

NOTICES

DEPARTMENT OF AGRICULTURE

Order of Quarantine; Emerald Ash Borer

Recitals

A. Emerald Ash Borer (EAB), *Agrilus planipennis* (*Fairemaire*)—a beetle indigenous to Asia—is a serious plant pest that attacks and kills ash trees belonging to the genus *Fraxinus*. EAB has worked its way east from Michigan, where it was first detected in 2002.

B. EAB has killed 40 million ash trees during the short time it has been present in North America. Typically, trees are killed within 3 years of the initial attack by this beetle. EAB presents a clear threat to this Commonwealth's forest and horticultural resources.

C. The Plant Pest Act (act) (3 P. S. §§ 258.1—258.27) empowers the Department of Agriculture (Department) to take various measures to detect, contain and eradicate plant pests. These powers include the authority to establish quarantines to prevent the spread of plant pests within this Commonwealth.

D. The Department has issued previous EAB-related Orders of Quarantine, establishing a quarantined area that includes all of Allegheny, Armstrong, Beaver, Bedford, Butler, Indiana, Juniata, Lawrence, Mercer, Mifflin, Washington and Westmoreland Counties, and restricting the movement of designated articles and materials from this quarantined area.

E. EAB has recently been detected in Centre, Cumberland, Fulton, Somerset and Union Counties—counties outside of the current quarantined area—making it necessary to expand the quarantined area to include these counties. In addition, as the quarantined area continues to expand, the Department believes it is necessary to further expand the quarantined area to include various counties adjacent to counties in which EAB has, to date, been discovered. These additional counties include Blair, Cambria, Cameron, Clarion, Clearfield, Clinton, Columbia, Crawford, Elk, Erie, Fayette, Forest, Franklin, Greene, Huntingdon, Jefferson, Lycoming, McKean, Montour, Northumberland, Perry, Potter, Snyder, Tioga, Venango and Warren Counties.

Order

Under authority of section 21 of the act (3 P. S. § 258.21), and with the Recitals previously listed incorporated into this Order by reference, the Department orders the following:

1. Confirmation of Quarantine; Addition of Counties to the Quarantined Area.

a. The quarantine established by previous Orders with respect to Allegheny, Armstrong, Beaver, Bedford, Butler, Indiana, Juniata, Lawrence, Mercer, Mifflin, Washington and Westmoreland Counties (collectively, the "quarantined area") remains in effect, subject to the conditions set forth in this Order.

b. A quarantine is hereby established with respect to Blair, Cambria, Cameron, Centre, Clarion, Clearfield, Clinton, Columbia, Crawford, Cumberland, Elk, Erie, Fayette, Forest, Franklin, Fulton, Greene, Huntingdon,

Jefferson, Lycoming, McKean, Montour, Northumberland, Perry, Potter, Snyder, Somerset, Tioga, Union, Venango and Warren Counties.

2. *Limitations Imposed.* The following objects or materials may not be moved out of the quarantined area, unless done in accordance with Paragraph No. 3 of this Order:

- a. The Emerald Ash Borer in any living stage of development;
- b. Ash trees of any size;
- c. Ash limbs, branches, stumps and roots;
- d. Any cut, nonconiferous (hardwood) firewood;
- e. Nonconiferous (hardwood) bark and nonconiferous (hardwood) wood chips larger than 1 inch in two dimensions;
- f. Ash logs and lumber with either the bark or the outer 1 inch of sapwood, or both, attached;
- g. Any item made from or containing the wood of the ash tree that is capable of spreading emerald ash borer; and
- h. Any other article, product or means of conveyance determined by the Department to present a risk of spreading the EAB infestation.

3. *Movement of regulated articles from quarantined areas.* An article described in Paragraph No. 2 of this Order may be moved from a quarantined area only under the following circumstances:

- a. *With* a valid certificate or limited permit (as described in Paragraph No. 4) attached;
- b. *Without* a certificate or limited permit (as described in Paragraph No. 4) attached if:
 - i. The regulated article is moved by the United States Department of Agriculture or the Department for experimental or scientific purposes; or
 - ii. The regulated article originates outside the quarantined area and is moved intrastate through the quarantined area under the following conditions:

A. The points of origin and destination are indicated on a waybill accompanying the regulated article; and

B. The regulated article, if moved through the quarantined area during the period of May 1 through August 31 or when the ambient air temperature is 40° F or higher, is moved in an enclosed vehicle or is completely covered to prevent access by the EAB; and

C. The regulated article is moved directly through the quarantined area without stopping (except for refueling or for traffic conditions, such as traffic lights or stop signs), or has been stored, packed or handled at locations approved by an inspector as not posing a risk of infestation by emerald ash borer; and

D. The article has not been combined or commingled with other articles so as to lose its individual identity.

c. Without a certificate or limited permit (as described in Paragraph No. 4) attached if a USDA-issued or USDA-authorized (by USDA compliance agreement) certificate or permit is attached.

4. *Obtaining a Certificate or Limited Permit from the Department for Intrastate Movement of Articles.* The Department or a person operating under a compliance

agreement will issue a certificate or limited permit authorizing the intrastate movement of articles described in Paragraph No. 2 of this Order if it is satisfied that all of the following are accurate:

a. The article is either of the following:

i. The article is apparently free of EAB, based on inspection; or the article has been grown, produced, manufactured, stored or handled in a manner that, in the judgment of the Department, prevents the article from presenting a risk of spreading EAB; or

ii. The article is to be moved to a specified destination for specific processing, handling or utilization (the destination and other conditions to be listed on the advance written permission), and this movement will not result in the spread of EAB because EAB will be destroyed by the specific processing, handling or utilization; and

b. The article is to be moved in compliance with this Order and any additional emergency conditions that the Department may impose under the Plant Pest Act in order to prevent the artificial spread of EAB; and

c. The article is eligible for intrastate movement under all other Federal domestic plant quarantines and regulations applicable to the regulated articles.

5. *Cancellation of a Certificate or Limited Permit.* Any certificate or limited permit may be canceled orally or in writing by the Department whenever the Department determines that the holder of the certificate or limited permit has not complied with the act or this Order. If the cancellation is oral, the cancellation will become effective immediately, and the cancellation and the reasons for the cancellation will be confirmed in writing as soon as circumstances permit.

6. *Compliance Agreements.* The Department will consider entering into a compliance agreement with any person that demonstrates an understanding of the requirements of this Order and otherwise satisfies the Department it is capable of issuing certificates or limited permits in accordance with the requirements of this Order. The Department shall either provide blank certificates and limited permits to a person operating under a compliance agreement or authorize reproduction of the certificates or limited permits on shipping containers, or both, as requested by the person operating under the compliance agreement. These certificates and limited permits may then be completed and used, as needed, for the intrastate movement of regulated articles that have met all of the requirements of Paragraph No. 4.

7. *Documentation to Accompany Articles in Intrastate Movement from the Quarantined Area.* If an article described in Paragraph No. 2 of this Order is to be moved intrastate from the quarantined area, the article must be plainly marked with the name and address of the consignor and the name and address of the consignee and must have a copy of the applicable Department-issued or Department-authorized (by compliance agreement as described in Paragraph No. 6) certificate or limited permit securely attached at all times during intrastate movement attached to the article itself, or to the container carrying the article, or to the consignee's copy of the accompanying waybill: Provided, that the description of the article on the certificate or limited permit, and on the waybill, are sufficient to identify the regulated article. The carrier must furnish the certificate or limited permit authorizing the intrastate movement of the article to the consignee at the destination of the shipment.

8. *Federal Requirements for Interstate Movement of Articles.* This Order is distinct from, and in addition to,

any Federal statute, regulation or quarantine order addressing the interstate movement of articles from the quarantined area or this Commonwealth.

9. *Contacting the Department.* A person seeking information about the requirements of this Order, or a limited permit for intrastate movement of quarantined articles, or a compliance agreement for intrastate movement of quarantined articles, shall contact the Department at: Department of Agriculture, Attention: Walt Blosser, 2301 North Cameron Street, Harrisburg, PA 17110-9408, (717) 772-5205, wblosser@state.pa.us.

10. *Criminal and Civil Penalties.* A person who violates this Order will face summary criminal prosecution carrying up to 90 days imprisonment and a fine of up to \$300 with respect to each violation. In addition, a person who violates this Order may be assessed a civil penalty of up to \$20,000 with respect to each violation.

11. *Cooperation with other agencies.* The Department will consult with USDA, other State agencies and the Pennsylvania State University Cooperative Extension with respect to the most efficacious measures to survey for and detect EAB to slow the spread or eradicate this pest.

12. *Effective Date.* This quarantine is effective as of August 1, 2010, and shall remain in effect until rescinded by subsequent order.

RUSSELL C. REDDING,
Secretary

[Pa.B. Doc. No. 10-1523. Filed for public inspection August 20, 2010, 9:00 a.m.]

DEPARTMENT OF CONSERVATION AND NATURAL RESOURCES

Intent to Apply for Patent on Unappropriated Lands

The Commonwealth of Pennsylvania, acting by and through the Department of Conservation and Natural Resources (Department), Bureau of Forestry, intends to acquire the unappropriated land as provided in 68 Pa.C.S. Chapter 61 (relating to Pennsylvania Public Lands Act).

The Commonwealth intends to claim and patent a certain tract of land situated in Curtin Township, Centre County. The tract being 136.89 acres of unappropriated, unimproved mountain ground, being a portion of the J. Z. Long Warrant (A-75-151); being more particularly described as follows:

Beginning at a found Iron pin in stones, said corner being the south east corner of said tract, also said corner being corner point of three warrants, the Charles Bruce, the Jesse Brooke, and the Rebecca Kelso warrants.

Thence, North 88° 33' 01" West along Rebecca Kelso warrant 2,663.22 feet to found stones corner, said corner being corner point for two warrants, the Rebecca Kelso and the James White warrant.

Thence, South 87° 25' 49" West along the James White warrant passing through found stones at 5,326.57 feet, continuing along the James White warrant 5,616.64 feet

to Set Rebar and Stones corner, said corner being the south west corner of said tract, corner also being North West corner of the James White warrant and lying on the J. W. Packer Warrant's Eastern Line.

Thence, North 2° 39' 04" West along the J. W. Packer warrant 840.48 feet to a corner point, said point being the North West corner of said tract, said point lying on the southern line of the Michael Myers warrant.

Thence, North 89° 31' 02" East along the Michael and the Philip Myers warrants 7,252 feet to a found stones corner, said corner being the corner point of two warrants, the Philip Myers and J. Z. Long warrants (C-8-97).

Thence, North 89° 31' 02" East along the J. Z. Long warrant 1,051.41 feet to a corner point, said corner being the North East corner of said tract, said corner being the South East corner of the J. Z. Long warrant and lying on the Western line of the Charles Bruce warrant.

Thence, South 00° 43' 13" East along Charles Bruce warrant 725.17 feet to found Iron Pin in stones corner, Point Of Beginning.

As is the policy of the Department, the public is hereby notified of the Commonwealth's intent to acquire the unappropriated lands. A 30-day period for public inquiry and comment will be in effect beginning August 28, 2010, and ending September 27, 2010. Oral or written comments or questions concerning this transaction may be addressed to Dan Devlin, State Forester, Bureau of Forestry, P. O. Box 8552, Harrisburg, PA 17105-8552, (717) 787-4837. All oral and/or written comments will become part of the official document used in the final decision process.

JOHN QUIGLEY,
Secretary

[Pa.B. Doc. No. 10-1524. Filed for public inspection August 20, 2010, 9:00 a.m.]

DEPARTMENT OF ENVIRONMENTAL PROTECTION

Applications, Actions and Special Notices

APPLICATIONS

THE PENNSYLVANIA 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 listed 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 listed 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 applications 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 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 any 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>
PA0029653 (Sewage)	Jewish Community Center Day Camp Route 502 Daleville, PA 18444	Lackawanna County Covington Township	Spring Brook 5-A	Y
PA0060593 (Sewage)	Little Washington Wastewater Company (Laurel Lakes WWTF) 762 West Lancaster Avenue Bryn Mawr, PA 19010-3489	Luzerne County Rice Township	Nuangola Outlet to Little Wapwallopen Creek 5-B	Y
PA0014681 (Industrial Waste)	Nestle Purina PetCare Company 2050 Pope Road Allentown, PA 18104-9308	Lehigh County South Whitehall Township	Unnamed Tributary to Jordan Creek 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>
PA0246999 (Transfer)	David R. Marshall 7886 Lincoln Way West St. Thomas, PA 17252	St. Thomas Township Franklin County	UNT Campbell Run 13-C	Y
PA0081388 (Sew)	Barcas, Inc. Robert Barclay 14871 Mount Olivet Road Stewartstown, PA 17363	York County North Hopewell Township	UNT of East Branch Codorus Creek 7-H	Y
PA0009016 (IW)	Osram Sylvania Products, Inc. 1128 Roosevelt Avenue York, PA 17404-2348	York County West Manchester Township	Willis Run 7-H	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>
PA0221554 (Sewage)	Bruce Wish Management, LP 1605 Old Route 18 Wampum, PA 16157	Lawrence County New Beaver Borough	Beaver River 20-B	Y
PA0221481 (Industrial Waste)	Norfolk Southern Meadville Yard Linden and Water Streets Meadville, PA 16335	Crawford County Meadville City	French Creek 16-D	Y
PA0102717 (Sewage)	Sandy Hill Estates MHP 120 Deer Run Road Middlesex, PA 16059	Butler County Middlesex Township	Glade Run 20-C	Y

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

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

PA0243965, Industrial Waste, SIC Code 3273, **Silvi Concrete of Chester County, LLC**, 355 Newbold Road, Fairless Hills, PA 19030-4313. Facility Name: Silvi Concrete Oxford Plant. This existing facility is located in Lower Oxford Township, **Chester County**.

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

The receiving stream(s), Unnamed Tributary to West Branch Big Elk Creek, is located in State Water Plan watershed 7-K and is classified for High Quality Waters-Trout Stocking and Mi, 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 stormwater runoffs.

Parameters	Minimum	Concentration (mg/l)		Instantaneous Maximum
		Annual Average	Daily Maximum	
pH (S.U.)	6.0		9.0	
Total Suspended Solids		50	100	100
Oil and Grease		Report	Report	Report

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

1. DMR to DEP.
2. BAT guidelines.
3. Change of ownership.
4. I-MAX.
5. Stormwater outfalls requirements.

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.

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

PA0261530, Sewage, SIC Code 6514, **David W. Ketner**, 159 Garland Drive, Carlisle, PA 17013. Facility Name: Ketner SFTF This proposed facility is located in North Middleton Township, **Cumberland County**.

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

The receiving stream(s), Conodoguinet Creek, is located in State Water Plan watershed 7-B and is classified for Migratory Fishes, 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 0.0005 MGD.

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

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

The EPA waiver is in effect.

PA0261556, Sewage, SIC Code 8322, **Whispering Hope East**, 23A South New Holland Road, Gordenville, PA 17529. Facility Name: Whispering Hope East STP. This proposed facility is located in West Earl Township, **Lancaster County**.

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

The receiving stream(s), Conestoga River, is located in State Water Plan watershed 7-J and is classified for Migratory Fishes, 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 0.0007 MGD.

Parameters	Mass (lb/day)			Concentration (mg/l)		
	Average Monthly	Daily Maximum	Minimum	Average Monthly	Daily Maximum	Instantaneous Maximum
Flow (MGD)	Report	Report	XXX	XXX	XXX	XXX
pH (S.U.)	XXX	XXX	6.0	XXX	XXX	9.0
Total Residual Chlorine	XXX	XXX	XXX	0.5	XXX	1.6
CBOD ₅	XXX	XXX	XXX	25	XXX	50
Total Suspended Solids	XXX	XXX	XXX	30	XXX	60
				200		
Fecal Coliform (CFU/100 ml)				Geometric Mean		
May 1 - Sep 30	XXX	XXX	XXX	2,000	XXX	XXX
				Geometric Mean		
Oct 1 - Apr 30	XXX	XXX	XXX		XXX	XXX

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

The EPA waiver is in effect.

PA0260967, Sewage, SIC Code 6515, **Hodges Mobile Home Park**, 82 Linda Lane, Mechanicsburg, PA 17050. Facility Name: Hodges MHP. This proposed facility is located in Silver Spring Township, **Cumberland County**.

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

The receiving stream(s), Unnamed Tributary to Conodoguinet Creek, is located in State Water Plan watershed 7-B and is classified for Migratory Fishes, 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 0.013 MGD.

Parameters	Mass (lb/day)			Concentration (mg/l)		
	Average Monthly	Daily Maximum	Minimum	Average Monthly	Daily Maximum	Instantaneous Maximum
Flow (MGD)	Report	Report	XXX	XXX	XXX	XXX
pH (S.U.)	XXX	XXX	6.0	XXX	XXX	9.0
Dissolved Oxygen	XXX	XXX	5.0	XXX	XXX	XXX
Total Residual Chlorine	XXX	XXX	XXX	0.03	XXX	0.10
CBOD ₅	XXX	XXX	XXX	25	XXX	50
Total Suspended Solids	XXX	XXX	XXX	30	XXX	60
				200		
Fecal Coliform (CFU/100 ml)				Geometric Mean		
May 1 - Sep 30	XXX	XXX	XXX	2,000	XXX	XXX
				Geometric Mean		
Oct 1 - Apr 30	XXX	XXX	XXX		XXX	XXX
Ammonia-Nitrogen						
May 1 - Oct 31	XXX	XXX	XXX	2.0	XXX	4.0
Nov 1 - Apr 30	XXX	XXX	XXX	6.0	XXX	12
Total Phosphorus	XXX	XXX	XXX	2.0	XXX	4.0

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

The EPA waiver is in effect.

PA0083909, Sewage, SIC Code 2431, **Conestoga Wood Specialties Corp.**, 245 Reading Road, East Earl, PA 17519. Facility Name: Conestoga Wood Specialties. This existing facility is located in East Earl Township, **Lancaster 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), Conestoga River, is located in State Water Plan watershed 7-J and is classified for Migratory Fishes, 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 0.019 MGD.

Parameters	Mass (lb/day)			Concentration (mg/l)		
	Average Monthly	Daily Maximum	Minimum	Average Monthly	Daily Maximum	Instantaneous Maximum
Flow (MGD)	Report	Report	XXX	XXX	XXX	XXX
pH (S.U.)	XXX	XXX	6.0	XXX	XXX	9.0
Dissolved Oxygen	XXX	XXX	5.0	XXX	XXX	XXX
Total Residual Chlorine	XXX	XXX	XXX	0.5	XXX	1.6

Parameters	Mass (lb/day)			Concentration (mg/l)		
	Average Monthly	Daily Maximum	Minimum	Average Monthly	Daily Maximum	Instantaneous Maximum
CBOD ₅	XXX	XXX	XXX	25	XXX	50
Total Suspended Solids	XXX	XXX	XXX	30	XXX	60
				200		
Fecal Coliform (CFU/100 ml)				Geometric Mean		
May 1 - Sep 30	XXX	XXX	XXX	2,000	XXX	XXX
Oct 1 - Apr 30	XXX	XXX	XXX	Geometric Mean	XXX	XXX

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

The EPA waiver is in effect.

PA0081591, Sewage, SIC Code 3469, **Eastern York County Sewer Authority**, 44 Walnut Springs Road, York, PA 17406-9000. Facility Name: Eastern York County STP. This existing facility is located in Hallam Borough, **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), Kreutz Creek, is located in State Water Plan watershed 7-I 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 0.5 MGD.

Parameters	Mass (lb/day)			Concentration (mg/l)		
	Average Monthly	Weekly Average	Minimum	Average Monthly	Weekly Average	Instantaneous Maximum
		Report Daily				
Flow (MGD)	Report	Maximum	XXX	XXX	XXX	XXX
pH (S.U.)	XXX	XXX	6.0	XXX	XXX	9.0
Dissolved Oxygen	XXX	XXX	5.0	XXX	XXX	XXX
CBOD ₅						
May 1 - Oct 31	60.0	90.0	XXX	15.0	22.0	XXX
Nov 1 - Apr 30	125.0	165.0	XXX	25.0	40.0	60.0
		Report Daily				
BOD ₅		Maximum				
Raw Sewage Influent	Report	Maximum	XXX	Report	XXX	XXX
		Report Daily				
Total Suspended Solids		Maximum				
Raw Sewage Influent	Report	Maximum	XXX	Report	XXX	XXX
Total Suspended Solids	125.0	185.0	XXX	30.0	45.0	60.0
				200		
Fecal Coliform (CFU/100 ml)				Geometric Mean		
May 1 - Sep 30	XXX	XXX	XXX	2,000	XXX	XXX
Oct 1 - Apr 30	XXX	XXX	XXX	Geometric Mean	XXX	XXX
Ammonia-Nitrogen						
May 1 - Oct 31	20.0	XXX	XXX	5.0	XXX	10.0
Nov 1 - Apr 30	60.0	XXX	XXX	15.0	XXX	30.0
Total Phosphorus	XXX	XXX	XXX	2.0	XXX	XXX

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

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

* 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.

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

The EPA waiver is not in effect.

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

PA0254100, Industrial Waste, SIC, 5541, **Worthington Sunoco**, 1050 Route 422, Worthington, PA 16262. This application is for issuance of an NPDES permit to discharge treated petroleum product-contaminated groundwater from Worthington Sunoco in Worthington Borough, **Armstrong County**.

The following effluent limitations are proposed for discharge to the receiving waters, unnamed tributary of Buffalo Creek, classified as a high quality trout-stock fishery with existing and/or potential uses for aquatic life, water supply and recreation.

Outfall 001: new discharge, design flow of 0.007 mgd.

Parameter	Mass (lb/day)		Concentration (mg/l)		
	Average Monthly	Maximum Daily	Average Monthly	Maximum Daily	Instantaneous Maximum
Flow (MGD)	Monitor and Report				
Total Suspended Solids			10	20	
Oil and Grease			Not Detectable		
Iron, Dissolved			1.08	1.69	
Benzene			0.001		0.0025
Total BTEX			0.1		0.25
Toluene			Monitor and Report		
Ethylbenzene			Monitor and Report		
Xylenes, Total			Monitor and Report		
MTBE			0.072	0.112	
pH	not less than 6.0 nor greater than 9.0 s.u.				

Other Conditions: Special conditions concerning compliance with not detectable effluent limitations, residual waste disposal, oil-bearing wastewaters, and prohibitions on discharges of floating materials, oil, grease, scum and substance which produce tastes, color, odors, turbidity or settle to form deposits.

The EPA waiver is in effect.

PA0252620, Industrial Waste, SIC, 4941, **West Carroll Township Water and Sewer Authority**, P. O. Box 328, Elmora, PA 15737. This application is for issuance of an NPDES permit to discharge treated process water from the water treatment plant in West Carroll Township, **Cambria County**.

The following effluent limitations are proposed for discharge to the receiving waters, Unnamed Tributary of Fox Run, classified as a cold water fishery with existing and/or potential uses for aquatic life, water supply and recreation. The first existing/proposed downstream potable water supply is Reliant Energy, located at Shawville, 51 miles below the discharge point.

Outfall 001: new discharge, design flow of 0.0021 mgd.

Parameter	Mass (lb/day)		Concentration (mg/l)		
	Average Monthly	Maximum Daily	Average Monthly	Maximum Daily	Instantaneous Maximum
Flow (MGD)	Monitor and Report				
TSS			30		60
Aluminum			4		8
Iron			2		4
Manganese			1		2
TRC			0.5		1.0
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)

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

WQM Permit No. 2802402, Sewerage, **David R. Marshall**, 7886 Lincoln Way West, St. Thomas, PA 17252. This proposed facility is located in St. Thomas Township, **Franklin County**.

Description of Proposed Action/Activity: Transfer of permit.

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

WQM Permit No. 5610405, Sewerage, **Nathan L. Sleasman**, 1280 Buckstown Road, Stoystown, PA 15563. This proposed facility is located in Stoncreek Township, **Somerset County**.

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

WQM Permit No. 5610406, Sewerage, **Grace E. Dupstadt**, 1300 Buckstown Road, Stoystown, PA 15563. This proposed facility is located in Stoncreek Township, **Somerset County**.

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

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

WQM Permit No. 6110402, Sewerage, **Borough of Rouseville**, P. O. Box 317, Rouseville, PA 16344-0317. This proposed facility is located in Cornplanter Township, **Venango County**.

Description of Proposed Action/Activity: Upgrade of an existing Sewage Treatment Facility to provide for redevelopment of the Route 8 area.

WQM Permit No. 208401, Sewerage, **Amendment No. 1, Sugar Creek Area Sewage Authority**, 19 Creek Road, Sugar Grove, PA 16350. This proposed facility is located in Sugar Grove Township, **Warren County**.

Description of Proposed Action/Activity: The proposed project consists of the addition of one duplex booster pumping station to the proposed Sugar Gove Area Sewage Authority Phase III Wastewater Collection Project. The pumping station will serve 8 EDU's and will allow the proposed collection system to maintain 2 feet/second scouring velocity.

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

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

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

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

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

<i>NPDES Permit No.</i>	<i>Applicant Name & Address</i>	<i>County</i>	<i>Municipality</i>	<i>Receiving Water/Use</i>
PAI023910010	Reserve at Saucon Creek, LP Attn: Michael Weaver 1750 Walton Road Blue Bell, PA 19422	Lehigh	Upper Saucon Township	Laurel Run CWF, MF Tributary to Saucon Creek CWF, MF

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 091004	Trumbauersville Fire Co. No. 1 P. O. Box 142 Trumbauersville, PA 18970	Bucks	Trumbauersville Borough	Unami Creek HQ-TSF-MF
PAI01 151020	Valley Forge Educational Services 1777 North Valley Road Paoli, PA 19301	Chester	Tredyffrin Township	Tributary Little Valley Creek EV
PAI01 151021	Melissa K. Stabenberg 5 Greenfield Lane West Grove, PA 19390	Chester	London Grove Township	East Branch White Clay Creek EV-MF

<i>NPDES Permit No.</i>	<i>Applicant Name & Address</i>	<i>County</i>	<i>Municipality</i>	<i>Receiving Water/Use</i>
PAI01 151022	Hankin Family Limited Partnership 707 Eagleview Boulevard Exton, PA 19341-1159	Chester	East Goshen Township	Unnamed Tributary Ridley Creek HQ-TSF
PAI01 511004	Kuusakowki Philadelphia, LLC 3150 Orthodox Street Philadelphia, PA 19137	Philadelphia	City of Philadelphia	Delaware River WWF-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>
PAI032110006	United States Army Corp of Engineers David Dale 600 Martin Luther King, Jr. Place Louisville, KY 40202	Cumberland	Hampden Township	Trindle Spring Run HQ-CWF
PAI036710001	Robert Borden, VP Real Places, LP 415 Norway Street York, PA 17403	York	Shrewsbury Township	Deer Creek CWF

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

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

<i>NPDES Permit No.</i>	<i>Applicant Name & Address</i>	<i>County</i>	<i>Municipality</i>	<i>Receiving Water/Use</i>
PAI041410005	PA American Water Co. Nittany District Water Main 800 West Hersheypark Drive Hershey, PA 17033	Centre Clinton	Walker and Porter Townships	Fishing Creek HQ-CWF, MF Little Fishing Creek HQ-CWF, MF Roaring Run HQ-CWF, MF

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

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

<i>NPDES Permit No.</i>	<i>Applicant Name & Address</i>	<i>County</i>	<i>Municipality</i>	<i>Receiving Water/Use</i>
PAI056504001-R	James A. Yokopenic Unity Land Management, LLC 245 Bruno Road Greensburg, PA 15601	Westmoreland	Unity Township	Tributary to Sewickley Creek HQ-CWF

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

Butler County Conservation District, 122 McCune Drive, Butler, PA 16001-6501, 724-284-5270.

<i>NPDES Permit No.</i>	<i>Applicant Name & Address</i>	<i>County</i>	<i>Municipality</i>	<i>Receiving Water/Use</i>
PAI 0610 10 002	Charles Jones American Transmission Systems, Inc. 76 South Main Street Akron, OH 44308	Butler	Cranberry Township	UNT Brush Creek

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

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

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

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

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

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

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

NUTRIENT MANAGEMENT PLAN—PUBLIC NOTICE SPREADSHEET

<i>Agricultural Operation Name and Address</i>	<i>County</i>	<i>Total Acres</i>	<i>Animal Equivalent Units</i>	<i>Animal Type</i>	<i>Special Protection Waters (HQ or EV or NA)</i>	<i>Renewal / New</i>
William and Karol Wingert 5497 Shade Lane Alexandria, PA 16611	Huntingdon	1,108.2 total acres 1,049.2 acres for manure application	11.58.9 animal equivalent units 1.10 animal equivalent units per acre	Dairy	Pike Run HQ-CWF	New

**PUBLIC WATER SUPPLY (PWS)
PERMIT**

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

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

Following the comment period, the Department will make a final determination regarding the proposed permit. Notice of this final determination will be published

in the *Pennsylvania Bulletin* at which time this determination may be appealed to the Environmental Hearing Board.

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

Persons with a disability that 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 may contact the Department through the Pennsylvania AT&T Relay Service at (800) 654-5984.

SAFE DRINKING WATER

Applications Received under the Pennsylvania Safe Drinking Water Act

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

Permit No. 38910503, Public Water Supply.
 Applicant **HMS Host Corp.**
 Municipality Lawn Township
 County **Lebanon**
 Responsible Official Randy S. Eddinger
 Consultant/PADEP operator
 1697 Swamp Pike
 Gibbertsville, PA 19525
 Type of Facility Public Water Supply
 Consulting Engineer George W. Ruby, P. E.
 Ruby Engineering
 3605 Island Club Drive
 North Port, FL 34288-6611
 Application Received 7/22/2010
 Description of Action Installation of a new treatment
 system for existing groundwater
 sources at the Lawn Service
 Plaza on the Turnpike.

Permit No. 3610530, Public Water Supply.
 Applicant **Pequea Christian School**
 Municipality Sadsbury Township
 County **Lancaster**
 Responsible Official Matthew D. Stoltzfus
 School Board Treasurer
 115 Blank Road
 Narvon, PA 17555
 Type of Facility Public Water Supply
 Consulting Engineer Charles A. Kehew II, P. E.
 James R. Holley & Assoc., Inc.
 18 South George Street
 York, PA 17401
 Application Received 8/3/2010
 Description of Action Installation of a softener, nitrate
 treatment system and sodium
 hypochlorite disinfection system.

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

Permit No. 0210513, Public Water Supply.
 Applicant **Pennsylvania American
 Water Company**
 800 West Hersheypark Drive
 P. O. Box 888
 Hershey, PA 17033
 Township or Borough Baldwin Borough and the City of
 Pittsburgh
 Responsible Official David Kaufman
 Vice President of Engineering
 Pennsylvania American Water
 Company
 800 West Hersheypark Drive
 P. O. Box 888
 Hershey, PA 17033
 Type of Facility Water treatment plant
 Consulting Engineer
 Application Received April 29, 2010
 Date

Description of Action Addition of a ferric polymer
 blend at the Hays Mine water
 treatment plant.

Permit No. 0210514, Public Water Supply.
 Applicant **Pennsylvania American
 Water Company**
 800 West Hersheypark Drive
 P. O. Box 888
 Hershey, PA 17033
 Township or Borough Union Township
 Responsible Official David Kaufman
 Vice President of Engineering
 Pennsylvania American Water
 Company
 800 West Hersheypark Drive
 P. O. Box 888
 Hershey, PA 17033
 Type of Facility Water treatment plant
 Consulting Engineer
 Application Received April 29, 2010
 Date
 Description of Action Addition of a ferric polymer
 blend at the E. H. Aldrich water
 treatment plant.

Permit No. 0210518, Public Water Supply.
 Applicant **Pennsylvania American
 Water Company**
 800 West Hersheypark Drive
 P. O. Box 888
 Hershey, PA 17033
 Township or Borough Baldwin Borough
 City of Pittsburgh
 Responsible Official David Kaufman
 Vice President of Engineering
 Pennsylvania American Water
 Company
 800 West Hersheypark Drive
 P. O. Box 888
 Hershey, PA 17033
 Type of Facility Water treatment plant
 Consulting Engineer
 Application Received August 6, 2010
 Date
 Description of Action Construction of the Hays Mine
 clearwell numbers 3 and 4.

Permit No. 0210518, Public Water Supply.
 Applicant **Pennsylvania American
 Water Company**
 800 West Hersheypark Drive
 P. O. Box 888
 Hershey, PA 17033
 Township or Borough Baldwin Borough
 City of Pittsburgh
 Responsible Official David Kaufman
 Vice President of Engineering
 Pennsylvania American Water
 Company
 800 West Hersheypark Drive
 P. O. Box 888
 Hershey, PA 17033
 Type of Facility Water treatment plant
 Consulting Engineer
 Application Received August 6, 2010
 Date
 Description of Action Construction of the Hays Mine
 clearwell numbers 3 and 4.

Permit No. 0210518, Public Water Supply.
 Applicant **Pennsylvania American
 Water Company**
 800 West Hersheypark Drive
 P. O. Box 888
 Hershey, PA 17033
 Township or Borough Baldwin Borough
 City of Pittsburgh
 Responsible Official David Kaufman
 Vice President of Engineering
 Pennsylvania American Water
 Company
 800 West Hersheypark Drive
 P. O. Box 888
 Hershey, PA 17033
 Type of Facility Water treatment plant
 Consulting Engineer
 Application Received August 6, 2010
 Date
 Description of Action Construction of the Hays Mine
 clearwell numbers 3 and 4.

Permit No. 5610508, Public Water Supply.
 Applicant **Rockwood Borough
 Municipal Authority**
 358 Market Street
 Rockwood, PA 15557
 Township or Borough Black Township
 Responsible Official Donald Warick
 Rockwood Borough Municipal
 Authority
 358 Market Street
 Rockwood, PA 15557
 Type of Facility Water treatment plant

Consulting Engineer CME Management, LP
165 East Union Street
Suite 100
Somerset, PA 15501

Application Received Date July 28, 2010

Description of Action Addition of a chlorination system.

Permit No. 5610509, Public Water Supply.

Applicant **Conemaugh Township Municipal Authority**
Box 429
113 South Main Street
Davidsville, PA 15928

Township or Borough Conemaugh Township and Benson Borough

Responsible Official Charles Carrico
Chairperson
Conemaugh Township Municipal Authority
Box 429
113 South Main Street
Davidsville, PA 15928

Type of Facility Water treatment plant

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

Application Received Date July 19, 2010

Description of Action Installation of waterline, construction of the Ham Ridge water storage tank and construction of the Ham Ridge booster pump station.

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

Permit No. 2510502, Public Water Supply.

Applicant **Albion Borough**

Township or Borough Albion Borough

County **Erie**

Responsible Official Jerry Hall

Type of Facility Public Water Supply

Consulting Engineer August E. Maas, P. E.

Application Received Date August 6, 2010

Description of Action Gage Road chlorination and chlorine contact pipeline.

MINOR AMENDMENT

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

Application No. 3910510MA.

Applicant **Slatington Borough**

Township or Borough Slatington Borough
Lehigh County

Responsible Official Stephen R. Salvesen
Borough Manager
125 South Walnut Street
Slatington, PA 18080

Type of Facility Community Water System

Consulting Engineer Amy Kunkel, P. E.
SSM Group, Inc.
2005 City Line Road
Suite 300
Bethlehem, PA 18017
610-849-9700

Application Received Date 8/6/2010

Description of Action Application for construction of approximately 125 LF of 24-inch water main at Well No. 7 to achieve increased chlorine contact time to meet 4-log disinfection of viruses requirements.

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

Application No. 6410502MA, Minor Amendment.

Applicant **Honesdale Consolidated Water Company**
1775 North Main Street
Honesdale, PA

Township or Borough Honesdale Borough
Wayne County

Responsible Official Roswell McMullen

Type of Facility Public Water System

Consulting Engineer Entech Engineering, Inc.
4 South Fourth Street
Reading, PA

Application Received Date 7/27/10

Description of Action Modification of disinfection equipment to meet the log 4 inactivation of viruses. The replacement of gas chlorination with hypochlorite.

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

Application No. 6410503MA, Minor Amendment.

Applicant **Aqua Pennsylvania, Inc.**
Gouldsboro System
1775 North Main Street
Honesdale, PA

Township or Borough Lehigh Township
Wayne County

Responsible Official Roswell McMullen

Type of Facility Public Water System

Consulting Engineer Entech Engineering, Inc.
4 South Fourth Street
Reading, PA

Application Received Date 7/21/10

Description of Action Modification of disinfection equipment to meet the log 4 inactivation of viruses. The replacement of gas chlorination with hypochlorite.

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

Application No. 1110507GWR, Minor Amendment.

Applicant	Reade Township Municipal Authority 1032 Skyline Drive Blandburg, PA 16619
Township or Borough	Reade Township
Responsible Official	Blair McGarvey, Operator Reade Township Municipal Authority 1032 Skyline Drive Blandburg, PA 16619
Type of Facility	Water system
Consulting Engineer	
Application Received Date	August 4, 2010
Description of Action	Demonstration of 4-log treatment of viruses for groundwater sources.

DETERMINATION OF APPLICABILITY FOR RESIDUAL WASTE GENERAL PERMITS

Application(s) for General Permit Renewal 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/or 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 WMGR065. General Permit Number WMGR065 authorizes beneficial use, in the Northeast Region, of various wastes from steelmaking and foundry operations taken from a remediation site owned by the permittee as construction fill at an adjacent Act 2 remediation site, also owned by the permittee. Only beneficial use of the following types of residual wastes is authorized under General Permit Number WMGR065: refractories, foundry sands, slags, air emission control solids, and the media associated with their excavation.

Applications for renewal of General Permit Number WMGR065 and their coverage under the general permit were received and determined to be administratively complete on August 2, 2010, for the following:

WMGR065D001. Lehigh Valley Industrial Park, Inc., Suite 150, 1720 Spillman Drive, Bethlehem, PA 18015-2164.

WMGR065D002. Sands Bethworks Gaming, LLC, 511 East 3rd Street, Bethlehem, PA 18015-2201.

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 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.

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

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

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

PLAN APPROVALS

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

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.

CORRECTION: INCORRECT PERMIT NO.

30-00193 should be 32-00409: Rosebud Mining Company (301 Market Street, Kittanning, PA 16201-9642) for construction of new coal processing facility at Starford Mine Preparation Plant in Green Township, **Indiana County**.

30-00194: EQT Gathering, LLC (EQT Plaza, 625 Liberty Avenue, Suite 1700, Pittsburgh, PA 15222) for installation of Callisto Compressor Station in Morris Township, **Greene County**.

30-00195: EQT Gathering, LLC (EQT Plaza, 625 Liberty Avenue, Suite 1700, Pittsburgh, PA 15222) for installation of Jefferson Compressor Station in Jefferson Borough, **Greene County**.

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

20-040F: Advanced Cast Products, Inc. (18700 Mill Street, Meadville, PA 16335) for establishment of an alternative opacity limitation per 25 Pa. Code § 123.45 in Vernon Township, **Crawford County**. This is a Title V facility.

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.

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

PA No. 35-322-011: Alliance Sanitary Landfill, Inc., 398 South Keyser Avenue, Taylor, PA 18517 to construct a landfill expansion at the previously approved municipal solid waste landfill with an Active Gas Collection System with landfill gas flares for methane gas collection in Taylor and Old Forge Boroughs, Ransom Township and **Lackawanna County**.

In accordance with 25 Pa. Code §§ 127.44(b) and 127.424(b), the Department of Environmental Protection (Department) intends to issue Plan Approval No. 35-322-011 to Alliance Sanitary Landfill, Inc., 398 South Keyser Avenue, Taylor, PA 18517 for their landfill located in Taylor and Old Forge Boroughs, Ransom Township and Lackawanna County. This plan approval will be incorporated into the Title V Operating Permit No. 35-00011 through an administrative amendment at a later date, and the action will be published as a notice in the *Pennsylvania Bulletin*.

The plan approval No. 35-322-011 is to construct a landfill expansion at the previously approved municipal solid waste landfill with an Active Gas Collection System with landfill gas flares for methane gas collection and recovery. Landfill construction and waste disposal activities are currently taking place in permitted waste disposal area, Area I and II. This major permit modification application presents a proposed plan to expand the facility into an 87.3 acre area adjacent to Area II called Area 2A. The proposed Area 2A will provide additional waste disposal capacity for the existing permitted landfill and will modify existing site facilities to accommodate this expansion. The existing Alliance Sanitary Landfill covers an area of approximately 196 acres comprised of Area I and Area II, being approximately 150 and 46

acres, respectively. Area 2A will add approximately 87.3 acres to the landfill footprint for a total waste disposal area of approximately 283.3 acres. Area 2A will be constructed in a phased approach using separate landfill pads ranging in size from 8 to 18 acres. The Area 2A expansion will add a proposed net permitted capacity of approximately 29 million cubic yards to the existing landfill, extending the life of this facility by an estimated 16 years, assuming an average waste intake of 4,000 tons per day. The landfill gas well field will be designed and operated having a radii of influence (ROI) of 145 feet. The area 2A field will contain 165 vertical LFG collection wells over approximately 87.3 acres. The well placing at 145 feet ROI will cover almost 100% of landfill area. The gas management system will be installed incrementally with the placement of waste in each of the pads. This system entails the “capping” of closed pads shortly after the pad has accumulated its design capacity of municipal waste. After capping, active gas collection wells will be placed in the pad. The gas management system will incorporate “best available technology” (BAT) by transporting the collected gas under negative pressure to an enclosed ground type flares where the gas will be burned and 98% of the NMOC will be destroyed. It is proposed to burn the collected landfill gas in existing enclosed type ground flares prior to being released to the atmosphere or be routed to a treatment system that processes the gas for subsequent use in the PEI Energy Archbald Power Facility.

The volatile organic compound (VOC) emissions from the landfill will be controlled by enclosed landfill gas flares and shall not exceed 50 tons per year keeping the landfill below the major source threshold. The Department will place conditions to limit the emissions from the landfill. The Plan Approval and Operating Permit will contain additional recordkeeping and operating restrictions designed to keep the facility operating within all applicable air quality requirements.

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

Interested persons may submit written comments, suggestions or objections which they believe should be considered prior to the issuance of this permit to the address shown in the preceding paragraph. Written comments submitted to the Department during the 30-day public comment period shall include the name, address and telephone number of the person submitting the comments, identification of the proposed permit No. 54-322-011, and a concise statement regarding the relevancy of the information or objections to the issuance of the permit.

The Department reserves the right to hold a public hearing on the proposed action based upon the information received during the public comment period. All persons submitting comments or requesting a hearing will be notified of the decision to hold a hearing by publication in the newspaper or the *Pennsylvania Bulletin* or by telephone, whichever the Department determines such notification is sufficient. Written comments or requests for a public hearing should be directed to Mark J. Wejkszner, P. E., Program Manager, Air Quality Program, 2 Public Square, Wilkes-Barre, PA 18701, phone (570) 826-2528 within 30 days after publication date.

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

17-00017C: Rescar, Inc. (407 West Brentwood Street, Channelview, TX 77530-3952) to construct an abrasive blasting operation at their facility in DuBois, **Clearfield County**. The respective facility is a synthetic minor facility for which State-only Operating Permit 17-00017 has been issued.

The Department of Environmental Protection's (Department) review of the information submitted by Rescar, Inc. indicates that the construction of the abrasive blasting operation will meet all applicable air quality regulatory requirements pertaining to air contamination sources and the emission of air contaminants. Based on these findings, the Department intends to issue a plan approval for the construction of an abrasive blasting operation. Additionally, if the Department determines that the abrasive blasting operation is operating in compliance with all plan approval conditions, the conditions established in the plan approval will be incorporated into State-only Operating Permit 17-00017 via an administrative amendment under 25 Pa. Code § 127.450.

The following is a summary of the conditions that the Department proposes to place in the plan approval to be issued to ensure compliance with all applicable regulatory requirements:

1. The permittee shall not permit the emission of particulate matter into the outdoor atmosphere from Source P206 in such a manner that the concentration of particulate matter in the effluent gas from Control Device C206 exceeds 0.005 grains per dry standard cubic foot of effluent gas volume. Additionally, the emission of particulate matter, including particulate matter with an aerodynamic diameter of 10 microns or less, from Source P206 shall not exceed 1.50 tons in any 12 consecutive month period.

Compliance with this condition also ensures compliance with 25 Pa. Code § 123.13.

2. Control Device C206 shall be equipped with instrumentation to continuously monitor the differential pressure across the collector.

3. The permittee shall maintain accurate and comprehensive records of the total number of hours that abrasive blasting occurs in Source P206 for each month. All records generated pursuant to this permit condition shall be retained for a minimum of 5 years and shall be made available to the Department upon request.

4. The compressed air system associated with Control Device C206 shall be equipped with an air dryer and oil trap.

5. The permittee shall keep on hand a sufficient quantity of spare collector cartridges for Control Device C206 to be able to immediately replace any cartridges requiring replacement due to deterioration resulting from routine operation of Source P206 and Control Device C206.

6. Source P206 is an abrasive blasting operation comprised of a 25 ton media hopper, a Hoffman grit delivery system and a Quiet Cube vacuum system. The particulate matter emissions from the abrasive blasting operation shall be controlled by a Farr Gold Series Model GS8 reverse pulse cartridge collector (Control Device C206).

A copy of the plan approval application is available for public review between 8 a.m. and 4 p.m. at the Depart-

ment'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 should 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.

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

10-333C: Penn United Technologies, Inc. (799 North Pike Road, Cabot, PA 16023-2223) to change the recordkeeping requirement for the closed sump system to a visual observation rather than an actual physical measurement and to add the New Source Performance Standards for the batch vapor degreaser solvent degreasing unit (40 CFR 60, Subpart T) when halogenated solvents are used under the alternative operating scenario in Jefferson Township, **Butler County**.

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.

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

32-00200: Indiana University of Pennsylvania: (525 Pratt Drive, Indiana, PA 15705-1028) for operation of the SW Jack Cogeneration Facility at IUP in Indiana Borough, **Indiana County**. This is a Title V Renewal.

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

Southeast Region: Air Quality Program, 2 East Main Street, Norristown, PA 19428. Contact: Janine Tulloch-Reid, Facilities Permitting Chief—Telephone: 484-250-5920.

09-00158: Allied Crematory, LLC (864 Bristol Pike, Bensalem, PA 19020) for renewal of the Non-Title V State-only Operating Permit for operation of two existing incinerators at a crematory in Bensalem Township, **Bucks County**. There are no changes to the existing crematory (Source ID 101) listed in the facility-wide permit. The newest crematory (Source ID 102) has been operating under General Permit-14 No. 09-301-125GP; this renewal permit incorporates the requirements of GP No. 09-301-125GP. The facility has the potential to emit less than 25 tons of Volatile Organic Compounds (VOC) and less than 25 tons per year of Nitrogen Oxides (NOx); the facility is a Natural Minor. The renewal permit will include monitoring, recordkeeping and reporting requirements designed to keep the facility operating within all applicable air quality requirements.

09-00152: Gelest, Inc. (11 East Steel Road, Morrisville, PA 19067) for a State-only, Natural Minor Permit in Falls Township, **Bucks County**. The Company has a specialty chemical operation with mainly seven reactors and an electric dryer controlled by condenser and two scrubbers. This facility is a Natural Minor facility. The estimated total VOC emissions from the facility are less than 21.66 tpy, and total HAPs emissions are less than 17.98 tpy.

The permit will contain monitoring, recordkeeping, and reporting requirements designed to address all applicable air quality requirements.

09-00175: Hanson Aggregates BMC, Inc.—Penns Park Aggregate Plant (852 Swamp Road, Penns Park, PA 18943) in Wrightstown Township, **Bucks County**. This facility is a non-Title V facility. Renewal of a Synthetic Minor Operating Permit issued under the Air Pollution Control Act (35 P. S. §§ 4001—4015) and 25 Pa. Code § 127.450. The Operating Permit will contain recordkeeping requirements, monitoring requirements and operating conditions designed to keep the facility operating within the allowable emission limits and all applicable air quality requirements.

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

28-05009: Borough of Chambersburg—Falling Spring Diesel Power Plant (100 South Second Street, Chambersburg, PA 17201) for renewal of their synthetic minor operating permit issued in March 2006 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.

19-00016: Milco Industries, Inc. (P. O. Box 568, Bloomsburg, PA 17815) for their facility in the Town of Bloomsburg, **Columbia County**. The facility's main sources include two identical Kewanee manufactured natural gas/No. 2 fuel fired boilers and two natural gas fired tenter frame fabric dryers. The facility has the potential to emit sulfur oxides (SO_x), nitrogen oxides (NO_x), 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.

41-00056: Wenger's Feed Mill, Inc. (101 West Harrisburg Avenue, P. O. Box 26, Rheems, PA 17570-0026) for the Muncy Mill in Clinton Township, **Lycoming County**. The facility's main sources include two natural gas/No. 2 fuel oil-fired boilers and 17 grain processing operations. The facility has the potential to emit particulate matter (PM₁₀), nitrogen oxides (NO_x), carbon monoxide (CO), volatile organic compounds (VOCs), hazardous air pollutants (HAPs) and sulfur oxides (SO_x) below the major emission thresholds. The proposed operating permit contains requirements including monitoring, recordkeeping, and reporting conditions to ensure compliance with applicable Federal and State regulations.

COAL AND NONCOAL MINING ACTIVITY APPLICATIONS

Applications under the Surface Mining Conservation and Reclamation Act (52 P. S. §§ 1396.1—1396.19(a)); 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 such 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 before 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.

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

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

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

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

The procedures for determining the final effluent limits, using a mass-balance equation or model, are found in Technical Guidance Document 362-0600-001, NPDES Program Implementation-Memorandum of Understanding (MOU) 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 before each application within 30 days of this public notice. Comments received within the comment period will be considered in the final determinations regarding the NPDES permit applications. Comments must include the name, address and telephone number of the writer and a concise statement to inform the Department of the exact basis of a comment and the relevant facts upon which it is based.

The Department will also accept requests or petitions

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

Coal Applications Received

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

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

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.

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

56060107. Coal Loaders, Inc., (210 East Main Street, Ligonier, PA 15658), transfer of an existing bituminous surface and auger mine from Greathouse and Greathouse Enterprises, 2066 Whistler Road, Stoystown, PA 15563, located in Quemahoning Township, **Somerset County**, affecting 26.4 acres. Receiving stream(s): Higgins Run, a tributary to Quemahoning Creek classified for the following use: highway quality cold water fishery. The first downstream potable water supply intake from the point of discharge is Cambria Somerset Authority and Johnstown Water Authority. Application received: July 15, 2010.

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

65060101 and NPDES Permit No. PA0250856. Coal Loaders, Inc. (210 East Main Street, Ligonier, PA 15658). Application received for transfer of permit currently issued to Gary Gioia Coal Company for continued operation and reclamation of a bituminous surface mine located in South Huntingdon Township, **Westmoreland County**, affecting 23.2 acres. Receiving streams: Un-

named Tributary A to the Youghiogheny River, classified for the following use: warm water fishes. There are no potable water supply intakes within 10 miles downstream from the point of discharge. Transfer application received: July 22, 2010.

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

33080105 and NPDES Permit No. PA0258547. Original Fuels, Inc. (P. O. Box 343, Punxsutawney, PA 15767) Revision to add 2.0 acres to the existing bituminous strip operation in Perry and Young Townships, **Jefferson County** affecting 432.9 acres. Receiving streams: Three unnamed tributaries to Mahoning Creek, classified for the following use: CWF. There are no potable surface water supply intakes within 10 miles downstream. Application received: August 2, 2010.

10040103 and NPDES Permit No. PA0242535. Annandale Quarries, Inc. (219 Goff Station Road, Boyers, PA 16020) Revision to an existing bituminous strip operation in Venango Township, **Butler County** affecting 23.3 acres. Receiving streams: Seaton Creek to Slippery Rock Creek, classified for the following use: CWF. There are no potable surface water supply intakes within 10 miles downstream. Revision to include a post-mining land use change from forestland to unmanaged natural habitat on the land of Samuel W. Tiche. Application received: August 2, 2010.

4674SM8 and NPDES Permit No. PA0258920. Fairview Coal Company (P. O. Box R, Ridgway, PA 15853) Revision to add an NPDES Permit to an existing bituminous strip operation in Fox Township, **Elk County**

affecting 63.4 acres. Receiving streams: Benninger Run, classified for the following use: CWF. There are no potable surface water supply intakes within 10 miles downstream. Application received: August 4, 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. § 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 or Water Obstruction and Encroachment Permit, or the approval of an Environmental Assessment must submit any comments, suggestions or objections within 30 days of the date of this notice as well as any 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 and wish to attend the hearing and you require an auxiliary aid, service or other accommodations 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 Flood Plain Management Act (32 P. S. § 679.302) and requests for certification under section 401(a) of the Federal Water Pollution Control Act (33 U.S.C.A. § 1341(a)).

WATER OBSTRUCTIONS AND ENCROACHMENTS

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

E54-345. Schuylkill County Municipal Authority, 221 South Centre Street, Pottsville, PA 17901, in West Brunswick Township and Deer Lake Borough, **Schuylkill County**, U.S. Army Corps of Engineers, Philadelphia District.

To authorize the following water obstructions and encroachments associated with the: 1. Deer Lake Wastewater Treatment Plant Expansion; 2. Deer Lake Pump Station Upgrade; and 3. Deer Lake Sanitary Sewer Collection System. The project will permanently impact

0.91 acre of PEM, SS, FO wetlands and temporarily impact 1.00 acre of PEM, SS, FO wetlands.

1. *Deer Lake Wastewater Treatment Plant Expansion*—To place and maintain an average of 3 feet of fill in approximately 2.2 acres of the floodplain of Pine Creek (CWF, MF); to place fill in 0.91 acre of wetlands; and to construct and maintain a treated wastewater outfall pipe with an endwall and riprap apron in the floodway of Pine Creek. The Deer Lake Wastewater Treatment Plant Expansion is located on the south side of SR 0895 (Market Street) approximately 0.3 mile southwest of its intersection with SR 0061 (Auburn, PA Quadrangle Latitude: 40° 36' 59"; Longitude: -76° 03' 40") in West Brunswick Township, Schuylkill County.

2. *Deer Lake Pump Station Upgrade*—To place and maintain an average of 3 feet of fill in approximately 0.1 acre of the floodplain of Pine Creek and to construct and maintain an 8-inch diameter sanitary PVC force main across Pine Creek and approximately 45 feet of adjacent PEM wetlands. The Deer Lake Pump Station Upgrade is located approximately 300 feet west of the intersection of SR 0895 and SR 0061 (Auburn, PA Quadrangle Latitude: 40° 37' 11.3"; Longitude: -76° 03' 25.7") in Deer Lake Borough, Schuylkill County.

3. *Sanitary Sewer Collection System*—To construct and maintain the following stream and wetland crossings. The collection system starts at the Deer Lake Pump Station and runs approximately 1.5 miles northwest to near the intersection of Pheasant Run Road and SR 0061 (Orwigsburg, PA Quadrangle Latitude: 40° 38' 14.3"; Longitude: -76° 04' 17.8") in West Brunswick Township, Schuylkill County.

a. (Stream Crossing A) To construct and maintain a 12-inch diameter PVC sanitary sewer line crossing and a temporary road crossing of a tributary to Pine Creek. (Latitude: 40° 37' 14"; Longitude: -76° 03' 25")

b. (Stream Crossing B) To construct and maintain a 12-inch diameter DIP (mechanical joints) sanitary sewer line crossing of Pine Creek. (Latitude: 40° 37' 14"; Longitude: -76° 03' 27")

c. (Stream Crossing C) To construct and maintain a 12-inch diameter PVC sanitary sewer line crossing and a temporary road crossing of a tributary to Pine Creek. (Latitude: 40° 37' 35"; Longitude: -76° 03' 32")

d. (Stream Crossing D) To construct and maintain a 12-inch diameter PVC sanitary sewer line crossing and a temporary road crossing of a tributary to Pine Creek. (Latitude: 40° 37' 41"; Longitude: -76° 03' 34")

e. (Stream Crossing E) To construct and maintain a 12-inch diameter PVC sanitary sewer line crossing and a temporary road crossing of a tributary to Pine Creek. (Latitude: 40° 37' 42"; Longitude: -76° 03' 35")

f. (Stream Crossing F) To construct and maintain a 12-inch diameter PVC sanitary sewer line crossing and a temporary road crossing of a tributary to Pine Creek. (Latitude: 40° 38' 01"; Longitude: -76° 03' 52")

g. (Stream Crossing G) To construct and maintain a 12-inch diameter DIP (concrete encased) sanitary sewer line crossing of Pine Creek. (Latitude: 40° 38' 06"; Longitude: -76° 03' 58")

h. (Stream Crossing H) To construct and maintain a 12-inch diameter PVC sanitary sewer line crossing and a temporary road crossing of a tributary to Pine Creek. (Latitude: 40° 38' 08"; Longitude: -76° 04' 06")

i. (Wetland Crossing J1) To construct and maintain a 12-inch diameter PVC sanitary sewer line and a temporary road 489 feet of PEM wetlands. (Latitude: 40° 37' 35"; Longitude: -76° 03' 31")

j. (Wetland Crossing J2) To construct and maintain a 12-inch diameter PVC sanitary sewer line and a temporary road crossing 219 feet of PEM wetlands. (Latitude: 40° 37' 42"; Longitude: -76° 03' 34")

k. (Wetland Crossing J3) To construct and maintain a 12-inch diameter PVC sanitary sewer line and a temporary road crossing 82 feet of PEM wetlands. (Latitude: 40° 37' 42"; Longitude: -76° 03' 35")

l. (Wetland Crossing K1) To construct and maintain a 12-inch diameter PVC sanitary sewer line and a temporary road crossing 29 feet of PEM wetlands. (Latitude: 40° 37' 56"; Longitude: -76° 03' 47")

m. (Wetland Crossing K2) To construct and maintain a 12-inch diameter PVC sanitary sewer line and a temporary road crossing 27 feet of PEM wetlands. (Latitude: 40° 37' 58.5"; Longitude: -76° 03' 50")

n. (Wetland Crossing K3) To construct and maintain a 12-inch diameter PVC sanitary sewer line and a temporary road crossing 246 feet of PSS wetlands. (Latitude: 40° 38' 0.5"; Longitude: -76° 03' 53")

o. (Wetland Crossing K4) To construct and maintain a 12-inch diameter PVC sanitary sewer line and a temporary road crossing 61 feet of PEM wetlands. (Latitude: 40° 38' 5.5"; Longitude: -76° 03' 57.6")

p. (Wetland Crossing L1) To construct and maintain a 12-inch diameter PVC sanitary sewer line and a temporary road crossing 63 feet of PSS wetlands. (Latitude: 40° 38' 5.9"; Longitude: -76° 03' 57.4")

q. (Wetland Crossing L2) To construct and maintain a 12-inch diameter PVC sanitary sewer line and a temporary road crossing 51 feet of PSS wetlands. (Latitude: 40° 38' 8.4"; Longitude: -76° 03' 58.4")

The project is located approximately 0.02 mile southwest of the intersection of SR-895 and SR-61. (Auburn, Orwigsburg, PA Quadrangle Latitude: 40° 36' 59"; Longitude: -76° 03' 40").

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

E67-884: Mark Koski, 12294 Pleasant Valley Road, Glen Rock, PA 17327, **York County**, ACOE Baltimore District.

The applicant proposes to realign approximately 30.0 feet of stream and to construct and maintain a 24.0-foot wide, single span bridge having a normal span of 50.0 feet and an underclearance of 10.7 feet across South Branch Codorus Creek (WWF) for the purpose of gaining access to adjacent property. The project is located at 12294 Pleasant Valley Road, Glen Rock, PA 17327, 600 feet north of the intersection of Fissels Church and Pleasant Valley Roads (Glen Rock, PA Quadrangle N: 4.5 inches; W: 11.8 inches, Latitude: 39° 46' 46.84"; Longitude: 76° 43' 34.29") in Shrewsbury Township, York County.

E36-873: Conewago Industrial Park Association, P. O. Box 332, Lemoyne, PA 17043, West Donegal Township, **Lancaster County**, ACOE Baltimore District.

To place and maintain fill in 0.93 acre of palustrine emergent/forested (PEM/PFO) wetlands for the purpose of developing lots on an existing industrial park located off

SR 230 on Industrial Road (Middletown, PA Quadrangle N: 5.55 inches; W: 2.33 inches, Latitude: 40° 09' 20"; Longitude: 76° 38' 30") in West Donegal Township, Lancaster County. To compensate for wetland impacts, the permittee shall provide 3.27 acres of PEM/PSS/PFO replacement wetlands onsite.

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

E41-610. Anadarko Marcellus Midstream, LLC, P. O. Box 1330, Houston, TX 77251. Larry's Creek Pipeline, in Cummings and Mifflin Townships, **Lycoming County**, ACOE Baltimore District (Waterville, PA Quadrangle Latitude: 41° 19' 26"; Longitude: 77° 15' 33").

The application proposes a total of eight stream and three wetland crossings. Wetland and stream crossing number 1 and 3 will be avoided. Wetland crossing number 2 and 7 will cross Exceptional Value wetlands in the Harbor Run Drainage and the other in an Unnamed Tributary to Larry's Creek. The remaining stream crossings 2 and 4—8 in Harbor Run and an Unnamed Tributary to Larry's Creek are proposed to be open trench crossings with the exception of crossing 7 and 8, which will be Directional Drilled. The total stream impacts for the 8 crossings are 181 linear feet and the total area of temporary wetland impacts is 93 square feet. All of these crossings are within Wild Trout Waters along with Exceptional Value waters.

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

E02-1640. Plum Borough, 4575 New Texas Road, Pittsburgh, PA 15239. To remove and replace a box culvert and maintain fill in wetlands in Plum Borough, **Allegheny County**, Pittsburgh ACOE District (New Kensington East, PA Quadrangle N: 1.5 inches; W: 14.4 inches, Latitude: 40° 30' 30"; Longitude: 79° 43' 43"). The applicant proposes to remove the existing structure and to construct and maintain a box culvert having a span of 10.0 feet with an underclearance of 8.0 feet in the channel of Little Plum Creek (WWF) and to place and maintain fill in approximately 0.14 acre of for the purpose of providing access to the proposed Plum Borough Municipal Center which will consists of a new Public Works Building, Salt Storage Building, Renton Firehouse and a Plum Municipal Building. The project is located approximately 1,700.0 feet downstream from the intersection of Little Plum Creek and Renton Road and will impact approximately 130.0 linear feet of stream channel and 0.14 acre of wetlands.

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

E10-462, Butler Area Sewer Authority, 100 Litman Road, Butler, PA 16001. Monroe Diversion, Pumping and Storage Facility, in City of Butler, **Butler County**, ACOE Pittsburgh District (Butler, PA Quadrangle N: 40° 51' 31"; W: 79° 53' 15").

The applicant is proposing to construct and maintain the following structures within the Federal Flood Control project in Connoquenessing Creek within the City of Butler: 1) a stormwater/sewage emergency overflow structure having a 1.5-foot diameter outfall pipe and concrete endwall at the Monroe Equalization Tanks site approximately 240 feet southwest of the intersection East Cunningham and South Monroe Streets; and 2) a stormwater/sewage emergency overflow structure having a 2-foot diameter outfall pipe and concrete endwall at the Monroe

Pump Station site approximately 300 feet northeast of the intersection of McClain Avenue and South Monroe Street. Connoquenessing Creek is a perennial stream classified as a warm water fishery.

E37-183, Lawrence County Commissioners, Lawrence County Government Center, 430 Court Street, New Castle, PA 16101. South Mill Street Bridge Across Neshannock Creek, in City of New Castle, **Lawrence County**, ACOE Pittsburgh District (New Castle South, PA Quadrangle N: 40° 59' 54.6"; W: 80° 20' 39.3").

To remove the existing single span truss bridge and to construct and maintain a 44.6 ft long steel girder bridge having two clear spans of 109 feet (bearing to bearing) and a maximum underclearance of 14 feet on a 45° skew across Neshannock Creek (TSF) on South Mill Street between SR 422 Business (East Washington Street) and SR 108/168 (South Croton Avenue). Temporary construction access causeway and cofferdams will be installed from the south bank of Neshannock Creek to about mid channel for removal of the existing bridge and construction of the new bridge.

ENVIRONMENTAL ASSESSMENTS

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

EA21-005: Turnpike Commission, P. O. Box 67676, Harrisburg, PA 17107-7676, Hopewell and North Newton Townships, **Cumberland County**, ACOE Baltimore District.

The applicant proposes to impact 0.95 acre of Palustrine Emergent (PEM) wetland for the purpose of tying in a 3.6 acre wetland creation/enhancement project, located east of the intersection of SR 0641 and Mountain Road in Hopewell and North Newton Townships, **Cumberland County** (Newburg, PA Quadrangle N: 4.09 inches; W: 1.09 inches, Latitude: 40° 08' 51"; Longitude: -77° 30' 28").

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

EA25-052. Department of Environmental Protection Northwest Regional Office, 230 Chestnut Street, Meadville, PA 16335. Currie Landfill Remediation, in Millcreek Township, **Erie County**, ACOE Pittsburgh District (Swanville, PA Quadrangle N: 42° 5' 55"; W: 80° 8' 5").

The Department of Environmental Protection Northwest Regional Office Hazardous Sites Cleanup Program is requesting 401 Water Quality Certification for encroachments associated with the consolidation and capping of waste in place at the Currie Landfill site. The Currie Landfill site is bordered to the north by West 15th Street, to the east by Pittsburgh Avenue, to the northwest by Sellinger Avenue and to the south by Conrail railroad tracks. The site consists of three parcels of land, two currently owned by the Erie Drive-In Theater Corporation, referred to as parcels A and B; and one owned by UPS Freight, referred to as parcel C. The area that will be part of the remedial response will include the entirety of parcels A and B, and also include the northwest corner of parcel C.

The proposed remediation will consolidate the landfill waste and place a two foot soil cap over the waste. This alternative will remove the waste from parcel A and a portion of parcel C to be incorporated with the waste in parcel B. A two foot soil cap would be placed over parcel B. Parcel A will be covered with clean fill followed by course aggregate for future land development opportunities. The northeastern area of the undeveloped landfill will serve as the constructed wetland stormwater detention basin. Waste will be removed from the stream banks and will be restored with a 25' riparian buffer. The waste and soil cap will be graded to a final slope of 1% crowned from the center of parcel B to the north and south into collection channels that will drain into the stormwater detention basin. Parcel A will slope 1% to the south and drain into the stormwater detention basin. Parcel A will be an impervious surface and parcel B will have a vegetative cover. Operations and maintenance will be required by the landowners to maintain the landfill cap and to ensure the wetland stormwater detention pond operates properly.

The proposed encroachments are: 1) to remove waste from the streambanks and associated floodplain of the West Branch of Cascade Creek for a length of approximately 700 feet; 2) to reconstruct and maintain streambanks, riparian area and stream channel for a length of approximately 700 feet; 3) to construct stormwater BMPs including associated outfalls within the floodway and floodplain of the West Branch of Cascade Creek; and 4) to impact an unknown area of wetland if the wetland is located on top of waste that would be removed. The West Branch of Cascade Creek is a perennial stream classified as a warm water fishery and migratory fishery.

DAM SAFETY

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

D46-350. Upper Dublin Township, 801 Loch Ash Avenue, Fort Washington, PA 19034-1697. To construct, operate, and maintain the Rapp Run Flood Retarding Dam across Rapp Run (TSF). Project proposes permanent impacts to 0.53-acre of PEM/PSS/PFO wetland; temporary impacts to 0.23-acre of PEM wetland; permanent impacts to 191 lineal feet of stream channel; and temporary impacts to 70 lineal feet of stream channel and providing 0.90-acre of wetland mitigation, for the purpose of alleviating flooding within the Fort Washington Office Center (Ambler, PA Quadrangle N: 2.9 inches; W: 8.3 inches) in Upper Dublin Township, **Montgomery County**.

D46-351. Upper Dublin Township, 801 Loch Ash Avenue, Fort Washington, PA 19034-1697. To construct, operate and maintain the Pine Run Flood Retarding Dam across Pine Run (TSF). Project proposes permanent impacts to 0.43-acre of PEM/PFO wetland; temporary impacts to 0.12-acre of PEM wetland; permanent impacts to 375 lineal feet of stream channel; and temporary impacts to 377 lineal feet of stream channel and providing 0.62-acre of wetland mitigation, for the purpose of alleviating flooding within the Fort Washington Office Center (Ambler, PA Quadrangle N: 3.3 inches; W: 5.7 inches) in Upper Dublin Township, **Montgomery County**.

ACTIONS

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

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

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

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

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

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

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

I. NPDES Renewal Permit Actions

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

<i>NPDES No. (Type)</i>	<i>Facility Name & Address</i>	<i>County & Municipality</i>	<i>Stream Name (Watershed #)</i>	<i>EPA Waived Y/N?</i>
PA0060691 (Sewage)	Moon Lake Park Moon Lake Park Plymouth Township, PA 18621	Luzerne County Plymouth Township	Unnamed Tributary of Hunlock Creek 5-B CWF	Y

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

<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>
PA0011801 (Industrial Waste)	Air Products & Chemicals 400 Island Park Easton, PA 18042	Northampton County Glendon Borough	Lehigh River Warm Water Fishes 2-C	Y

<i>NPDES No. (Type)</i>	<i>Facility Name & Address</i>	<i>County & Municipality</i>	<i>Stream Name (Watershed #)</i>	<i>EPA Waived Y/N</i>
PA0035033 (Sewage)	Pinebrook Bible Conference & Retreat Center 1 Pinebrook Road East Stroudsburg, PA 18301-0001	Monroe County Stroud Township	Brodhead Creek 1-E	Y
<i>Southwest Region: Water Management Program Manager, 400 Waterfront Drive, Pittsburgh, PA 15222-4745.</i>				
<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>
PA0216852 Sewage	TRC, Inc. 441 Route 31 Ruffsedale, PA 15679	Westmoreland County East Huntingdon Township	Buffalo Run	Y
PA0203955 Sewage	84 Lumber Company 1019 Route 519 Building 5 Eighty Four, PA 15339	Washington County North Strabane Township	Little Chartiers Creek	Y
PA0252735 Sewage	Huston Farms, LLC 626 Cross Road Rockwood, PA 15557	Somerset County Milford Township	UNT of South Glade Creek	Y
PA0216208 Sewage	John F. Kotun 319 Anderson Hozak Road Clinton, PA 15026	Raccoon Township Beaver County	Swale to UNT of Service Creek	Y
PA0217247 Sewage	Marion Center Area School District Box 156 Route 403 Marion Center, PA 15759	Indiana County Washington Township	UNT of South Branch Plum Creek	Y

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

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

NPDES Permit No. PAG040150, Sewage, **Sheri C. Guenst**, 1512 Route 309, Quakertown, PA 18951. This proposed facility is located in Springfield Township, **Bucks County**.

Description of Proposed Action/Activity: Approval to discharge of 500 gpd of treated sewage into an Unnamed Tributary to Tohickon Creek in Watershed 2-D.

NPDES Permit No. PA0055395, Amendment 2, Sewage, **Green Top Management, LLC**, P. O. Box 677, Morgantown, PA 19543. This proposed facility is located in West Rockhill Township, **Bucks County**.

Description of Proposed Action/Activity: Approval to discharge of 18,000 gpd of treated sewage into an Unnamed Tributary to Tohickon Creek in Watershed 2-D.

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

NPDES Permit No. PA0021563, 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: Authorization to discharge to Rock Creek in Watershed 13-D.

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

NPDES Permit No. PA0002062-A3, Industrial Waste, **RRI Energy Northeast Management Company**, 121 Champion Way, Canonsburg, PA 15317. This existing facility is located in Plumcreek Township, **Armstrong County**.

Description of Proposed Action/Activity: Permit amendment issuance to add new discharges from two proposed stormwater settling basins.

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

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

WQM Permit No. 4010401, Sewerage, **Borough of Freeland Municipal Authority**. This proposed facility is located in Foster Township, **Luzerne County**.

Description of Proposed Action/Activity: Issuance of Water Quality Management Permit for expansion/upgrading of the existing wastewater treatment plant and existing Combined Sewer Outfall Structure.

WQM Permit No. 3509403, Sewerage, **Borough of Archbald**, 400 Church Street, Archbald, PA 18403. This proposed facility is located in Jessup and Archbald Boroughs, **Lackawanna County**.

Description of Proposed Action/Activity: Issuance of Water Quality Management Permit for sanitary sewer extension to service the Valley View Business Park—Phase II area and PEI Power Park Lot 10.

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

WQM Permit No. 0998401, Transfer, Sewerage, **Sheri C. Guent**, 1512 Route 309, Quakertown, PA 18951-4157. This proposed facility is located in Springfield Township, **Bucks County**.

Description of Action/Activity: Permit is being transferred from Glendora Schueck to Sheri Guent. This is a single residence sewage treatment plant.

WQM Permit No. 0909409, Sewerage, **Green Top Management, LLC**, P. O. Box 677, Morgantown, PA 19543. This proposed facility is located in West Rockhill Township, **Bucks County**.

Description of Action/Activity: Construction and operation of a sewage treatment plant.

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

WQM Permit No. 0310201, Industrial Waste, **RRI Energy Northeast Management Company**, 121 Champion Way, Suite 200, Canonsburg, PA 15317. This proposed facility is located in Plumcreek Township, **Armstrong County**.

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

WQM Permit No. 6510402, Sewerage, **Mon Valley Sewage Authority**, P. O. Box 792, Donora, PA 15033. This proposed facility is located in Carroll Township, **Washington County**.

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

WQM Permit No. WQG026129, Sewerage, **Shade Township**, Box 39, 1221 No. 1 Road, Cairnbrook, PA 15924. This proposed facility is located in Shade Township, **Somerset County**.

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

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

WQM Permit No. 4310402, Sewerage, **Daniel and Tracy Scott, d/b/a Rainbow Valley Restaurant**, 70 Baker Road, Greenville, PA 16125. This existing facility is located in Perry Township, **Mercer County**.

Description of Proposed Action/Activity: This treatment plant and discharge will replace an existing onlot system which was used to service the old restaurant.

WQM Permit No. WQG018762, Sewerage, **Charles Kenney**, 5736 Meridian Road, Gibsonia, PA 15044-9461. This proposed/existing facility is located in Brady Township, **Clarion County**.

Description of Proposed Action/Activity: A Single Residence Small Flow Treatment Facility.

WQM Permit No. WQG018763, Sewerage, **Korine Guthrie**, 1605 Winner Road, Hermitage, PA 16148. This proposed facility is located in the City of Hermitage, **Mercer County**.

Description of Proposed Action/Activity: A Single Residence Small Flow Treatment Facility.

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 461001	Pennsylvania Air National Guard 111th Fighter Wing 2164 McGuire Street Willow Grove, ARS, PA 19090-5232	Montgomery	Horsham Township	Unnamed Tributary Park Creek WWF

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>
PAI024507017	Sawmill Highlands, LLC P. O. Box K Stroudsburg, PA 18360	Monroe	Hamilton Township	Appenzell Creek HQ-CWF, MF

<i>NPDES Permit No.</i>	<i>Applicant Name & Address</i>	<i>County</i>	<i>Municipality</i>	<i>Receiving Water/Use</i>
PAI024507008(2)	Pocono Township Supervisors P. O. Box 197 Tannersville, PA 18372	Monroe	Stroud Township Stroudsburg Borough	Tributary to Pocono HQ-CWF, MF Flagler Run HQ-CWF, MF Wigwam Run HQ-CWF, MF Big Meadow Run HQ-CWF, MF Tributary to Brodhead Creek TSF, MF
PAI023907008	Taylor Drive, LLC 822 West Hamilton Street Suite 301 Allentown, PA 18101	Lehigh	Upper Saucon Township	Saucon 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>
PAI030610004	Clair Martin 354 Oak Haven Road Fleetwood, PA 19522	Berks	Richmond Township	Moselem Creek HQ-CWF-MF

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

<i>NPDES Permit No.</i>	<i>Applicant Name & Address</i>	<i>County</i>	<i>Municipality</i>	<i>Receiving Water/Use</i>
PAI 0624 10 001	Robert Yoder 5960 Susquehanna Trail Turbotville, PA 17772	Elk	City of St. Mary's	Elk Creek CWF

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

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

List of NPDES and/or Other General Permit Types

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

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

<i>Municipality & County</i>	<i>Permit No.</i>	<i>Applicant Name & Address</i>	<i>Receiving Water/Use</i>	<i>Contact Office & Phone No.</i>
Warminster Township Bucks County	PAG0200 091024	Nativity of Our Lord Church 625 West Street Road Warminster, PA 18974	Little Neshaminy Creek WWF-MF	Southeast Regional Office 2 East Main Street Norristown, PA 19401 484-250-5900
Upper Southampton Township Bucks County	PAG0200 0905084-R	The Donnelly Family, LP 550 Swamp Road Newtown, PA 18940	Neshaminy Creek WWF-MF	Southeast Regional Office 2 East Main Street Norristown, PA 19401 484-250-5900
West Rockhill Township Bucks County	PAG0200 0905168-1	Penn Foundation, Inc. 807 Lawn Avenue P. O. Box 32 Sellersville, PA 18960	East Branch Perkiomen Creek TSF	Southeast Regional Office 2 East Main Street Norristown, PA 19401 484-250-5900
Lower and Upper Southampton Townships Bucks County	PAG0200 091033	Lower Southampton Township 1500 Desire Avenue Feasterville, PA 19053	Mill Creek CWF-MF	Southeast Regional Office 2 East Main Street Norristown, PA 19401 484-250-5900
Lower Southampton Township Bucks County	PAG0200 1034	Lower Southampton Township 1500 Desire Avenue Feasterville, PA 19053	Neshaminy Creek WWF-MF	Southeast Regional Office 2 East Main Street Norristown, PA 19401 484-250-5900
West Marlborough Township Chester County	PAG0200 151017	Keith E. Adams 111 Patriot Drive Suite A Middletown, DE 19709	West Branch Red Clay Creek TSF-MF	Southeast Regional Office 2 East Main Street Norristown, PA 19401 484-250-5900
New Garden Township Chester County	PAG0200 151012	Sharon Miller Berkshire Bank 1 Hearthstine Court Reading, PA 19606	Unnamed Tributary West Branch Red Clay Creek TSF	Southeast Regional Office 2 East Main Street Norristown, PA 19401 484-250-5900
London Britain Township Chester County	PAG0200 151021	West Grove Fire Company P. O. Box 210 West Grove, PA 19390 and London Britain Township P. O. Box 215 Kemblesville, PA 19347	Christina River WWF	Southeast Regional Office 2 East Main Street Norristown, PA 19401 484-250-5900
Marple Township Delaware County	PAG0200 2308007-2	Delaware County Community College 901 Media Line Road Media, PA 19063	Tributary Crum Creek WWF	Southeast Regional Office 2 East Main Street Norristown, PA 19401 484-250-5900
Moore and Lehigh Townships Northampton County	PAG2004810010	Alan Van Norman 3420 West Walker Road Walnutport, PA 18088-9557	Tributary to Hokendauqua Creek CWF, MF	Northampton County Conservation District 610-746-1971
Silver Spring Township Cumberland County	PAG2002110010	Silver Spring Township Terri Martini 6475 Carlisle Pike Mechanicsburg, PA 17050	Conodoguinet Creek WWF	Cumberland County Conservation District 310 Allen Road Carlisle, PA 17013 717-240-7812

<i>Facility Location: Municipality & County</i>	<i>Permit No.</i>	<i>Applicant Name & Address</i>	<i>Receiving Water/Use</i>	<i>Contact Office & Phone No.</i>
Millcreek Township Lebanon County	PAG2003810004	Lloyd Newswanger 313 South Millbach Road Newmanstown, PA 17073	Mill Creek CWF-MF	Lebanon County Conservation District 2120 Cornwall Road Suite 5 Lebanon, PA 17042 717-272-2908 Ext. 4
Bethel Township Lebanon County	PAG2003810008	Wayne Zimmerman 576 Long Road Lebanon, PA 17046	UNT to Little Swatara Creek WWF	Lebanon County Conservation District 2120 Cornwall Road Suite 5 Lebanon, PA 17042 717-272-2908 Ext. 4
Shrewsbury Township York County	PAG2006705086-1	Chase Mill 18147 Amanda Drive New Freedom, PA 17349	Deer Creek CWF	York County Conservation District 118 Pleasant Acres Road York, PA 17402 (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 (717) 840-7430
Fairview Township York County	PAG2006704138-R	S & A Homes 2121 Old Gateburg Road Suite 200 State College, PA 16803	Big Springs Run TSF	York County Conservation District 118 Pleasant Acres Road York, PA 17402 (717) 840-7430
West Manheim Township York County	PAG2006705021-R	Stone Ridge Developers 1500 Baltimore Pike Hanover, PA 17331	West Branch Codorus WWF	York County Conservation District 118 Pleasant Acres Road York, PA 17402 (717) 840-7430
Carroll Township York County	PAG2006705024-1	Windy Heights 201 South Filey Road Dillsburg, PA 17019	Stoney Run CWF	York County Conservation District 118 Pleasant Acres Road York, PA 17402 (717) 840-7430
Carroll Township York County	PAG2006710006	Shirl Acres 8468 Carlisle Pike York Springs, PA 17372	Stoney Run CWF	York County Conservation District 118 Pleasant Acres Road York, PA 17402 (717) 840-7430
Shrewsbury Borough York County	PAG2006705017-R	Heathcote Glen 18147 Amanda Lane New Freedom, PA 17349	Trout Run WWF	York County Conservation District 118 Pleasant Acres Road York, PA 17402 (717) 840-7430
Shrewsbury Township York County	PAG2006709051	Shrewsbury Gospel Temple 713 Forrest Avenue Glen Rock, PA 17327	Trout Run WWF	York County Conservation District 118 Pleasant Acres Road York, PA 17402 (717) 840-7430

NOTICES

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<i>Facility Location: Municipality & County</i>	<i>Permit No.</i>	<i>Applicant Name & Address</i>	<i>Receiving Water / Use</i>	<i>Contact Office & Phone No.</i>
West Manheim Township York County	PAG2006706006	West Manheim Township 2412 Baltimore Pike Hanover, PA 17331	South Branch Codorus Creek WWF	York County Conservation District 118 Pleasant Acres Road York, PA 17402 (717) 840-7430
West Manchester Township York County	PAG2006710017	Voith Hydro, Inc. P. O. Box 712 York, PA 17405	UNT WWF	York County Conservation District 118 Pleasant Acres Road York, PA 17402 (717) 840-7430
Newberry Township York County	PAG2006709056	Eclipse Builders, Inc. 2047 Raleigh Street Hummelstown, PA 17036	Fishing Creek TSF	York County Conservation District 118 Pleasant Acres Road York, PA 17402 (717) 840-7430
Blair Township Blair County	PAG2000710006	Freedom Township Water & Sewer 131 Municipal Street East Freedom, PA 16637	Frankstown Branch Juniata River— McDonald Run TSF-WWF	Blair County Conservation District 1407 Blair Street Hollidaysburg, PA 16648 814-696-0877 Ext. 5
Logan Township Blair County	PAG2000710004	Ian Salada Penn State University 101 P Physical Plant Building University Park, PA 16802	Spring Run WWF	Blair County Conservation District 1407 Blair Street Hollidaysburg, PA 16648 814-696-0877 Ext. 5
Montgomery Township Franklin County	PAG2002810016	Tower Bank 40 Center Square Greencastle, PA 17225	Welsh Run TSF-MF	Franklin County Conservation District 185 Franklin Farm Lane Chambersburg, PA 17201 717-264-5499
Wernersville Borough Berks County	PAG2000610032	Wernersville Properties, LP 59 Hopewell Road Elverson, PA 19520	Little Cacossing and Tulpehocken Creeks WWF	Berks County Conservation District 1238 County Welfare Road Suite 200 Leesport, PA 19533 610-372-4657
Douglass Township Berks County	PAG2000610034	Douglass Village, LLC c/o Mark L. Stewart 3801 Germantown Pike Collegetown, PA 19426	UNT to Schuylkill River WWF	Berks County Conservation District 1238 County Welfare Road Suite 200 Leesport, PA 19533 610-372-4657
Oley Township Berks County	PAG2000610017	David W. Mast 161 Baker Road Oley, PA 19547	Little Manatawny Creek CWF-MF	Berks County Conservation District 1238 County Welfare Road Suite 200 Leesport, PA 19533 610-372-4657

<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>
Ferguson Township Centre County	PAG2001410014	S & A Homes, Inc. The Landings 2121 Old Gatesburg Road Suite 200 State College, PA 16801	Big Hollow CWF	Centre County Conservation District 414 Holmes Avenue Suite 4 Bellefonte, PA 16823 (814) 355-6817
Ferguson Township Centre County	PAG2001410016	Foxpointe Drive Extension Elwin Stewart 2480 Old Gatesburg Road State College, PA 16803	UNT to Big Hollow CWF	Centre County Conservation District 414 Holmes Avenue Suite 4 Bellefonte, PA 16823 (814) 355-6817
Franklin Township Columbia County	PAG2001910004	Charles Reh Southern Columbia Area School District 800 Southern Drive Catawissa, PA 17820	Roaring Creek TSF	Columbia County Conservation District 702 Sawmill Road Suite 204 Bloomsburg, PA 17815 (570) 784-1310 Ext. 102
Cambria County Richland Township	PAG02001110004	Darwin Owens JRA Development Group, Inc. 123 36th Street Pittsburgh, PA 15201	UNT Stonycreek River CWF	Cambria County Conservation District 401 Candlelight Drive Suite 221 Ebensburg, PA 15931 814-472-2120
Cambria County Stonycreek Township Lorain and Geistown Boroughs	PAG02001110003	Highland Sewer & Water Authority 120 Tank Drive Johnstown, PA 15904	Sam's Run WWF	Cambria County Conservation District 401 Candlelight Drive Suite 221 Ebensburg, PA 15931 814-472-2120
Washington County Cecil Township	PAG2006310003-1	Oakbrooke Muse Partners, LP 300 Weyman Road Suite 210 Pittsburgh, PA 15236	UNT to Brush Run WWF	Washington County Conservation District 602 Courthouse Square Washington, PA 15301 724-228-6774
Westmoreland County New Alexandria Borough Derry Township	PAG2006510002	Derry Township Municipal Authority P. O. Box 250 New Derry, PA 15671	Loyalhanna Creek WWF	Westmoreland County Conservation District 218 Donohoe Road Greensburg, PA 15601 724-837-5271
Westmoreland County Hempfield Township	PAG2006510014	Hempfield Township Supervisor 1132 Woodward Drive Suite A Greensburg, PA 15601	UNT to Jacks Run CWF	Westmoreland County Conservation District 218 Donohoe Road Greensburg, PA 15601 724-837-5271
Benezette Township Elk County	PAG02 0024 10 002	Benezette Township P. O. Box 10 Benezette, PA 15821	Bennett's Branch and Tributary; Trout Run and Tributary WWF/CWF	Elk County Conservation District 814-776-5373
Snyder Township Jefferson County	PAG02 0033 10 002	Department of Transportation P. O. Box 429 2550 Oakland Avenue Indiana, PA 15701-0429	Mill Creek CWF Little Toby Creek CWF	Jefferson County Conservation District 814-849-7463

General Permit Type—PAG-3

*Facility Location:
Municipality &
County*

Berks County
Reading City

Permit No.
PAR803625

*Applicant Name &
Address*
Reading Truck Body, LLC
P. O. Box 650
Shillington, PA 19607-0650

*Receiving
Water/Use*
Schuylkill River
WWF

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

General Permit Type—PAG-4

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

*Facility Location:
Municipality &
County*

Brady Township
Clarion County

Permit No.
PAG049594

*Applicant Name &
Address*
Charles Kenney
5736 Meridian Road
Gibsonia, PA 15044-9461

*Receiving
Water/Use*
Allegheny River
17-C

*Contact Office &
Phone No.*
DEP—NWRO
Water Management
230 Chestnut Street
Meadville, PA
16335-3481
814/332-6942

City of Hermitage
Mercer County

Permit No.
PAG049595

*Applicant Name &
Address*
Korine Guthrie
1605 Winner Road
Hermitage, PA 16148

*Receiving
Water/Use*
Unnamed Tributary
to Golden Run
20-A

*Contact Office &
Phone No.*
DEP—NWRO
Water Management
230 Chestnut Street
Meadville, PA
16335-3481
814/332-6942

STATE CONSERVATION COMMISSION

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

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

Persons aggrieved by any action may appeal under section 517 of Act 38, section 4 of the Environmental Hearing Board Act (35 P. S. § 7514) and 2 Pa.C.S. §§ 501—508 and 701—704 (relating to 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 at (800) 654-5984. Appeals must be filed with the Board within 30 days of publication of this notice in the *Pennsylvania Bulletin*. Copies of the appeal form and the Board's rules of practice and procedure may be obtained from the Board. The appeal form and the Board's rules of practice and procedure are also available in Braille or on audiotape from the Secretary of the Board at (717) 787-3483. This paragraph does not, in and of itself, create any right of appeal beyond that permitted by applicable statutes and decision law.

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

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

CAFO PUBLIC NOTICE SPREADSHEET—ACTIONS

<i>Agricultural Operation Name and Address</i>	<i>County</i>	<i>Total Acres</i>	<i>Animal Equivalent Units</i>	<i>Animal Type</i>	<i>Special Protection Waters (HQ or EV or NA)</i>	<i>Approved or Disapproved</i>
J. Kevin Rohrer 2115 Rohrer Road Manheim, PA 17545	Lancaster	400	627.19	Swine/ Beef	HQ	A
James Charles 3241 Blue Rock Road Lancaster, PA 17603	Lancaster	104.4	311.14	Swine/ Layers	None	A

<i>Agricultural Operation Name and Address</i>	<i>County</i>	<i>Total Acres</i>	<i>Animal Equivalent Units</i>	<i>Animal Type</i>	<i>Special Protection Waters (HQ or EV or NA)</i>	<i>Approved or Disapproved</i>
Jeff Frey 13 Radcliff Road Willow Street, PA 17584	Lancaster	550	558.30	Swine	None	A
Hibred Swine Farm Lori Stone 415 Forest Road Denver, PA 17517	Lancaster	7.8	571.90	Swine	HQ	A
Middle Creek Swine Farm Lori Stone 1925 West Route 897 Denver, PA 17519	Lancaster	50.7	728.80	Swine	HQ	A

PUBLIC WATER SUPPLY (PWS) PERMITS

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

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

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

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

SAFE DRINKING WATER

Actions taken under the Pennsylvania Safe Drinking Water Act

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

Operations Permit 1510514 issued to **Aqua Pennsylvania, Inc.**, 762 West Lancaster Avenue, Bryn Mawr, PA 19010.

(PWSID 1460073) Schuylkill Township, **Chester County**, June 17, 2009, for operations Facilities approved under construction permit No. 1505507 for operations to

improvements at the Air Scour at Pickering West Waste Water Treatment Plant located at Schuylkill Township, Chester County.

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

Permit No. 2809504, Public Water Supply.

Applicant	Sandy Hook Water Association
Municipality	Hamilton Township
County	Franklin
Responsible Official	Richard Mellott, Association Member 5103 Mountain Road Chambersburg, PA 17201
Type of Facility	Cartridge filtration and disinfection.
Consulting Engineer	Harry E. Bingaman, P. E. Glace Assoc., Inc. 3705 Trindle Road Camp Hill, PA 17011
Permit to Construct Issued:	8/5/2010

Permit No. 2210503, Public Water Supply.

Applicant	Pennsylvania-American Water
Municipality	South Hanover Township
County	Dauphin
Responsible Official	David R. Kauffman 800 West Hersheypark Drive Hershey, PA 17033
Type of Facility	Installation of upgrades/improvements at the existing Hershey WTP. These are to include the addition of a raw water pump, clarifier, supplemental raw water pH adjustment facility, finished water pump emergency chlorine gas scrubber and a generator. Replacement of a bulk storage tank and the filter media will also occur. PA American is also requesting an increase in the filtration rate to 4 gpm/sf.

Consulting Engineer Mark E. Bottin, P. E.
Hazen & Sawyer
Suite 1001
Philadelphia, PA 19108

Permit to Construct 7/28/2010
Issued:

Permit No. 2210505 MA, Minor Amendment, Public Water Supply.

Applicant **United Water Pennsylvania, Inc.**

Municipality Susquehanna Township

County **Dauphin**

Responsible Official John D. Hollenbach, Vice President
4211 East Park Circle
Harrisburg, PA 17111-0151

Type of Facility Repainting of the Sixth Street Elevated Storage Tank.

Consulting Engineer Arthur Saunders, P. E.
United Water Pennsylvania
4211 East Park Circle
Harrisburg, PA 17111

Permit to Construct 7/28/2010
Issued:

Permit No. 2210509 MA, Minor Amendment, Public Water Supply.

Applicant **United Water Pennsylvania**

Municipality Dauphin Borough

County **Dauphin**

Responsible Official John D. Hollenbach, Vice President
4211 East Park Circle
Harrisburg, PA 17111-0151

Type of Facility Installation of a PAX mixing system in the 2.0 MG Hillside Storage Tank.

Consulting Engineer Arthur Saunders, P. E.
United Water Pennsylvania
4211 East Park Circle
Harrisburg, PA 17111

Permit to Construct 8/2/2010
Issued:

Operations Permit issued to **Motiva Enterprises, LLC**, 7360964, Lancaster, **Lancaster County** on 8/4/2010 for the operation of facilities approved under Construction Permit No. 3602508.

Operations Permit issued to **Pennsylvania American Water—West Shore Plant**, 7210029, Fariview Township, **York County** on 8/4/2010 for the operation of facilities approved under Construction Permit No. 6707515 MA.

Operations Permit issued to **City of Lebanon Authority**, 7380010, Lebanon, **Lebanon County** on 8/4/2010 for the operation of facilities approved under Construction Permit No. 3809510 MA.

Operations Permit issued to **Pillow Borough Authority**, 7220046, Pillow Borough, **Dauphin County** on 8/4/2010 for the operation of facilities approved under Construction Permit No. 2209505.

Operations Permit issued to **City of Lebanon Authority**, 7380010, Swatara Township, **Lebanon County**

on 8/4/2010 for the operation of facilities approved under Construction Permit No. 3810502 MA.

Operations Permit issued to **Millersville University**, 7360127, Millersville Borough, **Lancaster County** on 8/4/2010 for the operation of facilities approved under Construction Permit No. 3610528 MA.

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

Permit No. MA (1808501)—Construction, Public Water Supply.

Applicant **Suburban Lock Haven Water Authority**

Township or Borough Lamar Township

County **Clinton**

Responsible Official Jack D. Peters, Chairperson
Suburban Lock Haven Water Authority
326 Main Street
Mill Hall, PA 17751

Type of Facility Public Water Supply—Construction

Consulting Engineer David M. Swisher, P. E.
HRG, Inc.
474 Windmere Drive
Suite 100
State College, PA 16801

Permit Issued Date August 10, 2010

Description of Action Construction of the bulk filling/metering station.

Permit No. 4301501, Public Water Supply.

Applicant **Aqua Pennsylvania, Inc.**

Borough or Township Farrell Borough

County **Mercer**

Type of Facility Public Water Supply

Consulting Engineer Brian T. Bison, P. E.
VP of Engineering
Aqua Ohio, Inc.
66650 South Avenue
Boardman, OH 44512

Permit to Construct 8/2/2010
Issued

Permit No. 2010501, Public Water Supply.

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

Borough or Township Sadsbury and Summit Townships

County **Crawford**

Type of Facility Public Water Supply

Consulting Engineer Peter Kusky, P. E.

Permit to Construct 8/3/2010
Issued

Operations Permit Transfer issued to **Aqua Pennsylvania, Inc.**, 762 West Lancaster Avenue, Bryn Mawr, PA 19010, 6200014, Sadsbury and Summit Townships, **Crawford County** on August 3, 2010 for the operation of facilities approved under construction permit No. 2087502, Lakeside Acres and Oakland Beach.

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

Wellhead Protection Program Approval issued to the **City of Oil City**, City Plaza 21, Seneca Street, Oil City, PA 16301, PWSID No. 6610023, Oil City, **Venango County** on August 9, 2010.

STORMWATER MANAGEMENT

Action on plans submitted under the Stormwater Management Act (32 P. S. § 680.9)

Bureau of Watershed Management, P. O. Box 8775, Harrisburg, PA 17105-8775.

The Act 167 County-Wide Stormwater Management Plan for Dauphin County, submitted by Dauphin County, was approved on June 25, 2010. This plan applies all watersheds and all areas within Dauphin County.

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

Notice of Prompt Interim Response

Port Richmond Gate Site, Philadelphia County

The Department of Environmental Protection (Department), under the authority of the Hazardous Sites Cleanup Act, 35 P. S. §§ 6020.101—6020.1305 (HSCA) is proposing a Prompt Interim Response at the Port Richmond Gate Site (Site) in Philadelphia County, PA.

The Department, under the authority of HSCA, is conducting an investigation of the Site. The Site is the former location of a railroad car staging area that has since been developed and consists of 58 homes bounded by E. Tioga, Edgemont, Venango and Thompson Streets in the Port Richmond section of Philadelphia. This investigation consists of soil sampling over the entire Site along with a Human Health Risk Assessment.

To address the hazardous substances at the Site, and potential threats to human health and the environment, the Department proposes a response action that may include limited soil removal and/or capping, and environmental covenants to restrict certain future land uses of the properties under sections 501(a) of HSCA, 35 P. S. § 6020.501(a). This proposed alternative complies with Applicable, Relevant and Appropriate Requirements (ARARs) and is feasible and cost-effective. Another possible alternative is no action.

An Administrative Record, which contains more detailed information concerning this proposed response action, is available for public inspection. The Administrative Record may be examined from 8 a.m. until 4 p.m. at the Department's office at 2 East Main Street, Norristown, PA 19401. Those interested in examining the Administrative Record should contact Charles Clark at (484) 250-5731 or chaclark@state.pa.us to arrange for an appointment. An additional copy of the Administrative Record is available for review at Philadelphia Free Library—Richmond Branch, 2987 Almond Street, Philadelphia, PA 19134-4955, (215) 685-9992.

Under section 506(d) of HSCA, 35 P. S. § 6020.506(d), the Department shall conduct a public hearing on October 6, 2010, at 7 p.m. at the Grace Church and the Incarnation, 2645 East Venango Street, Philadelphia, PA 19134. Anyone who would like to present formal oral comments regarding this Prompt Interim Response may do so by registering with Department's Community Relations Coordinator Lynda Rebarchak, at (484) 250-5820.

LAND RECYCLING AND ENVIRONMENTAL REMEDIATION

UNDER ACT 2, 1995

PREAMBLE 3

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

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

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

The Department has received the following plans and reports:

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

Lonza, Inc., Conshohocken Borough, **Montgomery County**. Heath A. Brown, Environmental Standards, Inc., 1140 Valley Forge Road, Valley Forge, PA 19482, Martin

Bagnall, Tier De, Inc., 5745 Lincoln Highway, Gap, PA 17527 on behalf of Peter McGinnis, Lonza, Inc., 900 River Road, Conshohocken, PA 19428 has submitted a 90 day Final Report concerning the remediation of site soil contaminated with other organics. The 90 day Final Report demonstrated attainment of the Statewide Health Standard and was approved by the Department of Environmental Protection on May 21, 2010.

CRC Chemical Industrial, Inc., Warminster Township, **Bucks County**. Peter Beyer, Environmental Resource Management, Inc., 350 Eagleview Boulevard, Suite 200, Exton, PA 19341, Michelle Rudnick, CRC Industrial, Inc., 885 Louis Drive, Warminster, PA 18974, on behalf of Adam Selisker, CRC Industrial, Inc., 885 Louis Drive, Warminster, PA 18974 has submitted a Risk Assessment Report concerning the remediation of site groundwater contaminated with chlorinated solvents. The Risk Assessment Report was approved by the Department of Environmental Protection on July 28, 2010.

Leboss Residence, Morrisville Borough, **Bucks County**. Richard D. Trimpi, Trimpi Associates, Inc., 1635 Old Plains Road, Pennsburg, PA 18073, Christine Dimming, P. O. Box 13, Concordville, PA 19331 on behalf of Juliet Leboss, 1684 Jasmine Way, Lincoln, CA 95648 has submitted a Final Report concerning the remediation of site soil and groundwater contaminated with No. 2 fuel oil. The Final Report demonstrated attainment of the Statewide Health Standard and was approved by the Department of Environmental Protection on July 26, 2010.

Dreshertown Plaza, Upper Dublin Township, **Montgomery County**. Craig Herr, RT Environmental Services, Inc., 215 West Church Road, King of Prussia, PA 19406, Harry Watts, Brandolini Property Management, Inc., 1301 Lancaster Avenue, Berwyn, PA 19312 has submitted a Final Report concerning the remediation of site soil and groundwater contaminated with chlorinated solvents. The Final Report was withdrawn by the Brandolini Companies on July 19, 2010.

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

1215 Federal Street, City of Pittsburgh, **Allegheny County**. American Geosciences, Inc., 3925 Reed Boulevard, Suite 400, Murrysville, PA 15668 on behalf of Andrew Stewart, Federal North Associates, LP, 5812 Darlington Road, Pittsburgh, PA 15217 has submitted a Final Report concerning the remediation of site soil and groundwater contaminated with PCE, TCE and its degradation products from a former dry cleaning operation. The Final Report approved by the Department of Environmental Protection on August 4, 2010.

Former Worldwide Refractories, Resco Products, Inc., Tarentum Borough, **Allegheny County**. Conestoga-Rovers & Associates, 103 Gamma Drive Extension, Suite 190, Pittsburgh, PA 15238 on behalf of William Brown, Resco Products, Inc., Penn Center West Building 2, Suite 430, Pittsburgh, PA 15276 has submitted a combined Remedial Investigation and Final Report concerning the remediation of site soil and groundwater contaminated with arsenic and antimony. The Remedial Investigation and Final Report was noticed in the *Valley News Dispatch* on June 25, 2010.

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

Service Oil Company/Aronson-Stern Property, Swatara Township, **Dauphin County**. GeoServices, Ltd.,

1525 Cedar Cliff Drive, Camp Hill, PA 17011, on behalf of Raphael Aronson, Deborah Aronson-Stern and Service Oil Company, 3798 Paxton Street, Harrisburg, PA 17111-1412 submitted a combined Remedial Investigation and Final Report concerning remediation of site soils and groundwater contaminated with leaded gasoline from an underground pipeline. The combined Report demonstrated attainment of the Site-Specific Standard, and was approved by the Department of Environmental Protection on July 29, 2010

Bobby Rahal Automotive Retail Center, Silver Spring Township, **Cumberland County**. Marshall Miller & Associates, Inc., 3913 Hartzdale Drive, Suite 1306, Camp Hill, PA 17011, on behalf of Federated Insurance, 121 East Park Square, P. O. Box 328, Owatonna, NM 55060; Ferris Land Development, Six Penns Way Road, Mechanicsburg, PA 17050; and RM Roach & Sons, Inc., P. O. Box 2899, Martinsburg, WV 25402, submitted a Final Report concerning remediation of site soils, groundwater and surface water contaminated with unleaded gasoline. The Final Report demonstrated attainment of the Residential Statewide Health Standard, and was approved by the Department of Environmental Protection on August 2, 2010.

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

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 Final Report concerning the remediation of site soil contaminated with arsenic, antimony and lead. The Final Report demonstrated attainment of the Site-Specific Standard and was approved by the Department of Environmental Protection on August 3, 2010.

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

Industrial Steel and Pipe Supply Co., City of St. Marys, **Elk County**. Quad Three Group, Inc., 72 Glenmaura National Boulevard, Moosic, PA 18507 on behalf of The City of St. Marys, 11 Lafayette Street, St. Marys, PA 15857 has submitted a Risk Assessment Report and Final Report concerning the remediation of site soil contaminated with Lead and Arsenic. The Risk Assessment Report and Final Report demonstrated attainment of the Site-Specific Standard and was approved by the Department of Environmental Protection on August 6, 2010.

Pennzoil Rouseville Refinery (Plant 2), Cornplanter Township, **Venango County**. URS Corporation, 200 Orchard Ridge Drive, Suite 101, Gaithersburg, MD 20878 on behalf of Pennzoil Quaker State Company, Environmental Services, 910 Louisiana OSP 687, Houston, TX 77002 has submitted a Cleanup Plan concerning remediation of site soil contaminated with volatile and semi-volatile organic compounds including but not limited to, benzene, 1,2,4-trimethylbenzene, 1,3,5-trimethylbenzene, benzo[a]pyrene, 1,2,3-trichloropropane, 1,1,2,2-tetrachloroethane, dibenzofuran, and inorganic compounds including but not limited to arsenic, iron, thallium, lead and site groundwater contaminated with volatile and semi-volatile organic compounds including but not limited to 1,3,5-trimethylbenzene, 1,2,4-trimethylbenzene, methyl tert-butyl ether, benzene, and 2-hexanone. The Cleanup Plan is intended to document remediation of the site to meet the Site-Specific Standard.

AIR QUALITY

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

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

40-399-069GP5: Encana Oil & Gas (USA), Inc. (370 17th Street, Suite 1700, Denver, CO 80202) on August 5, 2010, to construct and operate a Natural Gas Compressor Station at the BUDA-1H well site in Fairmount Township, **Luzerne County**.

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

GP9-2-31-03003: New Enterprise Stone & Lime Co., Inc. (P. O. Box 77, New Enterprise, PA 16664) on August 2, 2010, to install a diesel-fired IC engine at the Orbisonia Quarry in Cromwell Township, **Huntingdon County**.

GP3-2-31-03003: New Enterprise Stone & Lime Co., Inc. (P. O. Box 77, New Enterprise, PA 16664) on August 2, 2010, to install a portable crusher at the Orbisonia Quarry in Cromwell Township, **Huntingdon County**.

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

GP5-59-208: Seneca Resources Corp. (51 Zents Boulevard, Brookville, PA 15825-2701) on July 28, 2010, to construct and operate a 8.3 million standard cubic feet per day glycol dehydrator equipped with a 375,000 Btu/hr 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 their Department of Conservation and Natural Resources Tract 595 in Bloss Township, **Tioga County**.

GP3-57-054A: Insinger Excavating, Inc. (3046 Dushore-Overton Road, Dushore, PA 18613) on July 27, 2010, to construct and operate two Terex Pegson model XR400 portable crushing plants, a Terex Pegson 428 Trackpactor portable crushing plant, a Terex Powerscreen Chiefton 1,800 portable screening plant and a Terex Powerscreen Warrior 1,800 portable screening plant under the General Plan Approval and/or General Operating Permit for Portable Nonmetallic Mineral Processing Plants (BAQ-GPA/GP-3) at their site in Forks Township, **Sullivan County**.

GP9-57-054B: Insinger Excavating, Inc. (3046 Dushore-Overton Road, Dushore, PA 18613) on July 27, 2010, to construct and operate a 275 brake-horsepower Caterpillar model C9 MBD01473 diesel engine, a 300 brake-horsepower Caterpillar model C9 CLJ07981 diesel engine, a 275 brake-horsepower Caterpillar model C9 MBD07813 diesel engine, a 96 brake-horsepower Deutz model BF4M2012C diesel engine and a 111 brake-horsepower Caterpillar model C4.4 TA diesel engine under the General Plan Approval and/or General Operat-

ing Permit for Diesel-Fired Internal Combustion Engines (BAQ-GPA/GP-9) at their site in Forks Township, **Sullivan County**.

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

GP4-32-00408: MKT Technologies, Inc., (57 Cooper Avenue, Homer City, PA 15748-1361) for installation and operation of a Burn Off Oven at Homer City Plant in Homer city, **Indiana County**.

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

GP4-25-079A: Rexam, Inc. (316 West 16th Street, Erie, PA 16502) on August 4, 2010, to operate a burn-off oven (BAQ-GPA/GP-4) in City of Erie, **Erie County**.

GP5-42-225A: SM Energy Co.—Potato Creek 3H Compressor Station (Dividing Ridge Road, Emporium, PA 15834) on August 2, 2010, to operate a natural gas fired compressor engine (BAQ-GPA/GP-5) in Norwich Township, **McKean County**.

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

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

23-0105: Hanson Aggregates PA, LLC, Glen Mills HMA Plant (523 West Forge Road, Glen Mills, PA 19342) on August 4, 2010, for replacement and upgrade of a control device (for example, baghouse) to control emissions at the hot mix asphalt plant in Middletown Township, **Delaware County**. This facility is a non-Title V facility. The proposed modification/reconfiguration will not result in a net increase of particulate matter emissions. The Plan Approval and Operating Permit will contain recordkeeping requirements and operating restrictions designed to keep the facility operating within all applicable air quality requirements.

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

48-317-023: ConAgra Food Ingredients Co. (4888 South Delaware Drive, Martins Creek, PA 18063) on July 23, 2010, to install four fabric collectors at their facility in Lower Mt. Bethel Township, **Northampton County**.

48-309-129: Hercules Cement Co., LP, d/b/a Buzzi Unicem USA (501 Hercules Drive, Stockertown, PA 18083) on July 27, 2010, for modification to burn TDF at the facility in Stockertown Borough, **Northampton County**.

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

18-315-001E: First Quality Tissue, LLC (904 Woods Avenue, Lock Haven, PA 17745) on July 21, 2010, to modify a paper towel and tissue manufacturing operation

to lower the operation's carbon monoxide emission limitations at Castanea Township, **Clinton County** facility.

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

42-223A: Tennessee Gas Pipeline Co., Compressor Station 310 (Off of SR 146, Tax Map 29-002-300-02, Clermont, PA 16740) on August 5, 2010, to construct a compressor turbine, emergency generator, hot water boiler and fuel preheater in Sergeant Township, **McKean County**. This is a State-only facility.

61-007D: IA Construction Corp., Franklin Hot Mix Asphalt Batch Plant (24 Gibb Road, Franklin, PA 16323) on July 23, 2010, to construct a new 6 ton Hot Mix Asphalt Batch Plant to replace the existing 3 ton plant in Sugarcreek Borough, **Venango County**. This is a State-only facility.

61-218A: Tennessee Gas Pipeline Co., Compressor Station 303 (Meadow Church Road, Map AS 08-15 Lot 71, Seneca, PA 16346) on August 5, 2010, to construct a compressor turbine, emergency generator, hot water boiler and fuel preheater in Cranberry Township, **Venango County**. This is a State-only facility.

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.

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

19-00006C: Del Monte Corp. (6670 Low Street, Bloomsburg, PA 17815) on July 15, 2010, to authorize construction and operation of a pet food manufacturing line until January 25, 2011, in Bloomsburg, **Columbia County**. The plan approval has been extended.

53-399-008: PA Pellets, LLC (958 SR 49 West, Ulysses, PA 16948) on August 5, 2010, for a change of ownership of their Ulysses facility from PA Pellets, LLC (a Pennsylvania limited liability corporation) to PA Pellets, LLC (a Delaware limited liability corporation) in Ulysses Borough, **Potter County**. This revised plan approval contains all applicable regulatory requirements including monitoring, recordkeeping and reporting conditions.

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.

04-00065C: WHEMCO—Steel Casting, Inc. (One 12th Street, Midland, PA 15059) on July 27, 2010, for an extension of the Plan Approval for the temporary operation to facilitate the shake-down of the Head Burning Booth and to evaluate the source for compliance with applicable requirements at their Midland Plant located at Midland Borough, **Beaver County**. This plan approval has been extended.

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

16-132H: Clarion Boards, Inc. (143 Fiberboard Road, Shippensburg, PA 16245) on July 31, 2010, to modify plan approvals 16-132B and C conditions with regards to the

RTO in Paint Township, **Clarion County**. These changes are due to the CO&A and are a result of the facility being major for VOC. This is a Title V facility.

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

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

36-05138: Quality Custom Kitchens, Inc. (125 Peters Road, New Holland, PA 17557-9205) on August 2, 2010, for their wood kitchen cabinet manufacturing facility in Earl Township, **Lancaster County**. This is a renewal of the Title V Operating Permit.

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

53-00004: Dominion Transmission, Inc. (501 Martindale Street, Suite 400, Pittsburgh, PA 15212-5817) on July 22, 2010, for operation of their Harrison Compressor Station in Harrison Township, **Potter County**. The renewal Title V operating permit contains monitoring, recordkeeping and reporting conditions to ensure compliance with applicable Federal and State regulatory requirements.

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

V05-008: Inolex Chemical Co. (Jackson and Swanson Streets, Philadelphia, PA 19148) on August 3, 2010, to operate a chemical manufacturing facility in the City of Philadelphia, **Philadelphia County**. The facility's air emission sources include a 52 mmBtu/hr boiler (limited to 49 mmBtu/hr), a 20 mmBtu/hr boiler, a 6.5 mmBtu/hr boiler, seven reactors, a reactor tank, a distillation column, a deodorizer tank, two preblend tanks, a vent condenser, and an adipic silo. The facility's air emission control devices include a scrubber and two baghouses.

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.

46-00270: Timberlane, Inc. (150 Demorah Drive, Montgomeryville, PA 18936) on August 4, 2010, for operation of a spray booth operation in Montgomeryville Township, **Montgomery County**. The permit is for a non-Title V (State-only) facility. The facility elects to limit VOC emissions to less than 25 tons per year; therefore the facility is considered a Synthetic Minor. The permit will include monitoring, recordkeeping and reporting requirements designed to keep the facility operating within all applicable air quality requirements.

46-00141: TSG, Inc.—Synfin Industries Division (1400 Welsh Road, North Wales, PA 19454) on August 6, 2010, for operation of two boilers, several fabric coating lines, and other miscellaneous sources, as well as a carbon absorber with a solvent recovery system associated

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

46-00152: Upper Merion Area School District (435 Crossfield Road, King of Prussia, PA 19406-2363) on August 10, 2010, for the renewal of a non-Title V, State-only, Natural Minor Operating Permit in Upper Merion Township, **Montgomery County**. Upper Merion Area School District owns and operates a variety of boilers and emergency generators on the contiguous properties of the high school and middle school. The facility has a maximum potential to emit 17.5 tons of NO_x per year. The permit will include monitoring, recordkeeping and reporting requirements to address 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.

08-00033: Talisman Energy USA, Inc. (337 Daniel Zenker Drive, Horseheads, NY 14845) on July 20, 2010, to operate their Watkins Compressor Station in Columbia Township, **Bradford County**. The State-only (Synthetic Minor) operating permit contains monitoring, recordkeeping and reporting conditions to ensure compliance with applicable Federal and State regulatory requirements.

17-00021: West Branch Area School District (516 Allport Cutoff, Morrisdale, PA 16858-9725) on July 26, 2010, to issue a State-only operating permit for their facility in Morris Township, **Clearfield County**. The facility's main air contaminant sources include four No. 2 fuel oil-fired boilers, two No. 2 fuel oil-fired hot water heaters and one diesel fuel-fired emergency generator. The State-only operating permit contains requirements including monitoring, recordkeeping and reporting conditions to ensure compliance with applicable Federal and State regulations.

17-00059: Energy Link—Corman Coal Loading (840 Philadelphia Street, Suite 305, Indiana, PA 15701-3922) on July 26, 2010, to issue a State-only Operating Permit for their facility in Lawrence Township, **Clearfield County**. The facility's main air contaminant sources include coal stockpiles and haul roads. The State-only operating permit contains requirements including monitoring, recordkeeping and reporting conditions to ensure compliance with applicable Federal and State regulations.

41-00027: Muncy Valley Hospital (1100 Grampian Boulevard, Williamsport, PA 17701) on July 26, 2010, to issue a State-only operating permit for their facility in Muncy Creek Township, **Lycoming County**. The facility's main air contaminant sources include three natural gas/No. 2 fuel oil-fired boilers and four No. 2 fuel oil-fired emergency generators. The State-only operating permit

contains requirements including monitoring, recordkeeping and reporting conditions to ensure compliance with applicable Federal and State regulations.

41-00024: Divine Providence Hospital (1100 Grampian Boulevard, Williamsport, PA 17701) on July 26, 2010, to issue a State-only (Synthetic Minor) operating permit for their facility in the City of Williamsport, **Lycoming County**. The facility's main air contaminant sources include three natural gas/No. 2 fuel oil-fired boilers, two No. 2 fuel oil-fired boilers and five No. 2 fuel oil-fired emergency generators. The State-only (Synthetic Minor) operating permit contains requirements including monitoring, recordkeeping and reporting conditions to ensure compliance with applicable Federal and State regulations.

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.

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

59-00007: RRI Energy Mid-Atlantic Power Holdings, LLC (121 Champion Way, Suite 200, Canonsburg PA 15317-5817) on July 22, 2010, issued a revised State-only (synthetic minor) operating permit for their Blossburg Generating Station in Covington Township, **Tioga County**. The amendment of this permit incorporates the change in the responsible official for the Blossburg Station. This State-only (synthetic minor) operating permit contains requirements including monitoring, recordkeeping and reporting conditions to ensure compliance with applicable Federal and State regulations.

08-399-001B: Global Tungsten & Powders, Corp. (Hawes Street, Towanda, PA 18848-0504) on July 21, 2010, issued a minor modification operating permit for their facility in North Towanda Township, **Bradford County**. This operating permit revision will require the following: the particulate matter emissions from two order swagers (No. 1 and No. 2), a radio frequency unit (No. 6) used for wiring drawing, and a swager M-8 to be controlled by the Mikropul fabric collector and filter (all existing equipment); the particulate matter emissions from two new order swagers (No. 3 and No. 4) to be controlled by the Seneca fabric collector and filter. The emissions from these sources are considered insignificant. The operating permit contains applicable regulatory requirements including monitoring, recordkeeping and reporting conditions.

59-00004: Ward Manufacturing, LLC (117 Gulick Street, P. O. Box 9, Blossburg, PA 16912-0009), on August 5, 2010, issued amendment of Title V operating permit for their facility in Blossburg Borough, **Tioga County**. This operating permit amendment incorporates all terms and conditions specified in Plan Approval 59-00004E.

Operating Permits Denied, Terminated, Suspended or Revoked under the Air Pollution Control Act (35 P. S. §§ 4001—4015) and 25 Pa. Code §§ 127.431 and 127.461.

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

46-00141: TSG, Inc.—Synfin Industries Division (1400 Welsh Road, North Wales, PA 19454) on August 6, 2010, for revocation of the facility's Title V Operating Permit (TVOP) concurrent with the issuance of State-only Operating Permit (SOOP) No. 46-00141 in Montgomery Township, **Montgomery County**. TSG, Inc., changed the solvent used in one of its fabric coating lines from trichloroethylene (TCE) to a non-volatile organic compound/hazardous air pollutant (VOC/HAP) solvent, such that the potentials to emit VOCs and HAPs from the facility no longer exceed the major facility thresholds and the facility is no longer subject to 40 CFR Part 63, Subparts OOOO and DDDDD. TSG formally requested that the TVOP be revoked and submitted a SOOP application so that the TVOP can be replaced with a SOOP. TSG, Inc. is no longer eligible to apply for Emission Reduction Credits.

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.

30841317, Consol Pennsylvania Coal Company, LLC, (P. O. Box J, 1525 Pleasant Grove Road, Claysville, PA 15323), to revise the permit for the Enlow Fork Mine in Morris Township, **Washington County**, ACOE Pittsburgh, Prosperity, PA Quadrangle USGS map from N: 9.80 inches; W: 12.23 inches, N: 8.94 inches; W: 12.81 inches. This is a Chapter 105 Water Obstruction and Encroachment permit application (Stream Module 15), and 401 Water Quality Certification request, if applicable, submitted as part of the mining permit revision application to authorize the stream restoration for pooling/flow loss due to longwall mining in one area of Crafts Creek. The permit applicant has met the wetland replacement requirement by participating in the PA Wetland Replacement Project. In addition, the approval also includes a 401 Water Quality Certification. Application received: February 5, 2010. Permit issued: August 3, 2010.

56061303 and NPDES Permit No. PA0235709, RoxCOAL, Inc., (P. O. Box 149, Friedens, PA 15541), to revise the permit for the Kimberly Run Mine in Somerset Township, **Somerset County** to add acreage to the subsidence control plan permit area. Subsidence Control Plan Acres Proposed 1248.3. No additional discharges. Application received: July 1, 2009. Permit issued: August 6, 2010.

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

56890111 and NPDES No. PA0598577. Heritage Coal & Natural Resources, LLC, 208 West Mud Pike, Rockwood, PA 15557, transfer of an existing bituminous surface mine from Ritchie Trucking & Excavating, Inc., 19709 Winners View Terrace North West, Frostburg, MD 21532-2179, located in Elk Lick Township, **Somerset County**, affecting 66.3 acres. Receiving stream(s): unnamed tributaries to/and Tub Mill Run and unnamed tributaries to/and Casselman River classified for the following use(s): highway quality cold water fishery; warm water fishery. There are no potable water supply intakes within 10 miles downstream. Application received: January 13, 2010. Permit transfer issued: July 21, 2010.

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

03990105 and NPDES Permit No. PA0202592. Seven Sisters Mining Co., Inc. (6608 US Route 22, P. O. Box 300, Delmont, PA 15626). Renewal permit issued for reclamation only of an existing bituminous surface mine, located in South Bend and Burrell Townships, **Armstrong County**, affecting 206.2 acres. Receiving streams: unnamed tributary to Fagley Run and to Fagley Run. Application received: June 2, 2010. Permit issued: August 3, 2010.

26090103 and NPDES Permit No. PA0251704. T & B Excavating, Inc. (P. O. Box 337, McClellandtown, PA 15458). Transfer of permit formerly 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 tributary to Dunlap Creek. Application received: June 28, 2010. Transfer permit issued: August 5, 2010.

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

37840104 and NPDES Permit No. PA0108324. Ambrosia Coal & Construction Co. (P. O. Box 422, Edinburg, PA 16116) Renewal of an existing bituminous strip, auger and tipple refuse disposal operation in North Beaver Township, **Lawrence County** affecting 400.0 acres. Receiving streams: Three unnamed tributaries to Hickory Run. Application received: June 14, 2010. Permit issued: August 6, 2010.

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

17900105. Southwest Reclamation, Inc. (P. O. Box 128, Clearfield, PA 16830). Permit renewal for reclamation only of an existing bituminous surface mine located in Huston Township, **Clearfield County** affecting 86.4 acres. Receiving streams: Horning Run to Bennett Branch classified for Cold Water Fisheries. Permit issued: August 3, 2010. Permit expires: December 3, 2015.

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

54803203C3 and NPDES Permit No. PA0123862. Rausch Creek Land, LP, (978 Gap Street, Valley View, PA 17983), correction to reactivate an existing anthracite coal refuse reprocessing operation in Hegins Township, **Schuylkill County** affecting 76.0 acres, receiving stream: East Branch Rausch Creek. Application received: August 19, 2009. Correction issued: August 9, 2010.

Noncoal Applications Returned

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

SMP #17092801. Tri-County Resources Supply, Inc. (107 Sierra Heights, DuBois, PA 15801). Commencement, operation and restoration of small noncoal permit located in Sandy Township, **Clearfield County**, affecting 1.0 acre. Receiving stream(s): Muddy Run and Sandy Lick Creek. Application received: March 10, 2009. Application returned: July 30, 2010.

Noncoal Permits Actions

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

17092802. Larry D. Baumgardner Coal Co., Inc. (P. O. Box 186, Lanse, PA 16849), noncoal mining operation located in Decatur Township, **Clearfield County**. Restoration of 5.0 acres completed. Receiving streams: Beaver Run to Moshannon Creek. Application received: July 2, 2010. Final bond release: August 3, 2010.

08830301. Dalrymple Gravel & Contracting Co., Inc. (2105 South Broadway, Pine City, NY 14871). Renewal of the NPDES Permit for discharges of treated mine drainage from a quarry operation in Athens Township, **Bradford County** affecting 305.0 acres. Receiving streams: Chemung River classified for Warm Water Fishery. Application received: April 12, 2010. Permit issued: July 29, 2010.

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

4873SM5C and NPDES Permit No. PA0009695. Kinsley Construction, Inc., (P. O. Box 2886, York, PA 17405), renewal of NPDES Permit for discharge of treated mine drainage from a quarry operation in West Manchester Township, **York County**, receiving stream: unnamed tributary to Codorus Creek. Application received: June 22, 2010. Renewal issued: August 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

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

07104001. Douglas Explosives, Inc., P. O. Box 77, Philipsburg, PA 16866, blasting activity permit issued for Windmill Construction in Logan Township, **Blair County**. Blasting activity permit end date is December 30, 2010. Permit issued: August 5, 2010.

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

24104010. Seneca Resources Corporation (51 Zentz Road, Brookville, PA 15825) Blasting Activity Permit for well exploration in Highland Township, **Elk County**. This blasting activity permit will expire on July 1, 2011. Application received: August 3, 2010. Permit Issued: August 5, 2010.

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

08104016. Doug Wathen, LLC (16282 State Highway 13, Suite J, Branson West, MO 65737). Construction blasting for Breeze well pad located in Troy Township, **Bradford County**. Permit issued: July 26, 2010. Permit expires: December 1, 2010.

08104017. Mike Kipar (6005 SR 267, Meshoppen, PA 15630). Construction blasting for Chamberlin Road and well pad located in Stevens Township, **Bradford County**. Permit issued: July 26, 2010. Permit expires: July 16, 2011.

08104018. John Brainard (3978 SR 2023, Kingsley, PA 18826). Construction blasting for Champlavier pad located in Tuscarora Township, **Bradford County**. Permit issued: August 4, 2010. Permit expires: January 1, 2011.

14104005. Douglas Explosives, Inc. (P. O. Box 77, Philipsburg, PA 16866). Construction blasting for Rocky Ridge subdivision located in Harris Township, **Centre County**. Permit issued: August 4, 2010. Permit expires: August 2, 2011.

17104006. Larry D. Baumgardner Coal Co., Inc. (P. O. Box 186, Lanse, PA 16849). Revision to the expiration date of an existing blasting permit on the GFCC permit No. 17-08-17 located in Decatur Township, **Clearfield County**. Permit expiration date is extended from August 31, 2010 to December 31, 2011.

41104104. M & J Explosives, Inc. (P. O. Box 608, Carlisle, PA 17013). Construction blasting for a pipeline located in Penn Township, **Lycoming County**. Permit issued: August 2, 2010. Permit expires: July 31, 2011.

41104105. M & J Explosives, Inc. (P. O. Box 608, Carlisle, PA 17013). Construction blasting for a pipeline located in Watson, Cummings and Mifflin Townships, **Lycoming County**. Permit issued: August 2, 2010. Permit expires: July 31, 2011.

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

36104147. Keystone Blasting Service, (15 Hopeland Road, Lititz, PA 17543), construction blasting for Shady Oaks in Mt. Joy Township, **Lancaster County** with an expiration date of July 31, 2011. Permit issued: August 2, 2010.

49104002. Winchester Blasting Services, Inc., (5400 Crestwood Drive, Knoxville, TN 37914), demolition blasting of 2 stacks and a boiler at the defunct Celotex Plant in the City of Sunbury, **Northumberland County** with an expiration date of September 30, 2010. Permit issued: August 4, 2010.

64104109. ER Linde Construction Corp., (9 Collan Park, Honesdale, PA 18431), construction blasting for Rutledge Gas Pad in Damascus Township, **Wayne County** with an expiration date of June 30, 2011. Permit issued: August 4, 2010.

64104110. ER Linde Construction Corp., (9 Collan Park, Honesdale, PA 18431), construction blasting for Schweighofer Gas Pad in Damascus Township, **Wayne County** with an expiration date of December 30, 2010. Permit issued: August 4, 2010.

58104036. John Brainard, (3978 SR 2083, Kingsley, PA 18826), construction blasting for Stockholm 4 and 5 Well Pad and Tank Site (Wooden Road) in Rush Township, **Susquehanna County** with an expiration date of July 1, 2011. Permit issued: August 5, 2010.

64104006. Northeast Blasting, (403 Middle Creek Road, Honesdale, PA 18431), construction blasting for the David Dulay Foundation in Cherry Ridge Township, **Wayne County** with an expiration date of July 12, 2011. Permit issued: August 5, 2010.

09104109. Brubacher Excavating, Inc., (P. O. Box 528, Bowmansville, PA 17507), construction blasting for Rockhill Mennonite Community in Sellersville Borough, **Bucks County** with an expiration date of September 30, 2011. Permit issued: August 5, 2010.

39104106. Brubacher Excavating, Inc., (P. O. Box 528, Bowmansville, PA 17507), construction blasting for 705 Liberty Business Park in Upper Macungie Township, **Lehigh County** with an expiration date of March 31, 2011. Permit issued: August 5, 2010.

58104034. John Brainard, (3978 SR 2073, Kingsley, PA 18826), construction blasting for the Warriner 5H Well Site and Tank Farm in Dimock Township, **Susquehanna County** with an expiration date of August 30, 2011. Permit issued: August 6, 2010.

58104037. Geokinetics, (R. R. 6, Box 6176, Towanda, PA 18848), seismic exploration for the Susquehanna, PA 3D Phase 1 (Extension) in Clifford, Gibson and Herrick Townships, **Susquehanna County** with an expiration date of August 1, 2011. Permit issued: August 6, 2010.

58104038. John Brainard, (3978 SR 2073, Kingsley, PA 18826) and Michael Kipar, (6005 SR 267, Meshoppen, PA 18630), construction blasting for the Rylee Gas Pad and Road in Auburn Township, **Susquehanna County** with an expiration date of August 1, 2011. Permit issued: August 6, 2010.

58104041. John Brainard, (3978 SR 2073, Kingsley, PA 18826), construction blasting for the Watrous Well and Tank Pads in Franklin Township, **Susquehanna County** with an expiration date of August 30, 2011. Permit issued: August 6, 2010.

22104110. Maine Drilling & Blasting, (P. O. Box 279, Auburn, NH 03032), construction blasting for Southpoint Meadows in Derry Township, **Dauphin County** with an expiration date of July 31, 2011. Permit issued: August 8, 2010.

66104110. Meshoppen Blasting, Inc., (P. O. Box 127, Meshoppen, PA 18630), construction blasting for McGraw Well Site in Washington Township, **Wyoming County** with an expiration date of August 31, 2010. Permit issued: August 8, 2010.

66104111. Austin Powder Northeast, LLC, (25800 Science Park Drive, Cleveland, OH 44122), construction blasting for Tiffany Gas Pad in Windham Township and Laceyville Borough, **Wyoming County** with an expiration date of August 1, 2011. Permit issued: August 8, 2010.

66104112. Meshoppen Blasting, Inc., (P. O. Box 127, Meshoppen, PA 18630), construction blasting for Lopatofsky Construction Site in Washington Township, **Wyoming County** with an expiration date of July 1, 2011. Permit issued: August 8, 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

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

E49-308. Milton Regional Sewer Authority, P. O. Box 433, Milton, PA 17847-0433. Wastewater Treatment Facility Upgrades, in Milton Borough, West Chillisquaque Township, **Northumberland County**, ACOE Baltimore District (Milton, PA Quadrangle Latitude: 41° 00' 29"; Longitude: 76° 51' 56").

To construct, operate and maintain two secondary clarifiers, an energy recovery building, a sludge storage building, a blower building, a vertical loop reactor tank, two 6 million gallon treatment tanks, a trucked in waste facility, various utility and maintenance buildings, and associated cut and fill grading to facilitate an energy self-sufficient publicly owned treatment works. This project will be constructed on 19.5 acres that is located in

the floodway of the West Branch of the Susquehanna River. This project is located along SR 405 in Milton directly behind the Milton Regional Sewer Authority complex. This permit was issued under Section 105.13(e) "Small Projects." This permit also includes 401 Water Quality Certification.

E55-225. Jackson Township Supervisors, 57 Municipal Road, Winfield, PA 17889. Benfer Drive (T-507) Bridge Replacement, in Jackson Township, **Snyder County**, ACOE Baltimore District (Lewisburg, PA Quadrangle Latitude: 40° 52' 31"; Longitude: 76° 57' 17").

To remove the existing single span, steel I-beam Bridge, including the abutments and to construct, operate and maintain a 20.0 foot clear span, single cell reinforced concrete box culvert with a minimum underclear of 6.0 feet and a skew of 50°. The new structure will be located 50 feet west of the existing structures location and will require 200 linear feet of new stream channel to align the new box structure with the existing stream channel. This permit also authorizes a temporary diversion dike system and the construction of wetlands within the abandon channel upstream of the existing bridge. The diversion dike system will have a length of 216 linear feet and be constructed of a combination of precast concrete glare screen, 6 mil plastic liner and sandbags. The 1,282 square foot wetland creation in the abandon stream channel will be filled with native material to a depth 1 foot below the existing bank elevations and seeded with an obligate wetland seed mix. The proposed work will carry Benfer Road (T-507) over an unnamed tributary to Penns Creek, which carries a water quality designation of Cold Water Fishery. The total estimated stream disturbance for the project is 250 feet new stream channel and will not impact any existing wetlands. This permit also includes 401 Water Quality Certification.

E55-226. Todd A. Hoot, 200 Old Colony Road, Selinsgrove, PA 1787-9739. Hoot Crossing, in Penn Township, **Snyder County**, ACOE Baltimore District (Freeburg, PA Quadrangle Latitude: 40° 49' 24"; Longitude: 76° 52' 52").

To construct, operate and maintain a bridge crossing that is to be used for access to the remaining lawn across the stream for lawn maintenance vehicles. The crossing is across an unnamed tributary to Penns Creek, which carries a water quality designation of Cold Water Fishery. The proposed structure will sit on the ground along the right bank and have a concrete abutment on the left bank with an underclear for the structure measure 6.5 feet to the center of the channel, with a deck width of 8 feet and length of 30 feet. This project is located 1/8 mile west of SR 204 behind the Selinsgrove Center. This permit was issued under Section 105.13(e) "Small Projects." This permit also includes 401 Water Quality Certification.

ENVIRONMENTAL ASSESSMENTS

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

D56-021EA. Borough of Garrett, 307 Municipal Road, Garrett, PA 15542. Summit Township, **Somerset County**, ACOE Pittsburgh District. Project proposes to breach and remove Bigby Run Dam across Bigby Creek (CWF) for the purpose of eliminating a threat to public safety and restoring the stream to a free flowing condition. The project will restore approximately 800 feet of stream channel. The dam is located approximately 2,200 feet northeast of the intersection of Johnson (SR 2037) and Phillipi Roads (T401) (Meyersdale, PA Quadrangle Latitude: 39° 51' 33"; Longitude: -79° 04' 30").

D14-030EA. Rothrock State Forest, 181 Rothrock Lane, Huntingdon, PA 16652. Ferguson Township, **Centre County**, ACOE Baltimore District. Project proposes to breach and remove Mussers Gap Dam across a tributary to Slab Cabin Run (CWF) for the purpose of eliminating a threat to public safety and restoring the stream to a free flowing condition. The dam is located approximately 1.15 miles south of the intersection of SR 45 and West Branch Road (SR 3009) (McAlevys Fort, PA Quadrangle Latitude: 40° 44' 34"; Longitude: -77° 50' 40").

WATER QUALITY CERTIFICATION

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

Notice of Final Action on Request for Certification under Section 401 of the Federal Water Pollution Control Act

Certification Request initiated by and applicant, PPL Holtwood, LCC, Two North Ninth Street, Allentown, PA 18101. Wallenpaupack Hydroelectric Project (FERC Project No. 487, Project), on Lake Wallenpaupack, in Hawley Borough, Wayne and Pike Counties, ACOE Philadelphia District, Hawley Quadrangle N: 16.25 inches; W: 0.75 inch (discharge), source water (Lake Wallenpaupack) is approximately 3.5 miles up-stream.

Date of Initial *Pennsylvania Bulletin* Notice: Volume 40, No. 28, on July 10, 2010.

Project Description: PPL Holtwood, LCC has requested an Amendment to its Section 401 Water Quality Certification for the operation of the Wallenpaupack Hydroelectric Project near Hawley Borough in Wayne and Pike Counties. The Project is used primarily to meet the peak demands within Pennsylvania-New Jersey-Maryland Interconnection, with limitations on generation set by both natural inflows to the lake and seasonal recreational demands.

Applicable Conditions: On September 23, 2003, the Department of Environmental Protection (Department) certified that there is reasonable assurance that the Lake Wallenpaupack Hydroelectric Project (Project) owned and operated by PPL Holtwood, LLC (Owner), on the Lackawaxen River will comply with Section 401 of the Federal Clean Water Act (33 U.S.C.A. § 1341) and 25 Pa. Code Chapters 93 and 96. On November 23, 2004, as a result of an appeal filed by the Owner, the Department issued a modified certification. As a result of various changes requested by the Owner as well as changes made by the Department to the Owner's National Pollutant Discharge Elimination System (NPDES) permit, the Department modifies paragraph 2 of the November 23, 2004 certification as follows:

2. Monitoring and Reporting

a. The Owner shall conduct effluent monitoring of the turbine discharge for the following parameters at the railroad bridge during the period April 1 through October 31. The effluent shall be monitored for the identified parameters as follows:

<i>Parameter</i>	<i>Minimum Measurement Frequency</i>
• Flow	Daily
• DO	Daily
• pH	Daily
• Temperature	Daily
• Total—Iron	Weekly

<i>Parameter</i>	<i>Minimum Measurement Frequency</i>
• Total—Manganese	Weekly
• Total—Aluminum	Weekly

Analytical methods promulgated in 40 CFR Part 136 must be used.

The pH of the discharge may be less than or greater than the standard/range as specified in 25 Pa. Code § 93.7 if the Owner can demonstrate that the pH of the discharge is not less than or greater than the pH of the lake water as measured at the penstock tap in the powerhouse building. The Department will accept simultaneous sampling as a component of such a demonstration.

Samples shall be taken when discharging at a time representative of the entire discharge period. Metal samples shall be a composite sample (minimum of four grabs) evenly spaced throughout the discharge period. Dissolved oxygen sampling shall consist of a minimum of four grab samples evenly spaced throughout the discharge period. The pH grab sample shall be taken at a time representative of the entire discharge period. Temperature shall be measured and reported as a daily maximum. Flow shall be measured and reported as a daily maximum and monthly average.

Monitoring results obtained during April 1 through October 31 shall be summarized for the month and submitted to the Department and received no later than the 28th day of the following month. The monthly reports shall include sample results, collection, time and date, discharge start and end times, and comments.

b. The Owner shall conduct in-stream benthos monitoring once every 5 years starting in 2014 at three stations, Station 1 above the discharge approximately 600 feet, Station 2 below the discharge approximately 1,300 feet, and Station 3 below the discharge approximately 9,500 feet in accordance with the *Macroinvertebrate Sample Collection and Processing Methodology for Cause/Effect Surveys*. The station locations are fixed and should not be changed without prior approval from the Department. The Owner will follow the sample collection protocol set forth in the previously referenced document for a stream greater than 50 feet in width. Samples must be collected between October 1 and May 31 during normal to low stream flow conditions. The benthic macroinvertebrate report shall be submitted to the Department 120 days after the sample collection.

c. The Department retains the right to specify additional studies or monitoring to ensure that the receiving water quality is not adversely impacted by any hydrogen sulfide treatment process that may be employed by the Owner.

All other provisions of the November 23, 2004 certification remain in full force and effect as originally stated.

Final Action on Request: The Department of Environmental Protection hereby certifies that there is reasonable assurance that the Lake Wallenpaupack Hydroelectric Project, owned and operated by PPL Holtwood, LLC, located on the Lackawaxen River, PA, will comply with Section 401 of the Federal Clean Water Act (33 USCA § 1341) and Pennsylvania's Water Quality Standards (25 Pa. Code Chapters 93 and 96) provided that the Project is operated and monitored in a manner consistent with the conditions contained herein.

Any person with a disability who wishes to attend the public hearing and will require an auxiliary aid, service or other accommodation to participate in the proceedings should contact Lynda Rebarchak at the telephone number listed previously or through the Pennsylvania AT&T Relay Service at (800) 654-5984 (TDD) to discuss how the Department may accommodate their needs. The public may also submit written comments regarding the Department's proposed Interim Response action during the period of public comment. In accordance with Section 506(c) of HSCA, 35 P.S. § 6020.506(c), the Department has established a period for public comment that is now open until close of business November 12, 2010. Written comments should be addressed to Charles Clark, Project Officer, Department of Environmental Protection, 2 East Main Street, Norristown, PA 19401.

Anyone with questions regarding this notice should contact Charles Clark at (484) 250-5731 or chaclark@state.pa.us.

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.

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

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

ESCGP-1 # ESX10-015-0205
 Applicant Name Appalachia Midstream Services, LLD
 Contact Person Patrick Myers
 Address 100 1st Center
 City, State, Zip Horseheads, NY 14845-1015
 County Bradford
 Township(s) West Burlington Township
 Receiving Stream(s) and Classification(s) Mill Creek,
 UNTs to Mill Creek and Tomjack Creek

ESCGP-1 # ESX10-015-0204
 Applicant Name Appalachia Midstream Services, LLD
 Contact Person Patrick Myers
 Address 100 1st Center
 City, State, Zip Horseheads, NY 14845-1015
 County Bradford

Township(s) Burlington and Towanda Townships
 Receiving Stream(s) and Classification(s) Sugar Creek,
 Bailey Run and tributaries to Sugar Creek and Bailey
 Run

ESCGP-1 # ESX10-113-0014
 Applicant Name Chesapeake Appalachia, LLC
 Contact Person Eric Haskins
 Address 101 North Main Street
 City, State, Zip Athens, PA 18810
 County Sullivan

Township(s) Forks Township
 Receiving Stream(s) and Classification(s) UNT to Streby
 Run, Streby Run

ESCGP-1 # ESX10-015-0155
 Applicant Name Chesapeake Appalachia, LLC
 Contact Person Eric Haskins
 Address 101 North Main Street
 City, State, Zip Athens, PA 18810
 County Bradford

Township(s) Rome Township
 Receiving Stream(s) and Classification(s) UNT to Laning
 Creek and Hollow Run
 Secondary—Laning Creek/Hollow Run

ESCGP-1 # 17-09-801(01)—PHASE 7
 Applicant Name EOG Resources, Inc.
 Contact Person Nathan Wells
 Address 400 Southpointe Boulevard, Suite 300
 City, State, Zip Canonsburg, PA 15317-8548
 County Clearfield

Township(s) Lawrence Township
 Receiving Stream(s) and Classification(s) Coldstream,
 Stone Run, Little Laurel Run

ESCGP-1 # ESX10-117-0154
 Applicant Name East Resources Management, LLC
 Contact Person Jefferson Long
 Address 190 Thorn Hill Road
 City, State, Zip Warrendale, PA 15086
 County Tioga

Township(s) Osceola Township
 Receiving Stream(s) and Classification(s) Holden Creek,
 Tioga River Basin
 Secondary—Cowanesque and Tioga Rivers

ESCGP-1 # ESX10-117-0156
 Applicant Name East Resources Management, LLC
 Contact Person Jefferson Long
 Address 190 Thorn Hill Road
 City, State, Zip Warrendale, PA 15086
 County Tioga

Township(s) Farmington Township
 Receiving Stream(s) and Classification(s) UNT to
 Thornbottom Creek and Susquehanna River Basin
 Secondary—Thornbottom Creek

ESCGP-1 # ESX10-015-0206
 Applicant Name Appalachia Midstream Services, LLD
 Contact Person Patrick Myers
 Address 100 1st Center
 City, State, Zip Horseheads, NY 14845-1015
 County Bradford

Township(s) Asylum Township
 Receiving Stream(s) and Classification(s) Bennetts Creek
 and Durell Creek and Susquehanna River Watershed

ESCGP-1 # ESX10-015-0198
 Applicant Name Chesapeake Appalachia, LLC
 Contact Person Eric Haskins
 Address 101 North Main Street
 City, State, Zip Athens, PA 18810
 County Bradford

Township(s) Overton Township
 Receiving Stream(s) and Classification(s) Level Branch
*Northwest Region: Oil and Gas Program Manager, 230
 Chestnut Street, Meadville, PA 16335.*

ESCGP-1 #ESX10-083-0026
 Applicant Name Triana Energy, LLC—MROC Pad B
 Contact Person Rachelle King
 Address 900 Virginia Street East
 City Charleston State WV Zip Code 25301
 County McKean Township(s) Bradford
 Receiving Stream(s) and Classification(s) UNT of Minard
 Run EV

ESCGP-1 #ESX09-065-0009
 Applicant Name EQT Production—Frano Project
 Contact Person Todd Klaner
 Address 225 North Shore Drive
 City Pittsburgh State PA Zip Code 15212
 County Jefferson Township(s) Washington
 Receiving Stream(s) and Classification(s) Wolf Run CWF;
 UNT Rattlesnake Run CWF

ESCGP-1 #ESX10-083-0022
 Applicant PA General Energy Reed Run Norwich Pad B
 Contact Douglas Kuntz
 Address 120 Market Street
 Warren PA 16365
 County McKean Township(s) Norwich Township
 Receiving Stream(s) and Classification(s) Havens Run
 (other); Indian Run (other)

ESCGP-1 #ESX10-083-0015
 Applicant Seneca Resources Corp MOJ 3 Pipeline
 Contact Douglas Kepler
 Address 51 Zents Boulevard
 Brookville PA 15825
 County McKean Township(s) Sergeant
 Receiving Stream(s) and Classification(s) Sevenmile Run
 (HQ); Marvin Creek (HQ)

ESCGP-1 #ESX10-019-0031B
 Applicant Rex Energy Corp—Southwest Butler County
 Project Phase VB
 Contact Timothy Beattie
 Address 476 Rolling Ridge Drive, Suite 300
 State College PA 16801
 County Butler Township(s) Jackson
 Receiving Stream(s) and Classification(s) UNT to Con-
 noquenessing Creek, WWF; UNT to Breakneck WWF

ESCGP-1 #ESX09-065-0004A
 Applicant Exco Resources PA, Inc.—Brookville Wood
 Products
 Contact Larry Sanders
 Address 300 Ericsson Drive, Suite 200
 Warrendale PA 15086
 County Jefferson Township(s) Pine Creek
 Receiving Stream(s) and Classification(s) Five Mile Run
 (CWF); UNT O'Donnell Run (CWF)

ESCGP-1 # ESX10-019-0036
 Applicant Phillips Exploration, Inc.—Holy Trinity Monastery et al No. 1
 Contact Gary Clark
 Address 502 Keystone Drive
 Warrendale PA 15086
 County Butler Township(s) Butler
 Receiving Stream(s) and Classification(s) Patterson Run (WWF); UNT Thorn Creek (WWF)

ESCGP-1 # ESX10-019-0039
 Applicant Phillips Exploration, Inc.—Holy Trinity Monastery et al No. 5
 Contact Gary Clark
 Address 502 Keystone Drive

Warrendale PA 15086
 County Butler Township(s) Jefferson
 Receiving Stream(s) and Classification(s) Patterson Run (WWF); UNT Thorn Creek (WWF)

ESCGP-1 # ESX10-019-0042
 Applicant Phillips Exploration Inc.—Holy Trinity Monastery et al No. 8
 Contact Gary Clark
 Address 502 Keystone Drive
 Warrendale PA 15086
 County Butler Township(s) Penn
 Receiving Stream(s) and Classification(s) Patterson Run (WWF); UNT Thorn Creek (WWF)

STORAGE TANKS

SITE-SPECTIFIC INSTALLATION PERMITS

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

<i>SSIP Permit No.</i>	<i>Applicant Name & Address</i>	<i>County</i>	<i>Municipality</i>	<i>Tank Type</i>	<i>Tank Capacity</i>
10-42-009	American Refining Group, Inc. 77 North Kendall Avenue Bradford, PA 16701 Attn: Jason Goodling	McKean	Bradford City	1 AST storing crude oil	2,452,597 gallons
10-25-004	Lake Erie Biofuels, d/b/a Hero BX 1540 East Lake Road Erie, PA 16511 Attn: Scott Newell	Erie	Erie City	1 AST storing non-petroleum oil	26,390 gallons

[Pa.B. Doc. No. 10-1525. Filed for public inspection August 20, 2010, 9:00 a.m.]

Bid Opportunity

BOGM 10-7, Cleaning out and plugging one abandoned oil well, (Joseph M. Bomba Property), Chapman Township, Clinton County. The principal items of work include cleaning out and plugging one abandoned oil well, estimated to be 1,300 feet in depth, to Department of Environmental Protection specifications, preparing and restoring well site and mobilizing and demobilizing plugging equipment. This project issues on August 20, 2010, and bids will be opened on September 23, 2010, at 2 p.m. Bid documents cost \$10 per set and will not be mailed until payment has been received. A prebid conference is planned for this project but a date has not been set. Use the contact information contained in this advertisement to find out more about the prebid. Contact the Construction Contracts Section at (717) 787-7820 or joelmiller@state.pa.us for more information on this bid.

JOHN HANGER,
Secretary

[Pa.B. Doc. No. 10-1526. Filed for public inspection August 20, 2010, 9:00 a.m.]

Oil and Gas Technical Advisory Board Meeting Change

The September 16, 2010, meeting of the Oil and Gas Technical Advisory Board will now convene at an alternate location than was previously advertised at 39 Pa.B. 7249 (December 26, 2009). The meeting will begin at 10 a.m. at the Department of Environmental Protection's (Department) Southcentral Regional Office, 909 Elmerton Avenue, Susquehanna Room A, Harrisburg, PA.

Questions concerning the meeting can be directed to Millie Raudabaugh at mraudabaug@state.pa.us or (717) 772-2199. The agenda and meeting materials for the meeting will be available through the Public Participation Center on the Department's web site at <http://www.depweb.state.pa.us> (DEP Keywords: "Public Participation, Participate").

Persons in need of accommodations as provided for in the Americans with Disabilities Act of 1990 should contact Millie Raudabaugh at (717) 772-2199 or through the Pennsylvania AT&T Relay Service at (800) 654-5984 (TDD) to discuss how the Department may accommodate their needs.

JOHN HANGER,
Secretary

[Pa.B. Doc. No. 10-1527. Filed for public inspection August 20, 2010, 9:00 a.m.]

Mining and Reclamation Advisory Board Special Meeting

The Mining and Reclamation Advisory Board will hold a special meeting on Tuesday, September 7, 2010, at 12 p.m., in the 10th Floor Conference Room of the Rachel Carson State Office Building, Harrisburg, PA. The purpose of the meeting is to review the regulation package for the Mining Program Deficiencies and Remining Financial Guarantees.

Questions concerning this schedule or agenda items can be directed to James Charowsky at (717) 787-7007 or jcharowsky@state.pa.us. This schedule, an agenda for the meeting, and notices of meeting changes will be available through the Public Participation Center on the Department of Environmental Protection's (Department) web site at <http://www.depweb.state.pa.us>.

Persons in need of accommodations as provided for in the Americans with Disabilities Act of 1990 should contact James Charowsky directly at (717) 787-7007 or through the Pennsylvania AT&T Relay Service at (800) 654-5984 (TDD) to discuss how the Department may accommodate their needs.

JOHN HANGER,
Secretary

[Pa.B. Doc. No. 10-1528. Filed for public inspection August 20, 2010, 9:00 a.m.]

Stream Redesignation Evaluations; Water Quality Standards Review

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

<i>Stream Name</i>	<i>County</i>	<i>Tributary To</i>
Allegheny River tributaries—Basins, from French Creek at Franklin to Emlenton	Venango	Ohio River
French Creek tributaries—Basins, from Sugar Creek to the mouth	Venango	Allegheny River
Sandy Creek tributaries—Basins, from the Village of Raymilton to the mouth	Venango	Allegheny River
Bobs Creek—Basin, from the source to the mouth	Blair, Cambria, Bedford	Dunning Creek

Persons who have technical data concerning the water quality, instream habitat or biological condition of these stream sections are encouraged to make it available to the Department for consideration in the assessment.

These assessments may lead to recommendations to the Environmental Quality Board (EQB) for redesignation.

Data should be submitted to Tony Shaw, Division of Water Quality Standards, Bureau of Water Standards and Facility Regulation, P. O. Box 8467, Harrisburg, PA 17105-8467, tshaw@state.pa.us. Data should be submitted no later than September 20, 2010. Questions concerning this evaluation can be directed to Tony Shaw at (717) 787-9637.

Allegheny River tributaries from French Creek to Emlenton are currently designated Warm Water Fishes (WWF) or Cold Water Fishes (CWF) with the exception of Dennison Run which is designated Exceptional Value (EV). The study area will include tributaries to the Allegheny River from French Creek to Emlenton.

French Creek tributaries from Sugar Creek to the mouth are currently designated WWF. The study area will include tributaries to French Creek from Sugar Creek to the mouth.

Sandy Creek tributaries from the Village of Raymilton to the mouth are currently designated WWF with the exception of Little Sandy Creek which is currently designated High Quality-Cold Water Fishes (HQ-CWF) from source to unnamed tributary at river mile 1.16 and CWF from river mile 1.16 to mouth; and South Sandy Creek basin which is currently designated CWF from source to mouth. The study area will include tributaries to Sandy Creek from the Village of Raymilton to the mouth.

Bobs Creek, a tributary to Dunning Creek, is currently designated HQ-CWF from the basin source to, and including, Deep Hollow Run and CWF from Deep Hollow Run to the mouth. The Bobs Creek study area will include the entire Bobs Creek basin.

Recent sampling efforts have indicated that the current designated use for Allegheny River, French Creek and Sandy Creek tributaries, and Bobs Creek basin should be reassessed. These assessments may lead to recommendations to the EQB for redesignation.

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

JOHN HANGER,
Secretary

[Pa.B. Doc. No. 10-1529. Filed for public inspection August 20, 2010, 9:00 a.m.]

Wastewater Treatment Requirements; Notice of Availability of Statement of Policy

By this notice, the Department of Environmental Protection (Department) announces the availability of a statement of policy, which provides the Department's interpretation of the term "authorization" as used in 25 Pa. Code Chapter 95 pertaining to the Wastewater Treatment Requirements final rulemaking. (See 40 Pa.B. 4835 (August 21, 2010).) During the rulemaking process, several stakeholders commented that they believed the term "authorization," as used in the final rulemaking, does not provide clarity concerning what authorizations are existing and are therefore exempt from the requirements of the final regulations. To ensure clarity regarding

how the term will be defined and applied in the context of the implementation of the final rulemaking, at the June 17, 2010, meeting of the Independent Regulatory Review Commission, the Department committed to issuing a statement of policy. The statement of policy is now available as document number 385-0810-001 through the Department's web site at <http://www.depweb.state.pa.us> (DEP Keywords: "eLibrary").

JOHN HANGER,
Secretary

[Pa.B. Doc. No. 10-1530. Filed for public inspection August 20, 2010, 9:00 a.m.]

DEPARTMENT OF HEALTH

Application of Hazleton Surgery Center, LLC, d/b/a Center for Advanced Surgery for Exception

Under 28 Pa. Code § 51.33 (relating to requests for exceptions), the Department of Health (Department) gives notice that Hazleton Surgery Center, LLC, d/b/a Center for Advanced Surgery has requested an exception to the requirements of 28 Pa. Code § 551.21(d) (relating to criteria for ambulatory surgery).

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

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

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

EVERETTE JAMES,
Secretary

[Pa.B. Doc. No. 10-1531. Filed for public inspection August 20, 2010, 9:00 a.m.]

Long-Term Care Nursing Facilities; Requests for Exception

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

Evangelical Manor
8401 Roosevelt Boulevard
Philadelphia, PA 19152
FAC ID 311202

The following long-term care nursing facility is seeking an exception to 28 Pa. Code § 205.36(c) (relating to bathing facilities).

Masonic Village at Sewickley
1000 Masonic Drive
Sewickley, PA 15143

These requests are on file with the Department of Health (Department). Persons may receive a copy of a request for exception by requesting a copy from the Division of Nursing Care Facilities, Room 526, Health and Welfare Building, Harrisburg, PA 17120, (717) 787-1816, fax (717) 772-2163, ra-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. 10-1532. Filed for public inspection August 20, 2010, 9:00 a.m.]

Preventive Health and Health Services Block Grant Advisory Committee Meeting

The Preventive Health and Health Services Block Grant Advisory Committee will hold a teleconference (public) meeting on Tuesday, August 31, 2010, from 10 a.m. to 11:30 a.m. The teleconference will be held at the Department of Health, Bureau of Health Promotion and Risk Reduction, Conference Room 1000, Health and Welfare Building, 625 Forster Street, Harrisburg, PA 17120.

For additional information, contact Terry L. Walker, Administrative Officer, Bureau of Health Promotion and Risk Reduction, Room 1000, Health and Welfare Building, 625 Forster Street, Harrisburg, PA, (717) 787-6214.

Persons with a disability who wish to attend the meeting and require an auxiliary aid, service or other accommodation to do so, should contact Terry L. Walker at the telephone number listed previously, or at V/TT (717) 783-6514 for speech and/or hearing impaired persons, or the Pennsylvania AT&T Relay Service at (800) 654-5984 (TT).

This meeting is subject to cancellation without notice.

EVERETTE JAMES,
Secretary

[Pa.B. Doc. No. 10-1533. Filed for public inspection August 20, 2010, 9:00 a.m.]

DEPARTMENT OF LABOR AND INDUSTRY

Current Prevailing Wage Act Debarments

The following contractors have been determined to have intentionally violated the Pennsylvania Prevailing Wage Act (act) (43 P. S. §§ 165-1—165-17). This notice is published for the information and convenience of public bodies subject to the act. Under section 11(e) of the act (43 P. S. § 165-11(e)), these contractors, or either one of them, or any firms, corporations or partnerships in which either one of these contractors has an interest, shall be awarded no contract for 3 years after the date listed.

<i>Contractor</i>	<i>Address</i>	<i>Date of Debarment</i>
Stonewood Contracting, LLC & Richard B. Rachor, Ind. EIN # 3219115	1847 Leshler Mill Road Palm, PA 18062	8/3/2010

SANDI VITO,
Secretary

[Pa.B. Doc. No. 10-1534. Filed for public inspection August 20, 2010, 9:00 a.m.]

Range of Fees and Average Fee Charged by Utilization Review Organizations and Peer Review Organizations for Services Performed under the Workers' Compensation Act

Under 34 Pa. Code § 127.667(b) (relating to compensation policy) the Department of Labor and Industry (Department), Bureau of Workers' Compensation gives notice of the range of fees charged by Utilization Review Organizations and Peer Review Organizations for services performed under the Workers' Compensation Act (77 P. S. §§ 1—1041.4 and 2501—2626) during 2009. The Department further provides notice of the average fee charged by each Utilization Review Organization and Peer Review Organization during 2009.

SANDI VITO,
Secretary

2009 Utilization Review Organizations Minimum-Average-Maximum Fee

<i>URO</i>	<i>UR's</i>	<i>Minimum Fee</i>	<i>Average Fee</i>	<i>Maximum Fee</i>
Alico Services LTD	246	\$285.00	\$829.43	\$875.00
American Review Systems, Inc.	245	329.35	966.97	2,668.35
CAB Medical Consultants	238	275.00	800.88	945.00
Caduceus Lex Medical Auditing	242	385.00	803.34	860.00
CEC, Inc.	254	0.00	922.04	1,014.15
Chiro Med Review Co.	250	250.00	821.00	900.00
Denovo Management	244	96.08	904.30	1,647.48
DLB Services	248	88.64	912.34	1,894.74
Hajduk & Assoc. URO/PRO Ser.	243	275.00	813.60	870.00
Industrial Rehabilitation Assoc.	230	315.00	726.00	795.00
KVS Consulting Services	247	230.90	1,070.06	1,756.89
Laurel Reviews	239	126.20	906.56	3,218.00
Margroff Review Services	240	140.66	965.91	1,915.26
McBride & McBride Associates	240	250.00	754.64	795.00
Procura Management, Inc.	175	250.00	888.39	1,064.88
Quality Assurance Reviews, Inc.	244	495.00	953.74	1,182.82
Rehabilitation Planning	238	240.71	897.13	1,110.16
T & G Reviews	244	350.00	904.91	950.00
TX Review, Inc.	246	103.53	747.03	975.00
Uniontown MRPC	232	69.64	803.98	1,776.86
Watson Review Services	247	216.07	971.63	2,244.55
West Penn IME, Inc.	244	234.50	948.56	1,661.34
TOTAL AVERAGES	240	\$227.55	\$877.84	\$1,414.56

[Pa.B. Doc. No. 10-1535. Filed for public inspection August 20, 2010, 9:00 a.m.]

DEPARTMENT OF REVENUE

Pennsylvania Money Money Money 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 Money Money Money.

2. *Price:* The price of a Pennsylvania Money Money Money instant lottery game ticket is \$10.

3. *Play Symbols:* Each Pennsylvania Money Money Money instant lottery game ticket will contain one play area featuring a “YOUR NUMBERS” area and a “MONEY NUMBERS” area. The play symbols and their captions located in the “MONEY NUMBERS” area are: 1 (ONE), 2 (TWO), 3 (THREE), 4 (FOUR), 5 (FIVE), 6 (SIX), 7 (SEVEN), 8 (EIGHT), 9 (NINE), 10 (TEN), 11 (ELEVN), 12 (TWLV), 13 (THRTN), 14 (FORTN), 15 (FIFTN), 16 (SIXTN), 17 (SVNTN), 18 (EGHTN), 19 (NINTN), 20 (TWENT), 21 (TWYONE), 22 (TWYTWO), 23 (TWYTHR), 24 (TWYFOR), 25 (TWYFIV), 26 (TWYSIX), 27 (TWYSVN), 28 (TWYEGT), 29 (TWYNIN) and 30 (THIRTY). The play symbols and their captions located in the “YOUR NUMBERS” area are: 1 (ONE), 2 (TWO), 3 (THREE), 4 (FOUR), 5 (FIVE), 6 (SIX), 7 (SEVEN), 8 (EIGHT), 9 (NINE), 10 (TEN), 11 (ELEVN), 12 (TWLV), 13 (THRTN), 14 (FORTN), 15 (FIFTN), 16 (SIXTN), 17 (SVNTN), 18 (EGHTN), 19 (NINTN), 20 (TWENT), 21 (TWYONE), 22 (TWYTWO), 23 (TWYTHR), 24 (TWYFOR), 25 (TWYFIV), 26 (TWYSIX), 27 (TWYSVN), 28 (TWYEGT), 29 (TWYNIN), 30 (THIRTY), Money (MONEY) symbol, \$\$\$ (TRPL\$) symbol and a \$100 Box (WIN100) symbol.

4. *Prize Symbols:* The prize symbols and their captions located in the “YOUR NUMBERS” area are: \$5⁰⁰ (FIV DOL), \$10⁰⁰ (TEN DOL), \$15⁰⁰ (FIFTN), \$20⁰⁰ (TWENTY), \$40⁰⁰ (FORTY), \$100 (ONE HUN), \$200 (TWO HUN), \$400 (FOR HUN), \$1,000 (ONE THO), \$2,500 (TWYFIVHUN), \$10,000 (TEN THO), \$20,000 (TWY THO), \$25,000 (TWYFIVTHO) and \$250,000 (TWHNFYTH).

5. *Prizes:* The prizes that can be won in this game are: \$5, \$10, \$15, \$20, \$40, \$100, \$200, \$400, \$1,000, \$2,500, \$10,000, \$20,000, \$25,000 and \$250,000. A player can win up to 15 times on a ticket.

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

7. *Determination of Prize Winners:*

(a) Holders of tickets upon which any one of the “YOUR NUMBERS” play symbols matches any of the “MONEY NUMBERS” play symbols and a prize symbol of \$250,000 (TWHNFYTH) appears under the matching “YOUR NUMBERS” play symbol, on a single ticket, shall be entitled to a prize of \$250,000.

(b) Holders of tickets upon which any one of the “YOUR NUMBERS” play symbols matches any of the “MONEY 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.

(c) Holders of tickets upon which any one of the “YOUR NUMBERS” play symbols matches any of the “MONEY 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.

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

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

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

(g) Holders of tickets upon which any one of the “YOUR NUMBERS” play symbols is a \$\$\$ (TRPL\$) symbol and a prize symbol of \$200 (TWO HUN) appears under that \$\$\$ (TRPL\$) symbol, on a single ticket, shall be entitled to a prize of \$600.

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

(i) Holders of tickets upon which any one of the “YOUR NUMBERS” play symbols is a \$\$\$ (TRPL\$) symbol and a prize symbol of \$100 (ONE HUN) appears under that \$\$\$ (TRPL\$) symbol, on a single ticket, shall be entitled to a prize of \$300.

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

(k) Holders of tickets upon which any one of the “YOUR NUMBERS” play symbols is a \$\$\$ (TRPL\$) symbol and a prize symbol of \$40⁰⁰ (FORTY) appears under that \$\$\$ (TRPL\$) symbol, on a single ticket, shall be entitled to a prize of \$120.

(l) Holders of tickets upon which any one of the “YOUR NUMBERS” play symbols matches any of the “MONEY 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.

(m) Holders of tickets upon which any one of the "YOUR NUMBERS" play symbols is a \$100 Box (WIN100) symbol, on a single ticket, shall be entitled to a prize of \$100.

(n) Holders of tickets upon which any one of the "YOUR NUMBERS" play symbols matches any of the "MONEY NUMBERS" play symbols and a prize symbol of \$40.00 (FORTY) appears under the matching "YOUR NUMBERS" play 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 is a Money (MONEY) symbol and a prize symbol of \$40.00 (FORTY) appears under that Money (MONEY) symbol, on a single ticket, shall be entitled to a prize of \$40.

(p) Holders of tickets upon which any one of the "YOUR NUMBERS" play symbols is a \$\$\$ (TRPL\$) symbol and a prize symbol of \$10.00 (TEN DOL) appears under that \$\$\$ (TRPL\$) symbol, on a single ticket, shall be entitled to a prize of \$30.

(q) Holders of tickets upon which any one of the "YOUR NUMBERS" play symbols matches any of the "MONEY NUMBERS" play symbols and a prize symbol of \$20.00 (TWENTY) appears under the matching "YOUR NUMBERS" play 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 is a Money (MONEY) symbol and a prize symbol of \$20.00 (TWENTY) appears under that Money (MONEY) symbol, on a single ticket, shall be entitled to a prize of \$20.

(s) Holders of tickets upon which any one of the "YOUR NUMBERS" play symbols matches any of the "MONEY NUMBERS" play symbols and a prize symbol of

\$15.00 (FIFTN) appears under the matching "YOUR NUMBERS" play symbol, on a single ticket, shall be entitled to a prize of \$15.

(t) Holders of tickets upon which any one of the "YOUR NUMBERS" play symbols is a Money (MONEY) symbol and a prize symbol of \$15.00 (FIFTN) appears under that Money (MONEY) symbol, on a single ticket, shall be entitled to a prize of \$15.

(u) Holders of tickets upon which any one of the "YOUR NUMBERS" play symbols is a \$\$\$ (TRPL\$) symbol and a prize symbol of \$5.00 (FIV DOL) appears under that \$\$\$ (TRPL\$) symbol, on a single ticket, shall be entitled to a prize of \$15.

(v) Holders of tickets upon which any one of the "YOUR NUMBERS" play symbols matches any of the "MONEY NUMBERS" play symbols and a prize symbol of \$10.00 (TEN DOL) appears under the matching "YOUR NUMBERS" play symbol, on a single ticket, shall be entitled to a prize of \$10.

(w) Holders of tickets upon which any one of the "YOUR NUMBERS" play symbols is a Money (MONEY) symbol and a prize symbol of \$10.00 (TEN DOL) appears under that Money (MONEY) symbol, on a single ticket, shall be entitled to a prize of \$10.

(x) Holders of tickets upon which any one of the "YOUR NUMBERS" play symbols matches any of the "MONEY 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.

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

<i>When Any Of Your Numbers Match Any Of The Money Numbers, Win With Prize(s) Of:</i>	<i>Win:</i>	<i>Approximate Odds Are 1 In:</i>	<i>Approximate No. Of Winners Per 6,000,000 Tickets</i>
\$5 x 2	\$10	20	300,000
\$10 w/MONEY	\$10	20	300,000
\$10	\$10	17.14	350,000
\$5 x 3	\$15	120	50,000
\$5 w/\$\$\$	\$15	60	100,000
\$15 w/MONEY	\$15	120	50,000
\$15	\$15	60	100,000
\$5 x 4	\$20	120	50,000
(\$5 w/\$\$\$) + \$5	\$20	120	50,000
\$10 x 2	\$20	120	50,000
\$20 w/MONEY	\$20	120	50,000
\$20	\$20	120	50,000
\$5 x 8	\$40	600	10,000
(\$10 w/\$\$\$) + \$10	\$40	600	10,000
\$20 x 2	\$40	600	10,000
\$40 w/MONEY	\$40	600	10,000
\$40	\$40	600	10,000
(\$5 x 10) + (\$10 x 5)	\$100	150	40,000
\$10 x 10	\$100	150	40,000
\$100 w/\$100 BOX	\$100	150	40,000
\$100	\$100	150	40,000
(\$10 x 10) + (\$20 x 5)	\$200	6,000	1,000
\$20 x 10	\$200	6,000	1,000
\$40 x 5	\$200	6,000	1,000

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

<i>Win:</i>	<i>Approximate Odds Are 1 In:</i>	<i>Approximate No. Of Winners Per 6,000,000 Tickets</i>
(\$40 w/\$\$\$) + (\$40 × 2)	\$200	6,000
(\$100 w/\$100 BOX) + \$100	\$200	6,000
\$200	\$200	6,000
(\$20 × 10) + (\$40 × 5)	\$400	12,000
\$40 × 10	\$400	12,000
(\$100 w/\$100 BOX) + (\$100 × 3)	\$400	12,000
(\$100 w/\$\$\$) + \$100	\$400	12,000
\$400	\$400	12,000
(\$40 × 10) + (\$100 × 4) + \$200	\$1,000	12,000
(\$100 w/\$100 BOX) + (\$100 × 9)	\$1,000	12,000
\$200 × 5	\$1,000	12,000
(\$200 w/\$\$\$) + (\$200 × 2)	\$1,000	12,000
\$1,000	\$1,000	10,909
(\$200 × 10) + (\$100 × 5)	\$2,500	120,000
\$2,500	\$2,500	120,000
\$2,500 × 10	\$25,000	600,000
\$25,000	\$25,000	600,000
(\$20,000 × 10) + (\$10,000 × 5)	\$250,000	1,200,000
\$250,000	\$250,000	1,200,000

“MONEY” (MONEY) symbol = Win prize shown under it automatically.
 “\$\$\$” (TRPL\$) symbol = Win 3 times the prize shown under it automatically.
 “\$100 BOX” (WIN100) symbol = Win \$100 instantly.

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 Money Money Money 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 Money Money Money, prize money from winning Pennsylvania Money Money Money 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 Money Money Money 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 Money Money Money or through normal communications methods.

C. DANIEL HASSELL,
Secretary

[Pa.B. Doc. No. 10-1536. Filed for public inspection August 20, 2010, 9:00 a.m.]

DEPARTMENT OF TRANSPORTATION

Sale of Land No Longer Needed for Transportation Purposes Berks County, SR 0222, Section 002

The Department of Transportation (Department) under section 2003(e)(7) of The Administrative Code of 1929 (71 P. S. § 513(e)(7)), intends to sell certain land owned by the Department. The parcel is rectangular in shape, located in the southeast quadrant of SR 3020 (Old Lancaster Pike) and Joseph Way, in Cumru Township, Berks County. Consisting of approximately 0.238 acre estimated fair market value is \$51,900. The sale of the property is in as-is condition. Interested public entities are invited to express their interest in purchasing the site within 30 calendar days from the date of publication of this notice.

For further information, contact Bruce Kern, District Property Manager, Department of Transportation, 1002 Hamilton Street, Allentown, PA 18101, (610) 871-4179.

ALLEN D. BIEHLER, P. E.,
Secretary

[Pa.B. Doc. No. 10-1537. Filed for public inspection August 20, 2010, 9:00 a.m.]

GOVERNOR’S OFFICE OF HEALTH CARE REFORM

Pennsylvania Health Care Reform Implementation Advisory Committee Meeting

The Pennsylvania Health Care Reform Implementation Advisory Committee, established by Executive Order

2010-02, will hold a public meeting on Wednesday, August 25, 2010, from 10 a.m. to 1 p.m., in Hearing Room 3, Keystone Building, 400 North Street, Harrisburg, PA 17120.

This meeting is subject to cancellation without notice.

ANN S. TORREGROSSA, Esq.,
Director

[Pa.B. Doc. No. 10-1538. Filed for public inspection August 20, 2010, 9:00 a.m.]

INDEPENDENT REGULATORY REVIEW COMMISSION

Action Taken by the Commission

The Independent Regulatory Review Commission met publicly at 10 a.m., Thursday, August 5, 2010, and announced the following:

Action Taken—Regulations Approved:

Pennsylvania Gaming Control Board #125-127: Definition and Licensing Requirements (amends 58 Pa. Code §§ 401a.3, 435a.1 and 435a.4)

Department of Labor and Industry #12-85: Workers' Compensation; Individual Self-Insurance (amends 34 Pa. Code Chapter 125)

Environmental Quality Board #7-449: Large Appliance and Metal Furniture Surface Coating Processes (amends 25 Pa. Code Chapter 129)

Environmental Quality Board #7-433: Administration of the Water and Wastewater Systems Operators' Certification Program (deletes 25 Pa. Code Chapters 301, 303 and 305, and adds a new Chapter 302)

Environmental Quality Board #7-445: Hazardous Waste Management System; Proposed Exclusion for Identification and Listing of Hazardous Waste (amends 25 Pa. Code Chapter 261a.)

Action Taken—Regulations Disapproved: Order Not Yet Issued

*Bureau of Professional and Occupational Affairs #16A-47: Schedule of Civil Penalties—Funeral Directors and Funeral Establishments

*State Board of Funeral Directors #16A-4818: Continuing Education Enforcement

*Will advise when order is issued.

Approval Order

Public Meeting held
August 5, 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

*Pennsylvania Gaming Control Board—
Definitions and Licensing Requirements;
Regulation No. 125-127 (#2855)*

On June 22, 2010, the Independent Regulatory Review Commission (Commission) received this regulation from

the Pennsylvania Gaming Control Board (Board). This rulemaking amends 58 Pa. Code §§ 401a.3, 435a.1 and 435a.4. Notice of proposed rulemaking was omitted for this regulation; it will become effective upon publication in the *Pennsylvania Bulletin*.

This final-omitted rulemaking revises three sections of the Board's regulations to bring them into conformity with 2010 changes to Pennsylvania's Race Horse Development and Gaming Act.

We have determined this regulation is consistent with the statutory authority of the Board (4 Pa.C.S. §§ 1202(b)(30), 1213, 1326 and 1603) 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
August 5, 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—
Workers' Compensation; Individual Self-Insurance;
Regulation No. 12-85 (#2758)*

On April 20, 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 125. The proposed regulation was published in the May 2, 2009 *Pennsylvania Bulletin* with a 30-day public comment period. The final-form regulation was submitted to the Commission on June 23, 2010.

This final-form regulation is intended to improve clarity, provide more objective standards for qualifying for and maintaining self-insurance status, and improve the Department's ability to monitor and regulate self-insurers in the state.

We have determined this regulation is consistent with the statutory authority of the Department (77 P.S. §§ 501 and 991(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
August 5, 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

*Environmental Quality Board—
Large Appliance and Metal Furniture
Surface Coating Processes;
Regulation No. 7-449 (#2813)*

On January 5, 2010, the Independent Regulatory Review Commission (Commission) received this proposed

regulation from the Environmental Quality Board (Board). This rulemaking amends 25 Pa. Code Chapter 129. The proposed regulation was published in the January 16, 2010 *Pennsylvania Bulletin* with a 65-day public comment period. The final-form regulation was submitted to the Commission on June 30, 2010.

This final-form regulation limits volatile organic compounds emissions from large appliance and metal furniture manufacturing operations.

We have determined this regulation is consistent with the statutory authority of the Board (35 P. S. §§ 4005(a)(1) and 4005(a)(8)) 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
August 5, 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

*Environmental Quality Board—
Administration of the Water and Wastewater
Systems Operators' Certification Program;
Regulation No. 7-433 (#2774)*

On June 30, 2009, the Independent Regulatory Review Commission (Commission) received this proposed regulation from the Environmental Quality Board (Board). This rulemaking deletes 25 Pa. Code Chapters 301, 303 and 305, and adds a new Chapter 302. The proposed regulation was published in the July 11, 2009 *Pennsylvania Bulletin* with a 60-day public comment period. The final-form regulation was submitted to the Commission on June 30, 2010.

The regulation establishes both administrative requirements and defined duties for certified water and wastewater systems operators, in accordance with state and federal legislation.

We have determined this regulation is consistent with the statutory authority of the Board (63 P. S. § 1004(c)) 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
August 5, 2010

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

*Environmental Quality Board—
Hazardous Waste Management System;
Proposed Exclusion for Identification
and Listing of Hazardous Waste;
Regulation No. 7-445 (#2805)*

On October 28, 2009, the Independent Regulatory Review Commission (Commission) received this proposed regulation from the Environmental Quality Board (Board). This rulemaking amends 25 Pa. Code Chapter 261a. The proposed regulation was published in the November 7, 2009 *Pennsylvania Bulletin* with a 30-day public comment period. The final-form regulation was submitted to the Commission on June 30, 2010.

This final rulemaking amends a delisting previously granted to a hazardous waste facility.

We have determined this regulation is consistent with the statutory authority of the Board (35 P. S. §§ 6018.105, 6018.402, and 6018.501) 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. 10-1539. Filed for public inspection August 20, 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 regulation. The agency must consider these comments in preparing the final-form regulation. The final-form regulation must be submitted within 2 years of the close of the public comment period or it will be deemed withdrawn.

<i>Reg. No.</i>	<i>Agency/Title</i>	<i>Close of the Public Comment Period</i>	<i>IRRC Comments Issued</i>
16A-7101	State Board of Crane Operators Crane Operators; Initial Rulemaking 40 Pa.B. 3041, June 5, 2010	7/6/10	8/5/10
15-449	Department of Revenue Return and Payment of Tax 40 Pa.B. 3122, June 12, 2010	7/12/10	8/11/10

**State Board of Crane Operators
Regulation #16A-7101 (IRRC #2850)**

Crane Operators; Initial Rulemaking

August 5, 2010

We submit for your consideration the following comments on the proposed rulemaking published in the June 5, 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 Crane Operators (Board) to respond to all comments received from us or any other source.

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

On June 7, 2010, the Board submitted a letter to this Commission that supplemented the proposed rulemaking. The purpose of the letter was to inform the Commission that a Negotiated Rulemaking for Cranes and Derricks in Construction (Negotiated Rulemaking) that has been under consideration by the United States Department of Labor, Occupational Safety and Health Administration (OSHA) "will have become final by the time of adoption of a final rulemaking" by the Board. According to the Board, the rationale for this proposed rulemaking was based upon the anticipated adoption of the Negotiated Rulemaking.

We are aware of the Board's statutory mandate to have a final regulation in place by October 9, 2010. Commentators are concerned that the final Negotiated Rulemaking could conflict with this final rulemaking. If there are differences between the two regulations, will the Board initiate a new rulemaking to align the federal and state requirements? To the extent possible, we ask the Board to ensure that its final rulemaking is consistent with OSHA's final Negotiated Rulemaking.

2. Implementation procedures; Timetables for compliance by the public and private sector.

On behalf of the House Professional Licensure Committee, Chairman McGeehan and Republican Chair Harhart (Committee) have asked the Board to explain how it will enforce Section 501(a) of the Crane Operator Licensure Act (Act) (63 P. S. § 2400.501(a)) "in the likely circumstance that the final rulemaking does not occur before October 9, 2010." Section 501(a) of the Act prohibits an individual from operating a crane without a license after October 9, 2010. We share the Committees concern and ask the Board to explain anticipated timetables for compliance if the rulemaking is not published as a final regulation by the required date.

The Committee has also raised concerns about the overlapping time periods involved with maintaining a license, renewing a license and maintaining certification. Has the Board considered aligning the time periods to assist crane operators in complying with the regulation?

3. Section 6.2. Definitions.—Consistency with intent of the General Assembly; Adverse effects on prices, productivity or competition; Protection of the public health safety and welfare; Reasonableness.

Certification

Section 102 of the Act (63 P. S. § 2400.102) defines the term "Certification" as follows:

Certification from the National Commission for the Certification of Crane Operators or another organization found by the State Board of Crane Operators

(NCCCO) to offer an equivalent testing and certification program meeting the applicable requirements of the American Society of Mechanical Engineers ASME B30.5 as relating to mobile cranes, ASME B30.3 or the requirements of ASME B30.4 as relating to tower cranes and the accreditation requirements of the National Commission for Certifying Agencies or the American National Standards Institute.

The proposed rulemaking defines the same term in the following manner:

Certification from the National Commission for the Certification of Crane Operators, or another organization found by the Board to offer:

(i) A testing and certification program equivalent to National Commission for the Certification of Crane Operators and meeting the applicable requirements of ASME B30.

(ii) The accreditation requirements of the National Commission for Certifying Agencies and ANSI.

We raise two issues that touch on many of the concerns raised by several commentators. First, we note that the statutory definition refers to requirements of the National Commission for Certifying Agencies (NCCA) or the American National Standards Institute (ANSI). However, Paragraph (ii) of the regulatory definition refers to requirements of the NCCA and ANSI. Numerous commentators are concerned with the difference between the two definitions. They believe the deviation from "or" to "and" inappropriately narrows the scope of potential organizations that could be certified. This, in turn, could affect the prices crane operators would have to pay to certifying organizations. It could also lead to a shortage of certifying organizations which could negatively affect the public health, safety and welfare of the citizens of the Commonwealth. We suggest that the final-form regulatory definition be aligned with the statutory definition of the term "certification."

Second, we question the Board's interpretation of the word "equivalent." In the Preamble, the Board explains its interpretation as follows: "The use of the term 'equivalence' indicates the General Assembly's intent that the Board limit its approval to those organizations that are point-by-point identical to NCCCO in relevant criteria, except for the fact of a separate corporate existence and control." It is unlikely that an organization can be "point-by-point" identical to NCCCO. Therefore, in reality, only NCCCO would be considered a certifying organization. Clearly, this is not the intent of the General Assembly. If it was, the statutory definition of "certification" would only reference NCCCO.

We encourage the Board to draft a final regulation that ensures the competence of crane operators, while honoring the intent of the General Assembly by allowing for the possibility of more than one certifying organization to conduct business in this Commonwealth. We believe that amending the regulation would allow the Board to achieve one of its stated goals of promoting "competitiveness and economic efficiency in the crane industry without impairing safety, training or certification." (See § 6.1(b)(5).)

In addition, two commentators have raised a third issue that relates to the Board's interpretation of this definition. They note that the OSHA Negotiated Rulemaking

will allow for an employer certification program option and ask the Board to provide a similar mechanism for certification. If an organization can demonstrate that its employer certification program is equivalent to NCCCO certification, would the Board recognize that program?

References to ASME B30 in the definition of “certification” and “crane”

The statutory definition of “certification” specifically references ASME B30.3, B30.4 and B30.5. However, the regulatory definition under § 6.2 only references “applicable requirements of ASME B30.”

Conversely, the statutory definition of “crane” references ASME B30.5 for cranes with a maximum lifting capacity of 15 tons or more. However, the regulatory definition under § 6.2 references ASME B30.3, B30.4 and B30.5. In addition, the statutory definition references ASME B30.3 and B30.4 for cranes with a maximum lifting capacity of 10 meter tons or more, but the regulatory definition references the “applicable ASME B30 volume.”

We are concerned with the manner in which the rulemaking deviates from the Act, as it pertains to references to ASME B30. We do not believe the Board has the authority to include less specific references in its regulations than those contained in statute. Likewise, we do not believe that adding references is consistent with the intent of the General Assembly. Therefore, we ask the Board to align all regulatory references ASME B30 throughout the regulation with requirements of the Act.

Coal mining or coal mining operations and Work of preparing the coal

The Board has explained that both of these definitions are adopted from Section 3 of the Federal Mine Safety and Health Act. The Pennsylvania Coal Association has asked that both definitions be replaced with the definition of coal mining activity as defined in the Pennsylvania Department of Environmental Protection’s (DEP) Surface and Underground Coal Mining regulations (25 Pa. Code § 86.1). Has the Board considered including DEP’s definition in this rulemaking?

4. Section 6.22. Licensure without certification by practical examination.—Implementation procedures; Clarity.

Subsections (f) and (g) make reference to a “declaration” that will be issued by the Board in lieu of a license without certification. We are not aware of this terminology being used in any other chapter of Title 49 of the *Pennsylvania Code*, pertaining to professional and vocational standards. We suggest that this term be defined in the final-form regulation.

5. Section 6.23. Licensure without certification by experience.—Reasonableness; Need; Clarity.

Senator Waugh submitted comments that question what is acceptable experience and the number of hours of experience required by Subsection (b)(2). As noted in the Preamble, West Virginia is the only other known state to allow for licensure without certification. That state requires uncertified operators seeking licensure to document 2,000 hours in a four-year period. We ask the Board to explain the need for and reasonableness of requiring 5,000 hours in a five-year period.

6. Section 6.31. Duration of license.—Implementation procedures; Clarity.

Subsection (a) requires biennial renewal of licenses for crane operators. However, the regulation is silent on

when a biennial period begins and ends. We recommend that the final-form regulation include appropriate dates pertaining to biennial renewal periods.

7. Section 6.53. Required and discretionary bases for disapproval of an application for approval as certifying organization.—Consistency with intent of the General Assembly; Possible conflict with or duplication of statutes or existing regulations.

Subsections (a)(1) and (2)

As noted in our comment on the definition of “certification,” members of the regulated community are concerned that the regulation will require potential certifying organizations to be accredited by both ANSI and NCCA. Under these subsections the Board is again deviating from the statutory definition of “certification” by requiring an applicant to possess accreditation from ANSI and NCCA instead of from ANSI or NCCA. The Board should amend the regulation to mirror the Act.

Subsections (a)(4) and (5)

These subsections prohibit an applicant that is a parent or subsidiary of an entity that offers a program of training or education in crane operation from being a certifying organization. We have two concerns. First, how is this prohibition consistent with the Act and the intent of the General Assembly? Second, will this prohibition conflict with OSHA’s Negotiated rulemaking?

—
**Department of Revenue
Regulation #15-449 (IRRC #2852)**

Return and Payment of Tax

August 11, 2010

We submit for your consideration the following comments on the proposed rulemaking published in the June 12, 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 (Act) (71 P. S. § 745.5a(a)) directs the Department of Revenue (Department) to respond to all comments received from us or any other source.

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

The explanation of the regulatory requirements contained in the Preamble states that the amendments provide uniformity and guidance to taxpayers in the Commonwealth. The Preamble also states that the purpose of the rulemaking is to reflect and clarify the Department’s policy regarding the form of Personal Income Tax (PIT) returns. These statements do not provide this Commission with the necessary information to determine if the regulation is in the public interest. In the Preamble included with the final-form regulation, we ask the Department to include a more detailed explanation of the policy that is the basis for this rulemaking, especially the provisions that require taxpayers to take consistent positions with respect to the facts asserted in a prior taxable year and the provision that allows the Secretary of the Department, or a deputy, to make a return for a person that fails to file a return.

2. Section 117.9. Form of return.—Implementation procedures; Clarity

Subsection (a) Required form.

This subsection allows tax returns to be transmitted to the Department electronically or telephonically. Subsection (a)(4) requires a transmittal to be verified by a

“signed declaration.” When a taxpayer transmits a return electronically or telephonically, how would the requirement for a “signed declaration” be met? We recommend that the final-form regulation specify how this obligation can be met.

Subsection (b) Filing processible returns.

This subsection states that the filing of a processible return is required to: commence the running of the statute of limitations for the assessment of tax; commence the running of interest on overpayments of tax; and obtain credit or refund of the overpayment showing on a return. The proposed regulation includes a citation to the underlying statutory provision pertaining to obtaining a credit or refund of an overpayment. To improve clarity and to assist the regulated community with complying with the rulemaking, we suggest that the appropriate statutory references for the other two events that commence with the filing of a processible return also be included in the final-form regulation.

Subsection (e) Exception.

Under this subsection, if a taxpayer is “under investigation,” that person may be allowed to omit certain information from a tax return. The phrase “under investigation” is vague. Does this phrase refer to an investigation by the Department, or can it refer to an investigation by another party, such as the Internal Revenue Service? The final-form regulation should clarify what this phrase means.

Subsection (f) Partners and Pennsylvania S corporation shareholders.

A commentator has asked the Department to provide direction on how a taxpayer that owns a de minimus interest in a partnership may file a processible return when the partnership refuses to provide the necessary documentation. We believe such direction would assist a taxpayer with complying with the regulation and suggest that it be included in the final-form regulation.

3. Section 117.9b. Consistent positions.—Statutory authority; Implementation procedures; Clarity.

Subsection (a) states, in part, the following: “A taxpayer shall take consistent positions with respect to the facts asserted in a prior taxable year.” A commentator believes this type of regulatory requirement would require a statutory change. What is the Department’s specific statutory authority for this provision? In addition, the facts surrounding a particular position may change from one year to another. If a taxpayer can demonstrate that the facts supporting a prior year’s position have changed, we assume that the taxpayer would be permitted to change their position. We suggest that the final-form regulation include language that reflects that fact.

4. Section 117.9c. Execution of return by Secretary of Revenue.—Statutory authority; Implementation procedures; Clarity.

Subsection (a) of this section reads as follows:

If a person fails to make a required processible return at the time prescribed therefore, or makes, willfully or otherwise, a false or fraudulent return, the Secretary or deputy may make the return from his own knowledge and from information obtained through testimony or otherwise.

We have three concerns. First, what is the Department’s specific statutory authority for this provision? Second, how will the provision be implemented? Will the taxpayer be notified of the Secretary’s action and provided a copy of the return? Will the return made by the

Secretary be considered a processible return under § 117.9, pertaining to form of return? Third, which deputy within the Department can make a return? These issues should be clarified in the Preamble and in the final-form regulation.

5. Miscellaneous clarity.

- Section 117.9(a) includes the following phrases: “must plausibly purport;” “honest and genuine;” and “substantially incorrect.” These phrases lack clarity and do not establish a binding norm, as regulations are intended to do. Therefore, the phrases should be replaced or deleted from the final-form regulation.

- Section 117.9c(b) includes the phrase “all legal purposes.” We have the same concern with this phrase as we do with the phrases directly above.

ARTHUR COCCODRILLI,
Chairperson

[Pa.B. Doc. No. 10-1540. Filed for public inspection August 20, 2010, 9:00 a.m.]

INSURANCE DEPARTMENT

Highmark Blue Cross Blue Shield; Direct Pay ClassicBlue Hospital Plan (Western Region); Rate Filing

By filing No. 1A-CPE-9-HBCBS, Highmark, Inc., d/b/a Highmark Blue Cross Blue Shield, requests approval to increase the premium rates for its Direct Pay ClassicBlue Hospital Plan (Western Region). The filing requests an average increase of about 13.9% or \$57.17 per contract per month. This will affect about 960 contract holders and produce additional premium income of about \$660,000 annually. For HIPAA and HCTC eligibility, the filing requests an average increase of about 13.6% or \$58.17 per contract per month. This will affect an estimated 290 contract holders and produce additional premium income of about \$204,000 annually. The requested effective date of the change is January 1, 2011.

Unless formal administrative action is taken prior to November 3, 2010, the subject filing may be deemed approved by operation of law.

A copy of the filing is available on the Insurance Department’s (Department) web site at www.insurance.pa.gov. Under the tab “How to Find . . .” click on the link “Current Rate Filings.”

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

Interested parties are invited to submit written or e-mail comments, suggestions or objections to Cherri Sanders-Jones, Insurance Department, Insurance Product Regulation, 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. 10-1541. Filed for public inspection August 20, 2010, 9:00 a.m.]

Highmark Blue Cross Blue Shield; Direct Pay ClassicBlue Major Medical Plan (Western Region); Rate Filing

By filing No. 1A-PMM-10-HBCBS, Highmark, Inc., d/b/a Highmark Blue Cross Blue Shield, requests approval to increase the premium rates for the Direct Pay ClassicBlue Major Medical Plan (Western Region). The filing requests an average increase of about 14.2% or \$22.99 per contract per month. This will affect about 620 contract holders and produce additional premium income of about \$168,000 annually. For HIPAA and HCTC eligibility, the filing requests an average increase of about 5.9% or \$9.80 per contract per month. This will affect an estimated 350 contract holders and produce additional premium income of about \$39,600 annually. The requested effective date of the change is January 1, 2011.

Unless formal administrative action is taken prior to November 3, 2010, the subject filing may be deemed approved by operation of law.

A copy of the filing is available on the Insurance Department's (Department) web site at www.insurance.pa.gov. Under the tab "How to Find . . ." click on the link "Current Rate Filings."

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

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. 10-1542. Filed for public inspection August 20, 2010, 9:00 a.m.]

Highmark Blue Shield; Direct Pay ClassicBlue Medical Surgical Products—Independence Blue Cross Plan Area; Rate Filing

By filing No. 1A-DPMS(IBC)-10-HBS, Highmark, Inc., d/b/a Highmark Blue Shield, requests approval to increase the premium rates for its Direct Pay ClassicBlue Medical Surgical products in the Independence Blue Cross plan area. The filing requests an average increase of about 14.2% or \$20.91 per contract per month. This will affect about 2,000 contract holders and produce additional premium income of about \$492,000 annually. The requested effective date of the change is January 1, 2011.

Unless formal administrative action is taken prior to November 3, 2010, the subject filing may be deemed approved by operation of law.

A copy of the filing is available on the Insurance Department's (Department) web site at www.insurance.pa.gov. Under the tab "How to Find . . ." click on the link "Current Rate Filings."

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

Interested parties are invited to submit written or e-mail comments, suggestions or objections to Cherri Sanders-Jones, Insurance Department, Insurance Product Regulation, 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. 10-1543. Filed for public inspection August 20, 2010, 9:00 a.m.]

Highmark, Inc.; Rate Increase Filing for Medicare Supplement Forms; Rate Filing

By filing No. 1-MGP(AA)-E-10-HBCBS-1990, Highmark, Inc., d/b/a Highmark Blue Cross Blue Shield, requests approval to increase its premium rates for its Western Pennsylvania Attained Age MedigapBlue Plans (NAIC's 1990 standardized Medigap plan E). The filing requests an overall increase of about 8.4% or \$16.71 PMPM. This will affect about 3,137 members and produce additional premium income of about \$52,408 per month. The requested effective date of these changes is January 1, 2011.

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

A copy of the filing is available on the Insurance 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 Gurgiolo, Actuary, Insurance Department, Insurance Product Regulation, 1311 Strawberry Square, Harrisburg, PA 17120, mgurgiolo@state.pa.us within 30 days after publication of this notice in the *Pennsylvania Bulletin*.

JOEL SCOTT ARIO,
Insurance Commissioner

[Pa.B. Doc. No. 10-1544. Filed for public inspection August 20, 2010, 9:00 a.m.]

Highmark, Inc.; Rate Increase Filing for Medicare Supplement Forms; Rate Filing

By filing No. 1-MGP(AA)-E-10-HBS-1990, Highmark, Inc., d/b/a Highmark Blue Shield, requests approval to increase its premium rates for its Central Pennsylvania Attained Age MedigapBlue Plans (NAIC's 1990 standardized Medigap plan E). The filing requests an overall increase of about 8.2% or \$11.90 PMPM. This will affect about 8,820 members and produce additional premium income of about \$104,913 per month. The requested effective date of these changes is January 1, 2011.

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

A copy of the filing is available on the Insurance 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 Gurgiolo, Actuary, Insurance Department, Insurance Product Regulation, 1311 Strawberry Square, Harrisburg, PA 17120, mgurgiolo@state.pa.us within 30 days after publication of this notice in the *Pennsylvania Bulletin*.

JOEL SCOTT ARIO,
Insurance Commissioner

[Pa.B. Doc. No. 10-1545. Filed for public inspection August 20, 2010, 9:00 a.m.]

Highmark, Inc.; Rate Increase Filing for Medicare Supplement Forms; Rate Filing

By filing No. 1-MGP(AA)-I-10-HBCBS-1990, Highmark, Inc., d/b/a Highmark Blue Cross Blue Shield, requests approval to increase its premium rates for its Western Pennsylvania Attained Age MedigapBlue Plans (NAIC's 1990 standardized Medigap plan I). The filing requests an overall increase of about 4.3% or \$9.13 PMPM. This will affect about 2,550 members and produce additional premium income of about \$23,279 per month. The requested effective date of these changes is January 1, 2011.

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

A copy of the filing is available on the Insurance 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 Gurgiolo, Actuary, Insurance Department, Insurance Product Regulation, 1311 Strawberry Square, Harrisburg, PA 17120, mgurgiolo@state.pa.us within 30 days after publication of this notice in the *Pennsylvania Bulletin*.

JOEL SCOTT ARIO,
Insurance Commissioner

[Pa.B. Doc. No. 10-1546. Filed for public inspection August 20, 2010, 9:00 a.m.]

Highmark, Inc.; Rate Increase Filing for Medicare Supplement Forms; Rate Filing

By filing No. 1-MGP(AA)-I-10-HBS-1990, Highmark, Inc., d/b/a Highmark Blue Shield, requests approval to increase its premium rates for its Central Pennsylvania Attained Age MedigapBlue Plans (NAIC's 1990 standardized Medigap plan I). The filing requests an overall increase of about 5.0% or \$7.63 PMPM. This will affect about 5,723 members and produce additional premium income of about \$43,667 per month. The requested effective date of these changes is January 1, 2011.

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

A copy of the filing is available on the Insurance 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 Gurgiolo,

Actuary, Insurance Department, Insurance Product Regulation, 1311 Strawberry Square, Harrisburg, PA 17120, mgurgiolo@state.pa.us within 30 days after publication of this notice in the *Pennsylvania Bulletin*.

JOEL SCOTT ARIO,
Insurance Commissioner

[Pa.B. Doc. No. 10-1547. Filed for public inspection August 20, 2010, 9:00 a.m.]

Highmark, Inc.; Rate Increase Filing for Medicare Supplement Forms; Rate Filing

By filing No. 1-MGP(AA)-IRx-10-HBCBS-1990, Highmark, Inc., d/b/a Highmark Blue Cross Blue Shield, requests approval to increase its premium rates for its Western Pennsylvania Attained Age MedigapBlue Plans (NAIC's 1990 standardized Medigap plan I with Rx). The filing requests an overall increase of about 4.3% or \$11.97 PMPM. This will affect about 239 members and produce additional premium income of about \$2,863 per month. The requested effective date of these changes is January 1, 2011.

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

A copy of the filing is available on the Insurance 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 Gurgiolo, Actuary, Insurance Department, Insurance Product Regulation, 1311 Strawberry Square, Harrisburg, PA 17120, mgurgiolo@state.pa.us within 30 days after publication of this notice in the *Pennsylvania Bulletin*.

JOEL SCOTT ARIO,
Insurance Commissioner

[Pa.B. Doc. No. 10-1548. Filed for public inspection August 20, 2010, 9:00 a.m.]

Highmark, Inc.; Rate Increase Filing for Medicare Supplement Forms; Rate Filing

By filing No. 1-MGP(AA)-IRx-10-HBS-1990, Highmark, Inc., d/b/a Highmark Blue Shield, requests approval to increase its premium rates for its Central Pennsylvania Attained Age MedigapBlue Plans (NAIC's 1990 standardized Medigap plan I with Rx). The filing requests an overall increase of about 5.0% or \$10.30 PMPM. This will affect about 138 members and produce additional premium income of about \$1,418 per month. The requested effective date of these changes is January 1, 2011.

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

A copy of the filing is available on the Insurance 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 Gurgiolo,

Actuary, Insurance Department, Insurance Product Regulation, 1311 Strawberry Square, Harrisburg, PA 17120, mgurgiolo@state.pa.us, within 30 days after publication of this notice in the *Pennsylvania Bulletin*.

JOEL SCOTT ARIO,
Insurance Commissioner

[Pa.B. Doc. No. 10-1549. Filed for public inspection August 20, 2010, 9:00 a.m.]

Actuary, Insurance Department, Insurance Product Regulation, 1311 Strawberry Square, Harrisburg, PA 17120, mgurgiolo@state.pa.us within 30 days after publication of this notice in the *Pennsylvania Bulletin*.

JOEL SCOTT ARIO,
Insurance Commissioner

[Pa.B. Doc. No. 10-1551. Filed for public inspection August 20, 2010, 9:00 a.m.]

Highmark, Inc.; Rate Increase Filing for Medicare Supplement Forms; Rate Filing

By filing No. 1-MGP(IA)-A-10-HBCBS-1990, Highmark, Inc., d/b/a Highmark Blue Cross Blue Shield, requests approval to increase its premium rates for its Western Pennsylvania Issue Age MedigapBlue Plans (NAIC's 1990 standardized Medigap plan A). The filing requests an overall increase of about 14.2% or \$17.47 PMPM. This will affect about 717 members and produce additional premium income of about \$12,517 per month. The requested effective date of these changes is January 1, 2011.

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

A copy of the filing is available on the Insurance 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 Gurgiolo, Actuary, Insurance Department, Insurance Product Regulation, 1311 Strawberry Square, Harrisburg, PA 17120, mgurgiolo@state.pa.us within 30 days after publication of this notice in the *Pennsylvania Bulletin*.

JOEL SCOTT ARIO,
Insurance Commissioner

[Pa.B. Doc. No. 10-1550. Filed for public inspection August 20, 2010, 9:00 a.m.]

Highmark, Inc.; Rate Increase Filing for Medicare Supplement Forms; Rate Filing

By filing No. 1-MGP(IA)-B-10-HBCBS-1990, Highmark, Inc., d/b/a Highmark Blue Cross Blue Shield, requests approval to increase its premium rates for its Western Pennsylvania Issue Age MedigapBlue Plans (NAIC's 1990 standardized Medigap plan B). The filing requests an overall increase of about 4.4% or \$7.29 PMPM. This will affect about 12,492 members and produce additional premium income of about \$91,088 per month. The requested effective date of these changes is January 1, 2011.

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

A copy of the filing is available on the Insurance 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 Gurgiolo, Actuary, Insurance Department, Insurance Product Regulation, 1311 Strawberry Square, Harrisburg, PA 17120, mgurgiolo@state.pa.us within 30 days after publication of this notice in the *Pennsylvania Bulletin*.

JOEL SCOTT ARIO,
Insurance Commissioner

[Pa.B. Doc. No. 10-1552. Filed for public inspection August 20, 2010, 9:00 a.m.]

Highmark, Inc.; Rate Increase Filing for Medicare Supplement Forms; Rate Filing

By filing No. 1-MGP(IA)-A-10-HBS-1990, Highmark, Inc., d/b/a Highmark Blue Shield, requests approval to increase its premium rates for its Central Pennsylvania Issue Age MedigapBlue Plans (NAIC's 1990 standardized Medigap plan A). The filing requests an overall increase of about 5.0% or \$4.93 PMPM. This will affect about 544 members and produce additional premium income of about \$2,685 per month. The requested effective date of these changes is January 1, 2011.

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

A copy of the filing is available on the Insurance 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 Gurgiolo,

Highmark, Inc.; Rate Increase Filing for Medicare Supplement Forms; Rate Filing

By filing No. 1-MGP(IA)-B-10-HBS-1990, Highmark, Inc., d/b/a Highmark Blue Shield, requests approval to increase its premium rates for its Central Pennsylvania Issue Age MedigapBlue Plans (NAIC's 1990 standardized Medigap plan B). The filing requests an overall increase of about 3.5% or \$4.57 PMPM. This will affect about 6,582 members and produce additional premium income of about \$30,079 per month. The requested effective date of these changes is January 1, 2011.

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

A copy of the filing is available on the Insurance 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 Gurgiolo,

Actuary, Insurance Department, Insurance Product Regulation, 1311 Strawberry Square, Harrisburg, PA 17120, mgurgiolo@state.pa.us within 30 days after publication of this notice in the *Pennsylvania Bulletin*.

JOEL SCOTT ARIO,
Insurance Commissioner

[Pa.B. Doc. No. 10-1553. Filed for public inspection August 20, 2010, 9:00 a.m.]

Actuary, Insurance Department, Insurance Product Regulation, 1311 Strawberry Square, Harrisburg, PA 17120, mgurgiolo@state.pa.us within 30 days after publication of this notice in the *Pennsylvania Bulletin*.

JOEL SCOTT ARIO,
Insurance Commissioner

[Pa.B. Doc. No. 10-1555. Filed for public inspection August 20, 2010, 9:00 a.m.]

Highmark, Inc.; Rate Increase Filing for Medicare Supplement Forms; Rate Filing

By filing No. 1-MGP(IA)-C-10-HBCBS-1990, Highmark, Inc., d/b/a Highmark Blue Cross Blue Shield, requests approval to increase its premium rates for its Western Pennsylvania Issue Age MedigapBlue Plans (NAIC's 1990 standardized Medigap plan C). The filing requests an overall increase of about 5.0% or \$10.50 PMPM. This will affect about 15,093 members and produce additional premium income of about \$158,533 per month. The requested effective date of these changes is January 1, 2011.

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

A copy of the filing is available on the Insurance 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 Gurgiolo, Actuary, Insurance Department, Insurance Product Regulation, 1311 Strawberry Square, Harrisburg, PA 17120, mgurgiolo@state.pa.us within 30 days after publication of this notice in the *Pennsylvania Bulletin*.

JOEL SCOTT ARIO,
Insurance Commissioner

[Pa.B. Doc. No. 10-1554. Filed for public inspection August 20, 2010, 9:00 a.m.]

Highmark, Inc.; Rate Increase Filing for Medicare Supplement Forms; Rate Filing

By filing No. 1-MGP(IA)-H-10-HBCBS-1990, Highmark, Inc., d/b/a Highmark Blue Cross Blue Shield, requests approval to increase its premium rates for its Western Pennsylvania Issue Age MedigapBlue Plans (NAIC's 1990 standardized Medigap plan H). The filing requests an overall increase of about 5.0% or \$9.49 PMPM. This will affect about 2,914 members and produce additional premium income of about \$27,648 per month. The requested effective date of these changes is January 1, 2011.

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

A copy of the filing is available on the Insurance 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 Gurgiolo, Actuary, Insurance Department, Insurance Product Regulation, 1311 Strawberry Square, Harrisburg, PA 17120, mgurgiolo@state.pa.us within 30 days after publication of this notice in the *Pennsylvania Bulletin*.

JOEL SCOTT ARIO,
Insurance Commissioner

[Pa.B. Doc. No. 10-1556. Filed for public inspection August 20, 2010, 9:00 a.m.]

Highmark, Inc.; Rate Increase Filing for Medicare Supplement Forms; Rate Filing

By filing No. 1-MGP(IA)-C-10-HBS-1990, Highmark, Inc., d/b/a Highmark Blue Shield, requests approval to increase its premium rates for its Central Pennsylvania Issue Age MedigapBlue Plans (NAIC's 1990 standardized Medigap plan C). The filing requests an overall increase of about 5.0% or \$8.97 PMPM. This will affect about 9,360 members and produce additional premium income of about \$83,968 per month. The requested effective date of these changes is January 1, 2011.

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

A copy of the filing is available on the Insurance 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 Gurgiolo,

Highmark, Inc.; Rate Increase Filing for Medicare Supplement Forms; Rate Filing

By filing No. 1-MGP(IA)-H-10-HBS-1990, Highmark, Inc., d/b/a Highmark Blue Shield, requests approval to increase its premium rates for its Central Pennsylvania Issue Age MedigapBlue Plans (NAIC's 1990 standardized Medigap plan H). The filing requests an overall increase of about 2.9% or \$5.45 PMPM. This will affect about 2,342 members and produce additional premium income of about \$12,768 per month. The requested effective date of these changes is January 1, 2011.

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

A copy of the filing is available on the Insurance 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 Gurgiolo, Actuary, Insurance Department, Insurance Product Regu-

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

JOEL SCOTT ARIO,
Insurance Commissioner

[Pa.B. Doc. No. 10-1557. Filed for public inspection August 20, 2010, 9:00 a.m.]

Highmark, Inc.; Rate Increase Filing for Medicare Supplement Forms; Rate Filing

By filing No. 1-MGP(IA)-HRx-10-HBCBS-1990, Highmark, Inc., d/b/a Highmark Blue Cross Blue Shield, requests approval to increase its premium rates for its Western Pennsylvania Issue Age MedigapBlue Plans (NAIC's 1990 standardized Medigap plan H with Rx). The filing requests an overall increase of about 5.0% or \$11.49 PMPM. This will affect about 743 members and produce additional premium income of about \$8,532 per month. The requested effective date of these changes is January 1, 2011.

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

A copy of the filing is available on the Insurance 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 Gurgiolo, Actuary, Insurance Department, Insurance Product Regulation, 1311 Strawberry Square, Harrisburg, PA 17120, mgurgiolo@state.pa.us within 30 days after publication of this notice in the *Pennsylvania Bulletin*.

JOEL SCOTT ARIO,
Insurance Commissioner

[Pa.B. Doc. No. 10-1558. Filed for public inspection August 20, 2010, 9:00 a.m.]

Highmark, Inc.; Rate Increase Filing for Medicare Supplement Forms; Rate Filing

By filing No. 1-MGP(IA)-HRx-10-HBS-1990, Highmark, Inc., d/b/a Highmark Blue Shield, requests approval to increase its premium rates for its Central Pennsylvania Issue Age MedigapBlue Plans (NAIC's 1990 standardized Medigap plan H with Rx). The filing requests an overall increase of about 2.9% or \$6.57 PMPM. This will affect about 665 members and produce additional premium income of about \$4,367 per month. The requested effective date of these changes is January 1, 2011.

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

A copy of the filing is available on the Insurance 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 Gurgiolo, Actuary, Insurance Department, Insurance Product Regu-

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

JOEL SCOTT ARIO,
Insurance Commissioner

[Pa.B. Doc. No. 10-1559. Filed for public inspection August 20, 2010, 9:00 a.m.]

Highmark, Inc. Filing No. 1A-SCMS-10-HI; Requesting Approval to Increase Rates for Special Care Medical Surgical Plans; Rate Filing

By filing No. 1A-SCMS-10-HI, Highmark, Inc., d/b/a Highmark Blue Cross Blue Shield and Highmark Blue Shield, requests approval to revise premium rates for its Special Care Medical/Surgical programs in the Western Pennsylvania region and Northeastern Pennsylvania region.

Highmark is requesting an 8.7% increase in Western Pennsylvania. This will affect 10,000 contracts and generate an additional \$64,000 per month in premium. Highmark is requesting a 14.2% increase in Northeastern Pennsylvania. This will affect 3,200 contracts and generate an additional \$29,000 per month in premium.

The filing requests an average increase of 9.9% or \$6.99 per contract per month. This will affect about 13,200 contract holders in total and produce an additional premium income of about \$1,116,000 per year. The requested effective date of the change is January 1, 2011.

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

A copy of the filing is available on the Insurance 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 James Laverty, Actuary, Insurance Department, Insurance Product Regulation, 1311 Strawberry Square, Harrisburg, PA 17120, jlaverty@state.pa.us within 30 days after publication of this notice in the *Pennsylvania Bulletin*.

JOEL SCOTT ARIO,
Insurance Commissioner

[Pa.B. Doc. No. 10-1560. Filed for public inspection August 20, 2010, 9:00 a.m.]

Keystone Health Plan West; Direct Pay Keystone-Blue for Kids; Rate Filing

By filing No. 1A-CHK-10-KHPW, Keystone Health Plan West, Inc. requests approval to increase the premium rates for its Direct Pay KeystoneBlue Kids Plan. The filing requests an increase of about 13.5% or \$16.49 per member per month. This filing will affect approximately 960 members and will produce additional income of about \$192,000 annually. The requested effective date of the change is January 1, 2011.

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

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

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

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

JOEL SCOTT ARIO,
Insurance Commissioner

[Pa.B. Doc. No. 10-1561. Filed for public inspection August 20, 2010, 9:00 a.m.]

Nationwide Affinity Insurance Company of America; Private Passenger Automobile; Rate Revision; Rate Filing

On August 2, 2010, the Insurance Department (Department) received from Nationwide Affinity Insurance Company of America a filing for a rate level change for Private Passenger Automobile insurance.

The company requests an overall 0.0% change, to be effective December 10, 2010, for new business and renewal business.

Unless formal administrative action is taken prior to October 1, 2010, the subject filing may be deemed approved by operation of law.

A copy of the filing is available on the Insurance 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 Xiaofeng Lu, Insurance Department, Insurance Product Regulation, 1311 Strawberry Square, Harrisburg, PA 17120, xlu@state.pa.us within 30 days after publication of this notice in the *Pennsylvania Bulletin*.

JOEL SCOTT ARIO,
Insurance Commissioner

[Pa.B. Doc. No. 10-1562. Filed for public inspection August 20, 2010, 9:00 a.m.]

LEGISLATIVE REFERENCE BUREAU

Documents Filed But Not Published

The Legislative Reference Bureau (Bureau) accepted the following documents during the preceding calendar month for filing without publication under 1 Pa. Code § 3.13(b) (relating to contents of *Bulletin*). The Bureau will continue to publish on a monthly basis either a summary table identifying the documents accepted during the preceding calendar month under this subsection or a statement that no documents have been received. For

questions concerning or copies of documents filed, but not published, call (717) 783-1530.

Executive Board

Resolution No. CB-10-005, Dated July 6, 2010. Attached is the Executive Board Resolution which authorizes the Memorandum of Understanding between the Commonwealth of Pennsylvania and AFSCME regarding PA Conservation Corps Regional Crew Leaders effective 1/1/2009 through 6/30/2010.

Governor's Office

Manual M210.3—Index of Issuances, Amended July 7, 2010.

Manual 530.15—Pennsylvania State Police Administrative Manual Health Benefits Program, Amended July 20, 2010.

Management Directive No. 205.34—Commonwealth of Pennsylvania Information Technology Acceptable Use Policy, Amended July 20, 2010.

Management Directive No. 205.40—Commonwealth Branding, Dated July 13, 2010.

Management Directive No. 205.41—Commonwealth of Pennsylvania Continuity of Operations (COOP) Program, Dated July 12, 2010.

Management Directive No. 210.5—The Commonwealth of Pennsylvania State Records Management Program, Amended July 29, 2010.

Management Directive No. 215.16—Contract Compliance Program, Amended July 19, 2010.

Management Directive No. 230.6—Travel Expenses of Job Applicants, Amended July 15, 2010.

Management Directive No. 530.10—Administrative Leave to Compete in International and World Championships, Amended July 20, 2010.

Management Directive No. 580.26—Transfer or Reassignment of Classified Service Employees, Amended June 29, 2010.

Management Directive No. 720.7—Bomb Threats and Suspicious Packages, Amended July 29, 2010.

MARY JANE PHELPS,
Director

Pennsylvania Code and Bulletin

[Pa.B. Doc. No. 10-1563. Filed for public inspection August 20, 2010, 9:00 a.m.]

MILK MARKETING BOARD

Hearing and Presubmission Schedule; Milk Marketing Area No. 3

Under the Milk Marketing Law (31 P. S. §§ 700j-101—700j-1302), that the Milk Marketing Board (Board) will conduct a public hearing for Milk Marketing Area No. 3 on October 6, 2010, at 10 a.m. in Room 202 of the Department of Agriculture Building, 2301 North Cameron Street, Harrisburg, PA.

The purpose of the hearing is to receive testimony and exhibits concerning cost replacement in Milk Marketing Area No. 3. Evidence will be limited to the following: annualized processing, packaging and delivery costs; updated costs for containers, ingredients and Class II

products; updated labor, utility and insurance costs based on comparisons between costs per point for the second quarters of calendar years 2009 and 2010; skim and butterfat contents of products regulated by the Board; adjustment for shrinkage, sales of bulk products and cream processing costs; monthly adjustments to in-store handling costs; and a reasonable rate of return to milk dealers and stores. In accordance with OGO A-937, evidence and testimony will be considered regarding the heating fuel adjuster in Area 3. In accordance with OGO A-939, evidence and testimony will be considered regarding the diesel fuel cost adjuster in Area 3.

The staff of the Board is deemed to be a party to this hearing, and the attorney representing staff is deemed to have entered his appearance. Other persons who wish to present evidence may be included on the Board's list of parties by: (1) having their attorney file with the Board on or before 4 p.m. on September 7, 2010, a notice of appearance substantially in the form prescribed by 1 Pa. Code § 31.25 (relating to form of notice of appearance); or (2) if unrepresented by counsel, filing with the Board on or before 4 p.m. on September 7, 2010, notification of their desire to be included as a party. Parties should indicate in their notices of appearance if alternate means of service, that is, e-mail or fax, are acceptable. Notices of appearance filed electronically should be directed to deberly@state.pa.us.

The parties shall observe the following requirements for advance filing of witness information and exhibits:

1. By 4 p.m. on September 9, 2010, Board Staff shall file with the Board, in person or by mail, one original and eight copies and ensure receipt by all other parties of one copy of:

a. A list of witnesses who will testify for the party, along with a statement of the subjects concerning which each witness will testify. A witness who will be offered as an expert shall be so identified, along with the witness's area or areas of proposed expertise. For expert witnesses there shall also be filed a statement of the substance of the facts and opinions to which the expert is expected to testify and a summary of the grounds for each opinion.

b. Each exhibit to be presented, including testimony to be offered in written form.

2. By 4 p.m. on September 23, 2010, each responding party shall file and serve as set forth in paragraph 1 information concerning rebuttal witnesses and copies of rebuttal exhibits.

3. By 4 p.m. on September 30, 2010, each party shall file and serve as set forth in paragraph 1 information concerning surrebuttal witnesses and copies of surrebuttal exhibits.

Parties that wish to offer in evidence documents on file with the Board, public documents, or records in other proceedings before the Board, or who wish the Board to take official notice of facts, shall comply with, respectively, 1 Pa. Code § 35.164, § 35.165, § 35.167 or § 35.173. Whenever these rules require production of a document as an exhibit, copies shall be provided to each Board member and to all other parties; in addition, at least 20 copies shall be available for distribution to nonparties attending the hearing.

Requests by parties for Board staff to provide data pertinent to the hearing shall be made in writing and received in the Board office by 1 p.m. on September 24, 2010.

The filing address for the Board is Milk Marketing Board, Room 110, Agriculture Building, 2301 North Cameron Street, Harrisburg, PA 17110.

KEITH BIERLY,
Secretary

[Pa.B. Doc. No. 10-1564. Filed for public inspection August 20, 2010, 9:00 a.m.]

Hearing and Presubmission Schedule; Milk Marketing Area No. 6

Under the Milk Marketing Law (31 P. S. §§ 700j-101—700j-1302), that the Milk Marketing Board (Board) will conduct a public hearing for Milk Marketing Area No. 6 on October 6, 2010, at 11 a.m. in Room 202 of the Department of Agriculture Building, 2301 North Cameron Street, Harrisburg, PA.

The purpose of the hearing is to receive testimony and exhibits concerning cost replacement in Milk Marketing Area No. 6. Evidence will be limited to the following: annualized processing, packaging and delivery costs; updated costs for containers, ingredients, and Class II products; updated labor, utility and insurance costs based on comparisons between costs per point for the second quarters of calendar years 2009 and 2010; skim and butterfat contents of products regulated by the Board; adjustment for shrinkage, sales of bulk products and cream processing costs; monthly adjustments to in-store handling costs; and a reasonable rate of return to milk dealers and stores. In accordance with OGO A-937, evidence and testimony will be considered regarding the heating fuel adjuster in Area 6. In accordance with OGO A-939, evidence and testimony will be considered regarding the diesel fuel cost adjuster in Area 6.

The staff of the Board is deemed to be a party to this hearing, and the attorney representing staff is deemed to have entered his appearance. Other persons who wish to present evidence may be included on the Board's list of parties by: (1) having their attorney file with the Board on or before 4 p.m. on September 7, 2010, a notice of appearance substantially in the form prescribed by 1 Pa. Code § 31.25 (relating to form of notice of appearance); or (2) if unrepresented by counsel, filing with the Board on or before 4 p.m. on September 7, 2010, notification of their desire to be included as a party. Parties should indicate in their notices of appearance if alternate means of service, that is, e-mail or fax, are acceptable. Notices of appearance filed electronically should be directed to deberly@state.pa.us.

The parties shall observe the following requirements for advance filing of witness information and exhibits:

1. By 4 p.m. on September 9, 2010, Board Staff shall file with the Board, in person or by mail, one original and eight copies and ensure receipt by all other parties of one copy of:

a. A list of witnesses who will testify for the party, along with a statement of the subjects concerning which each witness will testify. A witness who will be offered as an expert shall be so identified, along with the witness's area or areas of proposed expertise. For expert witnesses there shall also be filed a statement of the substance of the facts and opinions to which the expert is expected to testify and a summary of the grounds for each opinion.

b. Each exhibit to be presented, including testimony to be offered in written form.

2. By 4 p.m. on September 23, 2010, each responding party shall file and serve as set forth in paragraph 1 information concerning rebuttal witnesses and copies of rebuttal exhibits.

3. By 4 p.m. on September 30, 2010, each party shall file and serve as set forth in paragraph 1 information concerning surrebuttal witnesses and copies of surrebuttal exhibits.

Parties that wish to offer in evidence documents on file with the Board, public documents, or records in other proceedings before the Board, or who wish the Board to take official notice of facts, shall comply with, respectively, 1 Pa. Code § 35.164, § 35.165, § 35.167 or § 35.173. Whenever these rules require production of a document as an exhibit, copies shall be provided to each Board member and to all other parties; in addition, at least 20 copies shall be available for distribution to nonparties attending the hearing.

Requests by parties for Board staff to provide data pertinent to the hearing shall be made in writing and received in the Board office by 1 p.m. on September 24, 2010.

The filing address for the Board is Milk Marketing Board, Room 110, Agriculture Building, 2301 North Cameron Street, Harrisburg, PA 17110.

KEITH BIERLY,
Secretary

[Pa.B. Doc. No. 10-1565. Filed for public inspection August 20, 2010, 9:00 a.m.]

PENNSYLVANIA PUBLIC UTILITY COMMISSION

Service of Notice of Motor Carrier Applications

The following temporary authority and/or permanent authority applications for the right to render service as a common carrier or contract carrier in this Commonwealth have been filed with the Pennsylvania Public Utility Commission. Formal protests and petitions to intervene must be filed in accordance with 52 Pa. Code (relating to public utilities). A protest shall indicate whether it applies to the temporary authority application, the permanent authority application, or both. Filings must be made with the Secretary, Pennsylvania Public Utility Commission, P. O. Box 3265, Harrisburg, PA 17105-3265, with a copy served on the applicant by September 7, 2010. Documents filed in support of the applications are available for inspection and copying at the Office of the Secretary between 8 a.m. and 4:30 p.m., Monday through Friday, and at the business address of the respective applicant.

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

A-2010-2192196. Exact Care, LLC (8127 Forest Avenue, 2nd Floor, Philadelphia, PA 19150), a limited liability company of the Commonwealth—persons, in paratransit service, from points in the Counties of Bucks, Chester, Delaware, Montgomery and Philadelphia, to points in Pennsylvania, and return.

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

A-2010-2192022. Project Street Transportation, LLC (232 East Louther Street, Carlisle, Cumberland County, PA 17013)—a limited liability company of the Commonwealth—for the discontinuance of service and cancellation of its permits: (1) as a contract carrier, by motor vehicle, persons for Cumberland Perry Mental Health/Mental Retardation, from points in the Counties of Cumberland and Perry, to points in Pennsylvania, and return; A-2009-2058514; and (2) as a contract carrier, by motor vehicle, persons for Impact Systems, Inc., and the Cumberland Perry Association for Retarded Citizens, between points in the Counties of Cumberland and Perry; A-2009-2123129. *Attorney:* Andrew Shaw, 200 South Spring Garden Street, Carlisle, PA 17013.

ROSEMARY CHIAVETTA,
Secretary

[Pa.B. Doc. No. 10-1566. Filed for public inspection August 20, 2010, 9:00 a.m.]

PUBLIC SCHOOL EMPLOYEES' RETIREMENT BOARD

Hearing Scheduled

A hearing has been scheduled, as authorized by 24 Pa.C.S. Part IV (relating to Public School Employees' Retirement Code), in connection with the Public School Employees' Retirement System's (System) denial of claimants' requests concerning the indicated accounts.

The hearing will be held before a hearing examiner at the Public School Employees' Retirement System, 5 North Fifth Street, Harrisburg, PA 17101:

November 10, 2010 Barbara A. Zaborney 1 p.m.
(Multiple Service)

Persons with a disability, who wish to attend the previously-listed hearing, and require an auxiliary aid, service or other accommodation to participate in the proceedings, should contact Barbara Flurie, Assistant to the Executive Director at (717) 720-4921 to discuss how the System may best accommodate their needs.

Parties may appear with or without counsel and offer relevant testimony or evidence to support their respective positions. The hearing will be held in accordance with the requirements of 2 Pa.C.S. §§ 501—508 and 701—704 (relating to the Administrative Agency Law). Under 22 Pa. Code § 201.1 (relating to applicability of general rules), procedural matters will be in conformance with 1 Pa. Code Part II (relating to General Rules of Administrative Practice and Procedure), unless specific exemption is granted.

JEFFREY B. CLAY,
Executive Director

[Pa.B. Doc. No. 10-1567. Filed for public inspection August 20, 2010, 9:00 a.m.]

STATE BOARD OF BARBER EXAMINERS

**Bureau of Professional and Occupational Affairs v.
Richard L. Naylor, t/d/b/a Naylor's Barber Shop;
Doc. No. 1050-42-10**

On May 11, 2010, Richard L. Naylor, t/d/b/a Naylor's Barber Shop, license no. BO107807, of Pittsburgh, Allegheny County, had his license suspended for failure to pay a civil penalty assessed by a previous State Board of Barber Examiners (Board) order.

Individuals may obtain a copy of the adjudication by writing to David Markowitz, Board Counsel, State Board of Barber Examiners, P. O. Box 2649, Harrisburg, PA 17105-2649.

This adjudication and order represents the Board's 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.

L. ANTHONY SPOSSEY,
Chairperson

[Pa.B. Doc. No. 10-1568. Filed for public inspection August 20, 2010, 9:00 a.m.]

STATE BOARD OF MEDICINE

**Bureau of Professional and Occupational Affairs v.
Hany M. Iskander, MD; Doc. No. 0291-49-10**

On July 21, 2010, Hany M. Iskander, MD, license no. MD068896L, of Powell, OH, had his Pennsylvania license revoked 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 Steven R. Dade, 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. 10-1569. Filed for public inspection August 20, 2010, 9:00 a.m.]

STATE EMPLOYEES' RETIREMENT BOARD

Hearings Scheduled

The following hearings have been scheduled, as authorized by 71 Pa.C.S. Part XXV (relating to the State Employees' Retirement Code), in connection with the State Employees' Retirement System's denial of Claimants' requests concerning the indicated accounts.

The hearings will be held before a hearing examiner at the State Employees' Retirement System, 30 North Third Street, Fifth Floor, Harrisburg, PA 17101:

September 22, 2010	Sherri F. Dombroskie (Dec'd) Death Benefit	1 p.m.
October 5, 2010	Marilyn Ecoff Election of Multiple Service Credit	1 p.m.
October 21, 2010	James H. Martsolf Creditable Service	1 p.m.

Parties in each respective case may appear with or without counsel and offer relevant testimony or evidence to support their respective positions. The hearings will be held in accordance with the requirements of 2 Pa.C.S. §§ 501—508 and 701—704 (relating to the Administrative Agency Law). Under 4 Pa. Code § 250.1 (relating to applicability of general rules), procedural matters will be in conformance with 1 Pa. Code Part II (relating to General Rules of Administrative Practice and Procedure), unless specific exemption is granted.

LEONARD KNEPP,
Secretary

[Pa.B. Doc. No. 10-1570. Filed for public inspection August 20, 2010, 9:00 a.m.]

SUSQUEHANNA RIVER BASIN COMMISSION

Projects Approved for Consumptive Uses of Water

The Susquehanna River Basin Commission (Commission) has approved the following list of projects, during June 1, 2010, through June 30, 2010.

For further information contact Richard A. Cairo, General Counsel, (717) 238-0423, Ext. 306, fax (717) 238-2436, rcairo@srbc.net; or Stephanie L. Richardson, Secretary to the Commission, (717) 238-0423, Ext. 304, fax (717) 238-2436, srichardson@srbc.net; or mail inquiries to Susquehanna River Basin Commission, 1721 North Front Street, Harrisburg, PA 17102-2391.

Supplementary Information

This notice lists the projects, described as follows, receiving approval for the consumptive use of water under the Commission's approval by rule process set forth in and 18 CFR 806.22(f) (relating to standards for consumptive uses of water) for the time period specified previously:

Approvals By Rule Issued Under 18 CFR 806.22(f):

1. Chesapeake Appalachia, LLC; Pad ID: Duane, ABR-20100601, Leroy Township, Bradford County, PA; Consumptive Use of up to 7.500 mgd; Approval Date: June 2, 2010.

2. Chesapeake Appalachia, LLC; Pad ID: Finnerty, ABR-20100602, West Burlington Township, Bradford County, PA; Consumptive Use of up to 7.500 mgd; Approval Date: June 2, 2010.

3. Cabot Oil & Gas Corporation, Pad ID: OakleyJ P1, ABR-20100603, Springville Township, Susquehanna County, PA; Consumptive Use of up to 3.575 mgd; Approval Date: June 2, 2010.

4. XTO Energy Incorporated, Pad ID: Brown 8519H, ABR-20100604, Moreland Township, Lycoming County, PA; Consumptive Use of up to 4.000 mgd; Approval Date: June 2, 2010.

5. Cabot Oil & Gas Corporation, Pad ID: Post P1, ABR-20100605, Brooklyn Township, Susquehanna County, PA; Consumptive Use of up to 3.575 mgd; Approval Date: June 2, 2010.

6. Chesapeake Appalachia, LLC; Pad ID: Allen, ABR-20100606, Wysox Township, Bradford County, PA; Consumptive Use of up to 7.500 mgd; Approval Date: June 2, 2010.

7. Seneca Resources Corporation, Pad ID: Wivell Pad I, ABR-20100607, Covington Township, Tioga County, PA; Consumptive Use of up to 4.000 mgd; Approval Date: June 2, 2010.

8. Cabot Oil & Gas Corporation, Pad ID: Lauffer P1, ABR-20100608, Springville Township, Susquehanna County, PA; Consumptive Use of up to 3.575 mgd; Approval Date: June 2, 2010.

9. Cabot Oil & Gas Corporation, Pad ID: StockholmK P3, ABR-20100609, Rush Township, Susquehanna County, PA; Consumptive Use of up to 3.575 mgd; Approval Date: June 2, 2010.

10. Chesapeake Appalachia, LLC; Pad ID: Rylee, ABR-20100610, Auburn Township, Susquehanna County, PA; Consumptive Use of up to 7.500 mgd; Approval Date: June 3, 2010.

11. EXCO Resources (PA), Inc.; Pad ID: Taylor (Pad 33), ABR-20100611, Burnside Township, Centre County, PA; Consumptive Use of up to 8.000 mgd; Approval Date: June 3, 2010.

12. Cabot Oil & Gas Corporation, Pad ID: HullR P2, ABR-20100612, Springville Township, Susquehanna County, PA; Consumptive Use of up to 3.575 mgd; Approval Date: June 4, 2010.

13. Seneca Resources Corporation, Pad ID: Department of Conservation and Natural Resources Tract 007 1V, ABR-20100613, Shippen Township, Tioga County, PA; Consumptive Use of up to 4.000 mgd; Approval Date: June 4, 2010.

14. East Resources, Inc.; Pad ID: Barbine 292, ABR-20100614, Charleston Township, Tioga County, PA; Consumptive Use of up to 4.000 mgd; Approval Date: June 4, 2010.

15. East Resources, Inc.; Pad ID: Mitchell 456, ABR-20100615, Jackson Township, Tioga County, PA; Consumptive Use of up to 4.000 mgd; Approval Date: June 4, 2010.

16. Chief Oil & Gas, LLC; Pad ID: Fulmer Drilling Pad No. 1, ABR-20100616, Penn Township, Lycoming County, PA; Consumptive Use of up to 2.000 mgd; Approval Date: June 6, 2010.

17. Chesapeake Appalachia, LLC; Pad ID: Stalford, ABR-20100617, Wyalusing Township, Bradford County, PA; Consumptive Use of up to 7.500 mgd; Approval Date: June 7, 2010.

18. East Resources, Inc.; Pad ID: Erickson 423, ABR-20100618, Delmar Township, Tioga County, PA; Consumptive Use of up to 4.000 mgd; Approval Date: June 7, 2010.

19. Range Resources—Appalachia, LLC; Pad ID: Mohawk Lodge Unit, ABR-20100619, Gallagher Township, Clinton County, PA; Consumptive Use of up to 5.000 mgd; Approval Date: June 7, 2010.

20. Seneca Resources Corporation, Pad ID: Valldes Pad C, ABR-20100620, Covington Township, Tioga County, PA; Consumptive Use of up to 4.000 mgd; Approval Date: June 7, 2010.

21. Seneca Resources Corporation, Pad ID: Warren Pad B, ABR-20100621, Richmond Township, Tioga County, PA; Consumptive Use of up to 4.000 mgd; Approval Date: June 7, 2010.

22. East Resources, Inc.; Pad ID: Hege 426, ABR-20100622, Delmar Township, Tioga County, PA; Consumptive Use of up to 4.000 mgd; Approval Date: June 7, 2010.

23. East Resources, Inc.; Pad ID: Allen 620, ABR-20100623, Charleston Township, Tioga County, PA; Consumptive Use of up to 4.000 mgd; Approval Date: June 7, 2010.

24. Norse Energy Corporation USA, Pad ID: Krawiec No. 2, ABR-20100624, Smyrna Township, Chenango County, NY; Consumptive Use of up to 0.100 mgd; Approval Date: June 7, 2010.

25. Norse Energy Corporation USA, Pad ID: Mulligan No. 1, ABR-20100625, Lebanon Township, Madison County, NY; Consumptive Use of up to 0.100 mgd; Approval Date: June 7, 2010.

26. East Resources, Inc.; Pad ID: Hazelton 424, ABR-20100626, Shippen Township, Tioga County, PA; Consumptive Use of up to 4.000 mgd; Approval Date: June 8, 2010.

27. Norse Energy Corporation USA, Pad ID: Byler, R. No. 1, ABR-20100627, Lebanon Township, Madison County, NY; Consumptive Use of up to 0.150 mgd; Approval Date: June 9, 2010.

28. Chief Oil & Gas, LLC; Pad ID: Shannon Land Mining Drilling Pad No. 1, ABR-20100628, Lawrence Township, Clearfield County, PA; Consumptive Use of up to 2.000 mgd; Approval Date: June 9, 2010.

29. Talisman Energy USA, Inc.; Pad ID: Roy 03 046, ABR-20100629, Wells Township, Bradford County, PA; Consumptive Use of up to 6.000 mgd; Approval Date: June 10, 2010.

30. Talisman Energy USA, Inc.; Pad ID: Roy 03 039, ABR-20100630, Wells Township, Bradford County, PA; Consumptive Use of up to 6.000 mgd; Approval Date: June 10, 2010.

31. Anadarko E&P Company, LP; Pad ID: COP Tract 728 Pad A, ABR-20100631, Watson Township, Lycoming

County, PA; Consumptive Use of up to 3.000 mgd; Approval Date: June 10, 2010, including a partial waiver of 18 CFR 806.15.

32. EXCO Resources (PA), Inc.; Pad ID: Livergood (Pad 28), ABR-20100632, Burnside Township, Centre County, PA; Consumptive Use of up to 8.000 mgd; Approval Date: June 11, 2010.

33. Ultra Resources, Inc.; Pad ID: Pierson 810, ABR-20100633, Gaines Township, Tioga County, PA; Consumptive Use of up to 4.990 mgd; Approval Date: June 11, 2010.

34. Chesapeake Appalachia, LLC; Pad ID: Shaw, ABR-20100634, Windham Township, Wyoming County, PA; Consumptive Use of up to 7.500 mgd; Approval Date: June 11, 2010.

35. Anadarko E&P Company, LP; Pad ID: David C. Duncan Pad A, ABR-20100635, Cascade Township, Lycoming County, PA; Consumptive Use of up to 3.000 mgd; Approval Date: June 11, 2010.

36. Anadarko E&P Company, LP; Pad ID: COP Tract 289 C, ABR-20100636, McHenry Township, Lycoming County, PA; Consumptive Use of up to 3.000 mgd; Approval Date: June 11, 2010, including a partial waiver of 18 CFR 806.15.

37. Chesapeake Appalachia, LLC; Pad ID: Cannella, ABR-20100637, Auburn Township, Susquehanna County, PA; Consumptive Use of up to 7.500 mgd; Approval Date: June 11, 2010.

38. Chesapeake Appalachia, LLC; Pad ID: Towner, ABR-20100638, Rome Township, Bradford County, PA; Consumptive Use of up to 7.500 mgd; Approval Date: June 14, 2010.

39. Chesapeake Appalachia, LLC; Pad ID: Bonin, ABR-20100639, Orwell Township, Bradford County, PA; Consumptive Use of up to 7.500 mgd; Approval Date: June 14, 2010.

40. Chesapeake Appalachia, LLC; Pad ID: BDF, ABR-20100640, Smithfield Township, Bradford County, PA; Consumptive Use of up to 7.500 mgd; Approval Date: June 14, 2010.

41. XTO Energy Incorporated, Pad ID: Moser 8521H, ABR-20100641, Franklin Township, Lycoming County, PA; Consumptive Use of up to 4.000 mgd; Approval Date: June 14, 2010.

42. Chesapeake Appalachia, LLC; Pad ID: Them, ABR-20100642, Wysox Township, Bradford County, PA; Consumptive Use of up to 7.500 mgd; Approval Date: June 14, 2010.

43. Chesapeake Appalachia, LLC; Pad ID: Serengeti, ABR-20100643, Troy Township, Bradford County, PA; Consumptive Use of up to 7.500 mgd; Approval Date: June 14, 2010.

44. EOG Resources, Inc.; Pad ID: PHC Pad U, ABR-20100644, Lawrence Township, Clearfield County, PA; Consumptive Use of up to 4.999 mgd; Approval Date: June 14, 2010.

45. EOG Resources, Inc.; Pad ID: COP Pad B, ABR-20100645, Lawrence Township, Clearfield County, PA; Consumptive Use of up to 4.999 mgd; Approval Date: June 14, 2010.

46. Range Resources—Appalachia, LLC; Pad ID: Shohocken Hunt Club Unit No. 1H—No. 6H,

ABR-20100646, Cummings Township, Lycoming County, PA; Consumptive Use of up to 5.000 mgd; Approval Date: June 14, 2010.

47. Talisman Energy USA, Inc.; Pad ID: Harnish 01 032, ABR-20100647, Canton Township, Bradford County, PA; Consumptive Use of up to 6.000 mgd; Approval Date: June 14, 2010.

48. Range Resources—Appalachia, LLC; Pad ID: Ogontz Fishing Club Unit No. 12H—No. 17H, ABR-20100648, Cummings Township, Lycoming County, PA; Consumptive Use of up to 5.000 mgd; Approval Date: June 14, 2010.

49. Seneca Resources Corporation, Pad ID: Murray Pad A, ABR-20100317.1, Richmond Township, Tioga County, PA; Consumptive Use of up to 4.000 mgd; Approval Date: June 14, 2010.

50. Talisman Energy USA, Inc.; Pad ID: Wray 03 058, ABR-20100649, Wells Township, Bradford County, PA; Consumptive Use of up to 6.000 mgd; Approval Date: June 15, 2010.

51. Talisman Energy USA, Inc.; Pad ID: Roy 03 040, ABR-20100650, Wells Township, Bradford County, PA; Consumptive Use of up to 6.000 mgd; Approval Date: June 15, 2010.

52. East Resources, Inc.; Pad ID: Gilman 812, ABR-20100651, Chatham Township, Tioga County, PA; Consumptive Use of up to 1.000 mgd; Approval Date: June 16, 2010.

53. East Resources, Inc.; Pad ID: Staples 804, ABR-20100652, Clymer Township, Tioga County, PA; Consumptive Use of up to 1.000 mgd; Approval Date: June 16, 2010.

54. Southwestern Energy Production Company, Pad ID: Robinson, ABR-20100653, Stevens Township, Bradford County, PA; Consumptive Use of up to 4.999 mgd; Approval Date: June 16, 2010.

55. Talisman Energy USA, Inc.; Pad ID: Schucker 03 006, ABR-20100654, Columbia Township, Bradford County, PA; Consumptive Use of up to 6.000 mgd; Approval Date: June 16, 2010.

56. EOG Resources, Inc.; Pad ID: MATTOCKS 1V, ABR-20100655, Springfield Township, Bradford County, PA; Consumptive Use of up to 4.999 mgd; Approval Date: June 16, 2010.

57. Seneca Resources Corporation, Pad ID: Department of Conservation and Natural Resources Tract 001 1V, ABR-20100656, Sweden Township, Potter County, PA; Consumptive Use of up to 4.000 mgd; Approval Date: June 16, 2010.

58. EOG Resources, Inc.; Pad ID: HAVEN 1H, ABR-20100657, Springfield Township, Bradford County, PA; Consumptive Use of up to 1.999 mgd; Approval Date: June 16, 2010.

59. EOG Resources, Inc.; Pad ID: HAVEN 3H, ABR-20100658, Springfield Township, Bradford County, PA; Consumptive Use of up to 1.999 mgd; Approval Date: June 16, 2010.

60. East Resources, Inc.; Pad ID: Shelman 291, ABR-20100659, Charleston Township, Tioga County, PA; Consumptive Use of up to 4.000 mgd; Approval Date: June 17, 2010.

61. Chesapeake Appalachia, LLC; Pad ID: Oshea, ABR-20100660, Windham Township, Bradford County, PA; Consumptive Use of up to 7.500 mgd; Approval Date: June 17, 2010.

62. Chesapeake Appalachia, LLC; Pad ID: LRTC, ABR-20100661, Morris Township, Tioga County, PA; Consumptive Use of up to 7.500 mgd; Approval Date: June 17, 2010.

63. Chesapeake Appalachia, LLC; Pad ID: Linski, ABR-20100662, Tuscarora Township, Bradford County, PA; Consumptive Use of up to 7.500 mgd; Approval Date: June 17, 2010.

64. Cabot Oil & Gas Corporation, Pad ID: StockholmK P1, ABR-20100663, Dimock Township, Susquehanna County, PA; Consumptive Use of up to 3.575 mgd; Approval Date: June 18, 2010.

65. XTO Energy Incorporated, Pad ID: Marquardt 8534H, ABR-20100664, Penn Township, Lycoming County, PA; Consumptive Use of up to 4.000 mgd; Approval Date: June 18, 2010.

66. Talisman Energy (USA), Inc.; Pad ID: Boor 03 010, ABR-20100665, Columbia Township, Bradford County, PA; Consumptive Use of up to 6.000 mgd; Approval Date: June 18, 2010.

67. Norse Energy Corporation, Pad ID: Aarismaa, J. No. 1, ABR-20100666, Preston Township, Chenango County, NY; Consumptive Use of up to 0.150 mgd; Approval Date: June 21, 2010.

68. EnCana Oil & Gas (USA), Inc.; Pad ID: Salansky 1H, ABR-20100667, Lake Township, Luzerne County, PA; Consumptive Use of up to 1.200 mgd; Approval Date: June 21, 2010.

69. EXCO Resources (PA), Inc.; Pad ID: Confer (Pad 31), ABR-20100668, Burnside Township, Centre County, PA; Consumptive Use of up to 3.000 mgd; Approval Date: June 21, 2010.

70. EXCO Resources (PA), Inc.; Pad ID: Confer (Pad 32), ABR-20100669, Burnside Township, Centre County, PA; Consumptive Use of up to 3.000 mgd; Approval Date: June 21, 2010.

71. East Resources, Inc.; Pad ID: Doan 893, ABR-20100670, Deerfield Township, Tioga County, PA; Consumptive Use of up to 4.000 mgd; Approval Date: June 21, 2010.

72. Chesapeake Appalachia, LLC; Pad ID: Alderfer NEW, ABR-20100671, Litchfield Township, Bradford County, PA; Consumptive Use of up to 7.500 mgd; Approval Date: June 21, 2010.

73. Chesapeake Appalachia, LLC; Pad ID: Steinbright, ABR-20100672, Orwell Township, Bradford County, PA; Consumptive Use of up to 7.500 mgd; Approval Date: June 22, 2010.

74. East Resources, Inc.; Pad ID: Broadbent 466, ABR-20100673, Delmar Township, Tioga County, PA; Consumptive Use of up to 4.000 mgd; Approval Date: June 22, 2010.

75. Chief Oil & Gas, LLC; Pad ID: Castrogiovanni Drilling Pad No. 1, ABR-20100674, Elkland Township, Sullivan County, PA; Consumptive Use of up to 2.000 mgd; Approval Date: June 22, 2010.

76. Chief Oil & Gas, LLC; Pad ID: Baumunk Drilling Pad No. 1, ABR-20100675, Elkland Township, Sullivan County, PA; Consumptive Use of up to 2.000 mgd; Approval Date: June 22, 2010.

77. Chief Oil & Gas, LLC; Pad ID: McCarty Drilling Pad No. 1, ABR-20100676, Elkland Township, Sullivan County, PA; Consumptive Use of up to 2.000 mgd; Approval Date: June 22, 2010.

78. Triana Energy, LLC; Pad ID: Triana-Young Pad A, ABR-20100677, Hector Township, Potter County, PA; Consumptive Use of up to 6.000 mgd; Approval Date: June 22, 2010.

79. Carrizo Marcellus, LLC; Pad ID: Selma Stang 2H, ABR-20100678, Washington Township, Wyoming County, PA; Consumptive Use of up to 1.400 mgd; Approval Date: June 22, 2010.

80. Carrizo Marcellus, LLC; Pad ID: Sickler 5H, ABR-20100679, Washington Township, Wyoming County, PA; Consumptive Use of up to 1.400 mgd; Approval Date: June 22, 2010.

81. Chesapeake Appalachia, LLC; Pad ID: Cranrun, ABR-20100680, Leroy Township, Bradford County, PA; Consumptive Use of up to 7.500 mgd; Approval Date: June 22, 2010.

82. Chief Oil & Gas, LLC; Pad ID: Poor Shot East Drilling Pad No. 2, ABR-20100681, Anthony Township, Lycoming County, PA; Consumptive Use of up to 2.000 mgd; Approval Date: June 22, 2010.

83. East Resources, Inc.; Pad ID: Zeafra 747, ABR-20100682, Jackson Township, Lycoming County, PA; Consumptive Use of up to 4.000 mgd; Approval Date: June 22, 2010.

84. East Resources, Inc.; Pad ID: Camp Never Too Late 521, ABR-20100683, Rutland Township, Tioga County, PA; Consumptive Use of up to 4.000 mgd; Approval Date: June 22, 2010.

85. Anadarko E&P Company, LP; Pad ID: Larry's Creek F&G, ABR-20100684, Cummings Township, Lycoming County, PA; Consumptive Use of up to 3.000 mgd; Approval Date: June 22, 2010.

86. East Resources, Inc.; Pad ID: Cruttenden 846, ABR-20100685, Middlebury Township, Tioga County, PA; Consumptive use of up to 4.000 mgd; Approval Date: June 23, 2010.

87. Chesapeake Appalachia, LLC; Pad ID: Black Creek, ABR-20100686, Forks Township, Sullivan County, PA; Consumptive Use of up to 7.500 mgd; Approval Date: June 23, 2010.

88. Chesapeake Appalachia, LLC; Pad ID: Beebe, ABR-20100687, Asylum Township, Bradford County, PA; Consumptive use of up to 7.500 mgd; Approval Date: June 23, 2010.

89. East Resources, Inc.; Pad ID: Hauswirth 516, ABR-20100688, Richmond Township, Tioga County, PA; Consumptive use of up to 4.000 mgd; Approval Date: June 23, 2010.

90. Chesapeake Appalachia, LLC; Pad ID: Akita New, ABR-20100689, Smithfield Township, Bradford County, PA; Consumptive use of up to 7.500 mgd; Approval Date: June 23, 2010.

91. EOG Resources, Inc.; Pad ID: PHC Pad R, ABR-20100690, Lawrence Township, Clearfield County, PA; Consumptive use of up to 4.999 mgd; Approval Date: June 23, 2010.

92. Ultra Resources, Inc.; Pad ID: Martin 806, ABR-20100691, Gaines Township, Tioga County, PA; Consumptive use of up to 4.990 mgd; Approval Date: June 23, 2010.

93. EOG Resources, Inc.; Pad ID: Kingsley 2H, ABR-20100692, Springfield Township, Bradford County, PA; Consumptive use of up to 4.999 mgd; Approval Date: June 23, 2010.

94. Talisman Energy USA, Inc.; Pad ID: Morgan 01 073, ABR-20100693, Armenia Township, Bradford County, PA; Consumptive use of up to 6.000 mgd; Approval Date: June 24, 2010.

95. Anadarko E&P Company LP, Pad ID: COP Tr 344 Pad A, ABR-20100694, Noyes Township, Clinton County, PA; Consumptive use of up to 3.000 mgd; Approval Date: June 24, 2010, including a partial waiver of 18 CFR 806.15.

96. Anadarko E&P Company LP, Pad ID: COP Tr 342 A, ABR-20100695, Beech Creek Township, Clinton County, PA; Consumptive Use of up to 3.000 mgd; Approval Date: June 24, 2010, including a partial waiver of 18 CFR 806.15.

97. Talisman Energy USA, Inc., Pad ID: Lyon 01 078, ABR-20100696, Troy Township, Bradford County, PA; Consumptive Use of up to 6.000 mgd; Approval Date: June 24, 2010.

98. Chief Oil & Gas, LLC; Pad ID: Signore Drilling Pad No. 1, ABR-20100697, Elkland Township, Sullivan County, PA; Consumptive Use of up to 2.000 mgd; Approval Date: June 24, 2010.

99. EOG Resources, Inc.; Pad ID: Kingsley 3H, ABR-20100698, Springfield Township, Bradford County, PA; Consumptive Use of up to 4.999 mgd; Approval Date: June 24, 2010.

100. Chief Oil & Gas, LLC; Pad ID: Frey Drilling Pad No. 1, ABR-20100699, Fox Township, Sullivan County, PA; Consumptive Use of up to 2.000 mgd; Approval Date: June 25, 2010.

101. Talisman Energy USA, Inc.; Pad ID: McClure 03 053, ABR-201006100, Columbia Township, Bradford County, PA; Consumptive Use of up to 6.000 mgd; Approval Date: June 25, 2010.

102. Talisman Energy USA, Inc.; Pad ID: White 03 025, ABR-201006101, Columbia Township, Bradford County, PA; Consumptive Use of up to 6.000 mgd; Approval Date: June 25, 2010.

103. Chesapeake Appalachia, LLC; Pad ID: Hilltop New, ABR-201006102, Jessup Township, Susquehanna County, PA; Consumptive Use of up to 7.500 mgd; Approval Date: June 28, 2010.

104. Chesapeake Appalachia, LLC; Pad ID: Henderson, ABR-201006103, Fox Township, Sullivan County, PA; Consumptive Use of up to 7.500 mgd; Approval Date: June 28, 2010.

105. Chesapeake Appalachia, LLC; Pad ID: Lillie NEW, ABR-201006104, Herrick Township, Bradford County, PA; Consumptive Use of up to 7.500 mgd; Approval Date: June 28, 2010.

106. EQT Production Company, Pad ID: Phoenix F, ABR-201006105, Duncan Township, Tioga County, PA; Consumptive Use of up to 3.000 mgd; Approval Date: June 28, 2010.

107. East Resources, Inc.; Pad ID: Palmer 809, ABR-201006106, Chatham Township, Tioga County, PA; Consumptive Use of up to 1.000 mgd; Approval Date: June 28, 2010.

108. Chesapeake Appalachia, LLC; Pad ID: Kipar NEW, ABR-201006107, Auburn Township, Susquehanna County, PA; Consumptive Use of up to 7.500 mgd; Approval Date: June 28, 2010.

109. Chesapeake Appalachia, LLC; Pad ID: Kriebel NEW, ABR-201006108, Elkland Township, Sullivan County, PA; Consumptive Use of up to 7.500 mgd; Approval Date: June 28, 2010.

110. Chief Oil & Gas, LLC; Pad ID: Longmore Drilling Pad No. 1, ABR-201006109, Monroe Township, Wyoming County, PA; Consumptive Use of up to 2.000 mgd; Approval Date: June 28, 2010.

111. Chesapeake Appalachia, LLC; Pad ID: Curtin, ABR-201006110, Windham Township, Wyoming County, PA; Consumptive Use of up to 7.500 mgd; Approval Date: June 29, 2010.

112. East Resources, Inc.; Pad ID: Anthony 564, ABR-201006111, Delmar Township, Tioga County, PA; Consumptive Use of up to 4.000 mgd; Approval Date: June 29, 2010.

113. East Resources, Inc.; Pad ID: Costanzo 818, ABR-201006112, Chatham Township, Tioga County, PA; Consumptive Use of up to 1.000 mgd; Approval Date: June 29, 2010.

114. East Resources, Inc.; Pad ID: Yaggie 704, ABR-201006113, Union Township, Tioga County, PA; Consumptive Use of up to 4.000 mgd; Approval Date: June 29, 2010.

115. EQT Production Company, Pad ID: Phoenix C, ABR-201006114, Duncan Township, Tioga County, PA; Consumptive Use of up to 3.000 mgd; Approval Date: June 29, 2010.

Authority: Pub. L. No. 91-575, 84 Stat. 1509 et seq., 18 CFR Parts 806—808.

Dated: August 9, 2010.

PAUL O. SWARTZ,
Executive Director

[Pa.B. Doc. No. 10-1571. Filed for public inspection August 20, 2010, 9:00 a.m.]

