual Chlorine | 0.6                                    |                       |                      | 2.0                          |
| Dissolved Oxygen        | not less than 4.0 mg/l                 |                       |                      |                              |
| pH                      | not less than 6.0 nor greater than 9.0 |                       |                      |                              |

The EPA waiver is in effect.

**PA0204498**, Sewage, **Marion Center Area School District**, Box 156, Route 403, Marion Center, PA 15759. This application is for renewal of an NPDES permit to discharge treated sewage from Rayne Township Elementary School Sewage Treatment Plant in Rayne Township, **Indiana County**.

The following effluent limitations are proposed for discharge to the receiving waters, known as Swale to Unnamed Tributary of Crooked Creek, which are classified as a cold water fishery with existing and/or potential uses for aquatic life, water supply and recreation. The first downstream potable water supply intake from this facility is the Crooked Creek Intake.

*Outfall 001*: existing discharge, design flow of 0.00676 mgd.

| <i>Parameter</i>  | <i>Concentration (mg/l)</i> |                       |                      |                              |
|-------------------|-----------------------------|-----------------------|----------------------|------------------------------|
|                   | <i>Average Monthly</i>      | <i>Average Weekly</i> | <i>Maximum Daily</i> | <i>Instantaneous Maximum</i> |
| CBOD <sub>5</sub> | 25                          |                       |                      | 50                           |
| Suspended Solids  | 30                          |                       |                      | 60                           |

| Parameter               | Concentration (mg/l)                   |                |               |                       |
|-------------------------|--|----------------|---------------|-----------------------|
|                         | Average Monthly                        | Average Weekly | Maximum Daily | Instantaneous Maximum |
| Ammonia Nitrogen        |  |                |               |                       |
| May 1 to Oct 31         | 2.0                                    |                |               | 4.0                   |
| Nov 1 to Apr 30         | 3.5                                    |                |               | 7.0                   |
| Fecal Coliform          |  |                |               |                       |
| May 1 to Sep 30         | 200/100 ml as a Geometric Mean         |                |               |                       |
| Oct 1 to Apr 30         | 2,000/100 ml as a Geometric Mean       |                |               |                       |
| Total Residual Chlorine | 1.4                                    |                |               | 3.3                   |
| Dissolved Oxygen        | not less than 6.0 mg/l                 |                |               |                       |
| pH                      | not less than 6.0 nor greater than 9.0 |                |               |                       |

The EPA waiver is in effect.

**PA0254215**, Sewage, **Rox Coal, Inc.**, P. O. Box 260, Friedens, PA 15541. This application is for issuance of an NPDES permit to discharge treated sewage from Horning Deep Mine STP in Stonycreek Township, **Somerset County**.

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

*Outfall 001*: new discharge, design flow of 0.0035 mgd.

| Parameter               | Concentration (mg/l)                   |                |               |                       |
|-------------------------|--|----------------|---------------|-----------------------|
|                         | Average Monthly                        | Average Weekly | Maximum Daily | Instantaneous Maximum |
| CBOD <sub>5</sub>       | 25                                     |                |               | 50                    |
| Suspended Solids        | 30                                     |                |               | 60                    |
| Fecal Coliform          |  |                |               |                       |
| May 1 to Sep 30         | 200/100 ml as a Geometric Mean         |                |               |                       |
| Oct 1 to Apr 30         | 2,000/100 ml as a Geometric Mean       |                |               |                       |
| Total Residual Chlorine | 1.4                                    |                |               | 3.3                   |
| pH                      | not less than 6.0 nor greater than 9.0 |                |               |                       |

The EPA waiver is in effect.

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

**PA0026832**, Sewage, **Borough of Ellwood City**, 525 Lawrence Avenue, Ellwood City, PA 16117. This existing facility is located in Wayne Township, **Lawrence County**.

Description of Proposed Activity: renewal of an existing NPDES permit to discharge treated sewage.

The receiving stream, the Connoquenessing Creek, is in watershed 20-C and classified for: Warm Water Fishes, aquatic life, water supply and recreation.

The proposed effluent limits for Outfall 001 are based on a design flow of 3.3 MGD.

| Parameters              | Loadings                               |                         | Concentrations         |                       |                              |
|-------------------------|--|-------------------------|------------------------|-----------------------|------------------------------|
|                         | Average Monthly (lb/day)               | Average Weekly (lb/day) | Average Monthly (mg/l) | Average Weekly (mg/l) | Instantaneous Maximum (mg/l) |
| Flow (MGD)              | XX                                     | XX                      |                        |                       |                              |
| CBOD <sub>5</sub>       | 688                                    | 1,100                   | 25                     | 40                    | 50                           |
| Total Suspended Solids  | 825                                    | 1,238                   | 30                     | 45                    | 60                           |
| NH <sub>3</sub> -N      |  |                         |                        |                       |                              |
| (05/01 - 10/31)         | 440                                    |                         | 16                     |                       | 32                           |
| (11/01 - 04/30)         | 668                                    |                         | 25                     |                       | 50                           |
| Fecal Coliform          |  |                         |                        |                       |                              |
| (05/01 - 09/30)         | 200/100 ml as a Geometric Mean         |                         |                        |                       |                              |
| (10/01 - 04/30)         | 2,000/100 ml as a Geometric Mean       |                         |                        |                       |                              |
| Total Residual Chlorine |  |                         | 0.5                    |                       | 1.6                          |
| pH                      | 6.0 to 9.0 Standard Units at all times |                         |                        |                       |                              |

XX—Monitor and report on monthly DMRs.

The EPA waiver is not in effect.

**PA0020257, Amendment No. 2**, Sewage, **Borough of Grove City**, P. O. Box 110, Grove City, PA 16127-0110. This existing facility is located in Grove City Borough, **Mercer County**.

Description of Proposed Activity: Amendment of an existing NPDES permit to discharge treated sewage.



The receiving stream, the Wolf Creek, is in watershed 20-C and classified for: Cold Water Fishes, Migratory Fishes, aquatic life, water supply and recreation.

The proposed effluent limits for Outfall 001 are based on a design flow of 3.0 MGD. Interim.

| Parameters              | Loadings                    |                                     |  | Concentrations           |                                 |
|-------------------------|-----------------------------|-------------------------------------|--|--------------------------|---------------------------------|
|                         | Average<br>Monthly (lb/day) | Average<br>Weekly (lb/day)          | Average<br>Monthly (mg/l)              | Average<br>Weekly (mg/l) | Instantaneous<br>Maximum (mg/l) |
| Flow (MGD)              | XX                          | XX                                  |  |                          |                                 |
| CBOD <sub>5</sub>       |                             |                                     |  |                          |                                 |
| (5/1-10/31)             | 375                         | 560                                 | 15                                     | 22.5                     | 30                              |
| (11/1-4/30)             | 625                         | 1,000                               | 25                                     | 40                       | 50                              |
| Total Suspended Solids  | 750                         | 1,125                               | 30                                     | 45                       | 60                              |
| NH <sub>3</sub> -N      |                             |                                     |  |                          |                                 |
| (05/01 - 10/31)         | 87.5                        |                                     | 3.5                                    |                          | 7                               |
| (11/01 - 04/30)         | 250                         |                                     | 10                                     |                          | 21                              |
| Fecal Coliform          |                             |                                     |  |                          |                                 |
| (05/01 - 09/30)         |                             | 200/100 ml as a Geometric Average   |  |                          |                                 |
| (10/01 - 04/30)         |                             | 3,600/100 ml as a Geometric Average |  |                          |                                 |
| Total Residual Chlorine |                             |                                     | 0.39                                   |                          | 1.27                            |
| Dissolved Oxygen        |                             |                                     | minimum of 5 mg/l at all times         |                          |                                 |
| pH                      |                             |                                     | 6.0 to 9.0 Standard Units at all times |                          |                                 |

The proposed effluent limits for Outfall 001 are based on a design flow of 3.525 MGD. Final.

| Parameters              | Loadings                    |                                     |  | Concentrations           |                                 |
|-------------------------|-----------------------------|-------------------------------------|--|--------------------------|---------------------------------|
|                         | Average<br>Monthly (lb/day) | Average<br>Weekly (lb/day)          | Average<br>Monthly (mg/l)              | Average<br>Weekly (mg/l) | Instantaneous<br>Maximum (mg/l) |
| Flow (MGD)              | XX                          | XX                                  |  |                          |                                 |
| CBOD <sub>5</sub>       |                             |                                     |  |                          |                                 |
| (5/1-10/31)             | 588                         | 882                                 | 20                                     | 30                       | 40                              |
| (11/1-4/30)             | 735                         | 1,176                               | 25                                     | 40                       | 50                              |
| Total Suspended Solids  | 881                         | 1,323                               | 30                                     | 45                       | 60                              |
| NH <sub>3</sub> -N      |                             |                                     |  |                          |                                 |
| (05/01 - 10/31)         | 118                         |                                     | 4                                      |                          | 8                               |
| (11/01 - 04/30)         | 353                         |                                     | 12                                     |                          | 24                              |
| Fecal Coliform          |                             |                                     |  |                          |                                 |
| (05/01 - 09/30)         |                             | 200/100 ml as a Geometric Average   |  |                          |                                 |
| (10/01 - 04/30)         |                             | 2,000/100 ml as a Geometric Average |  |                          |                                 |
| Total Residual Chlorine |                             |                                     | 0.29                                   |                          | 0.96                            |
| Dissolved Oxygen        |                             |                                     | minimum of 4 mg/l at all times         |                          |                                 |
| pH                      |                             |                                     | 6.0 to 9.0 Standard Units at all times |                          |                                 |

XX—Monitor and report on monthly DMRs.

The EPA waiver is not in effect.

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

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

**WQM Permit No. 0910401**, Sewerage, **Warwick Township Water & Sewer Authority**, 1733 Township Greene, Jamison, PA 18929. This proposed facility is located in Warwick Township, **Bucks County**.

Description of Action/Activity: Construction of a new sanitary pump station to serve the Ivyland Industrial Park.

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

**WQM Permit No. 4510401**, Sewerage, **Pocono Township Supervisors**, P. O. Box 197, Tannersville, PA 18372. This proposed facility is located in Stroud Township and Stroudsburg Borough, **Monroe County**.

Description of Proposed Action/Activity: This application is for construction and operation of a sewage force main to convey sewage from Pocono and Hamilton Townships through Stroud Township and Stroudsburg Borough to the regional treatment plant.

**WQM Permit No. 5410402**, Sewerage, **Schuylkill County Municipal Authority**, 221 South Centre Street, Pottsville, PA 17901. This proposed facility is located in Orwigsburg Borough and West Brunswick Township, **Schuylkill County**.

Description of Proposed Action/Activity: This application is for construction and operation of gravity sewers, a pump station and force main to serve the Lee Development. The system will connect to Orwigsburg's existing sewerage system for conveyance and treatment.

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

**WQM Permit No. 0610402**, Sewerage, **Womelsdorf Sewer Authority**, 101 West High Street, Womelsdorf, PA 19567. This proposed facility is located in Heidelberg Township, **Berks County**.

Description of Proposed Action/Activity: Seeking permit approval for the upgrade of the sludge process for the existing plant, improving the post-aeration by adding separate blowers, relocating chemical feed (Alum), and adding influent screening and grit removal, which will both be located in a proposed Headworks Building.

**WQM Permit No. 5010401**, Sewerage, **Millerstown Borough Council**, 44 North High Street, Millerstown, PA 17062. This proposed facility is located in Greenwood Township, **Perry County**.

Description of Proposed Action/Activity: Seeking permit approval for the construction/operation of pumping station improvements and a sequencing batch reactor (SBR) wastewater treatment system.

**WQM Permit No. 2810401**, Sewerage, **Franklin County General Authority**, 5540 Coffey Avenue, Chambersburg, PA 17201. This proposed facility is located in Greene Township, **Franklin County**.

Description of Proposed Action/Activity: Seeking permit approval for the upgrade to wastewater treatment plant to include new headworks, treatment unit, blower building and upgraded sludge management at their existing plant.

**WQM Permit No. 2810402**, Sewerage, **Mont Alto Municipal Authority**, P. O. Box 427, Mont Alto, PA 17237-0427. This proposed facility is located in Quincy Township, **Franklin County**.

Description of Proposed Action/Activity: Seeking permit approval for the construction/operation for upgrades to the wastewater treatment facility.

**WQM Permit No. 6710403**, Sewerage, **Penn Township**, 20 Wayne Avenue, Hanover, PA 17331. This proposed facility is located in Penn Township, **York County**.

Description of Proposed Action/Activity: Seeking permit approval for the construction/operation for a wastewater collection and conveyance system.

**WQM Permit No. 2177201, Amendment 10-1**, Industrial Waste, **Body E. Diller, Inc., Diller Transfer Station**, 6820 Wertzville Road, Enola, PA 17025-1032. This proposed facility is located in Silver Spring Township, **Cumberland County**.

Description of Proposed Action/Activity: Seeking permit approval for upgrade to their wastewater treatment plant for Nitrification and Manganese removal.

*Northwest Region: Oil and Gas Management Program Manager, 230 Chestnut Street, Meadville, PA 16335-3481. Phone (814) 332-6860.*

**WQM Permit No. 1010601**, Industrial Waste, **Vavco, LLC**, 101 Mahood Road, Suite 1, Butler, PA 16001. This proposed facility is located in Connoquenessing Township, **Butler County**.

Description of Proposed Action/Activity: Construction of a Passive Water Treatment Plant to process wastewater from Stripper Oil Wells.

**WQM Permit No. 4301201**, Industrial Waste, **Amendment No. 2, John Koller & Son, Inc.**, 1734 Perry Highway, Fredonia, PA 15124. This proposed facility is located in Fairview Township, **Mercer County**.

Description of Proposed Action/Activity: Amendment to the Water Quality permit for the sludge dewatering filter replacement.

**WQM Permit No. WQG018752**, Sewerage, **Seth Michaels**, 840 Sewickley Street, Ellwood City, PA 16117. This proposed facility is located in Wayne Township, **Lawrence County**.

Description of Proposed Action/Activity: A Single Residence Sewage Treatment Plant.

**WQM Permit No. WQG018750**, Sewerage, **Tom Barnes**, 190 Southbrook Drive, New Castle, PA 16105. This proposed facility is located in Neshannock Township, **Lawrence County**.

Description of Proposed Action/Activity: A Single Residence Sewage Treatment Plant.

**WQM Permit No. WQG018745**, Sewerage, **Norman Sharp**, 298 Orangeville Road, Greenville, PA 16125. This proposed facility is located in West Salem Township, **Mercer County**.

Description of Proposed Action/Activity: A Single Residence Sewage Treatment Plant.

**WQM Permit No. 2071401**, Sewage, **Amendment No. 1, Titusville Estates, LLC**, 21321 Campbell Road, Titusville, PA 16354. This existing facility is located in Oil Creek Township, **Crawford County**.

Description of Proposed Action/Activity: This permit approves the amendment of Water Quality Management part II permit for sewage wastewater facilities serving a mobile home park. An aerated sludge holding tank will be constructed by adding a wall inside the aeration tank, reducing its volume down to 9,000 gallons. The original design also included (2) intermittent sand filters which are being removed as listed treatment units from this permit.

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

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

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


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

| <i>NPDES Permit No.</i> | <i>Applicant Name &amp; Address</i>                    | <i>County</i> | <i>Municipality</i>  | <i>Receiving Water/Use</i> |
|-------------------------|--|---------------|----------------------|----------------------------|
| PAI01091003             | James Baker<br>1748 Central Park<br>Orefield, PA 18069 | Bucks         | Springfield Township | Cooks Creek<br>EV-MF       |

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

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

| <i>NPDES Permit No.</i> | <i>Applicant Name &amp; Address</i>  | <i>County</i> | <i>Municipality</i> | <i>Receiving Water/Use</i>   |
|-------------------------|--|---------------|---------------------|------------------------------|
| PAI024810001            | Department of Transportation<br>1002 Hamilton Street<br>Allentown, PA 18101  | Northampton   | Williams Township   | Frya Run<br>HQ-CWF, MF       |
| PAI024810004            | Arcadia East Associates No. 1,<br>LP and Arcadia East Associates<br>No. 1, Inc.<br>100 Gateway Drive<br>Suite 310<br>Allentown, PA 18017 | Northampton   | East Allen Township | Monocacy Creek<br>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 &amp; Address</i>   | <i>County</i> | <i>Municipality</i> | <i>Receiving Water/Use</i> |
|-------------------------|---|---------------|---------------------|----------------------------|
| PAI025210004            | Lehman Township<br>Attn: John Sivick<br>R. R. 4<br>Box 4000<br>Bushkill, PA 18324 | Pike          | Lehman Township     | Saw Creek<br>HQ-CWF, MF    |

*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 &amp; Address</i>                                       | <i>County</i> | <i>Municipality</i> | <i>Receiving Water/Use</i> |
|-------------------------|---|---------------|---------------------|----------------------------|
| PAI044110002            | Richard Hannan, Jr.<br>2029 Lycoming Creek Road<br>Williamsport, PA 17701 | Lycoming      | Loyalsock Township  | Mill Creek<br>TSF/MF       |

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

*Washington County Conservation District, 602 Courthouse Square, Washington, PA 15301, (724-228-6774).*

| <i>NPDES Permit No.</i> | <i>Applicant Name &amp; Address</i>                                  | <i>County</i> | <i>Municipality</i>        | <i>Receiving Water/Use</i>                 |
|-------------------------|--|---------------|----------------------------|--|
| PAI056310005            | Majestic Hills, LLC<br>3625 Washington Pike<br>Bridgeville, PA 15017 | Washington    | North Strabane<br>Township | UNT to Little Chartiers<br>Creek<br>HQ-WWF |

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


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

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

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

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

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

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

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

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

| <i>Agricultural Operation Name and Address</i>  | <i>County</i>  | <i>Total Acres</i> | <i>Animal Equivalent Units</i> | <i>Animal Type</i> | <i>Special Protection Waters (HQ or EV or NA)</i> | <i>Renewal/New</i> |
|---|----------------|--------------------|--------------------------------|--------------------|---|--------------------|
| Stoney Creek Acres<br>c/o Daniel P. Hershberger | Bradford       | 328.1              | 1.93                           | Swine              | N/A   | Renewal            |
| Jonathan Stauffer                               | Northumberland | 10                 | 288.32                         | Layers             | None  | Renewal            |

**PUBLIC WATER SUPPLY (PWS) PERMIT**

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

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

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

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

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

**SAFE DRINKING WATER**

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

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

**Application No. 0910513, Public Water Supply.**

|                           |   |
|---------------------------|---|
| Applicant                 | <b>Aqua Pennsylvania, Inc.</b>  |
| Borough                   | Chalfont  |
| County                    | <b>Bucks</b>  |
| Responsible Official      | Ed Fortner, Jr.<br>762 West Lancaster Avenue<br>Bryn Mawr, PA 19010   |
| Type of Facility          | PWS   |
| Consulting Engineer       | C.E.T. Engineering Services<br>1240 North Mountain Road<br>Harrisburg, PA 17112                                     |
| Application Received Date | April 30, 2010  |
| Description of Action     | Installation of chlorine contact pipe to meet GWR requirements for 4-log treatment at Chalfont Wells 8-A, 11and 12. |

**Application No. 1510509, Public Water Supply.**

|                      |   |
|----------------------|---|
| Applicant            | <b>Aqua Pennsylvania, Inc.</b>  |
| Township             | West Whiteland  |
| County               | <b>Chester</b>  |
| Responsible Official | Ed Fortner, Jr.<br>762 West Lancaster Avenue<br>Bryn Mawr, PA 19010             |
| Type of Facility     | PWS   |
| Consulting Engineer  | C.E.T. Engineering Services<br>1240 North Mountain Road<br>Harrisburg, PA 17112 |

Application Received Date April 30, 2010  
 Description of Action Installation of chlorine contact pipe to meet GWR requirements for 4-log treatment at Highland Glen and Grand Oak Wells.

**Application No. 0910514, Public Water Supply.**

Applicant **Borough of Sellersville**  
 Borough Sellersville  
 County **Bucks**  
 Responsible Official Alan S. Frick  
 140 East Church Street  
 Sellersville, PA 18960  
 Type of Facility PWS  
 Consulting Engineer Carrol Engineering  
 949 Easton Road  
 Warrington, PA 18976

Application Received Date May 4, 2010  
 Description of Action Installation of arsenic treatment and upgrade distribution pump at Well No. 5.

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

**Application No. 4010501, Public Water Supply.**

Applicant **Eagle Rock Community Association**  
 Township or Borough Hazle Township  
**Luzerne County**  
 Responsible Official Randy Gracy, Senior V.P.  
 Double Diamond Companies  
 10100 North Central  
 Expressway, Suite 600  
 Dallas, TX 75231  
 Type of Facility Community Water System  
 Consulting Engineer M. Christopher McCoach, P. E.  
 Alfred Benesch & Company  
 400 One Norwegian Plaza  
 Pottsville, PA 17901

Application Received Date May 3, 2010  
 Description of Action Application for construction of a new community water system to serve the Mt. View Phase I and Mt. View Phase II developments. Community water will be provided for the proposed 1,075 lots by the Hazleton Community Authority by means of a 16-inch conveyance main from the Humbolt North Industrial Park.

**MINOR AMENDMENT**

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

**Application No. 5210503MA.**

Applicant **Pennsylvania American Water**  
 Township or Borough Lehman Township  
**Pike County**

Responsible Official David R. Kaufman  
 VP Engineering  
 800 West Hersheypark Drive  
 Hershey, PA 17033  
 Type of Facility Community Water System  
 Consulting Engineer Daniel G. Rickard, P. E.  
 Pennsylvania American Water  
 100 North Pennsylvania Avenue  
 Wilkes-Barre, PA 18701  
 570-830-6531

Application Received Date May 5, 2010  
 Description of Action Application to replace a segment of existing 6-inch diameter conveyance line with larger diameter main to achieve 4-log compliance for treatment of viruses at the Saw Creek development, Well No. 1 facility.

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

**Application No. 0410504MA, Minor Amendment.**

Applicant **Beaver Falls Municipal Authority**  
 1425 8th Avenue  
 P. O. Box 400  
 Beaver Falls, PA 15010  
 Township or Borough Eastvale Borough  
 Responsible Official James Riggio, General Manager  
 Beaver Falls Municipal Authority  
 1425 8th Avenue  
 P. O. Box 400  
 Beaver Falls, PA 15010  
 Type of Facility Eastvale water treatment plant  
 Consulting Engineer Michael Baker Jr., Inc.  
 4301 Dutch Ridge Road  
 Beaver, PA 15009

Application Received Date May 10, 2010  
 Description of Action Replacement of filter media in filter No. 4, modification to the elevation of the wash water troughs and surface wash piping.

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

**Application No. 2087501-MA1, Minor Amendment.**

Applicant **Meadville Housing Corporation**  
 Township or Borough West Mead Township  
**Crawford County**  
 Responsible Official John Phelps, Manager  
 Type of Facility Public Water System  
 Application Received Date 05/05/2010

Description of Action     System upgrade to service Northgate Housing and Apartment Complex. Upgrade to add chlorine contact capacity and replace aging hydropneumatic tank (action to satisfy 4-log requirements).

## LAND RECYCLING AND ENVIRONMENTAL REMEDIATION

UNDER ACT 2, 1995

### PREAMBLE 1

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

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

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

For further information concerning the content of a Notice of Intent to Remediate, contact the environmental cleanup program manager in the Department regional

office before which the notice appears. If information concerning this acknowledgment is required in an alternative form, contact the community relations coordinator at the appropriate regional office. TDD users may telephone the Department through the Pennsylvania AT&T Relay Service at (800) 654-5984.

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

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

**Pilgrim Gardens Senior Living**, City of Philadelphia, **Philadelphia County**. Stacie Cottone, J & J Spill Service and Supplies, Inc., P. O. Box 370, Blue Bell, PA 19422 on behalf of John Adrente, Wesley Enhanced Living at Pilgrim Gardens, 7032 Rising Sun Avenue, Philadelphia, PA 19111 has submitted a Notice of Intent to Remediate. Soil at the site has been impacted with the release of No. 4 fuel oil. The property is being developed for use as a residential senior living facility.

**Ursinus College**, Collegeville Borough, **Montgomery County**. Gilbert Marshall, Marshall Geoscience, Inc., 170 East First Avenue, Collegeville, PA 19426, Darryl Borrelli, Manko, Gold, Katcher & Fox, LLP, 401 City Avenue, Suite 500, Bala Cynwyd, PA 19004 on behalf of Andrew Feick, Ursinus College, 601 Main Street, Collegeville, PA 190426 has submitted a Notice of Intent to Remediate. Groundwater at the site has been impacted with the release of inorganics. The future use of the property will continue to be an educational institution. A summary of the Notice of Intent to Remediate was reported to have been published in the March 5, 2010.

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

**Reading School District/Windsor & Ritter Streets Property**, City of Reading, **Berks County**. Barry Isett & Associates, Inc., P. O. Box 147, Trexlertown, PA 18087, on behalf of Reading School District, 800 Washington Street, Reading, PA 19601, submitted a Notice of Intent to Remediate site soils contaminated with Inorganics and PAHs. The site had been a quarry, then used as a landfill for incinerator ash and trash. The site will be used as a school after being remediated to a residential Site-Specific Standard.

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

**Cohen Auto Parts Property**, Athens Township, **Bradford County**. Teeter Environmental Services, Inc., R. R. 1, Box 124B, Sayre, PA 18840 on behalf of Todd and Gemma Campbell, TOGEMCO, 615 South Main Street, Athens, PA 18810 has submitted a Notice of Intent to Remediate soil contaminated with lead. The applicant proposes to remediate the site to meet the Special Industrial Area standard. The intended future use of the property is as a Special Industrial Area.

### DETERMINATION FOR APPLICABILITY FOR MUNICIPAL WASTE GENERAL PERMITS

**Application for Determination of Applicability for General Permit Received Under the Solid Waste Management Act (35 P. S. §§ 6018.101—6018.1003); the Municipal Waste Planning, Recycling and Waste Reduction Act (53 P. S. §§ 4000.101—4000.1904); and Municipal Waste Regulations for a General Permit to Operate Municipal Waste Processing Facilities and/or the Beneficial Use of Municipal Waste.**

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

**General Permit Application No. WMGM039SE 002B. Independent Construction Materials**, 638 Lancaster Avenue, Malvern, PA 19355. This application is for Determination of Applicability under the terms and conditions of General Permit WMGM039 for the beneficial use of pre and post consumer asphalt shingles at Allan A. Myers, LP, Coatesville Asphalt Plant, located at 410 Doe Run Road, Coatesville, PA 19320-4294 in East Fallowfield Township, **Chester County**. The application for determination of applicability was received by the Southeast Regional Office on April 5, 2010.

**General Permit Application No. WMGM039SE 002A. Independent Construction Materials**, 638 Lancaster Avenue, Malvern, PA 19355. This application is for Determination of Applicability under the terms and conditions of General Permit WMGM039 for the beneficial use of pre and post consumer asphalt shingles at Allan A. Myers, LP, Devault Asphalt Plant, located at 4045 State Road in Charlestown Township, **Chester County**. The application for determination of applicability was received by the Southeast Regional Office on April 5, 2010.

## 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

**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.*

**46-0158C: Colorcon, Inc.** (415 Moyer Boulevard, West Point, PA 19486) for replacement of the reaction vessel used in the existing polyvinyl acetate phthalate (PVAP) production process at their facility, as well as the installation of an additional reaction vessel. The facility is a non-Title V facility in Upper Gwynedd Township, **Montgomery County**.

Both reaction vessels will be identical to the existing reaction vessel and may contain the raw ingredients for PVAP production (at differing points in the reaction). However, at a given time, only one reaction vessel may feed the rest of the PVAP production process.

The PVAP production process is currently permitted under State-only Operating Permit No. 46-00158 and Plan Approval No. 46-0158B, and will maintain the particulate matter (PM) and volatile organic compound (VOC) emission restrictions specified in the latter. This plan approval will include monitoring, recordkeeping, reporting, and work practice requirements designed to keep the facility operating within all applicable air quality requirements.

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

**28-03025C: Wenger's Feed Mill, Inc.** (101 West Harrisburg Avenue, Rheems, PA 17570-0026) for modification to split an existing pellet line, consisting of two (2) pellet mills, a cyclone and cooler, into two lines that can be run independently of one another in **Franklin County**. A new cyclone (and cooler) will be added to control emissions. This plan approval will include appropriate conditions designed to keep the new lines operating within all applicable air quality requirements. The plan approval will be incorporated into State-only Operating Permit No. 28-03025 in accordance with 25 Pa. Code § 127.450 (Administrative Amendment).

**01-05022B: Knouse Foods Cooperative, Inc.** (1505 Orrtanna Road, Orrtanna, PA 17353) for construction of a turbine and waste heat boiler at their Ortanna Plant in Hamiltonban Township, **Adams County**. The source has the potential to emit 38 tons per year of oxides of nitrogen, 62 tons per year of carbon monoxide and 9.2 tons per year of volatile organic compounds. The plan approval and subsequent operating permit will include

emission restrictions, work practice standards, testing, monitoring, recordkeeping and reporting requirements designed to keep the facility operating within all applicable air quality requirements. The plan approval will be incorporated into the permit in accordance with 25 Pa. Code § 127.450 (Administrative Amendment) at a later date.

### OPERATING PERMITS

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

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

**23-00082: Liberty Electric, LLC** (1000 Industrial Highway, Eddystone, PA 19022) for operation of a natural gas fired electric generating station in the Borough of Eddystone, **Delaware County**. The permit is for a Title V facility. The facility is considered a major source of Nitrogen Oxides (NO<sub>x</sub>), Carbon Monoxide (CO), Volatile Organic Compounds (VOC), Particulate Matter (PM) and Sulfur Dioxide (SO<sub>2</sub>). This initial issuance of the Title V Operating Permit (TVOP) does not authorize any increase in air emissions of regulated pollutants above previously approved levels. Plan Approval PA-23-0082, which authorized construction of the facility will be incorporated in the TVOP. The facility is also subject to the requirements of 40 CFR Part 60, New Source Performance Standards, Subparts GG and Subpart Db as well as Acid Rain Requirements of 40 CFR Parts 72-78 and Clean Air Interstate Rules of 40 CFR Part 97. The permit contains all applicable requirements including monitoring, recordkeeping and reporting.

**ORIS Number 55231: Liberty Electric, LLC** (1000 Industrial Highway, Eddystone, PA 19022) for an Acid Rain Permit to establish sulfur dioxide allowances for Source IDs 031 and 032 in Eddystone Borough, **Delaware County**. Requirements of 25 Pa. Code § 127.531 and 40 CFR Parts 72—78 are included in the permit.

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

**06-05063: Boyertown Foundry Co.** (P. O. Box 443, New Berlinville, PA 19545) for operation of their gray iron foundry in Boyertown Borough, **Berks County**. This action is a renewal of the Title V operating permit issued in September of 2004.

**21-05053: PPL Renewable Energy, LLC/Community Refuse Service, Inc. Landfill Project** (Two North Ninth Street, Allentown, PA 18101-1179) for an engine generating facility. This facility will generate electric power for the electric power grid from landfill gas generated by the Community Refuse Service, Inc./Cumberland County Landfill. The facility is located in Hopewell Township, **Cumberland County**. This facility's actual emissions will be approximately 244 tpy of CO, 35 tpy of NO<sub>x</sub>, 25 tpy of SO<sub>2</sub>, 16 tpy Particulate Matter and 1 tpy of VOCs. This plan approval will include monitoring, recordkeeping and reporting requirements designed to keep the sources operating within all applicable air quality requirements.

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

**V10-011: Sunoco Partners Marketing & Terminals LP—Belmont Terminal** (2700 Passyunk Avenue, Philadelphia, PA 19145) For operation of a gasoline loading terminal in the City of Philadelphia, **Philadelphia County**. The Title V Facility's air emission sources include a gasoline and distillate truck loading and fugitive emissions from pumps, valves and flanges. Gasoline loading is controlled by two vapor combustion units. In addition, there is one (1) 80 kw diesel emergency generator.

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

#### **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.*

**15-00115: QVC, Inc.** (1200 Wilson Drive, West Chester, PA 19380) for operation of multiple combustion sources at their facility in West Goshen Township, **Chester County**. This action is a renewal of the permit for a non-Title V (Synthetic Minor) facility. There are no proposed changes to equipment or operating conditions. The permit will continue to include monitoring, recordkeeping and reporting requirements designed to keep the facility operating within all applicable air quality requirements.

**09-00110: Riverside Construction Materials, Inc.** (7900 North Radcliffe Street, Bristol, PA 19007) to renew a non-Title V Facility Operating Permit No. 09-00110 for the continued operation of their cement and bulk material handling processes in Bristol Township, **Bucks County**. As part of the permit renewal, Plan Approval No. 09-0110E will be incorporated into the Natural Minor Operating Permit. The Natural Minor Operating Permit will contain monitoring, recordkeeping and operating conditions designed to keep the facility operating within the allowable emissions and all applicable air quality requirements.

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

**39-00088: Oak Street USA, LLC** (1949 South 5th Street, Allentown, PA 18103-4907) for their wood furni-



ture manufacturing facility in Allentown City, **Lehigh County**. This is an initial State-only Synthetic Minor operating permit for this facility. The State-only operating permit includes emissions, work practice standards and testing, monitoring, recordkeeping and reporting requirements designed to keep the facility operating within all applicable air quality requirements.

*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.*

**67-03126: Yorkshire Animal Hospital** (3434 East Market Street, York, PA 17402) for operation of an animal crematory at the facility located in Springettsbury Township, **York County**. This is a renewal of the State-only operating permit issued in 2005.

**36-03120: Esbenshade Mills** (220 Eby Chiques Road, Mount Joy, PA 17552) for operation of their feed mill in Rapho Township, **Lancaster County**. This is a renewal of the State-only Operating permit issued in 2004.

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

**16-00003: State System of Higher Education—Clarion State University** (840 Wood Street, Clarion, PA 16214-1240) for issuance of a Natural Minor Operating Permit to operate the boiler plant at the university in Clarion Borough, **Clarion County**. The facility's primary emission sources include three (3) Boilers and various Emergency Power Generators. The emissions of criteria pollutants from this facility are below major source levels.

**24-00062: Metal Powder Products Co.** (879 Washington Street, Saint Marys, PA 15857-3644) for a Natural Minor Permit to operate a fabricated metal products in Saint Marys City, **Elk County**. The significant sources are natural gas fired boiler (1), sintering ovens (12), parts washer (1) and rust inhibitors (2). The facility is natural minor because the emission of pollutants is less than Title V threshold limits.

**61-00034: The Franklin Investment Corporation, d/b/a Franklin Industries Company**, (600 Atlantic Avenue, P. O. Box 671, Franklin, PA 16323-2206) for issuance of a Synthetic Minor Operating Permit to operate a process that converts steel railroad rails into steel rods and posts in the City of Franklin, **Venango County**. The facility's primary emission sources include a walking beam furnace, rail scarfing, five (5) parts washers, post line ovens, post dip coating, post flow coating and miscellaneous natural gas combustion.

## 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 fac-

tors to be considered include public comments and Total Maximum Daily Loads (TMDLs).

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

The Department will also accept requests or petitions for a public hearing on NPDES permit applications, as provided in 25 Pa. Code § 92.61. The request or petition for a public hearing shall be filed within 30 days of this

public notice and shall contain the name, address, telephone number and the interest of the party filing the request, and shall state the reasons why a hearing is warranted. A public hearing may be held if the Department considers the public interest significant. If a hearing is scheduled, a notice of the hearing on the NPDES permit application will be published in the *Pennsylvania Bulletin* and a newspaper of general circulation within the relevant geographical area. In the case where a public hearing is held, the Department will consider comments from the public hearing in the final determination on the NPDES permit application.

#### *Coal Applications Received*

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

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

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

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

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

**11020202 and NPDES No. PA0269254. Ebensburg Power Company,** 2840 New Germany Road, P. O. Box 845, Ebensburg, PA 15931, revision of an existing bituminous surface refuse reprocessing beneficial use of coal ash mine to add ~ 10 acres for mining and a stream variance along the south side of Pergrin Run East and West in Jackson Township, **Cambria County**, affecting 47.9 acres. Receiving stream(s): Pergrin Run classified for the following use(s): cold water fishery. There are no potable water supply intakes within 10 miles downstream. Application received February 23, 2010.

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

**26080103 and NPDES Permit No. PA0251402. Amerikohl Mining, Inc.** (1384 SR 711, Stahlstown, PA 15687). Revision application for landuse change to forestland and unmanaged natural habitat to an existing bituminous surface mine, located in Wharton Township, **Fayette County**, affecting 94.1 acres. Receiving streams: McIntyre Run and unnamed tributaries to Mill Run and McIntyre Run, classified for the following use: HQ-CWF. There is no potable water supply intake within 10 miles downstream from the point of discharge. Application received: April 29, 2010.

**63090101 and NPDES Permit No. PA0251941. Amerikohl Mining, Inc.** (1384 SR 711, Stahlstown, PA 15687). Application for commencement, operation and reclamation of a bituminous surface mine, located in Nottingham Township, **Washington County**, affecting 367.0 acres. Receiving streams: unnamed tributaries to Mingo Creek and Sugar Run, classified for the following use: HW-TSF. There is no potable water supply intake within 10 miles downstream from the point of discharge. Application received: April 29, 2010.

**30100101 and NPDES Permit No. PA0251950. Border Energy, LLC** (308 Dents Run Road, Morgantown, WV 26501). Application for commencement, operation and reclamation of a bituminous surface mine and auger, located in Monongahela Township, **Greene County**, affecting 206.7 acres. Receiving streams: unnamed tributaries to Whitely Creek, classified for the following use: WWF. The potable water supplies that have intakes within 10 miles downstream from the point of discharge: Masontown Water Works, Carmichaels Municipal Authority, and Southwestern PA Water Authority. Application received: April 30, 2010.

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

**17100107 and NPDES No. 0257354. C.M.T. Energy, Inc.** (108 South Twig Street, Box 23, Smoke Run, PA 16681). Commencement, operation and restoration of a bituminous surface mine located in Chest Township, **Clearfield County** affecting 32.2 acres. Receiving streams: Hunter Run and an unnamed tributary to Hunter Run classified for Cold Water Fisheries. There are no potable water supply intakes within 10 miles downstream. Application received April 30, 2010.

**17100108 and NPDES No. PA0257362. Waroquier Coal Co.** (P. O. Box 128, Clearfield, PA 16830). Com-

mencement, operation and restoration of a bituminous surface mine located in Glen Hope Borough and Beccaria Township, **Clearfield County** affecting 65.0 acres. Receiving streams: Dotts Run (Cold Water Fishery), unnamed tributaries to Clearfield Creek (Cold Water Fishery) and Blue Run (Cold Water Fishery). There are no potable water supply intakes within 10 miles downstream. Application received May 3, 2010.

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

**54070202C2. Coaldale Energy, LLC**, (P. O. Box 502, Tamaqua, PA 18252), boundary correction to an existing coal refuse reprocessing operation to add 7.5 acres for a total of 201.5 acres in Coaldale and Tamaqua Boroughs,

**Schuylkill County**, receiving stream: Panther Creek. Application received: April 28, 2010.

**54743208R5 and NPDES Permit No. PA0612219. Ginther Coal Company**, (P. O. Box 989, Pottsville, PA 17901), renewal of an existing anthracite coal refuse reprocessing and prep plant operation in East Norwegian and Blythe Township, **Schuylkill County** affecting 62.0 acres, receiving stream: Schuylkill River. Application received: May 4, 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*<br>pH* |                | greater than 6.0; less than 9.0 |                       |

\* The parameter is applicable at all times.

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

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

**Permit No. 56092801. Black Resources, Inc.**, 162 Cumberland Street, Berlin, PA 15530, commencement, operation and restoration of a small noncoal (industrial minerals) operation in Brothersvalley Township, **Somerset County**, affecting 4.5 acres, receiving stream(s): unnamed tributary to Kimberly Run. Permit received October 7, 2009. Permit issued May 3, 2010.

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

**8274SM4A2C10 and NPDES Permit No. PA0010111. Rohrer's Quarry, Inc.**, (P. O. Box 365, Lititz, PA 17543), renewal of NPDES Permit for discharge of treated mine drainage from a quarry operation in Penn and Warwick Townships, **Lancaster County**, receiving stream: unnamed tributary to Little Conestoga Creek, classified for the following use: warm water fishes. Application received: April 26, 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 Department of Environmental Protection (Department). Section 401 of the Federal Water Pollution Control Act (FWPCA) (33 U.S.C.A. § 1341) requires the State to certify that the involved projects will not violate the applicable provisions of sections 301—303, 306 and 307 of the FWPCA (33 U.S.C.A. §§ 1311—1313, 1316 and 1317) as well as relevant State requirements. Persons objecting to approval of a request for certification under section 401 of the FWPCA or to the issuance of a Dam Permit, Water

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

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

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

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

### WATER OBSTRUCTIONS AND ENCROACHMENTS

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

**E09-942. Township of Falls**, 188 Lincoln Highway, Suite 100, Fairless Hills, PA 19030, Falls Township, **Bucks County**, ACOE Philadelphia District.

To construct and maintain a 160-foot long by 30-foot wide boat ramp in and along the 100-year floodway of the

Delaware River in Quaker Penn Park. This work also includes approximately 0.91 acre of dredging in the River. Approximately 0.24 acre of fill will be placed in the floodway associated with maintenance of the existing access road and storm water improvements.

The site is located approximately 1 mile southwest of the intersection of Bordertown and Pennsbury Roads (Trenton West, PA USGS Quadrangle N: 1.75 inches; W: 2.85 inches).

**E51-241. Lisa Magee, Philadelphia Regional Port Authority (PRPA)**, 3460 North Delaware Avenue, Philadelphia, PA 19134, Philadelphia, **Philadelphia County**, ACOE Philadelphia District.

To demolish and remove the abandoned and dilapidated residential buildings including foundations, basements, utility lines, asphalt roadways, and the like within the floodplain of Delaware River (WWF, MF) associated with Mustin Housing Demolition project. This work includes grading associated with construction of stormwater swales to preserve positive drainage to the River.

The site is located along Delaware River near Admiral Peary Way and Mustin Avenue (Philadelphia, PA USGS Quadrangle N: 2.625 inches; W: 3.75 inches).

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

**E66-147. Department of Transportation, Engineering District 4-0**, 55 Keystone Industrial Park, Dunmore, PA 18512, in Noxen Township, **Wyoming County**, U.S. Army Corps of Engineers, Baltimore District.

To place fill in a *de minimis* area of wetlands equal to 0.05 acre; to remove the existing structure; and to construct and maintain a single-span, pre-stressed concrete spread box beam bridge having a total normal clear span of 49.6 feet and a minimum underclearance of 7.6 feet over Beaver Run (HQ-CWF, MF). The project also includes the relocation of 85 feet of an unnamed tributary to Beaver Run. The project is located at SR 29, Segment 0050, Offset 0000, approximately 1.1 miles northwest of the intersection of SR 29 and SR 415 (Noxen, PA Quadrangle Latitude: 41° 24' 03"; Longitude: -76° 04' 18").

**E66-148. Department of Transportation, Engineering District 4-0**, 55 Keystone Industrial Park, Dunmore, PA 18512, in Mehoopany Township, **Wyoming County**, U.S. Army Corps of Engineers, Baltimore District.

To place fill in a *de minimis* area of wetlands equal to 0.01 acre; to remove the existing structure; and to construct and maintain a two-span, pre-stressed concrete bulb-tee I-beam bridge having a total normal clear span of 231 feet and an underclearance of 35 feet over Mehoopany Creek (CWF, MF) approximately 200 feet downstream of the existing bridge. The project is located at SR 3003 (Sugar Hollow Road), Segment 0150, Offset 1374, just west of the intersection of SR 3003 and SR 87 (Meshoppen, PA Quadrangle Latitude: 41° 33' 52"; Longitude: -76° 03' 33").

**E66-149. Department of Transportation, Engineering District 4-0**, 55 Keystone Industrial Park, Dunmore, PA 18512, in Clinton Township, **Wyoming County**, U.S. Army Corps of Engineers, Baltimore District.

To remove the existing structure and to construct and maintain a single-span, pre-stressed concrete bulb-tee beam bridge having a normal clear span of 78 feet and an underclearance of 13 feet over South Branch Tunkhan-

nock Creek (TSF, MF). The project is located at SR 2012 (Lithia Valley Road), Segment 0010, Offset 1625, approximately 0.3 mile south of the intersection of SR 2012 and SR 6 (Factoryville, PA Quadrangle Latitude: 41° 33' 14"; Longitude: -75° 50' 00").

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

**E02-1636. Allegheny County Department of Public Works, County Office Building**, 542 Forbes Avenue, Room 501, Pittsburgh, PA 15219. To construct an extension to the existing structure across the channel of Lick Run in South Park and Pleasant Hills Township and Baldwin Borough, **Allegheny County**, Pittsburgh ACOE District (Glassport, PA Quadrangle N: 14.7 inches; W: 15.7 inches, Latitude: 41° 19' 51"; Longitude: 79° 59' 14"). The applicant proposes to operate, maintain and construct an extension to the existing structure across the channel of Lick Run (Unnamed Tributary to Peters Creek) (TSF) for the purpose of widening Brownsville Road and improving highway safety, and to construct and maintain several outfall structures. The proposed culvert extension will consist of a culvert 125.0 feet in length having a span of 20.0 ft. with an underclearance of 10.0 ft. The project is located on Brownsville Road, approximately 180.0 feet north from the intersection of Brownsville and Broughton Library Roads in South Park Township, Pleasant Hills Township and Baldwin Borough, Allegheny County and will impact approximately 385.0 linear feet of stream channel.

**E26-359. Game Commission**, 2001 Elmerton Avenue, Harrisburg, PA 17110-9797. To construct a single span bridge in Dunbar Township, **Fayette County**, Pittsburgh ACOE District (Carmichaels, PA Quadrangle N: 12.4"; W 3.1", Latitude: 39° 56' 34"; Longitude: 79° 31' 17"). The applicant proposes to construct and maintain a single span bridge of steel beam construction, set on concrete abutments with a treated wood deck, and a span of 38', an underclearance of 5' and a width of 14'; across Morgan Run (HQ-CWF) all for the purpose of providing access to state game lands.

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

**E24-255. Game Commission, Engineering Division**, 2001 Elmerton Avenue, Harrisburg, PA 17110-9797, Mosquito Run Bridge in Benetzette Township, **Elk County**, ACOE Pittsburgh District (The Knobs, PA Quadrangle N: 41° 14' 17"; W: -78° 16' 52").

This project includes the installation of a new 40' span steel frame bridge with timber deck and concrete abutments over Mosquito Creek (HQ-CWF). Site is located south from the Quenhanna Highway on Ardell Road. Proceed 2 miles and turn left onto Ardell Dam Road. Travel roughly 1 mile to site.

**E24-256. Fox Township**, 116 Irishtown Road, Kersey, PA 15846-2608, Hemlock Lane Culvert on Mill Creek in Fox Township, **Elk County**, ACOE Pittsburgh District (The Kersey, PA Quadrangle N: 41° 21' 36"; W: -78° 36' 35").

This project includes the replacement of two 36" culverts on Mill Creek (CWF) with a single box culvert that crosses Hemlock Lane. New culvert to incorporate Department of Transportation fish baffles. From Ridgeway take PA-948 South approximately 4.4 miles. Turn right onto Dagus Mines Road then take the first left onto Hemlock Lane.

**ENVIRONMENTAL ASSESSMENTS**

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

**D65-127EA. CBS Corporation**, 11 Stanwix Street, Pittsburgh, PA 15222-1384. Trafford Borough, **Westmoreland County**, ACOE Pittsburgh District.

Project proposes to breach and remove Westinghouse Dam across Turtle Creek (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 2,700 feet of stream channel. The dam is located approximately 1,000 feet west of the intersection

of Fifth Street (SR 130) and Brinton Avenue (SR 993) (Braddock, PA Quadrangle Latitude: 40° 23' 12"; Longitude: -79° 45' 52").

**D30-003EA. Mr. and Mrs. Ed Presley**, 323 Toms Run Road, Brave, PA 15316, Wayne Township, **Greene County**, ACOE Pittsburgh District.

Project proposes to breach and remove Brave Station Dam across Dunkard Creek (WWF) for the purpose of eliminating a threat to public safety and restoring the stream to a free flowing condition. The project will restore approximately 1,700 linear feet of stream channel. The dam is located approximately 2,300 feet northeast of the intersection of SR 3009 and Oak Forest Road (SR 3013) (Wadestown, PA Quadrangle Latitude: 39° 43' 43"; Longitude: -80° 15' 09").

**STORAGE TANKS****SITE-SPECIFIC INSTALLATION PERMITS**

The following Storage Tank Site-Specific Installation Permit application has been received by the Department of Environmental Protection (Department) and is currently under review. Persons wishing to comment on the proposed permit are invited to submit a statement to the Bureau of Waste Management, Division of Storage Tanks, P. O. Box 8763, Harrisburg, PA 17105-8763, within 30 days from the date of this publication. Comments received within this 30-day period will be considered in the formulation of the final determinations regarding this application. Responses should include the name, address and telephone number of the writer and a concise statement to inform the Department of the exact basis of the comment and the relevant facts upon which it based.

**The following applications have been received for 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.**

| <i>SSIP Application No.</i> | <i>Applicant Name &amp; Address</i>  | <i>County</i> | <i>Municipality</i> | <i>Tank Type</i>                  | <i>Tank Capacity</i> |
|-----------------------------|--|---------------|---------------------|-----------------------------------|----------------------|
| 10004                       | Royal Farms/Two Farms, Inc.<br>3611 Roland Avenue<br>Baltimore, MD 21211<br>Attn: Mr. Dwayne Stambaugh | York          | Dover Township      | 4 ASTs storing petroleum products | 40,000 gallons total |

**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

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

| NPDES No.<br>(Type) | Facility Name &<br>Address  | County &<br>Municipality           | Stream Name<br>(Watershed #)   | EPA Waived<br>Y/N ? |
|---------------------|---|------------------------------------|--------------------------------|---------------------|
| PA0247154<br>(IW)   | Possum Valley Municipal Authority<br>Adams County<br>Big Hill Membrane Filtration<br>Bendersville, PA 17306 | Adams County<br>Menallen Township  | UNT to Opossum<br>Creek<br>7-F | Y                   |
| PA0021849<br>(Sew)  | Millerstown Borough Council<br>P. O. Box E<br>Millerstown, PA 17062   | Perry County<br>Greenwood Township | Juniata River<br>12-B          | Y                   |

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

| NPDES No.<br>(Type) | Facility Name &<br>Address  | County &<br>Municipality           | Stream Name<br>(Watershed #)                           | EPA Waived<br>Y/N ? |
|---------------------|---|------------------------------------|--|---------------------|
| PA0025534           | USDA Forest Service<br>Allegheny National Forest<br>4 Farm Colony Drive<br>Warren, PA 16365 | McKean County<br>Hamilton Township | Kinzua Creek—<br>Allegheny<br>Reservoir                | Y                   |
| PA0239607           | James Kapp<br>8100 Ohio River Boulevard<br>Pittsburgh, PA 15202                             | Clarion County<br>Perry Township   | Unnamed<br>tributary to the<br>Allegheny River<br>17-C | 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. PA0058963**, Industrial Waste, **JDM Materials Company**, 851 County Line Road, Huntingdon Valley, PA 19006. This proposed facility is located in Telford Borough, **Bucks County**.

Description of Proposed Action/Activity: Approval for the renewal to discharge stormwater from their Telford Ready Mix concrete plant into an Unnamed Tributary to Mill Creek in Watershed 3-E.

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

**NPDES Permit No. PA0261424**, Sewage, **Mr. John A. Beiler, Jr.**, 8512 Newburg Road, Newburg, PA 17240. This proposed facility is located in Lurgan Township, **Franklin County**.

Description of Proposed Action/Activity: Authorization to discharge to Clippingers Run in Watershed 7-B.

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

**PA0229091**, CAFO, SIC 254, **GNH Farms, LLC**, 224 White Church Road, Elysburg, PA 17824. This proposed facility is located in Cleveland Township, **Columbia County**.

Description of Proposed Activity: This farm operates as a layer operation. There are 96,000 birds housed in a single high-rise layer house. There are also 8 steers and 3 horses on this operation. The farm consists of 325.4 owned and rented

crop acres on which a rotation of corn, soybeans, small grains and grass/alfalfa mix is grown. There are 0.5 acre of pasture lands a farmstead area of 4.7 acres. There is 748 tons of manure used on the farm and 988 tons of manure is exported to neighboring farms.

The receiving stream, Mugser Run, is in the State Water Plan watershed 5E and is classified for: HQ-CWF.

The proposed effluent limits for the operation/activity include: Except for the chronic or catastrophic rainfall events defined as over the 25-year/24-hour rain storms, the CAFO individual permit is a nondischarge NPDES permit. Where applicable, compliance with 40 CFR Federal effluent limitation guidelines is required. The permit requires no other numeric effluent limitations and compliance with the PA Nutrient Management Act and The Clean Stream Law constitutes compliance with the State narrative water quality standards.

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

**PA0263591**, CAFO, **Apple Shamrock Dairy, LLC**, 32821 Guys Mills Road, Townville, PA 16360, Steuben Township, **Crawford County**.

Description of Size and Scope of Proposed Operation/Activity: The operation is a dairy operation and consists of the farmstead and crop fields. The facility has an existing approved nutrient management plan for the handling of manure and application of manure on farm fields, which has been revised and updated. The farm presently has 940.5 AEU's and is planning to expand to 1,382.5 AEU's.

The receiving streams are in the Muddy and Sugar Creeks, and Dry Run watersheds. Dry Run is tributary to Sugar Creek and enters Sugar Creek downstream of East Branch Sugar Creek. Sugar Creek (including Dry Run) is classified as CWF. Muddy Creek is classified as HQ-CWF Basin, Source to East Branch Muddy Creek; HQ-TSF from East Branch Muddy Creek to Mackey Run (unnamed tributaries are HQ-CWF); and HQ-TSF Basin, Mackey Run to Mouth.

The proposed effluent limits for the operation/activity include: Except for the chronic or catastrophic rainfall events defined as over the 25-year/24-hour rain storms, the CAFO permit is a nondischarge NPDES permit. Where applicable, compliance with 40 CFR Federal effluent limitation guidelines is required. The permit requires no other numeric effluent limitations and compliance with the Pennsylvania Nutrient Management Act and The Clean Stream Law constitutes compliance with the State narrative water quality standards.

**NPDES Permit No. PA0100277**, Sewage, **North and South Shenango Township Joint Municipal Authority**, 3397 Dam Road, Jamestown, PA 16134-4403. This existing facility is located in South Shenango Township, **Crawford County**.

Description of Proposed Action/Activity: Issuance of a renewal NPDES permit for discharge of treated sewage from a POTW. This is a major discharge. The Department of Environmental Protection has modified the draft NPDES permit published on February 27, 2010, by adding monthly monitoring for total iron, total lead and total aluminum. The monitoring requirement for these parameters will expire on May 31, 2011.

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

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

**WQM Permit No. 0909410**, Sewerage, **Bucks County Water & Sewer Authority**, 1275 Almshouse Road, Warrington, PA 18976. This proposed facility is located in Doylestown Township, **Bucks County**.

Description of Action/Activity: Expansion of existing plant to provide additional treatment capacity for projected wastewater flows from Doylestown Borough and Township.

**WQM Permit No. 1509406**, Sewerage, **Camp Hill Special Schools, Beaver Farm**, 1784 Fairview Road, Glenmoore, PA 19343. This proposed facility is located in East Vincent Township, **Chester County**.

Description of Action/Activity: A new onsite wastewater treatment facility consists of two septic tanks in series followed by an intermittent sand filter and drip irrigation system.

**WQM Permit No. 1509412**, Sewerage, **East Marlborough Township**, 721 Unionville Road, Kennett Square, PA 19348. This proposed facility is located in East Marlborough Township, **Chester County**.

Description of Action/Activity: Upgrade of existing pump station to serve expansion of existing high school.

**WQM Permit No. 1506418**, Sewerage, **West Brandywine Township Municipal Authority**, 198 Lafayette Road, Coatesville, PA 19320. This proposed facility is located in West Brandywine Township, **Chester County**.

Description of Action/Activity: Construction and operation of a new wastewater collection system, treatment system and drip disposal system to serve 92 new homes.

**WQM Permit No. 4607412**, Sewerage, **Transfer, Stephanie Huntzinger**, 3947 Geryville Pike, Pennsburg, PA 18073. This proposed facility is located in Marlborough Township, **Montgomery County**.

Description of Action/Activity: Permit Transferred from Craig Schuster to Stephanie Huntzinger.

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

**WQM Permit No. 2809405**, Sewage, **John A. Beiler, Jr.**, 8512 Newburg Road, Newburg, PA 17240. This proposed facility is located in Lurgan Township, **Franklin County**.

Description of Proposed Action/Activity: Permit approval for the construction/operation of sewerage facilities consisting of: A small flow treatment facility with septic tank, peat filter and chlorine disinfection with discharge to Clippingers Run.

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


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


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


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

| <i>NPDES Permit No.</i> | <i>Applicant Name &amp; Address</i>  | <i>County</i> | <i>Municipality</i>         | <i>Receiving Water/Use</i>  |
|-------------------------|--|---------------|-----------------------------|---|
| PAI01<br>2309004        | BPG Land Partners VII<br>Seaport, LLC<br>322 A Street<br>Suite 300<br>Wilmington, DE 19901                 | Delaware      | City of Chester             | Delaware River<br>WWF-MF  |
| PAI01<br>1505033        | Lafayette Hibernia Investment<br>Company, Inc.<br>3000 Cabot Boulevard<br>Suite 200<br>Langhorne, PA 19047 | Chester       | West Brandywine<br>Township | Unnamed Tributary<br>West Branch<br>Brandywine Creek<br>HQ-TSF-MF |
| PAI01<br>2308007        | Sweetwater Valley, LLC<br>P. O. Box 287<br>Gradyville, PA 19093  | Delaware      | Middletown<br>Township      | Rocky Run<br>HQ-CWF-MF  |

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

| <i>NPDES Permit No.</i> | <i>Applicant Name &amp; Address</i>  | <i>County</i> | <i>Municipality</i>   | <i>Receiving Water/Use</i>   |
|-------------------------|--|---------------|---|--|
| PAI024509012            | Tobyhanna Army Depot<br>11 Hap Arnold Boulevard<br>Mailstop 5078<br>Tobyhanna, PA 18466-5078 | Monroe        | Coolbaugh Township  | Tobyhanna Creek<br>HQ-CWF, MF  |
| PAI026608001            | Mehoopany Wind Energy, LLC<br>455 2nd Street SE<br>Suite 400<br>Charlottesville, VA 22902    | Wyoming       | Eaton,<br>Forkston,<br>Mehoopany,<br>Noxen and<br>Washington<br>Townships | Stone Run<br>HQ-CWF, MF<br>Kasson Brook<br>HQ-CWF, MF<br>South Branch<br>Roaring Run<br>CWF, MF<br>Roaring Run<br>CWF, MF<br>Newton Run<br>HQ-CWF, MF<br>Sugar Hollow Creek<br>HQ-CWF, MF<br>Bowman's Creek<br>HQ-CWF, MF<br>Tributary to<br>Bowman's Creek<br>HQ-CWF, MF<br>Hettesheimer Run<br>HQ-CWF, MF<br>York Run<br>HQ-CWF, MF<br>Bowman Hollow<br>HQ-CWF, MF<br>Susquehanna River<br>CWF, MF<br>Tributary to<br>Susquehanna River<br>CWF, MF |



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

*Beaver County Conservation District, 156 Cowpath Road, Aliquippa, PA 15001, (724-378-1701).*

| <i>NPDES Permit No.</i> | <i>Applicant Name &amp; Address</i>  | <i>County</i> | <i>Municipality</i> | <i>Receiving Water/Use</i> |
|-------------------------|--|---------------|---------------------|----------------------------|
| PAI050409002            | James Palmer and Charles Betters<br>Aliquippa Tin Mill, LP<br>250 Insurance Street<br>Beaver, PA 15009 | Beaver        | City of Aliquippa   | Ohio River<br>WWF          |

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

| <i>NPDES Permit No.</i> | <i>Applicant Name &amp; Address</i>   | <i>County</i> | <i>Municipality</i> | <i>Receiving Water/Use</i>   |
|-------------------------|---|---------------|---------------------|------------------------------|
| PAI052609001            | James J. Kalp<br>Department of Natural Resources<br>P. O. Box 8451<br>400 Market Street<br>Harrisburg, PA 17105 | Fayette       | Ohiopyle Borough    | Youghiogheny River<br>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 &amp; County</i>                                 | <i>Permit No.</i>  | <i>Applicant Name &amp; Address</i>   | <i>Receiving Water/Use</i>                            | <i>Contact Office &amp; Phone No.</i>   |
|--|--------------------|---|---|---|
| Quakertown Borough<br>Bucks County                               | PAG0200<br>0909074 | Stainless Steel Associates<br>190 Kelly Road<br>Quakertown, PA 18901                              | Tohickon Creek<br>Delaware River<br>TSF               | Southeast Regional Office<br>2 East Main Street<br>Norristown, PA 19401<br>484-250-5900 |
| East Bradford Township<br>West Chester Borough<br>Chester County | PAG200<br>1509039  | UCM/TSF-Bradford Plaza, LP<br>633 West Germantown Pike<br>Suite 200<br>Plymouth Meeting, PA 19462 | Taylor Run<br>Tributary<br>Brandywine Creek<br>TSF-MF | Southeast Regional Office<br>2 East Main Street<br>Norristown, PA 19401<br>484-250-5900 |

| <i>Facility Location:<br/>Municipality &amp;<br/>County</i> | <i>Permit No.</i>    | <i>Applicant Name &amp;<br/>Address</i>  | <i>Receiving<br/>Water / Use</i>                             | <i>Contact Office &amp;<br/>Phone No.</i>   |
|---|----------------------|--|--|---|
| East Bradford Township<br>Chester County                    | PAG0200<br>1510010   | Linda A. Thomas<br>322 Highland Farm Road<br>West Chester, PA 19382  | Taylor Run<br>TSF  | Southeast Regional Office<br>2 East Main Street<br>Norristown, PA 19401<br>484-250-5900 |
| Chadds Ford Township<br>Delaware County                     | PAG0200<br>2305003-R | Toll Brothers, Inc.<br>250 Gibraltar Road<br>Horsham, PA 19044   | Harvey Run<br>WWF-MF   | Southeast Regional Office<br>2 East Main Street<br>Norristown, PA 19401<br>484-250-5900 |
| West Norriton Township<br>Montgomery County                 | PAG0200<br>4609065   | Jubilee Presbyterian Church<br>20 West 6th Avenue<br>Suite B<br>Conshohocken, PA 19428                                     | Schuylkill River<br>WWF-MF                                   | Southeast Regional Office<br>2 East Main Street<br>Norristown, PA 19401<br>484-250-5900 |
| West Norriton Township<br>Montgomery County                 | PAG200<br>4608143    | Montgomery Delva Associate,<br>LP<br>600 Old Elm Street<br>Conshohocken, PA 19428  | Unnamed Tributary<br>Schuylkill River<br>WWF-MF              | Southeast Regional Office<br>2 East Main Street<br>Norristown, PA 19401<br>484-250-5900 |
| Upper Moreland Township<br>Montgomery County                | PAG0200<br>4610021   | John S. Oyler/Gail C. Faulkner<br>1840 Huntingdon Road<br>Huntingdon Valley, PA 19006                                      | Tributary Pennypack<br>Creek<br>WWF-MF                       | Southeast Regional Office<br>2 East Main Street<br>Norristown, PA 19401<br>484-250-5900 |
| City of Philadelphia<br>Philadelphia<br>County              | PAG0201<br>511014    | City of Philadelphia<br>Fairmount Park<br>c/o SRDC<br>2929 Arch Street<br>13th Floor<br>Philadelphia, PA 19104             | Schuylkill River<br>WWF-MF                                   | Southeast Regional Office<br>2 East Main Street<br>Norristown, PA 19401<br>484-250-5900 |
| East Union and North Union Townships<br>Schuylkill County   | PAG2005403032R(3)    | Eagle Rock Resort<br>Attn: John Grohol<br>Western Summit South<br>Phases 5—7<br>1031 Valley of Lakes<br>Hazleton, PA 18202 | Tomhicken Creek<br>CWF, MF                                   | Schuylkill County Conservation District<br>570-622-3742                                 |
| Porter Township<br>Schuylkill County                        | PAG2005409011        | Future Power PA, Inc.<br>72 Glenmaura National<br>Boulevard<br>Suite 105<br>Moosic, PA 18507                               | Good Spring Creek<br>CWF, MF<br>Swatara Creek<br>CWF, MF     | Schuylkill County Conservation District<br>570-622-3742                                 |
| Ryan Township<br>Schuylkill County                          | PAG2005409013        | County of Schuylkill<br>401 North Second Street<br>Pottsville, PA 17901  | Stony Creek<br>CWF, MF<br>Tributary to Mud<br>Run<br>CWF, MF | Schuylkill County Conservation District<br>570-622-3742                                 |
| Washington Township<br>Schuylkill County                    | PAG2005410003        | Dennis Nolt<br>105 Turkey Farm Road<br>Pine Grove, PA 17963  | Tributary to Upper<br>Little Swatara Creek<br>CWF, MF        | Schuylkill County Conservation District<br>570-622-3742                                 |
| West Brunswick Township<br>Schuylkill County                | PAG2005410002        | Ernst Partnership, LTD<br>Attn: Mr. Terry Ernst<br>15 Pinedale View Drive<br>Orwigsburg, PA 17961                          | Pine Creek<br>CWF, MF  | Schuylkill County Conservation District<br>570-622-3742                                 |
| Edwardsville Borough<br>Luzerne County                      | PAG2004010002        | Wilkes University<br>Attn: Petra Carver<br>84 West South Street<br>Wilkes-Barre, PA 18766                                  | Susquehanna River<br>WWF, MF                                 | Luzerne County Conservation District<br>570-674-7991                                    |

| <i>Facility Location:<br/>Municipality &amp;<br/>County</i> | <i>Permit No.</i> | <i>Applicant Name &amp;<br/>Address</i>   | <i>Receiving<br/>Water / Use</i>        | <i>Contact Office &amp;<br/>Phone No.</i>   |
|---|-------------------|---|---|---|
| Dunmore Borough<br>Lackawanna<br>County                     | PAG2003506016(1)  | Marywood University<br>Attn: Wendy Yankelitis<br>2300 Adams Avenue<br>Scranto, PA 18509   | Meadow Brook<br>CWF, MF                 | Lackawanna County<br>Conservation District<br>570-281-9495  |
| Bethlehem<br>Township<br>Northampton<br>County              | PAG2004809014     | St. Luke's Hospital & Health<br>Network<br>Attn: Anita Kingsbauer<br>801 Ostrum Street<br>P. O. Box 5345<br>Bethlehem, PA 18018 | Tributary to Lehigh<br>River<br>CWF, MF | Northampton County<br>Conservation District<br>610-746-1971   |
| Berwick Township<br>Abbottstown<br>Borough<br>Adams County  | PAG2000109016     | Joe A. Myers<br>160 Ram Drive<br>Hanover, PA 17331  | Beaver Creek<br>WWF                     | Adams County<br>Conservation District<br>670 Old Harrisburg<br>Road<br>Suite 201<br>Gettysburg, PA 17325<br>717-334-0636                    |
| Mount Pleasant<br>Township<br>Adams County                  | PAG2000110003     | John Repasky<br>240 Bender Road<br>Hanover, PA 17331  | South Branch<br>Conewago Creek<br>WWF   | Adams County<br>Conservation District<br>670 Old Harrisburg<br>Road<br>Suite 201<br>Gettysburg, PA 17325<br>717-334-0636                    |
| Guilford Township<br>Franklin County                        | PAR10M187R-2      | William Gsell<br>Kolpark Subdivision<br>133 Heritage Drive<br>Chambersburg, PA 17202  | Conococheague<br>Creek<br>CWF           | Franklin County<br>Conservation District<br>185 Franklin Farm<br>Lane<br>Chambersburg, PA<br>17201<br>717-264-5499                          |
| Greene Township<br>Franklin County                          | PAG20028043-R     | Lawrence Rachuba<br>Village Green<br>946A Marimich Court<br>Eldersburg, MD 21784  | UNT to Muddy Run<br>WWF                 | Franklin County<br>Conservation District<br>185 Franklin Farm<br>Lane<br>Chambersburg, PA<br>17201<br>717-264-5499                          |
| Antrim Township<br>Franklin County                          | PAG2002805002-R   | Tom Mongold<br>Antrim Meadows<br>418 Epic Drive<br>Chambersburg, PA 17201   | Paddy Run<br>WWF                        | Franklin County<br>Conservation District<br>185 Franklin Farm<br>Lane<br>Chambersburg, PA<br>17201<br>717-264-5499                          |
| Washington<br>Township<br>Berks County                      | PAG2000605070-1   | Rich Mingey<br>Barto Mall, Inc.<br>63 Chestnut Road<br>Paoli, PA 19301  | UNT to Swamp<br>Creek<br>CWF-MF         | Berks County<br>Conservation District<br>1238 County Welfare<br>Road<br>Suite 200<br>Leesport, PA<br>19533-9710<br>610-372-4657<br>Ext. 201 |

NOTICES

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| <i>Facility Location:<br/>Municipality &amp;<br/>County</i> | <i>Permit No.</i> | <i>Applicant Name &amp;<br/>Address</i>   | <i>Receiving<br/>Water / Use</i>              | <i>Contact Office &amp;<br/>Phone No.</i>   |
|---|-------------------|---|---|---|
| Lower Heidelberg Township<br>Berks County                   | PAG2000609048     | Mark Powell<br>Legacy Papermill Associates, LP<br>49 Fairwood Avenue<br>Sinking Spring, PA 19608                | Tulpehocken Creek<br>CWF                      | Berks County<br>Conservation District<br>1238 County Welfare<br>Road<br>Suite 200<br>Leesport, PA<br>19533-9710<br>610-372-4657<br>Ext. 201 |
| Tulpehocken Township<br>Berks County                        | PAG2000610009     | Glenn Hurst<br>4315 Conrad Weiser Parkway<br>Womelsdorf, PA 19567   | Mill Creek<br>TSF-MF                          | Berks County<br>Conservation District<br>1238 County Welfare<br>Road<br>Suite 200<br>Leesport, PA<br>19533-9710<br>610-372-4657<br>Ext. 201 |
| Hampden Township<br>Cumberland County                       | PAG2002105040R-1  | Richard Yingst<br>Grand Meadows<br>Fishing Valley Associates, Inc.<br>4712 Smith Street<br>Harrisburg, PA 17109 | Pine Run<br>WWF                               | Cumberland County<br>Conservation District<br>310 Allen Road<br>Carlisle, PA 17013<br>717-240-7812  |
| Carroll Township<br>Perry County                            | PAG2035010001     | Carroll Township<br>50 Rambo Hill Road<br>Shermans Dale, PA 17090   | Fishing Run<br>WWF                            | Perry County<br>Conservation District<br>P. O. Box 36<br>31 West Main Street<br>New Bloomfield, PA<br>17068<br>717-582-5119                 |
| Warwick Township<br>Lancaster County                        | PAG2003610009     | Lancaster Evangelical Free<br>Church<br>419 Pierson Road<br>Lititz, PA 17543                                    | Lititz Run<br>CWF                             | Lancaster County<br>Conservation District<br>1383 Arcadia Road,<br>Room 200<br>Lancaster, PA 17601<br>717-299-5361<br>Ext. 5                |
| Conoy Township<br>Lancaster County                          | PAG2003610020     | G & R Associates<br>48 South Market Street<br>Elizabethtown, PA 17022   | Bainbridge Creek<br>WWF-MF                    | Lancaster County<br>Conservation District<br>1383 Arcadia Road<br>Room 200<br>Lancaster, PA 17601<br>717-299-5361<br>Ext. 5                 |
| Manor Township<br>Lancaster County                          | PAG2003610021     | MBI Development Company<br>1100 Pennsylvania Avenue<br>Suite 700<br>Wilmington, DE 19806                        | West Branch Little<br>Conestoga Creek<br>TSF  | Lancaster County<br>Conservation District<br>1383 Arcadia Road<br>Room 200<br>Lancaster, PA 17601<br>717-299-5361<br>Ext. 5                 |
| Springettsbury<br>Township<br>York County                   | PAG2006710003     | Harley-Davidson Motor<br>Company<br>Operations<br>1425 Eden Road<br>York, PA 17402                              | Mill Creek—<br>UNT to Codorus<br>Creek<br>WWF | York County<br>Conservation District<br>118 Pleasant Acres<br>Road<br>York, PA 17402<br>717-840-7430  |

| <i>Facility Location:<br/>Municipality &amp;<br/>County</i> | <i>Permit No.</i> | <i>Applicant Name &amp;<br/>Address</i>   | <i>Receiving<br/>Water / Use</i>       | <i>Contact Office &amp;<br/>Phone No.</i>   |
|---|-------------------|---|--|---|
| Newberry Township<br>York County                            | PAG2006709038     | Maia's Meadow<br>320 Rosedale Avenue<br>Highspire, PA 17034   | Fishing Creek<br>TSF                   | York County<br>Conservation District<br>118 Pleasant Acres<br>Road<br>York, PA 17402<br>717-840-7430                  |
| Paradise Township<br>York County                            | PAG2006704108-R   | Country Club Heights<br>1500 Baltimore Pike<br>Hanover, PA 17331  | Beaver Creek<br>WWF                    | York County<br>Conservation District<br>118 Pleasant Acres<br>Road<br>York, PA 17402<br>717-840-7430                  |
| Windsor Township<br>York County                             | PAG2006707094     | Rockledge<br>336 West King Street<br>Lancaster, PA 17603  | Pine Creek<br>CWF                      | York County<br>Conservation District<br>118 Pleasant Acres<br>Road<br>York, PA 17402<br>717-840-7430                  |
| East Manchester<br>Township<br>York County                  | PAG2006710002     | Northern Heights<br>400 North Cedar Street<br>Lititz, PA 17543  | UNT to<br>Susquehanna River<br>WWF     | York County<br>Conservation District<br>118 Pleasant Acres<br>Road<br>York, PA 17402<br>717-840-7430                  |
| South Londonderry<br>Township<br>Lebanon County             | PAG003810007      | John M. DiSanto<br>Triple Crown Corporation<br>5351 Jaycee Avenue<br>Harrisburg, PA 17112                         | Spring Creek<br>WWF                    | Lebanon County<br>Conservation District<br>2120 Cornwall Road<br>Suite 5<br>Lebanon, PA 17042<br>717-272-3908, Ext. 4 |
| North Londonderry<br>Township<br>Lebanon County             | PAG2003810006     | Stephen Myers<br>The Hershey Company<br>1025 Reese Avenue<br>P. O. Box 805<br>Hershey, PA 17033                   | Quarry<br>Creek—Spring Creek<br>WWF-MF | Lebanon County<br>Conservation District<br>2120 Cornwall Road<br>Suite 5<br>Lebanon, PA 17042<br>717-272-3908, Ext. 4 |
| Bethel Township<br>Lebanon County                           | PAG2003810005     | David W. Brubaker<br>Brubaker & Kuhn, Inc.<br>P. O. Box 38<br>Fredericksburg, PA 17026                            | Little Swatara Creek<br>WWF            | Lebanon County<br>Conservation District<br>2120 Cornwall Road<br>Suite 5<br>Lebanon, PA 17042<br>717-272-3908, Ext. 4 |
| East Hanover<br>Township<br>Lebanon County                  | PAG2003809011-1   | Timothy Bartholomew<br>Commonwealth of Pennsylvania<br>Building 0-47<br>Fort Indiantown Gap<br>Annville, PA 17003 | Indiantown Run<br>CWF                  | Lebanon County<br>Conservation District<br>2120 Cornwall Road<br>Suite 5<br>Lebanon, PA 17042<br>717-272-3908, Ext. 4 |
| College Township<br>Centre County                           | PAG2001410005     | Paul Silvis<br>Redline Speedshine Car Wash<br>600 Siltop Lane<br>Port Matilda, PA 16870                           | UNT to Spring Creek<br>CWF             | Centre County<br>Conservation District<br>414 Holmes Avenue<br>Suite 4<br>Bellefonte, PA 16823<br>(814) 355-6817      |
| Spring Township<br>Centre County                            | PAG2001410007     | Tom Hood<br>HoodCo, Inc.<br>649 East Rolling Ridge Drive<br>Bellefonte, PA 16823                                  | UNT to Logan<br>Branch<br>CWF          | Centre County<br>Conservation District<br>414 Holmes Avenue<br>Suite 4<br>Bellefonte, PA 16823<br>(814) 355-6817      |

NOTICES

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*Facility Location:  
Municipality &  
County*

*Permit No.*

*Applicant Name &  
Address*

*Receiving  
Water / Use*

*Contact Office &  
Phone No.*

Somerset County  
Berlin Borough

PAG02005610002

Tom Croner  
3872 Huckleberry Highway  
Berlin, PA 15530

Stonycreek River  
CWF

Somerset County  
Conservation District  
6024 Glades Pike  
Suite 103  
Somerset, PA 15501  
814-445-4352

Elk County  
Fox Township

PAG02002410001

Rebco, Inc.,  
650 Brandy Camp Road  
Kersey, PA 15846

Benninger Creek  
CWF

Elk County  
Conservation District  
814-776-5373

*General Permit Type—PAG-3*

*Facility Location:  
Municipality &  
County*

*Permit No.*

*Applicant Name &  
Address*

*Receiving  
Water / Use*

*Contact Office &  
Phone No.*

Berks County  
Maidencreek  
Township

PAR213552

Albrecht Schall  
Lehigh Cement Company  
7660 Imperial Way  
Allentown, PA 18195-1040

Maidencreek  
WWF  
3B

DEP—SCRO—WQM  
909 Elmerton Avenue  
Harrisburg, PA 17110  
717-705-4707

York County  
Newberry Township

PAR603587

Charles Black  
LKQ Penn-Mar, Inc.  
269 River Road  
York Haven, PA 17370-9009

Susquehanna River  
WWF  
7E

DEP—SCRO—WQM  
909 Elmerton Avenue  
Harrisburg, PA 17110  
717-705-4707

Mifflin County  
Decatur Township

PAR603550

Mike Parsons  
Parsons Auto Salvage  
3760 Old State Road  
McClure, PA 17841

UNT Meadow Creek  
CWF  
12A

DEP—SCRO—WQM  
909 Elmerton Avenue  
Harrisburg, PA 17110  
717-705-4707

Juniata County  
Fayette Township

PAR223530

Doug Ryan  
Tangent Rail Products, Inc.  
McAlisterville, PA 17049-0251

Little Lost Creek  
TSF  
12A

DEP—SCRO—WQM  
909 Elmerton Avenue  
Harrisburg, PA 17110  
717-705-4707

Tioga County  
Ward Township

PAR504806

Pine Hill, Inc.  
P. O. Box 62  
Blossburg, PA 16912

UNT Fall Brook  
CWF

Northcentral Regional  
Office  
Water Management  
Program  
208 West Third Street  
Suite 101  
Williamsport, PA  
17701  
(570) 327-3664

Wayne Township  
Lawrence County

PAG049583

Seth Michaels  
840 Sewickley Street  
Ellwood City, PA 16117

Unnamed tributary  
to the Beaver River  
20-B

DEP—NWRO  
Water Management  
230 Chestnut Street  
Meadville, PA  
16335-3481  
814/332-6942

Neshannock  
Township  
Lawrence County

PAG049581

Tom Barnes  
190 Southbrook Drive  
New Castle, PA 16105

Unnamed tributary  
to Neshannock Creek  
20-A

DEP—NWRO  
Water Management  
230 Chestnut Street  
Meadville, PA  
16335-3481  
814/332-6942

West Salem  
Township  
Mercer County

PAG049575

Norman Sharp  
298 Orangeville Road  
Greenville, PA 16125

Unnamed tributary  
to Big Run  
20-A

DEP—NWRO  
Water Management  
230 Chestnut Street  
Meadville, PA  
16335-3481  
814/332-6942

*General Permit Type—PAG-10*

*Facility Location:*

| <i>Municipality &amp; County</i>   | <i>Permit No.</i> | <i>Applicant Name &amp; Address</i>                             | <i>Receiving Water/Use</i>   | <i>Contact Office &amp; Phone No.</i>  |
|--|-------------------|---|--|--|
| Shrewsbury Penn, Franklin Moreland and Jordan Townships Lycoming County Jackson Sugarloaf Greenwood and Benton Townships Columbia County | PAG104818         | XTO Energy, Inc.<br>810 Houston Street<br>Forth Worth, TX 76102 | Muncy Creek<br>Gregs Run<br>Sugar Run<br>Jakes Run<br>Derr Run<br>Little Indian Run<br>Little Muncy Creek<br>Little Sugar Run<br>Broad Run<br>German Run<br>Laurel Run<br>West Branch Little Muncy Creek<br>West Creek<br>Buck Run<br>Lick Run<br>Green Creek<br>Spencer Run<br>UNT to Fishing Creek<br>Fishing Creek<br>Cully Run<br>All CWF<br>Except Muncy Creek and Green Creek<br>TSF | Northcentral Regional Office<br>Water Management Program<br>208 West Third Street<br>Suite 101<br>Williamsport, PA 17701<br>(570) 327-3664 |

**STATE CONSERVATION COMMISSION**

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

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

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

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

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

**CAFO PUBLIC NOTICE SPREADSHEET—ACTIONS**

| <i>Agricultural Operation Name and Address</i>                            | <i>County</i> | <i>Total Acres</i> | <i>Animal Equivalent Units</i> | <i>Animal Type</i> | <i>Special Protection Waters (HQ or EV or NA)</i> | <i>Approved or Disapproved</i> |
|---|---------------|--------------------|--------------------------------|--------------------|---|--------------------------------|
| Robert L. Brubaker, Jr.<br>2871 North Colebrook Road<br>Manheim, PA 17545 | Lancaster     | 38.5               | 386.41                         | Swine<br>Pullet    | NA  | Approved                       |

| <i>Agricultural Operation Name and Address</i>                                       | <i>County</i> | <i>Total Acres</i> | <i>Animal Equivalent Units</i> | <i>Animal Type</i> | <i>Special Protection Waters (HQ or EV or NA)</i> | <i>Approved or Disapproved</i> |
|--|---------------|--------------------|--------------------------------|--------------------|---|--------------------------------|
| Glenn and Joel Martin<br>2077 Mountain Road<br>Manheim, PA 17545                     | Lancaster     | 212.1              | 64.08                          | Ducks              | NA  | Approved                       |
| Lime Valley Farm, Inc.<br>Steve Good<br>1415 Lime Valley Road<br>Lancaster, PA 17602 | Lancaster     | 140                | 501.08                         | Broiler Dairy      | NA  | Approved                       |
| Greystone Pork Farm<br>12950 Forge Road<br>Mercersburg, PA 17236                     | Franklin      | 0                  | 715.12                         | Swine              | NA  | Approved                       |
| Longacre Farm<br>Path Valley Road<br>Dry Run, PA 17220                               | Franklin      | 65                 | 576.82                         | Swine              | NA  | Approved                       |

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

| <i>Agricultural Operation Name and Address</i> | <i>County</i>  | <i>Total Acres</i> | <i>Animal Equivalent Units</i> | <i>Animal Type</i> | <i>Special Protection Waters (HQ or EV or NA)</i> | <i>Approved or Disapproved</i> |
|--|----------------|--------------------|--------------------------------|--------------------|---|--------------------------------|
| Dr. Joe Jurgielewicz and Son's Ltd.            | Northumberland | 60.2               | 80.1                           | Finishing Ducks    | None  | 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**

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

**Permit No. 1510507, Public Water Supply.**

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

Township East Caln

County **Chester**

Type of Facility PWS

Consulting Engineer C.E.T. Engineering Services  
1240 North Mountain Road  
Harrisburg, PA 17112

Permit to Construct Issued March 25, 2010

**Permit No. 1510508, Public Water Supply.**

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

Township Schuylkill

County **Chester**

Type of Facility PWS

Consulting Engineer C.E.T. Engineering Services, Inc.  
1240 North Mountain Road  
Harrisburg, PA 17112

Permit to Construct Issued August 25, 2009

**Operations Permit 1510508** issued to **Aqua Pennsylvania, Inc.**, 762 West Lancaster Avenue, Bryn Mawr, PA 19010 (PWSID No. 1460073) Schuylkill Township, Chester County on August 25, 2009, for the operation of



painting and Baffles at Pickering Clearwells 1 and 2, located at Schuylkill Township, **Chester County**.

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

**Permit No. 0610501 MA, Minor Amendment**, Public Water Supply.

Applicant **Borough of Fleetwood**  
 Municipality Ruscombmanor Township  
 County **Berks**  
 Responsible Official Eric Burkert  
 Water Department Head  
 110 West Arch Street  
 Suite 104  
 Fleetwood, PA 19522  
 Type of Facility Addition of 500,000 gallon finished water storage tank to existing system.  
 Consulting Engineer Bradley D. Smith, P. E.  
 ARRO Consulting, Inc.  
 50 Berkshire Court  
 Suite 104  
 Wyomissing, PA 19610  
 Permit to Construct Issued: 4/23/2010

**Permit No. 3610502**, Public Water Supply.

Applicant **Mt. Hope Nazerene Community**  
 Municipality Rapho Township  
 County **Lancaster**  
 Responsible Official Joseph G. Mraz, Administrator  
 3026 Mt. Hope Home Road  
 Manheim, PA 17545-9529  
 Type of Facility Convert UV disinfection to sodium hypochlorite disinfection system.  
 Consulting Engineer Charles A. Kehew II, P. E.  
 James A. Holley & Associates, Inc.  
 18 South George Street  
 York, PA 17401  
 Permit to Construct Issued: 4/29/2010

**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 Addition of Chlorine Booster Pump Station on Marietta Avenue.  
 Consulting Engineer David T. Lewis, P. E.  
 Columbia Water Company  
 220 Locust Street  
 Columbia, PA 17512  
 Permit to Construct Issued: 4/29/2010

**Permit No. 0110502 MA, Minor Amendment**, Public Water Supply.

Applicant **Gettysburg Municipal Authority**  
 Municipality Cumberland Township  
 County **Adams**  
 Responsible Official Mark Guise, Manager  
 601 East Middle Street  
 Gettysburg, PA 17325-3307  
 Type of Facility Replacement of the filter underdrains and the replacement of the filter media.  
 Consulting Engineer Diana M. Young, P. E.  
 Buchart-Horn  
 445 West Philadelphia Street  
 York, PA 17405-7040  
 Permit to Construct Issued: 4/27/2010

**Operations Permit** issued to **United Water Pennsylvania**, 7220015, Hummelstown Borough, **Dauphin County** on 4/29/2010 for the operation of facilities approved under Construction Permit No. 2205504.

**Operations Permit** issued to **Delta Borough**, 7670070, Delta Borough, **York County** on 4/28/2010 for the operation of facilities approved under Construction Permit No. 6707511.

**Operations Permit** issued to **Cherry Lane Motor Inn**, 7360353, East Lampeter Township, **Lancaster County** on 4/30/2010 for the operation of facilities approved under Construction Permit No. 3609503.

**Operations Permit** issued to **Wernersville Municipal Authority**, 3060076, South Heidelberg Township, **Berks County** on 4/23/2010 for the operation of facilities approved under Construction Permit No. 0609516 MA.

**Operations Permit** issued to **Newville Borough Water and Sewer Authority**, 7210041, West Pennsboro and Penn Townships, **Cumberland County** on 5/4/2010 for the operation of facilities approved under Construction Permit No. 2107501.

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

**Operations Permit** issued to **Green Township Municipal Authority**, Barr Slope water treatment plant, P. O. Box 129, 77 Musser Street, Commodore, PA 15729 (PWSID No. 5320010), Green Township, **Indiana County** on May 7, 2010, for the operation of facilities approved under Permit No. 3209503.

**Operations Permit** issued to **Beaver Falls Municipal Authority**, 1425 Eighth Avenue, Beaver Falls, PA 15010 (PWSID No. 5040012), Eastvale Borough, **Beaver County** on May 7, 2010, for the operation of facilities approved under Construction Permit No. 0407508MA.

**Operations Permit** issued to **Authority of the Borough of Charleroi**, 3 McKean Avenue, P. O. Box 211, Charleroi, PA 15022 (PWSID No. 5630039), Borough of Speers, **Washington County** on May 7, 2010, for the operation of facilities approved under Construction Permit No. 6306510MA.

**Operations Permit** issued to **Pennsylvania American Water Company**, 800 West Hersheypark Drive, P. O. Box 888, Hershey, PA 17033 (PWSID No. 5020039),

Brownsville Borough, **Fayette County** on May 7, 2010, for the operation of facilities approved under Construction Permit No. 2609504.

**Operations Permit** issued to **Pennsylvania American Water Company**, 800 West Hersheypark Drive, P. O. Box 888, Hershey, PA 17033 (PWSID No. 5260005), Mount Pleasant Township, **Washington County** on May 3, 2010, for the operation of facilities approved under Construction Permit No. 0208515MA.

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

**Operations Permits** issued to **Aqua Pennsylvania, Inc.—Oakland Beach Division**, PWSID No. 6200017, Sadsbury Township, **Crawford County**, April 30, 2010, for the operation of the sequestration facility in the Oakland Beach well building. This action is in response to an inspection by Department of Environmental Protection personnel conducted April 29, 2010, and as approved under construction permit 368W001-T2-MA3, issued April 29, 2010.

### 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:* on Herr's Ridge Road in Cumberland Township, Adams County.

| <i>Borough or Township</i> | <i>Borough or Township Address</i>          | <i>County</i> |
|----------------------------|---|---------------|
| Cumberland Township        | 1370 Fairfield Road<br>Gettysburg, PA 17325 | Adams County  |

*Plan Description:* The development proposed construction of a new single family home on an existing lot and utilizing a small flow treatment facility for wastewater disposal. The name of the project is Robert E. Plank and the code number is A3-01911-284-3s. The plan was disapproved because the proposed method of sewage disposal would create a potential nuisance condition at the point of discharge.

## LAND RECYCLING AND ENVIRONMENTAL REMEDIATION

### UNDER ACT 2, 1995

#### PREAMBLE 2

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

Provisions of Chapter 3 of the Land Recycling and Environmental Remediation Standards Act (act) require the Department of Environmental Protection (Department) to publish in the *Pennsylvania Bulletin* a notice of submission of plans and reports. A final report is submitted to document cleanup of a release of a regulated substance at a site to one of the act's remediation standards. A final report provides a description of the site investigation to characterize the nature and extent of contaminants in environmental media, the basis for selecting the environmental media of concern, documentation supporting the selection of residential or nonresidential exposure factors, a description of the remediation

performed and summaries of sampling analytical results which demonstrate that remediation has attained the cleanup standard selected. Submission of plans and reports, other than the final report, shall also be published in the *Pennsylvania Bulletin*. These include the remedial investigation report, risk assessment report and cleanup plan for a Site-Specific Standard remediation. A remedial investigation report includes conclusions from the site investigation, concentration of regulated substances in environmental media; benefits of refuse of the property and, in some circumstances, a fate and transport analysis. If required, a risk assessment report describes potential adverse effects caused by the presence of regulated substances. If required, a cleanup plan evaluates the abilities of potential remedies to achieve remedy requirements.

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

The Department has received the following plans and reports:

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

**1610 Republic Road Property**, Lower Merion Township, **Montgomery County**. Stacie Cottone, J & J Spill Service and Supplies, Inc., P. O. Box 370, Blue Bell, PA 19422 on behalf of John Swanson, Han Mar Associates, MLP and Mark Hankin, Building 1, 5301 Tacony Street, Philadelphia, PA 19137 has submitted a Final Report concerning remediation of site soil contaminated with diesel fuel. The Report is intended to document remediation of the site to meet the Statewide Health Standard.

**Johnson & Johnson Pharmaceutical Research and Development, LLC**, Lower Gwynedd Township, **Montgomery County**. Heath A. Brown, Environmental Standards, 1140 Valley Forge Road, Valley Forge, PA 19482, Steven Ohrwawchel, Lewis Environmental Group, 155 Railroad Plaza, Royersford, PA 19468 on behalf of David G. Link, Johnson & Johnson PRD, LLC, Welsh and Mckean Roads, Spring House, PA 19477 has submitted a 90 day Final Report concerning remediation of site soil contaminated with unleaded gasoline. The Report is intended to document remediation of the site to meet the Statewide Health Standard.

**Buemi Residence**, Bethel Township, **Delaware County**. Brenda MacPhail Kellogg, REPSG, Inc., 6901 Kingessing Avenue, 2nd Floor, Philadelphia, PA 19142, Thomas Maloney, Erie Insurance, 1400 North Providence Road, Media, PA 19063 on behalf of Joseph and Colleen Buemi, 3062 Booth Drive, Bethel, PA 19060 has submitted a Final Report concerning remediation of site soil contaminated with No. 2 fuel oil. The Report is intended to document remediation of the site to meet the Statewide Health Standard.

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

**Service Oil Company/Aronson-Stern Property**, Swatara Township, **Dauphin County**. GeoServices, Ltd., 1525 Cedar Cliff Drive, Camp Hill, PA 17011, on behalf of Raphael Aronson, Deborah Aronson-Stern and Service Oil Company, 3798 Paxton Street, Harrisburg, PA 17111-1412

submitted a combined Remedial Investigation and Final Report concerning remediation of site soils and groundwater contaminated with leaded gasoline from an underground pipeline. The Report is intended to document remediation of the site to meet the Site-Specific Standard.

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

**Barry L. Kuhns Accident**, Penn Township, **Snyder County**. Northridge Group, Inc., 1172 Ridge Road, Northumberland, PA 17857 on behalf of Charles and Ruth Knouse, 2242 SR 204, Selinsgrove, PA 17870 has submitted a Final Report concerning remediation of site soil contaminated with diesel fuel. The Report is intended to document remediation of the site to meet the Statewide Health Standard.

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

**New Castle Refractories**, City of New Castle, **Lawrence County**. INTEX Environmental Group, Inc., 6205 Easton Road, Pipersville, PA 18947 on behalf of Dixon Ticonderoga Company, 195 International Parkway, Heathrow, FL 32746 has submitted a Final Report concerning remediation of site soils contaminated with lead and site groundwater contaminated with arsenic, bis[2-ethylhexyl] phthalate, lead, and thallium. The Report is intended to document remediation of the site to meet the Statewide Health Standard.

## LAND RECYCLING AND ENVIRONMENTAL REMEDIATION

UNDER ACT 2, 1995

PREAMBLE 3

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

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

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

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

The Department has received the following plans and reports:

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

**Holland Shopping Center**, Northampton Township, **Bucks County**. Keith T. D'Ambrosio, Whitestone Associates, Inc., 1600 Manor Drive, Chalfont, PA 18914 on behalf of Matthew Winters, Wawa, Inc., Red Roof Office, 260 Baltimore Pike, Wawa, PA 19063 has submitted a Final Report concerning the remediation of site groundwater and soil contaminated with No. 2 fuel oil. The Final Report demonstrated attainment of the Statewide Health Standard and was approved by the Department of Environmental Protection on April 27, 2010.

**Funk Residence**, West Brandywine Township, **Chester County**. Dean Druckenmiller, Synergy Environmental, Inc., 155 Railroad Plaza, Royersford, PA 19468, Mark Potter, Fairmont Specialty Group, P. O. Box 2807, Houston, TX 77252 on behalf of Walter Funk, 103 Barons Hill Road, Brandamore, PA 19316 has submitted a Final Report concerning the remediation of site groundwater and soil contaminated with No. 2 fuel oil. The Final Report demonstrated attainment of the Statewide Health Standard and was approved by the Department of Environmental Protection on April 29, 2010.

**Mill Street Industrial Associates LP**, Quakertown Borough, **Bucks County**. Michael Christie, Penn Environmental & Remediation, Inc., 2755 Bergey Road, Hatfield, PA 19440 on behalf of Roger Altemose, Mill Street Industrial Associates, LP, 2880 Bergey Road, Suite D, Hatfield, PA 19440 has submitted a Final Report concerning the remediation of site soil contaminated with lead. The Final Report demonstrated attainment of the Site-Specific Standard and was approved by the Department of Environmental Protection on April 21, 2010.

**Frazer Shopping Center**, East Whiteland Township, **Chester County**. Phil Gray, Phoenix GeoEnvironmental, LLC, 445 Bethlehem Pike, Suite 108, Colmar, PA 18915 on behalf of Michael Stapler, Metropool Properties, LP, P. O. Box 1189, Frazer, PA 19355 has submitted a Remedial Investigation Report/Final Report concerning the remediation of site groundwater and soil contaminated with chlorinated solvents. The Remedial Investigation Report/Final Report was given and extension by the Department of Environmental Protection on April 21, 2010.

**(REVISED) SC Loveland Piers 66 69 N**, City of Philadelphia, **Philadelphia County**. Craig Herr, RT Environmental Services, Inc., 215 West Church Road, King of Prussia, PA 19406 on behalf of James Anderson, Berks Street Corporation, 6958 Torresdale Avenue, Philadelphia, PA 19135 has submitted a Final Report concerning the remediation of site soil and groundwater contaminated with inorganic. The Final Report did not demonstrate attainment of the Statewide Health Standard and was placed on hold by the Department of Environmental Protection on March 30, 2010.

**PenFlex**, East Whiteland Township, **Chester County**. Dennis Libenson, Environmental Consulting, Inc., 500 East Washington Street, Suite 375, Norristown, PA 19401 on behalf of Ray Brown, 271 LP 1404 Thursh Lane, West Chester, PA 19382 has submitted a Final Report concerning the remediation of site groundwater contaminated with chlorinated solvents. The Final Report demonstrated attainment of the Site-Specific Standard and was approved by the Department of Environmental Protection on August 12, 2008.

**Clifford Residence**, East Coventry Township, **Chester County**. Charles Burger, Mountain Research, LLC, 825 25th Street, Altoon, PA 16601, Clare Erskine, Allstate Insurance Company, 1200 Artwater Drive, Suite 110, Malvern, PA 19355 on behalf of Karen Clifford, 367 Bethel Church Road, Spring City, PA 19475 has submitted a Final Report concerning the remediation of site soil contaminated with No. 2 fuel oil. The Final Report demonstrated attainment of the Statewide Health Standard and was approved by the Department of Environmental Protection on April 23, 2010.

**Rite Aid 2451**, City of Philadelphia, **Philadelphia County**. Scott Treherne, BL Companies, 213 Market Street, 6th Floor, Harrisburg, PA 17101, Ken Yoder BL Companies, 213 Market Street, 6th Floor, Harrisburg, PA 17101 on behalf of Robert Lerner, Rite Aid Corporation, 30 Hunter Lane, Camp Hill, PA 17011 has submitted a Final Report concerning the remediation of site groundwater and soil contaminated with used motor oil. The Final Report did not demonstrate attainment of the Statewide Health Standard and was disapproved by the Department of Environmental Protection on April 21, 2010.

**Woronko Residence**, Buckingham Township, **Bucks County**. Jeremy Bolyn, Environmental Maintenance Company, Inc., 1420 East Mermaid Lane, Glenside, PA 19038 on behalf of George Woronko, 4109 Tersher Drive, Doylestown, PA 18902 has submitted a Final Report concerning the remediation of site soil contaminated with No. 2 fuel oil. The Final Report demonstrated attainment of the Statewide Health Standard and was approved by the Department of Environmental Protection on April 6, 2010.

**Danko Property**, Middletown Township, **Bucks County**. Jeremy Bolyn, Environmental Maintenance Company, Inc., 1420 East Mermaid Lane, Glenside, PA 19038 on behalf of Mark Danko, 18 Quakerhill Road, Levittown, PA 19057 has submitted a Final Report concerning the remediation of site soil contaminated with No. 2 fuel oil. The Final Report demonstrated attainment of the Statewide Health Standard and was approved by the Department of Environmental Protection on April 19, 2010.

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

**Hartley Residence**, 4920 SR 374, Lenox Township, **Susquehanna County**. Dean Cruciani and Martin Gilgallon, Pennsylvania Tectonics, Inc., 826 Main Street, Peckville, PA 18452 submitted a Final Report (on behalf of their client, Carol Hartley, 4920 SR 374, Lenoxville, PA 18441), concerning the remediation of soil found to have been impacted by No. 2 fuel oil as a result of an accidental release, which was due to a broken filter and supply line at the base of the heating oil aboveground storage tank. The Report documented attainment of the Statewide Health Standard for soil and was approved on April 30, 2010. The Report was originally submitted within 90 days of the release.

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

**Verdelli Farms Property**, Hummelstown Borough, **Dauphin County**. Herbert, Rowland & Grubic, Inc., 1820 Linglestown Road, Harrisburg, PA 17110, on behalf of Verdelli Realty, P.O. Box 133, Hummelstown, PA 17036, submitted a Final Report concerning remediation of site soils contaminated with No. 2 fuel oil from an underground storage tank. The Final Report demonstrated attainment of the Residential Statewide Health Standard, and was approved by the Department of Environmental Protection on May 7, 2010. Groundwater will be addressed in a separate report.

**Hayes Construction Company/1900 Van Reed Road Site**, Spring Township, **Berks County**. Liberty Environmental, Inc., 50 North Fifth Street, Fifth Floor, Reading, PA 19601, on behalf of Hayes Construction Company, 2610 Westview Drive, Wyomissing, PA 19610, and Will-O-Hill Apartments, LP, 615 Chestnut Street, Suite 120, Philadelphia, PA 19106, submitted a Final Report concerning remediation of site soils impacted by petroleum hydrocarbons from an unregulated underground storage tank. Groundwater was determined not to be of environmental concern. The Final Report demonstrated attainment of the Residential Statewide Health Standard, and was approved by the Department of Environmental Protection on May 7, 2010.

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

**Borough of Emporium Former Waste Disposal Area**, Emporium Borough, **Cameron County**, Malcolm Pirnie, 855 Route 145, Suite 210, Clifton Park, NY 12065 on behalf of GTE Operations Support Incorporate, One Verizon Way, VC 34W414, Basking Ridge, NJ 07920 and the Borough of Emporium has submitted a Final Report concerning remediation of site soil and groundwater contaminated with VOC's and organics. The Final Report demonstrated attainment of the Site-Specific Standard and was approved by the Department of Environmental Protection on May 5, 2010.

**Dana E. Erway Farm Truck Accident**, Eulalia Township, **Potter County**. Minuteman Spill Response, Inc., P.O. Box 10, Mifflinville, PA 18631 on behalf of Dana Erway, 1027 Route 6 West, Coudersport, PA 16915 has submitted within 90 days of the release a Final Report concerning remediation of site soil contaminated with diesel fuel. The Final Report demonstrated attainment of the Statewide Health Standard was approved by the Department of Environmental Protection on May 5, 2010.

*Southwest Region: 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 Final demonstrated attainment of the Site-Specific Standard and was approved on May 5, 2010. An environmental covenant was executed.

## 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.**

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

**54-329-010GP9: R.E. Pierson Construction Co.** (P. O. Box 430, Woodstown, NJ 08098-0430) on April 7, 2010, to install and operate a portable I/C engine at their site at Middleport Materials in Walker Township, **Schuylkill County**.

**58-310-026GP3: Meshoppen Stone, Inc.** (P. O. Box 127, Frantz Road, Meshoppen, PA 18630) on April 19, 2010, to construct and operate a Portable Crushing Operation with water sprays in Auburn Township, **Susquehanna County**.

**58-329-017GP9: Meshoppen Stone, Inc.** (P. O. Box 127, Frantz Road, Meshoppen, PA 18630) on April 19, 2010, to install and operate a Diesel I/C engine in Auburn Township, **Susquehanna 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.*

**GP3-01-05016: ISP Minerals, Inc.** (P. O. Box O, Blue Ridge Summit, PA, 17214-0914) on May 5, 2010, for an air classifier, 2 belt conveyors and screw conveyor at their quarrying and stone processing facility in Hamiltonban Township, **Adams County**.

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

**GP5-63-00946: Atlas America, LLC** (P. O. Box 611, 1550 Coraopolis Heights Road, 2nd Floor, Moon Township, PA 15108) on May 6, 2010, to use GP-5 to allow operation of one (1) Caterpillar G3516-TALE, lean-burn natural gas-fired engine, rated at 1,340 Bhp, and one (1) NATCO dehydrator, rated at 250,000 Btu/hr at their Deemston Compressor Station in Deemston Township, **Washington County**.

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

**GP5-42-196A: Catalyst Energy, Inc.—Swamp Angel Compressor Station** (242 Sand Road, Lewis Run, PA

16738) for operation of a natural gas fired compressor engine (BAQ-GPA/GP-5) in Lafayette Township, **McKean County**.

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

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

**09-0213: DeNucci Excavating Corp.** (2807 Old Rodgers Road, Bristol, PA 19007) on May 6, 2010, for operation of a portable crusher and associated diesel-fired engine in Bristol Township, **Bucks County**. The only pollutant of concern from the proposed operation is fugitive particulate matter. Emissions will be controlled by a water spray dust suppression system. The Plan Approval will contain recordkeeping and operating restrictions designed to keep the facility operating within the allowable emissions and all applicable air quality requirements.

**23-0114: Henry H. Ottens Manufacturing Co., Inc.** (600A Kaiser Drive, Folcroft, PA 19032) on May 11, 2010, for installation of a new savory flavor manufacturing process at their facility in Folcroft Borough, **Delaware County**. The facility will emit 1.82 tons of particulate matter per year before controls. This facility is a non-Title V facility. The Plan Approval and Operating Permit will contain recordkeeping requirements and operating restrictions designed to keep the facility operating within all applicable air quality requirements.

**46-0005AF: Merck, Sharpe & Dohme Corp.** (Sumneytown Pike, West Point, PA 19486-0004) on May 11, 2010, for installation of one diesel-fired generator to be used for emergency and non-emergency situations at their facility in Upper Gwynedd Township, **Montgomery County**. This installation is not subject to the Department of Environmental Protection NSR regulations or the Federal PSD regulations. There are no add-on control devices for this source. Air contaminant emissions shall not exceed any of the following: 0.12 ton/yr of PM and PM-10; 0.12 ton/yr of SO<sub>x</sub>; 2.12 tons/yr of CO; 3.80 tons/yr, and 0.07 ton/yr of VOC. The plan approval will include monitoring, recordkeeping and reporting requirements designed to keep the facility operating within all applicable.

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

**48-309-132: Hercules Cement Co., LP, d/b/a Buzzi Unicem USA** (501 Hercules Drive, Stockertown, PA 18083) on April 29, 2010, to install new finish mills at their facility in Stockertown Borough, **Northampton County**.

**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.*

**09-0126C: Air Liquide Electronics U.S., LP** (19 Steel Road West, Morrisville, PA 19067) on May 3, 2010, to operate an ammonia purification system in Falls Township, **Bucks County**.

**23-0066B: PyroPure, Inc.—T.A. Pyromet** (5 Commerce Drive, Aston, PA 19014) on May 10, 2010, to operate a replace baghouse in Chester Township, **Delaware County**.

**46-0147A: Chemalloy Co., Inc.** (P. O. Box 350, Bryn Mawr, PA 19010) on May 10, 2010, to operate (2) two new manganese compound processing lines and controls in Plymouth Township, **Montgomery County**.

**46-0268: Colorcon, Inc.** (415 Moyer Boulevard, West Point, PA 19486) on May 10, 2010, to operate a diesel fuel/No. 2 fuel oil-fired internal combustion engine in Lower Salford Township, **Montgomery 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.*

**06-05109A: Atlas Minerals & Chemicals** (1227 Valley Road, P. O. Box 38, Mertztown, PA 19539) on May 7, 2010, for the construction, modification of their source and cleaning device at their facility in Longswamp Township, **Berks County**. This plan approval was extended.

**07-05003C: Norfolk Southern Railway Company** (200 North 4th Avenue, Altoona, PA 16601-6702) on May 5, 2010, for the construction, modification of their boilers and related control equipment at their facility in Logan Township, **Blair 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.*

**32-00375B: Rosebud Mining Co.** (301 Market Street, Kittanning, PA 16201-9642) on May 4, 2010, for plan approval modification to authorize an increase in the annual coal throughput of their facility from 500,000 tons per year to 800,000 tons per year at the Lowry Mine Coal Preparation Plant in White Township, **Indiana County**.

**30-00173A: Delta Energy PA—No. 1** 350 Hochberg Road, Monroeville, PA 15146) on May 4, 2010, to extend the Plan Approval for construction and temporary operation of a Tire Depolymerization plant in Cumberland Township, **Greene County**. This plan approval has been extended.

**63-00549B: Arden Landfill, Inc.** (625 Cherrington Parkway, Moon Township, PA 15108) on May 4, 2010, to extend the Plan Approval for expansion of their landfill in Chartiers Township, **Washington County**. This plan approval has been extended.

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

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

**67-05022: Leisters Furniture, Inc.** (433 Ridge Avenue, Hanover, PA 17331-9512) on May 3, 2010, for their

wood furniture manufacturing facility in Hanover Borough, **York County**. This is a renewal of the Title V operating permit.

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

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

**46-00080: Lower Merion School District** (301 East Montgomery Avenue, Ardmore, PA 19003) on May 11, 2010, to operate three (3) boilers which provide heat to the campus building in Lower Merion Township, **Montgomery County**. This action is a renewal of the State-only Operating Permit (Synthetic Minor). The original State-only Operating Permit was issued on April 22, 2005. The renewal contains monitoring, recordkeeping and reporting requirements designed to keep the facility operating within all applicable air quality requirements.

**09-00148: Bucks County Community College** (275 Swamp Road, Newtown, PA 18940-4106) on May 11, 2010, to operate a higher education facility in Newtown Township, **Bucks County**. The renewal permit is for a non-Title V (State-only) facility. The major sources of air emissions are: boilers, heaters, and emergency generators. The permit will include monitoring, recordkeeping and reporting requirements designed to keep the facility operating within all applicable air quality requirements.

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

**40-00045: Ralmark Co.** (P. O. Box 1507, Kingston, PA 18704-0507) on April 29, 2010, to operate a pulley manufacturing process and paint spray booth at their facility in Kingston Borough, **Luzerne County**.

**48-00079: Lehigh Valley Crematory, Inc.** (301 Front Street, Hellertown, PA 18055) on April 26, 2010, for funeral service and crematories operation in Hellertown Borough, **Northampton County**. This is a renewal of the State-only Natural Minor Operating Permit. The State-only operating permit includes emissions, work practice standards and testing, monitoring, recordkeeping and reporting requirements designed to keep the facility operating within all applicable air quality requirements.

*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.*

**07-03017: CCK Inc.—T/A Juniata Packing Co.** (118 Poorman Street, P. O. Box 276, Tyrone, PA 16686-0276) on April 27, 2010, for their meat smoking and packing facility in Snyder Township, **Blair County**. This is a renewal of the State-only operating permit.

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

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

**15-00078: Centocor, Inc.** (200 Great Valley Parkway, Malvern, PA 19355) on May 7, 2010, the operating permit was amended to incorporate Plan Approvals 15-0078D and 15-0078E for 2 MW electric generator and 750 kW electric generator at their Centocor, Inc., pharmaceutical research, development and manufacturing facility at 200 Great Valley Parkway, Malvern, PA 19355, East Whiteland Township, **Chester County**. The facility is synthetic minor for NOx. Administrative Amendment of Synthetic Minor Operating Permit is issued under the Air Pollution Control Act (35 P. S. §§ 4001—4015) and 25 Pa. Code § 127.450.

**09-00120: BASF Corp.** (6450 Bristol Pike, Levittown, PA 19057) on May 11, 2010, to operate three (3) dust collectors in Bristol Township, **Bucks County**. This non-Title V Operating Permit was administratively amended to transfer ownership from BASF Construction Chemicals, LLC to BASF Corporation.

The Administrative Amendment is issued under the Air Pollution Control Act (35 P. S. §§ 4001—4015) and 25 Pa. Code § 127.450.

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

**22-05003: Orograin Bakeries, Manufacturing, Inc.** (3996 Paxton Street, Harrisburg, PA 17111-1423) on May 4, 2010, for their bakery facility in Swatara Township, **Dauphin County**. This State-only operating permit was administratively amended to reflect a change of ownership. This is Revision 1 of the permit.

**06-03078: Brush Wellman, Inc.** (P. O. Box 973, Reading, PA 19603) on May 5, 2010, for their metal processing and treating facility in Perry Township, **Berks County**. This State-only operating permit underwent a minor modification to reflect upgrades two scrubbers. This is Revision 1 of the permit.

**01-05016: ISP Minerals, Inc.** (P. O. Box O, Blue Ridge Summit, PA, 17214-0914) on May 7, 2010, for their quarrying and stone processing facility in Hamiltonban Township, **Adams County**. This State-only operating permit was administratively amended to incorporate Plan Approval No. 01- 5016J. This is Revision 4 of the permit.

**36-05147: Wenger's Feed Mill, Inc.** (101 West Harrisburg Avenue, Rheems, PA 17570) on May 4, 2010, for their feed manufacturing facility in Mt. Joy Borough, **Lancaster County**. This State-only operating permit was administratively amended to incorporate Plan Approval No. 36-5147A. This is Revision 1 of the permit.

## **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*

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

**56990104 and NPDES No. PA0235181. AMFIRE Mining Company, LLC**, One Energy Place, Latrobe, PA 15650, permit renewal for reclamation only of a bituminous surface and auger mine in Jenner Township, **Somerset County**, affecting 140.0 acres. Receiving stream(s): unnamed tributaries to/and Gum Run; unnamed tributaries to/and Roaring Run classified for the following use(s): cold water fishery. The first downstream potable water supply intake from the point of discharge is Cambria Somerset Authority Quemahoning Dam Withdrawal. Application received February 25, 2010. Permit issued: May 3, 2010.

**56970105 and NPDES No. PA0234630. Hoffman Mining, Inc.**, P. O. Box 130, 118 Runway Road, Friedens, PA 15541, permit renewal for the continued operation and restoration of a bituminous surface mine in Paint Township, **Somerset County**, affecting 171 acres. Receiving stream(s): unnamed tributary to/and Stonycreek River classified for the following use(s): cold water fishery and trout stocked fishery. There are no potable water supply intakes within 10 miles downstream. Application received February 18, 2010. Permit issued May 3, 2010.

**56000102 and NPDES No. PA0235237. Action Mining, Inc.**, 117 Shaw Mines Road, Meyersdale, PA 15552, permit renewal for the continued operation and restoration of a bituminous surface and auger mine in Brothersvalley Township, **Somerset County**, affecting 197.6 acres. Receiving stream(s): unnamed tributaries to/and Piney Run, tributaries to Buffalo Creek classified for the following use(s): cold water fishery. There are no potable water supply intakes within 10 miles downstream. Application received February 24, 2010. Permit issued April 29, 2010.

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

**65000101 and NPDES Permit No. PA0202827. Coal Loaders, Inc.** (210 East Main Street, P. O. Box 556, Ligonier, PA 15658). Permit renewal issued for continued reclamation only of a bituminous surface mining site located in Fairfield Township, **Westmoreland County**, affecting 25 acres. Receiving streams: N/A—facilities removed. Application received: February 18, 2010. Reclamation only renewal issued: May 5, 2010.

**65030102 and NPDES Permit No. PA0250465. Amerikohl Mining, Inc.** (1384 SR 711, Stahlstown, PA 15687-1301). Permit renewal issued for continued reclamation only of a bituminous surface mining site located in Ligonier Township, **Westmoreland County**, affecting 71.4 acres. Receiving streams: unnamed tributaries to Loyalhanna Creek and Loyalhanna Creek. Application received: March 16, 2010. Reclamation only renewal issued: May 5, 2010.

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

**61040102 and NPDES Permit No. PA0242560. Bedrock Mines, LP** (111 Freeport Road, Aspinwall, PA 15215) Renewal of an existing bituminous strip operation in Irwin Township, **Venango County** affecting 58.0 acres. Receiving streams: Unnamed tributaries to Scrubgrass Creek. Application received: January 14, 2010. Permit Issued: May 4, 2010.

**61970101 and NPDES Permit No. PA0227358. Bedrock Mines, LP** (111 Freeport Road, Aspinwall, PA 15215) Transfer of an existing bituminous strip, limestone and shale removal operation from Ben Hal Mining Company in Irwin Township, **Venango County** affecting 71.5 acres. Receiving streams: Four unnamed tributaries to Scrubgrass Creek. Application received: June 12, 2009. Permit Issued: May 3, 2010.

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

**17090101 and NPDES No. PA0257044. Fair Coal Co., LLC** (41 North Hill Street, Coalport, PA 16627). Commencement, operation and restoration of a bituminous surface mine located in Beccaria Township and Glen Hope Borough, **Clearfield County** affecting 174.6 acres. Receiving stream: unnamed tributary to Clearfield Creek classified for Cold Water Fishery. There are no potable water supply intakes within 10 miles downstream. Application received January 15, 2009. Permit issued April 29, 2010.

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

**54850104R5 and NPDES Permit No. PA0614530. Bell Corporation**, (P. O. Box 131, Tuscarora, PA 17982), renewal of an existing anthracite surface mine operation in Schuylkill Township, **Schuylkill County** affecting 102.5 acres, receiving stream: unnamed stream to East Branch Schuylkill River. Application received: July 9, 2009. Renewal issued: May 5, 2010.

**54850201R5. Joe Kuperavage Coal Company**, (916 Park Avenue, Port Carbon, PA 17965), renewal of an existing anthracite coal refuse reprocessing operation in Blythe Township, **Schuylkill County** affecting 31.1 acres, receiving stream: none. Application received: October 9, 2009. Renewal issued: May 7, 2010.

#### *Noncoal Permits Actions*

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

**3378NC17 and NPDES Permit No. PA0592579. Hanson Aggregates BMC, Inc.** (2200 Springfield Pike, Connellsville, PA 15425). Transfer of permit formerly issued to Hanson Aggregates PMA, Inc., for continued operation and reclamation of a large noncoal surface mining site (limestone quarry) located in Connellsville Township, **Fayette County**, affecting 73.5 acres. Receiving streams: unnamed tributaries to Connell Run to Youghiogheny River and Connell Run to Youghiogheny River. Application received: October 13, 2009. Transfer permit issued: May 4, 2010.

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

**61090301 and NPDES Permit No. PA0258717. Schiffer Excavating, Inc., d/b/a Cooperstown Sand & Gravel** (P. O. Box 4, Cooperstown, PA 16317) Commencement, operation and restoration of a large sand-

stone operation in Jackson Township, **Venango County** affecting 25.5 acres. Receiving streams: Unnamed tributaries to Wolf Run. Application received: March 9, 2009. Permit Issued: May 3, 2010.

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

**58092812. Northeast Stone Works, Inc.**, (2 Public Avenue, 2nd Floor, P. O. Box 332, Montrose, PA 18801), commencement, operation and restoration of a quarry operation in Bridgewater Township, **Susquehanna County** affecting 5.0 acres, receiving stream: none. Application received October 13, 2009. Permit issued May 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*

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

**32100401, KMP Associates, Inc.**, 3256 Rt. 981 South, Saltsburg, PA 15861, blasting activity permit issued for gas well road construction in Conemaugh Township, **Indiana County**. Blasting activity permit end date is April 28, 2011. Permit issued May 3, 2010.

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

**26104009. Global Geophysical Services, Inc.** (13927 South Gessner Road, Missouri City, TX 77489). Blasting activity permit for seismic exploration to the Global Rolling Rock 3D, located in Dunbar and other Townships, **Fayette County**. The duration of blasting is expected to for one year. Permit issued: May 3, 2010.

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

**42104011. Pennsylvania General Energy Co., LLC** (120 Market Street, Warren, PA 16365) Blasting Activity Permit for stone removal in Norwich Township, **McKean County**. This blasting activity permit will expire on July 1, 2010. Permit Issued: May 5, 2010.

**42104012. Pennsylvania General Energy Co., LLC** (120 Market Street, Warren, PA 16365) Blasting Activity Permit for stone removal in Norwich Township, **McKean County**. This blasting activity permit will expire on July 1, 2010. Permit Issued: May 5, 2010.

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

**59104003. Seneca Resources** (51 Zents Boulevard, Brookville, PA 15823). Construction blasting for a water retention pond, Bogaczyk project, located in Covington Township, **Tioga County**. Permit issued April 29, 2010. Permit expires November 29, 2010.

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

**06104105. Douglas Explosives, Inc.**, (P. O. Box 77, Philipsburg, PA 16866), construction blasting for Shiloh



Road Project in New Morgan Borough, **Berks County** with an expiration date of April 27, 2011. Permit issued May 4, 2010.

**38104106. Keystone Blasting Service**, (15 Hopeland Road, Lititz, PA 17543), construction blasting for Lloyd Newswenger Dairy in Millcreek Township, **Lebanon County** with an expiration date of September 30, 2010. Permit issued May 4, 2010.

**40104108. Hayduk Enterprises, Inc.**, (257 Riverside Drive, Factoryville, PA 18419), construction blasting for Fairmount Township Shale Pit in Fairmount Township, **Luzerne County** with an expiration date of May 31, 2011. Permit issued May 4, 2010.

**58104112. M & J Explosives, Inc.**, (P. O. Box 608, Carlisle, PA 17013), construction blasting for Kerr Project Compressor Station in Lathrop Township, **Susquehanna County** with an expiration date of April 30, 2011. Permit issued May 5, 2010.

**39104102. Hayduk Enterprises, Inc.**, (257 Riverside Drive, Factoryville, PA 18419), construction blasting for Cedar Hill Cemetery in Hanover Township, **Lehigh County** with an expiration date of May 31, 2011. Permit issued May 7, 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

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

**E02-1608. Allegheny County Department of Public Works**, 501 County Office Building, 542 Forbes Avenue, Pittsburgh, PA 15219-2904. To remove existing structure and construct and maintain new bridge in Forward Township in **Allegheny County**, Pittsburgh ACOE District (Monongahela, PA Quadrangle N: 20.8 inches; W: 5.8 inches, Latitude: 40° 14' 18"; Longitude: 79° 55' 00"). To remove the existing structure (Pangburn Hollow Bridge No. 5) and to construct and maintain a new structure consisting of a box culvert having a span of 18.0 feet with an underclearance of 5.0 feet (1.0 foot depressed below the natural stream bed) along with its associated wing walls and gabion wall in and across the channel of Perry Mill Run (WWF) for the purpose of improving highway safety. The bridge is located on Pangburn Hollow Road, approximately 650.0 feet south from the intersection of Sadler and Pangburn Hollow Roads.

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

**E26-353. Department of Conservation and Natural Resources**, P. O. Box 8451, 400 Market Street, Harrisburg, PA 17105. To remove the existing visitor area buildings in Ohioypyle Borough, **Fayette County**, Pittsburgh ACOE District (Ohioypyle, PA Quadrangle N: 18.16 inches; W: 16.8 inches, Latitude: 39° 51' 00"; Longitude: 79° 29' 41"). To remove the existing visitor area buildings and to construct and maintain a new visitor center with associated site utilities and parking in the floodplain of the Youghigheny River (HQ-CWF) within the Ohioypyle State Park. The visitor center includes an overhand structure with caisson and pier support on the riverbank.

**E63-622. Department of Transportation District 12-0**, North Gallatin Avenue Ext., Uniontown, PA 15401. To construct and maintain box culvert, stream restoration and redecking bridge in Chartiers and South Strabane Townships, **Washington County**, Pittsburgh ACOE District (Washington East, PA Quadrangle N: 15.5 inches; W: 14.9 inches, Latitude: 40° 12' 41"; Longitude: 80° 13'

39"; extending northeast to N: 17.2 inches; W: 12.8 inches, Latitude: 40° 13' 01"; Longitude: 80° 13' 02). To construct and maintain:

1. a 20 ft wide by 6 ft high, 70 ft long box culvert depressed 1 ft in an unnamed tributary to Chartiers Creek (WWF) to replace and remove the existing 14 ft wide, 22.5 ft long SR 1047, Manifold Road Bridge;
2. a 797 ft relocation of an unnamed tributary to Chartiers Creek for an approach road improvement;
3. 1,270 ft of stream restoration, and repair of the existing 14 foot diameter SR 79 CMP culvert connecting the unnamed tributary to Chartiers Creek to restore base flow connection of the unnamed tributary to Chartiers Creek. Currently base flow is diverted to an abandoned mine pool believed to be connected to mine voids;
4. fill in 0.086 acre of PEM/PSS wetlands for the reconstructed SR 79 approach roads;
5. fill in 1.9 acres of Chartiers Creek floodplain for the reconstructed SR 79 approach roads;
6. fill in 0.03 acre of the abandoned mine pond for an approach road improvement;
7. redecking of the SR 1009 Bridge over Chartiers Creek (WWF).

In addition, associated temporary crossings, stream diversions, and stormwater outfalls for the purpose of improving the SR 79, SR 1047 (Manifold Road), SR 1009 (Pike Street) intersection and approach roads known as the Meadowlands Interchange. Wetland and stream mitigation will be provided onsite. Wetland mitigation for the proposed loss of 0.086 acre of PEM/PSS wetlands is to be mitigated adjacent to the stream relocation site and will include two wetland cells 0.040 acre and 0.050 acre of PEM/PSS wetland. Stream mitigation of 815 feet is proposed to mitigate for the loss of stream channel due to relocation of the unnamed tributary to Chartiers Creek and will occur adjacent to the existing stream channel. The project is located north of Washington PA.

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

**E43-347, Norfolk Southern Corporation**, 1200 Peachtree Street NE, Box 142, Atlanta, GA 30309. Bridge MI-130.35, in Hempfield and West Salem Townships, **Mercer County**, ACOE Pittsburgh District (Greenville West, PA Quadrangle N: 41° 23' 02"; W: 80° 23' 36").

To remove the existing superstructure and support pier and to construct and maintain a three span, through-plate-girder railroad bridge (Bridge MI-130.35) having a three clear spans of 105.0 feet, 42.0 feet and 105.0 feet respectively and a maximum underclearance of approximately 16.0 feet across the Shenango River approximately 2,000 feet NW of the intersection of Hamburg and Methodist Roads. Project includes: 1) repair of existing abutments; 2) construction of a temporary stone causeway and bents temporarily impacting approximately 0.248 acre of the Shenango River and associated back channel and scour pool; 3) permanent impact of 0.009 acre of the Shenango River and 0.005 acre of Shenango River back channel; and 4) impact of 0.011 acre of PEM wetland.

#### DAM SAFETY

**95-16-65420-005. Southwestern Energy Company**, 2350 North Sam Houston Parkway East, Suite 125, Houston, TX 77032. Project proposes to operate and maintain the Greenzweig 1A Impoundment Dam as a centralized impoundment to collect and store flow-back water, for the use and re-use of hydraulic fracturing

water, from the Greenzweig Well Pad, Reeve Well Pad, Ferguson Well Pad, Ball Well Pad, and future wells in the area (LeRaysville, PA Quadrangle Latitude: N 41° 47' 12.73"; Longitude: W 76° 13' 46.54") Herrick Township, **Bradford County**.

[Pa.B. Doc. No. 10-942. Filed for public inspection May 21, 2010, 9:00 a.m.]

#### Availability of Technical Guidance

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

The Department will continue to revise its nonregulatory documents, as necessary, throughout 2010.

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

The Department encourages the use of the Internet to view and download technical guidance documents. When this option is not available, persons can order a paper copy of any of the Department's draft or final technical guidance documents by contacting the Department at (717) 783-8727.

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

#### *Changes to Technical Guidance Documents*

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

#### *Notice of Intent to Rescind Technical Guidance*

DEP ID: 563-2000-105. Title: Coal Exploration by Slope Development. Description: Effective immediately, the Department is rescinding Technical Guidance Document 563-2000-655, relating to coal exploration by slope development. The procedures outlined in the guidance are no longer consistent with the Department's procedures for permitting underground anthracite coal mines and authorizing coal exploration by alternate methods.

Requirements for underground anthracite coal mining operations have changed since 1997 when Technical Guidance Document 563-2000-655 was issued. The 1997 guidance does not reflect the current requirements and, in certain respects, provides conflicting information.

In addition to the new requirements that have emerged since 1997, the Department decided to eliminate the option of pursuing a Phase 2 Permit as outlined in the guidance. The Phase 2 Permit was an option that was available to operators who needed to extract more than 250 tons of coal for purposes of extending their exploratory mine slopes to the depths necessary to fully assess their coal reserves. The Department found that operators rarely pursued this option and, moreover, that the option itself made it difficult to enforce the 250-ton regulatory limit on extracting coal for exploratory purposes.

The Department is planning to develop a new technical guidance describing current procedures for exploring anthracite coal reserves by slope excavation. The new guidance will be released in draft form for public comment prior to final issue. In the interim, questions relating to alternative methods of exploring anthracite coal reserves should be directed to Nathan Houtz of the Pottsville District Mining Office at (570) 621-3118 or Gregory Shuler of the Bureau of Mining and Reclamation at (717) 783-1199. Contact: Questions regarding the rescinding of this technical guidance document should be directed to Gregory Shuler, P. G. at (717) 783-1199 or gshuler@state.pa.us.

Effective Date: Upon publication of this notice in the *Pennsylvania Bulletin*.

JOHN HANGER,  
*Secretary*

[Pa.B. Doc. No. 10-943. Filed for public inspection May 21, 2010, 9:00 a.m.]

### Climate Change Advisory Committee Meeting

The Department of Environmental Protection (Department) announces the following meetings:

The Natural Resources Working Group Meeting, will be held on, Tuesday, May 25, 2010, from 10 a.m. to 3 p.m., at 107 Forest Resource Building, University Park, PA 16802.

The Tourism & Outdoor Recreation Working Group Meeting, will be held on, Thursday, May 27, 2010, from

1 p.m. to 3 p.m., in the Susquehanna Room of the Fish and Boat Commission Headquarters, 1601 Elmerton Avenue, Harrisburg, PA 17110.

Each Adaptation Working Group will focus on a specific area of impact: Infrastructure, Public Health and Safety, Natural Resources, and Tourism & Outdoor Recreation. They will work to identify vulnerabilities to climate change, adaptation efforts already underway, and practical actions the Commonwealth and other stakeholders can undertake to address the risks of climate change. They will also work to share information and knowledge across impacted areas and identify opportunities for collaboration.

For the latest on meeting details and materials, visit [www.depweb.state.pa.us](http://www.depweb.state.pa.us), Keyword: Climate Change. Questions concerning these meetings should be directed to Kim Hoover, Office of Energy and Technology Deployment, P. O. Box 8772, Harrisburg, PA 17105-8772, (717) 772-5161, [khoover@state.pa.us](mailto:khoover@state.pa.us).

Persons in need of accommodations as provided for in the Americans With Disabilities Act of 1990 should contact Kim Hoover at (717) 772-5161, or through the Pennsylvania AT&T Relay Service at (800) 654-5984 (TDD) to discuss how the Department may accommodate their needs.

JOHN HANGER,  
*Secretary*

[Pa.B. Doc. No. 10-944. Filed for public inspection May 21, 2010, 9:00 a.m.]

### Stream Redesignation Evaluations; Water Quality Standards Review

Under 25 Pa. Code § 93.4d (relating to processing of petitions, evaluations and assessments to change a designated use) the Department of Environmental Protection (Department) gives notice that an evaluation will be conducted on all or portions of the streams listed to determine the proper Aquatic Life Use or Special Protection designations in this Commonwealth's Water Quality Standards.

| <i>Stream Name</i>  | <i>County</i>     | <i>Tributary To</i>           |
|---|-------------------|-------------------------------|
| Loyalsock Creek—Basin, from the source to the confluence with West Branch Susquehanna River | Sullivan—Lycoming | West Branch Susquehanna River |
| Babb Creek—Basin, from the source to the confluence with Pine Creek                         | Tioga             | Pine Creek                    |
| Bear Run—Basin, from the source to the confluence with South Branch Bear Run                | Indiana—Jefferson | South Branch Bear Run         |
| Dwarfs Kill—Basin, from the source to the confluence with Raymondskill Creek                | Pike              | Raymondskill Creek            |
| Shohola Creek—Basin, from the source to the confluence with Balliard Creek                  | Pike              | Delaware River                |
| Sherman Creek—Basin, from Cisna Run to the confluence with Susquehanna River                | Perry             | Susquehanna River             |

Persons who have technical data concerning the water quality, instream habitat or biological condition of these stream sections are encouraged to make it available to the Department for consideration in the assessment. These assessments may lead to recommendations to the Environmental Quality Board (Board) for redesignation.

Data should be submitted to Tony Shaw, Division of Water Quality Standards, Bureau of Water Standards and Facility Regulation, P. O. Box 8467, Harrisburg, PA 17105-8467, [tshaw@state.pa.us](mailto:tshaw@state.pa.us). Data should be submitted

no later than June 21, 2010. Questions concerning this evaluation can be directed to Tony Shaw at (717) 787-9637.

Recent sampling efforts have indicated that the current designated use for Loyalsock Creek basin and Babb Creek basin should be reassessed.

The Loyalsock Creek mainstem, from McCarroll Corner downstream to its confluence with the West Branch Susquehanna River, is already undergoing a redesignation evaluation. Notice of this review was provided at 38

Pa.B. 4036 (July 26, 2008). This notice expands that redesignation evaluation described at 38 Pa.B. 4036 to include Loyalsock Creek tributaries from the headwaters downstream to its confluence with West Branch Susquehanna River. The Loyalsock Creek basin from its source to Pole Bridge Run is currently designated Cold Water Fishes (CWF). The tributaries to Loyalsock Creek from, and including, Pole Bridge Run to its confluence with the West Branch Susquehanna River are currently designated High Quality-Cold Water Fishes (HQ-CWF), with the exception of the following named tributaries or tributary segments: the Shanerburg Run basin from its source downstream to the end of a Jeep Trail (approximately 1.5 miles from the mouth) is currently designated EV and the remainder of the basin downstream from the Jeep Trail is designated HQ-CWF. The Double Run, High Rock Run and Little Loyalsock Creek basins are currently designated CWF. Kettle Creek and Noon Branch Wolf Run basins are currently designated Exceptional Value (EV) and Mill Creek (East and West) basins are currently designated Trout Stocking (TSF). The Loyalsock Creek study area will now include the entire Loyalsock Creek basin.

Babb Creek, a tributary to Pine Creek, is currently designated CWF from basin source to mouth, with the exception of Nickel Run and Long Run basins, which are currently designated EV. The Babb Creek study area will include the entire Babb Creek basin.

Bear Run, a tributary to West Branch Susquehanna River, is currently designated CWF from basin source to mouth. The petitioner is requesting redesignation of the basin source to the confluence with South Branch Bear Run as HQ-CWF. The Bear Run study area will include the Bear Run basin source to the confluence with South Branch Bear Run.

Dwarfs Kill, a tributary to Raymondskill Creek, is currently designated CWF from basin source to mouth. The petitioner is requesting redesignation of Dwarfs Kill from the basin source to mouth as EV. The Dwarfs Kill study area will include the entire Dwarfs Kill basin.

Shohola Creek, a tributary to Delaware River, is currently designated HQ-CWF from basin source to mouth. The petitioner is requesting redesignation of the basin source to Balliard Creek as EV. The Shohola Creek study area will include the basin source to Balliard Creek.

Sherman Creek mainstem, a tributary to Susquehanna River, is currently designated Warm Water Fishes (WWF) from the confluence of Cisna Run to mouth. The petitioner is requesting redesignation of the mainstem from the confluence of Cisna Run to mouth as EV. The Sherman Creek study area will include the mainstem from the confluence of Cisna Run to mouth.

Persons in need of accommodations as provided for in the Americans With Disabilities Act of 1990 should contact Tony Shaw directly at (717) 787-9637 or through the Pennsylvania AT&T Relay Service at (800) 654-5984 (TDD) to discuss how the Department may accommodate their needs.

JOHN HANGER,  
*Secretary*

[Pa.B. Doc. No. 10-945. Filed for public inspection May 21, 2010, 9:00 a.m.]

## DEPARTMENT OF HEALTH

### Application of American Access Care for Exception

Under 28 Pa. Code § 51.33 (relating to requests for exceptions), the Department of Health (Department) gives notice that American Access Care has requested an exception to the requirements of 28 Pa. Code § 153.1 (relating to minimum standards), which requires compliance with minimum standards contained in the following publication: *Guidelines for Design and Construction of Hospitals and Healthcare Facilities*. The facility specifically requests exception from the following standards contained in this publication: 3.7-2.6.2 (relating to staff changing area) and 3.7-3.1.2 (relating to medical vacuum).

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

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

Comments received by the Department within 10 days after the date of publication of this notice will be reviewed by the Department before it decides whether to approve or disapprove the request for exception.

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

EVERETTE JAMES,  
*Secretary*

[Pa.B. Doc. No. 10-946. Filed for public inspection May 21, 2010, 9:00 a.m.]

### Application of Tyrone Hospital for Exception

Under 28 Pa. Code § 51.33 (relating to requests for exceptions), the Department of Health (Department) gives notice that Tyrone Hospital has requested an exception to the requirements of 28 Pa. Code § 123.25(2) (relating to regulations for control of anesthetic explosion hazards).

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

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

Persons with a disability who wish to obtain a copy of a request and/or provide comments to the Department and

require an auxiliary aid, service or other accommodation to do so, should contact the Division at the previously listed address or phone numbers, or for speech and/or hearing impaired persons V/TT (717) 783-6154, or the Pennsylvania AT&T Relay Service at (800) 654-5984.

EVERETTE JAMES,  
Secretary

[Pa.B. Doc. No. 10-947. Filed for public inspection May 21, 2010, 9:00 a.m.]

### Application of WellSpan Surgery and Rehabilitation Hospital for Exception

Under 28 Pa. Code § 51.33 (relating to requests for exceptions), the Department of Health (Department) gives notice that WellSpan Surgery and Rehabilitation Hospital has requested an exception to the requirements of 28 Pa. Code § 153.1 (relating to minimum standards), which requires compliance with minimum standards contained in the following publication: *Guidelines for Design and Construction of Hospitals and Healthcare Facilities*. The facility specifically requests exception from the following standards contained in this publication: 5.5.3.2 (relating to control room) and 5.5.9 (relating to support areas for staff).

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

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

Comments received by the Department within 10 days after the date of publication of this notice will be reviewed by the Department before it decides whether to approve or disapprove the request for exception.

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

EVERETTE JAMES,  
Secretary

[Pa.B. Doc. No. 10-948. Filed for public inspection May 21, 2010, 9:00 a.m.]

### Application of York Hospital for Exception

Under 28 Pa. Code § 51.33 (relating to requests for exceptions), the Department of Health (Department) gives notice that York Hospital has requested an exception to the requirements of 28 Pa. Code § 153.1 (relating to minimum standards), which requires compliance with

minimum standards contained in the following publication: *Guidelines for Design and Construction of Hospitals and Healthcare Facilities*. The facility specifically requests exception from the following standards contained in this publication: 3.1-2.2.4 (relating to support areas for patients) and 3.1-2.2.4.1 (relating to dressing rooms).

This facility is also requesting exception to 28 Pa. Code §§ 127.31(b) and 153.4 (relating to policies and procedures; and approval of plans).

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

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

Comments received by the Department within 10 days after the date of publication of this notice will be reviewed by the Department before it decides whether to approve or disapprove the request for exception.

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

EVERETTE JAMES,  
Secretary

[Pa.B. Doc. No. 10-949. Filed for public inspection May 21, 2010, 9:00 a.m.]

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

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

Paul's Run  
9896 Bustleton Avenue  
Philadelphia, PA 19115  
FAC ID 161902

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

Persons who wish to comment on an exception request may do so by sending a letter by mail, e-mail or facsimile to the Division 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 require an alternative format of this document or who wish to comment in an alternative format (for example, large print, audiotope, Braille), should contact the Division of Nursing Care Facilities at the address listed previously, or for speech and/or hearing impaired persons V/TT (717) 783-6514, or the Pennsylvania AT&T Relay Service at (800) 654-5984 (TT).

EVERETTE JAMES,  
*Secretary*

[Pa.B. Doc. No. 10-950. Filed for public inspection May 21, 2010, 9:00 a.m.]

### Organ Donation Advisory Committee Meeting

The Organ Donation Advisory Committee, established under 20 Pa.C.S. § 8622 (relating to The Governor Robert P. Casey Memorial Organ and Tissue Donation Awareness Trust Fund), will hold a public meeting on June 3, 2010, from 9 a.m. to 3 p.m. The meeting will be held at the Giant Community Center, 2nd Floor, Giant Food Store, 3301 Trindle Road, Camp Hill, PA 17011.

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

This meeting is subject to cancellation without notice.

EVERETTE JAMES,  
*Secretary*

[Pa.B. Doc. No. 10-951. Filed for public inspection May 21, 2010, 9:00 a.m.]

### Pennsylvania Cancer Control, Prevention and Research Advisory Board Meeting

The Pennsylvania Cancer Control, Prevention and Research Advisory Board, established under section 3 of the Pennsylvania Cancer Control, Prevention and Research Act (35 P.S. § 5633), will hold a meeting on Wednesday, June 23, 2010, from 9 a.m. to 12 p.m. The meeting will be held at the Department of Health, Bureau of Health Promotion and Risk Reduction, Conference Room 1000, Health and Welfare Building, 625 Forster Street, Harrisburg, PA 17120.

For additional information contact Kathleen A. Zitka, Chief, Department of Health, Comprehensive Cancer Control Section, Room 1011, Health and Welfare Building, 625 Forster Street, Harrisburg, PA at (717) 787-5251.

For persons with a disability who wish to attend this meeting and require an auxiliary aid, service or other accommodation to do so, contact Kathleen Zitka at (717)

787-5251, for speech and/or hearing impaired persons V/TT (717) 783-6514, or the Pennsylvania AT&T Relay Service at (800) 654-5984 (TT).

This meeting is subject to cancellation without notice.

EVERETTE JAMES,  
*Secretary*

[Pa.B. Doc. No. 10-952. Filed for public inspection May 21, 2010, 9:00 a.m.]

## DEPARTMENT OF LABOR AND INDUSTRY

### Uniform Construction Code (UCC) Review and Advisory Council; Meeting Cancelled

The meeting which was scheduled for Wednesday, May 26, 2010, 10 a.m. has been cancelled.

Additional information concerning the meeting may be found on the Department of Labor and Industry's web site at [www.dli.state.pa.us](http://www.dli.state.pa.us). Scroll down and click on the link for "Uniform Construction Code" and then "UCC Review and Advisory Council."

Questions concerning this may be directed to Edward Leister at (717) 783-6304.

SANDI VITO,  
*Secretary*

[Pa.B. Doc. No. 10-953. Filed for public inspection May 21, 2010, 9:00 a.m.]

## DEPARTMENT OF PUBLIC WELFARE

### Additional Class of Disproportionate Share Payments to Qualifying General Acute Care Hospitals

#### *Purpose of Notice*

The Department of Public Welfare (Department) is announcing its intent to discontinue an additional class of disproportionate share (DSH) payments to certain qualifying general acute care hospitals that provide a high volume of Medical Assistance acute care and psychiatric services and incur significant uncompensated care costs.

Since funding was not included in the Commonwealth's 2009-2010 Budget for these DSH payments, the Department intends to discontinue these DSH payments.

#### *Fiscal Impact*

The Fiscal Year 2009-2010 fiscal impact, as a result of the elimination of these DSH payments is a savings of \$2.213 million (\$1 million in State General Funds and \$1.213 million in Federal Funds).

#### *Public Comment*

Interested persons are invited to submit written comments regarding this notice to Department of Public Welfare, Office of Medical Assistance Programs, c/o Regulations Coordinator, Room 515, Health and Welfare Build-

ing, Harrisburg, PA 17120. Comments received within 30 days will be reviewed and considered for any subsequent revision of the notice.

Persons with a disability who require an auxiliary aid or service may submit comments using the Pennsylvania AT&T Relay Service at (800) 654-5984 (TDD users) or (800) 654-5988 (voice users).

HARRIET DICHTER,  
*Secretary*

**Fiscal Note:** 14-NOT-639. No fiscal impact; (8) recommends adoption.

[Pa.B. Doc. No. 10-954. Filed for public inspection May 21, 2010, 9:00 a.m.]

### Additional Class of Payments to Qualifying Acute Care General Hospitals for Obstetrical and Neonatal Intensive Care Services

#### *Purpose of Notice*

The Department of Public Welfare (Department) is announcing its intent to decrease the allocation of funding for Fiscal Year (FY) 2009-2010 for disproportionate share hospital (DSH) payments to certain qualifying hospitals based on obstetrical and neonatal intensive care cases. This decrease is a result of necessary mid-year spending reductions to the Commonwealth's 2009-2010 enacted budget. There will be no change in the current qualifying criteria or methodology for determining eligibility for these payments.

#### *Fiscal Impact*

The FY 2009-2010 fiscal impact as a result of this reduction is \$1.107 million (\$0.500 million in State funds).

#### *Public Comment*

Interested persons are invited to submit written comments regarding this notice to Department of Public Welfare, Office of Medical Assistance Programs, c/o Regulations Coordinator, Room 515, Health and Welfare Building, Harrisburg, PA 17120. Comments received within 30 days will be reviewed and considered for any subsequent revision of the notice.

Persons with a disability who require an auxiliary aid or service may submit comments using the Pennsylvania AT&T Relay Service at (800) 654-5984 (TDD users) or (800) 654-5988 (voice users).

HARRIET DICHTER,  
*Secretary*

**Fiscal Note:** 14-NOT-638. No fiscal impact; (8) recommends adoption.

[Pa.B. Doc. No. 10-955. Filed for public inspection May 21, 2010, 9:00 a.m.]

### Supplemental Payments for Burn Center Services

#### *Purpose of Notice*

The Department of Public Welfare (Department) is announcing its intent to change the funding allocated for Fiscal Year (FY) 2009-2010 for disproportionate share

hospital (DSH) payments to certain qualifying Medical Assistance (MA) enrolled acute care general hospital burn centers. There will be no change in the current qualifying criteria or methodology for determining eligibility for these payments.

#### *Fiscal Impact*

The FY 2009-2010 fiscal impact, as a result of this additional class of DSH payments is \$10.246 million (\$4.630 million in State General Funds and \$5.616 million in Federal Funds upon approval by the Centers for Medicare and Medicaid Services).

#### *Public Comment*

Interested persons are invited to submit written comments regarding this notice to Department of Public Welfare, Office of Medical Assistance Programs, c/o Regulations Coordinator, Room 515, Health and Welfare Building, Harrisburg, PA 17120. Comments received within 30 days will be reviewed and considered for any subsequent revision of the notice.

Persons with a disability who require an auxiliary aid or service may submit comments using the Pennsylvania AT&T Relay Service at (800) 654-5984 (TDD users) or (800) 654-5988 (voice users).

HARRIET DICHTER,  
*Secretary*

**Fiscal Note:** 14-NOT-640. (1) General Fund; (2) Implementing Year 2009-10 is \$4,630,000; (3) 1st Succeeding Year 2010-11 is \$0; 2nd Succeeding Year 2011-12 is \$0; 3rd Succeeding Year 2012-13 is \$0; 4th Succeeding Year 2013-14 is \$0; 5th Succeeding Year 2014-15 is \$0; (4) 2008-09 Program—\$5,170,000; 2007-08 Program—\$5,000,000; 2006-07 Program—\$5,000,000; (7) Hospital Based Burn Centers; (8) recommends adoption. Funds have been included in the budget to cover this increase.

[Pa.B. Doc. No. 10-956. Filed for public inspection May 21, 2010, 9:00 a.m.]

## INDEPENDENT REGULATORY REVIEW COMMISSION

### Notice of Comments Issued

Section 5(g) of the Regulatory Review Act (71 P. S. § 745.5(g)) provides that the Independent Regulatory Review Commission (Commission) may issue comments within 30 days of the close of the public comment period. The Commission comments are based upon the criteria contained in section 5.2 of the Regulatory Review Act (71 P. S. § 645.5b).

The Commission has issued comments on the following proposed regulation. The agency must consider these comments in preparing the final-form regulation. The final-form regulation must be submitted within 2 years of the close of the public comment period or it will be deemed withdrawn.

| <i>Reg. No.</i> | <i>Agency/Title</i>  | <i>Close of<br/>the Public<br/>Comment<br/>Period</i> | <i>IRRC<br/>Comments<br/>Issued</i> |
|-----------------|--|---|-------------------------------------|
| 7-450           | Environmental Quality Board<br>New Source Review<br>40 Pa.B. 703<br>(February 6, 2010) | 4/12/10   | 5/12/10                             |

**Environmental Quality Board  
Regulation #7-450 (IRRC #2818)**

**New Source Review**

**May 12, 2010**

We submit for your consideration the following comments on the proposed rulemaking published in the February 6, 2010 *Pennsylvania Bulletin*. Our comments are based on criteria in section 5.2 of the Regulatory Review Act (71 P.S. § 745.5b). Section 5.1(a) of the Regulatory Review Act (71 P.S. § 745.5a(a)) directs the Environmental Quality Board (EQB) to respond to all comments received from us or any other source.

**1. General.—Fiscal Impact; Consistency with other regulations; Reasonableness; Clarity.**

There appears to be some inconsistency between the Regulatory Analysis Form (RAF) and Preamble as to whether this proposed regulation is consistent with or more stringent than Federal regulations. Item #24 of the RAF states that the proposal is not more stringent than Federal standards. Meanwhile, the Preamble or Order includes the following statement:

To the extent that any of the proposed revisions are more stringent than any Federal requirements, these revisions are reasonably necessary in order to attain and maintain the PM<sub>2.5</sub> NAAQS [National Ambient Air Quality Standard for fine particulate matter equal to and less than 2.5 micrometers in diameter].

Some commentators indicated that the proposed regulation is inconsistent with and more stringent than Federal rules and standards. Department of Environmental Protection (DEP) staff members indicate that the existing regulations for the New Source Review (NSR) program are more stringent than the comparable Federal rules and standards. The provisions are the result of previous rulemakings adopted by the EQB. This proposed rulemaking would apply them to PM<sub>2.5</sub>.

Section 4.2(b) of the Air Pollution Act (35 P.S. § 4004.2(b)) states that “control measures or other requirements adopted” to implement ambient air quality standards “shall be no more stringent than those required by the Clean Air Act” except under specific conditions or “if the board [EQB] determines that it is reasonably necessary” to exceed minimum Federal requirements for the Commonwealth to achieve or maintain air quality standards, to prevent assessment of Federal sanctions, to satisfy Federal requirements that apply to Pennsylvania, or to comply with the final decree of a Federal court. When the EQB adopted the existing provisions in Chapters 121 and 127, these rules and standards did not include PM<sub>2.5</sub>. To the extent that this proposed regulation is more stringent than Federal rules and standards for PM<sub>2.5</sub>, the EQB and DEP should provide a justification for exceeding Federal standards and requirements. The EQB should explain why, how and when it made the

determination that it was necessary to be more stringent than the Federal NSR program in controlling and reducing PM<sub>2.5</sub> in Pennsylvania.

As a part of this determination, the EQB and DEP should identify the specific standards and provisions that apply to PM<sub>2.5</sub> and are different from the Federal program with cross-references to the specific Federal rules and standards. Where there is a difference, the need for the state rule should be explained and justified. What impacts will the proposal have on Pennsylvania businesses and industries that are competing with the same types of businesses and industries in other jurisdictions? What impact will it have on keeping businesses and industries in Pennsylvania, and attracting new companies to locate in Pennsylvania? Answers to these questions and related information should be provided with the final-form regulation.

A related concern is the response to item #25 on page seven of the RAF. The response claims that “a number of neighboring states with PM<sub>2.5</sub> nonattainment areas are also currently working on amendments to their NSR programs to meet the requirements published by the EPA.” Yet, it also states that none of these states have proposed their drafts, and “it is not anticipated that these regulations [this proposed rulemaking] will place this Commonwealth at a competitive disadvantage.” There are two concerns. First, if the neighboring states have not yet unveiled proposed drafts of rulemakings, what is the assurance that Pennsylvania industries will not be placed at a competitive disadvantage? Second, if other states are adopting regulations which are consistent with the Federal program while the EQB program is more stringent, the EQB and DEP should explain the impact on the competitiveness of Pennsylvania businesses and industries. Coordinating a regional response with the neighboring states may provide a better result for air quality and also help insure that industries in different states are not placed at a competitive disadvantage.

**2. Section 121.1. Definitions.—Fiscal Impact; Consistency with other regulations; Clarity.**

*Regulated NSR [New Source Review] pollutant—*

The proposed regulation amends this existing definition. These changes include a statement identifying sulfur dioxides (SO<sub>2</sub>) and nitrogen oxides (NO<sub>x</sub>) as precursors to PM<sub>2.5</sub> in all PM<sub>2.5</sub> nonattainment areas. The proposal is similar to language in the Federal regulations at 40 CFR 51.165(a)(xxxvii), except that Section 51.165(a)(xxxvii)(C)(3) indicates that a state may make a demonstration to the EPA that NO<sub>x</sub> emissions from sources in a specific area are not a significant contributor to that area’s ambient PM<sub>2.5</sub> concentrations. The information in the Preamble and accompanying materials with the proposed regulation does not provide any information on whether the DEP has identified areas where NO<sub>x</sub> emissions are not a significant contributor to PM<sub>2.5</sub> concentrations. This information should be provided with the final-form regulation.

*Significant—*

The amendment to this definition is similar to the federal language at 40 CFR 51.166(b)(23)(i), which includes the following:

PM<sub>2.5</sub>: 10 tpy [tons per year] of direct PM<sub>2.5</sub> emissions; 40 tpy of sulfur dioxide emissions; 40 tpy of nitrogen oxide emissions unless demonstrated not to be a PM<sub>2.5</sub> precursor under paragraph (b)(49) of this section.



The one difference is that the proposed regulation does not include the language “unless demonstrated not to be a PM2.5 precursor.” What is the reason for this inconsistency?

**3. Section 127.203. Facilities subject to special permit requirements. Section 127.203a. Applicability determination. Section 127.204. Emissions subject to this subchapter.—Fiscal impact; Implementation procedure; Consistency with other regulations; Reasonableness; Clarity.**

There are concerns with amendments and language in Sections 127.203, 127.203a and 127.204 that appear to be interrelated. Commentators expressed concerns with the “aggregation of *de minimis* emission increases,” “proposed project” emissions and “fugitive emissions.”

First, commentators are concerned that the existing rules for a “proposed *de minimis* emission increase” in Section 127.203a(a)(2) combined with the changes in the proposed regulation, including Sections 127.203 and 127.204, will create requirements that are more stringent than Federal rules and standards for PM2.5. They claim that application of these existing rules to other pollutants may be justified but it was not the intent of Federal law or regulations to apply them to PM2.5. They contend that it will impose unnecessary burdens on Pennsylvania businesses and industries.

Second, commentators expressed concern and confusion with the amendment to Section 127.204(a) and the term “fugitive emissions.” Specifically, the use of this term in this proposed regulation and the existing provisions of Chapter 127 are different from the description of the term found in Federal regulations at 40 CFR 51.165(a)(1)(iv)(C). For example, Section 127.204(a) includes “use of parking lots and paved and unpaved roads on the facility property.” Similar words do not appear in the description of “fugitive emissions” in the Federal rules. Commentators are concerned that the proposed regulation would impose a regulatory framework that is well beyond the intent of Federal rules and standards, and would create unnecessary costs and restrict competition and economic growth.

Third, the “*de minimis*” and “fugitive” emissions provisions are also problematic because the “significant” emission rate for PM2.5 is set by Federal rule at ten tons per year [10 TPY]. Except for the pollutant “lead,” this is low. For example, PM10 is set at 15 TPY, NOx is 40 TPY, and carbon monoxide is 100 TPY. Commentators are concerned that the “significant” rate for PM2.5 combined with this proposed regulation will act as a frequent trigger requiring Pennsylvania businesses and industries to invest more funds in offsets or emissions control technology than their competitors in neighboring states.

Fourth, a related concern is the addition of the phrase “including the emissions from the proposed project” in Sections 127.203(b)(2) and (3). New language in Section 127.203a(a) also requires the inclusion of “the estimate of an emissions increase” from a new project. The apparent redundancy is confusing. The EQB should explain the intent of and need for both amendments.

In these related areas of concern, the EQB needs to clarify and justify its intent, or revise the final-form regulation to make it clear and consistent with Federal rules and standards for PM2.5.

**4. Section 127.210. Offset ratios.—Fiscal impact; Implementation procedure; Consistency with other regulations; Reasonableness; Clarity.**

Commentators expressed concerns with the basis or rationale for the amendments in this section. One area that is unclear is the phrase “unless interpollutant offsetting is authorized for a particular pollutant as specified in subsection (a).” One commentator refers to approval by the U.S. Environmental Protection Agency of interpollutant trading in the five-county southeastern region of the state. Are there other situations where interpollutant offsetting might be authorized? If so, what impact will this section have on those approved interpollutant offsets or trades?

ARTHUR COCCODRILLI,  
*Chairperson*

[Pa.B. Doc. No. 10-957. Filed for public inspection May 21, 2010, 9:00 a.m.]

**Notice of Filing of Final Rulemaking**

The Independent Regulatory Review Commission (Commission) received the following regulation. It is 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](http://www.irrc.state.pa.us).

*Final-Form*

| <i>Reg. No.</i> | <i>Agency/Title</i>  | <i>Received</i> | <i>Public Meeting</i> |
|-----------------|--|-----------------|-----------------------|
| 57-260          | Pennsylvania Public Utility Commission<br>Abbreviated Procedure for Review of Transfer of Control and Affiliate Filings for Telecommunication Carriers | 5/6/10          | 6/17/10               |

ARTHUR COCCODRILLI,  
*Chairperson*

[Pa.B. Doc. No. 10-958. Filed for public inspection May 21, 2010, 9:00 a.m.]

**INSURANCE DEPARTMENT**

**Application for Approval to Redomesticate to the Commonwealth of Pennsylvania by North Pointe Insurance Company**

North Pointe Insurance Company, a stock casualty insurance company, has submitted an Application for Redomestication, whereby it proposes to redomesticate from the State of Michigan to the Commonwealth of Pennsylvania. The filing was made under the requirements set forth under 15 Pa.C.S. §§ 4161 and 4162 (relating to domestication; and effect of domestication) and section 357 of The Insurance Company Law of 1921 (40 P.S. § 477e).

Persons wishing to comment on the redomestication 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 the name, address and telephone number of the interested party; identification of the application to which the statement is addressed; and a concise statement with sufficient detail and relevant facts to inform the Department of the exact basis of the statement. Written statements should be directed to Cressinda Bybee, Company Licensing Division, Insurance Department, 1345 Strawberry Square, Harrisburg, PA 17120, fax (717) 787-8557 or cbybee@state.pa.us.

JOEL SCOTT ARIO,  
*Insurance Commissioner*

[Pa.B. Doc. No. 10-959. Filed for public inspection May 21, 2010, 9:00 a.m.]

### **Application for the Merger of Eastern Life and Health Insurance Company with and into Security Life Insurance Company of America**

An application has been received requesting approval of the merger of Eastern Life and Health Insurance Company, a stock life insurance company organized under the laws of the Commonwealth, with and into Security Life Insurance Company of America, a stock life insurance company organized under the laws of the State of Minnesota. The filing was made under the requirements set forth under Article XIV of The Insurance Company Law of 1921 (40 P. S. §§ 991.1401—991.1413); 15 Pa.C.S. §§ 1921—1932 (relating to merger, consolidation, share exchanges and sale of assets) and the GAA Amendments Act of 1990 (15 P. S. §§ 21101—21208).

Persons wishing to comment on the merger are invited to submit a written statement to the Insurance Department (Department) within 14 days from the date of this issue of the *Pennsylvania Bulletin*. Each written statement must include name, address and telephone number of the interested party; identification of the application to which the statement is addressed; and a concise statement with sufficient detail and relevant facts to inform the Department of the exact basis of the statement. Written statements should be directed to Cressinda Bybee, Company Licensing Division, Insurance Department, 1345 Strawberry Square, Harrisburg, PA 17120, fax (717) 787-8557 or cbybee@state.pa.us.

JOEL SCOTT ARIO,  
*Insurance Commissioner*

[Pa.B. Doc. No. 10-960. Filed for public inspection May 21, 2010, 9:00 a.m.]

### **Application and Request for a Certificate of Authority to Provide a Continuing Care Retirement Community by Mountain View Nursing, LP**

Mountain View Nursing, LP has applied for a Certificate of Authority to operate a Continuing Care Retirement Community at Mountain View, a Nursing and

Rehabilitation Center in Coal Township, PA. The initial filing was received on April 27, 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. 10-961. Filed for public inspection May 21, 2010, 9:00 a.m.]

### **Application and Request for a Certificate of Authority to Provide a Continuing Care Retirement Community by North American Medical Centers, Inc.**

North American Medical Centers, Inc. has applied for a Certificate of Authority to operate a Continuing Care Retirement Community at Scenery Hill Manor in Indiana, PA. The initial filing was received on April 27, 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. 10-962. Filed for public inspection May 21, 2010, 9:00 a.m.]

### **Donegal Mutual Insurance Company; Homeowners; Rate and Rule Revision; Rate Filing**

On April 30, 2010, the Insurance Department (Department) received from Donegal Mutual Insurance Company a filing for a rate level change for homeowners insurance.

The company requests an overall 4.4% increase amounting to \$1,857,612 annually, to be effective July 1, 2010, for new business and August 1, 2010, for renewal business.

Unless formal administrative action is taken prior to May 30, 2010, the subject filing may be deemed approved by operation of law.

A copy of the filing is available on the Department's web site at [www.insurance.pa.gov](http://www.insurance.pa.gov). To access the filing, under "How to Find . . ." click on "Current Rate Filings."

Interested parties are invited to submit written comments, suggestions or objections to Michael McKenney, Insurance Department, Office of Insurance Product Regulation, 1311 Strawberry Square, Harrisburg, PA 17120, [mmckenney@state.pa.us](mailto:mmckenney@state.pa.us) within 30 days after publication of this notice in the *Pennsylvania Bulletin*.

JOEL SCOTT ARIO,  
*Insurance Commissioner*

[Pa.B. Doc. No. 10-963. Filed for public inspection May 21, 2010, 9:00 a.m.]

### Highmark Blue Shield (Central Region); Direct Pay Medically Underwritten PPO Plans; Rate Filing

By filing No. 1A-BSMUPPO-10-HBS, Highmark, Inc., d/b/a Highmark Blue Shield, requests approval to increase the premium rates for its medically underwritten Direct Pay PPO Plan in Central Pennsylvania Region. The filing requests an average increase of 15.6% or \$48.70 per contract per month. This filing will affect approximately 8,900 contract holders and will produce additional income of about \$5.2 million annually. The requested effective date of the change is October 1, 2010.

Unless formal administrative action is taken prior to August 5, 2010, the subject filing may be deemed approved by operation of law.

A copy of the filing is available on the Insurance Department's (Department) web site at [www.insurance.pa.gov](http://www.insurance.pa.gov). To access the filing, under "How to Find . . ." click on "Current Rate Filings."

A copy of the filing is also available for public inspection, by appointment, during normal working hours at the Department's Harrisburg office.

Interested parties are invited to submit written or e-mail comments, suggestions or objections to Rashmi Mathur, Insurance Department, Insurance Product Regulation and Administration, 1311 Strawberry Square, Harrisburg, PA 17120, [rmathur@state.pa.us](mailto:rmathur@state.pa.us) within 30 days after publication of this notice in the *Pennsylvania Bulletin*.

JOEL SCOTT ARIO,  
*Insurance Commissioner*

[Pa.B. Doc. No. 10-964. Filed for public inspection May 21, 2010, 9:00 a.m.]

### Highmark, Inc. and Highmark Cross Blue Shield; Provider Reimbursement Adjustments to Allowances—UCR and PremierBlue; Rate Filing

On April 28, 2010, the Insurance Department (Department) received from Highmark Blue Cross Blue Shield and Highmark Blue Shield filing number 1-Pricing (Provider Reimbursement)-10-HI requesting to adjust the base UCR Level II allowances and PremierBlue Shield preferred provider program Fee Schedule allowances for select procedures.

Highmark requests approval to implement the increases effective immediately upon approval, subject to notification and disclosure requirements.

Unless formal administrative action is taken prior to August 4, 2010, the subject filing may be deemed approved by operation of law.

A copy of the filing is available on the Department's web site at [www.insurance.pa.gov](http://www.insurance.pa.gov). To access the filing, under "How to Find . . ." click on "Current Rate Filings."

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

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

JOEL SCOTT ARIO,  
*Insurance Commissioner*

[Pa.B. Doc. No. 10-965. Filed for public inspection May 21, 2010, 9:00 a.m.]

### Keystone Health Plan West—Individual HMO Plan; Rate Filing

By filing No. 1A-DPHMO-10-KHPW, Keystone Health Plan West, Inc. (KHPW) requests approval to adjust the premium rates for its Individual HMO Plan. The filing requests an average increase of 8.5% or \$35.03 per contract per month. This filing will affect approximately 8,200 contract holders and will produce additional income of about \$3.5 million annually. The requested effective date of the change is October 1, 2010.

Unless formal administrative action is taken prior to August 5, 2010, the subject filing may be deemed approved by operation of law.

A copy of the filing is available on the Insurance Department's (Department) web site at [www.insurance.pa.gov](http://www.insurance.pa.gov). To access the filing, under "How to Find . . ." click on "Current Rate Filings."

A copy of the filing is also available for public inspection, by appointment, during normal working hours at the Department's Harrisburg office.

Interested parties are invited to submit written or e-mail comments, suggestions or objections to Cherri Sanders-Jones, Insurance Department, Insurance Product

Regulation and Administration, 1311 Strawberry Square, Harrisburg, PA 17120, csandersjo@state.pa.us within 30 days after publication of this notice in the *Pennsylvania Bulletin*.

JOEL SCOTT ARIO,  
*Insurance Commissioner*

[Pa.B. Doc. No. 10-966. Filed for public inspection May 21, 2010, 9:00 a.m.]

### Progressive Advanced Insurance Company; Private Passenger Automobile; Usage Based Insurance Program; Rate and Rule Filing

On April 30, 2010, the Insurance Department (Department) received from Progressive Advanced Insurance Company a private passenger automobile rate and rule filing to introduce its Usage Based Insurance Program.

At the insured's request, the company will provide a device that plugs into the on-board diagnostic port found on all vehicles sold in the U.S. since model year 1996. The device records vehicle information including, but not limited to, the date and time of installation and disconnection, and the time of day and speed at which the vehicle is operated. A usage factor is derived from the vehicle information data recorded by the device and applied to the policy's premium. Effective dates of August 31, 2010, for new business and October 10, 2010, for renewal business are requested.

Unless formal administrative action is taken prior to June 29, 2010, the subject filing may be deemed approved by operation of law.

A copy of the filing is available on the Department's web site at [www.insurance.pa.gov](http://www.insurance.pa.gov). To access the filing, under "How to Find . . ." click on "Current Rate Filings."

Interested parties are invited to submit written comments, suggestions or objections to Michael McKenney, Insurance Department, Office of Insurance Product Regulation, 1311 Strawberry Square, Harrisburg, PA 17120, [mmckenney@state.pa.us](mailto:mmckenney@state.pa.us) within 30 days after publication of this notice in the *Pennsylvania Bulletin*.

JOEL SCOTT ARIO,  
*Insurance Commissioner*

[Pa.B. Doc. No. 10-967. Filed for public inspection May 21, 2010, 9:00 a.m.]

## LIQUOR CONTROL BOARD

### Expiration of Leases

The Liquor Control Board seeks the following new site:  
Westmoreland County, Wine & Spirits Store #6509 (Relocation), Mt. Pleasant, PA

*Lease expiration date:* October 31, 2010

Lease retail commercial space to the Commonwealth. Proposals are invited to provide the Liquor Control Board with approximately 5,000 net useable square feet of new or existing retail commercial space in a Shopping Center environment with free parking and rear door loading near the intersection of Routes 119 and 819 in East Huntingdon Township, Mt. Pleasant, PA.

*Proposals due:* June 11, 2010, at 12 p.m.

**Department:** Liquor Control Board  
**Location:** Real Estate Division, 158 Purity Road, Suite B, Pittsburgh, PA 15235-4441  
**Contact:** George D. Danis, (412) 723-0124

PATRICK J. STAPLETON, III,  
*Chairperson*

[Pa.B. Doc. No. 10-968. Filed for public inspection May 21, 2010, 9:00 a.m.]

## MILK MARKETING BOARD

### Sunshine Meeting for Fiscal Year 2010-2011

| <i>Date</i>                      | <i>Room</i>                                      | <i>Time</i> |
|----------------------------------|--|-------------|
| Wednesday,<br>July 7, 2010       | 202 Agriculture Building<br>Harrisburg, PA 17110 | 1 p.m.      |
| Wednesday,<br>August 4, 2010     | 202 Agriculture Building<br>Harrisburg, PA 17110 | 1 p.m.      |
| Wednesday,<br>September 1, 2010  | 202 Agriculture Building<br>Harrisburg, PA 17110 | 1 p.m.      |
| Wednesday,<br>October 6, 2010    | 202 Agriculture Building<br>Harrisburg, PA 17110 | 1 p.m.      |
| Wednesday,<br>November 10, 2010* | 202 Agriculture Building<br>Harrisburg, PA 17110 | 1 p.m.      |
| Wednesday,<br>December 1, 2010   | 202 Agriculture Building<br>Harrisburg, PA 17110 | 1 p.m.      |
| Wednesday,<br>January 5, 2011    | 202 Agriculture Building<br>Harrisburg, PA 17110 | 1 p.m.      |
| Wednesday,<br>February 9, 2011*  | 202 Agriculture Building<br>Harrisburg, PA 17110 | 1 p.m.      |
| Wednesday,<br>March 2, 2011      | 202 Agriculture Building<br>Harrisburg, PA 17110 | 1 p.m.      |
| Wednesday,<br>April 6, 2011      | 202 Agriculture Building<br>Harrisburg, PA 17110 | 1 p.m.      |
| Wednesday,<br>May 4, 2011        | 202 Agriculture Building<br>Harrisburg, PA 17110 | 1 p.m.      |
| Wednesday,<br>June 1, 2011       | 202 Agriculture Building<br>Harrisburg, PA 17110 | 1 p.m.      |

\* *Not the first Wednesday of the month due to conflicts.*

KEITH BIERLY,  
*Secretary*

[Pa.B. Doc. No. 10-969. Filed for public inspection May 21, 2010, 9:00 a.m.]

## PATIENT SAFETY AUTHORITY

### Public Meeting

The Patient Safety Authority (Authority), established by section 303 of the Medical Care Availability and Reduction of Error (MCARE) Act (40 P. S. § 1303.303), enacted on March 20, 2002, announces a meeting of the Authority's Board to be held at the Sheraton Harrisburg/Hershey Hotel, 4650 Lindle Road, Harrisburg, PA at 10 a.m. on Tuesday, June 1, 2010.

Individuals having questions regarding this meeting, which is open to the public, should contact the Authority at (717) 346-0469.

MICHAEL C. DOERING,  
*Executive Director*

[Pa.B. Doc. No. 10-970. Filed for public inspection May 21, 2010, 9:00 a.m.]

## PENNSYLVANIA PUBLIC UTILITY COMMISSION

### Petition of PPL Electric Utilities Corporation

**P-2010-2174467. PPL Electric Utilities Corporation.** Petition of PPL Electric Utilities Corporation for a finding that a building to shelter control equipment at the substation to be constructed in Upper Allen Township, Cumberland County, PA is reasonably necessary for the convenience or welfare of the public.

Formal protests and petitions to intervene must be filed in accordance with 52 Pa. Code (relating to public utilities). Filings must be made with the Secretary of the Pennsylvania Public Utility Commission, P. O. Box 3265, Harrisburg, PA 17105-3265, with a copy served on the applicant, on or before June 7, 2010. The documents filed in support of the application are available for inspection and copying at the Office of the Secretary between 8 a.m. and 4:30 p.m., Monday through Friday, and at the applicant's business address.

*Applicant:* PPL Electric Utilities Corporation

*Through and By Counsel:* Paul E. Russell, Associate General Counsel, PPL Services Corporation, Two North Ninth Street, Allentown, PA 18106

David B. MacGregor, Esquire, Post & Schell, P.C., Four Penn Center, 1600 John F. Kennedy Boulevard, Philadelphia, PA 19103-2808

John H. Isom, Esquire, Post & Schell, P.C., 17 North Second Street, 12th Floor, Harrisburg, PA 17101-1601

ROSEMARY CHIAVETTA,  
*Secretary*

[Pa.B. Doc. No. 10-971. Filed for public inspection May 21, 2010, 9:00 a.m.]

### Service of Notice of Motor Carrier Applications

The following temporary authority and/or permanent authority applications for the right to render service as a common carrier or contract carrier in this Commonwealth have been filed with the Pennsylvania Public Utility Commission. Formal protests and petitions to intervene must be filed in accordance with 52 Pa. Code (relating to public utilities). A protest shall indicate whether it applies to the temporary authority application, the permanent authority application, or both. Filings must be made with the Secretary, Pennsylvania Public Utility Commission, P. O. Box 3265, Harrisburg, PA 17105-3265, with a copy served on the applicant by June 7, 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.

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

**A-2010-2174499. Roberts Limousine Service, LLC** (3185 Penn Estates, East Stroudsburg, Monroe County, PA 18301), a limited liability company of the Commonwealth—for the discontinuance of service and cancellation of its certificate as a common carrier, by motor vehicle, authorizing the transportation of persons in limousine service, from points in Monroe, Lackawanna, Luzerne, Carbon, Lehigh, Northampton and Pike Counties, to points in Pennsylvania, and return; excluding areas under the jurisdiction of the Philadelphia Parking Authority; subject to the following condition: that no right, power or privilege is granted to provide service within Pike County except in the Townships of Greene, Porter, Lehman and Delaware.

**A-2010-2175081. Paoli Airport Limousine Service, Inc.** (105 Quaker Lane, Malvern, Chester County, PA 19355), a corporation of the Commonwealth, for discontinuance of service and cancellation of its Certificate as a common carrier, by motor vehicle, authorizing the transportation of persons in airport transfer service:

A-00095548, F.2: To transport, as a common carrier, persons in limousine-type vehicles, having a seating capacity of not less than seven passengers or more than 11 passengers, from the Borough of Malvern and the Townships of Willistown, East Whiteland, Chester County, to Philadelphia International Airport in the City and County of Philadelphia, and vice versa.

A-00095548, F.2, Am-A: To transport, as a common carrier, persons in limousine type vehicles having a seating capacity of not less than seven or more than 11 passengers, including the driver, from Newtown Square, in the Township of Newtown, the Borough of Media, the Township of Springfield, and the Village of Folsom, Ridley Township, all in the County of Delaware, to the Philadelphia International Airport in the City and County of Philadelphia, and vice versa.

A-00095548, F.2, Am-D: To transport, as a common carrier, in airport transfer service, persons and their baggage, having a prior or subsequent movement by air, in limousine-type vehicles having a seating capacity of not less than seven or more than 11 passengers, without the use of taximeters or dome lights, from the Philadelphia International Airport, in the City and County of Philadelphia, and the Township of Tinicum, Delaware County, to points in the County of Delaware and vice versa; subject to the following conditions:

(a) That no right, power or privilege is granted to perform transportation to or from the Townships of Radnor, Haverford, Marple and Newtown, Delaware County.

(b) That no right, power or privilege is granted to perform transportation to or from the area in Delaware County beginning at the intersection of the Lower Marion Montgomery County Line and Ardmore Avenue and continuing along Ardmore Avenue, Ellis Road, Lawrence Road and Darby Creek to Darby Creek; thence southwardly along Darby Creek to State Road, Springfield, Saxer, Baltimore, Woodland

and Kedron Avenues to MacDade Boulevard; thence northeastwardly along MacDade Boulevard to Winona Avenue; thence southwardly along Winona Avenue continuing in a straight line to the Delaware River; thence northwardly along the Delaware River to the Philadelphia County Line and thence along the Philadelphia County Line and the Montgomery County Line to the place of beginning.

(c) That no right, power or privilege is granted to perform transportation to or from the Townships of Birmingham and Concord in the County of Delaware.

*Pennsylvania Public Utility Commission, Bureau of  
Transportation and Safety v. Active Limousine, LLC;  
Doc. No. C-2010-2134265*

#### COMPLAINT

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

1. That Active Limousine, LLC, Respondent, maintains a principal place of business at 327 Par Drive, Philadelphia, PA 19115.

2. That Respondent was issued a Certificate of Public Convenience by this Commission on March 16, 2009, at A-6410515.

3. That on September 28, 2009, at approximately 10:00 AM, at 327 Par Drive, Philadelphia, Philadelphia County, PA, Enforcement Officer Ralph Kane, a duly authorized officer of this Commission, performed an Annual Inspection on Respondent. The following violations were found:

(a) No criminal history record obtained, reviewed or maintained on drivers Samson Chaudhry and Sohail Javeed.

(b) No driver history obtained, reviewed or maintained on driver Sohail Javeed.

4. That Respondent, by failing to obtain, review and maintain a criminal history record for its drivers violated 52 Pa. Code § 29.505(a), (b) and (d). The penalty is \$250.00 per violation for a total penalty of \$500.00.

5. That Respondent, by failing to obtain, review and maintain a driver history record for a driver, violated 52 Pa. Code § 29.504(a), (b) and (c). The penalty is \$100.00.

Wherefore, the Bureau of Transportation and Safety Prosecutory Staff hereby requests that the Commission fine Active Limousine, LLC, the sum of six hundred dollars (\$600.00) for the illegal activity described in this complaint, and order such other remedy as the Commission may deem to be appropriate.

Respectfully submitted,

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

#### VERIFICATION

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

Date: \_\_\_\_\_

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

#### NOTICE

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

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

B. If you fail to answer this complaint within twenty (20) days, the Bureau of Transportation and Safety will request that the Commission issue an Order imposing a penalty.

C. You may elect not to contest this complaint by paying the fine proposed in this Complaint by certified check or money order. Payment must be made to the Commonwealth of Pennsylvania and should be forwarded to:

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

Your payment is an admission that you committed the alleged violation and an agreement to cease and desist from further violations. Upon receipt of your payment, the complaint proceeding shall be closed.

D. If you file an Answer which admits or fails to deny the allegations of the Complaint, the Bureau of Transportation and Safety will request that the Commission issue an Order imposing a penalty.

E. If you file an Answer which contests the Complaint, the matter will be assigned to an Administrative Law Judge for hearing and decision. The judge is not bound by the optional fine set forth above.

F. If you have questions regarding this Complaint or if you would like an alternative format of this Complaint, (for persons with disabilities), please contact the Compliance Office at (717) 787-1227.

\_\_\_\_\_  
*Pennsylvania Public Utility Commission, Bureau of  
 Transportation and Safety v. Stylin' Limousine, Inc.;*  
*Doc. No. C-2010-2127742*

COMPLAINT

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

1. That Stylin' Limousine, Inc., respondent, maintains its principal place of business at 1938 North Center Avenue, Somerset, PA 15501.

2. That respondent was issued a certificate of public convenience by this Commission on November 19, 2001, at Application Docket No. A-00117376.

3. That respondent's operating rights were suspended on March 12, 2008, for failure to maintain evidence of insurance on file with this Commission. The suspension was lifted August 7, 2009.

4. On September 30, 2009, Enforcement Officer Brian McGowan traveled to respondent's place of business in an attempt to meet with owner, Dan Colefish. Officer McGowan left a business card due to Mr. Colefish being unavailable. Again on October 20, 2009, Officer McGowan traveled to respondent's place of business which resulted in another unsuccessful attempt to meet with Mr. Colefish. As a result, Officer McGowan sent a ten (10) day certified letter to respondent requesting copies of all trips sheets from March 1, 2008, through and including August 31, 2009. On October 27, 2009, Mr. Colefish contacted the Altoona District Office and left his telephone number and a message for Officer McGowan to contact him. On November 12, 2009, Mr. Colefish contacted Officer McGowan and advised him that the requested documents were faxed to the district office. Officer McGowan advised Mr. Colefish that he had not received the documents, possibly because of the recent office closure and asked if he could pick up the documents. Mr. Colefish stated that Officer McGowan could pick up the trip sheets at his attorney's office. A review of the documents indicated that respondent provided a trip on March 22, 2008, which was during the period of lapsed insurance coverage. In addition, a review of the trip sheet revealed that the trip sheet failed to have the name of the certificated carrier and the PUC A number.

5. That respondent, by permitting its vehicle to be operated while under suspension, violated 52 Pa. Code § 32.2 and § 32.11 and 66 Pa.C.S. § 501(c), in that it failed to observe, obey and comply with a Commission regulation or order, and the terms and conditions thereof. The Bureau of Transportation and Safety Motor Carrier Services and Enforcement's Prosecutory staff's proposed civil penalty for this violation is \$1,000 and cancellation of the certificate of public convenience.

6. That respondent, by failing to retain a completed driver trip sheet, violated 52 Pa. Code § 29.335(a)(2). The Bureau of Transportation and Safety Motor Carrier Services and Enforcement's Prosecutory staff's proposed civil penalty for this violation is \$50.00.

Wherefore, the Bureau of Transportation and Safety Prosecutory Staff hereby requests that the Commission fine Stylin' Limousine, Inc., the sum of one thousand fifty dollars (\$1,050.00) for the illegal activity described in this complaint and cancellation of the certificate of public convenience at A-00117376.

Respectfully submitted,

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

VERIFICATION

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

Date: \_\_\_\_\_

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

NOTICE

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

Rosemary Chiavetta, Secretary  
 Pennsylvania Public Utility Commission  
 P. O. Box 3265  
 Harrisburg, PA 17105-3265

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

C. If you file an answer which either admits or fails to deny the allegations of the complaint, the Bureau of Transportation and Safety will request that the Commission issue an Order imposing a penalty, which may include the cancellation of your certificate of public convenience. Should the Commission cancel your certificate of public convenience, it may also impose an additional fine of up to \$1,000.

D. If you file an answer which contests the complaint, the matter will be assigned to an administrative law

judge for hearing and decision. The judge is not bound by the optional fine set forth above.

E. Alternative formats of this material are available, for persons with disabilities, by contacting the Compliance Office at (717) 787-1227.

\_\_\_\_\_  
*Pennsylvania Public Utility Commission,  
 Bureau of Transportation and Safety v.  
 Delaware Valley Recovery System;  
 Doc. No. C-2010-2172256*

COMPLAINT

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

1. That Delaware Valley Recovery System, Respondent, maintains its principal place of business at 516 Sterner Mill Road, Feasterville, PA 19053.

2. That Respondent was issued a Certificate of Public Convenience by this Commission on November 7, 1995, at Application Docket No. A-00112428.

3. That on December 20, 2007, Respondent received an initial assessment of \$201.00. On August 29, 2008, Respondent received an initial assessment of \$206.00, and on September 9, 2009, Respondent received an initial assessment of \$216.00. Respondent failed to pay these assessments; therefore, a balance was due in the amount of \$623.00.

4. That Respondent has an outstanding assessment of \$623.00.

5. That Respondent failed to file objections to the assessment, pursuant to 66 Pa.C.S. § 510(c).

6. That Respondent, by failing to pay the assessment, violated the Public Utility Code at 66 Pa.C.S. § 510(c).

*Wherefore*, unless Respondent pays the overdue assessment in full within twenty days of the date of service of this Complaint, the Bureau of Transportation and Safety Prosecutory Staff hereby requests that the Commission issue an Order which cancels the Certificate of Public Convenience issued to Respondent, notifies the Pennsylvania Department of Revenue that Respondent's Certificate of Public Convenience has been revoked, notifies Respondent's insurance carrier that Respondent's Certificate of Public Convenience has been revoked, and imposes an additional fine on the Respondent.

Respectfully submitted,

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

VERIFICATION

I, Wendy J. Keezel, hereby state that the facts above set forth are true and correct to the best of my knowl-

edge, information and belief and that I expect to be able to prove the same at any hearing held in this matter. I understand that the statements herein are made subject to the penalties of 18 Pa.C.S. § 4904 relating to unsworn falsification to authorities.

Date: \_\_\_\_\_

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

NOTICE

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

Rosemary Chiavetta, Secretary  
 Pennsylvania Public Utility Commission  
 P. O. Box 3265  
 Harrisburg, PA 17105-3265

B. If you fail to answer this Complaint within twenty days, the Bureau of Transportation and Safety will request that the Commission issue an Order imposing a penalty. Pursuant to 66 Pa.C.S. § 3301(a), the penalty could include a fine of up to \$1,000 for each violation, the revocation of your Certificate of Public Convenience, or any other remedy as may be appropriate.

C. You may elect not to contest this Complaint by paying your outstanding assessment within twenty (20) days. Your certified check or money order for the assessment should be payable to the Commonwealth of Pennsylvania and should be forwarded to:

Bureau of Administrative Services  
 Pennsylvania Public Utility Commission  
 P. O. Box 3265  
 Harrisburg, PA 17105-3265

D. If you file an Answer which either admits or fails to deny the allegations of the Complaint, the Bureau of Transportation and Safety will request the Commission to issue an Order imposing a penalty (see Paragraph B). Should the Commission cancel your Certificate of Public Convenience, it may also impose an additional fine of up to \$1,000.

E. If you file an Answer which contests the Complaint, the matter will be assigned to an administrative law judge for hearing and decision. The judge is not bound by the penalty set forth in Paragraph B.

F. If you have questions regarding this Complaint, or if you would like an alternative format of this Complaint for persons with disabilities, please contact the Compliance Office at 717-787-1227.

ROSEMARY CHIAVETTA,  
 Secretary

[Pa.B. Doc. No. 10-972. Filed for public inspection May 21, 2010, 9:00 a.m.]



### Telecommunications

**A-2010-2162818. Verizon Pennsylvania, Inc. and Cincinnati Bell Any Distance, Inc.** Joint petition of Verizon Pennsylvania, Inc. and Cincinnati Bell Any Distance, Inc., for approval of a revised 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, Inc., by its counsel, filed on May 10, 2010, at the Pennsylvania Public Utility Commission (Commission), a joint petition for approval of a revised 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, Inc., joint petition are on file with the Commission and are available for public inspection.

The contact person is Cheryl Walker Davis, Director, Office of Special Assistants, (717) 787-1827.

ROSEMARY CHIAVETTA,  
*Secretary*

[Pa.B. Doc. No. 10-973. Filed for public inspection May 21, 2010, 9:00 a.m.]

## STATE BOARD OF COSMETOLOGY

### Bureau of Professional and Occupational Affairs v. Khanh Nguyen; Doc. No. 0175-45-09

On March 3, 2010, Khanh Nguyen, license number CL181803, of Dorchester Center, MA, had his license revoked and was ordered to pay a civil penalty of \$1,000, because the respondent obtained his license by dishonest or unethical means.

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.

SUSANNE M. PHILO,  
*Chairperson*

[Pa.B. Doc. No. 10-974. Filed for public inspection May 21, 2010, 9:00 a.m.]

### In the Matter of the Citation Issued to Charlene L. Hannold; Doc. No. 0310-45-2010

On February 18, 2010, Charlene L. Hannold, license no. CL011820L, of Meadville, Crawford County, was suspended for failing to pay a previously imposed civil penalty.

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.

SUSANNE M. PHILO,  
*Chairperson*

[Pa.B. Doc. No. 10-975. Filed for public inspection May 21, 2010, 9:00 a.m.]

### In the Matter of the Citation Issued to Timothy M. Wallace; Doc. No. 0311-45-2010

On February 18, 2010, Timothy M. Wallace, license no. CO226839L, of Philadelphia, Philadelphia County, was suspended for failing to pay a previously imposed civil penalty.

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.

SUSANNE M. PHILO,  
*Chairperson*

[Pa.B. Doc. No. 10-976. Filed for public inspection May 21, 2010, 9:00 a.m.]