

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 June 8, 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

Consolidations, Mergers, and Absorptions

<i>Date</i>	<i>Name and Location of Applicant</i>	<i>Action</i>
6-7-2010	Citizens & Northern Bank Wellsboro Tioga County	Filed
	Application for approval to merge First State Bank, Canisteo, NY, with and into Citizens & Northern Bank, Wellsboro, PA.	

Branch Applications

De Novo Branches

<i>Date</i>	<i>Name and Location of Applicant</i>	<i>Location of Branch</i>	<i>Action</i>
5-28-2010	New Century Bank Phoenixville Chester County	73 Old Dublin Pike Doylestown Bucks County	Approved
5-28-2010	New Century Bank Phoenixville Chester County	12 Summit Square Center Route 413 and Doublewoods Road Langhorne Bucks County	Approved
6-1-2010	Citizens Bank of Pennsylvania Philadelphia Philadelphia County	2000 Penny Lane Jeanette Westmoreland County	Approved
6-1-2010	Citizens Bank of Pennsylvania Philadelphia Philadelphia County	2001 Lincoln Way White Oak Allegheny County	Approved
6-1-2010	New Century Bank Phoenixville Chester County	73 Old Dublin Pike Doylestown Bucks County	Opened
6-2-2010	Ambler Savings Bank Ambler Montgomery County	3009 Germantown Pike Fairview Village Montgomery County	Filed

Branch Discontinuances

<i>Date</i>	<i>Name and Location of Applicant</i>	<i>Location of Branch</i>	<i>Action</i>
6-4-2010	Integrity Bank Camp Hill Cumberland County	100 Senate Avenue Camp Hill Cumberland County	Approved

SAVINGS INSTITUTIONS

No activity.

CREDIT UNIONS

Branch Applications

Branch Relocations

<i>Date</i>	<i>Name and Location of Applicant</i>	<i>Location of Branch</i>	<i>Action</i>
6-7-2010	Belco Community Credit Union Harrisburg Dauphin County	<i>To:</i> 1063 York Road Gettysburg Adams County <i>From:</i> 39 North Washington Street Gettysburg Adams County	Effective

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

STEVEN KAPLAN,
Secretary

[Pa.B. Doc. No. 10-1164. Filed for public inspection June 25, 2010, 9:00 a.m.]

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

The Department of Banking (Department), under the authority contained in section 301 of the act of January 30, 1974 (P. L. 13, No. 6) (41 P. S. § 301), determines that the maximum lawful rate of interest for residential mortgages for the month of July, 2010, is 6 1/4%.

The interest rate limitations under the State's usury statute were preempted to a great extent by Federal law, the Depository Institutions Deregulation and Monetary Control Act of 1980 (Pub. L. No. 96-221). Further preemption was instituted with the signing of Pub. L. No. 96-399, which overrode State interest rate limitations on any individual who finances the sale or exchange of residential real property which the individual owns and

which the individual occupies or has occupied as his principal residence.

Each month the Department is required by State law to compute and announce the ceiling rate on residential mortgages in this Commonwealth. This maximum rate is determined by adding 2.50 percentage points to the yield rate on long-term government bonds as published by the Federal Reserve Board and/or the United States Treasury. The latest yield rate on long-term government securities is 3.77 to which was added 2.50 percentage points for a total of 6.27 that by law is rounded off to the nearest quarter at 6 1/4%.

STEVEN KAPLAN,
Secretary

[Pa.B. Doc. No. 10-1165. Filed for public inspection June 25, 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

<i>Location</i>	<i>Permit Authority</i>	<i>Application Type or Category</i>
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.

PA0013552, Industrial Waste, SIC Code 3241, **Buzzi Unicem USA Mid Atlantic, Inc.**, 501 Center Street, Stockertown, PA 18083. Facility Name: Hercules Cement Stockertown Plant Quarry. This existing facility is located in Stockertown Borough, **Northampton County**.

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

The receiving stream(s), Bushkill Creek, Shoeneck Creek and Unnamed Tributary to Bushkill Creek, is located in State Water Plan watershed 1-F and is classified for High Quality Waters-Cold Water Fishes and Warm Water Fishes, aquatic life, water supply and recreation. The discharge is not expected to affect public water supplies.

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

<i>Parameters</i>	<i>Mass (lb/day)</i>			<i>Concentration (mg/l)</i>		
	<i>Average Monthly</i>	<i>Daily Maximum</i>	<i>Minimum</i>	<i>Average Monthly</i>	<i>Daily Maximum</i>	<i>Instantaneous Maximum</i>
Flow (MGD)	Report	Report				
pH (S.U.)			6.0			9.0
Temperature Delta (Discharge—Intake) (° C)					3	
Oil and Grease				15.0		30.0

The proposed effluent limits for Outfall 002. Stormwater.

<i>Parameters</i>	<i>Mass (lb/day)</i>			<i>Concentration (mg/l)</i>		
	<i>Average Monthly</i>	<i>Daily Maximum</i>	<i>Minimum</i>	<i>Average Monthly</i>	<i>Daily Maximum</i>	<i>Instantaneous Maximum</i>
Flow (MGD)	Report					
pH (S.U.)			6.0			9.0
Total Suspended Solids					50	
Oil and Grease				15.0		30.0

The proposed effluent limits for Outfall 003. Stormwater.

<i>Parameters</i>	<i>Mass (lb/day)</i>			<i>Concentration (mg/l)</i>		
	<i>Average Monthly</i>	<i>Daily Maximum</i>	<i>Minimum</i>	<i>Average Monthly</i>	<i>Daily Maximum</i>	<i>Instantaneous Maximum</i>
Flow (MGD)	Report					
pH (S.U.)			6.0			9.0
Total Suspended Solids					50	
Oil and Grease				15.0		30.0

The proposed effluent limits for Outfall 005. Stormwater.

<i>Parameters</i>	<i>Mass (lb/day)</i>			<i>Concentration (mg/l)</i>		
	<i>Average Monthly</i>	<i>Daily Maximum</i>	<i>Minimum</i>	<i>Average Monthly</i>	<i>Daily Maximum</i>	<i>Instantaneous Maximum</i>
Flow (MGD)	Report					
pH (S.U.)			6.0			9.0
Total Suspended Solids					50	

The proposed effluent limits for Outfall 006. Stormwater.

<i>Parameters</i>	<i>Mass (lb/day)</i>			<i>Concentration (mg/l)</i>		
	<i>Average Monthly</i>	<i>Daily Maximum</i>	<i>Minimum</i>	<i>Average Monthly</i>	<i>Daily Maximum</i>	<i>Instantaneous Maximum</i>
Flow (MGD)	Report					
pH (S.U.)			6.0			9.0
Total Suspended Solids					50	

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

- Stormwater

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

The EPA waiver is in effect.

PA0064351, Industrial Waste, SIC Code 2034, **Keystone Potato Products, LLC**, P. O. Box 27, Hegins, PA 17938-0027. Facility Name: Keystone Potato Products. This existing facility is located in Frailey Township, **Schuylkill County**.

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

The receiving stream(s), Middle Creek, is located in State Water Plan watershed 7-D and is classified for Cold Water Fishes, aquatic life, water supply and recreation. The discharge is not expected to affect public water supplies.

The proposed effluent limits for Outfall 001 are based on a design flow of 0.12 MGD.

<i>Parameters</i>	<i>Mass (lb/day)</i>			<i>Concentration (mg/l)</i>		
	<i>Average Monthly</i>	<i>Daily Maximum</i>	<i>Minimum</i>	<i>Average Monthly</i>	<i>Daily Maximum</i>	<i>Instantaneous Maximum</i>
Flow (MGD)	Report	Report				
pH (S.U.)			6.0			9.0
Dissolved Oxygen			5.0			
BOD ₅	64	128				
Total Suspended Solids	220	440				
Ammonia-Nitrogen				Report		
Ammonia-Nitrogen				15.5		31
Total Aluminum				Report	Report	
Total Aluminum				0.75	1.5	
Dissolved Iron				Report	Report	
Dissolved Iron				0.30	0.60	
Total Iron				Report	Report	
Total Iron				1.5	3.0	
Total Manganese				Report	Report	
Total Manganese				1.0	2.0	

The proposed effluent limits for Outfall 003 are stormwater.

Parameters	Mass (lb/day)			Concentration (mg/l)		
	Average Monthly	Daily Maximum	Minimum Report	Daily Maximum	Daily Maximum	Instantaneous Maximum Report
pH (S.U.)			Report			Report
CBOD ₅				Report		
Chemical Oxygen Demand				Report		
Total Suspended Solids				Report		
Oil and Grease				Report		
Total Phosphorus				Report		
Kjeldahl-N				Report		
Total Iron				Report		

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

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

The proposed monitoring requirements and, where appropriate, effluent limits for implementation of the Chesapeake Bay Tributary Strategy are as follows for Outfall 003.

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

- Stormwater, Chesapeake Bay Strategy

The EPA waiver is in effect.

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

NPDES No. (Type)	Facility Name & Address	County & Municipality	Stream Name (Watershed #)	EPA Waived Y/N ?
PA0103021 (Sewage)	Ronald V. Schenck, d/b/a Bear Lake Inn P. O. Box 132 Bear Lake, PA 16402	Warren County Bear Lake Borough	Unnamed tributary to Pine Valley Creek 16-B	Y
PA0102717 (Sewage)	Sandy Hill Estate MHP 120 Deer Run Road Middlesex, PA 16059	Butler County Middlesex Township	Glade Run 20-C	Y
PA0033031 (Industrial Waste)	Department of Conservation and Natural Resources— Pymatuning State Park Tuttle Campground 2660 Williamsfield Road Jamestown, PA 16134	Crawford County North Shenango Township	Shenango River Pymatuning Reservoir	Y

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

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

PA0054950, Industrial Waste, SIC Code 2013, **Pilgrims Pride Corp.**, P. O. Box 7275, Broadway, VA 22815-7275. Facility Name: Pilgrims Pride Franconia Plant. This existing facility is located in Franconia Township, **Montgomery County**.

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

The receiving stream, Unnamed Tributary to Indian Creek, is located in State Water Plan watershed 3-E and is classified for Trout Stocking, aquatic life, water supply and recreation. The discharge is not expected to affect public water supplies.

The following notice reflects changes to the notice published in the 40 Pa.B. 2292 from May 1, 2010, of the *Pennsylvania Bulletin*:

1. Based on Delaware River Basin Committee regulations the effluent limitations for Total Dissolved Solids is changed to 1,000 mg/l as average monthly, 2,000 mg/l as maximum daily and 2,500 mg/l as instantaneous maximum.

2. Based on Nutrient and Sediment Total Maximum Daily Load Report developed by EPA in 2008 for Indian Creek, the effluent limitations for Total Phosphorus are revised as interim limits for 1st and 2nd years: 0.5 mg/l—as average monthly, 1.0 mg/l—as daily maximum and 1.25 mg/l as instantaneous maximum. For 3rd to 5th years: 0.1 mg/l as monthly average, 0.2 mg/l as daily maximum and 0.25 mg/l as instantaneous maximum.

3. Based on in-stream criteria of 50 mOs/kg the Osmotic Pressure limit is revised to 70 mOs/kg as instantaneous maximum.

PA0011533A2, Industrial Waste, SIC Code 2911, **Sunoco Inc. R&M**, 3144 West Passyunk Avenue, Philadelphia, PA 19145-5208. Facility Name: Sunoco Girard Point Refinery. This existing facility is located in Philadelphia City, **Philadelphia County**.

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

The receiving stream(s), Schuylkill River, is located in State Water Plan watershed 3-F and is classified for Warm Water Fishes and Migratory Fishes, aquatic life, water supply and recreation. The discharge is not expected to affect public water supplies.

The proposed effluent limits for Outfalls 001 and 009 are based on emergency overflow during heavy storm events.

Parameters	Mass (lb/day)			Concentration (mg/l)		
	Average Monthly	Daily Maximum	Instantaneous Minimum	Average Monthly	Daily Maximum	Instantaneous Maximum
Flow (MGD)	Report	Report				
pH (S.U.)			6.0			9.0
BOD ₅				26.4	48.0	66.0
Chemical Oxygen Demand				180	360	450
Total Suspended Solids				21.6	34.0	55.0
Oil and Grease				8.0	15.6	20.0
Hexavalent Chromium				0.028	0.062	0.070
Total Chromium				0.22	0.60	0.75
Total Phenolics				0.17	0.35	0.43

The proposed effluent limits for Outfalls 002 and 014 are based on emergency overflow runoffs.

Parameters	Mass (lb/day)			Concentration (mg/l)		
	Average Monthly	Daily Maximum	Instantaneous Minimum	Average Monthly	Daily Maximum	Instantaneous Maximum
Flow (MGD)	Report	Report				
pH (S.U.)			6.0			9.0
Oil and Grease						15
Total Organic Carbon						110

The proposed effluent limits for Outfall 004 and 011 are based on a design flow of 2.1 MGD and 3.1 MGD respectively.

Parameters	Mass (lb/day)			Concentration (mg/l)		
	Average Monthly	Daily Maximum	Instantaneous Minimum	Average Monthly	Daily Maximum	Instantaneous Maximum
Flow (MGD)	Report	Report				
pH (S.U.)			6.0			9.0
Temperature (° F)						110
Total Organic Carbon Effluent Net						5.0

The proposed effluent limits for Outfalls 005, 010 and 012 are based on roof drain runoffs.

Parameters	Mass (lb/day)			Concentration (mg/l)		
	Average Monthly	Daily Maximum	Minimum	Annual Average	Daily Maximum	Instantaneous Maximum
pH (S.U.)				Report	Report	
CBOD ₅				Report	Report	
Chemical Oxygen Demand				Report	Report	
Total Suspended Solids				Report	Report	
Oil and Grease				Report	Report	
Total Kjeldahl Nitrogen				Report	Report	
Total Phosphorus				Report	Report	
Dissolved Iron				Report	Report	

The proposed effluent limits for Outfall 011 are based on a design flow of 3.1 MGD.

<i>Parameters</i>	<i>Mass (lb/day)</i>			<i>Concentration (mg/l)</i>		
	<i>Average Monthly</i>	<i>Daily Maximum</i>	<i>Instantaneous Minimum</i>	<i>Average Monthly</i>	<i>Daily Maximum</i>	<i>Instantaneous Maximum</i>
Flow (MGD)	Report	Report				
pH (S.U.)			6			9
Temperature (° F)						110
Total Organic Carbon Effluent Net						5.0

The proposed effluent limits for Outfall 014 are based on emergency overflow runoffs.

<i>Parameters</i>	<i>Mass (lb/day)</i>			<i>Concentration (mg/l)</i>		
	<i>Average Monthly</i>	<i>Daily Maximum</i>	<i>Instantaneous Minimum</i>	<i>Average Monthly</i>	<i>Daily Maximum</i>	<i>Instantaneous Maximum</i>
Flow (MGD)	Report	Report				
pH (S.U.)			6			9
Oil and Grease						15
Total Organic Carbon						110

The proposed effluent limits for Outfall 015 are based on a design flow of 7.325 MGD.

<i>Parameters</i>	<i>Mass (lb/day)</i>			<i>Concentration (mg/l)</i>		
	<i>Average Monthly</i>	<i>Daily Maximum</i>	<i>Minimum</i>	<i>Average Monthly</i>	<i>Daily Maximum</i>	<i>Instantaneous Maximum</i>
Flow (MGD)	Report	Report				
pH (S.U.)			6.0			9.0
Total Residual Oxidants				Report	0.2	0.5
BOD ₅	1,482	2,964		25	50	70
CBOD ₂₀	2,170					
BOD ₅ % Removal (%)	89.25					
Percent Removal	Minimum % Removal					
Chemical Oxygen Demand Effluent Net	11,861	22,858				
Chemical Oxygen Demand				194	374	485
Total Suspended Solids				22	35	55
Total Suspended Solids Effluent Net	1,359	2,131				
Total Dissolved Solids	151,221	206,204		3,939	4,108	5,212
Oil and Grease				8.10	15.2	20.3
Oil and Grease Effluent Net	494	927				
Ammonia-Nitrogen Effluent Net	927	2,039				
Ammonia-Nitrogen				15.2	33.4	38
Total Phosphorus				Report	Report	
Hexavalent Chromium				0.012	0.028	0.030
Hexavalent Chromium Effluent Net	0.757	1.703				
Total Chromium				0.152	0.436	0.436
Total Chromium Effluent Net	9.276	26.626				
Total Copper				Report	Report	
Fluoride	763	1,527		12.5	25	31.3
Total Lead				Report	Report	
Total Sulfide				0.15	0.33	0.38
Total Sulfide Effluent Net	9.0	20.0				
Total Zinc				Report	Report	
Phenol					2.0	
Benzene				0.001	0.002	0.0025
Total BTEX				0.1	0.2	0.25
1,2-Dichloroethane				Report	Report	
Naphthalene				0.043	0.086	0.110
Total Phenolics				0.13	0.375	0.375
Total Phenolics Effluent Net	7.9	22.9				
Baker Petrolite Y9BH1330				66.6		
Baker Petrolite Y9BH1331				0.01		0.08
Baker Petrolite Y9BH1351				0.02		0.29

Parameters	Mass (lb/day)			Concentration (mg/l)		
	Average Monthly	Daily Maximum	Minimum	Average Monthly	Daily Maximum	Instantaneous Maximum
Spectrafloc 680				0.05		0.4
Tetrachloroethylene				Report	Report	
Trichloroethylene				Report	Report	
PCBs					Report	
(Dry Weather) (pg/L)					Report	
(Wet Weather) (pg/L)					Report	
Acute toxicity (Ceriodaphnia) (TUa)					Report	
Chronic toxicity (Ceriodaphnia) (TUc)					Report	
Acute toxicity (Pimephales) (TUa)					Report	
Chronic toxicity (Pimephales) (TUc)					Report	

Permit contains new Delaware River Basin Commission's requirements regarding WET testing.

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

The EPA waiver is not

PA0012629A2, Industrial Waste, SIC Code 2911, **Sunoco Inc. R&M**, 3144 Passyunk Avenue, Philadelphia, PA 19145. Facility Name: Sunoco Point Breeze Processing Area. This existing facility is located in Philadelphia City, **Philadelphia County**.

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

The receiving stream(s), Schuylkill River and Unnamed Tributary of Schuylkill River, is located in State Water Plan watershed 3-F and is classified for Warm Water Fishes and Migratory Fishes, aquatic life, water supply and recreation. The discharge is not expected to affect public water supplies.

The proposed effluent limits for Outfall 001, 003 and 004 are based on a contaminated stormwater runoffs are as follows:

Parameters	Mass (lb/day)			Concentration (mg/l)		
	Average Monthly	Daily Maximum	Instantaneous Minimum	Average Monthly	Daily Maximum	Instantaneous Maximum
Flow (MGD)	Report					
pH (S.U.)			6.0			9.0
Oil and Grease						15
Total Organic Carbon						110

The proposed effluent limits for Outfall 002 are based on 4.17 MGD of treated industrial wastewater are as follows:

Parameters	Mass (lb/day)			Concentration (mg/l)		
	Average Monthly	Daily Maximum	Instantaneous Minimum	Average Monthly	Daily Maximum	Instantaneous Maximum
Flow (MGD)	Report	Report				
pH (S.U.)			6.0			9.0
Total Residual Oxidants					0.2	0.5
Temperature (° F)						110
BOD ₅				35	62.5	88
BOD ₅ Effluent Net	1,208	2,174				
CBOD ₂₀	2,590					
BOD ₅ % Removal (%)	89.25					
Percent Removal	Minimum % Removal					
Chemical Oxygen Demand Effluent Net	8,433	16,251				
Chemical Oxygen Demand				242	467	605
Total Suspended Solids Effluent Net	966	1,515				
Total Suspended Solids				28	44	70
Total Dissolved Solids		69,556			2,000	2,500
Total Dissolved Solids Effluent Net	34,778			1,000		
Oil and Grease Effluent Net	351	659				

<i>Parameters</i>	<i>Mass (lb/day)</i>			<i>Concentration (mg/l)</i>		
	<i>Average Monthly</i>	<i>Daily Maximum</i>	<i>Instantaneous Minimum</i>	<i>Average Monthly</i>	<i>Daily Maximum</i>	<i>Instantaneous Maximum</i>
Oil and Grease				10	19	25
Ammonia-Nitrogen				19	42	48
Ammonia-Nitrogen Effluent Net	659	1,449				
Hexavalent Chromium Effluent Net	0.625	1.403				
Hexavalent Chromium Total Chromium				0.018	0.04	0.045
Total Chromium Effluent Net	7.62	21.93		0.22	0.63	0.63
Total Sulfide Effluent Net	6.37	14.27				
Total Sulfide				0.18	0.41	0.45
Total Zinc				0.25	0.5	0.625
Ethylbenzene				Report	Report	
Benzene				0.001	0.002	0.0025
Total BTEX				0.1	0.2	0.25
Total Phenolics				0.19	0.47	0.48
Total Phenolics Effluent Net	6.51	16.25				
Toluene				Report	Report	
Total Xylenes				Report	Report	
Baker Petrolite Y9BH1351				0.03		0.29
PCBs						
(Dry Weather) (pg/L)					Report	
(Wet Weather) (pg/L)					Report	
Acute toxicity (Ceriodaphnia) (TUa)					Report	
Chronic toxicity (Ceriodaphnia) (TUc)					Report	
Acute toxicity (Pimephales) (TUa)					Report	
Chronic toxicity (Pimephales) (TUc)					Report	

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

- I.
 - A. Remedial Measures if creates Public Nuisance.
 - B. Applicable BAT/BCT.
 - C. No sheen or discoloration to the Delaware Estuary.
 - D. Thermal Impact Requirement.
 - E. Approved EPA Test Methods.
 - F. TRO Definition.
 - G. Change of Ownership.
 - H. Proper Sludge Disposal.
 - I. PCB's Minimization Plan.
 - J. I-Max Definition.
 - K. Operation and Maintenance Plan.
 - L. Laboratory Certification.
 - M. TMDL/WLA Analysis.
 - N. Delaware River Basin Commission's Chronic and Acute Toxicity Requirements.
 - O. WET Test for Next Permit Renewal.
 - P. I-MAX for outfall 002.
 - Q. Stormwater Runoff Calculations.
 - R. Intake Credit for Various Wastestream.
 - S. Net Effluent Values Calculations.
 - T. CBOD₂₀ Allocation.
 - U. BOD₅ Percentage Removal.
 - V. Permit Modification upon Modeling of Estuary.

- W. Contaminated stormwater.
- X. Bypass to Dissolved Air Flotation Unit.
- Y. S-10 sump.
- Z. TDS limitations.
- II. Chemical Additives.
 - A. Approved Chemical Additives.
 - B. Minimize use of Chemical Additives.

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

The EPA waiver is not in effect.

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

Application No. PA0021709, Sewage, **Borough of Birdsboro**, 202 East Main Street, Birdsboro, PA 19508. This facility is located in Birdsboro Borough, **Berks County**.

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

The receiving stream, Hay Creek, is in Watershed 3-C, and classified for cold 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 six miles downstream. The discharge is not expected to affect the water supply.

The proposed effluent limits for Outfall 001 for a design flow of 1.35 MGD are:

<i>Parameter</i>	<i>Average Monthly (mg/l)</i>	<i>Average Weekly (mg/l)</i>	<i>Instantaneous Maximum (mg/l)</i>
CBOD ₅	25	40	50
Total Suspended Solids	30	45	60
NH ₃ -N			
(5-1 to 10-31)	7		14
(11-1 to 4-30)	20		40
Total Residual Chlorine			
Interim	0.5		1.6
Final	0.16		0.55
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.

PA0029106, Sewage, SIC Code 4952, **Greenfield Township Municipal Authority Blair County**, 4053 Evergreen Road, Claysburg, PA 16625. Facility Name: Greenfield Township STP. This existing facility is located in Greenfield Township, **Blair County**.

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

The receiving stream(s), 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 effluent limits for Outfall 001 are based on a design flow of 0.8 MGD.

<i>Parameters</i>	<i>Mass (lb/day)</i>			<i>Concentration (mg/l)</i>		
	<i>Average Monthly</i>	<i>Daily Maximum</i>	<i>Minimum</i>	<i>Average Monthly</i>	<i>Weekly Average</i>	<i>Instantaneous Maximum</i>
Flow (MGD)	Report	Report	XXX	XXX	XXX	XXX
pH (S.U.)	XXX	XXX	6.0	XXX	XXX	9.0
Dissolved Oxygen	XXX	XXX	5.0	XXX	XXX	XXX
CBOD ₅	167	267 Weekly Average	XXX	25	40	50
BOD ₅						
Raw Sewage Influent	Report	Report	XXX	Report	XXX	XXX

Parameters	Mass (lb/day)			Concentration (mg/l)		
	Average Monthly	Daily Maximum	Minimum	Average Monthly	Weekly Average	Instantaneous Maximum
Total Suspended Solids Raw Sewage Influent	Report	Report	XXX	Report	XXX	XXX
Total Suspended Solids	200	300 Weekly Average	XXX	30	45	60
Fecal Coliform (CFU/100 ml)						
May 1 - Sep 30	XXX	XXX	XXX	200 Geometric Mean	XXX	XXX
Oct 1 - Apr 30	XXX	XXX	XXX	2,000 Geometric Mean	XXX	XXX
Ammonia-Nitrogen	55	XXX	XXX	8	XXX	XXX

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

Parameters	Mass (lb/day)			Concentration (mg/l)	
	Monthly	Annual	Minimum	Monthly Average	Maximum
Ammonia-N	Report	Report	XXX	Report	XXX
Kjeldahl-N	Report	XXX	XXX	Report	XXX
Nitrate-Nitrite as N	Report	XXX	XXX	Report	XXX
Total Nitrogen	Report	Report	XXX	Report	XXX
Total Phosphorus	Report	Report	XXX	Report	XXX
Net Total Nitrogen (Interim)	Report	Report	XXX	XXX	XXX
Net Total Nitrogen (Final)	Report	14,612	XXX	XXX	XXX
Net Total Phosphorus (Interim)	Report	Report	XXX	XXX	XXX
Net Total Phosphorus (Final)	Report	1,948	XXX	XXX	XXX

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

The EPA waiver is not in effect.

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

PA0228818, Industrial Waste, SIC 2621 and 2086, **First Quality Tissue, LLC**, 904 Woods Avenue, Lock Haven, PA 17745-3431. This existing facility is located in Castanea Township, **Clinton County**.

Description of Proposed Activity: Draft of NPDES renewal, authorizing the discharge of treated industrial wastewater from the paper making and water purification/bottling operations at the site.

The receiving stream, Bald Eagle Creek, is in the State Water Plan watershed 9C and is classified for: Warm Water Fishes and Migratory Fishes. The nearest downstream public water supply intake is the Pennsylvania-American Water Company, located on the West Branch Susquehanna River and is 60 river miles below the point of discharge.

The proposed effluent limits for Outfall 003, based on a design flow of 4.2 MGD, are:

Discharge Parameter	Mass (lb/day)		Concentration (mg/l)		
	Average Monthly	Maximum Daily	Average Monthly	Maximum Daily	Instantaneous Maximum
BOD ₅	2,474	5,093	74	153	185
TSS	1,892	4,365	57	131	142
Iron, Total	14	29	0.410	0.820	1.025
Aluminum, Total	23	46	0.657	1.314	1.643
Manganese, Total	2.1	4.3	0.061	0.122	0.153
pH			6.0 to 9.0 at all times		

The proposed monitoring requirements for Outfall 003 are:

Discharge Parameter	Mass (lb/day)		Concentration (mg/l)
	Monthly	Annual	Monthly Average
Ammonia-N	Report	Report	Report
Kjeldahl-N	Report		Report
Nitrate-Nitrite as N	Report		Report
Total Nitrogen	Report	Report	Report
Total Phosphorus	Report	Report	Report

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

1. Management of Chemical Additives.
2. Stormwater No Exposure Certification.
3. Prohibition of Chlorophenolic Compounds.

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

PAS226103, Industrial Waste, SIC, **Whetsell Lumber Company**, 118 Academy Drive, Addison, PA 15411. This application is for renewal of an NPDES permit to discharge untreated stormwater from Whetsell Lumber Company in Addison Borough, **Somerset County**.

The following effluent limitations are proposed for discharge to the receiving waters, unnamed tributary to Youghiogheny 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 Ohiopyle Borough Municipal Waterworks, located at Ohiopyle, approximately 18 miles below the discharge point.

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

Parameter	Mass (lb/day)		Concentration (mg/l)		
	Average Monthly	Maximum Daily	Average Monthly	Maximum Daily	Instantaneous Maximum
Suspended Solids			Monitor and Report		
Oil and Grease			Monitor and Report		
Arsenic			Monitor and Report		
Chromium			Monitor and Report		
Copper			Monitor and Report		
NH ₃ -N			Monitor and Report		

The EPA waiver is in effect.

PA0218987, Sewage, **John A. and Diana M. Vaccarello**, 487 Exton Lake Road, Apollo, PA 15613. This application is for renewal of an NPDES permit to discharge treated sewage from Vaccarello Small Flow STP in Washington Township, **Westmoreland County**.

The following effluent limitations are proposed for discharge to the receiving waters, known as Site Storm Sewer to Drainage Swale to Poke Run, which are classified as a high-quality cold water fishery with existing and/or potential uses for aquatic life, water supply and recreation. The first downstream potable water supply intake from this facility is the Westmoreland County Municipal Authority on Beaver Run Reservoir.

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

Parameter	Concentration (mg/l)			
	Average Monthly	Average Weekly	Maximum Daily	Instantaneous Maximum
CBOD ₅	10			20
Suspended Solids	10			20
Ammonia Nitrogen				
May 1 to Oct 31	1.5			3.0
Nov 1 to Apr 30	4.5			9.0
Fecal Coliform				
May 1 to Sep 30	200/100 ml as a Geometric Mean			
Oct 1 to Apr 30	2,000/100 ml as a Geometric Mean			
Total Residual Chlorine	1.4			3.3
Dissolved Oxygen	not less than 3.0 mg/l			
pH	not less than 6.0 nor greater than 9.0			

The EPA waiver is in effect.

PA0203955, Sewage, **84 Lumber Company**, 1019 Route 519, Building 5, Eighty Four, PA 15339. This application is for renewal of an NPDES permit to discharge treated sewage from 84 Lumber Company Sewage Treatment Plant in North Strabane Township, **Washington County**.

The following effluent limitations are proposed for discharge to the receiving waters, known as Little Chartiers Creek, which are classified as a high-quality warm water fishery with existing and/or potential uses for aquatic life, water supply and recreation. The first downstream potable water supply intake from this facility is the Western Pennsylvania Water Company on Little Chartiers Creek.

Outfall 001: existing discharge, design flow of 0.025 mgd.

<i>Parameter</i>	<i>Concentration (mg/l)</i>			
	<i>Average Monthly</i>	<i>Average Weekly</i>	<i>Maximum Daily</i>	<i>Instantaneous Maximum</i>
CBOD ₅	25			50
Suspended Solids	30			60
Ammonia Nitrogen				
May 1 to Oct 31	3.0			6.0
Nov 1 to Apr 30	9.0			18.0
Phosphorus	6			12
Fecal Coliform				
May 1 to Sep 30	200/100 ml as a Geometric Mean			
Oct 1 to Apr 30	2,000/100 ml as a Geometric Mean			
Total Residual Chlorine	1.4			3.3
Dissolved Oxygen	not less than 6.0 mg/l			
pH	not less than 6.0 nor greater than 9.0			

The EPA waiver is in effect.

PA0216208, Sewage, **John F. Kotun**, 319 Anderson Hozak Road, Clinton, PA 15026. This application is for renewal of an NPDES permit to discharge treated sewage from Superior Mobile Home Court STP in Raccoon Township, **Beaver County**.

The following effluent limitations are proposed for discharge to the receiving waters, known as Swale to Unnamed Tributary of Service Creek, which are classified as a high-quality cold water fishery with existing and/or potential uses for aquatic life, water supply and recreation. The first downstream potable water supply intake from this facility is the Ambridge Water Authority, Ambridge (Bacon) Reservoir on Service Creek.

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

<i>Parameter</i>	<i>Concentration (mg/l)</i>			
	<i>Average Monthly</i>	<i>Average Weekly</i>	<i>Maximum Daily</i>	<i>Instantaneous Maximum</i>
CBOD ₅	10			20
Suspended Solids	10			20
Ammonia Nitrogen				
May 1 to Oct 31	2.0			4.0
Nov 1 to Apr 30	3.2			6.4
Fecal Coliform				
May 1 to Sep 30	200/100 ml as a Geometric Mean			
Oct 1 to Apr 30	2,000/100 ml as a Geometric Mean			
Total Residual Chlorine	1.4			3.3
Dissolved Oxygen	not less than 3.0 mg/l			
pH	not less than 6.0 nor greater than 9.0			

The EPA waiver is in effect.

PA0046116, Sewage, **Department of Conservation and Natural Resources—Bureau of State Parks, Ohioypyle State Park**, P. O. Box 105, Ohioypyle, PA 15470. This application is for renewal of an NPDES permit to discharge treated sewage from Ohioypyle State Park—Ridge STP in Henry Clay Township, **Fayette County**.

The following effluent limitations are proposed for discharge to the receiving waters, known as Unnamed Tributary of Beaver Creek, which are classified as a high-quality cold water fishery with existing and/or potential uses for aquatic life, water supply and recreation. The first downstream potable water supply intake from this facility is the North Fayette County Municipal Authority on The Youghiogheny River.

Outfall 001: existing discharge, design flow of 0.0045 mgd.

<i>Parameter</i>	<i>Concentration (mg/l)</i>			
	<i>Average Monthly</i>	<i>Average Weekly</i>	<i>Maximum Daily</i>	<i>Instantaneous Maximum</i>
CBOD ₅	10			20
Suspended Solids	25			50
Ammonia Nitrogen				
May 1 to Oct 31	1.5			3.0
Nov 1 to Apr 30	4.5			9.0
Fecal Coliform				
May 1 to Sep 30	200/100 ml as a Geometric Mean			
Oct 1 to Apr 30	2,000/100 ml as a Geometric Mean			

Parameter	Concentration (mg/l)			
	Average Monthly	Average Weekly	Maximum Daily	Instantaneous Maximum
Total Residual Chlorine	1.1			2.7
Dissolved Oxygen	not less than 5.0 mg/l			
pH	not less than 6.0 nor greater than 9.0			

The EPA waiver is in effect.

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

PA02636729, Sewerage, **Nilda Flores**, 1970 Mercer Road, Fredonia, PA 16124. This proposed facility is located in Delaware Township, **Mercer County**.

Description of Proposed Activity: replace a malfunctioning onlot system.

The receiving water is the an unnamed tributary to the Shenango River. The receiving stream is in State Water Plan 20-A and is classified for the following uses: warm water fishes, aquatic life, water supply and recreation.

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

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

XX—Monitor and report.

XXX—Monitor and report on AMR.

The EPA waiver is in effect.

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

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

WQM Permit No. 3910402, Sewerage, **Upper Macungie Township Authority**, 8330 Schantz Road, Breinigsville, PA 18031. This proposed facility is located in Upper Macungie Township, **Lehigh County**.

Description of Proposed Action/Activity: This project involves sanitary sewer improvements to address capacity deficiencies in the Lime and Nursery Streets areas.

WQM Permit No. 5410401, Sewerage, **Schuylkill County Municipal Authority**, 221 South Centre Street, Pottsville, PA 17901. This proposed facility is located in Deer Lake Borough and West Brunswick Township, **Schuylkill County**.

Description of Proposed Action/Activity: This project involves construction a new pump station, 1,800 LF of force main and approximately 19,500 LF of gravity sanitary mains and appurtenances in Deer Lake Borough and West Brunswick Township, Schuylkill Country.

WQM Permit No. 5410403, Sewerage, **Schuylkill County Municipal Authority**, 221 South Centre Street, Pottsville, PA 17901. This proposed facility is located in Deer Lake Borough and West Brunswick Township, **Schuylkill County**.

Description of Proposed Action/Activity: This project involves expansion and upgrade of the existing Deer Lake sewage treatment plant to increase its capacity from 0.229 MGD to 1.0 MGD.

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

WQM Permit No. 3604407, Amendment 10-1, Sewerage, **West Donegal Township Authority**, One Municipal Drive, Elizabethtown, PA 17022. This proposed facility is located in West Donegal Township, **Lancaster County**.

Description of Proposed Action/Activity: Seeking permit approval for the upgrade of 330 gpm submersible pumping station to a 400 gpm submersible pumping station. Project will include the replacement of pumps and controls and the installation of variable frequency drives. No pipe work is proposed.

WQM Permit No. 6798405, Amendment 10-1, Sewerage, **Glen Rock Sewer Authority**, 11714 North Main Street Ext., Glen Rock, PA 17327-0205. This proposed facility is located in Glen Rock Borough, **York County**.

Description of Proposed Action/Activity: Seeking permit approval for the upgrade to their existing WWTP to achieve the wasteload allocation for 0.6 MGD design average and associated peak flows (2.88 MGD peak hourly flow rate) (6 mg/l YN and 0.8 mg/L TP basis). This involves the conversion of the existing extended aeration system to a 5-staged activated sludge system.

WQM Permit No. 0510404, Sewerage, **Hyndman Borough Municipal Authority**, P. O. Box 445, Hyndman, PA 15545. This proposed facility is located in Hyndman Borough, **Bedford County**.

Description of Proposed Action/Activity: Seeking permit approval to replace 580 linear feet of existing sanitary sewer.

WQM Permit No. 0788401, Amendment 10-1, Sewerage, **Altoona Water Authority**, 122 Greenwood Road, Perry, PA 16602-7114. This proposed facility is located in Logan Township, **Blair County**.

Description of Proposed Action/Activity: Seeking permit approval for the addition of a new final clarifier, headworks/pretreatment building, two BNR reactors and two UV disinfection units. The existing activated sludge aerations tanks will be converted into BNR reactors. The project also includes site work, stormwater management facilities and sludge storage and handling system at the Easterly STP.

WQM Permit No. 3810401, Sewerage, **North Londonderry Township Authority**, 655 East Ridge Road, Palmyra, PA 17079. This proposed facility is located in South Annville and North Londonderry Townships, **Lebanon County**.

Description of Proposed Action/Activity: Seeking permit approval for the construction/operation of a new wastewater treatment plant and interceptor to serve North Londonderry Township and Palmyra Borough. The existing Palmyra Borough wastewater treatment plant will be abandoned. No pump stations will be constructed. Proposed interceptor is estimated to be 15".

WQM Permit No. 2998401, Amendment 10-1, Sewerage, **McConnellsburg Sewerage Authority**, P. O. Box 681, McConnellsburg, PA 17233. This proposed facility is located in Ayr Township, **Fulton County**.

Description of Proposed Action/Activity: Seeking permit approval for the construction of upgrades/re-rating to the existing wastewater treatment facility to comply with the Chesapeake Bay Standards.

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

WQM Permit No. 0210201, Industrial Waste, **Allied Waste Systems of PA, LLC**, 11 Boggs Road, P. O. Box 47, Imperial, PA 15126-0047. This proposed facility is located in Findlay Township, **Allegheny County**.

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

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

WQM Permit No. 1610401, Sewerage, **Borough of East Brady**, 502 Ferry Street, Suite 15, East Brady, PA 16028. This proposed facility is located in East Brady Borough, **Clarion County**.

Description of Proposed Action/Activity: This is a new WQM permit for replacing the existing East Brady STP. The new plant will be located adjacent to the existing STP and is designed for the future flow of 185,000 gallons per day.

WQM Permit No. 4310402, Sewerage, **Daniel and Tracy Scott**, 70 Baker Road, Greenville, PA 16125. This proposed facility is located in Perry Township, **Mercer County**.

Description of Proposed Action/Activity: This project is to serve the Rainbow Valley Restaurant with an aeration sewage plant with a design flow of 2,840 gallons per day.

WQM Permit No. 2710401, Sewerage, **Jenks Township**, P. O. Box 436, 135 Pine Street, Marienville, PA 16239. This proposed facility is located in Jenks Township, **Forest County**.

Description of Proposed Action/Activity: The project will install grinder pumps at existing residences and businesses and low pressure sewer mains into the Village of Roses and connect to the Marienville Sewage System.

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

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

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

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

<i>NPDES Permit No.</i>	<i>Applicant Name & Address</i>	<i>County</i>	<i>Municipality</i>	<i>Receiving Water/Use</i>
PAI01 151014	Kimberton Meadows Development, LLC 110 North Phoenixville Pike Suite 100 Malvern, PA 19355	Chester	East Pikeland Township	Stoney Run HQ-TSF

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

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

<i>NPDES Permit No.</i>	<i>Applicant Name & Address</i>	<i>County</i>	<i>Municipality</i>	<i>Receiving Water/Use</i>
PAI023909015(1)	Lehigh County Authority Attn: Aurel Arndt P. O. Box 3348 1053 Spruce Street Allentown, PA 18016	Lehigh	Upper Macungie and South Whitehall Townships City of Allentown	Cedar Creek HQ-CWF, MF
PAI023904011R	Selvaggio Enterprises Attn: Steve Selvaggio 623 Selvaggio Drive Suite 200 Nazareth, PA 18064	Lehigh	Salisbury Township	Trout Creek HQ-CWF, MF

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

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

<i>NPDES Permit No.</i>	<i>Applicant Name & Address</i>	<i>County</i>	<i>Municipality</i>	<i>Receiving Water/Use</i>
PAI056310006	JBT Land Ventures 2639 Diane Drive Washington, PA 15301	Washington	Donegal Township	Dutch Fork, Tributary of Buffalo Creek HQ-WWF

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

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

STATE CONSERVATION COMMISSION

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

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

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

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

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

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

NUTRIENT MANAGEMENT PLAN—PUBLIC NOTICE SPREADSHEET—APPLICATIONS

<i>Agricultural Operation Name and Address</i>	<i>County</i>	<i>Total Acres</i>	<i>Animal Equivalent Units</i>	<i>Animal Type</i>	<i>Special Protection Waters (HQ or EV or NA)</i>	<i>Renewal/New</i>
Paul Ebersol 4970 Sunset Pike Chambersburg, PA 17202	Franklin	224.2	93.5	Ducks	NA	Renewal

PUBLIC WATER SUPPLY (PWS) PERMIT

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

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

Following the comment period, the Department will make a final determination regarding the proposed 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. 4610512, Public Water Supply.

Applicant	Schwenksville Borough Authority
Borough	Schwenksville Borough
County	Montgomery
Responsible Official	Michael Sullivan 298 Main Street P. O. Box 458 Schwenksville, PA 19473
Type of Facility	PWS
Consulting Engineer	Ebert Engineering, Inc. 4092 Skippack Pike P. O. Box 540 Skippack, PA 19474
Application Received Date	April 27, 2010
Description of Action	Modify the existing system by replacing gas chlorination system with liquid sodium hypochlorite system.

Application No. 0910515, Public Water Supply.

Applicant	Palisadis School District
Township	Tinicum
County	Bucks
Responsible Official	Dr. Francis Barnes 39 Thomas Free Drive Kitnersville, PA 18930
Type of Facility	PWS
Consulting Engineer	Snyder Hoffman Associates 1005 West Leigh Street Bethlehem, PA 18018
Application Received Date	May 19, 2010
Description of Action	Replacement of existing well pump and the addition of a 1,500 gallon storage tank and 78 feet of retention pipe.

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

Permit No. 4310505, Public Water Supply.

Applicant	Aqua Pennsylvania, Inc.
Township or Borough	City of Sharon
County	Mercer
Responsible Official	Marc Lucca Vice President of Production Aqua Pennsylvania, Inc. 762 West Lancaster Avenue Bryn Mawr, PA 19010-3402
Type of Facility	Community Water System
Consulting Engineer	Mark Tompeck, P. E. Hatch Mott MacDonald 27 Bleeker Street Millburn, NJ 07041-1008
Application Received Date	June 4, 2010
Description of Action	Installation of an ultraviolet advanced oxidation system.

WATER ALLOCATIONS

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

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

WA 10-1006, Water Allocations. Municipal Water Authority of Adams Township, 690 Valencia Road, P. O. Box 807, Mars, PA 16046-3824, Adams Township, **Butler County**. The permittee has requested authorization to upgrade an existing emergency interconnect with Richland Township Municipal Authority from a one way connection to a two way connection

Biosolids Individual Permits (PABIG and PABIS)

The following parties have applied for either an Individual Site Permit (PABIS) or an Individual Generator Permit (PABIG) for beneficial use of sewage sludge (biosolids) by land application. Unless otherwise indicated, on the basis of preliminary review and application

of lawful standards and regulations, the Department of Environmental Protection (Department) proposes to issue a permit to land apply biosolids subject to certain requirements set forth in the permit.

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

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

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

Persons with a disability that require an auxiliary aid, service or other accommodation to participate in the proceedings should contact the Secretary to the Board at (717) 787-3483. TDD users may contact the Department through the Pennsylvania AT&T Relay Service at 1-800-654-5984.

General Permit Type—PAG-7

<i>Facility Location:</i>			<i>Receiving Stream</i>	
<i>Municipality & County</i>	<i>Permit No.</i>	<i>Applicant Name & Address</i>	<i>Body of Water or Site Name & Address</i>	<i>Contact Office & Phone #</i>
Mount Holly, NJ	PAG07-9904	Burlington City Board of Freeholders Administration Building 49 Rancocas Road Mount Holly, NJ 08060	N/A	BWSFR 717-787-8184

LAND RECYCLING AND ENVIRONMENTAL REMEDIATION

UNDER ACT 2, 1995

PREAMBLE 1

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

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

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

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

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

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

GEO Specialty Chemicals, 2409 North Cedar Crest Boulevard, South Whitehall Township, **Lehigh County**. Patrick Crawford, Center Point Tank Services, 536 East Benjamin Franklin Highway, Douglassville, PA 19518 has

submitted a Notice of Intent to Remediate (on behalf of his client, GEO Specialty Chemicals, Inc., 2409 North Cedar Crest Boulevard, Allentown, PA 18014), concerning the remediation of soil found to have been impacted by No. 6 fuel oil as a result of a release from a 300,000-gallon underground storage tank. The applicant proposes to remediate the site to meet the Statewide Health Standard for soil. A summary of the Notice of Intent to Remediate is expected to be published in a local newspaper serving the general area sometime in the near future.

PG Energy Former Scranton Green Ridge Gas Holder, Albright Avenue and Marion Street, Scranton City, **Lackawanna County**. John Roberts, Stantec Consulting Services, Inc., 400 Davis Drive, Suite 400, Plymouth Meeting, PA 19462 has submitted a Notice of Intent to Remediate (on behalf of his client, UGI Penn Natural Gas, Inc., P. O. Box 12677, Reading, PA 19612-2677), concerning the remediation of soil and groundwater found to have been impacted by arsenic and benzo(a)pyrene and the remediation of soil found to have been impacted by lead. The impact is due to the historical operations at a former storage facility of manufactured coal gas. The applicant proposes to remediate the site to meet the Statewide Health Standard for soil and groundwater and the Site-Specific Standard for soil. The intended future use of the site is for nonresidential or residential purposes. A summary of the Notice of Intent to Remediate is expected to be published in a local newspaper serving the general area sometime in the near future.

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

US Silica Company/Mapleton Depot Site, Brady Township, **Huntingdon County**. Mountain Research, LLC, 825 25th Street, Altoona, PA 16601, on behalf of US Silica Company, 106 Sand Mine Road, P. O. Box 187, Berkeley Springs, WV 25411-0187 submitted a Notice of Intent to Remediate site soils and groundwater contaminated with diesel fuel and gasoline. The site will be remediated to the Site-Specific Standard and will remain industrial.

William Osburn Property/20 Miller Road, Providence Township, **Lancaster County**. GCI Environmental Services, 1250 East King Street, Lancaster, PA 17602 on behalf of Susan Moore, 20 Miller Road, New Providence, PA 17560 and William Osburn, 7720 Newport Road, Catawba, VA 24070, submitted a Notice of Intent to Remediate groundwater contaminated with No. 2 fuel oil released from an underground storage tank. The site will be remediated to the Residential Statewide Health Standard and will remain residential.

AIR QUALITY

PLAN APPROVAL AND OPERATING PERMIT APPLICATIONS

NEW SOURCES AND MODIFICATIONS

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

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

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

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

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

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

PLAN APPROVALS

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

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

09-0009F: Webcraft, LLC (4371 County Line Road, Chalfont, PA 18914) for the following changes at their facility in New Britain Township, **Bucks County**:

- Installation of a new lithographic printing press to replace an existing lithographic press.
- Replacement of the dryers on two other existing presses.
- Installation of automatic blanket washers on four existing presses.

As a result of potential emissions of VOCs, the facility is a Title V facility. The Plan Approval and Operating Permit will contain recordkeeping requirements and operating restrictions designed to keep the facility operating within all applicable air quality requirements.

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

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

09-0028E: Fibermark North America, Inc. (45 North Fourth Street, Quakertown, PA 18951) for modification of existing Source ID 303: Surface Coater No. 11 at their Quakertown Plant in Quakertown Borough, **Bucks County**. Fibermark proposes to increase the VOC content limit of coatings from 0.05 to 1.81 pound of VOC per gallon of coating solids, as applied, and decrease the source VOC emission limit from 20 tons per year to 10 tons per year. There are no physical changes to the source equipment. Fibermark North America, Inc. is a major source of VOC and HAPs, currently operating under TVOP No. 09-00028. The installation will not trigger New Source Review. The plan approval will include monitoring, testing, recordkeeping and reporting requirements designed to keep the facility operating within all applicable air quality requirements.

46-0026F: Global Packaging, Inc. (209 Brower Avenue, Oaks, PA 19456) for installation of a new flexographic printing press to replace an existing printing press in their Oaks facility in Upper Providence Township, **Montgomery County**. This facility is a minor facility. The facility wide VOC emissions will stay below 25 tons per year. The combined HAP emissions will be below 25 tons per year. Each HAP emissions will stay below 10 tons per year. The Plan Approval and Operating Permit will contain recordkeeping requirements and operating restrictions designed to keep the facility operating within all applicable air quality requirements.

46-0267A: SmithKline Beecham Research Company, d/b/a GlaxoSmith Kline (1250 South Collegeville Road, Collegeville, PA 19426) for modification to the fuel usage and emissions limits for eight (8) nominally 2,000 kW No. 2 fuel oil/diesel generators authorized to be constructed under Plan Approval 46-0267 in Upper Providence Township, **Montgomery County**. The facility is a non-Title V. The increase in permitted fuel usage will be 13,990 gallons/year. The increases in carbon monoxide (CO), particulate matter (PM) and volatile organic compounds (VOC) are below de minimis levels for the facility, as defined by 25 Pa. Code § 127.449. The increase in permitted emissions for formaldehyde is equivalent to 0.08 ton per year. The permittee is not authorized to modify the engine nor change any method of operation other than the CO, PM, VOC and formaldehyde emissions rate and the fuel usage as authorized under this Plan Approval modification.

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

48-309-134: ESSROC Cement Corp. (Route 248 and Easton Road, Nazareth, PA 18064) for installation and operation of a Selective Non-Catalytic Reduction (SNCR) system for the control of NOx emissions from their kiln 1 at their facility in Lower Nazareth Township, **Northampton County**.

In accordance with 25 Pa. Code §§ 127.44(b) and 127.424(b), the Department of Environmental Protection

(Department) intends to issue a Plan Approval No. 48-309-134 to ESSROC Cement Corporation, (Route 248 and Easton Road, Nazareth, PA 18064), for their plant located in Lower Nazareth Township, Northampton County. The facility currently operates under Title V Operating Permit No. 48-00004. This plan approval will be incorporated into the Title V Operating Permit through an administrative amendment at a later date, and the action will be published as a notice in the *Pennsylvania Bulletin*.

Plan Approval No. 48-309-134 is for the installation and operation of a Selective Non-Catalytic Reduction (SNCR) system for the control of NOx emissions from their kiln 1 at the facility. The proposed changes do not physically alter the kiln in any way, do not impact kiln production capacity, and do not result in an increase in kiln production or emissions. The proposed change will enable the installation of the air pollution control equipment and implement enforceable reductions in nitrogen oxide (NOx) emissions from the kiln. The company will be limited to the following emission limitation after installation of the system.

<i>Pollutant</i>	<i>Kiln No. 1</i>
NOx	2.36 lb/ton of clinker

The proposed SNCR system will be operated to comply with the above emission limitation. The Plan Approval and Operating Permit will contain additional recordkeeping and operating restrictions designed to keep the facility operating in compliance with 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 the Department Environmental Protection, Air Quality Program, 2 Public Square, Wilkes-Barre, PA 18711.

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. 48-309-134.

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

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 Raymond Kempa, P. E., Environmental Group Manager, Air Quality Program, 2 Public Square, Wilkes-Barre, PA 18711, Phone 570-826-2531 within 30 days after publication date.

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

42-028B: Saint-Gobain (1 Glass Place, Port Allegany, PA 16743-1611) for installation of new gas burners, an oxygen enriched air staging (OEAS) system, a NOx and

SO_x CEMS, and a COMS on Furnace No. 1 in Port Allegany Borough, **McKean County**.

In accordance with 25 Pa. Code §§ 127.44(b) and 127.424(b), the Department of Environmental Protection (Department) intends to issue an air quality plan approval for the container glass manufacturing facility in Port Allegany Borough, McKean County. This Plan Approval includes the installation of new gas burners, an oxygen enriched air staging (OEAS) system, a NO_x and SO_x CEMS, and a COMS on Furnace No. 1. This is a Title V facility, Permit #42-00028.

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.

The total future potential emissions from Furnace No. 1:

1. Total Particulate Matter (PM) 37.23 tons per year.
2. Filterable Particulate Matter <10 μ (PM10) 35.37 tons per year.
3. Filterable Particulate Matter <2.5 μ (PM2.5) 33.88 tons per year.
4. Sulfur Dioxide (SO₂) 93.08 tons per year.
5. Nitrous Oxides (NO_x) 141.47 tons per year.
6. Carbon Monoxide (CO) 7.45 tons per year.
7. Volatile Organic Compounds (VOC) 7.45 tons per year.

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

40 CFR Parts 51 and 52: Prevention of Significant Deterioration (PSD) and 25 Pa. Code, Subchapter E Nonattainment New Source Review (NNSR). This project does not result in either a significant emission increase or a significant net emission increase. Therefore, neither 40 CFR Parts 51 and 52 PSD or 5 Pa. Code, Subchapter E NNSR apply.

40 CFR Part 60, Subpart CC: Standards of Performance for Glass Manufacturing Plants. This facility is subject to 40 CFR Part 60, Subpart CC: Standards of Performance for Glass Manufacturing Plants. The Consent Decree lists Port Allegany's Furnace No. 1 as an affected source and subject to 40 CFR Part 60, Subpart CC effective December 31, 2009.

25 Pa. Code § 127.12(a)(5). Since the OEAS project does not meet the definition of a new source as per 25 Pa. Code § 121.1, this project is not subject to Best Available Technology (BAT) analysis. Per 25 Pa. Code § 127.11, Plan Approval is required to allow the modification of an air contamination source.

40 CFR 64.5(a)(2) CAM. Furnace No. 1 is not equipped with a control device. Therefore, CAM is not applicable to the proposed project.

25 Pa. Code § 123.13. The proposed modification to Furnace No. 1 is subject to Chapter 123.13 Particulate Matter Emissions-Processes. However, 40 CFR 60, Subpart CC particulate limits are more stringent and as such will apply.

25 Pa. Code § 123.2. The proposed modification to Furnace No. 1 is subject to Chapter 123.21-Sulfur Compound Emissions.

25 Pa. Code § 123.41. The proposed modification to Furnace No. 1 is subject to Chapter 123.41-Visible Emission Limitations.

40 CFR 63, Subpart SSSSSS. National Emission Standards for Hazardous Air Pollutants for Glass Manufacturing Area Sources. MACT Regulations were published December 26, 2007. Furnace No. 1 is not subject to the emission standards of 40 CFR, Subpart SSSSSS because the raw material used in this furnace does not contain a listed HAP.

25 Pa. Code § 127.92-RACT. The Department issued a revised RACT approval on March 31, 1999, to the original RACT approval issued July 7, 1995, to Ball-Foster Glass Container Co., the previous owner of the Port Allegany glass plant, now owned by SGCI. The existing RACT conditions applicable to Furnace No. 1 will be incorporated into this Plan Approval.

Global Consent Decree, between US EPA, PA DEP & SGCI Port Allegany Plant. Furnace No. 1 is subject to the emission limits and conditions specified in the Consent Decree finalized May 7, 2010.

The Plan Approval will include conditions that require performance testing, monitoring, record keeping, reporting, work practice standards, and additional requirements for Furnace No. 1, the Forming and Finishing Lines, and the Emergency Generator 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
Air Quality Program
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. 42-028B.
- (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, 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:

New Source Review Section, Air Quality Program
Department of Environmental Protection
230 Chestnut Street
Meadville, PA 16335
Phone: 814-332-6940

Persons with a disability who wish to comment and require an auxiliary aid, service or other accommodations

to do so should by calling 814-332-6940, 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.

36-05138: Quality Custom Cabinetry, Inc. (125 Peters Road, New Holland, PA 17557) for operation of their cabinet manufacturing facility in Earl Township, **Lancaster County**. This is a renewal of the Title V Operating Permit issued in 2005.

06-05050: Sun Pipe Line—Montello Pump Station (525 Fritztown Road, Sinking Spring, PA 19608) for their petroleum pumping and storage facility in Spring Township, **Berks County**. This is a renewal of a Title V operating permit issued in 2005.

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.

23-00103: Elwyn (111 Elwyn Road, Elwyn, PA 19063) for a Non-Title V Facility, State-only, Synthetic Minor Permit in Middletown Township, **Delaware County**. Elwyn is a Residential Facility for the Mentally Challenged. The sources of emissions include boilers and emergency generators. The company took an emission limit of 24.9 tons per year of NOx. Monitoring, record keeping and reporting requirements have been added to the permit to address applicable limitations.

46-00019: Lockheed Martin Corp. (230 Mall Boulevard, King of Prussia, PA 19406) for issuance of an initial Synthetic Minor Operating Permit in Upper Merion Township, **Montgomery County**. The facility changed status from a Title V facility to a Synthetic Minor and elected to take a 24.9 ton per year limit on NOx emissions. The facility is primarily involved in Computer programming Services. Lockheed Martin operates boilers, generators, and other lab equipment. The permit contains all applicable requirements including monitoring, recordkeeping and reporting.

46-00270: Timberlane, Inc. (150 Demorah Drive, Montgomeryville, PA 18936) for operation of a spray booth operation in Montgomeryville Township, **Montgomery County**. The permit is for a non-Title V (State-only) facility. The facility elects to limit VOC emissions to less than 25 tons per year; therefore the facility is considered a Synthetic Minor. The permit will include monitoring, recordkeeping and reporting requirements designed to keep the facility operating within all applicable air quality requirements.

46-00141: TSG, Inc.—Synfin Industries Division (1400 Welsh Road, North Wales, PA 19454) for operation of two boilers, several fabric coating lines, and other miscellaneous sources, as well as a carbon adsorber with

a solvent recovery system associated with a fabric spray coating line in Montgomery Township, **Montgomery County**. The State-only Operating Permit (SOOP) replaces Title V Operating Permit No. 46-00141, originally issued on January 13, 2006, for the facility. Trichloroethylene (TCE) is no longer used by the fabric spray coating line; therefore, the facility is no longer major for hazardous air pollutants (HAPs) or subject to 40 CFR 63, Subparts OOOO and DDDDD. The SOOP will contain individual and total HAP emission restrictions of 10 tons/yr and 25 tons/yr, respectively, to comply with the requirements of Clean Air Act Section 112(j) (due to the vacatur of 40 CFR 63, Subpart DDDDD). Based on this, the permit type has been changed from Title V to State-only (Synthetic Minor). The SOOP will include monitoring, recordkeeping, reporting, and work practice requirements designed to keep the facility operating within all applicable air quality requirements.

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

S05-002: T.D.P.S. Materials—DePaul Concrete (2nd Street and Erie Avenue, Philadelphia, PA 19120) for operation of an asphalt and concrete facility in the City of Philadelphia, **Philadelphia County**. The facility's air emission sources include a hot mix asphalt plant, a concrete crushing plant, a gasoline dispenser with Stage II, and fugitive emissions from material handling and vehicle traffic. The hot mix asphalt plant is controlled by baghouse.

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

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

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.

58-329-016: Cabot Oil & Gas Corp. (5 Penn Center West, Suite 401, Pittsburgh, PA 15276) for installation of four new compressor engines, one stand-by engine and a hot water boiler at their Lathrop Compressor Station in Springville Township, **Susquehanna 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 Cabot Oil & Gas Corp. (5 Penn Center West, Suite 401, Pittsburgh, PA 15276) for their facility located in Springville Township, Susquehanna County. This Plan Approval No. 58-329-016 will be incorporated into a Synthetic Minor Permit through an administrative amendment at a later date.

Plan Approval No. 58-329-016 is for the installation of four new compressor engines, one stand-by engine and a hot water boiler at the Lathrop Compressor Station.

Following emissions shall not exceed from the each engine.

1. PM/PM10—0.031 lb/mmBtu.
2. SO_x—0.002 lb/mmBtu.
3. CO—0.4 g/bhp-hr.
4. NO_x—0.26 g/bhp-hr.
5. VOC—0.2 g/bhp-hr.

The company is subject to NSPS Subpart JJJJ and 25 Pa. Code § 127.12(a)(5) Best Available Technology (BAT) 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.

Emissions from the engines will meet BAT and NSPS Subpart JJJJ requirements. 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.: 58-329-016.

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 ¹		greater than 6.0; less than 9.0	
Alkalinity greater than acidity ¹			

¹The parameter is applicable at all times.

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

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

32031301 and NPDES Permit # PA0235580, Rosebud Mining Company, (301 Market Street, Kittanning, PA 16201-9642), to revise the permit for the Lowry Deep Mine in White Township, **Indiana County** to add acreage to the underground permit boundary and the subsidence control plan area. Underground Acres Proposed 925.5, Subsidence Control Plan Acres Proposed 925.5. No additional discharges. Application received: April 22, 2010.

32971302 and NPDES Permit # PA0215040, Rosebud Mining Company, (301 Market Street, Kittanning, PA 16201), to revise the permit for the Dutch Run Mine in Washington Township, **Indiana County** to add surface acreage to install a power borehole to supply electric to Dutch Run Mine. Surface Acres Proposed 1.7. No additional discharges. Application received: March 15, 2010.

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

11100103 and NPDES No. PA0263028, E. P. Bender Coal Company, Inc., P. O. Box 594, Carrolltown, PA 15722, commencement, operation and restoration of a bituminous surface and auger mine in Reade Township, **Cambria County**, affecting 86.0 acres. Receiving stream(s): unnamed tributaries to/and Clear Creek classified for the following use(s): cold water fishery. There are no potable water supply intakes within 10 miles downstream. Application received: May 28, 2010.

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

63080103 and NPDES Permit No. PAPA0251445, Amerikohl Mining, Inc. (1384 SR 711, Stahlstown, PA 15687). Revision application for a land use change from forestland to pastureland and/or land occasionally cut for hay, and add 18.5 additional acres to an existing bituminous surface mine, located in Somerset and Fallowfield Townships, **Washington County**, affecting 224 acres. Receiving streams: unnamed tributaries to North Branch Pigeon Creek and Pigeon Creek, classified for the following use: WWF. There is no potable water supply intake within 10 miles downstream from the point of discharge. Application received: June 9, 2010.

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

61020102 and NPDES Permit No. PA0242101. Amerikohl Mining, Inc. (202 Sunset Drive, Butler, PA 16001) Renewal of an existing bituminous surface operation in Scrubgrass Township, **Venango County** affecting 133.0 acres. Receiving streams: Unnamed tributaries to the Allegheny River, classified for the following: CWF. There are no potable surface water supply intakes within 10 miles downstream. Application for reclamation only. Application received: May 28, 2010.

10040102 and NPDES Permit No. PA0242501. Amerikohl Mining, Inc. (202 Sunset Drive, Butler, PA 16001) Renewal of an existing bituminous surface operation in Concord Township, **Butler County** affecting 179.0 acres. Receiving streams: Unnamed tributaries to Bear Creek, classified for the following: CWF. There are no potable surface water supply intakes within 10 miles downstream. Application for reclamation only. Application received: June 1, 2010.

33890119 and NPDES Permit No. PA0207560. Sky Haven Coal, Inc. (5510 State Park Road, Penfield, PA 15849) Renewal of an existing bituminous surface, auger and sandstone removal operation in Winslow Township, **Jefferson County** affecting 111.7 acres. Receiving streams: McCreight and Trout Runs, classified for the following: CWF. There are no potable surface water supply intakes within 10 miles downstream. Application for reclamation only. Application received: June 3, 2010.

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

40940205R3 and NPDES Permit No. PA0223441. Northampton Fuel Supply Co., Inc., (1 Horwith Drive, Northampton, PA 18067), renewal of an existing anthracite coal refuse reprocessing operation for reclamation activities only in Hanover Township, **Luzerne County** affecting 124.0 acres, receiving stream: Nanticoke Creek. Application received: June 8, 2010.

Noncoal Applications Returned

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

25030302. Fiesler Sand & Gravel, LLC (4500 Greenlee Road, McKean, PA 16426) Transfer of an existing large sand and gravel operation from Walter Kuhl in Greene Township, **Erie County** affecting 50.6 acres. Receiving streams: Unnamed tributary to Fourmile Creek, classified for the following uses: WWF. There are no potable surface water supply intakes within 10 miles downstream. Application received: June 11, 2010.

2579301 and PA0118354. Fiesler Sand & Gravel, LLC (4500 Greenlee Road, McKean, PA 16426) Transfer of an existing large sand and gravel operation from Walter Kuhl in Greene Township, **Erie County** affecting 46.0 acres. Receiving streams: Fourmile Creek, classified for the following uses: WWF. There are no potable surface water supply intakes within 10 miles downstream. Application received: June 11, 2010.

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

8274SM1C3 and NPDES Permit No. PA0595705. ICM of Pennsylvania, Inc., (638 Lancaster Avenue, Malvern, PA 19355), depth correction to an existing quarry operation in Manheim and Upper Leacock Townships, **Lancaster County** affecting 71.75 acres, receiving

stream: Conestoga River, classified for the following use: warm water fishery. Application received: June 3, 2010.

6575SM2A2C2. Eureka Stone Quarry, Inc., (P. O. Box 249, Chalfont, PA 18914), insignificant boundary correction to add 3.6 acres for a total of 118.6 permitted acres in Hamilton Township, **Monroe County**, receiving stream: tributary to McMichael Creek. Application received: June 8, 2010.

40022801. Dotzel Trucking, (1898 Slocum Road, Mountaintop, PA 18707), Stages I and II bond release of a quarry operation in Salem Township, **Luzerne County** affecting 5.0 acres, on property owned by PPL. Application received: June 9, 2010.

40052803. Dotzel Trucking, (1898 Slocum Road, Mountaintop, PA 18707), Stages I and II bond release of a quarry operation in Salem Township, **Luzerne County** affecting 5.0 acres, on property owned by PPL. Application received: June 9, 2010.

40072801. Dotzel Trucking, (1898 Slocum Road, Mountaintop, PA 18707), Stages I and II bond release of a quarry operation in Salem Township, **Luzerne County** affecting 5.0 acres, on property owned by PPL. Application received: June 9, 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.

E58-289. Cabot Oil & Gas Corporation, 5 Penn Center West, Suite 401, Pittsburgh, PA 15276, in Brooklyn, Dimock and Bridgewater Townships, **Susquehanna County**, U.S. Army Corps of Engineers, Baltimore District.

To construct and maintain 69 water obstructions and encroachments in and along Meshoppen Creek (CWF, MF) and Unnamed Tributaries (CWF, MF) thereof, Hop Bot-

tom Creek (CWF, MF) and Unnamed Tributaries (CWF, MF) thereof, and PEM and PFO wetlands. This work is associated with Cabot Oil & Gas Susquehanna Project Zone 3 which includes the installation of 104,020 linear feet of pipeline and access roads for natural gas well drilling pads. The project begins on the west side of SR 0167 approximately 0.50 mile north from its intersection of SR 2055 (Longitude: -75° 48' 17" W; Latitude: 40° 48' 01" N) in Brooklyn Township, Susquehanna County, runs in a westerly direction on the south side of SR 3029 approximately 0.60 mile east of its intersection of SR 0029 (Longitude: -75° 52' 48" W; Latitude: 40° 47' 41" N) in Bridgewater Township, Susquehanna County, then runs in a southerly direction to the west side of SR 2051 approximately 0.10 mile north from its intersection of SR 2024 (Longitude: -75° 52' 04" W; Latitude: 41° 45' 01" N) in Dimock Township, Susquehanna County, then runs in an easterly direction to the west side of SR 2015 approximately 0.20 mile north from its intersection with Bidwell Road (Longitude: -75° 48' 10" W; Latitude: 41° 45' 54" N) in Brooklyn Township, Susquehanna 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

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

<i>NPDES No. (Type)</i>	<i>Facility Name & Address</i>	<i>County & Municipality</i>	<i>Stream Name (Watershed #)</i>	<i>EPA Waived Y/N ?</i>
PA0070351— SEW	Amity Township 2004 Weavertown Road Douglassville, PA 19518	Berks County Amity Township	Schuylkill River 3-D	Y
PA0051861— SEW	Penn Sylvan Realty Corporation 5028 Camp Road Mohnton, PA 19540-7723	Berks County Brecknock Township	UNT Rock Run 7-J	Y
PA00880241— SEW	West Perry School District— West Perry High School 2606 Shermans Valley Road Elliottsburg, PA 17024	Perry County Spring Township	Montour Creek 7-A	Y
PA0088528— SEW	Tulpehocken Township— Rehrersburg STP P. O. Box 272 Rehrersburg, PA 19550-0272	Berks County Tulpehocken Township	Swatara Creek 7-D	Y
PA0246816— SEW	Lenker Estates Homeowner's Association P. O. Box 123 Dauphin, PA 17018-0123	Dauphin County Halifax Township	UNT Susquehanna River 6-C	Y

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

<i>NPDES No. (Type)</i>	<i>Facility Name & Address</i>	<i>County & Municipality</i>	<i>Stream Name (Watershed #)</i>	<i>EPA Waived Y/N ?</i>
PA0045969 (SWI)	Sunoco Partners Marketing & Terminals, LP— Northumberland Terminal 1314 Point Township Road Northumberland, PA 19608	Point Township Northumberland County	Unnamed Tributary to Susquehanna River 5-E	Y

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

<i>NPDES No. (Type)</i>	<i>Facility Name & Address</i>	<i>County & Municipality</i>	<i>Stream Name (Watershed #)</i>	<i>EPA Waived Y/N</i>
PA0030457 Sewage	The Bauman Family Limited Partnership and Lance Remic 100 Forbes Trail Drive Export, PA 15632-9614	Westmoreland County Salem Township	UNT to Thorn Run	Y
PA0217123 Sewage	Indiana County Municipal Service Authority 602 Kolter Drive Indiana, PA 15701	Indiana County South Mahoning Township	North Branch Plum Creek	Y

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

<i>NPDES No. (Type)</i>	<i>Facility Name & Address</i>	<i>County & Municipality</i>	<i>Stream Name (Watershed #)</i>	<i>EPA Waived Y/N ?</i>
PA0210056	Mary Russ, d/b/a Amsterdam Estates MHP 39 Amsterdam Road Grove City, PA 16127	Mercer County Liberty Township	Unnamed tributary to Black Run 20-C	Y
PA0029726	Jamestown Municipal Authority 406 Jackson Street P. O. Box 188 Jamestown, PA 16134	Mercer County Jamestown Borough	Shenango River 20-A	Y
PA0045039	Department of Conservation and Natural Resources Oil Creek State Park 305 State Park Road Oil City, PA 16301-9733	Venango County Cornplanter Township	Oil Creek 16-E	Y

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

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

NPDES Permit No. PA0002879-A1, Industrial Waste, **Union Electric Steel Corporation**, P. O. Box 465, Carnegie, PA 15106. This existing facility is located in Smith Township, **Washington County**.

Description of Proposed Action/Activity: Permit issuance for discharge to receiving waters named unnamed tributary to Burgetts Fork.

NPDES Permit No. PA0254223, Sewage, **Lincoln Township Municipal Authority**, P. O. Box 162, Sipesville, PA 15561-0162. This proposed facility is located in Lincoln Township, **Somerset County**.

Description of Proposed Action/Activity: Permit issuance for the discharge of domestic sewerage.

NPDES Permit No. PA02540002, Sewage, **Target Drilling, Inc.**, 1112 Glacier Drive, Smithton, PA 15479. This proposed facility is located in Whiteley Township, **Greene County**.

Description of Proposed Action/Activity: Permit issuance to discharge from a sewage treatment plant for employees at a drill rig manufacturer.

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

NPDES Permit No. PA0037893, Sewage, **Amendment No. 1, East Brady Borough**, 502 Ferry Street, East Brady, PA 16028-1238. This existing facility is located in East Brady Borough, **Clarion County**.

Description of Proposed Action/Activity: Issuance of an existing NPDES permit amended to increase the discharge of treated sewage.

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

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

WQM Permit No. 4609409, Sewerage, **Montgomery County Correctional Facility**, 60 Eagleville Road, Eagleville, PA 19403. This proposed facility is located in Lower Providence Township, **Montgomery County**.

Description of Action/Activity: Construction and operation of a 46,080 gpd pump and associated force main.

WQM Permit No. WQG02460913, Sewerage, **Franconia Sewer Authority**, 671 Allentown Road, P. O. Box 128, Franconia, PA 18924. This proposed facility is located in Franconia Township, **Montgomery County**.

Description of Action/Activity: Upgrade of an existing sanitary pump station with new sewage pumps.

WQM Permit No. WQG02231001, Sewerage, **Upper Providence Township Sewer Authority**, 935 North Providence Road, Media, PA 19063-1499. This proposed facility is located in Upper Providence Township, **Delaware County**.

Description of Action/Activity: Construction and operation of a low pressure sanitary sewer extension utilizing individual and duplex grinder pumps.

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

WQM Permit No. 4010402, Sewerage, **Eagle Rock Community Association, Inc.**, 1031 Valley of Lakes, Hazleton, PA 18202. This proposed facility is located in Hazle Township, **Luzerne County**.

Description of Proposed Action/Activity: Issuance of Water Quality Management Permit for Eagle Rock Resort—Mountain View Phase I and II sewer extensions utilizing low pressure sewer systems and eight pump stations.

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

Description of Proposed Action/Activity: Issuance of Water Quality Management Permit for the Lee Development—Sanitary Sewer Collection System and Pump Station/Force Main Project.

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

WQM Permit No. WQG02221001, Sewage, **East Hanover Township**, 8848 Jonestown Road, Grantville, PA 17028-8650. This proposed facility is located in East Hanover Township, **Dauphin County**.

Description of Proposed Action/Activity: Construction/Operation of Sewer Extension to serve the existing Partridge Hills and Englewood developments; sewage will be treated at the Dairy Lane WWTF; both are 8" gravity to new pumping stations; Partridge Hills system will connect at existing Bow Creek Interceptor; Englewood system will connect at the Dairy Land WWTF.

WQM Permit No. WQG02061002, Sewage, **Perry Township Municipal Authority**, P. O. Box 308, Shoemakersville, PA 19555. This proposed facility is located in Perry Township, **Berks County**.

Description of Proposed Action/Activity: Construction/Operation of a low pressure system to serve approximately 103 equivalent dwelling units consisting of residential, business, commercial and apartment units along Mohrsville Road from Ontelaunee Township Line to the Borough of Shoemakersville. It will connect to the Borough's gravity sewer system.

WQM Permit No. 2196201, Amendment 10-1, Industrial Waste, **Mr. John Mulligan, Land O'Lakes, Inc.**, 405 Park Drive, Carlisle, PA 17013. This proposed facility is located in South Middleton Township, **Cumberland County**.

Description of Proposed Action/Activity: Construction/Operation of Phase 1, two equalization tanks, DAF building housing the relocated DAF and new DAF with chemical feed equipment, post equalization tank, effluent pumps and force main to new discharge point to Mountain Creek.

WQM Permit No. 3683415, Sewage, **City of Lancaster**, 120 North Duke Street, Lancaster, PA 17608-1599. This proposed facility is located in Lancaster City, **Lancaster County**.

Description of Proposed Action/Activity: Construction/Operation of North Treatment Train—Construction of screenings and grit removal facilities, a biofilter for odor control, and parshal flumes for flow measurement. South Treatment Train—Construction of new grit removal and handling facilities.

WQM Permit No. 3809401, Sewage, **South Annville Township Authority**, 829 South Spruce Street, Annville, PA 17003. This proposed facility is located in South Annville Township, **Lebanon County**.

Description of Proposed Action/Activity: Construction/Operation of sewerage facilities consisting of: A pump station and force main to serve the proposed Mayapple Woods development and some existing homes.

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

Description of Proposed Action/Activity: Construction/Operation of Two MBR units normally operated in series, blowers, instrumentation for PLC process control, and nutrient feed systems providing carbon, phosphorus and ammonia for low load operation.

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

WQM Permit No. 6309406, Sewerage, **California Borough**, 225 Third Street, California, PA 15419. This proposed facility is located in California Borough, **Washington County**.

Description of Proposed Action/Activity: Permit issuance for the construction and operation of sanitary sewers, two new pump stations and force mains.

WQM Permit No. 3009401, Sewerage, **Target Drilling, Inc.**, 1112 Glacier Drive, Smithton, PA 15479. This proposed facility is located in Whiteley Township, **Greene County**.

Description of Proposed Action/Activity: Permit issuance for the construction and operation of a small flow sewage treatment system to serve an employee restroom facility.

WQM Permit No. 5610401, Sewerage, **Lincoln Township Municipal Authority**, P. O. Box 162, Sipesville, PA 15561-0162. This proposed facility is located in Lincoln Township, **Somerset County**.

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

WQM Permit No. 9280-S-A2, Sewerage, **Orion Power Midwest, LP**, 121 Champion Way, Suite 200, Canonsburg, PA 15317. This existing facility is located in the City of Pittsburgh, **Allegheny County**.

Description of Proposed Action/Activity: Permit amendment issuance to replace an existing Infilco Aero-Accelator aeration tank with a single-tank continuous flow sequential batch reactor.

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

WQM Permit No. WQG018757, Sewerage, **Roy and Sue Griffin**, 301 Central Avenue, Falconer, NY 14733-1205. This proposed/existing facility is located in Farmington Township, **Warren County**.

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

IV. NPDES Stormwater Discharges from MS4 Permit Actions

V. NPDES Waiver Stormwater Discharges from MS4 Actions

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

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

<i>NPDES Permit No.</i>	<i>Applicant Name & Address</i>	<i>County</i>	<i>Municipality</i>	<i>Receiving Water/Use</i>
PAI01 1506096-A1	West Brandywine Township Municipal Authority 198 Lafayette Road Coatesville, PA 19320	Chester	West Brandywine Township	Beaver Creek TSF-MF West Branch Brandywine Creek HQ

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

<i>NPDES Permit No.</i>	<i>Applicant Name & Address</i>	<i>County</i>	<i>Municipality</i>	<i>Receiving Water/Use</i>
PAI024010002	Department of Transportation, Engineering District 4-0 55 Keystone Industrial Park Dunmore, PA 18512	Luzerne	West Hazleton Borough City of Hazleton Hazle Township	Black Creek CWF, MF Cranberry Creek CWF, MF Hazle Creek HQ-CWF, MF Dreck Creek HQ-CWF, MF
PAI025409002	Greater Tamaqua Industrial Development Enterprises 114 West Broad Street Tamaqua, PA 18252	Schuylkill	Rush Township	Nesquehoning Creek CWF, MF
PAI024807009	CMC Development Corp. 4511 Falmer Road Bethlehem, PA 18018	Northampton	Bethlehem and Palmer Townships	Bushkill Creek HQ-CWF, MF

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

<i>NPDES Permit No.</i>	<i>Applicant Name & Address</i>	<i>County</i>	<i>Municipality</i>	<i>Receiving Water/Use</i>
PAI032110001	Schreiber Foods, Inc. Cy Hill 502 North Madison Street Green Bay, WI 54301	Cumberland	Shippensburg Borough	Middle Spring Creek HQ
PAI032109003	CHR Corporation Tim Rutter 2295 Susquehanna Trail Suite C York, PA 17404	Cumberland	Monroe Township	Yellow Breeches Creek HQ-CWF
PAI030609003	Forgedale Properties 375 Forgedale Road Bechtelsville, PA 19505-9301	Berks	Hereford Township	UNT to West Branch Perkioment Creek EV

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

<i>NPDES Permit No.</i>	<i>Applicant Name & Address</i>	<i>County</i>	<i>Municipality</i>	<i>Receiving Water/Use</i>
PAI 0625 10 001	Dr. Rosanne Palermo Trinity Equestrian Center, LLC 3437 West Lake Road Erie, PA 16505	Erie	Fairview Township	Bear Run CWF; MF

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

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

List of NPDES and/or Other General Permit Types

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

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

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

<i>Municipality & County</i>	<i>Permit No.</i>	<i>Applicant Name & Address</i>	<i>Receiving Water/Use</i>	<i>Contact Office & Phone No.</i>
Downingtown Borough Chester County	PAG0200 151002	Chester County Technical College High School— Brandywine Campus Chester County School Authority 455 Boot Road Downingtown, PA 19335	Parke Run Creek WWF-MF	Southeast Regional Office 2 East Main Street Norristown, PA 19401 484-250-5900
West Penn Township Schuylkill County	PAG2005409008	Jim Hower 249 School Drive New Ringgold, PA 17960 and Slayton Altenburg 847 Dairy Road Tamaqua, PA 18252	Tributary to Mahoning Creek CWF, MF	Schuylkill County Conservation District 570-622-3742
Shrewsbury Township York County	PAG2006710014	Wayne McMullough Southern York County School District 3280 Fissels Church Road P. O. Box 128 Glen Rock, PA 17327	Centerville Creek WWF	York County Conservation District 118 Pleasant Acres Road York, PA 17402-8984 717-840-7430
Huntingdon Borough Huntingdon County	PAG2003110002	Jill Adams 2400 Cassady Avenue Huntingdon, PA 16652	Muddy Run-UNT to Juniata River WWF-MF	Huntingdon County Conservation District 10605 Raystown Road Suite A Huntingdon, PA 16652-9603 814-627-1627
York Township York County	PAG2006708075	Wellspan Properties, Inc. 2595 South George Street Suite 1 York, PA 17403	UNT to Codorus Creek WWF	York County Conservation District 118 Pleasant Acres Road York, PA 17402-8984 717-840-7430
Shrewsbury Township York County	PAG2006709053	William J. Solomon 14781 Boyer Road New Freedom, PA 17349	UNT to Centerville Creek WWF	York County Conservation District 118 Pleasant Acres Road York, PA 17402-8984 717-840-7430
Manheim Township York County	PAG2006709064	Dennis L. Bosley 1941 Bachman Valley Road Manchester, MD 21102	West Branch Codorus Creek WWF	York County Conservation District 118 Pleasant Acres Road York, PA 17402-8984 717-840-7430
West Manheim Township York County	PAG2006704052-R	Paul Burkentine Stone Ridge Development Corporation 1500 Baltimore Pike Hanover, PA 17331	UNT to West Branch Codorus Creek WWF	York County Conservation District 118 Pleasant Acres Road York, PA 17402-8984 717-840-7430

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<i>Facility Location: Municipality & County</i>	<i>Permit No.</i>	<i>Applicant Name & Address</i>	<i>Receiving Water / Use</i>	<i>Contact Office & Phone No.</i>
Manchester Township York County	PAG2006709010	Themi Sacarellos Round the Clock Diner & Coffee Shop, Inc. 222 Arsenal Road York, PA 17402	Codorus Creek WWF	York County Conservation District 118 Pleasant Acres Road York, PA 17402-8984 717-840-7430
Springettsbury Township York County	PAG2006710003	Harley-Davidson Motor Company Operations, Inc. 1425 Eden Road York, PA 17402-1599	Mill Creek-UNT to Codorus Creek WWF	York County Conservation District 118 Pleasant Acres Road York, PA 17402-8984 717-840-7430
Newberry Township York County	PAG2006709038	Ian Castaneira Sierra's Glen Partners II, LP 320 Rosedale Avenue Highspire, PA 17034	UNT to Fishing Creek TSF	York County Conservation District 118 Pleasant Acres Road York, PA 17402-8984 717-840-7430
Windsor Township York County	PAG2006707094	William Bashore Vasland, Inc. 336 West King Street Lancaster, PA 17603	UNT to Pine Creek CWF	York County Conservation District 118 Pleasant Acres Road York, PA 17402-8984 717-840-7430
Juniata Township Blair County	PAG2000709009	Rick Pope Hollidaysburg Borough Authority 401 Blair Street Hollidaysburg, PA 16648	Blair Gap Run TSF	Blair County Conservation District 1407 Blair Street Hollidaysburg, PA 16648 814-696-0877 Ext. 5
Greenwich Township Berks County	PAG2000610010	Brian Kobularcik Metropolitan Development Group 1030 Reed Avenue Suite 100 Wyomissing, PA 19610	Sacony Creek WWF	Berks County Conservation District 1238 County Welfare Road Suite 200 Leesport, PA 19533-9710 610-372-4657 Ext. 201
Bedford Township Bedford County	PAG2000510002	John H. Holbert P. O. Box 244 Bedford, PA 15522	Raystown Branch Juniata River WWF	Bedford County Conservation District 702 West Pitt Street Suite 3 Fairlawn Court Bedford, PA 15522 814-623-0481
Altoona City Blair County	PAG2000710001	Stan Sheetz Sheetz, Inc. 5700 6th Avenue Altoona, PA 16602	Mill Run WWF	Blair County Conservation District 1407 Blair Street Hollidaysburg, PA 16648 814-696-0877 Ext. 5
West Manheim Township York County	PAG2006704043-R	Woodhaven Development 4175 Hanover Pike Manchester, MD 21120	South Branch Conewago—UNT to West Branch Codorus Creek WWF	York County Conservation District 118 Pleasant Acres Road York, PA 17402-8984 717-840-7430
East Manchester Township York County	PAG2006710002	Mark Will JPM Northern, LLC 400 North Cedar Street Lititz, PA 17543	UNT to Susquehanna River WWF	York County Conservation District 118 Pleasant Acres Road York, PA 17402-8984 717-840-7430

<i>Facility Location: Municipality & County</i>	<i>Permit No.</i>	<i>Applicant Name & Address</i>	<i>Receiving Water / Use</i>	<i>Contact Office & Phone No.</i>
Millcreek Township Lebanon County	PAG2003810004	Lloyd Newswanger 313 South Millbach Road Newmanstown, PA 17073	Mill Creek CWF-MF	Lebanon County Conservation District 2120 Cornwall Road Suite 5 Lebanon, PA 17042 717-272-3908 Ext. 4
North Lebanon Township Lebanon County	PAG2003804034-R	Landmark Homes c/o Scott Burkholder 1737 West Main Street Ephrata, PA 17522	Tulpehocken Creek TSF-MF	Lebanon County Conservation District 2120 Cornwall Road Suite 5 Lebanon, PA 17042 717-272-3908 Ext. 4
Manheim Township Lancaster County	PAG2003610012	Manheim Township 1840 Municipal Drive Lancaster, PA 17601	UNT to Little Conestoga Creek WWF	Lancaster County Conservation District 1383 Arcadia Road Room 200 Lancaster PA 17601 717-299-5361
Marion Township Berks County	PAG2000609052	Department of Transportation Engineering District 5-0 1002 Hamilton Street Allentown, PA 18101-1013	Tulpehocken Creek TSF	Berks County Conservation District 1238 County Welfare Road Suite 200 Leesport, PA 19533-9710 610-372-4657 Ext. 201
Huntingdon, Reading and Tyrone Townships Adams County	ESCGP10109802-1	William Brett Texas Eastern Transmission, LP 890 Winter Street Suite 300 Waltham, MA 02451-1493	UNT to Conewago Creek—UNT to Mud Run WWF	Adams County Conservation District 670 Old Harrisburg Road Suite 201 Gettysburg, PA 17325 717-334-0636
North Newton Township Cumberland County	PAG2002109006	Robert Zimmerman 406 Long Lane East Earl, PA 17519	Green Spring Creek CWF	Cumberland County Conservation District 310 Allen Road Suite 301 Carlisle, PA 17013 717-240-7812
Mechanicsburg Borough Cumberland County	PAG2002110004	Mechanicsburg Borough 38 West Allen Street Mechanicsburg, PA 17055	Trindle Spring Run CWF	Cumberland County Conservation District 310 Allen Road Suite 301 Carlisle, PA 17013 717-240-7812
Reading Township Adams County	PAG2000108011	Alvin Powers Porto Vecchio Properties, LLC 113 Westminster Road Suite 200 Reisterstown, MD 21136	UNT to West Branch Conewago WWF	Adams County Conservation District 670 Old Harrisburg Road Suite 201 Gettysburg, PA 17325 717-334-0636
Germany Township Adams County	PAG2000110010	James Smith Kingsdale Adventure, LLC 201 Ulricktown Road Littlestown, PA 17340	Piney Creek WWF	Adams County Conservation District 670 Old Harrisburg Road Suite 201 Gettysburg, PA 17325 717-334-0636

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<i>Facility Location: Municipality & County</i>	<i>Permit No.</i>	<i>Applicant Name & Address</i>	<i>Receiving Water / Use</i>	<i>Contact Office & Phone No.</i>
Manheim Township Lancaster County	PAG2003610012	Manheim Township 1840 Municipal Drive Lancaster, PA 17601	UNT Conestoga River WWF	Lancaster County Conservation District 1383 Arcadia Road Room 200 Lancaster, PA 17601 717-299-5361 Ext. 5
East Lampeter Township Lancaster County	PAG2003610013	SAZ LP 11650 Crooked Oak Drive Suite 310 Lancaster, PA 17601	Mill Creek WWF	Lancaster County Conservation District 1383 Arcadia Road Room 200 Lancaster, PA 17601 717-299-5361 Ext. 5
Lancaster City Lancaster County	PAG2003610019	Franklin & Marshall College 415 Harrisburg Avenue Lancaster, PA 17603	Conestoga Creek WWF	Lancaster County Conservation District 1383 Arcadia Road Room 200 Lancaster, PA 17601 717-299-5361 Ext. 5
East Earl Township Lancaster County	PAG2003610022	Good's Store Limited Partnership 165 Earland Drive New Holland, PA 17557	Conestoga River WWF	Lancaster County Conservation District 1383 Arcadia Road Room 200 Lancaster, PA 17601 717-299-5361 Ext. 5
Manor Township Lancaster County	PAG2003610023	Lancaster County Solid Waste Management 1299 Harrisburg Pike Box 4425 Lancaster, PA 17604	Manns and Wisslers Runs Susquehanna River WWF-HQ CWF-WWF	Lancaster County Conservation District 1383 Arcadia Road Room 200 Lancaster, PA 17601 717-299-5361 Ext. 5
Woodward Township Clinton County	PAG2001810001	Edward R. Nestlerode, Jr. Nesterode Real Estate, Inc. 145 East Walnut Street Lock Haven, PA 17745	UNT to West Branch Susquehanna River CWF	Clinton County Conservation District 45 Cooperation Lane Mill Hall, PA 17751 (570) 726-3798
Woodward Township Clinton County	PAG2001810002	Edward R. Nestlerode, Jr. Nesterode Real Estate, Inc. 145 East Walnut Street Lock Haven, PA 17745	UNT to West Branch Susquehanna River CWF	Clinton County Conservation District 45 Cooperation Lane Mill Hall, PA 17751 (570) 726-3798
Point Township Northumberland County	PAG2004910008	Eldorado Properties Corp. P. O. Box 2621 Harrisburg, PA 17105	Susquehanna River CWF	Northumberland County Conservation District R. R. 3 Box 238-C Sunbury, PA 17801 (570) 286-7114 Ext. 4
Somerset County Somerset Township	PAG02005609012	Somerset Regional Water Resources 888 Stoystown Road Somerset, PA 15501	UNTB to the East Branch of Coxes Creek TSF	Somerset County Conservation District 6024 Glades Pike Suite 103 Somerset, PA 15501 814-445-4352

*Facility Location:
Municipality &
County*

<i>Facility Location: Municipality & County</i>	<i>Permit No.</i>	<i>Applicant Name & Address</i>	<i>Receiving Water / Use</i>	<i>Contact Office & Phone No.</i>
Somerset County Somerset Township	PAG02005609014	Somerset County Airport 159 Airport Lane Friedens, PA 15541	UNTB to Wells Creek CWF	Somerset County Conservation District 6024 Glades Pike Suite 103 Somerset, PA 15501 814-445-4352
Westmoreland County Redstone and Luzerne Townships	PAG2006510012	City of Monessen Eastgate 8 4th Floor Monessen, PA 15062	Monongahela River WWF	Westmoreland County Conservation District 218 Donohoe Road Greensburg, PA 15601 724-837-5271
Westmoreland County Hempfield Township	PAG2006510015	Mark A. Cuomo Cuomo Development Company, LLC 27 Barri Drive Irwin, PA 15642	Jacks Run WWF	Westmoreland County Conservation District 218 Donohoe Road Greensburg, PA 15601 724-837-5271
Cranberry Township Butler County	PAG02 0010 08 025(1)	Eric Lamm FRA Development Assoc., LP 215 Executive Drive Suite 300 Cranberry, PA 15238	UNT Brush Creek WWF	Butler County Conservation District 724-284-5270
City of Hermitage Mercer County	PAG02 0043 10 002	David George Joy Cone Company 3435 Lamor Road Hermitage, PA 16148	Pine Hollow Run WWF UNT Shenango River WWF	Mercer County Conservation District 724-662-2242

General Permit Type—PAG-3

*Facility Location:
Municipality &
County*

<i>Facility Location: Municipality & County</i>	<i>Permit No.</i>	<i>Applicant Name & Address</i>	<i>Receiving Water / Use</i>	<i>Contact Office & Phone No.</i>
Washington Township Lehigh County	PAR602246	Alfred N. Hanna 4163 Best Station Road Slatington, PA 18080	Trout Creek CWF	Department of Environmental Protection Northeast Regional Office 2 Public Square Wilkes-Barre, PA 18701-1915
Washington Township Lehigh County	PAR602247	Alfred N. Hanna Victor N. Hanna 4162 Best Station Road Slatington, PA 18080-3751	Trout Creek CWF	Department of Environmental Protection Northeast Regional Office 2 Public Square Wilkes-Barre, PA 18701-1915
Harford Township Susquehanna County	PAR212231	Harford Stone Co. 1060 Bartholomew Road Kingsley, PA 18826	Nine Partners Creek CWF	Department of Environmental Protection Northeast Regional Office 2 Public Square Wilkes-Barre, PA 18701-1915
Franklin County Antrim Township	PAR803642	Jerr-Dan Corporation/Molly Pitcher Highway Facility 1080 Hykes Road Greencastle, PA 17225-9647	UNT to Conococheague Creek WWF 13-C	DEP—SCRO—WQ 909 Elmerton Avenue Harrisburg, PA 17110 717-705-4707
Franklin County Antrim Township	PAR803520	Jerr-Dan Corporation/Hykes Road Facility 1080 Hykes Road Greencastle, PA 17225-9647	UNT of Conococheague Creek WWF 13-C	DEP—SCRO—WQ 909 Elmerton Avenue Harrisburg, PA 17110

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<i>Facility Location: Municipality & County</i>	<i>Permit No.</i>	<i>Applicant Name & Address</i>	<i>Receiving Water / Use</i>	<i>Contact Office & Phone No.</i>
Spring Township Centre County	PAR604818	Hodes Industries, Inc. 153 Tressler Street P. O. Box 5150 Pleasant Gap, PA 16823	UNT Logan Branch CWF	Northcentral Regional Office Water Management Program 208 West Third Street Suite 101 Williamsport, PA 17701 (570) 327-3664
Muncy Creek Township Lycoming County	PAR214821	Keystone Filler & Manufacturing Co. 214 Railroad Street P. O. Box 120 Muncy, PA 17756	Unnamed Tributary of West Branch Susquehanna River 10-D	Northcentral Regional Office Water Management 208 West Third Street Suite 101 Williamsport, PA 17701-6448 570-327-0532
Clinton County Castanea Township	PAR234818	WSP Chemicals & Technology P. O. Box 60 400 West Brown Street Castanea, PA 17726	Bald Eagle Creek WWF	Northcentral Regional Office Water Management Program 208 West Third Street Suite 101 Williamsport, PA 17701 (570) 327-3664
Canton Township Washington County	PAR606109	General Alloys, Inc. 135 West Wylie Avenue Washington, PA 15301-2205	Chartiers Creek	Southwest Regional Office Water Management Program Manager 400 Waterfront Drive Pittsburgh, PA 15222-4745 412-442-4000
Monaca Borough Beaver County	PAR216141	Anchor Acquisition, LLC 400 Ninth Street Monaca, PA 15061-1862	Ohio River	Southwest Regional Office Water Management Program Manager 400 Waterfront Drive Pittsburgh, PA 15222-4745 412-442-4000
Center Township Beaver County	PAR606151	Jerry's Auto Wrecking 101 Constitution Boulevard Monaca, PA 15061	Ohio River	Southwest Regional Office Water Management Program Manager 400 Waterfront Drive Pittsburgh, PA 15222-4745 412-442-4000
Shaler Township Allegheny County	PAR216124	Kelman Bottles, LLC 1101 William Flynn Highway Glenshaw, PA 15116-2637	Pine Creek	Southwest Regional Office Water Management Program Manager 400 Waterfront Drive Pittsburgh, PA 15222-4745 412-442-4000
City of Corry Erie County	PAR238333	Foamex Innovations, Inc. 466 South Shady Avenue Corry, PA 16407	Unnamed tributary to Hare Creek	DEP—NWRO Water Management 230 Chestnut Street Meadville, PA 16335-3481 814/332-6942
Farmington Township Warren County	PAG049589	Roy and Sue Griffin 301 Central Avenue Falconer, NY 17433-1205	York Run 16-B	DEP—NWRO Water Management 230 Chestnut Street Meadville, PA 16335-3481 814/332-6942

General Permit Type—PAG-9 (SSN)

*Facility Location:
Municipality &
County*

Permit No.

*Applicant Name &
Address*

*Site Name &
Location*

*Contact Office &
Phone No.*

Canal Township
Venango County

PAG098310

Heffern Septic Service
668 Buttermilk Hill Road
Franklin, PA 16323

Heffern Farm
719 Buttermilk
Hill Road
Franklin, PA 16323

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

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>
Royce Heckman 10345 Etter Avenue Mercersburg, PA 17236	Franklin	2	288.41	Swine	NA	Approved
Mercer Vu Farms, Inc. 12275 Mt. Pleasant Road Mercersburg, PA 17236	Franklin	1,527	2,101.88	Dairy	NA	Approved
Marvin Long 4251 Fletcher Drive Greencastle, PA 17225	Franklin	318	402	Dairy, Poultry	NA	Approved
Longacre Farm Mark Bricker Path Valley Road Dry Run, PA 17220	Franklin	65	576.82	Swine	NA	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

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

Permit No. 5308502—Operation, Public Water Supply.

Applicant	Ulysses Municipal Authority
Township or Borough	Ulysses Borough
County	Potter
Responsible Official	Mrs. Betty Jo Hilfiger Ulysses Municipal Authority 518 Main Street Ulysses, PA 16948
Type of Facility	Public Water Supply—Operation
Consulting Engineer	Michael J. Peleschak, P. E. Alfred, Benesch & Company 400 One Norwegian Plaza P. O. Box 1090 Pottsville, PA 17901
Permit Issued Date	June 14, 2010
Description of Action	Addition of potassium phosphate to water from Well No. 3 to sequester iron and manganese, the use of sodium hypochlorite to disinfect water from Big Spring reservoir and Well No. 3, and the use of the related water system improvements that have been constructed.

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

Permit No. 0410503, Public Water Supply.

Applicant	Beaver Falls Municipal Authority 1425 8th Avenue P. O. Box 400 Beaver Falls, PA 15010
Borough or Township	Eastvale Borough
County	Beaver

Type of Facility	Eastvale Water Treatment Plant—chloramination
Consulting Engineer	KLH Engineers, Inc. 5173 Campbells Run Road Pittsburgh, PA 15205
Permit to Construct Issued	June 15, 2010

SEWAGE FACILITIES ACT PLAN APPROVAL

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

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

Plan Location:

<i>Borough or Township</i>	<i>Borough or Township Address</i>	<i>County</i>
Bethel Township	P. O. Box 24 Bethel, PA 19507	Berks

Plan Description: The approved plan provides for an expansion of the Frystown sewer service area along Camp Swatara Road and Fort Motel Drive and the expansion of the existing 72,400 gpd sewage treatment plant to 223,000 gpd at full build out. This project expands the scope of previously approved planning in Bethel Township. The Department of Environmental Protection's review of the sewage facilities update revision has not identified any significant environmental impacts resulting from this proposal. Any required NPDES Permits or WQM Permits must be obtained in the name of the municipality or authority as appropriate.

Plan Location:

<i>Borough or Township</i>	<i>Borough or Township Address</i>	<i>County</i>
Bedford Township	P. O. Box 148 Bedford, PA 15522	Bedford

Plan Description: The approved plan provides for the Area 2 extension of sanitary sewer collection service to the Sweet Root Road area of Bedford Township. The project will serve 30 existing homes and will produce 7,300 gallons per day of sewage flow. The Department of Environmental Protection's review of the sewage facilities update revision has not identified any significant environmental impacts resulting from this proposal. Any required NPDES Permits or WQM Permits must be obtained in the name of the municipality or authority as appropriate.

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:

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

DPA Freight/408, 3rd Street and Norman Avenue, Enola, East Pennsboro Township, **Cumberland County**. Taylor GeoServices, Inc., 38 Bishop Hollow Road, Newtown Square, PA 19073, on behalf of DPA Freight, 6805 Lebanon Road, Suite 1137, Frisco, TX 75034 and Michael Henry, 16 Big Oak Road, Dillsburg, PA 17019, submitted a Final Report concerning remediation of site soils contaminated with diesel fuel released from a leaking saddle tank. 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. The site will remain residential.

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

Calumet Lubricants Rouseville Plant 1 (PQS Company Former Rouseville Refinery Plant 1), Rouseville Borough, **Venango County**. URS Corporation, 200 Orchard Ridge Drive, Suite 101, Gaithersburg, MD 20878 on behalf of Pennzoil-Quaker State Company, Environmental Services, 910 Louisiana OSP 687, Houston, TX 77002 has submitted a Cleanup Plan concerning remediation of site soil and site groundwater contaminated with diesel fuel, fuel oil, kerosene, lead, motor oil, polynuclear aromatic hydrocarbons and unleaded gasoline. The Plan is intended to document remediation of the site to meet the Site-Specific Standard.

LAND RECYCLING AND ENVIRONMENTAL REMEDIATION

UNDER ACT 2, 1995

PREAMBLE 3

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

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

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

The Department has received the following plans and reports:

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

Lakeside Energy (formerly known as Williams-Hazleton Generation Facility), 10 Maplewood Drive,

Hazle Township, **Luzerne County**. Jeffrey C. Thomas, EPSYS, LLC, 1414 North Cameron Street, Suite A, Harrisburg, PA 17103 submitted a Final Report (on behalf of his client, Lakeside Energy, LLC, 150 North Michigan Avenue, Suite 2930, Chicago, IL 60601), concerning the remediation of soils found to have been impacted by used motor oil when discovered in December 2008. The Report documented attainment of the Statewide Health Standard for soils and was approved on May 26, 2010.

Wenner Property, 824—826 Washington Street, Freeland Borough, **Luzerne County**. John C. Lydzinski, P. G., Marshall Miller & Associates, Inc., 3913 Hartzdale Drive, Suite 1306, Camp Hill, PA 17011 submitted a Final Report (on behalf of his client, Ken Wenner, 588 Pond Creek Road, White Haven, PA 18224), concerning the remediation of soil found to have been impacted by No. 2 fuel oil as a result of a release from a toppled over 275-gallon aboveground storage tank. The Report documented attainment of the Residential Statewide Health Standard for soils and was approved on June 10, 2010.

RESIDUAL WASTE GENERAL PERMITS

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

Southwest Region: Regional Solid Waste Manager, 400 Waterfront Drive, Pittsburgh, PA 15222-4745.

General Permit No. WMGR121SW001. Reserved Environmental Services, LLC, 1119 Route 119 S, Mt. Pleasant, PA 15666. Chemical and physical processing of raw gas well flow-back and produced water (“frac” water), generated during hydraulic fracturing and extraction of natural gas from the Marcellus Shale geologic formation to be used as makeup water for further hydraulic fracturing and extraction of natural gas at drilling and production operations in the Marcellus Shale. The permit was issued by the Regional Office on June 10, 2010.

Persons interested in reviewing the general permit may contact Diane McDaniel, Environmental Engineering Manager, Department of Environmental Protection, 400 Waterfront Drive, Pittsburgh, PA 15222-4745, 412-442-4000. TDD users may contact the Department of Environmental Protection through the Pennsylvania AT&T Relay Service at (800) 654-5984.

OPERATE WASTE PROCESSING OR DISPOSAL AREA OR SITE

Permits Approved under the Solid Waste Management Act (35 P. S. §§ 6018.101—6018.1003), the Municipal Waste Planning, Recycling and Waste Reduction Act (53 P. S. §§ 4000.101—4000.1904) and Regulations to Operate Solid Waste Processing or Disposal Area or Site.

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

Permit No. 101697. American C&D Logistics, LLC, 3600 South 26th Street, Philadelphia, PA 19145. This permit is to construct and operate a new municipal solid waste (MSW) transfer facility known as the American C&D Logistics Transfer Facility located on the Pier One Hays Terminal at 3600 South 26th Street in the City of

Philadelphia, **Philadelphia County**. This new facility is permitted to receive a maximum of 1,000 tons per day of Construction and Demolition (C&D) waste by truck and then transferred off-site by barge to permitted facilities. The permit was issued by the Southeast Regional Office on June 9, 2010.

AIR QUALITY

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

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

48-310-081GP3: Northledge, LLC (930 East Market Street, Bethlehem, PA 18017) on June 11, 2010, to construct and operate a Portable Crushing Operation with watersprays at their site in Lower Mt. Bethel Township, **Northampton County**.

48-329-010GP9: Northledge, LLC (930 East Market Street, Bethlehem, PA 18017) on June 11, 2010, to install and operate a Diesel I/C engine at their site in Lower Mt. Bethel Township, **Northampton County**.

58-310-031GP3: F.S. Lopke Contracting, Inc. (3430 SR 434, Apalachin, NY 13732) on June 11, 2010, to construct and operate a Portable Crushing Operation with watersprays at their site in Forest Lake Township, **Susquehanna County**.

58-329-022GP9: F.S. Lopke Contracting, Inc. (3430 SR 434, Apalachin, NY 13732) on June 11, 2010, to install and operate a Diesel I/C Engine at their site in Forest Lake Township, **Susquehanna County**.

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

GP1-22-03007: Pinnacle Health Hospitals (218 South Second Street, Harrisburg, PA 17104) on June 14, 2010, for their two boilers in the City of Harrisburg, **Dauphin County**. The general permit was renewed.

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

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

46-0200C: John Middleton Co. (418 West Church Road, King of Prussia, PA 19406) on June 10, 2010, to modify existing sources for a tobacco conditioning and flavoring process, and additions of a new specialty process and a 700 hp (29.0 mmBtu/hr) natural gas-fired boiler, at their facility in Upper Merion Township, **Montgomery County**. As a result of potential emissions of VOCs, the facility is a State-only facility, with restrictions or controls. The Plan Approval and Operating Permit will contain recordkeeping requirements and operating re-

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

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

48-399-063: Lamtec Corp. (P. O. Box 37, Flanders, NJ 07836-0037) on June 11, 2010, to construct and operate a new laminating process and associated mixing operation at their facility to be in Upper Mt. Betel Township, **Northampton County**.

48-00029: GAF Premium Products—Wind Gap (P. O. Box 277, Wind Gap, PA 18091-0277) on June 14, 2010, to manufacture fiber cement siding in Wind Gap Borough, **Northampton County**. This is a renewal of a State-only Synthetic Minor operating permit for this facility. The State-only operating permit includes emissions, work practice standards and testing, monitoring, recordkeeping and reporting requirements designed to keep the facility operating within all applicable air quality requirements.

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

67-05004Q: P.H. Glatfelter Co. (228 South Main Street, Spring Grove, PA 17362-1000) on June 14, 2010, to replace bleach plant pumps, a pine line oxygen delignification reactor pump and a hardwood pulp cross-conveyor at their pulp and paper mill in Spring Grove Borough, **York County**.

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

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

23-0108B: Barry Callebaut USA, LLC (903 Industrial Highway, Eddystone, PA 19022) on June 11, 2010, to operate a regenerative thermal oxidizer in Eddystone Borough, **Delaware 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.

36-03067A: Covance Research Products, Inc. (310 Swamp Bridge Road, Denver, PA 17517) on June 14, 2010 to modify the Plan Approval for their animal crematory unit in Exeter Township, **Berks County**. The plan approval was extended.

06-05069K: East Penn Manufacturing Co., Inc. (Deka Road, P. O. Box 147, Lyon Station, PA 19536) on June 15, 2010, to modify the Plan Approval for their A4 battery manufacturing plant and lead oxide mills at their lead acid battery assembly facility in Richmond Township, **Berks County**. The plan approval was extended.

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.

23-00016: PQ Corp. (1201 West Front Street, Chester, PA 19013) on June 11, 2010, to renew the Title V Operating Permit PQ to operate a glass manufacturing process in the City of Chester, **Delaware County**. The initial permit was issued July 6, 2000. Under this permit renewal, Source IDs 036 and 104 are being removed and Source ID 037, which was installed under General Plan Approval/General Permit No. 23-302-141GP, is being incorporated into the Title V Operating Permit. Individual limits apply to the various sources at the facility. None of these limits will be changed. The facility is not subject to Compliance Assurance Monitoring (CAM) under 40 CFR Part 64. The Operating Permit will contain requirements to keep the facility operating within all applicable air quality requirements for this source.

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

39-00014: Department of Public Welfare—Allentown State Hospital (1600 Hanover Avenue, Allentown, PA 18109) on July 10, 2010, for psychiatric hospital services in the City of Allentown, **Lehigh County**. This is a renewal of a Title V Operating Permit. As a major source, the facility is subject to the Title V permitting requirements of the Clean Air Act Amendments as adopted by the Commonwealth under 25 Pa. Code Chapter 127, Subchapter G. The Title V Operating Permit includes emission restrictions, work practice standards and testing, monitoring, recordkeeping and reporting requirements to ensure compliance with all applicable Federal and State air quality regulations.

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

36-05029: High Steel Structures, Inc. (1853 William Penn Way, P. O. Box 10008, Lancaster, PA 17605-0008) on June 14, 2010, for their bridge girders manufacturing facility in East Lampeter Township, **Lancaster County**. This is a renewal of the operating permit.

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

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

48-00029: GAF Premium Products—Wind Gap (P. O. Box 277, Wind Gap, PA 18091-0277) on June 14, 2010, to manufacture fiber cement siding in Wind Gap Borough, **Northampton County**. This is a renewal of a State-only Synthetic Minor operating permit for this facility. The State-only operating permit includes emissions, work practice standards and testing, monitoring,

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

40-00111: CEI Anthracite, Inc. (603 South Church Street, Hazleton, PA 18201) on May 28, 2010, to issue a State-only (Natural Minor) Operating Permit for operation of a coal processing operation and associated air cleaning devices at the facility in the City of Hazleton, **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

07-05021: Albemarle Corp. (2858 Back Vail Road, Tyrone, PA 16686-8100) on June 14, 2010, for their specialty chemical plant in Tyrone Township, **Blair County**. This is a renewal of the State-only operating permit.

28-03023: Valley Quarries, Inc. (P. O. Box 2009, 169 Quarry Road, Chambersburg, PA 17201-0809) on June 14, 2010, for their Mount Cydonia Sand Plant 2 in Greene Township, **Franklin County**. This is a renewal of the State-only operating permit.

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.

23-00001: Sunoco, Inc. (Delaware Avenue and Green Street, Marcus Hook, PA 19061-0426) on June 10, 2010, to modify four items in Marcus Hook Borough, **Delaware County**. This modification addresses the following four items: (1) the incorporation of 40 CFR 60, Subpart J (as required by the Federal Consent Decree, number 05cv02866), as it pertains to the two flares (Sources 104 and 105); (2) the increase of VOC emission limits for several floating roof storage tank to account for heated fluids above ambient temperatures; (3) changes to the CEM monitoring conditions for the following sources: 031, 032, 033, 034, 101, 101a, 045, 060, 099, 705, 706, and the fuel gas mix drum; and (4) address a change in Federal regulations for Source 802. In the October 28, 2009 Federal Register (beginning on 74 FR 55656), it is noted that 40 CFR 63.654 and 63.655 have been redesignated as 40 CFR 63.655 and 63.656, respectively. Minor Operating Permit Modification of Title V Operating Permit issued under the Air Pollution Control Act (35 P. S. §§ 4001—4015) and 25 Pa. Code § 127.462.

09-00183: Donaldson Company, Inc. (85 Railroad Drive, Ivyland, PA 18974) on June 11, 2010, to modify the state only permit to incorporate conditions from Plan Approval No. 09-0061B in North Hampton Township, **Bucks County**. The permit will include monitoring, recordkeeping and reporting requirements designed to address 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.

06-05023: Orograin Bakeries Manufacturing, Inc. (640 Park Avenue, Reading, PA 19611-1926) on June 14, 2010, for their bakery facility in Reading City, **Berks County**. This State-only operating permit was administratively amended due to a change of ownership.

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

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

42-00004: American Refining Group (77 North Kendall Avenue, Bradford, PA 16701) for their facility in Bradford City, **Erie County**. In addition, this source is exempt from plan approval as it complies with 25 Pa. Code § 127.14(a)(8) No.36.

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

Date	Source	VOC (tons)
5/8/2010	Parts Washer	0.088
3/2/2010	Tanks Project	0.018
11/2/2009	Tank 609—IFR const.	0.28
Total Reported Increases		0.386
Allowable		1 ton/source 5 tons/facility

ACTIONS ON COAL AND NONCOAL MINING ACTIVITY APPLICATIONS

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

Coal Permits Actions

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

32850701 and NPDES Permit No. PA0213683, AMFIRE Mining Company, LLC (1 Energy Place, Latrobe, PA 15650), to revise the permit for the Clymer Refuse Disposal Site in Cherryhill Township, **Indiana County** to expand the refuse disposal area and add

discharges to related NPDES permit. Coal Refuse Disposal Support Acres Proposed 12.7, Coal Refuse Disposal Acres Proposed 51.5. Receiving Streams: Unnamed Tributary to Dixon Run, classified for the following use: CWF and Unnamed Tributary to Buck Run, classified for the following use: CWF. Application received: September 14, 2007. Permit issued: June 8, 2010.

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

32000101 and NPDES No. PA023253. Amerikohl Mining, Inc., 202 Sunset Drive, Butler, PA 16001, permit renewal for reclamation only of a bituminous surface and auger mine in Rayne Township, **Indiana County**, affecting 159.5 acres. Receiving stream(s): unnamed tributary to/and Crooked Creek to Allegheny River classified for the following use(s): cold water fishery and WWFN. There are no potable water supply intakes within 10 miles downstream. Application received: April 19, 2010. Permit issued: June 11, 2010.

05070101 and NPDES No. PA0262544. Forcey Coal, Inc., P. O. Box 225, Madera, PA 16661 commencement, operation and restoration of a bituminous surface mine in Broad Top Township, **Bedford County**, affecting 110.0 acres. Receiving stream(s): Brewster Hollow Run, East Fork Brewster Hollow Run classified for the following use(s): warm water fisheries. The first downstream potable water supply intake from the point of discharge is Coaldale—Six Mile Run Area Water Corporation infiltration gallery and two wells. The permit includes issuance of a Chapter 105 permit to authorize the relocation of a section of the East Fork Brewster Hollow Run to mitigate the effects of abandoned surface mining. Application received: December 6, 2007. Permit issued: June 10, 2010.

32030108. P & N Coal Company, Inc., P. O. Box 332, Punxsutawney, PA 15767, permit renewal for reclamation only of a bituminous surface mine in Grant Township, **Indiana County**, affecting 69.7 acres. Receiving stream(s): unnamed tributaries to/and Rairigh Run classified for the following use(s): high quality cold water fishery. There are no potable water supply intakes within 10 miles downstream. Application received: December 10, 2009. Permit issued: June 10, 2010.

11990101 and NPDES No. PA0235041. Twin Brook Coal, Inc., P. O. Box 225, Clymer, PA 15728, permit renewal for the continued operation and restoration of a bituminous surface and auger mine in Barr Township, **Cambria County**, affecting 80.0 acres. Receiving stream(s): unnamed tributaries to/and Hoppel Run and West Branch Susquehanna River classified for the following use(s): cold water fishery, warm water fishery. There are no potable water supply intakes within 10 miles downstream. Application received: January 29, 2010. Permit issued: June 10, 2010.

32990108 and NPDES No. PA0235130. KMP Associates, Inc., 1094 Lantz Road, Avonmore, PA 15618, permit renewal for reclamation only of a bituminous surface mine in Young Township, **Indiana County**, affecting 54.0 acres. Receiving stream(s): unnamed tributaries to Whisky Run classified for the following use(s): cold water fishery. There are no potable water supply intakes within 10 miles downstream. Application received: April 16, 2010. Permit issued: June 11, 2010.

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

16050105 and NPDES No. PA0242659. Ben Hal Mining Company (389 Irishtown Road, Grove City, PA 16127), Renewal of an existing bituminous strip operation

in Redbank Township, **Clarion County** affecting 57.1 acres. This renewal is issued for reclamation only. Receiving streams: Unnamed tributary to Pine Creek and Town Run. Application received: April 12, 2010. Permit issued: June 2, 2010.

16940105 and NPDES Permit No. PA0212130. Original Fuels, Inc. (P. O. Box 343, Punxsutawney, PA 15767) Renewal of an existing bituminous strip operation in Perry Township, **Clarion County** affecting 220.0 acres. Receiving streams: Three unnamed tributaries to the Allegheny River. Application received: April 9, 2010. Permit Issued: June 8, 2010.

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

17090103 and NPDES No. PA0257079. Bell Resources, Inc. (1340 Hoyt Road, Curwensville, PA 16833). Commencement, operation and restoration of a bituminous surface mine located in Boggs and Knox Townships, **Clearfield County** affecting 311.9 acres. Receiving streams: unnamed tributaries to Clearfield Creek classified for Cold Water Fishery. There are no potable water supply intakes within 10 miles downstream. Application received: February 17, 2009 Permit issued: June 7, 2010.

17040105 and NPDES No. PA0243795. R.B. Contracting (160 R.B. Contracting Lane, Curwensville, PA 16833). Renewal of an existing bituminous surface mine located in Brady Township, **Clearfield County** affecting 63.9 acres. Receiving streams: unnamed tributaries to East Branch of Mahoning Creek classified for High-Quality Cold Water Fisheries. There are no potable water supply intakes within 10 miles downstream. Application received: March 25, 2010. Permit issued: April 6, 2010.

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

17990104 and NPDES No. PA0238252. Sky Haven Coal, Inc. (5510 State Park Road, Penfield, PA 15849). Renewal of an existing bituminous surface mine for reclamation activities only located in Covington Township, **Clearfield County** affecting 66.1 acres. Receiving streams: unnamed tributaries to Grimes Run and Grimes Run classified for High Quality Cold Water Fishery. There are no potable water supply intakes within 10 miles downstream. Application received: April 26, 2010. Permit issued: June 8, 2010.

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

54840106R5. City of Philadelphia, Trustee (Girard Estate), (21 South 12th Street, Philadelphia, PA 19107), renewal of an existing anthracite surface mine, coal refuse reprocessing and disposal operation in West Mahanoy and Butler Townships, **Schuylkill County** affecting 447.6 acres, receiving stream: none. Application received: June 17, 2009. Renewal issued: June 8, 2010.

54040202R. Frederick Consulting, (P. O. Box 524, Minersville, PA 17954), renewal of an existing anthracite coal refuse reprocessing operation in Cass Township, **Schuylkill County** affecting 30.0 acres, receiving

stream: none. Application received: January 27, 2010. Renewal issued: June 8, 2010.

Noncoal Applications Returned

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

63082801. Arthur J. Boyle (P. O. Box 400, Laughlintown, PA 15655). This small noncoal permit (sandstone quarry), issued on November 25, 2008, affecting 5.0 acres, was cancelled and replaced by issuance of permit number 63090601. Receiving streams: unnamed tributary to Ten Mile Creek. Permit cancelled: June 11, 2010.

Noncoal Permits Actions

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

40A77SM12 and NPDES No. PA024985. PBS Coals, Inc., 1576 Stoystown Road, P. O. Box 260, Friedens, PA 15541, renewal of NPDES Permit, Brothersvalley Township, **Somerset County**. Receiving stream(s): Piney Run classified for the following use(s): cold water fishery. There are no potable water supply intakes within 10 miles downstream. Application received: November 20, 2009. Permit issued: June 10, 2010.

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

63090601 and NPDES Permit No. PA0251712. Arthur J. Boyle (P. O. Box 400, Laughlintown, PA 15655). Permit issued for commencement, operation and reclamation of a large noncoal surface mining site (sandstone quarry) located in East Bethlehem Township, **Washington County**, affecting 54.8 acres. Receiving streams: unnamed tributaries to Ten Mile Creek and Ten Mile Creek. Application received: July 8, 2009. Permit issued: June 11, 2010.

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

37870303. RWE Holding Company (P. O. Box 144, Portersville, PA 16051), Transfer of an existing slag operation from R.W. Elliott & Sons, Inc. in Taylor Township, **Lawrence County** affecting 46.0 acres. Receiving streams: Shenango River to the Beaver River. Application received: October 30, 2009. Permit issued: June 2, 2010.

37092801. RWE Holding Company (P. O. Box 144, Portersville, PA 16051), Transfer of an existing slag operation from R.W. Elliott & Sons, Inc. in Taylor Township, **Lawrence County** affecting 4.9 acres. Receiving stream: Beaver River. Application received: October 30, 2009. Permit issued: June 2, 2010.

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

18102801 Benson W. Probst (668 German Road, Lock Haven, PA 17745), commencement, operation and restoration of a shale operation in Dunnstable Township, **Clinton County** affecting 1.0 acre. Receiving stream(s): Old PA-Canal and Susquehanna River. Application received: March 2, 2010. Permit issued: June 3, 2010.

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

48080301. Penn Pig Bed Slate Co., Inc., (P. O. Box 184, Slatington, PA 18080), commencement, operation and restoration of a quarry operation in Pen Argyl Borough, **Northampton County** affecting 174.6 acres, receiving

stream: none. Application received: September 2, 2008. Permit issued: June 10, 2010.

58090828. Ronald A. Sondesky, (2616 Gage Road, Lawton, PA 18828), commencement, operation and restoration of a quarry operation in Rush Township, **Susquehanna County** affecting 1.0 acre, receiving stream: none. Application received: November 23, 2009. Permit issued: June 10, 2010.

52980301C4 and NPDES Permit No. PA0223905. ER Linde Construction Corp., (9 Collan Park, Honesdale, PA 18431), renewal of NPDES Permit for discharge of treated mine drainage from a quarry operation in Lackawaxen Township, **Lackawanna County**, receiving stream: unnamed tributary to Little Blooming Grove Creek. Application received: April 20, 2010. Renewal issued: June 11, 2010.

**ABANDONED MINE RECLAMATION
ACT 181 ONLY**

Moshannon District Mining Office: 186 Enterprise Drive, Philipsburg, PA 16866, Telephone (814) 342-8127.

Act 181 Bond **PBF 17840105.1**

**Forfeiture Reclamation
Project**

Location	Jordan Township Clearfield County Pennsylvania
Description	Act 181 Bond Forfeiture Reclamation Project Benjamin Coal Company SMP No. 17840105 Johnston Sinclair Mine SMP No. 17804004 Ecklund Mine
Contractor	Forcey Coal, Inc. Route 453 P. O. Box 225 Madera, PA 16661-0225
Amount	\$322,120.00
Date of Award	May 28, 2010

**ACTIONS ON BLASTING ACTIVITY
APPLICATIONS**

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

Blasting Permits Actions

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

02104002. Allied Waste Systems of PA, LLC (11 Boggs Road, Imperial, PA 15126). Blasting activity permit issued to drill and blast for overburden at the Imperial Landfill, located in Findlay Township, **Allegheny County**. The duration for blasting is expected to be for three months. Permit issued: June 7, 2010.

30104004. Dyno Nobel, Inc. (494 Four H Camp Road, Morgantown, WV 26508). Blasting activity permit issued for seismic activity at the well site 8-H Pad B, located in

Aleppo Township, **Greene County**. The duration for blasting is expected to be for 3 months. Permit issued: June 9, 2010.

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

16104001. Geokinetics, Inc. (R. R. 6, Box 676, Towanda, PA 18848). Blasting activity permit for seismic exploration in Ashland, Beaver and Elk Townships, **Clarion County**. This blasting activity permit will expire on July 31, 2010. Application received: May 19, 2010. Permit issued: June 3, 2010.

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

35104105. Austin Powder Northeast, LLC, (25800 Science Park Drive, Cleveland, OH 44122), construction blasting for a home at 826 Froude Avenue, City of Scranton, **Lackawanna County** with an expiration date of June 4, 2011. Permit issued: June 7, 2010.

36104129. Keystone Blasting Service, (15 Hopeland Road, Lititz, PA 17543), construction blasting for Earl Martin home in Ephrata Township, **Lancaster County** with an expiration date of December 30, 2010. Permit issued: June 7, 2010.

38104110. ME Drilling & Blasting, (P. O. Box 279, Auburn, NH 03032), construction blasting for London Croft in North Londonderry Township, **Lebanon County** with an expiration date of June 8, 2011. Permit issued: June 8, 2010.

38104111. Keystone Blasting Service, (15 Hopeland Road, Lititz, PA 17543), construction blasting for Horning Project in Jackson Township, **Lebanon County** with an expiration date of December 31, 2010. Permit issued: June 8, 2010.

58104021. M & S Blasting LLC, (943 Gontarski Road, Hallstead, PA 18822), construction blasting at the Silver Lake Saw Shop Stock Pile Area in Silver Lake Township, **Susquehanna County** with an expiration date of May 10, 2011. Permit issued: June 8, 2010.

58104026. Brainard Explosives, LLC, (3978 SR 2073, Kingsley, PA 18826), construction blasting for the Laufer 1H/2H Well Pad in Springville Township, **Susquehanna County** with an expiration date of July 30, 2010. Permit issued: June 8, 2010.

58104027. Brainard Explosives, LLC, (3978 SR 2073, Kingsley, PA 18826), construction blasting for the Oakley Well Pad in Springville Township, **Susquehanna County** with an expiration date of July 30, 2010. Permit issued: June 8, 2010.

58104023. Conquest Seismic Services, (504 IST Center, Horseheads, NY 14845), seismic blasting for Baker 2D in Choconut and Forest Lake Townships, **Susquehanna County** with an expiration date of August 31, 2010. Permit issued: June 9, 2010.

58104024. Conquest Seismic Services, (504 IST Center, Horseheads, NY 14845), seismic blasting for Bonnice 2D in Forest Lake, Jessup and Bridgewater Townships, **Susquehanna County** with an expiration date of August 31, 2010. Permit issued: June 9, 2010.

06104106. J Roy's, Inc., (P. O. Box 125, Bowmansville, PA 17507), construction blasting for Weis Market Shilington in Spring Township, **Berks County** with an expiration date of June 8, 2011. Permit issued: June 10, 2010.

09104001. Doli Construction, Inc., (120 Independence Lane, Chalfont, PA 18914-1832) and Bernard J. Hasara Drilling and Blasting Service, (1125 East Mahanoy Avenue, Mahanoy City, PA 17948), construction blasting for the Christ Church-Christ Home Sewer Job in Warminster Township, **Bucks County** with an expiration date of December 30, 2010. Permit issued: June 11, 2010.

36104132. ME Drilling & Blasting, (P. O. Box 279, Auburn, NH 03032), construction blasting for Lakeview Country Estates in Mt. Joy Township, **Lancaster County** with an expiration date of June 9, 2010. Permit issued: June 11, 2010.

FEDERAL WATER POLLUTION CONTROL ACT SECTION 401

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

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

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

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

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

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

Permits, Environmental Assessments and 401 Water Quality Certifications Issued:

WATER OBSTRUCTIONS AND ENCROACHMENTS

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

E40-709. Department of Transportation, Engineering District 4-0, 55 Keystone Industrial Park, Dunmore, PA 18512. City of Hazleton and Hazle Township, **Luzerne County**, Army Corps of Engineers Philadelphia District.

To place fill in a *de minimis* area of PEM (EV) wetlands equal to 0.04 acre and to construct and maintain a driveway crossing of a tributary to Dreck Creek (HQ-CWF) consisting of dual, 27-inch reinforced concrete pipe culverts depressed 6 inches below streambed elevation. The project is part of the Broad Street Betterment Project and is located along SR 0093, Segment 0024, just west of the intersection of the SR 0424 (Arthur Gardner Parkway) and SR 0093 (Hazleton, PA Quadrangle Latitude: 41° 56' 27"; Longitude: 75° 56' 55") in the City of Hazleton and Hazle Township, Luzerne County.

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

E67-879: Penn Township, 20 Wayne Avenue, Hanover, PA 17331, Penn Township, **York County**, ACOE Baltimore District.

The applicant proposes to remove a wastewater treatment tank and to install and maintain a sanitary sewer line in the 100-year flood plain of Oil Creek (WWF) for the purpose of upgrading the Penn Township Wastewater Treatment Plant. The project is located at 1020 Wilson Avenue, Hanover, PA 17331 (Hanover, PA Quadrangle N: 11.45 inches; W: 11.03 inches, Latitude: 39° 48' 46"; Longitude: 76° 57' 13") in Penn Township, York County.

E07-431: JoAnne and Matthew Gordon, 608 East 25th Avenue, Altoona, PA 16601 Spring Run Retaining wall, City of Altoona, **Blair County**, ACOE Baltimore District.

To construct and maintain an approximately 90-foot long by 8-foot high pre-cast block retaining wall along the left bank of Spring Run (WWF, MF) and adjacent to 608 East 25th Avenue. The project is proposed to restore deteriorated portions of the stream channel to prevent structural damage of the property. The project is located at the intersection of East 25th Avenue and Spring Run (Altoona, PA Quadrangle N: 6.74 inches; W: 3.50 inches, Latitude: 40° 32' 13.63"; Longitude: -78° 24' 0.65") in the City of Altoona, Blair County, PA.

E22-550: Catholic Diocese of Harrisburg, c/o Jeffrey McCauslin, 4800 Union Deposit Road, P. O. Box 3657, Harrisburg, PA 17105 Lower Paxton Township, **Dauphin County**, ACOE Baltimore District.

To construct and maintain a high school and associated parking and athletic fields impacting 0.036-acre of Palustrine Emergent (PEM) associated with Spring Creek

(CWF) located near the intersection of Spring Creek and Page Roads (Harrisburg East, PA Quadrangle N: 4.58 inches; W: 5.89 inches, Latitude: 40° 16' 33.2"; Longitude: 76° 47' 10.7") in Lower Paxton Township, Dauphin County.

E22-558: Oak Grove High Street, LLC, Dennis Schmidt, 1000 North Front Street, Suite 500, Wormleysburg, PA 17043, Oak Grove Subdivision, Middletown Borough, **Dauphin County**, ACOE Baltimore District.

To place and maintain fill in 0.018 acre of PEM wetlands, and to construct and maintain a 3.0-inch diameter and 6.0-inch diameter PVC water line, an 8.0-inch diameter PVC sewer line and seven 4.0-inch diameter SLPP underdrain pipes in the floodway of an unnamed tributary to Swatara Creek (WWF). The project also includes the removal of approximately 6.18 cubic yards of material from the floodway of the unnamed tributary to Swatara Creek (WWF), and the grading and paving of an 8,450.0-square foot area in the floodway of an unnamed tributary to Swatara Creek (WWF). The purpose of the project is to create five apartment buildings and associated access and parking facilities. The project is located immediately north of the intersection of Spruce and East High Streets (Middletown, PA Quadrangle N: 14.0 inches; W: 14.5 inches, Latitude: 40° 12' 8.5" N; Longitude: 76° 43' 39.7" W) in Middletown Borough, Dauphin County. Wetland impacts are *de minimis* and wetland mitigation is not required.

E28-354: Accent Developers, LLC, Spring Run Estates, 10764 Buchanan Trail East, Waynesboro, PA 17268, Washington Township, **Franklin County**, ACOE Baltimore District.

To construct and maintain: (1) a 16-foot wide by 36-foot long CONSPAN bridge with wingwalls across an unnamed tributary to East Branch Antietam Creek (CWF); (2) two 15-inch diameter HDPE and two 24-inch diameter HDPE storm water outfalls, which discharges to an unnamed tributary to East Branch Antietam Creek; and (3) remove an existing dual 36-inches diameter Reinforced Concrete Pipe (RCP) Culvert near to the upstream side of the new proposed structure, all to access a proposed housing development located east of the intersection of Gehr (T-384) and Stottlemeyer Roads (T-397) in Washington Township, Franklin County (Waynesboro, PA USGS Quadrangle Latitude: 39° 45' 41.5" N; Longitude: -77° 33' 11.2" W) in Washington Township, Franklin County.

E06-654: Maxatawny Township Municipal Authority, 127 Quarry Road, Suite 1, Kutztown, PA 19530, Maxatawny Township, **Berks County**, ACOE Philadelphia District.

To install and maintain a 6.0-inch diameter HDPE sanitary sewer line in and across Sacony Creek (CWF) temporarily impacting 0.0011 acres of PFO wetlands, and to construct and maintain an 8.0-inch HDPE outfall with a rip rap apron along Sacony Creek (CWF) for the construction of a new wastewater treatment facility. The project is located 0.1 mile south of the intersection of Long Dam Road and SR 737 (Kutztown, PA Quadrangle N: 5.95 inches; W: 5.25 inches, Latitude: 40° 31' 58"; Longitude: 75° 47' 16") in Maxatawny Township, Berks County. Wetland impacts are *de minimis*, and wetland replacement is not required.

E67-878: Harley-Davidson Motor Company Operations, Inc., 1425 Eden Road, York, PA 17402, Springettsbury Township, **York County**, ACOE Baltimore District.

The applicant proposes to extend and maintain: (1) three existing 50.0-foot long, 36.0-inch reinforced concrete pipes in kind by 28.0 feet at the downstream end in an unnamed tributary to Codorus Creek (WWF); (2) an existing 56.0-foot long, 34.0-inch by 53.0-inch reinforced concrete pipe in kind by 40.0 feet at the downstream end in an unnamed tributary to Codorus Creek (WWF); (3) an existing 21.0-foot long, 36.0-inch and two 24.0-inch reinforced concrete pipes in kind by 35.0 feet at the upstream end in an unnamed tributary to Codorus Creek (WWF); (4) an existing 31.0-foot long, 36.0-inch reinforced concrete pipe with an 18.0-inch reinforced concrete pipe by 32.0 feet at the upstream end in an unnamed tributary to Codorus Creek (WWF); and (5) an existing 42.0-long, 5.0-foot by 5.0-foot concrete box culvert in kind by 54.0 feet at the downstream end in an unnamed tributary to Codorus Creek (WWF). In addition, the applicant proposes to place and maintain fill in a 0.40-acre fire pond. All activities are for the purpose of site improvements, including the construction of building additions, parking lots and road improvements. The project is located on Eden Road northeast of its intersection with PA Route 30 (York, PA Quadrangle N: 20.6 inches; W: 12.5 inches, Latitude: 39° 59' 18"; Longitude: 76° 42' 52")

E06-657: Department of Transportation, Engineering District 5-0, 1002 Hamilton Street, Allentown, PA 18101, Marion Township, **Berks County**, ACOE Philadelphia District.

To: (1) raze an existing three-span masonry arch bridge having a clear span of 85.0 feet, a width of 22.0 feet, a skew of 90.0° and a minimum underclearance of 10.4 feet; and (2) construct and maintain a single-span P/S Bulb-Tee beam bridge having a clear span of 81.3 feet, a width of 29.8 feet, a skew of 75.0° and a minimum underclearance of 9.4 feet carrying Township Road T-503 (William Penn Boulevard) over Tulpehocken Creek (TSF) in Marion Township, **Berks County** (Womelsdorf, PA Quadrangle N: 22.3 inches; W: 13.0 inches, Latitude: 40° 22' 24"; Longitude: -76° 13' 06") all for the purpose of replacing a structurally deficient bridge (also known as SR 3061) over Tulpehocken Creek. The project will involve the use of a temporary causeway.

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

E19-279. Benton Borough, P. O. Box 520, 150 Colley Street, Benton, PA 17814. Park Street Improvements, in Benton Borough, **Columbia County**, ACOE Baltimore District (Benton, PA Quadrangle Latitude: 41° 12' 1"; Longitude: 76° 22' 44.4").

To remove the existing roadway to facilitate a full depth roadway reclamation project in the FEMA detailed floodfringe of Fishing Creek. The 600 linear foot re-pave will not increase the existing grades within the floodplain. Driveway aprons, curbs, sidewalks, along with a new stormwater pipe and inlet system, improved stormwater drainage. This project is intended to improve safety of pedestrian and vehicular traffic. The project is located between North Street and SR 487.

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

E26-358. James J. Wild, 1277 Brooklawn Drive, Pittsburgh, PA 15227. To construct a residential bridge in Saltlick Township, **Fayette County**, Pittsburgh ACOE District (Seven Spring, PA Quadrangle N: 7.9 inches; W: 15.7 inches, Latitude: 40° 02' 37"; Longitude: 79° 21'

44"). To construct and maintain a bridge across Back Creek (CWF) to access the property. The bridge will span the stream channel.

E30-230. United Mine Worker's Association, 197 Dunn Station Road, Prosperity, PA 15329. To construct wood pedestrian bridge in Washington Township, **Greene County**, Pittsburgh ACOE District (Waynesburg, PA Quadrangle N: 15.75 inches; W: 8.15 inches, Latitude: 39° 57' 41"; Longitude: 80° 10' 59"). To construct and maintain a wooden pedestrian bridge having a span of 12 feet and an underclearance of 5 feet across an unnamed tributary to Ruff Creek (WWF).

ENVIRONMENTAL ASSESSMENTS

Cambria District: Environmental Program Manager, 286 Industrial Pike Road, Ebensburg, PA 15931-4119.

EA1009-015. Department of Environmental Protection, Bureau of Abandoned Mine Reclamation, Division of Mine Hazards, P. O. Box 8476, Harrisburg, PA 17105. Abandoned Mine Land Reclamation Project, in Parker Township, **Butler County**, Pittsburgh ACOE District.

The applicant proposes to backfill an abandoned surface mine, which includes 2,000 linear feet of dangerous highwall. The project will include backfilling 0.83 acre of hazardous open water, POW, and 0.12 acre of PEM wetland, of which 0.09 acre is AMD-impacted, which have developed within the surface mine pits. The project will directly impact 0.03 acre of non-AMD impacted wetland, which is considered *de minimis*, and therefore does not require mitigation. Impacts to the wetland and water body are unavoidable to address the public safety hazards at this site (Parker, PA Quadrangle N: 5.75 inches; W: 15.5 inches).

EROSION AND SEDIMENT CONTROL

The following Erosion and Sediment Control Permits have been issued.

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

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

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

5/21/10

ESCGP-1 No.: ESX10-005-0006
 Applicant Name: EQT Production Company
 Contact: Todd Klaner
 Address: 455 Racetrack Road, Suite 101
 City: Washington State: PA Zip Code: 15301
 County: Armstrong Township(s): Kittanning
 Receiving Stream(s) and Classifications: Horney Camp Run and UNT to Horney Camp Run—WWF, other

5/19/10

ESCGP-1 No.: ESX10-125-0043
 Applicant Name: Chesapeake Appalachia, LLC
 Contact Person: Tal Oden
 Address: P. O. Box 18496
 City: Oklahoma City State: OK Zip Code: 73154-0496
 County: Washington Township(s): Carroll
 Receiving Stream(s) and Classifications: Taylor's Run-(WWF)—Pigeon Creek-(WWF)—Monongahela River-(WWF), other

5/21/10

ESCGP-1 No.: ES10-059-0039
 Applicant Name: Energy Corporation of America
 Contact Person: Seth Berdette
 Address: 501 56th
 City: Charleston State: WV Zip Code: 26304
 County: Greene Township(s): Cumberland/Jefferson
 Receiving Stream(s) and Classifications: Muddy Creek/South Branch Muddy Creek, other

5/27/10

ESCGP-1 No.: ESX10-059-0040
 Applicant Name: CNX Gas Company, LLC
 Contact Person: Kenneth Kormendy
 Address: 200 Evergreene Drive
 City: Waynesburg State: PA Zip Code: 15370
 County: Greene Township(s): Center/Richhill
 Receiving Stream(s) and Classifications: Jacobs Run, Claylick Run-High Quality-Warm Water Fishery (HQ-WWF), HQ

5/14/10

ESCGP-1 No.: Esx10-059-0033
 Applicant Name: EQT Production Company
 Contact Person: Todd Klaner
 Address: 455 Racetrack Road, Suite 101
 City: Washington State: PA Zip Code: 15301
 County: Greene Township(s): Morris
 Receiving Stream(s) and Classifications: Bowns Creek/Bear Lakes, HQ

5/24/10 Major Rev.

ESCGP-1 No.: ESX09-125-0027
 Applicant Name: Range Resources-Appalachia, LLC
 Contact Person: W. Scott Rusmisl, P. E.
 Address: 380 Southpointe Boulevard
 City: Canonsburg State: PA Zip Code: 15317
 County: Washington Township(s): South Franklin
 Receiving Stream(s) and Classifications: Bane Creek Secondary Water Fork of Bane Creek, other

6/2/10

ESCGP-1 No.: ESX10-125-0050
 Applicant Name: Chesapeake Appalachia, LLC
 Contact Person: Donald P. Boord
 Address: P. O. Box 18496
 City: Oklahoma City State: OK Zip Code: 73154-0496
 County: Washington Township(s): West Bethlehem
 Receiving Stream(s) and Classifications: Pine Run-(WWF)—Little Ten Mile Creek-(WWF)—Ten Mile Creek-(TSF)—Monongahela River-(WWF), other

5/26/10

ESCGP-1 No.: ESX10-125-0046
 Applicant Name: Markwest Liberty Midstream & Resources, LLC
 Contact Person: Robert McHale
 Address: 100 Plaza Drive, Suite 102
 City: Atlasburg State: PA Zip Code: 15004
 County: Washington Township(s): Chartiers
 Receiving Stream(s) and Classifications: Plum Run Secondary Water, other

5/17/10

ESCGP-1 No.: ESX10-059-0037
 Applicant Name: CNX Gas Company, LLC
 Contact Person: Ken Kormendy
 Address: 200 Evergreene Drive
 City: Waynesburg State: PA Zip Code: 15370
 County: Greene Township(s): Washington
 Receiving Stream(s) and Classifications: Fonner Run, Dillie Run-High Quality-Warm Water Fishery (HQ-WWF)
 Secondary Water Bates Fork-HQ-WWF

5/27/10

ESCGP-1 No.: ESX10-125-0047
 Applicant Name: Markwest Liberty Midstream & Resources, LLC
 Contact Person: Robert McHale
 Address: 100 Plaza Drive, Suite 102
 City: Atlasburg State: PA Zip Code: 15004
 County: Washington Township(s): Hopewell
 Receiving Stream(s) and Classifications: UNT to Cross Creek and Two UNT Brush Run, HQ

5/25/10 Minor Rev.

ESCGP-1 No.: ESX10-125-0032
 Applicant Name: Chesapeake Operating Appalachia Midstream SRVS
 Contact: Eric Stewart
 Address: 179 Chesapeake Drive, P. O. Box 1300
 City: Jan Lew State: WV Zip Code: 26378
 County: Washington Township(s): Independence
 Receiving Stream(s) and Classifications: Sugar Camp Run, Haynan Creek/Cross Creek, HQ

5/17/10

ESCGP-1 No.: Esx10-059-0037
 Applicant Name: CNX Gas Company, LLC
 Contact Person: Kenneth Kormendy
 Address: 200 Evergreene Drive
 City: Waynesburg State: PA Zip Code: 15370
 County: Greene Township(s): Washington
 Receiving Stream(s) and Classifications: Fonner Run, Dillie Run-HQ-Warm Water Fishery-HQ-WWF

5/28/10 Minor Rev.

ESCGP-1 No.: ESX09-125-0076
 Applicant Name: Range Resources—Appalachia, LLC
 Contact Person: Carla Suszkowski
 Address: 380 Southpointe Boulevard
 City: Canonsburg State: PA Zip Code: 15317
 County: Washington Township(s): MT Pleasant
 Receiving Stream(s) and Classifications: South Fork Cross Creek, HQ

5/25/10

ESCGP-1 No.: ESX10-125-0045
 Applicant Name: Range Resources—Appalachia, LLC
 Contact Person: Carla Suszkowski
 Address: 380 Southpointe Boulevard, Suite 300
 City: Canonsburg State: PA Zip Code: 15317
 County: Washington Township(s): Amwell
 Receiving Stream(s) and Classifications: UNT to Redd Run, other

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

ESCGP-1 # ESX10-027-0005

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) Spruce Run

(HQ-CWF)

Secondary—West Branch Spruce Run

(HQ-CWF)

ESCGP-1 # ESX10-015-0127

Applicant Name Chesapeake Appalachia, LLC

Contact Person Eric Haskins

Address 101 North Main Street

City, State, Zip Athens, PA 18810

County Bradford

Township(s) Smithfield Township

Receiving Stream(s) and Classification(s) Peas Creek

(West) and Browns Creek (East)

Secondary—Tomjack Creek (West) and Sugar Creek East

ESCGP-1 # ESX10-081-0024

Applicant Name XTO Energy, Inc.

Contact Person Bernhardt Kissel

Address 395 Airport Road

City, State, Zip Indiana, PA 15701

County Lycoming

Township(s) Moreland Township

Receiving Stream(s) and Classification(s) Little Muncy Creek, CWF, MF

Secondary—Susquehanna River

ESCGP-1 # ESX10-027-0006

Applicant Name Anadarko Marcellus Midstream, LLC

Contact Person Bertha Nefe

Address P. O. Box 1330

City, State, Zip Houston, TX 77251-1330

County Centre

Township(s) Boggs and Snow Shoe Townships

Receiving Stream(s) and Classification(s) Council Run

Secondary—Beech Creek

ESCGP-1 # ESX10-117-0116

Applicant Name East Resources, Inc.

Contact Person Jefferson Long

Address 301 Brush Creek Road

City, State, Zip Warrendale, PA 15086

County Tioga

Township(s) Farmington Township

Receiving Stream(s) and Classification(s) UNT to Loosy Creek, Tributary to Loosy Creek

Secondary—Loosy Creek, Tributary to Crooked Creek

ESCGP-1 # ESX10-117-0112

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

Receiving Stream(s) and Classification(s) UNT to Crooked z Creek (Susquehanna River Basin)

Secondary—Crooked Creek

ESCGP-1 # ESX10-081-0028

Applicant Name Anadarko Marcellus Midstream, LLC

Contact Person Bertha Nefe

Address P. O. Box 1330

City, State, Zip Houston, TX 77251-1330

County Lycoming

Township(s) Watson Township

Receiving Stream(s) and Classification(s) North Fork

Tombs Run

Secondary—Tombs Run

ESCGP-1 # ESX10-015-0109

Applicant Name Appalachia Midstream Services, LLC

Contact Person Patrick Myers

Address 100 1st Center

City, State, Zip Horseheads, NY 14845

County Bradford

Township(s) West Burlington Township

Receiving Stream(s) and Classification(s) UNT streams to Sugar Creek

Secondary—Sugar Creek

ESCGP-1 # ESX10-015-0136

Applicant Name Southwestern Energy Production Co.

Contact Person Jeffrey Sherrick

Address 2350 North Sam Houston Parkway East, Suite 125

City, State, Zip Houston, TX 77032

County Bradford

Township(s) Stevens Township

Receiving Stream(s) and Classification(s) UNTs to Cold Creek/Wyalusing Creek Watershed

ESCGP-1 # ESX10-015-0135

Applicant Name Talisman Energy USA, Inc.

Contact Person Eric Potter

Address 337 Daniel Zenker Drive

City, State, Zip Horseheads, NY 14845

County Bradford

Township(s) Columbia Township

Receiving Stream(s) and Classification(s) Tributary to North Branch of Sugar Creek

Secondary—North Branch of Sugar Creek

ESCGP-1 # ESX10-015-0124

Applicant Name Chesapeake Appalachia, LLC

Contact Person Eric Haskins

Address 101 North Main Street

City, State, Zip Athens, PA 18810

County Bradford

Township(s) Leroy Township

Receiving Stream(s) and Classification(s) Towanda Creek

Secondary—Susquehanna River

ESCGP-1 # ESX10-081-0025

Applicant Name XTO Energy, Inc.

Contact Person Bernhardt Kissel

Address 395 Airport Road

City, State, Zip Indiana, PA 157701

County Lycoming

Township(s) Shrewsbury Township

Receiving Stream(s) and Classification(s) Big Run and Fox Run

Secondary—Muncy Creek

ESCGP-1 # ESX09-033-0003(02)

Applicant Name EQT Production Company

Contact Person Todd Klaner

Address 445 Racetrack Road, Suite 101

City, State, Zip Washington, PA 15301

County Clearfield

Township(s) Ferguson Township

Receiving Stream(s) and Classification(s) Snyder, Tuckers, Woods and Barrett Runs, Watts Creek

Secondary—Chest and Little Clearfield Creek

- ESCGP-1 # ESX10-131-0014
 Applicant Name Chesapeake Appalachia, LLC
 Contact Person Eric Haskins
 Address 101 North Main Street
 City, State, Zip Athens, PA 18810
 County Wyoming
 Township(s) Windham Township
 Receiving Stream(s) and Classification(s) Roaring Run,
 Rocky Forest Creek, Susquehanna River
- ESCGP-1 # ESX10-117-0117
 Applicant Name East Resources, Inc.
 Contact Person Jefferson Long
 Address 301 Brush Creek Road
 City, State, Zip Warrendale, PA 15086
 County Tioga
 Township(s) Delmar Township
 Receiving Stream(s) and Classification(s) Gee Hollow/
 West Branch Susquehanna River
 Secondary—Marsh Creek
- ESCGP-1 # ESX10-015-0108
 Applicant Name Appalachia Midstream Services, LLC
 Contact Person Patrick Myers
 Address 100 1st Center
 City, State, Zip Horseheads, NY 14845
 County Bradford
 Township(s) Asylum and Terry Townships
 Receiving Stream(s) and Classification(s) Durrell Creek
- ESCGP-1 # 14-08-801(03)
 Applicant Name RW Gathering, LLC and Williams Prod.
 Appalachia, LLC
 Contact Person David Freudenrich
 Address 1000 Town Center, Suite 130
 City, State, Zip Canonsburg, PA 15317-5834
 County Centre
 Township(s) Snow Shoe Township
 Receiving Stream(s) and Classification(s) Moshannon
 Creek, Black Moshannon
 Secondary—West Branch Susquehanna River
- ESCGP-1 # ESX10-015-0131
 Applicant Name Talisman Energy USA, Inc.
 Contact Person Eric Potter
 Address 337 Daniel Zenker Drive
 City, State, Zip Horseheads, NY 14845
 County Bradford
 Township(s) Canton and Troy Townships
 Receiving Stream(s) and Classification(s) Alba Creek
 Secondary—Towanda Creek
- ESCGP-1 # ESX10-113-0004
 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 and Cherry Townships
 Receiving Stream(s) and Classification(s) Tributary of
 Black Creek
 Secondary—Black Creek
- ESCGP-1 # ESX10-015-0128
 Applicant Name Chesapeake Appalachia, LLC
 Contact Person Eric Haskins
 Address 101 North Main Street
 City, State, Zip Athens, PA 18810
 County Bradford
 Township(s) Troy Township
 Receiving Stream(s) and Classification(s) Canfield Run
 (East)/Mud Creek (West)
 Secondary—Sugar Creek
- ESCGP-1 # ESX10-015-0137
 Applicant Name Chesapeake Appalachia, LLC
 Contact Person Eric Haskins
 Address 101 North Main Street
 City, State, Zip Athens, PA 18810
 County Bradford
 Township(s) Albany Township
 Receiving Stream(s) and Classification(s) French Creek
 Secondary—South Branch Towanda Creek
- ESCGP-1 # ESX10-015-0142
 Applicant Name Chesapeake Appalachia, LLC
 Contact Person Eric Haskins
 Address 101 North Main Street
 City, State, Zip Athens, PA 18810
 County Bradford
 Township(s) Wyalusing Township
 Receiving Stream(s) and Classification(s) UNT of
 Susquehanna River
 Secondary—Susquehanna River
- ESCGP-1 # ESX10-015-0141
 Applicant Name Chesapeake Appalachia, LLC
 Contact Person Eric Haskins
 Address 101 North Main Street
 City, State, Zip Athens, PA 18810
 County Bradford
 Township(s) Overton Township
 Receiving Stream(s) and Classification(s) Lick Run, UNT
 to Lick Run, UNT to Millstone Creek and Chilson Run
 Secondary—Schrader Creek, Lake Loyalsock
- ESCGP-1 # ESX10-131-0016
 Applicant Name Chesapeake Appalachia, LLC
 Contact Person Eric Haskins
 Address 101 North Main Street
 City, State, Zip Athens, PA 18810
 County Bradford
 Township(s) Meshoppen Township
 Receiving Stream(s) and Classification(s) Meshoppen
 Creek
 Secondary—Susquehanna River
- ESCGP-1 # ESX10-027-0007
 Applicant Name Superior Appalachian Pipeline, LLC
 Contact Person
 Address 1000 Town Center Way, Suite 120
 City, State, Zip Canonsburg, PA 15317
 County Centre
 Township(s) Burnside, Curtin, and Snow Shoe Townships
 Receiving Stream(s) and Classification(s) UNTs to
 Boak, Sandy, Logway, Cherry and Contrary
 Runs; Beech Creek, Sandy Run
*Southwest Region: Watershed Management Program
 Manager, 400 Waterfront Drive, Pittsburgh, PA 15222-
 4745.*
*Washington County Conservation District: 100 West
 Beau Street, Suite 105, Washington, PA 15301-4447, (724-
 228-6774).*

<i>ESCGP-1 No.</i>	<i>Applicant Name & Address</i>	<i>County</i>	<i>Municipality</i>	<i>Receiving Water/Use</i>
63 10 8 002	Mark West Liberty Midstream & Resources, LLC 100 Plaza Drive Suite 102 Atlasburg, PA 15004	Washington	Chartiers Township	Plum Run and UNT to Plum Run WWF

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

<i>ESCP No.</i>	<i>Applicant Name & Address</i>	<i>County</i>	<i>Municipality</i>	<i>Receiving Water/Use</i>
43-10-8-01	National Fuel Gas Supply Corporation	Mercer	Otter Creek and Perry Townships	Little Shenango River Tributaries TSF

STORAGE TANKS

SITE-SPECIFIC INSTALLATION PERMITS

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

<i>SSIP Permit No.</i>	<i>Applicant Name & Address</i>	<i>County</i>	<i>Municipality</i>	<i>Tank Type</i>	<i>Tank Capacity</i>
10-39-007	Carpenter Company 57 Olin Way Fogelsville, PA 18031 Attn: Mr. Pat Naidu	Lehigh	Upper Macungie Township	1 AST storing 2,4-Toluene Diisocyanate	113,650 gallons

SPECIAL NOTICES

Certified Emission Reduction Credits in the Commonwealth's ERC Registry

Emission reduction credits (ERCs) are surplus, permanent, quantified and Federally enforceable emission reductions used to offset emission increases of oxides of nitrogen (NO_x), volatile organic compounds (VOCs) and the following criteria pollutants: carbon monoxide (CO), lead (Pb), oxides of sulfur (SO_x), particulate matter (PM), PM-10 and PM-10 precursors.

The Department of Environmental Protection (Department) maintains an ERC registry in accordance with the requirements of 25 Pa. Code § 127.209. The ERC registry system provides for the tracking of the creation, transfer and use of ERCs. Prior to registration of the credits, ERC Registry Applications are reviewed and approved by the Department to confirm that the ERCs meet the requirements of 25 Pa. Code §§ 127.206—127.208. Registration of the credits in the ERC registry system constitutes certification that the ERCs satisfy applicable requirements and that the credits are available for use. The following registered and certified ERCs in the ERC Registry are currently available for use as follows:

- (1) To satisfy new source review (NSR) emission offset ratio requirements;
- (2) To "net-out" of NSR at ERC-generating facilities;
- (3) To sell or trade the ERCs for use as emission offsets at new or modified facilities.

The certified ERCs shown as follows, expressed in tons per year (tpy), satisfy the applicable ERC requirements contained in 25 Pa. Code §§ 127.206—127.208. ERCs created from the curtailment or shutdown of a source or facility expires for use as offsets 10 years after the emission reduction occurs. ERCs generated by the over control of emissions by an existing facility do not expire for use as offsets. However, credits in the registry that are not used in a plan approval will be discounted if new air quality requirements are adopted by the Department or United States Environmental Protection Agency.

For additional information concerning this listing of certified ERCs, contact the Bureau of Air Quality, Division of Permits, Department of Environmental Protection, 12th Floor, Rachel Carson State Office Building, P. O. Box 8468, Harrisburg, PA 17105-8468, (717) 787-4325. This Pennsylvania ERC registry report, ERC Registry application and instructions are located at www.depweb.state.pa.us, select Air, Bureau of Air Quality, Permits, Emission Reduction Credits.

NOTICES

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<i>Facility information</i>	<i>Criteria Pollutant or Precursor</i>	<i>Certified ERCs Available (tpy)</i>	<i>Expiration date</i>	<i>Intended use of ERCs</i>
R. R. Donnelley & Sons Co. County: Lancaster Contact Person: Frederick Shaak, Jr.	VOCs	16.00		Internal Use
Kurz Hastings Inc. County: Philadelphia Contact Person: George Gornick Telephone Number: (215) 632-2300	VOCs	137.45		Trading
Kurz Hastings Inc. County: Philadelphia Contact Person: George Gornick Telephone Number: (215) 632-2300	NOx VOCs	8.01 64.55	Varies from 03/28/2013 to 01/9/2014	Trading
PPG Industries, Inc. Source Location: Springdale Complex County: Allegheny Contact Person: Lori Burgess Telephone Number: (412) 274-3884	VOCs	171.82		Trading
Recipient/Holder of ERC: Coastal Aluminum Rolling Mills, Inc. ERC Generating Facility: Fasson Div. of Avery Dennison Corp. ERC-generating facility location: Quakertown, Bucks Contact Person: Jesse Hackenberg Telephone Number: (570) 323-4430	VOCs	3.62		Internal Use/ Trading
The Procter & Gamble Paper Products Company Source Location: Mehoopany Plant County: Wyoming Contact Person: John Romero Telephone Number: (570) 833-3285	NOx	91.10		Internal Use
Recipient/Holder of ERC: PG&E Energy Trading-Power, LP ERC Generating Facility: Global Packaging, Inc. ERC-generating facility location: Oaks Plant, Montgomery County Contact Person: Sarah M. Barpoulis Telephone Number: (301) 280-6607	VOCs	43.50		Trading
Newcomer Products, Inc. Source Location: Latrobe County: Westmoreland Contact Person: Edward M. Nemeth Telephone Number: (724) 694-8100	VOCs	16.00	07/14/2010	Trading
Scranton-Altoona Terminals Corporation Source Location: Monroe Township County: Cumberland County Contact Person: Thomas M. Carper Telephone Number: (717) 939-0466	VOCs	4.84	09/30/2010	Trading
INDSPEC Chemical Corp. Source: Boiler # 8 Source Location: Petrolia County: Butler Contact Person: Terry Melis Telephone Number: (412) 756-2376	NOx SOx	158.68 1,217.95		Trading
Sun Company, Inc. Source: Wastewater Conveyance System Source Location: Marcus Hook Borough County: Delaware Contact Person: Steve Martini Telephone Number: (610) 859-1000	VOCs	147.93		Trading/ Internal Use

<i>Facility information</i>	<i>Criteria Pollutant or Precursor</i>	<i>Certified ERCs Available (tpy)</i>	<i>Expiration date</i>	<i>Intended use of ERCs</i>
Columbia Gas Transmission Corporation Source Location: Kent Station County: Indiana Contact Person: Gregory Lago Telephone Number: (304) 357-2079	NOx VOCs	44.36 2.66	05/31/2011	Trading
Columbia Gas Transmission Corporation Source Location: Homer Station County: Indiana Contact Person: Gregory Lago Telephone Number: (304) 357-2079	NOx VOCs	45.89 3.79	05/31/2011	Trading
General Electric Transportation System Source: Boiler No. 2 Source Location: East Lake Road County: Erie Contact Person: Mark D. Restifo Telephone Number: (814) 875-5406	NOx VOCs PM SOx CO	280.90 1.70 29.50 2,006.70 111.90	12/31/2010	Trading
3M Minnesota Mining & Manufacturing Source Location: Bristol Plant County: Bucks Contact Person: Jeff Muffat Telephone Number: (651) 778-4450	VOCs VOCs	479.00 279.00	11/30/2011 12/17/2011	Trading
Recipient/Holder of ERC: GMI Land Company, LLC ERC Generating Facility: Kosmos Cement Company, Cemex, Inc. Source Location: Neville Road, Pittsburgh County: Allegheny Contact Person: Michael Carlow Telephone Number: (412) 771-2019	NOx VOCs PM10 SOx CO	910.00 26.00 61.00 442.00 44.00	04/24/2011	Trading
Recipient/Holder of ERC: Maple North America Development Company, LLC ERC Generating Facility: Laclede Steel Corporation Source Location: Fairless County: Bucks Contact Person: Paul D. Jones Telephone Number: (415) 768-2281	NOx VOCs	104.00 45.00	11/29/2011	Trading
Recipient/Holder of ERC: Natsource Emissions Brokers ERC Generating Facility: Laclede Steel Corporation Source Location: Fairless County: Bucks Contact Person: David Oppenheimer Telephone Number: (212) 232-5305	NOx VOCs	0.27 1.50	11/29/2011	Trading
Trinity Industries, Inc. Source Location: Greenville County: Mercer County Contact Person: Dennis Lencioni Telephone Number: (214) 589-8141	VOCs	61.65	10/31/2010	Trading
Rohm and Haas Company Source Location: Bristol Township County: Bucks Contact Person: Lloyd Davis Telephone Number: (215) 785-8871	VOCs VOCs	1.15 0.32	10/30/2010 01/30/2011	Trading

<i>Facility information</i>	<i>Criteria Pollutant or Precursor</i>	<i>Certified ERCs Available (tpy)</i>	<i>Expiration date</i>	<i>Intended use of ERCs</i>
Recipient/Holder of ERC: Waste Management Disposal Services of Pennsylvania ERC Generating Facility: The Worthington Steel Company Source Location: Malvern, East Whiteland County: Chester Contact Person: Eli Brill Telephone Number: (215) 269-2111	VOCs	43.00	01/31/2012	Traded
Recipient/Holder of ERC: Waste Management of Pennsylvania, Inc. ERC Generating Facility: The Worthington Steel Company Source Location: Malvern, East Whiteland County: Chester Contact Person: Eli Brill Telephone Number: (215) 269-2111	VOCs	70.00	01/31/2012	Traded
Recipient/Holder of ERC: Elements Markets, LLC ERC Generating Facility: The Quaker Oats Company Source Location: Shiremanstown Plant County: Cumberland Contact Person: Mike Taylor Telephone Number: (281) 207-7207	PM2.5	1.16 4.25 1.01 2.45 12.53 0.24	8/4/2010 10/30/2010 12/26/2010 4/15/2011 7/15/2011 7/27/2011	Trading
The Quaker Oats Company Source Location: Shiremanstown Plant County: Cumberland Contact Person: Richard C. Pitzer Telephone Number: (717) 731-3334	NOx NOx NOx	0.27 0.34 3.19	08/04/2010 10/30/2010 7/15/2011	Trading
Glasgow, Inc. Source Location: Plymouth Meeting County: Montgomery Contact Person: Brian Chabak Telephone Number: (215) 884-8800	NOx VOCs NOx VOCs	2.72 0.21 6.54 0.52	12/31/2010 12/31/2010 06/01/2010 06/01/2010	Trading
SLI Lighting, Inc. Source Location: Ellwood City County: Lawrence Contact Person: Tim Haubach Telephone Number: (724) 752-6493	VOCs	5.70	06/3/2010	Trading
Harvard Industries, Inc. Plant name: Pottstown Precision Casting, Inc. Source Location: West Pottsgrove Township County: Montgomery Contact Person: Allan B. Currie, Jr. Telephone Number: (517) 740-2991 or (517) 592-3706	NOx VOCs	28.25 8.70	11/12/2011	Trading
Alcoa, Inc. Source Location: Lebanon Township County: Lebanon Contact Person: Kevin S. Barnett Telephone Number: (412) 553-2094	VOCs VOCs VOCs VOCs VOCs	8.33 59.30 7.80 0.6 121.40	09/29/2010 03/11/2012 04/01/2012 04/05/2012 05/01/2012	Trading
American Color Graphics, Inc. Formerly Flexi-Tech Graphics, Inc. Source Location: Barnhart Drive, Hanover County: York Contact Person: Glenn Shaffer Telephone Number: (717) 792-8104	VOCs	9.60	01/15/2012	Trading

<i>Facility information</i>	<i>Criteria Pollutant or Precursor</i>	<i>Certified ERCs Available (tpy)</i>	<i>Expiration date</i>	<i>Intended use of ERCs</i>
Allegro Microsystems, Inc. Source Location: Upper Moreland Township County: Montgomery Contact Person: Wendy Cooper Telephone Number: (610) 286-7434	VOCs	42.61	03/29/2012	Trading
Calumet Lubricants Company Source Location: Rouseville Plant County: Venango Contact Person: Harry Klodowski Telephone Number: (724) 940-4000	NOx VOCs SOx	89.80 2.38 87.70	05/21/2012	Trading
Avery Dennison Corporation Source Location: Dungan Road County: Philadelphia Contact Person: Frank J. Brandauer Telephone Number: (626) 398-2773	VOCs	3.13	06/30/2012	Trading
Penco Products, Inc. Source Location: Lower Providence Township County: Montgomery Contact Person: Allan J. Goss Telephone Number: (610) 666-0500	NOx VOCs	3.11 29.48	10/1/2011	Trading
Norfolk Southern Railway Co. Source Location: Hollidaysburg Car Shop County: Blair Contact Person: Carl Russo Telephone Number: (814) 949-1479	NOx VOCs	4.35 69.80	07/19/2012	Trading
World Kitchen, Inc. Source Location: Charleroi Plant County: Washington Contact Person: James Rowlett Telephone Number: (724) 489-2288	NOx	251.43		Trading
Pittsburgh Glass Works, LLC Source Location: Meadville Works 8, Greenwood Township County: Crawford Contact Person: David Vogt Telephone Number: (814) 336-8326	NOx	1,118.50		Trading
Sentry Paint Technologies, Inc. Source Location: Mill Street, Darby County: Delaware Contact Person: Benjamin Breskman Telephone Number: (610) 522-1900	VOCs	3.56	04/30/2013	Trading
R. H. Sheppard Company, Inc. Source Location: Core making operation in Hanover County: York Contact Person: Julie L. Smith Telephone Number: (717) 637-3751	VOCs	14.43	04/15/2013	Trading
International Paper Source: Bleach Plant, Erie Mill County: Erie Contact Person: Allyson Bristow Telephone Number: (901) 419-4852	VOCs	72.06		Trading
International Paper Source Location: Erie Mill County: Erie Contact Person: Allyson Bristow Telephone Number: (901) 419-4852	NOx VOCs	864.00 728.00	09/30/2012	Trading

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<i>Facility information</i>	<i>Criteria Pollutant or Precursor</i>	<i>Certified ERCs Available (tpy)</i>	<i>Expiration date</i>	<i>Intended use of ERCs</i>
Corning Incorporated Source Location: College Township County: Centre Contact Person: Steven Ritter Telephone Number: (607) 974-7247	NOx	1,042.01	06/23/2013	Trading
Sea Gull Lighting Products, Inc. Source Location: 25th and Wharton Streets County: Philadelphia Contact Person: Mark Gardiner Telephone Number: (215) 468-7255	VOCs	12.50	03/1/2013	Trading
Allegro Microsystems, Inc. Source Location: Upper Moreland Township County: Montgomery Contact Person: Wendy Cooper Telephone Number: (610) 286-7434	NOx CO	2.90 1.30	10/20/2013	Trading
Recipient/Holder of ERC: First Quality Tissue, LLC ERC Generating Facility: ALCOA, Inc. ERC Generation Source Location: South Lebanon County: Lebanon Contact Person: Mark Zeffiro Telephone Number: (814) 231-5267	VOCs	43.72	04/05/2012	Internal Use
Lancaster Malleable Castings Company Source Location: Manheim Township County: Lancaster Contact Person: Jeffrey L. Ressler Telephone Number: (717) 295-8200	VOCs CO	11.71 1.30	03/31/2013	Internal Use/Trading
International Paper Source: Lock Haven Mill Source Location: Castanea Township County: Clinton Contact Person: Allyson Bristow Telephone Number: (901) 419-4852	NOx VOC SOx	1,287.00 27.90 6,606.00	03/22/2012	Offsets/Trading
Brodart Company Source Location: Montgomery Facility County: Lycoming Contact Person: Robyn J. Dincher Telephone Number: (570) 326-2461, Ext. 6408	VOCs	24.91	04/18/2013	Trading
Pennsylvania House White Deer Furniture Plant Source: Conveyor and Monorail lines Source Location: White Deer Plant County: Union Contact Person: Robert J. Varney Telephone Number: (570) 523-2356	VOCs	82.90	03/15/2012	Trading
Exelon Power Source: Delaware Generating Station Source Location: Philadelphia County: Philadelphia Contact person: Kimberly Scarborough Telephone Number: (610) 765-5883	NOx SO ₂ PM10 PM2.5 CO	205.5 412.2 31.2 22.3 31.7	12/16/2014	Trading
Worthington Steel Company Source Location: East Whiteland Township County: Chester Contact Person: Matt Johnson Telephone Number: (614) 438-7960	NOx	10.00	04/01/2013	Trading

<i>Facility information</i>	<i>Criteria Pollutant or Precursor</i>	<i>Certified ERCs Available (tpy)</i>	<i>Expiration date</i>	<i>Intended use of ERCs</i>
Buckeye Pipe Line Company, LP Source Location: Reed Township County: Dauphin Contact Person: Jason Mengel Telephone Number: (484) 232-4491	VOCs	12.00	02/28/2012	Trading
Bollman Hat Company Source Location: Willow Street, Adamstown County: Lancaster Contact Person: David L. Wails Telephone Number: (717) 484-4361	VOCs	14.34	10/03/2013	Trading
Property Investing Center (Goodville Industrial Center) Source Location: East Earl Township County: Lancaster Contact Person: Richard Stauffer Telephone Number: (717) 738-3488	VOCs	84.09	09/13/2013	Trading
Armstrong World Industries, Inc. (Lancaster Flooring) Source Location: 1067 Dillerville Road County: Lancaster Contact Person: Gene Hartzell Telephone Number: (717) 396-3668	VOC NOx	31.79 1.9	11/15/2014 08/20/2014	Internal Use/ Trading
RUTGERS Organics Corporation Source Location: 201 Struble Road, State College County: Centre Contact Person: Mary Jo Smith Telephone Number: (814) 231-9277	NOx NOx VOC	5.27 3.35 2.17	08/15/2013 04/16/2014 03/26/2014	Internal Use/ Trading
AK Steel Corporation Source Location: Butler County: Butler Contact Person: Robert J. Hocks Telephone Number: (724) 284-2685	NOx NOx	13.00 24.82	11/06/2011 01/30/2012	Trading/ Internal Use
Cabinet Industries, Inc. Source Location: Danville Borough County: Montour Contact Person: Laura Lee Spatzer Telephone Number: (570) 275-1400, Ext. 1400	VOC	7.29	09/01/2015	Trading
Reliant Energy Mid-Atlantic Power Holdings, LLC Source Location: Pennsylvania Avenue, Warren County: Warren Contact Person: Keith A. Schmidt Telephone Number: (724) 597-8193	NOx VOCs SOx PM10 PM2.5 Lead	1,043.00 5.32 5,197.00 155.6 70.1 0.02	9/28/2012	Trading
Arbill Industries, Inc. Source Location: 2207 West Glenwood Avenue County: Philadelphia Contact Person: Barry Bickman Telephone Number: (800) 523-53673	VOCs NOx SOx	20.32 0.38 0.21	01/01/2016	Trading
Dominion Transmission, Inc. Source Location: Big Run Compressor Station County: Jefferson Contact Person: David Testa Telephone Number: (412) 690-1815	NOx	10.00	10/13/2013	Trading
Carmeuse Lime, Inc. Source Location: Hanover Lime Plant County: Adams Contact Person: Kenneth Kauffman Telephone Number: (717) 630-8266	NOx VOC SOx PM10 PM2.5	46.61 1.96 10.26 14.64 7.18	01/03/2016	Trading

<i>Facility information</i>	<i>Criteria Pollutant or Precursor</i>	<i>Certified ERCs Available (tpy)</i>	<i>Expiration date</i>	<i>Intended use of ERCs</i>
Port Glenshaw Glass, LLC Source location: 1101 William Flynn Highway, Glenshaw, PA 15116 County: Allegheny Contact Person: Harry Klodowski Telephone Number: (724) 940-4000	VOC NOx SOx PM2.5 PM10	10.64 59.46 74.89 23.11 25.40	11/24/2014	Trading/ Internal Use
Cinram Manufacturing, LLC Source location: City of Olyphant County: Lackawanna Contact Person: Mark A. Thallmayer Telephone Number: (570) 383-3291	VOC VOC	6.53 6.75	02/06/2016 05/09/2016	Internal Use
Bemis Company, Inc. Source location: Hazle Township County: Luzerne Contact Person: Thomas G. Franko Telephone Number: (570) 501-1429	VOC	22.27	01/1/2016	Trading
Techneglas, Inc. Source Location: Pittston Facility County: Luzerne Contact Person: Harry F. Klodowski, Jr. Telephone Number: (724) 940-4000	VOC NOx	784.88 33.82	12/17/2013 to 8/11/2014	Trading
Horsehead Corporation (Zinc Corp of America) Source: Acid Roaster Plant-Monaca Smelter Source Location: Monaca County: Beaver Contact Person: William N. Bailey Telephone Number: (724) 773-9057	NOx SOx PM10 PM2.5 CO	3.3 382.5 9.4 3.2 1.4	10/23/2012	Netting/ Offsetting
Recipient/Holder of ERC: Natsource MAC 77, Ltd. ERC Generating Facility: Eljer Plumbingware, Inc. Source Location: Ford City Plant County: Armstrong Contact Person: Mithun Rathore Telephone Number: (281) 340-8300	NOx NOx VOCs VOCs VOCs	49.74 55.48 3.22 2.64 1.40	6/8/2014 10/4/2014 3/15/2014 6/8/2014 10/4/2014	Trading
Bluegrass Folding Carton Company, LLC (Formerly Smurfit Stone Container Enterprises, Inc.) Source Location: Upper Providence Township County: Montgomery Contact Person: Tom Tutwiler Telephone Number: (610) 935-4119	VOC	60.36	05/31/2015	Internal Use/ Trade
Fleetwood Industries Source Location: St. Lawrence Plant County: Berks Contact Person: Robert Mervine Telephone Number: (610) 779-7700	VOC	24.5	07/31/2015	Internal Use/ Trade
Sunoco Inc. (R&M) Source Location: 200 Neville Road, Pittsburgh, PA 15225 County: Allegheny Contact Person: Gary P. Rabik Telephone Number: (610) 859-3435	VOC	25.16	04/01/2017	Trading/ Internal Use
Leggett & Platt, Inc. Source location: Zell Brothers County: York Contact Person: Theresa Block Telephone Number: 417-358-8131	VOC	6.51	11/1/2015	Trading

<i>Facility information</i>	<i>Criteria Pollutant or Precursor</i>	<i>Certified ERCs Available (tpy)</i>	<i>Expiration date</i>	<i>Intended use of ERCs</i>
Anchor Glass Container Corporation Source Location: Plant No. 5 County: Fayette Contact Person: Joseph G. Clemis Telephone Number: (813) 884-0000	VOCs NOx PM10 PM2.5 SOx CO	21.0 309.0 68.0 51.0 259.0 20.0	11/04/2014	Trading
R. R. Donnelley & Sons Co. Source Location: Lancaster East Facility County: Lancaster Contact Person: Stacey Haefner Telephone Number: 717-293-2363	VOCs VOCs	7.8 10.5	11/30/2015 12/31/2015	Trading
Philadelphia Gas Works (PGW) Source Location: Richmond Plant County: Philadelphia Contact Person: Megan E. Brown Telephone number: 215-684-6613	NOx VOC PM10 PM2.5 SO ₂ CO	47.86 6.54 0.56 0.56 0.16 22.48	1/1/2015	Trading
Ashland, Inc (Ashland Performance Products) Source Location: Neville Island Facility, Pittsburgh County: Allegheny Contact Person: Tara L. Lanier Telephone number: 614-790-3214	NOx VOC CO	10.73 41.78 461.00	11/1/2011	Trading
Philadelphia Baking Company Source Location: 2550 Grant Avenue County: Philadelphia Contact Person: Brent Williams Telephone number: 410-266-0006	NOx VOC PM10 SOx CO	4.09 24.2 0.10 0.02 1.33	9/21/2017	Trading
Lindy Paving, Inc. Source Location: 200 Neville Island Facility County: Allegheny Contact Person: Paul J. Reiner, Jr. Telephone number: 412-281-4389	NOx VOC PM10 PM2.5 SOx CO	6.85 9.10 5.71 1.77 0.66 18.78	10/27/2017	Trading/ Internal Use
Recipient/Holder of ERC: Dominion Transmission, Inc. ERC Generating Facility: Corning, Inc. Source Location: College Township County: Centre Contact Person: Roberta J. Jackson Telephone Number: (804) 787-6145	NOx	108	06/23/2013	Trading/ Use
Eastman Chemical Resins, Inc. Source Location: Jefferson Facility, West Elizabeth County: Allegheny Contact Person: Fred Mullner Telephone number: (412) 384-2520, Ext. 2201	NOx VOC PM2.5 CO	0.50 31.10 2.90 0.40	7/1/2014	Trading
CNH America, LLC Source Location: Belleville Plant, Union Township County: Mifflin Contact Person: Audrey Van Dyke Telephone Number: (262) 636-6073	VOC	39.11	8/1/2018	Trading
Masonic Homes Source Location: One Drive, Elizabethtown County: Lancaster Contact Person: Jeffrey Gromis Telephone Number: (717)367-1121, Ext. 33158	NOx VOC PM2.5 PM10	7.6 3.1 13.0 14.0	12/31/2012	Trading

<i>Facility information</i>	<i>Criteria Pollutant or Precursor</i>	<i>Certified ERCs Available (tpy)</i>	<i>Expiration date</i>	<i>Intended use of ERCs</i>
Foamex, LP Source Location: 1500 East 2nd Street, Eddystone County: Delaware Contact Person: John F. McLaverty Telephone Number: (610) 245-2765	NOx VOC SOx CO	7.67 84.25 1.03 26.93	12/31/2018	Trading
Norcross Safety Products Source Location: US RT 1 at Brinton Lake Road, Concordville County: Delaware Contact Person: Anthony Ricci Telephone Number: 401-275-2432	VOC	7.62	03/27/2017	Trading
NVF Company Source Location: 400 Mulberry Street, Kennett Square County: Chester Contact Person: William Campbell Telephone Number: (302) 239-5281, Ext. 317	NOx VOC SOx	18.86 34.05 28.42	01/31/2015	Trading
P.H. Glatfelter Company Source Location: 228 South Main Street, Spring Grove County: York Contact Person: Jonathan E. Moores Telephone Number: (717) 225-4711, Ext. 2395	SOx	428.00		Trading
The Hershey Company Source Location: Derry Township Plant County: Dauphin Contact Person: Charles Stoner, Jr. Telephone number: 717-534-4692	VOC NOx PM10 PM2.5 CO	37.00 4.00 44.50 8.00 4.90	7/1/2018	Trading
The Hershey Company Source Location: Reading Plant County: Berks Contact Person: Charles Stoner, Jr. Telephone number: 717-534-4692	VOC PM10 PM2.5	5.36 24.63 4.43	5/1/2019	Trading

Bureau of Air Quality Summary of ERC Transaction

The following ERC transactions are approved by the Bureau of Air Quality, Department of Environmental Protection, Commonwealth of Pennsylvania. The ERC transaction requirements are specified in 25 Pa. Code § 127.208.

ERC Generating Facility Information

ERC Generating Facility Name: International Paper-Erie
Location of Source: 1540 East Lake Road, Erie, PA 16533
Certified ERCs (tpy): 1,235 tpy of NOx and 990 tpy of VOC ERCs
Amount of ERCs traded to Purchaser/Recipient: 47 tpy of VOC; 75tpy of VOC; 57 tpy of NOx; 64 tpy of NOx 250 tpy of NOx and 140 tpy of VOC
Date of ERCs Transfer: 08/17/2004; 4/1/2009; 4/2/2009; 5/27/2009; 5/12/2010
ERCs available for future use: 864 tpy of NOx and 728 tpy of VOC
ERC Expiration date: 9/30/2012

Purchaser/Recipient of ERCs

Purchaser/Recipient of ERCs: CraftMaster Manufacturing, Inc.
Location of Source: P. O. Box 311, Shiner Road, Towanda, PA 18848
Plan Approval Number: 08-0003A

VOC credits used: 0 tpy

VOC credits available for future use: 47 tpy

Purchaser/Recipient of ERCs

Purchaser/Recipient of ERCs: GE Transportation

Location of Source: 2901 East Lake Road, Erie, PA 16531

Plan Approval Number: 25-025N

VOC credits used: 0 tpy

VOC credits available for future use: 75 tpy

Purchaser/Recipient of ERCs

Purchaser/Recipient of ERCs: CraftMaster Manufacturing, Inc.

Location of Source: P. O. Box 311, Shiner Road, Towanda, PA 18848

Plan Approval Number: 08-00003F

NOx credits used: 0 tpy

NOx credits available for future use: 57 tpy

Purchaser/Recipient of ERCs

Purchaser/Recipient of ERCs: Penn State

Location of Source: 113 office of Physical Plant, University Park, PA 16802

Plan Approval Number: 14-0003D

NOx credits used: 0 tpy

NOx credits available for future use: 64 tpy

Purchaser/Recipient of ERCs

Purchaser/Recipient of ERCs: AK Steel Corporation

Location of Source: Butler Works, Pittsburgh Road,
Butler, PA 16001
Plan Approval Number: Nil
NOx credits used: 0 tpy
ERCs available for future use: 250 tpy of NOx and 140
tpy of VOC

Generating Facility Information

ERC Generating Facility Name: Exelon Generation
Company
Location of Source: Delaware Generating Station,
Philadelphia
Certified ERCs (tpy): 286.5 tpy of NOx
Amount of ERCs traded to Purchaser/Recipient: 81 tpy
of NOx
Date of ERCs Transfer: 05/06/2010
ERCs available for future use: 205.5 tpy of NOx
Expiration Date: 12/16/2014
Purchaser/Recipient of ERCs
Purchaser/Recipient of ERCs: Philadelphia Regional Port
Authority
Location of Purchaser: 3460 North Delaware Avenue,
Philadelphia
Location of User Source: Philadelphia County, PA
NOx credits to be used: 81 tpy for General conformity
requirements towards Delaware River Main Channel
Deepening Project
NOx credits available for use: 81 Tpy
Expiration Date: 12/16/2014

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

Categorical Exclusion

*Location: Freedom Borough Authority, P. O. Box 201,
Freedom, PA 15042, Freedom Borough, Beaver County.*

Description: The Pennsylvania Infrastructure Invest-
ment Authority which administers the Commonwealth's
State Revolving Fund is intended to be the funding
source for this project.

The Authority proposes to separate its combined
sewers to eliminate wet weather overflows and com-
ply with a Department of Environmental Protection
(Department) Consent Order and Agreement. Con-
struction will occur in and adjacent to existing paved
streets.

The Department's review of the project and the infor-
mation received has not identified any significant, ad-
verse environmental impact resulting from this proposal.
The Department hereby categorically excludes this project
from the State Environmental Review Process.

ENVIRONMENTAL ASSESSMENT

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

Project Information:

<i>Project Applicant</i>	<i>Project Applicant's Address</i>	<i>Project Location (Municipality)</i>	<i>Project Location (County)</i>
City of Pittston	35 Broad Street Pittston, PA 18640	City of Pittston	Luzerne

Description: The Pennsylvania Infrastructure Investment Authority, which administers the Commonwealth's State Revolving Fund, is intended to be the funding source for this project. The City of Pittston proposes to construct a sanitary wastewater collection system to serve five structures located in the vicinity of Towpath Court in the City of Pittston (Phase 2). The Department of Environmental Protection's review of the project and the information received in the Environmental Report for the project has not identified any significant, adverse environmental impact resulting from this proposal. The Department hereby approves the Environmental assessment.

[Pa.B. Doc. No. 10-1166. Filed for public inspection June 25, 2010, 9:00 a.m.]

Availability of Technical Guidance

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

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

Ordering Paper Copies of Department Technical Guidance

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

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

Changes to Technical Guidance Documents

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

Notice of Availability

DEP ID: 012-0200-005. Title: Public Access to Information and Right to Know Law Policy. Description: Public Access to Information and Right to Know Law Policy clarifies the Department of Environmental Protection's (Department) existing practices in an effort to assure compliance with the Right-to-Know Law (RTKL) and clarifies in writing specific policies and procedures regarding Department information. It informs the public how to obtain Department records and how to dispute a Department determination under the RTKL that does not grant

access to those records. The policy also makes records procedures more clear, uniform and efficient. This policy applies to all requests under the RTKL for access to Department records. This policy also discusses other means of obtaining information from the Department. The policy applies to all recorded information, regardless of whether the information exists in written or electronic format. Contact: Questions concerning this policy should be directed to Dawn Schaefer at dschaefer@state.pa.us or (717) 787-2043.

Effective Date: June 3, 2010.

JOHN HANGER,
Secretary

[Pa.B. Doc. No. 10-1167. Filed for public inspection June 25, 2010, 9:00 a.m.]

Cleanup Standards Scientific Advisory Board; Special Meeting

The Cleanup Standards Scientific Advisory Board will hold a special meeting on June 28, 2010, at 1 p.m. in the 10th floor conference room in the Rachel Carson State Office Building. If members are unable to attend the meeting, they may join by teleconference. The purpose of the meeting is to finalize language for the amendments to the proposed Chapter 253 regulations implementing the Uniform Environmental Covenants Act (27 Pa.C.S. §§ 6501—6517).

Questions concerning this meeting should be directed to Troy Conrad at (717) 783-9480 or tconrad@state.pa.us. The agenda and meeting materials for this meeting 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> (DEP Keywords: "Public Participation, Participate").

Persons in need of accommodations as provided for in the Americans With Disabilities Act of 1990 should contact the Department at (717) 783-9480 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. 10-1168. Filed for public inspection June 25, 2010, 9:00 a.m.]

Climate Change Advisory Committee Working Group Meetings

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

Natural Resources Working Group Meetings
Thursday, August 5, 2010
Friday, October 15, 2010
Wednesday, December 8, 2010

Meetings will be held from 10 a.m. to 2 p.m. at the Department of Conservation and Natural Resources Bureau of Topographic and Geological Survey, 3240 Schoolhouse Road, Middletown, PA 17057.

Public Health and Safety Working Group Meetings

Tuesday, July 27, 2010
Wednesday, September 29, 2010
Tuesday, October 26, 2010

Meetings will be held from 10:30 a.m. to 12:30 p.m. in the 12th Floor Conference Room of the Rachel Carson State Office Building, 400 Market Street, Harrisburg, PA 17101.

Infrastructure Working Group Meetings

Monday, July 12, 2010
Monday, September 13, 2010
Monday, November 8, 2010

The July 12 and September 13 meetings will be held from 9 a.m. to 12 p.m. in the 12th Floor Conference Room of the Rachel Carson State Office Building, 400 Market Street, Harrisburg, PA 17101.

The November 8 meeting will be held from 9 a.m. to 12 p.m. in the Susquehanna Room of Fish and Boat Commission Headquarters, 1601 Elmerton Avenue, Harrisburg, PA 17110.

Tourism and Outdoor Recreation Working Group Meetings

Tuesday, July 20, 2010
Tuesday, September 21, 2010
Tuesday, November 16, 2010

Meetings will be held from 1 p.m. to 3 p.m. in the Delaware Room of Fish and Boat Commission Headquarters, 1601 Elmerton Avenue, Harrisburg, PA 17110.

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

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

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

JOHN HANGER,
Secretary

[Pa.B. Doc. No. 10-1169. Filed for public inspection June 25, 2010, 9:00 a.m.]

Nitrogen Tire Inflation System Grant; Program Opportunity

The Department of Environmental Protection (Department), Bureau of Energy, Innovations and Technology Deployment announces an opportunity to apply for Nitrogen Tire Inflation System Grants under the Alternative Fuels Incentive Grant Program (Grant Program). This will be the last grant round for this program. The

primary goals of this direct reimbursement Grant Program are to help improve vehicle fuel economy while reducing the consumption of imported oil, and to potentially extend vehicle tire life over time. Deployment of fuel saving technologies also provides for opportunities to better manage our fuel and natural resources in a way that also improves our environment and enhances our quality of life. The Department is seeking applications from Commonwealth automotive service providers for nitrogen tire inflation systems purchased and installed in the Commonwealth.

Funds awarded under the Grant Program can be used to reimburse a portion of the cost to purchase systems that deliver at least 95% nitrogen purity according to manufacturer specifications. Eligible applicants include automotive service providers who sell tires in this Commonwealth. Eligible applicants with a 50% match of the total system cost may request up to \$5,000 reimbursement for systems purchased and installed after July 1, 2010. This grant will be open until June 30, 2011, or when the funds are exhausted.

The application package, including guidance, instructions and the application form is available on the Department's web site at <http://www.depweb.state.pa.us> (click on "DEP Programs" and then "Alternative Fuels").

JOHN HANGER,
Secretary

[Pa.B. Doc. No. 10-1170. Filed for public inspection June 25, 2010, 9:00 a.m.]

Pollution Control Technology Grant Program; Opening of the Grant Application Acceptance Period

Section 304 of the Alternative Energy Investment Act of 2008 (73 P. S. § 1649.304) (Act 1 or Act) authorizes the Department of Environmental Protection (Department) to award a total of \$25 million for "pollution control technology projects" installed on electric generating units and cogeneration units that have an installed capacity of less than 500 MW per unit that utilize coal, as defined under 25 Pa. Code § 123.202 (relating to definitions), as their primary fuel. The final eligibility criteria for the Pollution Control Technology Grant Program (Program) were published in the *Pennsylvania Bulletin* on January 30, 2010.

The final criteria are summarized as follows:

- Grant applicants will be eligible to receive a pro rata share of the \$25 million available for each eligible electric generating or cogeneration unit at a facility with an installed capacity of less than 500 MW that utilizes coal, as defined under 25 Pa. Code § 123.202, as its primary fuel.

- Eligibility is limited to pollution control technology constructed or installed on the units to comply with regulatory requirements including the Clean Air Interstate Rule, the Clean Air Mercury Rule, the Pennsylvania Mercury Rule under 25 Pa. Code Chapter 123, and SO₂ and NO_x emission reduction requirements established under 25 Pa. Code Chapters 121, 129 and 145 (relating to general provisions; standards for sources; and interstate pollution transport reduction).

- The grant allocation will be based on the capital cost portion of each project.

- The owner or operator must have obtained a plan approval from the Department on or after January 1, 2006, but not later than December 31, 2009, and must have commenced construction or installed the controls no later than December 31, 2010.

Program grant applications will be accepted for a period of 120 days, through October 25, 2010. The operation of the pollution control technology will be a condition of any grant awarded by the Department. Grant application packets are available on the Department's web site at www.depweb.state.pa.us under "Air," and then "Permits." Applications can also be obtained by contacting the Department at (717) 787-9702.

Applicants must submit an original and three copies of the completed Program application to Department of Environmental Protection, Bureau of Air Quality, 12th Floor, Rachel Carson State Office Building, 400 Market Street, P. O. Box 8776, Harrisburg, PA 17105-8776. Applications must be postmarked or received by 4 p.m. on October 25, 2010. Facsimile transmissions will not be accepted.

Persons with questions or who need additional information, contact Randall Koppenhaver by at rakoppenha@state.pa.us or (717) 787-9702.

JOHN HANGER,
Secretary

[Pa.B. Doc. No. 10-1171. Filed for public inspection June 25, 2010, 9:00 a.m.]

DEPARTMENT OF HEALTH

Long-Term Care Nursing Facilities; Requests for Exception

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

Mountain Top Senior Care & Rehabilitation Center
185 South Mountain Boulevard
Mountain Top, PA 18707
DSI No. 0408

The following long-term care nursing facility is seeking an exception to 28 Pa. Code § 205.6(a) (relating to function of building).

Dubois Nursing Home
212 South Eighth Street
P. O. Box 307
Dubois, PA 15801-0307

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

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

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

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

EVERETTE JAMES,
Secretary

[Pa.B. Doc. No. 10-1172. Filed for public inspection June 25, 2010, 9:00 a.m.]

Sexual Assault Victim Emergency Services Regulation

On January 26, 2008, the Department of Health (Department) published a Notice of Final Rulemaking in the *Pennsylvania Bulletin* for the Sexual Assault Victim Emergency Services Regulation. See 38 Pa.B. 573 (January 26, 2008). The Sexual Assault Victim Emergency Services Regulation became effective on January 26, 2008, and amended the Department's regulations at 28 Pa. Code Part IV, Subpart B (relating to general and special hospitals), to add specific requirements for hospitals relating to the provision of sexual assault emergency services. See 28 Pa. Code §§ 117.51—117.58 (relating to sexual assault victim emergency services).

Hospitals that decide they may not provide emergency contraception due to a stated religious or moral belief contrary to providing such medication are required to give notice to the Department of the decision. See 28 Pa. Code § 177.57 (relating to religious or moral exemptions). Hospitals that refer all emergency patients to other hospitals after institution of essential life-saving measures and decide not to provide any sexual assault emergency services are required to give notice to the Department of the decision. See 28 Pa. Code § 117.58 (relating to exemption for hospitals providing limited emergency services).

Sections 117.57(1)(ii) and 117.58(1)(ii) of 28 Pa. Code that the Department will annually publish the lists of hospitals in the *Pennsylvania Bulletin* that have chosen not to provide emergency contraception under 28 Pa. Code § 117.57 or any sexual assault emergency services under 28 Pa. Code § 117.58. The following lists are published in accordance with those provisions and do not create any new obligations for hospitals or relieve hospitals of any existing obligations.

Hospitals That May Not Provide Emergency Contraception

Under 28 Pa. Code § 117.57(1)(ii), the Department publishes the following list of hospitals that have provided notice to the Department that the hospital may not provide emergency contraception due to a stated religious or moral belief:

Hospital Name	City, Zip Code
Altoona Regional Health System (Bon Secours Campus)	Altoona, 16601
Jersey Shore Hospital	Jersey Shore, 17740
Mercy Fitzgerald Hospital	Darby, 19023
Mercy Hospital Scranton	Scranton, 18501
Mercy Jeannette	Jeannette, 15644

Hospital Name	City, Zip Code
Mercy Philadelphia Hospital	Philadelphia, 19143
Mercy Suburban Hospital	Norristown, 19401
Nazareth Hospital	Philadelphia, 19152
Muncy Valley Hospital	Muncy, 17756
St. Mary Medical Center	Langhorne, 19047
UPMC Mercy Hospital	Pittsburgh, 15219
Williamsport Hospital	Williamsport, 17701
St. Joseph Regional Health Network	Reading, 19603

Hospitals That May Not Provide Any Sexual Assault Emergency Services

Under 28 Pa. Code § 117.58(1)(ii), the Department publishes the following list of hospitals that have provided notice to the Department that the hospital may not provide any sexual assault emergency services due to the limited services provided by the hospital:

Hospital Name	City, Zip Code
Allied Services Institute of Rehabilitation—Scranton	Scranton, 18501
John Heinz Institute of Rehabilitation Medicine—Wilkes-Barre	Wilkes-Barre Township, 18702
Shamokin Area Community Hospital	Coal Township, 17866-9697
Triumph Philadelphia Long-Term Acute Care Hospital	Philadelphia, 19145

Additional information regarding the Sexual Assault Victim Emergency Services Regulation and emergency contraception, and an up-to-date list of hospitals not providing emergency contraception under 28 Pa. Code § 117.57 or not providing any sexual assault emergency services under 28 Pa. Code § 117.58, is available on the Department's web site, www.health.state.pa.us.

The publishing in the *Pennsylvania Bulletin* or on the Department's web site of the lists of hospitals not providing emergency contraception under 28 Pa. Code § 117.57, or not providing any sexual assault emergency services under 28 Pa. Code § 117.58, shall not be deemed an acknowledgement or confirmation by the Department that the hospitals are in compliance with the requirements of the regulations.

Persons with a disability who require an alternative format of this notice (for example, large print, audiotape, Braille) should contact Joanne Salsgiver, Director of the Division of Acute and Ambulatory Care, Room 532, Health and Welfare Building, 625 Forster Street, Harrisburg, PA 17120-0701, (717) 783-8980, fax (717) 772-2163, or for speech and/or hearing impaired persons V/TT (717) 783-6514, or the Pennsylvania AT&T Relay Service at (800) 654-5984.

EVERETTE JAMES,
Secretary

[Pa.B. Doc. No. 10-1173. Filed for public inspection June 25, 2010, 9:00 a.m.]

Special Supplemental Nutrition Program for Women, Infants and Children (WIC Program); Maximum Allowable Prices and Competitive Prices

Maximum Allowable Price

Maximum Allowable Prices and Competitive Prices for Type 1 Stores in Regular Cost Counties

Under 28 Pa. Code §§ 1103.4(5) and 1105.3(a)(1) (relating to selection criteria for authorization and reauthorization; and terms and conditions of participation) and 7 CFR 246.12 (relating to food delivery systems), the WIC Program hereby publishes notice of the Maximum Allowable Prices and Competitive Prices for Type 1 Stores in Regular Cost Counties.

Maximum Allowable Prices

Effective July 1, 2010, through September 30, 2010, the Maximum Allowable Prices the Department of Health (Department) will pay Type 1 Stores in Regular Cost Counties for WIC allowable foods are as follows:

<i>Description</i>	<i>Maximum Allowable Price</i>
Beans, Canned—15.5/16 oz.	\$1.26
Beans/Peas—Dry—16 oz.	\$2.01
Canned Fish—Pink Salmon	\$2.23
Canned Fish—Sardines	\$1.27
Canned Fish—Tuna	\$1.11
Cereal (per oz.)	\$0.32
Cheese, 16 oz.	\$6.17
Eggs	\$1.56
Gerber Infant Cereal—8 oz.	\$2.01
Infant Fruits, 100%—4 oz.	\$0.59
Infant Vegetables, 100%—4 oz.	\$0.59
Infant Meats, 100%—2.5 oz.	\$1.05
Juice—11.5/12 oz.	\$2.12
Juice—48 oz.	\$3.00
Juice—64 oz.	\$3.68
Kosher Cheese	\$7.03
Kosher Low Fat Milk—quart	\$1.63
Kosher Low Fat Milk—1/2 gallon	\$2.96
Kosher Whole Milk—quart	\$1.64
Kosher Whole Milk—1/2 gallon	\$3.04
Milk, Dry—16 oz.	\$4.99
Milk, Evaporated—12 oz.	\$1.21
Milk, Low Fat—quart	\$1.35
Milk, Low Fat—1/2 gallon	\$2.37
Milk, Low Fat Lactose Free—quart	\$2.15
Milk, Low Fat Lactose Free—1/2 gallon	\$3.72
Milk, Whole—quart	\$1.40
Milk, Whole—1/2 gallon	\$2.45
Milk, Whole Lactose Free—quart	\$2.18
Milk, Whole Lactose Free—1/2 gallon	\$3.80
Peanut Butter	\$3.09
Soy Beverage—Pacific Natural Foods 32 oz. ...	\$3.65
Soy Beverage—8th Continent 64 oz.	\$3.95
Tofu—Soy Boy/House Premium 12/16 oz.	\$2.20
Whole Grain—Bread, 16 oz.	\$3.84
Whole Grain—Bread, 24 oz.	\$3.84
Whole Grain—Brown Rice, 16 oz.	\$1.64
<i>Description</i>	<i>Maximum Allowable Price</i>
Whole Grain—Brown Rice, 24 oz.	\$2.79
Whole Grain—Oats, 16 oz.	\$1.70
Whole Grain—Oats, 24 oz.	\$5.15
Whole Grain—Soft Corn or Whole Wheat Tortillas, 16 oz.	\$2.19
Alimentum Advance RTF/Similac Expert Care Alimentum Formula—32 oz.	\$8.91
Alimentum Advance Powder Formula/Similac Expert Care Alimentum—16 oz.	\$25.91
Boost Ready-to-Feed Formula—8 oz.	\$2.00
EnfaCare LIPIL w/Iron Ready to Feed—32 oz.	\$7.01
EnfaCare LIPIL w/Iron Powder Formula—12.8 oz.	\$13.99
Enfamil LIPIL Concentrate Formula—13 oz.	\$4.48
Enfamil LIPIL Ready-to-Feed Formula—32 oz.	\$6.57
Enfamil LIPIL Powder Formula—12.9 oz.	\$13.48
Isomil DF RTF/Similac Expert Care for Diarrhea Formula—32 oz.	\$6.21
Good Start Gentle PLUS Concentrate—Orange Formula—13 oz.	\$4.21
Good Start Gentle PLUS Ready-To-Feed—Orange Formula—32 oz. ...	\$6.35
Good Start Gentle PLUS Powder—Orange Formula—12 oz.	\$13.73
Good Start Soy PLUS Concentrate—Blue Formula—13 oz.	\$4.46
Good Start Soy PLUS Ready-to-Feed—Blue Formula—32 oz.	\$6.56
Good Start Soy PLUS Powder—Blue Formula—12.9 oz.	\$13.73
Good Start Soy PLUS 2 Powder—Blue w/blue—24 oz.	\$20.82
Good Start Gentle Plus 2 Powder—Blue w/orange—24 oz.	\$20.56
Good Start Protect PLUS 2 Powder—Blue w/green—24 oz.	\$26.44
Good Start Protect PLUS 2 Powder—Green—12 oz.	\$14.45
Good Start Nourish PLUS Powder—Purple—12 oz.	\$10.79
Nutramigen Lipil Concentrate Formula—13 oz.	\$7.01
Nutramigen Lipil Ready-to-Feed Formula—32 oz.	\$8.98
Nutramigen Lipil Powder Formula—16 oz.	\$25.26
Nutramigen Lipil w/Enflora Powder Formula—12.6 oz.	\$22.16
Pediasure Ready-to-Feed Formula—8 oz.	\$1.80
Pediasure w/Fiber Ready-to-Feed Formula—8 oz.	\$1.86
Similac Advance Concentrate Formula—13 oz.	\$4.32
Similac Advance Ready-to-Feed Formula—32 oz.	\$6.34
Similac Advance Powder Formula—12.9 oz. ...	\$13.20

<i>Description</i>	<i>Maximum Allowable Price</i>
Similac Advance Powder Formula—12.4 oz.	\$13.20
Similac Neosure Advance RTF/Similac Expert Care NeoSure RTF Formula—32 oz.	\$7.40
Similac Neosure Advance Powder Formula—12.8 oz.	15.21
Similac Expert Care NeoSure—13.1 oz.	\$15.21
Store Brand Milk Based Formula Concentrate—13 oz.	\$2.84
Store Brand Milk Based Formula—Ready-to-Feed—32 oz.	\$3.79
Store Brand Milk Based Formula—Powder—25.75 oz.	\$16.13

A store must permit purchase of WIC allowable foods that exceed the maximum allowable price to WIC participants using a WIC check; however, the amounts that exceed the maximum allowable price of any WIC allowable foods sold to WIC participants will be billed to the store on a quarterly basis in accordance with 28 Pa. Code § 1105.2 (relating to price adjustment).

Competitive Prices

To remain WIC Authorized, each store must maintain the minimum inventory of the following WIC food items at, or below, the Competitive Prices listed for the store's peer group. Effective July 1, 2010, through September 30, 2010, the Competitive Prices for WIC Authorization for Type 1 Stores in Regular Cost Counties are as follows:

<i>Description</i>	<i>Competitive Prices</i>
Beans, Canned—15.5/16 oz.	\$1.26
Beans/Peas—Dry—16 oz.	\$1.79
Canned Fish—Pink Salmon	\$2.13
Canned Fish—Sardines	\$1.22
Canned Fish—Tuna	\$1.04
Cereal (per oz.)	\$.32
Cheese, 16 oz.	\$5.41
Eggs	\$1.46
Gerber Infant Cereal—8 oz.	\$2.01
Infant Fruits, 100%—4 oz.	\$.53
Infant Vegetables, 100%—4 oz.	\$.53
Infant Meats, 100%—2.5 oz.	\$.95
Juice—11.5/12 oz.	\$2.01
Juice—48 oz.	\$2.86
Juice—64 oz.	\$3.41
Kosher Cheese	\$6.99
Kosher Low Fat Milk—1/2 gallon	\$2.92
Kosher Whole Milk—1/2 gallon	\$2.95
Milk, Low Fat—1/2 gallon	\$2.30
Milk, Whole—1/2 gallon	\$2.32
Peanut Butter	\$2.80
Whole Grain—Bread, 16 oz.	\$3.60
Whole Grain—Brown Rice, 16 oz.	\$1.64
Whole Grain—Oats, 16 oz.	\$1.64
Whole Grain—Soft Corn or Whole Wheat Tortillas, 16 oz.	\$2.04
Good Start Gentle PLUS Concentrate—Orange Formula—13 oz.	\$4.21

<i>Description</i>	<i>Competitive Prices</i>
Good Start Gentle PLUS Powder—Orange Formula—12 oz.	\$13.73
Good Start Soy PLUS Concentrate—Blue Formula—13 oz.	\$4.46
Good Start Soy PLUS Powder—Blue Formula—12.9 oz.	\$13.73

Maximum Allowable Prices and Competitive Prices for Type 2 Stores in Regular Cost Counties

Under 28 Pa. Code §§ 1103.4(5) and 1105.3(a)(1) and 7 CFR 246.12, the WIC Program hereby publishes notice of the Maximum Allowable Prices and Competitive Prices for Type 2 Stores in Regular Cost Counties.

Maximum Allowable Prices

Effective July 1, 2010, through September 30, 2010, the Maximum Allowable Prices the Department will pay Type 2 Stores in Regular Cost Counties for WIC allowable foods are as follows:

<i>Description</i>	<i>Maximum Allowable Price</i>
Beans, Canned—15.5/16 oz.	\$1.26
Beans/Peas—Dry—16 oz.	\$2.01
Canned Fish—Pink Salmon	\$2.23
Canned Fish—Sardines	\$1.39
Canned Fish—Tuna	\$1.21
Cereal (per oz.)	\$.33
Cheese, 16 oz.	\$6.17
Eggs	\$1.56
Gerber Infant Cereal—8 oz.	\$2.13
Infant Fruits, 100%—4 oz.	\$.64
Infant Vegetables, 100%—4 oz.	\$.64
Infant Meats, 100%—2.5 oz.	\$1.05
Juice—11.5/12 oz.	\$2.47
Juice—48 oz.	\$3.04
Juice—64 oz.	\$4.26
Kosher Cheese	\$7.07
Kosher Low Fat Milk—quart	\$1.63
Kosher Low Fat Milk—1/2 gallon	\$2.96
Kosher Whole Milk—quart	\$1.64
Kosher Whole Milk—1/2 gallon	\$3.04
Milk, Dry—16 oz.	\$4.99
Milk, Evaporated—12 oz.	\$1.34
Milk, Low Fat—quart	\$1.35
Milk, Low Fat—1/2 gallon	\$2.39
Milk, Low Fat Lactose Free—quart	\$2.30
Milk, Low Fat Lactose Free—1/2 gallon	\$4.04
Milk, Whole—quart	\$1.40
Milk, Whole—1/2 gallon	\$2.45
Milk, Whole Lactose Free—quart	\$2.33
Milk, Whole Lactose Free—1/2 gallon	\$4.09
Peanut Butter	\$3.09
Soy Beverage—Pacific Natural Foods 32 oz.	\$3.65
Soy Beverage—8th Continent 64 oz.	\$3.95
Tofu—Soy Boy/House Premium 12/16 oz.	\$2.20
Whole Grain—Bread, 16 oz.	\$3.84
Whole Grain—Bread, 24 oz.	\$3.84

<i>Description</i>	<i>Maximum Allowable Price</i>
Whole Grain—Brown Rice, 16 oz.	\$2.19
Whole Grain—Brown Rice, 24 oz.	\$2.79
Whole Grain—Oats, 16 oz.	\$2.11
Whole Grain—Oats, 24 oz.	\$5.18
Whole Grain—Soft Corn or Whole Wheat Tortillas, 16 oz.	\$2.23
Alimentum Advance RTF/Similac Expert Care Alimentum Formula—32 oz.	\$9.43
Alimentum Advance Powder Formula/Similac Expert Care Alimentum—16 oz.	\$26.86
Boost Ready-to-Feed Formula—8 oz.	\$2.19
EnfaCare LIPIL w/Iron Ready to Feed— 32 oz.	\$7.26
EnfaCare LIPIL w/Iron Powder Formula— 12.8 oz.	\$14.44
Enfamil LIPIL Concentrate Formula— 13 oz.	\$4.87
Enfamil LIPIL Ready-to-Feed Formula— 32 oz.	\$7.12
Enfamil LIPIL Powder Formula—12.9 oz.	\$13.91
Isomil DF RTF/Similac Expert Care for Diarrhea Formula—32 oz.	\$6.34
Good Start Gentle PLUS Concentrate—Orange Formula—13 oz.	\$4.73
Good Start Gentle PLUS Ready-To-Feed— Orange Formula—32 oz.	\$6.57
Good Start Gentle PLUS Powder—Orange Formula—12 oz.	\$13.87
Good Start Soy PLUS Concentrate—Blue Formula—13 oz.	\$4.90
Good Start Soy PLUS Ready-to-Feed—Blue Formula—32 oz.	\$6.91
Good Start Soy PLUS Powder—Blue Formula—12.9 oz.	\$13.87
Good Start Soy PLUS 2 Powder—Blue w/blue—24 oz.	\$22.19
Good Start Gentle Plus 2 Powder—Blue w/orange—24 oz.	\$22.19
Good Start Protect PLUS 2 Powder—Blue w/green—24 oz.	\$26.44
Good Start Protect PLUS 2 Powder— Green—12 oz.	\$16.28
Good Start Nourish PLUS Powder—Purple— 12 oz.	\$10.79
Nutramigen Lipil Concentrate Formula— 13 oz.	\$7.30
Nutramigen Lipil Ready-to-Feed Formula— 32 oz.	\$9.20
Nutramigen Lipil Powder Formula—16 oz.	\$26.93
Nutramigen Lipil w/Enflora Powder Formula—12.6 oz.	\$23.56
Pediasure Ready-to-Feed Formula—8 oz.	\$2.13
Pediasure w/Fiber Ready-to-Feed Formula— 8 oz.	\$2.09
Similac Advance Concentrate Formula— 13 oz.	\$4.49
Similac Advance Ready-to-Feed Formula— 32 oz.	\$6.38

<i>Description</i>	<i>Maximum Allowable Price</i>
Similac Advance Powder Formula—12.9 oz. ...	\$13.72
Similac Advance Powder Formula—12.4 oz. ...	\$13.72
Similac Neosure Advance RTF/Similac Expert Care NeoSure RTF Formula—32 oz.	\$7.65
Similac Neosure Advance Powder Formula—12.8 oz.	\$15.89
Similac Expert Care NeoSure—13.1 oz.	\$15.89
Store Brand Milk Based Formula Concentrate—13 oz.	\$2.89
Store Brand Milk Based Formula—Ready-to-Feed—32 oz.	\$3.86
Store Brand Milk Based Formula—Powder—25.75 oz.	\$16.99

A store must permit purchase of WIC allowable foods that exceed the maximum allowable price to WIC participants using a WIC check; however, the amounts that exceed the maximum allowable price of any WIC allowable foods sold to WIC participants will be billed to the store on a quarterly basis in accordance with 28 Pa. Code § 1105.2.

Competitive Prices

To remain WIC Authorized, each store must maintain the minimum inventory of the following WIC food items at, or below, the Competitive Prices listed for the store's peer group. Effective July 1, 2010, through September 30, 2010, the Competitive Prices for WIC Authorization for Type 2 Stores in Regular Cost Counties are as follows:

<i>Description</i>	<i>Competitive Prices</i>
Beans, Canned—15.5/16 oz.	\$1.26
Beans/Peas—Dry—16 oz.	\$1.79
Canned Fish—Pink Salmon	\$2.18
Canned Fish—Sardines	\$1.34
Canned Fish—Tuna	\$1.12
Cereal (per oz.)	\$0.33
Cheese, 16 oz.	\$5.41
Eggs	\$1.46
Gerber Infant Cereal—8 oz.	\$2.13
Infant Fruits, 100%—4 oz.	\$0.61
Infant Vegetables, 100%—4 oz.	\$0.61
Infant Meats, 100%—2.5 oz.	\$1.04
Juice—11.5/12 oz.	\$2.31
Juice—48 oz.	\$2.93
Juice—64 oz.	\$3.86
Kosher Cheese	\$7.01
Kosher Low Fat Milk—1/2 gallon	\$2.92
Kosher Whole Milk—1/2 gallon	\$2.95
Milk, Low Fat—1/2 gallon	\$2.32
Milk, Whole—1/2 gallon	\$2.32
Peanut Butter	\$2.80
Whole Grain—Bread, 16 oz.	\$3.60
Whole Grain—Brown Rice, 16 oz.	\$2.17
Whole Grain—Oats, 16 oz.	\$2.08
Whole Grain—Soft Corn or Whole Wheat Tortillas, 16 oz.	\$2.21

<i>Description</i>	<i>Competitive Prices</i>
Good Start Gentle PLUS Concentrate—Orange Formula—13 oz.	\$4.73
Good Start Gentle PLUS Powder—Orange Formula—12 oz.	\$13.87
Good Start Soy PLUS Concentrate—Blue Formula—13 oz.	\$4.90
Good Start Soy PLUS Powder—Blue Formula—12.9 oz.	\$13.87

Maximum Allowable Prices and Competitive Prices for Type 3 Stores in Regular Cost Counties

Under 28 Pa. Code §§ 1103.4(5) and 1105.3(a)(1) and 7 CFR 246.12, the WIC Program hereby publishes notice of the Maximum Allowable Prices and Competitive Prices for Type 3 Stores in Regular Cost Counties.

Maximum Allowable Prices

Effective July 1, 2010, through September 30, 2010, the Maximum Allowable Prices the Department will pay Type 3 Stores in Regular Cost Counties for WIC allowable foods are as follows:

<i>Description</i>	<i>Maximum Allowable Price</i>
Beans, Canned—15.5/16 oz.	\$1.26
Beans/Peas—Dry—16 oz.	\$2.01
Canned Fish—Pink Salmon	\$2.28
Canned Fish—Sardines	\$1.39
Canned Fish—Tuna	\$1.23
Cereal (per oz.)	\$.36
Cheese, 16 oz.	\$6.17
Eggs	\$1.56
Gerber Infant Cereal—8 oz.	\$2.28
Infant Fruits, 100%—4 oz.	\$.78
Infant Vegetables, 100%—4 oz.	\$.78
Infant Meats, 100%—2.5 oz.	\$1.18
Juice—11.5/12 oz.	\$2.47
Juice—48 oz.	\$3.11
Juice—64 oz.	\$4.26
Kosher Cheese	\$7.89
Kosher Low Fat Milk—quart	\$1.63
Kosher Low Fat Milk—1/2 gallon	\$3.03
Kosher Whole Milk—quart	\$1.64
Kosher Whole Milk—1/2 gallon	\$3.05
Milk, Dry—16 oz.	\$4.99
Milk, Evaporated—12 oz.	\$1.37
Milk, Low Fat—quart	\$1.35
Milk, Low Fat—1/2 gallon	\$2.41
Milk, Low Fat Lactose Free—quart	\$2.30
Milk, Low Fat Lactose Free—1/2 gallon	\$4.04
Milk, Whole—quart	\$1.40
Milk, Whole—1/2 gallon	\$2.45
Milk, Whole Lactose Free—quart	\$2.33
Milk, Whole Lactose Free—1/2 gallon	\$4.08
Peanut Butter	\$3.09
Soy Beverage—Pacific Natural Foods 32 oz.	\$3.65
Soy Beverage—8th Continent 64 oz.	\$3.95
Tofu—Soy Boy/House Premium 12/16 oz.	\$2.34

<i>Description</i>	<i>Maximum Allowable Price</i>
Whole Grain—Bread, 16 oz.	\$3.84
Whole Grain—Bread, 24 oz.	\$3.84
Whole Grain—Brown Rice, 16 oz.	\$2.19
Whole Grain—Brown Rice, 24 oz.	\$2.79
Whole Grain—Oats, 16 oz.	\$2.11
Whole Grain—Oats, 24 oz.	\$5.18
Whole Grain—Soft Corn or Whole Wheat Tortillas, 16 oz.	\$2.34
Alimentum Advance RTF/Similac Expert Care Alimentum Formula—32 oz.	\$9.48
Alimentum Advance Powder Formula/Similac Expert Care Alimentum—16 oz.	\$26.99
Boost Ready-to-Feed Formula—8 oz.	\$2.19
EnfaCare LIPIL w/Iron Ready to Feed—32 oz.	\$7.54
EnfaCare LIPIL w/Iron Powder Formula—12.8 oz.	\$15.19
Enfamil LIPIL Concentrate Formula—13 oz.	\$5.24
Enfamil LIPIL Ready-to-Feed Formula—32 oz.	\$7.54
Enfamil LIPIL Powder Formula—12.9 oz.	\$15.19
Isomil DF RTF/Similac Expert Care for Diarrhea Formula—32 oz.	\$8.19
Good Start Gentle PLUS Concentrate—Orange Formula—13 oz.	\$4.85
Good Start Gentle PLUS Ready-To-Feed—Orange Formula—32 oz.	\$6.94
Good Start Gentle PLUS Powder—Orange Formula—12 oz.	\$14.49
Good Start Soy PLUS Concentrate—Blue Formula—13 oz.	\$5.12
Good Start Soy PLUS Ready-to-Feed—Blue Formula—32 oz.	\$7.28
Good Start Soy PLUS Powder—Blue Formula—12.9 oz.	\$14.49
Good Start Soy PLUS 2 Powder—Blue w/blue—24 oz.	\$22.19
Good Start Gentle Plus 2 Powder—Blue w/orange—24 oz.	\$22.79
Good Start Protect PLUS 2 Powder—Blue w/green—24 oz.	\$26.44
Good Start Protect PLUS 2 Powder—Green—12 oz.	\$16.28
Good Start Nourish PLUS Powder—Purple—12 oz.	\$10.79
Nutramigen Lipil Concentrate Formula—13 oz.	\$7.82
Nutramigen Lipil Ready-to-Feed Formula—32 oz.	\$9.38
Nutramigen Lipil Powder Formula—16 oz.	\$28.36
Nutramigen Lipil w/Enflora Powder Formula—12.6 oz.	\$23.56
Pediasure Ready-to-Feed Formula—8 oz.	\$2.58
Pediasure w/Fiber Ready-to-Feed Formula—8 oz.	\$2.63
Similac Advance Concentrate Formula—13 oz.	\$5.17

<i>Description</i>	<i>Maximum Allowable Price</i>
Similac Advance Ready-to-Feed Formula—32 oz.	\$7.18
Similac Advance Powder Formula—12.9 oz. ...	\$15.02
Similac Advance Powder Formula—12.4 oz. ...	\$15.02
Similac Neosure Advance RTF/Similac Expert Care NeoSure RTF Formula—32 oz.	\$9.23
Similac Neosure Advance Powder Formula—12.8 oz.	\$15.89
Similac Expert Care NeoSure—13.1 oz.	\$15.89
Store Brand Milk Based Formula Concentrate—13 oz.	\$3.10
Store Brand Milk Based Formula—Ready-to-Feed—32 oz.	\$4.32
Store Brand Milk Based Formula—Powder—25.75 oz.	\$17.99

A store must permit purchase of WIC allowable foods that exceed the maximum allowable price to WIC participants using a WIC check; however, the amounts that exceed the maximum allowable price of any WIC allowable foods sold to WIC participants will be billed to the store on a quarterly basis in accordance with 28 Pa. Code § 1105.2.

Competitive Prices

To remain WIC Authorized, each store must maintain the minimum inventory of the following WIC food items at, or below, the Competitive Prices listed for the store's peer group. Effective July 1, 2010, through September 30, 2010, the Competitive Prices for WIC Authorization for Type 3 Stores in Regular Cost Counties are as follows:

<i>Description</i>	<i>Competitive Prices</i>
Beans, Canned—15.5/16 oz.	\$1.26
Beans/Peas—Dry—16 oz.	\$1.79
Canned Fish—Pink Salmon	\$2.25
Canned Fish—Sardines	\$1.34
Canned Fish—Tuna	\$1.16
Cereal (per oz.)	\$.36
Cheese, 16 oz.	\$5.41
Eggs	\$1.46
Gerber Infant Cereal—8 oz.	\$2.28
Infant Fruits, 100%—4 oz.	\$.73
Infant Vegetables, 100%—4 oz.	\$.73
Infant Meats, 100%—2.5 oz.	\$1.16
Juice—11.5/12 oz.	\$2.33
Juice—48 oz.	\$3.02
Juice—64 oz.	\$3.92
Kosher Cheese	\$7.67
Kosher Low Fat Milk—1/2 gallon	\$3.03
Kosher Whole Milk—1/2 gallon	\$3.05
Milk, Low Fat—1/2 gallon	\$2.34
Milk, Whole—1/2 gallon	\$2.32
Peanut Butter	\$2.80
Whole Grain—Bread, 16 oz.	\$3.60
Whole Grain—Brown Rice, 16 oz.	\$2.17
Whole Grain—Oats, 16 oz.	\$2.08

<i>Description</i>	<i>Competitive Prices</i>
Whole Grain—Soft Corn or Whole Wheat Tortillas, 16 oz.	\$2.32
Good Start Gentle PLUS Concentrate—Orange Formula—13 oz.	\$4.85
Good Start Gentle PLUS Powder—Orange Formula—12 oz.	\$14.49
Good Start Soy PLUS Concentrate—Blue Formula—13 oz.	\$5.12
Good Start Soy PLUS Powder—Blue Formula—12.9 oz.	\$14.49

Maximum Allowable Prices and Competitive Prices for Type 1 Stores in High Cost Counties

Under 28 Pa. Code §§ 1103.4(5) and 1105.3(a)(1) and 7 CFR 246.12, the WIC Program hereby publishes notice of the Maximum Allowable Prices and Competitive Prices for Type 1 Stores in High Cost Counties.

Maximum Allowable Prices

Effective July 1, 2010, through September 30, 2010, the Maximum Allowable Prices the Department will pay Type 1 Stores in High Cost Counties for WIC allowable foods are as follows:

<i>Description</i>	<i>Maximum Allowable Price</i>
Beans, Canned—15.5/16 oz.	\$1.30
Beans/Peas—Dry—16 oz.	\$2.05
Canned Fish—Pink Salmon	\$2.28
Canned Fish—Sardines	\$1.30
Canned Fish—Tuna	\$1.15
Cereal (per oz.)	\$.33
Cheese, 16 oz.	\$6.23
Eggs	\$1.66
Gerber Infant Cereal—8 oz.	\$2.13
Infant Fruits, 100%—4 oz.	\$.60
Infant Vegetables, 100%—4 oz.	\$.60
Infant Meats, 100%—2.5 oz.	\$1.06
Juice—11.5/12 oz.	\$2.31
Juice—48 oz.	\$3.07
Juice—64 oz.	\$3.90
Kosher Cheese	\$7.89
Kosher Low Fat Milk—quart	\$1.63
Kosher Low Fat Milk—1/2 gallon	\$2.96
Kosher Whole Milk—quart	\$1.64
Kosher Whole Milk—1/2 gallon	\$3.04
Milk, Dry—16 oz.	\$4.99
Milk, Evaporated—12 oz.	\$1.26
Milk, Low Fat—quart	\$1.46
Milk, Low Fat—1/2 gallon	\$2.49
Milk, Low Fat Lactose Free—quart	\$2.28
Milk, Low Fat Lactose Free—1/2 gallon	\$3.98
Milk, Whole—quart	\$1.45
Milk, Whole—1/2 gallon	\$2.56
Milk, Whole Lactose Free—quart	\$2.31
Milk, Whole Lactose Free—1/2 gallon	\$4.01
Peanut Butter	\$3.09
Soy Beverage—Pacific Natural Foods 32 oz. ...	\$3.70

<i>Description</i>	<i>Maximum Allowable Price</i>
Soy Beverage—8th Continent 64 oz.	\$3.99
Tofu—Soy Boy/House Premium 12/16 oz.	\$2.20
Whole Grain—Bread, 16 oz.	\$3.84
Whole Grain—Bread, 24 oz.	\$3.84
Whole Grain—Brown Rice, 16 oz.	\$1.88
Whole Grain—Brown Rice, 24 oz.	\$2.99
Whole Grain—Oats, 16 oz.	\$1.95
Whole Grain—Oats, 24 oz.	\$5.45
Whole Grain—Soft Corn or Whole Wheat Tortillas, 16 oz.	\$2.20
Alimentum Advance RTF/Similac Expert Care Alimentum Formula—32 oz.	\$9.18
Alimentum Advance Powder Formula/Similac Expert Care Alimentum—16 oz.	\$26.21
Boost Ready-to-Feed Formula—8 oz.	\$2.00
EnfaCare LIPIL w/Iron Ready to Feed—32 oz.	\$7.29
EnfaCare LIPIL w/Iron Powder Formula—12.8 oz.	\$14.39
Enfamil LIPIL Concentrate Formula—13 oz.	\$4.49
Enfamil LIPIL Ready-to-Feed Formula—32 oz.	\$6.66
Enfamil LIPIL Powder Formula—12.9 oz.	\$13.76
Isomil DF RTF/Similac Expert Care for Diarrhea Formula—32 oz.	\$6.32
Good Start Gentle PLUS Concentrate—Orange Formula—13 oz.	\$4.48
Good Start Gentle PLUS Ready-To-Feed—Orange Formula—32 oz.	\$6.49
Good Start Gentle PLUS Powder—Orange Formula—12 oz.	\$13.89
Good Start Soy PLUS Concentrate—Blue Formula—13 oz.	\$4.64
Good Start Soy PLUS Ready-to-Feed—Blue Formula—32 oz.	\$6.64
Good Start Soy PLUS Powder—Blue Formula—12.9 oz.	\$13.89
Good Start Soy PLUS 2 Powder—Blue w/blue—24 oz.	\$21.65
Good Start Gentle Plus 2 Powder—Blue w/orange—24 oz.	\$21.44
Good Start Protect PLUS 2 Powder—Blue w/green—24 oz.	\$26.44
Good Start Protect PLUS 2 Powder—Green—12 oz.	\$14.52
Good Start Nourish PLUS Powder—Purple—12 oz.	\$10.79
Nutramigen Lipil Concentrate Formula—13 oz.	\$7.17
Nutramigen Lipil Ready-to-Feed Formula—32 oz.	\$9.02
Nutramigen Lipil Powder Formula—16 oz.	\$26.02
Nutramigen Lipil w/Enflora Powder Formula—12.6 oz.	\$22.52
Pediasure Ready-to-Feed Formula—8 oz.	\$1.85
Pediasure w/Fiber Ready-to-Feed Formula—8 oz.	\$1.92

<i>Description</i>	<i>Maximum Allowable Price</i>
Similac Advance Concentrate Formula—13 oz.	\$4.43
Similac Advance Ready-to-Feed Formula—32 oz.	\$6.34
Similac Advance Powder Formula—12.9 oz.	\$13.60
Similac Advance Powder Formula—12.4 oz.	\$13.60
Similac Neosure Advance RTF/Similac Expert Care NeoSure RTF Formula—32 oz.	\$7.62
Similac Neosure Advance Powder Formula—12.8 oz.	\$15.60
Similac Expert Care NeoSure—13.1 oz.	\$15.60
Store Brand Milk Based Formula Concentrate—13 oz.	\$2.87
Store Brand Milk Based Formula—Ready-to-Feed—32 oz.	\$3.85
Store Brand Milk Based Formula—Powder—25.75 oz.	\$16.19

A store must permit purchase of WIC allowable foods that exceed the maximum allowable price to WIC participants using a WIC check; however, the amounts that exceed the maximum allowable price of any WIC allowable foods sold to WIC participants will be billed to the store on a quarterly basis in accordance with 28 Pa. Code § 1105.2.

Competitive Prices

To remain WIC Authorized, each store must maintain the minimum inventory of the following WIC food items at, or below, the Competitive Prices listed for the store's peer group. Effective July 1, 2010, through September 30, 2010, the Competitive Prices for WIC Authorization for Type 1 Stores in High Cost Counties are as follows:

<i>Description</i>	<i>Competitive Prices</i>
Beans, Canned—15.5/16 oz.	\$1.30
Beans/Peas—Dry—16 oz.	\$1.79
Canned Fish—Pink Salmon	\$2.21
Canned Fish—Sardines	\$1.27
Canned Fish—Tuna	\$1.07
Cereal (per oz.)	\$.33
Cheese, 16 oz.	\$5.51
Eggs	\$1.56
Gerber Infant Cereal—8 oz.	\$2.13
Infant Fruits, 100%—4 oz.	\$.55
Infant Vegetables, 100%—4 oz.	\$.55
Infant Meats, 100%—2.5 oz.	\$.97
Juice—11.5/12 oz.	\$2.13
Juice—48 oz.	\$2.95
Juice—64 oz.	\$3.54
Kosher Cheese	\$7.67
Kosher Low Fat Milk—1/2 gallon	\$2.92
Kosher Whole Milk—1/2 gallon	\$2.95
Milk, Low Fat—1/2 gallon	\$2.34
Milk, Whole—1/2 gallon	\$2.42
Peanut Butter	\$2.80
Whole Grain—Bread, 16 oz.	\$3.61
Whole Grain—Brown Rice, 16 oz.	\$1.88

<i>Description</i>	<i>Competitive Prices</i>
Whole Grain—Oats, 16 oz.	\$1.91
Whole Grain—Soft Corn or Whole Wheat Tortillas, 16 oz.	\$2.08
Good Start Gentle PLUS Concentrate—Orange Formula—13 oz.	\$4.48
Good Start Gentle PLUS Powder—Orange Formula—12 oz.	\$13.89
Good Start Soy PLUS Concentrate—Blue Formula—13 oz.	\$4.64
Good Start Soy PLUS Powder—Blue Formula—12.9 oz.	\$13.89

Maximum Allowable Prices and Competitive Prices for Type 2 Stores in High Cost Counties

Under 28 Pa. Code §§ 1103.4(5) and 1105.3(a)(1) and 7 CFR 246.12, the WIC Program hereby publishes notice of the Maximum Allowable Prices and Competitive Prices for Type 2 Stores in High Cost Counties.

Maximum Allowable Prices

Effective July 1, 2010, through September 30, 2010, the Maximum Allowable Prices the Department will pay Type 2 Stores in High Cost Counties for WIC allowable foods are as follows:

<i>Description</i>	<i>Maximum Allowable Price</i>
Beans, Canned—15.5/16 oz.	\$1.30
Beans/Peas—Dry—16 oz.	\$2.05
Canned Fish—Pink Salmon	\$2.28
Canned Fish—Sardines	\$1.46
Canned Fish—Tuna	\$1.22
Cereal (per oz.)	\$.35
Cheese, 16 oz.	\$6.23
Eggs	\$1.66
Gerber Infant Cereal—8 oz.	\$2.21
Infant Fruits, 100%—4 oz.	\$.64
Infant Vegetables, 100%—4 oz.	\$.64
Infant Meats, 100%—2.5 oz.	\$1.11
Juice—11.5/12 oz.	\$2.56
Juice—48 oz.	\$3.26
Juice—64 oz.	\$4.26
Kosher Cheese	\$7.89
Kosher Low Fat Milk—quart	\$1.63
Kosher Low Fat Milk—1/2 gallon	\$2.96
Kosher Whole Milk—quart	\$1.64
Kosher Whole Milk—1/2 gallon	\$3.04
Milk, Dry—16 oz.	\$4.99
Milk, Evaporated—12 oz.	\$1.40
Milk, Low Fat—quart	\$1.46
Milk, Low Fat—1/2 gallon	\$2.49
Milk, Low Fat Lactose Free—quart	\$2.31
Milk, Low Fat Lactose Free—1/2 gallon	\$4.10
Milk, Whole—quart	\$1.45
Milk, Whole—1/2 gallon	\$2.56
Milk, Whole Lactose Free—quart	\$2.34
Milk, Whole Lactose Free—1/2 gallon	\$4.12
Peanut Butter	\$3.09

<i>Description</i>	<i>Maximum Allowable Price</i>
Soy Beverage—Pacific Natural Foods 32 oz. ...	\$3.70
Soy Beverage—8th Continent 64 oz.	\$3.99
Tofu—Soy Boy/House Premium 12/16 oz.	\$2.20
Whole Grain—Bread, 16 oz.	\$3.84
Whole Grain—Bread, 24 oz.	\$3.84
Whole Grain—Brown Rice, 16 oz.	\$2.19
Whole Grain—Brown Rice, 24 oz.	\$2.99
Whole Grain—Oats, 16 oz.	\$2.11
Whole Grain—Oats, 24 oz.	\$5.45
Whole Grain—Soft Corn or Whole Wheat Tortillas, 16 oz.	\$2.33
Alimentum Advance RTF/Similac Expert Care Alimentum Formula—32 oz.	\$9.74
Alimentum Advance Powder Formula/Similac Expert Care Alimentum—16 oz.	\$27.51
Boost Ready-to-Feed Formula—8 oz.	\$2.19
EnfaCare LIPIL w/Iron Ready to Feed—32 oz.	\$7.74
EnfaCare LIPIL w/Iron Powder Formula—12.8 oz.	\$15.30
Enfamil LIPIL Concentrate Formula—13 oz.	\$4.87
Enfamil LIPIL Ready-to-Feed Formula—32 oz.	\$7.12
Enfamil LIPIL Powder Formula—12.9 oz.	\$14.61
Isomil DF RTF/Similac Expert Care for Diarrhea Formula—32 oz.	\$6.64
Good Start Gentle PLUS Concentrate—Orange Formula—13 oz.	\$4.78
Good Start Gentle PLUS Ready-To-Feed—Orange Formula—32 oz.	\$6.86
Good Start Gentle PLUS Powder—Orange Formula—12 oz.	\$14.47
Good Start Soy PLUS Concentrate—Blue Formula—13 oz.	\$4.95
Good Start Soy PLUS Ready-to-Feed—Blue Formula—32 oz.	\$6.91
Good Start Soy PLUS Powder—Blue Formula—12.9 oz.	\$14.47
Good Start Soy PLUS 2 Powder—Blue w/blue—24 oz.	\$22.34
Good Start Gentle Plus 2 Powder—Blue w/orange—24 oz.	\$22.19
Good Start Protect PLUS 2 Powder—Blue w/green—24 oz.	\$26.44
Good Start Protect PLUS 2 Powder—Green—12 oz.	\$16.28
Good Start Nourish PLUS Powder—Purple—12 oz.	\$10.79
Nutramigen Lipil Concentrate Formula—13 oz.	\$7.51
Nutramigen Lipil Ready-to-Feed Formula—32 oz.	\$9.20
Nutramigen Lipil Powder Formula—16 oz.	\$27.39
Nutramigen Lipil w/Enflora Powder Formula—12.6 oz.	\$23.82
Pediasure Ready-to-Feed Formula—8 oz.	\$2.29

<i>Description</i>	<i>Maximum Allowable Price</i>
Pediasure w/Fiber Ready-to-Feed Formula—8 oz.	\$2.22
Similac Advance Concentrate Formula—13 oz.	\$4.70
Similac Advance Ready-to-Feed Formula—32 oz.	\$6.71
Similac Advance Powder Formula—12.9 oz. ...	\$14.44
Similac Advance Powder Formula—12.4 oz. ...	\$14.44
Similac Neosure Advance RTF/Similac Expert Care NeoSure RTF Formula—32 oz.	\$7.93
Similac Neosure Advance Powder Formula—12.8 oz.	\$16.68
Similac Expert Care NeoSure—13.1 oz.	\$16.68
Store Brand Milk Based Concentrate—13 oz.	\$2.95
Store Brand Milk Based Formula—Ready-to-Feed—32 oz.	\$4.05
Store Brand Milk Based Formula—Powder—25.75 oz.	\$16.99

A store must permit purchase of WIC allowable foods that exceed the maximum allowable price to WIC participants using a WIC check; however, the amounts that exceed the maximum allowable price of any WIC allowable foods sold to WIC participants will be billed to the store on a quarterly basis in accordance with 28 Pa. Code § 1105.2.

Competitive Prices

To remain WIC Authorized, each store must maintain the minimum inventory of the following WIC food items at, or below, the Competitive Prices listed for the store's peer group. Effective July 1, 2010, through September 30, 2010, the Competitive Prices for WIC Authorization for Type 2 Stores in High Cost Counties are as follows:

<i>Description</i>	<i>Competitive Prices</i>
Beans, Canned—15.5/16 oz.	\$1.30
Beans/Peas—Dry—16 oz.	\$1.79
Canned Fish—Pink Salmon	\$2.21
Canned Fish—Sardines	\$1.43
Canned Fish—Tuna	\$1.14
Cereal (per oz.)	\$.35
Cheese, 16 oz.	\$5.51
Eggs	\$1.56
Gerber Infant Cereal—8 oz.	\$2.21
Infant Fruits, 100%—4 oz.	\$.64
Infant Vegetables, 100%—4 oz.	\$.64
Infant Meats, 100%—2.5 oz.	\$1.08
Juice—11.5/12 oz.	\$2.38
Juice—48 oz.	\$3.12
Juice—64 oz.	\$3.90
Kosher Cheese	\$7.67
Kosher Low Fat Milk—1/2 gallon	\$2.92
Kosher Whole Milk—1/2 gallon	\$2.95
Milk, Low Fat—1/2 gallon	\$2.34
Milk, Whole—1/2 gallon	\$2.42
Peanut Butter	\$2.80

<i>Description</i>	<i>Competitive Prices</i>
Whole Grain—Bread, 16 oz.	\$3.61
Whole Grain—Brown Rice, 16 oz.	\$2.17
Whole Grain—Oats, 16 oz.	\$2.08
Whole Grain—Soft Corn or Whole Wheat Tortillas, 16 oz.	\$2.25
Good Start Gentle PLUS Concentrate—Orange Formula—13 oz.	\$4.78
Good Start Gentle PLUS Powder—Orange Formula—12 oz.	\$14.47
Good Start Soy PLUS Concentrate—Blue Formula—13 oz.	\$4.95
Good Start Soy PLUS Powder—Blue Formula—12.9 oz.	\$14.47

Maximum Allowable Prices and Competitive Prices for Type 3 Stores in High Cost Counties

Under 28 Pa. Code §§ 1103.4(5) and 1105.3(a)(1) and 7 CFR 246.12, the WIC Program hereby publishes notice of the Maximum Allowable Prices and Competitive Prices for Type 3 Stores in High Cost Counties.

Maximum Allowable Prices

Effective July 1, 2010, through September 30, 2010, the Maximum Allowable Prices the Department will pay Type 3 Stores in High Cost Counties for WIC allowable foods are as follows:

<i>Description</i>	<i>Maximum Allowable Price</i>
Beans, Canned—15.5/16 oz.	\$1.30
Beans/Peas—Dry—16 oz.	\$2.05
Canned Fish—Pink Salmon	\$2.30
Canned Fish—Sardines	\$1.46
Canned Fish—Tuna	\$1.24
Cereal (per oz.)	\$.37
Cheese, 16 oz.	\$7.09
Eggs	\$1.66
Gerber Infant Cereal—8 oz.	\$2.42
Infant Fruits, 100%—4 oz.	\$.81
Infant Vegetables, 100%—4 oz.	\$.81
Infant Meats, 100%—2.5 oz.	\$1.18
Juice—11.5/12 oz.	\$2.75
Juice—48 oz.	\$3.28
Juice—64 oz.	\$4.26
Kosher Cheese	\$7.89
Kosher Low Fat Milk—quart	\$1.63
Kosher Low Fat Milk—1/2 gallon	\$3.03
Kosher Whole Milk—quart	\$1.64
Kosher Whole Milk—1/2 gallon	\$3.05
Milk, Dry—16 oz.	\$4.99
Milk, Evaporated—12 oz.	\$1.40
Milk, Low Fat—quart	\$1.57
Milk, Low Fat—1/2 gallon	\$2.61
Milk, Low Fat Lactose Free—quart	\$2.39
Milk, Low Fat Lactose Free—1/2 gallon	\$4.10
Milk, Whole—quart	\$1.59
Milk, Whole—1/2 gallon	\$2.66
Milk, Whole Lactose Free—quart	\$2.42

<i>Description</i>	<i>Maximum Allowable Price</i>
Milk, Whole Lactose Free—1/2 gallon	\$4.12
Peanut Butter	\$3.09
Soy Beverage—Pacific Natural Foods 32 oz.	\$3.70
Soy Beverage—8th Continent 64 oz.	\$3.99
Tofu—Soy Boy/House Premium 12/16 oz.	\$2.62
Whole Grain—Bread, 16 oz.	\$3.84
Whole Grain—Bread, 24 oz.	\$3.84
Whole Grain—Brown Rice, 16 oz.	\$2.31
Whole Grain—Brown Rice, 24 oz.	\$2.99
Whole Grain—Oats, 16 oz.	\$2.73
Whole Grain—Oats, 24 oz.	\$5.45
Whole Grain—Soft Corn or Whole Wheat Tortillas, 16 oz.	\$2.45
Alimentum Advance RTF/Similac Expert Care Alimentum Formula—32 oz.	\$10.33
Alimentum Advance Powder Formula/Similac Expert Care Alimentum—16 oz.	\$30.11
Boost Ready-to-Feed Formula—8 oz.	\$2.19
EnfaCare LIPIL w/Iron Ready to Feed—32 oz.	\$9.01
EnfaCare LIPIL w/Iron Powder Formula—12.8 oz.	\$17.26
Enfamil LIPIL Concentrate Formula—13 oz.	\$5.66
Enfamil LIPIL Ready-to-Feed Formula—32 oz.	\$8.45
Enfamil LIPIL Powder Formula—12.9 oz.	\$16.70
Isomil DF RTF/Similac Expert Care for Diarrhea Formula—32 oz.	\$8.54
Good Start Gentle PLUS Concentrate—Orange Formula—13 oz.	\$5.74
Good Start Gentle PLUS Ready—To—Feed—Orange Formula—32 oz.	\$8.14
Good Start Gentle PLUS Powder—Orange Formula—12 oz.	\$16.36
Good Start Soy PLUS Concentrate—Blue Formula—13 oz.	\$5.53
Good Start Soy PLUS Ready-to-Feed—Blue Formula—32 oz.	\$7.47
Good Start Soy PLUS Powder—Blue Formula—12.9 oz.	\$16.36
Good Start Soy PLUS 2 Powder—Blue w/blue—24 oz.	\$22.58
Good Start Gentle Plus 2 Powder—Blue w/orange—24 oz.	\$22.79
Good Start Protect PLUS 2 Powder—Blue w/green—24 oz.	\$26.44
Good Start Protect PLUS 2 Powder—Green—12 oz.	\$16.28
Good Start Nourish PLUS Powder—Purple—12 oz.	\$12.83
Nutramigen Lipil Concentrate Formula—13 oz.	\$8.63
Nutramigen Lipil Ready-to-Feed Formula—32 oz.	\$10.94
Nutramigen Lipil Powder Formula—16 oz.	\$30.29
Nutramigen Lipil w/Enflora Powder Formula—12.6 oz.	\$25.15

<i>Description</i>	<i>Maximum Allowable Price</i>
Pediasure Ready-to-Feed Formula—8 oz.	\$2.64
Pediasure w/Fiber Ready-to-Feed Formula—8 oz.	\$2.63
Similac Advance Concentrate Formula—13 oz.	\$5.59
Similac Advance Ready-to-Feed Formula—32 oz.	\$8.04
Similac Advance Powder Formula—12.9 oz.	\$16.51
Similac Advance Powder Formula—12.4 oz.	\$16.51
Similac Neosure Advance RTF/Similac Expert Care NeoSure RTF Formula—32 oz.	\$9.99
Similac Neosure Advance Powder Formula—12.8 oz.	\$19.19
Similac Expert Care NeoSure—13.1 oz.	\$19.19
Store Brand Milk Based Formula Concentrate—13 oz.	\$3.24
Store Brand Milk Based Formula—Ready-to-Feed—32 oz.	\$4.82
Store Brand Milk Based Formula—Powder—25.75 oz.	\$17.99

A store must permit purchase of WIC allowable foods that exceed the maximum allowable price to WIC participants using a WIC check; however, the amounts that exceed the maximum allowable price of any WIC allowable foods sold to WIC participants will be billed to the store on a quarterly basis in accordance with 28 Pa. Code § 1105.2.

Competitive Prices

To remain WIC Authorized, each store must maintain the minimum inventory of the following WIC food items at, or below, the Competitive Prices listed for the store's peer group. Effective July 1, 2010, through September 30, 2010, the Competitive Prices for WIC Authorization for Type 3 Stores in High Cost Counties are as follows:

<i>Description</i>	<i>Competitive Prices</i>
Beans, Canned—15.5/16 oz.	\$1.30
Beans/Peas—Dry—16 oz.	\$1.79
Canned Fish—Pink Salmon	\$2.29
Canned Fish—Sardines	\$1.43
Canned Fish—Tuna	\$1.22
Cereal (per oz.)	\$.37
Cheese, 16 oz.	\$5.83
Eggs	\$1.56
Gerber Infant Cereal—8 oz.	\$2.42
Infant Fruits, 100%—4 oz.	\$.79
Infant Vegetables, 100%—4 oz.	\$.79
Infant Meats, 100%—2.5 oz.	\$1.16
Juice—11.5/12 oz.	\$2.71
Juice—48 oz.	\$3.26
Juice—64 oz.	\$4.03
Kosher Cheese	\$7.67
Kosher Low Fat Milk—1/2 gallon	\$3.03
Kosher Whole Milk—1/2 gallon	\$3.05
Milk, Low Fat—1/2 gallon	\$2.57
Milk, Whole—1/2 gallon	\$2.61

<i>Description</i>	<i>Competitive Prices</i>
Peanut Butter	\$2.99
Whole Grain—Bread, 16 oz.	\$3.61
Whole Grain—Brown Rice, 16 oz.	\$2.30
Whole Grain—Oats, 16 oz.	\$2.71
Whole Grain—Soft Corn or Whole Wheat Tortillas, 16 oz.	\$2.43
Good Start Gentle PLUS Concentrate—Orange Formula—13 oz.	\$5.74
Good Start Gentle PLUS Powder—Orange Formula—12 oz.	\$16.36
Good Start Soy PLUS Concentrate—Blue Formula—13 oz.	\$5.53
Good Start Soy PLUS Powder—Blue Formula—12.9 oz.	\$16.36

Persons with a disability who require an alternative format of this listing (for example, large print, audiotape, Braille), should contact Chris Harr, Department of Health, Division of WIC, 2150 Herr Street, 1st Floor, Harrisburg, PA 17105, (717) 783-1289, or for speech and/or hearing impaired persons V/TT (717) 783-6514, or the Pennsylvania AT&T Relay Service at (800) 654-5984.

EVERETTE JAMES,
Secretary

[Pa.B. Doc. No. 10-1174. Filed for public inspection June 25, 2010, 9:00 a.m.]

DEPARTMENT OF PUBLIC WELFARE

Availability of the Low-Income Home Energy Assistance Program; Proposed State Plan and Public Hearing Schedule

Purpose of Notice

The Department of Public Welfare (Department) is making available for public review and comment the Fiscal Year (FY) 2010-2011 Low-Income Home Energy Assistance Program (LIHEAP) proposed State Plan. Comments on this notice and testimony received at public hearings will be used to formulate the Department's final State Plan for using Federal funds for FY 2010-2011 LIHEAP.

The Department will make the proposed State Plan available to the public through the Department's web site at www.dpw.state.pa.us/ServicesPrograms/LIHEAP/. In addition, copies of the proposed State Plan will be available upon written request to Director, Division of Federal Programs and Program Management, Department of Public Welfare, DGS Annex, Room 224, Willow Oak Building, 1006 Hemlock Drive, Harrisburg, PA 17110.

The Department will hold three public hearings throughout this Commonwealth to allow testimony on the proposed State Plan and to fulfill the Federal mandate for public input into the planning process. This mandate appears in Title XXVI (The Low-Income Home Energy Assistance Act of 1981) of the Omnibus Budget Reconciliation Act of 1981 (Pub. L. No. 97-35, 42 U.S.C.A.

§§ 8621—8629) as amended by the Human Services Reauthorization Act of 1984 (Pub. L. No. 98-558), the Human Services Reauthorization Act of 1986 (Pub. L. No. 99-425), the Augustus F. Hawkins Human Services Reauthorization Act of 1990 (Pub. L. No. 101-501), the National Institutes of Health Revitalization Act of 1993 (Pub. L. No. 103-43), the Low-Income Home Energy Assistance Amendments of 1994 (Pub. L. No. 103-252), the Coats Human Services Reauthorization Act of 1998 (Pub. L. No. 105-285), and the Energy Policy Act of 2005 (Pub. L. No. 109-58).

Public Hearing Schedule:

July 13, 2010
10 a.m.—1 p.m.
Philadelphia Workforce Development Corporation
One Penn Center at Suburban Station
1617 JFK Boulevard
Philadelphia, PA

July 15, 2010
9:30 a.m.—1 p.m.
Health and Welfare Building
Room 907, 9th Floor
Commonwealth and Forster Streets
Harrisburg, PA

July 22, 2010
9 a.m.—12 p.m.
Allegheny County Courthouse
Gold Room, 4th Floor
436 Grant Street
Pittsburgh, PA

This notice shall take effect upon publication in the *Pennsylvania Bulletin*.

Public Comment

Persons who wish to testify on the proposed State Plan at a public hearing should arrange a time by telephoning (717) 772-7906. Persons from outside the Harrisburg area should call (800) 692-7462 or send a written request, including telephone number, to Tammy Sampson, Federal Programs and Program Management, Room 224, Willow Oak Building No. 42, DGS Annex Complex, P. O. Box 2675, Harrisburg, PA 17105-2675.

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

HARRIET DICHTER,
Secretary

[Pa.B. Doc. No. 10-1175. Filed for public inspection June 25, 2010, 9:00 a.m.]

Establishment of an Additional Class of Disproportionate Share Payments

Purpose of Notice

The Department of Public Welfare (Department) is announcing its intent to establish an additional class of disproportionate share hospital (DSH) payments to certain qualifying hospitals that the Department determines provide a high volume of services to Medical Assistance (MA) eligible and low-income populations. The Department intends for these payments to promote the hospitals' continued participation in the MA Program.

The Department intends to consider a hospital eligible for this additional class of DSH payments if the hospital is an acute care hospital that meets all of the criteria listed as follows.

a) The hospital is located in a county that exceeds the 96th percentile of the unduplicated number of persons eligible for MA, by county. (January 2010 MA unduplicated eligibility report).

b) The hospital provides more than 58,000 patient days of service as reported on its 2007-2008 State Fiscal Year (FY) MA cost report (MA-336).

c) The hospital's ratio of Pennsylvania MA days to total hospital days is more than 20.0% as reported on its 2007-2008 State FY MA-336.

d) The hospital's FY 2008 Uncompensated Care percentage of Net Patient Revenue is greater than 2.4%, as reported in the Pennsylvania Health Care Cost Containment Council's Fiscal Year 2008 Financial Analysis, Volume One, General Acute Care Hospitals.

e) The hospital's FY 2008 operating margin is less than -3.4%, as reported in the Health Care Cost Containment Council's Fiscal Year 2008 Financial Analysis, Volume One, General Acute Care Hospitals.

Payments will be divided proportionately between qualifying hospitals based on the percentage of each qualifying hospital's MA inpatient days to total MA inpatient days of all qualifying facilities. In making these payments, the Department will ensure that no acute care hospital will receive any DSH payment that is in excess of its hospital-specific limit and the Commonwealth will not exceed its aggregate annual DSH allotment. Any funds available due to the application of the hospital-specific DSH upper payment limit will be redistributed to other hospitals qualifying under this class of disproportionate share payments on a proportionate basis.

Fiscal Impact

The FY 2009-2010 fiscal impact as a result of this additional class of DSH payments is \$1.882 million (\$0.851 million in State General Funds).

Public Comment

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

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

HARRIET DICHTER,
Secretary

Fiscal Note: 14-NOT-651. (1) General Fund; (2) Implementing Year 2009-10 is \$851,000; (3) 1st Succeeding Year 2010-11 is \$851,000; 2nd Succeeding Year 2011-12 is \$851,000; 3rd Succeeding Year 2012-13 is \$851,000; 4th Succeeding Year 2013-14 is \$851,000; 5th Succeeding Year 2014-15 is \$851,000; (4) 2008-09 Program—\$426,822,000; 2007-08 Program—\$468,589,000; 2006-07 Program—\$513,020,000; (8) recommends adoption. Funds have been included in the budget to cover this increase.

[Pa.B. Doc. No. 10-1176. Filed for public inspection June 25, 2010, 9:00 a.m.]

Inpatient Hospital Services

Purpose of Notice

The Department of Public Welfare (Department) is announcing its intent to implement a revised Medical Assistance (MA) payment methodology for inpatient hospital services provided on a fee-for-service basis in acute care general hospitals. More specifically, the Department intends to change the classification system used for determining Diagnosis-Related Groups (DRGs), and to revise the manner in which it calculates a hospital's DRG base payment rate and outlier payments.

Background

Currently, under its Fee-for-Service program, the Department pays for acute care inpatient hospital services under a prospective DRG payment system. Under this system, a patient is classified into a DRG based on the patient's diagnoses, age, sex, the procedures performed and the patient's discharge status. The Department has computed a relative value for each DRG to reflect the relative costliness of that DRG. In addition, the Department has established a base DRG payment rate for each hospital. To determine the DRG payment amount for an inpatient stay at an acute care hospital, the Department multiplies the hospital's DRG base payment rate by the relative value of the DRG into which the patient stay has been classified. The DRG payment is considered to be payment in full for a hospital stay unless the stay qualifies as either a day or cost outlier, in which case the Department makes an additional payment.

In addition to the DRG payments, under the currently approved State Plan, the Department makes various types of supplemental payments to hospitals that meet certain criteria. Except for inpatient disproportionate share payments, which are required under Federal law, these supplemental payments are optional, and may be revised by the Department, depending upon, among other things, the Commonwealth's financial circumstances.

The Commonwealth is considering enactment of legislation authorizing the Department to impose an assessment on hospitals. If the legislation is enacted, the assessment is expected to generate approximately \$376 million in additional State revenue. This revenue, together with the related Federal matching funds, will enable the Department to update and improve its DRG prospective payment system for inpatient acute care general hospital services. The additional revenue may also enable the Department to not only continue its existing supplemental payments, but establish other supplemental payments to hospitals that meet certain qualifications.¹ Taking into account the DRG and supplemental payments, the Department projects that the assessment revenues and associated Federal matching funds may permit an overall increase in aggregate payments to MA acute care hospital providers in FY 2010-2011.

Proposed Changes

All Patient Refined-Diagnosis Related Group (APR DRG) Classification System

The DRG classification system currently used by the Department was developed and maintained by the U.S. Department of Health and Human Services (HHS) for use with the Medicare Program. In 2007, HHS adopted a new classification system called Medicare Severity Diagnosis-

¹ The Department will publish a separate notice describing any proposed changes to the supplemental payments made to acute care general hospitals, psychiatric hospitals and rehabilitation hospitals.

Related Groups (MS-DRGs) which was designed to meet the needs of the Medicare Program. Since the implementation of MS-DRGs, HHS has stopped maintaining and updating the DRG classification system currently used by the Department.

The Department anticipates that it may be increasingly difficult to maintain the current DRG classification system given that it is no longer supported by HHS. As a result, and based upon input from providers and their representatives, and the recommendation of the Hospital and Healthsystem Association of Pennsylvania (HAP), the Department is proposing the use of the All Patient Refined-Diagnosis Related Group (APR DRG) system for the classification of inpatient stays into DRGs. The APR DRG system follows the basic DRG logic for classification of patients based on diagnoses, procedures performed, sex, age and discharge status. APR DRG uses four severity-of-illness levels and four risk of mortality levels within each DRG to evaluate the interactions of multiple co-morbidities, age, procedures and principal diagnosis. The APR DRG system was designed for use with all patient populations and reflects the complete cross-section of patients seen in an inpatient acute care setting.

In conjunction with the adoption of the APR/DRG classification system, the Department intends to establish an observation rate for hospital cases for which an inpatient admission is not medically necessary but medical observation of a patient is required.

The Department believes the APR DRG system will appropriately address the classification of the MA population, while allowing hospitals to code claims accurately and completely. As such, the APR DRG system will support the efforts of the Commonwealth and hospitals to improve efficiency and quality of care in the inpatient setting.

Calculation of DRG Base Rate and Relative Values

In addition to implementing APR DRG payment methodology, the Department intends to update the relative values used in the APR DRG system, and modify the manner in which it determines a hospital's base DRG payment rate. The Department will determine new relative values for the APR DRG system.

Rather than determining a DRG base payment rate based on each hospital's costs and then inflating this rate, the Department will first determine a statewide average of MA fee-for-services cost per discharge standardized for case mix. In determining this Statewide average, the Department will use the most currently available hospital cost and statistical data. After it determines the Statewide average cost, the Department intends to adjust this average to reflect hospital characteristics that may significantly impact the costs that a hospital incurs in delivering inpatient services, and to ensure the resulting payment rates are consistent with the assessment revenue. These adjustments will take into account regional labor costs, teaching status, capital and MA patient levels and assessment revenue. The Department anticipates that once established, the DRG base payment rate will be in effect for at least 3 years. The Department expects that these changes will more closely reflect the resources expended by hospitals to treat MA patients.

Outlier Payments

Currently, the Department recognizes two categories of outlier cases for which it makes payments in addition to DRG payments: day outliers for lengthy inpatient hos-

pital stays; and cost outlier payments for expensive burn and neonatal inpatient stays.²

The Department intends to revise its outlier policies by eliminating day outlier payments and authorizing high and low cost outlier payment adjustments for all DRGs if certain conditions are met. These changes will provide stop loss coverage for hospitals, ensure that the Department's payments are consistent with efficiency and economy and make the Department's outlier policies more in line with those of other health care payers and insurance carriers.

For high cost outlier cases, the Department is proposing to pay 80% of costs for an inpatient stay that exceeds a predetermined, universal cost outlier threshold for all qualified DRG payments after considering the DRG base payment. The Department is also proposing to pay 100% of costs for an inpatient stay that exceed a predetermined, universal cost outlier threshold for qualified burn, transplant and neonatal inpatient cases after considering the DRG base payment.

For low cost outlier cases (that is, cases where the DRG payment exceeds the hospital's cost of providing treatment by a predetermined universal low cost outlier threshold), the Department intends to limit payments by a percentage of the revenue that exceeds the total of the cost and the low cost outlier threshold.

Fiscal Impact

The revenue derived from the Statewide hospital assessment will offset the state fund costs associated with these changes to the hospital payment methodology; therefore, there is no State fund fiscal impact.

Public Comment

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

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

HARRIET DICHTER,
Secretary

Fiscal Note: 14-NOT-650. No fiscal impact; (8) recommendations adoption.

[Pa.B. Doc. No. 10-1177. Filed for public inspection June 25, 2010, 9:00 a.m.]

Medical Assistance Program Fee Schedule for Select Services in the Consolidated and Person/Family Directed Support Waivers and Community Mental Retardation Base Program

Purpose of Notice

This notice announces the Department of Public Welfare's (Department) proposed payment rates for select services provided in the Consolidated and Person/Family

² See 55 Pa. Code § 1163.56 (relating to outliers), which specifies the current requirements and additional payment amounts for day and cost outliers.

Directed Support (P/FDS) waivers (waivers) to the Medical Assistance (MA) Program Fee Schedule effective July 1, 2010. These proposed fee schedule payment rates also serve as the Department's established fees under 55 Pa. Code § 4300.115(a) (relating to Department established fees) for base-funded services managed through county programs for individuals with mental retardation under the Mental Health and Mental Retardation Act of 1966, 50 P. S. §§ 4104—4704, and 55 Pa. Code Chapter 4300 (relating to county mental health and mental retardation fiscal manual).

The services selected for inclusion on the MA fee schedule are listed as follows under the following categories: Select Community-Based Services; Unlicensed Out-of-Home Respite and Respite Camp "Ineligible" Services (Room and Board); Agency with Choice/Financial Management Services, Excluding Benefits; and Agency With Choice/Financial Management Services, Including Benefits.

In addition, three services are added to Select Community-Based services on the 2010-2011 MA Program Fee Schedule: supplemental habilitation, additional individualized staffing and older adult day habilitation. Supplemental habilitation and additional individualized staffing services will also require prior authorization from the Department.

The Department established proposed rates for each of the selected services on the MA Program Fee Schedule based on allowable cost components. Some of the Fiscal Year (FY) 2010-2011 (10-11) allowable cost components were adjusted from the FY 2009-2010 (09-10) rates. Specifically, for some of the FY 10-11 rates on the Select Community-Based Services table, the Department factored in a travel reimbursement rate obtained from actual FY 09-10 therapy providers in each of the four geographic areas. The Department also factored in a productivity time which reflects current practice Statewide for all therapy services. Similar adjustments for travel reimbursement and productivity time were made for the nursing and supports broker services in FY 10-11.

Once the proposed fee schedule rates were established, the Department adjusted the proposed rates based on

wage differences for four geographic areas as identified as follows. These geographic area adjustments were not made to the proposed rates for unlicensed out-of-home respite and respite camp ineligible services. Proposed rates for those services were based on expected meal costs consistent with data published by the United States Department of Agriculture and do not vary by geographic area.

There is no Cost of Living Adjustment (COLA) applied to any of the proposed fee schedule rates in FY 10-11. The Governor's executive budget for FY 10-11 included a 1.0286% reduction in the appropriation for waiver services. The Department reduced all proposed fee schedule rates by 1.0286% to account for the proposed appropriation reduction.

The proposed fee schedule rates are contingent on the final budget enacted by the General Assembly. The proposed fee schedule rates should be used to process claims submitted to the Provider Reimbursement and Operations Management Information System in electronic format (PROMISE™) during FY 10-11 until a notice announcing final fee schedule rates is published.

Geographic Areas:

Area 1:

Bucks, Chester, Delaware, Lehigh, Montgomery, Northampton, Philadelphia

Area 2:

Adams, Allegheny, Beaver, Berks, Carbon, Cumberland, Dauphin, Erie, Franklin, Fulton, Greene, Lancaster, Lawrence, Lebanon, Monroe, Perry, Pike, Schuylkill, Washington, York

Area 3:

Armstrong, Bradford, Butler, Cameron, Centre, Clarion, Clinton, Columbia, Crawford, Elk, Forest, Indiana, Huntingdon, Juniata, Lackawanna, Luzerne, Lycoming, McKean, Mercer, Mifflin, Montour, Northumberland, Potter, Snyder, Sullivan, Susquehanna, Tioga, Union, Venango, Warren, Wayne, Westmoreland, Wyoming

Area 4:

Bedford, Blair, Cambria, Clearfield, Fayette, Jefferson, Somerset

Fee Schedule Rates Tables:

Select Community-Based Services*

* Modifier ET must be used with applicable procedure codes when billing for temporary base-funded services.

(PA) Prior authorization by ODP must be obtained for this service.

Service	Procedure Code	Modifier	Provider Type	Specialty Code	Unit	Area 1	Area 2	Area 3	Area 4
Nursing Services: LPN	T2025	TE	05	051	15 minutes	\$10.91	\$10.20	\$9.68	\$8.80
		TE & ET							
		TE	16	161					
		TE & ET							
Nursing Services: RN	T2025	TD	05	051	15 minutes	\$16.38	\$15.32	\$14.53	\$13.21
		TD & ET							
		TD	16	160					
		TD & ET							
Physical Therapy	T2025	GP	17	170	15 minutes	\$19.99	\$18.70	\$17.74	\$16.12
		GP & ET							

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<i>Service</i>	<i>Procedure Code</i>	<i>Modifier</i>	<i>Provider Type</i>	<i>Specialty Code</i>	<i>Unit</i>	<i>Area 1</i>	<i>Area 2</i>	<i>Area 3</i>	<i>Area 4</i>
Occupational Therapy	T2025	GO	17	171	15 minutes	\$21.07	\$19.71	\$18.69	\$16.99
		GO & ET							
Speech and Language Therapy	T2025	GN	17	173	15 minutes	\$21.50	\$20.11	\$19.07	\$17.34
		GN & ET							
Individual Behavioral Therapy	T2025	HE	19	208	15 minutes	\$20.58	\$19.25	\$18.25	\$16.59
		HE & ET							
Group Behavioral Therapy	T2025	HE & HQ	19	208	15 minutes	\$5.15	\$4.81	\$4.57	\$4.15
		HE, HQ & ET							
Visual/Mobility Therapy	W7246		51	517	15 minutes	\$21.51	\$20.12	\$19.08	\$17.34
		ET							
Companion Services, Basic staff support	W1724		51	363	15 minutes	\$.77	\$.72	\$.68	\$.62
		ET							
Companion Services, level 1	W1725		51	363	15 minutes	\$.97	\$.91	\$.86	\$.78
		ET							
Companion Services, level 2	W1726		51	363	15 minutes	\$2.05	\$1.92	\$1.82	\$1.65
		ET							
Companion Services, level 3	W1727		51	363	15 minutes	\$4.60	\$4.31	\$4.08	\$3.71
		ET							
Supplemental Habilitation, 1:1(PA)	W7070		52	456, 520, 521 or 522	15 minutes	\$4.82	\$4.51	\$4.28	\$3.89
		ET							
Supplemental Habilitation, 2:1(PA)	W7084		52	456, 520, 521 or 522	15 minutes	\$9.65	\$9.03	\$8.56	\$7.78
		ET							
Additional Individualized Staffing, 1:1(PA)	W7085		52	456, 520, 521 or 522	15 minutes	\$4.82	\$4.51	\$4.28	\$3.89
Additional Individualized Staffing, 2:1(PA)	W7086		52	456, 520, 521 or 522	15 minutes	\$9.65	\$9.03	\$8.56	\$7.78
Older Adult Day Habilitation	W7094		51	410	15 minutes	\$2.85	\$2.67	\$2.53	\$2.30
		ET							
Behavioral Support	W7095		51	510	15 minutes	\$21.30	\$19.92	\$18.89	\$17.18
		ET							
Supports Broker	W7096		51	510	15 minutes	\$10.74	\$10.05	\$9.53	\$8.66

<i>Service</i>	<i>Procedure Code</i>	<i>Modifier</i>	<i>Provider Type</i>	<i>Specialty Code</i>	<i>Unit</i>	<i>Area 1</i>	<i>Area 2</i>	<i>Area 3</i>	<i>Area 4</i>
Homemaker/ Chore (permanent)	W7283		43	430	1 hour	\$22.63	\$21.17	\$20.08	\$18.25
			51	430 or 431					
			55	430 or 431					
Homemaker/ Chore (temporary)	W7283	UA	43	430					
		UA & ET							
		UA	51	430 or 431					
		UA & ET							
		UA	45	430 or 431					
		UA & ET							

Unlicensed Out-of-Home Respite and Respite Camp Ineligible Services (Room and Board)

<i>Service</i>	<i>Procedure Code</i>	<i>Provider Type</i>	<i>Specialty Code</i>	<i>Unit</i>	<i>Areas 1 through 4</i>		
Respite—unlicensed, out of home, ineligible	W6060	51	513	1 day	\$12.00/unit, max of 1 ineligible unit per day		
	W6061	51	513				
	W6062	51	513				
		54	540 or 541				
	W6063	51	513				
		54	540 or 541				
	W6064	51	513				
		54	540 or 541				
	W6065	51	513	15 minutes	\$4.00/unit, max of 3 ineligible units per day		
		54	540 or 541				
	W6066	51	513				
	W6067	51	513				
	W6068	51	513				
		54	540 or 541				
W6069	51	513					
	54	540 or 541					
W6070	51	513					
	54	540 or 541					
W6071	51	513					
	54	540 or 541					
Respite—camp, ineligible	W8400	55	555			15 minutes	\$4.00/unit, max of 3 ineligible units per day
		54	540 or 541				
	W8401	55	554	1 day	\$12.00/unit, max of 1 ineligible unit per day		
		54	540 or 541				

Agency with Choice Financial Management Services, Excluding Benefits**

** Modifier U4 must be used with all procedures codes when billing for services excluding benefits.

<i>Service</i>	<i>Procedure Code</i>	<i>Modifier**</i>	<i>Provider Type</i>	<i>Specialty Code</i>	<i>Unit</i>	<i>Area 1</i>	<i>Area 2</i>	<i>Area 3</i>	<i>Area 4</i>
Companion, level 3	W1727	U4	54	540	15 minutes	\$3.03	\$2.84	\$2.69	\$2.45
Unlicensed Habilitation, level 3	W7060	U4	54	540	15 minutes	\$5.02	\$4.70	\$4.45	\$4.05
Unlicensed Habilitation, level 3, enhanced	W7061	U4	54	540	15 minutes	\$8.30	\$7.77	\$7.36	\$6.70
		TD & U4							
		TE & U4							

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<i>Service</i>	<i>Procedure Code</i>	<i>Modifier**</i>	<i>Provider Type</i>	<i>Specialty Code</i>	<i>Unit</i>	<i>Area 1</i>	<i>Area 2</i>	<i>Area 3</i>	<i>Area 4</i>
Unlicensed Habilitation, level 4	W7068	U4	54	540	15 minutes	\$10.03	\$9.38	\$8.90	\$8.09
Unlicensed Habilitation, level 4, enhanced	W7069	U4	54	540	15 minutes	\$16.60	\$15.53	\$14.72	\$13.38
		TD & U4							
		TE & U4							
Supports Broker	W7096	U4	54	540	15 minutes	\$6.09	\$5.70	\$5.40	\$4.91
Respite—unlicensed, in home, level 2	W7250	U4	54	540	1 day	\$220.84	\$206.59	\$195.91	\$178.10
	W7258	U4	54	540	15 minutes	\$3.45	\$3.23	\$3.06	\$2.78
Respite—unlicensed, in home, level 2, enhanced	W7251	U4	54	540	1 day	\$473.73	\$443.17	\$420.25	\$382.04
		TD & U4							
		TE & U4							
	W7264	U4	54	540	15 minutes	\$7.40	\$6.93	\$6.57	\$5.97
		TD & U4							
		TE & U4							
Respite—unlicensed in home, level 3	W7252	U4	54	540	1 day	\$441.68	\$413.19	\$391.81	\$356.19
	W7265	U4	54	540	15 minutes	\$6.90	\$6.46	\$6.12	\$5.57
Respite—unlicensed, in home, level 3, enhanced	W7253	U4	54	540	1 day	\$947.46	\$886.34	\$840.49	\$764.08
		TD & U4							
		TE & U4							
	W7266	U4	54	540	15 minutes	\$14.80	\$13.84	\$13.13	\$11.93
		TD & U4							
		TE & U4							
Homemaker/Chore	W7283	U4	54	540	1 hour	\$13.28	\$12.43	\$11.78	\$10.71
		UA & U4							
Respite—unlicensed, out of home, level 2	W8002	U4	54	540	1day	\$220.84	\$206.59	\$195.91	\$178.10
	W8012	U4	54	540	15 minutes	\$3.45	\$3.23	\$3.06	\$2.78
Respite—unlicensed, out of home, level 2, enhanced	W8003	U4	54	540	1 day	\$473.73	\$443.17	\$420.25	\$382.04
		TD & U4							
		TE & U4							
	W8013	U4	54	540	15 minutes	\$7.40	\$6.93	\$6.57	\$5.97
		TD & U4							
		TE & U4							
Respite—unlicensed, out of home, level 3	W8004	U4	54	540	1 day	\$441.68	\$413.19	\$391.81	\$356.19
	W8014	U4	54	540	15 minutes	\$6.90	\$6.46	\$6.12	\$5.57
Respite—unlicensed, out of home, level 3, enhanced	W8005	U4	54	540	1 day	\$947.46	\$886.34	\$840.49	\$764.08
		TD & U4							
		TE & U4							
	W8015	U4	54	540	15 minutes	\$14.80	\$13.84	\$13.13	\$11.93
		TD & U4							
		TE & U4							

Agency with Choice Financial Management Services, Including Benefits***

*** No modifier is needed to indicate the benefit allowance is included.

<i>Service</i>	<i>Procedure Code</i>	<i>Modifier***</i>	<i>Provider Type</i>	<i>Specialty Code</i>	<i>Unit</i>	<i>Area 1</i>	<i>Area 2</i>	<i>Area 3</i>	<i>Area 4</i>
Companion, level 3	W1727		54	540	15 minutes	\$3.84	\$3.59	\$3.41	\$3.10
Unlicensed Habilitation, level 3	W7060		54	540	15 minutes	\$6.35	\$5.94	\$5.64	\$5.12
Unlicensed Habilitation, level 3, enhanced	W7061		54	540	15 minutes	\$10.51	\$9.83	\$9.32	\$8.48
		TD							
		TE							
Unlicensed Habilitation, level 4	W7068		54	540	15 minutes	\$12.70	\$11.88	\$11.26	\$10.24
Unlicensed Habilitation, level 4, enhanced	W7069		54	540	15 minutes	\$21.01	\$19.66	\$18.64	\$16.94
		TD							
		TE							
Supports Broker	W7096		54	540	15 minutes	\$7.71	\$7.21	\$6.84	\$6.22
Respite—unlicensed, in home, level 2	W7250		54	540	1 day	\$279.58	\$261.55	\$248.02	\$225.47
	W7258		54	540	15 minutes	\$4.36	\$4.08	\$3.87	\$3.52
Respite—unlicensed, in home, level 2, enhanced	W7251		54	540	1 day	\$599.74	\$561.05	\$532.03	\$483.66
		TD							
		TE							
	W7264		54	540	15 minutes	\$9.37	\$8.77	\$8.31	\$7.56
		TD							
		TE							
Respite—unlicensed, in home, level 3	W7252		54	540	1 day	\$559.17	\$523.09	\$496.04	\$450.94
	W7265		54	540	15 minutes	\$8.74	\$8.18	\$7.75	\$7.05
Respite—unlicensed, in home, level 3, enhanced	W7253		54	540	1 day	\$1,199.49	\$1,122.10	\$1,064.06	\$967.33
		TD							
		TE							
	W7266		54	540	15 minutes	\$18.74	\$17.53	\$16.62	\$15.11
		TD							
TE									
Homemaker/Chore	W7283		54	540	1 hour	\$16.82	\$15.73	\$14.92	\$13.56
		UA							
Respite—unlicensed, out of home, level 2	W8002		54	540	1 day	\$279.58	\$261.55	\$248.02	\$225.47
	W8012		54	540	15 minutes	\$4.36	\$4.08	\$3.87	\$3.52
Respite—unlicensed, out of home, level 2, enhanced	W8003		54	540	1 day	\$599.74	\$561.05	\$532.03	\$483.66
		TD							
		TE							
	W8013		54	540	15 minutes	\$9.37	\$8.77	\$8.31	\$7.56
		TD							
		TE							

<i>Service</i>	<i>Procedure Code</i>	<i>Modifier***</i>	<i>Provider Type</i>	<i>Specialty Code</i>	<i>Unit</i>	<i>Area 1</i>	<i>Area 2</i>	<i>Area 3</i>	<i>Area 4</i>
Respite— unlicensed, out of home, level 3	W8004		54	540	1 day	\$559.17	\$523.09	\$496.04	\$450.94
	W8014		54	540	15 minutes	\$8.74	\$8.18	\$7.75	\$7.05
Respite— unlicensed, out of home, level 3, enhanced	W8005		54	540	1 day	\$1,199.49	\$1,122.10	\$1,064.06	\$967.33
		TD							
		TE							
	W8015		54	540	15 minutes	\$18.74	\$17.53	\$16.62	\$15.11
		TD							
TE									

Fiscal Impact

It is estimated that implementation of the Medical Assistance Program Fee Schedule rates included in this Public Notice will result in decreased State fund costs totaling approximately \$0.318 million.

Public Comment

Copies of this notice may be obtained at the local Mental Health/Mental Retardation (MH/MR) County Program, Administrative Entity (AE) or regional Office of Developmental Programs (ODP) in the corresponding regions:

- *Western region:* Piatt Place, Room 4900, 301 5th Avenue, Pittsburgh, PA 15222, (412) 565-5144.

- *Northeast region:* Room 315, Scranton State Office Building, 100 Lackawanna Avenue, Scranton, PA 18503, (570) 963-4749.

- *Southeast region:* 801 Market Street, Suite 5071, Philadelphia, PA 19107, (215) 560-2242 or (215) 560-2245.

- *Central region:* Room 430 Willow Oak Building, P. O. Box 2675, DGS Annex Complex, Harrisburg, PA 17105, (717) 772-6507.

Contact information for the local MH/MR County Program or AE may be found through a link on the Internet at: <https://www.hcsis.state.pa.us/hcsis-ssd/pgm/asp/PRCNT.ASP>, or contact the previously referenced ODP regional office.

Interested persons are invited to submit written comments regarding this notice to the Department at the following addresses:

By E-mail:

Use subject header “PN Fee Schedule” to the Office of Developmental Programs’ rate-setting mailbox at: ratesetting@state.pa.us.

By postal mail:

Department of Public Welfare
Office of Developmental Programs
Division of Provider Assistance and Rate Setting
4th Floor, Health and Welfare Building
Forster and Commonwealth Avenues
Harrisburg, PA 17120

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-645. No fiscal impact; (8) recommends adoption.

[Pa.B. Doc. No. 10-1178. Filed for public inspection June 25, 2010, 9:00 a.m.]

Payment for Nursing Facility Services Provided by Nonpublic and County Nursing Facilities; Change in Methods and Standards of Setting Payment Rates

Purpose

This announcement is to provide notice that the Department of Public Welfare (Department) is proposing to adopt regulations and amend the Commonwealth’s Title XIX State Plan to change its methods and standards for payment of Medical Assistance (MA) nursing facility services provided by nonpublic and county nursing facilities beginning Fiscal Year (FY) 2010-2011.

Background

Currently the MA Program pays for nursing facility services provided to MA eligible recipients by participating nonpublic nursing facilities at per diem rates that are computed using the case-mix payment system set forth in the Department’s regulations at 55 Pa. Code Chapter 1187, Subchapter G (relating to rate setting). A new case-mix payment rate is established for each nonpublic nursing facility once each FY. The rates take effect July 1, the start of the State FY, and remain in effect until the close of the FY on June 30.

Each nonpublic nursing facility’s case-mix per diem rate consists of four rate components, one for each of the three net operating cost centers (“resident care” costs; “other resident related” costs; “administrative” costs) and a fourth component for the “capital” cost center. To determine the rate components of each of the three net operating cost centers, the Department groups nonpublic and county nursing facilities into peer groups based on bed size and geographical location.¹ For each peer group,

¹ Although the Department established a separate payment methodology for county nursing facilities in 2006, the Department has continued to use county nursing facility audited costs in determining the peer group prices for nonpublic nursing facilities. Consistent with Act 44 of 2008, the Department is seeking to amend the State Plan and Chapter 1187 (relating to nursing facility services) to phase out the use of county costs over a 3-year period ending June 30, 2012. See 39 Pa.B. 4179 (July 18, 2009).

the Department calculates a “peer group price” for each of the three net operating cost centers and uses the peer group prices to set the amounts of the respective rate components for the individual nursing facilities. Prior to setting the peer group price for each nursing facility’s resident care rate component, the Department neutralizes each nursing facility’s resident care costs using the facility’s Total Facility Case Mix Index (CMI), which is the average total acuity of all of the facility’s residents on the applicable February 1st picture date. See § 1187.96(a)(5) (relating to price- and rate-setting computations).

Once the Department calculates the resident care peer group price for the rate year, the Department computes each facility’s resident care rate component, and then adjusts that component every quarter during the rate year by the average acuity of the facility’s MA residents using the facility’s MA CMI for the “picture date” designated for the rate quarter. See § 1187.96(a)(5). The Department pays each nonpublic nursing facility for nursing facility services provided to MA recipients during the quarter using the facility’s adjusted quarterly case-mix payment rate calculated for the respective calendar quarter.

The Department makes payments to county nursing facilities for services provided to MA recipients as specified in the Department’s regulations at 55 Pa. Code Chapter 1189 (relating to county nursing facility services), and the Commonwealth’s approved State Plan. Among other things, Chapter 1189 authorizes the Department to make pay-for-performance (P4P) payments to county nursing facilities in accordance with the Commonwealth’s State Plan. In September 2009, the Department submitted a State Plan Amendment, which if approved by the Federal Centers for Medicare and Medicaid Services (CMS), will continue to allow for quarterly P4P payments in FY 2009-2010 and FY 2010-2011 to those county nursing facilities that have an MA CMI for a picture date which is higher than their MA CMI for the prior picture date.

To calculate a nursing facility’s Total Facility and quarterly MA CMIs, the Department first determines a CMI score for each nursing resident present in the facility on the relevant picture date. To determine a resident’s CMI score, the Department extracts data from the most recent comprehensive assessment of the resident, which was transmitted by the nursing facility using the Federally Approved Pennsylvania Specific MDS version 2.0.² Then, using the Resource Utilization Group III (RUG III) version 5.01 44 grouper classification system, the Department classifies the resident into one of the 44 groups and assigns a CMI score.

Proposed Changes

1. RUG-III v. 5.12-44 Grouper.

This Commonwealth is currently only one of two states still using the older RUG-III v. 5.01-44 Grouper for rate-setting. CMS has announced that it will implement the MDS 3.0 effective October 1, 2010. MDS 3.0 does not contain all the elements necessary for resident classification with RUG-III v. 5.01-44 Grouper and CMS has stated it will no longer support this Grouper System once MDS 3.0 is implemented. In anticipation of the CMS move to the new MDS 3.0, the Department is proposing to change

the Grouper used in determining nursing facility residents’ CMI scores to the RUG-III v. 5.12-44 Grouper effective July 1, 2010. This change will apply to residents of both nonpublic and county nursing facilities.

2. Use of the most recent resident assessment.

As noted previously, the Department currently uses data from the most recent comprehensive assessment on file for a nursing facility resident in determining that resident’s RUG category and CMI score. Under both MDS 2.0 and MDS 3.0, nursing facilities are required to conduct and electronically submit assessments other than “comprehensive assessments” for their residents. These assessments also contain all the MDS data elements needed to calculate the residents’ RUG category and CMI score. These assessments may be completed after the latest comprehensive assessment and, therefore, provide more current information on the residents’ condition and care needs.

Rather than continuing to use older assessment data to determine residents’ RUG category and CMI score, the Department intends to amend the State Plan and its regulations to require use of the most recent assessment of any type for each resident, whether or not the assessment is comprehensive effective July 1, 2010. This change will apply to residents of both nonpublic and county nursing facilities. It will enable the Department to make acuity adjustments that are based upon the most up-to-date resident data without any additional administrative burdens or costs to either nursing facilities or the Department.³

3. Phase-in of RUG-III v. 5.12 44 Grouper and use of the latest resident assessment in Nonpublic Nursing Facility Rate Setting.

The Department recognizes that the change in Grouper and use of the most recent resident assessment may cause a reduction in per diem rates for some nonpublic nursing facilities. To mitigate any adverse impact of this change on nonpublic nursing facilities, the Department is proposing to amend 55 Pa. Code § 1187.96 to authorize a 3-year phase-in for the transition to the RUG-III v. 5.12 44 Grouper and the use of the latest resident assessment. The phase-in will only affect the resident care component of a facility’s case-mix per diem rate. For the phase-in period beginning July 1, 2010, and ending June 30, 2013, the resident care rate used to establish a nursing facility’s case-mix per diem rate will be a blended resident care rate. A nursing facility’s blended resident care rate will consist of a portion of a 5.01 resident care rate and a portion of a 5.12 resident care rate.

The Department does not intend to apply the phase-in provisions to new nonpublic nursing facilities since the phase-in period is being proposed as a transition from one system to another or to county nursing facilities, since MA CMI scores are only used for the limited purpose of determining whether county nursing facilities qualify for P4P payments.

Fiscal Impact

No fiscal impact is anticipated as a result of these changes.

Public Comment

Interested persons are invited to submit written comments regarding these proposed changes to the Depart-

² The MDS, or Minimum Data Set, is as Federally-mandated standardized assessment of a resident’s clinical and functional status that all nursing facilities participating in the MA Program must complete and submit for each of their nursing facility residents at prescribed periods during the resident’s stay at the facility. (See 42 CFR 483.20 (relating to resident assessment).)

³ In addition, the MA Change Tracking form is currently used to determine MA for MA case-mix status. CMS has indicated that this tracking form cannot be processed by the planned national MDS 3.0 submission system. It is anticipated that when MDS 3.0 is implemented, MA status will be determined from a Section S (a state specific section) item added to each MDS 3.0 assessment and will be collected from the latest assessment as a replacement for the MA Change Tracking form.

ment of Public Welfare, Office of Long-Term Living, Attention: Judith Patrick, Department of Public Welfare/ Department of Aging, Office of Long-Term Living, Policy and Strategic Planning, 555 Walnut Street, Forum Place, 5th Floor, Harrisburg, PA 17101-1919. Comments received within 30 days will be reviewed and considered for any subsequent revision of the notice.

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

HARRIET DICHTER,
Secretary

Fiscal Note: 14-NOT-643. No fiscal impact; (8) recommends adoption.

[Pa.B. Doc. No. 10-1179. Filed for public inspection June 25, 2010, 9:00 a.m.]

Payments to Nonpublic and County Nursing Facilities; Proposed Rates for State Fiscal Year 2009-2010

Purpose of Notice

This notice announces the Department of Public Welfare's (Department) proposed annual case-mix per diem payment rates for State Fiscal Year (FY) 2009-2010 for nonpublic and county nursing facilities that participate in the Medical Assistance (MA) Program.

Nonpublic Nursing Facility Per Diem Rates

As required by the case-mix payment methodology set forth in Chapter 1187, Subchapter G (relating to rate setting), the Department intends to set an annual MA per diem rate for each nonpublic nursing facility provider. Each facility's annual per diem rate will have four components: resident care; other resident related; administrative; and capital. For each quarter of FY 2009-2010, the Department will adjust the resident care component of each facility's rate by multiplying the resident care cost component by the facility's MA case-mix index (CMI) for the appropriate picture date.¹

In addition, as required by section 443.1 of the Public Welfare Code, 62 P.S. § 443.1(7)(iii)(A) (relating to Medical assistance payments for institutional care), the Department intends to adjust each facility's CMI-adjusted quarterly rate by multiplying the rate by a "budget adjustment factor" (BAF). On September 30, 2009, the Department submitted SPA 09-018 to CMS to include the BAF formulas that the Department will use in setting nonpublic nursing facility per diem rates for FY 2009-2010 and FY 2010-2011. If CMS approves SPA 09-018, the Department will apply a BAF of 0.90275 in setting each nonpublic nursing facility's rates for FY 2009-2010. The Department assumed that CMS will approve SPA 09-018 in calculating the proposed rates announced in this notice.

¹ In computing the resident care, other resident related, and administrative rate components, the Department assumed that the Federal Centers for Medicare and Medicaid Services (CMS) will approve State Plan Amendment (SPA) 09-014, which, among other things, would extend the use of county nursing facility costs in the NIS database.

County Nursing Facility Per Diem Rates

As required by the rate methodology set forth in Chapter 1189, Subchapter D (relating to rate setting), the Department intends to set an annual MA per diem rate for each county nursing facility provider. As specified in § 1189.91(b) (relating to per diem rates for county nursing facilities), for each rate year beginning on or after July 1, 2007, the per diem rate paid to a county nursing facility for a rate year will be the facility's prior year's rate. In addition, as required by section 443.1 of the Public Welfare Code, 62 P.S. § 443.1(7)(iii)(A), the Department intends to adjust each county nursing facility's per diem rate by multiplying the rate by a BAF. On September 30, 2009, the Department submitted SPA 09-017 to CMS to include the BAF formula which the Department will use in FY 2009-2010. If CMS approves SPA 09-017, the Department will apply a BAF of 1.01 in setting each county nursing facility's rates for FY 2009-2010. The Department assumed that CMS will approve SPA 09-017 in calculating the proposed rates announced in this notice.

Discussion

As specified in section 443.1(7)(iii) of the Public Welfare Code, the BAF moderates or caps the rate at which nursing facility payment rates increase from one year to the next, and, thus, ensures that the case-mix payment methodology results in payments that are consistent with efficiency and economy, as required by section 1902(a)(30)(A) of Title XIX (42 U.S.C.A. § 1396a(a)(30)(A)). The BAF for both nonpublic and county nursing facility rates would permit a 1% aggregate increase in the Statewide day-weighted average case-mix per diem from the prior FY. Taking this increase into account, case-mix per diem rates will have increased on an annual average basis by \$5.30 per day and in the aggregate by 15.94% overall since FY 2004-2005.

Section 1902(a)(30)(A) also requires that the Department's payment methods and standards result in payments that are consistent with "quality of care and are sufficient to enlist enough providers so that care and services are available under the plan at least to the extent that such care and services are available to the general population in the geographic area[.]" The Department is confident that the combination of the adjusted case-mix per diem rates and other supplemental payment authorized under our State Plan² results in an overall funding level for MA nursing facility providers that has been, and will remain sufficient to assure that MA recipients continue to receive appropriate access to high quality care in this Commonwealth nursing facilities. The Department has seen no evidence that use of the BAF has adversely impacted the quality of care in Pennsylvania nursing facilities. Although the BAF has been used in rate-setting since FY 2005-2006, the number of licensing and certification actions taken against MA nursing facility providers and the number of serious deficiencies cited in those facilities have actually declined. Further, both

² Currently, our approved State Plan authorizes quarterly supplemental payments to nonpublic nursing facilities that meet certain requirements. In FY 2009-2010, the quarterly supplemental payments will equal \$11.04 for each PA MA Day of Care rendered by a qualifying nursing facility.

The State Plan authorizes MA Day One Incentive (MDOI) payments for all county nursing facilities and Pay-for-Performance (P4P) for county nursing facilities that meet certain requirements. On September 23, 2009, the Department submitted SPA 09-021 to CMS to authorize increases in these payments for FY 2009-2010. If CMS approves SPA 09-021, the MDOI payments will be approximately \$12.75 per each paid MA day and the P4P will equal \$1,625,000 per quarter resulting in approximately \$.79 to \$.96 for each paid MA day, depending on the number of qualifying nursing facilities.

In addition, the State Plan authorizes annual disproportionate share (DSH) payments to both nonpublic and county nursing facilities that have overall and MA occupancy rates at or above certain levels. The DSH payments range from \$.64 to \$.73 for each MA Day paid as of a date determined in accordance with the 55 Pa. Code § 1187.111 (relating to disproportionate share incentive payments).

before and after use of the BAF was implemented in 2005, the percent of nursing facilities in this Commonwealth with Substandard Quality of Care and Immediate Jeopardy citations has been consistently well below the United States average and neighboring states.

At the same time, the level of participation by nursing facilities in the MA Program has remained high—the overwhelming majority of licensed nursing facilities are MA providers, and those providers operate 95% of all licensed nursing facility beds in the Commonwealth. In addition, the MA Program continues to pay for more days of care provided in this Commonwealth MA nursing facilities than all other payors combined. In 2008, for example, the MA Program paid for 68% of all nursing facility days. Based upon our paid claims history to date and our projections going forward, we expect to remain the single largest payor in the market place in both the current fiscal year and next fiscal year as well.

The proposed annual per diem rates for FY 2009-2010 are available on the web site for the Department of Public Welfare at www.dpw.state.pa.us/PartnersProviders/MedicalAssistance/DoingBusiness/LTCCaseMixInfo/ and at local county assistance offices throughout this Commonwealth or by contacting Yvette Sanchez-Roberts, Department of Public Welfare, Office of Long-Term Living at (717) 705-3705. In addition, the Department has calculated adjusted quarterly rates for the October, January and April quarters of FY 2009-2010 for each nonpublic MA nursing facility provider. These adjusted quarterly rates are also posted on the Department's web site, and may be obtained at local county assistance offices and from Yvette Sanchez-Roberts.

Fiscal Impact

If the proposed payment rates are adopted as final, the rates will result in an estimated increased cost of \$24.433 million (\$8.360 million in State funds) for per diem rate payments to nonpublic nursing facilities and an estimated increased cost of \$5.539 million (\$1.895 million in State funds) for per diem rate payments for county nursing facilities' FY 2009-2010 rates compared to the facilities' final FY 2008-2009 per diem rates. Funding for these changes has been included in the MA Long-Term Care appropriation.

Public Comment

Interested persons are invited to submit written comments regarding the proposed annual rates for FY 2009-2010 to: Department of Public Welfare/Department of Aging, Office of Long-Term Living, Bureau of Policy and Strategic Planning, Forum Place, 5th Floor, 555 Walnut Street, Attention: Yvette Sanchez-Roberts, Harrisburg, PA 17101-1919. Comments received within 30 days will be reviewed and considered for any subsequent revision of the notice.

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

HARRIET DICHTER,
Secretary

Fiscal Note: 14-NOT-646. (1) General Fund; (2) Implementing Year 2009-10 is \$10,255,000; (3) 1st Succeeding Year 2010-11 is \$10,255,000; 2nd Succeeding Year 2011-12 is \$10,255,000; 3rd Succeeding Year 2012-13 is \$10,255,000; 4th Succeeding Year 2013-14 is \$10,255,000; 5th Succeeding Year 2014-15 is \$10,255,000; (4) 2008-09 Program—\$672,597,000; 2007-08 Program—\$692,585,000;

2006-07 Program—\$695,279,000; (7) Long-Term Care; (8) recommends adoption. Funds have been included in the budget to cover this increase.

[Pa.B. Doc. No. 10-1180. Filed for public inspection June 25, 2010, 9:00 a.m.]

Payments to Nonpublic and County Nursing Facilities; Proposed Rates for State Fiscal Year 2010-2011

Purpose of Notice

This notice announces the Department of Public Welfare's (Department) proposed annual case-mix per diem payment rates for State Fiscal Year (FY) 2010-2011 for nonpublic and county nursing facilities that participate in the Medical Assistance (MA) Program.

Nonpublic Nursing Facility Per Diem Rates

As required by the case-mix payment methodology set forth in Chapter 1187, Subchapter G (relating to rate setting), the Department intends to set an annual MA per diem rate for each nonpublic nursing facility provider. Each facility's annual per diem rate will have four components: resident care; other resident related; administrative; and capital. In computing the resident care, other resident related, and administrative rate components of the proposed rates, the Department assumed that the Federal Centers for Medicare and Medicaid Services (CMS) will approve State Plan Amendment (SPA) 09-014, which, among other things, would extend the use of county nursing facility costs in the NIS database.

Further, for each quarter of FY 2010-2011, the Department will adjust the resident care component of each facility's rate by multiplying the resident care cost component by the facility's MA case-mix index (CMI) for the appropriate picture date. As described in the notice *Payment for Nursing Facility Services Provided by Nonpublic and County Nursing Facilities; Change in Methods and Standards of Setting Payment Rates* published at 40 Pa.B. 3627 (June 26, 2010), the Department intends to make additional changes to the payment methodology to phase in the use of the MDS RUG-III v. 5.12-44 Grouper and the most recent resident assessments in calculating the CMIs used to establish resident care peer group prices and making the quarterly adjustments to the resident care rate components. In computing the resident care components of the proposed rates, the Department assumed these changes would also be adopted.

In addition, as required by section 443.1 of the Public Welfare Code, 62 P. S. § 443.1(7)(iii)(A) (relating to medical assistance payments for institutional care), the Department intends to adjust each facility's CMI-adjusted quarterly rate by multiplying the rate by a "budget adjustment factor" (BAF). On September 30, 2009, the Department submitted SPA 09-018 to CMS to include the BAF formulas that the Department will use in setting nonpublic nursing facility per diem rates for FY 2010-2011.¹ Based on the funding provided in the Governor's Executive Budget for FY 2010-2011, and assuming CMS approves SPA 09-018, the Department will apply a base

¹ A detailed description of the proposed BAF formulas for FY 2010-2011 is contained in the August 15, 2009 notice published at 39 Pa.B. 4958, which is available online at <http://www.pabulletin.com/secure/data/vol39/39-33/1477.html>.

BAF of 0.91280 in setting each nonpublic nursing facility's rates.² In calculating the proposed rates announced in this notice, the Department assumed that the General Appropriations Act of 2010 will include the level of funding in the Governor's Executive Budget and that CMS will approve SPA 09-018.

County Nursing Facility Per Diem Rates

As required by the rate methodology set forth in Chapter 1189, Subchapter D (relating to rate setting), the Department intends to set an annual MA per diem rate for each county nursing facility provider. As specified in § 1189.91(b) (relating to per diem rates for county nursing facilities), for each rate year beginning on or after July 1, 2007, the per diem rate paid to a county nursing facility for a rate year will be the facility's prior year's rate. In addition, as required by section 443.1 of the Public Welfare Code, 62 P.S. § 443.1(7)(iii)(A), the Department intends to adjust each county nursing facility's per diem rate by multiplying the rate by a BAF. The Department will submit a SPA to CMS to include the BAF formula which the Department will use in FY 2010-2011. Based on the funding provided in the Governor's Executive Budget for FY 2010-2011, and assuming CMS approves this SPA, the Department will apply a BAF of 1.0097 in setting each county nursing facility's rate. In calculating the proposed rates for FY 2010-2011, the Department assumed that the General Appropriations Act of 2010 will include the level of funding in the Governor's Executive Budget and that CMS will approve the SPA including the BAF formula for FY 2010-2011.

Discussion

As specified in section 443.1(7)(iii) of the Public Welfare Code, the BAF moderates or caps the rate at which nursing facility payment rates increase from one year to the next, and, thus, ensures that the case-mix payment methodology results in payments that are consistent with efficiency and economy, as required by section 1902(a)(30)(A) of Title XIX (42 U.S.C.A. § 1396a(a)(30)(A)). Since the implementation of the BAF, case-mix per diem rates have increased on an annual average basis by \$5.30 per day and in the aggregate by 15.94% overall from FY 2004-2005 through FY 2009-2010. Based on the level of funding in the Governor's Executive Budget, the BAF for FY 2010-2011 for both nonpublic and county nursing facility rates would permit an additional aggregate increase in the State-wide day-weighted average case-mix per diem from the prior fiscal year.³

Section 1902(a)(30)(A) also requires that the Department's payment methods and standards result in payments that are consistent with "quality of care and are sufficient to enlist enough providers so that care and services are available under the plan at least to the extent that such care and services are available to the general population in the geographic area[.]" For the reasons specified in the notice announcing our proposed rates for FY 2009-2010,⁴ the Department remains confident that the combination of the adjusted case-mix per diem rates and other supplemental payments authorized

under our State Plan⁵ results in an overall funding level for MA nursing facility providers that has been, and will remain sufficient to assure that MA recipients continue to receive appropriate access to high quality care in the Commonwealth's nursing facilities.

The proposed annual per diem rates for FY 2010-2011 are available on the web site for the Department of Public Welfare at: www.dpw.state.pa.us/PartnersProviders/MedicalAssistance/DoingBusiness/LTCCCaseMixInfo/ and at local county assistance offices throughout the Commonwealth or by contacting Yvette Sanchez-Roberts, Department of Public Welfare, Office of Long-Term Living at (717) 705-3705.

Fiscal Impact

If the proposed payment rates are adopted as final, the rates will result in an estimated increased cost of \$23.846 million (\$8.013 million in State funds) for per diem rate payments to nonpublic nursing facilities and an estimated increased cost of \$5.385 million (\$1.809 million in State funds) for per diem rate payments for county nursing facilities' FY 2010-2011 rates compared to the facilities' proposed FY 2009-2010 per diem rates.

Public Comment

Interested persons are invited to submit written comments regarding the proposed annual rates for FY 2010-2011 to: Department of Public Welfare/Department of Aging, Office of Long-Term Living, Bureau of Policy and Strategic Planning, Forum Place, 5th Floor, 555 Walnut Street, Attention: Yvette Sanchez-Roberts, Harrisburg, PA 17101-1919. Comments received within 30 days will be reviewed and considered for any subsequent revision of the notice.

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

HARRIET DICHTER,
Secretary

Fiscal Note: 14-NOT-647. (1) General Fund; (2) Implementing Year 2010-11 is \$9,822,000; (3) 1st Succeeding Year 2011-12 is \$9,822,000; 2nd Succeeding Year 2012-13 is \$9,822,000; 3rd Succeeding Year 2013-14 is \$9,822,000; 4th Succeeding Year 2014-15 is \$9,822,000; 5th Succeeding Year 2015-16 is \$9,822,000; (4) 2009-10 Program—\$540,266,000; 2008-09 Program—\$672,597,000; 2007-08 Program—\$692,585,000; (7) Long-Term Care; (8) recommends adoption. Funds have been included in the budget to cover this increase.

[Pa.B. Doc. No. 10-1181. Filed for public inspection June 25, 2010, 9:00 a.m.]

² As specified in the August 15, 2009 notices, prior to establishing the April 2011 rate, the Department will compare the weighted average April rate to the April target rate. If the weighted average April rate is less than the April target rate and the difference is \$.50 or more, the formula for the April BAF will be the April target rate divided by the weighted average April rate at 100%. Otherwise, the April BAF will be equal to the base BAF. See 39 Pa.B. 4958 (August 15, 2009).

³ The Department will recalculate the BAF once the General Assembly has enacted a General Appropriations Act for FY 2010-2011 and will include the BAF in its notice announcing final MA nursing facility payment rates for the rate-setting year.

⁴ The notice *Payments to Nonpublic and County Nursing Facilities; Proposed Rates for State Fiscal Year 2009-2010* announcing the proposed rates for FY 2009-2010 appears in this issue at 40 Pa.B. at 3629 (June 26, 2010).

⁵ Currently, our approved State Plan authorizes quarterly supplemental payments to nonpublic nursing facilities that meet certain requirements. In FY 2010-2011, we estimate that the quarterly supplemental payments will equal \$11.73 for each PA MA Day of Care rendered by a qualifying nursing facility. In addition, the Department intends to submit a SPA to authorize additional Enhanced Supplemental Payments to qualifying nonpublic nursing facilities in FY 2010-2011. A detailed description of these proposed payments will be available online at: www.dpw.state.pa.us/PartnersProviders/MedicalAssistance/DoingBusiness/LTCCCaseMixInfo/.

The State Plan authorizes MA Day One Incentive (MDOI) payments for all county nursing facilities and Pay-for-Performance (P4P) for county nursing facilities that meet certain requirements. On September 23, 2009, the Department submitted SPA 09-021 to CMS to authorize increases in these payments for FY 2010-2011. If CMS approves SPA 09-021, the MDOI payments will be approximately \$14.05 per each paid MA day and the P4P will equal \$1,625,000 per quarter resulting in approximately \$.79 to \$.96 for each paid MA day, depending on the number of qualifying nursing facilities.

In addition, the State Plan authorizes annual disproportionate share (DSH) payments to both nonpublic and county nursing facilities that have overall and MA occupancy rates at or above certain levels in FY 2010-2011. The DSH payments range from \$0.32 to \$5.65 for each MA Day paid as of a date determined in accordance with the 55 Pa. Code § 1187.111 (relating to disproportionate share incentive payments).

Rate-Setting Methodology for Development of the Payment Rates for the Consolidated and Person/Family Directed Support Waivers and Targeted Services Management for Persons with Mental Retardation

Purpose of Notice

This notice announces that effective July 1, 2010, the Department of Public Welfare (Department) is revising the methodologies used in the Prospective Payment System (PPS) to develop rates for community-based services, including supports coordination, funded through the Consolidated and Person/Family Directed Support (P/FDS) waivers (waivers) and for Targeted Service Management (TSM) provided to persons with mental retardation who are eligible for Medical Assistance (MA) but not eligible to participate in the waivers. This notice describes the methodologies used to develop July 1, 2010, payment rates in the PPS, excluding payment rates for the select waiver services added to the MA program fee schedule.

Rate-Setting Methodology

On July 1, 2009, the Department implemented the PPS, a payment methodology system in which rates are established on a prospective basis for a specified period and are not cost settled at the end of the specified period. The Department included two payment methodology approaches in the PPS: a fee schedule approach and a cost-based approach. Rates for select services were placed on the MA program fee schedule. Other rates for services specific to each provider and procedure code were developed using a cost-based approach, based on allowable historical cost data submitted by providers in cost reports developed by the Department. The historical cost data is then trended forward to a prospective period.

The Department developed the proposed payment rates for waiver-funded services, excluding supports coordination, for Fiscal Year (FY) 2010-2011 (10-11) using FY 2008-2009 (08-09) cost report data submitted by providers, adjusted to account for changes in need and for changes in provider responsibilities for staffing and transportation due to service definitions revisions that took effect July 1, 2009. These adjustments were calculated based on data submitted by providers through the supplemental data request in December 2009 and January 2010, unless information submitted in the supplemental data request showed an adjustment to the submitted cost report data was unnecessary. The adjusted costs were then divided by the reported utilization (units of service available for residential services; units of service provided for nonresidential services) to calculate the unit cost for each procedure code. Utilization data in the cost reports were adjusted to correct errors or miscalculations such as incorrect unit size or inconsistency between reported utilization and reported program capacity.

The Department analyzed the resulting adjusted unit costs for each procedure code to determine whether additional adjustments were needed. The methodology used to make that determination is further detailed and available through an internet link titled, *Methodology for Calculating Unit Costs*, on the Department's web site at: <http://www.dpw.state.pa.us/PartnersProviders/MentalRetardation/003679539.htm>.

After the unit costs for each procedure code were adjusted, a total cost of living increase of 0% was applied to the FY 08-09 unit costs for each procedure code to establish each provider's proposed payment rates for FY

10-11. Total FY 10-11 waiver expenditures were projected using the proposed payment rate and projected utilization, and those projected expenditures were compared to the available proposed waiver appropriation for FY 10-11. Finally, the Rate Adjustment Factor (RAF) of -4.73%, which included a 1.0286% reduction in the Governor's executive budget relating to the waiver appropriation, was applied to the unit costs.

Although the Department intended to utilize cost report data submitted by Supports Coordination Organization (SCO) providers to support the rate-setting process for FY 10-11, the proposed payment rates for supports coordination were not developed from the cost report data submitted by SCO providers in October 2009. Providers reported several difficulties in completing the cost report, including allocating administrative expenses, identifying units and allocating staff time between waiver-funded supports coordination and TSM. The FY 10-11 proposed payment rates for supports coordination are, therefore, based on each provider's FY 09-10 payment rates, instead of the FY 08-09 cost report data.

To establish each SCO's proposed payment rate for supports coordination, the Department first applied a cost of living increase of 0% to each FY 09-10 rate. The Department then projected total FY 10-11 waiver expenditures using the proposed payment rates, projected utilization for all waiver-funded services and compared those projected expenditures to the available proposed FY 10-11 waiver appropriation, which included the 1.0286% reduction in the Governor's executive budget. Finally, the Rate Adjustment Factor (RAF) of -4.73% was applied to the adjusted unit costs.

Rates for TSM providers that also deliver supports coordination were established by assigning the same rates for TSM as were developed for supports coordination. Review of the cost data showed that unit costs for both types of services are similar. Rates for TSM providers that do not deliver supports coordination were developed in accordance with the methodology described in this notice, without comparison to supports coordination costs.

All proposed payment rates for all waiver-funded services, including supports coordination, are contingent on the final budget enacted by the General Assembly. Although the proposed payment rates will be used to process claims submitted to the Provider Reimbursement and Operations Management Information System in electronic format (PROMISE™) during FY 10-11, revenue reconciliation will determine final payments to providers in FY 10-11. The Department is currently reviewing the methodology for calculating revenue reconciliation targets and expects to be able to notify providers of when the targets will be issued.

Fiscal Impact

There is no anticipated fiscal impact.

Public Comment

Copies of this notice may be obtained at the local Mental Health/Mental Retardation (MH/MR) County Program, Administrative Entity (AE) or regional Office of Developmental Programs (ODP) in the corresponding regions:

- *Western region:* Piatt Place, Room 4900, 301 5th Avenue, Pittsburgh, PA 15222, (412) 565-5144.
- *Northeast region:* Room 315, Scranton State Office Building, 100 Lackawanna Avenue, Scranton, PA 18503 (570) 963-4749.

• *Southeast region:* 801 Market Street, Suite 5071, Philadelphia, PA 19107 (215) 560-2242 or (215) 560-2245.

• *Central region:* Room 430 Willow Oak Building, P. O. Box 2675, DGS Annex Complex, Harrisburg, PA 17105 (717) 772-6507.

Contact information for the local MH/MR County Program or AE may be found through a link on the Internet at: <http://www.dpw.state.pa.us/PartnersProviders/MentalRetardation/003679539.htm> or contact the previously referenced ODP Regional office.

Interested persons are invited to submit written comments regarding this notice to the Department at the following addresses:

By E-mail:

Use subject header "PN Fee Schedule" to the Office of Developmental Programs' rate-setting mailbox at: ratesetting@state.pa.us.

By postal mail:

Department of Public Welfare
Office of Developmental Programs
Division of Provider Assistance and Rate Setting
4th Floor, Health and Welfare Building
Forster and Commonwealth Avenues
Harrisburg, PA 17120

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-644. No fiscal impact; (8) recommends adoption.

[Pa.B. Doc. No. 10-1182. Filed for public inspection June 25, 2010, 9:00 a.m.]

DEPARTMENT OF REVENUE

Adjustment of Program Service Revenue Amounts

In accordance with section 6(a)(5) of the Institutions of Purely Public Charity Act (act) (10 P. S. § 376(a)(5)), the Department of Revenue is required to adjust the annual program service revenue amount used as a benchmark in section 6(a)(1) and (2) of the act (10 P. S. § 376(a)(1) and (2)) for the purpose of asserting a rebuttable presumption.

The annual program service revenue amounts referred to in section 6(a)(1) and (2) of the act shall be increased by 1% as follows:

(1) Effective July 1, 1999—Program Service Revenues—\$10,100,000.

(2) Effective July 1, 2000—Program Service Revenues—\$10,201,000.

(3) Effective July 1, 2001—Program Service Revenues—\$10,303,010.

(4) Effective July 1, 2002—Program Service Revenues—\$10,406,040.

(5) Effective July 1, 2003—Program Service Revenues—\$10,510,100.

(6) Effective July 1, 2004—Program Service Revenues—\$10,615,201.

(7) Effective July 1, 2005—Program Service Revenues—\$10,721,353.

(8) Effective July 1, 2006—Program Service Revenues—\$10,828,567.

(9) Effective July 1, 2007—Program Service Revenues—\$10,936,853.

(10) Effective July 1, 2008—Program Service Revenues—\$11,046,222.

(11) Effective July 1, 2009—Program Service Revenues—\$11,156,684.

(12) Effective July 1, 2010—Program Service Revenues—\$11,268,251.

C. DANIEL HASSELL,
Secretary

[Pa.B. Doc. No. 10-1183. Filed for public inspection June 25, 2010, 9:00 a.m.]

DEPARTMENT OF TRANSPORTATION

Sale of Land No Longer Needed for Transportation Purposes

The Department of Transportation (Department), under section 2003(e)(7) of The Administrative Code of 1929 (71 P. S. § 513(e)(7)), intends to sell certain land owned by the Department.

West Manchester Township, York County

The parcel contains 7,073 square feet +/- of unimproved land split by newly relocated Township Road T-920 known as High Street fronting along SR 0074-029. The former address of the parcel was 1997 Carlisle Road, York, PA. The estimated fair market value is \$2,000.

Interested public entities are invited to express their interest in purchasing this parcel within 30 calendar days from the date of publication of this notice to Tucker Ferguson, P. E., District Engineer, Department of Transportation, Engineering District 8-0, 2140 Herr Street, Harrisburg, PA 17103.

ALLEN D. BIEHLER, P. E.,
Secretary

[Pa.B. Doc. No. 10-1184. Filed for public inspection June 25, 2010, 9:00 a.m.]

Sale of Land No Longer Needed for Transportation Purposes

The Department of Transportation (Department), under section 2003(e)(7) of The Administrative Code of 1929 (71 P. S. § 513(e)(7)), intends to sell certain land owned by the Department.

West Manchester Township, York County

The parcel contains 2,005 square feet +/- of unimproved land situated along SR 0074 (Carlisle Road) formerly

known as 1998 Carlisle Road, between M & T Bank and Sunset Lane, York, PA. The estimated fair market value is \$15,700.

Interested public entities are invited to express their interest in purchasing this parcel within 30 calendar days from the date of publication of this notice to Tucker Ferguson, P. E., District Engineer, Department of Transportation, Engineering District 8-0, 2140 Herr Street, Harrisburg, PA 17103.

ALLEN D. BIEHLER, P. E.,
Secretary

[Pa.B. Doc. No. 10-1185. Filed for public inspection June 25, 2010, 9:00 a.m.]

Sale of Land No Longer Needed for Transportation Purposes

The Department of Transportation (Department), under section 2003(e)(7) of The Administrative Code of 1929 (71 P. S. § 513(e)(7)), intends to sell certain land owned by the Department.

West Manchester Township, York County

The parcel contains 13,992 square feet +/- of unimproved land fronting along newly relocated Township Road T-920 known as High Street, York, PA. The former address of the parcel was 2183 High Street, York, PA. The estimated fair market value is \$44,200.

Interested public entities are invited to express their interest in purchasing this parcel within 30 calendar days from the date of publication of this notice to Tucker Ferguson, P. E., District Engineer, Department of Transportation, Engineering District 8-0, 2140 Herr Street, Harrisburg, PA 17103.

ALLEN D. BIEHLER, P. E.,
Secretary

[Pa.B. Doc. No. 10-1186. Filed for public inspection June 25, 2010, 9:00 a.m.]

ENVIRONMENTAL HEARING BOARD

Locust Township v. DEP; EHB Doc. No. 2010-079-L; 5-12-10—NPDES Permit; No. PA0113956

Locust Township has appealed the issuance by the Department of Environmental Protection of an NPDES permit to Locust Township for a facility in Locust Township, Columbia County.

A date for the trial on the appeal has not yet been scheduled.

The appeal is filed with the Environmental Hearing Board (Board) at its office on the Second Floor, Rachel Carson State Office Building, 400 Market Street, P. O. Box 8457, Harrisburg, PA 17105-8457, and may be reviewed by any interested party on request during normal business hours. If information concerning this notice is

required in an alternative form, contact the Secretary to the Board at (717) 787-3483. TDD users may telephone the Board through the Pennsylvania AT&T Relay Center at (800) 654-5984.

Petitions to intervene in the appeal may be filed with the Board by interested parties under 25 Pa. Code § 1021.81 (relating to intervention). Copies of the Board's rules of practice and procedure are available upon request from the Board.

THOMAS W. RENWAND,
Chairperson

[Pa.B. Doc. No. 10-1187. Filed for public inspection June 25, 2010, 9:00 a.m.]

ENVIRONMENTAL QUALITY BOARD

Change of Meeting Date

The July 20, 2010, meeting of the Environmental Quality Board (Board) has been rescheduled. The meeting will now take place on Tuesday, July 13, 2010, at 9 a.m. in Room 105 of the Rachel Carson State Office Building, 400 Market Street, Harrisburg, PA 17105. An agenda and meeting materials for the July 13, 2010, meeting of the Board will be available on the Department of Environmental Protection's web site at <http://www.depweb.state.pa.us> (DEP Search / Keyword: "EQB").

Questions concerning the Board's next scheduled meeting may be directed to Michele Tate at (717) 783-8727 or mtate@state.pa.us.

JOHN HANGER,
Chairperson

[Pa.B. Doc. No. 10-1188. Filed for public inspection June 25, 2010, 9:00 a.m.]

GOVERNOR'S OFFICE OF HEALTH CARE REFORM

Pennsylvania Health Care Reform Implementation Advisory Committee Meeting

The Pennsylvania Health Care Reform Implementation Advisory Committee, established by Executive Order 2010-02 will hold a public meeting on, Wednesday, June 30, 2010, at 1 p.m. to 3 p.m., in the Pennsylvania Housing Finance Agency Board Room (Street Level), 211 Front Street, Harrisburg, PA.

This meeting is subject to cancellation without notice.

ANN S. TORREGROSSA, Esq.,
Director

[Pa.B. Doc. No. 10-1189. Filed for public inspection June 25, 2010, 9:00 a.m.]

INDEPENDENT REGULATORY REVIEW COMMISSION

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, in 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>
16A-5136	State Board of Nursing Biennial Renewal Fees	6/10/10	7/15/10

ARTHUR COCCODRILLI,
Chairperson

[Pa.B. Doc. No. 10-1190. Filed for public inspection June 25, 2010, 9:00 a.m.]

PENNSYLVANIA INFRASTRUCTURE INVESTMENT AUTHORITY DEPARTMENT OF ENVIRONMENTAL PROTECTION

Clean Water and Drinking Water State Revolving Fund Programs; Public Meeting on Federal Fiscal Year 2010 Intended Use Plans

The Pennsylvania Infrastructure Investment Authority (PENNVEST) and the Department of Environmental Protection (Department) have prepared the Federal Fiscal Year (FY) 2010 Intended Use Plans (IUPs). These IUPs include a list of drinking water, wastewater treatment, nonpoint source and pollution abatement projects to be considered for a design and engineering or construction loan or grant from funds the Commonwealth expects to receive from the Federal FY 2010 Drinking Water State Revolving Fund (DWSRF) and Clean Water State Revolving Fund (CWSRF) programs. In accordance with United States Environmental Protection Agency guidelines on the development of the IUPs, a public meeting has been scheduled for July 20 at 1:30 p.m. in the 2nd Floor Training Room, Rachel Carson State Office Building, 400 Market Street, Harrisburg, PA. This meeting is scheduled for the purpose of receiving comments from the public regarding the Federal FY 2010 IUPs. Interested persons are invited to express their views on the narrative portion

of the IUPs, including the new program guidelines for the Nonpoint Source Program, the set aside work plan or the priority rating or ranking of projects on the IUPs. Persons wishing to offer comments at the public meeting should contact the Division of Technical and Financial Assistance at the address or telephone number listed at the end of this notice or by e-mail to vbkasi@state.pa.us by 4 p.m. on July 19, 2010. Where written statements are prepared and will be submitted at the meeting, speakers will be asked to restrict the oral portion of the statement to a summary of the written comments.

The projects to be considered for a loan or grant from the DWSRF and CWSRF programs must meet the Federal requirements for funding in accordance with the Federal Safe Drinking Water Act and Clean Water Act. Accordingly, the projects included in the IUPs are expected to meet the requirements applicable to use of the DWSRF and CWSRF loan or grant funds. Projects listed in the FY 2010 IUPs are on the Commonwealth's Project Priority Lists (PPLs) and are expected to proceed with design and engineering or construction within the next 2 years. A project must appear on a PENNVEST-approved IUP before it can receive a loan or grant from the SRF programs. A project's readiness to proceed and the reasonable availability of alternative funds also have a bearing on project selection for the IUPs. Consequently, the rank ordered list of projects on the PPLs does not solely dictate the order in which projects will be chosen for inclusion in an IUP.

The DWSRF will be capitalized with approximately \$39.7 million in Federal funds and approximately \$7.9 million of State funds. Approximately \$10.7 million of these funds will be set aside for technical assistance to small systems, operator training and certification and source water assessment and protection, as authorized under the Safe Drinking Water Act. The DWSRF IUP also includes a narrative work plan that describes how these set aside funds will be used. A minimum of approximately \$1.59 million will be set aside for program administration. Finally, an additional \$11.9 million must be set aside for additional subsidization to disadvantaged communities and \$7.9 million for green infrastructure projects that fall into one or more of the following categories: (1) water efficiency; (2) energy efficiency; (3) environmentally innovative; (4) green stormwater infrastructure and meet the EPA criteria for green infrastructure.

The CWSRF will be capitalized with approximately \$80.7 million of Federal funds and approximately \$16.1 million of State funds. A minimum of approximately \$4.01 million will be set aside for program administration costs. Finally, an additional \$12 million must be set aside for additional subsidization to disadvantaged communities and \$16.1 million must be set aside for green infrastructure projects that fall into one or more of the following categories: (1) water efficiency; (2) energy efficiency; (3) environmentally innovative; (4) green stormwater infrastructure and meet the EPA criteria for green infrastructure.

It is not necessary to appear at the public meeting to present comments on the narrative portion of the IUPs, the set aside work plan or the PPLs. Interested persons may also submit written comments to the Department at the address that follows. Written comments will be considered equivalent to oral statements presented at the meeting. To be considered by the Department and PENNVEST, the written comments must be received by the Division of Technical and Financial Assistance by close of business, July 26, 2010.

A copy of the IUPs, the PPLs, and the DWSRF set aside work plan may be obtained by contacting the Division of Technical and Financial Assistance at (717) 772-4053 or through the Water Standards and Facility Regulation home page on the Department's web site at www.depweb.state.pa.us.

Persons in need of accommodations as provided for in the Americans With Disabilities Act of 1990 should contact Veronica Kasi at (717) 772-4053 or through the Pennsylvania AT&T Relay Service at (800) 654-5984 (TDD) to discuss how the Department may accommodate their needs.

Department of Environmental Protection
Bureau of Water Standards and Facility Regulation
Division of Technical and Financial Assistance
11th Floor
Rachel Carson State Office Building
400 Market Street
Harrisburg, PA 17101
(717) 787-0122

PENNVEST
22 South Third Street
4th Floor
Keystone Building
Harrisburg, PA 17101
(717) 787-8137

JOHN HANGER,
Secretary
Department of Environmental Protection
Vice-Chairperson
Pennsylvania Infrastructure Investment Authority

PAUL K. MARCHETTI,
Executive Director
Pennsylvania Infrastructure Investment Authority
[Pa.B. Doc. No. 10-1191. Filed for public inspection June 25, 2010, 9:00 a.m.]

PENNSYLVANIA PUBLIC UTILITY COMMISSION

Application of Laser Marcellus Gathering Company, LLC

A-2010-2153371. Laser Marcellus Gathering Company, LLC. For approval to begin to offer, render, furnish or supply natural gas gathering and transporting or conveying service by pipeline to the public in certain townships of Susquehanna County, PA.

Public Input Hearing Notice

This is to inform you that Public Input Hearings on the previously-captioned case will be held as follows:

Type: Public Input Hearings
Date: July 7, 2010
Times: 1 p.m. and 7 p.m.
Location: Great Bend Hose Company No. 1, Inc.
P. O. Box 201
Great Bend, PA 18821
1 p.m.

The American Legion
Gardner—Warner Post 154
R. R. 4
Box 223C
Montrose, PA 18801
7 p.m.

Presiding: Administrative Law Judge Susan D. Colwell
P. O. Box 3265
Harrisburg, PA 17105-3265
Phone: (717) 783-5452
Fax: (717) 787-0481

For persons with a disability who wish to attend the hearing, the Pennsylvania Public Utility Commission (Commission) may be able to make arrangements for their special needs. Call the scheduling office at the Commission at least 5 business days prior to the hearing to submit a request.

For persons who require an interpreter to participate in the hearings, the Commission will make every reasonable effort to have an interpreter present. Call the scheduling office at the Commission at least 10 business days prior to the hearing to submit a request.

- Scheduling Office: (717) 787-1399

- Pennsylvania AT&T Relay Service number for persons who are deaf or hearing-impaired: (800) 654-5988

ROSEMARY CHIAVETTA,
Secretary

[Pa.B. Doc. No. 10-1192. Filed for public inspection June 25, 2010, 9:00 a.m.]

Errata Notice; Order

Public Meeting held
May 20, 2010

Commissioners Present: James H. Cawley, Chairperson;
Tyrone J. Christy, Vice Chairperson; Wayne E. Gardner;
Robert F. Powelson

*Recalculation of the Pennsylvania
Telecommunications Relay Service Surcharge;
M-2010-2151504; M-00900239*

Errata Notice

This is to advise all parties of record that the Order entered on May 20, 2010, in the above-captioned proceeding contains errors on Page 3, concerning the TDDP Surcharge Business Percentage.

The TDDP Surcharge Business Percentage was incorrectly identified as 2.0 but should be 4.0. Please find the corrected Order attached for your records.

The Order on the PA PUC web site will be corrected as indicated above.

(Editor's Note: The incorrect business percentage appeared at 40 Pa.B. 3031 (June 5, 2010). The reference to "Page 3" refers to the Commission's original order.)

Public Meeting held
May 20, 2010

Commissioners Present: James H. Cawley, Chairperson;
Tyrone J. Christy, Vice Chairperson; Wayne E. Gardner;
Robert F. Powelson

*Recalculation of the Pennsylvania
Telecommunications Relay Service Surcharge;
M-2010-2151504; M-00900239*

Order

By the Commission:

Pursuant to our May 29, 1990 Order at Docket No. M-00900239 establishing the Pennsylvania Telephone Relay Service (Relay)¹ and surcharge funding mechanism (TRS surcharge) and subsequent legislation,² we have completed the annual recalculation of the TRS surcharge as it will apply to residence and business wireline access lines for July 1, 2010, through June 30, 2011. The monthly residential and business monthly access line surcharge will remain set at \$0.08.

Background

The annual TRS recalculation is dependent on data from several sources. Local Exchange Carriers (LECs)³ submitted annual wireline access line counts per 52 Pa. Code § 63.37. The Relay Provider, AT&T Communications of Pennsylvania, LLC, submitted the estimated minutes of use and charges for July 1, 2010, through June 30, 2011. Hamilton Telecommunications submitted the estimated minutes of use report for the captioned telephone relay service (CTRS). The Executive Director of the Office of Vocational Rehabilitation (OVR) in the Department of Labor and Industry submitted the 2010-2011 TDDP budget and the 2010-2011 PMASP budget. The surcharge also funds the TRS Advisory Board activities and Fund administration costs. U.S. Bank,⁴ the Fund Administrator, provided a statement of the financial status of the Fund.⁵

Calculation for 2010-2011

Wireline access lines reported by LECs for 2009 and adjusted for Centrex lines are 6,818,611, (4,836,663 residence and 1,981,948 business). Based upon the number of access lines, projected program costs (Relay, CTRS, TDDP, and PMASP), anticipated Relay Advisory Board expenses, TRS Fund administration costs, and the financial status of the TRS Fund, the 2010-2011, the monthly TRS surcharge rate for both residence and business access lines will continue to be set at \$0.08 per month. All LECs shall continue to remit TRS surcharge revenues to the Fund Administrator.⁶ Since the 2010-2011 surcharge re-

mains the same as the 2009-2010 rate \$0.08, tariff supplements are not required.

Effective July 1, 2010, the monthly surcharge allocation for each fund account is as follows:⁷

	<i>2010-2011 Monthly Surcharge Percentage</i>	
	<i>Residence %</i>	<i>Business %</i>
Relay	94.0	94.0
TDDP	4.0	4.0
PMASP	<u>2.0</u>	<u>2.0</u>
Total Percentage	100.0	100.0

Operations for 2010-2011

We shall continue our active oversight of the operations of the Pennsylvania Relay, (traditional, speech-to-speech, and captioned telephone). Further, in accordance with 35 P. S. §§ 6701.3a and 4, we shall continue to collaborate with OVR and its TDDP administrator⁸ to ensure adequate funding for distribution of TDDP equipment to low-income households. Further, we shall continue to assist OVR in its mission to ensure adequate funding for PMASP.

Audits

On May 29, 2003, the Commission authorized an audit of the TRS fund. The scope of this audit has expanded to include additional fiscal periods. On August 7, 2003, a Commission Secretarial Letter required AT&T to file, on or before May 1st of each year, a Statement of Actual Underlying Costs of the PA TRS for the prior completed period of July 1 through June 30. The Bureau of Audits is currently auditing the PA TRS underlying costs for the three fiscal periods ending June 30, 2007, 2008 and 2009. Regarding the TDDP the Bureau of Audits is currently conducting the audit of the two fiscal periods ending June 30, 2008 and 2009.

Conclusion

The Commission has completed the annual recalculation of the TRS Surcharge. The surcharge to be applied beginning July 1, 2010, through June 30, 2011, will remain at \$0.08 for residential and business access lines; *Therefore,*

It Is Ordered That:

1. For the period of July 1, 2010, through June 30, 2011, the monthly TRS surcharge rate shall be \$0.08 for residence and business, unless we take further action to revise the TRS surcharge prior to June 30, 2011.

2. All local exchange carriers are directed to use the attached form to remit the monthly TRS surcharge collections to U.S. Bank, Institutional Trust & Custody.

3. A copy of this Order be served upon all local exchange carriers, AT&T Communications Company of Pennsylvania, LLC, Hamilton Telecommunications, U.S. Bank Institutional Trust & Custody, the Office of Vocational Rehabilitation in the Department of Labor and Industry, the Office of Consumer Advocate, the Office of Small Business Advocate, and the Pennsylvania Telephone Association.

4. A copy of this Order be published in the *Pennsylvania Bulletin*.

5. A copy of this Order be posted to the Commission's web site.

ROSEMARY CHIAVETTA,
Secretary

¹ Additional information on TRS may be found at http://www.puc.state.pa.us/telecom/telecom_relay_service.aspx

² See Act 34 of 1995, 35 P. S. §§ 6701.1—6701.4 (the statutory provisions were amended by Act 181 of 2002 to be more inclusive of persons with disabilities), establishing the Telephone Device Distribution Program (TDDP) to be funded by the TRS surcharge and which codified Relay and use of the TRS surcharge funding mechanism; and Act 174 of 2004, 35 P. S. § 6701.3a, which established the Print Media Access System Program (PMASP) to be funded in part by the TRS surcharge. PMASP is a reading service for persons with certain vision and physical disabilities. The law is now called the "Universal Telecommunications and Print Media Access Act."

³ LEC includes both incumbent and competitive local exchange carriers. Thirty-eight LECs had not submitted access line counts as of the date of preparation of this order; therefore, access line counts are estimated for surcharge calculation purposes. Noncompliant LECs are referred to the Commission's Law Bureau prosecutory staff.

⁴ As a result of mergers, acquisitions, and name changes, Fund administration has been handled by Hamilton Bank (1990), CoreStates Bank N.A. (1995), First Union National Bank (1999), Wachovia Bank, N.A. (2002), and U.S. Bank Institutional Trust & Custody (2006).

⁵ Separate accounts are maintained for the portions of the surcharge allocated to Relay, TDDP, and PMASP. Relay Advisory Board, CTRS, and outreach activities are funded from the Relay account; Fund administration draws from each respective account.

⁶ U.S. Bank Institutional Trust & Custody, Attn: Sue Massey, EX-PA-WBSP, 50 South 16th Street, 20th Floor, Philadelphia, PA 19102, payable to the "PA Relay Service Fund" and designated for Relay. Wire instructions effective September 11, 2006 can be found on the remittance form.

⁷ The TRS surcharge appears as a single line item on customers' bills but actually has three components (Relay TDDP and PMASP).

⁸ As of January 1, 2007, the TDD program is administered by Pennsylvania's Initiative on Assistive Technology (PIAT), Institute on Disabilities, Temple University (IDT).

REMITTANCE FORM FOR MONTHLY TRS SURCHARGE COLLECTIONS

Effective July 1, 2010 through June 30, 2011 Docket No. M-2010-2151504

All local service providers are required to collect and remit the TRS surcharge revenue monthly, by the 20th of each month using the following format for the monthly remittance:

Pennsylvania TRS Surcharge

For the Month Ending
Number of Residential access lines
X \$0.08 per line
Allocated:
TRS Relay 94.0 percent
TDDP 4.0 percent
PMASP 2.0 percent
Number of Business access lines
X \$0.08 per line
Allocated:
TRS Relay 94.0 percent
TDDP 4.0 percent
PMASP 2.0 percent
Total Remittance

Make check payable to: Pennsylvania TRS Fund

Mail Report and payment to:

U.S. Bank Institutional Trust & Custody
Sue Massey
EX-PA-WBSP
50 South 16th Street, 20th Floor
Philadelphia, PA 19102

Wire Instructions:

BANK U.S. Bank N.A
ADDRESS 60 Livingston Avenue
St Paul MN 55107-2292
ABA 091 000 022
BNF ITC Depository South & East
ACCOUNT 173 103 781 832
OBI PA Relay
ATTN: Sue Massey

Remittance for: Company Name(s):
Contact Person:
Voice Phone Number:
E-mail address

Authorized Signature: Date:

Please direct any questions regarding the TRS Surcharge remittance to Eric Jeschke at (717) 783-3850 or ejeschke@state.pa.us.

[Pa.B. Doc. No. 10-1193. Filed for public inspection June 25, 2010, 9:00 a.m.]

Service of Notice of Motor Carrier Applications

The following temporary authority and/or permanent authority applications for the right to render service as a common carrier or contract carrier in this Commonwealth have been filed with the Pennsylvania Public Utility Commission. Formal protests and petitions to intervene must be filed in accordance with 52 Pa. Code (relating to public utilities). A protest shall indicate whether it applies to the temporary authority application, the permanent authority application, or both. Filings must be made with the Secretary, Pennsylvania Public Utility Commission, P. O. Box 3265, Harrisburg, PA 17105-3265, with a copy served on the applicant by July 12, 2010. Documents filed in support of the application are available for inspection and copying at the Office of the Secretary between 8 a.m. and 4:30 p.m., Monday through Friday, and at the business address of the respective applicant.

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

A-2010-2161998. PA-NYC Transportation Services, Inc. (1702 Barrett Drive, Bethlehem, Northampton County, PA 18017)—a corporation of the Commonwealth—in paratransit service, from points in Northampton County, to points in Pennsylvania, and return. *Attorney:* Daniel K. McCarthy, 1146 South Cedar Crest Boulevard, Allentown, PA 18103.

A-2010-2180179. Advanced Life Support Ambulance, Inc. (1695 Huntingdon Road, Huntingdon Valley, PA 19006), for the right to begin to transport, as a common carrier, by motor vehicle, persons in paratransit service, from points in the City and County of Philadelphia, to points in Pennsylvania, and return.

A-2010-2181817. Armstrong Millien t/a AAA Taxi (1909 Renwick Street, Bethlehem, Lehigh County, PA 18017), for the right to begin to transport, as a common carrier, by motor vehicle, persons in call or demand service, in Northampton County and the City of Bethlehem, Lehigh County, PA. *Attorney:* Barbara A Darkes, Esquire, 100 Pine Street, P. O. Box 1166, Harrisburg, PA 17108-1166.

A-2010-2181931. Butler Medical Transport, Inc. (10233 South Dolfield Road, Owings Mills, MD 21117)—a corporation of the Commonwealth, persons in paratransit service, from points in the Counties of York and Lancaster, to points in Pennsylvania, and return.

Applications 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 each application.*

A-2010-2180799. Valley Limousine Service, LLC (1302 Gary Street, Bethlehem, Northampton County, PA 18018), a limited liability company of the Commonwealth—persons, in group and party service, in vehicles seating 11 to 15 passengers, including the driver, between points in the Counties of Berks, Bucks, Carbon, Lehigh, Monroe, Montgomery, Northampton and Schuylkill.

A-2010-2180851. Black Diamond Cab Company, Inc. (212 West Independence Street, Shamokin, Northumberland County, PA 17872)—a corporation of the Commonwealth, persons, in paratransit service, from points in the Counties of Northumberland, Schuylkill, Columbia, Montour, Union, Snyder, Dauphin and Carbon, to points in Pennsylvania, and return.

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

A-2010-2181610. Latino Americano Transportation, Inc. (2831 Boudinot Street, Philadelphia, Philadelphia County, PA 19134)—a corporation of the Commonwealth, for the right to begin to transport, as a contract carrier, by motor vehicle, persons between points in the City and County of Philadelphia for the Medical Assistance Transportation Program (MATP) through Logisticare Solutions, LLC.

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

A-2010-2172404. Central Pennsylvania Community Action, Inc. (P. O. Box 792, Clearfield, Clearfield County, PA 16830)—a corporation of the Commonwealth—discontinuance of service and cancellation of its certificate—persons in paratransit service, for kidney dialysis services, from points in Clearfield County, and from the Borough of Philipsburg, Centre County, to points in Pennsylvania, and return.

A-2010-2181829. Woodrow Wilson Kirkwood, Jr. (115 West Main Street, Dayton, Armstrong County, PA 16222)—for the discontinuance of service and cancellation of his certificate as a common carrier, by motor vehicle, authorizing the transportation of persons in paratransit service, limited to persons whose personal convictions prevent them from owning or operating motor vehicles, from points in the Counties of Armstrong and Indiana, to points in Pennsylvania, and return. *Attorney:* Preston T. Younkens, Esquire, 200 North Jefferson Street, Kittanning, PA 16201.

Pennsylvania Public Utility Commission, Bureau of
Transportation and Safety v. Ali R, Inc.;
Doc. No. C-2010-2129819, A-00120-445

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 Ali R, Inc., Respondent, maintains a principal place of business at 1100 Spring Garden Street, Philadelphia, PA 19123.
2. That Respondent was issued a Certificate of Public Convenience by this Commission on March 30, 2004, at A-00120445.
3. That Respondent was advised by letter dated May 10, 2005, that its medallion authority was being transferred to the Philadelphia Parking Authority. At that time, Respondent was advised that its taxicab service which had an origin and destination outside of the City of Philadelphia remained subject to the regulatory oversight of the PA PUC.

4. That Respondent was advised by letter dated August 31, 2009, that it failed to file a valid tariff with this Commission as required by 52 Pa. Code § 23.11. Respondent was provided 60 days to file an acceptable tariff. To date, Respondent has not filed an acceptable tariff. The penalty is \$250.00.

Wherefore, the Bureau of Transportation and Safety Prosecutory Staff hereby requests that the Commission fine Ali R, Inc., the sum of two hundred and fifty dollars (\$250.00) for the illegal activity described in the 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
Division
Bureau of Transportation and Safety

NOTICE

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

Rosemary Chiavetta, Secretary
Pennsylvania Public Utility Commission
P. O. Box 3265
Harrisburg, PA 17105-3265

B. If you fail to answer this complaint within twenty (20) days of the date of service, the Bureau of Transportation and Safety will request that the Commission issue a Secretarial Letter imposing a penalty. Each day you continue to violate any regulation, direction, requirement or Order of the Commission is a separate and distinct offense, subject to additional penalties.

C. You may elect not to contest this complaint by filing an acceptable tariff and by paying the fine proposed in this Complaint by certified check or money order. The tariff must be filed with the:

Compliance Office, Bureau of Transportation
and Safety
Pennsylvania Public Utility Commission
P. O. Box 3265
Harrisburg, PA 17105-3265

The fine payment must be made to the Commonwealth of Pennsylvania and should be forwarded to:

Rosemary Chiavetta, 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 an acceptable tariff and payment of the proposed fine, 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 to this Complaint (for persons with disabilities), please contact the Compliance Office at (717) 787-1227.

*Pennsylvania Public Utility Commission, Bureau of
Transportation and Safety v. Kebe Cab Co.;*
Doc. No. C-2010-2135170, A-00118352

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 Kebe Cab Co., Respondent, maintains a principal place of business at 1100 Spring Garden Street, Philadelphia, PA 19123.

2. That Respondent was issued a Certificate of Public Convenience by this Commission on November 14, 2001, at A-00118352.

3. That Respondent was advised by letter dated May 10, 2005, that its medallion authority was being transferred to the Philadelphia Parking Authority. At that time, Respondent was advised that its taxicab service which had an origin and destination outside of the City of Philadelphia remained subject to the regulatory oversight of the PA PUC.

4. That Respondent was advised by letter dated September 11, 2009, that it failed to file a valid tariff with this Commission as required by 52 Pa. Code § 23.11. Respondent was provided 60 days to file an acceptable tariff. To date, Respondent has not filed an acceptable tariff. The penalty is \$250.00.

Wherefore, the Bureau of Transportation and Safety Prosecutory Staff hereby requests that the Commission fine Kebe Cab Co., the sum of two hundred and fifty dollars (\$250.00) for the illegal activity described in the 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
Division
Bureau of Transportation and Safety

NOTICE

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

Rosemary Chiavetta, Secretary
Pennsylvania Public Utility Commission
P. O. Box 3265
Harrisburg, PA 17105-3265

B. If you fail to answer this complaint within twenty (20) days of the date of service, the Bureau of Transportation and Safety will request that the Commission issue a Secretarial Letter imposing a penalty. Each day you continue to violate any regulation, direction, requirement or Order of the Commission is a separate and distinct offense, subject to additional penalties.

C. You may elect not to contest this complaint by filing an acceptable tariff and by paying the fine proposed in this Complaint by certified check or money order. The tariff must be filed with the:

Compliance Office, Bureau of Transportation and Safety
Pennsylvania Public Utility Commission
P. O. Box 3265
Harrisburg, PA 17105-3265

The fine payment must be made to the Commonwealth of Pennsylvania and should be forwarded to:

Rosemary Chiavetta, 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 an acceptable tariff and payment of the proposed fine, 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 to this Complaint (for persons with disabilities), please contact the Compliance Office at (717) 787-1227.

*Pennsylvania Public Utility Commission, Bureau of
Transportation and Safety v. Kodjoe Cab Co.;*
Doc. No. C-2010-2131225, A-00119491

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 Kodjoe Cab Co., Respondent, maintains a principal place of business at 5621 Montour Street, Philadelphia, PA 19123.

2. That Respondent was issued a Certificate of Public Convenience by this Commission on March 11, 2003, at A-00119491.

3. That Respondent was advised by letter dated May 10, 2005, that its medallion authority was being transferred to the Philadelphia Parking Authority. At that time, Respondent was advised that its taxicab service which had an origin and destination outside of the City of Philadelphia remained subject to the regulatory oversight of the PA PUC.

4. That Respondent was advised by letter dated September 11, 2009, that it failed to file a valid tariff with this Commission as required by 52 Pa. Code § 23.11. Respondent was provided 60 days to file an acceptable tariff. To date, Respondent has not filed an acceptable tariff. The Bureau of Transportation and Safety's Motor Carrier Services and Enforcement Prosecutory Staff's proposed civil penalty for this violation is \$250.00.

Wherefore, the Bureau of Transportation and Safety Prosecutory Staff hereby requests that the Commission fine Kodjoe Cab Co., the sum of two hundred and fifty dollars (\$250.00) for the illegal activity described in the 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
Division
Bureau of Transportation and Safety

NOTICE

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

Rosemary Chiavetta, Secretary
Pennsylvania Public Utility Commission
P. O. Box 3265
Harrisburg, PA 17105-3265

B. If you fail to answer this complaint within twenty (20) days of the date of service, the Bureau of Transportation and Safety will request that the Commission issue a Secretarial Letter imposing a penalty. Each day you continue to violate any regulation, direction, requirement or Order of the Commission is a separate and distinct offense, subject to additional penalties.

C. You may elect not to contest this complaint by filing an acceptable tariff and by paying the fine proposed in this Complaint by certified check or money order. The tariff must be filed with the:

Compliance Office, Bureau of Transportation and Safety
Pennsylvania Public Utility Commission
P. O. Box 3265
Harrisburg, PA 17105-3265

The fine payment must be made to the Commonwealth of Pennsylvania and should be forwarded to:

Rosemary Chiavetta, 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 an acceptable tariff and payment of the proposed fine, 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 to this Complaint

(for persons with disabilities), please contact the Compliance Office at (717) 787-1227.

*Pennsylvania Public Utility Commission, Bureau of
Transportation and Safety v. Tangara, Inc.;*
Doc. No. C-2010-2135211, A-00112471

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 Tangara, Inc., Respondent, maintains a principal place of business at 3360 Chichester Avenue, Apt P 10, Boothwyn, PA 19061-3225.

2. That Respondent was issued a Certificate of Public Convenience by this Commission on December 18, 1995, at A-00112471.

3. That Respondent was advised by letter dated May 10, 2005, that its medallion authority was being transferred to the Philadelphia Parking Authority. At that time, Respondent was advised that its taxicab service which had an origin and destination outside of the City of Philadelphia remained subject to the regulatory oversight of the PA PUC.

4. That Respondent was advised by letter dated September 11, 2009, that it failed to file a valid tariff with this Commission as required by 52 Pa. Code § 23.11. Respondent was provided 60 days to file an acceptable tariff. To date, Respondent has not filed an acceptable tariff. The penalty is \$250.00.

Wherefore, the Bureau of Transportation and Safety Prosecutory Staff hereby requests that the Commission fine Tangara, Inc., the sum of two hundred and fifty dollars (\$250.00) for the illegal activity described in the 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
Division
Bureau of Transportation and Safety

NOTICE

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

Rosemary Chiavetta, Secretary
Pennsylvania Public Utility Commission
P. O. Box 3265
Harrisburg, PA 17105-3265

B. If you fail to answer this complaint within twenty (20) days of the date of service, the Bureau of Transportation and Safety will request that the Commission issue a Secretarial Letter imposing a penalty. Each day you continue to violate any regulation, direction, requirement or Order of the Commission is a separate and distinct offense, subject to additional penalties.

C. You may elect not to contest this complaint by filing an acceptable tariff and by paying the fine proposed in this Complaint by certified check or money order. The tariff must be filed with the:

Compliance Office, Bureau of Transportation and
Safety
Pennsylvania Public Utility Commission
P. O. Box 3265
Harrisburg, PA 17105-3265

The fine payment must be made to the Commonwealth of Pennsylvania and should be forwarded to:

Rosemary Chiavetta, 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 an acceptable tariff and payment of the proposed fine, 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 to this Complaint (for persons with disabilities), please contact the Compliance Office at (717) 787-1227.

*Pennsylvania Public Utility Commission, Bureau of
Transportation and Safety v. Bhamipura Corp.;*
Doc. No. C-2010-2128704, A-00114878

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 Bhamipura Corp., Respondent, maintains a principal place of business at 60 Browning Road, Middletown, DE 19079.

2. That Respondent was issued a Certificate of Public Convenience by this Commission on August 6, 1998, A-00114878.

3. That Respondent was advised by letter dated May 10, 2005, that its medallion authority was being transferred to the Philadelphia Parking Authority. At that time, Respondent was advised that its taxicab service which had an origin and destination outside of the City of Philadelphia remained subject to the regulatory oversight of the PA PUC.

4. That Respondent was advised by letter dated August 31, 2009, that it failed to file a valid tariff with this Commission as required by 52 Pa. Code § 23.11. Respondent was provided 60 days to file an acceptable tariff. To date, Respondent has not filed an acceptable tariff. The Bureau of Transportation and Safety's Motor Carrier Services and Enforcement Prosecutory Staff's proposed civil penalty for this violation is \$250.00.

Wherefore, the Bureau of Transportation and Safety Prosecutory Staff hereby requests that the Commission fine Bhamipura Corp., the sum of two hundred and fifty dollars (\$250.00) for the illegal activity described in the 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
Division
Bureau of Transportation and Safety

NOTICE

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

Rosemary Chiavetta, Secretary
 Pennsylvania Public Utility Commission
 P. O. Box 3265
 Harrisburg, PA 17105-3265

B. If you fail to answer this complaint within twenty (20) days of the date of service, the Bureau of Transportation and Safety will request that the Commission issue a Secretarial Letter imposing a penalty. Each day you continue to violate any regulation, direction, requirement or Order of the Commission is a separate and distinct offense, subject to additional penalties.

C. You may elect not to contest this complaint by filing an acceptable tariff and by paying the fine proposed in this Complaint by certified check or money order. The tariff must be filed with the:

Compliance Office, Bureau of Transportation and Safety
 Pennsylvania Public Utility Commission
 P. O. Box 3265
 Harrisburg, PA 17105-3265

The fine payment must be made to the Commonwealth of Pennsylvania and should be forwarded to:

Rosemary Chiavetta, Secretary
 Pennsylvania Public Utility Commission
 P. O. Box 3265
 Harrisburg, PA 17105-3265

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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 to this Complaint (for persons with disabilities), please contact the Compliance Office at (717) 787-1227.

*Pennsylvania Public Utility Commission, Bureau of
 Transportation and Safety v. Satti Cab Corp.;*
Doc. No. C-2010-2135182, A-00118357

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 del-

egated 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 Satti Cab Corp., Respondent, maintains a principal place of business at 7122 Pennsylvania Avenue, Upper Darby, PA 19082.

2. That Respondent was issued a Certificate of Public Convenience by this Commission on December 11, 2001, at A-00118357.

3. That Respondent was advised by letter dated May 10, 2005, that its medallion authority was being transferred to the Philadelphia Parking Authority. At that time, Respondent was advised that its taxicab service which had an origin and destination outside of the City of Philadelphia remained subject to the regulatory oversight of the PA PUC.

4. That Respondent was advised by letter dated September 11, 2009, that it failed to file a valid tariff with this Commission as required by 52 Pa. Code § 23.11. Respondent was provided 60 days to file an acceptable tariff. To date, Respondent has not filed an acceptable tariff. The Bureau of Transportation and Safety's Motor Carrier Services and Enforcement Prosecutory Staff's proposed civil penalty for this violation is \$250.00.

Wherefore, the Bureau of Transportation and Safety Prosecutory Staff hereby requests that the Commission fine Satti Cab Corp., the sum of two hundred and fifty dollars (\$250.00) for the illegal activity described in the 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
 Division
 Bureau of Transportation and Safety

NOTICE

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

must include the reference number of this complaint. Your answer must be verified and the original and three (3) copies sent to:

Rosemary Chiavetta, Secretary
 Pennsylvania Public Utility Commission
 P. O. Box 3265
 Harrisburg, PA 17105-3265

B. If you fail to answer this complaint within twenty (20) days of the date of service, the Bureau of Transportation and Safety will request that the Commission issue a Secretarial Letter imposing a penalty. Each day you continue to violate any regulation, direction, requirement or Order of the Commission is a separate and distinct offense, subject to additional penalties.

C. You may elect not to contest this complaint by filing an acceptable tariff and by paying the fine proposed in this Complaint by certified check or money order. The tariff must be filed with the:

Compliance Office, Bureau of Transportation and Safety
 Pennsylvania Public Utility Commission
 P. O. Box 3265
 Harrisburg, PA 17105-3265

The fine payment must be made to the Commonwealth of Pennsylvania and should be forwarded to:

Rosemary Chiavetta, 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 an acceptable tariff and payment of the proposed fine, 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 to this Complaint (for persons with disabilities), please contact the Compliance Office at (717) 787-1227.

*Pennsylvania Public Utility Commission, Bureau of
 Transportation and Safety v. Simran Trans, Inc.;*
Doc. No. C-2010-2135179, A-00121239

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 Simran Trans, Inc., Respondent, maintains a principal place of business at 146 Glencoe Road, Upper Darby, PA 19082.

2. That Respondent was issued a Certificate of Public Convenience by this Commission on December 21, 2004, at A-00121239.

3. That Respondent was advised by letter dated May 10, 2005, that its medallion authority was being transferred to the Philadelphia Parking Authority. At that time, Respondent was advised that its taxicab service which had an origin and destination outside of the City of Philadelphia remained subject to the regulatory oversight of the PA PUC.

4. That Respondent was advised by letter dated September 11, 2009, that it failed to file a valid tariff with this Commission as required by 52 Pa. Code § 23.11. Respondent was provided 60 days to file an acceptable tariff. To date, Respondent has not filed an acceptable tariff. The Bureau of Transportation and Safety's Motor Carrier Services and Enforcement Prosecutory Staff's proposed civil penalty for this violation is \$250.00.

Wherefore, the Bureau of Transportation and Safety Prosecutory Staff hereby requests that the Commission fine Simran Trans, Inc., the sum of two hundred and fifty dollars (\$250.00) for the illegal activity described in the 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
 Division
 Bureau of Transportation and Safety

NOTICE

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

Rosemary Chiavetta, Secretary
 Pennsylvania Public Utility Commission
 P. O. Box 3265
 Harrisburg, PA 17105-3265

B. If you fail to answer this complaint within twenty (20) days of the date of service, the Bureau of Transportation and Safety will request that the Commission issue a Secretarial Letter imposing a penalty. Each day you continue to violate any regulation, direction, requirement or Order of the Commission is a separate and distinct offense, subject to additional penalties.

C. You may elect not to contest this complaint by filing an acceptable tariff and by paying the fine proposed in this Complaint by certified check or money order. The tariff must be filed with the:

Compliance Office, Bureau of Transportation and Safety
 Pennsylvania Public Utility Commission
 P. O. Box 3265
 Harrisburg, PA 17105-3265

The fine payment must be made to the Commonwealth of Pennsylvania and should be forwarded to:

Rosemary Chiavetta, 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 an acceptable tariff and payment of the proposed fine, 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 to this Complaint (for persons with disabilities), please contact the Compliance Office at (717) 787-1227.

*Pennsylvania Public Utility Commission, Bureau of
 Transportation and Safety v. Iqbal Cab Co.;*
Doc. No. C-2010-2131223, A-00119357

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 Iqbal Cab Co., Respondent, maintains a principal place of business at 128 Marlboro Road, Upper Darby, PA 19082.
2. That Respondent was issued a Certificate of Public Convenience by this Commission on January 14, 2003, at A-00119357.
3. That Respondent was advised by letter dated May 10, 2005, that its medallion authority was being transferred to the Philadelphia Parking Authority. At that

time, Respondent was advised that its taxicab service which had an origin and destination outside of the City of Philadelphia remained subject to the regulatory oversight of the PA PUC.

4. That Respondent was advised by letter dated September 4, 2009, that it failed to file a valid tariff with this Commission as required by 52 Pa. Code § 23.11. Respondent was provided 60 days to file an acceptable tariff. To date, Respondent has not filed an acceptable tariff. The Bureau of Transportation and Safety's Motor Carrier Services and Enforcement Prosecutory Staff's proposed civil penalty for this violation is \$250.00.

Wherefore, the Bureau of Transportation and Safety Prosecutory Staff hereby requests that the Commission fine Iqbal Cab Co., the sum of two hundred and fifty dollars (\$250.00) for the illegal activity described in the 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
 Division
 Bureau of Transportation and Safety

NOTICE

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

Rosemary Chiavetta, Secretary
 Pennsylvania Public Utility Commission
 P. O. Box 3265
 Harrisburg, PA 17105-3265

B. If you fail to answer this complaint within twenty (20) days of the date of service, the Bureau of Transportation and Safety will request that the Commission issue a Secretarial Letter imposing a penalty. Each day you continue to violate any regulation, direction, requirement or Order of the Commission is a separate and distinct offense, subject to additional penalties.

C. You may elect not to contest this complaint by filing an acceptable tariff and by paying the fine proposed in this Complaint by certified check or money order. The tariff must be filed with the:

Compliance Office, Bureau of Transportation and Safety
 Pennsylvania Public Utility Commission
 P. O. Box 3265
 Harrisburg, PA 17105-3265

The fine payment must be made to the Commonwealth of Pennsylvania and should be forwarded to:

Rosemary Chiavetta, 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 an acceptable tariff and payment of the proposed fine, 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 to this Complaint (for persons with disabilities), please contact the Compliance Office at (717) 787-1227.

Pennsylvania Public Utility Commission, Bureau of Transportation and Safety v. Edomobi Enterprises, Inc.;
Doc. No. C-2010-2128651, A-00110145

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 Ebomobi Enterprises, Inc., Respondent, maintains a principal place of business at 457 East Rively Avenue, Aldan, PA 19018.

2. That Respondent was issued a Certificate of Public Convenience by this Commission on May 5, 1992, at A-00110145.

3. That Respondent was advised by letter dated May 10, 2005, that its medallion authority was being transferred to the Philadelphia Parking Authority. At that time, Respondent was advised that its taxicab service which had an origin and destination outside of the City of Philadelphia remained subject to the regulatory oversight of the PA PUC.

4. That Respondent was advised by letter dated August 31, 2009, that it failed to file a valid tariff with this Commission as required by 52 Pa. Code § 23.11. Respondent was provided 60 days to file an acceptable tariff. To date, Respondent has not filed an acceptable tariff. The penalty is \$250.00.

Wherefore, the Bureau of Transportation and Safety Prosecutory Staff hereby requests that the Commission fine Ebomobi Enterprises, Inc., the sum of two hundred and fifty dollars (\$250.00) for the illegal activity described in the 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 Division
 Bureau of Transportation and Safety

NOTICE

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

Rosemary Chiavetta, Secretary
 Pennsylvania Public Utility Commission
 P. O. Box 3265
 Harrisburg, PA 17105-3265

B. If you fail to answer this complaint within twenty (20) days of the date of service, the Bureau of Transportation and Safety will request that the Commission issue a Secretarial Letter imposing a penalty. Each day you continue to violate any regulation, direction, requirement or Order of the Commission is a separate and distinct offense, subject to additional penalties.

C. You may elect not to contest this complaint by filing an acceptable tariff and by paying the fine proposed in this Complaint by certified check or money order. The tariff must be filed with the:

Compliance Office, Bureau of Transportation and Safety
 Pennsylvania Public Utility Commission
 P. O. Box 3265
 Harrisburg, PA 17105-3265

The fine payment must be made to the Commonwealth of Pennsylvania and should be forwarded to:

Rosemary Chiavetta, 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 an acceptable tariff and payment of the proposed fine, 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 to this Complaint (for persons with disabilities), please contact the Compliance Office at (717) 787-1227.

JAMES J. McNULTY,
Secretary

[Pa.B. Doc. No. 10-1194. Filed for public inspection June 25, 2010, 9:00 a.m.]

STATE EMPLOYEES' RETIREMENT BOARD

Hearing Scheduled

The following hearing has been scheduled, as authorized by 71 Pa.C.S. Part XXV (relating to the State Employees' Retirement Code), in connection with the State Employees' Retirement System's denial of Claimant's request concerning the indicated account.

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

July 22, 2010 Thomas R. Czarnecki 1 p.m.
 Crediting of Standby Time for
 Retirement Purposes

Parties in each respective case may appear with or without counsel and offer relevant testimony or evidence to support their respective positions. The hearings will be held in accordance with the requirements of 2 Pa.C.S. §§ 501—508 and 701—704 (relating to the Administrative Agency Law). Under 4 Pa. Code § 250.01 (relating to applicability of general rules), procedural matters will be in conformance with 1 Pa. Code, Part II (relating to General Rules of Administrative Practice and Procedure), unless specific exemption is granted.

LEONARD KNEPP,
Secretary

[Pa.B. Doc. No. 10-1195. Filed for public inspection June 25, 2010, 9:00 a.m.]

