

NOTICES

DEPARTMENT OF COMMUNITY AND ECONOMIC DEVELOPMENT

Approvals Under Act 46 of 2010

Notice is hereby given that all permits or other authorizations described below and granted or in effect after December 31, 2008, and expiring prior to July 2, 2013, are automatically extended until July 2, 2013, by virtue of the enactment of Act 46 of 2010, which Act shall govern the authority, scope and procedures related to such extensions, to wit:

All approvals, agreements, permits, including a building permit or construction permit, or other authorizations or decisions allowing a development or construction project to proceed; or relating to or affecting development, granted pursuant to a statute, regulation or ordinance adopted by a municipality including those issued under the following statutes:

- 37 Pa.C.S. (relating to historical and museums);
- 53 Pa.C.S. (relating to municipalities generally);
- 68 Pa.C.S. Pt. II, Subpt. B (relating to condominiums);
- 68 Pa.C.S. Pt. II, Subpt. C (relating to cooperatives);
- 68 Pa.C.S. Pt. II, Subpt. D (relating to planned communities);
- The act of March 7, 1901 (p.l.20, no.14), referred to as the Second Class City Law, as it relates to development and construction;
- The Act of April 9, 1929 (p.l.177, no.175), known as the Administrative Code of 1929;
- The Act of June 23, 1931 (p.l.932, no.317), known as the Third Class City Code, as it relates to development and construction;
- The Act of June 24, 1931 (p.l.1206, no.331), known as the First Class Township Code, as it relates to development and construction;
- The Act of May 1, 1933 (p.l.103, no.69), known as the Second Class Township Code, as it relates to development and construction;
- The Act of June 22, 1937 (p.l.1987, no.394), known as the Clean Streams Law;
- The Act of June 1, 1945 (p.l.1242, no.428), known as the State Highway Law, as it relates to the issuance of highway occupancy permits which are regulated under 67 Pa. Code Ch. 441 (relating to access to and occupancy of highways by driveways and local roads) or which are affected by other laws or regulations;
- The Act of April 21, 1949 (p.l.665, no.155), known as the First Class City Home Rule Act as it relates to development and construction;
- The Act of July 28, 1953 (p.l.723, no.230), known as the Second Class County Code;
- The Act of August 9, 1955 (p.l.323, no.130), known as the County Code;
- The Act of July 15, 1957 (p.l.901, no.399), known as the Optional Third Class City Charter Law, as it relates to development and construction;
- The Act of May 16, 1923 (p.l.207, no.153), referred to as the Municipal Claim and Tax Lien Law;
- The Act of January 24, 1966 (1965 p.l.1535, no.537), known as the Pennsylvania Sewage Facilities Act;
- The Act of February 1, 1966 (1965 p.l.1656, no.581), known as the Borough Code, as it relates to development and construction;
- The Act of July 31, 1968 (p.l.805, no.247), known as the Pennsylvania Municipalities Planning Code (MPC);
- The Act of July 9, 1971 (p.l.206, no.34), known as the Improvement of Deteriorating Real Property or Areas Tax Exemption Act;
- The Act of October 4, 1978 (p.l.851, no.166), known as the Flood Plain Management Act;
- The Act of October 4, 1978 (p.l.864, no.167), known as the Storm Water Management Act;
- The Act of November 26, 1978 (p.l.1375, no.325), known as the Dam Safety and Encroachments Act;
- The Act of November 10, 1999 (p.l.491, no.45), known as the Pennsylvania Construction Code Act;
- The Act of December 20, 2000 (p.l.724, no.99), known as the Municipal Code and Ordinance Compliance Act;
- The Act of June 22, 2001 (p.l.390, no.29), known as the Conservation and Preservation Easements Act;
- The act of May 16, 2002 (p.l.315, no.46), known as the Community Services Block Grant Act;
- Soil erosion and sediment control plans approved by a local soil conservation district under 25 Pa. Code Ch. 102 (relating to erosion and sediment control);
- The National Historic Preservation Act (public law 89-665, 80 stat. 915), to the extent the Commonwealth has been empowered to administer, approve or otherwise authorize activities under that Act; and
- The Federal Water Pollution Control Act (62 stat. 1155, 33 USC § 1251 et seq.), to the extent the Commonwealth has been empowered to administer, approve or otherwise authorize activities under that Act.

This notice is being made on behalf of every county; city of the first class, second class, second class A, and third class; borough; first class township; second class township; home rule municipality; and, to the extent required by this Act, any other agency, board or authority created by the above with the authority to issue approvals, as required by Section 1607-1 of Act 46 of 2010.

GEORGE E. CORNELIUS,
Secretary

[Pa.B. Doc. No. 10-1397. Filed for public inspection July 30, 2010, 9:00 a.m.]

Consolidated Plan; 2009 Annual Performance and Evaluation Report

The Department of Community and Economic Development (Department) is preparing its Consolidated Annual Performance and Evaluation Report (CAPER) on the progress and accomplishments made during 2009 in implementing the Commonwealth's Consolidated Plan for Federal Fiscal Years 2009-2013. This document must be submitted to, and approved by, the United States Department of Housing and Urban Development (HUD) for the Commonwealth and organizations within this Commonwealth to receive funding under most HUD housing and community development programs. The Consolidated Plan creates a unified strategy for housing and community development programs, as well as the necessary linkages for building successful neighborhoods and communities.

The Commonwealth has allocated funds under several programs, namely Community Development Block Grant, HOME Investment Partnerships Program, Emergency Shelter Grant and Housing Opportunities for Persons with AIDS. The CAPER discusses accomplishments in relation to goals and objectives identified in the Action Plan of the Consolidated Plan.

The CAPER assesses the goals and objectives of this strategic plan; how the Commonwealth is affirmatively furthering fair and affordable housing; the activities of the Continuum of Care; as well as how resources in community development and housing are being leveraged.

Citizen Comments

Any individual or organization may provide written comments regarding the CAPER. The report will be available for review at www.newpa.com or for more information, call (717) 787-5327. Comments will be accepted about funded activities, community development, housing, the content of the CAPER and the process by which public input is gathered. The Commonwealth encourages public participation in this process.

Written comments will be accepted until 5 p.m. on August 23, 2010, and should be sent to Lauren Atwell, Department of Community and Economic Development, Center for Community Financing, Commonwealth Keystone Building, 400 North Street, 4th Floor, Harrisburg, PA 17120-0225.

AUSTIN BURKE,
Secretary

[Pa.B. Doc. No. 10-1398. Filed for public inspection July 30, 2010, 9:00 a.m.]

DEPARTMENT OF ENVIRONMENTAL PROTECTION

Applications, Actions and Special Notices

APPLICATIONS

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

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

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

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

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

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

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

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

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

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

I. NPDES Renewal Applications

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

<i>NPDES No. (Type)</i>	<i>Facility Name & Address</i>	<i>County & Municipality</i>	<i>Stream Name (Watershed #)</i>	<i>EPA Waived Y/N?</i>
PA0051632 (Industrial Waste)	Easton Suburban Water Authority 3700 Hartley Avenue Easton, PA 18043	Northampton County City of Easton	Delaware River 01F	Y
PAS142202 (Stormwater)	Packaging Corporation of America 7451 Centronia Road Allentown, PA 18106	Lehigh County Upper Macungie Township	Iron Run 2-C	Y

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

<i>NPDES No. (Type)</i>	<i>Facility Name & Address</i>	<i>County & Municipality</i>	<i>Stream Name (Watershed #)</i>	<i>EPA Waived Y/N?</i>
PA0085405 (SEW)	Baladerry Inn, LP 40 Hospital Road Gettysburg, PA 17325	Adams County Cumberland Township	UNT Rock Creek 13-D	Y
PA0087271 (IW)	East Petersburg Borough— Koser Road Spring Facility P. O. Box 176 East Petersburg, PA 17520	Lancaster County Manheim Township	UNT Little Conestoga Creek 7-J	Y
PA0083844 (IW)	East Petersburg Borough— Greystone Road Nitrate Reduction Facility P. O. Box 176 East Petersburg, PA 17520	Lancaster County East Petersburg Borough	Little Conestoga Creek 7-J	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>
PA0008915 (Industrial Waste)	OSRAM SYLVANIA Products, Inc.—Wellsboro Plant 1 Jackson Street Wellsboro, PA 16901	Tioga County Wellsboro Borough	Charleston Creek 9-A	Y

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

<i>NPDES No. (Type)</i>	<i>Facility Name & Address</i>	<i>County & Municipality</i>	<i>Stream Name (Watershed #)</i>	<i>EPA Waived Y/N?</i>
PA0221783	Crystal Springs MHP 201 Crystal Lane Slippery Rock, PA 16057-1805	Butler County Mercer Township	Unnamed Tributary to McDonald Run 20-C	Y
PA0209929	Dennis Stefanak 69 Romain Road Pulaski, PA 16143-1215	Mercer County Shenango Township	Unnamed Tributary to the Shenango River 20-A	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.

PA0057690, Industrial Waste, SIC Code 3731, **Aker Philadelphia Shipyard**, 2100 Kitty Hawk Avenue, Philadelphia, PA 19112-1808. Facility Name: Aker Philadelphia Shipyard. 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), Delaware and Schuylkill Rivers, is located in State Water Plan watershed 3-F and 3-J 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 012 are based on groundwater, stormwater and river return water:

Parameters	Mass (lb/day)			Concentration (mg/l)		
	Average Monthly	Daily Maximum	Instantaneous Minimum	Average Monthly	Daily Maximum	Instantaneous Maximum
Flow (GPM)	Report	XXX	XXX	XXX	XXX	XXX
pH (S.U.)	XXX	XXX	6.0	XXX	XXX	9.0
Total Suspended Solids	XXX	XXX	XXX	100	200	250
Oil and Grease	XXX	XXX	XXX	15	XXX	30
Total Copper	XXX	XXX	XXX	Report	Report	XXX
Total Iron	XXX	XXX	XXX	Report	Report	XXX
Total Lead	XXX	XXX	XXX	Report	Report	XXX
Total Zinc	XXX	XXX	XXX	Report	Report	XXX
1,2-Dichloroethane	XXX	XXX	XXX	Report	Report	XXX
Tetrachloroethylene	XXX	XXX	XXX	Report	Report	XXX
Trichloroethylene	XXX	XXX	XXX	Report	Report	XXX
PCBs (Dry Weather) (pg/L)	XXX	XXX	XXX	XXX	Report	XXX

The proposed effluent limits for Outfall 019, 021 and 047 based on stormwater runoffs:

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

The proposed effluent limits for Outfall 022—024, 026, 027, 029, 030 and 032 based on stormwater runoffs:

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

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

1. Wet-Berthing Notification.
2. BAT Effluent Guidelines.
3. No Chemical Addition.
4. Change of Ownership.
5. Sludge Disposal.

6. TMDL/WLA Analysis.
7. I-Max.
8. Laboratory Certification.
9. DRBC's PCB and PMP.
10. 85% Removal.
11. Revoking and Modifications.
12. Drydock No. 5 Sealant Requirement.
13. Flooding and Dewatering.
14. Stormwater Outfalls.

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

The EPA waiver is in effect.

PA0026867, Sewage, SIC 59, **Abington Township**, 1176 Old York Road, Abington, PA 19001-3713. This proposed facility is located in Upper Dublin Township, **Montgomery County**.

Description of Proposed Activity: Renewal of an NPDES permit to discharge 3.91-MGD of treated sanitary sewage from a facility located at 1000 Fitzwatertown Road, Roslyn, PA 19001-4008.

The receiving stream, Sandy Run, is in the State Water Plan watershed 3F (Lower Schuylkill) and is classified for: TSF, aquatic life, water supply and recreation. The nearest downstream public water supply intake for the City of Philadelphia-Queen Lane Intake is located on the Schuylkill River.

The proposed effluent limits for Outfall 001 are based on a design flow of 3.91-MGD:

<i>Parameters</i>	<i>Mass (lb/day)</i>		<i>Concentration (mg/l)</i>		
	<i>Average Monthly</i>	<i>Average Weekly</i>	<i>Average Monthly</i>	<i>Average Weekly</i>	<i>Instantaneous Maximum</i>
CBOD ₅					
(05-01 to 10-31)	245	367	7.5	11.25	15
(11-01 to 04-30)	489	734	15	22.5	30
Total Suspended Solids	978	1,467	30	45	60
Ammonia as N					
(05-01 to 10-31)	23		0.72		1.44
(11-01 to 04-30)	70		2.16		4.32
Phosphorus as P			Monitor/Report		Monitor/Report
Orthophosphate-P	60		1.85		3.70
Nitrite + Nitrate as N			Monitor/Report		
Aluminum, Total			Monitor/Report		
Fecal Coliform			200#/100 ml as a Geometric Mean, nor greater than 1,000 #/100 ml in more than 10% of samples		
Dissolved Oxygen			Minimum of 7.0 at all times		
pH			Within limits of 6.0 to 9.0 Standard Units		

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

1. Designation of Responsible Operator.
2. Remedial Measures if Public Nuisance.
3. No Stormwater to Sewers.
4. Acquire Necessary Property Rights.
5. Small Stream Discharge.
6. Change of Ownership.
7. UV Disinfection.
8. Proper Sludge Disposal.
9. TMDL/WLA Analysis.
10. WET Tests Required for Renewal.
11. Instantaneous Maximum Limits.
12. Requirements Applicable to Stormwater Outfalls.
13. Operations and Maintenance Plan.
14. Laboratory Certification.
15. Copper/Water Effects Ratio.

The EPA waiver is not in effect.

PA0043818, Industrial Waste, SIC 5622, **Waste Management Disposal Services of Pennsylvania, Inc.**, 1000 New Ford Mill Road, Morrisville, PA 19067. This proposed facility is located in Falls Township, **Bucks County**.

Description of Proposed Activity: Renewal of an NPDES permit to discharge 0.1 MGD of treated wastewater and 0.3 MGD of treated wastewater after construction of the new LTP into the Delaware River.

The receiving stream, Delaware River Estuary Zone 2, is in the State Water Plan watershed 2E and is classified for: warm water fishery. The nearest downstream public water supply intake for U.S. Steel is located on the Delaware River and is 0.5 mile below the point of discharge.

The proposed effluent limits for Outfall 001 are based a design flow of 0.1 MGD:

Discharge Parameter	Effluent Limitations				
	Mass Units (lbs/day)		Concentration (mg/L)		
	Average Monthly	Maximum Daily	Average Monthly	Maximum Daily	Instantaneous Maximum
Flow (MGD)	0.10				
BOD ₅	21.5	43.4	26.0	52.0	65.0
BOD ₅ % Removal			DRBC Requirement 95%		
Total Suspended Solids			DRBC Requirement 85%		
Total Suspended Solids	25.0	50.0	30	60	75
Total Dissolved Solids	15,929	16,680	19,100	20,000	25,000
Ammonia (as N)	29.2	58.4	35.0	70.0	87.5
CBOD ₂₀	30.0	60.0			
Oil and Grease	12.5		15	30	30
True Color (Pt-Co)					1,500
Fecal Coliform			#200/100 ml		#1,000/100 ml
Temperature (° F)			Monitor/Report		
pH (STD Units)			Within Limits of 6.0 to 9.0 Standard Units at all times		
Total Organic Nitrogen			Monitor/Report	Monitor/Report	
Nitrate and Nitrite Nitrogen			Monitor/Report	Monitor/Report	
Total Residual Chlorine			0.500	1.000	1.200
Antimony, Total	0.380	0.760	0.450	0.900	1.130
Arsenic, Total	0.042	0.084	0.050	0.100	0.125
Beryllium	0.0042	0.0084	0.050	0.010	0.0125
Boron (Influent)	Monitor/Report	Monitor/Report	Monitor/Report	Monitor/Report	Monitor/Report
Boron (Effluent)	Monitor/Report	Monitor/Report	Monitor/Report	Monitor/Report	Monitor/Report
Boron (% Removal)	Monitor/Report	Monitor/Report			
Chromium, Hex.			Monitor/Report	Monitor/Report	
Chromium, Total	0.084	0.084	0.100	0.100	0.125
Cadmium, Total	0.0042	0.0084	0.005	0.010	0.0125
Aluminum, Total	0.230	0.460	0.275	0.550	0.680
Cobalt, Total	0.042	0.084	0.050	0.100	0.125
Iron, Total	2.090	4.180	2.500	5.000	6.300
Barium	0.085	0.170	0.100	0.200	0.250
Mercury	0.0016	0.0032	0.0019	0.0038	0.0047
Nickel	0.250	0.500	0.300	0.600	0.750
Silver			Monitor/Report	Monitor/Report	
Cyanide, Total	0.085	0.170	0.100	0.200	0.250
Vanadium			Monitor/Report	Monitor/Report	
Phenol			0.050	0.100	0.125
Thallium	0.085	0.170	0.100	0.200	0.250
Copper, Total	0.042	0.084	0.050	0.100	0.125
Lead, Total	0.030	0.060	0.036	0.072	0.90
Manganese	0.850	1.700	1.000	2.000	2.500
Zinc, Total	0.250	0.500	0.300	0.600	0.750
Chloroform			0.010	0.020	0.025
Chloromethane			0.100	0.200	0.250
Methylene Chloride			0.100	0.200	0.250
Toluene			0.050	0.100	0.125
Butyl Benzyl Phthalate			0.010	0.020	0.025
2-Chloronaphthalene			0.010	0.020	0.025
Diethyl Phthalate			0.025	0.050	0.063

<i>Discharge Parameter</i>	<i>Effluent Limitations</i>				
	<i>Mass Units (lbs/day)</i>		<i>Concentration (mg/L)</i>		
	<i>Average Monthly</i>	<i>Maximum Daily</i>	<i>Average Monthly</i>	<i>Maximum Daily</i>	<i>Instantaneous Maximum</i>
Lindane			0.010	0.020	0.025
Isophorone			0.050	0.100	0.125
Bromoform			Annual Average		6.480
Total Halomethanes			0.540		
			Annual Average		0.324
Acetone			0.109	0.218	0.273
2-Butanone			0.210	0.420	0.525
1,2,3-Trichloropropane			0.100	0.200	0.250
Xylene			0.010	0.020	0.025
1-Propanol			0.550	1.100	1.350
2-Propanol			0.540	1.080	1.350
4'-4 DDT			0.00004	0.00008	0.0001
Pentachlorophenol			Monitor/Report	Monitor/Report	
Total Phenols			0.270	0.540	0.680
Tetrahydrofuran			0.025	0.050	0.063
P-Cresol			0.050	0.100	0.125
2-Hexanone			0.015	0.030	0.037
4-Methyl-2-Pentanone			0.015	0.030	0.037
Dibromomethane			0.010	0.020	0.025
1,1,1-Trichloroethane			0.100	0.200	0.250
1,2-Trans Dichloroethylene			0.030	0.060	0.075
Benzene			0.050	0.100	0.125
1-1 Dichloroethane			0.090	0.180	0.230
Chlorobenzene			0.050	0.100	0.125
DI-N-Butyl Phthalate			0.830	1.660	2.080
1,2 Dichloroethane			Monitor/Report	Monitor/Report	
Tetrachloroethylene			Monitor/Report	Monitor/Report	
Trichloroethylene			Monitor/Report	Monitor/Report	
Toxicity (Toxics Unit Chronic)				Monitor/Report	
PCBs				Monitor/Report	

The proposed effluent limitations for the following parameters for Outfall 001 are based on a discharge flow of 0.3 MGD:

<i>Discharge Parameter</i>	<i>Effluent Limitations</i>				
	<i>Mass Units (lbs/day)</i>		<i>Concentration (mg/L)</i>		
	<i>Average Monthly</i>	<i>Maximum Daily</i>	<i>Average Monthly</i>	<i>Maximum Daily</i>	<i>Instantaneous Maximum</i>
Flow (MGD)	0.30				
BOD ₅	44.2	88.4	18.0	36.0	45.0
BOD ₅ % Removal			DRBC Requirement 95%		
Total Suspended Solids	75.0	50.0	30	60	75
TSS (% Removal)	90%				
Total Dissolved Solids			15,000	20,000	25,000
Ammonia (as N)	12.26	25.0	4.9	10.0	15.0
CBOD ₂₀	30.0	60.0			
Oil and Grease	37.5	75.0	15	30	30
True Color (Pt-Co)					100
Fecal Coliform			#200/100 ml		1,000/100 ml
Temperature (° F)			Monitor/Report		
pH (STD Units)			Within Limits of 6.0 to 9.0 Standard Units at all times		
Total Organic Nitrogen			Monitor/Report	Monitor/Report	
Total Kjeldahl Nitrogen			Monitor/Report	Monitor/Report	

Discharge Parameter	Effluent Limitations				
	Mass Units (lbs/day)		Concentration (mg/L)		
	Average Monthly	Maximum Daily	Average Monthly	Maximum Daily	Instantaneous Maximum
Nitrate and Nitrite Nitrogen			Monitor/ Report	Monitor/ Report	
Total Phosphorus as P			Monitor/ Report	Monitor/ Report	
Total Residual Chlorine			0.5	1.0	1.2
Antimony, Total	1.13	2.26	0.450	0.900	1.130
Arsenic, Total	0.375	0.750	0.150	0.300	0.375
Beryllium	0.0125	0.0250	0.005	0.010	0.0125
Boron (Influent)	Monitor/ Report	Monitor/ Report	Monitor/ Report	Monitor/ Report	Monitor/ Report
Boron (Effluent)	Monitor/ Report	Monitor/ Report	Monitor/ Report	Monitor/ Report	Monitor/ Report
Boron (% Removal)	≥10 %				
Chromium, Total	0.375	0.750	0.150	0.300	0.375
Cadmium, Total	0.0125	0.0250	0.005	0.010	0.0125
Aluminum, Total	0.688	1.376	0.275	0.550	0.680
Cobalt, Total	0.125	0.250	0.050	0.100	0.125
Iron, Total	6.25	12.50	2.500	5.000	6.300
Barium	0.250	0.500	0.100	0.200	0.250
Mercury	0.001	0.002	0.0004	0.0008	0.0010
Nickel	0.500	1.000	0.200	0.400	0.500
Silver	0.025	0.050	0.010	0.020	0.025
Cyanide, Total	0.125	0.250	0.050	0.100	0.125
Vanadium	0.125	0.250	0.050	0.100	0.125
Phenol	0.0375	0.065	0.015	0.026	0.037
Copper, Total	0.125	0.250	0.050	0.100	0.125
Lead, Total	0.090	0.180	0.036	0.072	0.090
Manganese	2.50	5.00	1.000	2.000	2.500
Zinc, Total	0.275	0.500	0.110	0.200	0.250
Total Halomethanes			Annual Average 0.027		0.324
Chloroform			0.010	0.020	0.025
Chloromethane			0.100	0.200	0.250
Methylene Chloride			0.100	0.200	0.250
Toluene			0.050	0.100	0.125
Benzene			0.036	0.072	0.090
Butyl Benzyl Phthalate	0.025	0.050	0.010	0.020	0.025
2-Chloronaphthalene	0.025	0.050	0.010	0.020	0.025
Diethyl Phthalate	0.0625	0.125	0.025	0.050	0.063
Lindane	0.0250	0.050	0.010	0.020	0.025
Isophorone	0.125	0.250	0.050	0.100	0.125
Acetone	0.273	0.546	0.109	0.218	0.273
2-Butanone	0.525	1.050	0.210	0.420	0.525
1,2,3-Trichloropropane	0.250	0.500	0.100	0.200	0.250
Xylene			0.010	0.020	0.025
1-Propanol	1.376	2.752	0.550	1.100	1.350
2-Propanol	1.350	2.700	0.540	1.080	1.350
4'-4 DDT	0.000008	0.000016	0.000003	0.000006	0.000008
Total Phenols	0.675	1.351	0.270	0.540	0.680
Tetrahydrofuran	0.0625	0.125	0.025	0.050	0.063
P-Cresol	0.035	0.0625	0.014	0.025	0.035
2-Hexanone	0.0375	0.0750	0.015	0.030	0.037
4-Methyl-2-Pentanone	0.0375	0.0750	0.015	0.030	0.037
Dibromomethane	0.0250	0.0500	0.010	0.020	0.025
1,1,1-Trichloroethane	0.250	0.500	0.100	0.200	0.250
1,2-Trans-Dichloroethylene	0.075	0.150	0.030	0.060	0.075
1-1 Dichloroethane	0.225	0.450	0.090	0.180	0.230
Benzoic Acid	0.177	0.300	0.071	0.120	0.150
α-terpineol	0.040	0.082	0.016	0.033	0.040
1,2 Dichloroethane			Monitor/ Report	Monitor/ Report	
Tetrachloroethylene			Monitor/ Report	Monitor/ Report	

Discharge Parameter	Mass Units (lbs/day)		Effluent Limitations		
	Average Monthly	Maximum Daily	Average Monthly	Maximum Daily	Instantaneous Maximum
				Concentration (mg/L)	
Trichloroethylene			Monitor/Report	Monitor/Report	
Toxicity (Toxics Unit Chronic)				Monitor/Report	
PCBs, Total				Monitor/Report	
Tritium			Monitor/Report	Monitor/Report	
Chlorodane			Monitor/Report	Monitor/Report	
Heptachlor			Monitor/Report	Monitor/Report	
4-4' DDD	0.000008	0.000016	0.000003	0.000006	0.000008
4-4' DDE	0.000008	0.000016	0.000003	0.000006	0.000008
Benzidine			Monitor/Report	Monitor/Report	
Chlordane			Monitor/Report	Monitor/Report	
Dieldrin			Monitor/Report	Monitor/Report	
Heptachlor			Monitor/Report	Monitor/Report	
Heptachlor Epoxide			Monitor/Report	Monitor/Report	
Toxaphene			Monitor/Report	Monitor/Report	

* Shall not exceed in more than 10% of samples.

The proposed effluent limitations for the following stormwater outfalls are follows:

Outfall	Latitude	Longitude	Which Receives Stormwater From:
003	40° 09' 08"	74° 46' 12"	Capped Landfill Areas
004	40° 08' 55"	74° 46' 22"	Active Landfill Areas
005	40° 09' 08"	74° 46' 10"	Capped Landfill Area
006	40° 08' 14"	74° 46' 08"	Parking Lot and Maintenance
009	40° 08' 30"	74° 46' 04"	Impervious Area of IWTP
010	40° 08' 34"	74° 46' 59"	Capped Landfill Areas
011	40° 08' 31"	74° 45' 25"	Sedimentation Basin No. 2 for 80-Acre Eastern Expansion
012	40° 08' 23"	74° 45' 47"	Capped Landfill Area

Discharge Parameter	Effluent Limitations (mg/l)	
	Average Annual	Maximum Daily
C-Biochemical Oxygen Demand (5 Day)	Monitor/Report	Monitor/Report
Total Dissolved Solids (TDS)	Monitor/Report	Monitor/Report
Oil and Grease	Monitor/Report	Monitor/Report
pH	Monitor/Report	Monitor/Report
Lead (Total)	Monitor/Report	Monitor/Report
Total Organic Carbon (TOC)	Monitor/Report	Monitor/Report
Chromium (Total)	Monitor/Report	Monitor/Report
Barium (Total)	Monitor/Report	Monitor/Report
Cadmium (Total)	Monitor/Report	Monitor/Report
Mercury (Total)	Monitor/Report	Monitor/Report
Selenium (Total)	Monitor/Report	Monitor/Report
Silver (Total)	Monitor/Report	Monitor/Report
Ammonia	Monitor/Report	Monitor/Report
Arsenic (Total)	Monitor/Report	Monitor/Report
Cyanide (Total)	Monitor/Report	Monitor/Report
Nitrate plus Nitrite as Nitrogen	Monitor/Report	Monitor/Report
Iron (Dissolved)	Monitor/Report	Monitor/Report

<i>Discharge Parameter</i>	<i>Effluent Limitations (mg/l)</i>	
	<i>Average Annual</i>	<i>Maximum Daily</i>
Magnesium (Total)	Monitor/Report	Monitor/Report
Magnesium (Dissolved)	Monitor/Report	Monitor/Report

The EPA waiver is in effect.

Other Requirements:

1. Effective Disinfection.
2. Remedial Measures.
3. Department Rights to Modify the Permit.
4. BOD₅ % Removal.
5. Certain Test Methods for Pollutants.
6. Change in Ownership.
7. TRC Minimization.
8. Proper Sludge Disposal.
9. Annual Average Definition.
10. TMDL/WLA Analysis.
11. Toxicity—Chronic Monitoring.
12. I-Max Sampling Requirements.
13. 2/Month Sampling Requirements.
14. Stormwater Outfalls Requirements.
15. TRC/THMs Monitoring Requirements.
16. Total THMs Definition.
17. Grab Sample Definition.
18. Monitoring of Untreated Leachate Quality and Quantity.
19. Control of Stormwater Runoff.
20. Management of Leachate Discharge Rate.
21. Removal of 100% Pollutant of Outside DRBC Area Waste.
22. DRBC Pollutant Loading and Recordkeeping Requirements Clause.
23. Permit Reopener Clause.
24. PCBs Minimization Plan.

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

PA0082589, Sewage, SIC Code 4952, **Fairview Township York County**, 599 Lewisberry Road, New Cumberland, PA 17070-2399. Facility Name: Fairview Township Southern STP. This existing facility is located in Fairview Township, **York County**.

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

The receiving stream(s), unnamed tributary to Fishing Creek is located in State Water Plan watershed 7-E and is classified for warm water fishes, aquatic life, water supply and recreation. The discharge is not expected to affect public water supplies.

The proposed effluent limits for Outfall 001 are based on a design flow of 0.50 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	XXX	XXX	6.0	XXX	XXX	9.0
Dissolved Oxygen	XXX	XXX	5.0	XXX	XXX	XXX
Total Residual Chlorine	XXX	XXX	XXX	0.19	XXX	0.63
CBOD ₅	104	167	XXX	25	40	50
		Weekly Average				
BOD ₅						
Raw Sewage Influent	Report	Report	XXX	Report	XXX	XXX

<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>
Total Suspended Solids	Report	Report	XXX	Report	XXX	XXX
Raw Sewage Influent	125	187	XXX	30	45	60
Total Suspended Solids		Weekly Average				
Fecal Coliform (CFU/100 ml)						
May 1 - Sep 30	XXX	XXX	XXX	200	XXX	XXX
				Geometric Mean		
Oct 1 - Apr 30	XXX	XXX	XXX	2,000	XXX	XXX
				Geometric Mean		
Ammonia-Nitrogen						
May 1 - Oct 31	6.2	XXX	XXX	1.5	XXX	3.0
Nov 1 - Apr 30	18.7	XXX	XXX	4.5	XXX	9.0
Total Phosphorus	8.3	XXX	XXX	2.0	XXX	4.0
Total Copper	0.067	XXX	XXX	0.016	XXX	0.04
Total Zinc	0.54	XXX	XXX	0.13	XXX	0.32

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

<i>Parameters</i>	<i>Mass (lb/day)</i>			<i>Concentration (mg/l)</i>	
	<i>Monthly</i>	<i>Annual</i>	<i>Minimum</i>	<i>Monthly Average</i>	<i>Maximum</i>
Ammonia-N	Report	Report		Report	
Kjeldahl-N	Report			Report	
Nitrate-Nitrite as N	Report			Report	
Total Nitrogen	Report	Report		Report	
Total Phosphorus	Report	Report		Report	
Net Total Nitrogen (Interim)	Report	Report			
Net Total Nitrogen (Final)	Report	9,132			
Net Total Phosphorus (Interim)	Report	Report			
Net Total Phosphorus (Final)	Report	1,218			

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

* The compliance date for Net Total Nitrogen and Net Total Phosphorus will begin on October 1, 2012. Since these reporting requirements are annual loads, the reporting on compliance with the annual limitations will be required to be reported on the Supplemental DMR—Annual Nutrient Summary by November 28, 2013. This facility is required to monitor and report for Net Total Nitrogen and Net Total Phosphorus from the effective date of the permit until September 30, 2012.

** Total Annual Ammonia Load will be required to be reported on the Supplemental DMR—Annual Nutrient Summary by November 28, 2010.

You may make an appointment to review the Department's files on this case by calling the File Review Coordinator at 717.705.4732.

The EPA waiver is not in effect.

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

PA0024325, Sewage, SIC Code 4952, **Muncy Borough Municipal Authority Lycoming County**, Muncy, PA 17756. Facility Name: Muncy Borough Municipal Authority Sewer System STP. This existing facility is located in Muncy Creek Township, **Lycoming County**.

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

The receiving stream(s), Unnamed Stream and West Branch Susquehanna River, is located in State Water Plan watershed 10-C and 10-D and is classified for Warm Water Fishes, aquatic life, water supply and recreation. The discharge is not expected to affect public water supplies.

The proposed effluent limits for Outfall 001 are based on a design flow of 1.4 MGD.

<i>Parameters</i>	<i>Mass (lb/day)</i>			<i>Concentration (mg/l)</i>		
	<i>Average Monthly</i>	<i>Weekly Average</i>	<i>Minimum</i>	<i>Average Monthly</i>	<i>Weekly Average</i>	<i>Instantaneous Maximum</i>
Flow (MGD)	Report	Report Daily Maximum	XXX	XXX	XXX	XXX
pH (S.U.)	XXX	XXX	6.0	XXX	XXX	9.0
Total Residual Chlorine	XXX	XXX	XXX	0.5	XXX	1.6
CBOD ₅	292	467	XXX	25	40	50
Total Suspended Solids	350	525	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	XXX	XXX	XXX	Report	XXX	XXX
Total Phosphorus	XXX	XXX	XXX	XXX	XXX	XXX
Total Copper	XXX	XXX	XXX	XXX	Report Daily Maximum	XXX

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

<i>Parameters</i>	<i>Mass (lb/day)</i>		<i>Minimum</i>	<i>Concentration (mg/l)</i>	
	<i>Monthly</i>	<i>Annual</i>		<i>Monthly Average</i>	<i>Maximum</i>
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	
Net Total Nitrogen (Interim)	Report	Report			
Net Total Nitrogen (Final)	Report	25,570			
Net Total Phosphorus (Interim)	Report	Report			
Net Total Phosphorus (Final)	Report	3,409			

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

* The compliance date for Net Total Nitrogen and Net Total Phosphorus will begin on October 1, 2010. Since these reporting requirements are annual loads, the reporting on compliance with the annual limitations will be required to be reported on the Supplemental DMR—Annual Nutrient Summary by November 28, 2011. This facility is required to monitor and report for Net Total Nitrogen and Net Total Phosphorus from the effective date of the permit until September 30, 2010.

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

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

- I. Compliance schedule for PART A I.
- II. Chesapeake Bay Nutrient Requirements.
- III. Other Requirements.
 - A. Requires the permittee to acquire easements to maintain and operate the sanitary sewers.
 - B. The right to require operation and/or construction changes, when necessary, to produce an acceptable discharge.
 - C. Requires proper disposal of sludge.
 - D. Requires no direct discharge of stormwater to the sanitary sewers.
 - E. Requires whole effluent toxicity test submission with next renewal application.
- IV. Stormwater Requirements with BMPs.
- V. Requires management and reporting of biosolids within the treatment process.

You may make an appointment to review the Department's files on this case by calling the File Review Coordinator at 570-327-3693.

The EPA waiver is not in effect.

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

PA0090140, Sewage, **Clymer Borough Municipal Authority**, 470 Adams Street, Clymer, PA 15278-1156. This application is for renewal of an NPDES permit to discharge treated sewage from Clymer STP in Clymer Borough, **Indiana County**.

The following effluent limitations are proposed for discharge to the receiving waters, known as Two Lick Creek, which are classified as a trout stock fishery with existing and/or potential uses for aquatic life, water supply and recreation. The first downstream potable water supply intake from this facility is the Pennsylvania-American Water Company-Indiana.

Outfall 001: existing discharge, design flow of 0.24 mgd.

Parameter	Concentration (mg/l)			
	Average Monthly	Average Weekly	Maximum Daily	Instantaneous Maximum
CBOD ₅	25	37.5		50
Suspended Solids	30	45		60
Ammonia Nitrogen				
May 1 to Oct 31	7.0	10.5		14.0
Nov 1 to Apr 30	Monitor and Report			
Fecal Coliform				
May 1 to Sep 30	200/100 ml as a Geometric Mean			
Oct 1 to Apr 30	2,000/100 ml as a Geometric Mean			
Total Residual Chlorine	1.0			3.3
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.

PA0093785, Sewage, **Williamhouse, LLC**, 1 Wedding Lane, Scottdale, PA 15683. This application is for renewal of an NPDES permit to discharge treated sewage from Williamhouse STP in Upper Tyrone Township, **Fayette County**.

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

Outfall 001: existing discharge, design flow of 0.14 mgd.

Parameter	Concentration (mg/l)			
	Average Monthly	Average Weekly	Maximum Daily	Instantaneous Maximum
CBOD ₅	25			50
Suspended Solids	30			60
Ammonia Nitrogen				
May 1 to Oct 31	3.5			7.0
Nov 1 to Apr 30	10.5			21.0
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			
Dissolved Oxygen	not less than 5 mg/l			
pH	not less than 6.0 nor greater than 9.0			

The EPA waiver is in effect.

PA0030350, Sewage, **Indian Lake Borough**, 1301 Causeway Drive, Central City, PA 15926. This application is for renewal of an NPDES permit to discharge treated sewage from Lakewood Sewage Treatment Plant in Indian Lake Borough, **Somerset County**.

The following effluent limitations are proposed for discharge to the receiving waters, known as Indian Lake—Clear Run Branch, which are classified as a cold water fishery with existing and/or potential uses for aquatic life, water supply and recreation. The first downstream potable water supply intake from this facility is the Indian Lake Borough.

Outfall 001: existing discharge, design flow of 0.012 MGD.

Parameter	Concentration (mg/l)			
	Average Monthly	Average Weekly	Maximum Daily	Instantaneous Maximum
CBOD ₅	25			50
Suspended Solids	30			60

Parameter	Concentration (mg/l)			
	Average Monthly	Average Weekly	Maximum Daily	Instantaneous Maximum
Fecal Coliform				
May 1 to Sep 30	200/100 ml as a Geometric Mean			
Oct 1 to Apr 30	2,000/100 ml as a Geometric Mean			
Total Residual Chlorine	1.4			3.3
pH	not less than 6.0 nor greater than 9.0			

The EPA waiver is in effect.

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 18701-1915.

WQM Permit No. 4510402, Sewerage, **Middle Smithfield Township**, 25 Municipal Drive, East Stroudsburg, PA 18302. This proposed facility is located in Middle Smithfield Township, **Monroe County**.

Description of Proposed Action/Activity: This project involves an extension to, and the addition of, a new sanitary sewer pump station to the Middle Smithfield Township existing sanitary sewer system on SR 209.

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

WQM Permit No. 3810402, Sewerage, **Borough of Palmyra**, 325 South Railroad Street, Palmyra, PA 17078. This proposed facility is located in Palmyra Borough, **Lebanon County**.

Description of Proposed Action/Activity: Seeking permit approval for upgrades to their Main Pumping Station, Pumping Stations Nos. 1—3.

WQM Permit No. 2810403, Sewerage, **John M. Lee**, 14547 Paxton Run Road, Shippensburg, PA 17257. This proposed facility is located in Lurgan Township, **Franklin County**.

Description of Proposed Action/Activity: Seeking approval for the construction of a Small Flow Treatment Facility.

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

WQM No. 5510201, CAFO Operation, SIC 1213, **Ideal Family Farms, LLC, Gerald Stauffer**, P. O. Box 215, Selinsgrove, PA 17870-0215. This proposed facility is located at 89 BP Finishing Lane, Beavertown, PA 17813, in Beaver Township, **Snyder County**.

Description of Proposed Activity: Ideal Family Farms, LLC proposes to install an anaerobic digester to produce and utilize methane gas at their Beavertown Finishing CAFO from liquid hog manure and food waste. Proposed facilities include a reinforced concrete digester tank and associated transfer tanks.

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.

NPDES Permit No.	Applicant Name & Address	County	Municipality	Receiving Water/Use
PAI01 151017	West Bradford Township 1385 Campus Drive Downingtown, PA 19335	Chester	West Bradford Township	East and West Branches Brandywine Creek WWF-MF Broad Run EV-MF
PAI01 151018	West Vincent Associates, Inc. 707 Eagleview Boulevard Exton, PA 19341	Chester	West Vincent Township	Birch Run EV Black Horse Creek HQ-TSF
PAI01 151019	The Hankin Group 707 Eagleview Boulevard P. O. Box 562 Exton, PA 19341	Chester	Uwchland and Upper Uwchlan Townships	Shamona Creek HQ-TSF Pickering Creek HQ-TSF March Creek HQ-TSF-MF

<i>NPDES Permit No.</i>	<i>Applicant Name & Address</i>	<i>County</i>	<i>Municipality</i>	<i>Receiving Water/Use</i>
PAI01511003	Philadelphia Regional Port Authority 3460 North Delaware Avenue Philadelphia, PA 19134 and Department of General Services Room 603 North Office Building Harrisburg, PA 17125	Philadelphia	City of Philadelphia	Delaware River WWF-MF

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

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

<i>NPDES Permit No.</i>	<i>Applicant Name & Address</i>	<i>County</i>	<i>Municipality</i>	<i>Receiving Water/Use</i>
PAI024809009(1)	UGI Development Co. 1 Meridian Boulevard Suite 2C01 Wyomissing, PA 19610	Northampton	Forks Township	Bushkill Creek HQ-CWF, MF

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

<i>NPDES Permit No.</i>	<i>Applicant Name & Address</i>	<i>County</i>	<i>Municipality</i>	<i>Receiving Water/Use</i>
PAI025210005	Bryan and Barabara Siegfried 103 Siegfried Drive Newfoundland, PA 18445	Pike	Greene Township	Bridge Creek to Wallenpaupack Creek HQ-CWF, MF

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

<i>NPDES Permit No.</i>	<i>Applicant Name & Address</i>	<i>County</i>	<i>Municipality</i>	<i>Receiving Water/Use</i>
PAI024510008	Department of Transportation District 5-0	1002 Hamilton Street Allentown, PA 18101	Tobyhanna and Tunkhannock Townships	UNT Tobyhanna Creek HQ-CWF, MF

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

<i>NPDES Permit No.</i>	<i>Applicant Name & Address</i>	<i>County</i>	<i>Municipality</i>	<i>Receiving Water/Use</i>
PAI030708001(1)	Jonathan Baker Chestnut Flats Wind, LLC Ten Penn Center 1801 Market Street Suite 2700 Philadelphia, PA 19103	Blair	Logan Township	Mill, Scotch Gap, Kittanning and Little Laurel Runs HQ, CWF-WWF-CWF-TSF

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)

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 in-

clude 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. 4610516, Public Water Supply.

Applicant	Saint Gabriel's Hall
Township	Lower Providence
County	Montgomery
Responsible Official	Andy Tihansky P. O. Box 7280 Audubon, PA 19407
Type of Facility	PWS
Consulting Engineer	Environmental Engineering & Management Associates, Inc. P. O. Box 232 Kulpsville, PA 19443
Application Received Date	June 15, 2010
Description of Action	Installation of corrosion control treatment equipment.

Application No. 4610517, Public Water Supply.

Applicant	Audubon Water Company
Township	Lower Providence
County	Montgomery
Responsible Official	J. H. Russell 2650 Eisenhower Drive Norristown, PA 19403
Type of Facility	PWS
Consulting Engineer	Evans Mill Environmental, LLC P. O. Box 735 Uwchland, PA 19480
Application Received Date	June 17, 2010
Description of Action	Installation of metering pump and tank to feed blended phosphate to sequester manganese.

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

Permit No. Public Water Supply.

Applicant	Borough of East Brady 502 Ferry Street Suite 15 East Brady, PA 16028
Township or Borough	East Brady Borough

County	Clarion
Responsible Official	Barbara Mortimer, President
Type of Facility	Community Water Supply
Consulting Engineer	Peg Novello, Gibson-Thomas Engineering Co., Inc.
Application Received Date	July 14, 2010
Description of Action	Water treatment plant and water supply well, addition of well No. 3.

MINOR AMENDMENT

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

Application No. 4010503MA, Minor Amendment.

Applicant	Aqua Pennsylvania, Inc. Barrett System 1 Aqua Way White Haven, PA
Township or Borough	Exeter Township Luzerne County
Responsible Official	Patrick R. Burke
Type of Facility	Public Water System
Consulting Engineer	CET Engineering Services 1240 North Mountain Road Harrisburg, PA
Application Received Date	6/1/10
Description of Action	The construction of a new well station, chlorination and contact pipeline for the Barrett Well.

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.

Former Gary Gray Property, 5830 River Road/103 Deming Road, Upper Mount Bethel Township, **Northampton County**. Keith A. Valentine and Christopher T. Kotch, Barry Isett & Associates, Inc., P. O. Box 147, 85 SR, 100 Kressler Lane, Trexlertown, PA 18087 have submitted a Notice of Intent to Remediate (on behalf of their client, Voltaix, LLC, 197 Meister Avenue, Branchburg, NJ 08876), concerning the remediation of soil found to have been impacted by arsenic as a result of historical operations at the site, which included the storage of vintage vehicles (for example, fire engines) and other vintage equipment. The future use of the property is to house a production plant, warehouse and office building. The applicant proposes to remediate the site to meet the Residential Statewide Health Standard for soil. A summary of the Notice of Intent to Remediate was published in *The Morning Call* on May 29, 2010.

Pesotine Residence, 92 Rear Main Street, Jenkins Township, **Luzerne County**. Dean Crusiani and Martin Gilgallon, Pennsylvania Tectonics, Inc., 826 Main Street, Peckville, PA 18452 have submitted a Notice of Intent to Remediate (on behalf of their client, Christopher Pesotine, 92 Rear Main Street, Inkerman, PA 18640), concerning the remediation of soil found to have been impacted by No. 2 fuel oil as a result of a release from a nonregulated 250-gallon aboveground storage tank. The future use of the property is will remain residential. The applicant proposes to remediate the site to meet the Residential 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.

HAZARDOUS WASTE TREATMENT, STORAGE & DISPOSAL FACILITIES

Applications received, withdrawn, denied or returned under the Solid Waste Management Act of July 7, 1980 (P. L. 380, No. 97) (35 P. S. §§ 6018.101—6018.1003) and Regulations to Operate a Hazardous Waste Treatment, Storage or Disposal Facility.

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

PAD002312791. Sunoco, Inc. (R&M), 1735 Market Street, Suite LL, Philadelphia, PA 19103, **Philadelphia County**. This Class 1 permit modification application is requesting the approval to change the permittee's legal name from "Sunoco Chemicals, Inc." to "Sunoco, Inc. (R&M)" for the Sunoco, Inc. (R&M)—Frankford Plant, an existing facility operating under Part B RCRA hazardous waste permit and located at 4698 Margaret Street, Philadelphia, PA 19137 in the City of Philadelphia. Application was received by the Southeast Regional Office on May 19, 2010.

RESIDUAL WASTE GENERAL PERMITS

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

Central Office: Division of Municipal and Residual Waste, Rachel Carson State Office Building, 14th Floor, 400 Market Street, Harrisburg, PA 17105-8472.

General Permit Number WMGR047. Harsco Minerals, 359 North Pike Road, Sarver, PA 16055-8633. General Permit Number WMGR047 authorizes beneficial use of stainless steel slag for use as an agricultural liming agent. Harsco Minerals has requested modification of the general permit to add the use of stainless steel slag as an ingredient in mine grout. The application for major modification of General Permit Number WMGR047 was received by Central Office on January 19, 2010.

Comments concerning the application should be directed to Scott E. Walters, General Permits/Beneficial Use Section, Division of Municipal and Residual Waste, Bureau of Waste Management, P. O. Box 8472, Harrisburg, PA 17105-8472, 717-787-7381. TDD users may contact the Department of Environmental Protection through the Pennsylvania AT&T Relay Service, (800) 654-5984. Public comments must be submitted within 60 days of this notice and may recommend revisions to, and approval or denial of the application.

General Permit Application Number WMGR125. Hazleton Creek Properties, LLC, Route 924 Mined Lands, City of Hazleton, PA 18201. The application is for processing and beneficial use of dry flue gas desulfurization (FGD) gypsum and coal ash. The proposed processing is limited to blending and water conditioning. The application was found to be administratively complete by Central Office on July 16, 2010.

A public informational meeting on General Permit Application Number WMGR125 will be held by the Department of Environmental Protection (Department) from 7 p.m.—9 p.m. on Tuesday, August 31, 2010, at the Hazleton High School Auditorium, 1601 West 23rd Street, Hazleton, PA 18202.

Comments concerning the application should be directed to Scott E. Walters, General Permits/Beneficial Use Section, Division of Municipal and Residual Waste, Bureau of Waste Management, P. O. Box 8472, Harrisburg, PA 17105-8472, 717-787-7381. TDD users may contact the Department through the Pennsylvania AT&T Relay Service, (800) 654-5984. Public comments must be received by the Department by September 29, 2010, and may recommend revisions to, and approval or denial, of the application.

OPERATE WASTE PROCESSING OR DISPOSAL AREA OR SITE

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

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

Permit Application No. 101567. Construction Demolition Recycling, Inc., 1060 Industrial Boulevard, Southampton, PA 18966. This application is for a 10-year renewal to continue operation at the Construction Demolition Recycling, Inc., an existing municipal and construction/demolition waste processing facility located in Upper Southampton Township, **Bucks County**. The application was received by the Southeast Regional Office on July 7, 2010.

AIR QUALITY

PLAN APPROVAL AND OPERATING PERMIT APPLICATIONS

NEW SOURCES AND MODIFICATIONS

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

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

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

Persons wishing to receive a copy of a proposed plan approval or operating permit must indicate their interest to the Department regional office within 30 days of the date of this notice and must file protests or comments on a proposed plan approval or operating permit within 30 days of the Department providing a copy of the proposed

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

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

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

PLAN APPROVALS

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

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

63-00957: Green Holdings Enlow, Inc. (1221 Avenue of the Americas, Suite 4200, New York, NY 10020) for installation of a methane abatement system on mine shaft exhaust air from the Consol Pennsylvania Coal Company, LLC, Enlow Fork Mine in Morris Township, **Washington County**.

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

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

09-0187A: Sims Metal Management (300 South Steel Road, Morrisville, PA 19067) for installation of two scrap metal conveyor lines for the recovery of nonferrous wire and nonferrous fines at an existing metal recycling facility in Falls Township, **Bucks County**. The fines recovery line will have two cyclone separators used to capture additional recyclable metals from the automobile shredding operation that has been previously permitted. Potential emissions of Total Suspended Particulate matter emissions are estimated to increase by 1.11 tons per year. The plan approval will include monitoring, recordkeeping and reporting requirements designed to keep the facility operating within all applicable air quality requirements.

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

07-05042A: Blair County Regional Digester—BCRD, LLC (Cross Cove Road, Martinsburg, PA 16662) for construction of an anaerobic manure digester process at their processing facility in North Woodbury Township, **Blair County**. This process will include the construction of three 2,223 brake horsepower biogas fired internal combustion engines with associated 1,600 kW generators, two biosolids belt dryers, a No. 2 oil fired emergency generator, and a No. 2 oil or natural gas fired 300 horsepower start up boiler. The air contaminant emissions generated from the operation of the engines will be controlled by the installation of selective catalytic reduction and a CO oxidation catalyst. The air contaminant emissions generated from the operation of the belt dryers will be controlled by the installation of a packed tower scrubber. A gas conditioning flare and an emergency flare will also be installed at their processing facility. The project will result in the emission of approximately 8.6 tons per year of nitrogen oxides, 24.5 tons per year of volatile organic compounds, 57.0 tons per year of carbon monoxide, 6.7 tons per year of sulfur dioxide and 18.3 tons per year of particulate matter. The engines will be subject to 40 CFR Part 60, Subpart JJJJ—Standards of Performance for Stationary Spark Ignition Internal Combustion Engines and 40 CFR Part 63, Subpart ZZZZ—National Emission Standards for Hazardous Air Pollutants for Stationary Reciprocating Internal Combustion Engines. The plan approval will include emission limits, monitoring, recordkeeping, work practices and reporting requirements designed to keep the sources operating within all applicable air quality requirements.

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

14-00016A: Penns Valley Area School District (4528 Penns Valley Road, Spring Mills, PA 16875) for construction of a 9.70 mmBtu/hr, Challenger Energy Systems model CCU409-W, wood-fired boiler and a multi-clone collector to control particulate matter emissions from the boiler. The boiler is proposed to generate hot water for domestic heating for an educational complex that includes the elementary and intermediate school and the junior and senior high school buildings in Penn Township, **Centre County**.

The Department of Environmental Protection's (Department) review of the information submitted by Penns Valley Area School District indicates that the air contamination sources to be constructed will comply with all regulatory requirements pertaining to air contamination sources and the emission of air contaminants including the best available technology requirement (BAT) of 25 Pa. Code §§ 127.1 and 127.12. Based on this finding, the Department proposes to issue a plan approval for the proposed construction.

The emissions from the control device associated with the wood-fired boiler will not exceed on a 12-consecutive month period (CMP) basis; 10.62 tons of nitrogen oxides, 6.8 tons of carbon monoxide, 0.7 ton of volatile organic compounds, 1.1 tons of sulfur oxides and 8.5 tons of total particulate matter (filterable and condensable). Additionally, total HAP emissions will not exceed 1.18 tons in any 12 CMP. To demonstrate compliance with ton per 12 CMP

emissions limitations, Penns Valley Area School District is required to conduct EPA reference method testing on the exhaust of the control device associated with the wood-fired boiler for nitrogen oxides, carbon monoxide and particulate matter to measure the average emissions concentration/rate over at least three, 1-hour periods does not exceed the following:

nitrogen oxides—0.25 lb/mmBtu
carbon monoxide—0.16 lb/mmBtu
particulate matter—0.20 lb/mmBtu

In addition to the emission limitations listed previously, the following is a summary of the types of conditions the Department intends to place in Plan Approval 14-00016A to ensure compliance applicable Federal and State regulatory requirements including the best available technology requirements of 25 Pa. Code §§ 127.1 and 127.12.

Work practice requirements to construct and operate the wood-fired boiler in accordance with the manufacturer's recommendations and good air pollution control practices.

Recordkeeping and Reporting conditions to verify compliance with the emission limitations and all applicable requirements.

A copy of the plan approval application and the Department's review is available for public review between 8 a.m. and 4 p.m. at the Department's Northcentral Regional Office, 208 West Third Street, Suite 101, Williamsport, PA 17701. Appointments for scheduling a review may be made by calling the Department at 570-327-3693. Written comments or requests for a public hearing shall be directed to Muhammad Q. Zaman, Environmental Program Manager, Department of Environmental Protection, Air Quality Program, Northcentral Regional Office, 208 West Third Street, Suite 101, Williamsport, PA 17701, 570-327-3648 within 30 days of the publication date for this notice.

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

63-00936C: Mark West Liberty Midstream & Resources, LLC (Tower 2, Suite 700, 1515 Arapahoe Street, Denver, CO 80202) for installation of one new stabilizer with a depropanizer and a 148 mmBtu/hour hot oil heater and one new additional 200 MMscf/day depropanizer with a 7.6 mmBtu/hour regenerator heater at the Houston Gas Plant, at PA-519 West between Houston and Westland, PA in Chartiers Township, **Washington County**.

In accordance with 25 Pa. Code §§ 127.44(b) and 127.45, the Department of Environmental Protection intends to issue Minor Source Plan Approval to allow the installation of one new stabilizer with a depropanizer and a 148 mmBtu/hour hot oil heater and one new additional 200 MMscf/day depropanizer with a 7.6 mmBtu/hour regenerator heater at the Houston Gas Plant, located off of PA-519 West between Houston and Westland, PA in Chartiers Township, Washington County. Best Available Technology at the facility will be met by use of an Ultra Blue burner manufactured by Callidus Technologies for the stabilizer, operation in conformance with manufacturer recommendations and good operating practices.

Annual emissions from the proposed facility are estimated to be 39.55 tons of NO₂, 42.70 tons of CO, 21.32 tons of VOC, 2.65 tons of PM10 and emissions of 0.40 ton of all HAPs combined. The proposed process units are subject to the applicable requirements of 25 Pa. Code

Chapter 127, related to construction, modification, reactivation and operation of sources, 40 CFR Part 60, Subpart KKK, related to equipment leaks from onshore natural gas processing plants. The Plan Approval contains appropriate emission limitations, testing, monitoring, recordkeeping, reporting requirements and work practice standards.

OPERATING PERMITS

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

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

46-00036: Morris Road Investors, LP—formerly known as Visteon Systems, LLC (2750 Morris Road, Lansdale, PA 19446) for renewal of the Title V Operating Permit and also administratively amend the permit for change of ownership in Worcester Township, **Montgomery County**. The current permit was issued on 06-28-2005. The facility is used for office and warehouse space. As a result of potential emissions of NOx and VOCs, the facility is a major stationary source as defined in Title I, Part D of the Clean Air Act Amendments, and is therefore subject to the Title V permitting requirements adopted in 25 Pa. Code Chapter 127, Subchapter G. The Title V Operating Permit will contain Compliance Assurance Monitoring (CAM) conditions pursuant to 40 CFR Part 64. The renewal contains all applicable requirements including monitoring, recordkeeping and reporting.

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.

36-05005: Wellborn Holdings, Inc.—Luxury Custom Cabinetry Group Plant (215 Diller Avenue, New Holland, PA 17557) for operation of their custom cabinetry plant in Earl Township, **Lancaster County**. This action is a renewal of the Title V Operating Permit issued in September of 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.

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

21-05042: Pennsy Supply, Inc. (1001 Paxton Street, Harrisburg, PA 17105) for operation of a limestone quarry and asphalt plant at their facility in Silver Spring Township, **Cumberland County**. This action is a renewal of the State-only operating permit issued in 2005. The permit renewal will contain all of the emission limits and work practice standards along with all monitoring, recordkeeping and reporting requirements from the previous permit to ensure the facility complies with the applicable air quality regulations.

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

41-00035: Dynamic Surface Applications, Ltd. (373 Village Road, Pennsdale, PA 17756) for their facility located in Muncy Township, **Lycoming County**. The facility's main source includes one McCarter, Inc. manufactured electrically operated BJ mixer. The facility has the potential to emit sulfur oxides (SOx), nitrogen oxides (NOx), carbon monoxide (CO), particulate matter (PM10), volatile organic compounds (VOCs) and hazardous air pollutants (HAPs) below the major emission thresholds. The proposed operating permit contains all applicable requirements including Federal and State regulations. In addition, monitoring, recordkeeping and reporting conditions regarding compliance with all applicable requirements are included.

41-00066: Sunoco, Inc. (R&M) (1109 Milton Avenue, Syracuse, PA 13204) for their facility located in Armstrong Township, **Lycoming County**. The facility's main source includes a soil vapor extraction system. The facility has the potential to emit sulfur oxides (SOx), nitrogen oxides (NOx), carbon monoxide (CO), particulate matter (PM10), volatile organic compounds (VOCs), and hazardous air pollutants (HAPs) below the major emission thresholds. The proposed operating permit contains all applicable requirements including Federal and State regulations. In addition, monitoring, recordkeeping and reporting conditions regarding compliance with all applicable requirements are included.

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

43-00260: Mercer Area School District—High School (545 West Butler Street, Mercer, PA 16137) for a Natural Minor Permit to operate one coal fired boiler, two natural gas fired boilers, one hot water heater and one emergency diesel generator in Mercer Borough, **Mercer County**. The facility is natural minor because the emission of pollutants is less than the Title V threshold limits.

43-00276: Mercer Area School District—Elementary School (301 Lamor Road, Mercer, PA 16137) for a Natural Minor Permit to operate two coal and gas fired boilers, one hot water heater and one new diesel fueled emergency generator in Mercer Borough, **Mercer County**. The facility is natural minor because the emission of pollutants from the facility is less than Title V emission threshold.

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 descrip-

tion below specifies the parameters. The limits will be in the ranges specified in Table 1.

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

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

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

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

Coal Applications Received

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

Table 1

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

Alkalinity greater than acidity¹

¹ The parameter is applicable at all times.

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

and revegetated; and drainage (resulting from a precipitation event of less than or equal to a 1-year 24-hour event) from coal refuse disposal piles.

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

30841307 and NPDES Permit No. PA0213438, Emerald Coal Resources, LP, (158 Portal Road, P. O. Box 1020, Waynesburg, PA 15370), to revise the permit for the Emerald Mine No. 1 in Franklin Township, **Greene County** to add surface activity site acres to install fourteen ventilation boreholes and associated access roads. Coal Refuse Disposal Support Acres Proposed 11.35. No additional discharges. Application received: March 26, 2010.

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

26060104 and NPDES Permit No. PA0250929, Amerikohl Mining, Inc. (1384 SR 711, Stahlstown, PA 15687). Revision application for land use change from forestland to post-mining land use of unmanaged natural habitat to an existing bituminous surface mine, located in Luzerne and German Townships, **Fayette County**, affecting 90 acres. Receiving streams: Antram Run and the Monongahela River, classified for the following use: WWF. The potable water supply intakes within 10 miles downstream from the point of discharge: Southwestern PA Water Authority and Tri-County Joint Municipal Authority. Application received: July 12, 2010.

26090103 and NPDES Permit No. PA0251704, T & B Excavating, Inc. (P. O. Box 337, McClellandtown, PA 15458). Application received to transfer permit currently issued to Patterson Coal Company for continued operation and reclamation of a bituminous surface mining site located in German Township, **Fayette County**, affecting 58.1 acres. Receiving streams: unnamed tributaries to Dunlap Creek to Monongahela River, classified for the following uses: warm water fishes and navigation. There are no potable water supply intakes within ten miles downstream from the point of discharge. Transfer application received: June 28, 2010.

03970110 and NPDES Permit No. PA0202134, GLR Mining, Inc. (P. O. Box 105, Clymer, PA 15728). Renewal application for reclamation only of a bituminous surface mine, located in Valley Township, **Armstrong County**, affecting 27.4 acres. Receiving stream: unnamed tributary to Cowanshannock Creek, classified for the following use: WWF. There is no potable water supply intake within 10 miles downstream from the point of discharge. Renewal application received: July 2, 2010.

30793024 and NPDES Permit No. PA0117650, Beazer East, Inc. (c/o Three Rivers Management, Inc., Oxford Center, Suite 3000, Pittsburgh, PA 15219). NPDES renewal application for continued treatment of a bituminous surface mine, located in Morgan Township, **Greene County**, affecting 327.7 acres. Receiving streams: unnamed tributaries to South Fork Ten Mile and South Fork Ten Mile Creeks, classified for the following use: WWF. There is no potable water supply intake within 10

miles downstream from the point of discharge. Renewal application received: July 12, 2010.

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

16100104 and NPDES Permit No. PA0258911, RFI Energy, Inc. (P. O. Box 162, Sligo, PA 16255) Commencement, operation and restoration of a bituminous strip operation in Licking Township, **Clarion County** affecting 182.0 acres. Receiving streams: Unnamed tributaries to the Clarion River, classified for the following Statewide uses: CWF. There are no potable surface water supply intakes within 10 miles downstream. This application includes a land use change from forestland and pastureland or land occasionally cut for hay to unmanaged natural habitat on the C & K Coal Company tract. Application received: July 6, 2010.

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

17980104 and NPDES No. PA0237922, Swisher Contracting, Inc. (P. O. Box 1223, Clearfield, PA 16830). Renewal of an existing bituminous surface mine operation located in Lawrence Township, **Clearfield County** affecting 84.0 acres. This renewal includes a request to revise the baseline pollution load for pre-existing Subchapter F discharge MP14. Receiving stream(s): unnamed tributary to Moose Creek, Moose Creek and Orr's Run classified for the following use(s): Cold Water Fisheries. There are no potable water supply intakes within 10 miles downstream. Application received: May 14, 2010.

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

40100201, Susquehanna Haul & Drilling, LLC, (249 Harland Street, Exeter, PA 18643), commencement, operation and restoration of an anthracite coal refuse reprocessing operation in Salem Township and Shickshinny Borough, **Luzerne County** affecting 25.0 acres, receiving stream: Paddy Run, classified for the following use: cold water fishery. Application received: June 6, 2010.

54803204R5, Gilberton Coal Company, (10 Gilberton Road, Gilberton, PA 17934), renewal of an existing anthracite coal refuse reprocessing operation in Butler and Conyngham Townships and Ashland Borough, **Schuylkill and Columbia Counties** affecting 24.6 acres, receiving stream: none. Application received: July 8, 2010.

54763209R5, Gilberton Coal Company, (10 Gilberton Road, Gilberton, PA 17934), renewal of an existing anthracite coal refuse reprocessing and surface mine operation in Butler Township and Ashland Borough, **Schuylkill County** affecting 109.0 acres, receiving stream: none. Application received: July 8, 2010.

Noncoal Applications Received

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

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

* The parameter is applicable at all times.

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

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

59880301 and NPDES No. PA0116327. Michael R. Ackley (323 Beechwood Lake Road, Westfield, PA 16950). Application received for a transfer of permit currently issued to Jill D. Cross for continued operation and reclamation of a noncoal surface mine located in Clymer Township, **Tioga County** affecting 4.4 acres. Receiving stream(s): Mill Creek to Cowanesque River classified for Trout Stocked Fisheries. Application received: June 25, 2010.

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

6174SM5A2C10 and NPDES Permit No. PA0594423. Meckley's Limestone Products, Inc., (1543 SR 225, Herndon, PA 17830), renewal of NPDES Permit for discharge of treated mine drainage from a quarry operation in Lower Mahanoy and Jordan Townships, **Northumberland County**, receiving stream: Upper Fiddler Run, classified for the following use: warm water fishery. Application received: July 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

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

E67-881: Hopewell Township Board of Supervisors, P. O. Box 429, Stewartstown, PA 17262, Hopewell Township, **York County**, ACOE Baltimore District.

The applicant proposes to remove an existing structure and to: (1) construct and maintain a 34.0-foot long, 1.0-foot depressed with baffles, 10.0-foot by 5.5-foot, reinforced concrete box culvert in an unnamed tributary of Ebaughs Creek (CWF), with depressed rip-rap aprons extending 5.0 feet upstream and 5.0 feet downstream for the purpose of improving safety standards; (2) remove an existing structure and construct and maintain a 62.0-foot long, 1.0-foot depressed with baffles, 12.0-foot by 4.5-foot, reinforced concrete box culvert in an unnamed tributary of Ebaughs Creek (CWF), with depressed rip-rap aprons extending 5.0 feet upstream and 5.0 feet downstream for the purpose of improving safety standards; and (3) remove an existing structure and construct and maintain a 32.0-foot long, 1.0-foot depressed with baffles, 10.0-foot by 4.0-foot, reinforced concrete box culvert in an unnamed tributary of Ebaughs Creek (CWF), with depressed rip-rap aprons extending 5.0 feet upstream and 5.0 feet downstream for the purpose of improving safety standards. The project is located on Shaw Road between the High Street and Bridgeview Road intersections (Stewartstown, PA Quadrangle N: 1.8 inches; W: 17.5 inches, Latitude: 39° 45' 39.71"; Longitude: 76° 36' 16.37") in Hopewell Township, York County.

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

E18-454. Department of Conservation and Natural Resources, Bureau of Forestry, P. O. Box 8451, Harrisburg, PA 17105-8451. Trout Run Road Embankment Erosion Repair, in Leidy Township, **Clinton County**, ACOE Baltimore District (Hammersly Fork, PA Quadrangle N: 41° 26' 35.6"; W: 77° 55' 45.9").

To construct and maintain a bank stabilization project consisting of: 1) a 150-foot long R-7 riprap footer; 2) a 80-foot by 9-foot deep by 12-foot high gabion basket retaining wall with a 1:9.5 slope; 3) R-7 riprap bank protection above the wall to the edge of Trout Run Road; 4) a rock deflector vane upstream of the gabion baskets; and 5) a 20-foot long channel change just upstream of the baskets to help keep the bank stabilization area drier, all of which is located 1 mile on Trout Run Road from Kettle Creek Park Road.

Correction: From E18-545 to E18-454

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

E32-494. Department of Transportation, District 10, 2550 Oakdale Avenue, P. O. Box 429, Indiana, PA

15701. To replace two lane bridge in Fuffington and East Wheatfield Townships, **Indiana County**, Pittsburgh ACOE District (New Florence, PA Quadrangle N 16.7 inches; W 0.2 inch, Latitude: 40° 46' 19"; Longitude: 79° 8' 33"). The applicant proposes to remove the existing SR 403 two lane, 21 ft wide, two span bridge having a total length of 155 ft, and having a minimum underclearance of 15 ft; construct and maintain adjacent to and downstream a two lane 32 ft wide, two span bridge having a total length of 160 ft with an underclearance of 12.5 ft; for construction and demolition construct and remove temporary causeways; and construct and maintain associated stormwater outfalls over and in Blacklick Creek (TSF) with a drainage area of 139 square miles.

ENVIRONMENTAL ASSESSMENTS

Cambria District: Environmental Program Manager,

286 Industrial Park Road, Ebensburg, PA 15931-4119.

EA3309-002. Department of Environmental Protection, Bureau of Abandoned Mine Reclamation, Cambria Office, 286 Industrial Park Road, Ebensburg, PA 15931. Abandoned Mine Land Reclamation Project, in Clover Township, **Jefferson County**, Pittsburgh ACOE District.

The applicant proposes to backfill an abandoned surface mine, which includes a total of 3,950 linear feet of dangerous highwalls. The project will include the backfilling of 0.73 acre of PEM wetlands that have developed within the open surface mine pits. Of the 0.73 acre, 0.6 acre are AMD-impacted. The applicant proposes 0.13 acre of replacement wetland (Portersville Quadrangle N: 12.0 inches; W: 16.0 inches).

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>
PA0021563 (Sew)	Gettysburg Borough Municipal Authority 59 East High Street P. O. Box 3307 Gettysburg, PA 17325	Adams County Gettysburg Borough	Rock Creek 13-D	Y
PA0086525 (Sew)	Centre Township Municipal Authority Kingsgate Subdivision 449 Bucks Hill Road Mohrsville, PA 19541-9340	Berks County Centre Township	UNT to Irish Creek 3-B	Y
PA0081876 (Sew)	Audubon Park, Inc. 322 South Hanover Street Carlisle, PA 17013	York County Monaghan Township	UNT to Yellow Breeches Creek 7-E	Y
PA0083283 (Sew)	Arthur G. Bruaw, Jr. Bruaw Mobile Home Park P. O. Box 277 St. Thomas, PA 17252	Perry County Watts Township	UNT to Susquehanna River 6-C	Y
PA0080489 (Sew)	New Buffalo Restaurant, Inc. 3298 Susquehanna Trail Duncannon, PA 17020-7108	Perry County Watts Township	UNT to Susquehanna River 6-C	Y
PA0087785 (Sew)	Charles C. Powell 200 Trenton Street Cambridge, MD 21613-2407	Blair County Woodbury Township	Frankstown Branch Juniata River 11-A	Y

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

<i>NPDES No. (Type)</i>	<i>Facility Name & Address</i>	<i>County & Municipality</i>	<i>Stream Name (Watershed #)</i>	<i>EPA Waived Y/N ?</i>
PA0000356 (Industrial Waste)	PA American Water Company 800 West Hersheypark Drive Hershey, PA 17033	Jefferson County Gaskill Township	East Branch Mahoning Creek 17-D	Y

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

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

NPDES Permit No. PA0261441, Sewage, **Playful Pups Retreat, LLC**, 950 North Milton Grove Road, Elizabethtown, PA 17022. This proposed facility is located in Mount Joy Township, **Lancaster County**.

Description of Proposed Action/Activity: Authorization to discharge to an unnamed tributary to Conewago Creek in Watershed 7-G.

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

NPDES Permit No. PA0254177, Sewage, **William and Georgette Jones**, 19 Tanglewood Lane, Ruffsdale, PA 15679. This proposed facility is located in Sewickley Township, **Westmoreland County**.

Description of Proposed Action/Activity: Permit issuance to discharge treated wastewater.

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

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

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: Authorization for the construction/operation of a new 575' of 12" diameter interceptor from Manhole No. 3 to Manhole No. 1.

WQM Permit No. 0197403, Amendment 09-1, Sewage, **Gettysburg Borough Municipal Authority**, 59 East High Street, P. O. Box 3307, Gettysburg, PA 17325. This proposed facility is located in Gettysburg Borough, **Adams County**.

Description of Proposed Action/Activity: Permit amendment approval for the construction and modification of sewage facilities consisting of a treatment plant expansion from 2.45 MGD to 3.0 MGD. A new Sequencing Batch Reactor (SBR) is proposed to handle the increase in flow. Portions of the existing treatment system will be modified to accommodate the new SBR units. In addition, modifications to the existing Oxidation Ditch Treatment System will be made to provide biological nutrient reduction. Effluent filters are also proposed as part of this project. The filters will be installed when needed to meet the effluent limits.

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

Description of Proposed Action/Activity: Permit approval for the construction/operation of sewage facilities consisting of a small flow treatment facility with septic tank, peat filter and UV disinfection with discharge to unnamed tributary to Conewago Creek.

WQM Permit No. 6709202, Industrial Waste, **PPL Brunner Island, LLC**, 2 North Ninth Street, Allentown, PA 18101-1139. This proposed facility is located in East Manchester Township, **York County**.

Description of Proposed Action/Activity: Approval for the construction of industrial wastewater facilities consisting of two treatment trains with each train containing an influent mix tank, flocculator-clarifier unit and effluent mix tank. Also included in the IWTP are two sludge storage and treatment basins, an effluent recycle tank and two filter belt press units housed within a new building.

WQM Permit No. 2177201, Industrial Waste, **Boyd Diller, Inc.**, 6820 Wertzville Road, Enola, PA 17025-1032. This proposed facility is located in Hampden Township, **Cumberland County**.

Description of Proposed Action/Activity: Permit amendment approval for the modification/operation of industrial wastewater facilities consisting of an addition of fine bubble diffusers to reduce ammonia nitrogen levels and "Big Bubba" filters to reduce manganese levels.

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

WQM Permit No. 5609001, Industrial Waste, **Klejka Dairy**, 381 Deans Road, Somerset, PA 15501. This proposed facility is located in Somerset Township, **Somerset County**.

Description of Proposed Action/Activity: Permit issuance for the construction and operation of manure storage and transfer facility.

WQM Permit No. 0210401, Sewerage, **Findlay Township Municipal Authority**, P. O. Box 409, 1271 Route 30, Clinton, PA 15026. This proposed facility is located in Findlay Township, **Allegheny County**.

Description of Proposed Action/Activity: Permit issuance for the construction and operation of sanitary sewer trunk line, collection sewer and appurtenances.

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 1506010-A1	Immaculata University 1145 King Road Immaculata, PA 19345	Chester	East Whiteland Township	Valley Creek EV-MF
PAI01 151007	Malvern Preparatory School 418 South Warren Avenue Malvern, PA 19355-2707	Chester	Malvern Borough	Crum Creek HQ-CWF
PAI01 151014	Kimberton Meadows Development, LLC 110 North Phoenixville Pike Malvern, PA 19355	Chester	East Pikeland Township	Stony Run HQ-TSF

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

<i>NPDES Permit No.</i>	<i>Applicant Name & Address</i>	<i>County</i>	<i>Municipality</i>	<i>Receiving Water/Use</i>
PAI024509009	HJP Park & Open Space Commission P. O. Box 213 Reeders, PA 18352	Monroe	Jackson and Pocono Townships	Tributary to Pocono Creek HQ-CWF, MF Rocky Run HQ-CWF, MF

<i>NPDES Permit No.</i>	<i>Applicant Name & Address</i>	<i>County</i>	<i>Municipality</i>	<i>Receiving Water/Use</i>
PAI025409004	H & S Investment Properties P. O. Box 160 St. Clair, PA 17970	Schuylkill	East Norwegian Township	Tributary to Mill Creek 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>
PAI000110001	Frank A. Gerhardt GFTB Partners, LP 6375 Chambersburg Road Fayetteville, PA 17222-8303	Adams	Franklin Township	Clear Run HQ-MF
PAI034410002	Valley View Haven, d/b/a Malta Home Retirement Community 2105 East Main Street P. O. Box 9299 Belleville, PA 17004-9299	Mifflin	Granville Township	Minehart Run HQ-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>
Warminster Township Bucks County	PAG0200 0909033	886 York Road, LP 5 Daniel Road East Fairfield, NJ 07004	Little Neshaminy Creek WWF	Southeast Regional Office 2 East Main Street Norristown, PA 19401 484-250-5900
Plumstead Township Bucks County	PAG0200 091011	Michael Noftsker 6102 Point Pleasant Pike Doylestown, PA 18902	North Branch Neshaminy Creek WWF	Southeast Regional Office 2 East Main Street Norristown, PA 19401 484-250-5900

NOTICES

4333

<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>
Falls Township Bucks County	PAG0200 0907141-1	International Salt Company 655 Northern Boulevard P. O. Box 540 Clarks Summit, PA 18411	Delaware River WWF-MF	Southeast Regional Office 2 East Main Street Norristown, PA 19401 484-250-5900
Northampton Township Bucks County	PAG0200 091026	Township of Northampton 55 Township Road Richboro, PA 18954	Neshaminy Creek WWF-MF	Southeast Regional Office 2 East Main Street Norristown, PA 19401 484-250-5900
West Bradford Township Chester County	PAG0200 1504120-R	GIM PA Lenders, LP Two Liberty Place 50 South 16th Street Suite 2600 Philadelphia, PA 19102	Unnamed Tributary West Branch Brandywine Creek WWF-MF	Southeast Regional Office 2 East Main Street Norristown, PA 19401 484-250-5900
Lower Oxford Township Chester County	PAG0200 1504016-R	Woodstone Homes 70 Pottstown Pike P. O. Box 814 Uwchlan, PA 19480	Unnamed Tributary Leech Run TSF-MF	Southeast Regional Office 2 East Main Street Norristown, PA 19401 484-250-5900
Penn Township Chester County	PAG0200 1506005-A1	Chester County School Authority 455 Boot Road Downingtown, PA 19335	West Branch White Clay Creek TSF-MF	Southeast Regional Office 2 East Main Street Norristown, PA 19401 484-250-5900
Limerick Township Montgomery County	PAG0200 4610016	RD Sheppard Realty 584 Main Street Schwenksville, PA 19473	Perkiomen Creek TSF-MF	Southeast Regional Office 2 East Main Street Norristown, PA 19401 484-250-5900
New Hanover Township Montgomery County	PAG0200 4603158R	Windlestrae Associates 1030W Germantown Pike Fairview Village, PA 19409	Unnamed Tributary Minister Creek TSF	Southeast Regional Office 2 East Main Street Norristown, PA 19401 484-250-5900
Springfield Township Montgomery County	PAG0200 4610026	9425 Stenton Avenue, LP 1415 Bethlehem Pike Flourtown, PA 19031	Wissahickon Creek TSF-MF	Southeast Regional Office 2 East Main Street Norristown, PA 19401 484-250-5900
Skippack Township Montgomery County	PAG0200 4608121	Gigliotti Squirrel Hill Associates One Summit Suite 301 Langhorne, PA 19047	East Branch Perkiomen Creek TSF	Southeast Regional Office 2 East Main Street Norristown, PA 19401 484-250-5900
Collegeville Borough Montgomery County	PAG0200 4610024	Ursinus College 601 Main Street Collegeville, PA 19426	Unnamed Tributary Perkiomen Creek TSF	Southeast Regional Office 2 East Main Street Norristown, PA 19401 484-250-5900
Whitemarsh Township Montgomery County	PAG0200 4610020	National Label Co., Inc. 2025 Joshua Road Lafayette Hill, PA 19444	Spring Mill Creek WWF	Southeast Regional Office 2 East Main Street Norristown, PA 19401 484-250-5900
Upper Merion Township Montgomery County	PAG0200 4610022	YSC Real Estate, LP 3811 West Chester Pike Newtown Square, PA 19073	Schuylkill River WWF-MF	Southeast Regional Office 2 East Main Street Norristown, PA 19401 484-250-5900

<i>Facility Location: Municipality & County</i>	<i>Permit No.</i>	<i>Applicant Name & Address</i>	<i>Receiving Water / Use</i>	<i>Contact Office & Phone No.</i>
Sugarloaf Township Luzerne County	PAG20040090215	Sheetz, Inc. Attn: Brian K. Soyka 5700 Sixth Avenue Altoona, PA 16602	Tributary to Little Nescopeck Creek CWF, MF	Luzerne County Conservation District 570-674-7991
Wilkes-Barre City Luzerne County	PAG2004010003	The Housing Development Corporation of Northeastern Pennsylvania Attn: Eugene Brady 163 Amber Lane Wilkes-Barre, PA 18703	Susquehanna River WWF, MF	Luzerne County Conservation District 570-674-7991
Lehigh Township Northampton County	PAG2004810003	Greenock Investors Group, LLC Attn: Tom Killeen 840 Eldridge Road Fairless Hills, PA 19030	Bertsch Creek CWF, MF	Northampton County Conservation District 610-746-1971
East Stroudsburg Borough Monroe County	PAR10S029R(2)	University Properties East Stroudsburg University Attn: William C. Hibschan 200 Prospect Street East Stroudsburg, PA 18301	Brodhead Creek TSF, MF	Monroe County Conservation District 570-629-3060
Wheatfield and Rye Townships Perry County	PAG2035010007	James Corl 43 Ramsey Hollow Road Beech Creek, PA 16822	Fishing Run—Shermans Creek WWF	Perry County Conservation District P. O. Box 36 31 West Main Street New Bloomfield, PA 17068 717-582-5119
West Manheim Township York County	PAG2006705021-R	Paul Berkentine Stone Ridge Development 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
Fairview Township York County	PAG2006704138-R	Curtis Varner S&A Homes, Inc. 2121 Old Gatesburg Road Suite 200 State College, PA 16803	Big Springs Run TSF	York County Conservation District 118 Pleasant Acres Road York, PA 17402-8984 717-840-7430
East Manchester Township York County	PAG2006705070-R	Vas-Land, Inc. 336 West King Street Lancaster, PA 17603	Hartman Run WWF	York County Conservation District 118 Pleasant Acres Road York, PA 17402-8984 717-840-7430
Shrewsbury Borough York County	PAG2006705017-R	Phil Robinson Heathcote Glen, LP 18147 Amanda Drive New Freedom, PA 17349	UNT to Trout Run/ WWF	York County Conservation District 118 Pleasant Acres Road York, PA 17402-8984 717-840-7430
Carroll Township York County	PAG2006705048-R	United States Home Corp., d/b/a Lennar Robert Jacoby 10211 Wincopin Circle Suite 180 Columbia, MD 21044	Yellow Breeches Creek CWF	York County Conservation District 118 Pleasant Acres Road York, PA 17402-8984 717-840-7430
Penn Township York County	PAG2006710012	Penn Township 20 Wayne Avenue Hanover, PA 17331	Oil Creek—UNT to Oil Creek WWF	York County Conservation District 118 Pleasant Acres Road York, PA 17402-8984 717-840-7430

NOTICES

4335

<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>
Watts Township Perry County	PAG2035010005	Robert H. Snyder 237 Notch Road Duncannon, PA 17020	UNT to Susquehanna River WWF	Perry County Conservation District P. O. Box 36 31 West Main Street New Bloomfield, PA 17068 717-582-5119
Oxford Township Adams County	PAG2000105010-R	Randy Test C.W. Test Builder, Inc. 1235 Abbottstown Pike Hanover, PA 17331	UNT to South Branch Conewago Creek WWF	Adams County Conservation District 670 Old Harrisburg Road Suite 201 Gettysburg, PA 17325 717-334-0636
Liberty Township Adams County	PAG2000103030-R	Allen Beckett Brick Point Construction, Inc. 2716 Emmitsburg Road Gettysburg, PA 17325	Marsh Creek— Middle Creek CWF	Adams County Conservation District 670 Old Harrisburg Road Suite 201 Gettysburg, PA 17325 717-334-0636
Granville Township Mifflin County	PAG2004410002	Dave Knox Locust Campground & RV Park P. O. Box 338 Lewistown, PA 17044	Juniata River WWF-MF	Mifflin County Conservation District 20 Windmill Hill #4 Burnham, PA 17009 717-248-4695
Antrim, Hamilton, Fannett and St. Thomas Townships Franklin County	ESCGP12810801	John Long Dominion Transmission 445 West Main Street Clarksburg, WV 26301	Marsh Run—Back Creek—Dry Run WWF, MF-TSF, MF-CWF, MF	Franklin County Conservation District 185 Franklin Farm Lane Chambersburg, PA 17201 717-264-5499
Antrim Township Franklin County	PAG2002810010	David Riegsecker Cedar Grove Mennonite Church 13343 Williamsport Pike Greencastle, PA 17225	UNT to Conococheague Creek WWF-MF	Franklin County Conservation District 185 Franklin Farm Lane Chambersburg, PA 17201 717-264-5499
Montgomery Township Franklin County	PAG2002804048-R	Taylor Oliver Oliver Homes 19733 Leitersburg Pike Hagerstown, MD 21742	West Branch Conococheague Creek TSF-MF	Franklin County Conservation District 185 Franklin Farm Lane Chambersburg, PA 17201 717-264-5499
Washington Township Franklin County	PAG2002810007	Julia Klein 1740 La Fontaine Court Beverly Hills, CA 90210	East Branch Antietam Creek CWF	Franklin County Conservation District 185 Franklin Farm Lane Chambersburg, PA 17201 717-264-5499
Conewago Township York County	PAG2006705063-R	Canal Road Associates, LLC 474 Mt. Sidney Road Lancaster, PA 17602	Locust Run TSF	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>
Dover Township York County	PAG2006705038-R	Michael Barshinger 655 Owen Road York, PA 17403	UNT to Fox Run TSF	York County Conservation District 118 Pleasant Acres Road York, PA 17402-8984 717-840-7430
Jackson Township York County	PAG006705020-R	Randy Test C.W. Test Builder, Inc. 1235 Abbottstown Pike Hanover, PA 17331	Little Conewago Creek WWF	York County Conservation District 118 Pleasant Acres Road York, PA 17402-8984 717-840-7430
Shrewsbury Township York County	PAG2006709051	Roy Smith Shrewsbury Gospel Temple 713 West Forrest Avenue Glen Rock, PA 17327	UNT to Trout Run WWF	York County Conservation District 118 Pleasant Acres Road York, PA 17402-8984 717-840-7430
Cambria County Richland Township	PAG02001110005	Dr. Andrew Garbarino KIDCO, LLP 1322 Eisenhower Boulevard Johnstown, PA 15904	UNT to Stonycreek River CWF	Cambria County Conservation District 401 Candlelight Drive Suite 221 Ebensburg, PA 15931 814-472-2120
Fayette County North Union, South Union and Menallen Townships	PAG2002605009-R	Turnpike Commission Frank Kempf P. O. Box 67676 Harrisburg, PA 17106-7676	Redstone Creek UNT to Lick Run WWF	Fayette County Conservation District 10 Nickman Plaza Lemont Face, PA 15456 724-438-4497
Fayette County South Union Township	PAG2002610010	Judith Lynn-Craig 606 Wills Road Connellsville, PA 15425	UNT to Lick Run WWF	Fayette County Conservation District 10 Nickman Plaza Lemont Face, PA 15456 724-438-4497
Washington County Canonsburg Borough	PAG2006305031-R	Maronda Homes, Inc. 202 West Park Drive Pittsburgh, PA 15275	Brush Run WWF	Washington County Conservation District 602 Courthouse Square Washington, PA 15301 724-228-6774
Washington County Canonsburg Borough	PAG2006305032-R	Maronda Homes, Inc. 202 West Park Drive Pittsburgh, PA 15275	Brush Run WWF	Washington County Conservation District 602 Courthouse Square Washington, PA 15301 724-228-6774
Washington County Peters Township	PAG2006310014	Health Care REIT, Inc. 5106 Maryland Way Brentwood, TN 37027	UNT to Chartiers Creek WWF	Washington County Conservation District 602 Courthouse Square Washington, PA 15301 724-228-6774

<i>Facility Location: Municipality & County</i>	<i>Permit No.</i>	<i>Applicant Name & Address</i>	<i>Receiving Water/Use</i>	<i>Contact Office & Phone No.</i>
Springfield Township Mercer County	PAG02 43 06 014(1)	Mark S. Goldsmith Walmart Stores East LP 3001 South East 10th Street Bentonville, AR 72716-0550	Black Run CWF	Mercer County Conservation District 724-662-2242

General Permit Type—PAG-3

<i>Facility Location: Municipality & County</i>	<i>Permit No.</i>	<i>Applicant Name & Address</i>	<i>Receiving Water/Use</i>	<i>Contact Office & Phone No.</i>
East Deer Township Allegheny County	PAR216126	Pittsburgh Glass Works 150 Ferry Street Creighton, PA 15030-1101	Allegheny River	Southwest Regional Office Water Management Program Manager 400 Waterfront Drive Pittsburgh, PA 15222-4745 412-442-4000
Harmar Township Allegheny County	PAR216172	PPG Industries, Inc. 400 Guys Run Road P. O. Box 11472 Cheswick, PA 15024-9464	Rawlins Run	Southwest Regional Office Water Management Program Manager 400 Waterfront Drive Pittsburgh, PA 15222-4745 412-442-4000

**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. 5989508-T1—Transfer, Public Water Supply.

Applicant	Pleasant Village MHP
Township or Borough	Putnam Township
County	Tioga
Responsible Official	Michael S. Geiser, Member Effective MHP, LLC 3215 Stein Lane Lewisburg, PA 17837
Type of Facility	Public Water Supply—Operation
Consulting Engineer	William S. Bray, P. E. Civil Engineering P. O. Box 535 Wellsboro, PA 16901
Permit Issued Date	July 14, 2010
Description of Action	Transfer of ownership of a PWS permit that authorizes operation of the well source known as Well 1 and the facilities iron and manganese treatment, disinfection, and transmission lines.

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

Wellhead Protection Program Approval issued to the Greenville Municipal Water Authority, 44 Clinton

Street, Greenville, PA 16125, PWSID No. 6430037, Greenville Borough, **Mercer County** on July 13, 2010.

WATER ALLOCATIONS

Actions taken on 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 this Commonwealth

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

WA 01-1025, Water Allocations. Mason Dixon Utilities, Inc., Adams County. The applicant was granted the right to withdraw a maximum 205,000 gpd on an annual (365 day) basis, 500,000 gpd on a thirty-day basis and 2,000,000 gpd on a peak day basis from Marsh Creek at proposed new intake. Permit Issued: May 25, 2010.

SEWAGE FACILITIES ACT PLAN APPROVAL

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

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

Plan Location:

<i>Borough or Township</i>	<i>Borough or Township Address</i>	<i>County</i>
Cranberry Township	2525 Rochester Road Suite 400 Cranberry Township, PA 16066	Butler

Plan Description: The approved plan provides for construction of a new interceptor sewer that parallels existing Interceptor No. 1. The existing sewer is adjacent to Brush Creek and is situated west of the Turnpike (I-76). The plan further evaluates the expansion needed at the existing Brush Creek Water Pollution Control Facility within the next 10 years. 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.

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

Plan Location: on the west side of Burnt Mill Road at McClays Mill Road.

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

Plan Description: The approved plan, in the name of Ron Sailhamer, provides for a Small Flow Treatment Facility to serve a new residence on Lot No. 4, and a future small flow treatment facility to serve the existing residence on Lot No. 4 if the existing onlot system malfunctions. Both small flow treatment facilities are planned to discharge directly into Middle Spring Creek via an easement on Lot No. 5. Previous planning documents had proposed to discharge to a wetland area on the east side of Burnt Mill Road, but this proposal was changed in favor of discharging directly to the creek. 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 owner.

LAND RECYCLING AND ENVIRONMENTAL REMEDIATION

UNDER ACT 2, 1995

PREAMBLE 2

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

Provisions of Chapter 3 of the Land Recycling and Environmental Remediation Standards Act (act) require the Department of Environmental Protection (Department) to publish in the *Pennsylvania Bulletin* a notice of submission of plans and reports. A final report is submitted to document cleanup of a release of a regulated substance at a site to one of the act's remediation standards. A final report provides a description of the site investigation to characterize the nature and extent of contaminants in environmental media, the basis for selecting the environmental media of concern, documentation supporting the selection of residential or nonresidential exposure factors, a description of the remediation performed and summaries of sampling analytical results which demonstrate that remediation has attained the cleanup standard selected. Submission of plans and reports, other than the final report, shall also be published in the *Pennsylvania Bulletin*. These include the remedial investigation report, risk assessment report and cleanup plan for a Site-Specific Standard remediation. A remedial investigation report includes conclusions from the site investigation, concentration of regulated substances in environmental media; benefits of refuse of the property and, in some circumstances, a fate and transport analysis. If required, a risk assessment report describes potential adverse effects caused by the presence of regulated substances. If required, a cleanup plan evaluates the abilities of potential remedies to achieve remedy requirements.

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

The Department has received the following plans and reports:

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

Former Gary Gray Property, 5830 River Road/103 Deming Road, Upper Mount Bethel Township, **Northampton County**. Keith A. Valentine and Christopher T. Kotch, Barry Isett & Associates, Inc., P. O. Box 147, 85 SR, 100 Kressler Lane, Trexlertown, PA 18087 have submitted a Final Report (on behalf of their client, Voltaix, LLC, 197 Meister Avenue, Branchburg, NJ 08876), concerning the remediation of soil found to have been impacted by arsenic as a result of historical operations at the site, which included the storage of vintage

vehicles (for example, fire engines) and other vintage equipment. The Report was submitted to document attainment of the Residential Statewide Health Standard for soil. A public notice regarding the submission of the Final Report was published in *The Morning Call* on May 29, 2010.

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

East Penn Manufacturing Company, Richmond Township, **Berks County**. AECOM Technical Services, Inc., 2 Market Plaza Way, Mechanicsburg, PA 17055, on behalf of East Penn Manufacturing Company, Inc., P. O. Box 147, Lyon Station, PA 19536, has submitted a combined Remedial Investigation Report and Cleanup Plan for the remediation of site soils and groundwater at the Western Ore Pit which are contaminated with inorganics. The site is being remediated to a 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:

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

Double Tree Convention Center Garage, City of Reading, **Berks County**. Hafer Environmental Services, Inc., P. O. Box 4418, Reading, PA 19606, on behalf of the Reading Parking Authority, 613 Franklin Street, Reading, PA 19602, submitted a combined Remedial Investigation and Final Report concerning remediation of site soils contaminated with petroleum hydrocarbons from an unregulated underground storage tank. The combined Report demonstrated attainment of the Site-Specific Standard, and was approved by the Department of Environmental Protection on July 13, 2010.

Miller & Nolt Properties, Newport Borough, **Perry County**. Marshall, Miller & Associates, 3913 Hartzdale Drive, Suite 1306, Camp Hill, PA 17011, on behalf of Minuteman Spill Response, Inc., P. O. Box 10, Mifflinville, PA 18631; Keystone Oil Products Corporation, 1600 Hummel Avenue, Camp Hill, PA 17011; Anne and Lawrence Miller, 357 North 4th Street, Newport, PA 17074, and Lorie and Stephen Nolt, 359 North 4th Street, Newport, PA 17074, submitted a Final Report concerning remediation of site soils contaminated with No. 2 fuel oil from a ruptured aboveground storage tank. The Report, which was submitted within 90 days of the release, demonstrated attainment of the Residential Statewide Health Standard and was approved by the Department of Environmental Protection on July 15, 2010.

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

Makdad Ind. Supply Co. (former Keystone Refrigeration), Sandy Township, **Clearfield County**, ATC Associates, Inc., 101 Allegheny Street, Suite 2B, Holidaysburg, PA 16648 on behalf of Roger McCoy, 245 Mountain Road, Port Matilda, PA 16870 has submitted a Final Report concerning the remediation of site soil contaminated with benzene, Ethylbenzene, naphthalene, 1,2,4-TMB and 1,3,5-TMB. The Final Report demonstrated attainment of the Site-Specific Standard and was approved by the Department of Environmental Protection on July 12, 2010.

UGI-Penn Natural Gas—Danville Holder/Regulator Station, Danville Borough, **Montour County**. Stantec Consulting, 400 Davis Drive, Suite 400, Plymouth Meeting, PA 19462 on behalf UGI Penn Natural Gas, 100 Kachel Boulevard, P. O. Box 12677, Reading, PA 19612-2677 has submitted a Remedial Investigation Report concerning the remediation of site soil contaminated with arsenic, antimony and lead. The Remedial Investigation Report was approved by the Department of Environmental Protection on July 14, 2010.

UGI Mount Carmel Former MGP Site, Mount Carmel Borough, **Northumberland County**. Haley & Aldrich, Inc., 299 Cherry Hill Road, Suite 105, Parsippany, NJ 07054-1124 on behalf of UGI Central Penn Gas, 2525 North 12th Street, Suite 380, Reading, PA 19612 has submitted a Cleanup Plan concerning remediation of site soil and groundwater contaminated with inorganic compounds, polycyclic aromatic hydrocarbons and other organic compounds. The Cleanup Plan was approved by the Department of Environmental Protection on July 15, 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.

Central Office: Division of Municipal and Residual Waste, Rachel Carson State Office Building, Floor 14, 400 Market Street, Harrisburg, PA 17105-8472.

General Permit Application No. WMGR119. Eureka Resources, LLC, 301 Charles Street, South Williamsport, PA 17702. General Permit Numbered WMGR119 is for the processing of wastewater (that is, flow back gas well water-frac water) from various Marcellus Shale gas drilling operations at the Eureka Resources, LLC wastewater treatment facility, located in the City of Williamsport, **Lycoming County**. The processed wastewater will be beneficially used in the extraction of natural gas from various Marcellus Shale gas drilling operations. On an emergency basis only, the processed wastewater will be discharged, to the Williamsport Sewer Authority, in accordance with its existing National Pollutant Discharge Elimination System (NPDES) permit. This residual waste general permit was issued by the Central Office on July 14, 2010.

Persons interested in reviewing the general permit may contact C. D. Vu, General Permits and Beneficial Use Section, Division of Municipal and Residual Waste, Bureau of Waste Management, P. O. Box 8472, Harrisburg, PA 17105-8472, (717) 787-7381. TDD users may contact the Department of Environmental Protection through the Pennsylvania AT&T Relay Service, (800) 654-5984.

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.

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

GP2-23-0226: Sunoco Partners Marketing & Terminals, LP (1818 Market Street, Suite 1500, Philadelphia, PA 19103) on July 15, 2010, to operate a storage tank for volatile organic liquids in Darby Township, **Delaware County**.

GP1-46-0240: United States Department of Agriculture—USDA (600 East Mermaid Lane, Wyndmoor, PA 19038) on July 20, 2010, to operate a dual-fuel fired boiler Springfield Township, **Montgomery County**.

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

GP9-22-03013: Pinnacle Health Hospitals (218 South Second Street, Harrisburg, PA 17104) on July 16, 2010, for a diesel fired engine at the Harrisburg Hospital in Harrisburg City, **Dauphin County**. This is a renewal of the general permit.

GP3-67-BR-10-01: Brandenburg Industrial Service Co. (2217 Spillman Drive, Bethlehem, PA 18015) on July 16, 2010, for a portable crushing plant consisting of a crusher and conveyor at the Harley Davidson facility in York City, **York County**.

GP11-67-BR-10-01: Brandenburg Industrial Service Co. (2217 Spillman Drive, Bethlehem, PA 18015) on July 16, 2010, for a nonroad compression ignition engine to power crushing equipment at the Harley Davidson facility in York City, **York County**.

GP7-36-03118: ITP of USA, Inc. (200 South Chestnut Street, Elizabethtown, PA 17022) on July 13, 2010, for four sheetfed offset lithographic printing presses in Elizabethtown Borough, **Lancaster County**. This is a renewal of the GP7.

GP14-28-03001: Kelso Cornelius Funeral Home, Ltd. (725 Norland Avenue, Chambersburg, PA 17201-4211) on July 7, 2010, for a human crematory in Chambersburg Borough, **Franklin County**.

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

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

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

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

GP1-41-627A: Clean Streams, LLC (409 Boot Road, Downingtown, PA 19335) on June 7, 2010, for the con-

struction and operation of two 8.639 million Btu per hour, natural gas-fired boilers under the General Plan Approval and Operating Permit for Small Gas and No. 2 Oil Fired Combustion Units (BAQ-GPA/GP-1) at a facility located in Old Lycoming Township, **Lycoming County**.

GP3-08-314: Cole Construction, Inc. (P. O. Box 158, Nichols, NY 13812) on June 16, 2010, to construct and operate a portable nonmetallic mineral crusher and screener with associated water spray dust suppression system under the General Plan Approval and/or General Operating Permit for Portable Nonmetallic Mineral Processing Plants (BAQ-PGPA/GP-3) at the Peck Hill Quarry facility in Windham Township, **Bradford County**.

GP9-08-314: Cole Construction, Inc. (P. O. Box 158, Nichols, NY 13812) on June 16, 2010, to construct and operate one 217 bhp John Deere diesel-fired engine and one 100 bhp Deutz diesel-fired engine under the General Plan Approval and/or General Operating Permit BAQ-GPA/GP-9: Diesel or No. 2 fuel-fired Internal Combustion Engines, at the Peck Hill Quarry facility in Windham Township, **Bradford County**.

GP5-08-04C: Chief Gathering, LLC (6051 Wallace Road Ext., Suite 210, Wexford, PA 15090) on June 21, 2010, for the modification of the existing 65 MMscf/day glycol dehydrator with 1.0 mmBtu/hr reboiler to increase the natural-gas throughput to 75 MMscf/day under the General Plan Approval and/or General Operating Permit for Natural Gas, Coal Bed Methane or Gob Gas Production or Recovery Facilities (BAQ-GPA/GP-5) at the Bradford Compressor Station in West Burlington Township, **Bradford County**.

GP3-59-191A: Contract Crushing, Inc. (26 Beaver Street, Cogan Station, PA 17728) on June 9, 2010, to construct and operate a portable nonmetallic mineral crusher with associated water spray dust suppression system and portable nonmetallic mineral screen pursuant to the General Plan Approval and/or General Operating Permit for Portable Nonmetallic Mineral Processing Plants (BAQ-PGPA/GP-3) at the Hanson—Blossburg facility in Liberty Township, **Tioga County**.

GP9-59-191A: Contract Crushing, Inc. (26 Beaver Street, Cogan Station, PA 17728) on June 9, 2010, to construct and operate one Caterpillar Model C-9 diesel-fired engine with a rating of 300 horsepower (hp) and one Caterpillar Model 3054C diesel-fired engine with a rating of 99 hp under the General Plan Approval and/or General Operating Permit BAQ-GPA/GP-9: Diesel or No. 2 fuel-fired Internal Combustion Engines, at the Hanson—Blossburg facility located in Liberty Township, **Tioga County**.

GP24-49-00007-2: Cherokee Pharmaceuticals, LLC (100 Avenue C, P. O. Box 367, Riverside, PA 17868) on June 14, 2010, to authorize the construction and operation of point sources that handle/process pharmaceutical products under the General Plan Approval for Pharmaceutical and Specialty Chemical Production (BAQ-GPA-24) located in Riverside Borough, **Northumberland County**.

GP5-59-190A: Talisman Energy USA, Inc. (337 Daniel Zenker Drive, Horseheads, NY 14845) on June 25, 2010, to construct and operate a glycol dehydration unit and a 0.65 million Btu per hour reboiler under the General Plan Approval and/or General Operating Permit for Natural Gas, Coal Bed Methane or Gob Gas Production or Recovery Facilities (BAQ-GPA/GP-5) at the Jackson Dehydrator Station in Lawrence Township, **Tioga County**.

GP5-08-15: Talisman Energy USA, Inc. (337 Daniel Zenker Drive, Horseheads, NY 14845) on July 1, 2010, for the construction and operation of twelve 1,380 bhp Caterpillar model G3516B four-stroke, ultra-lean-burn, natural gas-fired compressor-engines each equipped with Miratech model IQ-26-12-EHI oxidation catalysts and two Natco tri-ethylene glycol dehydrators each rated at 60 Mscf/day with regenerators (0.375 mmBtu/hr) under the General Plan Approval and/or General Operating Permit for Natural Gas, Coal Bed Methane or Gob Gas Production or Recovery Facilities (BAQ-GPA/GP-5) at the Putnam Compressor Station in Armenia Township, **Bradford County**.

GP5-59-206A: Mainesburg GS, LP (500 North Capital of Texas Highway, Building 3, Suite 100, Austin, TX 78746) on July 1, 2010, to assume operation of a 203 bhp natural gas-fired compressor engine equipped with an oxidation catalyst and one 3 MMscf/day glycol dehydrator equipped with a 0.075 mmBtu/hr heater and to construct and operate two natural gas-fired compressor engines each rated at 1,340 bhp and one 30 MMscf/day glycol dehydrator equipped with a 0.75 mmBtu/hr heater under the General Plan Approval and/or General Operating Permit for Natural Gas, Coal Bed Methane or Gob Gas Production or Recovery Facilities (BAQ-GPA/GP-5) at the Mainesburg Compressor Station in Sullivan Township, **Tioga County**.

GP5-59-207A: East Resources, Inc. (301 Brush Creek Road, Warrendale, PA 15086) on June 22, 2010, for the construction and operation of three 1,340 bhp Caterpillar model G3516 TALE four-stroke, lean-burn, natural gas-fired compressor engines and two Natco triethylene glycol dehydrators each rated at 20 Mscf/day with regenerators (0.275 mmBtu/hr) under the General Plan Approval and/or General Operating Permit for Natural Gas, Coal Bed Methane or Gob Gas Production or Recovery Facilities (BAQ-GPA/GP-5) at the Matz Compressor Station in Chatham Township, **Tioga County**.

GP5-41-629A: Pennsylvania General Energy Co., LLC (120 Market Street, Warren, PA 16365) on July 7, 2010, for the construction and operation of three 1,340 bhp Caterpillar model G3516 TALE four-stroke, lean-burn, natural gas-fired compressor engines and two Natco triethylene glycol dehydrators each rated at 25 Mscf/day with regenerators (0.200 mmBtu/hr) under the General Plan Approval and/or General Operating Permit for Natural Gas, Coal Bed Methane or Gob Gas Production or Recovery Facilities (BAQ-GPA/GP-5) at the Ramsey Road Compressor Station in Cummings Township, **Lycoming County**.

GP5-08-305A: Chief Gathering, LLC (6051 Wallace Road Ext., Suite 210, Wexford, PA 15090) on July 15, 2010, for the construction and operation of two natural gas-fired compressor engines rated at 1,340 brake-horsepower, each equipped with catalytic converters, one 750,000 Btu per hour glycol dehydrator and one 1,500,000 Btu per hour glycol dehydrator under the General Plan Approval and/or General Operating Permit for Natural Gas, Coal Bed Methane or Gob Gas Production or Recovery Facilities (BAQ-GPA/GP-5) at the Cuddy Compressor Station in Monroe Township, **Bradford County**.

GP5-08-319: Chief Gathering, LLC (6051 Wallace Road Ext., Suite 210, Wexford, PA 15090) on July 15, 2010, for the construction and operation of five natural gas-fired compressor engines rated at 1,340 brake-horsepower, three of which are equipped with catalytic converters, and two 750,000 Btu per hour glycol dehydrators under the General Plan Approval and/or General

Operating Permit for Natural Gas, Coal Bed Methane or Gob Gas Production or Recovery Facilities (BAQ-GPA/GP-5) at the God Compressor Station in Monroe Township, **Bradford County**.

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

GP5-65-00879D: Range Resources-Appalachia, LLC (380 Southpoint Boulevard, Canonsburg, PA 15317) on July 16, 2010, received a GP-5 authorization for continued operation of a natural gas production facility at their Unity Compressor Station in East Huntingdon Township, **Westmoreland County**.

GP5-32-00407: XTO Energy, Inc. (810 Houston Street, Fort Worth, TX 76102) on July 16, 2010, to construct and operate one natural gas compressor engine at their Ernest Compressor Station in Rayne Township, **Indiana County**.

GP5-65-01005C: RW Gathering, LLC (100 Tower Center, Suite 130, Canonsburg, PA 15317) on June 28, 2010, to construct and operate one replacement natural gas compressor engine and to operate one existing natural gas compressor engine at their Bergman Road Compressor Site also referred to as the Ecker Compressor Station on Bergman Road, Derry Township, **Westmoreland County**.

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

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

09-0075B: Dunmore Corp. (145 Wharton Road, Bristol, PA 19007) on July 14, 2010, to install a regenerative thermal oxidizer at an existing plastic film and coating facility in Bristol Township, **Bucks County**. This thermal oxidizer will replace the currently permitted catalytic oxidizer. Facility-wide VOC and HAP emissions will remain the same as they are controlled through a previously permitted Permanent Total Enclosure and this oxidizer. NOx emissions are estimated to increase by a maximum of 2.15 tons to 6.03 tons per year due to the increased fuel usage in this larger oxidizer. The plan approval will include monitoring, recordkeeping and reporting requirements designed to keep the facility operating within all applicable air quality requirements.

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

41-00080A: Chief Gathering, LLC (6051 Wallace Road Ext., Suite 210, Wexford, PA 15090-7386) on June 10, 2010, to construct two natural gas-fired compressor engines each equipped with oxidation catalysts at the Canoe Run Compressor Station located in Mifflin Township, **Lycoming County**.

47-00005A: Geisinger Medical Center (Geisinger Medical Center, 100 North Academy Avenue, Danville, PA 17822-2455) on June 17, 2010, for the construction of a combined heat and power combustion turbine at their facility located in Mahoning Township, **Montour County**.

59-00004F: Ward Manufacturing, LLC (117 Gulick Street, P. O. Box 9, Blossburg, PA 16912-0009) on July 7, 2010, for the construction of a tumbler blast cleaning and peening machine at the Blossburg Borough, **Tioga County** facility.

59-00004D: Ward Manufacturing, LLC (117 Gulick Street, P. O. Box 9, Blossburg, PA 16912-0009) on July 8, 2010, for the construction of a natural gas/propane-fired Samsco wastewater evaporator at the Blossburg Borough, **Tioga County** facility.

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

65-00630B: Mine Safety Appliances (MSA) Co. (P. O. Box 426, Pittsburgh, PA 15230-0426) on July 14, 2010, to authorize the construction and temporary operation of additional air contamination sources and controls associated with a proposed respirator mask manufacturing operation consisting of washing, cleaning and bonding of lenses to rubber mask blanks at the MSA Murrysville facility, at 3880 Meadowbrook Road, Murrysville, **Westmoreland County**.

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

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

09-0084A: Grand View Hospital (700 Lawn Avenue, Sellersville, PA 18960) on July 15, 2010, to operate three boilers in West Rockhill Township, **Bucks County**.

46-0158B: Coloron, Inc. (415 Moyer Boulevard, West Point, PA 19486) on July 15, 2010, to operate a new Glatt fluid bed dryer in Upper Gwynedd Township, **Montgomery County**.

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

06-03134: Dietrich Specialty Processing, LLC (61 Vanguard Drive, Reading, PA 19606) on July 14, 2010, to modify the Plan Approval for three spray drying systems in Exeter Township, **Berks County**. The plan approval was extended.

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

08-00003H: CraftMaster Manufacturing, Inc. (P. O. Box 311, Shiner Road, Towanda, PA 18848) on June 30, 2010, to extend the submittal deadline for the required VOC stack test protocol of the Line 2 Refiners and First Stage Dryers/Felter Operations and Line 2 Press. The required test protocol shall be submitted on or before August 5, 2010, at the facility in Wysox Township, **Bradford County**.

08-00003G: CraftMaster Manufacturing, Inc. (P. O. Box 311, Shiner Road, Towanda, PA 18848) on June 30, 2010, to extend the authorization to exhaust the refiner reject emissions from Source IDs 141P and 142P to

scrubbers (IDs D41 and E42) on a temporary basis to December 27, 2010, at the facility in Wysox Township, **Bradford County**.

08-00003F: CraftMaster Manufacturing, Inc. (P. O. Box 311, Shiner Road, Towanda, PA 18848) on June 30, 2010, to extend the authorization to operate two regenerative thermal oxidizers; one on the Line 1 pressurized refiners and first stage dryers, and one on the line 2 pressurized refiners and first stage dryers, each preceded by a water dropout box on a temporary basis to December 27, 2010, at the facility in Wysox Township, **Bradford County**.

08-00003E: CraftMaster Manufacturing, Inc. (P. O. Box 311, Shiner Road, Towanda, PA 18848) on June 30, 2010, to extend the authorization to operate a regenerative thermal oxidizer on the Die Form Tempering Kiln on a temporary basis to January 1, 2011, at the facility in Wysox Township, **Bradford County**.

18-315-001: First Quality Tissue, LLC (904 Woods Avenue, Lock Haven, PA 17745-3431), on July 1, 2010, to extend the authorization to operate a paper towel and tissue manufacturing facility on a temporary basis to December 28, 2010, at the facility in Castanea Township, **Clinton County**.

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

63-00549A: Arden landfill, Inc. (625 Cherrington Parkway, Moon Township, PA 15108) on July 8, 2010, for an extension of the Plan Approval for the construction and temporary operation of a gas to energy plant located at Arden Landfill, Chartiers Township, **Washington County**. The Plan Approval has been 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.

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

53-0008: National Fuel Gas Supply Corp. (P. O. Box 2081, Erie, PA 16512-2081) on June 8, 2010, for renewal of their Title V Operating Permit for their East Fork Compressor Station in Wharton Township, **Potter County**.

53-0003: National Fuel Gas Supply Corporation (P. O. Box 2081, Erie, PA 16512-2081) on June 8, 2010, for renewal of their Title V Operating Permit for their Ellisburg Compressor Station in Allegany Township, **Potter County**.

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

25-00541: Penn-Union Corp. (229 Waterford Street, Edinboro, PA 16412-2381) on July 16, 2010, to re-issue the Title V Operating Permit at their facility in Edinboro Borough, **Erie County**. The facility manufactures current-carrying wiring devices. The facility's major emission sources include degreasing boiler, a batch cold cleaning degreaser, electric induction furnaces, rotary casting unit, manual casting line, push out furnace, sand return/mixing unit, deslagging ladles, shot blast (West Wheelabrators C and D) and miscellaneous natural gas

usage. The facility is a major facility due to its potential to emit perchloroethylene and VOCs. This facility is not subject to compliance assurance monitoring because individual source's precontrolled emission does not exceed the Title V emission threshold.

43-00196: General Electric Transportation Systems (1503 West Main Street Extension, Grove City, PA 16127-2513) on July 8, 2010, re-issued the Title V Operating Permit to operate a facility that manufactures and rebuilds diesel engines for locomotives and other applications in Pine Township, **Mercer County**. The primary emission sources include two natural gas fired boilers, three paint booths, diesel engine test cells, a diesel fire pump, cleaning operations and miscellaneous natural gas combustion.

62-00032: Ellwood National Forge Irvine (1 Front Street, Irvine, PA 16329-1801) on July 7, 2010, issued an administrative amendment to the Title V Operating Permit to incorporate the conditions from Plan Approvals 62-032D and 62-032F (which superseded Plan Approvals 62-032B and 62-032E) for the Iron and Steel Forging Facility located in Brokenstraw Township, **Warren County**.

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

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

15-00049: Taylor Industries, Inc. (35 Anderson Road, Parkerford, PA 19457) on July 14, 2010, for a non-Title V Facility, State-only, Synthetic Minor Operating Permit in East Coventry Township, **Chester County**. Taylor Industries, Inc. is a manufacturer of quality marble fixtures (that is, lavatory tops, showers, tubs and whirlpools) for the home. The facility's primary emission sources are two Gelcoat Spray Booths, five mixers, a casting (molding) area and two Resin Storage Tanks (cap. 4,500 gallon each). This action is a renewal of the State-only Operating Permit. The initial permit was issued on 7-5-2005. The permit will include monitoring, recordkeeping, reporting and work practice standards 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.

39-00061: Electro Chemical Engineering and Manufacturing Co. (750 Broad Street, Emmaus, PA 18049) on July 19, 2010, for coating and engraving facility in Emmaus Borough, **Lehigh County**. This is 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.

01-05025: Valley Quarries, Inc. (P. O. Box J, Chambersburg, PA 17201-0809) on June 29, 2010, for the stone crushing and asphalt plant in Cumberland Township, **Adams County**. This is a renewal of the State-only operating permit.

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

11-00511: Forest Hills School District (P. O. Box 158, Sidman, PA 15955) on July 15, 2010, to operate two No. 2 fuel oil-fired boilers rated at 8 mmBtu/hr each and one No. 2 fuel oil-fired emergency generator at their middle school located in Croyle Township, **Cambria County**. This is a renewal of the State-only operating permit issued in 2004.

11-00102: Forest Hills School District (P. O. Box 158, Sidman, PA 15955) on July 15, 2010, to operate four No. 2 fuel oil-fired boilers rated at 7 mmBtu/hr each and three emergency generators at their high and elementary schools in Adams Township, **Cambria County**. This is a renewal of the State-only operating permit issued in 2004.

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

43-00348: American Cap Company, LLC, 17 Church Plant (15 Church Street, Wheatland, PA 16161) on July 15, 2010, to issue a Natural Minor Operating Permit to operate an activated carbon manufacturing facility, in Wheatland Borough, **Mercer County**. The facility's primary emission sources are the three activated carbon manufacturing furnaces. The emissions of criteria pollutants from this facility are below major source levels.

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.

09-00010: TEVA Pharmaceuticals USA, Inc. (650 Cathill Road, Sellersville, PA 18960) on July 14, 2010, in West Rockhill Township, **Bucks County**. This permit was revised to incorporate Plan Approvals 09-0010A and 09-0010B concerning operation of a Vector Fluid Bed Processor into the State-only Operating Permit. The permit was also revised to remove a duplicate source involving the S-8 Fluid Bed Processor. This Administrative Amendment of the State-only Operating Permit was issued in accordance with the Air Pollution Control Act (35 P. S. §§ 4001—4014) and 25 Pa. Code § 127.50.

46-00169: Constantia Collmar, Inc. (92 County Line Road, Colmar, PA 18915) on July 20, 2010, for an Administrative Amendment to State-only (Synthetic Minor) Operating No. 46-00169 for their facility in Hatfield Township, **Montgomery County**. The Administrative Amendment replaces a work practice requirement for the automatic parts washing system with two new work practice requirements. The Administrative Amendment is issued under the Air Pollution Control Act (35 P. S. §§ 4001—4015) and 25 Pa. Code § 127.450.

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

06-05002: Lehigh Cement Co., LLC (537 Evansville Road, Fleetwood, PA 19522-8541) on July 14, 2010, for the cement manufacturing facility in Maiden Creek Township, **Berks County**. This Title V Operating Permit was administratively amended due to a name change.

67-03007: Cooper Tools, LLC (3990 East Market Street, York, PA 17402-2769) on July 13, 2010, for their chain manufacturing facility in Springettsbury Township, **York County**. This State-only operating permit was administratively amended due to a name change.

22-05054: Highspire Terminals Corp. (P. O. Box 2621, Harrisburg, PA 17105-2621) on July 12, 2010, for the gasoline terminal in Lower Swatara Township, **Dauphin County**. This State-only operating permit was administratively amended due to a name change.

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

10-00281: II VI Manufacturing Saxonburg Plant (375 Saxonburg Boulevard, Saxonburg, PA 16056-9430), on July 7, 2010, to issue an administrative amendment to the State-only Operating Permit to incorporate the plan approval conditions for 10-0281M for the facility in Clinton Township, **Butler County**.

ACTIONS ON COAL AND NONCOAL MINING ACTIVITY APPLICATIONS

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

Coal Permits Actions

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

17041301 and NPDES Permit No. PA0235628, Rosebud Mining Company, (301 Market Street, Kittanning, PA 16201), to renew the permit for the Penfield Mine in Huston Township, **Clearfield County** and related NPDES permit. No additional discharges. Application received: March 15, 2010. Permit issued: July 15, 2010.

26081601 and NPDES Permit No. NA, Foundation PA Coal Terminal, LLC, (P. O. Box 1020, 158 Portal Road, Waynesburg, PA 15370), to operate the LaBelle Site in Luzerne Township, **Fayette County** a coal prepara-

tion plant with a related NPDES permit as a coal/bulk material transloading facility. Surface Acres Proposed 56.8. Receiving streams: Monongahela River and an Unnamed Tributary to the Monongahela River, both classified for the following use: WWF. The first downstream potable water supply intake from the point of discharge is PA American Water Company, Monongahela River intake. Application received: June 20, 2008. Permit issued: July 16, 2010.

03851303 and NPDES Permit No. PA0213462, McVile Mining Company, (301 Market Street, Kittanning, PA 16201-1504), to revise the permit for the Clementine Mine in North Buffalo and South Buffalo Townships, **Armstrong County** to add underground permit and subsidence control plan area acres. Underground Acres Proposed 4,174.0, Subsidence Control Plan Acres Proposed 4,174.0. No additional discharges. Application received: September 15, 2009. Permit issued: July 16, 2010.

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

17813182 and NPDES No. PA0609692. Penn Coal Land, Inc. (P. O. Box 68, Boswell, PA 15581). Renewal of an existing bituminous surface mine located in Decatur Township, **Clearfield County** affecting 125.8 acres. Receiving stream(s): unnamed tributary of Big Run (Cold Water Fishery) to Big Run (Cold Water Fishery), to Moshannon Creek (High Quality Cold Water Fishery), to the West Branch of the Susquehanna River (Cold Water Fishery). There are no potable water supply intakes within 10 miles downstream. Application received: March 3, 2010. Permit issued: July 6, 2010.

17930124 and NPDES No. PA0219649. RES Coal, LLC (224 Grange Hall Road, P. O. Box 228, Armagh, PA 15920). Renewal of an existing bituminous surface mine located in Woodward and Decatur Townships, **Clearfield County** affecting 346.0 acres. Receiving stream(s): unnamed tributaries to Little Beaver Run to the North Branch of Morgan Run classified for the following use(s): Cold Water Fisheries. Application received: April 9, 2010. Permit issued: July 6, 2010.

17990122 and NPDES No. PA0242772. AMFIRE Mining Co., LLC (One Energy Place, Latrobe, PA 15650). Renewal of an existing bituminous surface mine located in Brady and Bloom Townships, **Clearfield County** affecting 107.2 acres. Receiving stream(s): unnamed tributaries of Little Anderson Creek to Anderson Creek, unnamed tributary to Bell Run, unnamed tributary to Irish Run classified for the following use(s): Cold Water Fisheries. Application received: April 2, 2010. Permit issued: July 6, 2010.

17743165 and NPDES No. PA0127574. RES Coal, LLC (224 Grange Hall Road, P. O. Box 228, Armagh, PA 15920). Renewal of an existing bituminous surface mine located in Boggs Township, **Clearfield County** affecting 164.4 acres. Receiving stream(s): Clearfield Creek (Cold Water Fishery) to the West Branch of the Susquehanna River (Warm Water Fishery). Application received: December 21, 2009. Permit issued: July 9, 2010.

17030121 and NPDES No. PA0243671. AMFIRE Mining Co, LLC (One Energy Place, Latrobe, PA 15650). Renewal of an existing bituminous surface and auger mine located in Penn Township, **Clearfield County** affecting 43.2 acres. Receiving stream(s): unnamed tributary to Bell Run and Bell Run classified for Cold Water Fisheries. Application received: April 15, 2010. Permit issued: July 9, 2010.

17930120 Energy Resources, Inc. (P. O. Box 259, Brockway, PA 15824-0259). Permit renewal for reclamation only of a bituminous surface mine located in Lawrence Township, **Clearfield County** affecting 82.8 acres. Permit issued: July 14, 2010.

17900118. Sky Haven Coal, Inc. (5510 State Park Road, Penfield, PA 15849). Permit renewal for reclamation only of a surface mine located in Lawrence Township, **Clearfield County** affecting 52.9 acres. Permit issued: July 14, 2010.

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

54840209R5 and NPDES Permit No. PA0224804. Mazaika Coal Company, (689 Fairview Road, Tamaqua, PA 18252), renewal of an existing anthracite coal refuse reprocessing and processing operation in Rush Township, **Schuylkill County** affecting 24.0 acres, receiving stream: Little Schuylkill River. Application received: September 16, 2009. Renewal issued: July 13, 2010.

54840209C3 and NPDES Permit No. PA0224804. Mazaika Coal Company, (689 Fairview Road, Tamaqua, PA 18252), correction to an existing anthracite coal refuse reprocessing and processing operation to add NPDES Permit for discharge of treated mine drainage in Rush Township, **Schuylkill County**, receiving stream: Little Schuylkill River. Application received: October 2, 2009. Correction issued: July 13, 2010.

54030102C and NPDES Permit No. PA0224324. Timber Coal Company, (P. O. Box 188, Sacramento, PA 17968), correction to an existing anthracite surface mine and refuse disposal operation to increase the permitted acres from 300.0 to 316.7 acres in Hegins and Porter Townships, **Schuylkill County**, receiving stream: East Branch Rausch Creek. Application received: February 17, 2010. Correction issued: July 13, 2010.

54840205R5. Hegins Mining Company, (290 Swatara Road, Tremont, PA 17981), renewal of an existing anthracite coal refuse reprocessing and processing operation in Reilly Township, **Schuylkill County** affecting 63.6 acres, receiving stream: none. Application received: February 17, 2010. Renewal issued: July 13, 2010.

Noncoal Permits Actions

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

42090805. Lois A. Baker (1821 Champlin Hill Road, Turtlepoint, PA 16750) Commencement, operation and restoration of a small flagstone operation in Annin Township, **McKean County** affecting 2.0 acres. Receiving streams: Unnamed tributary to Annin Creek. Application received: November 24, 2009. Permit Issued: July 14, 2010.

27102802. Passauer Excavation, Inc. (P. O. Box 304, West Hickory, PA 16370) Commencement, operation and restoration of a small noncoal operation in Harmony Township, **Forest County** affecting 5.0 acres. Receiving streams: Unnamed tributary to the Allegheny River. Application received: June 7, 2010. Permit Issued: July 15, 2010.

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

08102804. DeCristo, Inc. (R. R. 1, Box 1600, Canton, PA 17724), commencement, operation and restoration of a small noncoal shale and sandstone operation in Leroy Township, **Bradford County** affecting 2.0 acres. Receiving

ing stream(s): Unnamed Tributary to Towanda Creek to Susquehanna River. Application received: March 22, 2010. Permit issued: July 9, 2010.

08040811. Vasquez Stone (R. R. 1, Box 1654, Laceyville, PA 18623). Transfer of an existing small noncoal bluestone operation from Carolyn L. Wheaton in Tuscarora Township, **Bradford County** affecting 1.0 acres. Receiving stream(s): Unnamed Tributary to Tuscarora Creek. Application received: November 5, 2009. Permit issued: July 13, 2010.

18102803 Benson W. Probst (668 German Road, Lock Haven, PA 17745), commencement, operation and restoration of a small noncoal shale operation in Dunnstable Township, **Clinton County** affecting 1.0 acres. Receiving stream(s): Big Plum Run to Susquehanna River. Application received: April 16, 2010. Permit issued: July 9, 2010.

18102802 Benson W. Probst (668 German Road, Lock Haven, PA 17745), commencement, operation and restoration of a small noncoal shale operation in Dunnstable Township, **Clinton County** affecting 1.0 acres. Receiving stream(s): Big Plum Run to Susquehanna River. Application received: March 25, 2010. Permit issued: July 9, 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.

02104003. Controlled Demolition, Inc. (2737 Merymans Mill Road, Phoenix, MD 31131). Blasting activity permit for the demolition of the Turnpike Bridge over the Allegheny River, located in Harmar Township, **Allegheny County**. The duration of blasting is expected to last 17 days. Blasting permit issued: July 12, 2010.

02104004. KESCO, Inc. (P. O. Box 95, Addrian, PA 16210). Blasting activity permit for the construction of the Cobble Stone Site Development, located in Ohio Township, Allegheny River. The duration of blasting is expected to last six months. Blasting permit issued: July 14, 2010.

65104007. Precision Geophysical, Inc. (2695 SR 83 South, Millersburgh, OH 44654). Blasting activity permit for seismic exploration to the Latrobe Job, located in Derry, Unity and Ligonier Townships, **Westmoreland County**. The duration of blasting is expected to last 6 months. Blasting permit issued: July 14, 2010.

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

08104112. Austin Powder Northeast, LLC (25800 Science Park Drive, Beachwood, OH 44122). Blasting for the King water impoundment site-water holding site located in Towanda Township, **Bradford County**. Permit issued: July 8, 2010. Permit expires: July 6, 2011.

08104113. Holbert Explosives, Inc. (237 Mast Hope Plank Road, Lackawaxen, PA 18435). Blasting for a drill pad for Duane Well Site Chesapeake Gas located in

LeRoy Township, **Bradford County**. Permit issued: July 15, 2010. Permit expires: July 14, 2011.

17104008. CGG Veritas Land (US), Inc. (10300 Town Park Drive, Houston, TX 77072). Seismic exploration blasting—Centre 3D—located in Karthaus, Covington, Cooper and Graham Townships, **Clearfield County**. Permit issued: July 14, 2010. Permit expires: July 31, 2011.

14104004. CGG Veritas Land (US), Inc. (10300 Town Park Drive, Houston, TX 77072). Seismic exploration blasting—Centre 3D—located in Burnside, Snow Shoe, Union, Boggs, Curtain and Liberty Townships, **Centre County**. Permit issued: July 14, 2010. Permit expires: December 31, 2011.

17104009. River Valley Energy Services (Box 1038, Grimshaw, Alberta T0H 1W0). Seismic exploration blasting—Clearfield River Valley 3D—located in Goshen and Girard Townships, **Clearfield County**. Permit issued: July 14, 2010. Permit expires: December 31, 2010.

18104001. CGG Veritas Land (US), Inc. (10300 Town Park Drive, Houston, TX 77072). Seismic exploration blasting—Centre 3D—located in West Keating, Beech Creek, Noyes, Grugan and Chapman Townships, **Clinton County**. Permit issued: July 14, 2010. Permit expires: December 31, 2011.

53104005. Pennsylvania General Energy Co, LLC (120 Market Street, Warren, PA 16365). Blasting for a drill pad and stone pit for roads on site located in Pleasant Valley Township, **Potter County**. Permit issued: July 7, 2010. Permit expires: July 1, 2011.

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

09104107. Austin Powder Northeast, LLC (25800 Science Park Drive, Cleveland, OH 44122), construction blasting for ECMS 47395 SR 202 Section 721 in Warrington and Warwick Townships and Chalfont Borough, **Bucks County** with an expiration date of May 24, 2011. Permit issued: July 13, 2010.

36104142. ME Drilling & Blasting, (P. O. Box 279, Auburn, NH 03032), construction blasting for Harvest Presbyterian Church in West Lampeter Township, **Lancaster County** with an expiration date of July 7, 2011. Permit issued: July 13, 2010.

46104108. American Rock Mechanics, Inc., (7531 Chestnut Street, Zionsville, PA 18092), construction blasting for Country View in Salford Township, **Montgomery County** with an expiration date of July 6, 2011. Permit issued: July 13, 2010.

46104109. Hayduk Enterprises, Inc., (257 Riverside Drive, Factoryville, PA 18419), construction blasting for Wegmans Liberty Project in Upper Merion Township, **Montgomery County** with an expiration date of July 7, 2011. Permit issued: July 13, 2010.

46104110. ME Drilling & Blasting, (P. O. Box 279, Auburn, NH 03032), construction blasting for Regency at Providence in Upper Providence Township, **Montgomery County** with an expiration date of July 7, 2011. Permit issued: July 13, 2010.

46104111. ME Drilling & Blasting, (P. O. Box 279, Auburn, NH 03032), construction blasting for St. Eleanor Parish School in Collegeville Borough, **Montgomery County** with an expiration date of July 7, 2011. Permit issued: July 13, 2010.

58104032. John Brainard, (3978 SR 2073, Kingsley, PA 18826), construction blasting for the Adams Well Site

in Harford Township, **Susquehanna County** with an expiration date of August 30, 2010. Permit issued: July 14, 2010.

58104033. John Brainard, (3978 SR 2073, Kingsley, PA 18826), construction blasting for the Petty 1H and 2H Well Site and Tank Farm in Dimock Township, **Susquehanna County** with an expiration date of August 30, 2010. Permit issued: July 14, 2010.

67104113. Keystone Blasting Service, (15 Hopeland Road, Lititz, PA 17543), construction blasting for Walk Lee Holsteins manure pit in Paradise Township, **York County** with an expiration date of August 30, 2010. Permit issued: July 14, 2010.

45104115. Explosive Services, Inc., (7 Pine Street, Bethany, PA 18431), construction blasting for Penn Estates in Stroud and Pocono Townships, **Monroe County** with an expiration date of July 31, 2011. Permit issued: July 15, 2010.

45104116. Explosive Services, Inc., (7 Pine Street, Bethany, PA 18431), construction blasting for County Club of the Poconos in Middle Smithfield Township, **Monroe County** with an expiration date of July 31, 2011. Permit issued: July 15, 2010.

45104117. Explosive Services, Inc., (7 Pine Street, Bethany, PA 18431), construction blasting for New Ventures Park in Tobyhanna Township, **Monroe County** with an expiration date of July 31, 2011. Permit issued: July 15, 2010.

64104107. Explosive Services, Inc., (7 Pine Street, Bethany, PA 18431), construction blasting for Wal-lenpaupack Estates in Paupack Township, **Wayne County** with an expiration date of July 31, 2011. Permit issued: July 15, 2010.

36104143. Keystone Blasting Service, (15 Hopeland Road, Lititz, PA 17543), construction blasting for Amos Glick manure pit in Upper Leacock Township, **Lancaster County** with an expiration date of August 30, 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

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

E15-798. Department of Transportation, 7000 Geerdes Boulevard, King of Prussia, PA 19406-1525, West Nottingham Township, **Chester County**, ACOE Philadelphia District.

To remove the existing Lees Road Bridge and to construct and maintain, in its place, an approximately 28-foot long, 45-foot wide and approximately 4.3-foot minimum high single span prestressed concrete bridge across Black Run (TSF, MF).

The site is located approximately 150 feet south of the intersection of Sand Hill and Lees Roads (SR 3014) in West Nottingham Township, Chester County (Rising Sun, PA USGS Quadrangle N: 22.5 inches; W: 8.85 inches).

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

E46-953. Montgomery County, 55 East Marshall Street, Norristown, PA 19401-4818, Lower Salford Township, **Montgomery County**, ACOE Philadelphia District.

To reissue the Permit No. E46-953 which authorized the construction and maintenance of a new bridge adjacent to and upstream of an existing deteriorated bridge (County Bridge No. 147) carrying Freeman School Road over East Branch of Perkiomen Creek (TSF). The proposed bridge will be a single-span composite steel structure with a span of 129 feet, 10 inches, a total roadway width of 36 feet, 3 inches, underclearance of 10 feet, 9 inches and a skew of 70°. This permit also authorized the operation and maintenance of the existing bridge consisting of a single-span with a span of 112 feet, roadway width 17 feet, underclearance of 10 feet, 3 inches, and the skew of 90°. The existing bridge has been repaired and will be retained to serve as part of the Township Trail System. Work will also include 280 linear feet of R-8 riprap scour protection along both bridges. The site is

located about 200 feet southwest of the intersection of Indian Creek and Freeman School Roads (Perkiomenville, PA USGS Quadrangle N: 5.4 inches; W: 4.88 inches).

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

E15-802. Caln Township, 253 Municipal Drive, Thorndale, PA 19372-0149, Caln Township, **Chester County**, ACOE Philadelphia District.

To construct and maintain a proposed sidewalk along the 100 year floodplain of Valley Run (CWF, MF) between Lincoln Highway and G.O. Carlson Boulevard. This work includes the modification of Barley Sheaf Road Bridge over Valley Run to accommodate the new sidewalk. The site is located along Barley Sheaf Road, between Lincoln Highway and G.O. Carlson Boulevard (Coatesville, PA USGS Quadrangle N: 21.5 inches; W: 3.27 inches).

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

E23-482. Conoco Phillips Company, Trainer Refinery, 4101 Post Road, Trainer, PA 19061, Marcus Hook Borough, **Delaware County**, ACOE Philadelphia District.

To construct and maintain five new pipe racks of 32-foot by 60-foot Modules, which will be supported by 22 30-inch diameter piles at their existing dock facility (E23-035) located along the Delaware River. The site is located at Conoco Phillips Trainer Refinery near the intersection of Market Street and Post Road (SR 0013) (Marcus Hook, PA USGS Quadrangle N: 5.6 inches; W: 1.5 inches).

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

E51-226. Philadelphia Water Department, 1101 Market Street, ARAMARK Tower, 2nd Floor, Philadelphia, PA 19107-2994, City of Philadelphia, **Philadelphia County**, ACOE Philadelphia District.

To perform the following water obstruction and encroachment activities within Venice Island which is situated between the Schuylkill River (WWF, MF) and the Manayunk Canal:

a. To construct and maintain a 3-million-gallon off-line storage tank to capture combined sewer overflows (CSOs).

b. To place fill within the 100-year floodway at two locations, approximately 12,781 and 11,850 cubic yards respectively, to facilitate construction of two proposed buildings. Work will also involve the removal of approximately 931 cubic yards of fill in the floodway in the general vicinity.

c. To construct and maintain two stormwater outfalls, measuring 15 and 18-inches in diameter, to the Schuylkill River.

d. To construct and maintain three utility line crossings which include one water line crossing at the Cotton Street Bridge and two aerial crossings.

This project is located approximately 1,000 feet east of the intersection Main Street and Shurs Avenue (Delaware

Avenue) (Germantown, PA USGS Quadrangle N: 4.15 inches; W: 13.4 inches) in the City and County of Philadelphia.

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

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

E14-532. Bush Landscaping, 3156 Marengo Road, Port Matilda, PA 16870. Half Moon Valley Llama Farm, in Halfmoon Township, **Centre County**, ACOE Baltimore District (Port Matilda, PA Quadrangle N: 40° 46' 11"; W: 78° 2' 25").

To construct and maintain BMPs to reduce excess water flow across the heavy use area of Half Moon Valley Llama Farm, with the following controls: 1) On the left bank two riprapped aprons for barn roof gutter runoff and two riprapped aprons for existing vegetated swale outlets; 2) sculpt and revegetate two existing vegetated swales to provide better drainage through the pasture in the left floodway; 3) maintain an existing 4-foot wide by 50-foot long wooden pedestrian bridge with a 6.5 foot underclearance across the 15 foot wide Half Moon Creek; 4) two geo-thermally heated 5-foot diameter 2-foot high concrete and metal watering troughs in the left floodway; 5) 750 linear feet of fence proposed within the 100-year floodway, located 1/2 mile south on Marengo Road from SR 550. This permit was issued under Section 105.13(e) "Small Projects." This permit also includes 401 Water Quality Certification.

E53-430. Coudersport Borough Authority, 201 South West Street, Coudersport, PA 16915-1047. Water Main Relocation Project, Coudersport Borough, **Potter County**, ACOE Pittsburgh District (Coudersport, PA Quadrangle Latitude: 41° 46' 45.2"; Longitude: 78° 01' 11.3").

The applicant proposes to construct, operate and maintain an eight inch diameter public water supply pipeline crossing beneath the Allegheny River to accommodate relocation of the Fourth Street Bridge. Installation of the water supply pipeline shall be accomplished by either standard boring or directional drilling beneath the Allegheny River, which also serves as the Coudersport Borough Flood Control Project. The water supply pipeline shall be installed at a maximum depth below the flood control channel, so that flood control structure is not comprised. The project is located approximately 500-feet east off the Fourth Street and SR 0049 intersection. This permit application was issued under Section 105.13(e) "Small Projects." A permit issued for this application will also include 401 Water Quality Certification.

E53-431. Coudersport Area Municipal Authority, 201 South West Street, Coudersport, PA 16915-1047. Water Main Relocation Project, Coudersport Borough, **Potter County**, ACOE Pittsburgh District (Coudersport, PA Quadrangle Latitude: 41° 46' 45.2"; Longitude: 78° 01' 11.3").

The applicant proposes to construct, operate and maintain a 12-inch diameter public sanitary sewer line crossing beneath the Allegheny River to accommodate relocation of the Fourth Street Bridge. Installation of the sanitary sewer shall be accomplished by boring beneath the Allegheny River, which also serves as the Coudersport Borough Flood Control Project. The sanitary sewer line and its 18-inch diameter steel encasement shall be in-

stalled at a maximum depth below the flood control channel, so that flood control structure is not comprised. The project is located approximately 500-feet east of Fourth Street and SR 0049 intersection. This permit application was issued under Section 105.13(e) "Small Projects." A permit issued for this application will also include 401 Water Quality Certification.

E59-494. William Dobron, P. O. Box 187, Point Pleasant, PA 18950. Water Obstruction and Encroachment Joint Permit, in Clymer Township, **Tioga County**, ACOE Susquehanna River Basin District (Asaph, PA Quadrangle N: 41° 51' 21.9"; W: 77° 29' 19").

To construct and maintain a bridge having a span of 36 feet, width of 16 feet and an underclearance of 4.3 feet over Jemison Creek (WWF). The bridge is located off Boardman Road, 3.3 miles southwest of the intersection with SR 0249 in Clymer Township, Tioga County. This project proposes to permanently impact 16 linear feet of Jemison Creek, which is designated a Warm Water Fishery and impact 0.25 acre jurisdictional wetlands. This permit was issued under Section 105.13(e) "Small Projects." This permit also includes 401 Water Quality Certification.

EROSION AND SEDIMENT CONTROL

The following Erosion and Sediment Control Permits have been issued.

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

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

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

6/16/2010
ESCGP-1 No.: ESX10-125-0056
Applicant Name: Atlas Energy Resources, LLC
Contact:
Address: 800 Mountain View Drive
City: Smithfield State: PA Zip Code: 15478
County: Washington Township(s):
Receiving Stream(s) and Classifications: UNT 40764 to Little Daniels Run, other

06/28/2010
ESCGP-1 No.: ESX09-051-0034 Major Revision
Applicant Name: Atlas Energy Resources, LLC
Contact Person: Jeremy Hirtz
Address: 800 Mountain View Drive
City: Smithfield State: PA Zip Code: 15748
County: Fayette Township(s): Georges
Receiving Stream(s) and Classifications: UNT to York Run, WWF, other

06/22/2010
ESCGP-1 No.: ESX09-051-0043 Major Revision
Applicant Name: Atlas Energy Resources, LLC
Contact Person:
Address: 800 Mountain View Drive
City: Smithfield State: PA Zip Code: 15478
County: Fayette Township(s): Redstone
Receiving Stream(s) and Classifications: UNT to Saltlick Run, other

06/18/2010
ESCGP-1 No.: ESX10-059-0044 Major Revision
Applicant Name: Energy Corp of America
Contact Person: Seth Burdette
Address: 1380 Route 286 Highway East, Suite 221
City: Indiana State: PA Zip Code: 15701
County: Greene Township(s): Cumberland
Receiving Stream(s) and Classifications: South Branch Muddy Creek (WWF), other

06/10/2010
ESCGP-1 No.: ESX10-059-0023 Major Revision
Applicant Name: Equitrans, LP, d/b/a Equitrans Gathering
Contact Person:
Address: 625 Liberty Avenue, Suite 1700
City: Pittsburgh State: PA Zip Code: 15222-3114
County Greene Township(s): Morris, Morgan, Washington
Receiving Stream(s) and Classifications: UNT to Browns and Ruff Creek and Craynes Run, HQ and other

7/1/2010
ESCGP-1 No.: ESX10-129-0016
Applicant Name: Atlas Energy Resources, LLC
Contact Person:
Address: 800 Mountain View Drive
City: Smithfield State: PA Zip Code: 15478
County: Westmoreland Township(s): Salem
Receiving Stream(s) and Classifications: UNT to Whitehorn Creek, other

06/10/2010
ESCGP-1 No.: ESX09-005-0008 Major Revision
Applicant Name: EQT Production
Contact Person: Todd Klaner
Address: 455 Racetrack Road, Suite 101
City: Washington State: PA Zip Code: 15301
County: Armstrong Township(s): Plum Creek
Receiving Stream(s) and Classifications: Sugar and Fagley Runs (WWF), other

6/18/2010
ESCGP-1 No.: ESX10-059-0043
Applicant Name: Atlas Resources, LLC
Contact Person: Jeremy Hirtz
Address: 800 Mountain View Drive
City: Smithfield State: PA Zip Code: 15478
County: Greene Township(s): Center
Receiving Stream(s) and Classifications: Tributary of Clear Run, High Quality

7/1/2010

ESCGP-1 No.: ESX10-125-0057
 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): Cross Creek
 Receiving Stream(s) and Classifications: UNT to South Fork Cross Creek, HQ

6/22/10

ESCGP-1 No.: Esx10-005-0007
 Applicant Name: Exco Resources (PA), LLC
 Contact Person: Larry sanders
 Address: 3000 Ericsson Drive, Suite 200
 City: Warrendale State: PA Zip Code: 15086
 County: Armstrong Township(s): Cowanshannock
 Receiving Stream(s) and Classifications: UNT to Cowanshannock Creek, other

6/24/10

ESCGP-1 No.: ESX10-059-0045
 Applicant Name: CNX Gas Company, LLC
 Contact: Daniel Bitz
 Address: 200 Evergreene Drive
 City: Waynesburg State: PA Zip Code: 15370
 County: Greene Township(s): Morris
 Receiving Stream(s) and Classifications: Patterson Creek, HQ

6/22/10

ESCGP-1 No.: ESX10-051-0017
 Applicant Name: Burnett Oil Company, Inc.
 Contact Person: Bart Walker
 Address: 601 Technology Drive
 City: Canonsburg State: PA Zip Code: 15317
 County: Fayette Township(s): Georges
 Receiving Stream(s) and Classifications: York Run, WWF, other

6/30/2010

ESCGP-1 No.: ESX10-051-0019
 Applicant Name: Atlas Resources, LLC
 Contact Person: Jeremy Hirtz
 Address: 800 Mountain View Drive
 City: Smithfield State: PA Zip Code: 15478
 County: Fayette Township(s): Luzerne
 Receiving Stream(s) and Classifications: UNT to Wallace Run, other

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

ESCGP-1 # ESX10-015-0156

Applicant Name Appalachia Midstream Services, LLC
 Contact Person Patrick Myers
 Address 100 1st Center
 City, State, Zip Horseheads, NY 14845
 County Bradford
 Township(s) Burlington Township
 Receiving Stream(s) and Classification(s) UNTs to Sugar Creek

ESCGP-1 # ESX10-117-0143

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

ESCGP-1 # ESX10-117-0140

Applicant Name Seneca Resources Corp.
 Contact Person Doug Kepler
 Address 51 Zents Boulevard
 City, State, Zip Brookville, PA 15825
 County Tioga
 Township(s) Covington Township
 Receiving Stream(s) and Classification(s) Tributary of Elk Run, Elk Run

ESCGP-1 # ESX10-117-0146

Applicant Name East Resources Management
 Contact Person Jefferson Long
 Address 190 Thorn Hill Road
 City, State, Zip Warrendale, PA 15086
 County Tioga
 Township(s) Deerfield Township
 Receiving Stream(s) and Classification(s) UNT to Yarnell Brook/Tioga River Basin
 Secondary—Yarnell Brook, Cowanesque and Tioga Rivers

ESCGP-1 # ESX10-081-0040

Applicant Name XTO Energy, Inc.
 Contact Person Bernhardt Kissel
 Address 395 Airport Road
 City, State, Zip Indiana, PA 15701
 County Lycoming
 Township(s) Franklin Township
 Receiving Stream(s) and Classification(s) German Run, Little Muncy Creek
 Secondary—Muncy Creek

ESCGP-1 # ESX10-127-0008

Applicant Name Hess Corporation
 Contact Person Eugene Linscomb
 Address 500 Dallas Street
 City, State, Zip Houston, TX 77002
 County Wayne
 Township(s) Scott Township
 Receiving Stream(s) and Classification(s) Tarbox Brook

ESCGP-1 # ESX10-015-0179

Applicant Name Chesapeake Appalachia, LLC
 Contact Person Eric Haskins
 Address 101 North Main Street
 City, State, Zip Athens, PA 18810
 County Bradford
 Township(s) Terry Township
 Receiving Stream(s) and Classification(s) UNT
 Susquehanna River
 Secondary—Susquehanna River

ESCGP-1 # ESX10-015-0175

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) Beaver Run and UNT to Ladds Creek
 Secondary—Ladds Creek

ESCGP-1 # ESX10-015-0177

Applicant Name Appalachia Midstream Services, LLC
 Contact Person Patrick Myers
 Address 100 1st Center
 City, State, Zip Horseheads, NY 14845
 County Bradford
 Township(s) Herrick Township
 Receiving Stream(s) and Classification(s) Billings Creek,
 UNTs to Billings Creek, Susquehanna Watershed

ESCGP-1 # ESX10-115-0028
 Applicant Name Cabot Oil and Corp.
 Contact Person Jeffrey Keim
 Address Five Penn Center West, Suite 401
 City, State, Zip Pittsburgh, PA 15276
 County Susquehanna
 Township(s) Bridgewater Township
 Receiving Stream(s) and Classification(s) Meshoppen
 Creek, UNT to Snake Creek

ESCGP-1 # ESX10-015-0178
 Applicant Name Chesapeake Appalachia, LLC
 Contact Person Eric Haskins
 Address 101 North Main Street
 City, State, Zip Athens, PA 18810
 County Bradford
 Township(s) Sheshequin Township
 Receiving Stream(s) and Classification(s) UNT of Bullard
 Creek
 Secondary—Bullard Creek

ESCGP-1 # ESX10-015-0180
 Applicant Name Chesapeake Appalachia, LLC
 Contact Person Eric Haskins
 Address 101 North Main Street
 City, State, Zip Athens, PA 18810
 County Bradford
 Township(s) Wysox Township
 Receiving Stream(s) and Classification(s) Wysox Creek

ESCGP-1 # ESX10-081-0041
 Applicant Name Anadarko E&P Company, LP
 Contact Person Bertha Nefe
 Address P. O. Box 1330
 City, State, Zip Houston, TX 77251-1330
 County Lycoming
 Township(s) Cogan House Township
 Receiving Stream(s) and Classification(s) Wendell Run
 and UNT to Larry's Creek

ESCGP-1 # ESX10-027-0009
 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, Curtin and Snow Shoe Townships
 Receiving Stream(s) and Classification(s) UNT to Council
 Run, Hayes Run and Beech Creek

ESCGP-1 # ESCGP1-53-10-801
 Applicant Name Dominion Transmission
 Contact Person Kevin P. Zink
 Address 5094 Route 349
 City, State, Zip Westfield, PA 16950
 County Potter
 Township(s) Harrison Township
 Receiving Stream(s) and Classification(s) Marsh Creek
 and North Branch Cowanesque River, other
 Correction: Was entered in the *Pennsylvania Bulletin* on
 07/13/10 as Application. It should be in Actions.

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

ESCGP-1 #ESX09-031-0005
 Applicant Name EQT Production—Burns Farm Pad
 Contact Person Todd Klaner
 Address 225 North Shore Drive
 City Pittsburgh State PA Zip Code 15212
 County Clarion Township(s) Licking
 Receiving Stream(s) and Classification(s) Licking Creek—
 CWF

ESCGP-1 #ESX10-123-0002
 Applicant Catalyst Energy—Day West Development
 Contact Douglas Jones
 Address 800 Cranberry Woods Drive
 Cranberry Township PA 16066
 County Warren Township(s) Brokenstraw
 Receiving Stream(s) and Classification(s) Telick Run,
 other

ESCGP-1 #ESX10-019-0012
 Applicant Rex Energy—Yellow Creek Project Phase III, R.
 Knauf Gathering Pipeline
 Contact Bradley Batterson
 Address 476 Rolling Ridge Drive
 State College PA 16801
 County Butler Township(s) Connoquenessing
 Receiving Stream(s) and Classification(s) Connoqueness-
 ing Creek (WWF)

ESCGP-1 #ESX10-083-00169
 Applicant Minard Run Oil Company—Warrant 3714 West
 Contact W.E. Bulmer
 Address P. O. Box 18, 609 South Avenue
 Bradford PA 16701
 County McKean Township(s) Corydon
 Receiving Stream(s) and Classification(s) Hammond Run,
 UNT of Hammond Run (HQ, CWF)

ESCGP-1 #ESX10-065-0010
 Applicant Flatirons Development—Dannic 3
 Contact Todd Huey
 Address 303 East 17th Avenue
 Denver CO 80203
 County Jefferson Township(s) Snyder
 Receiving Stream(s) and Classification(s) Rattlesnake
 Creek (HQ)

ESCGP-1 #ESX09-065-0003
 Applicant Exco Resources PA, Inc.—Morris Pad
 Contact Larry Sanders
 Address 300 Ericsson Drive, Suite 200
 Warrendale PA 15086
 County Jefferson Township(s) Henderson
 Receiving Stream(s) and Classification(s) UNT of East
 Branch Mahoning Creek (HQ CWF); UNT Stump Creek
 (CWF)

SPECIAL NOTICES

Advertisement for Facility Qualification Requests

In accordance with Act 101 and Section 272 of the PA Solid Waste Rules and Regulations (as amended), the County of Northampton is seeking waste disposal capacity for municipal waste (MSW) for a minimum of 5 years, with an option to extend said capacity for an additional 5 years, for a total of 10 years. Northampton County is soliciting responses to qualify facilities that could provide all, or some of the processing/disposal capacity for the County generated MSW, beginning on or after July 30, 2010.

Copies of the Northampton County's Facility Qualification Request (FQR) may be obtained from the Northampton County Department of Community & Economic Development, Northampton County Government Center, 669 Washington Street, Easton, PA 18042, (610) 559-3200, Ext. 4. Electronic forms are available by e-mail from tdittmar@northamptoncounty.org. Responses must be made on the Submittal Form and in accordance with the Instructions to Respondents provided in the FQR. The respondent must submit the original and three copies to

the address listed previously, Attention Thomas Dittmar, by 3 p.m. EST on August 20, 2010. Qualified facilities will receive formal notification of their selection after review and evaluation of responses by the Northampton County SWAC at its scheduled meeting.

Northampton County reserves the right to reject any or all responses and to waive any informality in the solicitation process.

CATEGORICAL EXCLUSION

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

Location: Rochester Borough Sewer Authority, P. O. Box 563, Rochester, PA 15074, Rochester Borough, Beaver County.

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

The Authority proposes to separate some of its combined sewers and repair defects in some of its combined sewers to reduce wet weather overflows and comply with the Department of Environmental Protection's (Department) Consent Order and Agreement. Construction will occur adjacent to existing sewers.

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

[Pa.B. Doc. No. 10-1399. Filed for public inspection July 30, 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.

Draft Technical Guidance—Substantive Revision

DEP ID: 562-2000-705. Title: Mining Contract Operator Approval. Description: This Technical Guidance Document addresses contract operator approvals for coal and industrial mineral mining permits, describing the methods to be utilized by the Bureau of Mining and Reclamation for evaluating and tracking contract operators. The mining acts require that applicants and their related parties (including contractors) be in compliance with the acts, rules, regulations, permits or licenses of the Department in order to be eligible to receive permit or license approvals. Comments: Written and electronic comments should be submitted to: Bruce A. Carl, Bureau of Mining and Reclamation, P. O. Box 8461, Harrisburg, PA 17105-8461 or brcarl@state.pa.us. Comments submitted by facsimile will not be accepted. Comments must be received by the Department by August 30, 2010. Contact: Questions regarding the draft technical guidance document should be directed to Bruce A. Carl, brcarl@state.pa.us or (717) 787-5015.

Effective date: Upon publication of notice as final in the *Pennsylvania Bulletin*.

Final Technical Guidance—Substantive Revision:

DEP ID: 563-2000-610. Title: Validating Abandoned Underground Mine Maps and Establishing Barrier Pillars. Description: The purpose of this guidance is to improve mine safety and underground mine permitting by establishing methods and procedures to be used: (1) when assembling, presenting and evaluating information establishing boundary lines of adjacent underground mines located near active underground mines; (2) to ensure complete and well documented mine maps; (3) to promote modern and consistent mine surveying techniques; (4) to ensure that adequate safety barrier pillars are properly delineated and maintained; and (5) to minimize potential for accidental breakthroughs into adjacent underground mine workings by facilitating coordination between mine safety and environmental permitting staff.

This guidance was revised to include the updates made to the Bituminous Coal Mine Safety Act, the updating of several definitions, the addition and updating of all references to the Bituminous Coal Mine Safety Act, the changing of all references to the Bureau of Deep Mine Safety to Bureau of Mine Safety, the removal of all references to specific application modules as well as Appendix A (Bituminous Underground Mine Application, Module 22), Appendix B (Anthracite Underground Mine Application, Module 16), and Appendix C (Noncoal Underground Mine Application, Module 15), and the renaming of Appendix D (Mine Map Information Source Checklist) to Appendix A (Mine Map Information Source Checklist). Contact: Questions regarding this technical guidance document should be directed to Gregory Shuler, P. G. at (717) 783-1199 or gshuler@state.pa.us.

Effective date: Upon publication of notice as final in the *Pennsylvania Bulletin*.

JOHN HANGER,
Secretary

[Pa.B. Doc. No. 10-1400. Filed for public inspection July 30, 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 § 205.20(d)(f) (relating to resident bedrooms).

South Fayette Nursing Center
252 Main Street
P. O. Box 298
Markleysburg, PA 15459

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

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

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

Persons with a disability who 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. 10-1401. Filed for public inspection July 30, 2010, 9:00 a.m.]

Nationally Recognized Accrediting Bodies Acceptable to the Department

Under section 2121 of The Insurance Company Law of 1921 (40 P. S. § 991.2121) and 28 Pa. Code § 9.761(c) (relating to provider credentialing), the Department of Health (Department), Bureau of Managed Care, is publishing the following list of Nationally recognized accrediting bodies whose standards relating to credentialing of health care providers are acceptable to the Department.

The National Committee for Quality Assurance (NCQA)

Plans meeting the standards of this entity will be considered to meet the Department's regulations regarding managed care organizations in 28 Pa. Code Chapter 9, Subchapter L (relating to credentialing).

Persons with a disability who require an alternative format of this notice (for example, large print, audiotape, Braille) should contact JoAnn Cheeseman, Director, Division of Quality Review, Bureau of Managed Care, Department of Health, Room 912, Health and Welfare Building, 7th and Forster Streets, Harrisburg, PA 17120, (717) 787-5193, or for speech and/or hearing impaired persons

V/TT (717) 783-6154, or the Pennsylvania AT&T Relay Service at (800) 654-5984 (TT).

EVERETTE JAMES,
Secretary

[Pa.B. Doc. No. 10-1402. Filed for public inspection July 30, 2010, 9:00 a.m.]

Traumatic Brain Injury Advisory Board Meeting

The Traumatic Brain Injury Advisory Board, established under section 1252 of the Federal Traumatic Brain Injury Act of 1996 (42 U.S.C.A. § 300d-52), will hold a public meeting on Thursday, August 5, 2010, from 10 a.m. to 3 p.m. in the large conference room of the Community Center, 2nd Floor, Giant Food Store, 2300 Linglestown Road, Harrisburg, PA 17110.

For additional information, or for persons with a disability who wish to attend the meeting and require an auxiliary aid, service or other accommodation to do so, contact Naomi Zeiset, Administrative Assistant, Division of Child and Adult Health Services at (717) 772-2762, or for speech and/or hearing impaired persons contact V/TT (717) 783-6514, or the Pennsylvania AT&T Relay Service at (800) 654-5984.

This meeting is subject to cancellation without notice.

EVERETTE JAMES,
Secretary

[Pa.B. Doc. No. 10-1403. Filed for public inspection July 30, 2010, 9:00 a.m.]

DEPARTMENT OF LABOR AND INDUSTRY

Reversal of Prevailing Wage Act Debarment

The Prevailing Wage Appeals Board issued an order on July 15, 2010, reversing the Secretary's December 30, 2009, order debarring NavTech, Inc., Brenda Watson and Roger Watson. Effective July 15, 2010, NavTech Inc., Brenda Watson and Roger Watson may be awarded public work contracts.

SANDI VITO,
Secretary

[Pa.B. Doc. No. 10-1404. Filed for public inspection July 30, 2010, 9:00 a.m.]

DEPARTMENT OF REVENUE

Pennsylvania Lottery's Jumbo Bucks '10 Instant Lottery Game

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

1. *Name:* The name of the game is Pennsylvania Lottery's Jumbo Bucks '10.

2. *Price:* The price of a Pennsylvania Lottery's Jumbo Bucks '10 instant lottery game ticket is \$5.

3. *Play Symbols:* Each Pennsylvania Lottery's Jumbo Bucks '10 instant game ticket will contain one play area featuring a "WINNING NUMBERS" area and a "YOUR NUMBERS" area. The play symbols and their captions located in the "WINNING NUMBERS" area are: 1 (ONE), 2 (TWO), 3 (THREE), 4 (FOUR), 5 (FIVE), 6 (SIX), 7 (SEVEN), 8 (EIGHT), 9 (NINE), 10 (TEN), 11 (ELEVN), 12 (TWLV), 13 (THRTN), 14 (FORTN), 15 (FIFTN), 16 (SIXTN), 17 (SVNTN), 18 (EGHTN), 19 (NINTN), 20 (TWENT), 21 (TWYONE), 22 (TWYTWO), 23 (TWYTHR), 24 (TWYFOR) and 25 (TWYFIV). The play symbols and their captions located in the "YOUR NUMBERS" area are: 1 (ONE), 2 (TWO), 3 (THREE), 4 (FOUR), 5 (FIVE), 6 (SIX), 7 (SEVEN), 8 (EIGHT), 9 (NINE), 10 (TEN), 11 (ELEVN), 12 (TWLV), 13 (THRTN), 14 (FORTN), 15 (FIFTN), 16 (SIXTN), 17 (SVNTN), 18 (EGHTN), 19 (NINTN), 20 (TWENT), 21 (TWYONE), 22 (TWYTWO), 23 (TWYTHR), 24 (TWYFOR), 25 (TWYFIV), Bill (BILL) symbol and a JUMBO (JUMBO) symbol.

4. *Prize Symbols:* The prize symbols and their captions located in the "YOUR NUMBERS" area are: \$5⁰⁰ (FIV DOL), \$10⁰⁰ (TEN DOL), \$20⁰⁰ (TWENTY), \$25⁰⁰ (TWY FIV), \$50⁰⁰ (FIFTY), \$100 (ONE HUN), \$500 (FIV HUN), \$1,000 (ONE THO), \$20,000 (TWY THO) and \$100,000 (ONEHUNTHO).

5. *Prizes:* The prizes that can be won in this game are: \$5, \$10, \$20, \$25, \$50, \$100, \$500, \$1,000, \$20,000 and \$100,000.

6. *Approximate Number of Tickets Printed For the Game:* Approximately 7,200,000 tickets will be printed for the Pennsylvania Lottery's Jumbo Bucks '10 instant game.

7. *Determination of Prize Winners:*

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

(b) Holders of tickets upon which any one of the "WINNING NUMBERS" play symbols matches any of the "YOUR NUMBERS" play symbols and a prize symbol of \$20,000 (TWY THO) appears under the matching "YOUR NUMBERS" play symbol, on a single ticket, shall be entitled to a prize of \$20,000.

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

(d) Holders of tickets upon which any one of the "YOUR NUMBERS" play symbols is a JUMBO (JUMBO) symbol, and a prize symbol of \$50⁰⁰ (FIFTY) appears in four of the "prize" areas and a prize symbol of \$100 (ONE HUN) appears in eight of the "prize" areas, on a single ticket, shall be entitled to a prize of \$1,000.

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

(f) Holders of tickets upon which any one of the "YOUR NUMBERS" play symbols is a JUMBO (JUMBO) symbol, and a prize symbol of \$20⁰⁰ (TWENTY) appears in five of the "prize" areas, a prize symbol of \$50⁰⁰ (FIFTY) appears in six of the "prize" areas and a prize symbol of \$100 (ONE HUN) appears in one of the "prize" areas, on a single ticket, shall be entitled to a prize of \$500.

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

(h) Holders of tickets upon which any one of the "YOUR NUMBERS" play symbols is a JUMBO (JUMBO) symbol, and a prize symbol of \$5⁰⁰ (FIV DOL) appears in ten of the "prize" areas and a prize symbol of \$25⁰⁰ (TWY FIV) appears in two of the "prize" areas, on a single ticket, shall be entitled to a prize of \$100.

(i) Holders of tickets upon which any one of the "YOUR NUMBERS" play symbols is a JUMBO (JUMBO) symbol, and a prize symbol of \$5⁰⁰ (FIV DOL) appears in six of the "prize" areas, a prize symbol of \$10⁰⁰ (TEN DOL) appears in five of the "prize" areas and a prize symbol of \$20⁰⁰ (TWENTY) appears in one of the "prize" areas, on a single ticket, shall be entitled to a prize of \$100.

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

(k) Holders of tickets upon which any of the "YOUR NUMBERS" play symbols is a Bill (BILL) symbol, on a single ticket, shall be entitled to a prize of \$50.

(l) Holders of tickets upon which any one of the "WINNING NUMBERS" play symbols matches any of the "YOUR NUMBERS" play symbols and a prize symbol of \$25⁰⁰ (TWY FIV) appears under the matching "YOUR NUMBERS" play symbol, on a single ticket, shall be entitled to a prize of \$25.

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

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

(o) Holders of tickets upon which any one of the "WINNING NUMBERS" play symbols matches any of the "YOUR NUMBERS" play symbols and a prize symbol of \$5⁰⁰ (FIV DOL) appears under the matching "YOUR NUMBERS" play symbol, on a single ticket, shall be entitled to a prize of \$5.

8. *Number and Description of Prizes and Approximate Odds:* The following table sets forth the approximate

number of winners, amounts of prizes and approximate odds of winning:

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

	Win:	Approximate Odds Are 1 In:	Approximate No. Of Winners Per 7,200,000 Tickets
\$5	\$5	8.57	840,000
\$5 × 2	\$10	30	240,000
\$10	\$10	30	240,000
\$5 × 4	\$20	200	36,000
\$10 × 2	\$20	200	36,000
\$20	\$20	150	48,000
\$5 × 5	\$25	300	24,000
(\$10 × 2) + \$5	\$25	200	36,000
\$20 + \$5	\$25	200	36,000
\$25	\$25	300	24,000
\$5 × 10	\$50	600	12,000
\$25 × 2	\$50	600	12,000
\$50 w/BILL	\$50	85.71	84,000
\$50	\$50	600	12,000
JUMBO w/(\$5 × 6) + (\$10 × 5) + \$20	\$100	1,091	6,600
JUMBO w/(\$5 × 10) + (\$25 × 2)	\$100	1,091	6,600
\$20 × 5	\$100	4,000	1,800
\$25 × 4	\$100	4,000	1,800
(\$50 w/BILL) + \$50	\$100	1,091	6,600
\$100	\$100	1,714	4,200
JUMBO w/(\$20 × 5) + (\$50 × 6) + \$100	\$500	20,000	360
\$50 × 10	\$500	40,000	180
(\$50 w/BILL) + (\$50 × 9)	\$500	20,000	360
\$100 × 5	\$500	40,000	180
\$500	\$500	24,000	300
JUMBO w/(\$50 × 4) + (\$100 × 8)	\$1,000	30,000	240
\$500 × 2	\$1,000	30,000	240
\$1,000	\$1,000	30,000	240
\$20,000	\$20,000	360,000	20
\$100,000	\$100,000	720,000	10

Get A "BILL" (BILL) symbol, win \$50 automatically.

Get A "JUMBO" (JUMBO) symbol, win all 12 prizes shown automatically.

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

9. *Retailer Incentive Awards:* The Lottery may conduct a separate Retailer Incentive Game for retailers who sell Pennsylvania Lottery's Jumbo Bucks '10 instant game tickets. The conduct of the game will be governed by 61 Pa. Code § 819.222 (relating to retailer bonuses and incentive).

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

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

12. *Termination of the Game:* The Secretary may announce a termination date, after which no further tickets from this game may be sold. The announcement will be

disseminated through media used to advertise or promote Pennsylvania Lottery's Jumbo Bucks '10 instant game or through normal communications methods.

C. DANIEL HASSELL,
Secretary

[Pa.B. Doc. No. 10-1405. Filed for public inspection July 30, 2010, 9:00 a.m.]

Pennsylvania Treasure Instant Lottery Game

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

1. *Name:* The name of the game is Pennsylvania Treasure.

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

3. *Play Symbols:* Each Pennsylvania Treasure instant lottery game ticket will contain one play area featuring a "WINNING NUMBERS" area and a "YOUR NUMBERS" area. The play symbols and their captions located in the "WINNING NUMBERS" area are: 1 (ONE), 2 (TWO), 3 (THREE), 4 (FOUR), 5 (FIVE), 6 (SIX), 7 (SEVEN), 8

(EIGHT), 9 (NINE), 10 (TEN), 11 (ELEVN), 12 (TWLV), 13 (THRTN), 14 (FORTN), 15 (FIFTN), 16 (SIXTN), 17 (SVNTN), 18 (EGHTN), 19 (NINTN) and 20 (TWENT). The play symbols and their captions located in the "YOUR NUMBERS" area are: 1 (ONE), 2 (TWO), 3 (THREE), 4 (FOUR), 5 (FIVE), 6 (SIX), 7 (SEVEN), 8 (EIGHT), 9 (NINE), 10 (TEN), 11 (ELEVN), 12 (TWLV), 13 (THRTN), 14 (FORTN), 15 (FIFTN), 16 (SIXTN), 17 (SVNTN), 18 (EGHTN), 19 (NINTN), 20 (TWENT), Key (KEY) symbol and a Moneybag (MNYBAG) symbol.

4. *Prize Symbols:* The prize symbols and their captions located in the "YOUR NUMBERS" area are: \$1⁰⁰ (ONE DOL), \$2⁰⁰ (TWO DOL), \$4⁰⁰ (FOR DOL), \$5⁰⁰ (FIV DOL), \$10⁰⁰ (TEN DOL), \$20⁰⁰ (TWENTY), \$40⁰⁰ (FORTY), \$50⁰⁰ (FIFTY), \$100 (ONE HUN), \$250 (TWOHUNFTY), \$1,000 (ONE THO), \$2,500 (TWYFIVHUN) and \$25,000 (TWYFIVTHO).

5. *Prizes:* The prizes that can be won in this game are: \$1, \$2, \$4, \$5, \$10, \$20, \$40, \$50, \$100, \$250, \$1,000, \$2,500 and \$25,000. The player can win up to 10 times on a ticket.

6. *Approximate Number of Tickets Printed For the Game:* Approximately 7,200,000 tickets will be printed for the Pennsylvania Treasure instant lottery game.

7. *Determination of Prize Winners:*

(a) Holders of tickets upon which any one of the "YOUR NUMBERS" play symbols matches either of the "WINNING NUMBERS" play symbols and a prize symbol of \$25,000 (TWYFIVTHO) appears under the matching "YOUR NUMBERS" play symbol, on a single ticket, shall be entitled to a prize of \$25,000.

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

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

(d) Holders of tickets upon which any one of the "YOUR NUMBERS" play symbols matches either of the "WINNING NUMBERS" play symbols and a prize symbol of \$250 (TWOHUNFTY) appears under the matching "YOUR NUMBERS" play symbol, on a single ticket, shall be entitled to a prize of \$250.

(e) Holders of tickets upon which any one of the "YOUR NUMBERS" play symbols is a Key (KEY) symbol, and a prize symbol of \$250 (TWOHUNFTY) appears under the Key (KEY) symbol, on a single ticket, shall be entitled to a prize of \$250.

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

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

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

(i) Holders of tickets upon which any one of the "YOUR NUMBERS" play symbols is a Moneybag (MNYBAG) symbol, and a prize symbol of \$40⁰⁰ (FORTY) appears under the matching Moneybag (MNYBAG) symbol, on a single ticket, shall be entitled to a prize of \$80.

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

(k) Holders of tickets upon which any one of the "YOUR NUMBERS" play symbols is a Key (KEY) symbol, and a prize symbol of \$50⁰⁰ (FIFTY) appears under the Key (KEY) symbol, on a single ticket, shall be entitled to a prize of \$50.

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

(m) Holders of tickets upon which any one of the "YOUR NUMBERS" play symbols is a Key (KEY) symbol, and a prize symbol of \$40⁰⁰ (FORTY) appears under the Key (KEY) symbol, on a single ticket, shall be entitled to a prize of \$40.

(n) Holders of tickets upon which any one of the "YOUR NUMBERS" play symbols is a Moneybag (MNYBAG) symbol, and a prize symbol of \$20⁰⁰ (TWENTY) appears under the Moneybag (MNYBAG) symbol, on a single ticket, shall be entitled to a prize of \$40.

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

(p) Holders of tickets upon which any one of the "YOUR NUMBERS" play symbols is a Key (KEY) symbol, and a prize symbol of \$20⁰⁰ (TWENTY) appears under the Key (KEY) symbol, on a single ticket, shall be entitled to a prize of \$20.

(q) Holders of tickets upon which any one of the "YOUR NUMBERS" play symbols is a Moneybag (MNYBAG) symbol, and a prize symbol of \$10⁰⁰ (TEN DOL) appears under the Moneybag (MNYBAG) symbol, on a single ticket, shall be entitled to a prize of \$20.

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

(s) Holders of tickets upon which any one of the “YOUR NUMBERS” play symbols is a Key (KEY) symbol, and a prize symbol of \$10^{.00} (TEN DOL) appears under the Key (KEY) symbol, on a single ticket, shall be entitled to a prize of \$10.

(t) Holders of tickets upon which any one of the “YOUR NUMBERS” play symbols is a Moneybag (MNYBAG) symbol, and a prize symbol of \$5^{.00} (FIV DOL) appears under the Moneybag (MNYBAG) symbol, on a single ticket, shall be entitled to a prize of \$10.

(u) Holders of tickets upon which any one of the “YOUR NUMBERS” play symbols matches either of the “WINNING NUMBERS” play symbols and a prize symbol of \$5^{.00} (FIV DOL) appears under the matching “YOUR NUMBERS” play symbol, on a single ticket, shall be entitled to a prize of \$5.

(v) Holders of tickets upon which any one of the “YOUR NUMBERS” play symbols is a Key (KEY) symbol, and a prize symbol of \$5^{.00} (FIV DOL) appears under the Key (KEY) symbol, on a single ticket, shall be entitled to a prize of \$5.

(w) Holders of tickets upon which any one of the “YOUR NUMBERS” play symbols matches either of the “WINNING NUMBERS” play symbols and a prize symbol of \$4^{.00} (FOR DOL) appears under the matching “YOUR NUMBERS” play symbol, on a single ticket, shall be entitled to a prize of \$4.

(x) Holders of tickets upon which any one of the “YOUR NUMBERS” play symbols is a Key (KEY) symbol, and a prize symbol of \$4^{.00} (FOR DOL) appears under the Key (KEY) symbol, on a single ticket, shall be entitled to a prize of \$4.

(y) Holders of tickets upon which any one of the “YOUR NUMBERS” play symbols is a Moneybag (MNYBAG) symbol, and a prize symbol of \$2^{.00} (TWO DOL) appears under the Moneybag (MNYBAG) symbol, on a single ticket, shall be entitled to a prize of \$4.

(z) Holders of tickets upon which any one of the “YOUR NUMBERS” play symbols matches either of the “WINNING NUMBERS” play symbols and a prize symbol of \$2^{.00} (TWO DOL) appears under the matching “YOUR NUMBERS” play symbol, on a single ticket, shall be entitled to a prize of \$2.

(aa) Holders of tickets upon which any one of the “YOUR NUMBERS” play symbols is a Key (KEY) symbol, and a prize symbol of \$2^{.00} (TWO DOL) appears under the Key (KEY) symbol, on a single ticket, shall be entitled to a prize of \$2.

(bb) Holders of tickets upon which any one of the “YOUR NUMBERS” play symbols is a Moneybag (MNYBAG) symbol, and a prize symbol of \$1^{.00} (ONE DOL) appears under the Moneybag (MNYBAG) symbol, on a single ticket, shall be entitled to a prize of \$2.

(cc) Holders of tickets upon which any one of the “YOUR NUMBERS” play symbols matches either of the “WINNING NUMBERS” play symbols and a prize symbol of \$1^{.00} (ONE DOL) appears under the matching “YOUR NUMBERS” play symbol, on a single ticket, shall be entitled to a prize of \$1.

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

<i>When Any Of Your Numbers Match Either Winning Number, Win With Prize(s) Of:</i>	<i>Win:</i>	<i>Approximate Odds Are 1 In:</i>	<i>Approximate No. Of Winners Per 7,200,000 Tickets</i>
\$1 x 2	\$2	50	144,000
\$1 w/MONEYBAG	\$2	37.50	192,000
\$2 w/KEY	\$2	42.86	168,000
\$2	\$2	37.50	192,000
\$1 x 4	\$4	75	96,000
\$2 w/MONEYBAG	\$4	50	144,000
\$4 w/KEY	\$4	75	96,000
\$4	\$4	75	96,000
\$1 x 5	\$5	75	96,000
(\$2 w/MONEYBAG) + \$1	\$5	150	48,000
\$5 w/KEY	\$5	150	48,000
\$5	\$5	150	48,000
\$1 x 10	\$10	500	14,400
\$2 x 5	\$10	500	14,400
\$5 x 2	\$10	500	14,400
\$5 w/MONEYBAG	\$10	375	19,200
\$10 w/KEY	\$10	500	14,400
\$10	\$10	375	19,200
\$4 x 5	\$20	1,500	4,800
\$5 x 4	\$20	1,500	4,800
\$10 x 2	\$20	1,500	4,800
\$10 w/MONEYBAG	\$20	500	14,400
\$20 w/KEY	\$20	750	9,600
\$20	\$20	500	14,400
(\$4 x 5) + (\$5 x 4)	\$40	2,000	3,600
\$5 x 8	\$40	2,000	3,600
\$10 x 4	\$40	2,000	3,600
\$20 x 2	\$40	2,000	3,600
\$20 w/MONEYBAG	\$40	2,000	3,600

When Any Of Your Numbers Match
Either Winning Number, Win With
Prize(s) Of:

	Win:	Approximate Odds Are 1 In:	Approximate No. Of Winners Per 7,200,000 Tickets
\$40 w/KEY	\$40	2,000	3,600
\$40	\$40	2,000	3,600
(\$4 × 5) + (\$10 × 3)	\$50	3,000	2,400
\$5 × 10	\$50	3,000	2,400
(\$20 w/MONEYBAG) + (\$5 × 2)	\$50	3,000	2,400
\$50 w/KEY	\$50	3,000	2,400
\$50	\$50	3,000	2,400
\$20 × 5	\$100	6,000	1,200
(\$40 w/MONEYBAG) + (\$10 × 2)	\$100	6,000	1,200
\$50 × 2	\$100	6,000	1,200
\$100 w/KEY	\$100	6,000	1,200
\$100	\$100	6,000	1,200
\$50 × 5	\$250	60,000	120
(\$100 w/MONEYBAG) + (\$10 × 5)	\$250	60,000	120
\$250 w/KEY	\$250	60,000	120
\$250	\$250	60,000	120
\$100 × 10	\$1,000	120,000	60
\$250 × 4	\$1,000	120,000	60
\$1,000	\$1,000	120,000	60
\$250 × 10	\$2,500	360,000	20
(\$1,000 × 2) + (\$100 × 5)	\$2,500	360,000	20
\$2,500	\$2,500	360,000	20
\$2,500 × 10	\$25,000	1,440,000	5
\$25,000	\$25,000	1,440,000	5

Get a "KEY" (KEY) symbol, win the prize shown under it automatically.

Get a "MONEYBAG" (MNYBAG) symbol, win double the prize shown under it automatically.

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

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

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

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

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

C. DANIEL HASSELL,
Secretary

[Pa.B. Doc. No. 10-1406. Filed for public inspection July 30, 2010, 9:00 a.m.]

DEPARTMENT OF STATE

Pennsylvania League of Conservative Voters; Amended Cease and Desist Order

The Cease and Desist Order published (40 Pa.B. 4042) as follows:

Pennsylvania League of Conservative Voters and all known and unknown officers, directors, principals, shareholders, agents, employees and independent contractors and any entities created by the principal actors after the date of issuance of this order, are ordered to cease and desist from soliciting charitable contributions in this Commonwealth until the Pennsylvania League of Conservative Voters and all known and unknown officers, directors, principals, shareholders, agents, employees and independent contractors and any entities created by the principal actors after the date of issuance of this order respond to the Bureau of Charitable Organizations' requests for information and duly register or provide information that they are excluded or exempt from registration under the Solicitation of Funds for Charitable Purposes Act (10 P. S. §§ 162.1—162.22). The Pennsylvania League of Conservative Voters may be subject to administrative fines of up to \$1,000 per violation and \$100 for each day the violation continues. The order shall take effect immediately.

Individuals may obtain a copy of the order by writing to Doreen Harr, Investigator, Department of State, Bureau of Charitable Organizations, 212 North Office Building, Harrisburg, PA 17120.

BASIL L. MERENDA,
Acting Secretary

[Pa.B. Doc. No. 10-1407. Filed for public inspection July 30, 2010, 9:00 a.m.]

DEPARTMENT OF TRANSPORTATION

Finding Franklin County

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

The Federal Highway Administration (FHWA) and the Department of Transportation (Department) are planning the replacement of the existing bridge carrying SR 4007 (Back Road) over the Narrows Branch of Tuscarora Creek in Fannett Township, Franklin County.

The existing two-span, stone masonry, closed spandrel arch bridge, built in 1832, was determined to be eligible for the National Register of Historic Places during the Statewide bridge survey. The continued failure of the walls has led to a repair consisting of the removal of earthen fill over the arch barrels and the incremental placement of concrete within the confines of the arch barrels and spandrel walls. The bonding of the concrete and spandrel walls consequently has rendered rehabilitation of the bridge not feasible without resulting in further damage to the structure. The masonry arch spans have numerous random cracks in the gunite coating with exposed wire mesh. In 1981, the bridge abutments and pier were underpinned with concrete. A section of the spandrel wall over the center pier on the north side was repaired in-kind after it collapsed in 1996. The bridge has been repaired many times. It is no longer prudent and feasible to rehabilitate the bridge. Replacement of the SR 4007 (Back Road) over the Narrows Branch of Tuscarora Creek will constitute a use of the Section 2002 resource.

In accordance with section 2002 of The Administrative Code of 1929 establishing the Department, a Level-2 Categorical Exclusion Evaluation (CEE) has been developed for the subject project along with a Nationwide/Programmatic Section 4(f) Evaluation for Projects that Necessitate the Use of Historic Bridges form to evaluate the potential environmental impacts caused by the subject project. The document also serves as the Section 2002 Evaluation. The approved documents are available in the CE/EA Expert System. The environmental, economic, social and other effects of the proposed project as enumerated in section 2002 of The Administrative Code of 1929 have been considered.

Based upon studies, there is no feasible and prudent alternative to the use of the Section 2002 resource for the proposed action. Mitigation measures will be taken to minimize harm as stipulated in the Level-2 CEE.

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

[Pa.B. Doc. No. 10-1408. Filed for public inspection July 30, 2010, 9:00 a.m.]

ENVIRONMENTAL HEARING BOARD

Indian Run Village, LLC v. DEP; EHB Doc. No. 2010-113-K

Indian Run Village, LLC has appealed the issuance by the Department of Environmental Protection of an NPDES permit to Indian Run Village, LLC for a facility in West Brandywine Township, Chester County.

A date for the hearing 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 Service 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. 10-1409. Filed for public inspection July 30, 2010, 9:00 a.m.]

INDEPENDENT REGULATORY REVIEW COMMISSION

Action Taken by the Commission

The Independent Regulatory Review Commission (Commission) met publicly at 10 a.m., Thursday, July 15, 2010, and announced the following:

Action taken—regulations approved:

State Board of Nursing #16A-5136: Biennial Renewal Fee (amends 49 Pa. Code §§ 21.5, 21.147, 21.253 and 21.705)

State Real Estate Commission #16A-5615: Initial Licensure Fees (amends 49 Pa. Code § 35.203)

Department of Labor and Industry #12-76: Propane and Liquefied Petroleum Gas (amends 34 Pa. Code Chapter 13)

Department of Public Welfare #14-512: Individual Support Plan for Individuals with Mental Retardation (amends 55 Pa. Code Chapters 2380, 2390, 6400 and 6500)

State Employees' Retirement Board #31-7: Priority of Taxation, Attachment and Assignment of Funds (amends 4 Pa. Code Chapter 247)

State Board of Veterinary Medicine #16A-5723: Biennial Renewal Fees (amends 49 Pa. Code § 31.41)

—————
Approval Order

Public Meeting held
July 15, 2010

Commissioners Voting: Arthur Coccodrilli, Chairperson; George D. Bedwick, Vice Chairperson; S. David Fine-man, Esq.; Silvan B. Lutkewitte, III; John F. Mizner, Esq., by Phone

*State Board of Nursing—
Biennial Renewal Fees;
Regulation No. 16A-5136 (#2809)*

On December 7, 2009, the Independent Regulatory Review Commission (Commission) received this proposed regulation from the State Board of Nursing (Board). This rulemaking amends 49 Pa. Code Sections 21.5, 21.147, 21.253, and 21.705. The proposed regulation was published in the December 19, 2009 *Pennsylvania Bulletin* with a 30-day public comment period. The final-form regulation was submitted to the Commission on June 10, 2010.

This regulation raises biennial renewal fees for registered nurses, practical nurses, certified registered nurse practitioners and dietitian-nutritionists.

We have determined this regulation is consistent with the statutory authority of the Board (63 P. S. § 221.2(b)) and the intention of the General Assembly. Having considered all of the other criteria of the Regulatory Review Act, we find promulgation of this regulation is in the public interest.

By Order of the Commission:

This regulation is approved.

—————
Approval Order

Public Meeting held
July 15, 2010

Commissioners Voting: Arthur Coccodrilli, Chairperson; George D. Bedwick, Vice Chairperson; S. David Fine-man, Esq.; Silvan B. Lutkewitte, III; John F. Mizner, Esq., by Phone

*State Real Estate Commission—
Initial Licensure Fees;
Regulation No. 16A-5615 (#2810)*

On December 7, 2009, the Independent Regulatory Review Commission (Commission) received this proposed regulation from the State Real Estate Commission. This rulemaking amends 49 Pa. Code Section 35.203. The proposed regulation was published in the December 19, 2009 *Pennsylvania Bulletin* with a 30-day public comment period. The final-form regulation was submitted on May 25, 2010.

This regulation amends the State Real Estate Commission's existing two-tiered fee structure to a single tier fee structure so that it can process on-line applications.

We have determined this regulation is consistent with the statutory authority of the State Real Estate Commission (63 P. S. § 455.407) and the intention of the General Assembly. Having considered all of the other criteria of the Regulatory Review Act, we find promulgation of this regulation is in the public interest.

By Order of the Commission:

This regulation is approved.

—————
Approval Order

Public Meeting held
July 15, 2010

Commissioners Voting: Arthur Coccodrilli, Chairperson; George D. Bedwick, Vice Chairperson; S. David Fine-man, Esq.; Silvan B. Lutkewitte, III; John F. Mizner, Esq., by Phone

*Department of Labor and Industry—
Propane and Liquefied Petroleum Gas;
Regulation No. 12-76 (#2775)*

On July 9, 2009, the Independent Regulatory Review Commission (Commission) received this proposed regulation from the Department of Labor and Industry (Department). This rulemaking amends 34 Pa. Code Chapter 13. The proposed regulation was published in the July 25, 2009 *Pennsylvania Bulletin* with a 30-day public comment period. The final-form regulation was submitted to the Commission on June 8, 2010.

This regulation implements the Propane and Liquefied Petroleum Gas Act of 2002 relating to the storage, transfer, sale and use of liquefied petroleum gas.

We have determined this regulation is consistent with the statutory authority of the Department (35 P. S. §§ 1329.16 and 1329.5(a)) and the intention of the General Assembly. Having considered all of the other criteria of the Regulatory Review Act, we find promulgation of this regulation is in the public interest.

By Order of the Commission:

This regulation is approved.

—————
Approval Order

Public Meeting held
July 15, 2010

Commissioners Voting: Arthur Coccodrilli, Chairperson; George D. Bedwick, Vice Chairperson; S. David Fine-man, Esq.; Silvan B. Lutkewitte, III; John F. Mizner, Esq., by Phone

*Department of Public Welfare—
Individual Support Plan for
Individuals with Mental Retardation;
Regulation No. 14-512 (#2687)*

On April 16, 2008, the Independent Regulatory Review Commission (Commission) received this proposed regulation from the Department of Public Welfare (Department). This rulemaking amends 55 Pa. Code Chapters 2380, 2390, 6400 and 6500. The proposed regulation was published in the April 26, 2008 *Pennsylvania Bulletin* with a 30-day public comment period. The final-form regulation was submitted to the Commission on May 27, 2010.

We have determined this regulation is consistent with the statutory authority of the Department (62 P. S. §§ 911 and 1021) and the intention of the General Assembly. Having considered all of the other criteria of the Regulatory Review Act, we find promulgation of this regulation is in the public interest.

By Order of the Commission:

This regulation is approved.

Approval Order

Public Meeting held
July 15, 2010

Commissioners Voting: Arthur Coccodrilli, Chairperson; George D. Bedwick, Vice Chairperson; S. David Fine-man, Esq.; Silvan B. Lutkewitte, III; John F. Mizner, Esq., by Phone

State Employees' Retirement Board—
Priority of Taxation, Attachment and
Assignment of Funds;
Regulation No. 31-7 (#2689)

On April 18, 2008, the Independent Regulatory Review Commission (Commission) received this proposed regulation from the State Employees' Retirement Board (Board). This rulemaking amends 4 Pa. Code Chapter 247. The proposed regulation was published in the May 3, 2008 *Pennsylvania Bulletin* with a 30-day public comment period. The final-form regulation was submitted to the Commission on June 2, 2010.

This final-form rulemaking adds a new section to the Board's regulations pertaining to benefits. The new section sets priorities among conflicting demands of forfeitures, attachments and assignments on members' retirement benefits authorized under the State Employees' Retirement Code.

We have determined this regulation is consistent with the statutory authority of the Board (71 Pa.C.S.A. § 5902(h)) and the intention of the General Assembly. Having considered all of the other criteria of the Regulatory Review Act, we find promulgation of this regulation is in the public interest.

By Order of the Commission:

This regulation is approved.

Approval Order

Public Meeting held
July 15, 2010

Commissioners Voting: Arthur Coccodrilli, Chairperson; George D. Bedwick, Vice Chairperson; S. David Fine-man, Esq.; Silvan B. Lutkewitte, III; John F. Mizner, Esq., by Phone

State Board of Veterinary Medicine—
Biennial Renewal Fees;
Regulation No. 16A-5723 (#2788)

On September 2, 2009, the Independent Regulatory Review Commission (Commission) received this proposed regulation from the State Board of Veterinary Medicine (Board). This rulemaking amends 49 Pa. Code § 31.41. The proposed regulation was published in the September 19, 2009 *Pennsylvania Bulletin* with a 30-day public comment period. The final-form regulation was submitted to the Commission on March 11, 2010. At its April 22, 2010 public meeting, the Commission voted to disapprove the final-form regulation. On June 7, 2010, the Board submitted its report containing the revised final-form regulation to the Commission.

This final-form rulemaking provides for incremental biennial license renewal fee increases for veterinarians and veterinary technicians.

We have determined this regulation is consistent with the statutory authority of the Board (63 P. S. § 485.13(a)) and the intention of the General Assembly. Having considered all of the other criteria of the Regulatory Review Act, we find promulgation of this regulation is in the public interest.

By Order of the Commission:

This regulation is approved.

ARTHUR COCCODRILLI,
Chairperson

[Pa.B. Doc. No. 10-1410. Filed for public inspection July 30, 2010, 9:00 a.m.]

Notice of Comments Issued

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

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

Reg. No.	Agency/Title	Close of the Public Comment Period	IRRC Comments Issued
57-273	Pennsylvania Public Utility Commission Default Service Regulations 40 Pa.B. 2267, May 1, 2020	6/15/10	7/15/10
7-457	Environmental Quality Board Ambient Water Quality Criterion; Chloride (CH) 40 Pa.B. 2246, May 1, 2010	6/15/10	7/15/20
12-74	Department of Labor and Industry Unemployment Compensation; Employee Provisions 40 Pa.B. 2643, May 22, 2010	6/21/10	7/21/10

<i>Reg. No.</i>	<i>Agency/Title</i>	<i>Close of the Public Comment Period</i>	<i>IRRC Comments Issued</i>
12-78	Department of Labor and Industry Unemployment Compensation; Administration 40 Pa.B. 2639, May 22, 2010	6/21/10	7/21/10
16A-4931	State Board of Medicine Perfusionist 40 Pa.B. 2652, May 22, 2010	6/21/10	7/21/10
16A-5320	State Board of Osteopathic Medicine Perfusionist 40 Pa.B. 2660, May 22, 2010	6/21/10	7/21/10

**Pennsylvania Public Utility Commission
Regulation #57-273 (IRRC #2837)**

Default Service Regulations

July 15, 2010

We submit for your consideration the following comments on the proposed rulemaking published in the May 1, 2010 *Pennsylvania Bulletin*. Our comments are based on criteria in section 5.2 of the Regulatory Review Act (RRA) (71 P. S. § 745.5b). Section 5.1(a) of the Regulatory Review Act (71 P. S. § 745.5a(a)) directs the Pennsylvania Public Utility Commission (Commission) to respond to all comments received from us or any other source.

1. Need for the regulation.

This proposed rulemaking amends the Commission's existing default service regulations found at 52 Pa. Code §§ 54.181—54.189. The Commission contends that the rulemaking is needed to align the existing regulations with Act 129 of 2008 (Act 129). Act 129 amended Pennsylvania's Electric Generation Customer Choice and Competition Act (Competition Act) (66 Pa.C.S.A. §§ 2801, et seq.) and the manner in which default service providers must purchase electricity for non-shopping customers.

In the Preamble to this proposal, the Commission notes that "the proposed regulations generally adopt Act 129 procurement requirements verbatim." In addition, the Commission is seeking comment on 16 questions and how Act 129 should be interpreted "to ensure adequate and reliable service at the least cost to customers over time, and on how the proposed regulations should be revised to reflect the interpretation recommended by the person filing the comments." The Office of Consumer Advocate has noted that "the Commission's questions identify the critical issues that must be answered before finalizing any changes to the existing regulation." Listed below are examples of the questions:

- What is meant by "least cost to customers over time?"
- What time frame should the Commission use when evaluating whether a DSP's procurement plan produces the least cost to customers over time?
- Which approach to supply procurement—a managed portfolio approach or a full requirements approach—is more likely to produce the least cost to customers over time?
- What is a "prudent mix" of spot, long-term, and short-term contracts?
- Does a "prudent mix" mean that the contracts are diversified and accumulated over time?

- Should there be qualified parameters on the prudent mix? For instance, should the regulations preclude a DSP from entering into all of its long-term contracts in one year?

- Should the DSP be restricted to entering into a certain percentage of contracts per year?

- Is the "prudent mix" standard a different standard for each different customer class?

We note that extensive comments and reply comments were filed on the proposed rulemaking and the vast majority of the comments and reply comments focused on the 16 questions, not the text of the rulemaking.

We are concerned with the approach the Commission has taken for the promulgation of this rulemaking. We believe the Commission should have posed the 16 questions to the regulated community, accepted comments on those questions, drafted a proposed rulemaking based on the feedback received, and then commenced the formal rulemaking process. Under the approach taken by the Commission, the regulated community, the designated standing committees and the Independent Regulatory Review Commission (IRRC) will not have an opportunity to see or provide comment on the Commission's interpretation of Act 129 and the procurement of electricity for non-shopping customers.

Act 129 does not require the Commission to promulgate revised default service regulations within a specific time period. In addition, the statutory language of the Competition Act and Act 129 would take precedence over the Commission's existing default service regulations. We acknowledge that some commentators support the Commission's approach to promulgating this rulemaking because it provides flexibility to the Commission and electric distribution companies as they work to implement procurement plans. However, we believe the purpose of a regulation is for an agency to exercise its delegated legislative authority to create a mandatory standard of conduct to fill in the gaps that are often present in statutes.

Since this proposed rulemaking uses, to a large degree, verbatim language from Act 129, we do see the value of promulgating the regulation in this form and at this time. We recommend the Commission withdraw the proposed rulemaking, evaluate the feedback provided by the various segments of the regulated community on the 16 questions, in order to draft a proposed regulation that does more than simply recite the Act 129 revisions, and reintroduce the rulemaking to the regulatory review process as a new proposed rulemaking. This would allow all parties involved with the rulemaking the opportunity to review the Commission's interpretation of Act 129 and

to provide feedback on that language. If the Commission proceeds with its current approach for promulgating this rulemaking, interested parties will not see meaningful regulatory language until the rulemaking is submitted in final-form.

If the Commission does not withdraw the proposed regulation as suggested, we suggest that an Advanced Notice of Final Rulemaking be developed and shared with the commentators. This would allow the interested parties to provide feedback on the language that may become a permanent regulation. 2

2. Determining whether the regulation is in the public interest.

Section 5.2 of RRA (71 P. S. § 745.5b) directs IRRC to determine whether a regulation is in the public interest. When making this determination, the Commission considers criteria such as economic or fiscal impact and reasonableness. The Commission also considers the information a promulgating agency is required to provide under § 745.5(a) in the Regulatory Analysis Form (RAF).

The Commission has provided valuable information, such as the statutory and regulatory history of the Competition Act, Act 129 and the existing default service regulations in the Preamble to the proposed rulemaking. However, the Commission's responses to questions on the RAF are lacking and accordingly prevent IRRC from determining whether the regulation is in the public interest. For example, the RAF asks the following questions: "Describe who and how many people will be adversely affected by the regulation. How are they affected?" and "How does this regulation compare with those of other states?" The Commission answered the first question in the following manner: "No one should be adversely affected by the regulations" and did not respond to the second question. If the regulation is submitted in final-form, we ask the Commission to provide more detailed responses to all questions in the RAF, as required by § 745.5(a) of the RRA, and as provided by the Commission when the original default service regulations were promulgated several years ago.

3. Comments on Annex A of the proposed rulemaking.—Possible conflict or duplication of statutes or existing regulations; Reasonableness; Need; Clarity and lack of ambiguity.

If the Commission does not withdraw the proposal, we offer the following comments on the text of the rulemaking.

"Prevailing market prices" versus "least cost to customers over time"

As noted by the Commission in the Preamble to this proposal, "Act 129 explicitly repealed the prevailing market prices standard, and declared instead that the utilities' generation service must be designed to ensure adequate and reliable service at the least cost to customers over time." Some commentators have suggested that the phrase "prevailing market price" be replaced with the phrase "at the least cost to customers over time" throughout the entirety of the Commission's default service regulations. Another commentator believes that replacing the prevailing market price standard with the least cost standard in every instance would not be appropriate. We ask the Commission to identify every section of its existing default service regulations that uses the phrase "prevailing market price" and explain why it decided to retain that phrase.

Section 54.184. Default service provider obligations.

We have two concerns with this section. First, a commentator has noted that the new language added to Subsection (a) does not acknowledge that other entities may be assigned to the default service provider role. The commentator is also concerned with new language that contemplates keeping the electric distribution company as the default service provider until 100 percent customer migration is reached. In the Preamble to the final-form regulation, we ask the Commission for a more detailed explanation of why this language was included in the rulemaking.

Second, to be consistent with 66 Pa.C.S.A §§ 2807(e)(3.1)(III)(A) and (B), the word "or" should be added at the end of Subsection (c)(3)(i).

Section 54.186. Default service procurement and implementation plans.

Subsection (e) pertains to the Commission's evaluation of a default service provider's procurement plan. A commentator believes that language should be added to Subsection (1) referencing the fact that the procurement process was competitive. They believe this language is needed to keep the procurement process open and transparent and consistent with the Competition Act. They raise a similar concern with § 54.188(d)(1). Has the Commission considered adding language to the rulemaking to reflect the fact that the procurement process must be competitive?

Section 54.187. Default service rate design and the recovery of reasonable costs.

We have four concerns with this section. First, to be consistent with 66 Pa.C.S.A § 2807(e)(3.8), the word "or" should be included at the end of (a)(1).

Second, 66 Pa.C.S.A. § 2807(e)(3.9) states that a default service provider "shall" have the right to recover costs pursuant to a reconcilable automatic adjustment clause. However, Subsection (b) states that costs "may" be recovered through those mechanisms. Commentators believe this change conflicts with the Competition Act. What is the reason for this deviation from the statutory language? We suggest that the final-form regulation be amended to be consistent with Competition Act.

Third, the proposed rulemaking amends Subsection (b) to incorporate the language of 66 Pa.C.S.A. § 2807(e)(3.9). A commentator has noted that some words appear to be missing before the phrase "all reasonable costs" in the first sentence. The missing words are, "on a full and current basis." What is the reason for excluding these words from the rulemaking?

Fourth, Subsection (i) has been amended to state, in part, that "Default service rates shall be adjusted on a quarterly basis. . . ." A commentator believes that this language should be amended to mirror 66 Pa.C.S.A. § 2807(e)(7) to state that "Default service rates shall be adjusted *no more frequently than* on a quarterly basis. . . ." (Emphasis added). We agree with the commentator and suggest that the regulation be amended accordingly. The commentator has the same concern with § 54.188(f) of the existing regulation and suggests that a similar change be made to this section of the rulemaking.

**Environmental Quality Board
Regulation #7-457 (IRRC #2841)**

Ambient Water Quality Criterion; Chloride (Ch)

July 15, 2010

We submit for your consideration the following comments on the proposed rulemaking published in the May 1, 2010 *Pennsylvania Bulletin*. Our comments are based on criteria in section 5.2 of the Regulatory Review Act (71 P. S. § 745.5b). Section 5.1(a) of the Regulatory Review Act (71 P. S. § 745.5a(a)) directs the Environmental Quality Board (Board) to respond to all comments received from us or any other source.

Section 93.7. Specific water quality criteria.

This rulemaking amends Subsection (a) and Table 3 of the Board's regulations by adding numeric limits for chloride. The amendments include a four-day average for chloride of 230 mg/l and a one-hour average standard of 860 mg/l. The chloride standards included in the proposed rulemaking are the current national chloride criteria for the protection of aquatic life recommended by the United States Environmental Protection Agency in its 1988 publication *Ambient Water Quality Criteria for Chloride* (1988 criteria). We have five concerns that relate to the criteria contained in the Regulatory Review Act.

Reasonableness

Commentators representing business and industry and commentators representing environmental interests have questioned the reasonableness of basing the new chloride criteria on the 1988 criteria. The commentators have argued that better and more recent scientific studies prove that the 1988 criteria are flawed. Commentators representing environmental interests are especially concerned about the recent efforts to extract natural gas from the Marcellus Shale formation, the large volumes of wastewater that extraction requires, and the various compounds containing chloride that may be in the wastewater. They do not believe the 1988 criteria adequately protect Pennsylvania waterways and aquatic life from the potential harms of Marcellus Shale wastewater.

We agree that basing the new criteria on outdated data when more recent data is available is not reasonable. Given the amount of opposition to the inclusion of the 1988 criteria in this rulemaking, we recommend the Board withdraw the proposed rulemaking and reevaluate the current state of scientific and technological knowledge of chloride and the effects it has on Pennsylvania's waterways and aquatic life. We encourage the Board to work with the various segments of the regulated community to develop a regulatory package that reflects the most recent science, adequately protects Pennsylvania's waterways and aquatic life, and keeps Pennsylvania business and industry competitive with the surrounding states.

If the Board does not withdraw the rulemaking, we recommend that it issue an Advanced Notice of Final Rulemaking to fully vet the changes that may be made to the regulation. This would provide the regulated community an opportunity to provide input on the scientific basis for the chloride standards, review any changes that have been made to the rulemaking, evaluate the impact it would have, and provide the Board with additional feedback.

Economic or fiscal impact of the regulation

Commentators representing business and industry in Pennsylvania have serious concerns with the potential

fiscal impact of this regulation throughout the Commonwealth. They correctly note that the Regulatory Analysis Form (RAF) and the Preamble provide little analysis on the impact the regulation will have on the regulated community.

While we acknowledge the Board's attempt to quantify the cost of treating wastewater using several techniques, a detailed analysis of the overall fiscal impact the rulemaking could have throughout Pennsylvania is lacking. In fact, the Board has stated in Section 17 of the RAF that the fiscal savings and costs to the regulated community are "not measurable." Without a more detailed fiscal analysis, this Commission is unable to determine if the regulation is in the public interest. For example, what are the capital costs and annual operation and maintenance costs associated with installing the facilities needed to treat wastewater? What are the costs for the increased monitoring required by the rulemaking? What are the costs of dealing with treatment residuals? We urge the Board to work with the regulated community to calculate the full fiscal impact the regulation will have throughout the Commonwealth, not just the per gallon cost for treating wastewater that was included with this proposal.

In the Preamble and RAF submitted with the final-form rulemaking, we request the Board provide a detailed fiscal impact analysis taking into consideration the above-noted concerns of commentators and this Commission.

Possible conflict with statutes

According to the Board, this rulemaking is being promulgated, in part, under Sections 5(b)(1) and 402 of the Clean Streams Law (Law) (35 P. S. §§ 691.5(b)(1) and 691.402). While we do not question the Board's authority under these provisions, we do question whether the regulation is consistent with Section 5(a) of the Law (35 P. S. § 691.5(a)). That section of the Law requires the following factors to be considered, where applicable, when adopting rules and regulations:

1. Water quality management and pollution control in the watershed as a whole;
2. The present and possible future uses of particular waterways;
3. The feasibility of combined or joint treatment facilities;
4. *The state of scientific and technological knowledge;* and
5. *The immediate and long-range economic impact upon the Commonwealth and its citizens.* (Emphasis added)

Commentators believe the rulemaking is inconsistent with the fourth and fifth provision of Section (5)(a) of the Law. In regard to the fourth provision, and as noted above, commentators believe that the science associated with the 1988 criteria is outdated, no longer accurate, and not specific to Pennsylvania waterways and aquatic life. In regard to the fifth provision, and as noted above, commentators believe that the Board has failed to properly analyze the economic impact the regulation will have on industry in Pennsylvania.

If the Board does not withdraw the regulation as suggested, we ask for a more detailed explanation of why the science behind the 1988 criteria is valid and appropriate for Pennsylvania. This explanation should include discussion of the various studies of the science included with the comments submitted on the rulemaking. In addition, the Board should explain how and why the

material submitted with the proposal adequately analyzes the immediate and long-range economic impact of the regulation on Pennsylvania.

Need; Possible conflict with existing regulations

Some commentators have argued that there is no need for the rulemaking. They argue that the Board's adoption of the final regulation pertaining to total dissolved solids (Board regulation #7-446, titled "Wastewater Treatment Requirements" (TDS regulation)) is more stringent than this rulemaking. Once the TDS regulation is formally promulgated, what is the need for this rulemaking? Will it conflict with the TDS regulation in any way?

In addition, the Board has stated that the rulemaking is needed for "protection of aquatic life due to increasing concerns about the Statewide impact of natural gas extractions from the Marcellus Shale formation." What is the Board's rationale for imposing this new standard on industry not involved with natural gas extraction from the Marcellus Shale formation? What problems will be fixed by imposing the rulemaking on all industries in Pennsylvania?

Implementation procedures

Under questions 15 and 16 of the RAF, the Board has indicated that persons proposing "new or expanded activities or projects which result in impacts to the waters of the Commonwealth" will be affected by the rulemaking. Several commentators disagree with this statement and believe that "all NPDES permit holders will be subject to the regulation." Will this rulemaking affect all NPDES permit holders? In the final-form regulation, the Board should clarify what qualifies as "new or expanded activities or projects."

Adverse effects on prices of goods and services, productivity or competition

Under question 25 of the RAF, the Board has explained that other states, including Virginia, West Virginia and New Jersey have already adopted the 1988 criteria. The Board believes that the proposed amendments will not put Pennsylvania at a competitive disadvantage to other states. Commentators disagree with the Board's position on this matter. They believe that competitors in other states will not be required to comply with similar standards and this will put Pennsylvania businesses at a competitive disadvantage with other states.

We ask the Board to provide a more detailed description of how this regulation compares to other states. In particular, we ask the Board to identify all the states that use the 1988 criteria. For the states that do use the 1988 criteria, are there any exceptions to how those standards are implemented? Are the standards implemented in the same way as proposed in Pennsylvania?

**Department of Labor and Industry
Regulation #12-74 (IRRC #2846)**

**Unemployment Compensation; Employee
Provisions**

July 21, 2010

We submit for your consideration the following comments on the proposed rulemaking published in the May 22, 2010 *Pennsylvania Bulletin*. Our comments are based on criteria in section 5.2 of the Regulatory Review Act (71 P. S. § 745.5b). Section 5.1(a) of the Regulatory Review Act (71 P. S. § 745.5a(a)) directs the Department of Labor and Industry (Department) to respond to all comments received from us or any other source.

**1. Section 65.41. Filing methods.—Reasonable-
ness; Implementation procedures; Clarity.**

Subsection (a)

This subsection allows an application for benefits to be filed in one of four ways: by phone, via the internet, by mail or by facsimile machine. Subsection (b) allows a claim for compensation to be made by phone or via the internet. Why doesn't Subsection (b) allow claims for compensation to be made by mail or facsimile machine?

Subsections (d) and (e)

Subsections (a), (b) and (c) of this section specify acceptable methods for filing applications for benefits, claims for compensation and how filing dates will be determined. The requirements of these subsections establish a binding norm for both the regulated community and the Department. We believe the language in Subsections (d) and (e) inappropriately deviates from that binding norm. Subsection (d) would allow the Department to prescribe additional methods for filing applications and claims and would allow the Department to designate the date on which the application or claim is filed. Subsection (e) would allow the Department to suspend the use of the filing methods for various reasons. If the Department wants to change the filing methods and how filing dates will be determined, that must be done through the rulemaking process. Therefore, the Department should delete Subsections (d) and (e).

If these subsections are not deleted, we ask the Department why Subsection (e) references Subsections (a), (b) and (d), but does not reference Subsection (c).

**2. Section 65.43a. Extended filing.—Reasonable-
ness; Implementation procedures.**

Subsection (e) lists reasons for which extended filing will be allowed. A commentator has stated that extended filing should be allowed for people with limited English proficiency and has suggested that language barriers be specifically listed in this subsection. We recognize that one of the reasons in which extended filing would be allowed is, "Other, if the claimant makes all reasonable and good faith efforts to file timely but is unable to do so through no fault of the claimant." However, it is unclear whether a person with limited English proficiency could be granted an extension based on the reason quoted above. The Department should consider addressing limited English proficiency in the final-form regulation.

**3. Section 65.73. Full-time work.—Reasonable-
ness; Implementation procedures.**

Subsection (a) explains how a claimant's full-time work will be determined. A commentator believes that Subsections (a)(2) and (3) work to the disadvantage of the claimant and questions how the provisions could be administered. In the Preamble to the final-form regulation, we ask the Department to explain the rationale for these provisions and how it will implement them.

**Department of Labor and Industry
Regulation #12-78 (IRRC #2847)**

Unemployment Compensation; Administration

July 21, 2010

We submit for your consideration the following comments on the proposed rulemaking published in the May 22, 2010 *Pennsylvania Bulletin*. Our comments are based on criteria in section 5.2 of the Regulatory Review Act (71 P. S. § 745.5b). Section 5.1(a) of the Regulatory Review

Act (71 P. S. § 745.5a(a)) directs the Department of Labor and Industry (Department) to respond to all comments received from us or any other source.

1. Section 61.12. Reimbursable items.—Clarity.

The amended language in Subsection (a) states, in part, that an individual “who is entitled to reimbursement . . . may be paid compensation and expenses by the Department.” We recognize the fact that the language being deleted from this subsection includes the use of the words “entitled” and “may.” However, it is our understanding that individuals subject to the provisions of this section are not necessarily “entitled” to be paid compensation and expenses, but may be eligible to be paid compensation and expenses. We suggest that the final-form regulation be amended to reflect the fact that the payment of compensation and expenses is authorized, but not mandated in every situation.

2. Section 61.25. Confidentiality of information and fees.—Consistency with federal law; Need; Implementation procedures; Clarity.

Subsection (a)

This subsection addresses rules for confidentiality of unemployment compensation information. We have three concerns.

First, a commentator has stated, that under current practice, information obtained by an applicant during an unemployment compensation proceeding is often used in other legal forums. The commentator questions whether such “rediscovery” is permitted under Section 61.25, noting that Subsections (a)(2)(ii), (a)(4)(ii) and (a)(5) are unclear. The Department should clarify its intent on this issue and revise the regulation accordingly.

Second, under Subsection (a)(3)(ii), two commentators recommend that language be added to allow disclosure of information to “the claimant’s or employer’s representative.” Commentators are concerned that without this language advocates representing claimants at hearings will have difficulty accessing case files. The Department should add this language in the final-form regulation, or explain why it should not be included.

Third, a commentator has noted that obtaining releases from claimants for unemployment compensation information can be difficult and impedes access to needed information. It was noted that federal regulations on this topic allow release of unemployment compensation to an “agent” under certain circumstances. However, in order for this provision to be operable, it must be authorized by state law. Are these releases already permitted by statute? Would the Unemployment Compensation Law permit the Department to adopt the approach allowed by 20 CFR 605?

Subsection (b)

This subsection pertains to the fees that may be charged to a person seeking documents or information. It states the following:

Fees. Except as provided in section 702 of the law (43 P. S. § 862), the Department or the Board may charge a fee to a person seeking documents or information from the Department or the Board. The fee will be an amount sufficient to compensate the Department or the Board for the costs to process the request and, if the requested documents or information are available, the cost to provide the documents and information. The amount of the fee will be calculated by the Department within its discretion.

We have three concerns.

First, it is unclear as to what the Department or Board is charging for. What type of documentation or information would require the charging of a fee? For example, will a person be charged for making a telephone inquiry?

Second, the last sentence of this section is not regulatory language and does not set a binding norm. A regulation has the full force and effect of law and the last sentence does not establish a standard that could be predicted by the regulated community. We recommend that the amount of any fee that may be charged be included in the final-form rulemaking.

Finally, a commentator has pointed out that, under Federal regulation, “grant funds may be used to pay costs associated with any disclosure of UC information if not more than an incidental amount of staff time and no more than nominal processing costs are involved in making the disclosure.” See 20 CFR 603.8(b). If the Department receives grant funds, how will the Federal regulation work in conjunction with this subsection?

3. Miscellaneous clarity.

- Under § 61.1, the Department is amending the definition of “Bureau” from “The Bureau of Employment Security of the Commonwealth” to “The Department.” Throughout the rulemaking, the term “Bureau” is being replaced by the term “Department.” We note that the term “Department” is already defined in § 61.1. What is the need for the revised definition of “Bureau”? We recommend the Department delete this term.

—
**State Board of Medicine
Regulation #16A-4931 (IRRC #2848)**

Perfusionist

July 21, 2010

We submit for your consideration the following comments on the proposed rulemaking published in the May 22, 2010 *Pennsylvania Bulletin*. Our comments are based on criteria in section 5.2 of the Regulatory Review Act (71 P. S. § 745.5b). Section 5.1(a) of the Regulatory Review Act (71 P. S. § 745.5a(a)) directs the State Board of Medicine (Board) to respond to all comments received from us or any other source.

1. Comments of the House Professional Licensure Committee.—Consistency with statute; Reasonableness; Protection of the public welfare; Implementation procedure; Clarity.

On June 23, 2010, the House Professional Licensure Committee (Committee) voted to submit the following comments to the Board:

- The Committee brings to the Board’s attention that proposed Regulation 16A-4931 was published in the May 22, 2010 issue of the *Pennsylvania Bulletin*, approximately 101 days past the eighteen (18) months from the effective date of Act 19 of 2008.

- The Committee requests an explanation as to how the Board will enforce Section 13.3 (a) of the Act. It reads: “[T]wo years after the effective date of this section, it shall be unlawful for any person to hold himself out to the public as a perfusionist or to practice or offer to practice perfusionist unless the person holds a valid, current license issued by the board or the State Board of Osteopathic Medicine.” What happens in the likely circumstance that final rulemaking does not occur before August 11, 2010?

- The Committee requests an explanation of how the Board is notified when a temporary graduate perfusionist fails the Nationally-recognized certifying agency's certification examination upon which failure the license expires.

- The Committee brings to the Board's attention that in § 18.535(c), Application for temporary provisional perfusionist license, there is a reference to an application for certification as a perfusionist. Act 19 of 2008 which amended the Medical Practice Act of 1985 provides for the licensure of perfusionists not certification.

- The Committee recommends that, for consistency, language referring to various jurisdictional entities read "another state (even though, Commonwealth is used), U.S. territory or possession, the District of Columbia or another country" with similar descriptions for the courts.

- The Committee requests an explanation as to how continuing education other than category I credit hours are quantified since it can include, in particular, reading or viewing medical journals, audio-visual, or other educational materials, participation in electronic forums.

- The Committee questions why "working as a clinical or didactic instructor in an accredited school of perfusion" should earn continuing education credit. How many hours can be earned? Can a full-time instructor complete the entire amount of continuing education by working as a clinical or didactic instructor?

- The Committee requests a rationale for not allowing some minimum amount of surplus continuing education credits from being carried over into the next biennial registration period.

- The Committee requests an explanation as to how the Board will handle the implementation of Section 13.3(g) of the Medical Practice Act of 1985. It permits licensure of an applicant who was not a graduate of an accredited program prior to 1981, but met the then-current eligibility requirements for certification as a certified clinical perfusionist and subsequently was certified within two years of the effective date of the Act which basically creates a "grandfather clause." Act 19 became effective on August 11, 2008, and the statutory two years expire on August 11, 2010. The time frame for notice and issuing licenses to those who may wish to take advantage of this opportunity is closing in quickly.

We will review the Board's responses to these issues in our determination of whether the final regulation is in the public interest.

2. Section 18.534. Application for temporary graduate perfusionist license.—Clarity.

Supervision

Section 18.534 does not include the statutory requirement for supervision under 63 P. S. § 422.13c(h)(1)(ii) which states, "... authorization to practice perfusion is granted only under supervision and direction of a perfusionist licensed under this act." We recommend including this limitation in the regulation.

Cross-reference

Paragraph (b)(1) cross-references "section 13.3(h)(1)(i) of the act (63 P. S. § 422.13c(h)(1)(i)." This cross-reference does not appear to be broad enough. Did the Board intend to require the applicant to satisfy several requirements included in 63 P. S. § 422.13c(h)(1), or only the single requirement in Subparagraph (i) relating to examination?

3. Section 18.536. Registration of temporary emergency perfusionist service.—Statutory authority; Consistency with statute; Clarity.

"Another state, the District of Columbia or a territory of the United States"

The phrase "... another state, the District of Columbia or a territory of the United States..." is used in the statute (63 P. S. § 422.13c(j)(1)). The statute also uses the phrase "out-of-State" in 63 P. S. § 422.13c(j)(1)(i), (2) and (3). The regulation uses the phrase "out-of-State" in Subsections (a), (b) and (d). We question whether the phrase "out-of-State" could be misinterpreted to allow licenses from other countries, whereas the phrase "another state, the District of Columbia or a territory of the United States" provides clearer direction. For clarity, the Board should consider using the phrase "another state, the District of Columbia or a territory of the United States" throughout this section of the regulation.

Electronic means

The statute (63 P. S. § 422.13c(j)(1)(i) and (ii)) provides for submittal "by electronic means." The regulation, and in particular Subsection (b), does not include this statutory provision. How will an applicant submit, and how will the Board accept or reject submissions by electronic means? Given the circumstances that would necessitate an emergency exemption, we recommend that the Board include in the regulation its interpretation of submittal by electronic means.

"A one-time emergency perfusionist service"

Under 63 P. S. § 422.13c(j)(1), a perfusionist licensed in another state, the District of Columbia or a territory of the United States "may provide a one-time emergency perfusionist service in this Commonwealth..." Subsection (c) of the regulation states services are not limited to "a single procedure or single patient or group of related patients." The Board should explain how the regulation is consistent with the statutory language.

4. Miscellaneous Clarity.

- Section 18.535(a) concludes with the phrase "temporary **graduate** perfusionist license." This should be corrected to "temporary **provisional** perfusionist license."

- In Paragraph 18.537(a)(3), the word "trail" should be corrected to "trial."

- The first sentence of Paragraph 18.538(a)(1) should be reviewed for clarity.

- The word "earning" should be replaced with "earned" in Paragraph 18.540(c)(2).

State Board of Osteopathic Medicine Regulation #16A-5320 (IRRC #2849)

Perfusionist

July 21, 2010

We submit for your consideration the following comments on the proposed rulemaking published in the May 22, 2010 *Pennsylvania Bulletin*. Our comments are based on criteria in section 5.2 of the Regulatory Review Act (71 P. S. § 745.5b). Section 5.1(a) of the Regulatory Review Act (71 P. S. § 745.5a(a)) directs the State Board of Osteopathic Medicine (Board) to respond to all comments received from us or any other source.

1. Comments of the House Professional Licensure Committee.—Consistency with statute; Reasonableness; Protection of the public welfare; Implementation procedure; Clarity.

On June 23, 2010, the House Professional Licensure Committee (Committee) voted to submit the following comments to the Board:

- The Committee brings to the Board's attention that proposed Regulation 16A-5320 was published in the May 22, 2010 issue of the *Pennsylvania Bulletin*, approximately 101 days past the eighteen (18) months from the effective date of Act 20 of 2008.

- The Committee requests an explanation as to how the Board will enforce Section 13.3 (a) of the Act. It reads: "[T]wo years after the effective date of this section, it shall be unlawful for any person to hold himself out to the public as a perfusionist or to practice or offer to practice perfusion unless the person holds a valid, current license issued by the board or the State Board of Medicine." Act 20 became effective on August 11, 2008, and the statutory two years expire on August 11, 2010.

- The Committee requests an explanation of how the Board is notified when a temporary graduate perfusionist fails the Nationally-recognized certifying agency's certification examination upon which failure the license expires.

- The Committee brings to the Board's attention that in § 25.615(c), Application for temporary provisional perfusionist license, there is a reference to an application for certification as a perfusionist. Act 20 of 2008 which amended the Osteopathic Medical Practice Act of 1978 provides for the licensure of perfusionists not certification.

- The Committee recommends that, for consistency, language referring to various jurisdictional entities read "another state (even though, Commonwealth is used), U.S. territory or possession, the District of Columbia or another country" with similar descriptions for the courts.

- The Committee requests an explanation as to how continuing education other than category I credit hours are quantified since it can include, in particular, reading or viewing medical journals, audio-visual, or other educational materials, participation in electronic forums.

- The Committee questions why "working as a clinical or didactic instructor in an accredited school of perfusion" should earn continuing education credit. How many can be earned? Can a full-time instructor complete the entire amount of continuing education by working as a clinical or didactic instructor?

- The Committee requests a rationale for not allowing some minimum amount of surplus continuing education credits from being carried over into the next biennial renewal period.

- The Committee requests an explanation as to how the Board will handle the implementation of Section 13.3(g) of the Osteopathic Medical Practice Act. It permits licensure of an applicant who was not a graduate of an accredited program prior to 1981, but met the then-current eligibility requirements for certification as a certified clinical perfusionist and subsequently was certified within two years of the effective date of the Act which basically creates a "grandfather clause." The Act 20 became effective on August 11, 2008 and the statutory two years expire on August 11, 2010. The time frame for notice and issuing licenses to those who may wish to take advantage of this opportunity is closing in quickly.

We will review the Board's responses to these issues in our determination of whether the final regulation is in the public interest.

2. Section 25.814. Application for temporary graduate perfusionist license.—Clarity.

Supervision

Section 25.814 does not include the statutory requirement for supervision under 63 P. S. § 271.13c(h)(2) which states, "... authorization to practice perfusion is granted only under the supervision and direction of a perfusionist licensed under this act." We recommend including this limitation in the regulation.

Cross-reference

Paragraph (b)(1) cross-references "section 13.3(h)(1)(i) of the act (63 P. S. § 271.13c(h)(1)(i))." This cross-reference does not appear to be correct. Did the Board intend to require the applicant to satisfy several requirements included in 63 P. S. § 271.13c(h)?

3. Section 25.816. Registration of temporary emergency perfusionist service.—Statutory authority; Consistency with statute; Clarity.

"Another state, the District of Columbia or a territory of the United States"

The phrase "... another state, the District of Columbia or a territory of the United States..." is used in the statute (63 P. S. § 271.13c(j)(1)). The statute also uses the phrase "out-of-State" in 63 P. S. § 271.13c(j)(1)(i), (2) and (3). The regulation uses the phrase "out-of-State" in Subsections (a), (b) and (d). We question whether the phrase "out-of-State" could be misinterpreted to allow licenses from other countries, whereas the phrase "another state, the District of Columbia or a territory of the United States" provides clearer direction. For clarity, the Board should consider using the phrase "another state, the District of Columbia or a territory of the United States" throughout this section of the regulation.

Electronic means

The statute (63 P. S. § 271.13c(j)(1)(i) and (ii)) provides for submittal "by electronic means." The regulation, and in particular Subsection (b), does not include this statutory provision. How will an applicant submit, and how will the Board accept or reject submissions by electronic means? Given the circumstances that would necessitate an emergency exemption, we recommend that the Board include in the regulation its interpretation of submittal by electronic means.

"A one-time emergency perfusionist service"

Under 63 P. S. § 271.13c(j)(1), a perfusionist licensed in another state, the District of Columbia or a territory of the United States "may provide a one-time emergency perfusionist service in this Commonwealth..." Subsection (c) of the regulation states services are not limited to "a single procedure or single patient or group of related patients." The Board should explain how the regulation is consistent with the statutory language.

4. Miscellaneous Clarity.

- Section 25.815(a) concludes with the phrase "temporary graduate perfusionist license." This should be corrected to "temporary provisional perfusionist license."

- The first sentence of Paragraph 25.818(a)(1) should be reviewed for clarity.

- The word "earning" should be replaced with "earned" in Paragraph 25.820(c)(2).

ARTHUR COCCODRILLI,
Chairperson

[Pa.B. Doc. No. 10-1411. Filed for public inspection July 30, 2010, 9:00 a.m.]

Notice of Filing of Final Rulemakings

The Independent Regulatory Review Commission (Commission) received the following regulations. They are scheduled to be considered on the date noted. The Commission's public meetings are held at 333 Market Street, 14th Floor, Harrisburg, PA at 10 a.m. To obtain a copy of the regulation, interested parties should first contact the promulgating agency. If a copy cannot be obtained from the promulgating agency, the Commission will provide a copy or a copy can be obtained on the web site, www.irrc.state.pa.us.

Final-Form

Reg. No.	Agency/Title	Received	Public Meeting
6-322	State Board of Education Academic Standards and Assessment	7/16/10	8/19/10
7-451	Environmental Quality Board Water Quality Standards Implementation	7/16/10	8/19/10
7-443	Environmental Quality Board National Pollutant Discharge Elimination System (NPDES) Permitting, Monitoring and Compliance	7/16/10	8/19/10
7-444	Environmental Quality Board Outdoor Wood-Fired Boilers	7/16/10	8/19/10

ARTHUR COCCODRILLI,
Chairperson

[Pa.B. Doc. No. 10-1412. Filed for public inspection July 30, 2010, 9:00 a.m.]

INSURANCE DEPARTMENT

Aetna Health, Inc.; Small Group—Adjusted Community Rating; Applicability—Group Size of Less than 51; Rate Filing

On July 8, 2010, the Insurance Department (Department) received a filing from Aetna Health, Inc. requesting approval to adjust its small group rates. Groups that renew in the fourth quarter 2010 will see an average annual rate increase of 3.6%. Groups that renew in the first quarter 2011 will see an average annual rate increase of 1.0%. Groups that renew in the second quarter 2011 will see an average annual rate increase of 5.0%. Groups that renew in the third quarter 2011 will see an average annual rate increase of 9.2%. Note that these increases may vary, depending on the specific characteristics of a group.

The filing will affect approximately 2,700 members and generate additional revenue of approximately \$1.6 million annually. An effective date of October 1, 2010, is requested.

Unless formal administrative action is taken prior to October 14, 2010, the subject filing may be deemed approved by operation of law.

A copy of the filing is available on the Department's web site at www.ins.state.pa.us. Under the Quick Links section, click on the link "Rate Filings Published in the PA Bulletin."

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

Interested parties are invited to submit written comments, suggestions or objections to Cherri Sanders-Jones, Insurance Department, Insurance Product Regulation, Room 1311, Strawberry Square, Harrisburg, PA 17120,

csandersjo@state.pa.us within 30 days after publication of this notice in the *Pennsylvania Bulletin*.

JOEL SCOTT ARIO,
Insurance Commissioner

[Pa.B. Doc. No. 10-1413. Filed for public inspection July 30, 2010, 9:00 a.m.]

Allstate Insurance Company; Homeowners; Rate Revision; Rate Filing

On July 12, 2010, the Insurance Department (Department) received from Allstate Insurance Company a filing for a rate level change for homeowners insurance.

The company requests an overall 4.4% increase amounting to \$8,557,222 annually, to be effective October 18, 2010, for new business and December 2, 2010, for renewal business.

Unless formal administrative action is taken prior to August 11, 2010, the subject filing may be deemed approved by operation of law.

A copy of the filing is available on the Department's web site at www.insurance.pa.gov. To access the filing, under "How to Find..." click on "View Current Rate Filings."

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

JOEL SCOTT ARIO,
Insurance Commissioner

[Pa.B. Doc. No. 10-1414. Filed for public inspection July 30, 2010, 9:00 a.m.]

Application for Approval of Proposed Merger of National Safety Life Insurance Company with and into Columbian Life Insurance Company

Columbian Life Insurance Company, an Illinois domiciled stock life insurance company, has filed an application for approval to merge with National Safety Life Insurance Company, a domestic stock life insurance company, with Columbia Life Insurance Company surviving the merger. The filing was made under Article XIV of The Insurance Company Law of 1921 (40 P. S. §§ 991.1401—991.1413); 15 Pa.C.S. §§ 1921—1932 (relating to merger, consolidation, share exchanges and sale of assets) and the GAA Amendments Act of 1990 (15 P. S. §§ 21101—21208).

Persons wishing to comment on the merger are invited to submit a written statement to the Insurance Department (Department) within 7 days from the date of this issue of the *Pennsylvania Bulletin*. Each written statement must include name, address and telephone number of the interested party; identification of the application to which the statement is addressed; and a concise statement with sufficient detail and relevant facts to inform the Department of the exact basis of the statement. Written statements should be directed to Robert Brackbill, Company Licensing Division, Insurance Department, 1345 Strawberry Square, Harrisburg, PA 17120, fax (717) 787-8557 or rbrackbill@state.pa.us.

JOEL SCOTT ARIO,
Insurance Commissioner

[Pa.B. Doc. No. 10-1415. Filed for public inspection July 30, 2010, 9:00 a.m.]

Erie Insurance Exchange; Private Passenger Automobile; Rate and Rule Revisions; Rate Filing

On July 16, 2010, the Insurance Department (Department) received from Erie Insurance Exchange a rate and rule filing for its new Rate Protection Endorsement.

This endorsement is available only on Erie Insurance Exchange policies which provide coverage for at least one private passenger type vehicle with a model year of at least 1990. If the Rate Protection Endorsement is added to the policy, the policy's premium will be modified and the modified premium will only change if one or more of the following changes occur:

1. Change to the location where an insured vehicle is principally garaged.
2. Addition, deletion, or replacement of an auto.
3. Addition or deletion of a licensed driver in the household.
4. Addition or deletion of coverage.
5. Changes to a limit, deductible, tort selection, multi-policy status, accident prevention course status or payment plan.

If none of the previous changes occur, the modified annual policy premium will remain the same.

Unless formal administrative action is taken prior to September 14, 2008 the subject filing may be deemed approved by operation of law.

A copy of the filing is available on the Department's web site at www.insurance.pa.gov. To access the filing, under "How to Find..." click on "View Current Rate Filings."

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

JOEL SCOTT ARIO,
Insurance Commissioner

[Pa.B. Doc. No. 10-1416. Filed for public inspection July 30, 2010, 9:00 a.m.]

PENNSYLVANIA PUBLIC UTILITY COMMISSION

Electric Transmission

A-2010-2187540 and A-2010-2187542. Trans-Allegheny Interstate Line Company (TrAILCo). Application of Trans-Allegheny Interstate Line Company (TrAILCo) for approval for the siting and construction of a 138 kV transmission line and related facilities collectively, the Osage-Whiteley Line Facilities or Project, along with the power to exercise Eminent Domain, in portions of Dunkard, Perry and Whiteley Townships, Greene County in southwestern Pennsylvania.

Formal protests and petitions to intervene must be filed in accordance with 52 Pa. Code (relating to public utilities). Filings must be made with the Secretary of the Pennsylvania Public Utility Commission, P. O. Box 3265, Harrisburg, PA 17105-3265, with a copy served on the applicant, on or before September 20, 2010. The documents filed in support of the application are available for inspection and copying at the Office of the Secretary between 8 a.m. and 4:30 p.m., Monday through Friday, and at the applicant's business address.

Applicant: Trans-Allegheny Interstate Line Company (TrAILCo)

Through and By Counsel: W. Edwin Ogden, Alan Michael Seltzer, Ryan, Russell, Ogden & Seltzer P.C., 1150 Berkshire Boulevard, Suite 210, Wyomissing, PA 19610

Randall B. Palmer, Assistant General Counsel, Allegheny Energy, Inc., 800 Cabin Hill Drive, Greensburg, PA 15601-1689

ROSEMARY CHIAVETTA,
Secretary

Notice

This is to inform you that an Initial Prehearing Conference on the previously-captioned case will be held as follows:

Date: Tuesday, September 28, 2010
Time: 10 a.m.
Location: 2nd Floor Hearing Room—
Pittsburgh Parties
Piatt Place
Suite 220
301 Fifth Avenue
Pittsburgh, PA 15222

Location: Hearing Room 2—
Harrisburg Parties
Plaza Level
Commonwealth Keystone Building
400 North Street
Harrisburg, PA

Presiding: Administrative Law
Judge Katrina Dunderdale
Piatt Place
Suite 220
301 5th Avenue
Pittsburgh, PA 15222
Telephone: (412) 565-3550
Fax: (412) 565-5692

Persons with a disability who wish to attend the prehearing, 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 prehearing to submit a request.

For those 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

[Pa.B. Doc. No. 10-1417. Filed for public inspection July 30, 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 August 16, 2010. Documents filed in support of the applications are available for inspection and copying at the Office of the Secretary between 8 a.m. and 4:30 p.m., Monday through Friday, and at the business address of the respective applicant.

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

A-2010-2188609. Dennis M. Pipkin, II, d/b/a Pip's Transport (321 East Loudon Street, Philadelphia, Philadelphia County, PA 19120), for the right to begin to transport, as a common carrier, by motor vehicle, persons in paratransit service, from points in Philadelphia to Pennsylvania State Correctional Facilities: Houtzdale (Clearfield County), Cresson (Cambria County), Pine Grove (Indiana County), Huntingdon and Smithfield

(Huntingdon County) and Rockview (Centre County), and return.

A-2010-2189005. T. M. McDermott & Co., Inc. (900 Vista Drive, West Chester, Chester County, PA 19380)—a corporation of the Commonwealth, to begin to transport, as a common carrier, by motor vehicle, persons, in limousine service, from points in the Counties of Chester, Delaware and Montgomery, to points in Pennsylvania, and return; excluding that service under the jurisdiction of the Philadelphia Parking Authority.

Application of the following for the approval of the *transfer of stock as described under the application.*

A-2010-2188860. Hi Line Limousine Service, Inc., a corporation of the Commonwealth (1800 Bayberry Road, Suite 905, Huntingdon Valley, Montgomery County, PA 19006)—for the approval of the transfer of 33 1/3 shares of issued and outstanding shares held by Miriam Krit to Inna Friedman (16.66 shares) and Paula Szejman (16.66 shares).

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

A-2010-2188628. Galil Moving & Storage, Inc. (111 Linnet Street, Bayonne, Hudson County, NJ 07002), a corporation of the State of New York, for the discontinuance of service and cancellation of its Certificate of Public Convenience, as a contract carrier of household goods in use, for REO Allegiance, Inc., between points in Pennsylvania. *Attorney:* Joel B. Albert, Esquire, 2 Bala Plaza, Suite 716, Bala Cynwyd, PA 19004.

ROSEMARY CHIAVETTA,
Secretary

[Pa.B. Doc. No. 10-1418. Filed for public inspection July 30, 2010, 9:00 a.m.]

Telecommunications

A-2010-2188784. Verizon Pennsylvania, Inc. and Dyalink Communications, Inc. Joint petition of Verizon Pennsylvania, Inc. and Dyalink Communications, Inc. for approval of an interconnection agreement under section 252(e) of the Telecommunications Act of 1996.

Verizon Pennsylvania, Inc. and Dyalink Communications, Inc., by its counsel, filed on July 15, 2010, at the Pennsylvania Public Utility Commission (Commission), a joint petition for approval of an interconnection agreement under sections 251 and 252 of the Telecommunications Act of 1996.

Interested parties may file comments concerning the petition and agreement with the Secretary, Pennsylvania Public Utility Commission, P. O. Box 3265, Harrisburg, PA 17105-3265. Comments are due on or before 10 days after the date of publication of this notice. Copies of the Verizon Pennsylvania, Inc. and Dyalink Communications, Inc. joint petition are on file with the Commission and are available for public inspection.

The contact person is Cheryl Walker Davis, Director, Office of Special Assistants, (717) 787-1827.

ROSEMARY CHIAVETTA,
Secretary

[Pa.B. Doc. No. 10-1419. Filed for public inspection July 30, 2010, 9:00 a.m.]

Telecommunications Services

A-2010-2187730; A-2010-2187731; A-2010-2187734; A-2010-2187736; A-2010-2187738; A-2010-2187739; A-2010-2187753; A-2010-2187755; A-2010-2187757; A-2010-2187761; A-2010-2187767; A-2010-2187769; A-2010-2187770; A-2010-2187772; A-2010-2187775; A-2010-2187778; A-2010-2187783; A-2010-2187785; A-2010-2187787; A-2010-2187789; A-2010-2187791; A-2010-2187793; A-2010-2187795; A-2010-2187798; A-2010-2187801; A-2010-2187804; A-2010-2187806; A-2010-2187808; A-2010-2187810; A-2010-2187813; A-2010-2187814; A-2010-2187815; A-2010-2187818; A-2010-2187822; A-2010-2187823; A-2010-2187828; A-2010-2187829. **NextGen Communications, Inc.** Application of NextGen Communications, Inc. for approval to offer, render, furnish or supply telecommunications services as a competitive local exchange carrier to the public in this Commonwealth in the service territories of: Armstrong Telephone Company—North; Armstrong Telephone Company PA; Bentleyville Communications Corp.; Citizens Telephone of Kecksburg; Citizens Communications, d/b/a Citizens Telephone of NY; Consolidated Communications of Pennsylvania Company; Frontier Communications of Breezewood, LLC; Frontier Communications of Canton, LLC; Frontier Communications Commonwealth Telephone Company, LLC; Frontier Communications of Pennsylvania, LLC; Frontier Communications of Lakewood, LLC; Frontier Communications of Oswayo River, LLC; Hancock Telephone Company; Hickory Telephone Company; Ironton Telephone Company; Lackawaxen Telecommunications Services, Inc.; Laurel Highland Telephone Company; Marianna & Scenery Hill Telephone Company; North Penn Telephone Company; North-Eastern PA Telephone Company; Palmerton Telephone Company; Pennsylvania Telephone Company; Pymatuning Independent Telephone Company; South Canaan Telephone Company; TDS—Deposit Telephone Company, Inc.; TDS—Mahanoy & Mahantango Telephone Company; TDS—Sugar Valley Telephone Company; United Telephone Company of PA, d/b/a CenturyLink; Venus Telephone Corporation; Verizon North, Inc.; Verizon Pennsylvania, Inc.; West Side Telephone Company; Windstream Pennsylvania, LLC; Windstream Buffalo Valley Telephone Company; Windstream Conestoga Telephone Company; Windstream D & E Telephone Company; Yukon Waltz Telephone Company.

Formal protests and petitions to intervene must be filed in accordance with 52 Pa. Code (relating to public utilities). Filings must be made with the Secretary of the Pennsylvania Public Utility Commission, P. O. Box 3265, Harrisburg, PA 17105-3265, with a copy served on the applicant, on or before August 16, 2010. The documents filed in support of the application are available for inspection and copying at the Office of the Secretary between 8 a.m. and 4:30 p.m., Monday through Friday, and at the applicant's business address.

Applicant: NextGen Communications, Inc.

Through and By Counsel: Daniel P. Delaney, Esq., Jessica Leigh Wray, Esq., K & L Gates, LLP, 17 North Second Street, 18th Floor, Harrisburg, PA 17101-1507

ROSEMARY CHIAVETTA,
Secretary

[Pa.B. Doc. No. 10-1420. Filed for public inspection July 30, 2010, 9:00 a.m.]

PHILADELPHIA REGIONAL PORT AUTHORITY

Request for Bids

The Philadelphia Regional Port Authority (PRPA) will accept sealed bids for Project No. 10-080.1, On-Call Roof Investigation & Repairs at PRPA Piers until 2 p.m. on Thursday, August 26, 2010. The bid documents can be obtained from the PRPA web site www.philaport.com and will be available August 3, 2010. PRPA is an equal opportunity employer. Contractors must comply with all applicable EOE laws.

A mandatory prebid job site meeting will be held August 12, 2010, 10 a.m. at PRPA, 3460 North Delaware Avenue, 2 Floor, Philadelphia, PA 19134. Bidders must provide to the Procurement Department in writing (24 hours prior to the meeting), the names of individuals that will be attending. Fax them to (215) 426-6800, Attn: Procurement Department.

JAMES T. McDERMOTT, Jr.,
Executive Director

[Pa.B. Doc. No. 10-1421. Filed for public inspection July 30, 2010, 9:00 a.m.]

STATE BOARD OF EDUCATION

Academic Standards for Reading, Writing, Speaking and Listening and Mathematics

Acting under authority granted to it by Article XXVI-B of the Public School Code of 1949 (24 P. S. §§ 26-2601-B—26-2606-B), the State Board of Education (Board) on July 1, 2010, by unanimous public vote, formally approved amendments to 22 Pa. Code Chapter 4 (relating to academic standards and assessment) that will revise academic standards in Reading, Writing, Speaking and Listening and Mathematics, with full implementation of the revised standards required by July 1, 2013. See <http://www.pde.state.pa.us>.

Through these amendments, the Board has adopted a uniform set of academic standards in English language arts and mathematics developed through the "Common Core State Standards Initiative." The Common Core initiative is coordinated by the National Governors Association (NGA) and the Council of Chief State School Officers to provide a clear framework to prepare the nation's children for college and the workforce.

The Board's action moves the standards revision process forward using the Common Core State Standards in English Language Arts (ELA) and Mathematics publicly released on June 2, 2010. Since the release of the Common Core standards, 27 states (as of July 21) have adopted the Common Core standards, and the NGA expects that approximately 40 states will take action by September 2010. The kindergarten through 12th grade standards draw from best practices Nationally (including this Commonwealth's nearly 20-year history of standards-based education reform) and international benchmarking to set learning goals aligned with expectations for success in college, career and the global economy. Under the amended regulation, students enrolled in public schools in this Commonwealth (including public charter schools) will be expected to demonstrate achievement on these standards beginning in the 2013-2014 school year.

The Board's adoption of the Common Core ELA and Mathematics standards also maximizes the Commonwealth's prospects for success in receiving funding under Phase 2 of the Race to the Top (RTTT) Fund program initiated by the United States Department of Education (see 74 FR 59688 (November 18, 2009) and 75 FR 19496 (April 14, 2010)) as part of its administration of the State Fiscal Stabilization Fund established by Title XIV of the American Recovery and Reinvestment Act of 2009 (Pub. L. No. 111-5, 123 Stat. 115). Under the RTTT Fund program, a state must adopt Common Core standards August 2, 2010, to maximize its score in this competitive grant program. See 74 FR 59688, 59802 and 75 FR 19496, 19503. The Board's action on July 1, 2010, meets this RTTT Fund program criteria. If successful in its application for RTTT funding, the Commonwealth would receive up to approximately \$400 million to advance a comprehensive school reform agenda.

The Board adopted its amendments to 22 Pa. Code Chapter 4 as a final-omitted rulemaking under section 204(3) of the act of July 31, 1968 (P. L. 769, No. 240) (45 P. S. § 1204(3)), known as the Commonwealth Documents Law (CDL). The rulemaking has been reviewed and approved by the Governor's Office of Planning and Policy, the Office of the Budget and the Office of General Counsel. The Board also has submitted the final-omitted rulemaking to the Office of Attorney General, the Education Committees of the Senate and House of Representatives and the Independent Regulatory Review Commission for review under the Regulatory Review Act (71 P. S. §§ 741.1—745.12), the CDL and the Commonwealth Attorneys Act (71 P. S. §§ 732-101—732-560). The Board will formally publish the final-omitted rulemaking in the *Pennsylvania Bulletin* following the conclusion of regulatory review.

Interested persons may contact Adam Schott, Executive Director of the State Board of Education, 333 Market

Street, Harrisburg, PA 17126-0333, (717) 783-6808 or adschott@state.pa.us.

ADAM A. SCHOTT,
Executive Director

[Pa.B. Doc. No. 10-1422. Filed for public inspection July 30, 2010, 9:00 a.m.]

STATE BOARD OF MEDICINE

Bureau of Professional and Occupational Affairs v. Clement I. Momah, MD; Doc. No. 2119-49-09

On July 1, 2010, Clement I. Momah, MD, license no. MD049919L, of Laurel, MD, had his Pennsylvania license indefinitely suspended based on disciplinary action taken against his license by the proper licensing authority of another state.

Individuals may obtain a copy of the final order by writing to Sabina I. Howell, Board Counsel, State Board of Medicine, P. O. Box 2649, Harrisburg, PA 17105-2649.

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

CAROL E. ROSE, MD,
Chairperson

[Pa.B. Doc. No. 10-1423. Filed for public inspection July 30, 2010, 9:00 a.m.]

TOWNSHIP OF EDGMONT

Approvals Under Act 46 of 2010

The Township of Edgmont, Delaware County, Pennsylvania, in accordance with Act 46 of 2010 (the "Act"), publishes this notice that Approvals granted by the Township which fall within the Extension Period are subject to the Automatic Suspension provisions of the Act, as applicable.

SAMANTHA REINER,
Township Manager

[Pa.B. Doc. No. 10-1424. Filed for public inspection July 30, 2010, 9:00 a.m.]

