

# NOTICES

## DEPARTMENT OF BANKING

### Actions on Applications

The Department of Banking (Department), under the authority contained in the act of November 30, 1965 (P. L. 847, No. 356), known as the Banking Code of 1965; the act of December 14, 1967 (P. L. 746, No. 345), known as the Savings Association Code of 1967; the act of May 15, 1933 (P. L. 565, No. 111), known as the Department of Banking Code; and the act of December 19, 1990 (P. L. 834, No. 198), known as the Credit Union Code, has taken the following action on applications received for the week ending May 25, 2010.

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

### BANKING INSTITUTIONS

#### Conversions

<i>Date</i>	<i>Name and Location of Applicant</i>	<i>Action</i>
5-20-2010	<i>From:</i> Adams County National Bank Gettysburg Adams County  <i>To:</i> ACNB Bank Gettysburg Adams County	Filed

Application for approval to convert from a national banking association to a Pennsylvania state-chartered bank and trust company.

#### Branch Applications

##### De Novo Branches

<i>Date</i>	<i>Name and Location of Applicant</i>	<i>Location of Branch</i>	<i>Action</i>
5-15-2010	Beneficial Mutual Savings Bank Philadelphia Philadelphia County	818 Haddonfield Road Cherry Hill Camden County, NJ	Opened
5-15-2010	Beneficial Mutual Savings Bank Philadelphia Philadelphia County	1901 Route 70 East Cherry Hill Camden County, NJ	Opened

##### Branch Relocations

<i>Date</i>	<i>Name and Location of Applicant</i>	<i>Location of Branch</i>	<i>Action</i>
5-17-2010	First Commonwealth Bank Indiana Indiana County	<i>To:</i> 501 Grant Street Suite 1400 Pittsburgh Allegheny County  <i>From:</i> 441 Smithfield Street Pittsburgh Allegheny County	Effective

#### Articles of Amendment

<i>Date</i>	<i>Name and Location of Institution</i>	<i>Action</i>
5-20-2010	Citizens Bank of Pennsylvania Philadelphia Philadelphia County	Approved and Effective

Amendment to Second Article of the institution's Articles of Incorporation changes the principal place of business of the institution from 2001 Market Street, Philadelphia, PA 19103 to 1701 John F. Kennedy Boulevard, Philadelphia, PA 19103.

## SAVINGS INSTITUTIONS

No activity.

## CREDIT UNIONS

No activity.

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

STEVEN KAPLAN,  
*Secretary*

[Pa.B. Doc. No. 10-1088. Filed for public inspection June 11, 2010, 9:00 a.m.]

## DEPARTMENT OF ENVIRONMENTAL PROTECTION

### Applications, Actions and Special Notices

#### APPLICATIONS

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

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

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

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

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

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

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

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

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

**I. NPDES Renewal Applications**

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

<i>NPDES No. (Type)</i>	<i>Facility Name &amp; Address</i>	<i>County &amp; Municipality</i>	<i>Stream Name (Watershed #)</i>	<i>EPA Waived Y/N?</i>
PA0060330 (Sewage)	Hawley Area Authority 1010 Hudson Street Hawley, PA 18428	Pike County Lackawaxen Township	Lackawaxen River 1-B	Y
PA0063142 (Industrial Waste)	Chrin Brothers Sanitary Landfill 635 Industrial Drive Easton, PA 18042	Northampton County Williams Township	Unnamed Tributary of Lehigh River 02C Cold Water Fishes	Y

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

<i>NPDES No. (Type)</i>	<i>Facility Name &amp; Address</i>	<i>County &amp; Municipality</i>	<i>Stream Name (Watershed #)</i>	<i>EPA Waived Y/N ?</i>
PA0081337 (Sew)	ATG Properties, LLC Northwood Manor 1300 Yorkhaven Road Yorkhaven, PA 17370	York County Newberry Township	UNT Conewago Creek 7F	Y

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

<i>NPDES No. (Type)</i>	<i>Facility Name &amp; Address</i>	<i>County &amp; Municipality</i>	<i>Stream Name (Watershed #)</i>	<i>EPA Waived Y/N ?</i>
PA0221481 (Industrial Waste)	Norfolk Southern Meadville Yard Linden & Water Streets Meadville, PA 16335	Crawford County Meadville City	French Creek 16-D	Y
PA0221848 (Sewage)	Willow Bay Recreation Area STP Route 346 Bradford, PA 16701	McKean County Corydon Township	Allegheny River 16-B	Y
PA0101664 (Sewage)	Orchard Park Estates 2077 Bredinsburg Road Franklin, PA 16323-8115	Venango County Cranberry Township	Lower Twomile Run 16-G	Y
PA0033120 (Sewage)	Warren County School District 185 Hospital Drive Warren, PA 16365	Farmington Township Warren County	Fairbanks Run 16-B	Y

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

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

**Application No. PA0086525**, Sewage, **Centre Township Municipal Authority, (Kingsgate STP)**, 449 Bucks Hill Road, Mohrsville, PA 19541. This facility is located in Centre Township, **Berks County**.

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

The receiving stream, unnamed tributary to Irish Creek, is in Watershed 3-B, and classified for warm water fishery, water supply, recreation and fish consumption. The nearest downstream public water supply intake for Borough of Pottstown Water and Sewer Authority is located on the Schuylkill River, approximately 39 miles downstream. The discharge is not expected to affect the water supply.

The proposed interim effluent limits for Outfall 001 for a design flow of 0.012 MGD are:

<i>Parameter</i>	<i>Average Monthly (mg/l)</i>	<i>Average Weekly (mg/l)</i>	<i>Instantaneous Maximum (mg/l)</i>
CBOD	25	40	50
Total Suspended Solids	30	45	60
NH <sub>3</sub> -N			
(5-1 to 10-31)	18		36
(11-1 to 4-30)	20		40
Total Residual Chlorine	1.5		2.5

## NOTICES

<i>Parameter</i>	<i>Average Monthly (mg/l)</i>	<i>Average Weekly (mg/l)</i>	<i>Instantaneous Maximum (mg/l)</i>
Dissolved Oxygen		Minimum of 5.0 at all times	
pH		From 6.0 to 9.0 inclusive	
Fecal Coliform			
(5-1 to 9-30)		200/100 ml as a Geometric Average	
(10-1 to 4-30)		2,000/100 ml as a Geometric Average	

The proposed final effluent limits for Outfall 001 for a design flow of 0.012 MGD are:

<i>Parameter</i>	<i>Average Monthly (mg/l)</i>	<i>Average Weekly (mg/l)</i>	<i>Instantaneous Maximum (mg/l)</i>
CBOD	25	40	50
Total Suspended Solids	30	45	60
NH <sub>3</sub> -N			
(5-1 to 10-31)	18		36
(11-1 to 4-30)	20		40
Total Residual Chlorine	0.5		1.6
Dissolved Oxygen		Minimum of 5.0 at all times	
pH		From 6.0 to 9.0 inclusive	
Fecal Coliform			
(5-1 to 9-30)		200/100 ml as a Geometric Average	
(10-1 to 4-30)		2,000/100 ml as a Geometric Average	

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.

**PA0110361**, Sewage, SIC Code 4952, **Freedom Township Water & Sewer Authority**, 131 Municipal Street, East Freedom, PA 16637-8158. Facility Name: Freedom Township STP. This existing facility is located in Blair Township, **Blair County**.

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

The receiving stream(s), Frankstown Branch Juniata River, is located in State Water Plan watershed 11-A and is classified for Trout Stocking, aquatic life, water supply and recreation. The discharge is not expected to affect public water supplies.

The proposed interim effluent limits for Outfall 001 are based on a design flow of 0.6 MGD.

<i>Parameter</i>	<i>Average Monthly (mg/l)</i>	<i>Average Weekly (mg/l)</i>	<i>Instantaneous Maximum (mg/l)</i>
CBOD <sub>5</sub>	25	40	50
Total Suspended Solids	30	45	60
NH <sub>3</sub> N			
(5-1 to 10-31)	9		18
Dissolved Oxygen		Minimum of 5.0 at all times	
pH		From 6.0 to 9.0 inclusive	
Fecal Coliform			
(5-1 to 9-30)		200/100 ml as a Geometric Average	
(10-1 to 4-30)		2,000/100 ml as a Geometric Average	

The proposed final effluent limits for Outfall 001 are based on a design flow of 0.970 MGD.

<i>Parameter</i>	<i>Average Monthly (mg/l)</i>	<i>Average Weekly (mg/l)</i>	<i>Instantaneous Maximum (mg/l)</i>
CBOD <sub>5</sub>	25	40	50
Total Suspended Solids	30	45	60
NH <sub>3</sub> N			
(5-1 to 10-31)	6		12
(11-1 to 4-30)	18		36
Dissolved Oxygen		Minimum of 5.0 at all times	
pH		From 6.0 to 9.0 inclusive	
Fecal Coliform			
(5-1 to 9-30)		200/100 ml as a Geometric Average	
(10-1 to 4-30)		2,000/100 ml as a Geometric Average	

*Chesapeake Bay Requirements*

	<i>Concentration (mg/L)</i>		<i>Mass (lbs)</i>
	<i>Monthly Average</i>	<i>Monthly</i>	<i>Annual</i>
Ammonia-N	Report	Report	Report**
Kjeldahl-N	Report	Report	XXX
Nitrate-Nitrite as N	Report	Report	XXX
Total Nitrogen	Report	Report	Report
Total Phosphorus	Report	Report	Report
Net Total Nitrogen	XXX	Report	10,959*
Net Total Phosphorus	XXX	Report	1,461*

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

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

The EPA waiver is not in effect.

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

**PA0252701**, Industrial Waste, SIC 4922, **Dominion Transmission, Inc., DL Clark Building**, 501 Martindale Street, Suite 400, Pittsburgh, PA 15212-5187. This application is for renewal of an NPDES permit to discharge treated process water from South Bend Compressor Station in South Bend Township, **Armstrong County**.

The following effluent limitations are proposed for discharge to the receiving waters, Crooked Creek, classified as a cold water fishery with existing and/or potential uses for aquatic life, water supply and recreation. The first existing/proposed downstream potable water supply is Buffalo Township Municipal Authority—Freeport, located at Freeport, 37.53 miles below the discharge point.

*Outfall 001*: existing discharge, design flow of 0.0025 mgd.

<i>Parameter</i>	<i>Mass (lb/day)</i>		<i>Concentration (mg/l)</i>		
	<i>Average Monthly</i>	<i>Maximum Daily</i>	<i>Average Monthly</i>	<i>Maximum Daily</i>	<i>Instantaneous Maximum</i>
Flow	Monitor and Report				
Total Suspended Solids			35		70
Iron, Dissolved					7.0
Iron, Total			Monitor and Report		
Manganese			Monitor and Report		
pH	not less than 6.0 nor greater than 9.0				

The EPA waiver is not in effect.

**PA0254096**, Industrial Waste, SIC 3499, **Evans Machining Service**, 314 State Street, Clairton, PA 15025-1914. This application is for issuance of an NPDES permit to discharge treated process water from a manganese/phosphate metals coating line in Clairton Borough, **Allegheny County**.

The following effluent limitations are proposed for discharge to the receiving waters, Monongahela River, classified as a warm water fishery with existing and/or potential uses for aquatic life, water supply and recreation. The first existing/proposed downstream potable water supply is PA American Water Company—Pittsburgh, located at Pittsburgh, 17.1 miles below the discharge point.

*Outfall 001*: new discharge, design flow of 0.00288 mgd.

<i>Parameter</i>	<i>Mass (lb/day)</i>		<i>Concentration (mg/l)</i>		
	<i>Average Monthly</i>	<i>Maximum Daily</i>	<i>Average Monthly</i>	<i>Maximum Daily</i>	<i>Instantaneous Maximum</i>
Flow	Monitor and Report				
Cadmium, Total			0.07	0.11	
Chromium, Total			1.71	2.77	
Copper, Total			2.07	3.38	
Lead, Total			0.43	0.69	
Nickel, Total			2.38	3.98	
Silver, Total			0.24	0.43	
Zinc, Total			1.48	2.61	
Cyanide, Total			0.65	1.20	

Parameter	Mass (lb/day)		Concentration (mg/l)		
	Average Monthly	Maximum Daily	Average Monthly	Maximum Daily	Instantaneous Maximum
Total Toxic Organics				2.13	
Oil & Grease			15	30	
Total Suspended Solids			31	60	
Total Dissolved Solids			Monitor and Report		
Sulfate			Monitor and Report		
pH	not less than 6.0 nor greater than 9.0				

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.

**WQM Permit No. 4606402**, Sewerage, **Amendment, Lower Pottsgrove Township Authority**, 2199 Buchert Road, Pottstown, PA 19464. This proposed facility is located in Lower Pottsgrove Township, **Montgomery County**.

Description of Action/Activity: Pump station upgrades and installation of approximately 6,250 LF of 18" sanitary force main.

**WQM Permit No. 4604412**, Sewerage, **Amendment 2, Upper Gwynedd Township**, P. O. Box 1, Parkside Place, West Point, PA 19486. This proposed facility is located in Upper Gwynedd Township, **Montgomery County**.

Description of Action/Activity: Addition of the BioMag process at Township to enhance final effluent clarification and facilitate operation at high mixed liquor suspended solids concentrations.

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

**WQM Permit No. 6710404**, Sewerage, **Morton Buildings, Inc.**, 3370 York Road, Gettysburg, PA 17325-8528. This proposed facility is located in Straban Township, **Adams County**.

Description of Proposed Action/Activity: Replace existing current steel tank wastewater facility with a new concrete tank wastewater facility.

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

**WQM Permit No. 0210404**, Sewerage, **Municipality of Penn Hills**, 12245 Frankstown Road, Penn Hills, PA 15235-3494. This proposed facility is located in Penn Hills Township, **Allegheny County**.

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

**WQM Permit No. 6510406**, Sewerage, **Derry Township Municipal Authority**, P. O. Box 250, New Derry, PA 15671. This proposed facility is located in Derry Township, **Westmoreland County**.

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

**WQM Permit No. 3274405-A3**, Sewerage, **Clymer Borough Municipal Authority**, 470 Adams Street, Clymer, PA 15728. This existing facility is located in Clymer Borough, **Indiana County**.

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

**WQM Permit No. 0494402-A1**, Sewerage, **Economy Borough Municipal Authority**, 2860 Conway-Wallrose Road, Baden, PA 15005. This existing facility is located in Economy Borough, **Beaver County**.

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

**WQM Permit No. 3210401**, Sewerage, **Indiana County Municipal Services Authority**, 602 Kolter Drive, Indiana, PA 15701. This proposed facility is located in Pine Township, **Indiana County**.

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

**WQM Permit No. 3280408-A1**, Sewerage, **Indiana County Municipal Services Authority**, 602 Kolter Drive, Indiana, PA 15701. This existing facility is located in East Wheatfield Township, **Indiana County**.

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

**WQM Permit No. 6310404**, Sewerage, **California Borough**, 225 Third Street, California, PA 15419. This proposed facility is located in California Borough, **Washington County**.

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

**WQM Permit No. 5610403**, Sewerage, **Lincoln Township Municipal Authority**, P. O. Box 162, Sipesville, PA 15561. This proposed facility is located in Lincoln Township, **Somerset County**.

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

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

**WQM Permit No. 4301202**, 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. 4208402**, Sewerage, **Amendment No. 2, Norwich Township**, 3853 West Valley Road, Smethport, PA 16749. This proposed facility is located in Norwich Township, **McKean County**.

Description of Proposed Action/Activity: This is an amendment of the previously issued permit to extend the collection piping on Christian Hollow Road by adding approximately 6,100 linear feet of low pressure sewer to convey sewage from the eastern reaches of Christian Hollow Road to the previously permitted wastewater collection and treatment system, which is currently under construction. This addition of pressure sewer will serve 13 additional customers.

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

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

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

*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>
PAI024810003	F & M Farms, LLC Attn: Daniel Markowitz 41 Crane Road Mountain Lakes, NJ 07046	Northampton	Bushkill Township	Tributary to Bushkill Creek HQ-CWF, MF

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

<i>NPDES Permit No.</i>	<i>Applicant Name &amp; Address</i>	<i>County</i>	<i>Municipality</i>	<i>Receiving Water/Use</i>
PAI023910006	Liberty Property, LP Attn: William Bumber 74 West Broad Street Suite 530 Bethlehem, PA 18018	Lehigh	Upper Macungie Township	Schaefer Run HQ-CWF, MF

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

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

<i>NPDES Permit No.</i>	<i>Applicant Name &amp; Address</i>	<i>County</i>	<i>Municipality</i>	<i>Receiving Water/Use</i>
PAI041406001(1)	William Stranahan Mount Nittany Medical Center 1800 East Park Avenue State College, PA 16803	Centre	College Township	Spring Creek HQ-CWF

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

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

**STATE CONSERVATION COMMISSION**

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

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

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

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

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

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

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

<i>Agricultural Operation Name and Address</i>	<i>County</i>	<i>Total Acres</i>	<i>Animal Equivalent Units</i>	<i>Animal Type</i>	<i>Special Protection Waters (HQ or EV or NA)</i>	<i>Renewal/New</i>
Jeff Rohrer (Penn Valley Pork) 1655 Phillips Lane Mohrsville, PA 19541	Berk	145.8	786.96	Swine	N/A	New

**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. 4610513, Public Water Supply.**

Applicant	<b>North Penn Water Authority</b>
Township	Franconia
County	<b>Montgomery</b>
Responsible Official	Mr. Daniel C. Preston, P. E. 300 Forty Foot Road Lansdale, PA 19446
Type of Facility	PWS
Consulting Engineer	Ebert Engineering, Inc. 4092 Skippack Pike P. O. Box 540 Skippack, PA 19474
Application Received Date	May 10, 2010
Description of Action	Construction of a Booster Pump Station to provide adequate pressure to transmit water from North Penn Water Authority distribution system to the proposed Country View Subdivision in the Tylersport area of Salford Township, Montgomery County.

**Application No. 1510510, Public Water Supply.**

Applicant	<b>Aqua Pennsylvania, Inc.</b>
Township	Tredyffrin
County	<b>Chester</b>



Responsible Official Marc Lucca  
762 West Lancaster Avenue  
Bryn Mawr, PA 19010

Type of Facility PWS

Consulting Engineer Hatch Mott MacDonald  
27 Bleeker Road  
Milburn, NJ 07041-1008

Application Received Date May 7, 2010

Description of Action Installation of cartridge filters at  
Tredyffrin Well No. 1.

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

**Application No. 4010502**, Public Water Supply.

Applicant **Aqua Pennsylvania, Inc.**

Township or Borough Exeter Township  
**Luzerne County**

Responsible Official Patrick R. Burke  
Ops. Reg. Mgr.  
Aqua Pennsylvania, Inc.  
1 Aqua Way  
White Haven, PA 18661

Type of Facility Community Water System

Consulting Engineer Chad M. Angle, P. E.  
CET Engineering Services  
1240 North Mountain Road  
Harrisburg, PA 17112  
717-541-0622

Application Received Date May 18, 2010

Description of Action Application for construction of  
three 3,400-gallon tanks,  
chlorine contact pipe and  
installation of a booster pump  
package at the existing Hex  
Acres well station and wellhead  
modifications at the Tambur  
well.

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

**Application No. 5610504**, Public Water Supply.

Applicant **Rest Assured Residential  
Living Center**  
1137 Shirley's Hollow Road  
Meyersdale, PA 15552

Township or Borough Southampton Township

Responsible Official Jodi McClintock  
Administrator  
Rest Assured Residential Living  
Center  
1137 Shirley's Hollow Road  
Meyersdale, PA 15552

Type of Facility Water system

Consulting Engineer James R. Holley & Associates,  
Inc.  
18 South George Street  
York, PA 17401

Application Received Date May 3, 2010

Description of Action Change UV disinfection system  
to a chlorination system and add  
contact tanks.

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

**Permit No. 9996579**, Public Water Supply.

Applicant **Ice River Springs Water  
Company, Inc.**

Township or Borough Morgantown, NC

Responsible Official John Fudge, Director Quality  
Assurance

Type of Facility Out-of-State Bottled Water  
System

Application Received Date May 14, 2010

Description of Action Applicant requesting  
Department of Environmental  
Protection approval to sell  
bottled water in Pennsylvania  
under the brand name: Member's  
Mark Purified Drinking Water.

**Permit No. 9996402**, Public Water Supply.

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

Township or Borough Framingham, MA

Responsible Official Isabella Favato  
Quality Assurance Manager

Type of Facility Out-of-State Bottled Water  
System

Application Received Date May 11, 2010

Description of Action Applicant requesting  
Department of Environmental  
Protection approval to sell a new  
bottled water product "Nestle  
Pure Life Purified Water" in  
Pennsylvania.

#### MINOR AMENDMENT

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

**Application No. 3510503MA.**

Applicant **Clarks Summit State Hospital**

Township or Borough Newton Township  
**Lackawanna County**

Responsible Official Thomas J. Carachio  
Facility Maintenance Manager 2  
1451 Hillside Drive  
Clarks Summit, PA 18411

Type of Facility Community Water System

Consulting Engineer Eugene J. Peters, P. E.  
Peters Design Group, Inc.  
1415 Price Street  
Scranton, PA 18504  
570-346-8446

Application Received Date May 5, 2010

Description of Action Application for maintenance/upgrade of the Clarks Summit State Hospital community water system to include replacement of distribution piping, restoration of existing reservoirs, replacement of disinfection facilities and deepwell pumps.

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

**Application No. 2610505MA, Minor Amendment.**

Applicant **Church Communities in PA**  
New Meadow Run  
101 New Meadow Run Drive  
Farmington, PA 15437

Township or Borough Wharton Township  
Responsible Official Malcolm King  
Secretary/Treasurer  
Church Communities in PA  
New Meadow Run  
101 New Meadow Run Drive  
Farmington, PA 15437

Type of Facility Water system  
Consulting Engineer McMillen Engineering  
115 Wayland Smith Drive  
Uniontown, PA 15401

Application Received Date May 25, 2010

Description of Action Repairing and repainting the interior of the reservoir and replacement of the reservoir roof.

**Application No. 3204504MA, Minor Amendment.**

Applicant **Indiana County Municipal Services Authority**  
602 Kolter Drive  
Indiana, PA 15701

Township or Borough White Township  
Responsible Official Michael Duffalo  
Executive Director  
Indiana County Municipal Services Authority  
602 Kolter Drive  
Indiana, PA 15701

Type of Facility Water system  
Consulting Engineer Gibson-Thomas Engineering Co.,  
Inc.  
1004 Ligonier Street  
P. O. Box 853  
Latrobe, PA 15650

Application Received Date May 27, 2010

Description of Action Modifications to the Crooked Creek water treatment plant.

**Application No. 1110503MA, Minor Amendment.**

Applicant **Cresson Township Municipal Authority**  
730 Portage Road  
Cresson, PA 16630

Township or Borough Cresson Township  
Responsible Official Michael Vargo, Treasurer  
Cresson Township Municipal Authority  
730 Portage Road  
Cresson, PA 16630

Type of Facility Water system  
Consulting Engineer US Engineering, LLC  
13742 Mary Lane  
Aviston, IL 62216

Application Received Date May 27, 2010

Description of Action Painting of the interior and exterior of the Hoguetown water storage tank.

**Application No. 0410505GWR, Minor Amendment.**

Applicant **Creswell Heights Joint Authority**  
101 South Jordan Street  
Box 301  
South Heights, PA 15081

Township or Borough Crescent and Hopewell Townships  
South Heights Borough

Responsible Official Daniel Losco  
General Manager  
Creswell Heights Joint Authority  
101 South Jordan Street  
Box 301  
South Heights, PA 15081

Type of Facility Water system  
Consulting Engineer Rabosky & Associates, Inc.  
104 Wynview Drive  
Moon Township, PA 15108

Application Received Date May 28, 2010

Description of Action Groundwater Rule Approval application.

**Application No. 0410505GWR, Minor Amendment.**

Applicant **Rest Assured Residential Living Center**  
1137 Shirley's Hollow Road  
Meyersdale, PA 15552

Township or Borough Southampton Township  
Responsible Official Thomas Heist, Operator  
Rest Assured Residential Living Center  
1137 Shirley's Hollow Road  
Meyersdale, PA 15552

Type of Facility Water system  
Consulting Engineer James R. Holley & Associates,  
Inc.  
18 South George Street  
York, PA 17401

Application Received Date May 3, 2010

Description of Action Groundwater Rule Approval application.

## OPERATE WASTE PROCESSING OR DISPOSAL AREA OR SITE

**Application 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 Regulations to Operate Solid Waste Processing or Disposal Area or Site.**

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

**Permit Application No. 101494. Waste Management of Pennsylvania, Inc.**, 1000 New Ford Mill Road, Morrisville, PA 19067. This permit renewal application is for extending the current operation at Tullytown Resource Recovery Facility (TRRF) Landfill for an additional 4 years, existing permit expires on May 23, 2011. The TRRF is a municipal waste landfill located in Falls Township and Tullytown Borough, **Bucks County**. The application was received by the Southeast Regional Office on May 24, 2010.

*Southwest Region: Regional Solid Waste Manager, 400 Waterfront Drive, Pittsburgh, PA 15222-4745. Telephone 412-442-4000.*

**Permit ID #101421. Shade Landfill, Inc.**, 1176 No. 1 Road, Cairnbrook, PA 15924-9726. Shade Landfill, 1176 No. 1 Road, Cairnbrook, PA 15924-9726. An application for the renewal of a municipal waste landfill in Shade Township, **Somerset County** was received in the Regional Office on May 28, 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.*

**23-0105: Hanson Aggregates PA, LLC-Glen Mills HMA Plant** (523 West Forge Road, Glen Mills, PA 19342) for replacement and upgrade of a control device (for example, baghouse) to control emissions at the hot mix asphalt plant in Middletown Township, **Delaware County**. This facility is a non-Title V facility. The proposed modification/reconfiguration will not result in a net increase of particulate matter emissions. 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.

*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.*

**21-05028B: Fry Communications, Inc.** (101 Fry Drive, Mechanicsburg, PA 17050) for modification to two (2) lithographic printers in Mechanicsburg Borough, **Cumberland County**. This plan approval will replace an existing control with RTO. This plan approval will be incorporated into the facility's existing synthetic minor operating permit No. 21-05028. The administrative amendment to the permit will include emission standards, testing, monitoring, recordkeeping and reporting requirements designed to keep the facility operating within all applicable air quality requirements.

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

**65-00630B: Mine Safety Appliances Co.—MSA** (P. O. Box 426, Pittsburgh, PA 15230-0426) to allow construction of additional air contamination sources associated with a proposed respirator mask manufacturing operation in Murrysville, **Westmoreland County**.

In accordance with 25 Pa. Code §§ 127.44(b) and 127.45, the Department of Environmental Protection (Department) intends to issue Plan Approval PA-65-00630B to allow construction of additional air contamination sources associated with a proposed respirator mask manufacturing operation which will consist of washing, cleaning, and bonding of lenses to rubber mask blanks at their MSA Murrysville facility, located at 3880 Meadowbrook Road, Murrysville, Westmoreland County.

The respirator mask manufacturing operation will be relocated from their Evans City facility in Evans City, Butler County. The Department's prior Best Available Technology (BAT) determination for this operation included the use of a catalytic thermal oxidation unit to control VOC and HAP emissions. The same BAT will also be required at MSA Murrysville, which will reduce the proposed annual VOC and combined HAP emissions increases from 5.5 tons to 0.3 ton and 0.9 ton to less than 0.1 ton, respectively, at an anticipated production rate of 75,000 masks per year. Other annual emission increases are 0.5 ton of CO, 0.6 ton of NO<sub>x</sub>, and no more than 0.1 ton each of total particulate, PM<sub>10</sub>, and SO<sub>x</sub>. The Plan Approval will incorporate particulate matter (PM) and opacity emission limits, source testing, monitoring, recordkeeping and reporting requirements, and work practice standards from the 25 Pa. Code.

The Murrysville facility is currently permitted under State-only Operating Permit OP-65-00630. Upon issuance of the Plan Approval, facility-wide annual emissions of VOC and combined HAPs are estimated at approximately 3.5 tons and 1.0 ton, respectively. Annual potential emissions of all NSR regulated pollutants for the existing facility and the proposed sources combined will remain below emissions thresholds for a major facility as defined in 25 Pa. Code § 121.1. The proposed facility is subject to the applicable requirements of 25 Pa. Code §§ 121–145. The Plan Approval will include conditions relating to applicable emission restrictions, testing, monitoring, recordkeeping, reporting and work practice standards requirements.

Those who wish to provide the Department with additional written information that they believe should be considered prior to the issuance of the Plan Approval may submit the information to (your name), Department of Environmental Protection, 400 Waterfront Drive, Pittsburgh, PA 15222. Written comments must contain the following:

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

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

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

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

For additional information, contact Devin P. Tomko at 412-442-5231.

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

**42-004F: American Refining Group** (77 North Kendall Avenue, Bradford, PA 16701) to replace the refinery flare tip system associated with the Refinery Flare, (FL No. 301) the Bradford facility in Bradford City, McKean County.

In accordance with 25 Pa. Code § 127.44(b), the Department of Environmental Protection (Department) intends to issue a plan approval to American Refining Group (77 North Kendall Avenue, Bradford, PA 16701). The facility currently has a Title V Operating Permit which was issued September 1, 2006. This plan approval will, in accordance with 25 Pa. Code § 127.450, be incorporated into the Title V operating permit through an administrative amendment at a later date.

This application is for a plan approval to replace the refinery flare tip system associated with the Refinery Flare, (FL No. 301) located the Bradford facility in Bradford City, McKean County.

The total future potential emissions from the flare:

1. Total Filterable Particulate Matter (PM) 0.01 ton per year.
2. Filterable Particulate Matter < 10 $\mu$  (PM<sub>10</sub>) 0.01 ton per year.
3. Sulfur Dioxide (SO<sub>2</sub>) 0.23 ton per year.
4. Nitrous Oxides (NO<sub>x</sub>) 0.70 ton per year.
5. Carbon Monoxide (CO) 0.18 ton per year.
6. Volatile Organic Compounds (VOC) 0.03 ton per year.

This plan approval is subject to the following Federal and State Regulations:

25 Pa. Code § 123.13—Particulate Matter Emissions—Processes

25 Pa. Code § 123.21—Sulfur Compound Emissions—General

25 Pa. Code § 129.55—Petroleum Refineries—Specific Sources

40 CFR Part 63 Subpart A—Control Device Requirements

The Plan Approval will include conditions that require performance testing, monitoring, recordkeeping, reporting, work practice standards and additional requirements for the flare designed to keep the facility operating within all applicable air quality requirements.

Copies of the application, the Department's analysis and other documents used in the evaluation of the application are available for public review during normal business hours at:

Department of Environmental Protection  
230 Chestnut Street  
Meadville, PA 16335

Any person(s) wishing to provide the Department with additional information, which they believe should be considered prior to the issuance of this permit, may submit the information to the address shown in the preceding paragraph. The Department will consider any written comments received within 30 days of the publication of this notice.

Each written comment must contain the following:

- (i) Name, address and telephone number of the person submitting the comments.
- (ii) Identification of the proposed permit No. 42-004F.
- (iii) A concise statement regarding the relevancy of the information or objections to the issuance of the permit.

A public hearing may be held, if the Department of Environmental Protection, in its discretion, decides that such a hearing is warranted based on the comments

received. All persons submitting comments or requesting a hearing will be notified of the decision to hold a hearing by publication in the newspaper or the *Pennsylvania Bulletin* or by telephone, where the Department determines such notification is sufficient. Written comments or requests for a public hearing should be directed to:

Carolyn Cooper, P. E.  
Air Quality Program  
Department of Environmental Protection  
230 Chestnut Street  
Meadville, PA 16335  
Phone: 814-332-6638

Persons with a disability who wish to comment and require an auxiliary aid, service or other accommodations to do so should by contacting Carolyn Cooper, P. E., or the Pennsylvania AT&T Relay Service at 1-800-654-5984 (TDD) to discuss how the Department may accommodate their needs.

### 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.

*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.*

**36-05026: R. R. Donnelley and Sons Co.** (1375 Harrisburg Pike, Lancaster, PA 17601-2699) for operation of a printing presses controlled by regenerative thermal oxidizers at their Lancaster West facility in Lancaster City, **Lancaster County**. This is a renewal of the Title V Operating Permit issued in 2005.

**36-05027: R. R. Donnelley and Sons Co.** (216 Greenfield Road, Lancaster, PA 17601-5885) for operation of printing presses controlled by regenerative thermal oxidizers at their Lancaster East facility in Lancaster City, **Lancaster County**. This is a renewal of the Title V Operating Permit issued in 2005.

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

**25-00541: Penn-Union Corp.** (229 Waterford Street, Edinboro, PA 16412-2381) for re-issuance of the Title V Operating Permit in Edinboro Borough, **Erie County**. The facility manufactures current-carrying wiring devices. The facility's major emission sources include Degreasing Boiler, A batch cold cleaning degreaser, Electric induction furnaces, Rotary casting unit, Manual casting line, Push out furnace, Sand return/mixing unit, Deslagging ladles, Shot blast (West Wheelabrators C & D) and Miscellaneous natural gas usage. The facility is a major facility due to its potential to emit of perchloroethylene and VOCs. This facility is not subject to compliance assurance monitoring because individual source's precontrolled emission does not exceed the Title V emission threshold.

#### 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.*

**46-00152: Upper Merion Area School District** (435 Crossfield Road, King of Prussia, PA 19406-2363) for the renewal of a non-Title V, State-only, Natural Minor Operating Permit in Upper Merion Township, **Montgomery County**. Upper Merion Area School District owns and operates a variety of boilers and emergency generators on the contiguous properties of the high school and middle school. The facility has a maximum potential to emit 17.5 tons of NOx per year. The permit will include monitoring, recordkeeping and reporting requirements to address 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.*

**40-00060: Hudson Anthracite Co.** (202 Main Street, Wilkes-Barre, PA 18702-2706) for renewal of the State-only Natural Minor operating permit to operate a coal preparation plant in Jenkins Township, **Luzerne County**. The State-only operating permit includes emissions, work practice standards and testing, monitoring, recordkeeping and reporting requirements designed to keep the facility operating within all applicable air quality requirements.

*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.*

**07-03045: Cargill, Inc.** (392 Frederick Road, Martinsburg, PA 16662) for renewal of the State-only operating permit issued in 2005 to operate a pelletized feed mill in Taylor Township, **Blair County**. The permit renewal will contain all of the emission limits and work practice standards along with all monitoring, recordkeeping and reporting requirements from the previous permit to ensure the facility complies with the applicable air quality regulations.

**01-05025: Valley Quarries, Inc.** (1575 Baltimore Pike, Gettysburg, PA 17325) for renewal of the State-only operating permit issued in 2005 to operate a quarry and blacktop plant in Cumberland Township, **Adams County**. The permit renewal will contain all of the emission limits and work practice standards along with all monitoring, recordkeeping and reporting requirements from the previous permit to ensure the facility complies with the applicable air quality regulations. The asphalt plant is subject to 40 CFR Part 60, Subpart I—Standards of Performance for Hot Mix Asphalt Facilities; the quarry includes units subject to 40 CFR Part 60, Subpart OOO—Standards of Performance for Nonmetallic Mineral Processing Plants.

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

**26-00436: Nu-Kote, Inc.** (116 ICMI Road, Connellsville, PA 15425) for a dry toner manufacturing operation at the Connellsville facility in Dunbar Township, **Fayette County**. This is an initial State-only Operating Permit Application.

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

**25-00974: Hi Tech Plating** (1015 West 18th Street, Erie, PA 16502) for renewal of State-only Operating

Permit for their plating operations facility in Erie City, **Erie County**. The sources at the facility include 8 chromium plating tanks (subject to 40 CFR Part 63, Subpart N), natural gas furnaces, electroless nickel plating tanks (subject to 40 CFR Part 63, Subpart WWW), an En Green masking paint process, a liquid hone wet blast for tools and dies, a solution tank for removal of masking paint and other trivial activities. The renewal permit also contains emission restrictions, recordkeeping, work practice, and additional requirements to ensure compliance with the Clean Air Act and the Air Pollution Control Act.

#### PLAN APPROVALS

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

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

**PA 52-303-002: Eureka Stone Quarry, Inc.—Milford Quarry** (P. O. Box 249, Chalfont, PA 18914) for the installation of a new air cleaning device (fabric collector) in Milford Borough, **Pike County**.

In accordance with 25 Pa. Code §§ 127.44(a) and 127.45(a), the Department of Environmental Protection (Department) has received and intends to issue a Plan Approval to Eureka Stone Quarry Inc.—Milford Quarry (P. O. Box 249, Chalfont, PA 18914) for their facility in Milford Borough, Pike County. This Plan Approval No. 52-303-002 will be incorporated into a Synthetic Minor Permit through an administrative amendment at a later date.

Plan Approval No. 52-303-002 is for the installation of a new air cleaning device (fabric collector). The particulate emissions from the fabric collector shall not exceed the Best Available Technology (BAT) standard of 0.02 gr/dscf. The company is subject to NSPS Subpart I requirements. The visible emission opacity shall not be equal to or greater than 20% at any time. The company shall be subject to and comply with 25 Pa. Code § 123.31 for malodorous emissions. These limits will meet BAT requirements for this source. The Plan Approval and Operating permit will contain additional recordkeeping and operating restrictions designed to keep the facility operating within all applicable air quality requirements.

Copies of the application, the Department's analysis and other documents used in the evaluation of the application are available for public review during normal business hours at Air Quality Program, 2 Public Square, Wilkes-Barre, PA 18701-1915.

Any person(s) wishing to provide the Department with additional information, which they believe should be considered prior to the issuance of this permit, may submit the information to the address shown in the preceding paragraph. Each written comment must contain the following:

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

Identification of the proposed permit No.: 52-303-002.

A concise statement regarding the relevancy of the information or objections to the issuance of the permit.

A public hearing may be held, if the Department, in its discretion, decides that such a hearing is warranted based on the comments received. All persons submitting comments or requesting a hearing will be notified of the decision to hold a hearing by publication in the newspaper or the *Pennsylvania Bulletin* or by telephone, where the Department determines such notification is sufficient. Written comments or requests for a public hearing should be directed to Ray Kempa, Chief, New Source Review Section, Air Quality Program, 2 Public Square, Wilkes-Barre, PA 18701-1915, Phone 570-826-2511 within 30 days after publication date.

#### COAL AND NONCOAL MINING ACTIVITY APPLICATIONS

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

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

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

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

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

When a National Pollutant Discharge Elimination System (NPDES) number is listed, the mining activity permit

application was accompanied by an application for an individual NPDES permit. The Department has made a tentative determination to issue the NPDES permit in conjunction with the mining activity permit, but the issuance of the NPDES permit is contingent upon the approval of the associated mining activity permit.

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

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

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

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

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

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

#### Coal Applications Received

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

Parameter	30-Day Average	Daily Maximum	Instantaneous Maximum
Iron (Total)	1.5 to 3.0 mg/l	3.0 to 6.0 mg/l	3.5 to 7.0 mg/l
Manganese (Total)	1.0 to 2.0 mg/l	2.0 to 4.0 mg/l	2.5 to 5.0 mg/l
Suspended solids	10 to 35 mg/l	20 to 70 mg/l	25 to 90 mg/l
Aluminum (Total)	0.75 to 2.0 mg/l	1.5 to 4.0 mg/l	2.0 to 5.0 mg/l
pH <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.

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

**65970105 and NPDES Permit No. PA0202053. Britt Energies, Inc.** (2450 Philadelphia Street, Indiana, PA 15701). Renewal application for reclamation only of a bituminous surface mine, located in Derry Township, **Westmoreland County**, affecting 146 acres. Receiving streams: unnamed tributaries to Union Run and Union Run, classified for the following use: WWF. There is no potable water supply intake within 10 miles downstream

from the point of discharge. Renewal application received: May 14, 2010.

**02050101 and NPDES Permit No. PA0250791. NBL Mining Co., LLC** (P. O. Box 369, Atlasburg, PA 15004). Renewal application for reclamation only of a bituminous surface mine, located in North Fayette Township, **Fayette County**, affecting 75.5 acres. Receiving streams: unnamed tributaries to North Branch Robinson Run, classified for the following use: WWF. There is no potable water supply intake within 10 miles downstream from the point of discharge. Renewal application received: May 25, 2010.

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

**33900105 and NPDES Permit No. PA0207837. Hepburnia Coal Company** (P. O. Box I, Grampian, PA 16838) Renewal of an existing bituminous, auger, and beneficial use of a co-product operation in Snyder Township, **Jefferson County** affecting 650.2 acres. Receiving streams: Unnamed tributaries to Little Toby Creek and

unnamed tributaries to Mill Creek, classified for the following: CWF. There are no potable surface water supply intakes within 10 miles downstream. Application received: May 24, 2010.

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

**49100102. Clinton M. Wynn Mining** (419 Shingara Lane, Sunbury, PA 17801), commencement, operation and restoration of an anthracite surface mine operation in Zerbe and West Cameron Townships, **Northumberland County** affecting 59.8 acres, receiving streams: Zerbe Run and Mahanoy Creek, classified for the following use: cold water fishery. Application received: May 19, 2010.

**54950202R3. Gilberton Coal Company** (10 Gilberton Road, Gilberton, PA 17934), renewal of an existing anthracite coal refuse reprocessing, surface mine and refuse disposal operation in Mahanoy Township, **Schuylkill County** affecting 148.0 acres, receiving stream: none. Application received: May 20, 2010.

**54763207R5. Gilberton Coal Company** (10 Gilberton Road, Gilberton, PA 17934), renewal of an existing anthracite coal refuse reprocessing, surface mine and refuse disposal operation in Mahanoy Township, **Schuylkill County** affecting 25.9 acres, receiving stream: none. Application received: May 20, 2010.

**54713002R5 and NPDES Permit No. PA0123293. Reading Anthracite Company** (P. O. Box 1200, Pottsville, PA 17901), renewal of an existing anthracite surface mine operation in New Castle Township, **Schuylkill County** affecting 218.0 acres, receiving stream: East Branch Norwegian Creek. Application received: May 20, 2010.

**54643034R5. Reading Anthracite Company** (P. O. Box 1200, Pottsville, PA 17901), renewal of an existing anthracite surface mine and refuse disposal operation in Cass Township, **Schuylkill County** affecting 42.0 acres, receiving stream: none. Application received: May 20, 2010.

**40763208R5. Popple Brothers Coal Company** (P. O. Box 126, Duryea, PA 18642), renewal of an existing anthracite coal refuse reprocessing, disposal and preparation operation in Duryea and Old Forge Boroughs and Ransom Township, **Luzerne and Lackawanna Counties** affecting 130.0 acres, receiving stream: none. Application received: May 26, 2010

*Noncoal Applications Received*

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

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

\* The parameter is applicable at all times.

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

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

**61100303 and NPDES Permit No. PA0258881. Bed-rock Mines, LP** (111 Freeport Road, Aspinwall, PA 15215) Commencement, operation and restoration of a limestone operation in Irwin Township, **Venango County** affecting 22.5 acres. The Department of Environmental Protection has made a tentative determination to impose effluent limitations within the range specified in Table 1 for Iron, Manganese and Aluminum, in addition to the limits identified in Table 2. Receiving streams: Two unnamed tributaries to Scrubgrass Creek, classified for the following uses: CWF. There are no potable surface water supply intakes within 10 miles downstream. Application received: May 19, 2010.

**37100301 and NPDES Permit No. PA0258890. Quality Aggregates, Inc.** (4955 Steubenville Pike, Suite 245, Pittsburgh, PA 15205) Commencement, operation and restoration of a limestone operation in Slippery Rock Township, **Lawrence County** affecting 47.0 acres. The Department of Environmental Protection has made a tentative determination to impose effluent limitations within the range specified in Table 1 for Iron, Manganese

and Aluminum, in addition to the limits identified in Table 2. Receiving streams: Slippery Rock Creek, classified for the following uses: CWF. The first downstream potable water supply intake from the point of discharge is Camp Allegheny. Application received: May 24, 2010.

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

**1475302 and NPDES No. PA0112275. Con-Lime, Inc.** (965 East College Avenue, Pleasant Gap, PA 16823). Renewal of the NPDES Permit for discharges of treated mine drainage from a quarry operation in Benner Township, **Centre County**. Receiving streams: Buffalo Run classified for High Quality Cold Water Fishery. Application received: April 30, 2010.

**4977SM4 and NPDES No. PA0220604. Daggett Sand & Gravel, Inc.** (8056 Route 549, Millerton, PA 16936). Renewal of the NPDES Permit for discharges of treated mine drainage from a quarry operation in Jackson Township, **Tioga County**. Receiving streams: Seeley Creek classified for Cold Water Fishery and an unnamed tributary to the Chemung River classified for Warm Water Fishery. Application received: May 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**

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

**E54-344. Schuylkill Haven Borough**, 12 West Main Street, Schuylkill Haven, PA 17972, in Schuylkill Haven Borough, **Schuylkill County**, U.S. Army Corps of Engineers, Philadelphia District.

To abandon the existing outfall and to construct and maintain a 36-inch diameter outfall from the Schuylkill Haven Wastewater Treatment Facility consisting of smooth-lined corrugated polyethylene pipe, concrete endwall and rock apron. The project is located approximately 0.3 mile southeast of the intersection of SR 0443 and Main Street (Friedensburg, PA Quadrangle Latitude: 40° 37' 12.67"; Longitude: -76° 10' 21.53").

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

**E17-462. Service Access & Management, Inc., Berks County Corporate Office**, 19 North 6th Street, Suite 300, Reading, PA 19601. Clearfield/Jefferson County mental health services office building, City of DuBois,

**Clearfield County**, ACOE Pittsburgh District (DuBois, PA Quadrangle Latitude: N 41° 7' 22.22"; Longitude: W 78° 44' 36.58).

The applicant is requesting authorization to construct a 12,375ft<sup>2</sup> office building and appurtenant structures on a 6.7 acre parcel adjacent to Beaver Drive within the City of DuBois. The project will result in 2.5 acres disturbed and 0.95 acre of permanent PEM wetland impact. The project is within the Beaver Run Watershed, which has a designated use of Cold Water Fishery. Compensatory wetland mitigation credits (3.86 acres) are available within the existing City of DuBois Wetland Mitigation Area, which is located immediately south of the project area.

**E59-496. Ultra Resources, Inc.**, 304 Inverness Way South, Englewood, CO 80112-5828. Water Obstruction and Encroachment Joint Application, Marshlands Play Pipelines, in Gaines Township, **Tioga County**, ACOE Baltimore District (Marshlands, PA Quadrangle N: 41° 41' 46"; W: 77° 35' 59").

To construct, operate and maintain 213 linear feet of 8" natural gas pipeline under Big Hollow (tributary to Gorman Branch) (High Quality-Cold Water Fishery, MF-Wild Trout). Construction of the pipeline will require one (1) stream and two (2) wetland crossings. The pipeline crossing is to be bored under both stream and wetlands. The project is located west of Pigeon Hill Road off SR 3001 approximately 1.6 miles south of the intersection with SR 3001 outside the Village of Marshlands, Tioga County.

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

**E25-735, Albion Borough**, 26 Smock Avenue, Albion, PA 16401. Albion WWTP Earthen Berm, in Conneaut Township and Albion Borough, **Erie County**, ACOE Pittsburgh District (East Springfield, PA Quadrangle N: 41° 53' 34"; W: 80° 22' 33.8").

The applicant proposes to construct an earthen flood protection berm around the Albion Borough WWTP involving to: 1) construct and maintain a U-shaped earthen berm having a length of 1,125 feet, a approximate height of 8 feet and a top width and base width of approximately 10 feet and 60 feet respectively within the floodway and floodplain of the East Branch of Conneaut Creek and the floodplain of Conneaut Creek; 2) to fill 0.54 acre of PEM wetland and 0.06 acre of PFO wetland; 3) to temporarily impact 0.10 acre of PEM wetland and 0.07 acre of forested wetland; 4) to construct and maintain wetland mitigation sites within the floodway and floodplain of the East Branch of Conneaut Creek and the floodplain of Conneaut Creek; and 5) to construct and maintain utility crossings and stormwater outfalls associated with the project. East Branch of Conneaut and Conneaut Creeks are perennial streams classified as CWF/MF and WWF/MF respectively.

**DAM SAFETY**

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

**D25-058A. Erie Regional Airport Authority**, 4411 West 12th Street, Erie, PA 16505-0393. To operate and maintain West 17th Street Detention Dam across a tributary to Marshall Run (CWF) impacting 350 feet of stream in Swanville, PA Quadrangle N: 16.2 inches; E: 12.2 inches in Erie City, **Erie County**.

## ACTIONS

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

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

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

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

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

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

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

### **I. NPDES Renewal Permit Actions**

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

<i>NPDES No. (Type)</i>	<i>Facility Name &amp; Address</i>	<i>County &amp; Municipality</i>	<i>Stream Name (Watershed #)</i>	<i>EPA Waived Y/N?</i>
PA0032590 (Sewage)	Frieden Manor MHC 102 Frieden Manor Schuylkill Haven, PA 17972	Schuylkill County Wayne Township	Long Run 3-A	Y

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

<i>NPDES No. (Type)</i>	<i>Facility Name &amp; Address</i>	<i>County &amp; Municipality</i>	<i>Stream Name (Watershed #)</i>	<i>EPA Waived Y/N?</i>
PA0024074 (Sew)	Shoemakersville Municipal Authority 115 East 9th Street Shoemakersville, PA 19555-1608	Berks County Shoemakersville Borough	Schuylkill River 3-B	Y

<i>NPDES No. (Type)</i>	<i>Facility Name &amp; Address</i>	<i>County &amp; Municipality</i>	<i>Stream Name (Watershed #)</i>	<i>EPA Waived Y/N ?</i>
PA00381380 (Sew)	Mont Alto Borough P. O. Box 427 Mont Alto, PA 17237-0430	Franklin County Quincy Township	West Branch Antietam Creek 13-C	Y
PA0081647 (Sew)	White Run Regional Municipal Authority 2001 Baltimore Pike Gettysburg, PA 17325-7015	Adams County Mount Joy Borough	White Run 13-D	Y
PA0083585 (Sew)	Todd Township Supervisors 2998 East Dutch Corner Road McConnellsburg, PA 17233	Fulton County Todd Township	Licking Creek 13-B	Y
PA0082881 (IW)	Alcoa, Inc. Alcoa Corporate Center 201 Isabella Street Pittsburgh, PA 15212-5858	Lancaster County Lancaster City	UNT to Little Conestoga Creek 7-J	Y
PA0088510 (Sew)	Tulpehocken Township P. O. Box 272 Rehrersburg, PA 19550-0272	Berks County Tulpehocken Township	UNT to Little Swatara Creek 7-D	Y

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

<i>NPDES No. (Type)</i>	<i>Facility Name &amp; Address</i>	<i>County &amp; Municipality</i>	<i>Stream Name (Watershed #)</i>	<i>EPA Waived Y/N</i>
PA0092886 Sewage	Southeastern Greene School District 1000 Mapletown Road Greensboro, PA 15338	Greene County Monongahela Township	UNT of Whiteley Creek	Y
PA0038806 Sewage	Forest Hills Municipal Authority 900 Locust Street P. O. Box 337 St. Michael, PA 15951-0337	Cambria County Adams Township	Otto Run	Y
PA0216445 Sewage	Paradigm Aerospace Corporation 226 Airport Road Mount Pleasant, PA 15666	Fayette County Bullskin Township	UNT of Jacobs Creek	Y
PA0205931 Sewage	Menallen Township Sewer Authority 427 Searights Hebert Road Uniontown, PA 15401-5137	Fayette County Menallen Township	Redstone Creek	Y

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

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

**NPDES Permit No. PA0024384, Amendment No. 1, Sewerage, North Middleton Authority, 240 Clearwater Drive, Carlisle, PA 17013-1184.** This proposed facility is located in North Middleton Township, **Cumberland County**.

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

**NPDES Permit No. PA0024431, Amendment No. 2, Sewerage, Dillsburg Area Authority, 98 West Church Street, Dillsburg, PA 17019.** This proposed facility is located in Carroll Township, **York County**.

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

**NPDES Permit No. PA008777, Industrial Waste, Wernersville State Hospital, P. O. Box 300, Wernersville, PA 19565-0300.** This proposed facility is located in South Heidelberg Township, **Berks County**.

Description of Proposed Action/Activity: Cancellation of Permit.

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

**NPDES Permit No. PA0254193, Industrial Waste, Recycling Products & Services, Inc., 23C Dewey Lane, Gibsonia, PA 15044.** This proposed facility is located in West Deer Township, **Allegheny County**.

Description of Proposed Action/Activity: Permit issuance for the discharge of storm water runoff from a mulch processing facility.

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

**NPDES Permit No. PA0038156, Sewage, Rimersburg Borough Municipal Authority, 104 Acme Street, P. O. Box 413, Rimersburg, PA 16248-0413.** This existing facility is located in Rimersburg Borough, **Clarion County**.

Description of Proposed Action/Activity: This application is for a new NPDES permit, for an existing discharge of treated sewage from a POTW. This is a minor discharge.

**NPDES Permit No. PA0021598**, Sewerage, **Conneaut Lake Joint Municipal Authority**, 9888 Highway 285, P. O. Box 277, Conneaut Lake, PA 16316-0277. This existing facility is located in Sadsbury Township, **Crawford County**.

Description of Proposed Action/Activity: Issuance of a renewal NPDES major permit to discharge treated sewage. In addition, the Department of Environmental Protection is reinstating the previous permit's effluent limits for Total Residual Chlorine and Dissolved Oxygen. These limits are more stringent than those in the draft renewal NPDES permit. They are achievable by current technology.

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

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

**WQM Permit No. 4509401**, **Kinsley's Group Family Limited Partnership**, P. O. Box 760, Brodheads ville, PA 18322. This proposed facility is located in Chestnuthill Township, **Monroe County**.

Description of Proposed Action/Activity: Issuance of Water Quality Management Permit for construction and operation of sewage treatment facilities and at-grade-beds for final disposal.

**WQM Permit No. 4009410**, Sewerage, **Historical and Museum Commission**, 400 North Street, Harrisburg, PA 17120. This proposed facility is located in Foster Township, **Luzerne County**.

Description of Proposed Action/Activity: Issuance of Water Quality Management Permit for the Eckley Miners' Village waste water treatment plant and sewer collection system replacement project.

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

**WQM Permit No. 2110402**, Sewerage, **Joseph and Nancy Horn**, 345 Old Mill Road, Carlisle, PA 17015. This proposed facility is located in Lower Frankford Township, **Cumberland County**.

Description of Proposed Action/Activity: Approval construction/operation of a small flow sewage treatment system to serve their existing single family residence.

**WQM Permit No. 3896403, Amendment 09-1**, Sewerage, **City of Lebanon Authority**, 2311 Ridgeview Road, Lebanon, PA 17042. This proposed facility is located in North Cornwall Township, **Lebanon County**.

Description of Proposed Action/Activity: Approval for upgrades at the existing wastewater treatment plant.

**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: Approval for the upgrades to the existing wastewater treatment plant.

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

**WQM Permit No. 5609201**, Industrial Waste, **Somerset Regional Water Resources, LLC**, 888 Stoystown Road, Somerset, PA 15501. This proposed facility is located in Somerset Township, **Somerset County**.

Description of Proposed Action/Activity: Permit issuance of a treatment facility for frac and brine wastewaters from oil and gas well drilling and production activities.

**WQM Permit No. 0275217-A3**, Industrial Waste, **Shenango, Inc.**, 200 Neville Road, Pittsburgh, PA 15225. This existing facility is located in Neville Township, **Allegheny County**.

Description of Proposed Action/Activity: Permit amendment issuance to replace one of two existing ammonia stills and the associated condenser.

**WQM Permit No. 6510401**, Sewerage, **City of Monessen**, 100 Third Street, Monessen, PA 15062. This proposed facility is located in the City of Monessen, **Westmoreland County**.

Description of Proposed Action/Activity: Permit issuance for the construction and operation of sanitary sewers to replace existing defective sewers.

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

**WQM Permit No. WQG016179**, Sewerage, **Brian M. Lane**, 2925 Bedillion Road, Washington, PA 15301. This proposed facility is located in South Franklin Township, **Washington County**.

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

**WQM Permit No. WQG026128**, Sewerage, **Jenner Township**, 2058 Lincoln Highway, Boswell, PA 15531. This proposed facility is located in Jenner Township, **Somerset County**.

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

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

**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**, Sewerage, **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.

**WQM Permit No. WQG018748**, Sewerage, **Anna M. and James H. Schmidt**, 3440 U.S. Route 6N, Edinboro, PA 16412. This proposed facility is located in Washington Township, **Erie County**.

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

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

**WQM Permit No. 0907401**, Sewerage, **Transfer, Chad A. Fultz**, 190 Lonely Road, Sellersville, PA 18960-1322. This proposed facility is located in West Rockhill Township, **Bucks County**.

Description of Action/Activity: Permit transferred from Villa Building Company, Inc., to Mr. Chad A. Fultz.

**WQM Permit No. WQG02511007**, Sewerage, **Philadelphia Water Department, The Aramark Tower**, 1101 Market Street, Philadelphia, PA 19107. This proposed facility is located in the City of Philadelphia, **Philadelphia County**.

Description of Action/Activity: Five residential towers with 951 units, building service facility, recreation center, three retail facilities and a parking structure to service the units.

**WQM Permit No. 1597405**, Sewerage, **Renewal, Landis and Graham Partnership**, 310 North High Street, West Chester, PA 19480. This proposed facility is located in West Vincent Township, **Chester County**.

Description of Action/Activity: Renewal of authorization to operate the Ludwig's Village Shoppes STP.

**WQM Permit No. 1509411**, Sewerage, **West Vincent Township**, 729 St. Matthews Road, Chester Springs, PA 19425-3301. This proposed facility is located in West Vincent Township, **Chester County**.

Description of Action/Activity: Construction and operation of the Hankin Wastewater Treatment Plant design to treat 50,000 gallons of sewerage per day.

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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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*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>
PAI024509010	Stroudsburg Area School District 123 Linden Street Stroudsburg, PA 18360	Monroe	Borough of Stroudsburg	Pocono Creek HQ-CWF, MF
PAI026410001	Hawley Silk Mill, LLC P. O. Box 459 Hawley, PA 18428	Wayne	Hawley Borough	Wallenpaupack Creek HQ-WWF, MF
PAI026409005	Robert Wiegiers 486 Crawford Road Narrowsburg, NY 12764	Wayne	Damascus Township	Tributary to Delaware River HQ-CWF, MF
PAI025409003	Greater Tamaqua Industrial Development Enterprises 114 West Broad Street Tamaqua, PA 18252	Schuylkill	Rush Township	Nesquehoning Creek CWF, MF
PAI024505025(2)	Mount Airy #1, LLC 44 Woodland Road Mount Pocono, PA 18344	Monroe	Paradise Township	Forest Hill Run HQ-CWF, MF
PAI023906026	HomePro Enterprises, Inc. 112 Elm Road Allentown, PA 18104	Lehigh	Upper Macungie Township	Little Cedar Creek HQ-CWF, MF

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


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

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


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PAG-1	General Permit for Discharges From Stripper Oil Well Facilities
PAG-2	General Permit for Discharges of Stormwater Associated With Construction Activities (PAR)
PAG-3	General Permit for Discharges of Stormwater From Industrial Activities
PAG-4	General Permit for Discharges From Small Flow Treatment Facilities
PAG-5	General Permit for Discharges From Gasoline Contaminated Ground Water Remediation Systems
PAG-6	General Permit for Wet Weather Overflow Discharges From Combined Sewer Systems (CSO)
PAG-7	General Permit for Beneficial Use of Exceptional Quality Sewage Sludge by Land Application
PAG-8	General Permit for Beneficial Use of Nonexceptional Quality Sewage Sludge by Land Application to Agricultural Land, Forest, a Public Contact Site or a Land Reclamation Site
PAG-8 (SSN)	Site Suitability Notice for Land Application Under Approved PAG-8 General Permit Coverage
PAG-9	General Permit for Beneficial Use of Residential Septage by Land Application to Agricultural Land, Forest, or a Land Reclamation Site
PAG-9 (SSN)	Site Suitability Notice for Land Application Under Approved PAG-9 General Permit Coverage
PAG-10	General Permit for Discharge Resulting from Hydrostatic Testing of Tanks and Pipelines
PAG-11	(To Be Announced)
PAG-12	Concentrated Animal Feeding Operations (CAFOs)
PAG-13	Stormwater Discharges from Municipal Separate Storm Sewer Systems (MS4)

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

<i>Municipality &amp; County</i>	<i>Permit No.</i>	<i>Applicant Name &amp; Address</i>	<i>Receiving Water / Use</i>	<i>Contact Office &amp; Phone No.</i>
City of Scranton Lackawanna County	PAG2003506016(2)	Marywood University Attn: Wendy Yankelitis 2300 Adams Avenue Scranton, PA 18509	Tributary to Lackawanna River CWF, MF	Lackawanna County Conservation District 570-281-9495
College Township Centre County	PAG2001410010	Christine Weikert Dreibelbis St. Medical Office 2505 Green Tech Drive State College, PA 16803	UNT Spring Creek CWF	Centre County Conservation District 414 Holmes Avenue Suite 4 Bellefonte, PA 16823 (814) 355-6817
Boggs Township Clearfield County	PAG2001710002	Dixon Contracting & Supply 740 Laurel Run Road West Decatur, PA 16878	Laurel Run CEF	Clearfield County Conservation District 650 Leonard Street Clearfield, PA 16830 (814) 765-2629
Scott Township Columbia County	PAG2001905008R	Delmar Zeisloft P. O. Box 338 Bloomsburg, PA 17815	Tributary No. 2 to Kinney Run CWF	Columbia County Conservation District 702 Sawmill Road Suite 204 Bloomsburg, PA 17815 (570) 784-1310 Ext. 102
Beaver County Big Beaver and West Mayfield Boroughs Chippewa Township	PAG2000410002	Doug Vogel Valley Waste Service, Inc. 121 Brickyard Road Mars, PA 16046	Wallace Run WWF	Beaver County Conservation District 156 Cowpath Road Aliquippa, PA 15001 724-378-1701

<i>Facility Location: Municipality &amp; County</i>	<i>Permit No.</i>	<i>Applicant Name &amp; Address</i>	<i>Receiving Water / Use</i>	<i>Contact Office &amp; Phone No.</i>
Fayette County Luzerne Township Centerville Borough	PAG2002605018-R	Frank Kempf Turnpike Commission P. O. Box 67676 Harrisburg, PA 17106	Monongahela River WWF	Fayette County Conservation District 10 Nickman Plaza Lemont Furnace, PA 15456 724-438-4497
Fayette County City of Connellsville	PAG2002609005	Vicki McWilliams Connellsville Area School District 732 Rock Ridge Road P. O. Box 861 Connellsville, PA 15425	UNT to Whites Run and UNT to Connell Run WWF	Fayette County Conservation District 10 Nickman Plaza Lemont Furnace, PA 15456 724-438-4497
Westmoreland County Youngwood Borough	PAG2006509010 (1)	Millstein Industries, LLC 322 Ambrust Road 2nd Floor Pleasant Unity, PA 15676 and Cole Contracting 1620 Turkey Hollow Road Belle Vernon, PA 15012	Jacks Run WWF	Westmoreland County Conservation District 218 Donohoe Road Greensburg, PA 15601 724-837-5271
Westmoreland County Hempfield Township	PAG2006509032	Ron Leibow University of Pittsburgh 3400 Forbes Avenue Pittsburgh, PA 15260	UNT to Slate Creek WWF	Westmoreland County Conservation District 218 Donohoe Road Greensburg, PA 15601 724-837-5271
Westmoreland County City of Monessen Donora Borough	PAG2006510001	Mon Valley Sewage Authority P. O. Box 792 Donora, PA 15033	Monongahela River WWF	Westmoreland County Conservation District 218 Donohoe Road Greensburg, PA 15601 724-837-5271
Westmoreland County St. Clair Township	PAG2006510008	John H. Goodish 152 Florida Lane New Florence, PA 15944	Tub Mill Creek TSF	Westmoreland County Conservation District 218 Donohoe Road Greensburg, PA 15601 724-837-5271
Westmoreland County Rostraver Township	PAG2006510009	Department of Transportation, District 12-0 Mike Barrick P. O. Box 459 Uniontown, PA 15401	Tributary to Monongahela River WWF	Westmoreland County Conservation District 218 Donohoe Road Greensburg, PA 15601 724-837-5271
Westmoreland County Hempfield Township	PAG2006510010	The Hempfield Township Municipal Authority 1146 Woodward Drive Greensburg, PA 15601	UNT to Little Sewickley Creek TSF	Westmoreland County Conservation District 218 Donohoe Road Greensburg, PA 15601 724-837-5271
Millcreek Township Erie County	PAG02 0025 10 002	Fedorko Family LP 2500 South Shore Drive Erie, PA 16505 ADC Atlantic Prop, LLC 1445 North Rock Road Suite 200 Wichita, KS 67206	UNT Lake Erie (locally known as Scott Run) CWF; MF	Erie County Conservation District 814-825-6403
City of Hermitage Mercer County	PAG02 0043 10 001	Buxton Development, LLC P. O. Box 583 West Middlesex, PA 16159	Hogback Run WWF	Mercer County Conservation District 724-662-2242

*General Permit Type—PAG-3*

<i>Facility Location: Municipality &amp; County</i>	<i>Permit No.</i>	<i>Applicant Name &amp; Address</i>	<i>Receiving Water/Use</i>	<i>Contact Office &amp; Phone No.</i>
Hanover Township Luzerne County	PAR232232	American Rock Salt Company, LLC P. O. Box 190 Mt. Morris, NY 14510	Solomon Creek CWF, MF	DEP—NERO 2 Public Square Wilkes-Barre, PA 18701-1915 570-826-2511
Tunkhannock Township Wyoming County	PAR222205	Deer Park Lumber, Inc. 1301 SR 6E Tunkhannock, PA 18657	Tunkhannock Creek TSF	DEP—NERO 2 Public Square Wilkes-Barre, PA 18701-1915 570-826-2511
Cumberland County Hampden Township	PAR803683	Sunoco Partners Marketing & Terminals, LP	UNT Cedar Run CWF 7E	DEP—SCRO—WQ 909 Elmerton Avenue Harrisburg, PA 17110 717-705-4707
Berks County Sinking Spring Borough	PAR803685	Reading Terminals Corporation P. O. Box 2621 Harrisburg, PA 17105	Cacoosing Creek CWF	DEP—SCRO—WQ 909 Elmerton Avenue Harrisburg, PA 17110 717-705-4707
Redstone Township Fayette County	PAR116136	Sandvik Mining & Construction USA, LLC 6701 National Pike P. O. Box 282 Brier Hill, PA 15415	Dunlap Creek	Southwest Regional Office Water Management Program Manager 400 Waterfront Drive Pittsburgh, PA 15222-4745 412-442-4000
Worth Township Butler County	PAR218307	Glacial Sand & Gravel Co. P. O. Box 1022 Kittanning, PA 16201	Unnamed tributary to Black Run	DEP—NWRO Water Management 230 Chestnut Street Meadville, PA 16335-3481 814/332-6942

*General Permit Type—PAG-4*

<i>Facility Location: Municipality &amp; County</i>	<i>Permit No.</i>	<i>Applicant Name &amp; Address</i>	<i>Receiving Water/Use</i>	<i>Contact Office &amp; Phone No.</i>
Bedford County Monroe Township	PAG043561	Vincent Capricci 5202 Elk Lick Road Everett, PA 15537	Clear Creek 11-C TSF	DEP—SCRO 909 Elmerton Avenue Harrisburg, PA 17110 717-705-4707
South Franklin Township Washington County	PAG046413	Brian M. Lane 2925 Bedillion Road Washington, PA 15301	Tributary to Fork Bane Creek	Southwest Regional Office Water Management Program Manager 400 Waterfront Drive Pittsburgh, PA 15222-4745 (412) 442-4000
Washington Township Erie County	PAG049579	Anna M. and James H. Schmidt 3440 U.S. Route 6N Edinboro, PA 16412	Unnamed tributary to Little Conneauttee Creek 16A	DEP—NWRO Water Management 230 Chestnut Street Meadville, PA 16335-3481 814/332-6942

*General Permit Type—PAG-7*

<i>Facility Location: Municipality &amp; County</i>	<i>Permit No.</i>	<i>Applicant Name &amp; Address</i>	<i>Site Name &amp; Location</i>	<i>Contact Office &amp; Phone No.</i>
Frailey Township Schuylkill County	PAG07-2202	Natural Soil Products P. O. Box 283 Tremont, PA 17981	Natural Soil Products 200 East Main Street Good Spring, PA 17981	DEP—NERO 2 Public Square Wilkes-Barre, PA 18701-1915 570-826-2511



*Facility Location:  
Municipality &  
County*

Peach Bottom  
Township  
York County

*Permit No.*  
PAG070003  
PAG070005  
PAG073508

*Applicant Name &  
Address*  
Synagro  
1605 Dooley Road  
P. O. Box B  
Whiteford, MD 21160

*Site Name &  
Location*  
Ed Grimmel Farm #3

*Contact Office &  
Phone No.*  
DEP—SCRO  
909 Elmerton Avenue  
Harrisburg, PA  
17110-8200  
717-705-4707

*General Permit Type—PAG-8*

*Facility Location:  
Municipality &  
County*

Frailey Township  
Schuylkill County

*Permit No.*  
PAG08-2210

*Applicant Name &  
Address*  
Natural Soil Products  
P. O. Box 283  
Tremont, PA 17981

*Site Name &  
Location*  
Natural Soil Products  
200 East Main Street  
Good Spring, PA 17981

*Contact Office &  
Phone No.*  
DEP—NERO  
2 Public Square  
Wilkes-Barre, PA  
18701-1915  
570-826-2511

*General Permit Type—PAG-8 (SSN)*

*Facility Location:  
Municipality &  
County*

Peach Bottom  
Township  
York County

*Permit No.*  
PAG080002  
PAG080003  
PAG080004  
PAG080005  
PAG080006  
PAG080008  
PAG080018  
PAG082203  
PAG082211  
PAG083501  
PAG083502  
PAG083506  
PAG083510  
PAG083515  
PAG083517  
PAG083518  
PAG083522  
PAG083535  
PAG083540  
PAG083542  
PAG083547  
PAG083551  
PAG083556  
PAG083565  
PAG083567  
PAG083573  
PAG083596  
PAG083597  
PAG083600  
PAG083825  
PAG089903  
PAG089904  
PAG089905  
PABIG9903  
WMGR-099

*Applicant Name &  
Address*  
Synagro  
1605 Dooley Road  
P. O. Box B  
Whiteford, MD 21160

*Site Name &  
Location*  
Ed Grimmel Farm #3

*Contact Office &  
Phone No.*  
DEP—SCRO  
909 Elmerton Avenue  
Harrisburg, PA  
17110-8200  
717-705-4707

*General Permit Type—PAG-8 (SSN)**Facility Location:*

<i>Municipality &amp; County</i>	<i>Applicant Name &amp; Address</i>	<i>Site Name</i>	<i>Contact Office &amp; Phone No.</i>
Young Township Indiana County	Synagro 264 Prisani Street P. O. Box 35 Bovard, PA 15619	Stewart Farm	Southwest Regional Office Water Management Program Manager 400 Waterfront Drive Pittsburgh, PA 15222-4745 (412) 442-4000
Conemaugh Township Indiana County	Synagro 264 Prisani Street P. O. Box 35 Bovard, PA 15619	Petro Farm	Southwest Regional Office Water Management Program Manager 400 Waterfront Drive Pittsburgh, PA 15222-4745 (412) 442-4000
Derry Township Westmoreland County	Synagro 264 Prisani Street P. O. Box 35 Bovard, PA 15619	Long Farm	Southwest Regional Office Water Management Program Manager 400 Waterfront Drive Pittsburgh, PA 15222-4745 (412) 442-4000
Derry Township Westmoreland County	Synagro 264 Prisani Street P. O. Box 35 Bovard, PA 15619	Orgovan Farm	Southwest Regional Office Water Management Program Manager 400 Waterfront Drive Pittsburgh, PA 15222-4745 (412) 442-4000

*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>
Cumberland County Hampden Township	PAG103527	Sunoco Partners Marketing & Terminals, LP—Mechanicsburg Terminal 5145 Simpson Ferry Road Mechanicsburg, PA 17050	UNT Cedar Run CWF	DEP—SCRO 909 Elmerton Avenue Harrisburg, PA 17110 717-705-4707

**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>
Dr. Joe Jurgielewicz 886 East Mountain Road Hegins, PA 17938	Schuylkill	38.2	42.5	Ducks	N/A	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. 4609527**, Public Water Supply.

Applicant	<b>Aqua Pennsylvania, Inc.</b> 762 West Lancaster Avenue Bryn Mawr, PA 19010
Township	Whitemarsh
County	<b>Montgomery</b>
Type of Facility	PWS

Consulting Engineer	C.E.T. Engineering, Inc. 1240 North Mountain Road Harrisburg, PA 17112
Permit to Construct Issued	November 30, 2010

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

**Operations Permit** issued to **United Water Pennsylvania**, 7670061, Newberry Township, **York County** on 5/24/2010 for the operation of facilities approved under Construction Permit No. 6707512 MA.

**Operations Permit** issued to **Borough of Bonneauville**, 7010012, Bonneauville Borough, **Adams County** on 5/24/2010 for the operation of facilities approved under Construction Permit No. 0108505 MA.

**Operations Permit** issued to **H2O Depot**, 7366573, West Hempfield Township, **Lancaster County** on 5/19/2010 for the operation of facilities approved under Construction Permit No. 3610506.

**Source Water Protection Program Approval** issued to **Shippensburg Borough Authority**, 111 North Fayette Street, Shippensburg, PA 17257, PWSID 7210043, Shippensburg Borough, **Cumberland County** on May 18, 2010.

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

**Permit No. 5610502**, Public Water Supply.

Applicant	<b>Somerset Township Municipal Authority</b> 2209 North Center Avenue Somerset, PA 15501
Borough or Township County	Quemahoning Township <b>Somerset</b>
Type of Facility	Reading Mines Well system
Consulting Engineer	Somerset Planning & Engineering Services, LLC 222 West Main Street Suite 100 Somerset, PA 15501
Permit to Construct Issued	May 28, 2010

<b>Permit No. 5610505</b> , Public Water Supply.	
Applicant	<b>Somerset Township Municipal Authority</b> 2209 North Center Avenue Somerset, PA 15501
Borough or Township	Quemahoning Township
County	<b>Somerset</b>
Type of Facility	STMA-Reading Mines system Stoystown booster pump station and water storage tank site
Consulting Engineer	Somerset Planning & Engineering Services, LLC 222 West Main Street Suite 100 Somerset, PA 15501
Permit to Construct Issued	May 28, 2010

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

**Operations Permit** issued to **Lovett's Mobile Home Park** (6250017) Washington Township, **Erie County** on May 26, 2010, for the operation of facilities approved under construction permit 2589507-MA1.

## 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.*

**Donnelly Residence**, City of Philadelphia, **Philadelphia County**. Charles A. Burger, B.S., Mountain Research, LLC, 825 25th Street, Altoona, PA 16601, Clare Erskine, Allstate Insurance Company, 1200 Atwater Drive, Suite 110, Malvern, PA 19355 on behalf of Joseph Donnelly, 8610 Wissahickon Avenue, Philadelphia, PA 19128 has submitted a Final Report concerning remediation of site soil contaminated with heating oil. The Report is intended to document remediation of the site to meet the Statewide Health Standard.

**Colonnade at Schwenksville**, Borough of Schwenksville, **Montgomery County**. Kelly Lee Kinkaid, P. G., Liberty Environmental, Inc., 50 North 5th Street, 5th Floor, Reading, PA 19061, Ron Gardner, The Colonnade, LLC, 300 Perkiomen Avenue, Schwenksville, PA 18473 on behalf of Joseph Cimerola, The Colonnade, LLC, 300 Perkiomen Avenue, Schwenksville, PA 18473 has submitted a Final Report concerning remediation of site soil and ground contaminated with No. 4 fuel oil. The Report is intended to document remediation of the site to meet the Statewide Health Standard.

**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 has submitted a Final Report concerning remediation of site soil contaminated with No. 4 fuel oil. The Report is intended to document remediation of the site to meet the Statewide Health Standard.

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

**Kapp Property (Estate of Robert P. Kapp Property)**, 128 Belmont Terrace, Scranton City, **Lackawanna County**. Martin Gilgallon, Pennsylvania Tectonics, Inc., 826 Main Street, Peckville, PA 18452 has submitted a Final Report (on behalf of his client, Robert D. Kapp, 104 Woodlawn Avenue, Mountaintop, PA 18707), concerning the remediation of soil found to have been impacted by No. 2 fuel oil as a result of a release from a ruptured 175-gallon aboveground storage tank. The Report was submitted to document attainment of the Statewide Health Standard. A public notice regarding the submission of the Final Report was published in *The Scranton Times* on February 23, 2010.

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

**ArcelorMittal Steelton Facility-Area 8 Landfill**, Swatara Township, **Dauphin County**. ARM Group, 1129 West Governor Road, P. O. Box 797, Hershey, PA, on behalf of ArcelorMittal Steelton, LLC, 215 South Front Street, Steelton, PA 17113, submitted a Remedial Investigation and Final Report concerning remediation of site soils and groundwater contaminated with inorganics. The

combined Report is intended to document remediation of the site to meet a combination of Site-Specific and Non-Residential Statewide Health Standards.

**Charlotte Hampton Residence**, Logan Township, **Blair County**. Trimpi Associates, Inc., 1635 Old Plains Road, Pennsburg, PA 18073, on behalf of Charlotte Hampton, 3397 Washington Avenue, Altoona, PA 16601 and Allstate Insurance Company, 309 Lakeside Drive, Suite 100, Horsham, PA 19044, submitted a Final Report concerning remediation of site soils contaminated with No. 2 fuel oil. The Report, which was submitted within 90 days of the release, is intended to document remediation of the site to meet the Residential Statewide Health standard.

**Cardinal Freight Lines/Reichart Property**, Hamilton Township, **Adams County**. Skelly & Loy, Inc., 449 Eisenhower Boulevard, Suite 300, Harrisburg, PA 17111, on behalf of Brian and Lela Reichart, 4671 Carlisle Pike, New Oxford, PA 17350 and Cardinal Freight Lines, 5333 Davidson Highway, Concord, NC 28027, submitted a Final Report concerning remediation of site soils contaminated with diesel fuel from a tractor-trailer accident. The Report, which was submitted within 90 days of the release, is intended to document remediation of the site to meet the Residential Statewide Health Standard.

**Muhlenberg School District**, Muhlenberg Township, **Berks County**. Earth Resource Associates, Inc., 544 Hemlock Lane, Lebanon, PA 17042-9064, on behalf of Muhlenberg Area School District, 801 Bellevue Avenue, Laureldale, PA 19605-1799, submitted a combined Remedial Investigation and Final Report concerning remediation of site soils contaminated with lead from crushed battery casings used as fill. The combined 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.*

**Excalibur Energy/Pava, Inc. Property**, Asylum Township, **Bradford County**. Resource Environmental Management, Inc., 8 Ridge Street, Montrose, PA 18801 on behalf of Williams Oil Co., P. O. Box 207, Towanda, PA 18848 has submitted within 90 days of the release 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.

**Spectrum Control, Inc.**, Ferguson Township, **Centre County**. Conestoga Rovers & Assoc., 651 Colby Drive, Waterloo, Ontario, Canada N2V 1C2 on behalf of Spectrum Control, Inc., 8031 Avonia Road, Fairview, PA 16415 has submitted a Remedial Investigation Report and a Risk Assessment Report concerning remediation of site soil and groundwater contaminated with tetrachloroethylene, trichloroethylene, barium, and lead. The Report is intended to document remediation of the site to meet the Site-Specific Standard.

**XTO Energy-King Farm Site**, Shrewsbury Township, **Lycoming County**. The Benham Companies, LLC, 6310 Allentown Boulevard, Harrisburg, PA 17112-2790 on behalf of XTO Energy, 395 Airport Road, Indiana, PA 15701 has submitted with 90-days of the release a Final Report concerning remediation of site soil contaminated with drilling mud. 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 required by provisions of the act for compliance with selection of a special industrial area remediation. The baseline remedial investigation, based on the work plan, is compiled into the baseline environmental report to establish a reference point to show existing contamination, describe proposed remediation to be done and include a description of existing or potential public benefits of the use or reuse of the property. The Department may approve or disapprove plans and reports submitted. This notice provides the Department's decision and, if relevant, the basis for disapproval.

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

The Department has received the following plans and reports:

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

**Blue Grass Plaza**, City of Philadelphia, **Philadelphia County**. Richard Werner, Environmental Consulting, Inc., 500 East Washington Street, Suite 375, Norristown,

PA 19401 on behalf of Lennard Katz, Blue Grass Mall Associates, 45-17 Marathon Parkway, Little Neck, NY 11362 has submitted a Final Report concerning the remediation of site groundwater contaminated with chlorinated solvents. The Final Report did not demonstrate attainment of the Site-Specific Standard and was placed on hold by the Department of Environmental Protection on May 13, 2010.

**QVC, 1200 Wilson Drive**, West Goshen Township, **Chester County**. Richard Werner, Environmental Consulting, Inc., 500 East Washington Street, Suite 375, Norristown, PA 19401, Michael Young, MY Aviation, P. O. Box 27219, Philadelphia, PA 19118 on behalf of Kelly Redington, QVC Realty, Inc., Studio Park, MC 121, West Chester, PA 19380-4262 has submitted a Final Report concerning the remediation of site soil and groundwater contaminated with jet fuel. The Final Report demonstrated attainment of the Statewide Health Standard and was approved by the Department of Environmental Protection on May 25, 2010.

**Willow Grove Air Reserve Station POL (ST-01)**, Horsham Township, **Montgomery County**. Scott Shaw, GeoTrans, Inc., A Tech Company, 21335 Signal Hill Plaza, Suite 100, Sterling, VA 20164, and William Downs, United States Air Force Reserve Command, 155 Richard Ray Boulevard, Robins AFB, GA 31098 on behalf of Arnold Hagerty, Route 611 and County Line Road, Horsham, PA 19044 has submitted a Final Report concerning the remediation of site soil contaminated with jet fuel. The Final Report did not demonstrate attainment of the Statewide Health Standard and was disapproved by the Department of Environmental Protection on May 17, 2010.

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

**Former Lancaster Brickyard Site**, Manheim Township, **Lancaster County**. ARM Group, Inc., P. O. Box 797, Hershey, PA 17033-0797, on behalf of Lancaster County Solid Waste Management Authority, P. O. Box 4425, Lancaster, PA 17604 and Franklin and Marshall College, P. O. Box 3003, Lancaster, PA 17604-3003, submitted a Final Report concerning remediation of site soils, non-media solids and groundwater impacted by petroleum products, solvents, plasticizers, synthetic lubricants and metals. The Final Report demonstrated attainment of a combination of Residential Statewide Health and Site-Specific Standards, and was approved by the Department of Environmental Protection on May 28, 2010.

**Gichner Shelter Systems**, York Township, **York County**. Synergy Environmental, Inc., 155 Railroad Plaza, 1st Floor, Royersford, PA 19468, on behalf of Gichner Shelter Systems, Inc., 490 East Locust Street, Dallastown, PA 17313, submitted a combined Remedial Investigation and Final Report concerning remediation of site soils, groundwater and surface water contaminated with inorganics, VOCs, SVOCs and PAHs. The combined Report demonstrated attainment of a combination of the Site-Specific and Residential Statewide Health Standards, and was approved by the Department of Environmental Protection on June 1, 2010.

**Gichner Shelter Systems**, York Township, **York County**. Synergy Environmental, Inc., 155 Railroad Plaza, 1st Floor, Royersford, PA 19468, on behalf of Gichner Shelter Systems, Inc., 490 East Locust Street, Dallastown, PA 17313, submitted a combined Remedial Investigation and Final Report concerning remediation of site soils and groundwater contaminated with

sulfochromate etch solution released from a containment pit. The combined Report demonstrated attainment of the Site-Specific Standard, and was approved by the Department of Environmental Protection on June 1, 2010.

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

**McLeod Express, LLC I-80 Accident Site**, White Deer Township, **Union County**. Northridge Group Inc., 1172 Ridge Road, Northumberland, PA 17857 on behalf of McLeod Express, LLC, 5002 Cundiff Court, Decatur, IL 62526 has submitted a Final Report within 90 days of the release concerning remediation of site soil contaminated with diesel fuel. The Final Report demonstrated attainment of the Statewide Health Standard and was approved by the Department of Environmental Protection on April 8, 2010.

## AIR QUALITY

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

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

**58-310-028GP3: Eastern Industries, Inc.** (4401 Camp Meeting Road, Center Valley, PA 18034) on May 20, 2010, to construct and operate a Portable Crushing Operation with watersprays at their site in Clifford Township, **Susquehanna County**.

**58-329-019GP9: Eastern Industries, Inc.** (4401 Camp Meeting Road, Center Valley, PA 18034) on May 20, 2010, to install and operate a Diesel I/C engine at their site in Clifford Township, **Susquehanna County**.

**40-310-081GP3: Allied Recycling Co.** (1752 Limekiln Pike, Dresher, PA 19025) on May 20, 2010, to construct and operate a Portable Crushing Operation with watersprays at their site in Nescopeck Township, **Luzerne County**.

**40-329-009GP11: Allied Recycling Co.** (1752 Limekiln Pike, Dresher, PA 19025) on May 20, 2010, to install and operate a Diesel I/C engine at their site in Nescopeck Township, **Luzerne 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 Daniel Husted, Chief, West Permitting Section—Telephone: 814-949-7935.*

**GP15-06-03015: F.M. Brown's Sons, Inc.** (127 South Furnace Street, P. O. Box 67, Birdsboro, PA 19508-0067) on May 24, 2010, for a new feed mill located in Birdsboro Borough, **Berks County**.

*Northcentral Region: Air Quality Program, 208 West Third Street, Williamsport, PA 17701. Contact: Muhammad Q. Zaman, Environmental Program Manager—Telephone: 570-327-3648.*

**GP1-60-090: Allenwood Federal Prison Complex** (P. O. Box 3500, White Deer, PA 17887) on April 30, 2010, to construct and operate three (3) 25.1 million Btu per hour, natural gas/No. 2 fuel oil-fired boilers under the General Plan Approval and General Operating Permit for

Small Gas and No. 2 Oil Fired Combustion Units (BAQ-GPA/GP-1) in Gregg Township, **Union County**.

**GP5-59-206: Mainesburg Gathering System, LLC** (1044 North 115 Street, Suite 400, Omaha, NE 68154-4446) on May 5, 2010, to construct and operate a 203 bhp natural gas-fired compressor engine equipped with an oxidation catalyst and one 3 MMscf/day glycol dehydrator equipped with a 0.075 MMBtu/hr heater under the General Plan Approval and/or General Operating Permit for Natural Gas, Coal Bed Methane or Gob Gas Production or Recovery Facilities (BAQ-GPA/GP-5) at their Mainesburg Compressor Station in Sullivan Township, **Tioga County**.

**GP5-08-303: Talisman Energy USA, Inc.** (337 Daniel Zenker Drive, Horseheads, NY 14845) on May 7, 2010, to construct and operate twelve (12) 1380 bhp lean-burn natural gas-fired compressor engines each equipped with an oxidation catalyst, and two glycol dehydrators each rated at 60 MMscf/day and equipped with 0.375 mmBtu/hr reboilers under the General Plan Approval and/or General Operating Permit for Natural Gas, Coal Bed Methane or Gob Gas Production or Recovery Facilities (BAQ-GPA/GP-5) at their Watkins Compressor Station in Columbia Township, **Bradford County**.

**GP5-08-299C: Appalachia Midstream Services, LLC** (P. O. Box 54368, Oklahoma City, OK 73154) on May 12, 2010, to construct and operate one 70 million standard cubic feet per day glycol dehydrator equipped with a 0.5 million btu per hour natural gas-fired reboiler and a 3.5 million btu per hour natural gas-fired line heater under the General Plan Approval and/or General Operating Permit for Natural Gas, Coal Bed Methane or Gob Gas Production or Recovery Facilities (BAQ-GPA/GP-5) at their Evanchick Station in Asylum Township, **Bradford County**.

**GP9-08-310: M.R. Dirt, Inc.** (R.R. 2, Box 147, Towanda, PA 18848) on May 18, 2010, to construct and operate one Caterpillar Model C9 CLJ04853 diesel-fired engine with a rating of 351 brake horsepower (bhp) pursuant to the General Plan Approval and/or General Operating Permit BAQ-GPA/GP-9: Diesel or No. 2 fuel-fired Internal Combustion Engines, at their Ober 2 Quarry facility in Asylum Township, **Bradford County**.

**GP3-08-310: M.R. Dirt, Inc.** (R.R. 2, Box 147, Towanda, PA 18848) on May 18, 2010, to construct and operate a portable non-metallic mineral crusher and associated water spray dust suppression system pursuant to the General Plan Approval and/or General Operating Permit For Portable Nonmetallic Mineral Processing Plants (BAQ-PGPA/GP-3) at their Ober 2 Quarry facility in Asylum Township, **Bradford County**.

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

**GP5-32-146A: XTO Energy, Inc.** (810 Houston Street, Fort Worth, TX 76102) on May 27, 2010, to construct and operate one natural gas compressor engine and one natural gas dehydrator at their Homer City Station in White Township, **Indiana County**.

**GP5-32-00404: XTO Energy, Inc.** (810 Houston Street, Fort Worth, TX 76102) on May 28, 2010, to construct and operate one natural gas compressor engine at their Penelec Station located in Center Township, **Indiana County**.

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**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.**

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

**48-399-064: Praxair Distribution Mid Atlantic, LLC, d/b/a GTS Welco** (145 Shimersville Road, Bethlehem, PA 18015) on May 18, 2010, to install a gas purging system with scrubber at their facility in Bethlehem, **Northampton County**.

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

**03-00246A: Bedrock Mines, LP** (111 Freeport Road, Pittsburgh, PA 15215) on May 18, 2010, to construct and temporarily operate a coal blending operation at Keystone East Mine site (previously owned by Rosebud Mining Company) in Plumcreek Township, **Armstrong County**. Sources at this facility will consist of crushers, screens, conveyors, storage piles and other miscellaneous equipment associated with this type of operations. Plan Approval has been conditioned to ensure compliance with all applicable rules.

**32-00393B: Prime Metals & Alloys, Inc.** (101 Innovation Drive, P. O. Box 194, Lucernemines, PA 15754) on May 25, 2010, to authorize continued construction and temporary operation of four (4) electric induction furnaces, one argon-oxygen decarburization (AOD) vessel, four natural gas-fired annealing boxes, two natural gas-fired ladle pre-heaters, ingot and pig pouring, slag handling, and a parts washer at their Lucernemines Plant in Center Township, **Indiana County**.

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**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.**

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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 Daniel Husted, Chief, West Permitting Section—Telephone: 814-949-7935.*

**38-03055A: Always Bagels, Inc.** (10 Keyland Court, Bohemia, NY 11718) on May 25, 2010, to install and startup their bagel bakery in North Lebanon Township, **Lebanon County**. The plan approval was extended.

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

**37-317A: Ellwood Mill Products** (712 Moravia Street, Door 3S, New Castle, PA 16101) on May 31, 2010, to operate a forge shop at their facility in New Castle, **Lawrence County**.

**Title V Operating Permits Issued 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.*

**46-00168: Moss Rehab Einstein** (60 East Township Line Road, Elkins Park, PA 19027) on May 26, 2010, for a renewal permit to remove an exempt generator for a non-Title V (State-only) facility in Cheltenham Township, **Montgomery County**. NO<sub>x</sub> emissions are electively capped to less than 25 tons per year. An exempt generator (Onan 230 kW) has been removed from the facility and has been replaced with a new exempt generator (Detroit Diesel 400 kW). Source ID 106 and Source ID 107—Exempt Generators, have been added to Section A (Site Inventory) and Section D (Source Level) of the renewal permit to include applicable requirements to exempt generators. The renewal permit will include monitoring, recordkeeping and reporting requirements designed to keep the facility 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.*

**39-00060: Day Timers, Inc.** (1 Willow Lane, East Texas, PA 18046) on May 26, 2010, to re-issue a State-only (Synthetic Minor) Operating Permit for operation of a lithographic printing operation at their facility in Lower Macungie Township, **Lehigh 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 Daniel Husted, Chief, West Permitting Section—Telephone: 814-949-7935.*

**67-03021: General Dynamics—OTS** (200 East High Street, P. O. Box 127, Red Lion, PA 17356) on May 25, 2010, for their metal fabrication, plating and surface coating facility in Red Lion Borough, **York County**. This is a renewal of the State-only operating permit.

**28-03016: Contech Construction Products** (600 North Washington Street, Greencastle, PA 17225-1240) on May 18, 2010, for their asphalt dip tank coating operation in Greencastle Borough, **Franklin County**. This is a renewal of the State-only operating permit.

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

**16-00149: Clarion Laminates, LLC** (301 Fiberboard Road, Shippensburg, PA 16254-4811) on May 25, 2010, to issue a natural minor permit to operate a hard surface floor coverings manufacturing facility in Paint Township, **Clarion County**. The facility's major emission sources include thermal oil heater, 8 direct fired space heaters, laminating and saw line 1, laminating and saw line 2, profiling 1, profiling 2 and crystal clean degreaser unit. The facility is natural minor because the emission from the facility is less than Title V threshold limits.

**25-00337: Custom Engineering Co.** (2800 McClelland Avenue, Erie, PA 16510-2544) on May 25, 2010, to re-issue a Natural Minor Permit to operate a fabricated metal products manufacturing facility in the City of Erie,

**Erie County**. The significant sources are natural gas combustion units (heaters), burntable torch cutting (2 tables), paint booth, rust preventive (hand application) and paint booth. The emission from the facility is less than Title V threshold limits. Thus, the facility is natural minor.

**33-00172: Original Fuels, Inc.—Grange Lime & Stone** (883 St. Jacobs Church Street, Punxsutawney, PA 15767) on May 25, 2010, to issue a Natural Minor Operating Permit for operation of the facility's air contamination source consisting of: a 623 bhp diesel-fired generator, a 575 bhp diesel-fired generator, and a 200 ton per hour stone processing plant including 2 crushers, 2 screens and 9 conveyors in Perry Township, **Jefferson County**.

**62-00181: Ellwood National Forge—Warren Division** (1045 Fourth Street, Warren, PA 16365), on May 26, 2010, for an initial natural minor permit to operate a miscellaneous fabricated metal parts manufacturing company in Warren Municipality, **Warren County**. The facility's emission sources include, Turbine coating line, Empire shot blast machine and Betts boring and turbine lathe. The emissions from the facility are less than the Title V emission threshold limits. Thus, the facility is natural minor.

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

**N09-022: (AT&T Communications of Pennsylvania, LLC—500 South 27th Street, Philadelphia, PA 19146)** on May 28, 2010, to operate a telecommunications facility in the City of Philadelphia, **Philadelphia County**. The facility's air emission sources include six (6) 750-kilowatt Turbine emergency generators firing kerosene.

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

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

**46-00243: Upper Montgomery Joint Authority** (1100 Mensch Dam Road, Pennsburg, PA 18073) on May 25, 2010, for the Natural Minor Operating facility in Upper Hanover Township, **Montgomery County**. The permit was modified to revise permit language to Source ID 101, Biosolids Dryer to provide clarification of pressure drop, flow rate and water pressure. The modified permit includes monitoring, recordkeeping, reporting and work practice requirements designed to keep the facility operating within all applicable air quality requirements.

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

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

**03-00125: Peoples Natural Gas Co., LLC—Valley Compressor Station** (1201 Pitt Street, Pittsburgh, PA 15221-2029) located in Cowanshannock Township, **Armstrong County**. The facility's major source of emissions include five internal combustion engines, a dehydra-



tion unit, storage tanks, an emergency generator and a thermal oxidizer controlling VOC emissions from the dehydration unit. In addition to VOC, the primary pollutants emitted from this facility include NOx and CO from the combustion sources. The permit is being amended to revise the permittee's name as well as the responsible official's name and phone number.

## 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.*

**11040101 and NPDES No. PA0249661. E. P. Bender Coal Company, Inc.,** P. O. Box 594, Carrolltown, PA 15722, permit renewal for the continued operation and restoration of a bituminous surface mine in Reade Township, **Cambria County**, affecting 69.0 acres. Receiving stream(s): unnamed tributaries to/and Powell Run classified for the following use(s): cold water fishery. There are no potable water supply intakes within 10 miles downstream. Application received: December 11, 2009. Permit issued: May 27, 2010.

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

**65100101 and NPDES Permit No. PA0251887. Britt Energies, Inc.** (2450 Philadelphia Street, Indiana, PA 15701). Permit issued for commencement, operation and reclamation of a bituminous surface/auger mining site located in Derry Township, **Westmoreland County**, affecting 69.6 acres. Receiving streams: unnamed tributary to McGee Run and Conemaugh River. Application received: January 21, 2010. Permit issued: May 25, 2010.

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

**16050106 and NPDES Permit No. PA0242675. Timothy A. Keck** (93 Carrier Street, Summerville, PA 15864) Revision to an existing bituminous strip and auger operation to add the Lower Kittanning coal seam in Redbank Township, **Clarion County** affecting 224.0 acres. Receiving streams: Unnamed tributary to Pine Creek. Application received: December 9, 2009. Permit issued: May 26, 2010.

**16050108 and NPDES Permit No. PA0257958. Neiswonger Construction, Inc.** (17592 Route 322,

Strattanville, PA 16258) Renewal of an existing bituminous strip operation in Clarion Township, **Clarion County** affecting 58.3 acres. Receiving streams: Unnamed tributary "A" of Brush Run. Application received: April 8, 2010. Permit Issued: May 27, 2010.

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

**17860135 and NPDES No. PA0115622. Strishock Coal Co.** (220 Hillcrest Drive, DuBois, PA 15801). Permit renewal for the continued operation and restoration of a bituminous surface mine located in Union, Sandy and Brady Townships, **Clearfield County** affecting 367.6 acres. Receiving streams: Laborde Branch, Sugar Camp Run to Luthersburg Branch to Laborde Branch, tributaries to Stony Run to Laborde Branch to Sandy Lick Creek to Red Bank Creek to the Allegheny River classified for Cold Water Fisheries—Warm Water Fisheries. Application received: February 5, 2010. Permit issued: May 18, 2010.

**17070112 and NPDES No. PA0256617. Hepburnia Coal Co.** (P. O. Box 1, Grampian, PA 16838). Commencement, operation and restoration of a bituminous surface mine located in Bell and Gaskill Townships, **Clearfield and Jefferson Counties** affecting 295.0 acres. Receiving streams: unnamed tributaries to Bear and Whiskey Runs classified for Cold Water Fisheries. There are no potable water supply intakes within 10 miles downstream. Application received: July 13, 2007. Permit issued: May 17, 2010.

**17940107 and NPDES No. PA0219801. River Hill Coal Co., Inc.** (P. O. Box 141, Kylertown, PA 16847). Permit renewal and revision (to add a 10 acre incidental boundary correction) to an existing bituminous surface mine located in Karthaus Township, **Clearfield County** affecting 449.8 acres. Receiving streams: unnamed tributaries to Saltlick and Upper Three Runs and Upper Three Runs classified for Cold Water Fisheries. Revision application received: December 4, 2009. Revision permit issued: May 24, 2010. Renewal application received: February 5, 2010. Renewal permit issued: May 24, 2010.

### Noncoal Permits Actions

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

**5074SM3 and NPDES Permit No. PA0121126. Valley Quarries,** P. O. Box 2009, Chambersburg, PA 17201, renewal of NPDES Permit, Greene Township, **Franklin County**. Receiving stream(s): Conococheague Creek classified for the following use(s): cold water fisheries. There are no potable water supply intakes within 10 miles downstream. Application received: December 21, 2009. Permit issued: May 27, 2010.

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

**57090301 and NPDES No. PA0257133. Insinger Excavating, Inc.** (3046 Dushore-Overtown Road, Dushore, PA 18614). Commencement, operation and restoration of a large noncoal operation in Forks Township, **Sullivan County** affecting 20.0 acres. Receiving streams: unnamed tributary to Black Creek classified for Cold Water Fishery. There are no potable water supply intakes within 10 miles downstream. Application received: March 16, 2009. Permit issued: May 17, 2010.

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

**58090829. Diaz Stone and Pallet, Inc.,** (R. R. 2, Box 205, Kingsley, PA 18826), commencement, operation and

restoration of a quarry operation in Brooklyn Township, **Susquehanna County** affecting 5.0 acres, receiving stream: none. Application received: December 2, 2009. Permit issued: May 26, 2010.

**58090831. Buck Ridge Stone, LLC**, (P. O. Box 114, Montrose, PA 18801), commencement, operation and restoration of a quarry operation in Bridgewater Township, **Susquehanna County** affecting 3.0 acres, receiving stream: none. Application received: December 9, 2009. Permit issued: May 26, 2010.

**58100803. Robert C. Robinson**, (R. R. 1, Box 220, Dalton, PA 18414), commencement, operation and restoration of a quarry operation in Jackson Township, **Susquehanna County** affecting 5.0 acres, receiving stream: none. Application received: March 18, 2010. Permit issued: May 27, 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*

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

**33104004. Douglas Explosives, Inc.** (P. O. Box 77, Philipsburg, PA 16866) Blasting Activity Permit for stone removal for bulk and storm sewer in Brookville Borough, **Jefferson County**. This Blasting Activity Permit will expire on July 16, 2010. Permit Issued: May 27, 2010.

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

**08104110. Austin Powder Northeast, LLC** (25800 Science Park Drive, Beachwood, OH 44122). Blasting for a natural gas well pad-Stalford Pad-located in Wyalusing Borough, **Bradford County**. Permit issued: May 20, 2010. Permit expires: May 19, 2011.

**59104005. Dynamic Drilling, LLC** (10373 Taylor Hawks Road, Herron, MI 46744). Blasting for Seneca 2D Seismic Survey Blossburg located in Blossburg Township, **Tioga County**. Permit issued: May 24, 2010. Permit expires: November 30, 2010.

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

**36104125. Keystone Blasting Service**, (15 Hopeland Road, Lititz, PA 17543), construction blasting for Hartman Station in Upper Leacock and East Lampeter Townships, **Lancaster County** with an expiration date of May 31, 2011. Permit issued: May 24, 2010.

**36104126. Keystone Blasting Service**, (15 Hopeland Road, Lititz, PA 17543), construction blasting for Timberline Estates in East Earl Township, **Lancaster County** with an expiration date of May 31, 2011. Permit issued: May 24, 2010.

**36104127. ME Drilling & Blasting**, (P. O. Box 279, Auburn, NH 03032), construction blasting for Willow Bend Estates in Manheim Township, **Lancaster County** with an expiration date of May 21, 2010. Permit issued: May 24, 2010.

**38104108. Keystone Blasting Service**, (15 Hopeland Road, Lititz, PA 17543), construction blasting for Strathford Meadows in South Lebanon Township, **Lebanon County** with an expiration date of May 31, 2011. Permit issued: May 24, 2010.

**54104101. Schlouch, Inc.**, (P. O. Box 69, Blandon, PA 19510), construction blasting for Ernst Trucking in West Brunswick Township, **Schuylkill County** with an expiration date of May 20, 2011. Permit issued: May 24, 2010.

**58104022. Delaware Quarries, Inc.**, (R. D. 6, Route 29, P. O. Box 6108, Montrose, PA 18801) and Maurer & Scott Sales, Inc., (P. O. Box 20843, Lehigh Valley, PA 18002), construction blasting for Saw Plant Yard Expansion in Dimock Township, **Susquehanna County** with an expiration date of September 1, 2010. Permit issued: May 25, 2010.

**39104103. Schlouch, Inc.**, (P. O. Box 69, Blandon, PA 19510), construction blasting for Trexler Field in Upper Macungie Township, **Lehigh County** with an expiration date of May 18, 2011. Permit issued: May 25, 2010.

**54104101. Maurer & Scott Sales, Inc.**, (P. O. Box 20843, Lehigh Valley, PA 18002), construction blasting for the CES Landfill in Frailey and Foster Townships, **Schuylkill County** with an expiration date of June 1, 2011. Permit issued: May 25, 2010.

**58104025. Brainard Explosives, LLC**, (3978 SR 2073, Kingsley, PA 18826), construction blasting for C. Rozell 2 and 3 in Jessup and Bridgewater Townships, **Susquehanna County** with an expiration date of July 30, 2010. Permit issued: May 26, 2010.

**64104004. Northeast Blasting**, (403 Middle Creek Road, Honesdale, PA 18431), construction blasting for the Roger Swingle Horse Barn in Sterling Township, **Wayne County** with an expiration date of May 31, 2011. Permit issued: May 26, 2010.

**66104101. Meshoppen Blasting, Inc.**, (P. O. Box 127, Meshoppen, PA 18630), construction blasting for P & G Citrus Well Site in Mehoopany Township, **Wyoming County** with an expiration date of June 30, 2010. Permit issued: May 30, 2010.

**45104111. Pact Construction, Inc.**, (P. O. Box 74, Ringoes, NJ 08551), construction blasting for SR 611 Pocono and Hamilton Townships Sewer System in Pocono and Hamilton Townships, **Monroe County** with an expiration date of May 12, 2010. Permit issued: May 27, 2010.

**48104106. American Rock Mechanics, Inc.**, (7531 Chestnut Street, Zionsville, PA 18092), construction blasting for Voltaix, LLC in Upper Mt. Bethel Township and Portland Borough, **Northampton County** with an expiration date of May 24, 2011. Permit issued: May 27, 2010.

**48104107. Maurer & Scott Sales, Inc.**, (P. O. Box 20843, Lehigh Valley, PA 18002), construction blasting at the Bethlehem Landfill in Bethlehem Township, **Northampton County** with an expiration date of September 30, 2010. Permit issued: May 27, 2010.

**22104108. Warren's Excavating & Drilling, Inc.**, (P. O. Box 214, Myerstown, PA 17067), construction blasting for Highspire Road in Lower Swatara and Swatara Townships, **Dauphin County** with an expiration date of May 18, 2011. Permit issued: May 28, 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)

Permit ID	Activity	Resource	Water Quality	Latitude	Longitude
Bore Area 1 Stream	Pipeline Crossing	Tributary Healey Hollow	HQ-CWF	41° 43' 33.99"	78° 10' 02.39"
Bore Area 1 Wetland	Pipeline Crossing	Tributary Healey Hollow	EV	41° 43' 35.99"	78° 10' 02.39"
Bore Area 1 Stream	Pipeline Crossing	Healey Hollow	HQ-CWF	41° 43' 33.99"	78° 10' 02.39"
Bore Area 1 Wetland	Pipeline Crossing	Tributary Healey Hollow	EV	41° 43' 33.99"	78° 10' 02.39"
Wetland 2	Pipeline Crossing	Tributary Healey Hollow	EV	40° 43' 27.04"	78° 09' 49.30"
Bore Area 2 Wetland	Pipeline Crossing	Tributary Reed Run	EV	40° 43' 10.77"	78° 09' 29.63"

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

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

**E12-176. Bruce F. Brennan**, 225 State Street, Saint Marys, PA 15857-1627. Bruce Brennan Garage in Unnamed Tributary to Driftwood Branch—Sinnemahoning Creek Floodway and Private Road Crossing Unnamed Tributary to Driftwood Branch—Sinnemahoning Creek, Shippen Township, **Cameron County**, ACOE Baltimore District (Wildwood Fire Tower, PA Quadrangle Latitude: 41° 33' 18"; Longitude: 78° 22' 49.1").

The applicant is seeking after-the authorization to construct, operate and maintain a private garage located within 50-feet of an unnamed tributary to Driftwood Branch, Sinnemahoning Creek and private road crossing the same unnamed tributary. Construction of the garage resulted in a 24-foot by 26-foot structure within the 50-foot floodway. Operation and maintenance of the garage shall not include any additional fill being placed that would diminish flood storage capacity of the floodway. Construction of the road crossing was made with a corrugated plastic culvert pipe having a diameter of 18-inches and length of 20-feet. Operation and maintenance of the road crossing shall be limited to a minimal wearing course addition with no expansion of culvert length or roadway fill. The project is located along the southern right-of-way of SR 4004 approximately 5.4-miles west of SR 4003 and SR 4004 intersection. This permit was issued under Section 105.13(e) "Small Projects." This permit also includes 401 Water Quality Certification.

**E53-427. Pennsylvania General Energy Company, LLC**, 120 Market Street, Warren, PA 16365. Pennsylvania General Energy Natural Gas Pipeline Project, Keating Township, **Potter County**, ACOE Pittsburg District (Keating Summit, PA Quadrangle Latitude: 41° 43' 10.77"; Longitude: 78° 09' 29.36").

Pennsylvania General Energy Company, LLC, proposes to construct, operate, repair and maintain a natural gas pipeline requiring encroachment of the following of three (3) Exceptional Value wetlands and two (2) High Quality-Cold Water Fishery stream:

All in-stream construction, repair and maintenance work shall be conducted in dry work conditions by boring, dam and pumping, fluming or diverting stream flow around work areas. Since Healey Hollow and Reed Run are wild trout fisheries, no construction or future repair work shall be done in or along the stream channels between October 1 and December 31 without prior written approval from the Fish and Boat Commission. This permit also authorizes the construction, operation, maintenance and removal of temporary stream diversions, flumes, cofferdams, roadways and causeways necessary for pipeline construction and repair. The 0.003-acre of wetland impact incurred for activities authorized herein shall be temporary. The project is located along the northeastern and southwestern right-of-way of Card Creek Road approximately 1.1-mile northwest of Reed Run and Card Creek Roads (Keating Summit, PA Quadrangle Latitude: 41° 43' 10.77"; Longitude: 78° 09' 29.36") in Keating Township, Potter County. If upon investigation the Department of Environmental Protection determines the activities authorized by this permit are serving to degrade or impair the designated water quality of the above listed wetlands or streams, the permittee shall develop the necessary corrective action plan to mitigate the degradation or impairment. The permittee shall submit any corrective action plan to the Northcentral Region Oil and Gas Program for review and approval prior to implementing any corrective action measure.

**E57-119. Hemlock Hollow, LLC**, 2096 Strasburg Road, Coatesville, PA 19320-5231. Water Obstruction and Encroachment Joint Permit, in Laporte Township, **Sullivan County**, ACOE Susquehanna River Basin District (Laporte, PA Quadrangle N: 41° 23' 6.1"; W: 77° 26' 11.1").

To construct and maintain a single span steel I-beam bridge having a span of 16 feet, width of 12 feet with an average underclearance of 5 feet over Peter's Creek (EV). The crossing is located 2.5 miles northeast of Nordmont along SR 2006 in Laporte Township, Sullivan County. This project will impact 16 feet of Peter's Creek, which is designated an Exceptional Value Fishery and impact 0.0 acres jurisdictional wetlands. This permit was issued under Section 105.13(e) "Small Projects." This permit also includes 401 Water Quality Certification.

**E59-495. UGI—Central Penn Gas, Inc.**, 24547 Route 6, Port Alleghany, PA 16743-2507. Water Obstruction and Encroachment Joint Permit, in Gaines Township, **Tioga County**, ACOE Susquehanna River Basin District (Marshlands, PA Quadrangle N: 41° 44' 33.3"; W: 77° 34' 41.45").

To construct and maintain 210 linear feet of 4-inch polyethylene gas pipeline under Pine Creek (EV). The proposed crossing will be bored. The crossing is located near the intersection SR 3001 and Chestnut Street (T-453), 0.5 mile south of the intersection with SR 0006 in Gaines Township, Tioga County. This project will not impact Pine Creek, which is, designated an Exceptional Value Fishery and impact 0.0 acres jurisdictional wetlands. There are no proposed wetland impacts. This permit was issued under Section 105.13(e) "Small Projects." This permit also includes 401 Water Quality Certification.

#### EROSION AND SEDIMENT CONTROL

The following Erosion and Sediment Control Permits have been issued.

Any person aggrieved by these actions may appeal, under section 4 of the Environmental Hearing Board Act

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

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

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

ESCGP-1 # ESX10-015-0117  
Applicant Name Chief Oil & Gas, LLC  
Contact Person Michael Hritz  
Address 6051 Wallace Road, Suite 210  
City, State, Zip Wexford, PA 15090  
County Bradford  
Township(s) Granville Township  
Receiving Stream(s) and Classification(s) UNT to Gulf Brook  
Secondary—Towanda Creek

ESCGP-1 # ESX10-015-0115  
Applicant Name Chesapeake Appalachia, LLC  
Contact Person Eric Haskins  
Address 100 1st Center  
City, State, Zip Horseheads, NY 14845  
County Bradford  
Township(s) Wysox Township  
Receiving Stream(s) and Classification(s) Laning Creek  
Secondary—Susquehanna River

ESCGP-1 # ESX10-015-0122  
Applicant Name Southwestern Energy Production Co.  
Contact Person Jeffrey Sherrick  
Address 2350 North Sam Houston Parkway E, Suite 125  
City, State, Zip Houston, TX 77032  
County Bradford  
Township(s) Wyalusing, Stevens and Herrick Townships  
Receiving Stream(s) and Classification(s) Wyalusing Creek  
Secondary—Susquehanna River

ESCGP-1 # ESX10-117-0099  
Applicant Name East Resources, Inc.  
Contact Person Jefferson Long  
Address 301 Brush Creek Road  
City, State, Zip Warrendale, PA 15086  
County Tioga  
Township(s) Middlebury Township  
Receiving Stream(s) and Classification(s) Losey Creek  
Secondary—Crooked Creek

## ESCGP-1 # ESX10-117-0098

Applicant Name East Resources, Inc.  
 Contact Person Jefferson Long  
 Address 301 Brush Creek Road  
 City, State, Zip Warrendale, PA 15086  
 County Tioga  
 Township(s) Middlebury Township  
 Receiving Stream(s) and Classification(s) North Run/  
 West: UNT (Both Susquehanna River Basin)  
 Secondary—East and West: Crooked Creek

## ESCGP-1 # ESX10-115-0013

Applicant Name Appalachia Midstream Services, LLC  
 Contact Person Patrick Myers  
 Address 100 1st Center  
 City, State, Zip Horseheads, NY 14845  
 County Susquehanna  
 Township(s) Auburn Township  
 Receiving Stream(s) and Classification(s) Meshoppen  
 Creek/Susquehanna River Watershed

## ESCGP-1 # ESX10-117-0092

Applicant Name Novus Operating, LLC  
 Contact Person Jim Wood  
 Address 2963 Ruger Drive  
 City, State, Zip Royse City, TX 75189-5770  
 County Tioga  
 Township(s) Brookfield Township  
 Receiving Stream(s) and Classification(s) UNT to  
 California Brook  
 Secondary—California Brook

## ESCGP-1 # ESX10-127-0005

Applicant Name Hess Corporation  
 Contact Person Gene Linscomb  
 Address 500 Dallas Street  
 City, State, Zip Houston, TX 77002  
 County Wayne  
 Township(s) Scott Township  
 Receiving Stream(s) and Classification(s) Tributaries to  
 Shehawken Creek

## ESCGP-1 # ESX10-127-0004

Applicant Name Hess Corporation  
 Contact Person Gene Linscomb  
 Address 500 Dallas Street  
 City, State, Zip Houston, TX 77002  
 County Wayne  
 Township(s) Scott Township  
 Receiving Stream(s) and Classification(s) UNT to  
 Starrucca Creek

## ESCGP-1 # ESX10-127-0002

Applicant Name Hess Corporation  
 Contact Person Gene Linscomb  
 Address 500 Dallas Street  
 City, State, Zip Houston, TX 77002  
 County Wayne  
 Township(s) Preston Township  
 Receiving Stream(s) and Classification(s) UNT to  
 Shadigee Creek

## ESCGP-1 # ESX10-127-0001

Applicant Name Hess Corporation  
 Contact Person Gene Linscomb  
 Address 500 Dallas Street  
 City, State, Zip Houston, TX 77002  
 County Wayne  
 Township(s) Starrucca Borough  
 Receiving Stream(s) and Classification(s) Starrucca Creek

## ESCGP-1 # ESX10-027-0001(01)

Applicant Name EXCO-North Coast Energy  
 Contact Person Joel Heiser  
 Address 3000 Ericsson Drive, Suite 200  
 City, State, Zip Warrendale, PA 15086  
 County Centre  
 Township(s) Burnside Township  
 Receiving Stream(s) and Classification(s) Boake/Sterling/  
 Miles Run, UNT to North Branch Beech Creek/North  
 Fork Beech Creek  
 Secondary—West Branch Susquehanna River, Beech  
 Creek

## ESCGP-1 # ESX10-015-0053(01)

Applicant Name Talisman Energy, Inc.  
 Contact Person Eric Potter  
 Address 337 Daniel Zenker Drive  
 City, State, Zip Horseheads, NY 14845  
 County Bradford  
 Township(s) Columbia and Troy Townships  
 Receiving Stream(s) and Classification(s) Fall Brook and  
 Sugar Creek  
 Secondary—Susquehanna River

## ESCGP-1 # ESG10-117-0097

Applicant Name Ultra Resources, Inc.  
 Contact Person Belinda Salinas  
 Address 5 East Avenue, #108  
 City, State, Zip Wellsboro, PA 16901-1613  
 County Tioga  
 Township(s) Gaines Township  
 Receiving Stream(s) and Classification(s) Madison Hollow  
 Secondary—Lick Run, McCracken Hollow

## ESCGP-1 # ESG10-117-0019

Applicant Name Ultra Resources, Inc.  
 Contact Person Belinda Salinas  
 Address 5 East Avenue, #108  
 City, State, Zip Wellsboro, PA 16901-1613  
 County Tioga  
 Township(s) Gaines Township  
 Receiving Stream(s) and Classification(s) Lewis Run  
 Secondary—Elk Run

## ESCGP-1 # ESG10-117-0062

Applicant Name Ultra Resources, Inc.  
 Contact Person Belinda Salinas  
 Address 5 East Avenue, #108  
 City, State, Zip Wellsboro, PA 16901-1613  
 County Tioga  
 Township(s) Gaines Township  
 Receiving Stream(s) and Classification(s) Paint Run  
 and Left Branch (not listed)  
 Secondary—Four Mile Run (not listed)

## ESCGP-1 # ESG10-105-0004

Applicant Name Ultra Resources, Inc.  
 Contact Person Belinda Salinas  
 Address 5 East Avenue, #108  
 City, State, Zip Wellsboro, PA 16901-1613  
 County Potter  
 Township(s) West Branch Township  
 Receiving Stream(s) and Classification(s) Sliders Branch  
 Secondary—Shaar Hollow

## ESCGP-1 # ESG10-117-0110

Applicant Name Ultra Resources, Inc.  
 Contact Person Belinda Salinas  
 Address 5 East Avenue, #108  
 City, State, Zip Wellsboro, PA 16901-1613  
 County Tioga  
 Township(s) Gaines and Elk Townships  
 Receiving Stream(s) and Classification(s) Chaffee Run,  
 Elk Run, Hubers Hollow, Wetmore Run

ESCGP-1 # ESX10-117-0103  
 Applicant Name East Resources, Inc.  
 Contact Person Jefferson Long  
 Address 301 Brush Creek Road  
 City, State, Zip Warrendale, PA 15086  
 County Tioga  
 Township(s) Deerfield Township  
 Receiving Stream(s) and Classification(s) Yarnell Brook  
 (Susquehanna River Basin)  
 Secondary—Cowanisque River

ESCGP-1 # ESX10-117-0109  
 Applicant Name East Resources, Inc.  
 Contact Person Jefferson Long  
 Address 301 Brush Creek Road  
 City, State, Zip Warrendale, PA 15086  
 County Tioga  
 Township(s) Rutland Township  
 Receiving Stream(s) and Classification(s) UNT to Mill  
 Creek/Tioga River Basin  
 Secondary—Mill Creek

ESCGP-1 # ESX10-117-0105  
 Applicant Name East Resources, Inc.  
 Contact Person Jefferson Long  
 Address 301 Brush Creek Road  
 City, State, Zip Warrendale, PA 15086  
 County Tioga  
 Township(s) Charleston Township  
 Receiving Stream(s) and Classification(s) Catlin Hollow/  
 Susquehanna River Basin  
 Secondary—Crooked Creek

ESCGP-1 # ESX10-117-0108  
 Applicant Name East Resources, Inc.  
 Contact Person Jefferson Long  
 Address 301 Brush Creek Road  
 City, State, Zip Warrendale, PA 15086  
 County Tioga  
 Township(s) Sullivan Township  
 Receiving Stream(s) and Classification(s) UNT to Corey  
 Creek/Tioga River Basin  
 Secondary—Tioga River

ESCGP-1 # ESX10-015-0114  
 Applicant Name Appalachia Midstream Services, LLC  
 Contact Person Patrick Myers  
 Address 100 1st Center  
 City, State, Zip Horseheads, NY 14845  
 County Bradford  
 Township(s) Granville Township  
 Receiving Stream(s) and Classification(s) UNT to North  
 Branch of Towanda Creek—Upper Susquehanna—  
 Tunkhannock Watershed

ESCGP-1 # ESX10-035-0005  
 Applicant Name Range Resource—Appalachia, LLC  
 Contact Person Carla Suszkowski  
 Address 380 Southpointe Boulevard, Suite 300  
 City, State, Zip Canonsburg, PA 15317  
 County Clinton  
 Township(s) Gallagher Township  
 Receiving Stream(s) and Classification(s) Lick Run and  
 Middle Branch Queen Run

ESCGP-1 # ESX10-027-0004(01)  
 Applicant Name EXCO Resources (PA), Inc.  
 Contact Person Larry Sanders  
 Address 3000 Ericsson Drive, Suite 200  
 City, State, Zip Warrendale, PA 15086  
 County Centre  
 Township(s) Burnside Township  
 Receiving Stream(s) and Classification(s) Miles Run  
 Secondary—Water Sterling Run

ESCGP-1 # ESX10-117-0102  
 Applicant Name Novus Operating, LLC  
 Contact Person Jim Wood  
 Address 2963 Ruger Drive  
 City, State, Zip Royse City, TX 75189-5770  
 County Tioga  
 Township(s) Covington Township  
 Receiving Stream(s) and Classification(s) UNT to Tioga  
 River  
 Secondary—Tioga River

ESCGP-1 # ESX10-115-0015  
 Applicant Name Cabot Oil & Gas Corp.  
 Contact Person Jeffrey Keim  
 Address 5 Penn Center West, Suite 401  
 City, State, Zip Pittsburgh, PA 15276  
 County Susquehanna  
 Township(s) Harford Township  
 Receiving Stream(s) and Classification(s) Leslie Creek;  
 UTs to Leslie Creek and Nine Partners Run; Tributary  
 to Tunkhannock Creek

ESCGP-1 # ESX10-117-0104  
 Applicant Name East Resources, Inc.  
 Contact Person Jefferson Long  
 Address 301 Brush Creek Road  
 City, State, Zip Warrendale, PA 15086  
 County Tioga  
 Township(s) Chatham Township  
 Receiving Stream(s) and Classification(s) UNT to Crooked  
 Creek  
 Secondary—Crooked Creek

ESCGP-1 # ESX10-117-0088  
 Applicant Name East Resources, Inc.  
 Contact Person Jefferson Long  
 Address 301 Brush Creek Road  
 City, State, Zip Warrendale, PA 15086  
 County Tioga  
 Township(s) Chatham Township  
 Receiving Stream(s) and Classification(s) Blair Creek  
 Secondary—Crooked Creek

ESCGP-1 # ESX10-105-0007  
 Applicant Name PA General Energy Company, LLC  
 Contact Person Doug Kuntz  
 Address 120 Market Street  
 City, State, Zip Warren, PA 16365  
 County Potter  
 Township(s) Pleasant Valley Township  
 Receiving Stream(s) and Classification(s) Fish Hollow  
 Creek  
 Secondary—Fishing Creek

ESCGP-1 # ESG10-081-0022  
 Applicant Name Chief Gathering, LLC  
 Contact Person Ted Wurfel  
 Address 6051 Wallace Road Ext.  
 City, State, Zip Wexford, PA 15090  
 County Lycoming  
 Township(s) Penn Township  
 Receiving Stream(s) and Classification(s) Big Run

ESCGP-1 # ESX10-117-0106  
 Applicant Name EQT Production Company  
 Contact Person Shari Hodges  
 Address 225 North Shore Drive  
 City, State, Zip Pittsburgh, PA 15212  
 County Tioga  
 Township(s) Duncan Township  
 Receiving Stream(s) and Classification(s) UNT to  
 Rock Run

ESCGP-1 # ESG10-117-0061  
 Applicant Name Ultra Resources, Inc.  
 Contact Person Belinda Salinas  
 Address 5 East Avenue, #108  
 City, State, Zip Wellsboro, PA 16901-1613  
 County Tioga  
 Township(s) Shippen Township  
 Receiving Stream(s) and Classification(s) Deadman  
 Hollow, tributary to Painter Run

ESCGP-1 # ESG10-117-0076  
 Applicant Name Ultra Resources, Inc.  
 Contact Person Belinda Salinas  
 Address 5 East Avenue, #108  
 City, State, Zip Wellsboro, PA 16901-1613  
 County Tioga  
 Township(s) Gaines and Shippen Townships  
 Receiving Stream(s) and Classification(s) Pine  
 Creek, West Branch Pine Creek, Elk Run  
 Secondary—Left, Right Branch, 4 Mile/Painter/Lick/  
 Lewis Run, Dewey Hollow

ESCGP-1 # ESG10-117-0101  
 Applicant Name Ultra Resources, Inc.  
 Contact Person Belinda Salinas  
 Address 5 East Avenue, #108  
 City, State, Zip Wellsboro, PA 16901-1613  
 County Tioga  
 Township(s) Gaines Township  
 Receiving Stream(s) and Classification(s) Elk Run  
 Secondary—Babylon Run, Gormanian Branch

ESCGP-1 # ESG10-117-0100  
 Applicant Name Ultra Resources, Inc.  
 Contact Person Belinda Salinas  
 Address 5 East Avenue, #108  
 City, State, Zip Wellsboro, PA 16901-1613  
 County Tioga  
 Township(s) Gaines and Elk Townships  
 Receiving Stream(s) and Classification(s) Wetmore Run  
 Secondary—Elk Run

ESCGP-1 # ESG10-117-0095  
 Applicant Name Ultra Resources, Inc.  
 Contact Person Belinda Salinas  
 Address 5 East Avenue, #108  
 City, State, Zip Wellsboro, PA 16901-1613  
 County Tioga  
 Township(s) Gaines and Elk Township  
 Receiving Stream(s) and Classification(s) Chaffee Run,  
 Elk Run

ESCGP-1 # ESX10-115-0016  
 Applicant Name Chesapeake Appalachia, LLC  
 Contact Person Eric Haskins  
 Address 100 1st Center  
 City, State, Zip Horseheads, NY 14845  
 County Susquehanna  
 Township(s) Jessup Township  
 Receiving Stream(s) and Classification(s) UNT to Elk  
 Lake Stream  
 Secondary—Elk Lake Stream

ESCGP-1 # ESX10-015-0110  
 Applicant Name Chesapeake Appalachia, LLC  
 Contact Person Eric Haskins

Address 100 1st Center  
 City, State, Zip Horseheads, NY 14845  
 County Bradford  
 Township(s) Rome Township  
 Receiving Stream(s) and Classification(s) UNT of Dry  
 Run  
 Secondary—Dry Run

ESCGP-1 # ESX10-131-0009  
 Applicant Name Chesapeake Appalachia, LLC  
 Contact Person Eric Haskins  
 Address 100 1st Center  
 City, State, Zip Horseheads, NY 14845  
 County Wyoming  
 Township(s) Windham Township  
 Receiving Stream(s) and Classification(s) UNT of the  
 Susquehanna River  
 Secondary—Susquehanna River

ESCGP-1 # ESX10-015-0123  
 Applicant Name Talisman Energy, Inc.  
 Contact Person Eric Potter  
 Address 337 Daniel Zenker Drive  
 City, State, Zip Horseheads, NY 14845  
 County Bradford  
 Township(s) Pike Township  
 Receiving Stream(s) and Classification(s) UNT to  
 Rockwell Creek

ESCGP-1 # ESX10-113-0003  
 Applicant Name Chesapeake Appalachia, LLC  
 Contact Person Eric Haskins  
 Address 101 North Main Street  
 City, State, Zip Athens, PA 18810  
 County Sullivan  
 Township(s) Forks Township  
 Receiving Stream(s) and Classification(s) UNT of Big  
 Bottom Run  
 Secondary—Big Bottom Run

ESCGP-1 # ESX10-015-0125  
 Applicant Name Chesapeake Appalachia, LLC  
 Contact Person Eric Haskins  
 Address 101 North Main Street  
 City, State, Zip Athens, PA 18810  
 County Bradford  
 Township(s) Rome Township  
 Receiving Stream(s) and Classification(s) Dry Run/  
 Bullard Creek

ESCGP-1 # ESX10-015-0129  
 Applicant Name Chesapeake Appalachia, LLC  
 Contact Person Eric Haskins  
 Address 101 North Main Street  
 City, State, Zip Athens, PA 18810  
 County Bradford  
 Township(s) Rome Township  
 Receiving Stream(s) and Classification(s) UNT to Parks  
 and Wysox Creeks  
 Secondary—Parks and Wysox Creeks

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

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

<i>ESCGP-1 No.</i>	<i>Applicant Name &amp; Address</i>	<i>County</i>	<i>Municipality</i>	<i>Receiving Water/Use</i>
65 10 802	Rob Berner Peoples Natural Gas Company 1201 Pitt Street Pittsburgh, PA 15221	Westmoreland	Rostraver Township	Unnamed Tributary of Monongahela River and Beckets Run (WWF) Unnamed Tributary of Pollock Run and Pollock Run (WWF)

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

ESCGP-1 #ESX10-083-0012  
Applicant East Resources, Inc.  
Contact Scott Blauvelt  
Address 301 Brush Creek Road  
Warrendale, PA 15086  
County McKean Township(s) Hamlin  
Receiving Stream(s) and Classification(s) UNT to Glad Run/Ohio River Basin—Allegheny River (HQ, CWF)

ESCGP-1 #ESX10-047-0007  
Applicant East Resources, Inc.  
Contact Scott Blauvelt  
Address 301 Brush Creek Road  
Warrendale, PA 15086  
County Elk Township(s) Highland  
Receiving Stream(s) and Classification(s) Iron Run/Allegheny River Basin (HQ-CWF)

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## STORAGE TANKS

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### SITE-SPECIFIC INSTALLATION PERMITS

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

<i>SSIP Permit No.</i>	<i>Applicant Name &amp; Address</i>	<i>County</i>	<i>Municipality</i>	<i>Tank Type</i>	<i>Tank Capacity</i>
10-17-006	HRI, Inc. 1750 West College Avenue State College, PA 16801 Attn: Ms. Mary Jo Miller	Clearfield	Bradford Township	2 ASTs storing asphalt emulsion	60,000 gallons total

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## SPECIAL NOTICES

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### Notice of Certification to Perform Radon-Related Activities in Pennsylvania

In the month of May 2010 the Department of Environmental Protection, under the Radon Certification Act (63 P. S. §§ 2001—2014) and regulations promulgated thereunder at 25 Pa. Code Chapter 240, has certified the persons listed as follows to perform radon-related activities in this Commonwealth. The period of certification is 2 years. For a complete list of persons currently certified to perform radon-related activities in this Commonwealth and for information as to the specific testing devices that persons certified for testing or laboratory are certified to use, contact the Bureau of Radiation Protection, Radon Division, P. O. Box 8469, Harrisburg, PA 17105-8469, (800) 23RADON.

<i>Name</i>	<i>Address</i>	<i>Type of Certification</i>
Robert Beattie	851 Bangor Road Nazareth, PA 18064	Testing
Patrick Borkowski	P. O. Box 63827 Philadelphia, PA 19147	Testing
Robert Corcia	6 Cranberry Creek Estates Cresco, PA 18326	Testing
Brian Cousins	279 Hartman Road Honesdale, PA 18431	Mitigation
Victor Delfi	R. R. #3, Box 3197 Stroudsburg, PA 18360	Testing



<i>Name</i>	<i>Address</i>	<i>Type of Certification</i>
Enviroquest	1738 North 3rd Street Suite A Harrisburg, PA 17102	Mitigation
William Fennel	975 Wayne Avenue PMB 218 Chambersburg, PA 17201	Testing
Paul Fletcher Alpha Energy Lab	2501 Mayes Road Suite 100 Carrollton, TX 75006	Laboratory
Adam Ginocchi	407 Jenny Lane New Castle, PA 16101	Testing
Vilas Godbole	6314 Hilltop Drive Brookhaven, PA 19015	Mitigation
Walter Hanes	516 Paradise Valley Road St. Marys, PA 15857	Mitigation
Nicholas Hindley	984 Bethany Turnpike Honesdale, PA 18431	Testing
Frank Marsico	5156 Kylock Road Mechanicsburg, PA 17055	Testing
Surekha Paunikar Alpha Environmental	2048 Carmel Drive Jamison, PA 18929	Testing
Leonard Petty	115 Dyers Stone Drive Eighty-Four, PA 15330	Testing
Edward Schluth	243 Newtown Road Warminster, PA 18974	Testing
Malissa Sears	1675 North Commerce Parkway Weston, FL 33326	Laboratory
Jon Shaffer	1115 Cornell Street Pittsburgh, PA 15212	Mitigation
Cesare Sportelli	750 Washington Street Easton, PA 18042	Testing
David Steinman	P. O. Box 284 East Petersburg, PA 17520	Testing
Greg Stewart	5 Franklin Street Pittsburgh, PA 15209	Mitigation
William Thacker	33 Cherry Road Airville, PA 17302	Mitigation
Bradford Whitely	P. O. Box 311 12 Micah Court Montoursville, PA 17754	Testing

[Pa.B. Doc. No. 10-1089. Filed for public inspection June 11, 2010, 9:00 a.m.]

### Bid Opportunity

**OSM 16(3474)101.1, Abandoned Mine Land Reclamation Project, Sitton Northeast, Limestone Township, Clarion County.** The principal items of work and approximate quantities include mobilization and demobilization; clearing and grubbing; 329,000 cubic yards of grading; 265 cubic yards of ditch excavation; 267 square yards of R-4 rock lining with filter material; 745 feet of subsurface drain; and 28.5 acres of seeding. This bid issues June 11, 2010, and bids will be opened on July 13, 2010, at 2 p.m. Bid documents cost \$10 per set and will not be mailed until payment has been received. This project is financed by the Federal government under the authority given it by the Surface Mining Control and Reclamation Act of 1977 (act) (30 U.S.C.A. §§ 1201—1328), and is subject to the act, and to the Federal Grant

for this project. Contact the Construction Contracts Section at (717) 787-7820 or joelmiller@state.pa.us for more information on this bid.

JOHN HANGER,  
*Secretary*

[Pa.B. Doc. No. 10-1090. Filed for public inspection June 11, 2010, 9:00 a.m.]

### Bid Opportunity

**OSM 63(0655)101.1, Abandoned Mine Reclamation Project, Joffre, Smith Township, Washington County.** The principal items of work and approximate quantities include mobilization and demobilization;

21,200 cubic yards of grading; 1,150 linear feet of subsurface drain; and sealing 3 mine entries. This bid issues June 11, 2010, and bids will be opened on July 13, 2010, at 2 p.m. Bid documents cost \$10 per set and will not be mailed until payment has been received. This project is financed by the Federal government under the authority given it by the Surface Mining Control and Reclamation Act of 1977 (act) (30 U.S.C.A. §§ 1201—1328), and is subject to the act, and to the Federal Grant for this project. Contact the Construction Contracts Section at (717) 787-7820 or joelmiller@state.pa.us for more information on this bid.

JOHN HANGER,  
Secretary

[Pa.B. Doc. No. 10-1091. Filed for public inspection June 11, 2010, 9:00 a.m.]

### Mining and Reclamation Advisory Board; Meeting Change

The July 1, 2010, meeting of the Mining and Reclamation Advisory Board (Board) has been rescheduled. The

meeting is now scheduled for July 15, 2010, in the Greensburg District Mining Office. The Board meeting will begin at 12 p.m. at the Greensburg District Mining Office, Armbrust Professional Center, 8205 Route 819, Greensburg, PA 15601.

Questions concerning this meeting can be directed to James Charowsky at jcharowsky@state.pa.us or (717) 787-7007. The agenda and meeting materials will be available through the Public Participation Center on the Department of Environmental Protection's (Department) web site at <http://www.depweb.state.pa.us> (Left hand link: Public Participation, then click: Advisory Committees).

Persons in need of accommodations as provided for in the Americans With Disabilities Act of 1990 should contact James Charowsky directly at (717) 787-7007 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. 10-1092. Filed for public inspection June 11, 2010, 9:00 a.m.]

## DEPARTMENT OF PUBLIC WELFARE

### Medical Assistance Program Fee Schedule Revisions; 2009 HCPCS Updates; Prior Authorization Requirements

The Department of Public Welfare (Department) announces changes to the Medical Assistance (MA) Program Fee Schedule and prior authorization requirements. These changes are effective for dates of service on and after June 14, 2010.

#### Fee Schedule Revisions

The Department is adding and end-dating procedure codes as a result of implementing the 2009 updates made by the Centers for Medicare and Medicaid Services (CMS) to the Healthcare Common Procedure Coding System (HCPCS). The Department is also end-dating other procedure codes, including some codes previously end-dated by CMS. Additionally, the Department is adding procedure codes to the MA Program Fee Schedule as a result of significant program exception requests. Finally, as set forth as follows, some of the procedure codes being added to the MA Program Fee Schedule will require prior authorization.

Fees for the new procedure codes will be published in a *Medical Assistance Bulletin* that will be issued to all providers.

The following procedure codes are being added to the MA Program Fee Schedule as a result of the 2009 HCPCS updates:

#### Procedure Codes and Modifiers

00211	00567	20696	20696 (SG)	20696 (80)
20697	20697 (SG)	20697 (80)	27027	27057
35535	35535 (80)	35570	35570 (80)	35632
35632 (80)	35633	35633 (80)	35634	35634 (80)
43273	43279	43279 (80)	46930	46930 (SG)
49652	49652 (SG)	49652 (80)	49653	49653 (SG)
49653 (80)	49654	49654 (SG)	49654 (80)	49655
49655 (SG)	49655 (80)	49656	49656 (SG)	49656 (80)
49657	49657 (SG)	49657 (80)	61796	61797
61798	61799	62267	62267 (SG)	63620
63621	64455	64632	65756	65756 (SG)
65756 (80)	77785	77785 (26)	77785 (TC)	77786
77786 (26)	77786 (TC)	77787	77787 (26)	77787 (TC)
83951	85397	87905	88720	88740

00211	00567	20696	20696 (SG)	20696 (80)
88741	93228	93279	93279 (26)	93279 (TC)
93280	93280 (26)	93280 (TC)	93281	93281 (26)
93281 (TC)	93282	93282 (26)	93282 (TC)	93283
93283 (26)	93283 (TC)	93284	93284 (26)	93284 (TC)
93285	93285 (26)	93285 (TC)	93288	93288 (26)
93288 (TC)	93289	93289 (26)	93289 (TC)	93292
93292 (26)	93292 (TC)	93293	93293 (26)	93293 (TC)
93294	93295	93296	93306	93306 (26)
93306 (TC)	96360	96361	96365	96366
96367	96368	96369	96370	96371
96372	96373	96374	96375	99460
99461	99462	99463	99465	99468
99469	99471	99472	99475	99476
99478	99479	99480	A6545	E2231 (NU)
G0412	G0412 (80)	G0413	G0413 (SG)	G0413 (80)
G0414	G0414 (80)	G0415	G0415 (80)	K0672
L0113	L6711	L6712	L6713	L6714
L6721	L6722	Q4101	Q4106	

The following procedure codes are being added to the MA Program Fee Schedule as a result of significant program exception requests:

*Procedure Codes and Modifiers*

44626	44626 (80)	51700	86480	92060
92060 (26)	92060 (TC)	95870	95870 (26)	95870 (TC)
95934	95934 (26)	95934 (TC)	95936	95936 (26)
95936 (TC)	99315	99316	A4332	A4361
E0463 (RR)	E0667 (NU)	E0667 (RR)	E0668 (NU)	E0668 (RR)
E0784 (NU)	E0970 (NU)	E0994 (NU)	E1037 (NU)	E1037 (RR)
E1050 (NU)	E1050 (RR)	E1070 (NU)	E1070 (RR)	E1083 (NU)
E1083 (RR)	E1084 (NU)	E1084 (RR)	E1085 (NU)	E1085 (RR)
E1086 (NU)	E1086 (RR)	E1087 (NU)	E1087 (RR)	E1088 (NU)
E1088 (RR)	E1089 (NU)	E1089 (RR)	E1090 (NU)	E1090 (RR)
E1092 (NU)	E1092 (RR)	E1093 (NU)	E1093 (RR)	E1100 (NU)
E1100 (RR)	E1110 (NU)	E1110 (RR)	E1130 (NU)	E1130 (RR)
E1140 (NU)	E1140 (RR)	E1150 (NU)	E1150 (RR)	E1160 (NU)
E1160 (RR)	E1170 (NU)	E1170 (RR)	E1171 (NU)	E1171 (RR)
E1172 (NU)	E1172 (RR)	E1180 (NU)	E1180 (RR)	E1190 (NU)
E1190 (RR)	E1195 (NU)	E1195 (RR)	E1200 (NU)	E1200 (RR)
E1221 (NU)	E1221 (RR)	E1222 (NU)	E1222 (RR)	E1227 (NU)
E1227 (RR)	E1240 (NU)	E1240 (RR)	E1260 (NU)	E1260 (RR)
E1280 (NU)	E1280 (RR)	E1285 (NU)	E1285 (RR)	E1290 (NU)
E1290 (RR)	E1295 (NU)	E1295 (RR)	E1296 (NU)	E1297 (NU)
E1353	L2035	L2430	L5685	L5702
L5814	S1040	V2715		

The following procedure codes are being end-dated from the MA Program Fee Schedule either as a result of the 2009 HCPCS updates or because they were previously end-dated by CMS:

*Procedure Codes*

46934	46935	46936	52606	52612	52614
52620	61793	77781	77782	77783	77784
88400	90760	90761	90765	90766	90767
90768	90772	90773	90774	90775	93731
93732	93733	93734	93735	93736	93741
93742	93743	93744	93760	93762	99295
99296	99298	99299	99300	99431	99432
99433	99435	99440	0031T	G0297	G0300
J7340	J7342	L2860	L5995	Q0001	S2075
S2076	S2077				

*Prior Authorization Requirements*

The following procedure codes that are being added to the MA Program Fee Schedule are prostheses and orthoses that require prior authorization under section 443.6(b)(1) of the act of June 13, 1967 (P. L. 31, No. 21) (62 P. S. §§ 101—1503), known as the Public Welfare Code (Code), as amended by the act of July 7, 2005 (P. L. 177, No. 42):

<i>Procedure Code</i>	<i>Procedure Description</i>
K0672	Addition to lower extremity orthotic, removable soft interface, all components, replacement only, each
L0113	Cranial cervical orthotic, torticollis type, with or without joint, with or without soft interface material, prefabricated, includes fitting and adjustment
L2035	Knee-ankle-foot orthotic (KAFO), full plastic, static (pediatric size), without free motion ankle, prefabricated, includes fitting and adjustment
L2430	Addition to knee joint, ratchet lock for active and progressive knee extension, each joint
L5685	Addition to lower extremity prosthesis, below knee, suspension/sealing sleeve, with or without valve, any material, each
L5702	Replacement, socket, hip disarticulation, including hip joint, molded to patient model
L5814	Addition, endoskeletal knee-shin system, polycentric, hydraulic swing phase control, mechanical stance phase lock
L6711	Terminal device, hook, mechanical, voluntary opening, any material, any size, lined or unlined, pediatric
L6712	Terminal device, hook, mechanical, voluntary closing, any material, any size, lined or unlined, pediatric
L6713	Terminal device, hand, mechanical, voluntary opening, any material, any size, pediatric
L6714	Terminal device, hand, mechanical, voluntary closing, any material, any size, pediatric
L6721	Terminal device, hook or hand, heavy-duty, mechanical, voluntary opening, any material, any size, lined or unlined
L6722	Terminal device, hook or hand, heavy-duty, mechanical, voluntary closing, any material, any size, lined or unlined
S1040	Cranial remolding orthotic, pediatric, rigid, with soft interface material, custom fabricated, includes fitting and adjustment(s)

The following procedure codes being added to the MA Program Fee Schedule are durable medical equipment (DME) and will require prior authorization, as authorized under § 443.6(b)(2) of the Code, as amended by the act of July 7, 2005 (P. L. 177, No. 42):

<i>Procedure Code</i>	<i>Procedure Description</i>
E0784 (NU)	External ambulatory infusion pump, insulin
E1037 (NU)	Transport chair, pediatric size
E1050 (NU)	Fully-reclining wheelchair, fixed full-length arms, swing-away detachable elevating leg rests
E1070 (NU)	Fully-reclining wheelchair, detachable arms (desk or full-length) swing-away detachable footrest
E1083 (NU)	Hemi-wheelchair; fixed full-length arms, swing-away, detachable, elevating leg rests

<i>Procedure Code</i>	<i>Procedure Description</i>
E1084 (NU)	Hemi-wheelchair, detachable arms desk or full-length arms, swing-away detachable elevating leg rests
E1085 (NU)	Hemi-wheelchair, fixed full-length arms, swing-away detachable footrests
E1086 (NU)	Hemi-wheelchair, detachable arms, desk or full-length, swing-away detachable footrests
E1087 (NU)	High strength lightweight wheelchair, fixed full-length arms, swing-away detachable elevated leg rests
E1088 (NU)	High strength lightweight wheelchair, detachable arms desk or full-length, swing-away detachable elevating leg rests
E1089 (NU)	High-strength lightweight wheelchair, fixed-length arms, swing-away detachable footrest
E1090 (NU)	High-strength lightweight wheelchair, detachable arms, desk or full-length, swing-away detachable footrests
E1092 (NU)	Wide heavy-duty wheelchair, detachable arms, (desk or full-length), swing-away detachable elevating leg rests
E1093 (NU)	Wide heavy-duty wheelchair, detachable arms, desk or full-length), swing-away detachable footrests
E1100 (NU)	Semi-reclining wheelchair, fixed full-length arms, swing-away detachable elevating leg rests
E1110 (NU)	Semi-reclining wheelchair, detachable arms (desk or full length) elevating leg rest
E1150 (NU)	Wheelchair, detachable arms, desk or full-length swing-away detachable elevating leg rests
E1170 (NU)	Amputee wheelchair, fixed full-length arms, swing-away detachable elevating leg rests
E1172 (NU)	Amputee wheelchair, detachable arms (desk or full-length) without footrests or leg rest
E1180 (NU)	Amputee wheelchair, detachable arms (desk or full-length) swing-away detachable footrests
E1190 (NU)	Amputee wheelchair, detachable arms (desk or full-length) swing-away detachable elevating leg rests
E1195 (NU)	Heavy-duty wheelchair, fixed full-length arms, swing-away detachable elevating leg rests
E1200 (NU)	Amputee wheelchair, fixed full-length arms, swing-away detachable footrest
E1240 (NU)	Lightweight wheelchair, detachable arms, (desk or full-length) swing-away detachable, elevating leg rest
E1260 (NU)	Lightweight wheelchair, detachable arms (desk or full-length) swing-away detachable footrest
E1280 (NU)	Heavy-duty wheelchair, detachable arms (desk or full-length) elevating leg rests
E1285 (NU)	Heavy-duty wheelchair, fixed full-length arms, swing-away detachable footrest
E1290 (NU)	Heavy-duty wheelchair, detachable arms (desk or full-length) swing-away detachable footrest
E1295 (NU)	Heavy-duty wheelchair, fixed full-length arms, elevating leg rest

Rental of the following DME, which is being added to the MA Program Fee Schedule, will require prior authorization beginning with the first month of rental, as authorized under section 443.6(b)(3) of the Code, as amended by the act of July 7, 2005 (P. L. 177, No. 42):

<i>Procedure Code</i>	<i>Procedure Description</i>
E0463 (RR)	Pressure support ventilator with volume control mode, may include pressure control mode, used with invasive interface (for example, tracheostomy tube)

Rentals of the following DME, which are being added to the MA Program Fee Schedule, will require prior authorization after the first month's rental, as authorized under section 443.6(b)(3) of the Code, as amended by the act of July 7, 2005 (P. L. 177, No. 42):

<i>Procedure Code</i>	<i>Procedure Description</i>
E0667 (RR)	Segmental pneumatic appliance for use with pneumatic compressor, full leg
E0668 (RR)	Segmental pneumatic appliance for use with pneumatic compressor, full arm

Rentals of the following DME, which are being added to the MA Program Fee Schedule, will require prior authorization after 3 months of rental as authorized under section 443.6(b)(3) of the code, as amended by the act of July 7, 2005 (P. L. 177, No. 42):

<i>Procedure Code</i>	<i>Procedure Description</i>
E1037 (RR)	Transport chair, pediatric size
E1050 (RR)	Fully-reclining wheelchair, fixed full-length arms, swing-away detachable elevating leg rests
E1070 (RR)	Fully-reclining wheelchair, detachable arms (desk or full-length) swing-away detachable footrest
E1083 (RR)	Hemi-wheelchair; fixed full-length arms, swing-away, detachable, elevating leg rests
E1084 (RR)	Hemi-wheelchair, detachable arms desk or full-length arms, swing-away detachable elevating leg rests
E1085 (RR)	Hemi-wheelchair, fixed full-length arms, swing-away detachable footrests
E1086 (RR)	Hemi-wheelchair, detachable arms, desk or full-length, swing-away detachable footrests
E1087 (RR)	High strength lightweight wheelchair, fixed full-length arms, swing-away detachable elevated leg rests
E1088 (RR)	High strength lightweight wheelchair, detachable arms desk or full-length, swing-away detachable elevating leg rests
E1089 (RR)	High-strength lightweight wheelchair, fixed-length arms, swing-away detachable footrest
E1090 (RR)	High-strength lightweight wheelchair, detachable arms, desk or full-length, swing-away detachable footrests
E1092 (RR)	Wide heavy-duty wheelchair, detachable arms, (desk or full-length), swing-away detachable elevating leg rests
E1093 (RR)	Wide heavy-duty wheelchair, detachable arms, desk or full-length), swing-away detachable footrests
E1100 (RR)	Semi-reclining wheelchair, fixed full-length arms, swing-away detachable elevating leg rests
E1110 (RR)	Semi-reclining wheelchair, detachable arms (desk or full length) elevating leg rest
E1130 (RR)	Standard wheelchair, fixed full-length arms, fixed or swing-away detachable footrests
E1140 (RR)	Wheelchair, detachable arms, desk or full-length, swing-away detachable footrests
E1150 (RR)	Wheelchair, detachable arms, desk or full-length swing-away detachable elevating leg rests
E1160 (RR)	Wheelchair, fixed full-length arms, swing-away detachable elevating leg rests
E1170 (RR)	Amputee wheelchair, fixed full-length arms, swing-away detachable elevating leg rests
E1171 (RR)	Amputee wheelchair, fixed full-length arms, without footrests or leg rest
E1172 (RR)	Amputee wheelchair, detachable arms (desk or full-length) without footrests or leg rest
E1180 (RR)	Amputee wheelchair, detachable arms (desk or full-length) swing-away detachable footrests
E1190 (RR)	Amputee wheelchair, detachable arms (desk or full-length) swing-away detachable elevating leg rests
E1195 (RR)	Heavy-duty wheelchair, fixed full-length arms, swing-away detachable elevating leg rests
E1200 (RR)	Amputee wheelchair, fixed full-length arms, swing-away detachable footrest
E1221 (RR)	Wheelchair with fixed arm, footrests
E1222 (RR)	Wheelchair with fixed arm, elevating leg rests
E1227 (RR)	Special height arms for wheelchair
E1240 (RR)	Lightweight wheelchair, detachable arms, (desk or full-length) swing-away detachable, elevating leg rest
E1260 (RR)	Lightweight wheelchair, detachable arms (desk or full-length) swing-away detachable footrest
E1280 (RR)	Heavy-duty wheelchair, detachable arms (desk or full-length) elevating leg rests
E1285 (RR)	Heavy-duty wheelchair, fixed full-length arms, swing-away detachable footrest
E1290 (RR)	Heavy-duty wheelchair, detachable arms (desk or full-length) swing-away detachable footrest
E1295 (RR)	Heavy-duty wheelchair, fixed full-length arms, elevating leg rest

The following procedure codes being added to the MA Program Fee Schedule will require prior authorization, as authorized under section 443.6(b)(7) of the Code, as amended by the act of July 7, 2005 (P. L. 177, No. 42):

<i>Procedure Code</i>	<i>Procedure Description</i>
Q4101	Skin substitute, Apligraf, per sq cm
Q4106	Skin substitute, Dermagraft, per sq cm

#### *Fiscal Impact*

The estimated cost for Fiscal Year (FY) 2010-2011 is \$2.785 million (\$1.017 million in State funds). The annualized cost for FY 2011-2012 is \$2.906 million (\$1.360 million in State funds). These State fund estimates are based on the increased Federal MA Percentages as determined under the American Recovery and Reinvestment Act (ARRA) of 2009 (42 U.S.C.A. § 5301).

#### *Public Comment*

Interested persons are invited to submit written comments regarding this notice to the Department at the following address: Department of Public Welfare, Office of Medical Assistance Programs, c/o Deputy Secretary's Office, Attention: Regulations Coordinator, Room 515, Health and Welfare Building, Harrisburg, PA 17120. Comments received will be reviewed and considered for any subsequent revisions to the MA Program Fee Schedule.

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-641. (1) General Fund; (2) Implementing Year 2010-11 is \$1,017,000; (3) 1st Succeeding Year 2011-12 is \$1,360,000; 2nd Succeeding Year 2012-13 is \$1,360,000; 3rd Succeeding Year 2013-14 is \$1,360,000; 4th Succeeding Year 2014-15 is \$1,360,000; 5th Succeeding Year 2015-16 is \$1,360,000; (4) 2008-09 Program—\$555,085,000; 2007-08 Program—\$593,992,000; 2006-07 Program—\$671,472,000; (7) MA—Outpatient; (8) recommends adoption. Funds have been included in the budget to cover this increase.

[Pa.B. Doc. No. 10-1093. Filed for public inspection June 11, 2010, 9:00 a.m.]

## DEPARTMENT OF REVENUE

### Pennsylvania Triple Winning 7s Instant Lottery Game

Under the State Lottery Law (72 P. S. §§ 3761-101—3761-314) and 61 Pa. Code § 819.203 (relating to notice of instant game rules), the Secretary of Revenue hereby provides public notice of the rules for the following instant lottery game:

1. *Name:* The name of the game is Pennsylvania Triple Winning 7s.

2. *Price:* The price of a Pennsylvania Triple Winning 7s instant lottery game ticket is \$2.

3. *Play Symbols:* Each Pennsylvania Triple Winning 7s instant lottery game ticket will contain one play area. The play symbols and their captions, located in the play area are: 1 (ONE), 2 (TWO), 3 (THREE), 4 (FOUR), 5 (FIVE), 6 (SIX), 8 (EIGHT), 9 (NINE), 10 (TEN), 11 (ELEVN), 12 (TWLV), 13 (THRTN), 14 (FORTN), 15 (FIFTN), 16 (SIXTN), 18 (EGHTN), 19 (NINTN), 20 (TWENT), 21 (TWYONE), 22 (TWYTWO), 7 symbol (SEVEN), 77 symbol (WIN77) and a 7X symbol (7X).

4. *Prize Symbols:* The prize symbols and their captions, located in the play area are: \$1.<sup>00</sup> (ONE DOL), \$2.<sup>00</sup> (TWO DOL), \$3.<sup>00</sup> (THR DOL), \$5.<sup>00</sup> (FIV DOL), \$7.<sup>00</sup> (SVN DOL), \$10.<sup>00</sup> (TEN DOL), \$20.<sup>00</sup> (TWENTY), \$35.<sup>00</sup> (TRY FIV), \$50.<sup>00</sup> (FIFTY), \$77.<sup>00</sup> (SVY SVN), \$100 (ONE HUN), \$500 (FIV HUN), \$777 (SNHNSVYSN) and \$27,000 (TWYSVNTHO).

5. *Prizes:* The prizes that can be won in this game are: \$1, \$2, \$3, \$5, \$7, \$10, \$20, \$35, \$50, \$77, \$100, \$500, \$777 and \$27,000. The player can win up to 8 times on the ticket.

6. *Approximate Number of Tickets Printed For the Game:* Approximately 8,400,000 tickets will be printed for the Pennsylvania Triple Winning 7s instant lottery game.

#### 7. *Determination of Prize Winners:*

(a) Holders of tickets with a play symbol of 7 (SEVEN), and a prize symbol of \$27,000 (TWYSVNTHO) appears in the "Prize" area under that 7 (SEVEN) play symbol, on a single ticket, shall be entitled to a prize of \$27,000.

(b) Holders of tickets with a play symbol of 7 (SEVEN), and a prize symbol of \$777 (SNHNSVYSN) appears in the "Prize" area under that 7 (SEVEN) play symbol, on a single ticket, shall be entitled to a prize of \$777.

(c) Holders of tickets with a play symbol of 7X (7X), and a prize symbol of \$100 (ONE HUN) appears in the "Prize" area under that 7X (7X) play symbol, on a single ticket, shall be entitled to a prize of \$700.

(d) Holders of tickets with a play symbol of 7 (SEVEN), and a prize symbol of \$500 (FIV HUN) appears in the "Prize" area under that 7 (SEVEN) play symbol, on a single ticket, shall be entitled to a prize of \$500.

(e) Holders of tickets with a play symbol of 7X (7X), and a prize symbol of \$50.<sup>00</sup> (FIFTY) appears in the "Prize" area under that 7X (7X) play symbol, on a single ticket, shall be entitled to a prize of \$350.

(f) Holders of tickets with a play symbol of 7 (SEVEN), and a prize symbol of \$100 (ONE HUN) appears in the "Prize" area under that 7 (SEVEN) play symbol, on a single ticket, shall be entitled to a prize of \$100.

(g) Holders of tickets with a play symbol of 7 (SEVEN), and a prize symbol of \$77.<sup>00</sup> (SVY SVN) appears in the "Prize" area under that 7 (SEVEN) play symbol, on a single ticket, shall be entitled to a prize of \$77.

(h) Holders of tickets with a play symbol of 77 (WIN77) in the play area, on a single ticket, shall be entitled to a prize of \$77.

(i) Holders of tickets with a play symbol of 7X (7X), and a prize symbol of \$10.<sup>00</sup> (TEN DOL) appears in the "Prize" area under that 7X (7X) play symbol, on a single ticket, shall be entitled to a prize of \$70.

(j) Holders of tickets with a play symbol of 7 (SEVEN), and a prize symbol of \$50.<sup>00</sup> (FIFTY) appears in the "Prize" area under that 7 (SEVEN) play symbol, on a single ticket, shall be entitled to a prize of \$50.

(k) Holders of tickets with a play symbol of 7X (7X), and a prize symbol of \$7.<sup>00</sup> (SVN DOL) appears in the "Prize" area under that 7X (7X) play symbol, on a single ticket, shall be entitled to a prize of \$49.

(l) Holders of tickets with a play symbol of 7 (SEVEN), and a prize symbol of \$35.<sup>00</sup> (TRY FIV) appears in the "Prize" area under that 7 (SEVEN) play symbol, on a single ticket, shall be entitled to a prize of \$35.

(m) Holders of tickets with a play symbol of 7X (7X), and a prize symbol of \$5.<sup>00</sup> (FIV DOL) appears in the "Prize" area under that 7X (7X) play symbol, on a single ticket, shall be entitled to a prize of \$35.

(n) Holders of tickets with a play symbol of 7X (7X), and a prize symbol of \$3.<sup>00</sup> (THR DOL) appears in the "Prize" area under that 7X (7X) play symbol, on a single ticket, shall be entitled to a prize of \$21.

(o) Holders of tickets with a play symbol of 7 (SEVEN), and a prize symbol of \$20.<sup>00</sup> (TWENTY) appears in the "Prize" area under that 7 (SEVEN) play symbol, on a single ticket, shall be entitled to a prize of \$20.

(p) Holders of tickets with a play symbol of 7X (7X), and a prize symbol of \$2.<sup>00</sup> (TWO DOL) appears in the "Prize" area under that 7X (7X) play symbol, on a single ticket, shall be entitled to a prize of \$14.

(q) Holders of tickets with a play symbol of 7 (SEVEN), and a prize symbol of \$10.<sup>00</sup> (TEN DOL) appears in the "Prize" area under that 7 (SEVEN) play symbol, on a single ticket, shall be entitled to a prize of \$10.

(r) Holders of tickets with a play symbol of 7 (SEVEN), and a prize symbol of \$7.<sup>00</sup> (SVN DOL) appears in the "Prize" area under that 7 (SEVEN) play symbol, on a single ticket, shall be entitled to a prize of \$7.

(s) Holders of tickets with a play symbol of 7X (7X), and a prize symbol of \$1.<sup>00</sup> (ONE DOL) appears in the "Prize" area under that 7X (7X) play symbol, on a single ticket, shall be entitled to a prize of \$7.

(t) Holders of tickets with a play symbol of 7 (SEVEN), and a prize symbol of \$5.<sup>00</sup> (FIV DOL) appears in the "Prize" area under that 7 (SEVEN) play symbol, on a single ticket, shall be entitled to a prize of \$5.

(u) Holders of tickets with a play symbol of 7 (SEVEN), and a prize symbol of \$3.<sup>00</sup> (THR DOL) appears in the "Prize" area under that 7 (SEVEN) play symbol, on a single ticket, shall be entitled to a prize of \$3.

(v) Holders of tickets with a play symbol of 7 (SEVEN), and a prize symbol of \$2.<sup>00</sup> (TWO DOL) appears in the "Prize" area under that 7 (SEVEN) play symbol, on a single ticket, shall be entitled to a prize of \$2.

(w) Holders of tickets with a play symbol of 7 (SEVEN), and a prize symbol of \$1.<sup>00</sup> (ONE DOL) appears in the "Prize" area under that 7 (SEVEN) play symbol, on a single ticket, shall be entitled to a prize of \$1.

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

<i>Reveal A "7" (SEVEN) Symbol, Win With Prize(s) Of:</i>	<i>Win</i>	<i>Approximate Odds Are 1 In:</i>	<i>Approximate No. Of Winners Per 8,400,000 Tickets</i>
\$1 × 2	\$2	21.43	392,000
\$2	\$2	23.08	364,000
\$1 × 3	\$3	33.33	252,000
\$3	\$3	33.33	252,000
\$1 × 5	\$5	75	112,000
\$5	\$5	75	112,000
\$1 × 7	\$7	300	28,000
\$1 w/7X	\$7	150	56,000
\$7	\$7	300	28,000
(\$1 × 6) + (\$2 × 2)	\$10	750	11,200
\$2 × 5	\$10	750	11,200
(\$1 w/7X) + (\$1 × 3)	\$10	750	11,200
\$5 × 2	\$10	750	11,200
\$10	\$10	750	11,200
(\$2 w/7X) + (\$2 × 3)	\$20	750	11,200
(\$3 × 5) + \$5	\$20	500	16,800
\$5 × 4	\$20	1,500	5,600
\$10 × 2	\$20	1,500	5,600
\$20	\$20	500	16,800
\$5 × 7	\$35	2,400	3,500
(\$3 w/7X) + (\$2 × 7)	\$35	1,846	4,550
\$5 w/7X	\$35	1,846	4,550
(\$5 × 3) + (\$10 × 2)	\$35	2,400	3,500
\$20 + \$10 + \$5	\$35	2,182	3,850
\$35	\$35	2,000	4,200



Reveal A "7" (SEVEN) Symbol,  
Win With Prize(s) Of:

Win	Approximate Odds Are 1 In:	Approximate No. Of Winners Per 8,400,000 Tickets	
(\$5 × 6) + (\$10 × 2)	\$50	1,846	4,550
(\$5 w/7X) + (\$5 × 3)	\$50	1,714	4,900
\$10 × 5	\$50	1,846	4,550
\$50	\$50	1,846	4,550
(\$7 w/7X) + (\$7 × 4)	\$77	6,000	1,400
(\$10 × 7) + \$7	\$77	6,000	1,400
(\$35 × 2) + \$7	\$77	6,000	1,400
77 SYMBOL	\$77	1,714	4,900
\$77	\$77	1,714	4,900
(\$5 w/7X) + (\$20 × 3) + \$5	\$100	24,000	350
(\$10 w/7X) + (\$5 × 6)	\$100	24,000	350
\$20 × 5	\$100	24,000	350
77 SYMBOL + (\$7 × 3) + \$2	\$100	12,000	700
\$50 × 2	\$100	24,000	350
\$100	\$100	24,000	350
(\$50 × 4) + (\$100 × 3)	\$500	60,000	140
(\$50 w/7X) + (\$50 × 3)	\$500	60,000	140
\$100 × 5	\$500	40,000	210
\$500	\$500	40,000	210
(\$100 × 7) + 77 SYMBOL	\$777	30,000	280
(\$100 w/7X) + 77 SYMBOL	\$777	30,000	280
\$777	\$777	40,000	210
\$27,000	\$27,000	840,000	10

Get a "777" (WIN77) symbol, win \$77 automatically.  
Get a "7X" (7X) symbol, win 7 times the prize shown under it.

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

9. *Retailer Incentive Awards:* The Lottery may conduct a separate Retailer Incentive Game for retailers who sell Pennsylvania Triple Winning 7s instant lottery game tickets. The conduct of the game will be governed by 61 Pa. Code § 819.222 (relating to retailer bonuses and incentive).

10. *Unclaimed Prize Money:* For a period of 1 year from the announced close of Pennsylvania Triple Winning 7s, prize money from winning Pennsylvania Triple Winning 7s instant lottery game tickets will be retained by the Secretary for payment to the persons entitled thereto. If no claim is made within 1 year of the announced close of the Pennsylvania Triple Winning 7s instant lottery game, the right of a ticket holder to claim the prize represented by the ticket, if any, will expire and the prize money will be paid into the State Lottery Fund and used for purposes provided for by statute.

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

12. *Termination of the Game:* The Secretary may announce a termination date, after which no further tickets from this game may be sold. The announcement will be disseminated through media used to advertise or promote Pennsylvania Triple Winning 7s or through normal communications methods.

C. DANIEL HASSELL,  
Secretary

[Pa.B. Doc. No. 10-1094. Filed for public inspection June 11, 2010, 9:00 a.m.]

## DEPARTMENT OF TRANSPORTATION

### Finding Lancaster County

Under section 2002(b) of The Administrative Code of 1929 (71 P.S. § 512(b)), the Director of the Bureau of Design makes the following written finding:

The Federal Highway Administration and the Department of Transportation (Department) are planning the relocation of SR 441 in the Borough of Columbia, Lancaster County, with improvements to Front Street (SR 441), Cedar Street, Bridge Street and the U.S. 30 Eastbound on-ramp. This project will permanently impact 0.62 acre from the Pennsylvania Railroad/Atglen and Susquehanna Branch. According to the National Register of Historic Places, this railroad is part of the Columbia Historic District. The rail line is approximately 678.78 acres in size; therefore, this project will impact 0.09% of the resource. There will be no temporary impacts to the rail line. This project will result in a No Adverse Effect on this resource.

In accordance with section 2002 of The Administrative Code of 1929 establishing the Department, a Level-2 Categorical Exclusion Evaluation (CEE) has been developed for the subject project along with a "Determination of Section 4(f) *De minimis* Use, Section 2002, No Adverse Use, Historic Properties" form to evaluate the potential environmental impacts caused by the subject project. The document also serves as the Section 2002 Evaluation. The approved documents are available in the CE/EA Expert System.

Based upon studies, this is the most feasible and prudent alternative for the proposed action. Mitigation

measures will be taken to minimize harm as stipulated in the Level-2 CEE.

The environmental, economic, social and other effects of the proposed project as enumerated in section 2002 of The Administrative Code of 1929 have been considered. It has been concluded that this is the most feasible and prudent alternative to the project as designed, and all reasonable steps have been taken to minimize the effects.

BRIAN G. THOMPSON, P. E.,  
*Director*  
*Bureau of Design*

[Pa.B. Doc. No. 10-1095. Filed for public inspection June 11, 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 the Public Comment Period</i>	<i>IRRC Comments Issued</i>
16A-415	State Board of Chiropractic Review of Chiropractic Treatment 40 Pa.B. 1641 (March 27, 2010)	4/26/10	5/26/10

### State Board of Chiropractic Regulation #16A-4315 (IRRC #2826)

#### Review of Chiropractic Treatment May 26, 2010

We submit for your consideration the following comments on the proposed rulemaking published in the March 27, 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 State Board of Chiropractic (Board) to respond to all comments received from us or any other source.

#### 1. Possible conflict with or duplication of statutes or existing regulations.

The Insurance Federation of Pennsylvania (IFP) has submitted comments that state the Board, "... vastly

exceeded its jurisdiction in drafting this regulation. As a result, many of its provisions are in direct conflict with existing laws and regulations." We agree that the Board's attempt to set standards for chiropractors performing independent chiropractic examinations or chiropractic peer reviews could either duplicate or conflict with the provisions of Pennsylvania's Workers Compensation Act (77 P. S. §§ 101, et seq.), Pennsylvania's Motor Vehicle Financial Responsibility Law (75 Pa.C.S.A. §§ 1701, et seq.), and the regulations promulgated by the Department of Labor and Industry and the Department of Insurance.

In the Preamble to the final-form regulation, the Board should explain how the regulation will be implemented in concert with the laws and regulations noted above. We ask the Board to consult with both Departments and the various segments of the regulated community as it prepares the final-form rulemaking to ensure that this regulation does not duplicate or conflict with the statutes and regulations noted above.

#### 2. Statutory authority.

IFP questioned the Board's authority to set standards and procedures for independent medical examinations and chiropractic peer reviews under the Workers Compensation Act and the Motor Vehicle Financial Responsibility Law. The Board should explain its statutory authority to regulate in these areas when it submits the final-form rulemaking.

#### 3. Need for the regulation.

The House Professional Licensure Committee (Committee) submitted comments that question the purpose of and need for the regulation. We agree with the Committee and ask the Board to provide a more detailed explanation of why this regulation is needed and what problem it is intended to address. In addition, we ask the Board to quantify how many of Pennsylvania's approximately 4,150 licensed chiropractors perform either independent chiropractic examinations or chiropractic peer reviews and how many examinations or reviews are done each year.

#### 4. Section 5.55. Independent chiropractic examination.—Implementation procedures; Clarity.

##### *Subsection (a)(2)*

This subsection requires a chiropractor performing an independent chiropractic examination to "be currently engaged in the clinical practice of chiropractic in this Commonwealth at least 20 hours per week." Section 5.56(a)(2), pertaining to chiropractors performing a chiropractic peer review, contains a similar provision. Commentators have questioned how these provisions will be implemented. For example, is the 20 hour per week mandate an average of a chiropractors clinical practice over a year, or must the chiropractor practice 20 hours every week? What is meant by the term "clinical practice"? Would this include such activities as teaching? Finally, how would the 20 hour requirement be verified? We suggest that the final-form regulation include provisions that define clinical practice and how the 20 hour requirement will be calculated and verified.

##### *Subsection (b)*

This subsection lists three circumstances where a chiropractor may not perform an independent chiropractic review. Section 5.56(b) lists the same three circumstances where a chiropractor may not perform a chiropractic peer review. We have concerns with two of the three circumstances.

The first circumstance is if a chiropractor “had previous professional involvement with patient or provider under review.” Commentators have noted, and we agree, that this standard is vague. What is meant by the phrase “professional involvement”? Would this include previous independent chiropractic or peer reviews? Commentators have noted that there may be instances where the insurers would want a patient examined by the same chiropractor. Would this provision limit the number of chiropractors available to perform these reviews? The final-form regulation should clarify the Board’s intent for implementing this provision.

The second circumstance is if a “chiropractor’s impartiality may be reasonably questioned.” Commentators have stated this provision is vague and subjective. We agree that it does not establish a binding norm and suggest that the provision be deleted or written in a more precise manner.

*Subsection (c)*

This subsection states, “A chiropractor performing an independent chiropractic examination shall obtain and review the patient record of the currently treating chiropractor.” Commentators are concerned with the feasibility and practicality of a reviewing chiropractor obtaining the patient record from the treating chiropractor. They believe obtaining the patient record should not be the responsibility of the reviewing chiropractor. They also question who will pay for transfer of the records. We also question how this provision will be administered and ask if it would be more appropriate for the party requesting the review to coordinate the transfer of the patient records.

ARTHUR COCCODRILLI,  
*Chairperson*

[Pa.B. Doc. No. 10-1096. Filed for public inspection June 11, 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.

*Final-Form*

<i>Reg. No.</i>	<i>Agency/Title</i>	<i>Received</i>	<i>Public Meeting</i>
14-512	Department of Public Welfare Individual Support Plan for Individuals with Mental Retardation	5/27/10	7/15/10

ARTHUR COCCODRILLI,  
*Chairperson*

[Pa.B. Doc. No. 10-1097. Filed for public inspection June 11, 2010, 9:00 a.m.]

**INSURANCE DEPARTMENT**

**Children’s Health Insurance Program Advisory Council Meeting**

The Insurance Department (Department) has scheduled a meeting of the Children’s Health Insurance Program Advisory Council (Council) on Wednesday, June 23, 2010, at 10 a.m. at the Department of Education, Heritage Rooms A and B, Lobby Level, 333 Market Street, Harrisburg, PA 17120. The Children’s Health Care Act (40 P. S. §§ 991.2301—991.2361) charges the Council with the responsibilities of reviewing outreach activities and evaluating the accessibility and availability of services delivered to children enrolled in Children’s Health Insurance Program. The public is invited to attend. Persons who need accommodations due to a disability who wish to attend the meeting should contact Kirk Montrose, Insurance Department, 1300 Strawberry Square, Harrisburg, PA 17120 or (717) 214-4781, at least 24 hours in advance so that arrangements can be made.

JOEL SCOTT ARIO,  
*Insurance Commissioner*

[Pa.B. Doc. No. 10-1098. Filed for public inspection June 11, 2010, 9:00 a.m.]

**Review Procedure Hearings; Cancellation or Refusal of Insurance**

The following insured has requested a hearing as authorized by the act of June 17, 1998 (P. L. 464, No. 68) (Act 68) in connection with the termination of the insured’s automobile policies. The hearing will be held in accordance with the requirements of Act 68; 1 Pa. Code Part II (relating to General Rules of Administrative Practice and Procedure); and 31 Pa. Code §§ 56.1—56.3 (relating to Special Rules of Administrative Practice and Procedure). The administrative hearing will be held in the Insurance Department’s regional office in Harrisburg, PA. Failure by an appellant to appear at the scheduled hearing may result in dismissal with prejudice.

The following hearing will be held in the Administrative Hearings Office, Capitol Associates Building, Room 200, 901 North Seventh Street, Harrisburg, PA 17102.

Appeal of John J. Baranski, Jr.; file no. 10-169-87634; State Farm Mutual Automobile Insurance Company; Doc. No. P10-05-025; July 20, 2010, 10 a.m.

Parties may appear with or without counsel and offer relevant testimony or other relevant evidence. Each party must bring documents, photographs, drawings, claims files, witnesses, and the like, necessary to support the party’s case. A party intending to offer documents or photographs into evidence shall bring enough copies for the record and for each opposing party.

In some cases, the Insurance Commissioner (Commissioner) may order that the company reimburse an insured for the higher cost of replacement insurance coverage obtained while the appeal is pending. Reimbursement is available only when the insured is successful on appeal, and may not be ordered in all instances. If an insured wishes to seek reimbursement for the higher cost of replacement insurance, the insured must produce documentation at the hearing which will allow comparison of coverages and costs between the original policy and the replacement policy.

Following the hearing and receipt of the stenographic transcript, the Commissioner will issue a written order resolving the factual issues presented at the hearing and stating what remedial action, if any, is required. The Commissioner's Order will be sent to those persons participating in the hearing or their designated representatives. The Order of the Commissioner may be subject to judicial review by the Commonwealth Court.

Persons with a disability who wish to attend the previously-referenced administrative hearing and require an auxiliary aid, service or other accommodation to participate in the hearing, contact Donna R. Fleischauer, Human Resources Director at (717) 705-4194.

JOEL SCOTT ARIO,  
*Insurance Commissioner*

[Pa.B. Doc. No. 10-1099. Filed for public inspection June 11, 2010, 9:00 a.m.]

### Review Procedure Hearings under the Unfair Insurance Practices Act

The following insureds have requested a hearing as authorized by section 8 of the Unfair Insurance Practices Act (40 P. S. § 1171.8) in connection with their companies' termination of the insureds' policies. The administrative hearing will be held in the Insurance Department's regional offices in Harrisburg, PA. Failure by an appellant to appear at a scheduled hearing may result in dismissal with prejudice.

The following hearings will be held in the Administrative Hearings Office, Capitol Associates Building, Room 200, 901 North Seventh Street, Harrisburg, PA 17102.

Appeal of Mary Ann Bayo; file no. 10-183-87191; Erie Insurance Exchange; Doc. No. P10-05-016; July 7, 2010, 10 a.m.

Appeal of Anthony G. Stellar; file no. 10-169-85959; Saucon Mutual Insurance Company; Doc. No. P10-05-013; July 15, 2010, 9:30 a.m.

Parties may appear with or without counsel and offer relevant testimony and/or other relevant evidence. Each party must bring documents, photographs, drawings, claims files, witnesses, and the like, necessary to support the party's case. A party intending to offer documents or photographs into evidence shall bring enough copies for the record and for each opposing party.

In some cases, the Insurance Commissioner (Commissioner) may order that the company reimburse an insured for the higher cost of replacement insurance coverage obtained while the appeal is pending.

Reimbursement is available only when the insured is successful on appeal and may not be ordered in all instances. If an insured wishes to seek reimbursement for the higher cost of replacement insurance, the insured must produce documentation at the hearing which will

allow comparison of coverages and costs between the original policy and the replacement policy.

Following the hearing and receipt of the stenographic transcript, the Commissioner will issue a written order resolving the factual issues presented at the hearing and stating what remedial action, if any, is required. The Commissioner's Order will be sent to those persons participating in the hearing or their designated representatives. The Order of the Commissioner may be subject to judicial review by the Commonwealth Court.

Persons with a disability who wish to attend the previously-referenced administrative hearing and require an auxiliary aid, service or other accommodation to participate in the hearing, contact Donna R. Fleischauer, Human Resources Director at (717) 705-4194.

JOEL SCOTT ARIO,  
*Insurance Commissioner*

[Pa.B. Doc. No. 10-1100. Filed for public inspection June 11, 2010, 9:00 a.m.]

### Worker's Compensation Security Fund Assessment: Notice No. 2010-03

The Insurance Department (Department) has determined that no contributions will be required for the Workers' Compensation Security Fund (Fund).

Section 9(1) of the Workers' Compensation Security Fund Act (act) (77 P. S. § 1059(1)) states "... If, due to the payment of liabilities or claims, the balance of the fund is reduced below \$500,000,000, the department shall require contributions to maintain the actuarial soundness of the fund and to restore, in a timely manner, the balance of the fund to a level at or above \$500,000,000." As of the evaluation date of December 31, 2009, the balance of the fund was \$541,594,256.

Therefore, insurers writing workers' compensation insurance in this Commonwealth will not be required to submit any contributions for the Fund in 2010.

The act may be viewed at [www.ncigf.org](http://www.ncigf.org) under "Industry," "Educational Resources," then "Guaranty Fund Laws & Law Summaries"; and the rules and regulations may be viewed at [www.pacode.com](http://www.pacode.com), December 31 Pa. Code Chapter 165 (relating to Workers' Compensation Security Fund). Additional information regarding the fund is located on the Department's web site under Special Funds at [www.insurance.pa.gov](http://www.insurance.pa.gov) under "How to Find..." click on "Workers' Compensation Security Fund."

No acknowledgement of this notice is required.

JOEL SCOTT ARIO,  
*Insurance Commissioner*

[Pa.B. Doc. No. 10-1101. Filed for public inspection June 11, 2010, 9:00 a.m.]

# PENNSYLVANIA INFRASTRUCTURE INVESTMENT AUTHORITY

## Meetings Scheduled

The Pennsylvania Infrastructure Investment Authority (PENNVEST) Board of Director's meetings for Fiscal Year 2010 have been scheduled for the following:

<i>Meeting Date</i>	<i>Application Cut-Off Date</i>	<i>Time</i>	<i>Location</i>
July 20, 2010	May 18, 2010	10:30	The Governor's Residence
November 9, 2010	August 31, 2010	10:30	The Governor's Residence
April 19, 2011	February 15, 2011	10:30	The Governor's Residence

Persons requiring ADA accommodations at the Board Meeting should contact Kathlyn A. Domitrovich at (717) 783-4494 or kdomitrovi@state.pa.us.

PAUL MARCHETTI,  
*Executive Director*

[Pa.B. Doc. No. 10-1102. Filed for public inspection June 11, 2010, 9:00 a.m.]

## PENNSYLVANIA PUBLIC UTILITY COMMISSION

### Service of Notice of Motor Carrier Applications

The following temporary authority and/or permanent authority applications for the right to render service as a common carrier or contract carrier in this Commonwealth have been filed with the Pennsylvania Public Utility Commission. Formal protests and petitions to intervene must be filed in accordance with 52 Pa. Code (relating to public utilities). A protest shall indicate whether it applies to the temporary authority application, the permanent authority application, or both. Filings must be made with the Secretary, Pennsylvania Public Utility Commission, P. O. Box 3265, Harrisburg, PA 17105-3265, with a copy served on the applicant by June 28, 2010. Documents filed in support of the applications are available for inspection and copying at the Office of the Secretary between 8 a.m. and 4:30 p.m., Monday through Friday, and at the business address of the respective applicant.

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

**A-2010-2178503. Frank H. Barton, t/a F. H. Barton Transportation** (19747 SR 92, Susquehanna, Susquehanna County, PA 18847)—persons in paratransit service, between points in Pennsylvania.

#### **Applications of the following for approval of the *beginning of the exercise of the right and privilege of operating motor vehicles as common carriers for the transportation of persons by transfer of rights as described under each application.***

**A-2010-2172633. Physicians Choice Ambulance Service, Inc.** (300 Domino Lane, Philadelphia, PA 19128)—in paratransit service, which is to be a transfer of all rights authorized under the certificate issued at A-00119122, F. 2, to Safecare Ambulance Services, Inc., subject to the same rights and limitations. *Attorney:* Peter L. Johnston, Esq., 2033 Walnut Street, Philadelphia, PA 19103.

**A-2010-2179338. AAA Worldwide Transportation, Inc.** (79 Beaver Avenue, Suite 6, Clinton, Hunterdon

County, NJ 08809)—a corporation of the State of New Jersey—in limousine service, between points in Pennsylvania, which is to be a transfer of all rights authorized under the certificate issued at A-00117376 to Stylin' Limousine, Inc., subject to the same limitations and conditions. *Attorney:* Richard T. Mulcahey, 1500 JFK Boulevard, Two Penn Center, Suite 1400, Philadelphia, PA 19102.

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

**A-2010-2178769. L & M Connect, LLC** (27321 Route 220, Milan, PA 18834)—a corporation of the Commonwealth, for amendment to its common carrier certificate, which grants the right, inter alia, to transport, by motor vehicle, in paratransit service between points in Bradford, Tioga, Susquehanna and Sullivan Counties, Pennsylvania: *SO AS TO PERMIT:* the transportation of persons, in paratransit service, by vans with a maximum ten passenger capacity, not including the driver, between temporary residences in hotels/motels to and from various locations, including job sites where they are employed in the natural gas drilling industry between points in Pennsylvania. *Attorney:* Gary E. French, Esq., Keefer Wood Allen & Rahal, LLP, 210 Walnut Street, P. O. Box 11963, Harrisburg, PA 17108-1963.

#### **Application of the following for approval of the *additional right and privilege of operating motor vehicles as common carriers for transportation of persons as described under the application.***

**A-2010-2178147. Chic's Limousine and Transportation, Inc.** (1624 Burke Road, Blue Bell, Montgomery County, PA 19422), a corporation of the Commonwealth—persons, in group and party service, in vehicles seating 11 to 15 passengers, including the driver, between points in Pennsylvania, and return, excluding service that is under the jurisdiction of the Philadelphia Parking Authority. *Attorney:* Robert A. Saraceni, Jr., 548 1/2 East Main Street, Suite A, Norristown, PA 19401.

*Pennsylvania Public Utility Commission,  
Bureau of Transportation and Safety v. Main Line  
Limousine, Inc., t/a Elegante Limousine Service;  
A-00108501; C-2009-2108020*

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 Main Line Limousine, Inc., t/a Elegant Limousine Service, respondent, maintains its principal place of business at 41 Claremont Blvd., Havertown, Pennsylvania 19083.

2. That respondent was issued a certificate of public convenience by this Commission, for Limousine service, on October 11, 1989, at Application Docket No. A-00108501.

3. That on April 15, 2009, and April 24, 2009, an annual fleet inspection was performed on respondent by Enforcement Officers William Lark and Freda Culver, duly authorized officers of this Commission. The information contained in this complaint was obtained during said inspection.

4. That respondent, on April 24, 2009, at approximately 9:00 a.m., at 388 Reed Rd., Broomall, Pennsylvania, presented a certain 1962 Bentley, bearing License No. LM21909, Vehicle Identification No. B6LDW, for inspection.

5. That the vehicle described in Paragraph 4 of this complaint was inspected by Enforcement Officer Lark, a duly authorized officer of this Commission, on the date and at the place specified in Paragraph 4 and the following violation was disclosed.

(a) Vehicle beyond eight model years with no approval exemption form onboard the vehicle.

6. That respondent, on April 24, 2009, at approximately 9:30 a.m., at 388 Reed Rd., Broomall, Pennsylvania, presented a certain 1956 Bentley, bearing License No. LM21910, Vehicle Identification No. B339DE, for inspection.

7. That the vehicle described in Paragraph 6 of this complaint was inspected by Enforcement Officer Lark, a duly authorized officer of this Commission, on the date and at the place specified in Paragraph 6 and the following violation was disclosed.

(a) Vehicle beyond eight model years with no approval exemption form onboard the vehicle.

8. That respondent, on April 24, 2009, at approximately 9:55 a.m., at 388 Reed Rd., Broomall, Pennsylvania, presented a certain 1953 Bentley, bearing License No. LM21087, Vehicle Identification No. B3105R, for inspection.

9. That the vehicle described in Paragraph 8 of this complaint was inspected by Enforcement Officer Lark, a duly authorized officer of this Commission, on the date and at the place specified in Paragraph 8 and the following violation was disclosed.

(a) Vehicle beyond eight model years with no approval exemption form onboard the vehicle.

10. That respondent, on April 24, 2009, at approximately 10:20 a.m., at 388 Reed Rd., Broomall, Pennsylvania, presented a certain 1951 Bentley, bearing License No. LM207850, Vehicle Identification No. B284LJ, for inspection.

11. That the vehicle described in Paragraph 10 of this complaint was inspected by Enforcement Officer Lark, a duly authorized officer of this Commission, on the date and at the place specified in Paragraph 10 and the following violation was disclosed.

(a) Vehicle beyond eight model years with no approval exemption form onboard the vehicle.

12. That respondent, by operating vehicles older than eight model years without an official approval form for exemption onboard, violated 52 Pa. Code § 29.333(e). The penalty is \$250.00 per violation for a total fine of \$1,000.00.

Wherefore, the Bureau of Transportation and Safety Prosecutory Staff hereby requests that the Commission fine Main Line Limousine, Inc., t/a Elegant Limousine Service, the sum of one thousand dollars (\$1,000.00) 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 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:

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 a Secretarial Letter 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 a Secretarial Letter 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.

ROSEMARY CHIAVETTA,  
*Secretary*

[Pa.B. Doc. No. 10-1103. Filed for public inspection June 11, 2010, 9:00 a.m.]

## PHILADELPHIA REGIONAL PORT AUTHORITY

### Request for Bids

The Philadelphia Regional Port Authority (PRPA) will accept bids for Project No. 10-059.S Cleaning Services at the Tioga Administration Building until 2 p.m. on Thursday, July 8, 2010. Information concerning this project can be obtained from the PRPA web site [www.philaport.com](http://www.philaport.com) under Procurement, and will be available Tuesday, June 15, 2010. PRPA is an equal opportunity employer. Firms must comply with all applicable equal employment opportunity laws and regulations.

A mandatory prebid meeting will be held Thursday, June 24, 2010, 10 a.m. at PRPA, 3460 North Delaware Avenue, Philadelphia, PA 19134. The PRPA will consider only those bids received from parties who attended the prebid meeting.

JAMES T. McDERMOTT, Jr.,  
*Executive Director*

[Pa.B. Doc. No. 10-1104. Filed for public inspection June 11, 2010, 9:00 a.m.]

### Request for Bids

The Philadelphia Regional Port Authority (PRPA) will accept bids for Janitorial Supplies for Projects No. 10-060.P, Tioga Administration Building and Project No. 10-061.P, Maintenance until 2 p.m. on Friday, June 25,

2010. Information concerning this project can be obtained from the PRPA web site [www.philaport.com](http://www.philaport.com) under Procurement, and will be available Tuesday, June 15, 2010. PRPA is an equal opportunity employer. Firms must comply with all applicable equal employment opportunity laws and regulations.

JAMES T. McDERMOTT, Jr.,  
*Executive Director*

[Pa.B. Doc. No. 10-1105. Filed for public inspection June 11, 2010, 9:00 a.m.]

## STATE BOARD OF NURSING

### Bureau of Professional and Occupational Affairs v. Mary A. Prosseda, LPN; Doc. No. 1031-51-2009

On March 3, 2010, Mary A. Prosseda, LPN, license no. PN271727, of Milton, Northumberland County had her license indefinitely suspended, based on findings that she is unable to practice nursing with reasonable skill and safety to patients by reason of mental or physical illness or condition or physiological or psychological dependence upon alcohol, hallucinogenic or narcotic drugs or other drugs which tend to impair judgment or coordination.

Individuals may obtain a copy of the adjudication by writing to C. William Fritz, II, Board Counsel, State Board of Nursing, P. O. Box 2649, Harrisburg, PA 17105-2649.

This final adjudication and order represents the State Board of Nursing's (Board) final decision in this matter. It may be appealed to the Commonwealth Court of Pennsylvania by the filing of a petition for review with that court in accordance with the Pennsylvania Rules of Appellate Procedure. Individuals who take an appeal to the Commonwealth Court, must serve the Board with a copy of their petition for review. The Board contact for receiving service of the appeals is the previously-named Board Counsel.

ANN L. O'SULLIVAN, PhD, FAAN, CRNP,  
*Chairperson*

[Pa.B. Doc. No. 10-1106. Filed for public inspection June 11, 2010, 9:00 a.m.]

### Bureau of Professional and Occupational Affairs v. John C. Rodenbough, RN, LPN; Doc. No. 0062-51-2010

On March 4, 2010, John C. Rodenbough, license nos. RN543750 and PN082997L, of Phoenixville, Chester County had his licenses suspended for no less than 3 years, retroactive January 7, 2010, based on findings that he is unable to practice nursing with reasonable skill and safety to patients by reason of mental or physical illness or condition or physiological or psychological dependence upon alcohol, hallucinogenic or narcotic drugs or other drugs which tend to impair judgment or coordination.

Individuals may obtain a copy of the adjudication by writing to C. William Fritz, II, Board Counsel, State Board of Nursing, P. O. Box 2649, Harrisburg, PA 17105-2649.

This final adjudication and order represents the State Board of Nursing’s (Board) final decision in this matter. It may be appealed to the Commonwealth Court of Pennsylvania by the filing of a petition for review with that court in accordance with the Pennsylvania Rules of Appellate Procedure. Individuals who take an appeal to the Commonwealth Court, must serve the Board with a copy of their petition for review. The Board contact for receiving service of the appeals is the previously-named Board Counsel.

ANN L. O’SULLIVAN, PhD, FAAN, CRNP,  
*Chairperson*

[Pa.B. Doc. No. 10-1107. Filed for public inspection June 11, 2010, 9:00 a.m.]

## STATE CONSERVATION COMMISSION

### Action on Odor Management Plans for Concentrated Animal Operations, and Concentrated Animal Feeding Operations and Volunteers Complying with Pennsylvania’s Facility Odor Management Program

The State Conservation Commission has taken the following actions on previously received applications for

Odor Management Plans under 3 Pa.C.S. §§ 501—522 (relating to nutrient management and odor management).

Persons aggrieved by any action may appeal under 3 Pa.C.S. § 517 (relating to appealable actions), section 4 of the Environmental Hearing Board Act (35 P. S. § 7514) and 2 Pa.C.S. §§ 501—508 and 701—704 (relating to the 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 Chairperson of the Board at (717) 787-3483. This paragraph does not, in and of itself, create any right of appeal beyond that permitted by applicable statutes and decision law.

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

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

#### Odor Management Plan—Public Notice Spreadsheet—Actions

<i>Ag Operation Name, Address</i>	<i>County/Township</i>	<i>Animal Equivalent Units</i>	<i>Animal Type</i>	<i>New or Amended</i>	<i>Action Taken</i>
Heisler’s Egg Farm, Inc.	Schuylkill/ Walker Township	174.0	Layers	New	Approved
Yippee Farms	Lancaster/ Ralpho Township	213.5	Cattle	Amended	Approved
Brubaker, Robert L.	Lancaster/ Ralpho Township	66.6	Broilers	New	Approved
Brubaker, Jodie	Lancaster/ Ralpho Township	251.51	Broilers	New	Approved
Mains Dairy	Cumberland/ West Pennsboro Township	0—Manure Storage Only	Cattle	New	Approved
Huston Hollow Farm/ Country View Family Farms, LLC	Fulton/ Taylor Township	59.56	Swine	New	Approved
Energy Works BioPower, LLC	Adams/ Tyrone Township	0—Manure Only	Layers	New	Returned—No SCC Action

RUSSEL C. REDDING,  
*Chairperson*

[Pa.B. Doc. No. 10-1108. Filed for public inspection June 11, 2010, 9:00 a.m.]





