

# NOTICES

## DEPARTMENT OF BANKING

### Actions on Applications

The Department of Banking (Department), under the authority contained in the act of November 30, 1965 (P. L. 847, No. 356), known as the Banking Code of 1965; the act of December 14, 1967 (P. L. 746, No. 345), known as the Savings Association Code of 1967; the act of May 15, 1933 (P. L. 565, No. 111), known as the Department of Banking Code; and the act of December 19, 1990 (P. L. 834, No. 198), known as the Credit Union Code, has taken the following action on applications received for the week ending September 21, 2010.

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

### BANKING INSTITUTIONS

#### Section 112 Acquisitions

<i>Date</i>	<i>Name and Location of Applicant</i>	<i>Action</i>
9-15-2010	WVS Financial Corp. Employee Stock Ownership Plan and Trustee Jonathan D. Hoover  Application for approval to acquire up to 24.9% of the common stock of WVS Financial Corp., Pittsburgh, the parent bank holding company of West View Savings Bank, Pittsburgh.	Filed

#### Holding Company Acquisitions

<i>Date</i>	<i>Name and Location of Applicant</i>	<i>Action</i>
9-16-2010	Alliance Bancorp, Inc. of Pennsylvania Broomall Delaware County  Application for approval to acquire 100% of Greater Delaware Valley Savings Bank (doing business as Alliance Bank), Broomall.	Filed

### Branch Applications

#### De Novo Branches

<i>Date</i>	<i>Name and Location of Applicant</i>	<i>Location of Branch</i>	<i>Action</i>
9-9-2010	New Century Bank Phoenixville Chester County	1 South Main Street Yardley Bucks County	Opened
9-15-2010	ESB Bank Ellwood City Lawrence County	Rochester Road and Graham Park Drive Cranberry Township Butler County	Filed
9-18-2010	New Century Bank Phoenixville Chester County	457 Haddonfield Road Suite 100 Cherry Hill Camden County, NJ	Opened

### Branch Consolidations

<i>Date</i>	<i>Name and Location of Applicant</i>	<i>Location of Branch</i>	<i>Action</i>
9-15-2010	AmeriServ Financial Bank Johnstown Cambria County	<i>Into:</i> 734 South Atherton Street State College Centre County  <i>From:</i> 763 Benner Pike State College Centre County	Filed

**Branch Discontinuances**

<i>Date</i>	<i>Name and Location of Applicant</i>	<i>Location of Branch</i>	<i>Action</i>
9-15-2010	S & T Bank Indiana Indiana County	225 Lucerne Road Lucerne Mines Indiana County	Filed

**SAVINGS INSTITUTIONS**

No activity.

**CREDIT UNIONS**

No activity.

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

STEVEN KAPLAN,  
*Secretary*

[Pa.B. Doc. No. 10-1963. Filed for public inspection October 15, 2010, 9:00 a.m.]

**Actions on Applications**

The Department of Banking (Department), under the authority contained in the act of November 30, 1965 (P. L. 847, No. 356), known as the Banking Code of 1965; the act of December 14, 1967 (P. L. 746, No. 345), known as the Savings Association Code of 1967; the act of May 15, 1933 (P. L. 565, No. 111), known as the Department of Banking Code; and the act of December 19, 1990 (P. L. 834, No. 198), known as the Credit Union Code, has taken the following action on applications received for the week ending September 28, 2010.

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

**BANKING INSTITUTIONS****Section 112 Acquisitions**

<i>Date</i>	<i>Name and Location of Applicant</i>	<i>Action</i>
9-21-2010	Edward E. Shin and group of passive individual investors Application for approval to acquire 100% of the common stock of Royal Asian Bank, Philadelphia.	Filed

**Branch Applications****De Novo Branches**

<i>Date</i>	<i>Name and Location of Applicant</i>	<i>Location of Branch</i>	<i>Action</i>
9-17-2010	CNB Bank Clearfield Clearfield County	Mountain View Shopping Center 111 Rolling Stone Road Kylertown Clearfield County	Opened
9-23-2010	Citizens Bank of Pennsylvania Philadelphia Philadelphia County	1071 Baltimore Pike Glen Mills Delaware County	Approved
9-27-2010	Beneficial Mutual Savings Bank Philadelphia Philadelphia County	821 West Lancaster Avenue Wayne Chester County	Filed

**Branch Discontinuances**

<i>Date</i>	<i>Name and Location of Applicant</i>	<i>Location of Branch</i>	<i>Action</i>
9-23-2010	Graystone Tower Bank Lancaster Lancaster County	2001 Lincoln Way East Chambersburg Franklin County	Approved
9-23-2010	Graystone Tower Bank Lancaster Lancaster County	11050 Buchanan Trail East Waynesboro Franklin County	Approved

<i>Date</i>	<i>Name and Location of Applicant</i>	<i>Location of Branch</i>	<i>Action</i>
9-23-2010	NOVA Bank Berwyn Chester County	1819 John F. Kennedy Boulevard Philadelphia Philadelphia County	Approved
9-23-2010	S & T Bank Indiana Indiana County	20 North Pennsylvania Avenue Greensburg Westmoreland County	Approved

#### Articles of Amendment

<i>Date</i>	<i>Name and Location of Institution</i>	<i>Action</i>
9-21-2010	Royal Asian Bank Philadelphia Philadelphia County  Amendment to the Fifth Article of the institution's Articles of Incorporation increases the number of authorized common shares to 20 million.	Filed
9-24-2010	Community First Bank Reynoldsville Jefferson County  Articles of Amendment provide for the institution's Articles of Incorporation to be amended and restated in their entirety and also authorize the issuance of preferred stock.	Filed

#### SAVINGS INSTITUTIONS

No activity.

#### CREDIT UNIONS

No activity.

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

STEVEN KAPLAN,  
*Secretary*

[Pa.B. Doc. No. 10-1964. Filed for public inspection October 15, 2010, 9:00 a.m.]

#### Actions on Applications

The Department of Banking (Department), under the authority contained in the act of November 30, 1965 (P. L. 847, No. 356), known as the Banking Code of 1965; the act of December 14, 1967 (P. L. 746, No. 345), known as the Savings Association Code of 1967; the act of May 15, 1933 (P. L. 565, No. 111), known as the Department of Banking Code; and the act of December 19, 1990 (P. L. 834, No. 198), known as the Credit Union Code, has taken the following action on applications received for the week ending October 5, 2010.

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

#### BANKING INSTITUTIONS

##### Conversions

<i>Date</i>	<i>Name and Location of Applicant</i>	<i>Action</i>
10-1-2010	<i>From:</i> First Keystone National Bank Berwick Columbia County  <i>To:</i> First Keystone Community Bank Berwick Columbia County  Conversion from a national banking association to a Pennsylvania state-chartered bank and trust company. First Keystone Community Bank is a wholly-owned subsidiary of First Keystone Corporation, Berwick, an existing bank holding company.  <i>Branch offices operated by First Keystone Community Bank:</i>	Effective

<i>Date</i>	<i>Name and Location of Applicant</i>	<i>Action</i>
	701 Freas Avenue Berwick Columbia County	50 Briar Creek Plaza Berwick Columbia County
	2301 Columbia Boulevard Bloomsburg Columbia County	Third and Race Streets Mifflinville Columbia County
	400 Fowler Avenue Berwick Luzerne County	179 South Wyoming Avenue Kingston Luzerne County
	18 North Mountain Boulevard Mountain Top Luzerne County	437 West Third Street Nescopeck Luzerne County
	1540 Sans Souci Highway Wilkes-Barre Luzerne County	Route 209 Brodheads ville Monroe County
	Route 390 and Price's Drive Mountainhome Monroe County	559 Main Street Stroudsburg Monroe County
	Route 611 Swiftwater Monroe County	1519 Bloom Road Danville Montour County
10-4-2010	<i>From:</i> Adams County National Bank Gettysburg Adams County  <i>To:</i> ACNB Bank Gettysburg Adams County  Conversion from a national banking association to a Pennsylvania state-chartered bank and trust company. ACNB Bank is a wholly-owned subsidiary of ACNB Corporation, Gettysburg, an existing bank holding company.  <i>Branch offices operated by ACNB Bank:</i>	Effective
	101 Main Street Arendtsville Adams County	101 North Main Street Bendersville Adams County
	3459 Biglerville Road Biglerville Adams County	10 High Street Cashtown Adams County
	1677 Route 194 North East Berlin Adams County	4910 Fairfield Road Fairfield Adams County
	100 V-Twin Drive Gettysburg Adams County	675 Old Harrisburg Road Gettysburg Adams County
	545 West Middle Street Gettysburg Adams County	444 West King Street Littlestown Adams County
	223 East King Street Littlestown Adams County	369 Main Street McSherrystown Adams County
	318 Lincolnway East New Oxford Adams County	202 Main Street York Springs Adams County
	1 West Big Spring Avenue Newville Cumberland County	39 Carlisle Road Newville Cumberland County
	3 Tristan Drive Dillsburg York County	1127 Eichelberger Street Hanover York County

<i>Date</i>	<i>Name and Location of Applicant</i>	<i>Action</i>
	865 Baltimore Street Hanover York County	

**Branch Applications****De Novo Branches**

<i>Date</i>	<i>Name and Location of Applicant</i>	<i>Location of Branch</i>	<i>Action</i>
9-14-2010	First Savings Bank of Perkasie Perkasie Bucks County	3617 Route 202 Doylestown Bucks County	Opened
10-1-2010	Penn Liberty Bank Wayne Chester County	654 West Lincoln Highway Exton Chester County	Filed
10-5-2010	First Star Bank Bethlehem Northampton County	2415 Park Avenue Easton Northampton County	Filed

**Branch Discontinuances**

<i>Date</i>	<i>Name and Location of Applicant</i>	<i>Location of Branch</i>	<i>Action</i>
9-25-2010	Beneficial Mutual Savings Bank Philadelphia Philadelphia County	1191 Woodlane Road Eastampton Burlington County, NJ	Closed
9-25-2010	Beneficial Mutual Savings Bank Philadelphia Philadelphia County	220 West Front Street Florence Burlington County, NJ	Closed
9-25-2010	Beneficial Mutual Savings Bank Philadelphia Philadelphia County	25 Fort Dix Road Pemberton Burlington County, NJ	Closed
10-5-2010	First Star Bank Bethlehem Northampton County	3590 Northwood Avenue Palmer Northampton County	Filed

**SAVINGS INSTITUTIONS**

No activity.

**CREDIT UNIONS**

No activity.

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

STEVEN KAPLAN,  
*Secretary*

[Pa.B. Doc. No. 10-1965. Filed for public inspection October 15, 2010, 9:00 a.m.]

**Maximum Lawful Rate of Interest for Residential Mortgages for the Month of November 2010**

The Department of Banking (Department), under the authority contained in section 301 of the act of January 30, 1974 (P. L. 13, No. 6) (41 P. S. § 301), determines that the maximum lawful rate of interest for residential mortgages for the month of November, 2010, is 5 1/2%.

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

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

Each month the Department is required by State law to compute and announce the ceiling rate on residential mortgages in this Commonwealth. This maximum rate is determined by adding 2.50 percentage points to the yield rate on long-term government bonds as published by the Federal Reserve Board and/or the United States Treasury. The latest yield rate on long-term government securities is 3.06 to which was added 2.50 percentage points for a total of 5.56 that by law is rounded off to the nearest quarter at 5 1/2%.

STEVEN KAPLAN,  
*Secretary*

[Pa.B. Doc. No. 10-1966. Filed for public inspection October 15, 2010, 9:00 a.m.]

# DEPARTMENT OF ENVIRONMENTAL PROTECTION

## Applications, Actions and Special Notices

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### APPLICATIONS

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

This Notice provides information about persons who have applied for a new, amended or renewed NPDES or WQM permit, a permit waiver for certain stormwater discharges, or submitted a Notice of Intent (NOI) for coverage under a General Permit. The applications concern, but are not limited to, discharges related to industrial, animal or sewage waste, discharges to groundwater, discharges associated with municipal separate storm sewer systems (MS4), stormwater associated with construction activities or concentrated animal feeding operations (CAFOs) (hereinafter referred to as "applications"). This Notice is provided in accordance with regulations at 25 Pa. Code Chapters 91 and 92 and 40 CFR Part 122, implementing provisions of the Pennsylvania Clean Streams Law, 35 P.S. §§ 691.1 *et seq.*, and the federal Clean Water Act, 33 USCA §§ 1251 *et seq.*

<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 re-issue 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 listed 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 EPA Region III Administrator has waived the right to review or object to proposed NPDES permit actions under the waiver provision 40 CFR 123.24(d).

Persons wishing to comment on any of these NPDES applications are invited to submit a statement to the contact office noted above the application, within 30 days from the date of this public notice. Persons wishing to comment on any WQM permit application are invited to submit a statement, to the office noted above 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. All comment submittals 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, and 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 hearings are 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

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

<i>NPDES No. (Type)</i>	<i>Facility Name &amp; Address</i>	<i>County &amp; Municipality</i>	<i>Stream Name (Watershed #)</i>	<i>EPA Waived Y/N ?</i>
PA0081370 (Sew)	Timeless Towns of America, Inc. 2636 Emmitsburg Road Gettysburg, PA 17325	Adams County / Cumberland Township	UNT Marsh Creek / 13-D	Y

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

<i>NPDES No. (Type)</i>	<i>Facility Name &amp; Address</i>	<i>County &amp; Municipality</i>	<i>Stream Name (Watershed#)</i>	<i>EPA Waived Y/N ?</i>
PA0039233 (Sewage)	Blaine E. Rhodes d/b/a Rhodes Country Court P. O. Box 397 Reno, PA 16343-0397	Venango County Cranberry Township	Unnamed Tributary to Sage Run 16-E	Y
PA0098329 (Industrial Waste)	Hawthorn Area WTP 100 Riverside Drive Hawthorn, PA 16230	Armstrong County Redbank Township	Redbank Creek 17-C	Y

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

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

**PA0050423**, Sewage, SIC Code 4952, **Sisters Servants Of The Immaculate Heart Of Mary**, 1140 King Road, Immaculata, PA 19345. Facility Name: Villa Maria STP. This existing facility is located in East Whiteland Township, **Chester County**.

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

The receiving stream(s), Unnamed Tributary of Ridley Creek, is located in State Water Plan watershed 3-G and is classified for High Quality Waters - Trout Stocking, aquatic life, water supply and recreation. The discharge is not expected to affect public water supplies.

The proposed effluent limits for Outfall 001 are based on a design flow of 0.04 MGD.

<i>Parameters</i>	<i>Mass (lb/day)</i>			<i>Concentration (mg/l)</i>		
	<i>Average Monthly</i>	<i>Daily Maximum</i>	<i>Instant. Minimum</i>	<i>Average Monthly</i>	<i>Daily Maximum</i>	<i>Instant. Maximum</i>
Flow (MGD)	Report	Report	XXX	XXX	XXX	XXX
pH (S.U.)	XXX	XXX	6.0	XXX	XXX	9.0
Dissolved Oxygen	XXX	XXX	6.0	XXX	XXX	XXX
Total Residual Chlorine	XXX	XXX	XXX	0.14	XXX	0.32
CBOD5						
May 1 - Oct 31	XXX	XXX	XXX	20	XXX	40
Nov 1 - Apr 30	XXX	XXX	XXX	25	XXX	50
Total Suspended Solids	XXX	XXX	XXX	30	XXX	60
Fecal Coliform (CFU/100 ml)	XXX	XXX	XXX	200	XXX	1000
Ammonia-Nitrogen						
May 1 - Oct 31	XXX	XXX	XXX	2.0	XXX	4.0
Nov 1 - Apr 30	XXX	XXX	XXX	6.0	XXX	12.0
Total Phosphorus	XXX	XXX	XXX	Report	XXX	Report

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

1. Operator Notification
2. Abandon STP When Municipal Sewers Available
3. Remedial Measures if Unsatisfactory Effluent
4. No Stormwater
5. Acquire Necessary Property Rights
6. Change of Ownership
7. Chlorine Minimization
8. Proper Sludge Disposal
9. 2/Month Monitoring
10. Laboratory Certification
11. Fecal Coliform Reporting

You may make an appointment to review the DEP files on this case by calling the File Review Coordinator at 484-250-5910.

The EPA Waiver is in effect.

**PA0053473**, Sewage, SIC 4952, **Thornbury Township STP**, 6 Thornbury Drive, Cheyney, PA 19319.

This proposed facility is located in Thornbury Township, **Delaware County**.

Description of Proposed Activity: Renewal of a NPDES permit to discharge 0.18 MGD of treated sewage into Chester Creek.

The receiving stream, Chester Creek, is in the State Water Plan watershed 3G and is classified for: TSF. The nearest downstream public water supply intake for the Aqua PA Ridley Creek Plant is located on Chester Creek and is 5.1 miles below the point of discharge.

The proposed effluent limits for Outfall 001 are based on a design flow of 0.18 MGD:

Parameters	Average		Maximum	Instantaneous
	Monthly (mg/l)	Weekly (mg/l)	Daily (mg/l)	Maximum (mg/l)
pH	6.0 STD (Min.)			9.0 STD
CBOD <sub>5</sub>	25	40		50
Total Suspended Solids	30	45		60
Ammonia as N (05/01 to 10/31)	4.0			8.0
Ammonia as N (11/01 to 04/30)	12.0			24.0
Phosphorus as P	2.0			4.0
Fecal Coliform	200 #/100 ml			1,000 #/100 ml
Dissolved Oxygen	5.0 Minimum			
Total Residual Chlorine	0.5			1.2

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

**PA0081264**, Sewage, SIC Code 7999, **Mountainview Thoroughbred Racing Association**, 720 Bow Creek Rd, PO Box 32 Grantville, PA 17028. Facility Name: Penn National Horse Race Track and Hollywood Casino. This existing facility is located in East Hanover Township, **Dauphin County**.

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

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

The proposed effluent limits for Outfall 001 are based on a design flow of 0.23 MGD.

Parameters	Mass (lb/day)			Concentration (mg/l)		Instant. Maximum
	Average Monthly	Daily Report	Minimum	Average Monthly	Daily 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	0.04	XXX	0.14
CBOD <sub>5</sub>	XXX	XXX	XXX	25	XXX	50
Total Suspended Solids	XXX	XXX	XXX	30	XXX	60
Fecal Coliform (CFU/100 ml) May 1 - Sep 30	XXX	XXX	XXX	200 Geo Mean	XXX	XXX
Fecal Coliform (CFU/100 ml) Oct 1 - Apr 30	XXX	XXX	XXX	2000 Geo Mean	XXX	XXX
Ammonia-Nitrogen May 1 - Oct 31	XXX	XXX	XXX	1.7	XXX	XXX
Ammonia-Nitrogen Nov 1 - Apr 30	XXX	XXX	XXX	5.1	XXX	XXX
Total Phosphorus	XXX	XXX	XXX	1.0	XXX	XXX

The proposed monitoring requirements and, where appropriate, effluent limits for implementation of the Chesapeake Bay Tributary Strategy and the Total Maximum Daily Load for UNT Swatara Creek are as follows for Outfall 001.

Parameters	Mass (lbs)		Minimum	Concentration (mg/l)	
	Monthly	Annual		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	Report	5,601	XXX	XXX	XXX
Net Total Phosphorus	Report	700	XXX	XXX	XXX

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

The EPA Waiver is not in effect.



*Northcentral Regional Office: Regional Water Management Program Manager, 208 W Third Street Suite 101, Williamsport, PA 17701-6448, Telephone: 570.327.0532.*

**PA0037966**, Sewage, SIC Code 4952, **Moshannon Valley Joint Sewer Authority**, 829 North 9th Street, Philipsburg, PA 16866. Facility Name: Moshannon Valley Regional Water Pollution Control Facility. This existing facility is located in Rush Township, **Centre 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), Moshannon Creek, is located in State Water Plan watershed 8-D and is classified for Trout Stocking, aquatic life, water supply and recreation. The discharge is not expected to affect public water supplies.

The proposed effluent limits for Outfall 001 are based on a design flow of 2.037 MGD.

Parameters	Mass (lb/day)		Minimum	Concentration (mg/l)		Instant. Maximum
	Average Monthly	Weekly Average		Average Monthly	Weekly Average	
Flow (MGD)	Report	Report Daily Max	XXX	XXX	XXX	XXX
pH (S.U.)	XXX	XXX	6.0	XXX	XXX	9.0
Total Residual Chlorine	XXX	XXX	XXX	1.0	XXX	2.3
CBOD5	424	679	XXX	25	40	50
Total Suspended Solids	509	764	XXX	30	45	60
Fecal Coliform (CFU/100 ml) May 1 - Sep 30	200/100 ml as a geometric mean, nor greater than 1,000/100 ml in more than 10% of the samples tested					
Fecal Coliform (CFU/100 ml) Oct 1 - Apr 30	2,000/100 ml as a geometric mean					
Ammonia-Nitrogen	XXX	XXX	XXX	Report	XXX	XXX
Total Phosphorus	XXX	XXX	XXX	Report	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 (lbs)		Minimum	Concentration (mg/l)	
	Monthly	Annual		Monthly Average	Maximum
Ammonia---N	Report	Report		Report	
Kjeldahl--N	Report			Report	
Nitrate-Nitrite as N	Report			Report	
Total Nitrogen	Report	Report		Report	
Total Phosphorus	Report	Report		Report	
Net Total Nitrogen (Interim)	Report	Report			
Net Total Nitrogen (Final)	Report	47,891			
Net Total Phosphorus (Interim)	Report	Report			
Net Total Phosphorus (Final)	Report	4,960			

\* 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's Trading of Nutrients and Sediment Reduction Credits Policy and Guidelines (Document #392-0900-001, December 30, 2006). The condition includes the requirement to report the application of these credits in Supplemental Discharge Monitoring Reports (DMRs) submitted to the Department.

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

\*\* Total Annual Ammonia Load will be required to be reported on the Supplemental DMR - Annual Nutrient Summary by November 28, 2013.

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

The EPA Waiver is not in effect.

*Northwest Regional Office: Regional Water Management Program Manager, 230 Chestnut Street, Meadville, PA 16335-3481, Telephone: 814.332.6942.*

**PA0263745**, Sewage, SIC Code 4952, 8811, **T Henry Nolan**, 128 Dalmagro Road, Butler, PA 16002. Facility Name: Nolan SFTF. This proposed facility is located in Clearfield Township, **Butler County**.

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

The receiving stream, an unnamed tributary of Little Buffalo Run, is located in State Water Plan watershed 18-F and is classified for High Quality Water - Trout Stocking, aquatic life, water supply and recreation. The discharge is not expected to affect public water supplies.

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

Parameters	Mass (lb/day)			Concentration (mg/l)		
	Average Monthly	Daily Maximum	Minimum	Average Monthly	Daily Maximum	Instant. Maximum
Flow (MGD)	Report	XXX	XXX	XXX	XXX	XXX
pH (S.U.)	XXX	XXX	6.0	XXX	XXX	9.0
CBOD5	XXX	XXX	XXX	10	XXX	20
Total Suspended Solids	XXX	XXX	XXX	20	XXX	40
Fecal Coliform (CFU/100 ml)	XXX	XXX	XXX	200	XXX	XXX

You may make an appointment to review the DEP files on this case by calling the File Review Coordinator at 814-332-6340.

The EPA Waiver is in effect.

**PA0263761**, Sewage, NAIC Code 814000, **Allen & Stacy Ryan**, 6618 Pleasant Drive, Warren, PA 16365. Facility Name: Allen & Stacy Ryan SFTF. This proposed facility is located in Pleasant Township, **Warren County**.

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

The receiving stream(s), an unnamed tributary to Hedgehog Run, is located in State Water Plan watershed 16-F and is classified for High Quality Waters - Cold Water Fishes, aquatic life, water supply and recreation. The discharge is not expected to affect public water supplies.

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

Parameters	Mass (lb/day)			Concentration (mg/l)		
	Average Monthly	Daily Maximum	Minimum	Average Monthly	Daily Maximum	Instant. Maximum
Flow (MGD)	Report	XXX	XXX	XXX	XXX	XXX
pH (S.U.)	XXX	XXX	6.0	XXX	XXX	9.0
CBOD5	XXX	XXX	XXX	10	XXX	20
Total Suspended Solids	XXX	XXX	XXX	10	XXX	20
Fecal Coliform (CFU/100 ml)	XXX	XXX	XXX	200	XXX	XXX
				Geo Mean	XXX	XXX

You may make an appointment to review the DEP files on this case by calling the File Review Coordinator at 814-332-6340.

The EPA Waiver is in effect.

**PA0263516**, Industrial Waste. **Pennsylvania Brine Treatment, Inc. - Rouseville Facility**, 5148 US Route 322, Franklin, PA 16323.

This proposed facility is located in Cornplanter Township, **Venango County**.

Description of Proposed Activity: a new discharge of treated industrial waste.

The receiving water is Oil Creek. The receiving stream is in State Water Plan 16-E and is classified for the following uses: warm water fishes, aquatic life, water supply and recreation. The nearest downstream potable water supply, Aqua Pennsylvania at Emlenton, is located on the Allegheny River and is approximately 44 miles below the point of discharge.

The proposed effluent limits for Outfall 001 based on a design flow of 0.08 MGD.

Parameter	Loadings		Concentrations		
	Average Monthly (lb/day)	Maximum Daily (lb/day)	Average Monthly (mg/l)	Maximum Daily (mg/l)	Instantaneous Maximum (mg/l)
Flow (MGD)		0.08			
Oil and Grease			15		30
TSS			11.3	29.6	29.6
BOD5			53	163	163
Iron (Total)			3	6	7.5
Barium			10	20	25
Strontium			10	20	25
Manganese			2	4	5
Antimony			0.0312	0.111	0.111
Arsenic			0.0199	0.0993	0.0993
Cadmium			0.0102	0.0172	0.0255
Chromium			0.0522	0.167	0.167
Cobalt			0.0703	0.182	0.182
Copper			0.216	0.659	0.659

Parameter	Loadings		Concentrations		
	Average Monthly (lb/day)	Maximum Daily (lb/day)	Average Monthly (mg/l)	Maximum Daily (mg/l)	Instantaneous Maximum (mg/l)
Lead			0.160	0.350	0.4
Mercury			0.000246	0.000641	0.000641
Nickel			0.309	0.794	0.794
Selenium			0.0698	0.176	0.176
Silver			0.722	0.0318	0.0318
Tin			0.0367	0.0955	0.0955
Titanium			0.00612	0.0159	0.0159
Vanadium			0.0518	0.0628	0.130
Zinc			0.420	0.497	1.05
Acetone			7.97	30.2	30.2
Acetophenone			0.0562	0.114	0.141
Butylbenzyl phthalate			0.0887	0.188	0.222
Bis (2-ethylhexyl) phthalate			0.101	0.215	0.253
Carbazole			0.276	0.598	0.69
2-Butanone			1.85	4.81	4.81
o-Cresol			0.561	1.92	1.92
p-Cresol			0.205	0.698	0.698
n-Decane			0.437	0.948	1.09
Fluoranthene			0.0268	0.0537	0.067
n-Octadecane			0.302	0.589	0.755
Phenol			1.08	3.65	3.65
Pyridine			0.182	0.37	0.455
2,4,6-Trichlorophenol			0.106	0.155	0.265
TDS			500	1000	1250
Acidity				Less than	Alkalinity
Chloride			250	500	625
Benzene			XX	XX	
Bromide			XX	XX	
Aluminum			XX	XX	
Alkalinity			XX	XX	
Radium 226/228 (pCi/L)			XX	XX	
Gross Alpha (pCi/L)			XX	XX	
pH					6.0 to 9.0 standard units at all times

XX -- Monitor and report on monthly DMRs.

The EPA Waiver is not in effect.

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

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

**WQM Permit No.5810402**, Sewerage, **HIS Camps, Inc.**, RR 1 Box 1601, Hallstead, PA 18822

This proposed facility is located in Liberty Twp., **Susquehanna County**, PA.

Description of Proposed Action/Activity: This project involves construction of a 0.00975 MGD Sewage Treatment Facility with a tested effluent discharge into a tributary to Snake Creek.

**WQM Permit No.5410407**, Sewerage, **Orwigsburg Borough Municipal Authority**, 209 North Warren Street, P. O. Box 128, Orwigsburg, PA 17961

This proposed facility is located in Orwigsburg Boro., **Schuylkill County**, PA.

Description of Proposed Action/Activity: This project involves construction of a pump station and main to connect the Pine Creek Retirement Community to the public sewer system with treatment of the sewage to an Orwigsburg Borough Municipal Authority's existing treatment plant.

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

**WQM Permit No. 6210402**, Sewerage, **Allen & Stacy Ryan**, 6618 Pleasant Drive, Warren, PA 16365

This proposed facility is located in Pleasant Township, **Warren County**.

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

**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*

*Lackawanna County Conservation District: 1300 Old Plank Road, Mayfield, PA 18433, 570-281-9495.*

<i>NPDES Permit No.</i>	<i>Applicant Name &amp; Address</i>	<i>County</i>	<i>Municipality</i>	<i>Receiving Water/Use</i>
PAI023510004	Richard E. McLaughlin Moosic Lakes, Inc. 829 Taylor Ave. Scranton, PA 18510	Lackawanna	Jefferson Twp.	West Branch of the Wallenpaupack Creek, HQ-CWF, MF; EV Wetlands

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

<i>NPDES Permit No.</i>	<i>Applicant Name &amp; Address</i>	<i>County</i>	<i>Municipality</i>	<i>Receiving Water/Use</i>
PAI032810001	David Sciamanna Cumberland Valley Regional Development Corporation 100 Lincoln Way East, Suite A Chambersburg, PA 17201	Cumberland	Southampton Township	Middle Spring Creek/HQ-CWF
PAI032110007	Smith Land & Improvement Corporation Richard E. Jordan, II 2010 State Road Camp Hill, PA 17011	Cumberland	Hampden Township	Trindle Spring Run/HQ

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

*Clinton County Conservation District: 45 Cooperation Lane, Mill Hall, PA 17751, (570) 726-3798*

<i>NPDES Permit No.</i>	<i>Applicant Name &amp; Address</i>	<i>County</i>	<i>Municipality</i>	<i>Receiving Water/Use</i>
PAI041810002	Paul Dotterer & Sons, Inc. 6795 Nittany Valley Drive Mill Hall, PA 17751	Clinton	Porter Township	Cedar Run HQ-CWF

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

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

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

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

Persons aggrieved by any action may appeal under section 517 of Act 38, section 4 of the Environmental Hearing Board Act (35 P. S. § 7514) and 2 Pa.C.S. §§ 501—508 and 701-704 (relating to Administrative Agency Law) to the Environmental Hearing Board, Second Floor, Rachael Carson State Office Building, 400 Market Street, P. O. Box 8457, Harrisburg, PA 17105-8457, (717) 787-3483. TDD users should contact the Environmental Hearing Board (Board) through the Pennsylvania AT&T Relay Service at (800) 654-5984. Appeals must be filed with the Board within 30 days of publication of this notice in the *Pennsylvania Bulletin*. Copies of the appeal form and the Board's rules of practice and

procedure may be obtained from the Board. The appeal form and the Board's rules of practice and procedure are also available in Braille or on audiotape from the Secretary of the Board at (717) 787-3483. This paragraph does not, in and of itself, create any right of appeal beyond that permitted by applicable statutes and decision law.

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

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

**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>
David Zimmerman 2151 Mt. Zion Rd Lebanon, PA 17046	Lebanon	271	400.81	Beef & Poultry	NA	Renewal
Van Blarcom Sow Farm RR 2 Box 54AA Columbia Cross Roads, PA 16914	Bradford	16 ac	2715.95	Swine	N/A	Renewal
Schrack Farm Partnership 860 W Valley Rd Loganton, PA 17747	Clinton	1880	1670	Dairy	Fishing Creek - HQ	Application

**PUBLIC WATER SUPPLY (PWS) PERMIT APPLICATIONS**

Pursuant to the Pennsylvania Safe Drinking Water Act, the following parties have applied for a public water supply permit to construct or substantially modify a public water system.

Persons wishing to comment on the permit application are invited to submit a statement to the office listed above 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 this application. Comment responses should include the name, address, and telephone number of the writer and a concise statement to inform the Department of the exact basis of 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 above 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 above the application. TDD users may contact the Department through the Pennsylvania AT&T Relay Service at 1-800-654-5984.

**SAFE DRINKING WATER**

**Applications Received under the Pennsylvania Safe Drinking Water Act (35 P.S. §§ 721.1—721.17)**

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

**Application No. 4610519 Public Water Supply**

Applicant	<b>Aqua Pennsylvania, Inc.</b>
Township	Perkiomen
County	<b>Montgomery</b>
Responsible Official	Mr. Marc Lucca 762 West Lancaster Avenue Bryn Mawr, PA 19010
Type of Facility	PWS
Consulting Engineer	C.E.T. Engineering Services 1240 North Mountain Road Harrisburg, PA 17112
Application Received Date	July 20, 2010
Description of Action	Replacement of well pump at Rahns Well No.

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

**Application No. 4910501 - Construction Public Water Supply.**

Applicant	<b>Line Mountain School District</b>
[Township or Borough]	Lower Mahanoy & Jordan Townships
County	<b>Northumberland</b>

Responsible Official	David M. Campbell, Superintendent Line Mountain School District 185 Line Mountain Road Herndon, PA 17830
Type of Facility	Public Water Supply—Construction
Consulting Engineer	N. Peter Fleszar, P.E. Glace Associates 3705 Trindle Road Camp Hill, PA 17011
Application Received	September 29, 2010
Description of Action	Connection of new Well #3 to High School by installation of pump & connecting raw water line, provision of filtration for borderline arsenic & antimony, and additional contact time to meet current GWR.

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

**Application No.2010503**, Public Water Supply

Applicant	<b>Sugarcreek MHP</b>
Township or Borough	WayneTownship/ <b>Crawford County</b>
Responsible Official	Toby A. Kopta
Consulting Engineer	Chapin S. Storrar, PE Deiss & Halmi Engineering Inc. 105 Meadville Street Edinboro PA 16412
Application Received Date	09/29/2010
Description of Action	Modify and permit existing water system serving 24-lot MHP w/total population <100.

**Application No.6210502**, Public Water Supply

Applicant	<b>Aqua Pennsylvania Inc</b>
Township or Borough	Clarendon Borough/ <b>Warren County</b>
Responsible Official	Marc A. Lucca, PE
Consulting Engineer	William A. LaDieu, PE CET Engineering Services 1240 N Mountain Road Harrisburg PA 17112
Application Received Date	09/30/2010
Description of Action	Construct chlorine contact pipe at existing facility to provide 4-log and GW requirements.

**REGISTRATION FOR RESIDUAL WASTE  
GENERAL PERMITS**

**Registration for General Permit issued under  
the Solid Waste Management Act (35 P.S.  
§§ 6018.101—6018.1003); and Residual Waste Regu-  
lations for a General Permit To Operate Residual  
Waste Processing Facilities (25 Pa. Code § 287.611  
relating to authorization for general permit).**

*South Central Regional Office: Waste Management Pro-  
gram, 909 Elmerton Avenue, Harrisburg, PA 17110-8200.*

**General Permit No. WMGR114-SC001. CRS Repro-  
cessing, LLC**, 569 Industrial Road, Lewisberry, PA  
17339. The Department of Environmental Protection has  
issued a registration under General Permit WMGR114 to  
CRS Reprocessing, LLC, for the processing of spent  
polyethylene glycol slurry containing silicon and silicon  
carbide or diamond (waste) for beneficial use in fresh  
slurry and in production of silicon ingots. This Registra-  
tion is for their location at 569 Industrial Road, Lewis-  
berry, PA 17339.

Persons interested in reviewing the general permit may  
contact John Oren, Facilities Manager, Waste Manage-  
ment Program, 909 Elmerton Avenue, Harrisburg, PA  
17110, (717) 705-4706. TDD users may contact the De-  
partment through the Pennsylvania Relay service, (800)  
654-5984.

**DETERMINATION FOR APPLICABILITY FOR  
RESIDUAL WASTE GENERAL PERMITS**

**Application(s) received for Determination of Appli-  
cability 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 Oper-  
ate Residual Waste Processing Facilities and/or  
the Beneficial Use of Residual Waste Other Than  
Coal Ash.**

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

**General Permit No. WMGR121SW002. Somerset  
Regional Water Resources, LLC**, 888 Stoystown Road,  
Somerset, PA 15501. Somerset Regional Water Resources  
Industrial Wastewater Treatment Facility, SR 281,  
Somerset, PA 15501. Registration for a general permit for  
processing and beneficial use of gas well wastewater from  
hydraulic fracturing and extraction of natural gas from  
the Marcellus shale geologic formation was received in  
the Regional Office on October 1, 2010.

**AIR QUALITY**

**NOTICE OF PLAN APPROVAL AND OPERATING  
PERMIT APPLICATIONS**

**NEW SOURCES AND MODIFICATIONS**

The Pennsylvania Department of Environmental Pro-  
tection (DEP) has developed an “integrated” plan ap-  
proval, State Operating Permit and Title V Operating  
Permit program. This integrated approach is designed to  
make the permitting process more efficient for DEP, the  
regulated community and the public. This approach al-  
lows 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 neces-  
sary permits. Notice is hereby given that DEP 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 mate-  
rials are available for review in the Regional Office  
identified in this notice. Persons interested in reviewing  
the application files should contact the appropriate Re-  
gional 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 DEP 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 DEP 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. Any comments or protests filed with DEP 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 DEP 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 below. TDD users may 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 through 143, the Federal Clean Air 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 & B. Hatch, Environmental Engineer Managers—Telephone: 412-442-4163/5226*

**32-00357B: Rosebud Mining Co.** (301 Market Street, Kittanning, PA 16201-9642) for installation of a wet coal processing and loading facility at their Crooked Creek Plant in Washington Township, **Indiana County**.

**63-00936D: Markwest Liberty Midstream and Resources LLC** (1515 Arapahoe Street Tower 2, Suite 700, Denver, CO 80202-2126) for construction and operation of a fractionation tower at Houston Gas Plant in Chartiers Township, **Washington County**.

*Northwest Region: Air Quality Program, 230 Chestnut Street, Meadville, PA 16335-3481*

*Contact: Mark Gorog, New Source Review Chief—Telephone: 814-332-6940*

**10-309E: Harsco Metals** (8050 Rowan Road, P. O. Box 5003, Cranberry Township, PA 16066) for installation of a slag pot dumping station equipped with water sprays and additional control activities. Harsco Metals will increase slag handling capacity to handle the increased production projected by AK Steel. This action is under Plan Approval 10-309E for the facility adjacent to the AK Steel plant along Route 8, in Butler Township, **Butler County**.

**24-131N: SGL Carbon LLC** (900 Thersia Street, St Marys, PA 15857) for installation of a new reactor. This action is under Plan Approval 24-131N for the facility in the City of St Marys, **Elk County**.

**25-025Q: General Electric Transportation—Erie Plant** (2901 East Lake Road, Bldg 9-201, Erie, PA 16531) for modification of plan approval 25-025O with regards to the test cells in buildings 4E and 63 in Lawrence Park Township, **Erie 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.**

*Southeast Region: Air Quality Program, 2 East Main Street, Norristown, PA 19401*

*Contact: Sachin Shankar, New Source Review Chief—Telephone: 484-250-5920*

**09-0188C: Gamesa Wind PA, LLC** (400 Gamesa Drive, Fairless Hills, PA 19030) for modification of their nacelle assembly operation at USX Industrial Complex in Falls Township, **Bucks County**. This facility is a minor facility. The facility wide VOC emissions will stay below 25 tons per year. The combined HAP emissions will be below 25 tons per year. Each HAP emissions will stay below 10 tons per year. The Plan Approval and Operating Permit will contain recordkeeping requirements and operating restrictions designed to keep the facility operating within all applicable air quality requirements.

*Northcentral Region: Air Quality Program, 208 West Third Street, Williamsport, PA 17701*

*Contact: Muhammad Q. Zaman, Environmental Program Manager—Telephone: 570-327-3648*

**08-00031A: Appalachia Midstream Services, LLC** (6100 N. Western Avenue, P. O. Box 54382, Oklahoma City, OK 73154-1382) has submitted an application (08-00031A) to the Pennsylvania Department of Environmental Protection for plan approval to construct eight natural gas-fired compressor engines each equipped with oxidation catalysts at the Granville Compressor Station located in Granville Township, **Bradford County**.

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

The emissions from the control devices associated with the compressor engines will not exceed on a 12-consecutive month period (CMP) basis; 68.56 tons of nitrogen oxides, 26.40 tons of carbon monoxide, 25.92 tons of volatile organic compounds, 1.20 tons of sulfur oxides, 4.08 tons of total particulate matter, and 8.24 tons of formaldehyde (HAPs). To demonstrate compliance with the emissions limitations, Appalachia Midstream Services, LLC is required to conduct EPA reference method testing on the exhausts of the control devices associated with the compressor engines for nitrogen oxides, carbon monoxide, sulfur oxides, volatile organic compounds, formaldehyde and particulate matter emission limitations as stated below:

nitrogen oxides—0.50 g/BHP-hr  
 carbon monoxide—0.19 g/BHP-hr  
 volatile organic compounds—0.18 g/BHP-hr  
 sulfur oxides—0.008 g/BHP-hr  
 formaldehyde—0.06 g/BHP-hr  
 particulate matter—0.03 g/BHP-hr

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

Work practice requirements to construct and operate the compressor engines and control devices in accordance with the manufacturer's recommendations and good air pollution control practices.

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

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

*Northwest Region: Air Quality Program, 230 Chestnut Street, Meadville, PA 16335-3481*

*Contact: Mark Gorog, New Source Review Chief—  
 Telephone: 814-332-6940*

**24-167A: E Carbon America, LLC** (806 Theresia Street, St Marys, PA 15857) for modification of the method of operation for the carbon baking kilns and the construction of the special impregnation process in St Marys City, **Elk County**. This is a Title V facility. The public notice is required for sources required to obtain a Plan Approval in accordance with 25 Pa. Code § 127.44. This plan approval will, in accordance with 25 Pa. Code § 127.450, be incorporated into the State Only operating permit through an administrative amendment at a later date. The source shall comply with the following conditions, which will satisfy the requirements of 25 Pa. Code § 127.12b (pertaining to plan approval terms and conditions) and will demonstrate Best Available Technology for the source:

- Baking Kilns (Source 101):
- Subject to 25 Pa. Code 123.13 and 123.21.
- VOC emissions from this source shall not exceed 62.8 lbs/ton of product averaged over a 12-month rolling period and 70.4 lbs/ton of product at any time.
- The VOC emissions shall not exceed 53.5 tpy based on a consecutive 12-month period.
- Stack test prior to expiration of operating permit for VOC on at least one recirculating muffle furnace and at least one box furnace. Subsequent testing shall be performed on alternate furnaces.

- All recordkeeping shall commence upon startup of the source.
- The company shall maintain a log of all preventative maintenance inspections of the source and control device(s). The inspection logs, at a minimum, shall contain the dates of the inspections, the name of the person performing the inspection, any mechanical repairs and/or adjustments, any potential problems or defects that were encountered, and the steps taken to correct them.
- The company shall maintain a log of the following, at a minimum, from the operational inspections:
  - Flame Grid temperature
  - The times that the flame grids are turned on and off
  - Temperature of the kiln at time when flame grids are turned on and off
  - The permittee shall maintain records of the quantity of parts (in pounds) charged into the kilns and the percent by weight of potential VOC chemicals contained in the parts. This information will be used to calculate the VOC emissions from this source on a quarterly basis. The VOC emissions shall be calculated based on the following equation:
 
$$\text{Lbs of VOC consumed} / \text{Tons of product produced} = \text{Lbs VOC per ton product}$$
  - The permittee shall perform a daily operational inspection of the source and control device.
  - The flame grid for each kiln shall be inspected for proper operation prior to each load being fired in the kiln.
  - A thermocouple or equivalent shall be permanently installed and maintained at a conveniently readable location to indicate the flame grid temperature.
  - All gauges employed by the permittee to monitor the required control device operating parameters shall have a scale such that the expected normal reading shall be no less than twenty percent (20%) of full scale and be accurate within plus or minus two percent (+/- 2%) of full scale reading.
  - Control device operating parameters, including flame grid temperature, shall be operated in a range defined by the manufacturer or in a range developed during compliant stack testing. The operating range shall be determined within 90 days after startup of the control device and shall be indicated to the Department in writing prior to administratively amending into the facility operating permit. The operating range shall be made part of the facility operating permit.
  - The permittee shall turn on the control device prior to the furnace bottom temperature reaching 650F and shall operate the control device whenever the furnace bottom temperature is greater than 650F.
  - The permittee shall maintain and operate the source and control device(s) in accordance with the manufacturer's specifications and in accordance with good air pollution control practices.
  - Special Impregnation Process (Source 102):
    - Subject to 25 Pa. Code 123.13.
    - VOC emissions from this source shall not exceed 25.0 tons in any consecutive twelve (12) month period.
- All recordkeeping shall commence upon startup of the source.
- The company shall maintain a log of all preventative maintenance inspections of the source. The inspection logs, at a minimum, shall contain the dates of the inspections, the name of the person performing the inspection, any mechanical repairs and/or adjustments, any potential problems or defects that were encountered, and the steps taken to correct them.



- The company shall maintain a log of the following, at a minimum, from the operational inspections:
- Performance of the inspection
- The permittee shall keep monthly records to demonstrate compliance with the VOC emission limit for this source. This record shall indicate the type and quantity of solvent used by this source for each month. A running total of solvent usage shall also be maintained. This running total shall be calculated by adding the current month's solvent usage to the usage for the previous eleven (11) months. These records shall be maintained for a period of five (5) years and shall be made available to the Department on request.
- The permittee shall perform a daily operational inspection of the source.
- The permittee shall maintain and operate the source in accordance with the manufacturer's specifications and in accordance with good air pollution control practices.

**62-017S: United Refining Co.** (15 Bradley Street, Warren, PA 16365) for modification of several existing sources to produce reduced benzene gasoline (meet EPA's MSAT II fuel requirements) in Warren City, **Warren County**. This is a Title V facility. The public notice is required for sources required to obtain a Plan Approval in accordance with 25 Pa. Code § 127.44. This plan approval will, in accordance with 25 Pa. Code § 127.450, be incorporated into the State Only operating permit through an administrative amendment at a later date. The source shall comply with the following conditions, which will satisfy the requirements of 25 Pa. Code § 127.12b (pertaining to plan approval terms and conditions) and will demonstrate Best Available Technology for the source:

- All conditions from Title V permit issued on August 20, 2007, and revised on March 10, 2010, remain in effect.
- Source 053 (Sat Gas Plant) will control the DeEthanizer tower operation more precisely to handle an increase in light ends. The Sat Gas KVG compressor will increase its operating speed to handle more light ends. This project will also add a bypass line to bypass the DeEthanizer to minimize the potential for flooding of the trays in the tower. The increase in light ends will result in an increase in firing rate of the Sat gas Reboiler heater and the additional controls will add components which will increase the potential fugitive emissions.
- Source 056 (Prefractionator Reboiler 2) will add a precursor stripper tower to separate a concentrated stream of benzene and its precursors, will add several heat exchangers to cool the stream down, will add a steam reboiler to prevent any increase in firing rate associated with steam production, and will add or replace some control valves and connections. These controls and connectors will increase the potential fugitive emissions.
- Source 1000 (Liquid Hydrogen Unit) will be added to store liquid hydrogen to be used at DHT2. The need for hydrogen stems from a reduction of hydrogen production from the Reformer unit as a result of the required operation to meet the MSAT2 requirements and from an increase in consumption at the Isom unit. The Liquid Hydrogen unit will have no emissions.
- Source 1001 (Lite Stabilizer) which currently receives light ends from the Prefractionator 2 will realize an increase due to shifting of benzene precursors from the bottom of the Prefractionator 2. This project will add Delta V controls to operate the unit more precisely to minimize the amount of butane that goes to the Isom unit. These controls (CV, pressure indicators, and connectors) will increase the potential fugitive emissions.
- Source 1002 (Isomerization Unit) which receives its feed from the Lite Stabilizer unit will see an increase in

throughput due to the benzene precursors. The new stripper will send materials directly to the Isom unit bypassing the Lite Stabilizer. The Isom will minimize benzene from forming; however, the Isom increases the vapor pressure so during the summer months some of the Isomerate will be stored in Tank 248. The Isom is a fugitive emission source and there will not be any downstream emission increases as a result of the Isom feed increase. This project will add some components which will increase the potential fugitive emissions.

- Source 107 (Sat Gas KVG Compressor) will increase its operating speed to handle more light ends.
- Source 109 (NSPS Fug Emissions - Valves/Pumps/etc) and 109A (State Fug Emissions - Valves/Pumps/etc) will pick up the additional components added as part of this project.
- Source 247 (Tank 247) which is permitted under the General Permit will store ethanol required for the RFS-1 standard of 10% ethanol to be added to the finished gasoline products.
- Source 248 (Tank 248) which is permitted under the General Permit will be used to store Isomerate due to the summer RVP issue.

### OPERATING PERMITS

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#### 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.

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*Southcentral Region: Air Quality Program, 909 Elmerton Avenue, Harrisburg, PA 17110*

*Contact: Thomas J. Hanlon, Chief, East Permitting Section—Telephone: 717-705-4862 or Daniel Husted, Chief, West Permitting Section—Telephone: 717-949-7935*

**05-05022: Bedford Reinforced Plastics, Inc.** (264 Reynoldsdale Road, Bedford PA 15522) for pultrusion operations at their facility in East St. Clair Township, **Bedford County**. The facility is subject to 40 CFR Part 63, Subpart WWWW, National Emission Standards for Hazardous Air Pollutants; Reinforced Plastic Composites Production. The primary pollutants are Volatile Organic Compounds (VOCs) and Hazardous Air Pollutant (HAPs). The operating permit will include monitoring, record keeping, work practices and reporting requirements designed to keep the source operating within all applicable air quality requirements. This is a renewal of a Title V Operating Permit issued in February 2004.

*Northwest Region: Air Quality Program, 230 Chestnut Street, Meadville, PA 16335-3481*

*Contact: Matthew Williams, Facilities Permitting Chief—Telephone: 814-332-6940*

**24-00123: Veolia ES Greentree Landfill LLC.** (635 Toby Road, Kersey, PA 15846-1033) to re-issue the Title V Operating Permit for their facility in Fox Township, **Elk County**. Veolia is an active Municipal waste landfill company. The facility's major emission sources include Municipal waste landfill, wastewater treatment plant (250,000 GPD), road/operation dust fugitives, rock crushing and parts washer. Veolia is a major facility due to CO emissions more than 100 tons per year. The flares are subject to CAM plan. Municipal waste landfill source is subject to § 40 CFR Part 60, Subpart WWW and § 40 CFR Part 63, Subpart AAAA.

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

*Northeast Region: Air Quality Program, 2 Public Square, Wilkes Barre, PA 18711-0790*

*Contact: Ray Kempa, New Source Review Chief—Telephone: 570-826-2507*

**54-00049: US DOJ—Federal Corrections Institute** (P. O. Box 700, Minersville, PA 17954-0700) for operation of three (3) boilers at the facility in Butler Township, **Schuylkill County**. This is a renewal of a State-Only Operating permit.

**48-00095: ECOPAX, LLC** (3600 Glover Road, Easton, PA 18040) for operation of a plastic foam products manufacturing facility consisting of six (6) scrap material grinders located in Forks Township, **Northampton County**. This is an initial State-Only Operating permit.

*Southcentral Region: Air Quality Program, 909 Elmerton Avenue, Harrisburg, PA 17110*

*Contact: Thomas J. Hanlon, Chief, East Permitting Section—Telephone: 717-705-4862 or Daniel Husted, Chief, West Permitting Section—Telephone: 717-949-7935*

**36-05084: Ephrata Community Hospital** (169 Martin Avenue, Ephrata, PA 17522) for operation of two boilers and two emergency generators at their facility in Ephrata Borough, **Lancaster County**. This is a renewal of a synthetic minor operating permit issued in 2005.

**06-03011: Giles & Yeckley Funeral Home and Crematorium, Inc.** (21 Chestnut Street, Mohnton, PA 19540) for operation of their two (2) cremation units at their facility in Mohnton Borough, **Berks County**. This is a renewal of a natural minor operating permit issued in 2005 and revised in 2007.

*Northcentral Region: Air Quality Program, 208 West Third Street, Williamsport, PA 17701*

*Contact: Muhammad Q. Zaman, Environmental Program Manager—Telephone: 570-327-3648*

**08-00036: Talisman Energy USA, Inc.** (50 Pennwood Place, Warrendale, PA 15086) for the Putnam Compressor Site in Armenia Township, **Bradford County**. The facility's main sources include 12 compressor-engines, and two (2) glycol dehydrators. The main sources are used to process and gather the natural gas from the nearby drilling operations. The facility has the potential to particulate matter (filterable and condensable), and sulfur oxides (SOx) emissions below the major thresholds. The facility has taken synthetic minor restrictions to limit the nitrogen oxides, carbon monoxide, volatile organic compounds, and hazardous air pollutants emissions below the major thresholds. The proposed operating permit contains limitations and requirements including monitoring, recordkeeping, and reporting conditions to ensure compliance with applicable Federal and State air regulations.

**59-00018: Hanson Aggregates (PA) Inc.** (7660 Imperial Way, Suite 103, Allentown, PA 18195-1040) for their Blossburg quarry in Liberty Township, **Tioga County**. The facility's main sources include two crushers and associated various material sizing and conveying equipment and three diesel engines. The facility has the potential to emit CO, VOCs, and HAPs below the major emission thresholds. The facility has taken a synthetic minor restriction to limit the NOx and particulate matter (PM<sub>10</sub>) emissions below the major thresholds. The pro-

posed operating permit contains applicable regulatory requirements including monitoring, recordkeeping, and reporting conditions.

*Southwest Region: Air Quality Program, 400 Waterfront Drive, Pittsburgh, PA 15222-4745*

*Contact: Barbara Hatch, Facilities Permitting Chief—Telephone: 412-442-4174*

**30-00148: Dana Mining Company of Pennsylvania, LLC-4-West Deep Mine** (625 Bald Hill Road, Dilliner, PA 15327) for operation of a coal preparation plant in Dunkard Township, **Greene County**. The operation of the facility's air contamination source consisting of 2-1,200 ton per hour screens, 6 transfer points, stockpile/wind erosion, and truck traffic. The facility is limited to a production rate of 1,980,000 tons per year, coal moisture content of 5 percent or greater at all times, and maximum opacity from any processing equipment of 20 percent. The permit also includes operation requirements, monitoring requirements, and recordkeeping requirements.

*Department of Public Health, Air Management Services: 321 University Avenue, Philadelphia, PA 19104*

*Contact: Edward Brawn, Chief—Telephone: 215-685-9476*

**S10-001: Saint Joseph's University** (5600 City Avenue, Philadelphia, PA 19131) for operation of a university in the City of Philadelphia, **Philadelphia County**. The facility's major air emission source are 2 Boilers rated at 13.4 MMBTU/hr and one Boiler rated at 20.7 MMBTU/hr, 6 emergency generators, 26 boilers less than 5 MMBTU/hr.

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

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

## COAL AND NONCOAL MINING ACTIVITY APPLICATIONS

Applications under the Surface Mining Conservation and Reclamation Act (52 P. S. §§ 1396.1—1396.31); 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. Notices of requests for 401 Water Quality Certifications are included in individual application notices, as noted.

Written comments or objections, or requests for an informal conference, or a public hearing, as applicable, on a mining permit application may be submitted by any person or any officer or head of any federal, state or local government agency or authority to the Department at the address of the District Mining Office indicated above each application within 30 days of this publication, or within 30 days after the last publication of the applicant's newspaper advertisement, as provided by 25 Pa. Code §§ 77.121—123 and 86.31—34 (relating to public notices of filing of permit applications, opportunity for comment, and informal conferences).

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 (relating to public hearing-informal conferences) or § 86.34 (relating to informal conferences), 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 below. 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 through 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 Load(s) (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 above each application within 30 days of this public notice. Comments received within the comment period will be considered in the final determinations regarding the NPDES permit applications. Comments must include the name, address and telephone number of the writer and a concise statement to inform the Department of the exact basis of a comment and the relevant facts upon which it is based.

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

#### *Coal Applications Received*

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

*Table 1*

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

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

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

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

**30841320 and NPDES Permit # PA0213861, Dana Mining Company of PA, LLC**, (308 Dents Run Road, Morgantown, WV 26501), to renew the permit for the Dooley Run Mine in Dunkard Township, **Greene County** and related NPDES permit. No additional discharges. Application received: June 28, 2010.

**10101301 and NPDES Permit # PA0235962, Rosebud Mining Company**, (301 Market Street, Kittanning, PA 16201), to operate the Donegal Mine in Donegal Township, **Butler County** a new underground mine and related NPDES permit. Application also includes a request for a Section 401 Water Quality Certification. Written comments or objection on the permit application and the request for Section 401 water quality application may be submitted to the Department. Surface Acres Proposed 62.6, Underground Acres Proposed 2086.0, Subsidence Control Plan Acres Proposed 2086.0. Receiving stream: Buffalo Creek, classified for the following use: HQ-CWF. Application received: May 13, 2010.

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

**26900109 and NPDES Permit No. PA059206. Chess Coal Company** (155 Chess Road, Smithfield, PA 15478). Renewal application for continued mining of a bituminous surface mine, located in Georges Township, **Fayette County**, affecting 213 acres. Receiving stream: unnamed tributary to York Run, classified for the following use: WWF. There is no potable water supply intake within 10 miles downstream from the point of discharge. Renewal application received: September 29, 2010.

**26743202 and NPDES Permit No. PA0069736. Bute Coal Recovery, LLC** (P. O. Box 275, West Leisenring, PA 15489). Application received for transfer of permit currently issued to Fayette Coal & Coke, Inc., for continued operation and reclamation of an existing coal refuse reprocessing facility located in Dunbar and North Union Townships, **Fayette County**, affecting 150.1 acres. Receiving streams: Rankin Run to Redstone Creek, to Monongahela River, classified for the following use: warm water fishes. The first potable water supply intake within ten miles downstream from the point of discharge is the North Fayette Municipal Authority. Transfer application received: September 14, 2010.

**65990101 and NPDES Permit No. PA0202428. Coal Loaders, Inc.** (210 East Main Street, Ligonier, PA

15658). Revision application to add 3.6 acres for an existing bituminous surface mine, located in South Huntingdon Township, **Westmoreland County**, affecting 23.4 acres. Receiving streams: unnamed Run to the Youghiogheny River, classified for the following use: WWF. There is no potable water supply intake within 10 miles downstream from the point of discharge. Application received: September 29, 2010.

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

**12040101 and NPDES No.PA0243701. Allegheny Enterprises, Inc.** (3563 Roller Coaster Road, Corsica, PA 15829). Permit revision to an existing bituminous surface mine located in Shippen Township, **Cameron County** affecting 280.8 acres. This revision is to change the post-mining land use from forestland to wildlife habitat. This change will allow the operator to create grazing area for the elk and deer herds. Receiving streams: unnamed tributaries to Finley Run classified for cold water fisheries. There are no potable water supply intakes within 10 miles downstream. Application received: September 17, 2010.

**17814000 and NPDES No. PA0608769. TDK Coal Sales, Inc.** (279 Shannon Road, Monongahela, PA 15063). Permit revision to an existing bituminous surface mine located in Penn Township, **Clearfield County** affecting 204.2 acres. The purpose of this revision is to add auger mining to the existing permit. Receiving streams: Irish Run and unnamed tributaries to Irish Run classified for cold water fisheries. There are no potable water supply intakes within 10 miles downstream. Application received: September 20, 2010.

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

**49851602T and NPDES Permit No. PA0223662. D. Molesevich & Sons Construction Co., Inc.**, (333 South Pine Street, Mt. Carmel, PA 17851), transfer and correction to add 2.8 to an existing anthracite coal preparation plant operation in Mt. Carmel Township, **Northumberland County** affecting 48.2 acres, receiving stream: Shamokin Creek, classified for the following uses: warm water fishes and migratory fishes. Application received: September 22, 2010.

**49851602R5 and NPDES Permit No. PA0223662. D. Molesevich & Sons Construction Co., Inc.**, (333 South Pine Street, Mt. Carmel, PA 17851), renewal of an existing anthracite coal preparation plant operation in Mt. Carmel Township, **Northumberland County** affecting 48.2 acres, receiving stream: Shamokin Creek, classified for the following uses: warm water fishes and migratory fishes. Application received: September 22, 2010.

*Noncoal Applications Received*

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

Table 2

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

\* The parameter is applicable at all times.

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

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

**33050304. Glen-Gery Corporation** (1166 Spring Street, P. O. Box 7001, Wyomissing, PA 19610) Renewal of NPDES Permit No. PA0258008, Oliver Township, **Jefferson County**. Receiving streams: Beaver Run (CWF section) to Redbank Creek, classified for the following uses: CWF. There are no potable surface water supply intakes within 10 miles downstream. NPDES renewal application received: September 24, 2010.

**24050301. North Star Aggregates, Inc.** (P. O. Box R, Ridgway, PA 15853) Renewal of an NPDES Permit No. PA0257974, Horton Township, **Elk County**. Receiving streams: Johnson Run and Oyster Run, all to Little Toby Creek to the Clarion River, classified for the following uses: CWF. There are no potable surface water supply intakes within 10 miles downstream. NPDES renewal application received: September 27, 2010.

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

**59050301 and NPDES No. PA0256170. Glenn O. Hawbaker, Inc.** (1952 Waddle Road, Suite 203, State College, PA 16803). Renewal of the NPDES Permit for discharges of treated mine drainage from a quarry operation in Lawrence Township, **Tioga County**. Receiving streams: Mutton Lane Creek to Tioga River classified for Warm Water Fisheries. There are no potable water supply intakes within 10 miles downstream. Application received: September 14, 2010.

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

**52050801. Randy S. Miller, Inc.**, (232 White Road, Lake Ariel, PA 18436), Stage I & II bond release from a quarry operation in Blooming Grove Township, **Pike County** affecting 2.0 acres on property owned by Vladimir Potiyevsky & Lisa Alexander. Application received: September 22, 2010.

**09890303C3 and NPDES Permit No. PA0594661. Naceville Materials**, (c/o Miller & Son Paving, Inc., 6100 Easton Road, Pipersville, PA 18947), renewal of NPDES Permit for discharge of treated mine drainage from a quarry operation in Plumstead Township, **Bucks County**, receiving stream: North Branch of Neshaminy Creek, classified for the following use: warm water fishes. Application received: September 29, 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. 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. §§ 1311—1313, 1316 and 1317 as well as relevant state requirements. Persons objecting to approval of a request for certification under Section 401 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 office noted above 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. Each individual 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 the hours of 8:00 AM and 4:00 PM on each working day at the office noted above the application.

If you are a person with a disability and wish to attend the hearing and you require an auxiliary aid, service or other accommodation to participate in the proceedings, please contact the specified program. TDD users may contact the Department through the Pennsylvania AT&T Relay Service at 1-800-654-5984.

## 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 of the Federal Water Pollution Control Act (33 U.S.C. § 1341(a)).

### WATER OBSTRUCTIONS AND ENCROACHMENTS

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

**E25-736, Amity Township Supervisors**, 15030 Casler Road, Union City, PA 16438. Tarbell Road Culvert, in Amity Township, **Erie County**, ACOE Pittsburgh District (Union City, PA Quadrangle N: 41°, 56', 50.5"; W: 79°, 46', 31";).

The applicant proposes To remove the existing bridge and to construct and maintain a 40-foot long, 5.6-foot high by 7.9-foot wide CMP pipe arch culvert in Beaver Run on Tarbell Road (T-770) approximately 800 feet south of the intersection of Tarbell Road and Fenno Road in Amity Township, Erie County. Project includes deminimus impacts to Exceptional Value wetlands. Beaver Run is a perennial stream classified as Exceptional Value.

### DAM SAFETY

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

**D30-074. Freeport Sedimentation Pond. River Processing Corporation**, 158 Portal Road, P. O. Box 1020, Waynesburg, PA 15370. To construct, operate, and maintain Freeport Sedimentation Pond across a tributary to Tenmile Creek (WWF) impacting 1.56 acres of wetlands (PEM) and 508 feet of stream and providing a minimum of 1.56 acres of wetland mitigation, for the purpose of providing sediment control for the proposed Freeport Mine CRDA No. 1. (Mather, PA Quadrangle N: 18.2 inches; W: 2.8 inches) Jefferson Township, **Greene 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 (NOIs) for coverage under General Permits. This Notice of Final Action is provided in accordance with regulations at 25 Pa. Code Chapters 91 and 92 and 40 CFR Part 122, implementing provisions of the Pennsylvania Clean Streams Law, 35 P. S. §§ 691.1 *et seq.*, and the Federal Clean Water Act, 33 USCA §§ 1251 *et seq.*

<i>Location</i>	<i>Permit Authority</i>	<i>Application Type or Category</i>
Section I	NPDES	Renewals
Section II	NPDES	New, 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 through 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 Permit(s). The approval for coverage under these 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. The 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 above the action.

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

If you want to challenge an action, your appeal must reach the Board within 30 days. You do not need a lawyer to file an appeal with the Board.

Important legal rights are at stake, however, so you should contact a lawyer at once. If you cannot afford a lawyer, you may qualify for free pro bono representation. Call the secretary to the board (717-787-3483) for more information.

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

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

<i>NPDES No. (Type)</i>	<i>Facility Name &amp; Address</i>	<i>County &amp; Municipality</i>	<i>Stream Name (Watershed #)</i>	<i>EPA Waived Y/N?</i>
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

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

<i>NPDES No. (Type)</i>	<i>Facility Name &amp; Address</i>	<i>County &amp; Municipality</i>	<i>Stream Name (Watershed #)</i>	<i>EPA Waived Y/N ?</i>
PA0086479 (IW)	Dairy Farmers of America 100 McKinley Avenue Reading, PA 19605-2199	Berks County / Muhlenberg Township	Laurel Run / 3-C	Y

*Northcentral Regional Office: Water Management Program Manager, 208 W Third Street Suite 101, Williamsport, PA 17701-6448. Phone: 570.327.0532.*

<i>NPDES No. (Type)</i>	<i>Facility Name &amp; Address</i>	<i>County &amp; Municipality</i>	<i>Stream Name (Watershed #)</i>	<i>EPA Waived Y/N?</i>
PA0228915 (Sewage)	Osceola Mills Region WWTP Route 970 Osceola Mills, PA 16666	Clearfield County Decatur Township	Moshannon Creek (8-D)	Y
PA0111945 (Industrial Wastewater & Stormwater)	Ward Manufacturing, Inc. PO Box 9 117 Gulick Street Blossburg, PA 16912	Blossburg Borough, Tioga County	Johnson Creek/ Tioga River, 4A	Yes

## 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. PA0054551**, Sewage, **Jonathan D. Snyder**, 4 Fox Run Lane, Newtown Square, PA 19073-1004.

This proposed facility is located in Willistown Township, **Chester County**.

Description of Proposed Action/Activity: Approval for the renewal to discharge 400 gpd of treated sewage to Unnamed Tributary to Ridley Creek in Watershed 3-G.

**NPDES Permit No. PAG050087**, Industrial Waste, **Frank's Center Auto Service**, 101 South Sycamore Street, Newtown, PA 18940.

This proposed facility is located in Newtown Township, **Bucks County**.

Description of Proposed Action/Activity: Approval for the issuance of an NPDES General Permit to discharge 57,600 gpd of treated groundwater into Newtown Creek via storm drain.

**NPDES Permit No. PA0057967**, Industrial Waste, **RAF Pennsburg, LP**, 165 Township Line Road, Suite 100, Jenkintown, PA 19046.

This proposed facility is located in Upper Hanover Township, **Montgomery County**.

Description of Proposed Action/Activity: Approval for the renewal to discharge 0.020 MGD of treated wastewater to Macoby Creek Branch in Watershed 3-E.

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

**NPDES Permit No. PA0110361**, Sewage, **Freedom Township Water and Sewer Authority**, 131 Municipal Street, East Freedom, PA 16637-8158.

This proposed facility is located in Blair Township, **Blair County**.

Description of Proposed Action/Activity: Authorization to discharge to Frankstown Branch Juniata River in Watershed 11-A.

*Northcentral Regional Office: Regional Water Management Program Manager, 208 W Third Street Suite 101, Williamsport, PA 17701-6448. Phone: 570.327.0532.*

**NPDES Permit No. PA0024325**, Sewage, SIC Code 4952, **Muncy Borough Municipal Authority Lycoming County**, Muncy Boro Muni Auth, Muncy, PA 17756.

This existing facility is located in Muncy Creek Township, **Lycoming County**.

Description of Existing Action/Activity: Issuance of an NPDES Permit for an existing discharge of treated Sewage.

**NPDES Permit No. PA0028738**, Sewage, SIC Code 4952, **Ralpho Township Municipal Authority**, 206 S Market Street - Suite 2, Elysburg, PA 17824.

This existing facility is located in Shamokin Township, **Northumberland County**.

Description of Existing Action/Activity: Issuance of an NPDES Permit for an existing discharge of treated Sewage.

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

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

**WQM Permit No. WQG01671001**, Sewage, **Stephen J. and Genevieve E. Moore**, 4350 Old Orchard Road, York, PA 17402.

This proposed facility is located in Springettsbury Township, **York County**.

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

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

**WQM Permit No. WQG018770**, Sewerage, **Stanley F. Slabic**, 9570 Tileyard Road, Waterford, PA 16441

This proposed facility is located in McKean Township, **Erie County**.

Description of Proposed Action/Activity: A Single Residence Small Flow Treatment Facility to replace a malfunctioning on-lot system.

**WQM Permit No. WQG018773**, Sewerage, **John D. Ferguson & Paula Morgan**, 590 Wakefield Court, Naperville, IL 60563

This proposed facility is located in Elk Creek Township, **Erie County**.

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

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#### IV. NPDES Stormwater Discharges From Municipal Separate Storm Sewer Systems (MS4) Permit Actions

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#### V. NPDES Waiver Stormwater Discharges From Municipal Separate Storm Sewer Systems (MS4) Actions

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

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

<i>NPDES Permit No.</i>	<i>Applicant Name &amp; Address</i>	<i>County</i>	<i>Municipality</i>	<i>Receiving Water/Use</i>
PAI023907006(1)	S/K Cetronia Associates, L.P. 520 U.S. Highway 22 Bridgewater, NJ 08807	Lehigh	Upper Macungie Twp.	Schaefer Run, HQ-CWF, MF; Iron Run, HQ-CWF, MF
PAI023904011R	Selvaggio Enterprises, Inc. 623 Selvaggio Drive, Suite 200 Nazareth, PA 18064	Lehigh	Salisbury Twp.	Trout Creek, HQ-CWF, MF
PAI025208002	Pennsylvania Department of Transportation Bureau of Office Services Facility Management Division Harrisburg, PA 17105-3451	Pike	Blooming Grove Twp.	Shohola Creek, HQ-CWF, MF

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

*Allegheny County Conservation District, Lexington Technology Park, Building 1, Suite 102, 400 North Lexington Avenue, Pittsburgh, PA 15208. (412-241-7645)*

<i>NPDES Permit No.</i>	<i>Applicant Name &amp; Address</i>	<i>County</i>	<i>Municipality</i>	<i>Receiving Water/Use</i>
PAI050210001	Allegheny County Department of Public Works 542 Forbes Avenue Pittsburgh, PA 15219	Allegheny	Borough of Turtle Creek & North Versailles Township	Unnamed Tributary to Turtle Creek (TSF) Steels Run (HQ-CWF)
PAI051110002	Highland North LLC 444 East 30th Street, 10th Floor New York, NY 10016	Cambria	Adams, Summerhill, and Portage Townships	South Fork Little Conemaugh and Beaverdam Run (HQ-CWF) Laurel Run (CWF)

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

<i>NPDES Permit No.</i>	<i>Applicant Name &amp; Address</i>	<i>County</i>	<i>Municipality</i>	<i>Receiving Water/Use</i>
PAI056310006	Brian Kengor, Manager JBT Land Ventures 2639 Diane Drive Washington, PA 15301	Washington	Donegal Township	Dutch Fork (HQ-WWF)

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

<i>NPDES Permit No.</i>	<i>Applicant Name &amp; Address</i>	<i>County</i>	<i>Municipality</i>	<i>Receiving Water/Use</i>
PAI056509008	John F. Tierney, President Resort Homes, LLC P. O. Box 234 Stahlstown, PA 15687	Westmoreland	Donegal Township	Unnamed Tributary to Camp Run (EV)



<i>NPDES Permit No.</i>	<i>Applicant Name &amp; Address</i>	<i>County</i>	<i>Municipality</i>	<i>Receiving Water/Use</i>
PAI056510002	Municipality of Murrysville 4100 Sardis Road Murrysville, PA 15668	Westmoreland	Murrysville Township	Tributary to Steels Run (HQ-CWF)

### VII. Approvals To Use NPDES And/Or Other General Permits

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

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

PAG-1	General Permit for Discharges From Stripper Oil Well Facilities
PAG-2	General Permit for Discharges of Stormwater Associated With Construction Activities (PAR)
PAG-3	General Permit for Discharges of Stormwater From Industrial Activities
PAG-4	General Permit for Discharges From Small Flow Treatment Facilities
PAG-5	General Permit for Discharges From Gasoline Contaminated Ground Water Remediation Systems
PAG-6	General Permit for Wet Weather Overflow Discharges From Combined Sewer Systems (CSO)
PAG-7	General Permit for Beneficial Use of Exceptional Quality Sewage Sludge by Land Application
PAG-8	General Permit for Beneficial Use of Non-Exceptional 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-02

##### Facility Location:

<i>Municipality &amp; County</i>	<i>Permit No.</i>	<i>Applicant Name &amp; Address</i>	<i>Receiving Water/Use</i>	<i>Contact Office &amp; Phone No.</i>
City of Scranton, Lackawanna County	PAG2003506007(2)	James Devers University of Scranton 915 Mulberry St. Scranton, PA 18510	Roaring Brook, CWF, MF	Lackawanna Co. Conservation Dist. 570-281-9495
Tunkhannock Borough, Wyoming County	PAG02006610004	Millett Real Estate 101 Old Lackawanna Trail Clarks Summit, PA 18411	Swale Brook, CWF, MF	Wyoming Co. Conservation Dist. 570-836-2589
Smithfield Township, Monroe County	PAG02004510004	PA Department of Transportation District 5-0 1002 Hamilton St. Allentown, PA 18101	Brodhead Creek, TSF, MF	Monroe Co. Conservation Dist. 570-629-3060
Franklin Township York County	PAG2006710007	Glenn Worgan Highland Park Housing, LP 722 Yorklyn Road, Suite 350 Hockessin, DE 19707	UNT to North Branch Bermudian Creek/WWF	York County Conservation District 118 Pleasant Acres Road York, PA 17402-8984 717-840-7430
Fairview Township York County	PAG2006708024-1	B.C. Desai Hari Ohm Hospitality 148 Sheraton Drive Harrisburg, PA 17070	Yellow Breeches Creek/ CWF	York County Conservation District 118 Pleasant Acres Road York, PA 17402-8984 717-840-7430

NOTICES

6025

<i>Facility Location: Municipality &amp; County</i>	<i>Permit No.</i>	<i>Applicant Name &amp; Address</i>	<i>Receiving Water / Use</i>	<i>Contact Office &amp; Phone No.</i>
East Manchester Township York County	PAG2006708004	James L. Craft JJ Two, L.P. 2780 York Haven Road P. O. Box 8 York Haven, PA 17370	Hartman Run/ WWF	York County Conservation District 118 Pleasant Acres Road York, PA 17402-8984 717-840-7430
Bethel Township Lebanon County	PAG2003810022	Ray Funck 425 Gravel Hill Road Palmyra, PA 17078	Beach Run-UNT to Beach Run/ WWF	Lebanon County Conservation District 2120 Cornwall Road, Suite 5 Lebanon, PA 17042 717-272-3908, Ext 4
Annville Township Lebanon County	PAG2003810015	Don Santostefano Lebanon Valley College 101 College Avenue Annville, PA 17003	Quittapahilla Creek/ TSF	Lebanon County Conservation District 2120 Cornwall Road, Suite 5 Lebanon, PA 17042 717-272-3908, Ext 4
Lebanon City Lebanon County	PAG2003810020	Gordon Kirkessner City of Lebanon 400 South Eighth Street Lebanon, PA 17042	Quittapahilla Creek/ TSF-MF	Lebanon County Conservation District 2120 Cornwall Road, Suite 5 Lebanon, PA 17042 717-272-3908, Ext 4
Heidelberg Township Millcreek Township Lebanon County	PAG2003810017	Glendon Horst 255 Millbach Road Newmanstown, PA 17073	UNT to Mill Creek/ TSF	Lebanon County Conservation District 2120 Cornwall Road, Suite 5 Lebanon, PA 17042 717-272-3908, Ext 4
Turbot Township Northumberland County	PAG2004910015	Community Mennonite Fellowship Church 2985 Broadway Rd Milton, PA 17847-7864	Limestone Run WWF	Northumberland County Conservation District RR 3, Box 238-C Sunbury, PA 17801 (570) 286-7114, X 4
Middleburg Borough Snyder County	PAG2005508008R	568 E Main St Middleburg, PA 17842	Middle Creek CWF	Snyder County Conservation District 403 West Market Street Middleburg, PA 17842 (570) 837-0007, X 5
Mifflinburg Borough Union County	PAG2006010010	Mifflinburg Area School District 178 Maple Street Mifflinburg, PA 17844	UNT to Buffalo Creek CWF	Union County Conservation District Union County Government Center 155 North 15th Street Lewisburg, PA 17837 (570) 524-3860

*General Permit Type—PAG-3*

<i>Facility Location: Municipality &amp; County</i>	<i>Permit No.</i>	<i>Applicant Name &amp; Address</i>	<i>Receiving Water / Use</i>	<i>Contact Office &amp; Phone No.</i>
Lower Saucon Twp. Northampton County	PAR502205	IESI Bethlehem Landfill	Unnamed Tributary to E. Branch of Saucon Creek, Lehigh River	PA DEP Northeast Regional Office 2 Public Square Wilkes Barre, PA 18701-1915 570-826-2511

*Facility Location:  
Municipality &  
County*Patton Township  
Centre County*Permit No.*

PAR214825

*Applicant Name &  
Address*Essroc Ready Mix Inc.  
123 Hawbaker Industrial  
Drive  
State College, PA 16803*Receiving  
Water / Use*Unnamed Tributary  
of Big Hollow—  
9-C*Contact Office &  
Phone No.*DEP Northcentral  
Regional Office  
Water Management  
208 W Third Street  
Suite 101,  
Williamsport, PA  
17701-6448  
570.327.0532Mount Carmel  
Borough,  
Northumberland  
County

PAR144804

International Paper Company  
2164 Locust Gap Highway  
Mount Carmel, PA 17851Shamokin and  
Locust Creek,  
CWFDEP Northcentral  
Regional Office  
Water Management  
208 W Third Street  
Suite 101,  
Williamsport, PA  
17701-6448  
570.327.0532*General Permit Type—PAG-4**Facility Location &  
Municipality*York County /  
Springettsbury  
Township*Permit No.*

PAG043904

*Applicant Name &  
Address*Stephen J. and Genevieve  
Moore  
4350 Old Orchard Road  
York, PA 17402*Receiving  
Water / Use*UNT Kreutz Creek /  
CWF*Contact Office &  
Phone No.*DEP—SCRO  
909 Elmerton Avenue  
Harrisburg, PA 17110  
717-705-4707McKean Township  
Erie County

PAG041002

Stanley F. Slabic  
9570 Tileyard Road  
Waterford, PA 16441-3338Unnamed Tributary  
to Elk Creek  
15DEP  
NWRO  
Water Management  
230 Chestnut Street  
Meadville, PA  
16335-3481  
814/332-6942Elk Creek Township  
Erie County

PAG041006

John D. Ferguson &  
Paula Morgan  
590 Wakefield Court  
Naperville, IL 60563Unnamed Tributary  
to Little Elk Creek  
15DEP  
NWRO  
Water Management  
230 Chestnut Street  
Meadville, PA  
16335-3481  
814/332-6942*General Permit Type—PAG-7**Facility Location &  
Municipality*Licking Creek and  
Todd Townships  
Fulton County*Permit No.*PAG070003  
PAG070005  
PAG073508*Applicant Name &  
Address*Synagro  
1605 Dooley Rd.  
PO Box B  
Whiteford, MD 21160*Site Name &  
Location*Hess Family Trust  
Farm  
Licking Creek and  
Todd Townships  
Fulton County*Contact Office &  
Phone No.*DEP-SCRO  
909 Elmerton Avenue  
Harrisburg, PA  
17110-8200  
717-705-4707*General Permit Type—PAG-8**Facility Location:  
Municipality &  
County*Manor Township  
Lancaster County*Permit No.*

PAG083556

*Applicant Name &  
Address*Lancaster Area Sewer  
Authority  
130 Centerville Rd.  
Lancaster, PA 17603-4007*Site Name &  
Location*Lancaster Area  
Sewer Authority  
Susquehanna Waer  
Pollution Control  
Facility  
4160 Blue Rock Rd.  
Washington Boro,  
PA 17582*Contact Office &  
Phone No.*DEP-SCRO  
909 Elmerton Avenue  
Harrisburg, PA  
17110-8200  
717-705-4707

*General Permit Type—PAG-8 (SSN)**Facility Location:  
Municipality &  
County*Licking Creek and  
Todd Townships  
Fulton County*Permit No.*PAG080002  
PAG080003  
PAG080004  
PAG080008  
PAG080018  
PAG082203  
PAG082211  
PAG083501  
PAG083502  
PAG083506  
PAG083510  
PAG083515  
PAG083517  
PAG083518  
PAG083522  
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PAG083540  
PAG083542  
PAG083547  
PAG083551  
PAG083556  
PAG083565  
PAG083567  
PAG083573  
PAG083596  
PAG083597  
PAG083600  
PAG083825  
PAG089903  
PAG089904  
PAG089905  
PABIG9903  
WMGR-099*Applicant Name &  
Address*Synagro  
1605 Dooley Road  
PO Box B  
Whiteford, MD 21160*Site Name &  
Location*Hess Family Trust  
Farm  
Licking Creek and  
Todd Townships  
Fulton County*Contact Office &  
Phone No.*DEP-SCRO  
909 Elmerton Avenue  
Harrisburg, PA  
17110-8200  
717-705-4707*General Permit Type—PAG-9**Facility Location &  
County/Municipality*Rapho Township  
Lancaster County*Permit No.*

PAG093533

*Applicant Name &  
Address*Ridgewood Manor  
Mobile Home Park Inc.  
98 Breneman Rd.  
Manheim, PA 17545*Site Name &  
Location*Ridgewood Manor  
Mobile Home Park  
98 Breneman Rd.  
Manheim, PA 17545*Contact Office &  
Phone No.*DEP-SCRO  
909 Elmerton Avenue  
Harrisburg, PA  
17110-8200  
717-705-4707*General Permit Type—PAG-12**Facility Location &  
Municipality*Lancaster County /  
East Donegal  
Township*Permit No.*

PAG123661

*Applicant Name &  
Address*Lamar Moyer  
180 Endsloew Road  
Marietta, PA 17547*Receiving  
Water/Use*UNT Susquehanna  
River -  
WWF*Contact Office &  
Phone No.*DEP—SCRO—  
Watershed Management  
Program  
909 Elmerton Avenue  
Harrisburg, PA 17110  
717-705-4802Franklin County /  
Warren Township

PAG123693

Jeff Funk  
Funk Farms CAFO  
18255 Fort Davis Road  
Mercersburg, PA 17236UNT Little Cove  
Creek -  
CWFDEP—SCRO—  
Watershed Management  
Program  
909 Elmerton Avenue  
Harrisburg, PA 17110  
717-705-4802

<i>Facility Location &amp; Municipality</i>	<i>Permit No.</i>	<i>Applicant Name &amp; Address</i>	<i>Receiving Water/Use</i>	<i>Contact Office &amp; Phone No.</i>
Berks County / Penn Township	PAG123587	Mary Ann Rutt Farm CAFO 524 North Garfield Road Bernville, PA 19506	UNT Blue Marsh Reservoir - TSF	DEP—SCRO— Watershed Management Program 909 Elmerton Avenue Harrisburg, PA 17110 717-705-4802

## PUBLIC WATER SUPPLY PERMITS FINAL ACTIONS

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

Any person aggrieved by these actions may appeal, pursuant to Section 4 of the Environmental Hearing Board Act, 35 P.S. § 7514, and the Administrative Agency Law, 2 Pa.C.S. Chapter 5A, 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 Board through the Pennsylvania Relay Service, 800-654-5984. Appeals must be filed with the Environmental Hearing 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 decisional law.

If you want to challenge this action, your appeal must reach the board within 30 days. You do not need a lawyer to file an appeal with the Board.

Important legal rights are at stake, however, so you should show this document to a lawyer at once. If you cannot afford a lawyer, you may qualify for free pro bono representation. Call the secretary to the Board (717-787-3483) for more information.

### SAFE DRINKING WATER

#### Actions taken under the Pennsylvania Safe Drinking Water Act (35 P. S. 721.1—721.17)

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

**Operations Permit 1510511** issued to: **Superior Water Company**, 1885 Swamp Pike, Gilbertsville, PA 19525

(PWSID# 1150547) **North Coventry Township, Chester County** on June 02, 2010, for operation of Facilities approved under construction permit # 1509516 for operations to Suburbia Shopping Center Water System located at North Coventry Township, **Chester County**.

**Operations Permit 4610518** issued to: **Audubon Water Company**, 2650 Eisenhower Avenue, Norristown, PA 19403

(PWSID# 1460055) **North Coventry Township, Chester County** on July 7, 2010, for operations Facilities approved under construction permit # 4603503 for

operations to Well No. AWC-14 and Air Stripper located at Lower Providence Township, **Montgomery County**.

**Operations Permit 4610530** issued to: **Schwenksville Borough Authority**, 298 Main Street, Schwenksville, PA 19473.

(PWSID# 1460042) **Schwenksville Borough, Chester County** on July 13, 2010, for operations to Sodium Hypochlorite Feed Systems at Well Nos. 7 and 3 located Schwenksville Borough, **Montgomery County**.

**Operations Permit 0910529** issued to: **Richland Township Water Authority**, 1328 California Road, Suite-D, Quakertown, PA 18951.

(PWSID# 1090134) **Richland Township, Bucks County** on August 30, 2010, for operation of Facilities approved under construction permit # 0908514 for operations to Quakertown Christian School Well No. 1 located at Richland Township, **Bucks County**.

**Operations Permit 4610528** issued to: **Andorra Spring Water Company**, 2201 Barron Hill Road, Conshohocken, PA 19428

(PWSID# 1466020) **Whitemarsh Township, Montgomery County** on September 20, 2010, for operations of Facilities approved under construction permit # 4610528 for operations to BWV-100 Water Vending Machines at Andorra Springs Water Company located at Whitemarsh Township, **Montgomery County**.

**Operations Permit 4610519** issued to: **Aqua Pennsylvania, Inc.**, 762 West Lancaster Avenue, Bryn Mawr, PA 19010

**Perkiomeen Township, Montgomery County** on July 20, 2010, for operations Facilities to Rahn Well No. 1 New Pump at Aqua Pennsylvania, Inc. located at Perkiomen Township, **Montgomery County**.

**Operations Permit 0910527** issued to: **Tinicum Elementary School**, 162 E. Dark Hollow Road, Pipersville, PA 18947.

(PWSID# 1091299) **Tinicum Township, Bucks County** on August 20, 2010, for operation of Facilities approved under construction permit # 0910515 for operations to Tinicum Elementary School Well located at Tinicum Township **Bucks County**.

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

**Permit No. Minor Amendment—Operation Public Water Supply.**

Applicant	<b>Blossburg Municipal Authority</b>
[Township or Borough]	Blossburg Borough
County	<b>Tioga</b>

Responsible Official Mr. Daniel L. Grinnell  
Blossburg Municipal Authority  
245 Main Street  
Blossburg, PA 16901

Type of Facility Public Water Supply—Operation

Consulting Engineer N/A

Permit Issued Date September 30, 2010

Description of Action 4-log inactivation of viruses at Entry Point 102 (Sportsman Club Well).

**Permit No. Minor Amendment—Operation** Public Water Supply.

Applicant **United Water Pennsylvania, Inc.**

[Township or Borough] Town of Bloomsburg

County **Columbia**

Responsible Official Mr. John D. Hollenbach  
United Water Pennsylvania, Inc.  
4211 East Park Circle  
Harrisburg, PA 17111

Type of Facility Public Water Supply—Operation

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

Permit Issued Date September 29, 2010

Description of Action Operation of the chemical feed system at the Irondale water treatment plant to feed DelPAC 2020 coagulant.

**Permit No. 1709505—Operation** Public Water Supply.

Applicant **Pennsylvania American Water Company**

[Township or Borough] Wallaceton Borough

County **Clearfield**

Responsible Official Mr. David R. Kaufman  
Vice President Engineering  
Pennsylvania American Water Company  
800 West Hershey Park Drive  
Hershey, PA 17033

Type of Facility Public Water Supply—Operation

Consulting Engineer Joel A. Mitchell, P. E.  
Project Manager  
Pennsylvania American Water Company  
852 Wesley Drive  
Mechanicsburg, PA 17055

Permit Issued Date September 30, 2010

Description of Action Operation of the new 136,000 gallon, glassed-lined Wallaceton water storage tank, which has been constructed to replace the former 80,000 gallon water storage tank.

**Permit No. Minor Amendment (4189509-T1)—Construction and Operation** Public Water Supply.

Applicant **Tiadaghton View Mobile Home Park**

[Township or Borough] Upper Fairfield Township

County **Lycoming**

Responsible Official Mr. Frank Perano  
GSP Management Company  
P. O. Box 677  
Morgantown, PA 19543

Type of Facility Public Water Supply—Construction and Operation

Consulting Engineer James Cieri, P. E.  
Act One Consultants, Inc.  
200 S. 41st Street, Suite A  
Harrisburg, PA 17111

Permit Issued Date October 1, 2010

Description of Action Rehabilitation of Well No. 2.

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

**Permit No.2009507**, Public Water Supply

Applicant **Saegertown Borough**

Township or Borough Saegertown Borough

County **Crawford County**

Type of Facility Public Water Supply

Consulting Engineer Bruce D. Patterson, PE

Permit to Construct Issued 07/29/2010

**Transfer of Operations Permit** issued to **ILSCO Extrusions Inc.**, PWSID #6431090, Sugar Grove Township, **Mercer County** on October 4, 2010. Action is for change in ownership; the potable water supplier will do business as ILSCO Extrusions Inc. Potable water supply will be operated in accordance with operation permit 4307502, issued May 29, 2008. The new permit number is 4307502-T1.

**SEWAGE FACILITIES ACT PLAN APPROVAL**

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

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

*Plan Location:*

<i>Borough or Township</i>	<i>Borough or Township Address</i>	<i>County</i>
Troutville Borough	PO Box 81 Sykesville, PA 15866-0081	Clearfield

*Plan Description:* The approved plan provides for sewers to serve 91 homes in Troutville Borough and 71 homes nearby in Brady Township. The new low pressure sewer system will collect and transport the sewage to the existing Sykesville Sewage Treatment Plant for treatment. The Department's review of the sewage facilities update revision has not identified any significant environmental impacts resulting from this proposal. Any required NPDES Permits or WQM Permits must be obtained in the name of the municipality or authority as appropriate.

## LAND RECYCLING AND ENVIRONMENTAL REMEDIATION

UNDER ACT 2, 1995

### PREAMBLE 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) requires the Department of Environmental Protection (Department) to publish in the *Pennsylvania Bulletin* a notice of its 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 non-residential 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 reuse 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, please contact the Environmental Cleanup Program Manager in the Department of Environmental Protection Regional Office under 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 listed. TDD users may telephone the Department through the AT&T Relay Service at (800) 654-5984.

The Department has received the following plans and reports:

*Northeast Region: Environmental Cleanup Program, 2 Public Square, Wilkes-Barre, PA 18701-1915.*

**Packerton Yards**, Intersection of Packerton Hollow Road & Route 209, Mahoning Township, **Carbon County**. James J. Koval, HDR Engineering, Inc., 1720

Spillman Drive, Bethlehem, PA 18015 submitted a combined Remedial Investigation Report/Cleanup Plan/Final Report (on behalf of his client, Carbon County Office of Economic Development, P. O. Box 291, Jim Thorpe, PA 18229), concerning the remediation of soil found to have been impacted by lead, arsenic, selenium, and benzo (a) pyrene. The Remedial Investigation Report and Cleanup Plan sections of the combined report were submitted in partial fulfillment of the Site-Specific Standard for soils within the Business Park area, which is located in northern part of the site, and were approved on September 28, 2010.

**Krause Dodge**, 4315 Route 309 and 4309 Carl Street, North Whitehall Township, **Lehigh County**. James J. Koval, HDR Engineering, Inc., 1720 Spillman Drive, Suite 280, Bethlehem, PA 18015 submitted a Final Report (on behalf of his client, Paul Kobal, P. O. Box 192, Schnecksville, PA 18078), concerning the remediation of soil found to have been impacted by lead as a result of historical operations at the site, which included the operation of a former service station. The report was submitted to document attainment of the Residential Statewide Health Standard for soil and was approved on September 29, 2010.

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

**East Penn Manufacturing / Western Ore Pit**, Richmond Township, **Berks County**. AECOM Technical Services Inc., 2 Market Plaza Way, Mechanicsburg, PA 17055, on behalf of East Penn Manufacturing, Deka Road, Lyon Station, PA, 19536, submitted a Site-Specific Combined Remedial Investigation Report and Cleanup Plan concerning the remediation of soil contaminated with lead. The Report and Plan were approved by the Department on September 30, 2010.

**Former Pinto Tract**, South Middleton Township, **Cumberland County**. Alternative Environmental Solutions, Inc., 480 New Holland Ave., Ste. 8203, Lancaster, PA 17602-2292, on behalf of LIT Industrial Limited Partnership, 2650 Cedar Springs Rd., Ste. 850, Dallas, TX 75201, submitted a Remedial Investigation Report / Final Report concerning the remediation of site groundwater contaminated with chlorinated solvents. The Final Report demonstrated attainment of the Site-Specific standard, and was approved by the Department on September 30, 2010.

**20 Miller Road**, Providence Township, **Lancaster County**. GCI Environmental Services, 1250 East King St., Lancaster, PA 17602, on behalf of William Osburn, 7720 Newport Rd., Catawba, VA 24070, submitted a Final Report concerning the remediation of site groundwater contaminated with Fuel Oil No. 2. The Final Report demonstrated attainment of the residential Statewide Health standard, and was approved by the Department on September 30, 2010.

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

**YTI McKees Rocks**, McKees Rocks Borough, **Allegheny County**. GZA GeoEnvironmental, Inc., 501 Office Center Drive, Suite 220, Fort Washington, Pennsylvania 19034 on behalf of YRC North American transportation, 10990 Roe Avenue, Overland Park, Kansas 66211 has submitted a Baseline Remedial Investigation Work Plan for the above mentioned site. The Baseline Remedial Investigation Work Plan was submitted on July 6, 2010

with additional information submitted on September 1, 2010. The report was approved by the Department on September 24, 2010.

### RESIDUAL WASTE GENERAL PERMITS

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

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

**General Permit Application No. WMGR123. Hydro Recovery, LP, 7 Riverside Plaza, Blossburg, PA 16912.**

General Permit Numbered WMGR123 is for the processing of wastewater (i.e., flow back gas well water - frac water) from various Marcellus Shale gas drilling operations at the Hydro Recovery Hydraulic Stimulation Fluid (HSF) Manufacturing facility, to be located in the Blossburg Borough, **Tioga County**. The processing treats High Total Dissolved Solids Fluids (HTDSF) flow back wastewater in the production of HSF, without a discharge, that will be sold for reuse in the extraction of natural gas from various Marcellus Shale oil drilling operations. This residual waste general permit was issued by the Central Office on October 4, 2010.

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

### OPERATE WASTE PROCESSING OR DISPOSAL AREA OR SITE

**Permit(s) issued under the Solid Waste Management Act, of July 7, 1980, P.L. 380, 35 P.S. §§ 6018.101—6018.1003, the Municipal Waste Planning, Recycling and Waste Reduction Act (53 P.S. §§ 4000.101—4000.1904) and Regulations to Operate Solid Waste Processing or Disposal Area or Site.**

*Southwest Regional Office, Regional Solid Waste Manager, 400 Waterfront Drive, Pittsburgh, PA 15222-4745, Telephone 412.442.4000.*

**Permit ID No. 300657. Route 356 Landfill, 100 River Road, Brackenridge, PA 15014.** Permit renewal of a residual waste landfill in Allegheny Township, **Westmoreland County**, was issued in the Regional Office on September 27, 2010.

**Permit(s) Renewal Issued Under the Solid Waste Management Act (35 P. S. §§ 6018.101—6018.1003), the Municipal Waste Planning, Recycling and Waste Reduction Act (53 P. S. §§ 4000.101—4000.1904) and Regulations to Operate Solid Waste Processing or Disposal Area or Site.**

*Northwest Region: Regional Solid Waste Manager, 230 Chestnut Street, Meadville, PA 16335-3481*

**Permit Application No. 100403. Seneca Landfill, Inc., 421 Hartmann Road, Evans City, PA 16033, Jackson and Lancaster Townships, Butler County.** The application was for a permit renewal to extend the life of the permit for another seven (7) years. No changes were made to the operational conditions or volumes of waste accepted. The permit was issued by the Northwest Regional Office on October 4, 2010.

### AIR QUALITY

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

*Northcentral Region: Air Quality Program, 208 West Third Street, Williamsport, PA 17701*

*Contact: Muhammad Q. Zaman, Environmental Program Manager—Telephone: 570-327-3648*

**GP3-08-316: Calvin C. Cole, Inc. (27321 Route 220, Milan, PA 18831)** on September 15, 2010, to construct and operate four (4) portable non-metallic mineral crushers, two (2) screeners, and three (3) conveyors all with associated water spray dust suppression systems pursuant to the General Plan Approval And/Or General Operating Permit For Portable Nonmetallic Mineral Processing Plants (BAQ-PGPA/GP-3) at their Bradford County Quarry facility in Burlington Borough, **Bradford County**.

**GP9-08-316: Calvin C. Cole, Inc. (27321 Route 220, Milan, PA 18831)** on September 15, 2010, to construct and operate two (2) diesel-fired engines each rated at 245 brake horsepower (bhp) and one 300 bhp diesel-fired engine pursuant to the General Plan Approval and /or General Operating Permit BAQ-GPA/GP-9: Diesel or #2 fuel-fired Internal Combustion Engines, at thir Bradford County Quarry facility in Burlington Borough, **Bradford County**.

**GP11-08-316: Calvin C. Cole, Inc. (27321 Route 220, Milan, PA 18831)** on September 15, 2010, to operate a 300 brake horsepower diesel-fired engine pursuant to the General Plan Approval and General Operating Permit for Non-road Engine(s) (BAQ-GPA/GP-11), at their Bradford County Quarry facility in Burlington Borough, **Bradford County**.

**GP3-41-634: E&J Construction, LLC (1842 Masten Road, Canton, PA 17724)** on September 20, 2010, to construct and operate a portable non-metallic mineral jaw crusher and a portable non-metallic vibratory screen with associated water spray dust suppression systems pursuant to the General Plan Approval And/Or General Operating Permit For Portable Nonmetallic Mineral Processing Plants (BAQ-PGPA/GP-3) at their Minnier Quarry in McNett Township, **Lycoming County**.

**GP9-41-634: E&J Construction, LLC (1842 Masten Road, Canton, PA 17724)** on September 20, 2010, to construct and operate one Caterpillar Model C-9 diesel-fired engine with a rating of 350 brake horsepower (bhp) and one Caterpillar model C4.4 with a rating of 100.6 bhp pursuant to the General Plan Approval and /or General Operating Permit BAQ-GPA/GP-9: Diesel or #2 fuel-fired Internal Combustion Engines at their Minnier Quarry in McNett Township, **Lycoming County**.

**GP3-59-210: New Enterprise Stone & Lime Co., Inc. (P. O. Box 77, New Enterprise, PA 16664)** on Septem-



ber 21, 2010, to construct and operate a portable non-metallic mineral crusher and a portable non-metallic mineral conveyor with associated water spray dust suppression systems pursuant to the General Plan Approval And/Or General Operating Permit For Portable Nonmetallic Mineral Processing Plants (BAQ-PGPA/GP-3) at their Tioga Quarry located in Middlebury Township, **Tioga County**.

**GP9-59-210: New Enterprise Stone & Lime Co., Inc.** (P. O. Box 77, New Enterprise, PA 16664) on September 21, 2010, to construct and operate one Caterpillar Model 3508 diesel-fired engine with a rating of 1,089 brake horsepower (bhp) pursuant to the General Plan Approval and /or General Operating Permit BAQ-GPA/GP-9: Diesel or #2 fuel-fired Internal Combustion Engines at their Tioga Quarry in Middlebury Township, **Tioga County**.

**GP3-14-334: R. S. Services** (119 Falls Road, Beech Creek, PA 16822) on September 21, 2010, to construct and operate a portable non-metallic mineral jaw crusher and a portable non-metallic mineral vibratory screen with associated water spray dust suppression systems pursuant to the General Plan Approval And/Or General Operating Permit For Portable Nonmetallic Mineral Processing Plants (BAQ-PGPA/GP-3) at a facility in Snow Shoe Township, **Centre County**

**GP11-14-334: R. S. Services** (119 Falls Road, Beech Creek, PA 16822) on September 21, 2010, to construct and operate one Deutz model BF6M1015C diesel-fired engine with a rating of 366 brake horsepower (bhp) and one Deutz model BF4M2012 diesel-fired engine with a rating of 100 bhp pursuant to the General Plan Approval And/Or General Operating Permit (BAQ-GPA/GP-11): Nonroad Engines at a facility in Snow Shoe Township, **Centre County**.

**GP5-08-317: Appalachia Midstream Services, LLC.** (PO Box 54382, Oklahoma City, OK 73154-1382) on September 23, 2010, to construct and operate two (2) tri-ethylene glycol dehydrators each rated at 50.6 MMscf/day with TEG reboilers (each rated at 1.0 MMBtu/hr) under the General Plan Approval and/or General Operating Permit for Natural Gas, Coal Bed Methane Or Gob Gas Production Or Recovery Facilities (BAQ-GPA/GP-5) at their Marshview Compressor Station in Asylum Township, **Bradford County**.

**GP5-14-300A: EXCO Resources (PA), Inc.** (3000 Ericsson Drive, Suite 200, Warrendale, PA 15086) on September 28, 2010, to construct and operate one natural gas-fired compressor engine rated at 1,340 brake-horsepower and one 15 million standard cubic feet per day glycol dehydrator equipped with a 750,000 Btu/hr regenerator under the General Plan Approval and/or General Operating Permit for Natural Gas, Coal Bed Methane Or Gob Gas Production Or Recovery Facilities (BAQ-GPA/GP-5) at the Confer Compressor Station in Burnside Township, **Centre County**.

**GP3-08-321: Simonds Excavating, Inc.** (301 Shepard Road, Sayre, PA 18840) on September 28, 2010, to construct and operate three (3) portable non-metallic mineral crushers, three (3) portable non-metallic screeners, and three (3) portable non-metallic mineral conveyors with associated water spray dust suppression systems pursuant to the General Plan Approval And/Or General Operating Permit For Portable Nonmetallic Mineral Processing Plants (BAQ-PGPA/GP-3) at White's Quarry in Stevens Township, **Bradford County**.

**GP9-08-321: Simonds Excavating, Inc.** (301 Shepard Road, Sayre, PA 18840) on September 28, 2010, to construct and operate two Caterpillar Model C-9 diesel-fired engines with a rating of 300 brake horsepower (bhp), one Caterpillar Model C-12 diesel-fired engine with a rating of 425 brake horsepower (bhp), one Caterpillar model C4.4 with a rating of 129.4 bhp, and two Deutz model BF4M1012C diesel-fired engines rated at 110 bhp pursuant to the General Plan Approval and /or General Operating Permit BAQ-GPA/GP-9: Diesel or #2 fuel-fired Internal Combustion Engines at White's Quarry in Stevens Township, **Bradford County**.

**GP5-59-193A: Ultra Resources, Inc.** (304 Inverness Way South, Suite 295, Englewood, CO 80112) on September 28, 2010, to construct and operate of a 330 brake horsepower natural gas-fired compressor engine with catalytic converter, and to incorporate four (4) natural gas-fired line heaters each rated at 0.75 MMBtu/hr, four (4) natural gas-fired glycol reboilers each rated at 0.085 MMBtu/hr, four (4) glycol still vent combustors each rated at approximately 0.57 MMBtu/hr, and four (4) glycol dehydrators under the General Plan Approval and/or General Operating Permit for Natural Gas, Coal Bed Methane Or Gob Gas Production Or Recovery Facilities (BAQ-GPA/GP-5) at the Kjelgaard Compressor Station in Gaines Township, **Tioga County**.

**GP5-08-306A: Appalachia Midstream Services, L.L.C.** (P. O. Box 54382, Oklahoma City, OK 73154) on September 29, 2010, to construct and operate one 650 bhp natural-gas fired rich-burn emergency generator under the General Plan Approval and/or General Operating Permit for Natural Gas, Coal Bed Methane Or Gob Gas Production Or Recovery Facilities (BAQ-GPA/GP-5) at the Granville #2 Station in Granville Township, **Bradford County**.

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

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*Northcentral Region: Air Quality Program, 208 West Third Street, Williamsport, PA 17701*

*Contact: Muhammad Q. Zaman, Environmental Program Manager—Telephone: 570-327-3648*

**41-00081A: East Lycoming School District** (349 Cemetery Street, Hughesville, PA 17737-1028) on August 30, 2010, to construct a biomass boiler at their East Lycoming School District educational complex in Hughesville, **Lycoming County**.

**41-302-050A: Wirerope Works, Inc.** (100 Maynard Street, Williamsport, PA 17701) on September 3, 2010, to incorporate revised emission limitations, monitoring, recordkeeping, reporting, work practice, and additional requirements for each of the anthracite coal-fired boilers at their facility in the City of Williamsport, **Lycoming County**.

**17-00017C: Rescar, Inc.** (407 West Brentwood Street, Channelview, PA 77530-3952) on September 29, 2010, to construct an abrasive blasting operation at their facility in DuBois, **Clearfield County**.

*Southwest Region: Air Quality Program, 400 Waterfront Drive, Pittsburgh, PA 15222-4745*

*Contact: Mark Gorog and Barb Hatch, Environmental Engineer Managers—Telephone: 412-442-4163/5226*

**PA-30-00936C: EQT Mark West Liberty Midstream and Resources, LLC** (Tower 2, Suite 700, 1515 Arapahoe Street, Denver, CO, 80202) on September 30, 2010, to allow construction of one (1) New Stabilizer and Depropanizer with a 148.0 MMBTU/hr burner and one (1) New Depropanizer with a 7.6 MMBTU/hr regenerator heater at the Houston Gas Processing Plant, in Chartiers Township, **Washington County**.

**32-00055G: EME Homer City Generation, LP** (1750 Power Plant Road, Homer City, PA 15748) on October 1, 2010, to construct and begin initial operation of activated carbon injection (ACI) systems to control mercury emissions from boiler Units 1 & 2 at Homer City Generating Station in Black Lick and Center Townships, **Indiana County**.

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

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*Northcentral Region: Air Quality Program, 208 West Third Street, Williamsport, PA 17701*

*Contact: Muhammad Q. Zaman, Environmental Program Manager—Telephone: 570-327-3648*

**08-00002C: E.I. DuPont de Nemours Co.** (Patterson Boulevard, Towanda, PA 18848) on August 26, 2010, to authorize the construction and operation of a thermal color coater (No. 11 Coater) and associated air cleaning device (a regenerative thermal oxidizer) until February 22, 2011 in North Towanda Township, **Bradford County**. The plan approval has been extended.

**53-399-008: PA Pellets, LLC** (958 SR 49 West, Ulysses, PA 16948) on September 8, 2010 to extend the authorization to operate a wood-fired rotary wood chip dryer and associated air cleaning device (multiclone collector), two (2) pellet mills, a hammermill and associated air cleaning device (fabric collector), a pellet cooler and associated air cleaning device (cyclone collector), two (2) dried wood chip storage bins and one wood pellet storage bin on a temporary basis until March 5, 2011, at their facility in Ulysses Borough, **Potter County**. The plan approval has been extended.

**59-00017A: Hitachi Metals Automotive Components USA, LLC** (PO Box 68, Blossburg, PA 16912-0068) on September 13, 2010, to extend the authorization to operate a phenolic urethane cold box core-making machine on a temporary basis until March 10, 2011, at their facility in Lawrence Township, **Tioga County**.

**59-00005G: Dominion Transmission, Inc.** (501 Martindale Street, Suite 400, Pittsburgh, PA 15212-5817) on September 19, 2010, to extend the authorization for construction of a 2,370 horsepower, natural gas-fired reciprocating internal combustion compressor engine controlled by a prechambered combustion system, an LE-54C air/fuel ratio controller and an EAS model EN4YE28 oxidation catalyst, for the construction of a 5,810 horsepower (49.98 million Btu per hour heat input), natural gas-fired compressor turbine, controlled by a dry low NOx (SoLoNOx) combustion system and a Universal Silencer oxidation catalyst and for the construction of eight 65

kilowatt model C65 NG Low NOx Capstone MicroTurbines, at the Sabinsville Station in Clymer Township, **Tioga County**.

**08-00002D: E.I. DuPont de Nemours Co.** (Patterson Boulevard, Towanda, PA 18848) on March 26, 2010, to utilize an existing regenerative thermal oxidizer (RTO) to control the air contaminant emissions from Sources P142, P150 and P159 at their Towanda facility in North Towanda Township, **Bradford County** to March 22, 2011. The plan approval has been extended.

**53-00005C: Dominion Transmission, Inc.** (445 West Main Street, Clarksburg, WV 26302-2450) on July 11, 2010, to limit the emission of fugitive volatile organic compounds from the Greenlick facility to January 7, 2011 located in Stewardson Township, **Potter County**. The plan approval has been extended.

*Southwest Region: Air Quality Program, 400 Waterfront Drive, Pittsburgh, PA 15222-4745*

*Contact: M. Gorog & B. Hatch, Environmental Engineer Managers—Telephone: 412-442-4163/5226*

**32-00059B: RRI Energy Northeast Management Co.—Conemaugh Power Plant** (121 Champion Way, Canonsburg, PA, 15317) on October 4, 2010, for an administrative amendment application to change the responsible official and telephone number for the plan approval in West Wheatfield Township, **Indiana County**. Also, a list of additional responsible officials has been added to the comments section of the plan approval.

**26-00579A: Tri-State Bio Fuels, LLC** (Thompson Recovery Road, Lemont Furnace, PA 15456) on October 1, 2010, for a plan approval extension with an expiration date of April 1, 2011, at their Lemont Pellet Plant, a wood pellet manufacturing plant in North Union Township, **Fayette County**. The plan approval has been extended.

**65-00016H: Latrobe Specialty Steel Co.** (2626 Ligonier Street, Latrobe, PA, 15650) on October 4, 2010, to extend the plan approval until a renewal Title V operating permit can be issued to incorporate the plan approval requirements in Latrobe, **Westmoreland County**. Extension of the plan approval has been approved until March 30, 2011. The plan approval has been extended.

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

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*Northcentral Region: Air Quality Program, 208 West Third Street, Williamsport, PA 17701*

*Contact: Muhammad Zaman, Environmental Program Manager—Telephone: 570-327-3648*

**53-00007: Dominion Transmission, Inc.** (501 Martindale St. Suite 400, Pittsburgh, PA 15212-5817) on August 30, 2010, to operate their State Line Compressor Station in Genesee 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.

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

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*Southeast Region: Air Quality Program, 2 East Main Street, Norristown, PA 19401*

*Contact: Janine Tulloch-Reid, Facilities Permitting Chief—Telephone: 484-250-5920*

**23-00103: Elwyn** (111 Elwyn Road, Elwyn, PA 19063) on October 1, 2010, for a Non-Title V Facility, State-Only, Synthetic Minor Permit in Middletown Township, **Delaware County**. Elwyn is a Residential Facility for the Mentally Challenged. The sources of emissions include boilers and emergency generators. The company took an emission limit of 24.9 tons per year of NO<sub>x</sub>. Monitoring, record keeping and reporting requirements have been added to the permit to address applicable limitations.

**09-00110: Riverside Construction Materials, Inc.** (7900 North Radcliffe Street, Bristol, PA 19007) on October 1, 2010, for renewal of the natural minor operating permit no. 09-00110 for the continued operation of their cement and bulk material handling processes in Bristol Township, **Bucks County**. There are no proposed changes to equipment or operating conditions. The Natural Minor Operating Permit will continue to contain monitoring, recordkeeping, and operating conditions designed to keep the facility operating within the allowable emissions and all applicable air quality requirements.

**23-00092: Abbonizio Recycling Corp.** (2900 West Front Street, Chester, PA 19013) on October 1, 2010, for renewal of a non-Title V, State Only Operating Permit in Chester Township, **Delaware County**. Abbonizio Recycling Corporation operates a 125 ton per hour, portable nonmetallic mineral crushing plant. There are no engines associated with the crusher. The only pollutant of concern is particulate matter (PM/PM-10/PM-2.5). This facility is categorized as a natural minor facility. The permit includes monitoring, record keeping and reporting requirements to address all applicable air quality requirements.

**09-00152: Gelest, Inc.** (11 East Steel Road, Morrisville, PA 19067) on October 1, 2010, for a State-Only, Natural Minor Permit in Falls Township, **Bucks County**. The Company has a specialty chemical operation with mainly seven (7) 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.

*Northcentral Region: Air Quality Program, 208 West Third Street, Williamsport, PA 17701*

*Contact: Muhammad Q. Zaman, Environmental Program Manager—Telephone: 570-327-3648*

**41-00035: Dynamic Surface Applications, Ltd.** (373 Village Road, Pennsdale, PA 17756) on September 13, 2010, issued a State Only operating permit for their facility in Muncy Township, **Lycoming County**. The facility's main source includes one (1) McCarter Inc. manufactured electrically operated BJ mixer. The State Only operating permit contains all applicable regulatory requirements including monitoring, recordkeeping and reporting conditions.

**41-00021: Buckeye Energy Services LLC** (Five TEK Park, 9999 Hamilton Boulevard, Breinigsville, PA 18031) on September 15, 2010, issued a State Only (Synthetic Minor) operating permit for their petroleum bulk storage and distribution (Williamsport Terminal) facility in Armstrong Township, **Lycoming County**. The facility's main sources include a seven (8) storage tanks and two loading racks. The State Only (Synthetic Minor) operating permit contains all applicable regulatory requirements including monitoring, recordkeeping and reporting conditions.

**49-00030: Sunbury Textile Mills, Inc.** (PO Box 768, Sunbury, PA 17801) on September 1, 2010, issued a State Only operating permit for their broadwoven cotton textile facility in City of Sunbury, **Northumberland County**. The facility's main sources include two (2) natural gas/#2 fuel oil fired boilers. The State Only operating permit contains all applicable regulatory requirements including monitoring, recordkeeping and reporting conditions.

**41-00056: Wenger's Feed Mill, Inc.** (101 West Harrisburg Avenue, P. O. Box 26, Rheems, PA 17570-0026) on September 28, 2010, issued a State Only operating permit for their Muncy Mill in Clinton Township, **Lycoming County**. The facility's main air contaminant sources include two (2) natural gas/#2 fuel oil-fired boilers and seventeen (17) grain processing operations. The State Only operating permit contains requirements including monitoring, recordkeeping and reporting conditions to ensure compliance with applicable Federal and State regulations.

*Northwest Region: Air Quality Program, 230 Chestnut Street, Meadville, PA 16335-3481*

*Contact: Matthew Williams, Facilities Permitting Chief—Telephone: 814-332-6940*

**10-00344: Fannie's Friends, Inc.** (352 Railroad Street, Evans City, PA 16033) on September 29, 2010, to perform animal cremations in Evans City Borough, **Butler County**. Emissions from this facility remain below major source levels.

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

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*Southeast Region: Air Quality Program, 2 East Main Street, Norristown, PA 19401*

*Contact: Janine Tulloch-Reid, Facilities Permitting Chief—Telephone: 484-250-5920*

**09-00157: Barrett Asphalt, Inc.** (Steel Road North, Morrisville, PA 19060) on October 1, 2010, for a Non-Title V Facility, State-Only, Synthetic Minor Operating Permit in Falls Township, **Bucks County**. Barrett Asphalt Inc. operates a Hot Mix Asphalt (HMA) plant, which operates on natural gas and utilizes No. 2 fuel as a backup fuel. This operating permit is being amended to correct two site-wide emission rates reported under Section F of the operating permit, specifically for NO<sub>x</sub> and VOC. The correct emission rate for NO<sub>x</sub> is 12.51 tons per 12-month rolling period. The correct emission rate for VOC is 10.84 tons per 12-month rolling period. The permit contains monitoring, recordkeeping, reporting, and work practice standards designed to keep the facility operating within all applicable air quality requirements.

## ACTIONS ON COAL AND NONCOAL MINING ACTIVITY APPLICATIONS

**Actions on applications under the Surface Mining Conservation and Reclamation Act (52 P. S. §§ 1396.1—1396.31); 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); 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 NPDES permit application and, if noted, the request for a Section 401 Water Quality Certification. Mining activity permits issued in response to such 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*

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

**33940102 and NPDES Permit No. PA0211923. Mahoning Mining, Inc.** (P. O. Box 44, New Bethlehem, PA 16242) Renewal of an existing bituminous strip and auger operation in Knox Township, **Jefferson County** affecting 101.0 acres. This renewal is issued for reclamation only. Receiving streams: Two unnamed tributaries to Lick Run. Application received: July 30, 2009. Permit Issued: September 28, 2010.

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

**17990118 and NPDES No. PA0242730. Swisher Contracting, Inc.** (P. O. Box 1223, Clearfield, PA 16830). Permit renewal for reclamation only of an existing bituminous surface and auger mine located in Lawrence Township, **Clearfield County** affecting 121.4 acres. Receiving streams: unnamed tributaries to Moose Creek, and Moose Creek classified for high quality cold water fisheries. There are no potable water supply intakes within 10 miles downstream. Application received: July 30, 2010. Permit issued: September 23, 2010.

**17060113 and NPDES No. PA0256471. Black Cat Coal, LLC** (107 West First Avenue, Clearfield, PA 16830). Transfer of an existing bituminous surface mine located in Brady Township, **Clearfield County** affecting 60.9 acres. Receiving streams: unnamed tributaries to Stump Creek classified for cold water fishery and unnamed tributary to Limestone Run classified for cold water fishery. There are no potable water supply intakes within 10 miles downstream. Application received: April 12, 2010. Permit issued: September 27, 2010.

**17030109 and NPDES No. PA0243515. Tamburlin Brothers Coal Co.** (P. O. Box 1419, Clearfield, PA 16830). Permit renewal of an existing bituminous surface mine located in Huston Township, **Clearfield County** affecting 147.5 acres. Receiving streams: Grapevine Run and Heath Run classified for cold water fisheries. Application received: June 14, 2010. Permit issued: September 8, 2010.

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

**19793201R5. Gilberton Coal Company,** (10 Gilberton Road, Gilberton, PA 17934), renewal of an existing anthracite coal refuse reprocessing operation in Conyngham Township, **Columbia County** affecting 3.4 acres, receiving stream: none. Application received: February 17, 2010. Renewal issued: September 28, 2010.

### *Noncoal Permits Actions*

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

**37050302. Quality Aggregates, Inc.** (4955 Steubenville Pike, Suite 245, Pittsburgh, PA 15205) Renewal of NPDES Permit No. PA042632 in Slippery Rock Township, **Lawrence County**, affecting 100.0 acres. Receiving streams: Unnamed tributaries to Slippery Rock Creek. Application received: August 12, 2010. Permit Issued: September 30, 2010.

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

**08102805. Insinger Excavating, Inc.** (3056 Dushore-Overton Road, Dushore, PA 18614), commencement, operation and restoration of a small noncoal (shale and bluestone) operation in Pike Township, **Bradford County** affecting 5.0 acres. Receiving stream(s): Unnamed Tributary to Gaylord Creek, North Branch Wyalusing Creek to Wyalusing Creek to Susquehanna River. Application received: June 11, 2010. Permit issued: September 23, 2010.

## ACTIONS ON BLASTING ACTIVITY APPLICATIONS

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

### *Blasting Permits Actions*

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

**24104018. Appalachian Geophysical Services, LLC** (2659 State Route 60, P. O. Box 426, Killbuck, OH 44637) Blasting Activity Permit for seismic exploration in Horton Township, **Elk County**. This Blasting Activity Permit will expire on October 31, 2010. Application received: September 27, 2010. Permit Issued: September 29, 2010.

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

**08104022. John Brainard** (3978 SR 2073, Kingsley, PA 18826). Blasting for a well pad located in Tuscarora Township, **Bradford County**. Permit issued: September 28, 2010. Permit expires: July 31, 2011.

**08104023. John Brainard** (3978 SR 2073, Kingsley, PA 18826). Blasting for a well pad located in Canton Township, **Bradford County**. Permit issued: September 28, 2010. Permit expires: July 31, 2011.

**08104125. Meshoppen Blasting, Inc.** (Frantz Road, P. O. Box 127, Meshoppen, PA 18630). Blasting for a well site located in Tuscarora Township, **Bradford County**. Permit issued: September 24, 2010. Permit expires: November 15, 2010.

**14104009. Dynamic Drilling, LLC** (10373 Taylor Hawks Road, Herron, MI 46744). Seismic exploration blasting for the RRC line 20 located in Snow Shoe Township, **Centre County**. Permit issued: September 15, 2010. Permit expires: December 30, 2010.

**14104011. Douglas Explosives, Inc.** (P. O. Box 77, Philipsburg, PA 16866). Construction blasting for the Rockview Prison SCI Project DGS 571-31 located in Benner Township, **Centre County**. Permit issued: September 23, 2010. Permit expires: September 20, 2011.

**53104008. Tesla-Conquest** (504 IST Center—Damiel, Zenker Drive, Horseheads, NY 14845). Seismic exploration blasting located in Ulysses Township, **Potter County**. Permit issued: September 21, 2010. Permit expires: August 14, 2011.

**41104007. Doug Wathen, LLC** (16208 State Highway 13, Suite 100, Branson West, MO 65616). Blasting for Renn to Deitrick & TLT Lateral Natural Gas Pipeline located in Jordan Township, **Lycoming County**. Permit issued: September 28, 2010. Permit expires: March 10, 2011.

**41104008. Doug Wathen, LLC** (16208 State Highway 13, Suite 100, Branson West, MO 65616). Blasting for Jenzano to Renn Natural Gas Pipeline located in Franklin and Jordan Townships, **Lycoming County**. Permit issued: September 28, 2010. Permit expires: March 10, 2011.

**41104111. Midstream Explosives, LLC** (289 Southside Drive, Newville, PA 17241). Blasting for Lone Walnut compressor station revised located in Cummings Township, **Lycoming County**. Permit issued: September 30, 2010. Permit expires: October 1, 2011.

**41104112. Midstream Explosives, LLC** (289 Southside Drive, Newville, PA 17241). Blasting for Breon compressor station revised located in Watson Township, **Lycoming County**. Permit issued: September 30, 2010. Permit expires: October 1, 2011.

**41104113. Midstream Explosives, LLC** (289 Southside Drive, Newville, PA 17241). Blasting for PVR Gathering Line Phase 1 pipeline located in Cummings, Mifflin and Watson Townships, **Lycoming County**. Permit issued: September 30, 2010. Permit expires: October 1, 2011.

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

**64104115. Holbert Explosives, Inc.**, (237 Mast Hope Plank Road, Lackawaxen, PA 18435), construction blasting for Runaway Farm in Berlin Township, **Wayne County** with an expiration date of September 20, 2011. Permit issued: September 28, 2010.

**22104112. Abel Construction Co., Inc.**, (P. O. Box 476, Mountville, PA 17554), construction blasting for Southpoint Meadows in Derry Township, **Dauphin County** with an expiration date of September 21, 2011. Permit issued: September 29, 2010.

**22104115. Maine Drilling & Blasting**, (P. O. Box 1140, Gardiner, ME 04345), construction blasting for Spring Hill Development in Swatara Township, **Dauphin County** with an expiration date of September 22, 2011. Permit issued: September 29, 2010.

**58104117. Hayduk Enterprises, Inc.**, (257 Riverside Drive, Factoryville, PA 18419), construction blasting for Fraiser 1V Well Pad in Forest Lake Township, **Susquehanna County** with an expiration date of September 30, 2011. Permit issued: September 30, 2010.

**58104118. Hayduk Enterprises, Inc.**, (257 Riverside Drive, Factoryville, PA 18419), construction blasting for Smith 7H—8H Well Pad in Springville Township, **Susquehanna County** with an expiration date of September 30, 2011. Permit issued: September 30, 2010.

**64104114. Hayduk Enterprises, Inc.**, (257 Riverside Drive, Factoryville, PA 18419), construction blasting for Stone Hedge Golf Course in Tunkhannock Township, **Wayne County** with an expiration date of September 30, 2011. Permit issued: September 30, 2010.

**22104114. Maine Drilling & Blasting**, (PO Box 1140, Gardiner, ME 04345), construction blasting for Hershey Next Century in Derry Township, **Dauphin County** with an expiration date of September 27, 2011. Permit issued: October 1, 2010.

## FEDERAL WATER POLLUTION CONTROL ACT SECTION 401

The Department of Environmental Protection 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 of Environmental Protection 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. §§ 1311—1313, 1316 and 1317, and that the construction will not violate applicable Federal and State Water Quality Standards.

Any person aggrieved by these actions may appeal, pursuant to Section 4 of the Environmental Hearing Board Act, 35 P. S. Section 7514, and the Administrative Agency Law, 2 Pa. C.S. Chapter 5A, 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 Board through the Pennsylvania Relay Service, 800-654-5984. Appeals must be filed with the Environmental Hearing Board within 30 days of publication of this notice in the *Pennsylvania Bulletin*, unless the appropriate statute provides a different time period. Copies of the appeal form and the Board's rules of practice and procedure may be obtained from the Board. The appeal form and the Board's rules of practice and procedure are also available in braille or on audiotape from the Secretary to the Board at 717-787-3483. This paragraph does not, in and of itself, create any right of appeal beyond that permitted by applicable statutes and decisional law.

If you want to challenge this action, your appeal must reach the Board within 30 days. You do not need a lawyer to file an appeal with the Board.

Important legal rights are at stake, however, so you should show this notice to a lawyer at once. If you cannot afford a lawyer, you may qualify for free pro bono representation. Call the secretary to the Board (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 Flood Plain Management Act (32 P. S. § 679.302) and the Clean Streams Law (35 §§ 691.1—691.702) and Notice of Final Action for Certification under Section 401 of the Federal Water Pollution Control Act (33 U.S.C. § 1341).**

*Permits, Environmental Assessments and 401 Water Quality Certifications Issued:*

**WATER OBSTRUCTIONS AND ENCROACHMENTS**

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

**E38-165: Crossings at Sweet Briar**, Clifford Weaver, President, Landmark Homes, 1767 W. Main St., Ephrata, PA 17522-1103, North Lebanon Township, **Lebanon County**, ACOE Baltimore District

To construct and maintain (1) dual 91-foot long, 6-inch depressed, 34-inch by 53-inch elliptical concrete culvert pipes, an 8-inch PVC sanitary sewer line and an 8-inch D1CL water line in and across an UNT to the Brandywine Creek (WWF), impacting 0.08 acres of PEM wetlands, (Lebanon, PA Quadrangle: 21.46 inches N, 3.29 inches W; Latitude: 40° 22' 5.44"N, Longitude: 76° 23' 55.15"W); (2) a 97-foot long, 6-inch depressed 42-inch diameter HDPE culvert pipe in an unnamed tributary to the Brandywine Creek (WWF), impacting 0.17 acres of PFO wetlands (Lebanon, PA Quadrangle: 21.60 inches N, 5.84 inches W; Latitude: 40° 22' 8.23"N, Longitude: 76° 24' 0.85"W); (3) an 8-inch diameter HDPE sanitary sewer line crossing of an unnamed tributary to Brandywine Creek (WWF), temporarily impacting 0.04-acres of PEM wetlands (Lebanon, PA Quadrangle: 21.49 inches N, 3.40 inches W; Latitude: 40° 22' 5.97"N, Longitude: 76° 23' 57.91"W); (4) a 14-foot wide, single span pedestrian bridge having a normal span of 40.0 feet and an underclearance of 2.1 feet across an unnamed tributary to the Brandywine Creek (WWF), temporarily impacting 0.01 acres of PEM wetlands (Lebanon, PA Quadrangle: 21.43 inches N, 3.38 inches W; Latitude: 40° 22' 4.85"N, Longitude: 76° 23' 57.45"W); (5) a 14-foot wide single span pedestrian bridge having a normal span of 25.0 feet and an underclearance of 1.6 feet across an unnamed tributary to the Brandywine Creek (WWF), temporarily impacting 0.004 acres of PEM wetlands (Lebanon, PA Quadrangle: 21.37 inches N, 3.36 inches W; Latitude: 40° 22' 3.73"N, Longitude: 76° 23' 56.75"W); and (6) a 14-foot wide, single span pedestrian bridge having a normal span of 28.0 feet and an underclearance of 1.9 feet across an unnamed tributary to Brandywine Creek (WWF), temporarily impacting 0.005 acres of PEM wetlands (Lebanon, PA Quadrangle: 21.36 inches N, 3.34 inches W; Latitude: 40° 22' 3.49"N, Longitude: 76° 23' 56.29"W), all for the purpose of developing a residential and commercial subdivision in North Lebanon Township, **Lebanon County**. Wetland mitigation in the amount of 0.42-acres will occur onsite.

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

**E08-465. East Resources, Inc.**, 301 Brush Creek Road, Warrendale, PA 15086. Water Obstruction and Encroachment Joint Permit Application, T-C Palmer/Castle Gathering Pipeline in Canton Township, **Bradford County**, ACOE Baltimore District (Grover, PA Quadrangle N: 41° 37' 22.6"; W: 76° 50' 29.6").

To construct, operate, and maintain:

(1) a 8.0-inch diameter natural gas gathering line impacting 34.0-feet of an unnamed tributary to Towanda Creek (CWF-MF) (Grover, PA Quadrangle; Latitude: 41°37'26", Longitude -76°50'38"),

(2) a timber mat bridge with 20 lineal feet of 30-inch culvert pipes for structural support for a temporary road crossing of an unnamed tributary to Towanda Creek (CWF, MF) (Grover, PA Quadrangle Latitude: 41°37'26", Longitude 76°50'38"),

(3) a 8-inch diameter natural gas gathering line impacting 3,447 square feet (0.079 acre) PEM wetland crossing (Canton, PA Quadrangle Latitude: 41°37'44", Longitude -76°50'53"),

(4) a 8-inch diameter natural gas gathering line impacting 5,406 square feet (0.124 acre) PEM wetland crossing (Canton, PA Quadrangle Latitude: 41°37'46", Longitude -76°50'53"),

(5) a 8-inch diameter natural gas gathering line impacting 11 square feet (0.001 acre) PEM wetland crossing (Grover, PA Quadrangle Latitude: 41°37'22", Longitude -76°50'35"),

(6) a 8-inch diameter natural gas gathering line impacting 1,577 square feet (0.036 acre) Exceptional Value PEM wetland crossing (Grover, PA Quadrangle Latitude: 41°37'23", Longitude -76°50'52"),

(7) a 8-inch diameter natural gas gathering line impacting 2,297 square feet (0.053 acre) Exceptional Value PEM wetland crossing (Grover, PA Quadrangle Latitude: 41°37'30", Longitude -76°49'41"),

The project will result in 34.0 linear feet of temporary channel impacts, and 0.292 acre of temporary PEM wetland impacts all for the purpose of installing a natural gas gathering line.

**E59-498. Ultra Resources, Inc.**, 304 Inverness Way South, Englewood, CO 80112-5828. Water Obstruction and Encroachment Joint Permit, PL-130 Marshlands Play Pipeline, in Gaines Township, **Tioga County**, ACOE Baltimore District (Marshlands, PA Quadrangle N: 41° 42' 31.4"; W: 77° 35' 48.3").

To construct and maintain 4800 linear feet of 8-inch natural gas pipeline, to include two (2) wetland and one (1) stream crossing under Babylon Run (High-Quality Cold Water Fishery, MF—Wild Trout) along Babylon Road approximately 1 mile west of the intersection with SR 3001 outside the Village of Marshlands, Tioga County.

**E59-499. East Resources, Inc.**, 301 Brush Creek Road, Warrendale, PA 15086. Water Obstruction and Encroachment Joint Permit Application, in Sullivan Township, **Tioga County**, ACOE Susquehanna River Basin District (Roseville, PA Quadrangle N: 41° 49' 05"; W: 76° 56' 01").

To remove an existing 80-inch diameter metal culvert and construct and maintain a pre-fabricated steel bridge having a span of 33 feet, width of 13 feet and an underclearance of 7 feet over an UNT to Elk Run (CWF). The bridge is located off Huslander Road, 0.5 mile south of the intersection with SR 1010 in Sullivan Township, Tioga County. This project proposes to permanently impact 20 linear feet of the UNT to Elk Run, which is designated a Cold Water Fishery and proposes no impacts to jurisdictional wetlands.

**E59-500. East Resources, Inc.**, 301 Brush Creek Road, Warrendale, PA 15086. Water Obstruction and Encroachment Joint Permit Application, in Osceola Town-

ship, **Tioga County**, ACOE Susquehanna River Basin District (Elkland, PA Quadrangle N: 41° 59' 14.8"; W: 77° 21' 14.2").

To place 15 cubic yard of clean-fill material in the floodway of a UNT to Holden Creek to construct a well pad access road. The fill is located off SR 4017, 0.5 miles north of the intersection with SR 0049 in Osceola Township, Tioga County. This project proposes to impact 28 linear feet of the jurisdictional floodway associated with the UNT to Holden Creek, which is designated a Warm Water Fishery and proposes no impacts to jurisdictional wetlands.

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## SPECIAL NOTICES

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### **Plan Revision Approval under the Municipal Waste Planning, Recycling and Waste Planning, Recycling and Waste Reduction Act of 1988, Act 101**

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

The Department of Environmental Protection (Department) approved the Fulton County Municipal Waste Management Plan Revision on September 17, 2010.

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 Administratively 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 may contact the Environmental Hearing Board (Board) through the Pennsylvania 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 free pro bono representation. Call the Secretary to the board at (717) 787-3483 for more information.

The plan revision is a public document and may be viewed at the Department Regional Office previously noted.

Questions concerning this approval should be directed to Anthony Rathfon, Program Manager, Department of Environmental Protection, Waste Management Program at the previous Regional Office.

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

In the month of September 2010 the Department of Environmental Protection of the Commonwealth of Pennsylvania, under the authority contained in the Radon Certification Act, act of July 9, 1987, P. L. 238, No. 43 (63 P. S. Sections 2001-2014) and regulations promulgated thereunder at 25 Pa. Code Chapter 240, has certified the persons listed below to perform radon-related activities in Pennsylvania. The period of certification is two years. (For a complete list of persons currently certified to perform radon-related activities in Pennsylvania and for information as to the specific testing devices that persons certified for testing or laboratory are certified to use, contact the Bureau of Radiation Protection, Radon Division, P. O. Box 8469, Harrisburg, PA 17105-8469, (1-800-23RADON).

<i>Name</i>	<i>Address</i>	<i>Type of Certification</i>
A-1 Realty Services, Inc.	99 Kohler Road Kutztown, PA 19530	Testing
John Bertone	420 William Street Downingtown, PA 19335	Testing
James Bucciarelli Certified Testing Services, Inc.	474 Easton Road Horsham, PA 19044	Testing
Nathaniel Burden, Jr. Fidelity Inspection & Consulting Services	626 Jacksonville Road Suite 200 Warminster, PA 18974	Testing
Certified Testing Services, Inc.	474 Easton Road Horsham, PA 19044	Mitigation
Andrew Dionne	421 West Chocolate Avenue Hershey, PA 10733	Testing
Stephen Fiorelli	700 Braxton Road Ridley Park, PA 19078	Testing
Walter Hanes	5216 Paradise Valley Road St. Marys, PA 15857	Testing
J.L. Camp Inspection Services, Inc.	6006 Forest Drive Monaca, PA 15061	Testing

<i>Name</i>	<i>Address</i>	<i>Type of Certification</i>
Douglas Kaup	263 Sewickley Oakmont Road Pittsburgh, PA 15237	Testing
Robert Klebanoff	6 Greenwood Place Wyncote, PA 19095	Testing
Deborah Mancini-Wilson Safeguard Home Inspection Services, Inc.	P. O. Box 748	Testing
John Moreck	201 Cooper Street Courtdale, PA 18704	Testing
Wesley Morgan	338 Rockhill Road Pittsburgh, PA 15243	Testing
David Mull	14 Crestmont Court Lititz, PA 17543	Testing
Jeffrey Nicholls	P. O. Box 400 Henryville, PA 18332	Testing
Onega LLC—Amerispec	333 Lindsay Road Zelienopole, PA 16063	Testing
Property Inspectors, Inc.	485 East College Avenue Pleasant Gap, PA 16823	Testing
Richard D. Malin & Associates, Inc.	2075 Haymaker Road Monroeville, PA 15146	Testing
Jeffrey Schlaline	800 Locust Grove Road York, PA 17402	Testing
Kimberly Skladanowski	5140 Amherst Road Erie, PA 16506	Testing
James Wandless	1424 West 30th Street Erie, PA 16508	Mitigation

#### Categorical Exclusion

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

*Project Information:*

<i>Project Applicant</i>	<i>Project Applicant's Address</i>	<i>Project Location (Municipality)</i>	<i>Project Location (County)</i>
Scranton Sewer Authority	312-314 Adams Avenue Scranton, PA 18503	Scranton City	Lackawanna

*Description:* The Authority proposes to upgrade its wastewater treatment facility to a biological nutrient reduction (BNR) process in order to meet Chesapeake Bay Nutrient Reduction requirements. This will include addition of a new primary treatment tank; new secondary treatment tank reactors; modification of existing tanks; supplemental carbon feed system; chemical feed system; plus upgrades to various process equipment. Project will also hydraulically maximize use of the treatment plant in accordance with EPA Compliance Order and Authority's CSO Long Term Control Plan. The Pennsylvania Infrastructure Investment Authority, which administers the Commonwealth's State Revolving Fund, is intended to be the funding source for this proposed project. The Department's review of the project and the information received has not identified any significant adverse environmental impact resulting from this proposal. The Department hereby categorically excludes this project from the State Environmental Review Process.

[Pa.B. Doc. No. 10-1967. Filed for public inspection October 15, 2010, 9:00 a.m.]

#### Availability of Technical Guidance

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

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

#### Ordering Paper Copies of Department Technical Guidance

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

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



*Changes to Technical Guidance Documents*

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

*Final Technical Guidance—Substantive Revision*

DEP ID: 257-3120-003. Title: Guidelines for Conducting Underground Storage Tank Facility Operations Inspections. Description: Storage Tank Regulations require periodic inspection of the operation of underground storage tank facilities. The purposes of the inspections are to determine if a facility's underground storage tanks have been installed and are being operated, and maintained in accordance with Storage Tank Regulations. Third-party inspectors, certified by the Department, perform routine facility operations inspections. This guidance clarifies the procedures certified inspectors should follow when completing an underground storage tank facility operations inspection. Substantive revisions were made to the guidance to update the procedures Department-certified inspectors should follow when completing an underground storage tank facility operations inspection. Contact: Questions regarding this technical guidance document should be directed to Kris Shiffer at (717) 772-5809 or kshiffer@state.pa.us.

Effective Date: October 16, 2010.

DEP ID: 257-2300-001. Title: Underground Storage Tank Class A and Class B Operator Training Courses. Description: Storage Tank Regulations require that underground storage tank operators be designated by tank owners and trained as soon as practicable, contingent upon availability of approved training providers, but not later than August 8, 2012 (See Section 245.436 relating to operator training). There are three distinct classes of operators: Class A, B and C. Class A and B operators require formal training, testing and certification of training completion. Enactment of the Federal Energy Policy Act of 2005 requires states receiving funds under RCRA, Subtitle I to implement an underground storage tank operator training program. Contact: Questions regarding this technical guidance document should be directed to Kris Shiffer at (717) 772-5809 or kshiffer@state.pa.us.

Effective Date: October 16, 2010.

JOHN HANGER,  
*Secretary*

[Pa.B. Doc. No. 10-1968. Filed for public inspection October 15, 2010, 9:00 a.m.]

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### Bid Opportunity

**BOGM 09-13, Cleaning out and plugging 12 abandoned and orphan oil wells, (Diane Crone, Richard L. Lyle, Rose J. Servidio, Richard A. Smith, I.L. Green, Joan K. Nichols, Ralph Brent Ordway, Mr. and Mrs. Charles Grinnen and John Chapman Urbaitis Properties), Warren City and Glade Township, Warren County.** The principal items of work include cleaning out and plugging 12 abandoned and orphan oil wells, estimated to be 800 feet in depth, to the Department of Environmental Protection specifications, preparing and restoring well site and mobilizing and demobilizing plugging equipment. This project issues on October 15, 2010, and bids will be opened on November 18, 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. 10-1969. Filed for public inspection October 15, 2010, 9:00 a.m.]

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### Final NPDES General Permit for Stormwater Associated with Mining Activities (BMR GP-104)

In accordance with The Clean Streams Law (35 P. S. §§ 691.1—691.1001), the Clean Water Act (33 U.S.C.A. §§ 1251—1387) and 25 Pa. Code Chapters 92a and 102 (relating to National Pollutant Discharge Elimination System permitting, monitoring and compliance; and erosion and sediment control and stormwater management), the Department of Environmental Protection (Department) by this notice announces the availability of an NPDES General Permit for Stormwater Associated with Mining Activities (BMR GP-104).

*Applicability*

This general permit applies to earth disturbance activity of 1 acre or greater associated with mining. This general permit is issued in conjunction with a separate mining permit or exploration where the only potential discharge to surface waters of this Commonwealth will be composed entirely of stormwater, in which the main potential pollutant is sediment. Mining activity types eligible for coverage under this permit include surface and underground coal mining permits, large noncoal mining permits, small noncoal mining permits, general permits (for mining) and coal/noncoal exploration.

The general permit will not apply to those sites that have an individual NPDES permit or other NPDES general permit or to those activities where one or more of the conditions listed in 25 Pa. Code § 92a.54(e)(1)—(9) (relating to general permits) exist. An individual NPDES permit is necessary if the associated mining activity will or has the potential to discharge to HQ or EV designated waters, including EV wetlands, or to streams designated as “impaired waters” for sediment.

Under 25 Pa. Code § 92a.32 (relating to stormwater discharges) (incorporating by reference 40 CFR 122.26(a), (b), (c)(1), (d), (e)(1), (3)—(9) and (f)—(g) (relating to storm water discharges (applicable to State NPDES programs, see § 123.25))), an NPDES permit is required for discharges associated with a mining operation which are composed entirely of stormwater. A mining operation is required to have an individual NPDES permit, or coverage under a general NPDES permit, if the site has expected or potential discharges of stormwater runoff.

This general permit will apply to mining activities (as defined in 25 Pa. Code §§ 87.1 and 88.1 as “Surface mining activities” and in 25 Pa. Code § 77.1 (relating to definitions) as “Noncoal surface mining activities”) where the only potential source of pollution is suspended solids from stormwater runoff. This general permit will address stormwater in association with mining activities and adjacent areas that may not be part of the mining permit but are integral to it (such as access roads and processing

facilities). An effort has been made to minimize the overlap of information between the mining permit activity applications and coverage under this general permit. Therefore, the information submitted by the operator in support of coverage under this General Permit is directly correlated to the information supplied in the associated mining permit or exploration.

This general permit will include provisions for coverage for a permitted area of one acre or greater, and is for stormwater-related discharges only, not process water or pumped groundwater.

Coverage under this general permit is not a replacement for an individual NPDES if there is substantive reason for an individual discharge permit to be issued.

#### *Public Participation*

Public notice of this proposed permit was published at 39 Pa.B. 734 (February 7, 2009).

There was a 30-day comment period during which interested persons had an opportunity to submit written comments. Written comments received during the 30-day comment period as well as comments from the United States Environmental Protection Agency (EPA), Region III, were considered in the formulation of the final permit. There were seven commentators in addition to the EPA. The Department reviewed and prepared a Comment and Response document which has been published on the Department web site in the final package for this General Permit.

Documents pertaining to this General Permit are located at <http://www.elibrary.dep.state.pa.us/dsweb/View/Collection-9709>.

JOHN HANGER,  
*Secretary*

[Pa.B. Doc. No. 10-1970. Filed for public inspection October 15, 2010, 9:00 a.m.]

### **Public Notice of Proposed Draft Renewal of the National Pollutant Discharge Elimination System General Permit for Discharges of Stormwater Associated with Industrial Activities (PAG-03)**

Under The Clean Streams Law (35 P.S. §§ 691.1—691.1001) and sections 1905-A, 1917-A and 1920-A of The Administrative Code of 1929 (71 P.S. §§ 510-5, 510-17 and 510-20), the Department of Environmental Protection (Department) by this notice informs the public of the availability of the draft renewed NPDES General Permit for Discharges of Stormwater Associated With Industrial Activities (PAG-03). The current General Permit will expire at 12 a.m. on December 4, 2010, unless rescinded by the Department at an earlier date.

This General Permit will continue to be not applicable for stormwater discharges to “high quality” and “exceptional value” waters designated under 25 Pa. Code Chapter 93 (relating to water quality standards). An individual permit is required for such discharges.

The Department will continue to use Standard Industrial Classification Codes, per the United States Environmental Protection Agency’s 2008 final Multi-Sector General Permit, to define the categories of industrial activities covered by this permit.

There are several changes to this General Permit compared to the current PAG-03 that will expire on December 4, 2010. The key changes are:

- Introduction of new terms: Exposed salt storage and distribution piles, Discharge, Significant spills, have been added and defined to make the permit clearer.
- Several parameters have been removed from monitoring requirements in Appendices A, B, C, D and J as a result of the Tetra Tech study report and agreement with ALCOA, while appendix L (Petroleum Marketing Terminals) was revised to include 15/30mg/L for oil and grease limitations.
- Appendix M (Non-Classified Facilities) was added. Facilities cannot choose coverage under this section, but can only be assigned coverage by the Department.
- The Notice of Intent (NOI) form now has some new blocks to get more useful information from the permittees. Examples include applicable appendix which the industrial activity falls under, Superfund Amendments, thermal impacts analysis and Reauthorization Act (SARA) Title 3 questions about reportable quantities are now much clearer.
- The NOI filing fees have changed from \$100 to \$750.
- All Discharge Monitoring Reports (DMRs) have added space for naming the watershed where the monitoring took place, and the certification language has been corrected and standardized.
- A new paragraph has been included to clarify what constitutes “No Exposure,” making it possible for more facilities to qualify for “No Exposure Certification,” while the No Exposure Certification questions have included a question about the development of a comprehensive Preparedness, Prevention and Contingency plan.

The permit documents package will be available at the Department’s central and regional offices and can still be accessed at the Department’s web site at [www.depweb.state.pa.us](http://www.depweb.state.pa.us) by selecting Permits, Licensing and Certification; Program-Specific Permit/Authorization Packages; Water Management; NPDES; General Permits; PAG-03; Discharges of Stormwater Associated with Industrial Activities.

The Department, by this notice, invites public comments on the draft renewed permit and seeks input on the documents. If there is significant public interest in the General Permit or if requested, the comment period may be extended at the discretion of the Department for an additional 15-day period. Only the comments received within the specified period will be considered in the preparation of the final documents for the General Permit. Persons who wish to comment should include their name, address, telephone number and a concise comment statement to inform the Department of the exact basis of the comment and the relevant facts upon which it is based. If significant issues of public interest are raised, the Department may schedule a public meeting. Comments must be submitted by November 15, 2010. Interested persons may send comments to the Department’s Bureau of Water Standards and Facility Regulation, P. O. Box 8467, Harrisburg, PA 17105-8467, (717) 787-8184, or e-mail Geoffrey O. Maduka at [gmaduka@state.pa.us](mailto:gmaduka@state.pa.us). Comments will not be accepted by facsimile or on voice mail.

Persons with a disability may use the Pennsylvania AT&T Relay Service by calling (800) 654-5984 (TDD users) or (800) 654-5988 (voice users). Following the specified comment period, the Department will review all submitted comments, prepare a written comments and

response document, and prepare final documents package for this permit. An availability notice of the final permit documents will be published in the *Pennsylvania Bulletin*.

JOHN HANGER,  
*Secretary*

[Pa.B. Doc. No. 10-1971. Filed for public inspection October 15, 2010, 9:00 a.m.]

## DEPARTMENT OF GENERAL SERVICES

### Real Estate for Sale Erie County

The Department of General Services (Department) will accept bids for the purchase of 0.48-acre ± of land and building containing 10,985 square feet ±, formerly known as the Corry National Guard Armory located at 215 East Washington Street, City of Corry, Erie County. Bids are due Tuesday, February 8, 2011. Interested parties wishing to receive a copy of Solicitation No. 94391 should view the Department's web site at [www.dgs.state.pa.us](http://www.dgs.state.pa.us) or call Lisa Kettering at (717) 787-1321.

ELIZABETH A. O'REILLY,  
*Acting Secretary*

[Pa.B. Doc. No. 10-1972. Filed for public inspection October 15, 2010, 9:00 a.m.]

## DEPARTMENT OF HEALTH

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

The following long-term care nursing facility is seeking an exception to 28 Pa. Code § 205.25(a) (relating to kitchen).

Evergreen Health Care Center  
701 Clay Avenue  
Scranton, PA 18510  
FAC ID 133802

The following long-term care nursing facility is seeking an exception to 28 Pa. Code § 205.27 (relating to lounge and recreation rooms).

ManorCare Health Services—York South  
200 Pauline Drive  
York, PA 17402

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](mailto: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).

MICHAEL K. HUFF,  
*Acting Secretary*

[Pa.B. Doc. No. 10-1973. Filed for public inspection October 15, 2010, 9:00 a.m.]

### Renal Disease Advisory Committee Meeting

The Renal Disease Advisory Committee, established by section 4 of the act of June 23, 1970 (P. L. 419, No. 140) (35 P. S. § 6204), will hold a public meeting on Friday, October 22, 2010, from 10 a.m. to 2 p.m. The meeting will be held in Conference Room 327 of the Health and Welfare Building, 625 Forster Street, Harrisburg, PA 17120.

Questions regarding this notice should be directed to Carolyn S. Cass, Director, Division of Child and Adult Health, Department of Health, Health and Welfare Building, 625 Forster Street, Seventh Floor—East Wing, Harrisburg, PA 17120. Persons with a disability may submit questions to Carolyn S. Cass in alternative formats, such as audiotape, Braille or TDD (717) 783-6514 or TT (800) 654-5984. Persons with a disability who require an alternative format of this document (for example, large print, audio tape or Braille) should contact Carolyn S. Cass to make the necessary arrangements.

This meeting is subject to cancellation without notice.

MICHAEL K. HUFF,  
*Acting Secretary*

[Pa.B. Doc. No. 10-1974. Filed for public inspection October 15, 2010, 9:00 a.m.]

## DEPARTMENT OF PUBLIC WELFARE

### Preventable Serious Adverse Events in Nonpublic and County Nursing Facilities

#### *Purpose of Notice*

The purpose of this notice is to announce that the Department of Public Welfare (Department) intends to issue the following proposed bulletin under 35 P. S. § 449.94(d) (relating to nursing facility preventable serious adverse events bulletin).

#### *Public Comment*

Interested persons are invited to submit written comments regarding the bulletin to the Department at the following address: Commonwealth of Pennsylvania, Department of Public Welfare/Department of Aging, Office of Long-Term Living, 555 Walnut Street, 5th Floor, Harrisburg, PA 17101-1919, Attention: Yvette Sanchez-Roberts. Comments received within 30 days will be reviewed and considered in developing the final bulletin.

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

MICHAEL P. NARDONE,  
*Acting Secretary*

**Fiscal Note:** 14-NOT-661. No fiscal impact; (8) recommends adoption.

## PROPOSED PSAE BULLETIN

### SUBJECT

Preventable Serious Adverse Events in Nonpublic and County Nursing Facilities

### PURPOSE

The purpose of this bulletin is to identify Preventable Serious Adverse Events (PSAEs) for nursing facilities that are enrolled in the Medical Assistance (MA) Program and to notify those facilities how they may fulfill the obligations not to knowingly seek payment from the MA Program for PSAEs or for services required to correct or treat PSAEs. This bulletin also describes the MA Program's payment policies relating to PSAEs.

### SCOPE

This bulletin applies to all MA-enrolled county and non-public (general, hospital-based, and special rehabilitation) nursing facilities.

### BACKGROUND/INTRODUCTION

In June of 2009, the General Assembly enacted the Preventable Serious Adverse Events Act. Act of June 10, 2009, P.L. 1, No. 1, codified at, 35 P.S. §§ 449.91—449.97 ("Act 1"). Act 1 prohibits health care providers, including nursing facilities, from knowingly seeking payment from a health payor or patient (1) for a preventable serious adverse event ("PSAE"); or (2) for any services required to correct or treat the problem created by a PSAE. In addition, Act 1 also requires a health care provider that unknowingly receives payment for services associated with a PSAE or for the services to correct the PSAE to immediately notify the health payor or patient and refund the payment within 30 days of discovery or receipt of payment, whichever is later.

Act 1 defines a PSAE as "[a]n event that occurs in a health care facility that is within the health care provider's control to avoid, but that occurs because of an error or other system failure and results in a patient's death, loss of body part, disfigurement, disability or loss of bodily function lasting more than seven days or still present at the time of discharge from a health care facility." Act 1 also specifies that PSAEs "shall be included on the list of reportable serious adverse events adopted by the national quality forum or in a bulletin as provided under this act."

Act 1 directs the Department of Public Welfare ("the Department") to issue a PSAE bulletin for nursing facilities, and specifies that "[f]or a nursing facility, preventable serious adverse events shall be those listed in [the] bulletin." As required by Act 1, this bulletin lists the events. The bulletin also highlights the criteria that must be satisfied in order for an event to be classified as a PSAE. In developing this bulletin, the Department consulted representatives of the nursing facility trade associations, representatives of individual nursing facilities and the Long-Term Care Subcommittee of the Medical Assistance Advisory Committee.

### PSAEs

The events listed in Appendix A qualify as a PSAE if all of the following criteria are satisfied:

1. The event was preventable. To be preventable, the event could have been anticipated and prepared for, but, nonetheless, occurred because of an error or other system failure; and

2. The event was serious. The event is serious if the event subsequently results in death or loss of body part, disfigurement, disability or loss of bodily function lasting more than seven days or still present at the time of discharge from a nursing facility; and

3. The event was within the control of the nursing facility. Control means that the nursing facility had the power to avoid the error or other system failure; and

4. The event occurred as a result of an error or other system failure within the nursing facility.

The Department may modify the list of PSAEs identified in Appendix A and its payment policies and procedures in the future. Before making any modification to the PSAEs, the Department will consult with representatives of the nursing facility trade associations, representatives of individual nursing facilities, and the Long Term Care Subcommittee of the Medical Assistance Advisory Committee. The Department will also provide for a 30-day public comment period.

### COMPLIANCE WITH ACT 1:

Under Act 1, an MA-enrolled nursing facility may not knowingly seek payment for a PSAE, or for any services required to correct or treat a PSAE.

#### 1. Identification and Review of a PSAE and Services Required to Correct or Treat a PSAE

##### a. Responsibilities of the Nursing Facility

To comply with Act 1, whenever an event listed in Appendix A occurs in a nursing facility, the nursing facility must determine whether the event meets the PSAE criteria specified above. If the event meets those criteria, the event is a PSAE. If the nursing facility concludes that a PSAE has occurred, the nursing facility may not submit a claim for the event or for any services required to correct or treat a PSAE. If a nursing facility discovers that it has inadvertently submitted a claim and received payment from the MA Program or an MA recipient for a PSAE or services required to correct or treat a PSAE, the nursing facility must refund the payment within 30 days of the discovery of the event or receipt of the payment, whichever is later. The Department will consider a nursing facility as meeting obligations if the facility follows the guidelines in Section 2 below.

##### b. Authority of the Department

The Department may identify potential PSAEs or the services required to correct or treat PSAEs and seek recovery of money through its exiting claims review process, its utilization management review process, or its program integrity review process. See 55 Pa. Code §§ 1101.71, 1101.77 and 1101.83.

With both facility-reported PSAEs and Department-identified PSAEs, the Department will determine whether the event meets the criteria of a PSAE; the duration of the PSAE; whether services were required to correct or treat the PSAE; the duration of the services to correct or treat the PSAE; and the amount of MA payments associated with the PSAE or with the services to correct or

treat the PSAE. Once the event has been either self-reported or identified, the Department will notify the nursing facility, in writing, that it has initiated its review. As part of its review, the Department may request documentation from the facility concerning the facility's policies and/or procedures, the resident and/or the event. Based on its review, the Department may recover or adjust MA payments or return money already refunded by the nursing facility. The Department's review process, including how the Department's physicians will be used in the case review and the opportunities that a nursing facility's designated staff will have to interact with the Department through the review process is available on the DPW website. The Department will notify all nursing facilities when revisions to the review process have been posted on the DPW website.

The Department will send a written notice of its determination to the nursing facility. In the event of an adverse determination, the Department's notice to the nursing facility will outline the reasons for the determination and whether the Department will recover or adjust MA payments. If the nursing facility does not agree with the Department's determination, the nursing facility may appeal to the Bureau of Hearings and Appeals pursuant to 55 Pa. Code Chapter 41.

## **2. Guidelines Relating to PSAEs and Services to Correct or Treat the PSAE**

### **a. Claims relating to PSAEs**

The Department pays MA-enrolled nursing facilities for services provided to MA-eligible persons through a prospective per diem rate and other additional payments (e.g., for hospital reserve days and for exceptional durable medical equipment). 55 Pa. Code Chapters 1187 and 1189. With respect to those payments, an MA-enrolled nursing facility may not knowingly submit a claim or otherwise receive payment for a PSAE. In those instances where a PSAE occurs on a single day, the nursing facility may not submit a claim for payment of the resident care portion of the MA per diem rate. For certain PSAEs, such as a PSAE-identified Stage 3 or Stage 4 decubitus ulcer, the PSAE may occur over multiple days. Because Act 1 prohibits a nursing facility from knowingly seeking payment for a PSAE, in those instances where the PSAE occurs over several days, the nursing facility may not submit a claim or otherwise receive payment of the resident care portion of the MA per diem rate for any day that the PSAE occurs.

If the resident is transferred to a hospital or other institution as a result of the PSAE, then the nursing facility may not submit a claim to the Department, or otherwise receive payment, to reserve the resident's nursing facility bed during the resident's absence (the nursing facility remains obligated to reserve the bed in accordance with federal and state requirements).

### **b. Claims Relating to Services to Correct or Treat a PSAE**

Nursing facilities may use the following guidance to fulfill their obligation under Act 1 not to seek payment for services required as a result of a PSAE. Nonetheless, the Department will determine whether the actual value of subsequent services needed to correct or treat the PSAE is more or less than the payment adjustment made by the nursing facility.

A nursing facility may fulfill its obligation under Act 1 to not seek payment for services required as a result of a PSAE by comparing certain resident Case Mix Index ("CMI") scores and by reducing the resident care portion

of the MA per diem rate and the patient pay amount by any percent increase in those scores. Which CMI scores are compared to determine whether there was any increase will depend on whether the resident is hospitalized or transferred as a result of the PSAE. Furthermore, to reduce the resident care component, the CMI scores should be calculated using the RUG III 5.12 44 Grouper and related CMI table.

### **i. No Hospitalization or Transfer**

In the event that the resident is not transferred, the resident's CMI score based on the assessment immediately following the PSAE ("post-PSAE CMI score") should be compared to the resident's CMI score from the resident assessment immediately prior to the occurrence of the PSAE ("pre-PSAE CMI score"). If the post-PSAE CMI score is higher than the pre-PSAE score, then the resident care portion of the MA per diem rate and the patient pay amount may be reduced by the percentage increase in the scores (i.e., (post-PSAE CMI score minus pre-PSAE CMI score) divided by pre-PSAE CMI score). If the post-PSAE CMI score is equal to or lower than the pre-PSAE CMI score, then there will be no reduction in the MA per diem rate as result of the PSAE.

### **ii. Hospitalization—Medicare is Payor of First Resort Upon Admission to the Same Nursing Facility**

In the event of hospitalization due to a PSAE, Medicare may be the payor of first resort upon the resident's return to the nursing facility; therefore, consideration must be given to both the Medicare coinsurance payment and to the MA per diem rate when MA resumes payments. With respect to the Medicare coinsurance, if the resident's CMI score based upon the readmission assessment ("readmission CMI score") is greater than the resident's pre-PSAE CMI score, then the Department will not pay the Medicare coinsurance payment. If the Department does not pay the nursing facility for the Medicare coinsurance, in this circumstance, the nursing facility may not bill the resident. If the readmission CMI score is not higher, then the nursing facility may seek payment from the Department for the Medicare coinsurance payment. Payment of Medicare coinsurance is subject to 55 Pa. Code §§ 1101.64, 1187.102, and 1189.102.

When MA resumes payment, the resident's CMI score based on the resident assessment immediately after MA resumes payment may be compared to the pre-PSAE CMI score. If the former is greater than the latter, then the resident care portion of the MA per diem rate and the patient pay amount should be reduced by the percentage increase in those two scores. If the scores are equal or the pre-PSAE CMI is the greater of the two, then there will be no reduction in the MA per diem rate as a result of the PSAE.

### **iii. Hospitalization or Transfer—Medicare is not Payor of First Resort upon Admission to the Same Nursing Facility**

When the MA Program pays for the resident's stay immediately upon return to the same nursing facility from another institution, then the readmission CMI score should be compared to the pre-PSAE CMI score. If the former is greater than the latter, then the resident care portion of the MA per diem rate and the patient pay amount should be reduced by the percentage increase in those two scores. If the scores are equal or the pre-PSAE CMI score is the greater of the two, then there will be no reduction in the MA per diem rate as a result of the PSAE.

#### iv. Durable Medical Equipment

In any circumstance, the nursing facility may not seek any payment through an exceptional durable medical equipment (DME) grant for equipment or services required to correct or treat a problem created by a PSAE.

#### v. Duration of the Payment Restrictions

The duration of the payment restrictions (prohibition or reduction) should also be based on the afore-mentioned CMI scores. If a payment restriction is imposed, then the payment restriction should continue until the resident's CMI score upon reassessment under normal procedures is equal to or less than the pre-PSAE CMI score or until the Department determines that resident's higher post-PSAE CMI score is attributable to reasons other than the PSAE.

If the nursing facility's Medical Director or the resident's attending physician concludes and documents in the resident's medical record that the resident's higher CMI is no longer a result of the PSAE, the nursing facility may request in writing that the Department conduct a clinical review to determine whether the PSAE-related rate reduction should continue. Likewise, if there is a change in a resident's medical condition unrelated to the PSAE which results in a higher CMI, as determined by the nursing facility's Medical Director or the attending physician, the nursing facility may request that the Department conduct a clinical review and redetermination. The nursing facility shall include the resident's medical record and any other supporting documentation with their request.

The Department will use its best efforts to complete its review and make a determination of all such requests within 30 days of receipt of the resident's medical record and any other supporting documentation from the facility.

The Department will send a written notice of the results of its review to the nursing facility. If the Department determines that the resident's CMI score is no longer the result of the PSAE, then the payment reduction shall cease effective on the date determined by the Department that the PSAE-related services are (were) no longer the cause of the higher CMI. If the Department determines that the resident's higher CMI score is the result of the PSAE, the payment reduction will continue. If the nursing facility does not agree with the Department's determination, the nursing facility may appeal to the Bureau of Hearings and Appeals pursuant to 55 Pa. Code Chapter 41.

Whether or not the facility files an appeal, the facility may ask the Department to conduct a clinical review and redetermination once every 90 days.

### Appendix A

#### Preventable Serious Adverse Events ("PSAEs") for Nursing Facilities Enrolled in the Medical Assistance Program

If an event listed below occurs in a nursing facility, then the event is a PSAE when all of the following criteria are satisfied:

1. The event was preventable. To be preventable, the event could have been anticipated and prepared for, but, nonetheless, occurred because of an error or other system failure; and

2. The event was serious. The event is serious if the event subsequently results in death or loss of body part, disfigurement, disability or loss of bodily function lasting more than seven days or still present at the time of discharge from a nursing facility; and

3. The event was within the control of the nursing facility. Control means that the nursing facility had the power to avoid the error or other system failure; and

4. The event is the result of an error or other system failure within the nursing facility.

#### 1. Surgical Events

A. Surgery performed on the wrong body part

B. Wrong surgical procedure performed on a resident

C. Surgery performed on the wrong resident

D. Unintended retention of a foreign object in a resident after surgery or other procedure

#### 2. Product or Device Events

A. An event associated with the use of contaminated drugs, devices or biologics provided by the nursing facility

B. An event associated with the use or function of a device in resident care in which the device is used or functions other than as intended

C. An intravascular air embolism that occurs while being cared for in a nursing facility

#### 3. Resident Protection Events

A. Resident suicide or attempted suicide

B. Resident elopement (disappearance for more than four hours)

#### 4. Care Management Events

A. A medication error (such as, errors involving the wrong drug, wrong dose, wrong resident, wrong time, wrong rate, wrong preparation, or wrong route of administration)

B. Severe allergic reaction

C. A hemolytic reaction due to the administration of ABO/HLA-incompatible blood or blood products

D. Stage 3 or 4 pressure ulcers acquired after admission to the nursing facility

E. Catheter-associated Urinary Tract Infection

F. An event related to spinal manipulative therapy

G. Vascular catheter-associated infection

H. An event related to hyper- or hypoglycemia (Diabetic ketoacidosis, Nonketotic hyperosmolar coma, Diabetic coma, Hypoglycemic coma) the onset of which occurs while the resident is being cared for in a nursing facility.

#### 5. Environmental Events

A. A burn incurred from any source while being cared for in a nursing facility

B. An event related to a fall (fractures/dislocations/intracranial injuries/crush injuries/burns) while being cared for in a nursing facility

C. An electric shock while being cared for in a nursing facility

D. Any incident in which a line designated for oxygen or other gas to be delivered to a resident contains the wrong gas or is contaminated by toxic substances

E. An event associated with the use of restraints or bedrails while being cared for in a nursing facility.

#### 6. Criminal Events and Unlawful Activities

A. Any instance of care ordered by or provided by someone impersonating a physician, nurse, pharmacist, or other licensed healthcare provider.

B. Abduction of a resident

C. Sexual assault on a resident

D. A physical assault (that is battery).

[Pa.B. Doc. No. 10-1975. Filed for public inspection October 15, 2010, 9:00 a.m.]

# INDEPENDENT REGULATORY REVIEW COMMISSION

## Notice of Filing of Final Rulemakings

The Independent Regulatory Review Commission (Commission) received the following regulations. They are scheduled to be considered on the dates noted. The Commission's public meetings are held at 333 Market Street, 14th Floor, Harrisburg, PA at 10 a.m. To obtain a copy of the regulation, interested parties should first contact the promulgating agency. If a copy cannot be obtained from the promulgating agency, the Commission will provide a copy or a copy can be obtained on the web site, [www.irrc.state.pa.us](http://www.irrc.state.pa.us).

### Final-Form

Reg. No.	Agency/Title	Received	Public Meeting
16A-7101	State Board of Crane Operators Crane Operators; Initial Rulemaking	9/30/10	11/4/10
16A-427	State Board of Barber Examiners Student Records and Curriculum	9/30/10	11/4/10
7-428	Environmental Quality Board Adhesives, Sealants, Primers and Solvents	10/1/10	11/4/10
7-437	Environmental Quality Board Lead and Copper Rule Short Term Revisions	10/1/10	11/4/10
7-447	Environmental Quality Board Flat Wood Paneling Surface Coating Processes	10/1/10	11/4/10

ARTHUR COCCODRILLI,  
*Chairperson*

[Pa.B. Doc. No. 10-1976. Filed for public inspection October 15, 2010, 9:00 a.m.]

## INSURANCE DEPARTMENT

### Aetna Health, Inc. (HMO); Changes to Experience Rating Methodology and Portfolio Rating Methodology; Rate Filing

On September 30, 2010, Aetna Health, Inc. (HMO) submitted a filing requesting revisions to their Experience Rating Methodology for employer groups with 125 or more eligible subscribers and Portfolio Rating for existing employer groups with more than 50 but less than 125 eligible subscribers.

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

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

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

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

ROBERT L. PRATTER,  
*Acting Insurance Commissioner*

[Pa.B. Doc. No. 10-1977. Filed for public inspection October 15, 2010, 9:00 a.m.]

### Application for Approval to Acquire Control of Philadelphia-United Life Insurance Company and Philadelphia-United Fire Insurance Company

Baltimore Life Insurance Company has filed an application for approval to acquire control of Philadelphia-United Life Insurance Company, a domestic life insurance company, and Philadelphia-United Fire Insurance Company, a domestic property insurance company. The filing was made under Article XIV of The Insurance Company Law of 1921 (40 P. S. §§ 991.1401—991.1413).

Persons wishing to comment on the acquisition are invited to submit a written statement to the Insurance Department (Department) within 30 days from the date of this issue of the *Pennsylvania Bulletin*. Each written statement must include name, address and telephone number of the interested party; identification of the application to which the statement is addressed; and a concise statement with sufficient detail and relevant facts to inform the Department of the exact basis of the statement. Written statements should be directed to Robert Brackbill, Company Licensing Division, Insurance Department, 1345 Strawberry Square, Harrisburg, PA 17120, fax (717) 787-8557 or e-mail [rbrackbill@state.pa.us](mailto:rbrackbill@state.pa.us).

ROBERT L. PRATTER,  
*Acting Insurance Commissioner*

[Pa.B. Doc. No. 10-1978. Filed for public inspection October 15, 2010, 9:00 a.m.]

**Application for Voluntary Surrender of Pennsylvania Certificate of Authority Filed by Washington Mutual Fire Insurance Company of Lawrence County**

Washington Mutual Fire Insurance Company of Lawrence County, a domestic mutual fire insurance company, has submitted an application for approval to surrender its Insurance Department (Department) Certificate of Authority.

Persons wishing to comment on the grounds of public or private interest concerning the surrender are invited to submit a written statement to the Department within 7 days from the date of this issue of the *Pennsylvania Bulletin*. Each written statement must include the name, address and telephone number of the writer; identification of the application to which the comment is addressed; and a concise statement with sufficient detail to inform the Department of the exact basis of the comment and the relevant facts upon which it is based. Written statements should be directed to Robert Brackbill, Company Licensing Division, 1345 Strawberry Square, Harrisburg, PA 17120, fax (717) 787-8557 or rbrackbill@state.pa.us.

ROBERT L. PRATTER,  
*Acting Insurance Commissioner*

[Pa.B. Doc. No. 10-1979. Filed for public inspection October 15, 2010, 9:00 a.m.]

**Capital Advantage Insurance Co. Rate Filing; Medical-Surgical/Major Medical Supp. Portion of Traditional Non-Group Individual Direct Pay Basic Hospitalization/Medical-Surgical/Major Medical Preferred Provide Benefit Contract; CBC Filing No. 10-WWW**

On September 29, 2010, the Insurance Department (Department) received from Capital Advantage Insurance Co. a filing for a rate increase for the medical-surgical/major medical supp. portion of its Traditional Non-Group Individual Direct Pay Basic Hospitalization/Medical-Surgical/Major Medical Plan to reflect the anticipated cost of the Patient Protection and Affordable Care Act, signed into law on March 23, 2010.

The company requests a 7.9% rate increase to reflect these required changes.

The requested effective date of the change is January 1, 2011, although the newly mandated benefits will become effective for new policies issued on or after September 23, 2010.

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

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

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

Interested parties are invited to submit written comments, suggestions or objections to James Sabater, Insurance Department, Insurance Product Regulation and

Market Enforcement, Room 1311, Strawberry Square, Harrisburg, PA 17120, [jsabater@state.pa.us](mailto:jsabater@state.pa.us) within 30 days after publication of this notice in the *Pennsylvania Bulletin*.

ROBERT L. PRATTER,  
*Acting Insurance Commissioner*

[Pa.B. Doc. No. 10-1980. Filed for public inspection October 15, 2010, 9:00 a.m.]

**Capital BlueCross and Capital Advantage Insurance Co.; Individual Direct Pay Comprehensive Major Medical Benefit contract with a \$750 or \$1,500 Deductible for HIPAA and HCTC Eligible Individuals (Form No. IA-Comph-C); Capital Filing No. 10-YYYY; Rate Filing**

On September 29, 2010, the Insurance Department (Department) received from Capital BlueCross and Capital Advantage Insurance Co. a filing for a rate increase for the Individual Direct Pay Comprehensive Major Medical Benefit contract for HIPAA and HCTC Eligible Individuals with a \$750 or \$1,500 Deductible (Form No. IA-Comph-C).

The company requests a rate increase of 5.1% or \$38.08 per contract per month on average. This will affect about 510 contract holders and will produce additional income of about \$233,000 annually. The requested effective date of the change is January 1, 2011.

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

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

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

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

ROBERT L. PRATTER,  
*Acting Insurance Commissioner*

[Pa.B. Doc. No. 10-1981. Filed for public inspection October 15, 2010, 9:00 a.m.]

**Capital BlueCross Co. Rate Filing; Hospitalization Portion of Traditional Non-Group Individual Direct Pay Basic Hospitalization/Medical-Surgical/Major Medical Preferred Provide Benefit Contract; CBC Filing No. 10-ZZZZ**

On September 29, 2010, the Insurance Department (Department) received from Capital BlueCross Co. a filing for a rate increase for the medical-surgical/major medical supp. portion of its Traditional Non-Group Individual Direct Pay Basic Hospitalization/Medical-Surgical/Major



Medical Plan to reflect the anticipated cost of the Patient Protection and Affordable Care Act, signed into law on March 23, 2010.

The company requests a 3.2% rate increase to reflect these required changes.

The requested effective date of the change is January 1, 2011, although the newly mandated benefits will become effective for new policies issued on or after September 23, 2010.

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

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

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

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

ROBERT L. PRATTER,  
*Acting Insurance Commissioner*

[Pa.B. Doc. No. 10-1982. Filed for public inspection October 15, 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.

#### *Governor's Office*

Manual 110.1—2011-12 Budget Instructions, Amended August 16, 2010.

Management Directive No. 205.40—Commonwealth Branding and Social Networking, Amended August 31, 2010.

Management Directive No. 215.16—Contract Compliance Program, Amended September 1, 2010.

Management Directive No. 580.30—Civil Service Leave of Absence and Return Rights, Amended September 7, 2010.

Administrative Circular No. 10-11—Availability—Commonwealth Telephone Directory, Dated August 10, 2010.

Administrative Circular No. 10-12—2011-12 Budget Instructions, Dated August 16, 2010.

Administrative Circular No. 10-13—Holidays—2011,  
Dated September 16, 2010.

MARY JANE PHELPS,  
*Director*  
*Pennsylvania Code and Bulletin*

[Pa.B. Doc. No. 10-1983. Filed for public inspection October 15, 2010, 9:00 a.m.]

## PATIENT SAFETY AUTHORITY

### Public Meeting

The Patient Safety Authority (Authority), established by section 303 of the Medical Care Availability and Reduction of Error (MCARE) Act (40 P. S. § 1303.303), announces a meeting of the Authority's Board to be held at the Harrisburg Area Community College, One HACC Drive, Harrisburg, PA at 10 a.m. on Tuesday, October 26, 2010.

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

MICHAEL C. DOERING,  
*Executive Director*

[Pa.B. Doc. No. 10-1984. Filed for public inspection October 15, 2010, 9:00 a.m.]

## PENNSYLVANIA PUBLIC UTILITY COMMISSION

### Gas Service

**A-2010-2202545. UGI Central Penn Gas, Inc.** Application of UGI Central Penn Gas, Inc. for approval to begin to offer, render, furnish or supply gas utility service to the public in the service territories of Upper Augusta, Point, West Chillisquaque and East Chillisquaque Townships, Northumberland County; Buffalo, East Buffalo and Kelly Townships, Union County; Wolf Township, Lycoming County; the Borough of Yatesville, Luzerne County; and the Pittston Township, Luzerne County.

Formal protests and petitions to intervene must be filed in accordance with 52 Pa. Code (relating to public utilities). Filings must be made with the Secretary of the Pennsylvania Public Utility Commission, P. O. Box 3265, Harrisburg, PA 17105-3265, with a copy served on the applicant, on or before November 1, 2010. The documents filed in support of the application are available for inspection and copying at the Office of the Secretary between 8 a.m. and 4:30 p.m., Monday through Friday, on the Pennsylvania Public Utility Commission's web site at [www.puc.state.pa.us](http://www.puc.state.pa.us), and at the applicant's business address.

*Applicant:* UGI Central Penn Gas, Inc.

*Through and By Counsel:* Kent D. Murphy, Esquire, Melanie J. Tambolas, Esquire, UGI Corporation, 460 North Gulph Road, King of Prussia, PA 19406

ROSEMARY CHIAVETTA,  
*Secretary*

[Pa.B. Doc. No. 10-1985. Filed for public inspection October 15, 2010, 9:00 a.m.]

### Gas Service

**A-2010-2202547. UGI Penn Natural Gas, Inc.** Application of UGI Penn Natural Gas, Inc. for approval to begin to offer, render, furnish or supply gas utility service to the public in the service territories of Pine Creek Township, Clinton County; Buffalo, West Buffalo, East Buffalo, Kelly and Union Townships, Union County; Pittston and Jenkins Townships, Luzerne County; the Boroughs of Exeter, Laflin and Yatesville, Luzerne County; and the City of Pittston, Luzerne County.

Formal protests and petitions to intervene must be filed in accordance with 52 Pa. Code (relating to public utilities). Filings must be made with the Secretary of the Pennsylvania Public Utility Commission, P. O. Box 3265, Harrisburg, PA 17105-3265, with a copy served on the applicant, on or before November 1, 2010. The documents filed in support of the application are available for inspection and copying at the Office of the Secretary between 8 a.m. and 4:30 p.m., Monday through Friday, on the Pennsylvania Public Utility Commission's web site at [www.puc.state.pa.us](http://www.puc.state.pa.us), and at the applicant's business address.

*Applicant:* UGI Penn Natural Gas, Inc.

*Through and By Counsel:* Kent D. Murphy, Esquire, Melanie J. Tambolas, Esquire, UGI Corporation, 460 North Gulph Road, King of Prussia, PA 19406

ROSEMARY CHIAVETTA,  
*Secretary*

[Pa.B. Doc. No. 10-1986. Filed for public inspection October 15, 2010, 9:00 a.m.]

### Service of Notice of Motor Carrier Applications

The following temporary authority and/or permanent authority applications for the right to render service as a common carrier or contract carrier in this Commonwealth have been filed with the Pennsylvania Public Utility Commission. Formal protests and petitions to intervene must be filed in accordance with 52 Pa. Code (relating to public utilities). A protest shall indicate whether it applies to the temporary authority application, the permanent authority application, or both. Filings must be made with the Secretary, Pennsylvania Public Utility Commission, P. O. Box 3265, Harrisburg, PA 17105-3265, with a copy served on the applicant by November 1, 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 of the beginning of the exercise of the right and privilege of operating motor vehicles as common carriers for the transportation of persons by transfer of rights as described under the application.**

**A-2010-2202290. Lifestar Response of NJ—Lifestar Response Corp.** (657 Union Boulevard, Totowa, NJ 07512), a corporation of the State of New York—persons in paratransit service, from points in the Counties of Lehigh, Northampton and Berks, to points in Pennsylvania, and return, which is to be a transfer of all the right authorized under the certificate issued at A-00122191 to S. Erbrick Enterprises, Inc., subject to the following condition: That no right, power or privilege is granted to

originate service within the boroughs of Wilson and West Easton, all in Northampton County, except that service may be provided west of Route 33 and from Old Orchard Manor Care Nursing Facility in Bethlehem Township, Northampton County, which is to be a transfer of all the right authorized under the certificate issued at A-00122191 to S. Erbrick Enterprises, Inc. *Attorney:* Christopher M. McLean, 4400 Walbert Avenue, Allentown, PA 18104.

**Application of the following for approval of the beginning of the exercise of the right and privilege of operating motor vehicles as common carriers for the transportation of household goods by transfer of rights as described under the application.**

**A-2010-2201670. Chester County Moving & Storage, LLC** (103 Chesley Drive, Media, Delaware County, PA 19063)—a limited liability company of the Commonwealth—for the right to transport, as a common carrier, by motor vehicle, household goods in use, from points in Chester and Delaware Counties, and sections of Lancaster and Montgomery Counties, within 10 miles of the usually traveled highways of the limits of Chester and Delaware Counties, to points in Pennsylvania; which is to be a transfer of all of the operating rights under the certificate issued at A-00083135, F. 2, to Ralph G. Smith, subject to the same limitations and conditions. *Attorney:* Arthur Sagnor, 144 West Market Street, West Chester, PA 19382.

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

**A-2010-2201983. American Eagle Bus & Limo, Inc.** (1000 Remington Avenue, Scranton, Lackawanna County, PA 18505)—to discontinue service as a common carrier by motor vehicle, at A-00119245F0002, authorizing the transportation, as a common carrier, by motor vehicle, persons in limousine service, between points in Pennsylvania.

*Pennsylvania Public Utility Commission, Bureau of Transportation and Safety v. United Taxi Company;*  
*Doc. No. C-2010-2150673*

### COMPLAINT

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

1. That United Taxi Company, Respondent, maintains its principal place of business at 250 Mercer Street, Phillipsburg, NJ 08865.

2. That, Respondent, was issued a certificate of public convenience by this Commission on June 30, 2008, at Application A-00123614.

3. That, on March 30, 2009, Eastern Regional Manager David W. Loucks was unable to contact Respondent, by

telephone, to arrange for a vehicle inspection. A certified letter was mailed, on March 31, 2009, requiring Respondent to contact the Commission to submit to an annual taxicab inspection by a Commission Enforcement Officer. The certified mail was returned by the U.S. Post Office on April 27, 2009, as not deliverable as addressed and unable to forward.

4. That, as of May 7, 2010, respondent has failed to contact the Commission, and has failed to have an annual taxicab inspection.

5. Pursuant to 66 Pa.C.S. § 506, duly authorized officers of the Pennsylvania Public Utility Commission have power and authority to inspect, inquire, and investigate all property, records, books, papers, accounts, and documents, of any public utility, whenever necessary, in carrying out their duties.

6. Pursuant to 66 Pa.C.S. § 1103, the Commission is responsible for ensuring that public utilities hold certificates of public convenience for the convenience, safety, accommodation and service of the public. Pursuant to 52 Pa. Code § 41.14(b), the Commission may withhold granting a carrier authority to operate if it is demonstrated that the carrier lacks a propensity to operate safely and legally. Respondent has demonstrated and convinced the Bureau of Transportation and Safety that it should not have the right to continue as a public utility. Therefore, for the safety of the public, the Bureau of Transportation and Safety Motor Carrier Services and Enforcement's Prosecutory staff's proposed civil penalty for this violation is the cancellation of Respondent's Certificate.

Wherefore, the Bureau of Transportation and Safety Prosecutory Staff hereby requests that the Commission revoke United Taxi Company certificate of public convenience at A-00123614 for the illegal activity described in this complaint and order such other remedy as the Commission may deem to be appropriate.

Respectfully submitted,

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

#### VERIFICATION

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

Date: \_\_\_\_\_  
Wendy J. Keezel, Chief of Enforcement  
Motor Carrier Services and Enforcement  
Division  
Bureau of Transportation and Safety

#### NOTICE

A. You must file an answer within twenty (20) days of the date of service of this complaint. The date of service is the mailing date as indicated at the top of the Secretarial cover letter for this complaint and notice, 52 Pa. Code § 1.56(a). An answer is a written explanation of circumstances wished to be considered in determining the

outcome. The answer shall raise all factual and legal arguments that you wish to claim in your defense and must include the reference number of this complaint. Your answer must be verified and the original and three (3) copies sent to:

Rosemary Chiavetta, Secretary  
Pennsylvania Public Utility Commission  
P. O. Box 3265  
Harrisburg, PA 17105-3265

B. If you fail to answer this complaint within twenty (20) days, the Bureau of Transportation and Safety will request that the Commission issue a Secretarial Letter imposing a penalty, which will include the revocation of your Certificate of Public Convenience. In such case, the Bureau of Transportation and Safety will request that the Commission direct the Department of Transportation, pursuant to the Vehicle Code, 75 Pa.C.S. § 1375, to suspend the registration of any vehicle(s) involved in the alleged violations.

C. If you file an answer, which either admits or fails to deny the allegations of the complaint, the Bureau of Transportation and Safety will request that the Commission issue a Secretarial Letter imposing a penalty, which will include the revocation of your Certificate of Public Convenience.

D. If you file an Answer, which contests the complaint, the matter will be assigned to an administrative law judge for hearing and decision. The judge is not bound by the optional fine set forth above.

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

*Pennsylvania Public Utility Commission, Bureau of  
Transportation and Safety v. Jhaj, Inc.;*  
*Doc. No. C-2010-2131221, A-00118840*

#### COMPLAINT

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

1. That Jhaj, Inc., Respondent, maintains a principal place of business at 16 Kenmore Road, Upper Darby, PA 19082.

2. That Respondent was issued a Certificate of Public Convenience by this Commission on June 18, 2002, at A-00118840.

3. That Respondent was advised by letter dated May 10, 2005, that its medallion authority was being transferred to the Philadelphia Parking Authority. At that time, Respondent was advised that its taxicab service which had an origin and destination outside of the City of Philadelphia remained subject to the regulatory oversight of the PA PUC.

4. That Respondent was advised by letter dated September 4, 2009, that it failed to file a valid tariff with this Commission as required by 52 Pa. Code § 23.11. Respon-

dent was provided 60 days to file an acceptable tariff. To date, Respondent has not filed an acceptable tariff. The Bureau of Transportation and Safety's Motor Carrier Services and Enforcement Prosecutory Staff's proposed civil penalty for this violation is \$250.00.

Wherefore, the Bureau of Transportation and Safety Prosecutory Staff hereby requests that the Commission fine Jhaj, Inc., the sum of two hundred and fifty dollars (\$250.00) for the illegal activity described in the complaint and order such other remedy as the Commission may deem to be appropriate.

Respectfully submitted,

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

#### VERIFICATION

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

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

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

#### NOTICE

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

Rosemary Chiavetta, Secretary  
Pennsylvania Public Utility Commission  
P. O. Box 3265  
Harrisburg, PA 17105-3265

B. If you fail to answer this complaint within twenty (20) days of the date of service, the Bureau of Transportation and Safety will request that the Commission issue a Secretarial Letter imposing a penalty. Each day you continue to violate any regulation, direction, requirement or Order of the Commission is a separate and distinct offense, subject to additional penalties.

C. You may elect not to contest this complaint by filing an acceptable tariff and by paying the fine proposed in this Complaint by certified check or money order. The tariff must be filed with the:

Compliance Office, Bureau of Transportation and Safety  
Pennsylvania Public Utility Commission  
P. O. Box 3265  
Harrisburg, PA 17105-3265

The fine payment must be made to the Commonwealth of Pennsylvania and should be forwarded to:

Rosemary Chiavetta, Secretary  
Pennsylvania Public Utility Commission  
P. O. Box 3265  
Harrisburg, PA 17105-3265

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

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

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

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

*Pennsylvania Public Utility Commission, Bureau of  
Transportation and Safety v. Chardi Kala Cab Co.;*  
*Doc. No. C-2010-2129773, A-00120102*

#### COMPLAINT

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

1. That Chardi Kala Cab Co., Respondent, maintains a principal place of business at 125 Wellington Road, Upper Darby, PA 19082.

2. That Respondent was issued a Certificate of Public Convenience by this Commission on October 16, 2003, A-00120102.

3. That Respondent was advised by letter dated May 10, 2005, that its medallion authority was being transferred to the Philadelphia Parking Authority. At that time, Respondent was advised that its taxicab service which had an origin and destination outside of the City of Philadelphia remained subject to the regulatory oversight of the PA PUC.

4. That Respondent was advised by letter dated August 31, 2009, that it failed to file a valid tariff with this Commission as required by 52 Pa. Code § 23.11. Respondent was provided 60 days to file an acceptable tariff. To date, Respondent has not filed an acceptable tariff. The Bureau of Transportation and Safety's Motor Carrier Services and Enforcement Prosecutory Staff's proposed civil penalty for this violation is \$250.00.

Wherefore, the Bureau of Transportation and Safety Prosecutory Staff hereby requests that the Commission fine Chardi Kala Cab Co., the sum of two hundred and fifty dollars (\$250.00) for the illegal activity described in

the complaint and order such other remedy as the Commission may deem to be appropriate.

Respectfully submitted,

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

#### VERIFICATION

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

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

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

#### NOTICE

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

Rosemary Chiavetta, Secretary  
Pennsylvania Public Utility Commission  
P. O. Box 3265  
Harrisburg, PA 17105-3265

B. If you fail to answer this complaint within twenty (20) days of the date of service, the Bureau of Transportation and Safety will request that the Commission issue a Secretarial Letter imposing a penalty. Each day you continue to violate any regulation, direction, requirement or Order of the Commission is a separate and distinct offense, subject to additional penalties.

C. You may elect not to contest this complaint by filing an acceptable tariff and by paying the fine proposed in this Complaint by certified check or money order. The tariff must be filed with the:

Compliance Office, Bureau of Transportation and Safety  
Pennsylvania Public Utility Commission  
P. O. Box 3265  
Harrisburg, PA 17105-3265

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Rosemary Chiavetta, Secretary  
Pennsylvania Public Utility Commission  
P. O. Box 3265  
Harrisburg, PA 17105-3265

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from further violations. Upon receipt of an acceptable tariff and payment of the proposed fine, the complaint proceeding shall be closed.

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

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

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

\_\_\_\_\_  
*Pennsylvania Public Utility Commission, Bureau of  
Transportation and Safety v. GSD Cab Co.;*  
*Doc. No. C-2010-2128665, A-00111905*

#### COMPLAINT

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

1. That GSD Cab Co., Respondent, maintains a principal place of business at 1843 Wynnewood Road, Philadelphia, PA 19151.

2. That Respondent was issued a Certificate of Public Convenience by this Commission on May 23, 1995, at A-00111905.

3. That Respondent was advised by letter dated May 10, 2005, that its medallion authority was being transferred to the Philadelphia Parking Authority. At that time, Respondent was advised that its taxicab service which had an origin and destination outside of the City of Philadelphia remained subject to the regulatory oversight of the PA PUC.

4. That Respondent was advised by letter dated August 31, 2009, that it failed to file a valid tariff with this Commission as required by 52 Pa. Code § 23.11. Respondent was provided 60 days to file an acceptable tariff. To date, Respondent has not filed an acceptable tariff. The penalty is \$250.00.

Wherefore, the Bureau of Transportation and Safety Prosecutory Staff hereby requests that the Commission fine GSD Cab Co., the sum of two hundred and fifty dollars (\$250.00) for the illegal activity described in the complaint and order such other remedy as the Commission may deem to be appropriate.

Respectfully submitted,

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

VERIFICATION

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

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

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

NOTICE

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

Rosemary Chiavetta, Secretary  
Pennsylvania Public Utility Commission  
P. O. Box 3265  
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E. If you file an Answer which contests the Complaint, the matter will be assigned to an Administrative Law

Judge for hearing and decision. The judge is not bound by the optional fine set forth above.

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

\_\_\_\_\_  
*Pennsylvania Public Utility Commission, Bureau of  
Transportation and Safety v. Denis M Cab Co.;*  
*Doc. No. C-2010-2128699, A-00114502*

COMPLAINT

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

1. That Denis M Cab Co., Respondent, maintains a principal place of business at 521 Jansen Avenue, Essington, PA 19029.

2. That Respondent was issued a Certificate of Public Convenience by this Commission on February 2, 1998, at A-00114502.

3. That Respondent was advised by letter dated May 10, 2005, that its medallion authority was being transferred to the Philadelphia Parking Authority. At that time, Respondent was advised that its taxicab service which had an origin and destination outside of the City of Philadelphia remained subject to the regulatory oversight of the PA PUC.

4. That Respondent was advised by letter dated August 31, 2009, that it failed to file a valid tariff with this Commission as required by 52 Pa. Code § 23.11. Respondent was provided 60 days to file an acceptable tariff. To date, Respondent has not filed an acceptable tariff. The penalty is \$250.00.

Wherefore, the Bureau of Transportation and Safety Prosecutory Staff hereby requests that the Commission fine Denis M Cab Co., the sum of two hundred and fifty dollars (\$250.00) for the illegal activity described in the complaint and order such other remedy as the Commission may deem to be appropriate.

Respectfully submitted,

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

VERIFICATION

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

Date: \_\_\_\_\_  
 Wendy J. Keezel, Chief of Enforcement  
 Motor Carrier Services and Enforcement  
 Division  
 Bureau of Transportation and Safety

NOTICE

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 Pennsylvania Public Utility Commission  
 P. O. Box 3265  
 Harrisburg, PA 17105-3265

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

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

*Pennsylvania Public Utility Commission, Bureau of  
 Transportation and Safety v. Deep Cab, Inc.;*  
*Doc. No. C-2010-2129829, A-00120709*

COMPLAINT

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

1. That Deep Cab, Inc., Respondent, maintains a principal place of business at 41 Winfield Circle, Sewell, NJ 08080.

2. That Respondent was issued a Certificate of Public Convenience by this Commission on June 29, 2004, A-00120709.

3. That Respondent was advised by letter dated May 10, 2005, that its medallion authority was being transferred to the Philadelphia Parking Authority. At that time, Respondent was advised that its taxicab service which had an origin and destination outside of the City of Philadelphia remained subject to the regulatory oversight of the PA PUC.

4. That Respondent was advised by letter dated September 11, 2009, that it failed to file a valid tariff with this Commission as required by 52 Pa. Code § 23.11. Respondent was provided 60 days to file an acceptable tariff. To date, Respondent has not filed an acceptable tariff. The penalty is \$250.00.

Wherefore, the Bureau of Transportation and Safety Prosecutory Staff hereby requests that the Commission fine Deep Cab, Inc., the sum of two hundred and fifty dollars (\$250.00) for the illegal activity described in the complaint and order such other remedy as the Commission may deem to be appropriate.

Respectfully submitted,

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

VERIFICATION

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

Date: \_\_\_\_\_  
 Wendy J. Keezel, Chief of Enforcement  
 Motor Carrier Services and Enforcement  
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\_\_\_\_\_  
*Pennsylvania Public Utility Commission, Bureau of  
 Transportation and Safety v. LPIB, Inc.;*  
*Doc. No. C-2010-2131188, A-00110973*

#### COMPLAINT

The Pennsylvania Public Utility Commission (Commission) is a duly constituted agency of the Commonwealth of Pennsylvania empowered to regulate public utilities within the Commonwealth. The Commission has delegated its authority to initiate proceedings, which are prosecutory in nature to the Bureau of Transportation and Safety and other bureaus with enforcement responsi-

bilities. Pursuant to that delegated authority and Section 701 of the Public Utility Code, the Bureau of Transportation and Safety Prosecutory Staff hereby represents as follows:

1. That LPIB, Inc., Respondent, maintains a principal place of business at 441 Tomlinson Road, Apt E-10, Philadelphia, PA 19116.

2. That Respondent was issued a Certificate of Public Convenience by this Commission on February 2, 1996, at A-00110973.

3. That Respondent was advised by letter dated May 10, 2005, that its medallion authority was being transferred to the Philadelphia Parking Authority. At that time, Respondent was advised that its taxicab service which had an origin and destination outside of the City of Philadelphia remained subject to the regulatory oversight of the PA PUC.

4. That Respondent was advised by letter dated September 4, 2009, that it failed to file a valid tariff with this Commission as required by 52 Pa. Code § 23.11. Respondent was provided 60 days to file an acceptable tariff. To date, Respondent has not filed an acceptable tariff. The penalty is \$250.00.

Wherefore, the Bureau of Transportation and Safety Prosecutory Staff hereby requests that the Commission fine LPIB, Inc., the sum of two hundred and fifty dollars (\$250.00) for the illegal activity described in the complaint and order such other remedy as the Commission may deem to be appropriate.

Respectfully submitted,

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

#### VERIFICATION

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

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

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 Pennsylvania Public Utility Commission  
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\_\_\_\_\_  
*Pennsylvania Public Utility Commission, Bureau of  
 Transportation and Safety v. Jean & Serge Cab Co.;*  
*Doc. No. C-2010-2131193, A-00111502*

#### COMPLAINT

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

1. That Jean & Serge Cab Co., Respondent, maintains a principal place of business at 6533 Linmore Avenue, Philadelphia, PA 19142.

2. That Respondent was issued a Certificate of Public Convenience by this Commission on July 25, 1995, A-00111502.

3. That Respondent was advised by letter dated May 10, 2005, that its medallion authority was being transferred to the Philadelphia Parking Authority. At that time, Respondent was advised that its taxicab service which had an origin and destination outside of the City of Philadelphia remained subject to the regulatory oversight of the PA PUC.

4. That Respondent was advised by letter dated September 4, 2009, that it failed to file a valid tariff with this Commission as required by 52 Pa. Code § 23.11. Respondent was provided 60 days to file an acceptable tariff. To date, Respondent has not filed an acceptable tariff. The penalty is \$250.00.

Wherefore, the Bureau of Transportation and Safety Prosecutory Staff hereby requests that the Commission fine Jean & Serge Cab Co., the sum of two hundred and fifty dollars (\$250.00) for the illegal activity described in the complaint and order such other remedy as the Commission may deem to be appropriate.

Respectfully submitted,

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

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*Pennsylvania Public Utility Commission, Bureau of Transportation and Safety v. JIP, Inc.;  
Doc. No. C-2010-2131203, A-00115294*

#### COMPLAINT

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

1. That JIP, Inc., Respondent, maintains a principal place of business at 6437 Emlen Street, Philadelphia, PA 19119.

2. That Respondent was issued a Certificate of Public Convenience by this Commission on November 16, 1998, at A-00115294.

3. That Respondent was advised by letter dated May 10, 2005, that its medallion authority was being transferred to the Philadelphia Parking Authority. At that time, Respondent was advised that its taxicab service which had an origin and destination outside of the City of Philadelphia remained subject to the regulatory oversight of the PA PUC.

4. That Respondent was advised by letter dated September 4, 2009, that it failed to file a valid tariff with this Commission as required by 52 Pa. Code § 23.11. Respondent was provided 60 days to file an acceptable tariff. To date, Respondent has not filed an acceptable tariff. The penalty is \$250.00.

Wherefore, the Bureau of Transportation and Safety Prosecutory Staff hereby requests that the Commission fine JIP, Inc., the sum of two hundred and fifty dollars (\$250.00) for the illegal activity described in the complaint and order such other remedy as the Commission may deem to be appropriate.

Respectfully submitted,

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

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4. Project Sponsor and Facility: Buck Ridge Stone, LLC (Salt Lick Creek), New Milford Township, Susquehanna County, PA. Surface water withdrawal of up to 0.083 mgd.

5. Project Sponsor and Facility: Chesapeake Appalachia, LLC (Susquehanna River), Mehoopany Township, Wyoming County, PA. Modification to project features of the withdrawal approval (Docket No. 20080923).

6. Project Sponsor and Facility: Citrus Energy (Susquehanna River), Washington Township, Wyoming County, PA. Surface water withdrawal of up to 1.994 mgd.

7. Project Sponsor and Facility: Geary Enterprises (Buttermilk Creek), Falls Township, Wyoming County, PA. Surface water withdrawal of up to 0.099 mgd.

8. Project Sponsor: New Morgan Landfill Company, Inc. Project Facility: Conestoga Landfill, New Morgan Borough, Berks County, PA. Groundwater withdrawal of up to 0.003 mgd from the Shop Well and surface water withdrawal of up to 0.249 mgd from the Quarry Pond.

9. Project Sponsor and Facility: Novus Operating, LLC (Cowanessque River), Westfield Township, Tioga County, PA. Surface water withdrawal of up to 0.750 mgd.

10. Project Sponsor and Facility: Smith Transport Warehouse (Bald Eagle Creek), Snyder Township, Blair County, PA. Surface water withdrawal of up to 0.160 mgd.

11. Project Sponsor and Facility: Sugar Hollow Trout Park and Hatchery, Eaton Township, Wyoming County, PA. Groundwater withdrawal of up to 0.864 mgd combined total from Wells 1, 2 and 3 (Hatchery Well Field).

12. Project Sponsor and Facility: Talisman Energy USA, Inc. (Seeley Creek), Wells Township, Bradford County, PA. Surface water withdrawal of up to 0.750 mgd.

13. Project Sponsor and Facility: Talisman Energy USA, Inc. (Wyalusing Creek), Stevens Township, Bradford County, PA. Surface water withdrawal of up to 2.000 mgd.

14. Project Sponsor and Facility: Williams Production Appalachia, LLC (Snake Creek), Liberty Township, Susquehanna County, PA. Modification to project features of the withdrawal approval (Docket No. 20090302).

*Public Hearing—Projects Tabled:*

1. Project Sponsor and Facility: Anadarko E&P Company, LP (Wolf Run), Snow Shoe Township, Centre County, PA. Application for surface water withdrawal of up to 0.499 mgd.

2. Project Sponsor and Facility: Chief Oil & Gas, LLC (Martins Creek), Hop Bottom Borough, Susquehanna County, PA. Application for surface water withdrawal of up to 0.360 mgd.

3. Project Sponsor and Facility: Mansfield Borough Municipal Authority, Richmond Township, Tioga County, PA. Application for groundwater withdrawal of up to 0.079 mgd from Well 3.

4. Project Sponsor and Facility: Novus Operating, LLC (Tioga River), Covington Township, Tioga County, PA. Application for surface water withdrawal of up to 1.750 mgd.

5. Project Sponsor and Facility: Walker Township Water Association, Walker Township, Centre County, PA. Modification to increase the total groundwater system withdrawal limit (30-day average) from 0.523 mgd to 0.962 mgd (Docket No. 20070905).

*Public Hearing—Diversion Project Approved:*

1. Project Sponsor: Gettysburg Municipal Authority. Project Facility: Hunterstown Wastewater Treatment Plant, Straban Township, Adams County, PA. Application for an existing into-basin diversion of up to 0.123 mgd from the Potomac River Basin.

*Public Hearing—Rescission of Project Approvals:*

1. Project Sponsor: McNeil PPC. Project Facility: Johnson & Johnson (Docket No. 20050906), Lititz Borough, Lancaster County, PA.

2. Project Sponsor: Northampton Fuel Supply Company, Inc. Project Facility: Loomis Bank Operation (Docket No. 20040904), Hanover Township, Luzerne County, PA.

*Authority:* Pub. L. No. 91-575, 84 Stat. 1509 et seq., 18 CFR Parts 806—808.

Dated: September 30, 2010.

PAUL O. SWARTZ,  
*Executive Director*

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