

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 December 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

Conversions

<i>Date</i>	<i>Name and Location of Applicant</i>	<i>Action</i>		
12-15-2010	<p><i>From:</i> Team Capital Bank Bethlehem Northampton County</p> <p><i>To:</i> Team Capital Bank Bethlehem Northampton County</p> <p>Conversion from a Federally-chartered savings association to a Pennsylvania State-chartered stock savings bank.</p> <p>Branch offices operated by Team Capital Bank:</p> <table border="0" style="width: 100%;"> <tr> <td style="width: 50%; vertical-align: top;"> <p>18 North Main Street Doylestown Bucks County</p> <p>1901 Hamilton Street Allentown Lehigh County</p> <p>2151 Emrick Boulevard Bethlehem Northampton County</p> <p>178 Center Street Clinton Hunterdon County, NJ</p> <p>30 Route 31 Flemington Hunterdon County, NJ</p> <p>62 West Main Street Somerville Somerset County, NJ</p> </td> <td style="width: 50%; vertical-align: top;"> <p>210 Penns Trail Newtown Bucks County</p> <p>4285 West Tilghman Street Allentown Lehigh County</p> <p>464 Eagle Rock Avenue West Orange Essex County, NJ</p> <p>110 Main Street Flemington Hunterdon County, NJ</p> <p>49 Route 202 Far Hills Somerset County, NJ</p> <p>190 Roseberry Street Phillipsburg Warren County, NJ</p> </td> </tr> </table>	<p>18 North Main Street Doylestown Bucks County</p> <p>1901 Hamilton Street Allentown Lehigh County</p> <p>2151 Emrick Boulevard Bethlehem Northampton County</p> <p>178 Center Street Clinton Hunterdon County, NJ</p> <p>30 Route 31 Flemington Hunterdon County, NJ</p> <p>62 West Main Street Somerville Somerset County, NJ</p>	<p>210 Penns Trail Newtown Bucks County</p> <p>4285 West Tilghman Street Allentown Lehigh County</p> <p>464 Eagle Rock Avenue West Orange Essex County, NJ</p> <p>110 Main Street Flemington Hunterdon County, NJ</p> <p>49 Route 202 Far Hills Somerset County, NJ</p> <p>190 Roseberry Street Phillipsburg Warren County, NJ</p>	Effective
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SAVINGS INSTITUTIONS

No activity.

CREDIT UNIONS

No activity.

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

STEVEN KAPLAN,
Secretary

[Pa.B. Doc. No. 11-43. Filed for public inspection January 7, 2011, 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 December 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>
12-20-2010	Edward E. Shin and group of passive individual investors Application for approval to acquire 100% of the common stock of Royal Asian Bank, Philadelphia.	Approved

Holding Company Acquisitions

<i>Date</i>	<i>Name and Location of Applicant</i>	<i>Action</i>
12-21-2010	e3holdings, inc. Malvern Chester County Application for approval to acquire 100% of American Eagle Savings Bank, Boothwyn.	Filed
12-21-2010	F.N.B. Corporation Hermitage Mercer County Application for approval to acquire 100% of Comm Bancorp, Inc., Clarks Summit, and thereby indirectly acquire 100% of Community Bank and Trust Company, Clarks Summit.	Approved

Branch Applications

De Novo Branches

<i>Date</i>	<i>Name and Location of Applicant</i>	<i>Location of Branch</i>	<i>Action</i>
12-21-2010	Susquehanna Bank Lititz Lancaster County	203 International Drive Hunt Valley Baltimore County, MD	Filed

Branch Relocations

<i>Date</i>	<i>Name and Location of Applicant</i>	<i>Location of Branch</i>	<i>Action</i>
12-20-2010	Susquehanna Bank Lititz Lancaster County	<i>To:</i> Via Bella and Hepburn Streets Williamsport Lycoming County <i>From:</i> 329 Pine Street Williamsport Lycoming County	Approved

Branch Consolidations

<i>Date</i>	<i>Name and Location of Applicant</i>	<i>Location of Branch</i>	<i>Action</i>
12-17-2010	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	Effective

Branch Discontinuances

<i>Date</i>	<i>Name and Location of Applicant</i>	<i>Location of Branch</i>	<i>Action</i>
12-20-2010	Susquehanna Bank Lititz Lancaster County	225 Williams Street Williamsport Lycoming County	Approved

SAVINGS INSTITUTIONS

No activity.

CREDIT UNIONS**Community Charter Conversions**

<i>Date</i>	<i>Name and Location of Institution</i>	<i>Action</i>
12-20-2010	Moonlight Credit Union Worthington Armstrong County	Effective

Amendment to Article 8 of the credit union's Articles of Incorporation provides the following field of membership: "All people who live, work, worship, attend school in, and businesses and other legal entities in the County of Armstrong, Commonwealth of Pa."

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

STEVEN KAPLAN,
Secretary

[Pa.B. Doc. No. 11-44. Filed for public inspection January 7, 2011, 9:00 a.m.]

DEPARTMENT OF CONSERVATION AND NATURAL RESOURCES

Community Conservation Partnerships Program Grants and Workshops

The Department of Conservation and Natural Resources (Department) announces the 2011 open application period for the Community Conservation Partnerships Program (C2P2) Grants administered by the Bureau of Recreation and Conservation (Bureau). The primary open application period will officially begin January 3, 2011, and end at 4 p.m. on April 20, 2011. Depending on the funding source, eligible applicants include Commonwealth municipalities and appropriate nonprofit organizations.

All applications must be submitted electronically through the Environmental eGrants System available at <https://www.grants.dcnr.state.pa.us/index.aspx>. No paper, faxed or e-mailed applications will be accepted. All grant information, project guidance documents, program policies and application instructions are available online at <http://www.dcnr.state.pa.us/brc/grants/>. For assistance with the Environmental eGrants System, call the Department's Grants Customer Service Center at (800) 326-7734 or e-mail DCNR-Grants@state.pa.us.

Grant assistance from the Department helps communities in this Commonwealth and organizations plan, acquire and develop recreation, park and trail facilities and conserve open space. The Bureau administers the C2P2 Program which combines several State and Federal funding sources into one grant program.

Examples of eligible projects include community recreation projects to develop and rehabilitate parks and recreation facilities; open space conservation projects including purchase of lands in fee or with a conservation easement to protect critical habitat; developing greenways

and trails; purchasing trail maintenance equipment; river conservation activities like fishing and boating access along river corridors; and partnership projects that provide education and training on natural resource, recreation, parks, greenways and trails.

In 2011, the Department Grant Program will focus on making grant awards that create or enhance this Commonwealth's recreation and conservation infrastructure—supporting sustainable communities, economic development, healthy lifestyles and creating jobs. Specific priorities for grant projects are: park and recreational facilities that demonstrate green principles and connect children to healthy recreation and the outdoors; trails; river access projects and projects identified by regional partnerships including Conservation Landscapes Initiatives, Statewide Significant Greenways and Heritage Areas. For more information on many of these priorities visit www.paoutdoorreclan.com.

During January and February, free grants workshops are scheduled at the following locations throughout this Commonwealth, from 8:30 a.m. until 12 p.m. focusing on the Department's greening emphasis, how to develop a competitive and ready to go project and changes to the 2011 C2P2 Grants Program:

January 11, 2011—Bucks County Community College, Newtown (Snow Date: January, 12, 2011)

January 14, 2011—Montgomery County Safety Training Center, Conshohocken (Snow Date: February 18, 2011)

February 1, 2011—Franklin Park Borough Activity Center, Sewickley (Snow Date: February 15, 2011)

February 3, 2011—Luzerne County Community College, Edu. Conf. Ctr., Nanticoke (Snow Date: February 4, 2011)

February 8, 2011—Clarion University, James Gemmill Student Complex, Clarion (Snow Date: February 16, 2011)

February 10, 2011—Boalsburg Volunteer Fire Company, Boalsburg (Snow Date: February 17, 2011)

To register for these workshops, go to <http://www.dcnr.state.pa.us/calendar> under the Workshops-Grants Calendar. In the event of inclement weather, contact Pennsylvania Recreation and Park Society (PRPS) at (814) 234-4272, and/or check the workshop status on the Department's Calendar at www.dcnr.state.pa.us/calendar, or the PRPS web site at www.prps.org/index.htm.

Persons with a disability who wish to submit an application and require assistance should contact Darrel Siesholtz at (717) 787-7672 to accommodate their needs. Voice/TTY users should call (800) 654-5984.

JOHN QUIGLEY,
Secretary

[Pa.B. Doc. No. 11-45. Filed for public inspection January 7, 2011, 9:00 a.m.]

DEPARTMENT OF ENVIRONMENTAL PROTECTION

Applications, Actions and Special Notices

APPLICATIONS

THE CLEAN STREAMS LAW AND THE FEDERAL CLEAN WATER ACT

APPLICATIONS FOR NATIONAL POLLUTION DISCHARGE ELIMINATION SYSTEM (NPDES) PERMITS AND WATER QUALITY MANAGEMENT (WQM) PERMITS

This notice provides information about persons who have applied for a new, amended or renewed NPDES or WQM permit, a permit waiver for certain stormwater discharges or submitted a Notice of Intent (NOI) for coverage under a General Permit. The applications concern, but are not limited to, discharges regarding 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 (CAFO). This notice is provided in accordance with 25 Pa. Code Chapters 91 and 92a and 40 CFR Part 122, implementing The Clean Streams Law (35 P. S. §§ 691.1—691.1001) and the Federal Clean Water Act (33 U.S.C.A. §§ 1251—1376).

<i>Location</i>	<i>Permit Authority</i>	<i>Application Type or Category</i>
Section I	NPDES	Renewals
Section II	NPDES	New or Amendment
Section III	WQM	Industrial, Sewage or Animal Waste; Discharge into Groundwater
Section IV	NPDES	MS4 Individual Permit
Section V	NPDES	MS4 Permit Waiver
Section VI	NPDES	Individual Permit Stormwater Construction
Section VII	NPDES	NOI for Coverage under NPDES General Permits

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

For applications for new NPDES permits and renewal applications with major changes in Section II, as well as applications for MS4 Individual Permits and Individual Stormwater Construction Permits in Sections IV and VI, the Department, based upon preliminary reviews, has made tentative determinations 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 United States Environmental Protection Agency (EPA) Region III Administrator has waived the right to review or object to proposed NPDES permit actions under the waiver provision in 40 CFR 123.24(d).

Persons wishing to comment on NPDES applications are invited to submit statements to the contact office noted before the application within 30 days from the date of this public notice. Persons wishing to comment on WQM permit applications are invited to submit statements to the office noted before the application within 15 days from the date of this public notice. Comments received within the respective comment periods will be considered in the final determinations regarding the applications. A comment submittal 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 public hearings on applications. A public hearing may be held if the responsible office considers the public response significant. If a hearing is scheduled, a notice of the hearing will be published in the *Pennsylvania Bulletin* and a newspaper of general circulation within the relevant geographical area. The Department will postpone its final determination until after a public hearing is held.

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

I. NPDES Renewal Applications

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

<i>NPDES No. (Type)</i>	<i>Facility Name & Address</i>	<i>County & Municipality</i>	<i>Stream Name (Watershed #)</i>	<i>EPA Waived Y/N ?</i>
PA0221708 (Sewage)	Chicora Borough STP 200 Chicora-Fenellton Road Chicora, PA 16025	Butler County Chicora Borough	Buffalo Creek 18-F	Y
PA0210013 (Sewage)	Megan M. Loomis 72 Birchwood Drive Transfer, PA 16154-2418	Mercer County Pymatuning Township	Unnamed Tributary to the Shenango River 20-A	Y

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

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

PA0053091, Industrial Waste, SIC Code 2033, **Giorgio Foods Inc.**, PO Box 96, Temple, PA 19560-96. Facility Name: Giorgio Foods Mushroom Proc Plant. This existing facility is located in Maiden creek Township, **Berks County**.

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

The receiving stream(s), Willow Creek, is located in State Water Plan watershed 3-B and is classified for Cold Water Fishes, aquatic life, water supply and recreation. The discharge is not expected to affect public water supplies.

The proposed effluent limits for Outfall 001 are based on a design flow of 0.5 MGD.

<i>Parameters</i>	<i>Mass (lb/day)</i>			<i>Concentration (mg/l)</i>		
	<i>Average Monthly</i>	<i>Daily Maximum</i>	<i>Minimum</i>	<i>Average Monthly</i>	<i>Daily Maximum</i>	<i>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	5.0	XXX	XXX	
Total Residual Chlorine	XXX	XXX	XXX	XXX	XXX	0.55
Color (Pt-Co Units)	XXX	XXX	XXX	XXX	100	XXX
Temperature (° F)						
Jan 1-15	XXX	XXX	XXX	42	XXX	XXX
Jan 16-31	XXX	XXX	XXX	40	XXX	XXX
Feb 1-15	XXX	XXX	XXX	40	XXX	XXX
Feb 16-29	XXX	XXX	XXX	42	XXX	XXX
Mar 1-31	XXX	XXX	XXX	46	XXX	XXX
Apr 1-15	XXX	XXX	XXX	52	XXX	XXX
Apr 16-30	XXX	XXX	XXX	58	XXX	XXX
May 1-15	XXX	XXX	XXX	64	XXX	XXX
May 16-31	XXX	XXX	XXX	72	XXX	XXX
Jun 1-15	XXX	XXX	XXX	80	XXX	XXX
Jun 16-30	XXX	XXX	XXX	84	XXX	XXX
Jul 1-31	XXX	XXX	XXX	87	XXX	XXX
Aug 1-31	XXX	XXX	XXX	87	XXX	XXX
Sep 1-15	XXX	XXX	XXX	84	XXX	XXX
Sep 16-30	XXX	XXX	XXX	78	XXX	XXX
Oct 1-15	XXX	XXX	XXX	72	XXX	XXX

<i>Parameters</i>	<i>Mass (lb/day)</i>			<i>Concentration (mg/l)</i>		
	<i>Average Monthly</i>	<i>Daily Maximum</i>	<i>Minimum</i>	<i>Average Monthly</i>	<i>Daily Maximum</i>	<i>Instant. Maximum</i>
Temperature (° F) Oct 16-31	XXX	XXX	XXX	66	XXX	XXX
Temperature (° F) Nov 1-15	XXX	XXX	XXX	58	XXX	XXX
Temperature (° F) Nov 16-30	XXX	XXX	XXX	55	XXX	XXX
Temperature (° F) Dec 1-15	XXX	XXX	XXX	51	XXX	XXX
Temperature (° F) Dec 16-31	XXX	XXX	XXX	47	XXX	XXX
CBOD ₅ May 1 - Oct 31	42	83	XXX	10	20	25
CBOD ₅ Nov 1 - Apr 30	83	166	XXX	20	40	50
Total Suspended Solids	42	84	XXX	10	15	20
Total Dissolved Solids	4,170	8,340	XXX	1,000	2,000	2,500
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	6.3	13	XXX	1.5	3.0	3.5
Ammonia-Nitrogen Nov 1 - Apr 30	19	38	XXX	4.5	9.0	11
Total Phosphorus (Interim)	Report	Report	XXX	Report	Report	XXX
Total Phosphorus (Final)	8.3	16.6	XXX	2.0	4.0	5.0

The proposed effluent limits for Outfall 002 are based on a design flow of 0.00000 MGD.

<i>Parameters</i>	<i>Concentration (mg/l)</i>				
	<i>Minimum</i>	<i>Average Monthly</i>	<i>Daily Maximum</i>	<i>Instant. Maximum</i>	
CBOD ₅	XXX	XXX	Report	XXX	
Chemical Oxygen Demand	XXX	XXX	Report	XXX	
Total Suspended Solids	XXX	XXX	Report	XXX	
Oil and Grease	XXX	XXX	Report	XXX	
Fecal Coliform (CFU/100 ml)	XXX	XXX	Report	XXX	
Total Kjeldahl Nitrogen	XXX	XXX	Report	XXX	
Total Phosphorus	XXX	XXX	Report	XXX	
Total Iron	XXX	XXX	Report	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 in effect.

PA0070271, Sewage, SIC Code 4952, **Maidencreek Township Authority Berks County**, 1 Quarry Road, Blandon, PA 19510. Facility Name: Maidencreek Township STP. This existing facility is located in Ontelaunee Township, **Berks 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), Willow Creek, is located in State Water Plan watershed 3-B and is classified for Cold Water Fishes, aquatic life, water supply and recreation. The discharge is not expected to affect public water supplies.

The proposed effluent limits for Outfall 001 are based on a design flow of 0.8 MGD.

<i>Parameters</i>	<i>Mass (lb/day)</i>			<i>Concentration (mg/l)</i>		
	<i>Average Monthly</i>	<i>Weekly Average</i>	<i>Minimum</i>	<i>Average Monthly</i>	<i>Weekly Average</i>	<i>Instant. Maximum</i>
Flow (MGD)	Report	Report Daily Max	XXX	XXX	XXX	XXX
pH (S.U.)	XXX	XXX	6.0	XXX	XXX	9.0
Dissolved Oxygen	XXX	XXX	5.0	XXX	XXX	XXX
CBOD ₅ May 1 - Oct 31	47	67	XXX	7	10	14
CBOD ₅ Nov 1 - Apr 30	93	133	XXX	14	20	28

<i>Parameters</i>	<i>Mass (lb/day)</i>			<i>Concentration (mg/l)</i>		
	<i>Average Monthly</i>	<i>Weekly Average</i>	<i>Minimum</i>	<i>Average Monthly</i>	<i>Weekly Average</i>	<i>Instant. Maximum</i>
BOD ₅						
Raw Sewage Influent	Report	XXX	XXX	Report	XXX	XXX
Total Suspended Solids						
Raw Sewage Influent	Report	XXX	XXX	Report	XXX	XXX
Total Suspended Solids	67	100	XXX	30	45	50
Total Dissolved Solids	6,672	XXX	XXX	1000	XXX	2000
Fecal Coliform (CFU/100 ml)				200		
May 1 - Sep 30	XXX	XXX	XXX	Geo Mean	XXX	XXX
Fecal Coliform (CFU/100 ml)				2000		
Oct 1 - Apr 30	XXX	XXX	XXX	Geo Mean	XXX	XXX
Ammonia-Nitrogen						
May 1 - Oct 31	10	XXX	XXX	1.5	XXX	3.0
Ammonia-Nitrogen						
Nov 1 - Apr 30	30	XXX	XXX	4.5	XXX	9.0
Total Copper	0.14	XXX	XXX	0.021	XXX	
Total Phosphorus (Interim)	Report	XXX	XXX	Report	XXX	XXX
Total Phosphorus (Final)	13.3	XXX	XXX	2.0	XXX	4.0

The proposed effluent limits for Outfall 002.

<i>Parameters</i>	<i>Mass (lb/day)</i>			<i>Concentration (mg/l)</i>		
	<i>Average Monthly</i>	<i>Daily Maximum</i>	<i>Minimum</i>	<i>Average Monthly</i>	<i>Daily Maximum</i>	<i>Instant. Maximum</i>
Flow (MGD)	Report	Report	XXX	XXX	XXX	XXX
pH (S.U.)	XXX	XXX	6.0	XXX	XXX	9.0
Total Suspended Solids	XXX	Report	XXX	10	15	20
		Wkly Avg			Wkly Avg	
Fecal Coliform (CFU/100 ml)	XXX	XXX	XXX	XXX	Report	Report
Total Nitrogen	XXX	XXX	XXX	XXX	Report	Report

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 in effect.

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

PA0110540, Industrial Waste (SIC Code 2033), **Furman Foods Inc.**, 770 Cannery Road, P. O. Box 500, Northumberland, PA 17857-5000. This existing facility is located in Point Township, **Northumberland County**.

Description of Existing Activity: The application is for a renewal of an NPDES permit for an existing/expanded discharge of treated industrial waste.

The receiving streams, Unnamed Tributary of West Branch Susquehanna River and West Branch Susquehanna River, are located in State Water Plan watershed 10-D and are classified for Warm Water Fishes and Migratory Fishes, aquatic life, water supply and recreation. The discharges are not expected to affect public water supplies.

The proposed effluent limits for Outfall 001 are based on a long term average flow of 0.16 MGD.

<i>Parameters</i>	<i>Mass (lb/day)</i>			<i>Concentration (mg/l)</i>		
	<i>Average Monthly</i>	<i>Daily Maximum</i>	<i>Minimum</i>	<i>Average Monthly</i>	<i>Daily Maximum</i>	<i>Instant. Maximum</i>
Flow (MGD)	Report	Report	XXX	XXX	XXX	XXX
pH (S.U.)	XXX	XXX	6.0	XXX	XXX	9.0
Total Residual Halogens	XXX	XXX	XXX	0.2	XXX	0.5
Temperature (°F) (Interim)	XXX	XXX	XXX	Report	Report	XXX
Temperature (°F) (Final)	XXX	XXX	XXX	Report	110	XXX
Oil and Grease	XXX	XXX	XXX	15	XXX	30
Dissolved Iron	XXX	XXX	XXX	1.5	3	3.7

The proposed effluent limits for Outfall 003 are not based on a design or average flow.

<i>Parameters</i>	<i>Mass (lb/day)</i>			<i>Concentration (mg/l)</i>		
	<i>Average Monthly</i>	<i>Daily Maximum</i>	<i>Minimum</i>	<i>Average Monthly</i>	<i>Daily Maximum</i>	<i>Instant. Maximum</i>
Flow (MGD)	Report	Report	XXX	XXX	XXX	XXX
pH (S.U.)	XXX	XXX	6.0	XXX	XXX	9.0

<i>Parameters</i>	<i>Mass (lb/day)</i>			<i>Concentration (mg/l)</i>		
	<i>Average Monthly</i>	<i>Daily Maximum</i>	<i>Minimum</i>	<i>Average Monthly</i>	<i>Daily Maximum</i>	<i>Instant. Maximum</i>
Dissolved Oxygen	XXX	XXX	6.0	XXX	XXX	XXX
BOD ₅	XXX	XXX	XXX	10	20	25
Total Suspended Solids	XXX	XXX	XXX	10	20	25
Oil and Grease	XXX	XXX	XXX	15	30	30
Fecal Coliform (CFU/100 ml)	XXX	XXX	XXX	200 Geo Mean	Wkly Avg XXX	XXX
Total Phosphorus	XXX	XXX	XXX	0.5	1.0	1.25
Total Nitrogen	XXX	XXX	XXX	5	10	12.5

The proposed effluent limits for Outfall 004 are based on an interim long term average flow of 0.157 MGD and a final long term average flow of 0.539 MGD.

<i>Parameters</i>	<i>Mass (lb/day)</i>			<i>Concentration (mg/l)</i>		
	<i>Average Monthly</i>	<i>Daily Maximum</i>	<i>Minimum</i>	<i>Average Monthly</i>	<i>Daily Maximum</i>	<i>Instant. Maximum</i>
Flow (MGD)	Report	Report	XXX	XXX	XXX	XXX
pH (S.U.)	XXX	XXX	6.0	XXX	XXX	9.0
Total Residual Chlorine	XXX	XXX	XXX	0.5	XXX	1.6
BOD ₅ (Interim)	98	196	XXX	75	150	188
BOD ₅ (Final)	337	674	XXX	75	150	188
Total Suspended Solids (Interim)	98	196	XXX	75	150	188
Total Suspended Solids (Final)	337	674	XXX	75	150	188
Oil and Grease	XXX	XXX	XXX	15	30	30
Fecal Coliform (CFU/100 ml)				200		
May 1 - Sep 30	XXX	XXX	XXX	Geo Mean	XXX	XXX
Fecal Coliform (CFU/100 ml)				2000		
Oct 1 - Apr 30	XXX	XXX	XXX	Geo Mean	XXX	XXX

The proposed monitoring requirements for implementation of the Chesapeake Bay Tributary Strategy are as follows for Outfall 001.

<i>Parameters</i>	<i>Mass (lbs)</i>			<i>Concentration (mg/l)</i>	
	<i>Monthly</i>	<i>Annual</i>	<i>Minimum</i>	<i>Monthly Average</i>	<i>Maximum</i>
Ammonia—N	Report			Report	
Kjeldahl—N	Report			Report	
Nitrate-Nitrite as N	Report			Report	
Total Nitrogen	Report	Report		Report	
Total Phosphorus	Report	Report		Report	

The proposed monitoring requirements and, where appropriate, effluent limits for implementation of the Chesapeake Bay Tributary Strategy are as follows for Outfall 004.

<i>Parameters</i>	<i>Mass (lbs)</i>			<i>Concentration (mg/l)</i>	
	<i>Monthly</i>	<i>Annual</i>	<i>Minimum</i>	<i>Monthly Average</i>	<i>Maximum</i>
Ammonia—N	Report	Report		Report	
Kjeldahl—N	Report			Report	
Nitrate-Nitrite as N	Report			Report	
Total Nitrogen	Report	Report		Report	
Total Phosphorus	Report	Report		Report	
Net Total Nitrogen (Interim)	Report	Report			
Net Total Nitrogen (Final)	Report	45450			
Net Total Phosphorus (Interim)	Report	Report			
Net Total Phosphorus (Final)	Report	1624			

* 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.

In addition, the permit contains the following special conditions:

1. Discharge Monitoring Report
2. Chesapeake Bay Schedule
3. Chesapeake Bay Nutrient Requirements
4. Approval Contingency
5. Nuisance Abatement
6. Industrial Waste Disposal
7. Total Residual Chlorine Optimization
8. Stormwater No Exposure Certification
9. Chemical Additives Management

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.

PA0233960, Industrial Waste, SIC Code 4953, **Keystone Clearwater Solutions LLC**, 1129 W Governor Road, Harrisburg, PA 17033. Facility Name: Keystone Clearwater Solutions Jersey Shore Facility. This proposed facility is located in Pine Creek Township, **Clinton County**.

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

The receiving stream(s), West Branch Susquehanna River, is located in State Water Plan watershed 9-B 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 0.504 MGD.

<i>Parameters</i>	<i>Mass (lb/day)</i>			<i>Concentration (mg/l)</i>		
	<i>Average Monthly</i>	<i>Daily Maximum</i>	<i>Minimum</i>	<i>Average Monthly</i>	<i>Daily Maximum</i>	<i>Instant. Maximum</i>
Flow (MGD)	Report	Report	XXX	XXX	XXX	XXX
pH (S.U.)	XXX	XXX	6.0	XXX	XXX	9.0
Specific Conductance (µmhos/cm)	XXX	XXX	XXX	Report	Report	XXX
BOD ₅	223	685	XXX	53	163	204
Chemical Oxygen Demand	Report	Report	XXX	Report	Report	XXX
Total Suspended Solids	47	124	XXX	11.3	29.6	37
Total Dissolved Solids	2085	4170	XXX	500	1000	1250
Osmotic Pressure (mOs/kg)	XXX	XXX	XXX	Report	Report	XXX
Oil and Grease	63	XXX	XXX	15	XXX	30
Ammonia-Nitrogen	105	210	XXX	25	50	63
Acidity, Total (as CaCO ₃)	Report	Report	XXX	Report	Report	XXX
Alkalinity, Total (as CaCO ₃)	Report	Report	Report	Report	Report	XXX
Alkalinity, Total (as CaCO ₃)	Report	Report	Report	Report	Report	XXX
Effluent Net	XXX	XXX	1	XXX	XXX	XXX
Total Aluminum	3.2	6.3	XXX	0.75	1.5	1.9
Total Antimony	0.13	0.47	XXX	0.0312	0.111	0.139
Total Arsenic	0.084	0.42	XXX	0.0199	0.0993	0.124
Total Barium	42	84	XXX	10	20	25
Total Beryllium	Report	Report	XXX	Report	Report	XXX
Total Boron	Report	Report	XXX	Report	Report	XXX
Total Cadmium	0.043	0.072	XXX	0.0102	0.0172	0.0255
Total Chromium	0.22	0.70	XXX	0.0522	0.167	0.209
Total Cobalt	0.30	0.77	XXX	0.0703	0.182	0.228
Total Copper	0.80	1.3	XXX	0.19	0.30	0.48
Dissolved Iron	Report	Report	XXX	Report	Report	7.0
Total Iron	6.3	13	XXX	1.5	3.0	4.8
Total Lead	0.67	1.5	XXX	0.16	0.35	0.4
Total Lithium	Report	Report	XXX	Report	Report	XXX
Total Manganese	4.2	8.4	XXX	1.0	2.0	2.5
Total Magnesium	Report	Report	XXX	Report	Report	XXX
Total Calcium	Report	Report	XXX	Report	Report	XXX
Total Mercury	0.0010	0.0027	XXX	0.000246	0.000641	0.000801
Total Molybdenum	Report	Report	XXX	Report	Report	XXX
Total Nickel	1.3	3.3	XXX	0.309	0.794	0.993
Total Selenium	0.29	0.74	XXX	0.0698	0.176	0.220

<i>Parameters</i>	<i>Mass (lb/day)</i>			<i>Concentration (mg/l)</i>		
	<i>Average Monthly</i>	<i>Daily Maximum</i>	<i>Minimum</i>	<i>Average Monthly</i>	<i>Daily Maximum</i>	<i>Instant. Maximum</i>
Total Silver	0.051	0.13	XXX	0.0122	0.0318	0.0398
Total Sodium	Report	Report	XXX	Report	Report	XXX
Total Strontium Sulfate	42	84	XXX	10	20	25
Total Tin	Report	Report	XXX	Report	Report	XXX
Total Titanium	0.15	0.40	XXX	0.0367	0.0955	0.119
Total Vanadium	0.026	0.067	XXX	0.00612	0.0159	0.0119
Total Zinc	0.22	0.26	XXX	0.0518	0.0628	0.13
o-Cresol	1.1	2.8	XXX	0.252	0.657	0.821
2,4,6-Trichlorophenol	2.4	8.1	XXX	0.561	1.92	2.4
Phenol	0.45	0.65	XXX	0.106	0.155	0.265
Acetone	4.5	15	XXX	1.08	3.65	4.6
Acetophenone	34	127	XXX	7.97	30.2	37.8
Ethylbenzene	0.24	0.48	XXX	0.056	0.114	0.14
Benzene	Report	Report	XXX	Report	Report	XXX
Butyl Benzyl Phthalate	3.7	5.9	XXX	0.89	1.4	2.2
Chloride	0.37	0.79	XXX	0.0887	0.188	0.222
Bromide	1051	2102	XXX	250	500	625
2-Butanone	Report	Report	XXX	Report	Report	XXX
Bis(2-Ethylhexyl)Phthalate	7.8	20	XXX	1.85	4.81	6.0
Ethylene Glycol	0.42	0.90	XXX	0.101	0.215	0.253
Fluoranthene	Report	Report	XXX	Report	Report	XXX
Carbazole	0.11	0.23	XXX	0.0268	0.0537	0.067
n-Decane	1.2	2.5	XXX	0.276	0.598	0.69
n-Octadecane	1.8	4.0	XXX	0.437	0.948	1.09
MBAS	1.3	2.5	XXX	0.302	0.589	0.755
p-Cresol	Report	Report	XXX	Report	Report	XXX
Pyridine	0.86	2.9	XXX	0.205	0.698	0.87
Toluene	0.77	1.6	XXX	0.182	0.370	0.46
Total Xylenes	Report	Report	XXX	Report	Report	XXX
Hardness, Total (as CaCO ₃)	Report	Report	XXX	Report	Report	XXX
Gross Alpha (pCi/L)	XXX	XXX	XXX	Report	Report	XXX
Radium 226/228, Total (pCi/L)	XXX	XXX	XXX	Report	Report	XXX

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

<i>Parameters</i>	<i>Mass (lbs)</i>		<i>Minimum</i>	<i>Concentration (mg/l)</i>	
	<i>Monthly</i>	<i>Annual**</i>		<i>Monthly Average</i>	<i>Maximum</i>
Ammonia—N	Report	Report		Report	
Kjeldahl—N	Report			Report	
Total Nitrogen	Report	Report		Report	
Total Phosphorus	Report	Report		Report	
Net Total Nitrogen*	Report	0			
Net Total Phosphorus*	Report	0			

* 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 the first full water year (October 1 through September 30).

** The reporting requirements for annual loads will be required to be reported on the Supplemental DMR—Annual Nutrient Summary for each water year.

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

I. CHESAPEAKE BAY NUTRIENT REQUIREMENTS

II. OTHER REQUIREMENTS

A. The right to require operation and/or construction changes, when necessary, to produce an acceptable discharge

B. Requires proper disposal of sludge

III. STORMWATER REQUIREMENTS

IV. RECEIPT OF RESIDUAL WASTE

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.

PAS224805, Storm Water, SIC Code 2452, **Integrity Building Systems, Inc.**, 2435 Housels Run Road, Milton, PA 17847. Facility Name: Integrity Building Systems, Inc. This proposed facility is located in Milton Borough, **Northumberland County**.

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

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

The proposed effluent limits for Outfall 001 are as follows*:

Parameters	Mass (lb/day)			Concentration (mg/l)			Minimum Measurement Frequency
	Average	Daily	Minimum	Average	Daily	Instant. Maximum	
	Monthly	Maximum		Monthly	Maximum		
Total Suspended Solids	XXX	XXX	XXX	XXX	Report	XXX	1/year
Total Kjeldahl Nitrogen	XXX	XXX	XXX	XXX	Report	XXX	1/year
Total Iron	XXX	XXX	XXX	XXX	Report	XXX	1/year

*The permittee may complete an Annual Inspection Form (3800-PM-WSFR0083v) in lieu of submitting a DMR annually.

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 in effect.

PA0020800, Sewage, SIC Code 4952, **White Deer Township Sewer Authority**, PO Box 90, West Milton, PA 17886-0090. Facility Name: White Deer Township Sewer Authority Wastewater Treatment Plant. This existing facility is located in White Deer Township, **Union 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 West Branch Susquehanna River, is located in State Water Plan watershed 10-C 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 0.6 MGD.

Parameters	Mass (lb/day)			Concentration (mg/L)		
	Average	Weekly	Minimum	Average	Weekly	Instant. Maximum
	Monthly	Average		Monthly	Average	
Flow (MGD)	Report	Report	XXX	XXX	XXX	XXX
pH (S.U.)	XXX	XXX	6.0	XXX	XXX	9.0
Total Residual Chlorine	XXX	XXX	XXX	0.2	XXX	0.6
CBOD ₅	125	200	XXX	25	40	50
Total Suspended Solids	150	225	XXX	30	45	60
Fecal Coliform (CFU/100 ml)				200		
May 1 - Sep 30	XXX	XXX	XXX	Geo Mean	XXX	1,000
Fecal Coliform (CFU/100 ml)				2000		
Oct 1 - Apr 30	XXX	XXX	XXX	Geo Mean	XXX	10,000
Ammonia-Nitrogen						
May 1 - Oct 31	10	15	XXX	2.0	3.0	4.0
Ammonia-Nitrogen						
Nov 1 - Apr 30	30	45	XXX	6.0	9.0	18

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)			Concentration (mg/L)		Minimum Measurement Frequency	Required Sample Type
	Monthly	Annual	Minimum	Monthly	Maximum		
	Report	Report		Average			
Ammonia—N	Report	Report	Report	Report	1/week	8-Hr Composite	
Kjeldahl—N	Report		Report	Report	1/week	8-Hr Composite	
Nitrate-Nitrite as N	Report		Report	Report	1/week	8-Hr Composite	
Total Nitrogen	Report	Report	Report	Report	1/month	Calculation	

Parameters	Mass (lbs)		Concentration (mg/L)			Minimum Measurement Frequency	Required Sample Type
	Monthly	Annual	Minimum	Monthly Average	Maximum		
Total Phosphorus	Report	Report		Report		1/week	8-Hr Composite Calculation
Net Total Nitrogen (Interim)	Report	Report				1/month	Calculation
Net Total Nitrogen (Final)	Report	10,959				1/month	Calculation
Net Total Phosphorus (Interim)	Report	Report				1/month	Calculation
Net Total Phosphorus (Final)	Report	1,461				1/month	Calculation

* 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, 2011. 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, 2012. 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, 2011.

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

PA0222771, Industrial Waste, SIC Code 2999, **International Waxes Inc.**, 1100 E Main Street, Titusville, PA 16354-7808. Facility Name: International Waxes Titusville. This existing facility is located in City of Titusville, **Crawford County**.

Description of Existing Activity: The application is for a new NPDES permit to replace an expired permit for existing discharges of untreated industrial waste and storm water.

The receiving stream, Oil Creek, is located in State Water Plan watershed 16-E and is classified for Cold Water Fishes, aquatic life, water supply and recreation. The discharge is not expected to affect public water supplies.

The proposed effluent limits for Monitoring Point 101 are based on a design flow of 0.017 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	XXX	XXX	9
Total Residual Chlorine	XXX	XXX	XXX	0.5	0.8	1.2
Oil and Grease	XXX	XXX	XXX	15	23	30

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.

III. WQM Industrial Waste and Sewerage Applications under The Clean Streams Law

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

WQM Permit No. 4910201, Industrial Waste [SIC 2033], **Furman Foods**, 770 Cannery Road, P. O. Box 500, Northumberland, PA 17857-0500. This existing facility is located in Point Township, **Northumberland County**.

Description of Proposed Action/Activity: The applicant proposes the construction of an upgraded industrial waste treatment plant to treat expanded production.

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

WQM Permit No. 1074405, Sewerage, **Amendment No.1, Moraine Camplands Association Inc.**, 281 Staff Road, Slippery Rock, PA 16057

This proposed facility is located in Brady Township, **Butler County**.

Description of Proposed Action/Activity: This project proposes a modification of the existing WQM Part II Permit for the treatment plant to add a soda ash feed to the plant headworks, replace the existing air lift pumps in the clarifier with Geysers lift pumps, replace the coarse bubble disc diffusers in the aeration tank with fine bubble disc diffusers, and convert the abandoned plate settler to additional sludge holding capacity.

WQM Permit No. 1097402, Sewerage, **Amendment No. 1, Cranberry Township**, 2525 Rochester Road, Cranberry Township, PA 16066-6499.

This existing facility is located in Cranberry Township, **Butler County**.

Description of Proposed Action/Activity: This application is for a design organic loading rerating. The proposal requests increasing the organic design capacity of the plant from 7,600 lbs. BOD₅/day to 15,000 lbs. BOD₅/day. No construction is proposed.

WQM Permit No. 1010404, Sewerage, **Cranberry Township**, 2525 Rochester Road, Cranberry Township, PA 16066-6499.

This proposed facility is located in Cranberry Township, **Butler County**.

Description of Proposed Action/Activity: The applicant proposes to install a parallel interceptor from Powell Road south to the Marshall Township line. The interceptor will increase the available carrying capacity to accommodate the existing and future sewage flows to the Brush Creek Water Pollution Control Facility.

WQM Permit No. 6210404, Sewerage, **City of Warren**, 318 West Third Avenue West, Warren, PA 16365

This proposed facility is located in City of Warren, **Warren County**.

Description of Proposed Action/Activity: The proposed project consists of major upgrades and expansion for the existing City of Warren Wastewater Treatment Plant, to handle wet weather flow rates and minimize associated combined sewer overflows.

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

WQM Permit No. 0910402, Sewerage, **Bucks County Water & Sewer Authority**, 1275 Almshouse Road, Warrington, PA 18976.

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

Description of Action/Activity: New submersible pump station to replace existing pump station.

WQM Permit No. 2310401, Sewerage, **Melmark**, 2600 Wayland Road, Berwyn, PA 19312.

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

Description of Action/Activity: Construction and operation of a campus-wide capped gravity sewer.

WQM Permit No. 0910403, Sewerage, **Bucks County Water & Sewer Authority**, 1275 Almshouse Road, Warrington, PA 18976.

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

Description of Action/Activity: Replacement of 735 ft of existing 24" sanitary sewer with 30" sewer piping and replacement of 5 manholes.

IV. NPDES Applications for Stormwater Discharges from MS4

V. Applications for NPDES Waiver Stormwater Discharges from MS4

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

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

<i>NPDES Permit No.</i>	<i>Applicant Name & Address</i>	<i>County</i>	<i>Municipality</i>	<i>Receiving Water / Use</i>
PAI01 091005	USS Real Estate One Ben Fairless Drive Fairless Hills, PA 19030	Bucks	Falls Township	Delaware River South (WWF-MF)

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

Pike Conservation District: 556 Route 402, Ste 1, Hawley, PA 18428

<i>NPDES Permit No.</i>	<i>Applicant Name & Address</i>	<i>County</i>	<i>Municipality</i>	<i>Receiving Water / Use</i>
PAI025210011	Mr. August H. Gewecke Emmanuel Luthern Church of Milford 118 Chinkapin Dr. Milford, PA 18337	Pike	Dingman	UNT Sawkill Creek (EV, MF)

<i>NPDES Permit No.</i>	<i>Applicant Name & Address</i>	<i>County</i>	<i>Municipality</i>	<i>Receiving Water/Use</i>
PAI025210008	Charles Miller Route 6 Outparcels 800 Mt. Vernon Hwy. Su 140 Atlanta GA 30328	Pike	Westfall	Delaware River (WWF, MF) UNT to Delaware River (HQ-CWF, MF)

Lackawanna Conservation District: 1300 Old Plant Rd., Mayfield PA 18433

<i>NPDES Permit No.</i>	<i>Applicant Name & Address</i>	<i>County</i>	<i>Municipality</i>	<i>Receiving Water/Use</i>
PAI023510006	Geisinger Health System 100 North Academy Ave. Danville, PA 17822-1540	Lackawanna	Moosic Boro	Spring Brook Creek (HQ-CWF, MF)

Northampton Conservation District: 14 Gracedale Ave., Nazareth PA 18064

<i>NPDES Permit No.</i>	<i>Applicant Name & Address</i>	<i>County</i>	<i>Municipality</i>	<i>Receiving Water/Use</i>
PAI024810011	Water's Edge at Wind Gap, LLC 2437 Soothmoore Drive Bath, PA 18014	Northampton	Wind Gap Boro	Little Bushkill Creek (HQ-CWF, MF)

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

Beaver County Conservation District, 156 Cowpath Road, Aliquippa, PA 15001 (724-378-1701)

<i>NPDES Permit No.</i>	<i>Applicant Name & Address</i>	<i>County</i>	<i>Municipality</i>	<i>Receiving Water/Use</i>
PAI050410003	James Palmer Beaver County Corporation for Economic Development 150 Insurance Street Beaver, PA 15009	Beaver	City of Aliquippa	Ohio River (WWF)

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

PAG-12	CAFOs
PAG-13	Stormwater Discharges from MS4

STATE CONSERVATION COMMISSION

NUTRIENT MANAGEMENT PLANS RELATED TO APPLICATIONS FOR NPDES PERMITS FOR CAFOs

The State Conservation Commission has taken the following actions on previously received applications for nutrient management plans under 3 Pa.C.S. Chapter 5, for agricultural operations that have or anticipate submitting applications for new, amended or renewed NPDES permits or NOIs for coverage under a general permit for CAFOs under 25 Pa. Code Chapter 92a. This notice is provided in accordance with 25 Pa. Code Chapter 92a and 40 CFR Part 122, implementing The Clean Streams Law and the Federal Clean Water Act.

Persons aggrieved by an action may appeal under 3 Pa.C.S. § 517, 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, Rachel Carson State Office Building, 400 Market Street, P. O. Box 8457, Harrisburg, PA 17105-8457, (717) 787-3483. TDD users should contact the Environmental Hearing Board (Board) through the Pennsylvania AT&T Relay Service at (800) 654-5984. Appeals must be filed with the Board within 30 days of publication of this notice in the *Pennsylvania Bulletin*. Copies of the appeal form and the Board's rules of practice and procedure may be obtained from the Board. The appeal form and the Board's rules of practice and procedure are also available in Braille or on audiotape from the Secretary of the Board at (717) 787-3483. This paragraph does not, in and of itself, create a right of appeal beyond that permitted by applicable statutes and decision law.

For individuals who wish to challenge actions, 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>
Phillip Hoover 2862 Harvest Road Elizabethtown, PA 17022	Lancaster	85.9	282.3	Broilers	NA	Renewal
Brain Eckman 357 Black Barren Road Peach Bottom, PA 17563	Lancaster	13.1	493.04	Swine / Dairy	HQ	Renewal
Jonas Sensenig 1147 Silver Spring Road Holtwood, PA 17532	Lancaster	316.8	395	Swine / Dairy / Goats	HQ	Renewal
Gobblers Knob— David Reifsneider 2596 New Bridgeville Road Felton, PA 17322	York	15.4	298.7	Broilers	NA	Renewal (Update)

**PUBLIC WATER SUPPLY (PWS)
PERMITS**

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

Persons wishing to comment on permit applications are invited to submit statements to the office listed before the application within 30 days of this public notice. Comments received within this 30-day comment period will be considered in the formulation of the final determinations regarding an application. A comment 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 related documents are on file at the office listed before the application and available for public review. Arrangements for inspection and copying information should be made with the office listed before the application.

Persons with a disability that require an auxiliary aid, service or other accommodations to participate during the 30-day public comment period should contact the office listed before the application. TDD users may contact the Department through the Pennsylvania AT&T Relay Service at (800) 654-5984.

SAFE DRINKING WATER

Applications Received under the Pennsylvania Safe Drinking Water Act

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

Application No. 1910501—Construction Public Water Supply.

Applicant	Mifflin Township Water Authority
[Township or Borough]	Mifflin Township
County	Columbia
Responsible Official	Mr. James Disidoro, Chairman Mifflin Township Water Authority P. O. Box 487 Mifflinville, PA 18631
Type of Facility	Public Water Supply—Construction
Consulting Engineer	Michael J. Peleschak, P.E. Alfred Benesch & Company 400 One Norwegian Plaza Pottsville, PA 17901
Application Received	December 22, 2010
Description of Action	Installation of a transmission main from the well house to the storage tank, install emergency generator at the well house, and installation of a variable frequency drive on the well pump and a flow meter and chart recorder for the storage tank discharge.

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

Permit No. 3210502, Public Water Supply.

Applicant	Glen Campbell Borough PO Box 43 Glen Campbell, PA 15742
[Township or Borough]	Glen Campbell Borough
Responsible Official	David Lucas, Council President Glen Campbell Borough PO Box 43 Glen Campbell, PA 15742
Type of Facility	Water treatment system

Consulting Engineer	The EADS Group, Inc., 1126 Eighth Avenue, Altoona, PA 16602
Application Received Date	December 17, 2010
Description of Action	Addition of a chemical feed system for iron and manganese removal, filter and softener media replacement, clear well tank replacement and waterline replacement.

MINOR AMENDMENT

Applications Received under the Pennsylvania Safe Drinking Water Act

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

Application No. 5610522GWR, Minor Amendment.

Applicant	Conemaugh Township Municipal Authority Box 429 113 South Main Street Davidsville, PA 15928
[Township or Borough]	Conemaugh Township
Responsible Official	Conemaugh Township Municipal Authority Box 429 113 South Main Street Davidsville, PA 15928
Type of Facility	Water system
Consulting Engineer	The EADS Group, Inc. 450 Aberdeen Drive Somerset, PA 15501
Application Received Date	December 17, 2010
Description of Action	Demonstration of 4-log treatment for groundwater sources

LAND RECYCLING AND ENVIRONMENTAL REMEDIATION

UNDER ACT 2, 1995

PREAMBLE 1

Acknowledgment of Notices of Intent to Remediate Submitted under the Land Recycling and Environmental Remediation Standards Act (35 P. S. §§ 6026.101—6026.907)

Sections 302—305 of the Land Recycling and Environmental Remediation Standards Act (act) (35 P. S. §§ 6026.302—6026.305) require the Department to publish in the *Pennsylvania Bulletin* an acknowledgment noting receipt of Notices of Intent to Remediate. An acknowledgment of the receipt of a Notice of Intent to Remediate is used to identify a site where a person proposes to, or has been required to, respond to a release of a regulated substance at a site. A person intending to use the background standard, Statewide health standard, the site-specific standard or intend to remediate a site as a special industrial area shall file a Notice of Intent to Remediate with the Department. A Notice of Intent to Remediate filed with the Department provides a brief

description of the location of the site, a list of known or suspected contaminants at the site, the proposed remediation measures for the site and a description of the intended future use of the site. A person who demonstrates attainment of one or a combination of cleanup standards or receives approval of a special industrial area remediation identified under the act will be relieved of further liability for the remediation of the site for contamination identified in reports submitted to and approved by the Department. Furthermore, the person shall not be subject to citizen suits or other contribution actions brought by responsible persons not participating in the remediation.

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

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

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

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

Bechtel's Dairy & Restaurant, Lewisburg Borough, **Union County**. Molesevich Environmental, LLC, PO Box 654, Lewisburg, PA on behalf of Benderson Development Co., LLC, 570 Delaware Ave., Buffalo, NY 14202 has submitted a Notice of Intent to Remediate soil and groundwater contaminated with unleaded gasoline. The applicant proposes to remediate the site to meet the Site-specific Standard.

INFECTIOUS AND CHEMOTHERAPEUTIC WASTE TRANSPORTER LICENSES

Applications received or withdrawn under the Solid Waste Management Act of July 7, 1980 (P. L. 380, No. 97) (35 P. S. §§ 6018.101—6018.1003) and Act 93 of June 28, 1988 (P. L. 525, No. 93) and regulations to transport infectious and chemotherapeutic waste.

Central Office: Bureau of Waste Management, Division of Hazardous Waste Management, PO Box 8471, Harrisburg, PA 17105-8471

New Application Received

WM Healthcare Solutions, Inc., 1001 Fannin Street, Suite 4000, Houston, TX 77002. License No. PA-HC 0244. Received October 12, 2010

Renewal Applications Received

Veolia ES Technical Solutions, LLC, 1 Eden Lane, Flanders, NJ 07836. License No. PA-HC0221. Received on August 12, 2010.

The Pennsylvania State University, 6 Eisenhower Parking Deck, University Park, PA 16802-2116. License No. PA-HC 0153. Received on August 26, 2010.

Daniel's New Jersey, LLC, 135 South LaSalle Street, Suite 2850, Chicago, IL 60603. License No. PA-AH 0222. Received on September 20, 2010.

Pet Memorial Services Corporation, 126 Turner Lane, West Chester, PA 19380. License No. PA-AH 0195. Received on October 26, 2010.

The Williamsport Hospital, 777 Rural Avenue, Williamsport, PA 17701-3109. License No. PA-AH 0186. Received on October 28, 2010.

Conservative Environmental Services, Inc., P. O. Box 745, Mechanicsburg, PA 17055-0745. License No. PA-AH 0224. Received on November 25, 2010.

OPERATE WASTE PROCESSING OR DISPOSAL AREA OR SITE

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

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

Permit Application No. 101290. Waste Management of Pennsylvania, Inc. 3605 Grays Ferry Avenue, Philadelphia PA 19146. This minor permit modification application is seeking the approval to conduct the transfer of the recyclable materials in portion of the Baling and Transfer Building at the Philadelphia Transfer Station and Recycling Center, a municipal waste transfer facility located at 3605 Grays Ferry Avenue in the City of Philadelphia, **Philadelphia County**. The application was received by the Southeast Regional office on December 13, 2010.

AIR QUALITY

PLAN APPROVAL AND OPERATING PERMIT APPLICATIONS

NEW SOURCES AND MODIFICATIONS

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

The Department received applications for Plan Approval or Operating Permits from the following facilities.

Copies of these applications, subsequently prepared draft permits, review summaries and other support materials are available for review in the regional office listed before the applications. Persons interested in reviewing the application files should contact the appropriate regional office to schedule appointments.

Persons wishing to receive a copy of a proposed Plan Approval or Operating Permit shall indicate interests to the Department regional office within 30 days of the date of this notice and shall file protests or comments on a proposed Plan Approval or Operating Permit within 30 days of the Department providing a copy of the proposed documents to persons or within 30 days of its publication in the *Pennsylvania Bulletin*, whichever comes first. Interested persons may also request that hearings be held concerning a proposed Plan Approval or Operating Permit. A comment or protest filed with the Department regional office shall include a concise statement of the objections to the issuance of the Plan Approval or Operating Permit and relevant facts which serve as the basis for the objections. If the Department schedules a hearing, a notice will be published in the *Pennsylvania Bulletin* at least 30 days prior the date of the hearing.

Persons with a disability who wish to comment and require an auxiliary aid, service or other accommodation to participate should contact the regional office listed before the application. 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—143, the Federal Clean Air Act (42 U.S.C.A. §§ 7401—7671q) and regulations adopted under the Federal Clean Air 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.

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

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

41-00080B: Chief Gathering, LLC (6051 Wallace Road Ext., Suite 210, Wexford, PA 15090) for a plan approval to construct three (3) natural-gas fired compressor engines each equipped with oxidation catalysts at their Canoe Run Compressor Station in Mifflin Township, **Lycoming County**.

The Department's review of the information submitted by Chief Gathering, LLC indicates that the construction of the compressor engines equipped with oxidation catalysts will meet all applicable air quality regulatory requirements pertaining to air-contamination sources and the emission of air contaminants. Based on these findings, the Department intends to approve the application and issue plan approval for the construction of the compressor engines equipped with oxidation catalysts. Additionally, if the Department determines that the compressor engines equipped with oxidation catalysts are operating in compliance with all plan approval conditions, the conditions established in the plan approval will be

incorporated into a State Only operating permit via an administrative amendment pursuant to 25 Pa. Code § 127.450.

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

1. Pursuant to the best available technology requirements of 25 Pa. Code §§ 127.1 and 127.12, the three 2370 brake horsepower, natural-gas fired reciprocating internal combustion engines shall incorporate a "clean burn" electronic control system to control NO_x emissions. Additionally, the carbon monoxide, volatile organic compounds, and formaldehyde emissions from each engine shall be controlled by a GT Exhaust Systems Model #201VO-6-300-6124 oxidation catalyst unit. The permittee shall not operate any of the engines without the simultaneous operation of each respective oxidation catalyst at any time.

2. Pursuant to the best available technology requirements of 25 Pa. Code §§ 127.1 and 127.12, the permittee shall only use natural gas as fuel for each engine.

3. Pursuant to the best available technology requirements of 25 Pa. Code §§ 127.1 and 127.12, the permittee shall not permit the following air contaminant emissions from the exhaust of each oxidation catalyst associated with each engine in excess of the limitations listed below:

a. nitrogen oxides (NO_x, expressed as NO₂)—0.50 gm/bhp-hr, 2.61 lb/hr, and 11.43 tons in any 12 consecutive month period,

b. carbon monoxide (CO)—0.275 gm/bhp-hr, 1.44 lb/hr and 6.29 tons in any 12 consecutive month period,

c. volatile organic compounds (VOC)—0.158 gm/bhp-hr, 0.82 lb/hr, and 3.60 tons in any 12 consecutive month period,

d. particulate matter (PM/PM10)—0.03 gm/bhp-hr, 0.16 lb/hr and 0.68 tons in any 12 consecutive month period,

e. formaldehyde—0.04 gm/bhp-hr, 0.21 lb/hr and 0.92 tons in any 12 consecutive month period.

f. sulfur oxides (SO_x, expressed as SO₂) emissions to not exceed 2 parts per million, by volume, dry basis.

4. Pursuant to the best available technology requirements of 25 Pa. Code §§ 127.1 and 127.12, each oxidation catalyst shall be capable of reducing the carbon monoxide emissions by 90% from each engine.

5. Pursuant to the best available technology requirements of 25 Pa. Code §§ 127.1 and 127.12, the permittee shall equip each oxidation catalyst with instrumentation to monitor and record pressure drop across each oxidation catalyst and the inlet gas temperature of each oxidation catalyst and shall monitor these parameters on a continuous basis.

6. The permittee shall comply with all applicable requirements of Subpart ZZZZ of the National Emission Standards for Hazardous Air Pollutants for each engine as specified in 40 CFR 63.6580—63.6675.

7. The permittee shall comply with all applicable requirements of Subpart JJJJ of the Standards of Performance for New Stationary Sources for each engine as specified in 40 CFR 60.4230—60.4248.

8. The permittee shall perform nitrogen oxide (NO_x, expressed as NO₂), carbon monoxide, volatile organic compound and formaldehyde stack tests upon each engine within 120 days from the commencement of operation of

each engine to demonstrate compliance with the emission limitations and the carbon monoxide destruction efficiency requirements from each oxidation catalyst associated with each engine.

The plan approval contains monitoring, recordkeeping and reporting conditions to ensure compliance with applicable Federal and State regulatory requirements.

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

60-00020A: Pik Rite, Inc. (60 Pik Rite Lane, Lewisburg, PA 17837) for modification of a surface coating operation in Buffalo Township, **Union County**. The respective facility is a natural minor facility for which a state only operating permit has been issued.

The Department of Environmental Protection's (Department) review of the information submitted by Pik Rite, Inc. indicates that the air contamination source to be modified 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 modification.

The volatile organic compound and volatile hazardous air pollutant emissions from the surface coating operation will not exceed 24.43 tons and 6.83 tons per year, respectively.

In addition to the emission limitations, the following is a summary of the types of conditions the Department intends place in the plan approval to ensure compliance with all applicable regulatory requirements including the best available technology requirements of 25 Pa. Code §§ 127.1 and 127.12.

Emission and material throughput restrictions to limit the emission of volatile organic compounds and volatile hazardous air pollutants.

Work practice requirements to operate the source with good air pollution control practices.

Recordkeeping conditions to verify compliance with the emission and throughput 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 should be directed to Muhammad Q. Zaman, Environmental Program Manager, Department of Environmental Protection, Air Quality Program, Northcentral Regional Office, 208 West Third Street, Suite 101, Williamsport, PA 17701, 570-327-3648.

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

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

15-0002G: WorldColor (USA) LLC (formerly known as Quebecor World Atglen, Inc.) (4581 Lower Valley Rd., Atglen, PA 19310) for the installation of a new unenclosed 10-unit rotogravure publication printing press and an associated solvent recovery system and the removal of an older solvent recovery system and two (2) unenclosed rotogravure publication printing presses at their facility in West Sadsbury Township, **Chester County**. As a result of potential emissions of VOC, the facility is a Title V facility. The Plan Approval will contain recordkeeping requirements and operating restrictions designed to keep the facility operating within all applicable air quality requirements

Northeast Region:

Notice is hereby given in accordance with 25 Pa. Code §§ 127.44(a) and 127.45(a), that the Department of Environmental Protection (DEP) has received and intends to issue a Plan Approval to **Williams Field Services Company LLC** (1550 Coraopolis Heights Road, Moon Twp., PA 15108) for their facility located in Springville Twp., **Susquehanna County**. This Plan Approval No. 58-329-029 will be incorporated into a Synthetic Minor Permit through an administrative amendment at a later date.

Plan Approval No. 58-329-029 is for the construction of a natural gas compressor station at the Lathrop Compressor Station. The VOC emissions from the facility will not equal or exceed 50 TPY, based on a 12-month rolling sum. The NO_x emissions from the facility will not equal or exceed 100 TPY, based on a 12-month rolling sum. Total PM, SO_x, and CO emissions from the facility will not equal or exceed 100 TPY, based on a 12-month rolling sum. The HAPs from the facility must never equal or exceed 10 TPY of any single HAP and must never equal or exceed 25 TPY of all aggregated HAPs, based on a 12-month rolling sum. The Plan approval and Operating Permit will include testing, monitoring, record keeping and reporting requirements designed to keep the sources operating within all applicable air quality requirements.

The facility is subject to NSPS Subpart JJJJ and 25 Pa. Code § 127.12(a)(5) Best Available Technology (BAT) requirements. The visible emission opacity shall not be equal to or greater than 20 % at any time. The company shall be subject to and comply with 25 Pa. Code § 123.31 for malodorous emissions.

Emissions from the engines will meet BAT & NSPS Subpart JJJJ requirements. The Plan Approval and Operating permit will contain additional recordkeeping and operating restrictions designed to keep the facility operating within all applicable air quality requirements.

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

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

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

Identification of the proposed permit No.: 58-329-029.

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

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

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.

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

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

41-00080B: Chief Gathering, LLC (6051 Wallace Road Ext., Suite 210, Wexford, PA 15090) for a plan approval to construct three (3) natural-gas fired compressor engines each equipped with oxidation catalysts at their Canoe Run Compressor Station in Mifflin Township, **Lycoming County**.

The Department's review of the information submitted by Chief Gathering, LLC indicates that the construction of the compressor engines equipped with oxidation catalysts will meet all applicable air quality regulatory requirements pertaining to air-contamination sources and the emission of air contaminants. Based on these findings, the Department intends to approve the application and issue plan approval for the construction of the compressor engines equipped with oxidation catalysts. Additionally, if the Department determines that the compressor engines equipped with oxidation catalysts are operating in compliance with all plan approval conditions, the conditions established in the plan approval will be incorporated into a State Only operating permit via an administrative amendment pursuant to 25 Pa. Code § 127.450.

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

9. Pursuant to the best available technology requirements of 25 Pa. Code §§ 127.1 and 127.12, the three 2370 brake horsepower, natural-gas fired reciprocating internal combustion engines shall incorporate a "clean burn" electronic control system to control NO_x emissions. Additionally, the carbon monoxide, volatile organic compounds, and formaldehyde emissions from each engine shall be controlled by a GT Exhaust Systems Model #201VO-6-300-6124 oxidation catalyst unit. The permittee shall not operate any of the engines without the simultaneous operation of each respective oxidation catalyst at any time.

10. Pursuant to the best available technology requirements of 25 Pa. Code §§ 127.1 and 127.12, the permittee shall only use natural gas as fuel for each engine.

11. Pursuant to the best available technology requirements of 25 Pa. Code §§ 127.1 and 127.12, the permittee

shall not permit the following air contaminant emissions from the exhaust of each oxidation catalyst associated with each engine in excess of the limitations listed below:

a. nitrogen oxides (NO_x, expressed as NO₂)—0.50 gm/bhp-hr, 2.61 lb/hr, and 11.43 tons in any 12 consecutive month period,

b. carbon monoxide (CO)—0.275 gm/bhp-hr, 1.44 lb/hr and 6.29 tons in any 12 consecutive month period,

c. volatile organic compounds (VOC)—0.158 gm/bhp-hr, 0.82 lb/hr, and 3.60 tons in any 12 consecutive month period,

d. particulate matter (PM/PM10)—0.03 gm/bhp-hr, 0.16 lb/hr and 0.68 tons in any 12 consecutive month period,

e. formaldehyde—0.04 gm/bhp-hr, 0.21 lb/hr and 0.92 tons in any 12 consecutive month period.

f. sulfur oxides (SO_x, expressed as SO₂) emissions to not exceed 2 parts per million, by volume, dry basis.

12. Pursuant to the best available technology requirements of 25 Pa. Code §§ 127.1 and 127.12, each oxidation catalyst shall be capable of reducing the carbon monoxide emissions by 90% from each engine.

13. Pursuant to the best available technology requirements of 25 Pa. Code §§ 127.1 and 127.12, the permittee shall equip each oxidation catalyst with instrumentation to monitor and record pressure drop across each oxidation catalyst and the inlet gas temperature of each oxidation catalyst and shall monitor these parameters on a continuous basis.

14. The permittee shall comply with all applicable requirements of Subpart ZZZZ of the National Emission Standards for Hazardous Air Pollutants for each engine as specified in 40 CFR 63.6580—63.6675.

15. The permittee shall comply with all applicable requirements of Subpart JJJJ of the Standards of Performance for New Stationary Sources for each engine as specified in 40 CFR 60.4230—60.4248.

16. The permittee shall perform nitrogen oxide (NO_x, expressed as NO₂), carbon monoxide, volatile organic compound and formaldehyde stack tests upon each engine within 120 days from the commencement of operation of each engine to demonstrate compliance with the emission limitations and the carbon monoxide destruction efficiency requirements from each oxidation catalyst associated with each engine.

The plan approval contains monitoring, recordkeeping and reporting conditions to ensure compliance with applicable Federal and State regulatory requirements.

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

60-00020A: Pik Rite, Inc. (60 Pik Rite Lane, Lewisburg, PA 17837) for modification of a surface coating operation in Buffalo Township, **Union County**. The respective facility is a natural minor facility for which a state only operating permit has been issued.

The Department of Environmental Protection's (Department) review of the information submitted by Pik Rite,

Inc. indicates that the air contamination source to be modified 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 modification.

The volatile organic compound and volatile hazardous air pollutant emissions from the surface coating operation will not exceed 24.43 tons and 6.83 tons per year, respectively.

In addition to the emission limitations, the following is a summary of the types of conditions the Department intends place in the plan approval to ensure compliance with all applicable regulatory requirements including the best available technology requirements of 25 Pa. Code §§ 127.1 and 127.12.

Emission and material throughput restrictions to limit the emission of volatile organic compounds and volatile hazardous air pollutants.

Work practice requirements to operate the source with good air pollution control practices.

Recordkeeping conditions to verify compliance with the emission and throughput 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 should be directed to Muhammad Q. Zaman, Environmental Program Manager, Department of Environmental Protection, Air Quality Program, Northcentral Regional Office, 208 West Third Street, Suite 101, Williamsport, PA 17701, 570-327-3648.

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

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

10-028I: Armstrong Cement & Supply (100 Clearfield Road, Cabot, PA 16023-9531) for installation of a new burner system on both Portland cement kilns (Sources 101 and 121) in Winfield Township, **Butler County**.

In accordance with 25 Pa. Code §§ 127.44(b) and 127.424(b), the Department of Environmental Protection (Department) intends to issue an air quality plan approval for the cement manufacturing facility in Winfield Township, Butler County. This Plan Approval includes the installation of a new burner system on both cement kilns. This is a Title V facility, Permit #10-00028.

This plan approval will, in accordance with 25 Pa. Code § 127.450, be incorporated into the Title V operating permit through an administrative amendment at a later date.

The projected actual emissions from the total of both kilns combined after the modification of the burners will be:

- a) 936 tons of NO₂, calculated as a 12-month average;
- b) 1216 tons of SO₂, calculated as a 12-month average;
- c) 22.2 tons of total pm, calculated as a 12-month average;

d) 19.2 tons of pm-10, calculated as a 12-month average;

e) 14.2 tons of pm 2.5, calculated as a 12-month average; and,

f) 56.0 tons of CO, calculated as a 12-month average

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

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

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

40 CFR 64.5(a)(2) CAM. The burner tip modification is not considered a control device pursuant to the CAM definition in 40 CFR 64.1. Therefore, CAM is not applicable to the proposed project.

25 Pa. Code §§ 145.143—145.146. The proposed modification to Furnace No. 3 is subject to the requirements for the emissions of NOx for cement kilns during the ozone season. The applicable NOx limit during the ozone season is 3.88 pounds of NOx per ton of clinker produced for long wet-process cement kilns. The requirements in these sections were included in the plan approval.

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

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

Department of Environmental Protection
Air Quality Program
230 Chestnut Street
Meadville, PA 16335

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

Each written comment must contain the following:

- i. Name, address and telephone number of the person submitting the comments.
- ii. Identification of the proposed permit No. 10-028I.
- iii. A concise statement regarding the relevancy of the information or objections to the issuance of the permit.

A public hearing may be held, if the Department, in its discretion, decides that such a hearing is warranted based on the comments received. All persons submitting comments or requesting a hearing will be notified of the decision to hold a hearing by publication in the newspaper or the *Pennsylvania Bulletin* or by telephone, where

the Department determines such notification is sufficient. Written comments or requests for a public hearing should be directed to:

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

Persons with a disability who wish to comment and require an auxiliary aid, service or other accommodations to do so should by calling 814-332-6940, or the Pennsylvania AT&T Relay Service at 1-800-654-5984 (TDD) to discuss how the Department may accommodate their needs.

24-083S: Mersen USA St Marys—PA Corp. (215 Stackpole Street, Saint Marys, PA 15857-1401), for the installation of four (4) carbon mixers and a new pulverizer with a dust collector. This equipment will be located in the facility at 1032 Trout Run Road, which is in the City of Saint Marys, **Elk County**.

Pursuant to 25 Pa. Code §§ 127.44(b) and 127.424(b), the Pennsylvania Department of Environmental Protection (DEP) intends to issue Plan Approval 24-083S to Mersen USA St Marys for four (4) carbon mixers and a new pulverizer with a dust collector, for the facility located at 1032 Trout Run Road, in the City of Saint Marys, Elk County. The Plan Approval will subsequently be incorporated into a facility Operating Permit through an administrative amendment in accordance with 25 Pa. Code § 127.450.

Plan Approval No. 24-083S is for the installation of four (4) carbon mixers and a new pulverizer with a dust collector. Based on the information provided by the applicant and DEP's own analysis, the combined subject sources will have the potential to emit approximately 0.1 tons per year of nitrogen oxides, 3.41 tons per year of volatile organic compounds, less than 0.1 tons per year of carbon monoxide, 3.05 tons per year of particulate matter and 6.35 tons per year of sulfur oxides.

The Plan Approval will contain testing, monitoring, recordkeeping, reporting and work practice requirements designed to keep the facility operating within all applicable air quality requirements.

OPERATING PERMITS

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

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

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

47-00001: PPL Montour LLC (P. O. Box 128, Washingtonville, PA 17884-0128) for renewal of the Title IV and Title V Operating Permits for their facility in Derry Township, **Montour County**. The facility is currently operating under amended Title V Operating Permit 47-00001 revised November 16, 2006. The facility's main sources include two (2) coal-fired electricity generating units (EGUs); two (2) auxiliary boilers; fly-ash handling system; coal storage pile; fly-ash disposal site; limestone/gypsum storage, handling, and processing operation; wastewater treatment lime storage silo; and five (5) diesel-fired emergency engines. The facility has the potential to emit major quantities of carbon monoxide, nitrogen oxides, sulfur oxides, particulate matter, volatile organic

compound and hazardous air pollutant emissions. The proposed Title V operating permit for renewal has incorporated the CAM provisions applicable to the EGUs for monitoring of the performance of the electrostatic precipitators (ESPs) that control particulate matter emissions. The CAM provisions included in the proposed Title V operating permit require ESP parameter monitoring using continuous systems to monitor and record the total power of each ESP box which indicates compliance within an appropriate range that will be determined by testing. Operation of scrubber recycle-pumps will also be monitored and reasonable compliance with the PM limitation will be verified by testing a minimum of two (2) of five (5) recycle-pumps in operation. Additionally, a Maximum Achievable Control Technology (MACT) Standard review was performed during the renewal Title V operating permit review. As a result of this review, the renewal Title V operating permit contains appropriate MACT standards applicable to sources at the Montour SES. The proposed Title V operating permit contains applicable regulatory requirements including monitoring, recordkeeping, and reporting conditions to ensure compliance with applicable Federal and State regulations.

The Title IV permit for the two (2) pulverized bituminous coal, tangentially-fired utility boilers at the Montour SES are classified under the NO_x Acid Rain Program as Phase II Group 1 units. During the Department's review, the SO₂ allowances were obtained from EPA's Acid Rain Program database and would be as follows:

Calendar

Year	2008	2009	2010	2011	2012
Unit 1	24191	24191	24018	24018	24018
Unit 2	24680	24680	24723	24723	24723

Units 1 and 2 at the Montour SES operate with SCR control to comply with the Acid Rain Program and have been operating as early election Phase I units since 1999. The Title IV permit is also included by reference in the renewal Title V operating permit.

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

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

62-00012: RRI Energy Mid-Atlantic Power Holdings, LLC—Warren Generating Station (121 Champion Way, STE 200, Canonsburg, PA 15317-5817) for re-issuance of a Title V Operating Permit to operate an electricity generating facility, in Conewango Township, **Warren County**. The facility uses a Combustion Turbine to generate electricity during peak demand periods. The proposed permit also includes the requirements from the Federal and State Clean Air Interstate Rule (CAIR).

SERO:

23-0108C: Barry Callebaut USA, LLC (903 Industrial Highway, Eddystone, PA 19022) for the modification of emission limits of a regenerative thermal oxidizer, used to control emissions from a cocoa processing facility. This plan approval modifies Plan Approval No. 23-0108B. The cocoa processing facility is located in Eddystone Borough, **Delaware County**. This facility is a non-Title V facility. The regenerative thermal oxidizer reduces VOC emissions by 98 percent or to a maximum concentration of 7 ppm, as propane. The facility will continue to utilize various cyclones and a mist eliminator to control emissions of PM from the facility. The Plan Approval will contain monitoring, recordkeeping, and operating conditions designed to

keep the facility operating within the allowable emissions and all applicable air quality requirements.

46-0161D: Reading Materials, Inc. (394 Sanatoga Road, Pottstown, PA 19464) for the modification of the Baghouse pressure drop range at their Asphalt Plant located in Lower Pottsgrove Township, **Montgomery County**. This application is to modify Condition No. 7, Work Practice Requirements in Section D in State Only Operating Permit 46-00161 from 4 to 5 inches of water to 1 to 5 inches of water. The 1 to 5 inch range was observed during compliance stack testing as well as onsite inspections by the Department. There will be no emission increase with this modification. The Plan Approval will still include work practice standards, testing, monitoring, and recordkeeping requirements designed to keep the facility operating within all applicable air quality requirements.

46-0272: Tech Tube, Inc. (750 Vandenberg Road, King of Prussia, PA 19406) for the installation of a Batch Vapor Degreaser and a Carbon Adsorption System to control the Volatile Organic Compounds emissions in Upper Merion Township, **Montgomery County**. Tech Tube is a minor facility. The Degreaser uses trichloroethylene as a cleaning agent. The Degreaser is subject to Subpart T-National Emission Standards for Halogenated Solvent Cleaning. The Plan Approval will include monitoring, testing and recordkeeping requirements designed to keep the facility operating within all applicable air quality requirements.

46-0274: Tegrant Diversified Brands, Inc. (161 Corporate Drive, Montgomeryville, PA 18936) for the installation of an insulated shipping container manufacturing operation in Montgomery Township, **Montgomery County**. Tegrant Diversified Brands is a minor facility. The manufacturing process is a closed mold, rigid polyurethane foam molding operation which uses materials containing Volatile Organic Compounds. The Plan Approval will include work practice standards, monitoring, and recordkeeping requirements designed to keep the facility operating within all applicable air quality requirements.

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

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

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

55-00010: National Limestone Quarry, Inc. (PO Box 937, Middleburg, PA 17842) for their Paxtonville Quarry in Franklin Township, **Snyder County**. The facility's main sources include stone crushing process equipment, one (1) cold cleaning degreaser, and three (3) storage tanks. The facility has the potential to emit sulfur oxides (SO_x), nitrogen oxides (NO_x), carbon monoxide (CO), particulate matter (PM₁₀), volatile organic compounds (VOCs), and hazardous air pollutants (HAPs) below the major emission thresholds. The proposed operating permit contains all applicable requirements including Federal and State regulations. In addition, monitoring, recordkeeping and reporting conditions regarding compliance with all applicable requirements are included.

49-00011: Earthgrains Baking Co., Inc. (249 North Eleventh Street, Sunbury, PA 17801) for their Butter Krust bakery facility in Sunbury City, **Northumberland County**. The facility is a bakery, which produces bread and rolls. The facility has the potential to emit major quantities of VOCs. The facility has taken a synthetic minor restriction not to exceed the major emission threshold for VOCs. The facility has the potential to emit particulate matter (PM10), NO_x, SO_x, CO, and HAPs below the major thresholds. The proposed operating permit contains applicable regulatory requirements including monitoring, recordkeeping, and report conditions.

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

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

03-00139: Brady's Ben Corporation—Kaylor Plant (209 Cove Run Road East Brady, PA 16028) for limestone mining and quarrying for retail and wholesale in Brady's Bend Township, **Armstrong County**. The operation of the facility's air contamination source consisting of 1-primary crusher, 1-hammer mill, 3-vibrating screens, 1-wash plant, 11-transfer belts, 6 stockpiles, and unloading/loading of trucks. The facility is required to conduct a weekly survey of the facility during daylight hours while the facility is operating to ensure compliance with the fugitive emission and malodor restrictions in 25 Pa. Code §§ 123.1, 123.2, and 123.31. Records of the weekly surveys performed must be recorded including date, time, observer, observation taken and if any corrective action. The permit also includes operation requirements, monitoring requirements, and recordkeeping requirements for the facility. This is a State Only Permit Renewal.

COAL AND NONCOAL MINING ACTIVITY APPLICATIONS

Applications under the Surface Mining Conservation and Reclamation Act (52 P. S. §§ 1396.1—1396.19a); the Noncoal Surface Mining Conservation and Reclamation Act (52 P. S. §§ 3301—3326); The Clean Streams Law; the Coal Refuse Disposal Control Act (52 P. S. §§ 30.51—30.66); and The Bituminous Mine Subsidence and Land Conservation Act (52 P. S. §§ 1406.1—1406.20a). Mining activity permits issued in response to applications will also address the applicable permitting requirements of the following statutes: the Air Pollution Control Act (35 P. S. §§ 4001—4014); the Dam Safety and Encroachments Act (32 P. S. §§ 693.1—693.27); and the Solid Waste Management Act (35 P. S. §§ 6018.101—6018.1002).

The following permit applications to conduct mining activities have been received by the Department. A copy of an application is available for inspection at the district mining office indicated before 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 a person or an officer or head of Federal, state or local government agency or authority to the Department at the address of the district mining office indicated before each application within 30 days of this publication or within 30 days after the last publication of the applicant's newspaper advertisement, as provided by 25 Pa. Code §§ 77.121—77.123 and 86.31—86.34.

Written comments or objections regarding a mining permit application should contain the name, address and telephone number of the person submitting comments or objections, the 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.

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

When an 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 in Table 2. Discharges from noncoal mines located in some geologic settings (for example, in 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 specifies the parameters. The limits will be in the ranges specified in Table 1.

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

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

Persons wishing to comment on NPDES permit applications should submit statements to the Department at the address of the district mining office indicated before each application within 30 days of this public notice. Comments received within the comment period will be considered in the final determinations regarding the NPDES permit applications. A comment 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 contain the name, address, telephone number and the interest of the party filing the request and 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. When a public hearing is held, the Department will consider comments from the public hearing in the final determination on the NPDES permit application.

Coal Applications Received

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

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

¹The parameter is applicable at all times.

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

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

40663023R5. Pagnotti Enterprises, Inc., (46 Public Square, Suite 600, Wilkes-Barre, PA 18702), renewal of an existing anthracite surface mine, refuse reprocessing and refuse disposal operation in Hazle Township, **Luzerne County** affecting 640.0 acres, receiving stream: none. Application received: December 9, 2010.

40663027R5. Jeddo-Highland Coal Company, (46 Public Square, Suite 600, Wilkes-Barre, PA 18702), renewal of an existing anthracite surface mine and refuse

disposal operation in Hazle Township, **Schuylkill County** affecting 154.9 acres, receiving stream: none. Application received: December 9, 2010.

54693047R5. Pagnotti Enterprises, Inc., (46 Public Square, Suite 600, Wilkes-Barre, PA 18702), renewal of an existing anthracite coal refuse reprocessing operation in Mahanoy Township, **Schuylkill County** affecting 698.0 acres, receiving stream: none. Application received: December 9, 2010.

19950101R3. Blaschak Coal Corp., (P. O. Box 12, Mahanoy City, PA 17948), renewal of an existing anthracite surface mine and refuse disposal operation in Conyngham Township and Centralia Borough, **Columbia County** affecting 846.0 acres, receiving stream: none. Application received: December 9, 2010.

Noncoal Applications Received

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

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.

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

11040301 and NPDES No. PA0212873. Jigging Technologies, LLC, 950 Riders Road, Johnstown, PA 15906, transfer of an existing bituminous surface mine from Pheasant and Shearer, 204 Atlantic Street, Johns-

town, PA 15904, located in East Taylor Township, **Cambria County**, affecting 19.6 acres. Receiving stream(s): Hickson Run classified for the following use(s): warm water fishery. There are no potable water supply intakes within 10 miles downstream. Application received: December 16, 2010.

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

43100302. Terra Resources, LLC (267 Gilmore Road, Enon Valley, PA 16120) Commencement, operation and restoration of a large industrial mineral operation in Jefferson Township, **Mercer County** affecting 52.1 acres. Receiving streams: Lackawannock Creek classified for the

following state-wide uses: TSF, and unnamed tributary to Shenango River classified for the following state-wide uses: WWF. There are no potable surface water supply intakes within 10 miles downstream. Application received: December 16, 2010.

25100303 and NPDES Permit No. PA0258997. J.D. Diversified Services, Inc. (3463 Beaver Street, Springboro, PA 16435-4403) Commencement, operation and restoration of a large industrial mineral operation in Springfield Township, **Erie County** affecting 43.0 acres. This surface mining permit application is located within the watershed of Crooked Creek, classified for the following state-wide uses: HQ. There will be no surface water discharge to Crooked Creek. Application received: December 20, 2010.

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

41100301 and NPDES No. PA0257486. Glenn O. Hawbaker, Inc. (1952 Waddle Road, Suite 203, State College, PA 16803-1694). Application for commencement, operation and restoration of a large noncoal surface mine located in Armstrong Township, **Lycoming County** affecting 98.5 acres. Receiving stream: Hagerman's miles downstream. Application received: December 16, 2010.

59100301 and NPDES No. PA0257494. Wesley J. Cole (343 Jess Drive Lane, Middlebury Center, PA 16935). Application for commencement, operation and reclamation of a large noncoal surface mine located in Middlebury Township, **Tioga County** affecting 20.0 acres. Receiving streams: Crooked Creek (Warm Water Fishery) to Tioga River (Warm Water Fishery) to Susquehanna River (Warm Water Fishery). There are no potable water supply intakes within 10 miles downstream. Application received: December 17, 2010.

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

13760301C6 and NPDES Permit No. PA0124214. Eastern Industries, Inc., (4401 Camp Meeting Road, Center Valley, PA 18034), renewal of NPDES Permit for discharge of treated mine drainage from a quarry operation in Lower Towamensing Township, **Carbon County**, receiving stream: unnamed tributary to Aquashicola Creek, classified for the following use: cold water fishes. Application received: December 15, 2010.

6276SM2A1C12 and NPDES Permit No. PA0594512. Martin Limestone, Inc., (P. O. Box 550, Blue Ball, PA 17506), renewal of NPDES Permit for discharge of treated mine drainage from a quarry operation in East Earl Township, **Lancaster County**, receiving stream: Conestoga River, classified for the following use: warm water fishes. Application received: December 17, 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. Section 401 of the Federal Water Pollution Control Act (FWPCA) (33 U.S.C.A. § 1341) requires the Commonwealth to certify that the involved projects will not violate the sections 301-303, 306 and 307 of the FWPCA (33 U.S.C.A. §§ 1311—1313, 1316 and 1317) as well as

relevant State requirements. Persons objecting to approval of a request for certification under section 401 of the FWPCA, the issuance of a Dam Permit or Water Obstruction and Encroachment Permit or the approval of an Environmental Assessment shall submit comments, suggestions or objections within 30 days of the date of this notice as well as any questions to the office noted before an 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 8 a.m. and 4 p.m. on working days at the office noted before the application.

Persons with a disability who wish to attend the hearing and require an auxiliary aid, service or other accommodation to participate in the proceedings should contact the specified program. TDD users may contact the Department through the Pennsylvania AT&T Relay Service at (800) 654-5984.

Applications Received under the Dam Safety and Encroachments Act (32 P. S. §§ 693.1—693.27) and section 302 of the Flood Plain Management Act (32 P. S. § 679.302) and Requests for Certification under section 401(a) of the FWPCA.

WATER OBSTRUCTIONS AND ENCROACHMENTS

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

E22-564: Williamstown Borough Sewer Authority, P. O. Box 44, Williamstown, PA 17098, Williams Township, **Dauphin County**, ACOE Baltimore District

To construct and maintain: (1) a 4.0-foot diameter by 14.0-foot deep fiberglass pumping station in the floodway of Wiconisco Creek (WWF); (2) a 30.0-foot by 30.0-foot by 6.0-foot high chain link fence in the floodway of Wiconisco Creek (WWF); (3) a 39.0-foot long, 3.0-foot high by 8.0-inch wide concrete retaining wall in the floodway of Wiconisco Creek (WWF); (4) an 18.0-inch PVC outfall with associated endwall in the floodway of Wiconisco Creek (WWF); (5) a 4.0-foot diameter manhole in the floodway of Wiconisco Creek (WWF); (6) a 50.0-foot wide by 140.0-foot long earthen stormwater detention facility in the floodway of Wiconisco Creek (WWF); and (7) the grading and paving of a 420.0-square foot area in the floodway to provide access around the treatment facility. Also to restore and maintain: (1) 50.0-feet of an unnamed tributary to Wiconisco Creek (WWF); and (2) 0.01 acres of Palustrine Scrub Shrub wetlands, all for the purpose of improving a sewage treatment facility and correcting pollution caused by malfunctioning on-lot septic systems. The project is located 500.0 feet south of the intersection of West Market Street and South Orange Street (Lykens, PA quadrangle, N: 14.23 inches, W: 0.23 inches; Latitude 40° 34' 42" N, Longitude 76° 37' 36" W) in Williams Township, Dauphin County.

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

E10-464, FRA Development Group, LP, 215 Executive Drive, Suite 300, Cranberry Township, PA 16066. FRA Stream Mitigation Sites, Cranberry Township, **Butler County**, ACOE Pittsburgh District (Baden, PA Quadrangle N: 40°, 44', 17.4"; W: 80°, 8', 12.6" and Mars, PA Quadrangle N: 40°, 42', 33.6"; W: 80°, 6', 31.7").

The applicant proposes stream restoration activities within a 740 linear foot reach of UNT Brush Creek, a perennial WWF stream, adjacent to Freshcorn Road (N: 40°, 44', 17.4"; W: 80°, 8', 12.6") and within a 715 linear foot reach of UNT Brush Creek, a perennial WWF stream, adjacent to Park Road within Cranberry Park (N: 40°, 42', 33.6"; W: 80°, 6', 31.7"). Stream restoration activities include: the creation of stream bank layback areas along 740 linear feet at the Freshcorn Road site, the construction and maintenance of rock cross-vanes and J-hook vanes at both stream restoration sites and the planting of riparian buffer vegetation at both stream restoration sites.

Northeast Region: Oil and Gas Management Program Manager, Northcentral Regional Office, 208 West Third Street, Suite 101, Williamsport, PA 17701

E5329-002. Allegheny Enterprises, Inc., 3885 Roller Coaster Road, Corsica, PA, 15829-3833. Kelly Troyer/Edgerton Pipeline, in Bingham Township, **Potter County**, ACOE Baltimore District.

To construct, operate, and maintain a 4" natural gas pipeline with impacts to the following:

(1) Crossing 236.0 lineal feet of EV wetland (PEM) and 7.0 lineal feet of Turner Creek (CWF) via boring, (Ulysses, PA Quadrangle, Latitude: 41° 57' 18.8", Longitude: 77° 46' 25.6");

(2) Crossing 52.0 lineal feet of EV wetland (PEM) and 6.0 lineal feet of an unnamed tributary to Turner Creek (CWF) via boring, (Ulysses, PA Quadrangle, Latitude: 41° 57' 47.0", Longitude: 77° 46' 52.0");

(3) Crossing 3.0 lineal feet of an unnamed tributary to Turner Creek (CWF) via open cut trenching, with temporary impacts to 61.2 square feet (0.01 acre), (Ulysses, PA Quadrangle, Latitude: 41° 57' 49.0", Longitude: 77° 47' 41.7");

(4) Crossing 1.5 lineal feet of Shanty Hollow (CWF) via open cut trenching, with temporary impacts to 31.4 square feet (0.01 acre), (Ulysses, PA Quadrangle, Latitude: 41° 57' 57.8", Longitude: 77° 48' 5.9");

(5) Crossing 111.0 lineal feet of EV wetland (PEM) via open cut trenching, with temporary impacts to 2166.0 square feet (0.05 acre), (Ulysses, PA Quadrangle, Latitude: 41° 57' 45.6", Longitude: 77° 49' 42.6");

(6) Crossing 2.0 lineal feet of an unnamed tributary to Genesee River (CWF) via open cut trenching; with temporary impacts to 39.0 square feet (0.01 acre), (Ulysses, PA Quadrangle, Latitude: 41° 57' 44.7", Longitude: 77° 49' 41.9");

(7) Crossing 235.0 lineal feet of EV wetland (PEM) via open cut trenching, with temporary impacts to 3583.0 square feet (0.08 acre), (Ulysses, PA Quadrangle, Latitude: 41° 57' 42.6", Longitude: 77° 49' 47.3");

(8) Crossing 61.0 lineal feet of EV wetland (PFO) via open cut trenching, with temporary impacts to 1205.0 square feet (0.03 acre), (Ulysses, PA Quadrangle, Latitude: 41° 57' 36.1", Longitude: 77° 50' 0.6");

(9) Crossing 170.0 lineal feet of EV wetland (R3EM) and 30.0 lineal feet of Genesee River (CWF) via boring, (Ulysses, PA Quadrangle, Latitude: 41° 57' 32.9", Longitude: 77° 50' 6.8").

The project will result in 458.0 lineal feet of temporary EV wetland impacts via boring, 431.0 lineal feet of temporary channel impacts via boring, 6954.0 square feet (0.16 acre) of temporary EV wetland impacts via open cut trenching, and 6.5 lineal feet (131.6 square feet) of temporary channel impacts via open cut trenching.

ENVIRONMENTAL ASSESSMENTS

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

EA25-051, US Army Corps of Engineers (Buffalo District), 1776 Niagara Street, Buffalo, NY 14207. Erie Harbor Dredging 2011, request for Section 401 Water Quality Certification. Environmental Assessment to Dredge the Erie Harbor, and Place Dredge Material in Open Lake Disposal Area, in City of Erie, Millcreek Township, Presque Isle State Park, Erie Harbor, **Erie County**, ACOE Pittsburgh District:

{ERIE HARBOR DREDGING: Erie North PA Quadrangle N: approx. 5.25 inches; W: approx. 10.25 inches}.

{OPEN LAKE DISPOSAL: Erie North PA Quadrangle N: approx. 14.0 inches; W: approx. 8.25 inches}.

The applicant proposes to conduct maintenance dredging of authorized Federal navigational channels of Erie Harbor, which include the Entrance Channel, Harbor Basin, Approach Area, and two Harbor Areas, in order to maintain sufficient depth for deep-draft commercial vessels. An estimated total of approximately 210,000 cubic yards of material is proposed to be dredged during this dredging cycle from Erie Harbor Federal Navigation Channels. The majority of materials are expected to be dredged from the Entrance Channel, Harbor Basin, and Approach Area portions of the Harbor.

The applicant further proposes the discharge of the associated dredged materials from the Federal navigational channels of Erie Harbor, described above, at the existing, authorized one-mile square, open-lake discharge area used for dredged material discharge since the 1930's, located approximately 3.3 miles from the Erie Harbor Pierhead Light, at an azimuth of 009 degrees, 00 minutes, into Lake Erie.

This dredging project proposes to impact 246.6 acres of Lake Erie, Erie Channel and Presque Isle Bay. The open-lake disposal project proposes to impact 1 square mile of Lake Erie.

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 has taken the following actions on previously received applications for new, amended and renewed NPDES and WQM permits, applications for permit waivers and NOIs for coverage under General Permits. This notice of final action is provided in accordance with 25 Pa. Code Chapters 91 and 92a and 40 CFR Part 122, implementing provisions of The Clean Streams Law (35 P. S. §§ 691.1—691.101) and the Federal Clean Water Act (33 U.S.C.A. §§ 1251—1376).

<i>Location</i>	<i>Permit Authority</i>	<i>Application Type or Category</i>
Section I	NPDES	Renewals
Section II	NPDES	New or Amendment
Section III	WQM	Industrial, Sewage or Animal Wastes; Discharges to Groundwater
Section IV	NPDES	MS4 Individual Permit
Section V	NPDES	MS4 Permit Waiver
Section VI	NPDES	Individual Permit Stormwater Construction
Section VII	NPDES	NOI for Coverage under NPDES General Permits

Sections I—VI contain actions regarding industrial, animal or sewage wastes discharges, discharges to groundwater, and discharges associated with MS4, stormwater associated with construction activities and CAFOs. Section VII contains notices for parties who have submitted NOIs for Coverage under General NPDES Permits. The approval for coverage under these General NPDES Permits is subject to applicable effluent limitations, monitoring, reporting requirements and other conditions 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 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 before the action.

Persons aggrieved by an action may appeal that action to the Environmental Hearing Board (Board) 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 Administrative Agency Law). 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 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 a right of appeal beyond that permitted by applicable statutes and decisional law.

For individuals who wish to challenge an action, the appeal 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 contact 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.

I. NPDES Renewal Permit Actions

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

<i>NPDES No. (Type)</i>	<i>Facility Name & Address</i>	<i>County & Municipality</i>	<i>Stream Name (Watershed #)</i>	<i>EPA Waived Y/N ?</i>
PA0025399— SEW	Christiana Borough 10 West Slokum Avenue Christiana, PA 17509	Lancaster County / Christiana Borough and Chester County / West Sadsbury Township	East Branch Octoraro Creek / 7-K	Y
PA0084506— SEW	Starlite Camping Resort 1500 Furnace Hill Road Stevens, PA 17578	Lancaster County / Clay Township	Dryswale to Middle Creek / 7-J	Y
PA0086941— SEW	Dwayne Kocher Stardust Motel 3418 Susquehanna Trail Duncannon, PA 17020-9445	Perry County / Watts Township	Susquehanna River / 6-C	Y

<i>NPDES No. (Type)</i>	<i>Facility Name & Address</i>	<i>County & Municipality</i>	<i>Stream Name (Watershed #)</i>	<i>EPA Waived Y/N ?</i>
PA0085880— SEW	Albert D. Hafer & Christina Hafer 127 Lee Spring Road Blandon, PA 19510-9736	Berks County / Ruscombmanor Township	Dry Trench to UNT Willow Creek / 3-B	Y
PA0247642— SEW	Clay Manor Homeowner's Association 11 East Manor Drive Lititz, PA 17543	Lancaster County / Elizabeth Township	Middle Creek / 7-J	Y
PA0247731— SEW	DS Waters of America, Inc. (DS Bottled Water Ephrata) 1761 Newport Road Ephrata, PA 17522-8761	Lancaster County / West Earl Township	stormwater swale to the Cocalico Creek / 7-J	Y
PA0082589— SEW	Fairview Township Authority (Southern) 599 Lewisberry Road New Cumberland, PA 17070-2399	York County / Fairview Township	UNT to Fishing Creek / 7-E	Y
PA0261505— IW	Lebanon Seaboard Corporation 1600 East Cumberland Street Lebanon, PA 17042-8323	Lebanon County / South Lebanon Township	drainage swale to UNT to Quittapahilla Creek	Y
<i>Northwest Region: Water Management Program Manager, 230 Chestnut Street, Meadville, PA 16335-3481</i>				
<i>NPDES No. (Type)</i>	<i>Facility Name & Address</i>	<i>County & Municipality</i>	<i>Stream Name (Watershed #)</i>	<i>EPA Waived Y/N ?</i>
PA0033031 (Industrial Waste)	Department of Conservation and Natural Resources— Pymatuning State Park Tuttle Campground 2660 Williamsfield Road Jamestown, PA 16134	Crawford County North Shenango Township	Shenango River Pymatuning Reservoir 20-A	Y
PA0033014 (Sewage)	Department of Conservation and Natural Resources— Pymatuning State Park Linesville Beach 2660 Williamsfield Road Jamestown, PA 16134	Crawford County Pine Township	Shenango River Pymatuning Reservoir 20-A	Y
PA0239577 (Sewage)	USDA Forest Service Red Bridge Recreation Area STP 4 Farm Colony Drive Warren, PA 16365	McKean County Hamilton Township	Kinzua Creek 16-B	Y
PA0004995 (Industrial Waste)	Armstrong Cement & Supply Corporation 100 Clearfield Road Cabot, PA 16023-9531	Butler County Winfield Township	Rough Run 17-F	Y

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

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

NPDES Permit No. PA0008184, Industrial Waste, **Harsco Corporation**, 350 Popular Church Road, Camp Hill, PA 17011.

This proposed facility is located in Harrisburg City, **Dauphin County**.

Description of Proposed Action/Activity: Termination of Permit.

NPDES Permit No. PA0261297, Industrial Waste, **John Weidman & Sons, Inc.**, 541 East Main Street, PO Box 416, Ephrata, PA 17522.

This proposed facility is located in Ephrata Township, **Lancaster County**.

Description of Proposed Action/Activity: Authorization to discharge to UNT Cocalico Creek in Watershed 7-J.

NPDES Permit No. PA0084450, Amendment No. 1, Industrial Waste, **Washington Headquarters Services**, 201 Beasely Drive, Suite 100, Fort Detrick, MD 21702.

This proposed facility is located in Liberty Township, **Adams County**.

Description of Proposed Action/Activity: Authorization to discharge to Miney Branch and UNT to Miney Branch in Watershed 13-D.

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

NPDES Permit No. PA0233986, Sewage, SIC Code 4952, **Aaron Kinter**, 301 Pleasant Valley Road, Cogan Station, PA 17728-8903.

This proposed facility is located in Hepburn Township, **Lycoming County**.

Description of Proposed Action/Activity: Issuance of an NPDES Permit for a new discharge of treated Sewage.

NPDES Permit No. PA0028665, Sewage, SIC Code 4952, **Jersey Shore Borough Lycoming County**, Jersey Shore Boro Auth, Jersey Shore, PA 17740.

This existing facility is located in Jersey Shore Borough, **Lycoming 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

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

WQM Permit No. 6710408, Sewage, **Penn Township**, 20 Wayne Avenue, Hanover, PA 17331.

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

Description of Proposed Action/Activity: Construction of new sewer lines to eliminate the existing Laurel Drive and Timber Lane Pump Stations.

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

WQM Permit No. 01411003, Sewage, SIC Code 4952, **Aaron Kinter**, 301 Pleasant Valley Road, Cogan Station, PA 17728-8903.

This proposed facility is located in Hepburn Township, **Lycoming County**.

Description of Proposed Action/Activity: Construction and operation of a small flow treatment facility consisting of a 1,00 gallon concrete septic tank, dosing pump, 612 s.f. subsurface sand filter, chlorine tablet erosion chlorinator and a 500 gallon chlorine contact tank.

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

WQM Permit No. 2571411, Sewerage, **Amendment No. 1, Mainlines, Manholes, and Wastewater Treatment Inc.**, 9214 Tannery Road, Girard, PA 16417

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

Description of Proposed Action/Activity: Issuance of a WQM Permit Amendment to replace tertiary tank with two new fixed media tertiary filtration tanks, enlarging the chlorine contact tank, adding dechlorination, and adding an effluent pump station.

WQM Permit No. 1010404, Sewerage, **Cranberry Township**, 2525 Rochester Road, Cranberry Township, PA 16066-6499.

This proposed facility is located in Cranberry Township, **Butler County**.

Description of Proposed Action/Activity: Construction of a parallel interceptor from Powell Road south to the Marshall Township line. The interceptor will increase the available carrying capacity to accommodate the existing and future sewage flows to the Brush Creek Water Pollution Control Facility.

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

WQM Permit No. WQG02151010, Sewerage, **Kendall-Crosslands Communities**, P. O. Box 100, Kennett Square, PA 19348.

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

Description of Action/Activity: Construction and operation of a sanitary sewer extension and two pump station.

WQM Permit No. 1588442, Sewerage, **Transfer**, East Vincent Township, 262 Ridge Road, Spring City, PA 19475.

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

Description of Action/Activity: Permit transferred from East Vincent Township Municipal Authority to East Vincent Township for operation of Bartons Meadow WWTP.

IV. NPDES Stormwater Discharges from MS4 Permit Actions

V. NPDES Waiver Stormwater Discharges from MS4 Actions

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

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

<i>NPDES Permit No.</i>	<i>Applicant Name & Address</i>	<i>County</i>	<i>Municipality</i>	<i>Receiving Water/Use</i>
PAI01 1503103	BK Campbell, Inc. 402 Bayard Road, Ste 100 Kennett Square, PA 19348	Chester	Lower Oxford Township	Tributaries to West Branch Big Elk Creek (HQ-TSF-MF)
PAI01 1504029	BK Campbell, Inc. 402 Bayard Road, Ste 100 Kennett Square, PA 19348	Chester	Lower Oxford Township	Tributaries to West Branch Big Elk Creek (HQ-TSF-MF)
PAI01 1506088	BK Campbell, Inc. 402 Bayard Road, Ste 100 Kennett Square, PA 19348	Chester	Upper Oxford Township	West Branch Big Elk Creek (HQ-TSF-MF)
PAI01 1509004	BK Campbell, Inc. 402 Bayard Road, Ste 100 Kennett Square, PA 19348	Chester	Lower Oxford Township	West Branch Big Elk Creek (HQ-TSF-MF)
PAI01 151037	Real Estate Services, University of Pennsylvania 3101 Walnut Street Philadelphia, PA 19104	Chester	East and West Marlborough Townships	Red Clay Creek (TSF)
PAI01 151038	Southdown Homes, Inc. 55 Country Club Road, Ste 204 Downingtown, PA 19335	Chester	East and West Brandywine and Wallace Townships	Culberton Run (HQ-TSF)

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

<i>NPDES Permit No.</i>	<i>Applicant Name & Address</i>	<i>County</i>	<i>Municipality</i>	<i>Receiving Water/Use</i>
PAI024509004	Iroquois Ridge Partners, LLP 600 Smith Hill Road Stroudsburg, PA 18360	Monroe	Pocono Twp	Transue Run (HQ-CWF, MF) Dry Sawmill Run (HQ-CWF, MF)
PAI026409007(1)	Central Wayne Regional Authority 100 Fourth Street, Suite 8 Honesdale, PA 18431	Wayne	Honesdale Boro	West Branch Lackawaxen River (HQ-TSF, MF) Lackawaxen River (HQ-TSF, MF) Dyberry Creek (HQ-CWF, MF) UNT to Lackawaxen River (HQ-CWF, MF)

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

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

List of NPDES and/or Other General Permit Types

PAG-1	General Permit for Discharges from Stripper Oil Well Facilities
PAG-2	General Permit for Discharges of Stormwater Associated with Construction Activities (PAR)
PAG-3	General Permit for Discharges of Stormwater from Industrial Activities
PAG-4	General Permit for Discharges from Small Flow Treatment Facilities
PAG-5	General Permit for Discharges from Gasoline Contaminated Ground Water Remediation Systems
PAG-6	General Permit for Wet Weather Overflow Discharges from Combined Sewer Systems
PAG-7	General Permit for Beneficial Use of Exceptional Quality Sewage Sludge by Land Application
PAG-8	General Permit for Beneficial Use of Nonexceptional Quality Sewage Sludge by Land Application to Agricultural Land, Forest, a Public Contact Site or a Land Reclamation Site
PAG-8 (SSN)	Site Suitability Notice for Land Application under Approved PAG-8 General Permit Coverage
PAG-9	General Permit for Beneficial Use of Residential Septage by Land Application to Agricultural Land, Forest or a Land Reclamation Site
PAG-9 (SSN)	Site Suitability Notice for Land Application under Approved PAG-9 General Permit Coverage
PAG-10	General Permit for Discharge Resulting from Hydrostatic Testing of Tanks and Pipelines

PAG-11 (To Be Announced)
 PAG-12 CAFOs
 PAG-13 Stormwater Discharges from MS4

General Permit Type—PAG-02

Facility Location:

<i>Municipality & County</i>	<i>Permit No.</i>	<i>Applicant Name & Address</i>	<i>Receiving Water/Use</i>	<i>Contact Office & Phone No.</i>
Richland Township Bucks County	PAG0200 0905088-R	Stanton Properties, LLC 330 Armwell Road Hillsborough, NJ 0884	Tohickon Creek (TSF)	Southeast Regional Office 2 East Main Street Norristown, PA 19401 484-250-5900
Falls Township Bucks County	PAG0200 091067	Waste Management of PA., Inc. 1000 New ford Mill Road Morrisville, PA 19087	Delaware River (WWF-MF)	Southeast Regional Office 2 East Main Street Norristown, PA 19401 484-250-5900
Middletown Township Bucks County	PAG0200 0909107	AmeriCorp Homes One South State Street Newtown, PA 18940	Delaware River (WWF-MF)	Southeast Regional Office 2 East Main Street Norristown, PA 19401 484-250-5900
Ridley Park Borough and Ridley Township Delaware County	PAG0200 231020	PA Department of Transportation 7000 Geerdes Boulevard King of Prussia, PA 19406-1525	Little Crum Creek (WWF-MF); Stoney Creek (WWF-MF)	Southeast Regional Office 2 East Main Street Norristown, PA 19401 484-250-5900
City of Philadelphia Philadelphia County	PAG0200 511023	Ogontz Avenue Revitalization Co 1537 Haines Street Philadelphia, PA 19126	Tacony Creek (WWF)	Southeast Regional Office 2 East Main Street Norristown, PA 19401 484-250-5900
Limerick Township Montgomery County	PAG20200 461079	Raymond J. Clarke 104 Saylor Road Schwenksville, PA 19473	Perkiomen Creek (TSF-MF)	Southeast Regional Office 2 East Main Street Norristown, PA 19401 484-250-5900
Lower Salford Township Montgomery County	PAG0200 461085	David Lukof 391 Main Street Harleysville, PA 19438	West Branch Skippack Creek (TSF-MF)	Southeast Regional Office 2 East Main Street Norristown, PA 19401 484-250-5900
Whitemarsh Township Montgomery County	PAG0200 461058	7 East Skippack Pike Assoc., LP One Presidential Blvd, Ste 300 Bala Cynwyd, PA 19004	Wissahickon Creek (TSF)	Southeast Regional Office 2 East Main Street Norristown, PA 19401 484-250-5900
Plymouth Township Montgomery County	PAG0200 4609025-2	PA Department of Transportation 7000 Geerdes Boulevard King of Prussia, PA 19406	Schuylkill River, Plymouth Creek and Gulp Creek (WWF-MF)	Southeast Regional Office 2 East Main Street Norristown, PA 19401 484-250-5900
Lewistown Borough Mifflin County	PAG2004410006	David Frey, Borough Manager Borough of Lewistown 2 East Third Street Lewistown, PA 17044	Juniata River/WWF	Mifflin County Conservation District 20 Windmill Hill #4 Burnham, PA 17009 717-248-4695
Beale Township Juniata County	PAG2033410005	Beale Township 573 Cider Press Road Port Royal, PA 17082	Markee Creek/CWF	Juniata County Conservation District 146 Stoney Creek Drive, Suite 4 Mifflintown, PA 17059 717-436-8953, Ext 5
Shippensburg Borough Cumberland County	PAG202002110023	Kevin Nehf Vigilant Hose Company of Shippensburg 129 East King Street Shippensburg, PA 17257	Burd Run/CWF	Cumberland County Conservation District 310 Allen Road Carlisle, PA 17013 717-240-7812

<i>Facility Location: Municipality & County</i>	<i>Permit No.</i>	<i>Applicant Name & Address</i>	<i>Receiving Water / Use</i>	<i>Contact Office & Phone No.</i>
Mount Joy Township Adams County	PAG2000106006-1	Barton L. Breighner Barton Real Estate, LLC 420 Bulk Plant Road Littlestown, PA 17340	Little Run/WWF	Adams County Conservation District 670 Old Harrisburg Road, Suite 201 Gettysburg, PA 17325 717-334-0636
Canton Township Bradford County	PAG2000810019	D & C Rentals, LLC 556 Ward Hill Rd Canton, PA 17724	UNT to Mill Creek CWF	Bradford County Conservation District Stoll Natural Resource Center RR 5, Box 5030C Towanda, PA 18848 (570) 265-5539, X 6
Fayette County Luzerne Twp.	PAG2002610013	Brownsville Municipal Authority PO Box 330 7 Jackson Street Brownsville, PA 15417	UNT to Cox Run (WWF)	Fayette County CD 10 Nickman Plaza Lemont Furnace, PA 15456 724-438-4497
Fayette County Georges Twp.	PAG2002610016	Calfrac Well Services Corp. Wes Mobley 717-17 Street, Suite 1445 Denver, CO 80202	Georges Creek (WWF)	Fayette County CD 10 Nickman Plaza Lemont Furnace, PA 15456 724-438-4497
Indiana County White Twp.	PAG02003210004	ALDI, Inc. 6000 North Noah Drive Saxonburg, PA 16056-9730	UNT McCarthy Run (CWF)	Indiana County CD 625 Kolter Drive, Suite 8 Indiana, PA 15701-3571 724-471-4751
Washington County Peters Twp.	PAG02006310020	Craig Cozza CHT Peters, LLC PO Box 453 Carnegie, PA 15106	Little Chartiers Creek (WWF)	Washington County CD 602 Courthouse Square Washington, PA 15301 724-228-6774

General Permit Type—PAG-3

<i>Facility Location: Municipality & County</i>	<i>Permit No.</i>	<i>Applicant Name & Address</i>	<i>Receiving Water / Use</i>	<i>Contact Office & Phone No.</i>
Upper Saucon Twp Lehigh County	PAR802254	First Student Inc 600 Vine St, Su. 1400 Cincinnati OH 45202	Saucon Creek (CWF)	PA DEP Northeast Regional Office 2 Public Square Wilkes-Barre, PA 18701-1915 570-826-2511
Wilson Boro Northampton County	PAR802263	NAGSCO 2 Madison Avenue Larchmount, NY 10538	Lehigh River (WWF)	PA DEP Northeast Regional Office 2 Public Square Wilkes-Barre, PA 18701-1915 570-826-2511
Berks County / Reading City	PAR143519	United Corrstack 720 Laurel Street Reading, PA 19602	Schuylkill River / WWF / 3C	DEP—SCRO—WQ 909 Elmerton Ave Harrisburg, PA 17110 717-705-4707

General Permit Type—PAG-12

<i>Facility Location: Municipality & County</i>	<i>Permit No.</i>	<i>Applicant Name & Address</i>	<i>Receiving Water / Use</i>	<i>Contact Office & Phone No.</i>
Delmar Township, Tioga County	PAG124802	Pheasant Hill Farm of Balsam LLC, 601 Faulkner Road, Wellsboro, PA 16901	UNT of Stony Fork Creek, CWF	PADEP-NCRO 208 West Third Street, Suite 101, Williamsport, PA 17701, (570) 327-3636

PUBLIC WATER SUPPLY (PWS) PERMITS

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

Persons aggrieved by an action may appeal that action to the Environmental Hearing Board (Board) under section 4 of the Environmental Hearing Board Act and 2 Pa.C.S. §§ 501—508 and 701—704. 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 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 a right of appeal beyond that permitted by applicable statutes and decisional law.

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

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SAFE DRINKING WATER

Actions taken under the Pennsylvania Safe Drinking Water Act

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

Permit No. 0610534 MA, Minor Amendment, Public Water Supply.

Applicant	Laurel Center CSW
Municipality	Tilden Township
County	Berks
Responsible Official	Edward Schmitz, Maintenance Director Laurel Center 125 Holly Road Hamburg, PA 19256
Type of Facility	Installation of 36' of 24" diameter chlorine contact piping at Entry Points 101 & 102. Demonstration of 4-Log Treatment of Viruses for GWR.
Consulting Engineer	Douglas E Berg, P.E. Entech Engineering Inc 4 South 4th Street 125 Holly Road Reading, PA 19603
Permit to Construct Issued:	12/6/2010

Permit No. 5010502, Public Water Supply.	
Applicant	Urban Perry Manor LLC
Municipality	Oliver Township
County	Perry
Responsible Official	Andrew Delman, President 445 N. Wells Suite 200 Chicago, IL 60654
Type of Facility	Corrosion control treatment installation.
Consulting Engineer	Stephen M. Yingst, P.E. Criterium-Yingst Engineers, Inc. 421 W. Chocolate Avenue Hershey, PA 17033
Permit to Construct Issued:	12/20/2010

Permit No. 2210510, Public Water Supply.	
Applicant	Yellow Breeches Education Center
Municipality	West Hanover Township
County	Dauphin
Responsible Official	James Kohler 1524 Pine Tree Avenue Harrisburg, PA 17122-9638
Type of Facility	Installation of pH adjustment and poly/orthophosphate for LCR treatment.
Consulting Engineer	Janet R McNally, P.E. William F. Hill & Assoc., Inc. 207 Baltimore St. Gettysburg, PA 17325
Permit to Construct Issued:	12/20/2010

Permit No. 3610546 MA, Minor Amendment, Public Water Supply.	
Applicant	P.C.S. Chadaga
Municipality	Earl Township
County	Lancaster
Responsible Official	P.C.S. Chadaga 1300 Market St, Suite 201 PO Box 622 Lemoyne, PA 17043-0622
Type of Facility	Installation of chlorine contact tanks and demonstration of 4-log treatment of viruses
Consulting Engineer	Charles A Kehew II, P.E. James R. Holley & Assoc., Inc. 18 South George St. York, PA 17401
Permit to Construct Issued:	12/20/2010

Operations Permit issued to: **Renninger's Farm Market**, 3060584, Maxatawny Township, **Berks County** on 12/14/2010 for the operation of facilities approved under Construction Permit No. 0610515 MA.

Operations Permit issued to: **The York Water Company**, 7670100, Manheim Township, **York County** on 12/17/2010 for the operation of facilities approved under Construction Permit No. 6710507 MA.

Operations Permit issued to: **Hanover Toyota**, 7010992, Oxford Township, **Adams County** on 12/23/2010 for the operation of facilities approved under Construction Permit No. 0110510 MA.

Operations Permit issued to: **Oley Township Municipal Authority**, 3060053, Heidelberg Township, **Berks County** on 12/14/2010 for the operation of facilities approved under Construction Permit No. 0610516 MA.

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

Permit No. Minor Amendment (1407503)—Operation Public Water Supply.

Applicant	Walker Township Water Association
[Township or Borough]	Walker Township
County	Centre
Responsible Official	David Foreman, President Walker Township Water Association P. O. Box 160 Mingoville, PA 16856
Type of Facility	Public Water Supply
Consulting Engineer	David A. McCullough, P.E. Uni-Tec Consulting Engineers, Inc. 2007 Cato Avenue State College, PA 16801
Permit Issued Date	December 20, 2010
Description of Action	Operation of the Snyderstown PRV vault.

Permit No. Minor Amendment—Operation Public Water Supply.

Applicant	Ulster Municipal Authority
[Township or Borough]	Ulster Township
County	Bradford
Responsible Official	Ulster Municipal Authority P. O. Box 157 Ulster, PA 18850
Type of Facility	Public Water Supply
Consulting Engineer	Travis Long, P.E. Gwin, Dobson & Foreman, Inc. 3121 Fairway Drive Altoona, PA 16650
Permit Issued Date	December 22, 2010
Description of Action	Well # 1 screen replacement.

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

Permit No. 0410502, Public Water Supply.

Applicant	New Sewickley Township Municipal Authority 233 Miller Road Rochester, PA 15074
[Borough or Township]	New Sewickley Township
County	Beaver
Type of Facility	Water storage tank

Consulting Engineer	Michael Baker Jr., Inc. 4301 Dutch Ridge Road Beaver, PA 15009
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Permit to Construct Issued	December 13, 2010
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Permit No. 5608507A1, Public Water Supply.

Applicant	Jenner Township , 2058 Lincoln Highway, Boswell, PA 15531
[Borough or Township]	Jenner Township
County	Somerset
Type of Facility	Water system
Consulting Engineer	The EADS Group, Inc. 450 Aberdeen Drive Somerset, PA 15501
Permit to Construct Issued	December 21, 2010

Operations Permit issued to: **Municipal Authority of Westmoreland County**, 124 Park and Pool Road, New Stanton, PA 15672, (PWSID #5260036) Hempfield Township, **Westmoreland County** on December 21, 2010 for the operation of facilities approved under Construction Permit # 2609501.

Operations Permit issued to: **Fairchance Borough**, 125 West Church Street, Fairchance, PA 15436, (PWSID #5260007) Fairchance Borough, **Fayette County** on December 21, 2010 for the operation of facilities approved under Construction Permit # 2686501A1.

Operations Permit issued to: **Highland Sewer and Water Authority**, 120 Tank Drive, Johnstown, PA 15904, (PWSID #4110017) Summerhill Township, **Cambria County** on December 21, 2010 for the operation of facilities approved under Construction Permit # 1108503.

Operations Permit issued to: **Nanty Glo Water Authority**, 1015 First Street, Nanty Glo, PA 15943, (PWSID #4110023) City of Nanty Glo, **Cambria County** on December 21, 2010 for the operation of facilities approved under Construction Permit # 1107501MA.

Permit No. 5610508MA, **Minor Amendment**. Public Water Supply.

Applicant	Rockwood Borough Municipal Authority 358 Market Street Rockwood, PA 15557
[Borough or Township]	Rockwood Borough
County	Somerset
Type of Facility	Water treatment system
Consulting Engineer	The EADS Group, Inc. 450 Aberdeen Drive Somerset, PA 15501
Permit to Construct Issued	December 16, 2010

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

Permit No. 1694502-MA2, Public Water Supply

Applicant	Knox Borough
Township or Borough	Knox Borough
County	Clarion County

Type of Facility Public Water Supply
 Consulting Engineer Barry M. English, PE
 Permit to Construct 12/20/2010
 Issued

Permit No. 1694502-MA3, Public Water Supply

Applicant **Knox Borough**
 Township or Borough Knox Borough
 County **Clarion County**
 Type of Facility Public Water Supply
 Consulting Engineer Barry M. English, PE
 Permit to Construct 12/20/2010
 Issued

Permit No. 1010504, Public Water Supply

Applicant **Lakeview Mobile Home Park**
 Township or Borough Middlesex Township
 County **Butler County**
 Type of Facility Public Water Supply
 Consulting Engineer Chapin S. Storrar, PE
 Permit to Construct 12/22/2010
 Issued

Permit No. 1010502, Public Water Supply

Applicant **St. Barnabas Health Systems
 Inc-Valencia Woods Nursing
 Center; The Arbors**
 Township or Borough Valencia Borough
 County **Butler County**
 Type of Facility Public Water Supply
 Consulting Engineer Dennis J. Duryea, PA, PE
 Permit to Construct 12/23/2010
 Issued

Operations Permit issued to **Mount Jewett Borough Authority**, Mount Jewett Borough, **McKean County** on December 20, 2010. Action is for operation of recently renovated 250,000 gallon elevated storage tank, known as the "Crest Hill Tank" No 1, in accordance with construction permit 844W-T1-MA3, issued October 29, 2010.

Operations Permit issued to **Johnsonburg Municipal Authority**, Johnsonburg Borough, **Elk County** on December 23, 2010. Action is for operation of recently replaced filter media in Filter Nos. 1 & 2 with in-kind materials/design and modified chlorine gas room at the Powers Run Water Treatment Plant. Corroded underdrain connections were also replaced with brass fittings. An operation inspection was conducted by Department personnel on December 22, 2010. This permit is issued in accordance with construction permit 2402501-MA1, issued January 23, 2009.

SEWAGE FACILITIES ACT PLAN APPROVAL

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

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

Plan Location:

<i>Borough or Township</i>	<i>Borough or Township Address</i>	<i>County</i>
Borough of Evans City	204B Jackson Street Evans City, PA 16033-1164	Butler

Plan Description: The approved plan provides for constructing a new 0.85 MGD secondary treatment process utilizing sequential batch reactor technology. Other components include preliminary treatment upgrades, conversion of the existing aeration/clarifier tanks into aerated sludge holding tanks, UV disinfection system and effluent flow metering. 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.

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

Public Notice of proposed Consent Order and Agreement

Upper Salford Township, Montgomery County, PA

The Department of Environmental Protection ("Department"), under the authority of Section 1113 of the Pennsylvania Hazardous Sites Cleanup Act ("HSCA"), 35 P. S. § 6020.1113, hereby provides notice that it has entered into an agreement with Upper Salford Township ("the Township") where the Baghurst Alley HSCA Site ("the Site") is located. The agreement provides for the Township's cooperation in a HSCA response action and enables the Department to design and construct a community water supply system to serve properties affected by a plume of groundwater contamination. These properties are located on or adjacent to Hendricks Road, Baghurst Alley, and Old Church Road in Upper Salford Township, Montgomery County, PA, the area of the Site.

The Department's well sample results indicate that hazardous substances including 1,1,1 trichloroethane (TCA), 1,1 dichloroethene (DCE), dichloroethane (DCA) and 1,4-Dioxane have been released into the groundwater in the Site area. As an interim remedy, the Department provided both bottled water as well as whole house carbon filtration systems to impacted property owners. The community water supply will provide a permanent source of potable water to residents affected by the contamination. By its execution of the agreement, the Township seeks to voluntarily cooperate with the Department's efforts to abate the release and threatened release of hazardous substances impacting the Site. The Township will assume ownership and control of the community water supply system after completion of construction.

Section 1113 of HSCA, 35 P. S. § 6020.1113 states that, "settlement shall become final upon the filing of the Department's response to the significant written comments". The Township's and the Department's agreement is available for public review and comment. The agreement can be examined from 8 a.m. to 4 p.m. at the Department's Southeast Regional Office, located at 2 East Main Street, Norristown, PA 19401, by contacting either Dustin Armstrong, (484) 250-5723 or Gina M. Thomas, Esquire at (484) 250-5930. Mr. Armstrong and Ms. Thomas may also be contacted electronically at darmstrongstate.pa.us and githomasstate.pa.us, respec-

tively. The public comment period for the agreement will extend for 60 days from today's date. Persons may submit written comments regarding the agreement within 60 days from today's date, by submitting them at the above address.

Notice of Interim Response Completion

TCE Run Site, Salford Township and Upper Salford Township, Montgomery County

The Department of Environmental Protection (Department) under the authority of the Hazardous Sites Cleanup Act, 35 P. S. § 6020.101 *et seq.*, has completed an interim response at the TCE Run Site, Salford Township and Upper Salford Township, Montgomery County. The Department's response action included an investigation of the TCE Run Site (Site), located in Salford Township and Upper Salford Township, Montgomery County. The investigation included soil and groundwater sampling as well as monitoring of numerous private drinking water supply wells within the Site area. This monitoring included over ten years of residential well sampling.

The investigation revealed that approximately 50 residential drinking water wells were impacted by trichloroethene (TCE). TCE is a volatile organic compound, frequently used as a metal degreaser. The Department identified a groundwater contamination plume affecting residences along Moyer Road, in Salford Township and Upper Salford Township; and Thompson Road, Joanne Lane, Shady Lane, Sumneytown Pike, Old Sumneytown Pike, Bergey Road, Gladys Way, and Diminjan Lane in Upper Salford Township. At the onset of the investigation, TCE was detected in concentrations above its Maximum Contaminant Level (MCL) of 5 micrograms per liter (ug/l) for drinking water, adopted by the United States Environmental Protection Agency (EPA) pursuant to the Safe Drinking Water Act, *as amended*, 42 U.S.C. § 300f *et seq.* and by the Pennsylvania Environmental Quality Board pursuant to the Pennsylvania Safe Drinking Water Act, 35 P. S. § 721 *et seq.*

The Department's interim response comprised the installation and maintenance of whole-house carbon filtration units in the impacted homes. This alternative was protective of the public health and the environment. It eliminated the threat to the public health from TCE formerly found in the drinking water at levels exceeding its MCL. The filters removed TCE and other volatile organic contamination in the affected water supplies to undetectable levels, or to levels well below the MCLs, thereby eliminating the threat to human health.

Of the approximately 50 residential wells formerly impacted by the groundwater contamination, none presently exceed the MCL for TCE. Based on over ten years of sampling and analysis of well water in the area, trends indicate that volatile organic compounds from the site, including TCE, are not now present in drinking water supplies above applicable MCLs, and will not exceed the MCLs in these wells. Thus, the Department proposes to discontinue residential water supply sampling and discontinue carbon filter system maintenance within the Site area.

An Administrative Record, which contains more detailed information concerning this proposed interim response action, is available for public inspection. The Administrative Record may be examined from 8:00 AM to 4:00 PM at the Department's office at 2 East Main Street,

Norristown, PA 19401, (484) 250-5960. Those interested in examining the Administrative Record should contact David Ewald at (484) 250-5725 to arrange for an appointment. An additional copy of the Administrative Record is available for review at the Upper Salford Township Municipal Building at 1441 Salford Station Road in Upper Salford Township, Montgomery County.

Pursuant to Section 506(d) of HSCA, 35 P. S. § 6020.506(d), a public hearing will be held on February 23, 2011 at 7:00 PM at the Upper Salford Township Municipal Building which is located at 1441 Salford Station Road, Salfordville, Montgomery County. Persons who want to present formal oral comments regarding this interim response may do so by registering with the Department before the meeting. Individuals may register by calling the Department's Community Relations Coordinator, Lynda Rebarchak, at (484) 250-5820.

Persons with a disability who wish to attend the February 23, 2011 meeting and require an auxiliary aid, service or other accommodation to participate in the proceedings should contact Lynda Rebarchak at the telephone number listed above or through the Pennsylvania AT&T Relay Service at (800) 654-5984 (TDD) to discuss how the Department may accommodate their needs. The public may also submit written comments regarding the Department's interim response action during the period of public comment. In accordance with Section 506(c) of HSCA, the Department has established a period for public comment that is now open and will close on April 2, 2010. Written comments should be addressed to David Ewald, Project Officer, Pennsylvania Department of Environmental Protection, 2 East Main Street, Norristown, PA 19401.

Individuals with questions concerning this notice should contact David Ewald at (484) 250-5725, or by email at dewald@state.pa.us.

LAND RECYCLING AND ENVIRONMENTAL REMEDIATION

UNDER ACT 2, 1995

PREAMBLE 2

The following plans and reports were submitted under the Land Recycling and Environmental Remediation Standards Act (35 P. S. §§ 6026.101—6026.907).

Provisions of Sections 301—308 of the Land Recycling and Environmental Remediation Standards Act (act) (35 P. S. §§ 6026.301—6026.308) require the Department to publish in the *Pennsylvania Bulletin* a notice of submission of plans and reports. A final report is submitted to document cleanup of a release of a regulated substance at a site to one of the act's remediation standards. A final report provides a description of the site investigation to characterize the nature and extent of contaminants in environmental media, the basis for selecting the environmental media of concern, documentation supporting the selection of residential or nonresidential exposure factors, a description of the remediation performed and summaries of sampling analytical results which demonstrate that remediation has attained the cleanup standard selected. Submission of plans and reports, other than the final report, will also be published in the *Pennsylvania Bulletin*. These include the remedial investigation report,

risk assessment report and cleanup plan for a site-specific standard remediation. A remedial investigation report includes conclusions from the site investigation; concentration of regulated substances in environmental media; benefits of 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.

For further information concerning plans or reports, contact the environmental cleanup program manager in the Department regional office under which the notice of receipt of plans or reports appears. If information concerning plans or reports is required in an alternative form, contact the community relations coordinator at the appropriate regional office. TDD users may telephone the Department through the AT&T Relay Service at (800) 654-5984.

The Department has received the following plans and reports:

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

Arco Logistics, Inc. Release, Green Township, **Clinton County**. Northridge Group Inc., 1172 Ride Road, Northumberland, PA 17857 on behalf of Arco Logistics, Inc, 6835 Cochran Road, Solon, OH 44139 has submitted a Final Report within 90 days of a release concerning remediation of site soil contaminated with diesel fuel. The report is intended to document remediation of the site to meet the Statewide Health Standard.

Former Getty Pumping Station Griffith Road, Muncy Creek Township, **Lycoming County**. SAIC, 6310 Allentown Blvd., Harrisburg, PA 17112 on behalf of Texaco Downstream Properties, Inc., c/o CBRES, 6001 Bollinger Canyon Road, San Ramon, CA 94583 has submitted a Remedial Investigation Report concerning remediation of site soil and groundwater contaminated with various volatile and semi volatile organic compounds associated with petroleum products such as diesel fuel and crude oil. The report is intended to document remediation of the site to meet the Site-specific Standard.

Johnson's Café Release, Montoursville Borough, **Lycoming County**. James P. Sposito Associates, 11 Archbald St., Carbondale, PA 18407 on behalf of Gordon Snyder, 334 Broad St., Montoursville, PA 17754 has submitted Final Report within 90 days of the release concerning remediation of site soil contaminated with No. 2 fuel oil. The report is intended to document remediation of the site to meet the Statewide Health Standard.

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

Rosedale Tract KOZ and Lower Ore Yard KOZ, City of Johnstown, **Cambria County**. L. Robert Kimball Associates, 615 West Highland Avenue, P. O. Box 1000, Ebensburg, PA 1531 on behalf of the Johnstown Redevelopment Authority, 401 Washington Street, 4th Floor, Johnstown, PA 15901 has submitted a Site Specific Final Report concerning the remediation of site soil contaminated with heavy metals. The Final Report was noticed in the *Johnstown Tribune Democrat*.

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—6026.907).

Section 250.8 of 25 Pa. Code and administration of the Land Recycling and Environmental Remediation Standards Act (act) require the 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 nonresidential exposure factors, a description of the remediation performed and summaries of sampling methodology and analytical results which demonstrate that the remediation has attained the cleanup standard selected. Plans and reports required by 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 a 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 the act for compliance with selection of a special industrial area remediation. The baseline remedial investigation, based on the work plan, is compiled into the baseline environmental report to establish a reference point to show existing contamination, describe proposed remediation to be done and include a description of existing or potential public benefits of the use or reuse of the property. The Department may approve or disapprove plans and reports submitted. This notice provides the Department's decision and, if relevant, the basis for disapproval.

For further information concerning the plans and reports, contact the environmental cleanup program manager in the Department regional office 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. 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: Eric Supey, Environmental Cleanup Program Manager, 2 Public Square, Wilkes-Barre, PA 18701-1915.

Pocono MHP-Lot 29, 740 Jumper Road, Plains Township, **Luzerne County**. Daniel Nealon, Quad Three Group, Inc., 72 Glenmaura National Boulevard, Moosic, PA 18507 submitted a Final Report (on behalf of their

client, REO Trust, LLC 1300 Market Street, Suite 201, Lemoyne, PA 17043-1420), concerning the remediation of soil found to have been impacted by No 2 fuel oil as a result of a slow leak in the copper line fitting at the base of a 275-gallon aboveground storage tank. The report documented attainment of the residential Statewide Health Standard for soil and was approved on December 15, 2010.

Regan Property, 56 Flintlock Trail, Tobyhanna Township, **Monroe County**. Paul Martino, Pennoni Associates, Inc. One Drexel Plaza, 3001 Market Street, 2nd Floor, Philadelphia, PA 19104 has submitted a Final Report (on behalf of his clients Christian and Gretchen Regan, 13 N. Morgan Avenue, Havertown, PA 19083), concerning the remediation of soils found to have been impacted by No. 2 fuel oil as a result of a leaking aboveground storage tank. The report documented attainment of the Statewide Health Standard for soil and was approved on December 17, 2010.

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

Sternat Residence, Robeson Township, **Berks County**. Trimpi Associates, Inc., 1635 Old Plains Road, Pennsburg, PA 18073, on behalf of Jill and Don Sternat, 216 Watercress Drive, Birdsboro, PA 19508 and Federated Insurance, PO Box 328, Owatonna, MN 55060, submitted a Final Report concerning remediation of site soils contaminated with No. 2 fuel oil from a ruptured aboveground storage tank. The Final Report demonstrated attainment of the Residential Statewide Health standard, and was approved by the Department on December 17, 2010.

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

Quality Carriers and FLEET Transit Truck Accident, Ridgway Township, **Elk County**. Environmental Alliance, 117 Olde Farm Office Road, Suite 135, Duncansville, PA 16635 on behalf of Quality Carriers, Inc., 4041 Parks Oaks Boulevard, Tampa, FL 33610-9524 and FLEET Transit, Inc., 3400 Fairfield Road, Baltimore, MD 21226-1088 has submitted a Final Report concerning the remediation of site soils contaminated with Benzene, Toluene, Ethylbenzene, MtBE, Naphthalene, Cumene, 1,2,4 Trimethyl benzene, 1,3,5 Trimethyl benzene, and Aluminum. The Final Report demonstrated attainment of the Statewide Health Standard and was approved by the Department on November 23, 2010.

Honeywell Farmers Valley South of Cole Creek (Farmers Valley Wax Plt—Area South of Cole Creek), Keating Township, **McKean County**. URS Corporation, Foster Plaza 4, 501 Holiday Drive Suite 300, Pittsburgh, PA 15220 on behalf of Pennzoil-Quaker State Company, 910 Louisiana OSP 687, Houston, TX 77002 has submitted a Risk Assessment/Final Report concerning the remediation of site soil & site groundwater contaminated with petroleum hydrocarbons. The Risk Assessment/Final Report demonstrated attainment of the Site-Specific Standard and was approved by the Department on November 9, 2010.

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

RIDC City Center of Duquesne, City of Duquesne, **Allegheny County**. KU Resources, 22 South Linden Street, Duquesne PA 15110 on behalf of the RIDC of Southwestern Pennsylvania, the American textile Company, Inc., MBC Properties (Miller Bros Construction),

Ruttenberg Realty Company, LLC., Greater Pittsburgh Community Food Bank, and the Regional Trail Alliance has submitted a Combined Remedial Investigation, Risk Assessment and Cleanup Plan Report concerning the remediation of site soil and groundwater. Soil is contaminated with semi-volatile organic compounds, volatile organic compounds, metals and PCBs while groundwater is contaminated with volatile organic compounds and metals. The Combined Report was approved on December 20, 2010.

HAZARDOUS WASTE TRANSPORTER LICENSE

Actions on applications for Hazardous Waste Transporter License received under the Solid Waste Management Act of July 7, 1980 (P. L. 380, No. 97) (35 P. S. §§ 6018.101—6018.1003) and regulations to transport hazardous waste.

Central Office: Bureau of Land Recycling and Waste Management, Division of Hazardous Waste Management, PO Box 8471, Harrisburg, PA 17105-8471

Hazardous Waste Transporter License Issued

Better Management Corporation, P. O. Box 130, Columbiana, OH 44408. License No. PA-AH 0773. Effective August 31, 2010.

Cemco-Custom Environmental Management, P. O. Box 212, Hainesport, NJ 08036. License No. PA-AH 0776. Effective November 15, 2010.

WM Healthcare Solutions, Inc., 1001 Fannin Street, Suite 4000, Houston, TX 77002. License No. PA-AH 0775. Effective November 15, 2010.

IISG Central Region, LLC, 2021 S. Schaefer Highway, Detroit, MI 48217. License No. PA-AH 0774. Effective November 30, 2010.

Haz-mat Environmental Services, LLC, P. O. Box 37392, Charlotte, NC 28237. License No. PA-AH 0778. Effective December 7, 2010.

Hazardous Waste Transporter License Renewed

Bionomics, Inc., P. O. Box 817, Kingston, TN 37763. License No. PA-AH 0730. Effective September 17, 2010.

Jade Tank Lines, Inc., P. O. Box 1621, Wilmington, NC 28401. License No. PA-AH 0759. Effective September 17, 2010.

US Environmental, Inc., 409 Boot Road, Downingtown, PA 19335. License No. PA-AH 0675. Effective September 17, 2010.

Bed Rock, Inc., DBA TSMTCO, P. O. Box 113, Joplin, MO 64802. License No. PA-AH 0697. Effective September 17, 2010.

Laidlaw Carriers Van GP, Inc., 1179 Ridgeway Road, Woodstock ON N4S 1 E3 Canada. License No. PA-AH 0714. Effective September 22, 2010.

Heritage-Crystal Clean, LLC, 2175 Point Blvd, Suite 375, Elgin, IL 60123. License No. PA-AH 0672. Effective September 28, 2010.

Ameritech Environmental Services, Inc., P. O. Box 539, Eliot, ME 03903. License No. PA-AH 0677. Effective October 22, 2010.

Technic, Inc., 1 Spectacle Street, Cranston, RI 02910. License No. PA-AH S134. Effective October 22, 2010.

Environmental Coordination Services, 3237 US Highway 19, Cochran, PA 16314. License No. PA-AH 0757. Effective November 2, 2010.

Bishop & Associates, Inc., P. O. Box 6483, Baltimore, MD 21230. License No. PA-AH 0717. Effective November 2, 2010.

Transport Rollex LTEE, 910 Boul Lionel-Boulet, Varennes, PQ J3X 1P7 Canada. License No. PA-AH 0544. Effective November 9, 2010.

Envirite of Ohio, Inc., 2050 Central Avenue S E, Canton, OH 44707. License No. PA-AH 0548. Effective November 16, 2010.

Vickery Transportation, Inc., 18375 E, 345 S, Grammer, IN 47236. License No. PA-AH 0698. Effective November 16, 2010.

Envirite of Pennsylvania, Inc., 730 Vogelsong Road, York, PA 17404. License No. PA-AH 0549. Effective December 1, 2010.

Environmental Transport Group, Inc., P. O. Box 296, Flanders, NJ 07836-0296. License No. PA-AH 0104. Effective December 2, 2010.

Buffalo Fuel Corporation, 4870 Packard Road, Niagara Falls, NY 14304. License No. PA-AH 0147. Effective December 3, 2010.

Ross Transportation Services, Inc., 36790 Giles Road, Grafton, OH 44044. License No. PA-AH 0133. Effective December 7, 2010.

Dart Trucking Company, Inc., P. O. Box 157, 11017 Market Street, North Lima, OH 44452. License No. PA-AH 0219. Effective December 15, 2010.

Transwaste, Inc., 3 Barker Drive, Wallingford, CT 06492. License No. PA-AH 0674. Effective December 17, 2010.

Hazardous Waste Transporter License, actions taken under the Solid Waste Management Act of July 7, 1980 (P. L. 380, No. 97) (35 P. S. §§ 6018.101—6018.1003) and regulations to transport hazardous waste.

Central Office:—Bureau of Land Recycling and Waste Management, Division of Hazardous Waste Management, PO Box 8471, Harrisburg, PA 17105-8471

Hazardous Waste Transporter License Expired

Inland Waters Pollution Control Services, LLC, 2021 S. Schaefer Highway, Detroit, MI 48217. License No. PA-AH 0746. August 31, 2010.

Hazardous Waste Transporter License Voluntarily Terminated

Republic Services of South Carolina, LLC, DBA Fenn-Vac, P. O. Box 62679, North Charleston, SC 29419-2679. License No. PA-AH 0542. Effective July 12, 2010.

Stericycle, Inc., 18 Water Street, Reading, PA 19605. License No. PA-AH 0710. Effective November 1, 2010.

INFECTIOUS AND CHEMOTHERAPEUTIC WASTE TRANSPORTER LICENSE

Actions on applications for Infectious and Chemotherapeutic Waste Transporter License received under the Solid Waste Management Act of July 7, 1980 (P. L. 380, No. 97) (35 P. S. §§ 6018.101—6018.1003) and Act 93 of June 28, 1988 (P. L. 525, No. 93) and regulations to transport infectious and chemotherapeutic waste.

Central Office: Bureau of Land Recycling and Waste Management, Division of Hazardous Waste Management, PO Box 8471, Harrisburg, PA 17105-8471

Infectious and Chemotherapeutic Waste Transporter License Renewed

Veolia ES Technical Solutions, LLC, 1 Eden Lane, Flanders, NJ 07836. License No. PA-HC0221. Received on August 12, 2010.

The Pennsylvania State University, 6 Eisenhower Parking Deck, University Park, PA 16802-2116. License No. PA-HC 0153. Received on August 26, 2010.

Daniel's New Jersey, LLC, 135 South LaSalle Street, Suite 2850, Chicago, IL 60603. License No. PA-AH 0222. Received on September 20, 2010.

Pet Memorial Services Corporation, 126 Turner Lane, West Chester, PA 19380. License No. PA-AH 0195. Received on October 26, 2010.

The Williamsport Hospital, 777 Rural Avenue, Williamsport, PA 17701-3109. License No. PA-AH 0186. Received on October 28, 2010.

Conservative Environmental Services, Inc., P. O. Box 745, Mechanicsburg, PA 17055-0745. License No. PA-AH 0224. Received on November 25, 2010.

Infectious and Chemotherapeutic Waste Transporter License Issued

WM Healthcare Solutions, Inc., 1001 Fannin Street, Suite 4000, Houston, TX 77002. License No. PA-HC 0244. Effective November 10, 2010.

OPERATE WASTE PROCESSING OR DISPOSAL AREA OR SITE

Permits 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.

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

Permit No. 400633. Wheelabrator Falls, Inc., 1201 New Ford Mill Road, Morrisville PA 19067-3701. This minor permit modification application has been approved for the facility's operation plan to reflect the utilization of the existing Material Recovery Facility (MRF) as a collection center for single stream source-separated recyclable materials. The Wheelabrator Falls, Inc. is a resource recovery facility located in Falls Township, **Bucks County**. The permit was issued by the Southeast Regional Office on December 17, 2010.

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

Permit No. 301338. Calgon Carbon Corporation, 1055 Boot Road, Downingtown PA 19355, East Caln Township, **Chester County**. This permit was issued to allow for the short-term, continued operation of the Downingtown Transfer Station Facility, an existing residual waste transfer facility, during the review of the facility's 10-year renewal application. The permit was issued by the Southeast Regional Office on December 21, 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.

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

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

GP3-46-0091: Glasgow, Inc. (P. O. Box 1089, Glenside, PA 19038) on December 21, 2010, to operate a portable nonmetallic mineral processing plant in Conshohocken Borough, **Montgomery County**.

GP14-09-0132: Donald R. Kreider, VMD (1501 2nd Street Pike, Southampton, PA 18966) on December 23, 2010, to operate a pet crematory in Upper Southampton Township, **Bucks County**.

GP1-15-0100: WorldColor (USA) LLC—d.b.a. WorldColor Atglen (4581 Lower Valley Road, Atglen, PA 19310) on December 23, 2010, to operate a high pressure steam boiler (No. 7) in West Sadsbury Township, **Chester County**.

GP1-15-0101: WorldColor (USA) LLC—d.b.a. WorldColor Atglen (4581 Lower Valley Road, Atglen, PA 19310) On December 23, 2010, to operate a small natural gas fired combustion unit (boiler No. 7) in West Sadsbury Township, **Chester County**.

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

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

GP13-28-05035: St. Thomas Development, Inc.—Highway Materials, Inc. (1750 Walton Road, Blue Bell, Pennsylvania 19422-0465) on December 21, 2010, for a batch asphalt plant at the Saint Thomas Quarry in Saint Thomas Township, **Franklin County**.

GP15-36-03040: Wenger's Feed Mill, Inc. (101 West Harrisburg Avenue, Rheems, Pennsylvania 17570-0026) on December 21, 2010, for addition of three (3) new bin vent filters on existing storage bins at the feed manufacturing facility located in Mount Joy Township, **Lancaster County**.

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

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

GP5-53-103A: Pennsylvania General Energy Co., L.L.C. (120 Market Street, Warren, PA 16365) on December 13, 2010, to construct and operate one (1) 155.2 bhp natural gas-fired compressor engine 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 Well 1877 Compressor Station in Eulalia Township, **Potter County**.

GP3-17-497: R. S. Services (119 Falls Road, Beech Creek, PA 16822) on December 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 pursu-

ant to the General Plan Approval And/Or General Operating Permit For Portable Nonmetallic Mineral Processing Plants (BAQ-PGPA/GP-3) at their facility in Goshen Township, **Clearfield County**.

GP11-17-497: R. S. Services (119 Falls Road, Beech Creek, PA 16822) on December 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 their facility in Goshen Township, **Clearfield County**.

GP3-14-229: Glenn O. Hawbaker, Inc. (450 East College Avenue, Bellefonte, PA 16823) on December 21, 2010, to construct and operate a portable non-metallic mineral crusher with associated water spray dust suppression system pursuant to the General Plan Approval And/Or General Operating Permit For Portable Nonmetallic Mineral Processing Plants (BAQ-PGPA/GP-3) at their Pleasant Gap facility in Spring Township, **Centre County**.

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

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

GP5-42-233A: EOG Resources, Inc.—Clermont Compressor Station (21 Compressor Road, Wilcox, PA 15780) on December 16, 2010, to operate a natural gas fired compressor engine (BAQ-GPA/GP-5) in Sergeant Township, **McKean County**.

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

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

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

58-329-016: Cabot Oil & Gas Corp. (5 Penn Center West, Suite 401, Pittsburgh, PA 15276) on December 10, 2010, to install four (4) new compressor engines and one (1) stand-by engine generator set at their Lathrop Compressor Station site in Springville Township, **Susquehanna County**.

54-399-045: Silberline Manufacturing Co., Inc. (130 Lincoln Drive, Tamaqua, PA 18252) on December 22, 2010, to modify their existing aluminum pigment manufacturing process to add additional equipment with controls at their facility in Rush Township, **Schuylkill County**.

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

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

67-05092G: Starbucks Coffee Co. (3000 Espresso Way, York, Pennsylvania 17402-8035) on December 15, 2010, for installation of drums and burners on Coffee Roasters 1A and 1B and replacement of burners on the

catalytic oxidizers associated with those roasters at the coffee manufacturing facility in East Manchester Township, **York 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

11-00527: Phoenix Services, LLC (1717 West Doe Run Road, Unionville, PA 19375) on December 21, 2010, to construct and begin initial temporary operation of a slag processing and handling facility to be named Johnstown Slag Preparation Facility and in Franklin Borough, **Cambria County**.

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) on December 15, 2010, to modify the method of operation for the carbon baking kilns and construction of the impregnation department in St Marys City, **Elk County**. This is a Title V facility.

62-017S: United Refining Co. (15 Bradley Street, Warren, PA 16365) on December 16, 2010, to modify 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.

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

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

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

46-0172B: Gemalto, Inc. (101 Park Drive, Montgomeryville, PA 18936) on November 22, 2010, to operate a new sakurai silk screen press in Montgomery Township, **Montgomery County**.

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

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

28-05011B: Waste Management Disposal Services of PA, Inc. (9446 Letzberg Road, Greencastle, PA 17225-9317) on December 22, 2010, to expand the existing landfill and the landfill gas collection system at their existing Mountain View Reclamation facility in Antrim Township, **Franklin County**. The plan approval was extended.

67-05041A: Defense Logistics Agency (DESSP-PG "S" Avenue & 3rd Street, Building 750, New Cumberland, PA 17070) on December 22, 2010, to construct three (3) new boilers to replace four (4) existing boilers at the Defense Distribution Depot Susquehanna, PA in Fairview Township, **York County**. The plan approval was extended.

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

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

42-004E: American Refining Group (77 North Kendall Avenue, Bradford, PA 16701) on December 21, 2010, for a minor plan approval amendment to waive the H₂S performance testing and implement an H₂S alternative monitoring plan associated with the Hydrotreater Unit and the flue gas Desulfurization Unit permitted in Plan Approval 42-004C at their Bradford facility in Bradford City, **McKean County**. This is a Title V facility, Permit No. 42-0004.

43-305D: Champion Carrier Corp. (2755 Kirila Road, Hermitage, PA 16148-9019) on December 20, 2010, to reactivate Paint Booth No. 3 to coat steel parts at their facility in the City of Hermitage, **Mercer County**. The facility currently has a State Only Operating Permit No. 43-00305.

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

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

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

09-00022: Cleveland Steel Container Corp. (350 Mill Street, Quakertown, PA 18951) on December 20, 2010, for a renewal of a Synthetic Minor Operating Permit in Quakertown Borough, **Bucks County**. The facility's emission points include paint booths and lithographic printing presses, which emit major levels of Volatile Organic Compounds (VOC); however, with this renewal, Cleveland Steel is capping VOC emissions to below the major level threshold of 25 tons per year VOC. There are no new sources at the facility and no new applicable regulations in this permit. Compliance Assurance Monitoring (CAM) requirements have been removed from the permit because the facility is no longer a Title V facility. The renewal permit will include monitoring, recordkeeping and reporting requirements designed to keep the facility operating within all applicable air quality requirements.

15-00058: Martin Limestone, Inc. (199 Quarry Road, Honey Brook, PA 19344) on December 20, 2010, for operation of a limestone crushing plant in Honey Brook Township, **Chester County**. The major sources of air pollutant emissions include a primary, a secondary and two tertiary crushers, their associated triple-deck screens and conveyers powered by electricity. The operation of this plant will result in Particulate Matter (PM) being emitted into the atmosphere. This Operating Permit is for a non-Title V (State Only), Natural Minor facility. It contains monitoring, recordkeeping and reporting requirements designed to keep the facility operating within all applicable air quality requirements.

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

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

28-03045: Dominion Transmission, Inc. (445 West Main Street, Clarksburg, West Virginia 26301-2843) on December 21, 2010, for their natural gas pumping station in Hamilton Township, **Franklin County**. This is a renewal of the State Only Operating permit.

07-03045: Cargill, Inc.—Animal Nutrition Mfg. (965 Frederick Road, Martinsburg, Pennsylvania 16662-8862) on December 9, 2010, for their animal feed manufacturing facility in Taylor Township, **Blair County**. This is a renewal of the State Only Operating permit.

07-3033: James E. Van Zandt VA Medical Center (2907 Pleasant Valley Boulevard, Altoona, Pennsylvania 16602-4377) on December 15, 2010, for their boilers emergency generators, parts washer and ethylene oxide sterilizers at their medical facility in Logan Township, **Blair County**. This is a renewal of the State Only Operating permit.

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

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

37-00290: Ferrotech Corp. (526 South Jefferson Street, New Castle, PA 16101) on December 16, 2010, to re-issue a Natural Minor Operating Permit to operate this scrap metal processing facility in New Castle City, **Lawrence County**. The facility's primary emission sources are the cutting torches used to sever large pieces of scrap.

42-00155: MSL Oil and Gas Corp. (Route 219 and Route 59 intersection, Lewis Run, Lafayette, PA 16738) on December 21, 2010, to operate a gas production and distribution corporation in Lafayette Township, **McKean County**. The significant sources are one compressor engine of 360 HP with refrigeration system and re-boiler, one 186 HP compressor engine with catalytic converter, one 180 HP compressor engine and miscellaneous equipment leaks. The facility is a natural minor because the emissions from the facility are less than Title V emission thresholds.

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

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

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

15-00094: Metallurgical Products Co. (P. O. Box 598, West Chester, PA 19381) on December 20, 2010, the State Only Operating Permit has been amended to incorporate plan approval Nos. PA-15-0094, 15-0094A, and 15-0094B requirements, in accordance with 25 Pa. Code 127.450. The amended State Only Operating Permit contains the applicable regulatory requirements including monitoring, recordkeeping, reporting and emission limits for the facility in West Goshen Township, **Chester County**.

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

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

26-00475: Amerikohl Aggregates, Inc.—Jim Mountain Plant (State Route 653, Mill Run, PA 15464) on December 10, 2010, the Department administratively amended the State Only Operating Permit to incorporate the change of ownership into the Operating Permit located in Springfield Township, **Fayette County**.

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

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

Contact: Matthew Williams, New Source Review Chief—Telephone: 814-332-6940

20-00292: MacLean Saegertown LLC (One Crawford Street, Saegertown, PA 16433) on December 16, 2010, for revocation of their State Only Operating Permit for the cutting tool and machine tool accessory manufacturing facility in Saegertown Borough, **Crawford County**. The primary sources at the facility were 1 hot water boiler (1.3 mmbtu/hr), 4 augers and 8 remote parts washers, and an immersion parts washer. The facility removed the 4 augers and 8 parts washers. The VOC from parts washing at the facility decreased from 1,260 gallons in 2009 to 110 gallons in 2010. The facility estimated the potential VOC emissions from the facility as 1.25 TPY and the sources were therefore exempted from plan approval. Since the facility is not required to have a plan approval and the potential VOC emissions from the facility are less than 8 TPY, an operating permit is not required. This operating permit was therefore revoked.

ACTIONS ON COAL AND NONCOAL MINING ACTIVITY APPLICATIONS

Actions on applications under the Surface Mining Conservation and Reclamation Act (52 P. S. §§ 1396.1—1396.19a); the Noncoal Surface Mining Conservation and Reclamation Act (52 P. S. §§ 3301—3326); The Clean Streams Law; the Coal Refuse Disposal Control Act (52 P. S. §§ 30.51—30.66); and The Bituminous Mine Subsidence and Land Conservation Act (52 P. S. §§ 1406.1—1406.20a). 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 applications will also address the application permitting requirements of the following statutes: the Air Quality Pollution Act (35 P. S. §§ 4001—4014); the Dam Safety and Encroachments Act (32 P. S. §§ 693.1—693.27); and the Solid Waste Management Act (35 P. S. §§ 6018.101—6018.1002).

Coal Permits Actions

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

56950110 and NPDES No. PA0213217. Heritage Coal and Natural Resources, LLC, 208 W. Mud Pike, Rockwood, PA 15557, permit renewal for continued operation and restoration of a bituminous surface mine in Elk Lick Township, **Somerset County**, affecting 166.8 acres. Receiving stream(s): unnamed tributaries to/and Flag Run; unnamed tributaries to/and Casselman River, Crab Run classified for the following use(s): cold water and warm water fisheries. There are no potable water supply intakes within 10 miles downstream. Application received: October 13, 2010. Permit issued: December 20, 2010.

32990101 and NPDES No. PA0235016. Walter L. Houser Coal Company, Inc., 12968 US Route 422, Kittanning, PA 16201, permit renewal for reclamation

only of a bituminous surface mine in Washington Township, **Indiana County**, affecting 38.5 acres. Receiving stream(s): Sugar Camp Run to the South Branch Plum Creek classified for the following use(s): cold water fishery. There are no potable water supply intakes within 10 miles downstream. Application received: October 25, 2010. Permit issued: December 20, 2010.

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

03950113 and NPDES Permit No. PA0201529. Britt Energies, Inc. (P. O. Box 515, Indiana, PA 15701). Permit renewal issued for commencement, operation, and reclamation of a bituminous surface mining site with a status of three years not started, located in Burrell and South Bend Townships, **Armstrong County**, affecting 93.0 acres. Receiving streams: unnamed tributary to Crooked Creek and Crooked Creek. Renewal application received: September 16, 2010. Permit renewal issued: December 21, 2010.

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

33820149 and NPDES Permit No. PA0605557. Strishock, LLC (220 Hillcrest Drive, DuBois, PA 15801) Transfer of an existing bituminous strip operation from Strishock Coal Company in Washington Township, **Jefferson County** affecting 54.0 acres. Receiving streams: Unnamed tributary to Mill Creek. Application received: September 10, 2010. Permit Issued: December 21, 2010.

33030101 and NPDES Permit No. PA0242292. Strishock, LLC (220 Hillcrest Drive, DuBois, PA 15801) Transfer of an existing bituminous strip operation from Strishock Coal Company in Washington Township, **Jefferson County** affecting 103.5 acres. Receiving streams: Horm Run. Application received: September 10, 2010. Permit Issued: December 21, 2010.

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

17950113 and NPDES No. PA0220159. Waroquier Coal Co. (P. O. Box 128, Clearfield, PA 16830). Permit renewal of an existing bituminous surface mine located in Greenwood Township, **Clearfield County** affecting 60.2 acres. Receiving streams: unnamed tributaries to Watts Creek, Watts Creek classified for High Quality Cold Water Fisheries. There are no potable water supply intakes within 10 miles downstream. Application received: November 5, 2010. Permit issued: December 14, 2010.

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

54850107R5. Lone Eagle Coal Co., Inc., (2068 Old Phoenix Road, Pottsville, PA 17901), renewal of an existing anthracite surface mine in Foster Township, **Schuylkill County** affecting 59.93 acres, receiving stream: Crystal Run. Application received: March 5, 2010. Renewal issued: December 21, 2010.

54850107GP104. Lone Eagle Coal Co., Inc., (2068 Old Phoenix Road, Pottsville, PA 17901), General NPDES Permit for stormwater discharges associated with mining activities on Surface Mining Permit No. 54850105 in Foster Township, **Schuylkill County**. Application received: November 12, 2010. Permit issued: December 21, 2010.

Noncoal Applications Returned

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

53102805. Preston E. Hoopes (1002 Empson Road, Ulysses, PA 16948). Commencement, operation, and restoration of small noncoal gravel permit located in Ulysses, Township, **Potter County**, affecting 2.0 total acres. Receiving stream(s): California Creek and Pine Creek. Application received: May 13, 2010. Application returned: December 20, 2010.

Noncoal Permits Actions

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

16940308. County Landfill, Inc. d/b/a County Environmental Services, Inc. (c/o AW Niagara Falls Landfill, 5600 Niagara Falls Blvd., Niagara Falls, NY 14304) Renewal of NPDES Permit No. PA0226939 in Farmington Township, **Clarion County**. Receiving streams: Unnamed tributary to Little Coon Run, unnamed tributary to Licking Creek, and unnamed tributary to Toby Creek. Application received: October 25, 2010. Permit Issued: December 15, 2010.

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

26050401 and NPDES Permit No. PA0250643. Laurel Aggregates, Inc. (300 Dents Run Road, Morgantown, WV 26501). Permit revised to add 1.5 acres to an existing large noncoal surface mining site (limestone quarry) located in Springhill Township, **Fayette County**, now affecting 110.5 acres. Receiving streams: Rubles Run. Application received: May 21, 2010. Revised permit issued: December 16, 2010.

ACTIONS ON BLASTING ACTIVITY APPLICATIONS

Actions on applications under the Explosives Acts of 1937 and 1957 and 25 Pa. Code § 211.124. 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

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

38104121. Keystone Blasting Service, (15 Hopeland Road, Lititz, PA 17543), construction blasting for Carl Wenger Dwelling in Myerstown Borough, **Lebanon County** with an expiration date of February 28, 2011. Permit issued: December 17, 2010.

15104004. Explo-Craft, Inc., (P. O. Box 1332, West Chester, PA 19380), construction blasting at Quaker Ridge in West Goshen Township, **Chester County** with an expiration date of December 15, 2011. Permit issued: December 22, 2010.

46104002. Explo-Craft, Inc., (P. O. Box 1332, West Chester, PA 19380), construction blasting at West Laurel Hill Cemetery in Lower Merion Township, **Montgomery County** with an expiration date of December 22, 2011. Permit issued: December 22, 2010.

40104006. John Brainard, Brainard Explosives, LLC, (3978 SR 2073, Kingsley, PA 18826), construction blasting for the Applewood Estates Catch Basin in Exeter Township, **Luzerne County** with an expiration date of February 28, 2011. Permit issued: December 22, 2010.

FEDERAL WATER POLLUTION CONTROL ACT SECTION 401

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

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

Persons aggrieved by an action may appeal that action to the Environmental Hearing Board (Board) under section 4 of the Environmental Hearing Board Act and 2 Pa.C.S. §§ 501—508 and 701—704. 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 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 a right of appeal beyond that permitted by applicable statutes and decisional law.

For individuals who wish to challenge an action, the appeal 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.

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 and Notice of Final Action for Certification under section 401 of the FWPCA.

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.

E06-648: Borough of Shillington, Michael Mountz, 2 East Lancaster Avenue, Shillington Borough, PA 19607, **Berks County**, ACOE Philadelphia District.

To construct a 13,400 linear foot 24-inch PVC sanitary sewer main to replace an existing cast iron and vitrified clay sewer main that is deteriorating. The sewer main will cross the Wyomissing Creek (HQ-CWF) seven times, will cross wetlands identified as Exceptional Value, and will convey sewage to the Joint Municipal Authority of Wyomissing Valley's wastewater treatment facility. The project is located along Old Wyomissing Road (Reading, PA Quadrangle N: 11.0 inches; W: 13.5 inches; Latitude: 40°19'30"; Longitude: 75°57'37") in Shillington Borough, Berks County.

E44-141: CENPA Development, LLC, 38 Clayburgh Road, Thornton, PA 19373, Quillas Creek Sanitary Sewerline Construction, Brown Township, **Mifflin County**, ACOE Baltimore District

To construct and maintain: 1) a 12.0-inch PVC sanitary sewer line in and across a palustrine emergent (PEM) wetland in the Kishacoquillas Creek (CWF, MF) watershed, temporarily impacting a 0.05 acre of exceptional value PEM wetland; 2) a 12.0-inch PVC sanitary sewer line in and across an unnamed tributary to Kishacoquillas Creek (CWF, MF); 3) approximately 1,070.0 lineal feet of 12.0-inch PVC sanitary sewer line and three sanitary sewer manholes in and along the floodway of Kishacoquillas Creek (CWF, MF); 4) a 12.0-inch PVC sanitary sewer line in and across an unnamed tributary to Kishacoquillas Creek (CWF, MF); 5) approximately 65.0 lineal feet of 12.0-inch sanitary sewer line in and along the floodway of Kishacoquillas Creek (CWF, MF); 6) a 12.0-inch sanitary sewer line in and across a PEM/PFO wetland in the Kishacoquillas Creek watershed, temporarily impacting a 0.05 acre of exceptional value PEM/PFO wetland; 7) a 12.0-inch PVC sanitary sewer line in and across a PFO wetland in the Kishacoquillas Creek (CWF, MF) watershed, temporarily impacting a 0.07 acre of exceptional value PFO wetland; 8) approximately 205.0 lineal feet of 12.0-inch sanitary sewer line in and along the floodway of Kishacoquillas Creek (CWF, MF), and 9) a 12.0-inch PVC sanitary sewer line in and across an unnamed tributary to Kishacoquillas Creek (CWF, MF). The project purpose is to provide sanitary sewer service to the proposed Quillas Creek residential subdivision. The project is located approximately 0.6 mile southwest of the intersection of S.R. 655 and U.S. 322 in Brown Township, Mifflin County (Burnham, PA Quadrangle N: 6.95 inches, W: 13.75 inches; Latitude 40°39'36", Longitude 77°36'14").

E36-848: Ware Trust, Paul Ware, 229 North Duke Street, Lancaster, PA 17601, Lancaster Township, **Lancaster County**, ACOE Baltimore District

To remove an existing 13.5-foot long by 6.2-foot wide stone arch pedestrian footbridge having a normal span of 5.0 feet, an 18.1-foot long by 4.2-foot wide wooden deck pedestrian footbridge having a normal span of 10.3 feet, and an 11.6-foot long by 1.5-foot wide and 3.5-foot high stone weir all in an unnamed tributary to the Little Conestoga Creek (WWF). Also to remove 2,346.0 cubic yards of floodplain material in order to convert 600.0 feet of an unnamed tributary to the Little Conestoga Creek (WWF) to 0.347 acres of emergent wetlands for the purpose of achieving improved downstream channel stability (Lancaster, PA Quadrangle: 8.5-inches North, 11.65-inches West; Latitude: 40° 02' 48"N, Longitude: 76° 19' 60"W) in Lancaster Township, Lancaster County.

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

E41-611. Pennsylvania General Energy Company, LLC, 120 Market Street, Warren, Pa 16365. PGE Pine Creek Intake Project, in Watson Township, **Lycoming County**, ACOE Baltimore District (Waterville, PA Quadrangle N: 41°15'16"; W: -77°19'50").

To construct and maintain: 1) a temporary cofferdam, 2) one partially submerged 4-foot 4-inch long 12.75-inch diameter wedgewire screen intake that has the intake's pipe's centerline set flush with the stream bed in a 10-foot by 2-foot by 2-foot gabion basket, upstream warning buoy and no upstream bollards within the streambed of Pine Creek, 3) 121 linear feet of concrete encased 10-inch diameter PVC pipe from the intake to the pump station in the stream bed and left bank, 4) one sunken 10-foot diameter pump station in the left 100-year floodway of Pine Creek with 1.5 cubic yards of above ground displacement, 5) 540 linear feet of 8-inch diameter HDPE pipe in the 100-year floodway between the pump station and the air burst building with temporary wetland impacts, 6) 410 linear feet of 8-inch diameter pipe outside the 100-year floodway from the metering chamber to the transfer station with temporary wetland impacts, 7) one 8-inch water pipeline under stream #1 via directional drilling, 8) one 8-inch water pipeline under stream #2 via directional drilling, with the intake in Pine Creek and located 2,266 feet west-northwest of the SR 44 / SR973 intersection (Waterville, PA Quadrangle N: 41°15'16"; W: -77°19'50") in Watson Township, Lycoming County. The project proposes to: 1) 60 linear feet of temporary stream impacts, 2) 11 feet of permanent stream impacts, and 3) 0.28 acres of temporary wetland impacts in High Quality-Trout Stocked Fisheries of Pine Creek.

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

E10-459, Regional Industrial Development Corporation of Southwest PA, 425 Sixth Avenue, Suite 500, Pittsburgh, PA 15219-1822. Thorn Hill Industrial Park Development, in Cranberry Township, **Butler County**, ACOE Pittsburgh District (Mars, PA Quadrangle N: 40°, 40', 17.11"; W: 80°, 6', 33.52").

construct and maintain continued development of the existing 925-acre Thorn Hill Industrial Park west and adjacent to S.R. 76 (PA Turnpike) involving encroachments on the following parcels:

Lower Parcel

Stream Enclosures:

1. UNT Brush Creek S-8, 16'w × 7'10"h × 90' l - concrete arch/embankment fill & 40' l, rock apron/bank protection, 130 LF permanent impact, 40° 40' 40.095" N / 80° 6' 24.214" W

Wetland Impacts:

1. Wetland JLY-11 by culvert and fill, 16'w × 7'10"h × 90' l - concrete arch/embankment fill & 40' l rock apron/bank protection, 0.18 Ac permanent impact, 40° 40' 40.095" N / 80° 6' 24.214" W

2. Wetland JLY-11 by embankment fill, 0.24 Ac permanent impact, 40° 40' 34.745" N / 80° 6' 20.258" W

3. Wetland JLY-16 by embankment fill (partial), 0.24 Ac permanent impact, 40° 40' 36.869" N / 80° 6' 16.337" W

4. Wetland JLY-11 by embankment fill, 0.51 Ac permanent impact, 40° 40' 39.835" N / 80° 6' 19.469" W

Floodway Encroachments:

1. UNT Brush Creek S-8 by embankment fill, 360 LF, 40° 40' 36.162" N / 80° 6' 21.829" W

2. Brush Creek by borrow/waste excavation, 300 LF, 40° 40' 38.888" N / 80° 6' 15.926" W

Parcel 539

Wetland Impacts:

1. Wetland CEC-539-A by embankment fill, 0.21 Ac permanent impact, 40° 40' 37.727" N / 80° 7' 09.907" W

2. Wetland CEC-539-C by embankment fill, 0.03 Ac, 40° 40' 33.835" N / 80° 7' 07.588" W

Stream Fill:

1. UNT Brush Creek CECStream A (i), 564 LF, permanent impact, 40° 40' 36.191" N / 80° 7' 08.379" W

Parcel 544

Wetland Impact:

1. Wetland JLY-12 by embankment fill, 0.26 Ac permanent impact, 40° 40' 46.982" N / 80° 7' 07.879" W

The project includes:

1. construction and maintenance of associated utility line crossings and stormwater outfalls on various parcels with associated temporary and permanent stream and wetland impacts,

2. construction and maintenance of 150 linear feet of vegetative stabilization and rock riprap protection of Brush Creek of Brush Creek on the Lower Parcel

3. construction and maintenance of mitigation wetlands (0.90 acre PEM and 1.52 acre PSS)

Brush Creek and UNTs Brush Creek are classified as warm water fisheries. The project proposes to permanently impact 2.92 acres of wetland (0.90 acre PEM and 0.76 acre PSS) The Thorn Hill Industrial Park is located in Marshall Township, Allegheny County and Cranberry Township, Butler County. Approximately 80% of the 925 acres of the industrial park have been developed since 1971. There are approximately 125 undeveloped acres in Allegheny County and 80 undeveloped acres in Butler County.

E37-184, PA DOT, District 11-0, Bridgeville, PA SR 0018-L11 Jefferson Street Bridge Across Neshannock Creek, in City of New Castle, **Lawrence County**, ACOE Pittsburgh District (New Castle North, PA Quadrangle N: 40°, 59', 45.7"; W: 80°, 20', 49.4").

To remove the 59-foot long existing single span through girder bridge and to construct and maintain 53.3-foot long prestressed concrete spread box beam bridge having two clear spans of 78.25 feet and an underclearance of 12 feet on a 70 degree skew across Neshannock Creek on S.R. 0018, Segment 0310, Offset 0520 (Jefferson Street) and to regrade and stabilize approximately 320 feet of the right (north) bank of Neshannock Creek extending downstream from the bridge necessary to offset impacts to the 100-year flood elevations resulting from the introduction of a pier within the channel.

E02-1635, Regional Industrial Development Corporation of Southwest PA, 425 Sixth Avenue, Suite 500, Pittsburgh, PA 15219-1822, Thorn Hill Industrial Park Development, in Cranberry Township, **Butler County**, ACOE Pittsburgh District (Mars, PA Quadrangle N: 40°, 40', 17.11"; W: 80°, 6', 33.52").

construct and maintain continued development of the existing 925 acre Thorn Hill Industrial Park (Mars and

Baden, PA Quadrangle N: 40°, 40', 17.11"; W: 80°, 6', 33.52") west and adjacent to S.R. 76 (PA Turnpike) involving encroachments on the following parcels in Marshall Township, Allegheny County.

Parcel 25

Wetland Impacts:

1. Wetland CJW-1 by a fill associated with a stormwater outfall (25A), 0.005 Ac permanent impact, 40 40'22.302"N / 80 6'30.376"W

2. Wetland CJW-1 by a fill associated with stormwater outfall (25B), 0.005 Ac permanent impact, 40 40'23.351"N / 80 6'28.761"W

Parcel 56

Wetland Impacts:

1. Wetland CJW-4 by embankment fill, 0.30 Ac permanent impact, 40 39'41.140" N / 80 5' 48.384" W

Parcel 63R

Wetland Impacts:

1. Wetland CJW-4 by embankment fill, 0.24 Ac permanent impact, 40 39' 42.640"N / 80 5' 50.909"W

Parcel 65

Wetland Impacts:

1. Wetland CJW-10 by embankment cut/fill, 0.35 Ac permanent impact, 40 39' 47.984" N / 80 6' 07.098" W

Stream Enclosure:

1. UNT Brush Creek KDR-9 (intermittent), 15' x 110' C.P.P extension, 109 LF permanent impact, 40 39' 42.037" N / 80 6' 09.506" W

Parcel 66

Culverts:

1. UNT Brush Creek KDR-2 (p), 15' w x 6' h x 55' l box culvert & 20' l rock apron/bank protection, 75 LF permanent impact, 40 39' 43.856" N / 80 6' 14.481" W

2. UNT Brush Creek KDR-2 (p), channel change and 15' w x 6' h x 70' l box culvert & 20' l rock apron/bank protection, 90 LF permanent impact, 40 39' 43.825" N / 80 6' 11.558" W

Parcel 69

Wetland and Floodway Impacts:

1. Wetland CJW-6 and floodway UNT Brush Creek by embankment fill, 0.11 Ac permanent impact, 40 39' 46.651" N / 80 6' 00.694" W

2. Wetland CJW-4 and floodway UNT Brush Creek by a wall and embankment fill, 0.21 Ac permanent impact, 40 39' 47.448 N / 80 5' 56.340" W

Parcel B Rev

Culvert

1. UNT Brush Creek, KDR-15, 7'7"w x 4' 10"h x 60' l conc elliptical culvert & 15' l rock apron/bank protection, 75 LF permanent impact, 40 40'20.794" N/ 80 7'02.870" W

2. Wetland CJW-32 by culvert 7'7"w x 4' 10"h x 60' l conc elliptical culvert & 15' l rock apron/bank protection, 0.04 Ac permanent impact, 40 40'20.794" N/ 80 7'02.870" W

Mitigation Area Impacts

Parcel 56

Channel Change:

UNT Brush Creek KDR-26, channel fill, 162 LF of permanent impact, 40 39' 37.521" N / 80 5' 44.737" W
Parcels 56 & 63

Floodway Excavation for a Mitigation Site:

Brush Creek floodway, mitigation site excavation (cut only), 1,200 LF of permanent impact, 40 39' 43.675" N / 80 5' 47.463" W

Parcel 63R

Floodway Excavation for a Mitigation Site:

Brush Creek streambank /floodway, mitigation site cut, riprap ford, rock channel protection, 100 LF of permanent impact, 40 39' 47.940" N / 80 5' 49.529" W

The project includes:

1. construction and maintenance of associated utility line crossings and stormwater outfalls on various parcels with associated temporary and permanent stream and wetland impacts,

2. construction and removal of temporary construction crossings,

3. construction and maintenance of a minimum of 1300 feet of watercourse mitigation (channel change and reconstruction of a UNT Brush Creek (KDR-26) on Parcels 56 and 63R within a portion of the wetland mitigation area). The watercourse mitigation is for impacts in both the Cranberry Township, Butler County and Marshall Township, Allegheny County portions of the project.

4. construction and maintenance of 200 linear feet of vegetative stabilization and rock riprap protection of Brush Creek on Parcel 56 and 150 linear feet of vegetative stabilization and rock riprap protection of an UNT Brush Creek (KDR-2) on Parcels 63R and 69,

5. construction and maintenance of culverts in UNT Brush Creek KDR-12 and UNT Brush Creek KDR-4 having drainage areas less than 100 acres and having lengths of 70 feet and 60 feet respectively,

6. to construct and maintain the relocation of 400 feet of an ephemeral UNT Brush Creek on Parcel 544, will be removed and placed within the E10-459 Butler County permit as item 6 on page 2 of the 8 because this item (parcel 544) is located within Butler County.

7. to conduct Japanese knotweed eradication on Parcels 56 and 63R,

8. construction and maintenance of mitigation wetlands (0.65 acre PEM, 0.42 acre PSS, 0.39 acre PFO and 0.27 POW) on parcels 56 and 63R in Marshall Township, Allegheny County for impacts in Marshall Township, Allegheny County

9. construction and maintenance of mitigation wetlands (0.9 acre PEM and 1.52 acre PSS) on parcels 56 and 63R in Marshall Township, Allegheny County for impacts in Cranberry Township, Butler County

The project in Marshall Township, Allegheny County proposes to permanently impact 1.26 acres of wetland (0.65 acre PEM, 0.21 acre PSS, 0.13 acre PFO and 0.27 POW). The Thorn Hill Industrial Park is located in Marshall Township, Allegheny County and Cranberry Township, Butler County. Approximately 80% of the 925 acres of the industrial park have been developed since

1971. There are approximately 125 undeveloped acres in Allegheny County and 80 undeveloped acres in Butler County.

EROSION AND SEDIMENT CONTROL

The following Erosion and Sediment Control permits have been issued.

Persons aggrieved by an action may appeal that action to the Environmental Hearing Board (Board) under section 4 of the Environmental Hearing Board Act and 2 Pa.C.S. §§ 501—508 and 701—704. 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 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 a right of appeal beyond that permitted by applicable statutes and decisional law.

For individuals who wish to challenge an action, the appeal 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.

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

10/08/2010
 ESCGP-1 No.: ESX10-051-0024 Major Revision
 Applicant Name: Laurel Mountain Midstream LLC
 CONTACT: Lisa Reaves
 Address: 1550 Coraopolis Heights Road, Suite 140
 City: Moon Township State: PA Zip Code: 15108
 County: Fayette Township(s): Lower Tyrone
 Receiving Stream(s) And Classifications: UNT's to Youghiohgheny River WWR, Other

09/20/2010
 ESCGP-1 No.: ESX09-059-0008
 Applicant Name: Eastern American Energy Corporation
 Contact Person: Seth Burdette
 Address: 1380 Route 286 Highway East, Suite 221
 City: Indiana State: PA Zip Code: 15701
 County: Greene Township(s): Jefferson
 Receiving Stream(s) and Classifications: Muddy Creek (WWF)/Lower Monongahela, Other
 Secondary Water Monongahela River (WWF)

11/03/2010
 ESCGP-1 No.: ESX10-129-0034
 Applicant Name: XTO Energy Inc
 Contact Person: Kissel Bernhard
 Address: 395 Airport Road
 City: Indiana State: PA Zip Code: 15701
 County: Westmoreland Township(s): Fairfield
 Receiving Stream(s) and Classifications: Hendricks Creek-TSF, Other
 Secondary Water: Tubmill Creek

11/01/2010
 ESCGP-1 No.: ESX10-007-0003

Applicant Name: Chesapeake Appalachia, LLC
 Contact Person: Tal Oden
 Address: P. O. Box 18496
 City: Oklahoma City State: OK Zip Code: 73154
 County: Beaver Township(s): South Beaver
 Receiving Stream(s) and Classifications: UNT to Brush Run—(HQ-CWF)
 Secondary Water Brush Run—(HQ-CWF)

10/06/2010
 ESCGP-1 No.: ESX10-125-0086
 Applicant Name: CNX Gas Company LLC
 Contact Person: Daniel Bitz
 Address: 200 Evergreen Drive
 City: Waynesburg State: PA Zip Code: 15370
 COUNTY Washington Township(s): South Franklin and Morris
 Receiving Stream(s) and Classifications: Tenmile Creek, Short Creek—TSF, Other
 Secondary Water Tenmile Creek—TSF

11/18/2010
 ESCGP-1 No.: ESX10-125-0098
 Applicant Name: MarkWest Liberty Midstream & Resources, LLC
 Contact Person: Robert McHale
 Address: 601 Technology Drive Suite 103
 City: Canonsburg State: PA Zip Code: 15137
 County: Washington Township(s): Amwell
 Receiving Stream(s) and Classifications: UNTs to Bane Creek and UNTs to Little Ten Mile Creek, Other
 Secondary Water: Bane Creek and Little Ten Mile Creek

10/28/2010
 ESCGP-1 No.: ESX10-063-0008
 Applicant Name: Mountain Gathering LLC
 Contact Person: Tom Dixon
 Address: 395 Airport Road
 City: Indiana State: PA Zip Code: 15701
 County: Indiana Township(s): Center
 Receiving Stream(s) and Classifications: UNT Cherry Run (CWF) Conemaugh River—Blacklick Creek Watershed
 Secondary Water Two Lick Creek (TSF)

11/12/2010
 ESCGP-1 No.: ESX10-059-0085
 Applicant Name: Laurel Mountain Midstream, LLC
 Contact Person: Lisa Reaves
 Address: 1550 Coraopolis Heights Road
 City: Moon Township State: PA Zip Code: 15108
 County: Greene Township(s): Monongahela & Greene
 Receiving Stream(s) and Classifications: Whiteley Creek WWF & UNT to Whiteley Creek WWF/Upper Monongahela Watershed, Other

11/12/2010
 ESCGP-1 No.: ESX09-129-0026
 Applicant Name: Atlas Energy Resources, LLC
 Contact Person: Jeremy Hritz
 Address: 800 Mountain View Drive
 City: Smithfield State: PA Zip Code: 15478
 County: Westmoreland Township(s): Sewickley
 Receiving Stream(s) and Classifications: UNT to Little Sewickley Creek, Other
 Secondary Water Sewickley Creek

11/18/2010
 ESCGP-1 NO.: ESX10-059-0088
 Applicant Name: Atlas Energy resources, LLC
 CONTACT PERSON: Jeremy Hritz
 ADDRESS: 800 Mountain View Drive
 City: Smithfield State: PA Zip Code: 15478

County: Greene Township(s): Franklin
Receiving Stream(s) and Classifications: UNT 40503 to
Browns Creek and Mud Lick Run, HQ

11/30/2010

ESCGP-1 NO.: ESX10-125-0100

Applicant Name: Range Resources—Appalachia LLC

CONTACT: Carla Suszkowski

ADDRESS: 380 Southpointe Boulevard

City: Canonsburg State: PA Zip Code: 15317

County: Washington Township(s): Chartiers

Receiving Stream(s) and Classifications: UNT to

Chartiers Run, Other

Secondary Water Chartiers Run

11/16/2010

ESCGP-1 NO.: ESX10-129-0030 Major Revision

Applicant Name: RW Gathering LLC Williams Production
Appalachia LLC

CONTACT: David R. Freudenrich

ADDRESS: 1000 Town Center Suite 130

City: Canonsburg State: PA Zip Code: 15317

County: Westmoreland Township(s): Derry

Receiving Stream(s) and Classifications: Other CWF &
WWF (Cold & Warm Water Fishes)

Secondary Water Conemaugh River & Loyalhanna

11/09/2010

ESCGP-1 NO.: ESX10-051-0045

Applicant Name: Phillips Exploration Inc

CONTACT: Gary Clark

ADDRESS: 502 Keystone Drive

City: Warrendale State: PA Zip Code: 15086

County: Fayette Township(s): Dunbar

Receiving Stream(s) and Classifications: UNT of
Dickerson Run—WWF, Other

Secondary Water: Dickerson Run-WWF

11/08/2010

ESCGP-1 NO.: ESX10-063-0009

Applicant Name: XTO Energy Inc

CONTACT: Bernhardt Kissel

ADDRESS: 395 Airport Road

City: Indiana State: PA Zip Code: 15701

County: Indiana Township(s): Center

Receiving Stream(s) and Classifications: Two Lick Creek
TSF Other,

Secondary Water Blacklick Creek TSF

11/12/2010

ESCGP-1 NO.: ESX10-125-0096

Applicant Name: MarkWest Liberty Midstream &
Resources LLC

CONTACT: Robert McHale

ADDRESS: 601 Technology Drive Suite 130

City: Canonsburg State: PA Zip Code: 15137

County: Washington Township(s): Blaine

Receiving Stream(s) and Classifications: UNT's to Buffalo
Creek & Buffalo Creek HQ

Secondary Water: Ohio River

11/18/2010

ESCGP-1 NO.: ESX10-129-0035

Applicant Name: Laurel Mountain Midstream LLC

CONTACT: Lisa Reaves

ADDRESS: 1550 Coraopolis Heights Rd

City: Moon Township State: PA Zip Code: 15108

County: Westmoreland Township(s): South Huntingdon
Receiving Stream(s) and Classifications: Painter's Run

WWF & Unt's to Youghioghny River WWE

Youghioghny Watershed, Other

11/29/2010

ESCGP-1 NO.: ESX10-059-0046 Major Revision

Applicant Name: Laurel Mountain Midstream LLC

CONTACT: Lisa Reaves

ADDRESS: 1550 Coraopolis Heights Rd

City: Washington State: PA Zip Code: 15108

County: Greene Township(s): Franklin

Receiving Stream(s) and Classifications: Mud Lick Run
HQ-WWF Brwons Creek HQ-WWF HQ

11/23/2010

ESCGP-1 NO.: ESX10-051-0049

Applicant Name: Caiman Energy LLC

CONTACT: Steven Skellie

ADDRESS: 5944 Sherry lane Suite 645

City: Dallas State: TX Zip Code: 75225

County: Fayette Township(s): Henry Clay

Receiving Stream(s) and Classifications: UNT Little
Sandy Creek, HQ

Secondary Water Little Sandy Creek

12/24/2010

ESCGP-1 NO.: ESX10-125-0099

Applicant Name: Chesapeake Appalachia, LLC

CONTACT: Tal Oden

ADDRESS: P O Box 18496

City: Oklahoma City State: OK Zip Code: 73154

County: Washington Township(s): Carroll/Fallowfield

Receiving Stream(s) and Classifications: UNT of Taylor's
Run—(WWF) Ohio Watershed, Other

Secondary Water Taylor's Run-(WWF)—Pigeon (WWF)-

Monongahela River—(WWF)

11/18/2010

ESCGP-1 NO.: ESX09-129-0020 Major Revision

Applicant Name: Atlas Energy Resources, LLC

CONTACT: Jeremy Hirtz

ADDRESS: 800 Mountain View Drive

City: Smithfield State: PA Zip Code: 15478

County: Westmoreland Township(s): South Huntingdon

Receiving Stream(s) and Classifications: Painters Run,
Other

Secondary Water; Hunters Run

11/02/2010

ESCGP-1 NO.: ESX10-051-0042

Applicant Name: Atlas Energy Resources, LLC

CONTACT: Jeremy Hirtz

ADDRESS: 800 Mountain View Drive

City: Smithfield State: PA Zip Code: 15478

County: Fayette Township(s): Dunbar

Receiving Stream(s) and Classifications: UNT Rankin
Run, WWF/Middle Monogahela River Watershed

Secondary Water Redstone Creek

11/9/2010

ESCGP-1 NO.: ESX10-051-0044

Applicant Name: Atlas Energy Resources, LLC

CONTACT: Jeremy Hirtz

ADDRESS: 800 Mountain View Drive

City: Smithfield State: PA Zip Code: 15478

County: Fayette Township(s): North Union

Receiving Stream(s) and Classifications: UNT 40044 to
Redstone Creek, Other

Secondary Water Redstone Creek

11/18/2010

ESCGP-1 NO.: ESX10-129-0037

Applicant Name: Laurel Mountain Midstream LLC

CONTACT: Lisa Reaves

ADDRESS: 1550 Coraopolis Heights Road, Suite 140

City: Moon Township State: PA Zip Code: 15108

County: Westmoreland Township(s): Moon Township

Receiving Stream(s) and Classifications: UNTs to

Browneller Run WWF UNT to Youghiogeny River
WWF and UNT to Cedar Creek WWF Loyalhanna
Creek Watershed

11/12/2010

ESCGP-1 NO.: ESX10-063-0008 Major Revision
Applicant Name: Mountain Gathering LLC
CONTACT: Tom Dixson
ADDRESS: 395 Airport Road
City: Indiana State: PA Zip Code: 15701
County: Indiana Township(s): Center
Receiving Stream(s) and Classifications: Cherry Run/
Kiskiminetas River, Other

11/19/2010

ESCGP-1 NO.: ESX10-129-0039
Applicant Name: CONSOL Gas Company
CONTACT: Craig Neal
ADDRESS: 280 Indian Springs Road Suite 333
City: Indiana State: PA Zip Code: 15701
County: Westmoreland Township(s): Washington/Bell
Receiving Stream(s) and Classifications: Beaver Run
Reservoir/Poke Run/Beaver Run HQ

10/27/2010

ESCGP-1 NO.: ESX10-129-0033
Applicant Name: Laurel Mountain Midstream, LLC
CONTACT: Lisa Reaves
ADDRESS: 1550 Coraopolis Heights Road, Suite 140
City: Moon Township State: PA Zip Code: 15108
County: Westmoreland Township(s): South Huntingdon
Receiving Stream(s) and Classifications: UNT's to
Sewickley Creek WWF, Painter's Run WWF Hunter's
Run & UNT's WWF, Other

11/12/10

ESCGP-1 NO.: ESX10-051-0046
Applicant Name: Phillips Exploration, Inc.
CONTACT: Gary Clark
ADDRESS: 502 Keystone Drive
City: Warrendale State: PA Zip Code: 15086
County: Fayette Township(s): Franklin
Receiving Stream(s) and Classifications: UNT to
Crabapple Run—WWF, Other

12/17/10

ESCGP-1 NO.: ESX10-125-0097
Applicant Name: Atlas Energy Resources, LLC
CONTACT: Jeremy Hirtz
ADDRESS: 800 Mountain View Drive
City: Smithfield State: PA Zip Code: 15478
County: Washington Township(s): Deemston & East
Bethlehem
Receiving Stream(s) and Classifications: UNT to Fishpot
Run and UNT to Monongahela River/Monongahela
River, Other

12/3/10 Major Revision

ESCGP-1 NO.: ESX10-125-0019
Applicant Name: Range Resources—Appalachia, LLC
CONTACT: Carla Suszkowski
ADDRESS: 380 Southpointe Boulevard, Suite 300
City: Canonsburg State: PA Zip Code: 15317
County: Washington Township(s): Mt. Pleasant
Receiving Stream(s) and Classifications: UNT to Cherry
Run / Raccoon Creek, Other

12/2/10 Subsequent Phase

ESCGP-1 NO.: ESX10-063-0008
Applicant Name: Mountain Gathering, LLC
CONTACT: Tom Dixson
ADDRESS: 395 Airport Drive
City: Indiana State: PA Zip Code: 15701
County: Indiana Township(s): Center
Receiving Stream(s) and Classifications:

12/6/10 Major Revision

ESCGP-1 NO.: ESX09-125-0046
Applicant Name: Range Resources—Appalachia, LLC
CONTACT: Carla Suszkowski
ADDRESS: 380 Southpointe Boulevard, Suite 300
City: Canonsburg State: PA Zip Code: 15317
County: Washington Township(s): Independence
Receiving Stream(s) and Classifications: UNT to
Sugarcamp Run, HQ

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

ESCGP-1 # ESX10-033-0003(03) PHASE II

Applicant Name Energy Corporation of America
Contact Person Benjamin Carpenter
Address 501 56th Street South East
City, State, Zip Charleston, WV 25304
County Clearfield
Township(s) Goshen Twp.
Receiving Stream(s) and Classification(s) Coldstream,
Pine and Trout Runs, West Branch Susquehanna River

ESCGP-1 # ESX10-015-0359

Applicant Name Talisman Energy USA, Inc.
Contact Person Tracy Gregory
Address 337 Daniel Zenker Drive
City, State, Zip Horseheads, NY 14845
County Bradford
Township(s) Windham Twp.
Receiving Stream(s) and Classification(s) Trout Brook

ESCGP-1 # ESX10-015-0346

Applicant Name Southwestern Production Company
Contact Person Dave Sweeley
Address 181 W. Tioga Street, Ste. 2
City, State, Zip Tunkhannock, PA 18657
County Bradford
Township(s) Herrick Twp.
Receiving Stream(s) and Classification(s) UNT of
Rummerfield Creek, Cold Creek, Camp Creek,
Wyalusing Creek, Susquehanna River

ESCGP-1 # ESX10-131-0039

Applicant Name Chesapeake Appalachia, LLC
Contact Person Eric Haskins
Address 101 North Main Street
City, State, Zip Athens, PA 18810
County Wyoming
Township(s) Braintrim Twp.
Receiving Stream(s) and Classification(s) UNT to
Susquehanna River, UNT to Black Walnut Creek,
Black Walnut Creek, Susquehanna River

ESCGP-1 # ESX10-015-0323

Applicant Name Chesapeake Appalachia, LLC
Contact Person Eric Haskins
Address 101 North Main Street
City, State, Zip Athens, PA 18810
County Bradford
Township(s) Rome and Orwell Twps.
Receiving Stream(s) and Classification(s) Johnson Creek
(East and West), Jerome Creek, Wysox Creek

ESCGP-1 # ESX10-131-0037

Applicant Name Chesapeake Appalachia, LLC
Contact Person Eric Haskins
Address 101 North Main Street
City, State, Zip Athens, PA 18810
County Wyoming
Township(s) Windham Twp.
Receiving Stream(s) and Classification(s) UNT to
Susquehanna River, Susquehanna River

ESCGP-1 # ESX10-015-0355
 Applicant Name Chesapeake Appalachia, LLC
 Contact Person Eric Haskins
 Address 101 North Main Street
 City, State, Zip Athens, PA 18810
 County Bradford
 Township(s) Sheshequin Twp.
 Receiving Stream(s) and Classification(s) UNT of
 Susquehanna River and Horn Brook, Susquehanna
 River

ESCGP-1 # ESX10-015-0354
 Applicant Name Chesapeake Appalachia, LLC
 Contact Person Eric Haskins
 Address 101 North Main Street
 City, State, Zip Athens, PA 18810
 County Bradford
 Township(s) Tuscarora Twp.
 Receiving Stream(s) and Classification(s) UNT to Fargo
 Creek, Fargo Creek

ESCGP-1 # ESX10-015-0261
 Applicant Name Chesapeake Appalachia, LLC
 Contact Person Eric Haskins
 Address 101 North Main Street
 City, State, Zip Athens, PA 18810
 County Bradford
 Township(s) Asylum Twp.
 Receiving Stream(s) and Classification(s) Durell Creek,
 UNT to Susquehanna River, Susquehanna River

ESCGP-1 # ESX10-015-0308
 Applicant Name Chesapeake Appalachia, LLC
 Contact Person Eric Haskins
 Address 101 North Main Street
 City, State, Zip Athens, PA 18810
 County Bradford
 Township(s) Leroy Twp.
 Receiving Stream(s) and Classification(s) McCraney Run

ESCGP-1 # ESX10-115-0039(01)
 Applicant Name Chesapeake Appalachia, LLC
 Contact Person Eric Haskins
 Address 101 North Main Street
 City, State, Zip Athens, PA 18810
 County Susquehanna
 Township(s) Rush Twp.
 Receiving Stream(s) and Classification(s) UNT to
 Wyalusing Creek (west), UNT to Deer Lick
 Creek (east), East Branch Wyalusing Creek

ESCGP-1 # ESX10-015-0199(01)
 Applicant Name Chesapeake Appalachia, LLC
 Contact Person Eric Haskins
 Address 101 North Main Street
 City, State, Zip Athens, PA 18810
 County Bradford
 Township(s) Asylum
 Receiving Stream(s) and Classification(s) UNT to Ellis
 Creek, Ellis Creek

ESCGP-1 # ESX10-015-0353
 Applicant Name Chesapeake Appalachia, LLC
 Contact Person Eric Haskins
 Address 101 North Main Street
 City, State, Zip Athens, PA 18810
 County Bradford
 Township(s) Wilmot Twp.
 Receiving Stream(s) and Classification(s) Panther Lick
 Creek, Sugar Run Creek

ESCGP-1 # ESX10-117-0250
 Applicant Name Chesapeake Appalachia, LLC
 Contact Person Eric Haskins
 Address 101 North Main Street
 City, State, Zip Athens, PA 18810
 County Tioga
 Township(s) Morris Twp.
 Receiving Stream(s) and Classification(s) Custard Run,
 UNT of Custard Run

ESCGP-1 # ESX10-015-0344
 Applicant Name Chesapeake Appalachia, LLC
 Contact Person Eric Haskins
 Address 101 North Main Street
 City, State, Zip Athens, PA 18810
 County Bradford
 Township(s) Wilmot Twp.
 Receiving Stream(s) and Classification(s) (2) UNT to
 Panther Lick Creek, Panther Lick Creek

ESCGP-1 # ESX10-015-0357
 Applicant Name Chesapeake Appalachia, LLC
 Contact Person Eric Haskins
 Address 101 North Main Street
 City, State, Zip Athens, PA 18810
 County Bradford
 Township(s) Warren Twp.
 Receiving Stream(s) and Classification(s) Prince Hollow
 Run

ESCGP-1 # ESX10-015-0362
 Applicant Name Chesapeake Appalachia, LLC
 Contact Person Eric Haskins
 Address 101 North Main Street
 City, State, Zip Athens, PA 18810
 County Bradford
 Township(s) Warren Twp.
 Receiving Stream(s) and Classification(s) UNT to Prince
 Hollow Run, Prince Hollow Run

ESCGP-1 # ESG10-117-0195(01)
 Applicant Name Ultra Resources
 Contact Person Erica Tokarz
 Address 5 East Avenue #108
 City, State, Zip Wellsboro, PA 16901-1613
 County Tioga
 Township(s) Elk Twp.
 Receiving Stream(s) and Classification(s) Thompson
 Hollow, O'Connor Branch, Elk Run, Fourmile Run

ESCGP-1 # ESG10-117-0238
 Applicant Name Ultra Resources
 Contact Person Erica Tokarz
 Address 5 East Avenue #108
 City, State, Zip Wellsboro, PA 16901-1613
 County Tioga
 Township(s) Elk Twp.
 Receiving Stream(s) and Classification(s) Dead Horse
 Hollow, Schnoover Hollow, Mill Run, Elk Run Basin

ESCGP-1 # ESX10-117-0253
 Applicant Name East Resources Management, LLC
 Contact Person Jefferson Long
 Address 190 Thorn Hill Road
 City, State, Zip Warrendale, PA 15086
 County Tioga
 Township(s) Charleston Twp.
 Receiving Stream(s) and Classification(s) UNT to Babb
 Creek, W. Br. Susquehanna River Basin, Babb Creek to
 Pine Creek to W. Br. Susquehanna River

ESCGP-1 # ESX10-037-0005
 Applicant Name Chief Oil & Gas LLC
 Contact Person Michael Hritz

Address 6051 Wallace Road, Ext. Ste 210
 City, State, Zip Wexford, PA 15090
 County Columbia
 Township(s) Jackson Twp.
 Receiving Stream(s) and Classification(s) UNT to Little
 Fishing Creek, Little Fishing Creek, Green Creek,
 Fishing Creek

ESCGP-1 # ESX10-033-0008
 Applicant Name Chief Oil & Gas LLC
 Contact Person Michael Hritz
 Address 6051 Wallace Road, Ext. Ste 210
 City, State, Zip Wexford, PA 15090
 County Clearfield
 Township(s) Goshen Twp.
 Receiving Stream(s) and Classification(s) UNT to Little
 Trout Run, W. Br. Susquehanna

ESCGP-1 # ESX10-033-0009
 Applicant Name EXCO Resources (PA), LLC
 Contact Person Larry Sanders
 Address 3000 Ericsson Drive, Suite 200
 City, State, Zip Warrendale, PA 15086
 County Clearfield
 Township(s) Morris & Graham
 Receiving Stream(s) and Classification(s) UNT to Alder
 Run

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

ESCGP-1 #ESX10-123-0008
 Applicant Catalyst Energy, Inc.—Lot 476
 Contact Douglas E. Jones
 Address 800 Cranberry Woods Dr. Suite 290
 City Cranberry Township State PA Zip Code 16066
 County Warren Township(s) Pleasant(s)
 Receiving Stream(s) and Classification(s) Sill Run—CWF,
 Morrisson Run—EV, Browns Run/Allegheny River—EV/
 Other

ESCGP-1 #ESX10-083-0008A
 Applicant East Resources Management, LLC—Warrant
 3077 1001-2H Major Modification
 Contact Jefferson Long
 Address 190 Thorn Hill Road
 City Warrendale State PA Zip Code 15086
 County Forest Township(s) Jenks(s)
 Receiving Stream(s) and Classification(s) South Branch
 Kinzua Creek—HQ/CWF, Allegheny River Basin
 (List Q)

ESCGP-1 #ESX10-019-0052
 Applicant Name Phillips Exploration, Inc.—David T.
 Nicklas No. 1
 Contact Person Gary A. Clark
 Address 502 Keystone Drive
 City Warrendale State PA Zip Code 15086
 County Butler Township(s) Jefferson
 Receiving Stream(s) and Classification(s) UNT of
 Connoquenessing Creek—WWF, Connoquenessing
 Creek—WWF

ESCGP-1 #ESX10-065-0017
 Applicant EXCO Resources (PA), LLC—Lougee Pad 151
 Contact Larry M. Sanders
 Address 3000 Ericsson Drive, Suite 200
 City Warrendale State PA Zip Code 15086
 County Jefferson Township(s) Washington(s)
 Receiving Stream(s) and Classification(s) Five Mile Run/
 Mill Creek—Other

ESCGP-1 #ESX10-047-0013A
 Applicant Seneca Resources—Production Well Pad G
 Contact Mr. Mike Clinger
 Address 51 Zents Blvd
 City Brookville State PA Zip Code 15825
 County Elk & McKean County Township(s) Wetmore &
 Jones Township(s)
 Receiving Stream(s) and Classification(s) Tributaries of
 Wilson Creek (CW) and Tributaries of Long Run (CW)

ESCGP-1 #ESX10-019-0053
 Applicant Phillips Exploration, Inc.—Hranica, Et. Al. 2H
 Contact Gary Clark
 Address 502 Keystone Drive
 City Warrendale State PA Zip Code 15086
 County Butler Township(s) Buffalo(s)
 Receiving Stream(s) and Classification(s) McDowell
 Run—TSF, Little Bull Run—TSF, Bull Run—TSF

SPECIAL NOTICES

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

*Northcentral Region: Waste Management Program
 Manager, 208 West Third Street, Suite 101, Williamsport,
 PA 17701.*

The Department of Environmental Protection (Department) approved the Cameron County Municipal Waste Management Non-Substantial Plan Revision (“Revision”) on December 20, 2010. Key features of the Revision include market participant landfill disposal, recycling options, yard waste composting, and a combination of in-county waste water treatment and out-of-county treatment and land application of biosolids. The Revision is a public document and may be viewed at the Northcentral Regional Office, at the address noted above. Questions concerning the approval of the Revision should be directed to Larry Holley, Department of Environmental Protection, Bureau of Land Recycling and Waste Management, Division of Waste Minimization and Planning, P. O. Box 8472, Harrisburg, PA 17105-8472, (717) - 787-7382, or to Michelle Ferguson, Regional Planning and Recycling Coordinator, Waste Management Program, at the Northcentral Regional Office at (570)-327-3636.

Persons aggrieved by an action may appeal, under section 4 of the Environmental Hearing Board Act (35 P. S. § 7514) and 2 Pa.C.S. §§ 501—508 and 701—704 (relating to the Administrative Agency Law), to the Environmental Hearing Board, Second Floor, Rachel Carson State Office Building, 400 Market Street, P. O. Box 8457, Harrisburg, PA 17105-8457, (717) 787-3483. TDD users 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 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 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.

[Pa.B. Doc. No. 11-46. Filed for public inspection January 7, 2011, 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.elibrary.dep.state.pa.us>. 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.

Ordering Paper Copies of Department Technical Guidance

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

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

Changes to Technical Guidance Documents

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

Draft Technical Guidance—Substantive Revision

DEP ID: 385-2125-001. Title: 4-Log Treatment of Viruses Demonstration Guidance. Description: This document contains the draft guidance and procedures developed to guide and support staff implementation of the requirements for the ground water rule under the drinking water management programs. Written Comments: The Department is seeking comments on draft technical guidance No. 385-2125-001. Interested persons may submit written comments on this draft technical guidance document by February 8, 2011. Comments submitted by facsimile will not be accepted. The Department will accept comments submitted by e-mail. A return name and address must be included in each e-mail transmission. Written comments should be submitted to: Kevin McLeary, Department of Environmental Protection, Bureau of Water Standards and Facility Regulation, Division of Planning and Permits, Rachel Carson State Office Building, 11th Floor, P. O. Box 8774, Harrisburg, PA 17105-8467 or kmcleary@state.pa.us. Contact: Questions regarding the draft technical guidance document should be directed to Kevin McLeary at (717) 783-1820 or kmcleary@state.pa.us.

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

JOHN HANGER,
Secretary

[Pa.B. Doc. No. 11-47. Filed for public inspection January 7, 2011, 9:00 a.m.]

DEPARTMENT OF HEALTH

Chronic 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, January 21, 2011, from 10 a.m. to 2 p.m. The meeting will be held in Conference Room 327, 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, R.N.,
Acting Secretary

[Pa.B. Doc. No. 11-48. Filed for public inspection January 7, 2011, 9:00 a.m.]

DEPARTMENT OF PUBLIC WELFARE

Payments to Nonpublic and County Nursing Facilities; Final Rates for State Fiscal Year 2009-2010

This notice announces the Department of Public Welfare's (Department) final annual case-mix per diem payment rates for State Fiscal Year (FY) 2009-2010 for nonpublic and county nursing facilities that participate in the Medical Assistance (MA) Program.

NonPublic Nursing Facility Per Diem Rates

As required by the case-mix payment methodology set forth in 55 Pa. Code Chapter 1187, Subchapter G (relating to rate setting), the Department annually sets an MA per diem rate for each nonpublic nursing facility provider. Each facility's annual per diem rate is comprised of four components: resident care; other resident related; administrative; and capital.

The act of July 4, 2008 (P. L. 557, No. 44) (Act 44), among other things, directed the Department to apply a budget adjustment factor (BAF) in calculating rates for MA nonpublic and county nursing facilities over a 3-year period, beginning July 1, 2008, and ending June 30, 2011, and to phase-out the use of county nursing facility costs in nonpublic nursing facility rate setting over a period of 3-rate years, beginning FY 2009-2010 and ending on June 30, 2012. The Department will continue to include county nursing facilities in determining peer groups in accordance with 55 Pa. Code § 1187.94(1)(v) (relating to peer grouping for price setting) for rate years 2009-2010, 2010-2011 and 2011-2012. Once peer groups have been determined, the Department will calculate an interim median by adding each county nursing facility's costs from the three most recent audited cost reports to a

noncollapsed peer group based on bed size and Metropolitan Statistical Area group. For rate year 2009-2010, the phase-out median will equal 75% of the interim median plus 25% of the median calculated in accordance with 55 Pa. Code § 1187.98(b)(2) (relating to phase-out median determination).

The Federal Centers for Medicare and Medicaid Services (CMS) approved State Plan Amendment (SPA) 09-018 on September 22, 2010. SPA 09-018 states that the BAF for rate setting year 2009-2010 shall limit the estimated aggregate change in the Statewide day-weighted average payment rate for MA nursing facility services for county and nonpublic nursing facilities so that the aggregate percentage rate of increase for the period that begins July 1, 2009, and ends on June 30, 2010, is limited to the amount permitted by the funds appropriated by the General Appropriations Act of 2009. For the rate setting year, beginning July 1, 2009, and ending June 30, 2010, the BAF for nonpublic nursing facilities is equal to 0.90275.

County Nursing Facility Per Diem Rates

As required by the rate methodology set forth in 55 Pa. Code Chapter 1189, Subchapter D (relating to rate setting), the Department sets an annual MA per diem rate for each county nursing facility provider. As stated in 55 Pa. Code § 1189.91(b) (relating to per diem rates for county nursing facilities), for each rate year beginning on or after July 1, 2007, the per diem rate paid to a county nursing facility for a rate year will be the facility's prior rate year per diem rate multiplied by a BAF.

In addition, as required by 55 Pa. Code § 1189.91(d), the Department followed the formula set forth in the Commonwealth's approved State Plan to determine that the BAF for FY 2009-2010 for county nursing facilities is 1.01. CMS approved State Plan Amendment 09-017 on September 22, 2010.

SPA 09-017 states that for rate setting year 2009-2010 and 2010-2011, the BAF shall limit the estimated aggregate increase in the Statewide day-weighted average payment rate for MA nursing facility services for county and nonpublic nursing facilities so that the aggregate percentage rate of increase for the period that begins July 1, 2005, and ends on June 30, 2011, is limited to the amount permitted by the funds appropriated by the General Appropriations Acts. The formula for this BAF as it applies to county nursing facilities is $BAF = 1.00 + 0.01$.

The final annual per diem rates for FY 2009-2010 are available on the web site for the Department at: www.dpw.state.pa.us/provider/doingbusiness_withdpw/longtermcarecasemixinformation/index.htm and at local county assistance offices throughout this Commonwealth or by contacting Marilyn Yocum, Department of Public Welfare, Office of Long-Term Living at (717) 705-3705.

Public Process

The Department published a notice in the *Pennsylvania Bulletin* announcing its proposed case-mix per diem payment rates for nonpublic and county nursing facilities for FY 2009-2010 at 40 Pa.B. 3629 (June 26, 2010) and invited interested persons to submit comments. No comments were received by the Department in response to the proposed rate notice.

Appeals

Following publication of this notice, the Department will send rate letters to each MA nursing facility to notify the facilities of their final rates for FY 2009-2010. The rate letter will also advise each facility that it may file an

administrative appeal if the facility believes that the Department made any errors or otherwise disagrees with its final rates for FY 2009-2010. A provider's appeal must be in writing and filed with the Department's Bureau of Hearings and Appeals, 2330 Vartan Way, 2nd Floor, Harrisburg, PA 17110-9721, within 33 days of the date of the Department's letter notifying the facility of its final rates. Facilities should refer to 67 Pa.C.S. Chapter 11 (relating to Medical Assistance hearings and appeals) and to the Department's regulations at 55 Pa. Code Chapter 41 (relating to Medical Assistance provider appeal procedures) for more detail regarding their appeal rights and the requirements related to written appeals.

Fiscal Impact

The change in payment rates, will result in an estimated increased cost of \$24.433 million (\$8.360 million in State funds) for per diem rate payments to nonpublic nursing facilities and an estimated increased cost of \$5.539 million (\$1.895 million in State funds) for per diem rate payments for county nursing facilities' FY 2009-2010 rates compared to the facilities' final FY 2008-2009 per diem rates. Funding for these changes has been included in the MA Long-Term Care appropriation.

Public Comment

Interested persons are invited to submit written comments regarding this notice to the Department of Public Welfare/Department of Aging, Office of Long-Term Living, Bureau of Policy and Strategic Planning, Attention: Marilyn Yocum, Forum Place, 5th Floor, 555 Walnut Street, Harrisburg, PA 17101-1919. Comments received within 30 days will be reviewed and considered for any subsequent revision of the notice.

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

MICHAEL P. NARDONE,
Acting Secretary

Fiscal Note: 14-NOT-677. (1) General Fund; (2) Implementing Year 2009-10 is \$10,255,000; 1st Succeeding Year 2010-11 is \$10,255,000; 2nd Succeeding Year 2011-12 is \$10,255,000; 3rd Succeeding Year 2012-13 is \$10,255,000; 4th Succeeding Year 2013-14 is \$10,255,000; 5th Succeeding Year 2014-15 is \$10,255,000; (4) 2008-09 Program—\$672,597,000; 2007-08 Program—\$692,585,000; 2006-07 Program—\$695,297,000; (7) Long-Term Care; (8) recommends adoption. Funds have been included in the budget to cover this increase.

[Pa.B. Doc. No. 11-49. Filed for public inspection January 7, 2011, 9:00 a.m.]

DEPARTMENT OF TRANSPORTATION

Sale of Land No Longer Needed for Transportation Purposes

The Department of Transportation (Department), under section 2003(e)(7) of The Administrative Code of 1929 (71 P. S. § 513(e)(7)), intends to sell certain land owned by the Department.

The following properties are available for sale by the Department.

1. Parcel No. 59—21st Ward, City of Pittsburgh, Allegheny County. This parcel contains approximately 8,301.53 ± square feet or 0.1906 ± acre of unimproved land located on the westerly side of Blake Way between Page and Hopkins Streets. The estimated fair market value of the parcel is \$36,000.

2. Parcel No. 42—21st Ward, City of Pittsburgh, Allegheny County. This parcel contains approximately 14,797.82 ± square feet or 0.3397 ± acre of unimproved land located between Faulsey Way, Page Street and relocated Chateau Street. The estimated fair market value of the parcel is \$32,000.

Interested public entities are invited to express their interest in purchasing this parcel within 30 calendar days from the date of publication of this notice to H. Daniel Cessna, P. E., District Executive, Department of Transportation, Engineering District 11-0, 45 Thoms Run Road, Bridgeville, PA 15017.

ALLEN D. BIEHLER, P.E.,
Secretary

[Pa.B. Doc. No. 11-50. Filed for public inspection January 7, 2011, 9:00 a.m.]

ENVIRONMENTAL QUALITY BOARD

Meeting Cancellation

The January 19, 2011, meeting of the Environmental Quality Board (Board) is cancelled. The next regularly scheduled meeting of the Board is scheduled for Tuesday, February 15, 2011, at 9 a.m. in Room 105, Rachel Carson State Office Building, 400 Market Street, Harrisburg, PA 17105. An agenda and meeting materials for the February 15, 2011, meeting will be available on the Department of

INDEPENDENT REGULATORY REVIEW COMMISSION

Notice of Comments Issued

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

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

<i>Reg. No.</i>	<i>Agency/Title</i>	<i>Close of the Public Comment Period</i>	<i>IRRC Comments Issued</i>
14-522	Department of Public Welfare Residential Treatment Facilities 40 Pa.B. 6109 (October 23, 2010)	11/22/10	12/22/10
14-521	Department of Public Welfare Psychiatric Rehabilitation Services 40 Pa.B. 6101 (October 23, 2010)	11/22/10	12/22/10

Environmental Protection's web site at <http://www.depweb.state.pa.us> (DEP Keywords: "EQB").

Questions concerning the Board's next scheduled meeting may be directed to Michele Tate at (717) 783-8727 or mtate@state.pa.us.

JOHN HANGER,
Chairperson

[Pa.B. Doc. No. 11-51. Filed for public inspection January 7, 2011, 9:00 a.m.]

HOUSING FINANCE AGENCY

Homeowner's Emergency Mortgage Assistance Program (HEMAP); Interest Rate for HEMAP Loans Closed in 2011

Under section 406-C of the Housing Finance Agency Law (35 P. S. § 1680.406c), the Housing Finance Agency (Agency) is to determine prior to the end of each calendar year, the rate of interest for Homeowner's Emergency Mortgage Assistance Program (HEMAP) loans closed in the next calendar year, which rate is not to exceed the rate of interest established by the Department of Banking under section 301 of the act of January 30, 1974 (P. L. 13, No. 6), referred to as the Loan Interest and Protection Law, and referred to commonly as the Usury Law.

The Agency has determined that the rate of interest for HEMAP loans closed during calendar year 2011 shall be 5.25%.

This notice shall take effect immediately

BRIAN A. HUDSON, Sr.,
Executive Director

[Pa.B. Doc. No. 11-52. Filed for public inspection January 7, 2011, 9:00 a.m.]

57-278

Pennsylvania Public Utility Commission
Call Recording for Telephone Companies
40 Pa.B. 5819
(October 9, 2010)

11/23/10

IRRC
12/23/10

**Department of Public Welfare
Regulation #14-522 (IRRC #2878)**

Residential Treatment Facilities

December 22, 2010

We submit for your consideration the following comments on the proposed rulemaking published in the October 23, 2010 *Pennsylvania Bulletin*. Our comments are based on criteria in section 5.2 of the Regulatory Review Act (71 P. S. § 745.5b). Section 5.1(a) of the Regulatory Review Act (71 P. S. § 745.5a(a)) directs the Department of Public Welfare (Department) to respond to all comments received from us or any other source.

1. General.—Economic and fiscal impacts of the regulation, and protection of the public health safety and welfare; Implementation procedures.

One of the criteria IRRC must consider in determining whether a regulation is in the public interest is the economic or fiscal impacts of the regulation. See 71 P. S. § 745.5b(b)(1). The proposed regulation submittal does not include a plausible evaluation of the economic and fiscal impact of this regulation. This in turn, as outlined by many commentators, also brings into consideration the criterion of the protection of the public health, safety and welfare relating to the proposed regulation. See 71 P. S. § 745.5b(b)(2).

In order to make a determination of whether this regulation is in the public interest, the Department must provide a detailed evaluation of the costs imposed by the final-form regulation, the effect on the revenues of the businesses the providers run, and ultimately how the final-form regulation protects the overall public health, safety and welfare of the children in a Residential Treatment Facility (RTF). The following is a detailed outline of our concerns and the concerns expressed by public commentators relating to the economic impact of the regulation and the accompanying information provided by the Department.

Costs imposed

In the proposed regulation's Preamble the Department states the following relating to fiscal impact:

The increased costs incurred by an RTF [Residential Treatment Facility] to meet the enhanced staffing and training requirements may result in higher per diem rates for some RTFs, but the expected aggregate reduction in lengths of stay due to high quality behavioral health treatment is expected to offset the fiscal impact of the higher rates. In addition, RTFs that are currently not accredited and choose to remain MA [Medical Assistance] providers will incur the costs associated with accreditation. The Department will be able to build the cost of accreditation into the rates.

In this statement, the Department itself recognizes to some degree increased costs imposed by the regulation. However, in its responses to Questions 17 to 19 on the Regulatory Analysis Form (RAF), the Department makes

the following statements relating to "costs and/or savings . . . associated with compliance":

- Regulated community—"Not applicable."
- Local governments—"Not applicable."
- State government—"No fiscal impact is anticipated as a result of these changes."

Many commentators strongly disagree with cost estimates provided in the Preamble and the RAF. Commentators believe the cost of compliance for providers and the Department will involve substantial direct and indirect costs. Commentators cited the following:

- The Pennsylvania Council of Children, Youth and Family Services commented that there are clearly significant costs associated with compliance that the Department has not considered. Estimated costs for consultant fees to accomplish accreditation are \$150,000, with the alternative that equivalent staff time would have to be allocated to accomplish accreditation. The staffing requirements will impose significant costs including staffing ratios, staffing structure and training requirements. Detailed examples of partial compliance costs are provided showing an annual estimated cost difference of \$723,000 related to staffing requirements.

- The Pennsylvania Community Providers Association stated that the analysis and cost impact assumptions provided by the Department are without foundation and are likely inaccurate . . . The Department must be accountable for the development of a much more detailed analysis of the fiscal and service system impact of these regulations at the agency, county and state level. Currently RTF programs are required to submit a cost report annually and these should be used as the foundation for the Department to formulate a realistic economic impact assessment.

- The Sarah A. Reed Children's Center estimated their facility reasonably expects to incur additional costs in the range of \$466,000 to \$766,000 per year, an increase of 7.7% to 13% if the regulation is enacted as proposed.

- Woods Services, Inc. stated that the imposition of a medical model on non-medically oriented programs is both clinically inappropriate and excessively expensive. It provided an estimate of additional annual costs of \$1.3 million with one-time transition costs of \$470,000.

- Silver Springs—Martin Luther School says these regulations will not be cost neutral. Their current deficit is \$787,000 because the per diem set by the Office of Medical Assistance does not cover costs. The Mental Health Professional as required by the regulations will add \$419,000 of costs.

- Perseus House, Inc. estimates the proposed staffing ratios combined with travel expenses for family work is that the increases will be anywhere from 30% to 40% dependent on the current rate and the site.

- Southwest Behavioral Health Management, Inc. believes consideration should be given not only to the increased costs to the provider to meet the increased standards, but also to the local economy, and how capacity limits will affect local businesses, tax base and unemployment.

- Devereux Foundation believes the requirements for accreditation will be costly to both the providers who are not accredited (82 current providers according to the Department's response to RAF Question 16) and will be borne by the Department within the rate structure of the providers. The Department's assumptions appear to be based on intuitive judgment and have not been subjected to actuarial methods of estimating costs.

- Other commentators believe that staffing and staffing ratio provisions impose inflexible costs that limit a provider's ability to reduce costs to maintain viability.

In addition to the issues raised by public commentators, we question whether the Department itself will have increased costs as a result of this regulation. While several provisions are similar to existing requirements in Chapter 3800, we question whether the Department will experience increased costs from provisions requiring Department actions including the following sections:

- 23.4. Waivers.
- 23.12. Inspections and certificates of compliance.
- 23.13. Appeals.
- 23.15. Fire safety approval.
- 23.16. Child abuse.
- 23.17. Reportable incidents.
- 23.18. Recordable incidents.
- 23.203. Written plan to create a restraint-free environment.
- 23.221. Description of services.
- 23.331. Inspection of care reviews: general.
- 23.332. Inspection of care reports.
- 23.341. Provider abuse.
- 23.342. Administrative sanctions.
- 23.351. Provider right of appeal.

We recommend that the Department meet with the public commentators, other members of the regulated community, and others who may be affected by the final-form regulation to discuss and evaluate costs imposed by this regulation, and consider whether more costly provisions provide sufficient benefit to make them justifiable. In order to satisfy the criterion of economic impact and fiscal impacts of the regulation, we recommend that the Department provide a detailed analysis of the costs imposed by the provisions in the final-form regulation.

Effect on Revenue

Under Subsection 23.14(a), "an RTF may not exceed 4 units of 12 beds each for a total of 48 beds." This provision limits the size of RTFs in three ways: by units, by beds in the unit and by total number of beds. We have the following concerns:

- Regarding the limitation to 4 units, according to the Department's response to Question 15 of the RAF, 58 of the 82 non-accredited RTFs and 17 of the 81 accredited RTFs exceed the maximum number of units per location. By the Department's numbers, this equates to 75 of the existing 163 providers, or 46%, who would have to downsize to meet the requirements of the regulation.

- Regarding the limitation on the number of beds, several commentators state their facilities exceed this requirement. Consequently, to comply with the regulation, these facilities would have vacant beds in their units.

- Regarding the limitation on the total number of beds to 48, several commentators said they exceed this number.

Additionally, Section 23.102 places limits on the size of child bedrooms, and Subsection (c) limits a room to two children. One provider commented that it allows four children to a room. While the requirements in Section 23.102 are similar to Chapter 3800, it appears that Chapter 23 will introduce further limitations compared to existing practice.

Overall, our concern is that, based on the public comment, downsizing to meet the regulatory requirements means a facility will not be able to serve as many patients, and consequently will lose revenues as a result of the limitation on the number of units per location.

We recommend that the Department meet with the public commentators to evaluate existing facilities and the loss of revenue they will experience from this regulation. In order to satisfy the criterion of economic and fiscal impacts of the regulation, we recommend that the Department provide a detailed analysis of the revenue loss to existing facilities affected by the regulation in the submittal of the final-form regulation.

Alternatives for children upon displacement

According to several public comments, many existing facilities will either have to downsize or may become financially unviable as a result of this regulation. Commentators question what will happen to children who will be displaced by existing facilities. They speculate that these children will be pushed into other types of treatment facilities, or will end up in hospitals, which would be more expensive overall. In addition to an evaluation of the costs imposed and revenue losses, the Department needs to explain what will happen to children who cannot remain at a facility and the resulting effect on other service providers.

Effect on local economies

In conjunction with downsizing facilities, commentators believe the regulation would cause people at existing facilities to be laid off from their current duties. The Department should discuss this concern with the commentators and provide an estimate of how many people who are currently employed at these facilities would have to seek other employment or become unemployed as a result of this regulation.

Explain how the benefits of the regulation outweigh any cost and adverse effects

RAF Question 21 asks for the above explanation. The Department responded:

The increased costs incurred by an RTF to meet the enhanced staffing and training requirements may result in higher per diem rates for some RTFs, but the expected aggregate reduction in lengths of stay due to high quality behavioral health treatment is expected to offset the fiscal impact of the higher rates.

Many commentators strongly disagree with this statement. In stark contrast to the Department's evaluation, commentators provided cost estimates and revenue loss estimates, along with projections of possible unemployment caused by the regulation that far exceed what the Department included in its evaluation. We ask the Department to provide the detailed studies and calculations that support the Department's response to RAF Question 21 in the final-form regulation.

Accreditation and regulation

Paragraph 23.291(b)(7) states an RTF shall:

Receive and maintain accreditation as a child and adolescent RTF by CARF, COA, JCAHO or by another accrediting body approved by the Department as published in a notice in the *Pennsylvania Bulletin*.

A commentator supportive of accreditation observes that to maintain accreditation by these bodies the RTF must meet the accreditation standards. Therein is an opportunity to reduce and simplify the regulatory credentialing and quality assurance process required by the Department, along with the costs imposed directly by the Department's regulations. Given the requirement for accreditation, why are all of the other provisions in the regulation needed and not duplicative of the requirements for accreditation?

Allowable costs

Several commentators expressed concern that some costs are not allowable for reimbursement, such as portions of administrative costs, accreditation costs, preadmission interviews, health care, meals for a visitor, transportation, therapeutic leave, costs for seasonal clothing and barber and beautification services. The Department should explain whether these services are reimbursable and explain why.

Implementation procedures

In the Preamble, the Department states that the regulations will be effective 12 months from the date the final-form rulemaking is published in the *Pennsylvania Bulletin*. A commentator suggests that 12 months is not long enough to create the new services required by the regulation and to replace bed capacity eliminated by the regulation. The Department should explain how RTFs can reasonably implement the regulation in 12 months.

2. What facilities does this regulation affect?—Consistency with statute; Need; Economic impact; Clarity.

The regulation defines the term "RTF—Residential Treatment Facility" as:

A nonhospital living setting in which behavioral health treatment is provided to one or more children with a diagnosed mental illness, or serious emotional behavioral disorders or a diagnosed substance abuse condition in conjunction with a diagnosed mental illness or serious emotional or behavioral disorder.

The Drug and Alcohol Service Providers Organization of Pennsylvania (DASPOP) commented with several questions and concerns, including "Does this regulation affect licensed drug and alcohol addiction treatment programs including licensed drug and alcohol programs serving the child welfare system and impose additional requirements upon them?" DASPOP also asks what the status is of a facility where young people are treated with a drug and alcohol diagnosis in conjunction with a diagnosed mental illness or serious emotional or behavioral disorder.

We believe that Section 23.2. *Applicability* should provide further guidance than is found in the regulation's definitions. We recommend that the Department clearly delineate in the regulation, such as in Section 23.2, what specific treatments and facilities must comply with Chapter 23.

3. Possible conflict with statutes.

Health Insurance Portability and Accountability Act (HIPAA)

Commentators raised concerns with storage of information relating to HIPAA. For example, a commentator believes that HIPAA would be violated by Section 23.17 since it requires storage of information at business offices. We recognize that an RTF must comply with HIPAA under Paragraph 23.21(a)(9). However, based on public comment, the Department should review the requirements of the regulation in conjunction with HIPAA and provide an explanation of how the regulation is compliant with HIPAA.

Act 147 of 2004

A commentator questions whether the consent to treatment provisions in Sections 23.20, 23.21 and 23.31 for parental consent on behalf of a minor up to age 18 comply with Act 147 of 2004. The Department should review the regulation in conjunction with Act 147 of 2004 and provide an explanation of how the regulation is compliant with Act 147 of 2004.

4. Coordination of RTF requirements with other departments.—Consistency with statute.

The Department cites as statutory authority for this regulation 62 P. S. §§ 201(2), 403(b), 901—922 and 1001—1080. Under 62 P. S. § 921(a), the Department is directed to prevent duplication by calling upon any other department, board or commission of the Commonwealth of Pennsylvania to cooperate with it in the performance of its duties and responsibilities. Also, under 35 P. S. § 448.803, the Department of Health and other departments shall make every reasonable effort to prevent duplication of inspections and examinations. The Department should explain how it implemented and considered these statutory provisions in the development of the regulation of RTFs.

5. Advanced Notice of Final Rulemaking.

The Department describes in response to RAF Question 22 that stakeholders have been meeting to establish clinical guidelines and program standards for RTFs over the past decade in workgroups, through draft documents, at forums and meetings with recommendations that have been considered in drafting the proposed regulation. This is supported by some comments that describe an open process in developing this regulation. However, some commentators appear to either not have been part of that process, or were unaware of the specific language that resulted from those meetings. Several commentators complained that 30 days was not enough time to develop thorough comments on this regulation.

It is clear by the issues raised in the comments, the intensity of comment, the broad range of commentators and volume of comment that the Department's regulatory language has not yet achieved consensus on many issues. The Department should work with affected parties to develop improved ideas for achieving its policy objectives without imposing unnecessary or unreasonable financial burdens. Additionally, the Department should publish an Advanced Notice of Final Rulemaking to allow the opportunity to review and resolve any remaining issues prior to submittal of a final-form regulation into the formal process.

6. Section 23.2. Applicability.—Consistency with statute; Clarity.

This section is not clear for two reasons. First, as mentioned above, it does not provide sufficient informa-

tion to determine what facilities are affected and what facilities are not affected. Second, it uses the phrase “children under 21 years of age.” We question here and in the definition of “child” the statutory basis for a child to be over 18 years of age.

7. Section 23.3. Definitions.—Clarity.

Child

Child is defined as an individual under 21 years of age. The Department cites as statutory authority for this regulation 62 P. S. §§ 201(2), 403(b), 901—922 and 1001—1080. We did not find a direct definition of the term “child” in these citations. Also, we recognize that age does not reflect the best recognition of the needs of persons with a mental disability.

Several commentators believe that a child should be defined as under 18 years of age. Other statutory provisions define child as under 18, including 62 P. S. §§ 746 and 772. The Department should either amend its regulatory definition of child to a person under 18 years of age or alternatively explain why the definition is consistent with the statute.

Intimate sexual contact

A commentator believes this definition, by using the phrase “unclothed physical contact,” could exclude inappropriate contact of a sexual nature involving clothed physical contact. The Department should clarify this definition to address the commentator’s concern.

Minor

This term is defined as “a *child* under 18 years of age.” (Emphasis added.) As the regulation is written, the use of the term “child,” in the definition of “minor” is contradictory because the regulation also defines “child” as “an individual under 21 years of age.” The Department should reconcile these definitions.

PRN

In our review of the regulation, we could only find this term used in Subparagraph 23.205(f)(9)(i). We suggest deleting this definition from Section 23.3 and defining the term in Subparagraph 23.205(f)(9)(i).

8. Section 23.4. Waivers.—Reasonableness; Fiscal impact.

Timeframe

This section prescribes a waiver process, but does not specify when the Department will respond to a request. Without a timeframe, the regulation would allow a waiver request to be indeterminate. The regulation should specify a specific amount of time for the Department to respond to a waiver request.

Use of waivers

As stated previously in these comments, according to the Department’s response to Question 15 of the RAF, 58 of the 82 non-accredited RTFs and 17 of the 81 accredited RTFs exceed the maximum number of units per location prescribed in the proposed regulation. This could cause extensive requests for waiver of this provision alone. To the extent possible, the Department should consider amendments to the regulatory scheme that would minimize the need for waivers.

9. Section 23.12. Inspections and certificates of compliance.—Need; Reasonableness; Economic impact.

Coordination of inspections

A commentator observes that an accredited facility is already inspected by the accrediting body. We recognize that the statute directs annual inspections. Can the Department coordinate its inspections with the inspections done by an accrediting body?

Post a copy of this chapter

Subsection (c) requires an RTF to post a copy of this chapter. Commentators appropriately questioned the practicality of posting a document that is more than 150 pages long. After a final-form regulation is finished, these regulations will be available on the Pennsylvania Code website (www.pacode.com). We suggest requiring the RTF to post a citation to Chapter 23 and the website where the regulations can be found. The regulation could also require that an RTF make a copy of the regulations available upon request.

10. Section 23.14. Maximum capacity.—Need; Economic impact; Reasonableness; Timetable for compliance; Feasibility.

An RTF may not exceed 4 units of 12 beds each for a total of 48 beds

Subsection 23.14(a) states, “an RTF may not exceed 4 units of 12 beds each for a total of 48 beds.” We ask the following questions:

- Given the staffing requirements in the regulation, and in particular Subsection 23.58(b) that specifies staff to child ratios, why is it necessary to limit the overall number of units, children per unit and the ultimate size of a facility to 48 children?
- How was the limit of 4 units determined?
- How was the limit of 12 beds per unit determined?
- How was the limit of 48 beds determined?

The Department should justify the need to limit the size of facilities to the numbers specified in the regulation. In addition, the Department should provide the studies it relied upon in reaching the numbers included in the regulation.

Presenting population

A commentator states the regulation limits the RTF’s ability to reallocate beds based on the presenting population at any one time. The limitations could result in facilities using an inefficient allocation of its beds and units because specialized units may be needed to accommodate a particular group of youth. The Department should explain how an RTF would operate under Subsection 23.14(a) when the presenting population differs from the structure envisioned by Subsection 23.14(a).

Section 23.14 is prescriptive and detailed. How does this provision match the physical site of existing facilities? For example, if an existing facility has six units of eight beds, why couldn’t that facility qualify without requesting a waiver? Also, why shouldn’t a facility qualify whose units have 14 beds? Why does the regulation need to prescribe numbers of units and beds in a unit, rather than just a limitation on the number of children?

Transition plan

In the description of Section 23.14 in the Preamble, the Department states that “RTFs that currently exceed the proposed maximums will have the opportunity to develop and implement a transition plan to reduce the number of beds.” There are four concerns. First, why wasn’t this plan specified in the regulation? Second, how long can a

facility take to make this transition? Third, what would a facility have to demonstrate in order to qualify for the transition? Finally, what alternatives can a facility consider if the transition to 48 beds makes a facility unprofitable? The final-form regulation should include provisions that specify the required components of a transition plan, the process for approval of the plan and how to amend a plan.

11. Section 23.17. Reportable incidents.—Protection of the public.

Reporting restraints

Paragraph (a)(9) requires reporting of use of a drug as a restraint. Should this also include reporting of any restraint such as manual restraint?

Disability Rights Network

The Disability Rights Network requested that Subsection (c) use the term “State-Designated Protection and Advocacy System” rather than “Disability Rights Network.” The Department should review this comment and the use of “Disability Rights Network” in Subsection (c). This also applies to Subsection 23.34(e).

12. Section 23.21. Confidentiality of records.—Clarity.

A commentator believes the regulation should include the Federal Educational Rights and Protection Act (FERPA). The Department should add FERPA or explain why it is not needed.

13. Section 23.32. Specific rights.—Feasibility; Clarity.

Gender identity

Several commentators requested the addition of “gender identity” to Subsection (a). They cite higher risk of depression and suicide for those who experience this discrimination. The Department should add gender identity to Subsection (a) or explain why it is not necessary.

Communication method

Subsection (d) requires a child to be informed of the rules of the RTF. Some commentators asked that this communication be provided in a language the child understands, including sign language as needed. We agree that the communication of rules is without value if the child cannot understand it. We recommend that the regulation require communication by a method the child can understand.

Excessive medication

This section applies to the children within a licensed RTF, and as such regulates the activities and actions of the RTF. This section includes several reasonable provisions that the RTF can control, such as access to appropriate medical care and advocacy. In relation to Subsection (m) though, the regulation states “a child shall be free from excessive medication.” While we agree with the ideal that excessive medication should not be used, we have two practical concerns.

First, “excessive” medication would be a medical judgment taking into account many factors. How would the RTF itself determine whether medication is “excessive”?

Second, what action is the RTF expected to take? Generally speaking, these medical judgments would be under the jurisdiction of licenses issued by the various boards under the Department of State’s Bureau of Professional and Occupational Affairs. What avenue does the RTF have to comply with the regulation?

14. Section 23.34. Notification of RTF restraint policy.—Clarity.

Should Paragraph (4) state “provide a copy of the RTF restraint policy . . .”? (Emphasis Added)

15. Section 23.41. Family participation in the treatment process.—Protection of the public welfare; Clarity.

A commentator observed that the regulation does not address circumstances where there are court related custody issues. The Department should add provisions to address custody as it relates to family participation or explain why they are not needed.

16. STAFFING—Need; Economic impact; Reasonableness; Protection of the public health, safety and welfare; Implementation procedures.

Sections 23.51 to 23.62 provide detailed requirements for staffing at RTFs. In the Preamble, the Department explains that these sections require enhanced credentials, increased staffing ratios, and more clinically oriented training topics than current requirements, in addition to health and safety training requirements. The Department should provide further support for how it determined the positions are needed and how it determined appropriate credentials for the positions. Also, the Department should explain the effect of the regulation on current RTFs and employees, and why a grandfather provision was not included.

17. Section 23.53. RTF director.—Economic impact; Reasonableness; Protection of the public health, safety and welfare.

Under 55 Pa. Code § 3800.53(a), a director may be responsible for more than one facility. Why wasn’t this provision included in this section?

18. Section 23.54. Medical director.—Reasonableness; Economic impact; Implementation procedures.

Subsection (b) requires the medical director to be a board-certified or board-eligible psychiatrist. A commentator states there is a shortage of psychiatrists in Pennsylvania and suggests delegating functions down to the clinical director position. The Department should explain whether there are enough psychiatrists in Pennsylvania to fulfill the need created by this regulation.

19. Section 23.55. Clinical director.—Reasonableness; Economic impact; Implementation procedures.

A commentator is concerned that the credentials for this position as specified in Subsection (b) will increase costs. The commentator also questions whether persons who hold this position could be grandfathered. The Department should explain the cost of hiring a person with these qualifications. Additionally, the Department should explain why it did not include a grandfather provision in the regulation.

20. Section 23.58. Staff ratios.—Economic impact; Protection of the public health, safety and welfare; Reasonableness; Implementation procedures.

Commentators believe the ratios in this section represent levels required for acute care, which is not representative of the staffing needed for RTF care. Other commentators believe the staffing for awake hours is excessive and prohibitively costly. Some commentators questioned what positions could be counted toward the specified ratios. We recognize the regulations address a potentially broad range of settings. The Department should explain

why the staffing ratios in this section are the best alternative and what positions may be included in the ratios. The Department should also explain the cost impact on existing facilities to meet the staffing ratios in the regulation.

21. Section 23.59. Primary contact.—Reasonableness; Need; Economic impact; Clarity.

Subsection (b) lists the primary contact's responsibilities, including serving as a liaison, and coordinating the after care plan. However, commentators question the need for all of the responsibilities listed in the regulation and state the position described is performed by as many as three persons in their facility. They also state that Paragraph (2), requiring participation in the High Fidelity Wraparound and Paragraph (3) requiring promotion "of resiliency through risk reduction and asset-building strategies" are vague and appear to go beyond coordination of care. The Department should review the primary contact responsibilities and explain why they are all needed in regulation and assigned to one position. Additionally, the Department should further explain what is intended by Paragraphs (2) and (3).

22. Section 23.60. Family advocacy.—Reasonableness; Economic impact.

Independence

This section requires an RTF to have on staff, or contract for the services of, a family advocate for every 48 children. Commentators question the potential conflict of interest of a family advocate employed by the facility. We agree. The Department should reconsider whether a family advocate can effectively and freely provide the advice a family needs when the family advocate's advice may impose costs on the RTF and the family advocate's employment, pay and benefits are provided by the RTF.

Qualifications

Subsection (b) lists nine responsibilities of the family advocate, including promoting the observance of children's rights and reviewing grievances. These responsibilities appear to require some degree of expertise in order to effectively carry out the responsibilities. However, the definition of the term "family advocate" in Section 23.3 envisions the family advocate to be "a family member of a child who is currently receiving services . . ." Could a family member who does not have expertise in the responsibilities listed in Subsection (b) perform effectively on behalf of a child?

The definition of family advocate and the responsibilities for that advocate listed in Subsection (b) do not appear to be consistent. The Department should review the definition and Section 23.60 and either amend the regulation as appropriate for the position of family advocate, including the qualifications required, or explain what is envisioned for the role of a family advocate.

Medicaid reimbursement

Finally, is the cost of a family advocate an allowable cost for Medicaid reimbursement? The Department should also quantify the cost of this service.

23. Section 23.61. Supervision.—Protection of the public; Need.

A commentator suggests that the requirements in this section are more applicable to a hospital setting than an RTF setting. On the other hand, another commentator suggests reducing the observation times to seven minutes. The Department should explain why all RTFs need to make visual observations every 15 minutes and document that observation.

24. Section 23.62. Staff Training.—Clarity; Reasonableness; Need; Economic impact.

Hours of training

Paragraph (c)(5) requires a total of 20 hours of training from the list that includes 18 subjects of training. Commentators are confused as to whether annual training must include all 18 topics. The Department should amend this provision so that it is clear what training is required annually.

Amount of training

Other commentators believe the training is excessive. The Department should explain the need for the number of hours of training and the cost of that training.

High fidelity wraparound

A commentator states that high fidelity wraparound is not available in all counties. Why is training in this specific treatment model required under Subsection (c)? Should the regulation allow training in other types of treatment models?

Clarity

We note that the subparagraph designations should be reviewed. Designation of Subparagraph "(xv)" was omitted, but it was later used as the last Subparagraph designation.

25. Section 23.82. Poisons.—Protection of the public health, safety and welfare.

Commentators suggest adding a requirement that states "child use of household cleaning supplies must be directly supervised by staff." This suggestion is made because children have been reported to have ingested cleaning products. The Department should consider adding this provision.

26. Section 23.87. Surfaces.—Clarity.

Should this section include a reference to the possibility of lead paint, as is included in 55 Pa. Code § 3800.87(b)?

27. Section 23.143. Child health examination.—Reasonableness; Protection of the public health, safety and welfare.

Subsections (a) and (b) specify requirements for a medical examination within three days after admission. Commentators believe it will be difficult to schedule this examination in three days. We note that 55 Pa. Code § 3800.143(a) allows 15 days. Why is the timeframe of three days reasonable and needed?

28. Section 23.147. Use of tobacco products.—Reasonableness.

This section limits the "use or possession" of tobacco products. Commentators state they can enforce use of tobacco, but question how an RTF can enforce possession. We agree, particularly for staff who otherwise meet the law relating to tobacco products. We note that Subsection (c) appears inconsistent with Subsection (b) in that Subsection (c) describes allowable use of tobacco by staff. The Department should review this section for consistency and provide clear guidance that an RTF can reasonably comply with.

29. Section 23.188. Self-administration.—Reasonableness.

A commentator suggests that this section be revised to reflect use of medication delivery systems such as patches and inhalers. We agree that, for example, the requirement in Paragraph (1) may be impractical to log a

medication use when an inhaler is used “as needed” for an asthma attack. The Department should review this provision and amend it as appropriate to accommodate various medication delivery systems.

30. Section 23.190. Medication performance monitoring.—Economic impact; Reasonableness.

A commentator questions what the Department will do with the information required to be reported by this section. The Department should explain what this information is used for and why it is needed to be reported every six months.

31. Section 23.201. General information.—Clarity; Protection of the public health, safety and welfare.

Time out

Subsections (b) and (c) are not clear regarding time out. Under Subsection (b), time out is designated as a restrictive procedure, and would appropriately be included in the restrictive procedure policy required by Section 23.203. Also, time out is permissible within the limits specified in Section 23.204. The concern is that Subsection (c) states that the only restrictive procedures permitted in an RTF are drugs used as a restraint and manual restraint. As written, Subsection (c) would prohibit time out, which appears to be inconsistent with Section 23.204. In Subsection (c), is the phrase “only restrictive procedures permitted” the appropriate phrase, or should Subsection (c) use the phrase “only restraints permitted”? We recommend that the Department clarify the status of time out in the regulation.

Harm or injury to a child

Subsection (f) states, “a restrictive procedure may not result in harm or injury to a child.” While we agree with this premise, commentators state that it is naive to think an emergency restraint can be expected to have no possibility of harming the child and that risks are included in restraint consent forms. Again, we agree with the safety premise of Subsection (f), however the Department should explain whether the standard imposed by Subsection (f) is always attainable in emergency safety situations.

32. Section 23.205. Emergency safety intervention.—Clarity.

The term “treatment team physician” appears in Subsection (f). It is not clear who this is because the term is not defined. We recommend defining this term or using another term that is defined.

33. Section 23.223. Development of the ISP.—Clarity.

The term “treatment team” appears in Paragraph (d)(1). It is not clear who this is because the term is not defined. We recommend defining this term or using another term that is defined.

34. Section 23.255. Laundry.—Protection of the public health.

Subsection (b) states soiled linen shall be covered while being transported through food preparation and food storage areas. For health reasons, why wouldn't this apply to transportation of soiled linen throughout the facility?

35. Section 23.292. Participation requirements for an out-of-state RTF.—Reasonableness; Adverse effects on competition.

In response to RAF Question 25, the Department states that this rulemaking will not put Pennsylvania at a

competitive disadvantage with other states and other states have comparable regulations for their RTFs. A commentator is concerned that this section of the regulation would not require an out-of-state provider to meet in-state requirements such as staffing and the 48 bed limit. The Department should explain how this section appropriately protects in-state facilities from unfair competition with out-of-state facilities.

36. Section 5310.3. Applicability.—Clarity.

The amendments to Subsection (b) do not clearly establish the applicability of Chapter 5310 and its separation from Chapter 23 for two reasons. First, the term “child” differs between Chapter 5310 and Chapter 23. Under Chapter 5310 a “child” is defined as under 18 years of age whereas Chapter 23 defines “child” as under 21 years of age. What is the status of a person 18, 19 or 20 years old?

Second, it is not clear whether and how Subsection (b), and consequently Chapter 5310, relate to Chapter 23. For example, referring to Chapter 3800, Paragraph 3800.3(12) establishes a clear exemption of Chapter 23. We recommend that a similar exemption be added to Section 5310.3 or alternatively that this provision clearly explain its applicability to Chapter 23.

Department of Public Welfare
Regulation #14-521 (IRRC #2879)

Psychiatric Rehabilitation Services

December 22, 2010

We submit for your consideration the following comments on the proposed rulemaking published in the October 23, 2010 *Pennsylvania Bulletin*. Our comments are based on criteria in section 5.2 of the Regulatory Review Act (71 P.S. § 745.5b). Section 5.1(a) of the Regulatory Review Act (71 P.S. § 745.5a(a)) directs the Department of Public Welfare (Department) to respond to all comments received from us or any other source.

1. Fiscal impact.

This proposed regulation adds Chapter 5230 to Title 55 of the Pa. Code, which adopts minimum standards for the issuance of licenses for psychiatric rehabilitative services (PRS) in facilities operated in this Commonwealth. According to the Preamble, the Department anticipates that “the implementation of PRS will not have fiscal impact on the Commonwealth, as the reduction in more costly traditional mental health treatments and improved clinical and social outcomes will offset the cost of PRS.”

However, several commentators indicate that this statement overlooks the implementation costs imposed on the regulated community, in particular relating to staff training and the required general staffing patterns.

In the final-form regulation, the Department needs to provide a more detailed cost-benefit and fiscal impact analysis of the regulation that addresses the potential implementation costs anticipated by commentators.

2. Section 5230.3. Definitions.—Statutory authority; Consistency with federal law; Need; Implementation procedures; Clarity.

Fidelity

This term is used to classify the degree to which a PRS adheres to best practices. The Wedge Medical Center questions how a PRS is expected to measure “fidelity.” We

agree and recommend that the final-form regulation explain how the Department expects a PRS to quantify this term.

Licensed practitioner of the healing arts

The proposed regulation defines this term as “those professional staff currently recognized by the Department as qualified to recommend an individual for service.” Several commentators indicate that this term is unclear, as it does not explain which staff the Department “recognizes.” We agree and suggest that the final-form regulation specify who the Department would consider a “licensed practitioner of the healing arts.” In addition, several commentators indicate that the source of this term may be federal requirements relating to medical assistance. If so, then we recommend that the Department also include a cross-reference to these federal provisions in the final-form regulation.

Natural support

In this definition, how does the Department intend for a person or organization to provide “validation” to an individual? The final-form regulation should clarify this issue.

PRS facility

This term is defined as “an agency or organization . . . licensed . . . to deliver PRS.” However, both the PA Community Providers Association (PCPA) and the Philadelphia Coalition commented that including the word “facility” is confusing since it is normally associated with an actual building not an agency or organization. In addition, what is the Department’s statutory authority for defining this term as an agency or organization when the statute defines it as various locations? See 62 P.S. § 1001. The Department should explain why the term “facility” is appropriate.

Psychiatric rehabilitation principles

This definition references “Nationally-recognized professional associations,” but does not identify these associations. The final-form regulation should provide a list of the professional associations that apply.

3. Section 5230.14. Physical site requirements.—Implementation procedures; Clarity.

This section addresses the physical site requirements for a PRS facility. We raise two issues.

First, Paragraph (2) requires “space for the PRS distinct from other services offered simultaneously.” Several commentators state that this will prevent various recovery programs from operating as blended outpatient and PRS services. The final-form regulation should be clarified to allow PRS facilities to offer integrated services, or the Department should explain why such a clarification is unnecessary.

Second, Paragraph (6) requires compliance with Occupational Safety and Health Administration (OSHA). To improve clarity, the final-form regulation should include a cross-reference to the appropriate OSHA standard.

4. Section 5230.22. Record security, retention and disposal.—Reasonableness; Need; Clarity.

This section establishes standards for maintenance of individual records. We have three concerns.

First, Paragraph (2) states that “the record must identify the individual on each page.” The Wedge Medical Center states that this requirement is too excessive and

will result in an increase in time spent by staff on paperwork. The Department should explain the need for this requirement.

Second, Paragraph (3) states that “entries shall be signed and dated by the responsible licensed provider.” Several commentators indicate that use of the term “licensed provider” is unclear, as not all staff are licensed. The final-form regulation should clarify whether the Department intended for only licensed staff to sign these entries.

Finally, Paragraph (4) requires a record of progress on each day of service. What is the need for such records to be created daily?

5. Section 5230.31. Admission requirements.—Reasonableness; Need; Implementation procedures; Clarity.

This section details the patient eligibility requirements for admission into a PRS. However, several commentators note that existing PRS standards contain an exception process for admission that is not contained in the proposed rulemaking. Commentators argue that the proposed regulation only permits admission into a PRS for specific illnesses listed in Paragraph (2), and that a PRS needs the flexibility to review other mental health diagnosis for admission, as circumstances arise. The Department should explain why the regulation does not permit an admission exception process for other diagnoses not contained in Paragraph (2).

6. Section 5230.51. Staff qualifications.—Reasonableness; Need; Implementation procedures; Clarity.

This section establishes qualifications for a PRS director, a psychiatric rehabilitation specialist, a psychiatric rehabilitation worker, and a psychiatric rehabilitation assistant. We have two concerns.

First, several commentators state that the qualifications for a PRS director are too stringent. Some argue that they may result in recruiting issues, since commentators believe PRSs will not be able to find applicants with these qualifications. Conversely, the PA Chapter of the National Association of Social Workers recommends raising the qualifications for both a PRS director and a psychiatric rehabilitation specialist. The Department should explain how it established the qualifications for both the PRS director and the psychiatric rehabilitation specialist.

Second, the regulation requires both a PRS director and a psychiatric rehabilitation specialist to have a CPRP (Certified Psychiatric Rehabilitation Practitioner) certification within two years of hire. The PA Association of Psychiatric Rehabilitation Services believes that it may take some individuals more time to complete these requirements, and recommends a waiver or exception process. Commentators also question whether existing staff without this credential but with a certain amount of experience could be “grandfathered.” Has the Department considered these options?

7. Section 5230.52. General staffing patterns.—Reasonableness; Need; Implementation procedures; Clarity.

Subsection (c)

Subsection (c) states that “when a service is delivered in a facility, a PRS facility shall have an overall complement of one FTE [full-time equivalent] staff for every ten individuals (1:10), based upon average daily attendance.” Several commentators suggest that a complement based

on attendance during each shift is more feasible than average daily attendance. How did the Department determine that measuring the average daily attendance was the appropriate option?

Subsections (h) and (i)

Subsections (h) and (i) each require a minimum of 25% of the FTE staff complement to have the specialist criteria and the CPRP credential within a certain period after initial licensing. PCPA states that because this will require staff to earn these credentials or be trained, these provisions will be costly for the providers, and may result in non-compliance if staff turnover is too high. An individual commentator also questions how PRS licenses would be accurately evaluated and audited in the years when facilities would be unable to reach compliance. The Department should explain the need for the 25% ratio.

In Subsection (h), what is “specialist criteria?” The final-form regulation should explain this term.

8. Section 5230.54. Group services.—Reasonableness; Need; Clarity.

Subsection (a)(2) states that “when a service is delivered in the community, one staff may serve a group of two to five (2:5) ratio individuals.” Several commentators question whether the ratio includes two to five individuals per staff or two staff per five individuals. We agree that this phrase is vague and recommend that the Department clearly distinguish between staff and individuals in the final-form regulation.

9. Section 5230.55. Supervision.—Reasonableness; Need; Implementation procedures; Clarity.

Subsection (c) requires a PRS director or specialist to “meet with staff individually, face-to-face, no less than two times per calendar month.” Several commentators note that this requirement is too prescriptive. The Department should explain the need for this requirement.

10. Section 5230.61. Assessment.—Implementation procedures; Clarity.

Subsection (b)(7) requires assessments to “be updated annually and when one of the following occurs. . . .” Several commentators are concerned that writing an entirely new assessment in each circumstance would affect the flow of treatment. HOPE @ Allegheny COMHAR, Inc. indicates that this may even result in redundancy with the Individual Rehabilitation Plan (IRP). To improve clarity, the final-form regulation should explain whether to “update” means to rewrite the assessment completely or simply provide relevant updates to the existing plan.

11. Section 5230.62. Individual rehabilitation plan.—Reasonableness; Need; Implementation procedures; Clarity.

Subsection (c) requires “a PRS facility and an individual shall review and revise the IRP at least every 90 days . . .” and under certain conditions. Both the Philadelphia Community Collaborative (PCC) and NHS Human Services (NHS) raise concerns about this process for review and revision. Both commentators state that “the IRP is a comprehensive and often times sequential document . . . therefore when the objective is achieved . . . there are several more objectives . . . to address collaboratively.” PCC further states that “to spend time addressing revisions would interrupt the flow of the

psychiatric rehabilitation process. . . .” What is the need for including this “review and revise” requirement? The final-form regulation should clarify this issue.

Similar to the comments regarding assessments, NHS also questions whether a completely new IRP is necessary with each revision, or if it can simply include the relevant updates. Like Subsection 5230.61(b)(7), the final-form regulation should specifically explain what “revision” encompasses for an IRP.

12. Section 5230.63. Daily entry.—Reasonableness; Need.

This section requires daily entries by PRS staff for each day services are provided. These entries include description of the service, any documentation, and the signature of the individual and the staff member. The majority of the commentators object to this section, stating that writing these entries is disruptive and takes staff away from spending time with patients, and that it is often difficult to have the document signed by both staff and the individual. The Latino Members of COMHAR HOPE are concerned about the difficulty surrounding preparing and signing these entries for patients who are subject to language barriers. Has the Department considered these concerns? In the Preamble to the final-form regulation, the Department should explain the need for daily entries.

13. Section 5230.71. Discharge.—Implementation procedures.

This section explains the process for discharging a patient. Subsections (e) and (f) discuss the process and plan for individuals who voluntarily terminate from a PRS. However, PCPA notes the difficulty in establishing a plan for patients who terminate participation by not returning to the program. The final-form regulation should explain how the Department intends for PRS staff to develop discharge plans in these circumstances. Similar concerns apply to the requirements for a discharge summary in Section 5230.72.

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**Pennsylvania Public Utility Commission
Regulation #57-278 (IRRC #2877)**

Call Recording for Telephone Companies

December 23, 2010

We submit for your consideration the following comments on the proposed rulemaking published in the October 9, 2010 *Pennsylvania Bulletin*. Our comments are based on criteria in section 5.2 of the Regulatory Review Act (71 P. S. § 745.5b). Section 5.1(a) of the Regulatory Review Act (71 P. S. § 745.5a(a)) directs the Pennsylvania Public Utility Commission (PUC) to respond to all comments received from us or any other source.

Section 63.137. Service monitoring and related matters.—Statutory authority; Economic or fiscal impact; Reasonableness; Need; Possible conflict with or duplication of statutes; Implementation procedures; Clarity.

This rulemaking eliminates the prohibition placed on jurisdictional telephone utilities of recording telephone calls between customers and utility employees for any reason. Under the rulemaking, calls between telephone

utility employees, customers, potential customers or applicants can be recorded if certain conditions are met. The conditions are enumerated under § 63.137(2)(iv) and the paragraphs of this subsection are quoted below:

(A) A telephone company shall give notice to its customers with a bill insert or equivalent customer contact explaining the call recording process and the opt-out process at least 30 days before commencing call recording or to new customers at the time service commences.

(B) A telephone company shall provide callers calling a company telephone number equipped to record customer or prospective customer calls with a prerecorded message that the call may be monitored or recorded for training or quality control purposes.

(C) The prerecorded message must advise callers that they have the option to discontinue the call and to request a call back on an unrecorded line and provide instructions on how to request a call back prior to any aspect of the call being recorded.

(D) Recorded telephone calls shall be used solely for the purpose of training or measuring and improving service quality and may not be used for formal or informal evidentiary purposes.

(E) Recorded calls shall be erased after a 90-day or shorter retention period.

We have four concerns. First, commentators contend that Paragraphs (A), (C), and (E) and parts of (D) are not needed and are not reasonable. They point out that other regulated utilities are allowed to record calls without having to satisfy the conditions outlined in § 63.137(2)(iv). We believe that the PUC has failed to explain the need for the conditions being placed on jurisdictional telephone utilities. We suggest that Paragraphs (A), (C) and (E) and the language pertaining to “formal or informal evidentiary purposes” found in Paragraph (D) be deleted from the final-form regulation. If the Paragraphs and language are not deleted, we request a more detailed explanation of why they are needed and why the PUC considers them to be reasonable.

Second, PUC has not quantified the costs associated with complying with the requirements of § 63.137(2)(iv). We believe the elimination of the prohibition on call recording is beneficial to the regulated community. While we understand that the recording of calls for the purpose of training or measuring and improving service quality is not mandatory, an analysis of these costs would assist this Commission in determining if the requirements are reasonable and in the public interest.

Third, what is the PUC’s statutory authority for the provision found in § 63.137(2)(iv)(D) that prohibits recorded calls from being used for formal or informal evidentiary purposes? In addition, what is meant by the phrase “formal or informal evidentiary purposes”?

Finally, under § 63.167(2)(iv)(E), recorded calls must be erased after 90 days. We ask the PUC to explain how this requirement would work in conjunction with the requirement of Pennsylvania’s Wiretapping and Electronic Surveillance Control Act (18 Pa.C.S.A. § 5704(15)), which requires recordings to be destroyed within one year from the date of recording.

SILVAN B. LUTKEWITTE, III,
Chairperson

[Pa.B. Doc. No. 11-53. Filed for public inspection January 7, 2011, 9:00 a.m.]

INSURANCE DEPARTMENT

Gnagey Gas & Oil Co.; Prehearing

Appeal of Gnagey Gas & Oil Co. under the Storage Tank and Spill Prevention Act; Underground Storage Tank Indemnification Fund; USTIF File No. 2007-0128(F); Doc. No. UT10-12-012

The proceedings in this matter will be governed by 2 Pa.C.S. §§ 501—508 and 701—704 (relating to the Administrative Agency Law); 1 Pa. Code Part II (relating to General Rules of Administrative Practice and Procedure); and any other relevant procedure provisions of law.

A prehearing telephone conference shall be held on February 10, 2011, at 9:30 a.m. A hearing shall occur on February 24, 2011, at 9:30 a.m., in the Administrative Hearings Office, Room 200, Capitol Associates Building, 901 North Seventh Street, Harrisburg, PA 17102. Motions preliminary to those at hearing, protests, petitions to intervene, notices of appearance or notices of intervention, if any, must be filed with the Hearings Administrator at the previously listed address on or before January 24, 2011. Answers to petitions to intervene, if any, shall be filed on or before February 7, 2011.

On or before January 24, 2011, each party shall file with the Administrative Hearings Office a prehearing statement which shall contain: (1) a comprehensive statement of undisputed facts to be stipulated between the parties; (2) a statement of additional contended facts; (3) names and address of witnesses along with the specialties of experts to be called; (4) a list of documents to be used at the hearing; (5) special evidentiary or other legal issues; and (6) the estimated time for the party’s case. Contemporaneously with service of the prehearing statement on the opposing party, each party shall supply the other with a copy of any report generated by an expert witness designated on the prehearing statement. Any report subsequently received from a party’s expert witness prior to hearing shall be supplied to the other party within 2 business days. Copies of expert reports need not be filed with the Administrative Hearings Office. Experts will be permitted to testify only on matters substantially contemplated by reports supplied to the other party in accordance with this paragraph.

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

ROBERT L. PRATTER,
Acting Insurance Commissioner

[Pa.B. Doc. No. 11-54. Filed for public inspection January 7, 2011, 9:00 a.m.]

Insurance Services Office, Inc.; Private Passenger Automobile Loss Cost Revision; Rate Filing

On December 17, 2010, the Insurance Department (Department) received from Insurance Services Office, Inc. a filing for a proposed loss cost level change for private passenger automobile insurance.

The advisory organization requests an overall 2.1% increase in loss costs effective September 1, 2011.

Unless formal administrative action is taken prior to February 15, 2011, the subject filing may be deemed approved by operation of law.

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

Interested parties are invited to submit written comments, suggestions or objections to Xiaofeng Lu, Insurance Department, Insurance Product Regulation, 1311 Strawberry Square, Harrisburg, PA 17120, xlu@state.pa.us within 30 days after publication of this notice in the *Pennsylvania Bulletin*.

ROBERT L. PRATTER,
Acting Insurance Commissioner

[Pa.B. Doc. No. 11-55. Filed for public inspection January 7, 2011, 9:00 a.m.]

Review Procedure Hearings under the Unfair Insurance Practices Act

The following insurer has requested a hearing as authorized by section 8 of the Unfair Insurance Practices Act (act) (40 P.S. § 1171.8) in connection with their company's termination of the insurer's homeowner policy. The hearing will be held in accordance with the requirements of the act; 1 Pa. Code Part II (relating to General Rules of Administrative Practice and Procedure); and 31 Pa. Code §§ 56.1—56.3 (relating to Special Rules of Administrative Practice and Procedure). The administrative hearing will be held in the Insurance Department's regional office in Philadelphia, PA. Failure by an appellant to appear at a scheduled hearing may result in dismissal with prejudice.

The following hearing will be held in the Philadelphia Regional Office, Spring Garden Hearing Room 4031, 801 Market Street, Philadelphia, PA 19107.

Appeal of Nationwide Mutual Fire Insurance Company; file no. 10-216-94725; Leona Sims; Doc. No. PH10-12-013; January 20, 2011, 3 p.m.

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

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

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

ROBERT L. PRATTER,
Acting Insurance Commissioner

[Pa.B. Doc. No. 11-56. Filed for public inspection January 7, 2011, 9:00 a.m.]

Travelers Home and Marine Insurance Company; Homeowners; Rate Revision

On December 20, 2010, the Insurance Department (Department) received from Travelers Home and Marine Insurance Company a filing for a rate level change for homeowners insurance.

The companies request an overall 3.99% increase amounting to \$3,528,000 annually, to be effective March 25, 2010, for new business and May 31, 2010, for renewal business.

Unless formal administrative action is taken prior to February 18, 2011, the subject filing may be deemed approved by operation of law.

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

Interested parties are invited to submit written comments, suggestions or objections to Xiaofeng Lu, Insurance Department, Insurance Product Regulation, 1311 Strawberry Square, Harrisburg, PA 17120, xlu@state.pa.us within 30 days after publication of this notice in the *Pennsylvania Bulletin*.

ROBERT L. PRATTER,
Acting Insurance Commissioner

[Pa.B. Doc. No. 11-57. Filed for public inspection January 7, 2011, 9:00 a.m.]

LIQUOR CONTROL BOARD

Expiration of Leases

The Liquor Control Board seeks the following new site:

Washington County, Wine & Spirits Store #6314/#6301 (Consolidation/Relocation)

Wine & Spirits Store #6314, 980 Jefferson Avenue, Washington, PA 15301-3868

Wine & Spirits Store #6301, 189 South Main Street, Washington, PA 15301-4948

Lease expiration dates: #6314, Entered 90-day status since April 1, 2009; #6301, Entered 90-day status since December 1, 2007

Lease retail commercial space to the Commonwealth. Proposals are invited to provide the Liquor Control Board with approximately 4,500 to 5,000 net useable square feet of new or existing retail commercial space on Jefferson Avenue in Washington, PA. Location between Wylie Avenue and Maiden Street preferred. The proposed location must have free off-street parking and provide tractor trailer delivery access.

Proposals due: January 28, 2011, at 12 p.m.

Department: Liquor Control Board
Location: Real Estate Division, 158 Purity Road, Suite B, Pittsburgh, PA 15235-4441
Contact: Bruce R. VanDyke, Jr., (412) 723-0124

PATRICK J. STAPLETON, III,
Chairperson

[Pa.B. Doc. No. 11-58. Filed for public inspection January 7, 2011, 9:00 a.m.]

PENNSYLVANIA PUBLIC UTILITY COMMISSION

Service of Notice of Motor Carrier Applications

The following temporary authority and/or permanent authority applications for the right to render service as a common carrier or contract carrier in this Commonwealth have been filed with the Pennsylvania Public Utility Commission. Formal protests and petitions to intervene must be filed in accordance with 52 Pa. Code (relating to public utilities). A protest shall indicate whether it applies to the temporary authority application, the permanent authority application, or both. Filings must be made with the Secretary, Pennsylvania Public Utility Commission, P. O. Box 3265, Harrisburg, PA 17105-3265, with a copy served on the applicant by January 24, 2011. Documents filed in support of the applications are available for inspection and copying at the Office of the Secretary between 8 a.m. and 4:30 p.m., Monday through Friday, and at the business address of the respective applicant.

Applications of the following for approval to begin operating as common carriers for transportation of persons as described under each application.

A-2010-2214003. Tropical Tanning and Beauty Salon, Inc., t/a Arrive N Style Limousine Service (14 Bellefonte Avenue, Suite 1, Lock Haven, PA 17745)—a corporation of the Commonwealth, for the right to begin to transport, by motor vehicle, persons in limousine service, from points in Centre, Clinton and Lycoming Counties, to points in Pennsylvania, and return; excluding areas under the jurisdiction of the Philadelphia Parking Authority.

A-2010-2216522. Jere W. Martin (430 West South Avenue, Canton, Bradford County, PA 17724), persons in paratransit service, limited to persons whose personal convictions prevent them from owning or operating motor vehicles, from points in Bradford and Tioga Counties to points in Pennsylvania, and return.

A-2010-2216853. Kenneth J. Weaver (846 1/2 Balls-town Road, Lititz, Lancaster County, PA 19543), for the right to begin to transport persons, in paratransit service, limited to persons whose personal convictions prevent them from owning or operating motor vehicles, from points in the County of Lancaster to points in Pennsylvania, and return.

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

A-2010-2215541. Star Express Transport, LLC, t/a Star Express Shuttle Service (P. O. Box 61196, Harrisburg, Dauphin County, PA 17106), a corporation of the Commonwealth, for the additional right to transport, as a common carrier, by motor vehicle, persons in airport transfer service, from points in the Counties of Cumberland, Dauphin and York to the following airports: Harrisburg International Airport located in Dauphin County, Lancaster Airport located in Lancaster County, Lehigh Valley International Airport located in Lehigh County,

Philadelphia International Airport located in the Counties of Delaware and Philadelphia and Pittsburgh International Airport located in Allegheny County.

ROSEMARY CHIAVETTA,
Secretary

[Pa.B. Doc. No. 11-59. Filed for public inspection January 7, 2011, 9:00 a.m.]

Tentative Order

Public Meeting held
December 16, 2010

Commissioners Present: James H. Cawley, Chairperson; Tyrone J. Christy, Vice Chairperson; John F. Coleman, Jr.; Wayne E. Gardner; Robert F. Powelson

*Asia Talk Telecom, Inc.
(2009 Assessment Report);
A-311396*

Tentative Order

By the Commission:

Asia Talk Telecom, Inc. (Asia Talk) has failed to file its 2009 Assessment Report pursuant to section 510(b) of the Public Utility Code. 66 Pa.C.S. § 510(b). Specifically, 66 Pa.C.S. § 510(b) provides that:

On or before March 31 of each year, every public utility shall file with the commission a statement under oath showing its gross intrastate operating revenues for the preceding calendar year.

Asia Talk is a telecommunications interexchange reseller certificated at A-311396. Commission staff's several attempts to reach Asia Talk by mail and phone to file the missing report have been unsuccessful. However, in its investigation staff did learn from a former consultant for Asia Talk that they cannot reach the company either and that it is likely that Asia Talk is out of business.

The Commission puts the industry on notice that we will not hesitate to invoke our authority under the Public Utility Code to ensure timely compliance with our regulations and orders including the ordering of such other remedy as the Commission may deem appropriate. 66 Pa.C.S. §§ 504, 505, 506, and 3301. Based on the above facts, we tentatively conclude that it is appropriate to revoke Asia Talk's certificate of public convenience without the necessity of a formal complaint as being in the public interest. Furthermore, the Commission may take other appropriate action, including the imposition of penalties under section 3301, in lieu of cancellation, if Asia Talk seeks relief from this Tentative Order; *Therefore,*

It Is Ordered That:

1. Revocation of Asia Talk Telecom, Inc.'s certificate of public convenience is hereby tentatively approved as being in the public interest.

2. The Secretary serve a copy of this Tentative Order upon the Office of Consumer Advocate, the Office of Small Business Advocate, and the Office of Trial Staff, and also cause a copy of this Tentative Order to be published in the *Pennsylvania Bulletin* with a 30-day comment period.

3. Absent the filing of adverse public comment within 30 days after publication in the *Pennsylvania Bulletin*, this Tentative Order shall become final without further action by the Commission.

4. Upon this order becoming final, and without further action by the Commission, the certificate of public convenience held by Asia Talk Telecom, Inc. at A-311396 shall be canceled, and Asia Talk Telecom, Inc.'s name stricken from all active utility lists maintained by the Commission's Bureau of Fixed Utility Services and the Assessment Section of the Bureau of Administrative Services.

ROSEMARY CHIAVETTA,
Secretary

[Pa.B. Doc. No. 11-60. Filed for public inspection January 7, 2011, 9:00 a.m.]

Water Treatment and Distribution Operations

A-2010-2216685. Aldick Associates, Inc. Water Division Application of Aldick Associates, Inc. Water Division, for approval of the abandonment or discontinuance of its water treatment and distribution operations to the public in this Commonwealth.

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 January 24, 2011. 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, and at the applicant's business address.

Applicant: Aldick Associates, Inc.—Water Division

Through and By Counsel: Gino O. DiNicola, Esquire, Pfeiffer, Brown, DiNicola and Frantz, 1800 West End Avenue, Pottsville, PA 17901

ROSEMARY CHIAVETTA,
Secretary

[Pa.B. Doc. No. 11-61. Filed for public inspection January 7, 2011, 9:00 a.m.]

THADDEUS STEVENS COLLEGE OF TECHNOLOGY

Request for Bids

Thaddeus Stevens College of Technology is soliciting bids for Project 10-0002 for the following:

1—Platform—MicroScribe MLX System—66" spherical work space 33" of reach .003" (.0762 mm) accuracy

System includes: 1 MicroScribe MLX, 1 Tip calibration fixture, 1 USB Cable, 1 Universal Power Supply, 1 Hand Switch, 1 standard 60 deg tip, 1 Certificate of Accuracy, 1 getting started guide, 1 cardboard box with foam lining, 1 seat of MUS software 1 year Limited Warranty

1—Software—DezignWorks for Pro E. Works with G or M series Microscribe Educational pricing

1—Misc.—Training—4 hours of getting started web based MicroScribe and DezignWorks with ProE

Bid documents can be obtained from Nancy Froeschle, Thaddeus Stevens College, 750 East King Street, Lancaster, PA 17602, (717) 299-7787, fax (717) 391-3557 or froeschle@stevenscollege.edu.

DR. WILLIAM E. GRISCOM,
President

[Pa.B. Doc. No. 11-62. Filed for public inspection January 7, 2011, 9:00 a.m.]