

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 9, 2002 (P. L. 1572, No. 207), known as the Credit Union Code, has taken the following action on applications received for the week ending May 19, 2009.

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

Branch Applications

Branch Discontinuances

<i>Date</i>	<i>Name of Bank</i>	<i>Location</i>	<i>Action</i>
5-7-2009	Susquehanna Bank Lititz Lancaster County	2290 South George Street York York County	Filed
5-7-2009	Susquehanna Bank Lititz Lancaster County	606 Arch Street Williamsport Lycoming County	Filed
5-7-2009	Susquehanna Bank Lititz Lancaster County	Strawberry Square 15 North 3rd Street Harrisburg Dauphin County	Filed
5-7-2009	Susquehanna Bank Lititz Lancaster County	Normandie Ridge 1700 Normandie Drive York York County (Limited Service Facility)	Filed
5-7-2009	Susquehanna Bank Lititz Lancaster County	271 Market Street Lemoyne Cumberland County	Filed
5-7-2009	Susquehanna Bank Lititz Lancaster County	Village at Sprenkle Drive 1802 Folkemer Circle York York County (Limited Service Facility)	Filed
5-7-2009	Susquehanna Bank Lititz Lancaster County	Fairmount Homes 333 Wheat Ridge Drive Ephrata Lancaster County (Limited Service Facility)	Filed
5-13-2009	Beneficial Mutual Savings Bank Philadelphia Philadelphia County	604 Main Street Riverton Burlington County, NJ	Approved

NOTICES

SAVINGS INSTITUTIONS

No activity.

CREDIT UNIONS

Change of Principal Place of Business

<i>Date</i>	<i>Name of Credit Union</i>	<i>Location</i>	<i>Action</i>
5-14-2009	Bradford Area School Employees Credit Union Bradford McKean County	<i>To:</i> 32 York Street Bradford, PA 16701 McKean County <i>From:</i> 660 West Washington Street Bradford, PA 16701 McKean County	Effective

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

STEVEN KAPLAN,
Secretary

[Pa.B. Doc. No. 09-986. Filed for public inspection May 29, 2009, 9:00 a.m.]

DEPARTMENT OF ENVIRONMENTAL PROTECTION

Applications, Actions and Special Notices

APPLICATIONS

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

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

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

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

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

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

Persons wishing to comment on an NPDES application are invited to submit a statement to the regional office noted before an application within 30 days from the date of this public notice. Persons wishing to comment on a WQM permit application are invited to submit a statement to the regional office noted before the application within 15 days from the date of this public notice. Comments received within the respective comment periods will be considered in the final

determinations regarding the applications. Comments should include the name, address and telephone number of the writer and a concise statement to inform the Department of the exact basis of a comment and the relevant facts upon which it is based.

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

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

I. NPDES Renewal Applications

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

NPDES No. (Type)	Facility Name & Address	County & Municipality	Stream Name (Watershed #)	EPA Waived Y/N ?
PA0070009 (Sewage)	Cove Village Community R. R. 1 Box 3024 Zion Grove, PA 17985	Schuylkill County North Union Township	Catawissa Creek 5E	Y

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

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

NPDES No. (Type)	Facility Name & Address	County & Municipality	Stream Name (Watershed #)	EPA Waived Y/N ?
PA0086541 (IW)	Denver Cold Storage 555A Sandy Hill Road Denver, PA 17517-0399	Lancaster County West Cocalico Township	UNT Indian Run 7-J	Y

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

NPDES No. (Type)	Facility Name & Address	County & Municipality	Stream Name (Watershed #)	EPA Waived Y/N ?
PA0114545 IW	Troy E. Schoenly P. O. Box 156 Sylvania, PA 16945	Bradford County Troy Township	South Branch Sugar Creek 4C	Y

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

NPDES No. (Type)	Facility Name & Address	County & Municipality	Stream Name (Watershed #)	EPA Waived Y/N ?
PA0100790	Rose M. DeLoreto 6059 Grubb Road Erie, PA 16506-4608	Millcreek Township Erie County	UNT to Thomas Run 16-D	Y
PA0033588	Country Estates Mobile Home Park 1101 South Lake Road Mercer, PA 16137	Jefferson Township Mercer County	UNT to Lackawannock Creek 20-A	Y

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

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

PA0053538, Industrial Waste, SIC 2834, 2836 and 2833, **Merck & Company, Inc.**, 770 Sumneytown Pike, P. O. Box 4, WP20-208, West Point, PA 19486-0004. This existing facility is located in Upper Gwynedd Township, **Montgomery County**.

Description of Proposed Activity: Renewal of NPDES permit to discharge stormwater to onsite detention basins. Detention Basins 4 and 3 discharge through Outfalls 001 and 003, respectively. Detention Basin 2 discharges through Outfall 002.

The receiving streams, UNTs to Wissahickon and Towamencin Creeks, are in the State Water Plan Watersheds 3F and 3E, respectively. Both streams are classified for: TSF, aquatic life, water supply and recreation. The nearest downstream public water supply intake for Philadelphia Water Department is located on the Schuylkill River approximately 20 miles below Outfalls 001 and 003. The nearest downstream public water supply intake for Aqua America is located on Perkiomen Creek approximately 14 miles below Outfall 002.

The proposed effluent limits for Outfalls 001—003 are based on a design flow of an average storm event.

Parameters	Mass (lb/day)		Concentration (mg/l)		
	Average Monthly	Maximum Daily	Average Monthly	Maximum Daily	Instantaneous Maximum (mg/l)
Phosphorus as P			Monitor	Monitor	

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

1. Remedial Measures if Public Nuisance.
2. Dry Stream Discharge.
3. BAT/ELG Reopener.
4. Change in Ownership.
5. Stormwater Requirements.

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

PA0012823-A1, Industrial Waste, **PPL Martins Creek, LLC**, Two North Ninth Street, Allentown, PA 18101. This proposed facility is located in Lower Mt. Bethel Township, **Northampton County**.

Description of Proposed Activity: Amendment of existing NPDES permit.

The receiving stream, Delaware River, is in the State Water Plan Watershed 1F and is classified for: WWF. The nearest downstream public water supply intake for Easton Water Authority is located on the Delaware River and is 9 miles below the point of discharge.

Outfall 010—The proposed effluent limits based on a design flow of 0.024 (sewage treatment plant).

Parameter	Monthly Average (mg/l)	Daily Maximum (mg/l)	Instantaneous Maximum (mg/l)
CBOD ₅	25		50
Total Suspended Solids	30		60
NH ₃ -N	20		40
Dissolved Oxygen	Minimum of 2 at all times.		
Fecal Coliform	200/100 ml Geometric Average		
Total Residual Chlorine	1.2		2.8
pH	6 to 9 at all times		
Dissolved Oxygen	Minimum 2.0 mg/L at all times		

Outfall 011 (Stilling Pond)

Parameter	Monthly Average (mg/l)	Daily Maximum (mg/l)	Instantaneous Maximum (mg/l)
Total Suspended Solids	Monitor and Report		
Oil and Grease	Monitor and Report		
pH	Monitor and Report		

Monitoring Point 213

The proposed effluent limits based on a design flow of 5.09 mgd are:

Parameter	Monthly Average (mg/l)	Weekly Average (mg/l)
Free Available Chlorine	.2	.5
TSS	30	100
Oil and Grease	15	30
Arsenic	Monitor and Report	
Cadmium	Monitor and Report	
Total Chromium	0.2	0.2
Copper	Monitor and Report	
Lead	Monitor and Report	
Selenium	Monitor and Report	
Zinc	1.0	1.0
Nickel	Monitor and Report	
Vanadium	Monitor and Report	
Total Iron	Monitor and Report	
pH	Monitor and Report	

Monitoring Point 413

The proposed effluent limits based on a design flow of 2.68 mgd are:

<i>Parameter</i>	<i>Monthly Average (mg/l)</i>	<i>Daily Maximum (mg/l)</i>	<i>Instantaneous Maximum (mg/l)</i>
Total Suspended Solids	30	100	
Oil and Grease	15	20	
Free Available Chlorine	0.2	0.5	
Arsenic	Monitor and Report		
Cadmium	Monitor and Report		
Total Chromium	Monitor and Report		
Copper	Monitor and Report		
Lead	Monitor and Report		
Selenium	Monitor and Report		
Zinc	Monitor and Report		
Nickel	Monitor and Report		
Vanadium	Monitor and Report		

Outfall 013 (combined discharge of MP413 and MP213)

The proposed limits based on a design flow of 7.77 mgd.

<i>Parameter</i>	<i>Monthly Average (mg/l)</i>	<i>Daily Maximum (mg/l)</i>	<i>Instantaneous Maximum (mg/l)</i>
Temperature	Monitor and Report		
pH	6 to 9 Standard Units at all times.		
Arsenic	Monitor and Report		
Cadmium	Monitor and Report		
Total Chromium	Monitor and Report		
Copper	Monitor and Report		
Lead	Monitor and Report		
Selenium	Monitor and Report		
Zinc	Monitor and Report		
Nickel	Monitor and Report		
Vanadium	Monitor and Report		

Outfalls 015 and 101—103—Stormwater—No exposure.

The EPA waiver in effect.

PA#0060879, Sewage, **Country Club Estates Condominium Association, Inc.**, 2930 Fairview Street, Allentown, PA 18104. This facility is located in Mahoning Township, **Carbon County**.

Description of Proposed Activity: This application is for renewal of an NPDES permit to discharge treated sewage and also proposes to increase the design flow from 0.0126 mgd to 0.030 mgd.

The receiving stream, UNT to Mahoning Creek, is in State Water Plan Watershed 02B and has an existing use of EV. The nearest downstream public water supply intake is for Northampton Borough Water Authority on the Lehigh River, approximately 27 miles below the point of discharge.

The proposed effluent limits for Outfall 001 based on the present design flow of 0.0126 mgd.

<i>Parameter</i>	<i>Monthly Average (mg/l)</i>	<i>Daily Maximum (mg/l)</i>	<i>Instantaneous Maximum (mg/l)</i>
CBOD ₅	25		50
Total Suspended Solids	30		60
Fecal Coliform (5-1 to 9-30)	200/100 ml as a Geometric Mean		
(10-1 to 4-30)	2,000/100 ml as a Geometric Mean		
pH	6.0 to 9.0 Standard Units at all times.		
Total Residual Chlorine	1.2		2.4

The proposed effluent limits for Outfalls 001 based on the proposed design flow of 0.030 mgd:

<i>Parameter</i>	<i>Monthly Average (mg/l)</i>	<i>Daily Maximum (mg/l)</i>	<i>Instantaneous Maximum (mg/l)</i>
CBOD ₅	15		30
Total Suspended Solids	18		36
NH ₃ -N (5-1 to 10-31)	1.3		2.6
(11-1 to 4-30)	3.9		7.8
NO ₂ + NO ₃ -N	9.6		19

<i>Parameter</i>	<i>Monthly Average (mg/l)</i>	<i>Daily Maximum (mg/l)</i>	<i>Instantaneous Maximum (mg/l)</i>
Phosphorus as "P"	1.7		3.4
Dissolved Oxygen	A minimum of 7.0 mg/l at all times.		
Fecal Coliform (5-1 to 9-30)	200/100 ml as a Geometric Mean		
(10-1 to 4-30)	2,000/100 ml as a Geometric Mean		
pH	6.0 to 9.0 Standard Units at all times.		
Total Residual Chlorine	Nondetectable		

The EPA waiver is in effect.

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

Application No. PA 0261327, Industrial Waste, SIC Code 4922, **Texas Eastern Transmission, LP**, 890 Winter Street, Suite 300, Waltham, MA 02451. This facility is located in Juniata and Harrison Townships, **Bedford County**; Ayr Township, **Fulton County**; and Peters Township, **Franklin County**.

Description of activity: The application is for issuance of an NPDES permit for a new discharge of treated industrial waste associated with hydrostatic testing of natural gas pipelines.

Outfalls 001 and 002 (Juniata Township, Bedford County): The receiving stream, UNT of Little Wills Creek, is in Watershed 13A, and classified for HQ-CWF, water supply, recreation and fish consumption. The nearest downstream public water supply intake is in Hancock, MD located on the Potomac River. The discharge is not expected to affect the water supply.

Outfall 003 (Juniata Township, Bedford County): The receiving stream, Little Wills Creek, is in Watershed 13A, and classified for HQ-CWF, water supply, recreation and fish consumption. The nearest downstream public water supply intake is in Hancock, MD located on the Potomac River. The discharge is not expected to affect the water supply.

Outfall 004 (Harrison Township, Bedford County): The receiving stream, UNT of Little Wills Creek, is in Watershed 13A, and classified for HQ-CWF, water supply, recreation and fish consumption. The nearest downstream public water supply intake is in Hancock, MD located on the Potomac River. The discharge is not expected to affect the water supply.

Outfall 005 (Ayr Township, Fulton County): The receiving stream, Big Cove Creek, is in Watershed 13B, and classified for CWF, water supply, recreation and fish consumption. The nearest downstream public water supply intake is in Hagerstown, MD located on the Potomac River. The discharge is not expected to affect the water supply.

Outfall 006 (Peters Township, Franklin County): The receiving stream, UNT to West Branch Conococheague Creek, is in Watershed 13C, and classified for TSF, MF, water supply, recreation and fish consumption. The nearest downstream public water supply intake is in Hagerstown, MD located on the Potomac River. The discharge is not expected to affect the water supply.

The proposed effluent limits for Outfalls 001—006 are:

<i>Parameter</i>	<i>Mass (lb/day)</i>		<i>Concentration (mg/l)</i>		
	<i>Average Monthly</i>	<i>Maximum Daily</i>	<i>Average Monthly</i>	<i>Maximum Daily</i>	<i>Instantaneous Maximum</i>
Flow (mgd)	Report	Report	XXX	XXX	XXX
Duration (Hours)	XXX	Report	XXX	XXX	XXX
pH (Standard Units)	XXX	XXX	XXX	XXX	9.0
Dissolved Oxygen	XXX	XXX	XXX	XXX	XXX
Suspended Solids	XXX	XXX	Report	XXX	60
Oil and Grease	XXX	XXX	Report	XXX	30
Iron	XXX	XXX	Report	XXX	7.0
Benzene	XXX	XXX	Report	XXX	0.0025
Ethylbenzene	XXX	XXX	Report	XXX	Report
Toluene	XXX	XXX	Report	XXX	Report
Xylenes, Total	XXX	XXX	Report	XXX	Report
BTEX	XXX	XXX	Report	XXX	0.25
PCBs (Total)	XXX	XXX	Report	XXX	Report
Total Residual Chlorine	XXX	XXX	Report	XXX	0.05

Persons may make an appointment to review the Department of Environmental Protection's files on this case by calling the file review coordinator at (717) 705-4732.

The EPA waiver is in effect.

Application No. PA 0051641, Sewage, **Daniel Boone Homestead**. This facility is located in Exeter Township, **Berks County**.

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

The receiving stream, Owatin, is in Watershed 3-D, and classified for WWF, water supply, recreation and fish consumption. The nearest downstream public water supply intake for Borough of Pottstown Water and Sewer Authority is located on the Schuylkill River, approximately 8 miles downstream. The discharge is not expected to affect the water supply.

The proposed effluent limits for Outfall 001 for a design flow of 0.008 mgd are:

Parameter	Average		Instantaneous Maximum (mg/l)
	Monthly (mg/l)	Weekly (mg/l)	
CBOD ₅	25		50
Total Suspended Solids	30		60
NH ₃ -N	20		40
Total Residual Chlorine	1.5		2.5
Dissolved Oxygen	Minimum of 5.0 at all times		
pH	From 6.0 to 9.0 inclusive		
Fecal Coliform	200/100 ml as a Geometric Average		
(5-1 to 9-30)	2,000/100 ml as a Geometric Average		
(10-1 to 4-30)			

The proposed effluent limits for Outfall 001 for a design flow of 0.008 mgd are:

Parameter	Average		Instantaneous Maximum (mg/l)
	Monthly (mg/l)	Weekly (mg/l)	
CBOD ₅	25		50
Total Suspended Solids	30		60
NH ₃ -N	20		40
Total Residual Chlorine	0.5		1.6
Dissolved Oxygen	Minimum of 5.0 at all times		
pH	From 6.0 to 9.0 inclusive		
Fecal Coliform	200/100 ml as a Geometric Average		
(5-1 to 9-30)	2,000/100 ml as a Geometric Average		
(10-1 to 4-30)			

Persons may make an appointment to review the Department of Environmental Protection's files on this case by calling the file review coordinator at (717) 705-4732.

The EPA waiver is not in effect.

Application No. PA 0027189, Sewage, **Lower Allen Township Authority**, 120 Limekiln Road, New Cumberland, PA 17070. This facility is located in Lower Allen Township, **Cumberland County**. The discharge is located in Fairview Township, **York County**.

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

The receiving stream, Susquehanna River, is in Watershed 7-E, and classified for WWF, water supply, recreation and fish consumption. The nearest downstream public water supply intake for Wrightsville Water Supply is located on the Susquehanna River, approximately 25 miles downstream. The discharge is not expected to affect the water supply.

The proposed permit revises the milestone dates in the schedule for complying with the Chesapeake Bay nutrient cap loads.

Persons may make an appointment to review the Department of Environmental Protection's files on this case by calling the file review coordinator at (717) 705-4732.

The EPA waiver is not in effect.

Application No. PA 0051781, Industrial Waste, SIC Code 4941, **Reading Area Water Authority (Maiden Creek Water Filtration Plant)**, 815 Washington Street, Reading, PA 19601. This facility is located in Ontelaunee Township, **Berks County**.

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

The receiving stream, Maiden Creek, is in Watershed 3-B, and classified for WWF, water supply, recreation and fish consumption. The nearest downstream public water supply intake is the Borough of Pottstown Water and Sewer Authority located on the Schuylkill River, approximately 30 miles downstream. The discharge is not expected to affect the water supply.

The proposed effluent limits for Outfall 001 for a design flow of 3.00 mgd are:

Parameter	Mass (lb/day)		Concentration (mg/l)		
	Average Monthly	Maximum Daily	Average Monthly	Maximum Daily	Instantaneous Maximum
pH	From 6.0 to 9.0 inclusive				
Total Aluminum	31	62	1.25	2.5	3.12
Total Iron	50	100	2	4	5

Parameter	Mass (lb/day)		Concentration (mg/l)		
	Average Monthly	Maximum Daily	Average Monthly	Maximum Daily	Instantaneous Maximum
Total Manganese	25	50	1	2	2.5
Total Residual Chlorine			0.134		0.439
Total Suspended Solids	750	1,500	30	60	75

The proposed effluent limits for Outfall 002 for a design flow of 0.26 mgd are:

Parameter	Mass (lb/day)		Concentration (mg/l)		
	Average Monthly	Maximum Daily	Average Monthly	Maximum Daily	Instantaneous Maximum
pH			From 6.0 to 9.0 inclusive		
Total Aluminum	Report	Report	Report	Report	Report
Total Iron	Report	Report	Report	Report	Report
Total Manganese	Report	Report	Report	Report	Report
Total Residual Chlorine			0.134		0.439
Total Suspended Solids	65	130	30	60	75

Persons may make an appointment to review the Department of Environmental Protection's files on this case by calling the file review coordinator at (717) 705-4732.

The EPA waiver is not in effect.

Application No. PA 0024384, Sewage, **North Middleton Authority**, 240 Clearwater Drive, Carlisle, PA 17013-1185. This facility is located in North Middleton Township, **Cumberland County**.

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

The receiving stream, Conodoguinet Creek, is in Watershed 7-B, and classified for WWF, water supply, recreation and fish consumption. The nearest downstream public water supply intake for Pennsylvania American Water is located on the Conodoguinet Creek, approximately 14.7 miles downstream. The discharge is not expected to affect the water supply.

The proposed effluent limits for Outfall 001 for a design flow of 1.3 mgd are:

Parameter	Average Monthly (mg/l)	Average Weekly (mg/l)	Instantaneous Maximum (mg/l)
CBOD ₅	25	40	50
Total Suspended Solids	30	45	60
NH ₃ -N			
(5-1 to 10-31)	9.0		18
(11-1 to 4-30)	16		34
Total Residual Chlorine	0.5		1.6
Total Phosphorus	2.0		4.0
Dissolved Oxygen		Minimum of 5.0 at all times	
pH		From 6.0 to 9.0 inclusive	
Fecal Coliform		200/100 ml as a Geometric Average	
(5-1 to 9-30)		2,000/100 ml as a Geometric Average	
(10-1 to 4-30)			

Chesapeake Bay Requirements

	Concentration (mg/L)		Mass (lbs)	
	Monthly Average	Monthly	Monthly	Annual
Ammonia-N	Report	Report	Report	Report**
Kjeldahl-N	Report	Report	Report	XXX
Nitrate-Nitrite as N	Report	Report	Report	XXX
Total Nitrogen	Report	Report	Report	Report
Total Phosphorus	Report	Report	Report	Report
Net Total Nitrogen	XXX	Report	Report	16,895*
Net Total Phosphorus	XXX	Report	Report	2,253*

* The permit contains conditions which authorize the permittee to apply nutrient reduction credits, to meet the Net Total Nitrogen and Net Total Phosphorus effluent limits, under the Department of Environmental Protection's (Department) Trading of Nutrient and Sediment Reduction Credits Policy and Guidelines (392-0900-001, December 30, 2006). The conditions include the requirement to report application of these credits in Supplemental Discharge Monitoring Reports (DMRs) submitted to the Department.

* Net Total Nitrogen and Net Total Phosphorus limits compliance date will begin on October 1, 2012. Since these reporting requirements are annual loads, reporting on compliance with the annual limitations will be required on the Supplemental DMR—Annual Nutrient Summary by November 28, 2013. The 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, 2013.

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

Persons may make an appointment to review the Department's files on this case by calling the file review coordinator at (717) 705-4732.

The EPA waiver is not in effect.

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

PA0204064, Sewage, **Jeffrey S. and Laura A. Robson**, 829 Bailey's Run Road, Tarentum, PA 15084. This application is for renewal of an NPDES permit to discharge treated sewage from Robson Single-Residence STP in Frazer Township, **Allegheny County**.

The following effluent limitations are proposed for discharge to the receiving waters, known as Bailey Run, which are classified as a WWF with existing and/or potential uses for aquatic life, water supply and recreation. The first downstream potable water supply intake from this facility is the Cheswick Borough Water Department.

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

Parameter	Concentration (mg/l)			
	Average Monthly	Average Weekly	Maximum Daily	Instantaneous Maximum
CBOD ₅	25			50
Suspended Solids	30			60
Fecal Coliform	200/100 ml as a Geometric Mean			
(5-1 to 9-30)	2,000/100 ml as a Geometric Mean			
(10-1 to 4-30)				
Total Residual Chlorine	not less than 6.0 nor greater than 9.0			
pH	not less than 6.0 nor greater than 9.0			

The EPA waiver is in effect.

PA0095010, Industrial Waste, SIC, 4941, **Greater Johnstown Water Authority**, 640 Franklin Street, P. O. Box 1407, Johnstown, PA 15907. This application is for renewal of an NPDES permit to discharge treated process water and stormwater from the Riverside Water Plant in Stonycreek Township, **Cambria County**.

The following effluent limitations are proposed for discharge to the receiving waters, Stony Creek, classified as a WWF with existing and/or potential uses for aquatic life, water supply and recreation. The first existing/proposed downstream potable water supply is the Saltsburg Water Authority, located at Saltsburg, 52 miles below the discharge point.

Outfall 001: existing discharge, design flow of 0.243 mgd.

Parameter	Mass (lb/day)		Concentration (mg/l)		
	Average Monthly	Maximum Daily	Average Monthly	Maximum Daily	Instantaneous Maximum
Flow (mgd)	Monitor and Report				
TSS			30		60
Aluminum			4		8
Iron			2		4
Manganese			1		2
TRC			0.5		1.0
pH	not less than 6.0 nor greater than 9.0				

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

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

WQM Permit No. 3909403, Sewerage, **Upper Macungie Township Authority**, 8330 Schantz Road, Breinigsville, PA 18031. This proposed facility is located in Upper Macungie Township, **Lehigh County**.

Description of Proposed Action/Activity: This project consists of construction of a new 18" PVC sewer line for Upper Macungie Township Authority from Sanitary Manhole LW11 to Sanitary Manhole 1829 which will reroute a significant amount of the sewer flows contribution to the existing system. Lehigh County Authority will provide conveyance facilities for the project by means of the Iron Run Pump Station and Western Lehigh Interceptor.

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

WQM Permit No. 3609403, Sewerage, **West Earl Sewer Authority**, 157 West Metzler Road, P. O. Box 787, Brownstown, PA 17508. This proposed facility is located in West Earl Township, **Lancaster County**.

Description of Proposed Action/Activity: Construction of approximately 12,000 feet of a Lower Pressure Sewer System consisting of approximately 105 grinder pump units. The system will provide service to approximately 130 EDU's and serve the Village of Talmage.

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

WQM Permit No. 1909401, Sewage 4952, **Bloomsburg Municipal Authority**, 301 East Second Street, Bloomsburg, PA 17815. This proposed facility is located in Town of Bloomsburg, **Columbia County**.

Description of Proposed Action/Activity: The applicant proposes to renovate the Mary Avenue Pump Station and install a new force main.

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

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

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

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

<i>NPDES Permit No.</i>	<i>Applicant Name & Address</i>	<i>County</i>	<i>Municipality</i>	<i>Receiving Water/Use</i>
PAI030709002	James and Deborah Faith R. R. 2 Box 583 A Hollidaysburg, PA 16648	Blair	Frankstown Township	New Creek HQ-CWF
PAI030607004-1	Curtis Morton 133 Benfield Road Macungie, PA 18062	Berks	Longswamp Township	Little Lehigh Creek HQ-CWF
PAI032109006	Residential Homes, Et Al Jefferson Court II 1545 Holly Pike Carlisle, PA 17015	Cumberland	South Middleton Township	Letort Spring Run EV

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>
PAI050409001	Newell Rubbermaid, Inc. 2707 Butterfield Road Suite 100 Oak Brook, IL 60523-1267	Beaver	Center Township	UNT Upper Ohio River WWF

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

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

STATE CONSERVATION COMMISSION

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

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

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

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

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

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

NUTRIENT MANAGEMENT PLAN—PUBLIC NOTICE SPREADSHEET—APPLICATIONS

<i>Agricultural Operation Name and Address</i>	<i>County</i>	<i>Total Acres</i>	<i>Animal Equivalent Units</i>	<i>Animal Type</i>	<i>Special Protection Waters (HQ or EV or NA)</i>	<i>Renewal/New</i>
Oscar Manbeck 10 Fort Henry Road Bethel, PA 17507	Berks	771.1	840.91	Swine	None	New
Jay Deiter 2040 River Road Bainbridge, PA 17502	Lancaster	135.8	612.5	Swine and Heifers	NA	Renewal

PUBLIC WATER SUPPLY (PWS) PERMIT

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

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

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

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

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

SAFE DRINKING WATER

Applications Received under the Pennsylvania Safe Drinking Water Act

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

Permit No. 5608507 correction, Public Water Supply.

Applicant **Jenner Township**
2058 Lincoln Highway
Boswell, PA 15531

Township or Borough	Jenners Township
Responsible Official	Keith Barnick, Chairperson Jenner Township 2058 Lincoln Highway Boswell, PA 15531
Type of Facility	Laurel Mountain Village
Consulting Engineer	The EADS Group, Inc. 1126 Eighth Avenue Altoona, PA 16602
Application Received Date	October 9, 2008
Description of Action	Construction of a well, addition of sodium hypochlorite system, polyphosphate sequestering system, a 2,000 gallon water storage tank and a 30,000 gallon water storage tank.

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

Wellhead Protection Program Approval issued to Buhl Community Water Company, 372 Old Ash Road, Mercer, PA 16137, PWSID No. 6430049, Springfield Township, **Mercer County** on May 12, 2009.

LAND RECYCLING AND ENVIRONMENTAL REMEDIATION

UNDER ACT 2, 1995

PREAMBLE 1

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

Sections 302—305 of the Land Recycling and Environmental Remediation Standards Act (act) require the Department of Environmental Protection (Department) to publish in the *Pennsylvania Bulletin* an acknowledgment noting receipt of Notices of Intent to Remediate. An acknowledgment of the receipt of a Notice of Intent to Remediate is used to identify a site where a person proposes to, or has been required to, respond to a release of a regulated substance at a site. Persons intending to use the Background Standard, Statewide Health Standard, the Site-Specific Standard or who intend to remediate a site as a special industrial area must file a Notice of Intent to Remediate with the Department. A Notice of Intent to Remediate filed with the Department provides a

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

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

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

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

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

Lakeside Energy, 10 Maplewood Drive, Hazle Township, **Luzerne County**. Jeffrey C. Thomas, Epsys Corp., 1414 North Cameron Street, Harrisburg, PA 17103 has submitted a Notice of Intent to Remediate (on behalf of his client, Lakeside Energy, LLC, 150 North Michigan Avenue, Suite 2930, Chicago, IL 60601), concerning the remediation of soils found to have been impacted by motor oil when discovered in December 2008. The applicant proposes to remediate the site to meet the Statewide Health Standard. The proposed future use of the property will be nonresidential for use as a power generation facility. A summary of the Notice of Intent to Remediate is expected to be published in a local newspaper serving the general area sometime in the near future.

Reihman Property, 739 East Emmaus Avenue, Salisbury Township, **Lehigh County**. Ronald F. Herrygers, Herrygers Environmental Services, LLC, 214 Beltrees Drive, Lexington, SC 29072 has submitted a Notice of Intent to Remediate (on behalf of his client, Greg Reihman, 739 East Emmaus Avenue, Allentown, PA 18103), concerning the remediation of No. 2 fuel oil as a result of a release from a basement heating oil tank due

to a loose tank cap. The applicant proposes to remediate the site to meet the Statewide Health Standard. The intended future use of the property is residential. A summary of the Notice of Intent to Remediate is expected to be published in a local newspaper serving the general area sometime in the near future.

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

Hoyt's Fuel Service Petroleum Release/Geffken Residence, Boggs Township, **Centre County**. Global Environmental Management, 416 Anthony Street, Carnegie, PA 15106 on behalf of Hoyt's Fuel Service, 965 Broadway Road, Shickshinny, PA 18655-3839 has submitted a Notice of Intent to Remediate soil and groundwater contaminated with No. 2 fuel oil. The applicant proposes to remediate the site to meet the Statewide Health Standard. The intended future use of the property is residential.

Jeff and Chris Jeanguenat Property, Town of Bloomsburg, **Columbia County**. Northridge Group, Inc., 1172 Ridge Road, Northumberland, PA 17857 on behalf of Jeff and Chris Jeanguenat, 364 East Second Street, Bloomsburg, PA 17815 has submitted a Notice of Intent to Remediate soil contaminated with No. 2 heating oil. The applicant proposes to remediate the site to meet the Statewide Health Standard. The site will remain a residential property.

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

YTI, McKees Rocks Borough, **Allegheny County**. John Oberer, GZA GeoEnvironmental, Inc., 501 Office Center Drive, Suite 220, Forth Washington, PA 19034 on behalf of Ruben Byerley, YRC North American Transportation, 10990 Roe Avenue, Overland Park, KS 66211 has submitted a Notice of Intent to Remediate. The groundwater concentration profile is generally consistent with a release of chlorinated solvents at an up gradient offsite location. Several compounds were detected above the relevant MSCs in soil and groundwater samples below 20 feet below ground. A Background Standard has been proposed for groundwater, soils may not need to be remediated. The site will remain nonresidential and will require an environmental covenant.

Bay Valley Foods, LLC, City of Pittsburgh, **Allegheny County**. Mary M. Washko, P. G., Groundwater & Environmental Services, Inc., 800 Commonwealth Drive, Suite 201, Warrendale, PA 15086 on behalf of Tim Wolf, Bay Valley Foods, LLC, P. O. Box 19057 has submitted a Notice of Intent to Remediate. The Bay Valley Foods Facility is part of the former Heinz Plant in the North Side section of Pittsburgh. The characterization of sites 1 and 2 within the property identified various volatile and semi-VOCs and metals in soil and groundwater that exceed applicable used aquifer residential Statewide Health Standards. A combination of Statewide Health and Site-Specific Standards are being proposed to attain an Act 2 relief of liability. The site will remain industrial.

Norwin Towne Square Dry Cleaners, North Huntingdon Township, **Westmoreland County**. Bruce Shaw, American Geosciences, Inc., 3925 Reed Boulevard, Suite 400, Murrysville, PA 15668 on behalf of Steven Kasunich, Soffer Organization, 424 South 27th Street, Pittsburgh, PA 15203 has submitted a Notice of Intent to Remediate. A former dry cleaner in Norwin Towne Square was the subject of Phase I and Phase II investigations. These investigations identified soil and groundwater im-

pacted by PCE, TEC, CIS-1,2-Dichloroethene and Vinyl Chloride. Activity dry cleaning is no longer performed at the property, however, it is used as a drop off and pick up of dry-cleaned material. A nonresidential Site-Specific Standard is proposed for the site.

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. 101468. TransRiver Philadelphia, LLC, 3600 South 26th Street, Philadelphia, PA 19145. This application is for a permit reissuance of the existing permit for Girard Point Transfer Station from Republic Services, Inc. to TransRiver Philadelphia, LLC. The Girard Point Transfer Station is a municipal waste transfer facility located at 3600 South 26th Street in the City of Philadelphia, **Philadelphia County**. The application was received by the Southeast Regional Office on May 1, 2009.

Permit Application No. 101477. TransRiver Philadelphia, LLC, 2209 South 58th Street, Philadelphia, PA 19143. This application is for a permit reissuance of the existing permit for 58th Street Transfer Station from BFI Transfer System of Pennsylvania, LLC to TransRiver Philadelphia, LLC. The 58th Street Transfer Station is a municipal waste transfer facility, formerly known as, Philadelphia Transcyclery facility, located at 2209 South 58th Street in the City of Philadelphia, **Philadelphia County**. The application was received by the Southeast Regional Office on May 1, 2009.

AIR QUALITY

PLAN APPROVAL AND OPERATING PERMIT APPLICATIONS NEW SOURCES AND MODIFICATIONS

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

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

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

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

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

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

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

PLAN APPROVALS

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

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

13-316-001: Keystone Pellet, Inc. (5405 Hoffman Drive S, Schnecksville, PA 18078) for construction of a new wood pellet process at their facility in Lower Towamensing Township, **Carbon County**.

Northwest Region: Air Quality Program, 230 Chestnut Street, Meadville, PA 16335-3481, George Monasky, New Source Review Chief, (814) 332-6940.

10-356A: Linde North America, Inc. (575 Mountain Avenue, Murray Hill, NJ 07974) for construction of an air separation unit in Butler Township, **Butler County**.

In accordance with 25 Pa. Code §§ 127.44(b) and 127.424(b), the Department of Environmental Protection intends to issue a plan approval for construction of an air separation unit, which includes an oxygen vaporizer and mole sieve regenerator, both fired by natural gas burners at the their facility in Butler Township, Butler County. This facility is a support facility to AK Steel's Butler Works.

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

Department of Public Health, Air Management Services: 321 University Avenue, Philadelphia, PA 19104, Edward Braun, Chief, (215) 685-9476.

AMS 09064: Seravalli, Inc. (10059 Sandmeyer Lane, Philadelphia, PA 19116) for operation of a nonmetallic mineral processing plant consisting of an Extec Megabyte C-12 concrete crusher with a 366 horsepower diesel engine and an Extec Robotrac screener powered by a 111

horsepower diesel engine in the City of Philadelphia, **Philadelphia County**. There will be a potential annual emission increase of 2 tons of NOx and 2 tons of PM for the facility. The Plan Approval will contain operating, testing, monitoring, recordkeeping and reporting requirements to ensure operation within all applicable 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.

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

56-00232: Shade Landfill, Inc. (625 Cherrington Parkway, Moon Township, PA 15108) for a Title V renewal operating permit for their municipal solid waste landfill in Shade Township, **Somerset County**. The Company operates a landfill, a gas control system and a soil processing system at this site.

Department of Public Health, Air Management Services: 321 University Avenue, Philadelphia, PA 19104, Edward Braun, Chief, (215) 685-9476.

V05-004: Temple University—Main Campus (1009 West Montgomery Avenue, Philadelphia, PA 19122) for operation of a college, university and professional school in the City of Philadelphia, **Philadelphia County**. The Title V facility's air emission sources include the following: five 41.24—63.9 mmBtu/hr boilers firing natural-gas (NG) or No. 6 fuel oil; one 20.92 mmBtu/hr boiler firing NG; three 86.8—91.3 mmBtu/hr boilers firing NG or No. 2 fuel oil; three 9.996 mmBtu/hr boilers firing NG or No. 2 fuel oil; two 2.396 2.887—2.887 mmBtu/hr boilers firing NG or No. 2 fuel oil; 11 boilers or water heaters, each rated 2.0 mmBtu/hr or less, firing NG; 10 2,250 horsepower standby generators firing natural gas; 12 emergency generators, each rated 170 kW or less, firing NG; 32 emergency generators, each rated 1,825 kW or less, firing No. 2 fuel oil; and one 110 horsepower fire pump firing No. 2 fuel oil.

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

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

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

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

15-00132: Cephalon, Inc. (145 Brandywine Parkway, West Chester, PA 19380) for a non-Title V, State-only, Synthetic Minor Operating Permit in West Goshen Township, **Chester County**. Cephalon, Inc. operates a pharmaceutical research and development facility where a number of boilers and electric generators operated and have the potential to exceed major source thresholds of NOx. The facility has elected to take appropriate operating and emission restrictions to restrict NOx emissions to below 25 tpy and maintain a minor operating status. Monitoring, recordkeeping and reporting requirements have been added to the permit to address applicable limitations.

Southcentral Region: Air Quality Program, 909 Elmerton Avenue, Harrisburg, PA 17110, William R. Weaver, New Source Review Chief, (717) 705-4702.

06-05079: United Corrstack, LLP (720 Laurel Street, Reading, PA 19602) for production of roll stock paper from recycled paper at their facility in the City of Reading, **Berks County**. This is a renewal of the State-only operating permit issued in December 2004.

36-03054: Esbenshades Greenhouses, Inc. (546 East 28th Division Highway, Lititz, PA 17543) for their greenhouse operation in Elizabeth Township, **Lancaster County**. This is a renewal of the State-only operating permit issued in 2004.

COAL AND NONCOAL MINING ACTIVITY APPLICATIONS

Applications under the Surface Mining Conservation and Reclamation Act (52 P. S. §§ 1396.1—1396.19a); the Noncoal Surface Mining Conservation and Reclamation Act (52 P. S. §§ 3301—3326); The Clean Streams Law (35 P. S. §§ 691.1—691.1001); the Coal Refuse Disposal Act (52 P. S. §§ 30.51—30.66); The Bituminous Mine Subsidence and Land Conservation Act (52 P. S. §§ 1406.1—1406.21). Mining activity permits issued in response to such applications will also address the applicable permitting requirements of the following statutes: the Air Pollution Control Act (35 P. S. §§ 4001—4015); the Dam Safety and Encroachments Act (32 P. S. §§ 693.1—693.27); and the Solid Waste Management Act (35 P. S. §§ 6018.101—6018.1003).

The following permit applications to conduct mining activities have been received by the Department of Environmental Protection (Department). A copy of the application is available for inspection at the District Mining Office indicated above each application. Where a 401 Water Quality Certification is needed for any aspect of a particular proposed mining activity, the submittal of the permit application will serve as the request for the certification.

Written comments or objections, or requests for an informal conference, or a public hearing, as applicable, on a mining permit application may be submitted by any person or any officer or head of any Federal, State or local government agency or authority to the Department at the address of the district mining office indicated above each application within 30 days of this publication, or within 30 days after the last publication of the applicant's newspaper advertisement, as provided by 25 Pa. Code §§ 77.121—77.123 and 86.31—86.34.

Written comments or objections related to a mining permit application should contain the name, address and telephone number of persons submitting comments or objections; application number; and a statement of suffi-

cient detail to inform the Department on the basis of comment or objection and relevant facts upon which it is based.

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

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

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

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

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

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

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

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

Coal Applications Received

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

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

¹ The parameter is applicable at all times.

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

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

32010111 and NPDES No. PA0249050. Alverda Enterprises, Inc., P. O. Box 87, Alverda, PA 15710, revision of an existing bituminous surface mine to add 4.3 acres to

the total SMP acres in Pine Township, **Indiana County**, affecting 34.6 acres. Receiving stream: UNT to Yellow Creek classified for the following use: CWF. There are no potable water supply intakes within 10 miles downstream. Application received May 7, 2009.

56050104 and NPDES No. PA 0249777. Hoffman Mining, Inc., 118 Runway Road, P. O. Box 130, Friedens, PA 15541, permit revision of an existing bituminous surface auger mine to change land use from woodland to unmanaged natural habitat in Paint Township, **Somerset County**, affecting 161.7 acres. Receiving stream: Shade Creek, classified for the following use: CWF. There are no

potable water supply intakes within 10 miles downstream. Application received April 16, 2009.

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

10080103 and NPDES Permit No. PA0258661. Ben Hal Mining Company (389 Irishtown Road, Grove City, PA 16127). Revision to an existing bituminous surface strip and auger operation in Concord Township, **Butler County** affecting 123.5 acres. Receiving streams: Two UNTs to Pine Run, classified for the following use: WWF and Two UNTs to Connoquenessing Creek, classified for the following use: HQ-WWF. The first downstream potable water supply intake from the point of discharge is Pennsylvania American Water Company. Revision to include a request to add 7.5 acres of mining area to the permit. Application received May 14, 2009.

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

17090104 and NPDES No. PA0257141. RES Coal, LLC (224 Grange Hall Road, P. O. Box 228, Armagh, PA 15920). Commencement, operation and restoration of a bituminous surface and auger mine in Woodward Township, **Clearfield County**, affecting 236.0 acres. Receiving streams: Whiteside Run and Moshannon Creek, classified for the following use: CWF. There are no potable water supply intakes within 10 miles downstream. Application received May 12, 2009.

Noncoal Applications Received

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

26090601. John Joseph (470 Vanderbilt Road, Conellsville, PA 15425). Application for commencement, operation and reclamation of large noncoal surface mine, located in Dunbar Township, **Fayette County**, affecting 14.6 acres. Receiving stream: UNT to Dickerson Run, classified for the following use: WWF. There is no potable water supply intake within 10 miles downstream from the point of discharge. Application received May 5, 2009.

65092801. Gary M. Sukala (1723 Ridge Avenue, Arnold, PA 15068). Application for commencement, operation and reclamation of a small noncoal surface mine, located in Lower Burrell City, **Westmoreland County**, affecting 4.0 acres. Receiving stream: Allegheny River, classified for the following use: WWF. There is not potable water supply intake within 10 miles downstream from the point of discharge. Application received May 1, 2009.

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

20870304. Heritage Excavating & Stone (P. O. Box 462, Wampum, PA 16157). Renewal of NPDES Permit No. PA0242578, South Shenango Township, **Crawford County**. Receiving streams: UNT to Shenango River, classified for the following use: CWF. The first downstream potable water supply intakes from the point of discharge are Borough of Jamestown and Borough of Greenville Water Authority. NPDES Renewal application received May 14, 2009.

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

22880301C10 and NPDES Permit No. PA0223948. Rocky Licensing Corp., (P. O. Box 3331, Harrisburg, PA 17105), correction to an existing quarry operation to increase the NPDES discharge rate for discharge of treated mine drainage from 0.144 mgd to 1.5 mgd in

Lower Swatara Township, **Dauphin County**, receiving stream: Swatara Creek, classified for the following use: WWF. Application received May 8, 2009.

FEDERAL WATER POLLUTION CONTROL ACT, SECTION 401

The following permit applications, requests for Environmental Assessment approval and requests for 401 Water Quality Certification have been received by the Department of Environmental Protection (Department). Section 401 of the Federal Water Pollution Control Act (FWPCA) (33 U.S.C.A. § 1341) requires the State to certify that the involved projects will not violate the applicable provisions of sections 301—303, 306 and 307 of the FWPCA (33 U.S.C.A. §§ 1311—1313, 1316 and 1317) as well as relevant State requirements. Persons objecting to approval of a request for certification under section 401 of the FWPCA or to the issuance of a Dam Permit, Water Obstruction and Encroachment Permit or the approval of an Environmental Assessment must submit comments, suggestions or objections within 30 days of the date of this notice, as well as questions, to the regional office noted before the application. Comments should contain the name, address and telephone number of the person commenting, identification of the certification request to which the comments or objections are addressed and a concise statement of comments, objections or suggestions including the relevant facts upon which they are based.

The Department may conduct a fact-finding hearing or an informal conference in response to comments if deemed necessary. Individuals will be notified, in writing, of the time and place of a scheduled hearing or conference concerning the certification request to which the comment, objection or suggestion relates. Maps, drawings and other data pertinent to the certification request are available for inspection between 8 a.m. and 4 p.m. on each working day at the regional office noted before the application.

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

Applications received under the Dam Safety and Encroachments Act (32 P. S. §§ 693.1—693.27) and section 302 of the Flood Plain Management Act (32 P. S. § 679.302) and requests for certification under section 401(a) of the Federal Water Pollution Control Act (33 U.S.C.A. § 1341(a)).

WATER OBSTRUCTIONS AND ENCROACHMENTS

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

E46-1040. Hatfield Township Municipal Authority, 3200 Advance Lane, Hatfield Township, **Montgomery County**, United States Army Corps of Engineers, Philadelphia District.

Neshaminy Interceptor Replacement Project.

To perform the following water obstruction and encroachment activities along the West Branch of the Neshaminy Creek (WWF, MF) associated with Neshaminy Interceptor Replacement Project:

1) To relocate/replace an existing 21-inch diameter sanitary sewer pipe and associated manholes with the proposed 36-inch diameter PV pipe and associated man-

holes, away from the edge of the stream temporarily impacting 0.30 acre of wetlands.

2) To modify, restore and maintain an existing stormwater swale at approximately station 0+50 associated with the proposed sewer crossing.

3) To modify and maintain two existing culverts associated with the proposed sewer crossing.

4) To stabilize and maintain portions of the existing streambank along the length of this project.

The project commences approximately 1,047 feet north-east of the intersection of SR 0463 and Orvilla Road and runs parallel to the stream in the south easterly direction and ends at the Hatfield Township Municipal Authority Wastewater Treatment Plant approximately 1,582 feet east of SR 0309 in Hatfield Township, Montgomery County (Telford, PA USGS Quadrangle N: 3.43 inches; W: 2.56 inches).

EA15-007. PREIT Services, LLC, 200 Broad Street, Philadelphia, PA 19102-3803, New Garden Township, **Chester County**, United States Army Corps of Engineers, Philadelphia District.

A request for an Environmental Assessment approval for impacts associated with the stream enhancement for an 800 feet reach of a UNT to Broad Run (CWF). Stream enhancement includes controlling the stormwater, removal of existing road crossing, removal of fill material, restore the channel with natural grades and plant with the native trees.

The site is located about 500 feet southeast of the intersection of Sunny Dell Road and Route 41, Kennett Square, PA Quadrangle (N: 8.89 inches; W: 14.49 inches).

E15-734. Department of Transportation, 7000 Geerdes Boulevard, King of Prussia, PA 19406, East Whiteland and Tredyffrin Townships, **Chester County**, United States Army Corps of Engineers, Philadelphia District.

To perform the following Water Obstruction and Encroachment activities:

1. To extend and maintain an existing bridge and impact Valley Creek (EV) at Mainline Station 357+00 (Malvern, PA Quadrangle N: 9.4 inches; W: 7.3 inches, Latitude: 40° 03' 05.01"; Longitude: 75° 33' 04.61"). This work temporarily impacts 190 linear feet of stream to install temporary sheet piles during construction and permanently impacts 190 linear feet of stream for the installation of rock gabion scour protection.

2. To place and maintain fill and excavate within the 100-year floodplain of Valley Creek at Mainline Station 357+00 L (Malvern, PA Quadrangle N: 9.4 inches; W: 7.16 inches, Latitude: 40° 03' 06.59"; Longitude: 75° 33' 02.91"). This work includes temporary floodplain impacts of 0.152 acre (6,637 ft²), permanent floodplain impacts of 0.047 acre (2,027 ft²) and 200 yd³ of fill due for the proposed construction of Stormwater Mitigation Site 14.

3. To place and maintain fill in the 100-year floodplain of Valley Creek (EV) at Mainline Station 357+50 R (Malvern, PA Quadrangle N: 9.3 inches; W: 7.2 inches, Latitude: 40° 03' 04.21"; Longitude: 75° 33' 04.30"). This work includes permanent impacts of 0.057 acre (2,486 ft²) and 920 yd³ of fill due to the proposed placement of roadway embankment fill.

4. To temporarily impact 24 linear feet of stream and permanently impact 24 linear feet of stream due to the proposed installation of a J-Hook in stream structure in

Valley Creek (EV) at Mainline Station 358+50 L (Malvern, PA Quadrangle N: 9.4 inches; W: 7.1 inches, Latitude: 40° 03' 06.49"; Longitude: 75° 33' 02.35").

5. To place and maintain fill and impact an emergent wetland (H), which drains to Valley Creek (EV) at Mainline Station 378+00 R (Malvern, PA Quadrangle N: 9.2 inches; W: 6.2 inches, Latitude: 40° 03' 02.49"; Longitude: 75° 32' 37.40"). This work includes permanent impact of 0.011 acre due to the proposed installation of a noise wall and roadway drainage structures.

6. To place and maintain fill and excavate for a proposed stormwater management mitigation pond along Valley Creek (EV) at Mainline Station 390+00 L (Malvern, PA Quadrangle N: 9.5 inches; W: 0.6 inch, Latitude: 40° 03' 08.93"; Longitude: 75° 32' 22.78"). This work includes permanent floodplain impact of 0.092 acre (3,996 ft²) due to the construction for proposed Stormwater Mitigation Site 21. Also, to place and maintain fill and impact an emergent wetland (K), which drains to Valley Creek (EV) at Mainline Station 441+42 R (Malvern, PA Quadrangle N: 9.3 inches; W: 6.2 inches, Latitude: 40° 03' 03.47"; Longitude: 75° 31' 16.46"). This work includes Temporary impact of 0.24 acre and permanent impact of 0.066 acre due to grading for proposed roadway embankments and construction of Stormwater Management Basin 16.

7. To place and maintain fill in the 100-year floodplain of Little Valley Creek (EV) at Mainline Station 495+00 R (Malvern, PA Quadrangle N: 9.4 inches; W: 0.4 inch, Latitude: 40° 03' 15.56"; Longitude: 75° 30' 09.37"). This work includes temporary floodplain impacts of 0.129 acre (5,632 ft²), permanent floodplain impacts of 0.065 acre (2,852 ft²) and 400 yd³ of fill due to construction of a berm for proposed Stormwater Mitigation Site 24.

8. To place and maintain fill in the 100-year floodplain of Little Valley Creek (EV) at Mainline Station 508+60 to 520+80 R (Valley Forge, PA Quadrangle N: 10.1 inches; W: 17.0 inches, Latitude: 40° 03' 20.35"; Longitude: 75° 29' 44.86"). This work includes temporary floodplain impacts of 0.151 acre (6,584 ft²), permanent floodplain impact of 0.182 acre (7,931 ft²) and 300 yd³ of fill due to highway embankment.

9. To place and maintain fill in the 100-year floodplain of Little Valley Creek (EV) at Mainline Station 522+50 R (Valley Forge, PA Quadrangle N: 10.2 inches; W: 16.7 inches, Latitude: 40° 03' 22.63"; Longitude: 75° 29' 39.00"). This work includes temporary floodplain impacts of 0.247 acre (10,775 ft²), permanent floodplain impact of 0.025 acre (1,106 ft²) and 450 yd³ of fill due to the proposed construction of Stormwater Mitigation Site 23.

10. To place and maintain fill in the 100-year floodplain of Little Valley Creek (EV) at Mainline Station 525+50 L (Valley Forge, PA Quadrangle N: 10.3 inches; W: 16.6 inches, Latitude: 40° 03' 24.37"; Longitude: 75° 29' 34.02"). This work includes temporary floodplain impacts of 0.220 acre (9,591 ft²), permanent floodplain impact of 0.165 acre (7,180 ft²) and 250 yd³ of fill and excavation due to proposed construction of Stormwater Mitigation Site 16A.

11. Provide conveyance to maintain surface hydrology and to place and maintain fill and excavate for a proposed stormwater management mitigation pond along Valley Creek (EV) at Mainline Station 563+50 L (Valley Forge, PA Quadrangle N: 11.0 inches; W: 14.8 inches, Latitude: 40° 03' 37.22"; Longitude: 75° 28' 46.54"). This work temporarily impacts 20 linear feet of stream and permanently impacts 20 linear feet of stream due to construc-

tion of a proposed outlet apron for a 6' by 6' RC box culvert and due to the construction of proposed Stormwater Mitigation Site 17-1.

The site is located in Malvern and Valley Forge, PA USGS quadrangle, in Tredyffrin and East Whiteland Townships, **Chester County**.

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

E67-866: Lower Windsor Township, 2425 Craley Road, Wrightsville, PA, 17368, Southern Heights, Trinity Road North, Lower Windsor Township, **York County**, United States Army Corps of Engineers, Baltimore District.

To construct and maintain two outfall structures, one 36 inches and the other 15 inches into a UNT of Canadochly Creek (WWF) and a road, a portion of which is in the floodway of the UNT to Canadochly Creek Watershed 7I. The project also involves the lengthening of an existing twin 48-inch CMP Culvert under North Trinity Road as part of the new road construction. The project is located on North Trinity Road approximately 500 feet from Cool Creek Road (Red Lion, PA Quadrangle N: 20 inches; W: 4.75 inches, Latitude: 39° 59' 33"; Longitude: 76° 32' 0.96") in Lower Windsor Township, **York County**. The purpose of the project is for a subdivision resulting in 7 lots for residential development.

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

E02-1614. Fox Chapel Golf Club, 426 Fox Chapel Road, Pittsburgh, PA 15238. To construct and maintain surface water intake in Fox Chapel Borough, **Allegheny County**, United States Army Corps of Engineers, Pittsburgh District (Glenshaw, PA Quadrangle North: 4.7"; West: 0.6", Latitude: 40° 30' 34.4"; Longitude: 79° 52' 59.8"). The applicant proposes to construct and maintain a surface water intake on Glade Lake (HQ, CWF), seven water line stream crossings on Glade Run, (HQ-CWF) and the construction of a water pumping station in the floodway of Glade Run, all for the purpose of installing a golf course irrigation system.

E32-489. Department of Transportation D-10, P. O. Box 429, Indiana, PA 15701. To remove and replace bridge in Conemaugh Township, **Indiana County** and Loyalhanna Township, **Westmoreland County**, United States Army Corps of Engineers, Pittsburgh District (Saltsburg, PA Quadrangle Latitude: 40° 27' 12"; Longi-

tude: 79° 23' 30"). The applicant proposes to remove the existing SR 3003, two lane, 25.7 ft wide, single span, steel through truss bridge having a total length of 390 ft, and having maximum underclearance of 27.7 ft; and to construct and maintain 22 ft downstream a 31.5 ft total width, two lane, four span, prestressed concrete beam replacement bridge having a total length of 400 ft on three piers centered 100 ft apart, and maximum underclearance of 21.4 ft over the Conemaugh River (WWF). In addition, for construction of the replacement bridge and removal of the existing bridge install a temporary full width crossing; and construct and maintain associated replacement stormwater outfalls to the Conemaugh River (WWF). The bridge improvement and relocation project is located between Loyalhanna Township, Westmoreland County and Conemaugh Township, Indiana County approximately 1.6 miles downstream of the Conemaugh Dam.

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

E25-727. Erie-Western Pennsylvania Port Authority, to construct a road, north of the Bayfront Highway, remove existing fill materials occupying the bottom of Presque Isle Bay, to fill a portion of Presque Isle Bay to accommodate the proposed roadway, and to construct two 12' by 50' fishing piers, in the City of Erie, **Erie County**, United States Army Corps of Engineers, Pittsburgh District (Erie North, PA Quadrangle Latitude: 42° 7' 50"; Longitude: 80° 6' 2").

The applicant proposes to construct a 24 foot wide, two-way frontage road, with 26 parallel parking spaces, and a 10 foot wide pedestrian bike path, along the north side of the Bayfront Parkway between Walnut and Cherry Streets. The road will provide public access between Bay Harbor Marina and the Chestnut Street Boat Launch Ramp. The proposed land disturbance will cover approximately 0.42 acre.

The project also proposes the construction of two, 12' wide and 50' long fishing piers, providing approximately 1,200 square feet of cover habitat.

This project proposes to impact approximately 6,933 square feet of the bottom of Presque Isle Bay. However, this project proposes to remove 9,061 square feet of existing concrete, blocks, docks, fill and foundations, from the bottom of Presque Isle Bay. Therefore, a net increase of approximately 2,128 square feet of the bottom of Presque Isle will occur (approximately .049 acre). All work is proposed to be done on water lots in Presque Isle Bay and not in or on submerged lands of this Commonwealth.

ACTIONS

THE CLEAN STREAMS LAW AND THE FEDERAL CLEAN WATER ACT

FINAL ACTIONS TAKEN FOR NATIONAL POLLUTION DISCHARGE ELIMINATION SYSTEM (NPDES) PERMITS AND WATER QUALITY MANAGEMENT (WQM) PERMITS

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

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

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

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

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

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

I. NPDES Renewal Permit Actions

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

<i>NPDES No. (Type)</i>	<i>Facility Name & Address</i>	<i>County & Municipality</i>	<i>Stream Name (Watershed #)</i>	<i>EPA Waived Y/N ?</i>
PA0063878 (Municipal Sewage)	Northeastern Schuylkill Joint Municipal Authority P. O. Box 170 Barnesville, PA 18214	Schuylkill County Rush Township	Pine Creek 03A	Y

Southcentral Region: Water Management Program Manager, 909 Elmerton Avenue, Harrisburg, PA 17110, (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>
PA0007536 (IW)	Wilbur Chocolate Company d/b/a Cargill Cocoa and Chocolate 48 North Broad Street Lititz, PA 17543	Lancaster County Lititz Borough	Lititz Run 7-J	Y
PA0085782 (Sew)	Ruscombmanor Township 204 Oak Lane Fleetwood, PA 19522	Berks County Ruscombmanor Township	UNT to Furnace Creek 3-D	Y
PA0247502 (Sew)	Mr. and Mrs. John Kauffman 227 Conway Street Carlisle, PA 17013-3602	Cumberland County North Newton Township	UNT Conodoguinet Creek 7-B	Y
PA0080713 (Sew)	Pennsy Supply, Inc. One Clearspring Road Annville, PA 17003	Lebanon County North Londonderry Township	Killing Creek 7-B	Y

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

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

NPDES Permit No. PA0051161, Sewage, **Southco, Inc.**, 210 North Brinton Lake Road, Concordville, PA 19331. This proposed facility is located in Concord Township, **Delaware County**.

Description of Proposed Action/Activity: Approval for the renewal to discharge from the facility into a UNT to West Branch Chester Creek in Watershed 3G.

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

NPDES Permit No. PA0043052, Sewage, **Spring Township**, 2800 Shillington Road, Sinking Spring, PA 19608-1682. This proposed facility is located in Spring Township, **Berks County**.

Description of Proposed Action/Activity: Authorization to discharge to Cacoosing Creek in Watershed 3-C.

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

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

WQM Permit No. 1507412, Sewerage, **London Britian Township**, P. O. Box 215, Kemblerstown, PA 19347-0215. This proposed facility is located in London Britian Township, **Chester County**.

Description of Action/Activity: Construction and operation of a wastewater treatment plant utilizing onsite drip dispersal system.

WQM Permit No. 5108402, Sewerage, **Philadelphia Water Department**, 1101 Market Street, The Aramark Tower, Philadelphia, PA 19107. This proposed facility is located in City of Philadelphia, **Philadelphia County**.

Description of Action/Activity: construction and operation of a sewer extension for a casino resort/commercial entertainment district.

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

WQM Permit No. 4506409, Sewerage, **Joshmor, Inc.**, HC 1, Box 405A, Brodheadsville, PA 18322. This proposed facility is located in Jackson Township, **Monroe County**.

Description of Proposed Action/Activity: Issuance of Water Quality Management Permit.

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

WQM Permit No. 0608405, Sewage, **Ruscombmanor Township**, 204 Oak Lane, Fleetwood, PA 19522. This proposed facility is located in Ruscombmanor Township, **Berks County**.

Description of Proposed Action/Activity: Permit approval for the construction and modification of sewerage facilities consisting of an equalization tank with duplex transfer pumps, six new aeration tanks, two new final clarifiers, one aerobic digester, new emergency generator blower building, blowers, outfall sewer, piping controls and appurtenances.

WQM Permit No. 2806404, Transfer 1, Sewage, **Christian H. Sease**, 248 South Church Street, Waynesboro, PA 17268. This proposed facility is located in Greene Township, **Franklin County**.

Description of Proposed Action/Activity: Transfer of Permit.

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

WQM Permit No. WQG018692, Sewerage, **David L. Ames**, 263 Moody Run Road, Oil City, PA 16301. This proposed facility is located in Cranberry Township, **Venango County**.

Description of Proposed Action/Activity: Issuance of a Single-Residence Sewage Treatment Plant.

IV. NPDES Stormwater Discharges from MS4 Permit Actions

V. NPDES Waiver Stormwater Discharges from MS4 Actions

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

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>
PAI021308003	Turnpike Commission 700 South Eisenhower Boulevard Middletown, PA 17057-5529	Carbon	Penn Forest Township	Stony Creek EV
PAI026405006(1)	Russell Palmer 1103 Texas Palmyra Highway Honesdale, PA 18431	Wayne	Texas Township	Lackawaxen River HQ-TSF, MF

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

<i>NPDES Permit No.</i>	<i>Applicant Name & Address</i>	<i>County</i>	<i>Municipality</i>	<i>Receiving Water/Use</i>
PAI030708006	Sam McCloskey 419 North Second Street Altoona, PA 16601	Blair	Antis Township	Sandy Run HQ-CWF
PAI030608019	East Penn Manufacturing Co., Inc. Bryan Miller P. O. Box 147 Lyon Station, PA 19536	Berks	Richmond Township	Moselem Creek HQ-CWF
PAI034407003	Mifflin County Airport Authority 547 Airport Road Reedsville, PA 17084	Mifflin	Brown Township	Tea Creek HQ-CWF
PAI035008002	Christine Mathna 6525 Creek Road Newport, PA 17074	Perry	Juniata Township	Buffalo Creek HQ-CWF

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

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

List of NPDES and/or Other General Permit Types

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

General Permit Type—PAG-2

Facility Location:

<i>Municipality & County</i>	<i>Permit No.</i>	<i>Applicant Name & Address</i>	<i>Receiving Water/Use</i>	<i>Contact Office & Phone No.</i>
Hanover Township Lehigh County	PAG2003908013	Hal Lubsen Newpro, II 824 Eighth Avenue Bethlehem, PA 18018	Lehigh River TSF	Lehigh County Conservation District (610) 391-9583
City of Bethlehem Northampton County	PAG2004808028	Department of Transportation Engineering District 5-0 Attn: Gerald Fry 1002 Hamilton Street Allentown, PA 18101	Lehigh River WWF	Northampton County Conservation District (610) 746-1971

*Facility Location:
Municipality &
County**Permit No.**Applicant Name &
Address**Receiving
Water/Use**Contact Office &
Phone No.*Londonderry
Township
Dauphin County

PAG2002209003

Lucy Karanja
Lucciventures, LLC
2251 Ionoff Road
Harrisburg, PA 17110Iron Run—
Conewago Creek
WWF, TSFDauphin County
Conservation District
1451 Peters Mountain
Road
Dauphin, PA 17018
(717) 921-8100Southampton
Township
Franklin County

PAG2002809007

Roxbury Treatment
Center
Bill Niles
601 Roxbury Road
Shippensburg, PA 17257Middle Spring Creek
CWFFranklin County
Conservation District
100 Sunset Boulevard
West
Chambersburg, PA 17201
(717) 264-8074, Ext. 5Greene Township
Franklin County

PAG2002809011

Guilford Water Authority
Larry Heck
115 Spring Valley Road
Chambersburg, PA 17201Conococheague Creek
CWFFranklin County
Conservation District
100 Sunset Boulevard
West
Chambersburg, PA 17201
(717) 264-8074, Ext. 5Southampton and
Shippensburg
Townships
Franklin County

PAG2002809003-1

Volvo Road Machinery
312 Volvo Way
Shippensburg, PA 17257Rowe Run
CWFFranklin County
Conservation District
100 Sunset Boulevard
West
Chambersburg, PA 17201
(717) 264-8074, Ext. 5Chambersburg
Borough
Franklin County

PAG2002804019-R

Armstrong-Heinz
Warehouse
Sam Armstrong
9523 Lincoln Way West
St. Thomas, PA 17252Conococheague Creek
CWFFranklin County
Conservation District
100 Sunset Boulevard
West
Chambersburg, PA 17201
(717) 264-8074, Ext. 5Greene Township
Franklin County

PAR10M175R-R

Franklin Square
Randy Kessler
S&A Homes
2966 Philadelphia
Avenue
Chambersburg, PA 17201Conococheague Creek
CWFFranklin County
Conservation District
100 Sunset Boulevard
West
Chambersburg, PA 17201
(717) 264-8074, Ext. 5Clay Township
Huntingdon County

PAG2003109002

Robert Trego
P. O. Box 373
Three Springs, PA 17264Spring Creek
CWFHuntingdon County
Conservation District
10605 Raystown Road
Suite A
Huntingdon, PA
16652-9603
(814) 627-1627Morris Township
Huntingdon County

PAG2003109001

Jeff Long
R. D. 1
Box 426
Tyrone, PA 16686Frankstown Branch
Juniata River
WWFHuntingdon County
Conservation District
10605 Raystown Road
Suite A
Huntingdon, PA
16652-9603
(814) 627-1627Brecknock
Township
Lancaster County

PAG2003606117

Church of Jesus Christ
Latter Day Saints
P. O. Box 318
NYNY Project
Management Office
Ramsey, NJ 07446Muddy Creek
WWFLancaster County
Conservation District
1383 Arcadia Road
Room 200
Lancaster, PA 17601
(717) 299-5361, Ext. 5Rapho Township
Lancaster County

PAG2003609022

Kasun & Associates
125 Oak Ridge Drive
Suite 125
Mountville, PA 17554Chiques Creek
TSFLancaster County
Conservation District
1383 Arcadia Road
Room 200
Lancaster, PA 17601
(717) 299-5361, Ext. 5

NOTICES

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<i>Facility Location: Municipality & County</i>	<i>Permit No.</i>	<i>Applicant Name & Address</i>	<i>Receiving Water/Use</i>	<i>Contact Office & Phone No.</i>
Jackson and Millcreek Townships Lebanon County	PAG2003809001	Gwen Boltz Eastern Lebanon County School District 180 ELCO Drive Myerstown, PA 17067	Tulpehocken Creek TSF	Lebanon County Conservation District 2120 Cornwall Road Suite 5 Lebanon, PA 17042 Ext. 4
North Heidelberg Township Berks County	PAG2000609016	Ernie Gelsing Gel-Bare Farm 438 Kricks Mill Road Robesonia, PA 19551	UNT to Tulpehocken Creek TSF	Berks County Conservation District 1238 County Welfare Road Suite 200 Leesport, PA 19533-9710 (610) 372-4657, Ext. 201
South Heidelberg Township Berks County	PAR10C2331R-R	Rick Kundrat RLC Electronics Systems 141 South 2nd Street Womelsdorf, PA 19567	Cacoosing Creek WWF	Berks County Conservation District 1238 County Welfare Road Suite 200 Leesport, PA 19533-9710 (610) 372-4657, Ext. 201
Maidencreek Township Berks County	PAG2000604036-1R	Peter Giorgio F&P Holding Co., Inc. P. O. Box 96 Blandon Road Temple, PA 19560	Willow Creek CWF	Berks County Conservation District 1238 County Welfare Road Suite 200 Leesport, PA 19533-9710 (610) 372-4657, Ext. 201
Amity Township Berks County	PAG2000608067-1	Charles Lyon Amity Township 2004 Weavertown Road Douglassville, PA 19518	Leaf Creek WWF	Berks County Conservation District 1238 County Welfare Road Suite 200 Leesport, PA 19533-9710 (610) 372-4657, Ext. 201
South Heidelberg Township Wernersville Borough Berks County	PAG2000605014-2	Walter Greth Greth Development Group, Inc. 253 Snyder Road Reading, PA 19605	Manor Creek TSF	Berks County Conservation District 1238 County Welfare Road Suite 200 Leesport, PA 19533-9710 (610) 372-4657, Ext. 201
Bethel Township Berks County	PAG2000609012	Lamar Lehman 161 Manbeck Road Bernville, PA 19506	UNT to Meck Creek—Susquehanna River/CWF	Berks County Conservation District 1238 County Welfare Road Suite 200 Leesport, PA 19533-9710 (610) 372-4657, Ext. 201
Fairview Township York County	PAG2006707016	Ian S. Wewer Vanguard Development 2214 Market Street Camp Hill, PA 17011	UNT to Marsh Run/WWF	York County Conservation District 118 Pleasant Acres Road York, PA 17402 (717) 755-0301
Columbia County Hemlock Township	PAG2001908003(1)	Richard T. Hardy Geisinger Health System 100 North Academy Avenue Danville, PA 17822	Little Fishing and Hemlock Creeks CWF	Columbia County Conservation District 702 Sawmill Road Suite 204 Bloomsburg, PA 17815 (570) 784-1310, Ext. 102

*General Permit Type—PAG-4**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>
Plumstead Township Bucks County	PAG040115	Steve and Julianne Fleischer 5552 Tollgate Road Pipersville, PA 18947	UNT to Geddes Run Watershed 2D- Three Mile Run	Southeast Regional Office 2 East Main Street Norristown, PA 19401 (484) 250-5970
Cumberland County Lower Mifflin Township	PAG043617	Mark Lehman 694 Center Run Road Newville, PA 17241	7B	DEP—SCRO 909 Elmerton Avenue Harrisburg, PA 17110 (717) 705-4707
Cranberry Township Venango County	PAG049514	David L. Ames 263 Moody Run Road Oil City, PA 16301	Allegheny River 16-E	DEP—NWRO Water Management 230 Chestnut Street Meadville, PA 16335-3481 (814) 332-6942

*General Permit Type—PAG 7**Facility Location:*

<i>Municipality & County</i>	<i>Permit No.</i>	<i>Applicant Name & Address</i>	<i>Receiving Stream Body of Water or Site Name & Address</i>	<i>Contact Office & Phone No.</i>
Out-of-State	PAG079903	Milwaukee Metropolitan Sewerage District 260 West Seeboth Street Milwaukee, WI 53204-1446	Out-of-State	BWSFR RCSOB 400 Market Street Harrisburg, PA 17105 (717) 787-8184
Mobile sludge processing unit	PAG079914	Kyler Environmental Services, Inc. 1269 Piedmont Road Somerset, PA 15501	Mobile unit, various	BWSFR RCSOB 400 Market Street Harrisburg, PA 17105 (717) 787-8184

*General Permit Type—PAG-8**Facility Location:*

<i>Municipality & County</i>	<i>Permit No.</i>	<i>Applicant Name & Address</i>	<i>Site Name & Location</i>	<i>Contact Office & Phone No.</i>
Bellefonte Borough 615 Pleasant View Boulevard Bellefonte, PA 16823 Spring Township Centre County	PAG084814	Bellefonte Borough 236 West Lamb Street Bellefonte, PA 16823	Bellefonte WWTP Spring Township Centre County	Northcentral Regional Office Water Management Program 208 West Third Street Suite 101 Williamsport, PA 17701 (570) 327-3664

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

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

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

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

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

CAFO PUBLIC NOTICE SPREADSHEET—ACTIONS

<i>Agricultural Operation Name and Address</i>	<i>County</i>	<i>Total Acres</i>	<i>Animal Equivalent Units</i>	<i>Animal Type</i>	<i>Special Protection Waters (HQ or EV or NA)</i>	<i>Approved or Disapproved</i>
David Strause Pheasant Run Farm 48 Rehrersburg Road Richland, PA 17087	Berks	18.5	413.5	Layers	None	Approved
Donald Burkholder 5153B Route 419 Womelsdorf, PA 19567	Berks	294	668.2	Layers	None	Approved
Roy Diem 3409 Smoketown Road Spring Grove, PA 17362	York	13	1,367	Layer	NA	Approved
Mach Farm 651 Pine Road Palmyra, PA 17078	Lebanon	0	712.04	Swine	NA	Approved
Swatara Swine 1921 Black's Bridge Road Annville, PA 17003	Lebanon	0	798.85	Swine	NA	Approved
Jeffery Werner 897 North Lancaster Street Jonestown, PA 17038	Lebanon	476.5	489.6	Turkey	NA	Approved
Elvin Nolt 11 Seth Erb Road Richland, PA 17087	Lebanon	9	707	Swine	NA	Approved

PUBLIC WATER SUPPLY (PWS) PERMITS

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

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

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

Important legal rights are at stake, however, so individuals should show this notice to a lawyer at once.

Persons who cannot afford a lawyer may qualify for free pro bono representation. Call the Secretary to the Board at (717) 787-3483 for more information.

SAFE DRINKING WATER

Actions taken under the Pennsylvania Safe Drinking Water Act

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

Permit No. 0709502 MA, Minor Amendment, Public Water Supply.

Applicant	Blair Township Water & Sewer Authority
Municipality	Blair Township
County	Blair
Type of Facility	Interconnection with Altoona Water Authority.
Consulting Engineer	Daniel J. Carbaugh, P. E. Keller Engineers, Inc. 420 Allegheny Street Hollidaysburg, PA 16648
Permit to Construct Issued	May 13, 2009

Operations Permit issued to The Meadows at Bethel Manufactured Housing Community, 3060106, Bethel Township, **Berks County** on May 15, 2009 for the operation of facilities approved under Construction Permit No. 0608512 MA.

Operations Permit issued to Windsor Borough, 7670065, Windsor Borough, **York County** on May 8, 2009 for the operation of facilities approved under Construction Permit No. 6709502 MA.

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

Permit No. MA-4496231(A8)—Construction and Operation, Public Water Supply.

Applicant	Dutch Valley Food Company, Inc.
Township or Borough	City of Sunbury
County	Northumberland
Responsible Official	Susan E. Hoover Dutch Valley Food Company, Inc. P. O. Box 471 Sunbury, PA 17801-0471
Type of Facility	Public Water Supply— Construction and Operation
Consulting Engineer	Ralph A. Lambert, Jr., P. E. LAR Enterprises 363 West High Street Gettysburg, PA 17325
Permit Issued Date	May 7, 2009
Description of Action	For deletion of Ozone from the treatment process.

Beech Creek Borough Water and Sewer Authority (Public Water Supply), Clinton County: On May 12, 2009, the Department of Environmental Protection (Department) approved the Wellhead Protection (WHP) program for this community water system. The personnel involved with the development of this WHP program are to be commended for taking these proactive steps to protect these water sources for their community. Development of the program was funded by the Department (David W. Garg, (570) 321-6581).

Selinsgrove Borough Municipal Authority (Public Water Supply), Snyder County: On May 12, 2009, the Department of Environmental Protection (Department) approved the Source Water Protection (SWP) program for this community water system. The personnel involved with the completion of this SWP program are to be commended for taking these proactive steps to protect these water sources for their community. Development of the program was funded by the Department (David W. Garg, (570) 321-6581).

Penn Township Municipal Authority (Public Water Supply), Snyder County: On May 12, 2009, the Department of Environmental Protection (Department) approved the Source Water Protection (SWP) program for this community water system. The personnel involved with the completion of this SWP program are to be commended for taking these proactive steps to protect these water sources for their community. Development of the program was funded by the Department (David W. Garg, (570) 321-6581).

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

Permit No. 1109501, Public Water Supply.

Applicant	Jackson Township Water Authority 2949 William Penn Avenue Johnstown, PA 15909
Borough or Township	Jackson Township
County	Cambria
Type of Facility	Swigle Mountain Road water project
Consulting Engineer	Gwin, Dobson & Foreman, Inc. 3121 Fairway Drive Altoona, PA 16602
Permit to Construct Issued	May 13, 2009

Permit No. 0409503MA, Minor Amendment, 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	Highview Circle water storage tank
Consulting Engineer	Michael Baker, Jr., Inc. 4301 Dutch Ridge Road Beaver, PA 15009
Permit to Construct Issued	May 3, 2009

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

Permit No. 4208501, Public Water Supply.

Applicant	Bradford City Water Authority
Township or Borough	City of Bradford
County	McKean County
Type of Facility	Public Water Supply
Consulting Engineer	Michael T. Marino, P. E.
Permit to Construct Issued	May 15, 2009

LAND RECYCLING AND ENVIRONMENTAL REMEDIATION

UNDER ACT 2, 1995

PREAMBLE 2

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

Provisions of Chapter 3 of the Land Recycling and Environmental Remediation Standards Act (act) require the Department of Environmental Protection (Department) to publish in the *Pennsylvania Bulletin* a notice of submission of plans and reports. A final report is submitted to document cleanup of a release of a regulated substance at a site to one of the act's remediation standards. A final report provides a description of the site investigation to characterize the nature and extent of contaminants in environmental media, the basis for se-

lecting the environmental media of concern, documentation supporting the selection of residential or nonresidential exposure factors, a description of the remediation performed and summaries of sampling analytical results which demonstrate that remediation has attained the cleanup standard selected. Submission of plans and reports, other than the final report, shall also be published in the *Pennsylvania Bulletin*. These include the remedial investigation report, risk assessment report and cleanup plan for a Site-Specific Standard remediation. A remedial investigation report includes conclusions from the site investigation, concentration of regulated substances in environmental media; benefits of refuse of the property and, in some circumstances, a fate and transport analysis. If required, a risk assessment report describes potential adverse effects caused by the presence of regulated substances. If required, a cleanup plan evaluates the abilities of potential remedies to achieve remedy requirements.

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

The Department has received the following plans and reports:

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

Fabian Residence, 615 North Muhlenberg Street, Allentown City, **Lehigh County**. Jeremy W. Boly, Environmental Maintenance Company, Inc., 1420 East Mermaid Lane, Glenside, PA 19038 has submitted a Final Report (on behalf of his client, Matthew Fabian, 615 North Muhlenberg Street, Allentown, PA 18102), concerning the remediation of soil found to have been impacted by No. 2 fuel oil as a result of the over-pressurization of the property's aboveground storage tank. The applicant proposes to remediate the site to meet the Residential Statewide Health Standard. A public notice regarding the submission of the Final Report was published in *The Morning Call* on May 5, 2009.

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

Brookside Village Mobile Home Park, North Centre Township, **Columbia County**, R. J. Walsh Assoc., Inc., P. O. Box 119, Allentown, NJ 08501 on behalf of Marty Mancini, Affordable Residential Communities, 1 Mark Lane, Honey Brook, PA 19344 has submitted a Final Report concerning remediation of site soil and groundwater contaminated with 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.

1215 Federal Street Property, City of Pittsburgh, **Allegheny County**. Wendy Noe, American Geosciences, Inc., 3925 Reed Boulevard, Suite 400, Murrysville, PA 15668-1848 (on behalf of Andrew Stewart, The Silk & Stewart Development Group, 5812 Darlington Road, Pittsburgh, PA 15217 and Andrew Stewart, Federal North Associates, LP, 5812 Darlington Road, Pittsburgh, PA

15217) has submitted a Remedial Investigation Report concerning remediation of site soil and groundwater contaminated with chlorinated solvents and other organics. The report is intended to document remediation of the site to meet the Site-Specific Standard.

Heinrich Residence, City of Windber, **Somerset County**. Michael Schirato, Mountain Research, LLC, 825 25th Street, Altoona, PA 16601 (on behalf of Ernest Heinrich, 1306 Paint Street, Windber, PA 15963) has submitted a Final Report concerning remediation of site soil contaminated with fuel oil No. 2. The report is intended to document remediation of the site to meet the Statewide Health Standard.

Cornell Residence, South Huntingdon Township, **Westmoreland County**. Jeremy Boly, Environmental Maintenance Company, 1420 East Mermaid Lane, Glenside, PA 19038 (on behalf of Jean Cornell, 248 Fitz Henry Road, Smithtown, PA 15479) has submitted a Final Report concerning remediation of site soil contaminated with fuel oil No. 2. The report is intended to document remediation of the site to meet the Statewide Health Standard.

LAND RECYCLING AND ENVIRONMENTAL REMEDIATION

UNDER ACT 2, 1995

PREAMBLE 3

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

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

clude a description of existing or potential public benefits of the use or reuse of the property. The Department may approve or disapprove plans and reports submitted. This notice provides the Department's decision and, if relevant, the basis for disapproval.

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

The Department has received the following plans and reports:

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

Bulkmatic, Old Lycoming Township, **Lycoming County**. **Northridge Group, Inc.**, 1172 Ridge Road, Northumberland, PA 17857 on behalf of Bulkmatic, 2001 North Cline Avenue, Griffith, IN 46319 has submitted a Final Report within 90-days of the release concerning remediation of site soil contaminated with diesel fuel at the Stroehman's Bakery facility. The Final Report demonstrated attainment of the Statewide Health Standard and was approved by the Department of Environmental Protection on May 12, 2009.

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

Warehousing Services, City of Jeannette, **Westmoreland County**. Alan Halperin, D'Appolonia Engineering, 275 Center Road, Monroeville, PA 15146 on behalf of Douglas Johnston, T.S. Quatro, Inc., 215 North Fourth Street, Jeannette, PA 15644 has submitted a Remedial Investigation Report and Cleanup Plan concerning the remediation of site soil contaminated with lead. The Remedial Investigation Report and Cleanup Plan was approved by the Department of Environmental Protection on March 10, 2009

Curtiss Wright Electro Mech. Corp., Cheswick Borough, Harmar Township, **Allegheny County**. Bruce Geno, Cummings Riter Consultants, Inc., 10 Duff Road, Suite 500, Pittsburgh, PA 15235 on behalf of Paul Patchin, Westinghouse Government Services, LLC (and or its successors), P. O. Box 73, Boise, ID 83729 and Frank Meledandri, Curtiss-Wright Electro-Mechanical Corporation, 1000 Cheswick Avenue, Cheswick, PA 15024-1300 has submitted a Final Report concerning the remediation of site soil and groundwater contaminated with other organics. The Final Report demonstrated attainment of the Site-Specific and Statewide Health Standards and was approved by the Department of Environmental Protection on April 9, 2009.

HAZARDOUS WASTE TRANSPORTER LICENSE

Actions on applications for Hazardous Waste Transporter License received under the Solid Waste Management Act (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, P. O. Box 8471, Harrisburg, PA 17105-8471.

Hazardous Waste Transporter License Renewed

Hazmat Environmental Group, Inc., 60 Commerce Drive, Buffalo, NY 14218-1040. License No. PA-AH 0315. Effective March 18, 2009.

Wade Salvage, Inc., 382 Jackson Road, Atco, NJ 08004. License No. PA-AH S246. Effective March 27, 2009.

Hittman Transport Services, Inc., 628 Gallaher Road, Kingston, TN 37763. License No. PA-AH S239. Effective March 30, 2009.

Republic Environmental Systems, 21 Church Road, Hatfield, PA 19440. License No. PA-AH 0317. Effective April 3, 2009.

EQ Industrial Services, Inc., 2701 North I-94 Service Drive, Ypsilanti, MI 48198. License No. PA-AH 0615. Effective April 9, 2009.

Nortru, LLC, 515 Lycaste, Detroit, MI 48214. License No. PA-AH 0451. Effective April 14, 2009.

Lionetti Oil Recovery, Inc., d/b/a Lorco, 450 South Front Street, Elizabeth, NJ 07202. License No. PA-AH 0567. Effective April 14, 2009.

Weavertown Transport Leasing, Inc., 2 Dorrington Road, Carnegie, PA 15106. License No. PA-AH 0263. Effective April 16, 2009.

Bio-Team Mobile, LLC, 6 East Kendig Road, Willow Street, PA 17584. License No. PA-AH 0733. Effective April 14, 2009.

Horwith Trucks, Inc., P. O. Box 7, 1440 Nor-Bath Boulevard, Northampton, PA 18067. License No. PA-AH 0176. Effective April 23, 2009.

Brenntag Northeast, Inc., P. O. Box 13788, Reading, PA 19612. License No. PA-AH 0082. Effective April 30, 2009.

Bethlehem Apparatus Co., Inc., P. O. Box Y, 890 Front Street, Hellertown, PA 18055. License No. PA-AH 0681. Effective May 4, 2009.

Marcor Remediation, Inc., 246 Cockeysville Road, Suite 1, Hunt Valley, MD 21030. License No. PA-AH 0568. Effective May 7, 2009.

Fred Pugliese, d/b/a Plainfield Motor Services, One Genstar, Joliet, IL 60435. License No. PA-AH 0573. Effective May 7, 2009.

Joseph Moving and Storage Co., P. O. Box 5, Woodland, PA 16881. License No. PA-AH 0390. Effective May 8, 2009.

Waste Recovery Solutions, Inc., 343 King Street, Myerstown, PA 17067. License No. PA-AH 0683. Effective May 12, 2009.

Hazardous Waste Transporter License Issued

A & D Environmental Services, Inc., 2718 Uwharrie Road, Archdale, NC 27263. License No. PA-AH 0760. Effective April 3, 2009.

Hazardous Waste Transporter License, actions taken under the Solid Waste Management Act (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, P. O. Box 8471, Harrisburg, PA 17105-8471.

Hazardous Waste Transporter License Voluntarily Terminated

F.T. Silfies, Inc., 250 Reese Road, Suite 200, State College, PA 16801. License No. PA-AH 0726. Effective May 1, 2009.

REGISTRATION FOR GENERAL PERMIT—RESIDUAL WASTE

Registration received under the **Solid Waste Management Act (35 P. S. §§ 6018.101—6018.1003); the Residual Waste Planning, Recycling and Waste Reduction Act (53 P. S. §§ 4000.101—4000.1904); and Residual Waste Regulations for a General Permit to Operate Residual Waste Processing Facilities and/or the Beneficial Use of Residual Waste Other Than Coal Ash.**

Northcentral Region: Regional Solid Waste Manager, 208 West Third Street, Williamsport, PA 17701.

General Permit Registration No. WMGR25NC001. The Pennsylvania State University, 113 Office of Physical Plant, University Park, PA 16802-1118. Registration to operate under General Permit No. WMGR025NC001 for a facility to compost yard waste and food waste located in College Township, **Centre County**. The registration was received by the Williamsport Regional Office on May 11, 2009

Persons interested in reviewing the general permit should contact James E. Miller, Environmental Program Manager, Waste Management Program, Williamsport Regional Office, 208 West Third Street, Suite 101, Williamsport, PA 17701. TDD users should contact the Department of Environmental Protection through the Pennsylvania AT&T Relay Service, (800) 654-5984.

AIR QUALITY

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

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

GP11-46-0037: Allied Recycling Co. (1725 Limeklin Pike, Suite 3A, Dresher, PA 19025) on May 15, 2009, to operate a nonroad engine in Lower Gwynedd Township, **Montgomery County**.

GP1-09-0093: Philadelphia Park Casino and Race-track (3331 Street Road, No. 200, Bensalem, PA 19020) on May 15, 2009, to operate a small gas/No. 2 oil fired combustion units in Bensalem Township, **Bucks County**.

GP3-46-0081: Allied Recycling Co. (1725 Limeklin Pike, Suite 3A, Dresher, PA 19025) on May 15, 2009, to operate a portable nonmetallic mineral processing plant in Lower Gwynedd Township, **Montgomery County**.

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

58-310-016GP3: Damascus 535 Quarry & Stone Products, LLC (R. R. 3, Box 324A-1, Montrose, PA 18801) on May 13, 2009, to construct and operate a Portable Crushing Operation with water sprays at their site in New Milford Township, **Susquehanna County**.

58-329-006GP9: Damascus 535 Quarry & Stone Products, LLC (R. R. 3, Box 324A-1, Montrose, PA

18801) on May 13, 2009, to install and operate Diesel I/C Engines at their site in New Milford Township, **Susquehanna County**.

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

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

23-0003K: ConocoPhillips Co. (4101 Post Road, Trainer, PA 19061-3812) on May 18, 2009, for modification of previously issued Plan Approval No. PA-23-0003G for a platformer feed heater revamp project at their Trainer facility in Trainer Borough, **Delaware County**. This facility is a Title V facility. This modification will result in NOx emission increase of 21.89 tpy. The Plan Approval and Operating Permit will contain recordkeeping requirements and operating restrictions designed to keep the facility operating within all applicable air quality requirements.

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, Sachin Shankar, New Source Review Chief, (484) 250-5920.

46-0147A: Chemalloy Co., Inc. (P. O. Box 350, Bryn Mawr, PA 19010) on May 14, 2009, to operate two new manganese compound processing lines and controls in Plymouth Township, **Montgomery County**.

ACTIONS ON COAL AND NONCOAL MINING ACTIVITY APPLICATIONS

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

Coal Applications Returned

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

10080204 and NPDES Permit No. PA0258687. U.S. Operating Services Company (9405 Arrowpoint Boulevard, Charlotte, NC 28273-8110) Commencement, opera-

tion and restoration of a coal refuse reprocessing operation in Clinton Township, **Butler County** affecting 99.6 acres. Receiving streams: UNT to Lardintown Run. Application received November 25, 2008. Permit withdrawn May 13, 2009.

Coal Permits Actions

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

17020113 and NPDES No. PA0243353. Junior Coal Contracting, Inc. (2330 Six Mile Road, Philipsburg, PA 16866), permit renewal for the continued operation and restoration of a bituminous surface mine in Decatur Township, **Clearfield County**, affecting 114.0 acres. Receiving streams: UNT A to UNT E, UNT B to UNT E, UNT C to Laurel Run, UNT D to UNT E, UNT E to Laurel Run and Laurel Run to Moshannon Creek, classified for the following use: CWF. There are no potable water supply intakes within 10 miles downstream. Application received March 13, 2009. Permit issued May 6, 2009.

Noncoal Permits Actions

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

11940301 and NPDES No. PA0212873. Pheasant and Shearer, 1922 Ohio Street, Johnstown, PA 15904, renewal of NPDES permit in East Taylor Township, **Cambria County**, affecting 201.2 acres. Receiving streams: UNTs to/and Hinckston Run, classified for the following use: WWF. There are no potable water supply intakes within 10 miles downstream. NPDES renewal application received February 23, 2009. Permit issued May 13, 2009.

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

42092802. G. L. Carlson, Inc. (P. O. Box 97, Turtlepoint, PA 16750) Commencement, operation and restoration of a small noncoal topsoil operation in Annin Township, **McKean County** affecting 5.0 acres. Receiving streams: Allegheny River. Application received January 27, 2009. Permit issued May 11, 2009.

20090801. Shain Bowers (14872 Mackey Hill Road, Waterford, PA 16441) Commencement, operation and restoration of a small noncoal sand and gravel operation in Rockdale Township, **Crawford County** affecting 5.0 acres. Receiving streams: UNT to Kelly Run. Application received January 13, 2009. Permit issued May 13, 2009.

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

58090803. Jeff Spadine, (R. R. 2, Box 2631, Nicholson, PA 18446), commencement, operation and restoration of a quarry operation in Springville Township, **Susquehanna County** affecting 5.0 acres, receiving stream: none. Application received February 3, 2009. Permit issued May 12, 2009.

58080813. Shannon Hill Stone Company, (R. R. 2, Box 293A, Meshoppen, PA 18630), commencement, operation and restoration of a quarry operation in Bridgewater Township, **Susquehanna County** affecting 5.0 acres, receiving stream: none. Application received February 6, 2008. Permit issued May 13, 2009.

64082803. Robert A. Coleman, (P. O. Box 3, Susquehanna, PA 18847), commencement, operation and restoration of a quarry operation in Preston Township,

Wayne County affecting 5.0 acres, receiving stream: none. Application received September 8, 2008. Permit issued May 14, 2009.

ACTIONS ON BLASTING ACTIVITY APPLICATIONS

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

Blasting Permits Actions

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

63094002. Dana Explosives, Inc. (945 Brisbin Street, Houtzdale, PA 16651). Blasting activity permit for the Best 3D natural gas exploration, located in Mt. Pleasant, Hopewell and Canton Townships **Washington County**. The duration of blasting is expected to be for 1 year. Blasting activity permit issued May 11, 2009.

02094001. Controlled Demolition, Inc. (2737 Merymans Mill Road, Phoenix, MD 21131). Blasting activity permit for the demolition of the Penn Circle Hi-Rise, located in the City of Pittsburgh, **Allegheny County**. The blasting is scheduled for May 10, 2009. Blasting activity permit issued May 14, 2009.

26094003. Precision Geophysical, Inc. (2695 SR 83 South, Millersburg, OH 44654). Blasting activity permit for gas exploration, located in South Union Township, **Fayette County**. The duration of blasting is expected to be 90 days. Blasting activity permit issued May 14, 2009.

02094002. KESCO, Inc. (P. O. Box 95, Adrian, PA 16210). Blasting activity permit for construction of the Cobble Stone Site Development, located in Ohio Township, **Allegheny County**. The duration of blasting is expected to be 6 months. Blasting activity permit issued May 14, 2009.

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

20094003. Precision Geophysical, Inc. (2695 SR 83 South, Millersburg, OH 44654) Blasting activity permit for well exploration in Summerhill, Spring and Conneaut Townships, **Crawford County**. This blasting activity permit will expire on July 14, 2009. Application received May 7, 2009. Permit issued May 12, 2009.

27094002. Demtech, Inc. (65 Bald Mountain Road, DuBois, WY 82513) Blasting activity permit for demolition of a water tower in Jenks Township, **Forest County**. This blasting activity permit will expire on November 11, 2009. Application received May 1, 2009. Permit issued May 14, 2009.

27094003. Appalachian Geophysical Services, LLC (2695 SR 60, P. O. Box 426, Killbuck, OH 44637-0426) Blasting activity permit for well exploration in Kingsley and Green Townships, **Forest County**. This blasting activity permit will expire on December 31, 2009. Application received May 7, 2009. Permit issued May 14, 2009.

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

06094106. Warren's Excavating & Drilling, Inc., (P. O. Box 214, Myerstown, PA 17067), construction blast-

ing for Perkiomen Avenue Project in Exeter Township, **Berks County** with an expiration date of May 7, 2010. Permit issued May 12, 2009.

36094123. Keystone Blasting Service, (381 Reifsnyder Road, Lititz, PA 17543), construction blasting for Hempfield Crossings in East Hempfield Township, **Lancaster County** with an expiration date of December 30, 2010. Permit issued May 12, 2009.

67094111. J Roy's, Inc., (P. O. Box 125, Bowmansville, PA 17507), construction blasting for Booth Driveway in the City of York, **York County** with an expiration date of May 31, 2010. Permit issued May 12, 2009.

67094112. M & J Explosives, Inc., (P. O. Box 608, Carlisle, PA 17013), construction blasting for Danner Sanitary Sewer Project in Penn Township, **York County** with an expiration date of May 10, 2010. Permit issued May 12, 2009.

40094109. Ed Wean Drilling & Blasting, Inc., (112 Ravine Road, Stewartsville, NJ 08886), construction blasting for The Highlands—Highland Main Street in Freeland Borough, **Luzerne County** with an expiration date of May 12, 2010. Permit issued May 14, 2009.

48094106. Austin Powder Northeast, LLC, (25800 Science Park Drive, Cleveland, OH 44122), construction blasting for Chrin Commerce Center in Palmer Township, Tatamy Borough and the City of Bethlehem, **Northampton County** with an expiration date of May 12, 2010. Permit issued May 14, 2009.

FEDERAL WATER POLLUTION CONTROL ACT SECTION 401

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

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

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

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

Important legal rights are at stake, however, so individuals should show this notice to a lawyer at once. Persons who cannot afford a lawyer may qualify for 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 (35 P. S. §§ 691.1—691.702) and Notice of Final Action for Certification under section 401 of the FWPCA (33 U.S.C.A. § 1341).

Permits, Environmental Assessments and 401 Water Quality Certifications Issued

WATER OBSTRUCTIONS AND ENCROACHMENTS

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

E46-1028. Montgomery Township, 1001 Stump Road, Montgomeryville, PA 18936, Montgomery Township **Montgomery County**, United States Army Corps of Engineers, Philadelphia District.

To construct and maintain a proposed 90-foot long, 8-foot span and 9.5-foot underclearance pedestrian bridge across Little Neshaminy Creek (WWF-MF) associated with the modification of the existing recreational trail. The site is located approximately 500 feet northeast of the intersection of Kenas Road and Davis Drive (Ambler, PA USGS Quadrangle N: 20.25 inches; W: 11.00 inches).

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

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

E64-278. Department of Transportation, Engineering District 4-0, 55 Keystone Industrial Park, Dunmore, PA 18512, Palmyra Township, **Wayne County**, United States Army Corps of Engineers, Philadelphia District.

To remove the existing structure and to construct and maintain a two-span, composite steel I-beam bridge having a normal span of 102 feet and a minimum underclearance of 12 feet over Middle Creek (HQ-CWF, MF). The project also includes the relocation of 132 feet of a tributary to Middle Creek (HQ-CWF, MF). The project is located at SR 2004, Segment 0030, Offset 0000, approximately 1.1 miles west of the intersection of SR 2004 and SR 2006 (Hawley, PA Quadrangle Latitude: 41° 28' 49"; Longitude: 75° 12' 04").

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

E06-644. Metropolitan Edison Co.—Schuylkill River Crossing, Kathryn Kunkel, 2800 Pottsville Pike, P. O. Box 16001, Reading, PA 19612-6001, Tilden Township and Hamburg Borough, United States Army Corps of Engineers, Philadelphia District.

To remove and existing aerial electric line consisting of two wooden poles and wires having a normal span of 261.5-feet and to construct and maintain an aerial electric line crossing consisting of two wooden poles and three wires having a normal span of 290.0 feet and underclearances of 62.0 feet, 68.0 feet and 72.0 feet across the Schuylkill River (WWF) (Hamburg, PA Quadrangle N: 9.375 inches; W: 16.0 inches, Latitude: 40° 33' 21"; Longitude: 76° 59' 49"), for the purpose of relocating an existing aerial electric line crossing in Tilden Township and the Borough of Hamburg, **Berks County**.

E36-841: Lancaster County Conservancy, 117 South West End Avenue, P. O. Box 716, Lancaster, PA 17608-0716, Lancaster Township, **Lancaster County**, United States Army Corps of Engineers, Baltimore District.

To: (1) construct and maintain a minor road crossing of a UNT to Conestoga River (WWF) by extending an existing 36-inch diameter by 14-foot long DIP pipe with a 20-foot long pipe and placing upstream and downstream rock aprons for a cumulative impact length of 69.0 feet (Lancaster, PA Quadrangle N: 6.4 inches; W: 5.0 inches, Latitude: 40° 2' 7" N; Longitude: 76° 17' 8" W); and (2) construct and maintain a minor road crossing of a UNT to Conestoga River (WWF) with a 24-inch diameter by 25-foot long RCP pipe and placing upstream and downstream rock aprons for a cumulative impact length of 50.0 feet (Lancaster, PA Quadrangle N: 6.0 inches; W: 5.1 inches, Latitude: 40° 2' 0" N; Longitude: 76° 17' 12" W) all for the purpose of constructing a 1.3 mile, 12 foot wide bituminous walking trail within the floodway of the Conestoga River (WWF) known as the Conestoga Greenway Trail in Lancaster Township and Lancaster City, **Lancaster County**.

E36-847: Mount Joy Borough Authority, Terry Kauffman, 21 East Main Street, Mount Joy, PA 17552, Mount Joy Borough, **Lancaster County**, United States Army Corps of Engineers, Baltimore District.

To: (1) remove a 40.0-foot diameter intermediate clarifier, a 13.0-foot long by 9.0-foot wide recirculation pump station in the floodway of Little Chickies Creek (TSF); (2) remove a 67.0-foot diameter trickling filter; (3) remove a 29.0-foot 4.0-inch long by 28.0-foot by 4.0-inch wide chlorine tank in the floodplain of Little Chickies Creek (TSF); and (4) add a 41.0-foot 8.0-inch long by 20.0-foot wide UV channel and post aeration basin within the floodplain of Little Chickies Creek (TSF), at a point just west of the intersection of Garfield and Longenecker Roads, for the purpose of upgrading the existing Mount Joy Borough's Wastewater Treatment Plant (WWTP) (Columbia East, PA Quadrangle N: 18.10 inches; W: 16.75 inches, Latitude: 40° 5' 58" N; Longitude: 76° 29' 40" W) in Mount Joy Borough, Lancaster County.

E05-350: Bedford Borough, John Montgomery, Manager, 244 West Penn Street, Bedford, PA 15522, Bedford Borough, **Bedford County**, United States Army Corps of Engineers, Baltimore District.

To: (1) raze the existing Watson Street (SR 7401) P/S adjacent plank beam bridge having three spans, a width of 18.5 feet, a total span of 56.0 feet and an underclearance of 6.7 feet over Shobers Run (HQ-CWF) (Everett West, PA Quadrangle N: 2.5 inches; W: 16.7 inches, Latitude: 40° 00' 50"; Longitude: 78° 29' 40"); (2) construct and maintain a P/S Box Beam bridge having a width of 37.5 feet, a total span of 52.0 feet and an underclearance of 6.8 feet carrying Watson Street (SR 7401) over Shobers Run (HQ-CWF) (Everett West, PA Quadrangle N: 2.5 inches; W: 16.7 inches, Latitude: 40°

00' 50"; Longitude: 78° 29' 40"); (3) construct and maintain an 18-inch outfall structure on the upstream left side of the bridge discharging to Shobers Run (HQ-CWF) (Everett West, PA Quadrangle N: 2.5 inches; W: 16.7 inches, Latitude: 40° 00' 50"; Longitude: 78° 29' 40"); (4) construct and maintain an 18-inch outfall structure on the downstream left side of the bridge discharging to Shobers Run (HQ-CWF) (Everett West, PA Quadrangle N: 2.5 inches; W: 16.7 inches, Latitude: 40° 00' 50"; Longitude: 78° 29' 40"); and (5) construct and maintain a 27-inch outfall structure on the upstream right side of the bridge discharging to Shobers Run (HQ-CWF) (Everett West, PA Quadrangle N: 2.5 inches; W: 16.7 inches, Latitude: 40° 00' 50"; Longitude: 78° 29' 40"). The project involves the use of a temporary causeway and cofferdams and is located in Bedford Borough, Bedford County.

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

E33-234, Department of Transportation, District 10-0, 2550 Oakland Avenue, P. O. Box 429, Indiana, PA 15701. SR 0080, Section 545 Brookville Interchange in Brookville Borough and Rose Township, **Jefferson County**. United States Army Corps of Engineers, Pittsburgh District (Brookville, PA Quadrangle N: 41° 10' 13.4"; W: 79° 05' 53.5").

To construct and maintain the following as part of the improvements to the Brookville Interchange, SR 0080, Section 545:

1. Fill 0.233 acre of wetland (PEM) associated with roadway embankment for the extension of the eastbound exit ramp (Ramp D).

2. Install a 40-inch diameter HDPE lining within the existing 270-foot long, 48-inch diameter corrugated metal pipe stream enclosure in a tributary to Clement Run at station 23+44.21 associated with extension of the westbound entrance ramp (Ramp A).

3. Install a 40-inch diameter HDPE lining within the existing 243-foot long, 48-inch diameter corrugated metal pipe stream enclosure and extend by 17 feet on the downstream end bringing the structure to a total length of 260 feet in a tributary to Clement Run at station 112+40.08 associated with extension of the eastbound exit ramp (Ramp D).

4. To extend the existing 160-foot long, 54-inch diameter corrugated metal pipe stream enclosure at station 35+64.76 associated with extension of the eastbound entrance ramp (Ramp A) by adding an additional 12 feet onto upstream end bringing the structure to a total length of 172 feet in Clement Run.

5. To extend the existing 174-foot long, 54-inch diameter corrugated metal pipe stream enclosure at station 106+41.43 associated with the extension of the westbound exit ramp (Ramp D) by adding an additional 31 feet onto the downstream end, bringing the structure to a total length of 205 feet in Clement Run.

Project includes deduction of 0.233 acre from Department of Transportation's Jefferson County Advance Wetland Mitigation Bank.

EROSION AND SEDIMENT CONTROL

The following Erosion and Sediment Control Permits have been issued.

Any person aggrieved by these actions may appeal, under section 4 of the Environmental Hearing Board Act (35 P. S. § 7514) and 2 Pa.C.S. Chapter 5, Subchapter A (relating to practice and procedure of Commonwealth

agencies), to the Environmental Hearing Board, Second Floor, Rachel Carson State Office Building, 400 Market Street, P. O. Box 8457, Harrisburg, PA 17105-8457, (717) 787-3483. TDD users should contact the Environmental Hearing Board (Board) through the Pennsylvania AT&T Relay Service, (800) 654-5984. Appeals must be filed with the Board within 30 days of publication of this notice in the *Pennsylvania Bulletin*, unless the appropriate statute provides a different time period. Copies of the appeal form and the Board's rules of practice and procedure may be obtained from the Board. The appeal form and the Board's rules of practice and procedure are also available in braille or on audiotape from the Secretary to the Board

at (717) 787-3483. This paragraph does not, in and of itself, create any right of appeal beyond that permitted by applicable statutes and decisional law.

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

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

<i>ESCP No.</i>	<i>Applicant Name & Address</i>	<i>County</i>	<i>Municipality</i>	<i>Receiving Water/Use</i>
3508801(1)	UGI Penn Natural Gas, Inc. One UGI Center Wilkes-Barre, PA 18711-0601	Lackawanna	Throop, Olyphant, Jessup and Archbald Boroughs	Eddy Creek WWF Sterry Creek CWF Grassy Island Creek HQ-CWF

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

<i>ESCP No.</i>	<i>Applicant Name & Address</i>	<i>County</i>	<i>Municipality</i>	<i>Receiving Water/Use</i>
ESCGP-1 0809816	Patrick Myers Appalachia Midstream Services, LLC 100 IST Center Horseheads, NY 14845	Bradford	Granville Township	North Branch Towanda Creek CWF
ESCGP-1 4109801-1	Ted Wurfel Chief Gathering, LLC 700 Fairfield Road Montoursville, PA 17754	Lycoming	Penn Township	Sugar Run CWF Big Run HQ-CWF Little Muncy Creek CWF

[Pa.B. Doc. No. 09-987. Filed for public inspection May 29, 2009, 9:00 a.m.]

Availability of Technical Guidance

Technical guidance documents are available on the Department of Environmental Protection's (Department) web site at <http://www.depweb.state.pa.us> (DEP Key-words: "Technical Guidance"). The "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 "Draft Technical Guidance" heading is the link to the Department's draft technical guidance documents.

The Department will continue to revise its nonregulatory documents, as necessary, throughout 2009.

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 Guidance

DEP ID: 392-0900-001. Title: Trading of Nutrient and Sediment Reduction Credits—Policy and Guidelines. Description: Credit trading is a market-based program that provides incentives for entities to earn nutrient reduction credits by going beyond legal obligations to remove nutrients from a watershed. The credits can be traded to help others more cost-effectively meet their nutrient reduction obligations or goals. The primary purpose of the Trading Program is to provide for more efficient ways for National Pollutant Discharge Elimina-

tion System permittees to meet their effluent limits for nutrients and sediment. Currently, the focus of the program is on the Chesapeake Bay Watershed. The Department has determined that the Farmland Preservation component of the current policy as it relates to the acceptance of land conversion proposals should be revised. This proposed revision is based on the Department's review of the scientific basis for granting land conversion credits and the potential conflicts the current policy may have with other Commonwealth policies and directives, including the Governor's Executive Order on Farmland Preservation. The guidance is now changed to clarify that land conversion proposals that seek to generate nutrient reduction credits from the conversion of agricultural land to another development type (that is, commercial, residential and the like) will no longer be accepted for review. Written Comments: The Department is seeking comments on the Farmland Preservation revision of draft technical guidance 392-0900-001. Interested persons may submit written comments on this the substantive changes to the draft technical guidance document by June 29, 2009. Comments submitted 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 Ann Smith, Water Planning Office, P. O. Box 2063, Harrisburg, PA 17105-2063, (717) 787-4726, annsmith@state.pa.us. Contact: Questions regarding the draft technical guidance should be directed to Ann Smith at (717) 787-4726 or annsmith@state.pa.us. Effective Date: Upon publication of notice as final in the *Pennsylvania Bulletin*.

JOHN HANGER,
Secretary

[Pa.B. Doc. No. 09-988. Filed for public inspection May 29, 2009, 9:00 a.m.]

Bid Opportunity

BOGM 08-13, Cleaning out and plugging 17 abandoned and orphan oil wells (John Cattoni and Mary Knoll, Alan Poyer, Ronald Burrit, National Fuel Gas Corp. (c/o Roger Duffey), Sharon Long, Jackie Adams, Mr. and Mrs. Richard Thomas, Dave Feely, Mr. and Mrs. Millard Taylor and Mr. and Mrs. Jeffrey Holly Properties) Bradford City and Bradford Township, McKean County. The principal items of work include cleaning out and plugging 17 abandoned and orphan oil wells, estimated to be between 1,200 and 1,350 feet in depth, to Department of Environmental Protection specifications, preparing and restoring well sites and mobilizing and demobilizing plugging equipment. This project issues on May 29, 2009, and bids will be opened on July 7, 2009, at 2 p.m. Bid documents cost \$10 per set and will not be mailed until payment has been received. A prebid conference is planned for this project but a date has not been set. Use the contact information contained in this advertisement to find out more about the prebid. Contact the Construction Contracts Section at (717) 787-7820 or joelmiller@state.pa.us for more information on this bid.

JOHN HANGER,
Secretary

[Pa.B. Doc. No. 09-989. Filed for public inspection May 29, 2009, 9:00 a.m.]

Blythe Township v. Commonwealth of Pennsylvania, Department of Environmental Protection and the Borough of St. Clair; EHB Doc. No. 2008-165-L; Notice of Settlement

The Commonwealth of Pennsylvania, Department of Environmental Protection (Department) and Blythe Township (Township) have agreed to a settlement of the named matter. The Commonwealth denied, by letter dated April 11, 2008, Township's application for a waste management permit (No. 101679) for a construction and demolition waste disposal and recycling facility in Blythe Township, Schuylkill County.

The Department and the Township have agreed to a settlement, the major provisions of which are summarized as follows and includes:

1. The Department acknowledges that the concerns raised in its April 11, 2008, letter have been sufficiently addressed to allow the Department to complete its review and issue a written decision on the Phase I, Environmental Assessment Process (EAP) "harms/benefit" review to Township under 25 Pa. Code §§ 271.126 and 271.127 (relating to requirement for environmental assessment; and environmental assessment).

2. The Township will comply with 25 Pa. Code § 271.211 (relating to term of permits) by accepting a permit condition with a 10-year permit term with an average daily volume of 1,500 tons per day.

3. The Township will continue to pursue a direct stream discharge and an NPDES permit with respect to the management of leachate at the site. The Township has agreed to submit a Part II water quality management permit application to the Department and obtain an NPDES permit and Part II water quality management permit in coordination with the solid waste management permit.

4. The Township submitted an air quality plan approval for an active gas system to the Department on December 10, 2007, which, in part, includes the collection of landfill gas and its destruction by flare. The Township will install the gas collection system as operations occur and has committed to take a number of specific measures for dealing with odors and other emissions as necessary. The Township also will provide site-specific meteorological data and will submit information to address the scope of the soil/rock/borrow material processing operations at the facility.

5. The Township has submitted information to evaluate the potential for mine subsidence damage to the facility. The Township has committed to perform any necessary mitigation to the underground mine conditions to reduce the potential for mine subsidence impact to the site prior to the construction of Cell 4, should a waste management permit be issued to the Township.

6. The Township has committed to take measures to mitigate potential harm to identified impacts to the ridgetop dwarf tree forest and fossil plants in the project area. The Township has confirmed that municipal and municipal authority uses are authorized on the project area under the Township Zoning Code.

7. The Department will complete its EAP review and issue a written decision on the EAP review within 60 days from the date of publication of this settlement in the *Pennsylvania Bulletin*, but no later than July 30, 2009.

8. The settlement will be published in the *Pennsylvania Bulletin* and open for public comment for 30 days.

Comments may be submitted to: Waste Program Manager, Department of Environmental Protection, 2 Public Square, Wilkes-Barre, PA 18711-0790.

9. The Environmental Hearing Board (Board) will retain jurisdiction over the settlement agreement until the Department renders a final action on the Township's waste management application, No. 101679.

Copies of the full agreement are in the hands of:

David R. Stull, Esquire
 Assistant Regional Counsel
 Commonwealth of Pennsylvania
 Department of Environmental Protection
 Northeast Regional Office
 2 Public Square
 Wilkes-Barre, PA 18711-0790
 (570) 826-2519

and

David J. Brooman, Esquire
 Drinker Biddle & Reath LLP
 1000 Westlakes Drive
 Suite 300
 Berwyn, PA 19312
 (610) 993-2210

and at the office of the Board, and may be reviewed by any interested party on request during normal business hours.

JOHN HANGER,
Secretary

[Pa.B. Doc. No. 09-990. Filed for public inspection May 29, 2009, 9:00 a.m.]

Nutrient and Sediment Reduction Credit Trading Program; Notice of Actions

The Department of Environmental Protection (Department) provides notice of the following actions regarding the Nutrient and Sediment Reduction Credit Trading Program (Trading Program). These actions were taken in relation to the Final Trading of Nutrient and Sediment Reduction Credits—Policy and Guidelines (Policy) (DEP ID No. 392-0900-001). See 36 Pa.B. 7999 (December 30, 2006). The Policy called for a transparent system of credit reviews and approvals.

Trading is a market-based program that provides incentives for entities to create nutrient reduction credits by going beyond statutory, regulatory or voluntary obligations and goals by removing nutrients from a watershed. The credits can be traded to help others more cost-effectively meet their obligations or goals. The primary purpose of the Trading Program is to provide for more efficient ways for National Pollutant Discharge Elimination System (NPDES) permittees to meet their effluent limits for nutrients and sediment. Currently, the focus of the program is on the Chesapeake Bay Watershed.

The actions described in this notice relate to: (1) submitted proposals; (2) approved proposals; and (3) registered credits, through May 18, 2009.

Background

Before a credit can be used by an NPDES permittee, a three-step process is followed. First, the credit or offset proposal must be approved, second, it must be verified and third, it must be registered.

Approval is also known as certification, which is a written approval by the Department for the use of proposed or implemented activities to generate credits (in some cases the person generating the credits is not permitted to transfer them to another person, in which case they are called "offsets"). Certifications are based on at least: (1) a credit or offset proposal to be submitted describing the qualifying activities that will reduce the nutrient loadings delivered to the applicable watershed; (2) the calculation to quantify the pounds of reductions expected; and (3) a verification plan that, when implemented, ensures that the qualifying nutrient reduction activities have taken place. All of the proposals, certifications and registrations described in this Notice apply to the Chesapeake Bay Watershed.

Once the credits or offsets are certified, they must be verified. Verification means implementation of the verification plan contained in a certified credit or offset proposal as required by the Department. Verification plans require annual submittal of documentation to the Department that demonstrates that the qualifying nutrient reduction activities have taken place for the applicable compliance year.

The credits or offsets also need to be registered by the Department before they can be used in an NPDES permit. Registration occurs only after credits or offsets have been certified and verified, and a trading contract for credits has been submitted to the Department. For the Chesapeake Bay Watershed, the Department will register credits on an annual basis for use during the compliance year in which the qualifying nutrient reduction activities have taken place and will provide the credits with an annual registry number for reporting and tracking purposes.

The Department has received 69 proposals that have been submitted for review to generate nutrient reduction credits in the Chesapeake Bay Watershed. Of those, 45 have been approved, three are in review, one has been withdrawn and the remaining need additional clarification prior to certification.

Proposals under Review

The following proposals are being reviewed by the Department. Comments will be received on these projects for 30 days.

Proposal Applicant Proposal Description

- 1. EnergyWorks BioPower, Inc. Nitrogen and Phosphorus credits to be generated by treating poultry manure from farms located in Adams County. This treatment includes the installation of an Energy and Nutrient Recovery Facility.
- 2. Capital RC & D Nitrogen and Phosphorus credits generated by implementation of no-till in Bradford County.

Certifications:

<i>Applicant and proposal description</i>	<i>Nitrogen Credits</i>	<i>Phosphorus Credits</i>
1. Chesapeake Nutrient Management Environmental Planners: credits generated by exporting poultry manure from Lancaster to location outside of the watershed.	184,714	23,089

Verifications and Registrations:

To date, there are no verifications and registrations.

For further information about the previous information or the Department's Nutrient Trading Program, contact Ann Smith, Water Planning Office, P. O. Box 2063, Harrisburg, PA 17105-2063, (717) 787-4726, annsmith@state.pa.us or visit the Department's web site at <http://www.depweb.state.pa.us> (DEP Keywords: "Nutrient Trading").

JOHN HANGER,
Secretary

[Pa.B. Doc. No. 09-991. Filed for public inspection May 29, 2009, 9:00 a.m.]

Proposed Revision to the State Implementation Plan for the Pennsylvania Portion of the Philadelphia-Wilmington-Atlantic City 8-Hour Ozone Nonattainment Area; Public Hearing

The proposed revision to the Pennsylvania State Implementation Plan (SIP) amends the 2002 Base Year Inventory for the Pennsylvania portion of the Philadelphia-Wilmington-Atlantic City 8-hour Ozone Nonattainment Area (Philadelphia Nonattainment Area). On August 29, 2007, the Department of Environmental Protection (Department) submitted the 2002 Base Year Inventory to the United States Environmental Protection Agency (EPA) along with the attainment demonstration for the 8-hour ozone National Ambient Air Quality Standard (NAAQS) for the Philadelphia Nonattainment Area, for approval as a SIP revision. The values for stationary sources in the 2002 Base Year Inventory submitted on August 29, 2007, are incorrect because name changes were not fully incorporated into the Department's databases, causing some facilities to be included multiple times during the inventory development. Therefore, the emissions estimated for 2002 were too high.

The DEP is seeking comment on the proposed changes to the 2002 Base Year Inventory for the Philadelphia Nonattainment Area. This proposed SIP revision substitutes the corrected table and appendix. This proposal is available on the Department's web site at www.depweb.state.pa.us (choose "Air Topics") or through the contact persons listed below. After consideration of comments received, the Department intends to withdraw the incorrect portion of the August 29, 2007, submittal and submit the corrected portion to the EPA for approval.

The Department will hold a public hearing to receive comments on the proposed SIP revision only if a request for a public hearing is received from a member of the public. A request for a public hearing must be received by 4 p.m. on Monday, July 6, 2009. If a request for a public hearing is received by 4 p.m. on Monday, July 6, 2009, the public hearing will be held on Thursday, July 9, 2009, at 1 p.m. at the Department's Southeast Regional Office, 2 East Main Street, Norristown, PA. If no request for public hearing is received by 4 p.m. on Monday, July 6, 2009, the hearing will be cancelled and notice of the cancellation will be published on Tuesday, July 7, 2009, at 12 p.m., on the DEP's web site at www.depweb.state.pa.us (DEP Keywords: Air Plans). Interested parties may also call (717) 787-9495 to find out if the hearing has been cancelled.

Persons wishing to request a public hearing or who wish to present testimony at a scheduled hearing should

contact Yvette House, P. O. Box 8468, Harrisburg, PA 17105, (717) 787-9495, yhouse@state.pa.us to reserve a time. The Department will consider a request to present testimony at a scheduled hearing to be a request for a public hearing. Persons who do not reserve a time will be able to testify as time allows. Witnesses should keep testimony to 10 minutes and should provide two written copies of their statement at the hearing.

Persons with a disability who wish to attend the hearing and require an auxiliary aid, service or other accommodation to participate in the proceeding should contact Yvette House at (717) 787-9495 or yhouse@state.pa.us. TDD users may contact the Pennsylvania AT&T Relay Service at (800) 654-5984 to discuss how the Department can best accommodate their needs.

Persons interested in this proposed SIP revision are invited to submit written comments on the proposed SIP revision. Written comments must be received by the Department no later than July 10, 2009. Written comments should be sent to the attention of Arleen Shulman, Division of Air Resource Management, Bureau of Air Quality, Department of Environmental Protection, P. O. Box 8468, Harrisburg, PA 17105-8468, ashulman@state.pa.us. Use "Philadelphia Base Year Inventory Revision" as the e-mail addressee or in the subject line.

JOHN HANGER,
Secretary

[Pa.B. Doc. No. 09-992. Filed for public inspection May 29, 2009, 9:00 a.m.]

Solar Workgroup Meeting

The Solar Workgroup (Workgroup) will hold a meeting on June 1, 2009, at 10 a.m. in the 2nd Floor Training Room, Rachel Carson State Office Building, 400 Market Street, Harrisburg, PA.

The agenda and materials for the June 1, 2009, meeting will be available at the meeting. Questions concerning this meeting should be directed to Libby Dodson, Office of Energy and Technology Deployment, Division of Energy Promotion, 400 Market Street, Harrisburg, PA 17101, (717) 772-8907, libdodson@state.pa.us.

Persons with a disability who require accommodations to attend the June 1, 2009, meeting of the Workgroup should contact Angela Rothrock at (717) 772-8911 or through the Pennsylvania AT&T Relay Service at (800) 654-5984 (TDD) to discuss how the Department of Environmental Protection may accommodate their needs.

JOHN HANGER,
Secretary

[Pa.B. Doc. No. 09-993. Filed for public inspection May 29, 2009, 9:00 a.m.]

Water Resources Advisory Committee; Special Meeting Notice

The Water Resources Advisory Committee (WRAC) will have a special committee meeting on Friday, June 19, 2009, at 9:30 a.m. in Room 105, Rachel Carson State Office Building, 400 Market Street, Harrisburg, PA. The

WRAC will be discussing Chapters 95 and 96 (relating to wastewater treatment requirements; and water quality standards implementation).

Questions concerning the meeting may be directed to Phil Consonery at (717) 772-2184 or pconsonery@state.pa.us.

Persons in need of accommodations as provided for in the Americans With Disabilities Act of 1990 should contact Phil Consonery at (717) 772-2184 or through the Pennsylvania AT&T Relay Service at (800) 654-5984 (TDD users) or (800) 654-5988 (voice users) to discuss how the Department of Environmental Protection may accommodate their needs.

JOHN HANGER,
Secretary

[Pa.B. Doc. No. 09-994. Filed for public inspection May 29, 2009, 9:00 a.m.]

DEPARTMENT OF HEALTH

Application of Memorial Medical Center for Exception

Under 28 Pa. Code § 51.33 (relating to requests for exceptions), the Department of Health (Department) gives notice that Memorial Medical Center has requested an exception to the requirements of 28 Pa. Code § 153.1 (relating to minimum standards), which requires compliance with minimum standards contained in the following publication: *Guidelines for Design and Construction of Hospitals and Healthcare Facilities*. The facility specifically requests exception from the following standard contained in this publication: 3.4.2.1(1) (relating to room space).

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

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

Comments received by the Department within 10 days after the date of publication of this notice will be reviewed by the Department before it decides whether to approve or disapprove the request for exception.

Persons with a disability who wish to obtain a copy of a request and/or provide comments to the Department and require an auxiliary aid, service or other accommodation to do so should contact the Director, Division of Acute and Ambulatory Care at (717) 783-8980 for speech and/or hearing impaired persons V/TT (717) 783-6154 or the Pennsylvania AT&T Relay Service at (800) 654-5984 (TT).

EVERETTE JAMES,
Secretary

[Pa.B. Doc. No. 09-995. Filed for public inspection May 29, 2009, 9:00 a.m.]

Health Research Advisory Committee Meeting

The Health Research Advisory Committee of the Department of Health will hold a public meeting on November 23, 2009, from 9:30 a.m. to 4 p.m. The meeting will be held at the Bureau of Health Statistics and Research, Forum Place Building, 555 Walnut Street, 6th Floor, Harrisburg, PA.

There are two primary aims for the meeting: (1) to review the findings of the 2006 nonformula health research projects, which were designed to reduce health disparities related to gene-environment interactions and vaccine development; and (2) to recommend the State Fiscal Year 2010-2011 health research priorities for the Commonwealth Universal Research Enhancement (CURE) Program.

This meeting is open to the public. No reservations are required. The meeting is not a public hearing and therefore public testimony or comments, or both, are not part of the meeting agenda.

For additional information, contact Patricia W. Potrzebowski, Ph.D., Director, Bureau of Health Statistics and Research or Violet Witmer, Administrative Officer, Bureau of Health Statistics and Research, 555 Walnut Street, 6th Floor, Harrisburg, PA 17101-1914 or (717) 783-2548.

Persons with disabilities who wish to attend the meeting and requiring an auxiliary aid, service or other accommodation should contact Patricia W. Potrzebowski or Violet Witmer at (717) 783-2548 or for speech and/or hearing impaired persons at V/TT (717) 783-6154 or the Pennsylvania AT&T Relay Service at (800) 654-5984 (TT).

This meeting is subject to cancellation without notice.

EVERETTE JAMES,
Secretary

[Pa.B. Doc. No. 09-996. Filed for public inspection May 29, 2009, 9:00 a.m.]

DEPARTMENT OF REVENUE

Pennsylvania \$3 Million Gold Nugget Instant Lottery Game

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

1. *Name:* The name of the game is Pennsylvania \$3 Million Gold Nugget.

2. *Price:* The price of a Pennsylvania \$3 Million Gold Nugget instant lottery game ticket is \$25.

3. *Play Symbols:* Each Pennsylvania \$3 Million Gold Nugget instant lottery game ticket will contain one play area featuring a "NUGGET NUMBERS" area, a "GOLDEN NUMBERS" area a "Fast \$50" area, a "Fast \$100" area, a "Fast \$200" area and a "Fast \$500" area. The play symbols and their captions located in the "NUGGET NUMBERS" area are: 1 (ONE), 2 (TWO), 3 (THREE), 4 (FOUR), 5 (FIVE), 6 (SIX), 7 (SEVEN), 8 (EIGHT), 9 (NINE), 10 (TEN), 11 (ELEVN), 12 (TWLV),

13 (THRTN), 14 (FORTN), 15 (FIFTN), 16 (SIXTN), 17 (SVNTN), 18 (EGHTN), 19 (NINTN), 20 (TWENT), 21 (TWYONE), 22 (TWY TWO), 23 (TWYTHR), 24 (TWYFOR), 25 (TWYFIV), 26 (TWYSIX), 27 (TWYSVN), 28 (TWYEGT), 29 (TWYNIN), 30 (THIRTY), 31 (THYONE), 32 (THYTWO), 33 (THYTHR), 34 (THYFOR), 35 (THYFIV), 36 (THYSIX), 37 (THYSVN), 38 (THYEGT), 39 (THYNIN) and 40 (FORTY). The play symbols and their captions located in the "GOLDEN NUMBERS" area are: 1 (ONE), 2 (TWO), 3 (THREE), 4 (FOUR), 5 (FIVE), 6 (SIX), 7 (SEVEN), 8 (EIGHT), 9 (NINE), 10 (TEN), 11 (ELEVN), 12 (TWLV), 13 (THRTN), 14 (FORTN), 15 (FIFTN), 16 (SIXTN), 17 (SVNTN), 18 (EGHTN), 19 (NINTN), 20 (TWENT), 21 (TWYONE), 22 (TWY TWO), 23 (TWYTHR), 24 (TWYFOR), 25 (TWYFIV), 26 (TWYSIX), 27 (TWYSVN), 28 (TWYEGT), 29 (TWYNIN), 30 (THIRTY), 31 (THYONE), 32 (THYTWO), 33 (THYTHR), 34 (THYFOR), 35 (THYFIV), 36 (THYSIX), 37 (THYSVN), 38 (THYEGT), 39 (THYNIN), 40 (FORTY), Pick symbol (PICK) and a Minecar symbol (MINECAR). The prize play symbol and the play symbols and their captions located in the "Fast \$50" area are: \$50⁰⁰ (FIFTY), NO BONUS (TRY AGAIN) and TRY AGAIN (NO BONUS). The prize play symbol and the play symbols and their captions located in the "Fast \$100" area are: \$100 (ONE HUN), NO BONUS (TRY AGAIN) and TRY AGAIN (NO BONUS). The prize play symbol and the play symbols and their captions located in the "Fast \$200" area are: \$200 (TWO HUN), NO BONUS (TRY AGAIN) and TRY AGAIN (NO BONUS). The prize play symbol and the play symbols and their captions located in the "Fast \$500" area are: \$500 (FIV HUN), NO BONUS (TRY AGAIN) and TRY AGAIN (NO BONUS). Each play area is played separately.

4. *Prize Symbols:* The prize symbols and their captions located in the "GOLDEN NUMBERS" area are: \$25⁰⁰ (TWY FIV), \$50⁰⁰ (FIFTY), \$100 (ONE HUN), \$200 (TWO HUN), \$400 (FOR HUN), \$500 (FIV HUN), \$1,000 (ONE THO), \$2,500 (TWYFIVHUN), \$10,000 (TEN THO), \$100,000 (ONEHUNTHO), \$300,000 (THRHUNTHO), and \$3MILL (\$120K/25PMT).

5. *Prizes:* The prizes that can be won in this game are: \$25, \$50, \$100, \$200, \$400, \$500, \$1,000, \$2,500, \$10,000, \$100,000, \$300,000 and \$3,000,000. The \$3,000,000 prize shall be paid by an initial cash payment of \$120,000 plus equal annual installments of \$120,000 over a specified term of 24 years. The prize that can be won in the "Fast \$50" area is \$50. The prize that can be won in the "Fast \$100" area is \$100. The prize that can be won in the "Fast \$200" area is \$200. The prize that can be won in the "Fast \$500" area is \$500. A player can win up to 21 times on a ticket.

6. *Approximate Number of Tickets Printed For the Game:* Approximately 4,800,000 tickets will be printed for the Pennsylvania \$3 Million Gold Nugget instant lottery game.

7. *Determination of Prize Winners:*

(a) Holders of tickets upon which any one of the "GOLDEN NUMBERS" play symbols matches any of the "NUGGET NUMBERS" play symbols and a prize symbol of \$3MILL (\$120K/25PMT) appears under the matching "GOLDEN NUMBERS" play symbol, on a single ticket, shall be entitled to a prize of \$3,000,000. This prize shall be paid by an initial cash payment of \$120,000 plus equal

annual installments of \$120,000 over a specified term of 24 years continuing under the provisions of 61 Pa. Code § 811.16 (relating to prizes payable after death of prize winner) until the \$3,000,000 has been paid.

(b) Holders of tickets upon which any one of the "GOLDEN NUMBERS" play symbols matches any of the "NUGGET NUMBERS" play symbols and a prize symbol of \$300,000 (THRHUNTHO) appears under the matching "GOLDEN NUMBERS" play symbol, on a single ticket, shall be entitled to a prize of \$300,000.

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

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

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

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

(g) Holders of tickets upon which any one of the "GOLDEN NUMBERS" play symbols is a Minecar symbol (MINECAR) and a prize symbol of \$100 (ONE HUN) appears under that Minecar symbol (MINECAR), on a single ticket, shall be entitled to a prize of \$1,000.

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

(i) Holders of tickets with a \$500 (FIV HUN) prize play symbol in the "Fast \$500" area, on a single ticket, shall be entitled to a prize of \$500.

(j) Holders of tickets upon which any one of the "GOLDEN NUMBERS" play symbols is a Minecar symbol (MINECAR) and a prize symbol of \$50⁰⁰ (FIFTY) appears under that Minecar symbol (MINECAR), on a single ticket, shall be entitled to a prize of \$500.

(k) Holders of tickets upon which any one of the "GOLDEN NUMBERS" play symbols matches any of the "NUGGET NUMBERS" play symbols and a prize symbol of \$400 (FOR HUN) appears under the matching "GOLDEN NUMBERS" play symbol, on a single ticket, shall be entitled to a prize of \$400.

(l) Holders of tickets upon which any one of the "GOLDEN NUMBERS" play symbols is a Pick symbol (PICK), and a prize symbol of \$200 (TWO HUN) appears under the Pick symbol (PICK), on a single ticket, shall be entitled to a prize of \$400.

(m) Holders of tickets upon which any one of the "GOLDEN NUMBERS" play symbols is a Minecar symbol (MINECAR) and a prize symbol of \$25⁰⁰ (TWY FIV) appears under that Minecar symbol (MINECAR), on a single ticket, shall be entitled to a prize of \$250.

(n) Holders of tickets upon which any one of the "GOLDEN NUMBERS" play symbols matches any of the "NUGGET NUMBERS" play symbols and a prize symbol of \$200 (TWO HUN) appears under the matching "GOLDEN NUMBERS" play symbol, on a single ticket, shall be entitled to a prize of \$200.

(o) Holders of tickets with a \$200 (TWO HUN) prize play symbol in the "Fast \$200" area, on a single ticket, shall be entitled to a prize of \$200.

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

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

(r) Holders of tickets with a \$100 (ONE HUN) prize play symbol in the "Fast \$100" area, on a single ticket, shall be entitled to a prize of \$100.

(s) Holders of tickets upon which any one of the "GOLDEN NUMBERS" play symbols is a Pick symbol (PICK), and a prize symbol of \$50⁰⁰ (FIFTY) appears under the Pick symbol (PICK), on a single ticket, shall be entitled to a prize of \$100.

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

(u) Holders of tickets with a \$50⁰⁰ (FIFTY) prize play symbol in the "Fast \$50" area, on a single ticket, shall be entitled to a prize of \$50.

(v) Holders of tickets upon which any one of the "GOLDEN NUMBERS" play symbols is a Pick symbol (PICK), and a prize symbol of \$25⁰⁰ (TWY FIV) appears under the Pick symbol (PICK), on a single ticket, shall be entitled to a prize of \$50.

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

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

<i>When Any Of The Golden Numbers Match Any Of The Nugget Numbers, Win With Prize(s) Of:</i>	<i>Fast \$50</i>	<i>Fast \$100</i>	<i>Fast \$200</i>	<i>Fast \$500</i>	<i>Win:</i>	<i>Approximate Odds Are 1 In:</i>	<i>Approximate No. Of Winners Per 4,800,000 Tickets</i>
\$25					\$25	5.26	912,000
\$25 × 2					\$50	60	80,000
\$25 w/PICK					\$50	60	80,000
	\$50				\$50	30	160,000
\$50					\$50	30	160,000
\$25 × 4					\$100	300	16,000
(\$25 w/PICK) + \$50					\$100	300	16,000
\$25 × 2	\$50				\$100	300	16,000
\$50	\$50				\$100	300	16,000
\$100					\$100	300	16,000
		\$100			\$100	300	16,000
(\$25 w/PICK) + (\$25 × 2)		\$100			\$200	600	8,000
\$50	\$50	\$100			\$200	600	8,000
\$50 w/ PICK		\$100			\$200	600	8,000
\$100 w/ PICK					\$200	600	8,000
\$200					\$200	600	8,000
			\$200		\$200	600	8,000
(\$25 w/ PICK) + (\$25 × 12)	\$50				\$400	6,000	800
(\$25 w/MINECAR) + (\$25 × 2)		\$100			\$400	6,000	800
\$25 × 10	\$50	\$100			\$400	6,000	800
\$50 × 5	\$50	\$100			\$400	6,000	800

When Any Of The Golden Numbers Match Any Of The Nugget Numbers, Win With Prize(s) Of:

	Fast \$50	Fast \$100	Fast \$200	Fast \$500	Win:	Approximate Odds Are 1 In:	Approximate No. Of Winners Per 4,800,000 Tickets
(\$50 w/ PICK) + (\$50 × 4)		\$100			\$400	6,000	800
\$50 × 8					\$400	6,000	800
\$100 w/ PICK			\$200		\$400	6,000	800
\$100 × 4					\$400	6,000	800
\$200			\$200		\$400	6,000	800
\$400					\$400	6,000	800
(\$25 w/PICK) + (\$25 × 18)					\$500	12,000	400
(\$25 w/MINECAR) + (\$50 × 5)					\$500	12,000	400
\$25 × 20					\$500	12,000	400
(\$50 w/ PICK) + (\$50 × 8)					\$500	12,000	400
\$50 × 3	\$50	\$100	\$200		\$500	12,000	400
\$50 × 4		\$100	\$200		\$500	12,000	400
\$50 × 6			\$200		\$500	12,000	400
\$50 w/MINECAR					\$500	12,000	400
\$100 w/ PICK		\$100	\$200		\$500	12,000	400
\$100 × 3			\$200		\$500	12,000	400
(\$200 w/ PICK) + \$100					\$500	12,000	400
\$500					\$500	12,000	400
				\$500	\$500	12,000	400
\$25 × 6	\$50	\$100	\$200	\$500	\$1,000	9,231	520
\$50 × 4		\$100	\$200	\$500	\$1,000	9,231	520
\$50 × 20					\$1,000	9,231	520
\$100 w/ PICK		\$100	\$200	\$500	\$1,000	9,231	520
\$100 w/MINECAR					\$1,000	9,231	520
\$500				\$500	\$1,000	9,231	520
\$1,000					\$1,000	9,231	520
\$100 × 20				\$500	\$2,500	60,000	80
\$500 × 4				\$500	\$2,500	60,000	80
\$2,500					\$2,500	60,000	80
\$10,000					\$10,000	30,000	160
\$100,000					\$100,000	240,000	20
\$300,000					\$300,000	480,000	10
\$3,000,000					*\$3,000,000	800,000	6

Pick (PICK) = Win double the prize shown under that symbol.

Minecar (MINECAR) = Win 10 times the prize shown under that symbol.

*25-year annuity estimated cost = \$1,606,541.

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

9. *Retailer Incentive Awards:* The Lottery may conduct a separate Retailer Incentive Game for retailers who sell Pennsylvania \$3 Million Gold Nugget instant lottery game tickets. The conduct of the game will be governed by 61 Pa. Code § 819.222 (relating to retailer bonuses and incentive).

10. *Unclaimed Prize Money:* For a period of 1 year from the announced close of Pennsylvania \$3 Million Gold Nugget, prize money from winning Pennsylvania \$3

Million Gold Nugget instant lottery game tickets will be retained by the Secretary for payment to the persons entitled thereto. If no claim is made within 1 year of the announced close of the Pennsylvania \$3 Million Gold Nugget instant lottery game, the right of a ticket holder to claim the prize represented by the ticket, if any, will expire and the prize money will be paid into the State Lottery Fund and used for purposes provided for by statute.

11. *Governing Law:* In purchasing a ticket, the customer agrees to comply with and abide by the State Lottery Law (72 P.S. §§ 3761-101—3761-314), 61

Pa. Code Part V (relating to State Lotteries) and the provisions contained in this notice.

12. *Termination of the Game:* The Secretary may announce a termination date, after which no further tickets from this game may be sold. The announcement will be disseminated through media used to advertise or promote Pennsylvania \$3 Million Gold Nugget or through normal communications methods.

STEPHEN H. STETLER,
Secretary

[Pa.B. Doc. No. 09-997. Filed for public inspection May 29, 2009, 9:00 a.m.]

Pennsylvania High Card '09 Instant Lottery Game

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

1. *Name:* The name of the game is Pennsylvania High Card '09.

2. *Price:* The price of a Pennsylvania High Card '09 instant lottery game ticket is \$1.

3. *Play Symbols:* Each Pennsylvania High Card '09 instant lottery game ticket will contain one play area consisting of HAND 1, HAND 2, HAND 3 and HAND 4. Each "HAND" is played separately. Each "HAND" features a "YOUR" card area and a "DEALER'S" card area. The play symbols and their captions located in the "YOUR" card area are: 3 (THR), 4 (FOR), 5 (FIV), 6 (SIX), 7 (SVN), 8 (EGT), 9 (NIN), 10 (TEN), Jack (JCK), Queen (QUN), King (KNG), Ace (ACE) and Joker (JKR) card play symbols. The play symbols and their captions located in the "DEALER'S" card area are: 2 (TWO), 3 (THR), 4 (FOR), 5 (FIV), 6 (SIX), 7 (SVN), 8 (EGT), 9 (NIN), 10 (TEN), Jack (JCK), Queen (QUN) and King (KNG) card play symbols. Cards are ranked in value from high to low: A, K, Q, J, 10, 9, 8, 7, 6, 5, 4, 3, 2.

4. *Prize Symbols:* The prize symbols and their captions located in the "PRIZE" area of each "HAND" are: FREE (TICKET), \$1⁰⁰ (ONE DOL), \$2⁰⁰ (TWO DOL), \$4⁰⁰ (FOR DOL), \$5⁰⁰ (FIV DOL), \$10⁰⁰ (TEN DOL), \$20⁰⁰ (TWENTY), \$40⁰⁰ (FORTY), \$100 (ONE HUN), \$400 (FOR HUN), \$1,000 (ONE THO) and \$2,000 (TWO THO).

5. *Prizes:* The prizes that can be won in this game are: Free \$1 Ticket, \$1, \$2, \$4, \$5, \$10, \$20, \$40, \$100, \$400, \$1,000 and \$2,000. The player can win up to 4 times on a ticket.

6. *Approximate Number of Tickets Printed For the Game:* Approximately 12,720,000 tickets will be printed for the Pennsylvania High Card '09 instant lottery game.

7. *Determination of Prize Winners:*

(a) Holders of tickets where the "YOUR" card play symbol is greater than the "DEALER'S" card play symbol in the same "HAND," and a prize symbol of \$2,000 (TWO THO) appears in the "PRIZE" area for that "HAND," on a single ticket, shall be entitled to a prize of \$2,000.

(b) Holders of tickets where the "YOUR" card play symbol is greater than the "DEALER'S" card play symbol in the same "HAND," and a prize symbol of \$1,000 (ONE THO) appears in the "PRIZE" area for that "HAND," on a single ticket, shall be entitled to a prize of \$1,000.

(c) Holders of tickets where the "YOUR" card play symbol is greater than the "DEALER'S" card play symbol in the same "HAND," and a prize symbol of \$400 (FOR HUN) appears in the "PRIZE" area for that "HAND," on a single ticket, shall be entitled to a prize of \$400.

(d) Holders of tickets upon which any one of the "YOUR" card play symbols is a Joker symbol (JKR), and a prize symbol of \$100 (ONE HUN) appears in each of the four "PRIZE" areas, on a single ticket, shall be entitled to a prize of \$400.

(e) Holders of tickets where the "YOUR" card play symbol is greater than the "DEALER'S" card play symbol in the same "HAND," and a prize symbol of \$100 (ONE HUN) appears in the "PRIZE" area for that "HAND," on a single ticket, shall be entitled to a prize of \$100.

(f) Holders of tickets upon which any one of the "YOUR" card play symbols is a Joker symbol (JKR), and a prize symbol of \$20⁰⁰ (TWENTY) appears in three of the "PRIZE" areas, and a prize symbol of \$40⁰⁰ (FORTY) appears in one of the "PRIZE" areas, on a single ticket, shall be entitled to a prize of \$100.

(g) Holders of tickets upon which any one of the "YOUR" card play symbols is a Joker symbol (JKR), and a prize symbol of \$10⁰⁰ (TEN DOL) appears in two of the "PRIZE" areas, and a prize symbol of \$40⁰⁰ (FORTY) appears in two of the "PRIZE" areas, on a single ticket, shall be entitled to a prize of \$100.

(h) Holders of tickets where the "YOUR" card play symbol is greater than the "DEALER'S" card play symbol in the same "HAND," and a prize symbol of \$40⁰⁰ (FORTY) appears in the "PRIZE" area for that "HAND," on a single ticket, shall be entitled to a prize of \$40.

(i) Holders of tickets upon which any one of the "YOUR" card play symbols is a Joker symbol (JKR), and a prize symbol of \$10⁰⁰ (TEN DOL) appears in each of the four "PRIZE" areas, on a single ticket, shall be entitled to a prize of \$40.

(j) Holders of tickets where the "YOUR" card play symbol is greater than the "DEALER'S" card play symbol in the same "HAND," and a prize symbol of \$20⁰⁰ (TWENTY) appears in the "PRIZE" area for that "HAND," on a single ticket, shall be entitled to a prize of \$20.

(k) Holders of tickets upon which any one of the "YOUR" card play symbols is a Joker symbol (JKR), and a prize symbol of \$5⁰⁰ (FIV DOL) appears in each of the four "PRIZE" areas, on a single ticket, shall be entitled to a prize of \$20.

(l) Holders of tickets where the "YOUR" card play symbol is greater than the "DEALER'S" card play symbol in the same "HAND," and a prize symbol of \$10⁰⁰ (TEN DOL) appears in the "PRIZE" area for that "HAND," on a single ticket, shall be entitled to a prize of \$10.

(m) Holders of tickets upon which any one of the "YOUR" card play symbols is a Joker symbol (JKR), and a prize symbol of \$2⁰⁰ (TWO DOL) appears in three of the "PRIZE" areas, and a prize symbol of \$4⁰⁰ (FOR DOL) appears in one of the "PRIZE" areas, on a single ticket, shall be entitled to a prize of \$10.

(n) Holders of tickets upon which any one of the "YOUR" card play symbols is a Joker symbol (JKR), and a prize symbol of \$1⁰⁰ (ONE DOL) appears in two of the "PRIZE" areas, and a prize symbol of \$4⁰⁰ (FOR DOL) appears in two of the "PRIZE" areas, on a single ticket, shall be entitled to a prize of \$10.

(o) Holders of tickets where the "YOUR" card play symbol is greater than the "DEALER'S" card play symbol in the same "HAND," and a prize symbol of \$5.⁰⁰ (FIV DOL) appears in the "PRIZE" area for that "HAND," on a single ticket, shall be entitled to a prize of \$5.

(p) Holders of tickets upon which any one of the "YOUR" card play symbols is a Joker symbol (JKR), and a prize symbol of \$1.⁰⁰ (ONE DOL) appears in three of the "PRIZE" areas, and a prize symbol of \$2.⁰⁰ (TWO DOL) appears in one of the "PRIZE" areas, on a single ticket, shall be entitled to a prize of \$5.

(q) Holders of tickets where the "YOUR" card play symbol is greater than the "DEALER'S" card play symbol in the same "HAND," and a prize symbol of \$4.⁰⁰ (FOR DOL) appears in the "PRIZE" area for that "HAND," on a single ticket, shall be entitled to a prize of \$4.

(r) Holders of tickets upon which any one of the "YOUR" card play symbols is a Joker symbol (JKR), and a prize symbol of \$1.⁰⁰ (ONE DOL) appears in each of the four "PRIZE" areas, on a single ticket, shall be entitled to a prize of \$4.

(s) Holders of tickets where the "YOUR" card play symbol is greater than the "DEALER'S" card play symbol in the same "HAND," and a prize symbol of \$2.⁰⁰ (TWO DOL) appears in the "PRIZE" area for that "HAND," on a single ticket, shall be entitled to a prize of \$2.

(t) Holders of tickets where the "YOUR" card play symbol is greater than the "DEALER'S" card play symbol in the same "HAND," and a prize symbol of \$1.⁰⁰ (ONE DOL) appears in the "PRIZE" area for that "HAND," on a single ticket, shall be entitled to a prize of \$1.

(u) Holders of tickets where the "YOUR" card play symbol is greater than the "DEALER'S" card play symbol in the same "HAND," and a prize symbol of FREE (TICKET) appears in the "PRIZE" area for that "HAND," on a single ticket, shall be entitled to a prize of one Pennsylvania High Card '09 instant game ticket or one Pennsylvania Lottery instant game ticket with a \$1 sale price which is currently on sale.

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

When Your Card Beats The Dealer's Card In The Same Hand, Win Prize Shown For That Hand. Win With Prize(s) Of:

	<i>Win:</i>	<i>Approximate Odds Are 1 In:</i>	<i>Approximate No. Of Winners Per 12,720,000 Tickets</i>
FREE	FREE \$1 TICKET	11.54	1,102,400
\$1	\$1	75	169,600
\$1 x 2	\$2	37.50	339,200
\$2	\$2	35.29	360,400
JOKER w/\$1 x 4	\$4	100	127,200
\$2 x 2	\$4	300	42,400
\$4	\$4	150	84,800
JOKER w/(\$1 x 3) + \$2	\$5	200	63,600
(\$2 x 2) + \$1	\$5	300	42,400
\$5	\$5	200	63,600
JOKER w/(\$1 x 2) + (\$4 x 2)	\$10	500	25,440
JOKER w/(\$2 x 3) + \$4	\$10	500	25,440
\$5 x 2	\$10	500	25,440
\$10	\$10	500	25,440
JOKER w/\$5 x 4	\$20	1,000	12,720
(\$5 x 2) + \$10	\$20	1,500	8,480
\$10 x 2	\$20	1,500	8,480
\$20	\$20	1,000	12,720
JOKER w/\$10 x 4	\$40	3,429	3,710
\$10 x 4	\$40	8,000	1,590
\$20 x 2	\$40	4,800	2,650
\$40	\$40	4,706	2,703
JOKER w/(\$10 x 2) + (\$40 x 2)	\$100	9,600	1,325
JOKER w/(\$20 x 3) + \$40	\$100	9,600	1,325
\$20 + (\$40 x 2)	\$100	9,600	1,325
\$100	\$100	8,000	1,590
JOKER w/\$100 x 4	\$400	120,000	106
\$400	\$400	120,000	106
\$1,000	\$1,000	80,000	159
\$1,000 x 2	\$2,000	240,000	53
\$2,000	\$2,000	240,000	53

Joker (JKR) = Win all four prizes shown.

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

9. *Retailer Incentive Awards:* The Lottery may conduct a separate Retailer Incentive Game for retailers who sell Pennsylvania High Card '09 instant lottery game tickets.

The conduct of the game will be governed by 61 Pa. Code § 819.222 (relating to retailer bonuses and incentive).

10. *Unclaimed Prize Money:* For a period of 1 year from the announced close of Pennsylvania High Card '09, prize money from winning Pennsylvania High Card '09 instant lottery game tickets will be retained by the Secretary for

payment to the persons entitled thereto. If no claim is made within 1 year of the announced close of the Pennsylvania High Card '09 instant lottery game, the right of a ticket holder to claim the prize represented by the ticket, if any, will expire and the prize money will be paid into the State Lottery Fund and used for purposes provided for by statute.

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

12. *Termination of the Game:* The Secretary may announce a termination date, after which no further tickets from this game may be sold. The announcement will be disseminated through media used to advertise or promote Pennsylvania High Card '09 or through normal communications methods.

STEPHEN H. STETLER,
Secretary

[Pa.B. Doc. No. 09-998. Filed for public inspection May 29, 2009, 9:00 a.m.]

HEALTH CARE COST CONTAINMENT COUNCIL

Special Reports and Requests for Data

The Health Care Cost Containment Council (Council), according to Act 89 as amended by Act 14, is required to publish a list of all special reports and data that have been prepared during the previous calendar year. The following represents a summary of the reports and requests for data generated by the Council in calendar year 2008. Questions about procedures for obtaining access to the Council data should be addressed to JoAnne Z. Nelson, Supervisor of Special Requests Unit, Health Care Cost Containment Council, 225 Market Street, Suite 400, Harrisburg, PA 17101, (717) 232-6787, jnelson@phc4.org.

DAVID H. WILDERMAN,
Acting Executive Director

<i>Applicant</i>	<i>Project Description</i>
Allegheny County Medical Examiners Office	A custom 1995 through 2006 inpatient discharge data set linked with Department of Health death data to be used for their Forensic Epidemiology of Suicides following Bariatric Surgery for the Treatment of Obesity study.
Allied Medical Software, Inc.	A standard 2006 inpatient discharge data set by regions 8 and 9 and inpatient revenue code detail data set to be used as part of the AMS Performance Based Incentive Program, a methodology used by commercial payors and as part of the CMS/Medicare Gainsharing Demonstration project.
Allied Services	A custom 2006 through second quarter 2007 inpatient discharge data report of stroke cases from three hospitals by discharge status to be used to assist their stroke team in developing follow-up programs to better meet the needs of stroke patients.
Center for Rural Pennsylvania	A standard 1997 through 2006 financial data report to be used for analysis on the financial viability of the Commonwealth's rural hospitals. The results of the research will be made available to the General Assembly, executive branch agencies, and other interested parties, such as rural academics, rural health clinics, rural health advocates, and the general public. The results are expected to provide policy considerations on steps to be taken to improve the financial health of rural hospitals.
Central Montgomery Medical Center	A custom 2007 inpatient discharge data report and ambulatory/outpatient procedure data set to be used for supporting documentation for market share analysis for their 2009 Business Plan.
Charles Cole Memorial Hospital	A custom second quarter 2007 through fourth quarter 2007 inpatient discharge data report to be used for market share trend analysis.
Community Health Systems	A standard Statewide 2007 inpatient discharge and ambulatory/outpatient procedure data set to be used to create utilization rates and market share information that will be used for strategic and facilities planning for nine facilities: Berwick Hospital, Brandywine Hospital, Easton Hospital, Jennersville Regional Hospital, Pottstown Memorial Hospital, Lock Haven Hospital, Chestnut Hill Hospital, Phoenixville Hospital, and Sunbury Community Hospital.
Cooper Hospital/UMC	A standard 2006 inpatient discharge data set by regions 8 and 9 to be used for studies in the epidemiology of health services, in order to estimate demand for health and hospital services and measure the level of morbidity in the population related to different underlying clinical conditions.

<i>Applicant</i>	<i>Project Description</i>
DataBay Resources	A standard statewide second quarter 2007 through fourth quarter 2007 inpatient discharge and ambulatory/outpatient procedure data set to be used in commercial healthcare software products.
Delaware Valley Health Care Coalition	A custom fourth quarter 2006 through third quarter 2007 hospital performance report to be used to mitigate inefficiency in the present configuration of health care service systems by establishing an Exclusive Provider Network for its member health funds in the Commonwealth of Pennsylvania.
Drexel University School of Public Health	A standard Statewide 2006 inpatient discharge data set to be used for several internal research projects centered around healthcare quality, healthcare access, and training of students on the use of administrative data. The data will be used to support analysis of births throughout the state and for other health service research projects.
Eagleview Hospital	A custom third quarter 2006 through second quarter 2007 inpatient discharge data report of records with a psychiatric diagnosis, age 55 and over, and from nine selected counties to be used to determine current and projected demand for geropsychiatric inpatient and outpatient volumes within a nine county region.
Good Shepherd Rehabilitation Hospital	A standard 2007 inpatient discharge data set for regions 5, 6, 7, 8 and 9 to be used for an internal analysis of the demand for their services.
Governor's Office of Healthcare Reform	A custom 2005 inpatient discharge data set. The client will share the data with the Department of Public Welfare in examining quality of care issues in the Medicaid population.
Governor's Office of Healthcare Reform	A custom third quarter 2006 through second quarter 2007 inpatient discharge data report of avoidable admissions by chronic condition. The client, through the Chronic Care Commission, will use the data in issuing its strategic plan to the Pennsylvania Governor and leadership in the General Assembly.
Governor's Office of Healthcare Reform	A custom 2006 inpatient discharge data report of chronic care conditions to be used for a Chronic Care report.
Governor's Office of Healthcare Reform	A custom third quarter 2006 through second quarter 2007 inpatient discharge data report of the top 20 hospitals by inpatient volume.
Governor's Office of Healthcare Reform	A custom 2007 financial data report of occupancy rates to be used for utilization rates and patterns.
Governor's Office of Healthcare Reform	A custom 2003 fiscal year financial data report to be used by the Governor's Office of Health Care Reform.
Harvard University	A standard 2004 CABG Surgery data set to be used to analyze the role of information in health care quality. The data will be combined with prior purchased CABG data sets to extend the analysis of the earlier data to more waves of quality reporting. The study will examine how hospitals select surgeons depending on their risk adjusted mortality rate as they face more competition and to attempt to isolate patient response to quality information using the techniques of discrete choice analysis. In summary, the study will review the different waves of new information and its effect on the market.
HCR ManorCare	A standard Statewide 2005 through 2007 inpatient discharge data set to be used to understand Pennsylvania patients' needs for skilled nursing or assisted living services. The data also supports HCR ManorCare to develop new products or expand existing products.
HEALTHSOUTH	A standard Statewide 2007 inpatient discharge data set to be used to create utilization rates and market share information to be used in strategic market planning.
Hospital & Healthsystem Association of Pennsylvania	A standard Statewide 2007 inpatient discharge data set to be used to conduct ongoing monitoring of Statewide, regional and hospital-specific quality outcomes primarily utilizing the AHRQ Windows Quality Indicator software. HAP may publicly release the aggregate results of its quality monitoring research.
Ingenix	A standard Statewide 2007 inpatient discharge data set to be used to provide consumers with hospital inpatient quality and efficiency information to assist them in making more informed decisions on where to seek hospital inpatient care.

<i>Applicant</i>	<i>Project Description</i>
Kaleida Health	A custom second quarter 2007 through fourth quarter 2007 inpatient discharge and ambulatory/outpatient procedure data report to be used for the purpose of organizational planning. Kaleida Health is researching where patients from Western New York area (Erie, Niagara, Chautauqua, Cattaraugus, Allegany, Wyoming, Genesee and Orleans Counties) are receiving their health care services.
Lancaster NeuroScience & Spine Associates	A custom 2006 through 2007 inpatient discharge and ambulatory/outpatient procedure data set to be used to provide an analysis of the practice's surgical outcomes compared to insurer's region-wide experience. Specifically, the data will be used to compare the overall outcomes/experience of physicians in this practice to that of the provider panels of Highmark Blue Shield, Capital Blue Cross and HealthAmerica/Health Assurance at hospitals in regions 5 and 7.
Lehigh Valley Hospital	A custom 2007 inpatient discharge data set, standard statewide first and second quarter 2007 ambulatory/outpatient procedure data and inpatient and outpatient revenue code detail data sets to be used for market share analysis and sharing the data with Lehigh University Department of Economics for Physician product studies.
Memorial Medical Center	A standard Statewide fourth quarter 2007 inpatient discharge data set to be used internally to evaluate Memorial Medical Center's current performance, its competitors' performance and future opportunities.
New Solutions, Inc.	A custom 2007 inpatient discharge data set to be used to provide market share analysis to its clients.
Oconco Healthcare Consultants	A custom 2006 and 2007 inpatient discharge data set to summarize into logical groupings, e.g. by DRG, by Product Line, by Patient Age, by Service, etc. and create reports for their own in-house use.
Pennsylvania Department of Health	A custom second quarter 2007 through fourth quarter 2007 inpatient discharge and ambulatory/outpatient procedure data set to be used to support the Department of Health's Licensing and Quality Assurance process.
Pennsylvania Department of Health	A custom 1990 through 2006 inpatient discharge data set of patient records with a diabetes-related diagnosis. The client will use the data in support of the goals of the Diabetes Prevention and Control Program, which is to reduce the burden of diabetes in Pennsylvania by preventing and controlling its complications. The data will be monitored over a 21-year time period, 1990 through 2010. The data will be analyzed by the Bureau of Health Statistics and Research to provide surveillance data to the Diabetes Prevention and Control Program, to prepare county monographs and fact sheets, and to respond to requests for aggregate data at the local or state level and to provide the data for immediate use by the Bureau of Epidemiology.
Pennsylvania Department of Health	A custom 2007 inpatient discharge and ambulatory/outpatient procedure data set to be used for the Injury Prevention Program. The client will use the data to prepare injury prevention statistical reports, monographs, and fact sheets, respond to requests for aggregate injury data at the state and local level, and provide to the Department Bureau of Epidemiology. The data will be used by state and local agencies to identify specific segments of the population at highest risk for injury, specific types and causes of injury, and to assist in statewide injury prevention, emergency medical services, traumatic brain injury and youth suicide prevention planning, and evaluation.
Pennsylvania Department of Health	A custom 2007 inpatient discharge data reports of select ICD-9-CM codes to be used as part of the Department of Health web page series that correspond to the Healthy People 2010 objectives.
Pennsylvania Department of Health	A custom 1999 through 2006 inpatient discharge and ambulatory/outpatient procedure data set of osteoporosis cases and a custom updated Osteoporosis Facts and Figures, November 19, 1997 PHC4 Issue Brief with 2006 data. The data will be used to prepare statistical reports, monographs and fact sheets in order to respond to requests for aggregated osteoporosis data at the state and local level. The data set will also be provided to the Department's Bureau of Epidemiology for analysis. The reports generated from the data will be used to identify specific segments of the population at highest risk for osteoporosis and assist in statewide osteoporosis prevention planning and evaluation.

<i>Applicant</i>	<i>Project Description</i>
Pennsylvania Department of Public Welfare	A custom 2004 through second quarter 2007 inpatient discharge and ambulatory/outpatient procedure data set of children with life-limiting illnesses/life-threatening conditions. The data will be used to estimate the Pennsylvania population in need of pediatric palliative or hospice care and to model projected costs involved in caring for these children for the Pediatric Palliative and Hospice Care Task Force.
Pennsylvania Department of Public Welfare	A custom 1990 through 2006 inpatient discharge data set and 1996 through 2006 custom financial data of psychiatric beds to be used for a joint project with the University of PA. Psychiatric discharges by county will be examined over time to identify trends in admissions and length of stay as it relates to state mental hospital bed reductions. The study, An Analysis of the Mental Health Resource Capacity in Pennsylvania, is to examine the adequacy of inpatient resources in meeting the demand for care by individuals with serious mental illness in PA.
Pennsylvania Department of Public Welfare	A custom 2004 through 2006 financial data set and a custom third quarter 2005 through second quarter 2006 inpatient discharge data set to be used to compute payments to hospitals for the Hospital Uncompensated Care and Extraordinary Expense programs established with the Tobacco Settlement Act of 2001.
Pennsylvania Department of Public Welfare	A custom third quarter 2005 through second quarter 2006 risk-adjusted inpatient discharge data report for Medical Assistance readmissions for four conditions to be used to compute payments to hospitals for the Hospital Quality Care Incentive Payment.
Pennsylvania Department of Public Welfare	A custom third quarter 2006 through second quarter 2007 inpatient discharge data set of DRG 370-391 records to be used in calculating the payments to hospitals for obstetrical and neonate services.
Pennsylvania Department of Public Welfare	A custom 2007 financial data set to be used for the hospital assessment program for certain hospitals in Philadelphia County.
Pennsylvania Office of the Attorney General	A standard Statewide first quarter 2004 ambulatory/outpatient procedure data set and ambulatory/outpatient revenue code detail data set to be used in analyzing physician practice mergers pursuant to the Office of Attorney General's authority to enforce the antitrust laws on behalf of the Commonwealth and its citizens.
Pennsylvania Office of the Attorney General	A standard Statewide second quarter 2007 through fourth quarter 2007 inpatient discharge data set, inpatient revenue code detail data set and second quarter 2007 market share report to be used in analyzing hospital mergers pursuant to the Office of Attorney General's authority to enforce the antitrust laws on behalf of the Commonwealth and its citizens.
Penn State College of Medicine	A custom 1990 through second quarter 2007 inpatient discharge data set of patients with end-stage heart failure to be used to develop a better understanding of peripheral vascular complications, which in turn may lead to better care of these patients.
Pennsylvania Patient Safety Authority	A custom third quarter 2006 through second quarter 2007 inpatient discharge and ambulatory/outpatient procedure data report of colonoscopy procedures to be used in determining rates of colonoscopy perforation errors in their study.
Pennsylvania State Data Center	A custom 2006 financial data report to be used in the annual publication titled, The 2008 Pennsylvania Abstract, a Statistical Factbook.
Philadelphia Inquirer	A standard second quarter 2007 through fourth quarter 2007 inpatient discharge and ambulatory/outpatient procedure data set by regions 8 and 9 to be used in news stories.
Saint Catherine Medical Center Fountain Springs	A custom fourth quarter 2006 through third quarter 2007 inpatient discharge and ambulatory/outpatient procedure data report to be used to determine healthcare needs of its service area and where those needs are currently being met. This is part of a feasibility study for possible development of a cancer program.
Saint Catherine Medical Center Fountain Springs	A custom 2006 through 2007 inpatient discharge and ambulatory/outpatient procedure data report to be used to determine market share/community needs for planning physician recruitment.

<i>Applicant</i>	<i>Project Description</i>
SDI Health	A standard statewide 2007 inpatient discharge data set to be combined with other states' data and used to estimate diagnoses procedures at the hospital and National level.
SDI Health	A standard Statewide 2007 ambulatory/outpatient procedure data set to be combined with other states' data and used to estimate diagnoses and procedures at the hospital and national level for commercial healthcare software products.
Senator John N. Wozniak	A standard second quarter 2003 through first quarter 2004, second quarter 2005 through first quarter 2006 and 2007 inpatient discharge and ambulatory/outpatient procedure data set for regions 2, 3, 4 and 5 to be used for evaluating the Philipsburg region health care services needs.
Southwest Regional Medical Center	A standard second quarter 2007 through fourth quarter 2007 inpatient discharge data set for region 1 and Statewide inpatient revenue code detail data set to be used to address healthcare service shortages, investigate quality of care objectives, and promote strategic decisions to benefit healthcare beneficiaries requiring acute care service.
Susquehanna Health	A standard third quarter 2004 through 2007 inpatient discharge and ambulatory/outpatient procedure data set for regions 4 and 6 to be used to assess future utilization service lines, which will be incorporated into the financial feasibility study that supports Susquehanna Health's \$150M tax exempt bond issue in July 2009.
Temple University Health System	A custom third quarter 2006 through second quarter 2007 inpatient discharge data report to be used to evaluate the primary and secondary service areas of hospitals in its immediate vicinity, which is to support the analysis that will be included in a submission to the Montgomery County Orphan's Court.
Temple University, Economic Department	A custom 1992 through second quarter 2007 inpatient discharge data set to be used to study the hospital and patient characteristics which may be related to the diffusion of gastric bypass surgery in the state of Pennsylvania for a doctoral dissertation.
The Eye Surgery Center	A standard first and second quarter 2007 market share report to be used to analyze the market share that the Eye Surgery Center has in the Statewide area and within the counties.
Thomson Medstat	A standard Statewide second quarter 2007 through fourth quarter inpatient discharge and ambulatory/outpatient procedure data set to be used in commercial software products.
Treo Solutions	A standard statewide 2007 inpatient discharge and inpatient revenue code detail data set to be used to analyze market share hospital clinical cost and performance for clients.
Tripp Umbach	A custom 2006 inpatient discharge and ambulatory/outpatient procedure data report to be used for a strategic planning study that will assist Clearfield Hospital make important decisions related to its service line offerings.
University of Pittsburgh, Pennsylvania Medicaid Policy Center	A standard Statewide 2007 inpatient discharge data set to be used in assessing the importance of Medicaid to hospitals; the quality of care provided to Medicaid patients relative to other patients, and at patterns of utilization.
University of Pennsylvania School of Medicine	A custom third quarter 2004 through second quarter 2006 inpatient discharge data set to be used to investigate current inter-hospital transfer networks and the feasibility of creating a tiered, regional system of care for patients with critical illness.
University of Pennsylvania	A custom 2006 inpatient discharge data set to be linked with Department of Health death data to study the effect of nurse staffing and organizational attributes on the outcomes of hospitalized patients.
University of Pittsburgh, Department of Medicine	A custom third quarter 2005 through 2006 inpatient discharge data set to be used to study the effectiveness of a multi-modal patient medication education system and its impact on hospital readmission.
University of Pittsburgh Medical Center	A standard Statewide third and fourth quarter 2007 inpatient discharge and ambulatory/outpatient procedure data set to be used to produce various market share research reports.
University of Pittsburgh School of Medicine	A custom 1995 through 2005 inpatient discharge data set linked with Department of Health death data to be used to analyze further liver-related hospitalizations and patients' access to transplant services, by the rates of disease progression and death.

<i>Applicant</i>	<i>Project Description</i>
University of Pittsburgh School of Medicine	A custom 2001 through 2006 inpatient discharge data and corresponding revenue data set of Pennsylvania residents hospitalized for pulmonary embolism, deep vein thrombosis, cancer, and sickle cell disease to be used to study and perform analysis of pulmonary embolism and deep vein thrombosis.
University of Pittsburgh School of Medicine	A custom 2001 through 2006 inpatient discharge data and corresponding revenue data set of Pennsylvania residents hospitalized for atherosclerotic cardiovascular disease, ischemic heart disease or hemophilia and bleeding disorder to be used to study and perform analysis of atherosclerotic cardiovascular disease.
US Senator Bernard Sanders	A custom 2005 through 2007 inpatient discharge data report of weather related hospitalizations in Pennsylvania to be used for supporting an emergency legislation to help senior citizens on fixed-incomes, persons with disabilities and families with small children pay their air conditioning bills in the summer and the heating bills in the winter.
Veterans Affairs Pittsburgh Healthcare System, Center for Health Equity Research and Promotion	A third quarter 2001 through second quarter 2007 standard Statewide inpatient revenue code detail data set and a custom inpatient discharge data set of patients receiving a hip or knee replacement and their readmissions linked with Department of Health death data. The data will be used for a pilot study titled, Gender Differences in Knee and Hip Joint Replacement, which will assess surgical outcomes by gender in patients who underwent knee or hip arthroplasty and to provide health services research-based evidence to improve quality of care and access to joint replacement for women with end-stage knee or hip osteoarthritis.
WebMD Health	A standard statewide 2007 inpatient discharge and revenue code detail data set to be used in healthcare consulting commercial products that are used by health plans, hospitals, consulting organizations and consumers.
WellSpan Health	A standard 2007 inpatient discharge and ambulatory/outpatient procedure data set by region 5 to be used for the internal assessment of the delivery of healthcare services within its region.
Wyoming Valley Health Care System	A standard statewide second quarter 2007 through fourth quarter 2007 inpatient discharge and ambulatory/outpatient procedure data set to be used to generate quality improvement, benchmarking and marketing analysis.

[Pa.B. Doc. No. 09-999. Filed for public inspection May 29, 2009, 9:00 a.m.]

INSURANCE DEPARTMENT

Application and Request for a Certificate of Authority to Provide a Continuing Care Retirement Community by Senior Choice, Inc.

Senior Choice, Inc. has applied for a Certificate of Authority to operate a Continuing Care Retirement Community at The Patriot, a Choice Community in Somerset, PA. The initial filing was received on May 12, 2009, and was made under the requirements set forth under the Continuing Care Provider Registration and Disclosure Act (40 P. S. §§ 3201—3225). Persons wishing to comment on the grounds of public or private interest to the issuance of a Certificate of Authority are invited to submit a written statement to the Insurance Department (Department) within 30 days from the date of this issue of the *Pennsylvania Bulletin*. Each written statement must include name, address and telephone number of the interested party, identification of the application to which the statement is addressed and a concise statement with sufficient detail to inform the Department of the exact basis of the statement. Written statements should be directed to Steven L. Yerger, Insurance Department, 1345

Strawberry Square, Harrisburg, PA 17120, fax (717) 787-8557, syerger@state.pa.us.

JOEL SCOTT ARIO,
Insurance Commissioner

[Pa.B. Doc. No. 09-1000. Filed for public inspection May 29, 2009, 9:00 a.m.]

Review Procedure Hearings; Cancellation or Refusal of Insurance

The following insureds have requested a hearing as authorized by the act of June 17, 1998 (P. L. 464, No. 68) (Act 68) in connection with the termination of the insureds' automobile policies. The hearings will be held in accordance with the requirements of Act 68; 1 Pa. Code Part II (relating to the 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 hearings will be held in the Insurance Department's regional offices in Pittsburgh, PA. Failure by an appellant to appear at the scheduled hearing may result in dismissal with prejudice.

The following hearings will be held in the Pittsburgh Regional Office, Room 304, State Office Building, 300 Liberty Avenue, Pittsburgh, PA 15222.

Appeal of John B. Farley; file no. 09-302-69560; State Farm Mutual Automobile Insurance Company; Doc. No. PI09-04-035; August 27, 2009, 9 a.m.

Appeal of Christina Scipione; file no. 09-302-66563; Infinity Insurance Company; Doc. No. PI09-03-016; August 27, 2009, 10 a.m.

Parties may appear with or without counsel and offer relevant testimony 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.

In some cases, the Insurance Commissioner (Commissioner) may order that the company reimburse an insured for the higher cost of replacement insurance coverage obtained while the appeal is pending. Reimbursement is available only when the insured is successful on appeal, and may not be ordered in all instances. If an insured wishes to seek reimbursement for the higher cost of replacement insurance, the insured must produce documentation at the hearing which will allow comparison of coverages and costs between the original policy and the replacement policy.

Following the hearing and receipt of the stenographic transcript, the 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, contact Donna R. Fleischauer, Human Resources Director, at (717) 705-3873.

JOEL SCOTT ARIO,
Insurance Commissioner

[Pa.B. Doc. No. 09-1001. Filed for public inspection May 29, 2009, 9:00 a.m.]

Review Procedure Hearings under the Unfair Insurance Practices Act

The following insured has requested a hearing as authorized by section 8 of the Unfair Insurance Practices Act (40 P. S. § 1171.8) in connection with their companies' termination of the insureds' policies. The administrative hearing will be held in the Insurance Department's regional office in Pittsburgh, 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 Pittsburgh Regional Office, Room 304, State Office Building, 300 Liberty Avenue, Pittsburgh, PA 15222.

Appeal of Thomas P. O'Toole; file no. 09-183-68532; Homesite Insurance Company of Pennsylvania; Doc. No. P09-05-006; August 27, 2009, 1 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.

In some cases, the Insurance Commissioner (Commissioner) may order that the company reimburse an insured for the higher cost of replacement insurance coverage obtained while the appeal is pending.

Reimbursement is available only when the insured is successful on appeal and may not be ordered in all instances. If an insured wishes to seek reimbursement for the higher cost of replacement insurance, the insured must produce documentation at the hearing which will allow comparison of coverages and costs between the original policy and the replacement policy.

Following the hearing and receipt of the stenographic transcript, the 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, contact Donna R. Fleischauer, Human Resources Director, at (717) 705-3873.

JOEL SCOTT ARIO,
Insurance Commissioner

[Pa.B. Doc. No. 09-1002. Filed for public inspection May 29, 2009, 9:00 a.m.]

PATIENT SAFETY AUTHORITY

Public Meeting

The Patient Safety Authority (Authority), established by section 303 of the Medical Care Availability and Reduction of Error Act (40 P. S. § 1303.303), enacted on March 20, 2002, announces a meeting of the Authority's Board to be held at the Harrisburg Area Community College, One HACC Drive, Harrisburg, PA at 10 a.m. on Tuesday, June 9, 2009.

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

MICHAEL C. DOERING,
Executive Director

[Pa.B. Doc. No. 09-1003. Filed for public inspection May 29, 2009, 9:00 a.m.]

PENNSYLVANIA INFRASTRUCTURE INVESTMENT AUTHORITY

Meetings Scheduled and Application Cut-Off Dates

The Fiscal Year 2009-2010 regular meetings and application cut-off dates of the Pennsylvania Infrastructure Investment Authority (PENNVEST) have been scheduled. The Board meetings will begin at 10:30 a.m. on the stated meeting dates.

<i>Application Cut-Off Dates</i>	<i>Board Meeting Dates</i>	<i>Locations</i>
May 18, 2009	July 21, 2009	Governor's Residence
May 18, 2009	July 21, 2009	Governor's Residence
November 17, 2009	January 26, 2010	Governor's Residence
February 16, 2010	April 20, 2010	Dixon University Center

Governor's Residence
2035 North Front Street
Harrisburg, PA

Dixon University Center
Richards Hall Recital Room
2986 North Second Street
Harrisburg, PA

Funding applications must be received by 5 p.m. on the stated cut-off dates following PENNVEST procedures.

Persons requiring ADA accommodations at the Board meetings should contact Kathlyn Domitrovich at (717) 783-4494.

PAUL K. MARCHETTI,
Executive Director

[Pa.B. Doc. No. 09-1004. Filed for public inspection May 29, 2009, 9:00 a.m.]

PENNSYLVANIA PUBLIC UTILITY COMMISSION

Rescission Order

Public Meeting held
May 14, 2009

Commissioners Present: James H. Cawley, Chairperson;
Tyrone J. Christy, Vice Chairperson; Kim Pizzingrilli;
Wayne E. Gardner; Robert F. Powelson

*Pennsylvania Public Utility Commission, Law Bureau
Prosecutory Staff v. Airnex Communications, Inc. (2006
Annual Rpt); Doc. No. C-2008-2036566; A-310794*

Rescission Order

On March 12, 2009, the Commission entered a Default Order at this docket against Airnex Communications, Inc. (the "Respondent"), a reseller of interexchange toll services certificated at A-310794, for failure to file its 2006 Annual Report. The Default Order was published in the *Pennsylvania Bulletin* on March 28, 2009, at 39 Pa.B. 1783. The Respondent, on April 17, 2009, submitted its 2006 Annual Report and a check in the amount of \$250 payable to the Commonwealth of Pennsylvania to satisfy the late fee previously assessed against the Respondent for failure to file its 2006 Annual Report in a timely manner. The Respondent also filed a Petition to Overturn Default Order. In its petition, based upon its own internal

investigation, the Respondent stated that the 2006 Annual Report was not filed due to transition of some State regulatory tasks, such as filing annual reports, to a third party administrator in early 2006. However, Airnex and the third party administrator failed to incorporate the procedure of filing the Pennsylvania annual reports as part of this process. In addition, the Respondent stated that on March 18, 2009, it asked the third party administrator to complete and submit the 2006 Annual Report. On April 16, 2009, when it discovered nothing had happened, Airnex took over the filing of the Annual Report, discharged its third party administrator, and revised the reporting requirements to ensure that all reports are routed to the proper Airnex personnel for timely response in the future; *Therefore,*

It Is Ordered That:

1. The Default Order entered March 12, 2009, is hereby rescinded.

2. The Secretary serve a copy of this Rescission 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 Rescission Order be published in the *Pennsylvania Bulletin*.

JAMES J. MCNULTY,
Secretary

[Pa.B. Doc. No. 09-1005. Filed for public inspection May 29, 2009, 9:00 a.m.]

Rescission Order

Public Meeting held
May 14, 2009

Commissioners Present: James H. Cawley, Chairperson;
Tyrone J. Christy, Vice Chairperson; Kim Pizzingrilli;
Wayne E. Gardner; Robert F. Powelson

*Pennsylvania Public Utility Commission, Law Bureau
Prosecutory Staff v. Conneaut Lake Park, Inc. (2006
Annual Rpt); Doc. No. C-2008-2036689; A-210096*

Rescission Order

On March 17, 2009, the Commission entered a Default Order at this docket against Conneaut Lake Park, Inc. (the "Respondent"), a water utility certificated at A-210096, for failure to file its 2006 Annual Report. The Default Order was published in the *Pennsylvania Bulletin* on April 4, 2009, at 39 Pa.B. 1786. On April 29, 2009, the Respondent submitted its 2007 and 2008 Annual Reports. The Respondent also filed on the same date a Petition to Rescind Default Order.

In its petition, based upon its own internal investigation, the Respondent stated that it is impossible for it to file the 2006 Annual Report because of a catastrophic loss experienced by the Respondent on February 1, 2008, when an Arsonist fire destroyed one of its buildings housing most of its accounting records. In addition, the Respondent stated that the present trustees were appointed by the court on June 29, 2007, and have been charged with the task of saving the Respondent from its encumbering over \$3 million in debt. According to the new trustees, the prior trustees were lax in following the laws and regulations regarding the preparation and submission of proper filings such as the Commission's annual reports for 2003-2006 and Federal tax returns. The current trustees also state in the petition that they are confident that the past problems causing lack of compliance will not happen again and that all obligations will be met in the future.

Given the Arsonist fire, the Respondent's precarious financial condition, and the appointment of new trustees who have pledged to comply with all laws and regulations in managing the day-to-day business activities of the Respondent, we will grant Respondent's request to rescind the Default Order as well as waive the filing of annual reports from 2003 through 2006; *Therefore,*

It Is Ordered That:

1. The Default Order entered March 17, 2009, is hereby rescinded.

2. The Secretary serve a copy of this Rescission 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 Rescission Order be published in the *Pennsylvania Bulletin*.

JAMES J. MCNULTY,
Secretary

[Pa.B. Doc. No. 09-1006. Filed for public inspection May 29, 2009, 9:00 a.m.]

Tentative Order

Public Meeting held
May 14, 2009

Commissioners Present: James H. Cawley, Chairperson;
Tyrone J. Christy, Vice Chairperson; Kim Pizzingrilli;
Wayne E. Gardner; Robert F. Powelson

*Petition of Cochranon Borough For A Declaratory Order;
Doc. No. P-2008-2035741*

Tentative Order

By the Commission:

On April 11, 2008, Cochranon Borough (the "Borough" or "Cochranon") filed the above-captioned petition for declaratory order. In accordance with 52 Pa. Code § 5.42, the Borough served a copy of its petition on the Office of Consumer Advocate, the Office of Trial Staff, the Office of Small Business Advocate and each of the 75 affected customers located outside of Cochranon's corporate boundaries. Cochranon also served a copy of the petition on the Boards of Supervisors of the two townships in which the 75 affected customers reside, namely, Fairfield and Wayne Townships. No answers were filed to Cochranon's petition.

Section 331(f) of the Public Utility Code, 66 Pa.C.S. § 331(f), provides that the Commission "may issue a declaratory order to terminate a controversy or remove uncertainty." By its petition, the Borough seeks a determination that its provision of water service to the 75 customers that are physically proximate to the Borough, but not within the corporate boundaries of the Borough, is not subject to Commission jurisdiction. The Borough asserts that the service it provides to these 75 customers is not service "to or for the public" within the meaning of section 102 of the Public Utility Code, 66 Pa.C.S. § 102.

In its petition, the Borough states that it has a total of 582 customers. The Borough has 1,148 residents concentrated in a 1.2 square mile area, and 507 customers within the Borough.¹ The Borough also states that it is surrounded on two sides by Fairfield and Wayne Townships. The Borough provides water service to 71 customers in Fairfield Township, which is overwhelmingly rural and agricultural, and four customers in Wayne Township, which is also overwhelmingly rural and agricultural. Of the four customers in Wayne Township, two are businesses (a restaurant and a machine shop), one is a permanent residence, and one is a seasonal cottage. Of the 71 customers in Fairfield Township, three are non-residential (two churches and one Laundromat/car wash). The remaining 68 are residences, with 53 being permanent dwellings and the remaining 15 being seasonal cottages.

According to the Borough, the Fairfield Township customers are all in close proximity to the Borough's two water mains that run from its two wells, across French Creek and into the Borough. The Wayne Township customers are similarly close to the Borough's water mains. The two customers on the east of the Borough are close to a water main running from the present water tank; and the two customers on the south of the Borough are at the end of a water main that terminates at the Borough line. As to these 75 customers, Cochranon explains that beginning more than 50 years ago, customers living in close proximity to the water mains were permitted to connect to the Borough's system in lieu of drilling indi-

¹ Cochranon is a borough in Crawford County, PA. The Borough was founded in 1800 and incorporated in 1855.

vidual private wells. However, within the last 25 years, only two connections have been made, the last connection occurring in 2007.² Since that time, there have been no additional connections outside of the Borough's corporate limits.

By letters dated September 24, 2008 and April 23, 2009, the Borough indicated that while the 75 customers outside of the Borough's corporate limits generally receive service at the same terms as customers residing inside Borough boundaries, the rates to customers outside of the Borough's corporate limits are slightly lower than the rates charged to Borough residents.³

Finally, the Borough has stated that the Borough does not, and never has held itself out as engaged in the business of supplying water to the public. As stated previously, the customers in Fairfield and Wayne Townships were permitted to connect to the Borough mains because the customers were in close proximity to existing Borough water mains, and expressed a desire to save the cost of drilling their own wells. Moreover, the Borough has never built or extended a water line or water main in order to serve or obtain more customers in Fairfield or Wayne Townships.

The Borough has requested by this petition a declaration that Cochranton is not subject to the Commission's jurisdiction so that it may save the cost and time burdens of tariff and reporting requirements, while simultaneously ensuring that these nonresident customers continue to receive water service under terms that are acceptable to the Commission and the customers.

Based upon our consideration of these facts and circumstances, the Commission finds that it is appropriate to issue a Declaratory Order in response to the subject petition.

Initially, it should be emphasized that the Borough has passed a resolution, dated April 7, 2008, that provides that the Borough will apply the same rules, regulations, and rates to the customers outside as those within Borough limits.⁴ Additionally, attached to the petition is an affidavit of the President of Borough Council stating that the Borough will not repeal or modify the aforementioned resolution without providing advance notice to the Commission. These commitments were made to ensure that the 75 extraterritorial customers will not be subject to potential discrimination without the opportunity for Commission oversight.

In the Commission's judgment, the circumstances here are similar to those presented to the Commission in the matters of *Lehigh Valley Cooperative Farmers v. City of Allentown*, 54 Pa. P.U.C. 495 (1980), *Petition of New Albany Borough*, Docket No. P-00991775, 200 Pa. PUC Lexis 34 (2000) and *Petition of Laceyville Borough*, Docket No. P-2008-2064117 (2008), wherein the Commission concluded that service to a number of isolated individuals outside of the municipal boundaries under special circumstances did not constitute public utility service subject to the Commission's jurisdiction.

In *Lehigh Valley, New Albany Borough* and *Laceyville Borough*, the Commission reiterated that the test to determine whether a party is rendering service to the public is set forth in *Borough of Ambridge v. Pa. Public*

Service Commission, 165 A. 47 (Pa. Super. 1933). In *Ambridge*, the Commission noted,

We find the distinction between public and private rendition of such service put definitely on the readiness to serve all members of the public to the extent of capacity: The test is, therefore whether or not such person holds himself out, expressly or impliedly, as engaged in the business of supplying his product or service to the public, as a class, or to any limited portion of it, as contradistinguished from holding himself out as serving or ready to serve only particular individuals. The public or private character of the enterprise does not depend, however, upon the number of persons by whom it is used, but upon whether or not it is open to the use and service of all members of the public who may require it, to the extent of its capacity; and the fact that only a limited number of persons may have occasion to use it does not make it a private undertaking if the public generally has a right to such use.

See also, *Petition of Chicora Borough*, P-00981355 (May 22, 1998).

More recently, the Commission applied the same rationale in *Joint Application of Seven Fields Development Corporation*, A-220007 and A-210062F2000 (October 1, 1999). In that case, the Commission granted an application filed by a jurisdictional utility seeking to transfer its assets used in the operation of its water system to the Borough of Seven Fields. The Commission noted that the borough would be providing water service to three customers that were located outside of the borough's limits. Moreover, the Commission took note of the fact that the borough committed to continue providing water service solely to these three customers at the same terms of service as are or will be offered to customers within the boundaries of the borough. Also, as in the instant case, the Borough of Seven Fields presented an affidavit to the effect that it did not intend to offer service to the general public outside of its boundaries in the future. In the *Seven Fields* case, the Commission concluded that the limited nature of water service to such a defined group of customers should not realistically be subject to its jurisdiction. (Order at p.4).

Most recently, in *Pilot Travel Center, LLC v. Pa. Public Utility Commission*, 933 A.2d 123 (Pa. Cmwlth. 2007), appeal denied, 938 A.2d 1054 (Pa. 2007), the Commonwealth Court, in affirming the Commission's view on this issue, concluded:

The test for determining whether utility services are being offered "for the public" is whether or not such person holds himself out, expressly or impliedly, as engaged in the business of supplying his product or service to the public, as a class, or to any limited portion of it, as distinguished from holding himself out as serving or ready to serve particular individuals. The private or public character of a business does not depend upon the number of persons who actually use the service; rather, the proper characterization rests upon whether or not the service is available to all members of the public who may require it.

933 A.2d at 128.

In applying the standards enunciated in *Ambridge, Lehigh Valley, Seven Fields, Laceyville Borough* and *Pilot Travel Center* to the facts of the case *sub judice*, we find that the limited extraterritorial service provided by the Borough is not subject to Commission jurisdiction. The extraterritorial service being provided by the Borough is

²In its petition, the Borough states that some Fairfield individuals connected without notifying the Borough in advance, and one Fairfield customer actually connected and took water for nearly 2 years without informing the Borough.

³Borough residents pay \$78.70 for the first 7,000 gallons. The 75 customers outside of the Borough pay \$64.25 for the first 7,000 gallons. Thereafter, the rates are the same, regardless of where the customer is located.

⁴By the letter dated April 23, 2009, Cochranton confirmed that the resolution remains in full force and effect.

provided to a limited number of customers and is not available to the general public. Moreover, the Borough clearly states that it will continue to provide service solely to the 75 customers that it is presently serving outside of its boundaries and that it is not soliciting additional customers nor will it provide service to any additional extraterritorial customers in the future. Indeed, Cochranton, by way of this petition, has assured the Commission that it has no intention of ever offering water service to any customers that are located outside of the Borough corporate limits.⁵ Moreover, the Borough is not holding itself out as providing service to the public. See *Bethlehem Steel Corp. v. Pa. Public Utility Commission*, 713 A.2d 1110 (Pa. 1998). Based upon the facts as stated in the Borough's petition, the service by the Borough to the 75 customers in Fairfield and Wayne Townships that are located in close proximity to the Borough's mains does not constitute the provision of water service to or for the public.

Finally, we note that an express condition of this exemption is that the Borough apply the same rates outside as well as within the Borough corporate limits and that the Borough does not add any additional customers outside of the Borough corporate limits. Absent any contrary responses from concerned parties, the Commission herein concludes that the extraterritorial service provided by the Cochranton Borough is not subject to the jurisdiction of this Commission; *Therefore*,

It Is Ordered That:

1. The Petition for Declaratory Order filed by Cochranton Borough on April 11, 2008, at P-2008-2035741 is hereby granted.

2. The provision of water service by Cochranton Borough to the 75 customers located outside of the Borough's boundaries is deemed to be non-jurisdictional because it is not service "to or for the public" within the intentment of Section 102 of the Public Utility Code, 66 Pa.C.S. § 102.

3. A copy of this Tentative Order shall be served upon Cochranton Borough and each of the individuals and offices listed in Cochranton's certificate of service.

4. The Secretary shall certify this Tentative Order and deposit it with the Legislative Reference Bureau for publication in the *Pennsylvania Bulletin*.

5. Cochranton Borough is directed to cause to be published in a newspaper of general circulation in the Cochranton Borough area notice of this Tentative Order.

6. That if no objection to this Tentative Order is filed with the Commission within 20 days of the publication date in the *Pennsylvania Bulletin*, this Tentative Order shall become final.

JAMES J. MCNULTY,
Secretary

[Pa.B. Doc. No. 09-1007. Filed for public inspection May 29, 2009, 9:00 a.m.]

Water Service

A-2009-2107694. Aqua Pennsylvania, Inc. Application of Aqua Pennsylvania, Inc. for approval to begin to offer, render, furnish and supply water service to the public in an area known as Trailwood, located in a portion of Bear Creek Township, Luzerne County, PA.

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 June 15, 2009. The documents filed in support of the application are available for inspection and copying at the Office of the Secretary between 8 a.m. and 4:30 p.m., Monday through Friday, and at the applicant's business address.

Applicant: Aqua Pennsylvania, Inc.

Through and By Counsel: Thomas T. Niesen, Esquire, Thomas, Long, Niesen and Kennard, 212 Locust Street, Suite 500, P. O. Box 9500, Harrisburg, PA 17108

JAMES J. MCNULTY,
Secretary

[Pa.B. Doc. No. 09-1008. Filed for public inspection May 29, 2009, 9:00 a.m.]

Water Service

A-2009-2107711. Pennsylvania-American Water Company. Application of Pennsylvania-American Water Company for approval of: 1) the transfer, by sale, of the water works property and rights of the Amwell Township Water Authority to Pennsylvania-American Water Company; and 2) the rights of Pennsylvania-American Water Company to begin to offer or furnish water service to the public in additional portions of Amwell Township, Washington County, PA.

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 June 15, 2009. The documents filed in support of the application are available for inspection and copying at the Office of the Secretary between hours of 8 a.m. and 4:30 p.m., Monday through Friday, and at the applicant's business address.

Applicant: Pennsylvania-American Water Company

Through and By Counsel: Velma A. Redmond, Esquire, Susan Simms Marsh, Esquire, Seth A. Mendelsohn, Esquire, 800 West Hersheypark Drive, Hershey, PA 17033

JAMES J. MCNULTY,
Secretary

[Pa.B. Doc. No. 09-1009. Filed for public inspection May 29, 2009, 9:00 a.m.]

⁵ At various points around the Borough's boundaries, there is a large amount of vacant land that could be developed for housing or commercial use. If that occurs, the Borough has indicated that will not allow any connections to its mains. Similarly, there are occupied structures situated close to, but beyond, the Borough boundaries that are not, but could be connected. They are served by their own well. Again, the Borough has indicated that they will not allow these individuals to connect to the Borough mains. Petition at 4.

PHILADELPHIA REGIONAL PORT AUTHORITY

Request for Bids

The Philadelphia Regional Port Authority (PRPA) will accept sealed bids for Project No. 09-020.6, Building 1A infill and site—fire protection upgrade, Packer Avenue Marine Terminal (PAMT) until 2 p.m. on Thursday, June 25, 2009. The bid documents can be obtained from the PRPA web site www.philaport.com and available June 2, 2009. PRPA is an Equal Opportunity Employer. Contractor must comply with all applicable EOE laws. Mandatory prebid job site meeting will be held June 11, 2009, 10 a.m. at PAMT, Columbus Boulevard and Packer Avenue, Pier Entrance South Gate on Service Road, Philadelphia, PA. Bidders must provide to the Procurement Department in writing (24 hours prior to the meeting), the names of individuals that will be attending, fax to (215) 426-6800, Attn: Procurement Department.

JAMES T. MCDERMOTT, Jr.,
Executive Director

[Pa.B. Doc. No. 09-1010. Filed for public inspection May 29, 2009, 9:00 a.m.]

STATE BOARD OF VEHICLE MANUFACTURERS, DEALERS AND SALESPERSONS

Bureau of Professional and Occupational Affairs v.
James Vincent Johnson; Doc. No. 2070-60-2007

On April 14, 2009, James Vincent Johnson, license number MV-100215-L, of York, York County, was revoked and ordered to pay a civil penalty of \$1,000 based upon his criminal conviction for crimes of moral turpitude.

Individuals may obtain a copy of the adjudication by writing to C. William Fritz, II, Board Counsel, State Board of Vehicle Manufacturers, Dealers and Salespersons, P. O. Box 2649, Harrisburg, PA 17105-2649.

This adjudication and order represents the State Board of Vehicle Manufacturers, Dealers and Salespersons (Board) final decision in this matter. It may be appealed to the Commonwealth Court of Pennsylvania by the filing of a petition for review with that court in accordance with the Pennsylvania Rules of Appellate Procedure. Individuals who take an appeal to the Commonwealth Court, must serve the Board with a copy of their petition for review. The Board contact for receiving service of the appeal is the previously-named Board counsel.

GARY M. BARBERA,
Chairperson

[Pa.B. Doc. No. 09-1011. Filed for public inspection May 29, 2009, 9:00 a.m.]

SUSQUEHANNA RIVER BASIN COMMISSION

Public Hearing and Meeting

The Susquehanna River Basin Commission (Commission) will hold a public hearing as part of its regular business meeting beginning at 8:30 a.m. on June 18, 2009, at the Holiday Inn Binghamton-Downtown, 2-8 Hawley Street, Binghamton, NY. At the public hearing, the Commission will consider: 1) action on certain water resources projects; 2) action on two projects involving diversions; 3) the rescission of one previous docket approval; 4) enforcement actions against three projects; and 5) two requests for an administrative hearing on projects previously approved by the Commission. Details concerning the matters to be addressed at the public hearing and business meeting are contained in the Supplementary Information section of this notice.

For further information contact Richard A. Cairo, General Counsel, (717) 238-0423, Ext. 306, fax (717) 238-2436, rcairo@srbc.net or Stephanie L. Richardson, Secretary to the Commission, (717) 238-0423, Ext. 304, fax (717) 238-2436, srichardson@srbc.net.

Supplementary Information

In addition to the public hearing and its related action items identified as follows, the business meeting also includes actions or presentations on the following items: 1) hydrologic conditions of the basin; 2) the Commission "Priority Management Area" on flooding; 3) presentation of the Maurice K. Goddard award; 4) an Application Fee Policy for Mine Drainage Withdrawals to guide the granting of fee waivers or reductions to projects using water impaired by abandoned mine drainage; 5) proposed rulemaking regarding Federal licensing/relicensing of projects and other revisions; 6) revision of the Fiscal Year (FY) 2010 budget; 7) adoption of a FY 2011 budget; 8) ratification of a contract agreement; and 9) election of a new Chairperson and Vice Chairperson to serve in the next FY. The Commission will also hear a Legal Counsel's report.

Public Hearing—Projects Scheduled for Actions

1. Project Sponsor and Facility: ALTA Operating Company, LLC (Turner Lake), Liberty Township, Susquehanna County, PA. Application for surface water withdrawal of up to 0.393 mgd.
2. Project Sponsor and Facility: Charles Header-Laurel Springs Development, Barry Township, Schuylkill County, PA. Application for groundwater withdrawal of 0.099 mgd from Laurel Springs.
3. Project Sponsor and Facility: Charles Header-Laurel Springs Development, Barry Township, Schuylkill County, PA. Application for consumptive water use of up to 0.099 mgd.
4. Project Sponsor and Facility: Chesapeake Appalachia, LLC (Chemung River), Athens Township, Bradford County, PA. Application for surface water withdrawal of up to 0.999 mgd.
5. Project Sponsor and Facility: Chesapeake Appalachia, LLC (Sugar Creek), Burlington Township, Bradford County, PA. Application for surface water withdrawal of up to 0.499 mgd.

6. Project Sponsor and Facility: Chesapeake Appalachia, LLC (Susquehanna River—Newton), Terry Township, Bradford County, PA. Application for surface water withdrawal of up to 0.999 mgd.
7. Project Sponsor and Facility: Chesapeake Appalachia, LLC (Susquehanna River—McCarthy), Wyalusing Township, Bradford County, PA. Application for surface water withdrawal of up to 1.440 mgd.
8. Project Sponsor and Facility: Chesapeake Appalachia, LLC (Towanda Creek—Monroe Hose), Monroe Township, Bradford County, PA. Application for surface water withdrawal of up to 0.400 mgd.
9. Project Sponsor and Facility: Chesapeake Appalachia, LLC (Towanda Creek—DeCristo), Leroy Township, Bradford County, PA. Application for surface water withdrawal of up to 0.499 mgd.
10. Project Sponsor and Facility: Chesapeake Appalachia, LLC (Wyalusing Creek—Wells), Wyalusing Borough, Bradford County, PA. Application for surface water withdrawal of up to 0.999 mgd.
11. Project Sponsor and Facility: Chesapeake Appalachia, LLC (Wyalusing Creek—Vanderfeltz), Rush Township, Susquehanna County, PA. Application for surface water withdrawal of up to 0.499 mgd.
12. Project Sponsor and Facility: Citrus Energy (Inez Moss Pond), Benton Township, Columbia County, PA. Application for surface water withdrawal of up to 0.099 mgd.
13. Project Sponsor and Facility: East Resources, Inc. (Tioga River—Greer), Richmond Township, Tioga County, PA. Application for surface water withdrawal of up to 0.107 mgd.
14. Project Sponsor and Facility: EXCO-North Coast Energy, Inc. (Black Moshannon Creek), Snow Shoe Township, Centre County, PA. Application for surface water withdrawal of up to 0.140 mgd.
15. Project Sponsor and Facility: EXCO-North Coast Energy, Inc. (East Branch Tunkhannock Creek), Clifford Township, Lackawanna County, PA. Application for surface water withdrawal of up to 0.130 mgd.
16. Project Sponsor and Facility: EXCO-North Coast Energy, Inc. (Little Muncy Creek—LYC-01, Jordan), Franklin Town, Lycoming County, PA. Application for surface water withdrawal of up to 0.041 mgd.
17. Project Sponsor and Facility: EXCO-North Coast Energy, Inc. (Little Muncy Creek—LYC-02, Temple), Franklin Town, Lycoming County, PA. Application for surface water withdrawal of up to 0.091 mgd.
18. Project Sponsor and Facility: EXCO-North Coast Energy, Inc. (South Branch Tunkhannock Creek—WSC), Benton Township, Lackawanna County, PA. Application for surface water withdrawal of up to 0.091 mgd.
19. Project Sponsor and Facility: EXCO-North Coast Energy, Inc. (West Branch Susquehanna River—Sprout State Forest), Burnside Township, Centre County, PA. Application for surface water withdrawal of up to 1.080 mgd.
20. Project Sponsor: Exelon Generation Company, LLC. Project Facility: Three Mile Island Generating Station, Unit 1, Londonderry Township, Dauphin County, PA. Modification to project features of the consumptive water use approval (Docket No. 19950302).
21. Project Sponsor and Facility: Fortuna Energy Inc. (Towanda Creek—Franklin Township Volunteer Fire Department), Franklin Township, Bradford County, PA. Application for surface water withdrawal of up to 2.000 mgd.
22. Project Sponsor and Facility: Grand Water Rush, LLC (Grand Farm Pond), Dunnstable Township, Clinton County, PA. Application for surface water withdrawal of up to 0.022 mgd.
23. Project Sponsor and Facility: J-W Operating Company (Abandoned Mine Pool—UNT to Finley Run), Shippen Township, Cameron County, PA. Application for surface water withdrawal of up to 0.090 mgd.
24. Project Sponsor: Department of Environmental Protection, Bureau of Abandoned Mine Reclamation. Project Facility: Hollywood AMD Treatment Plant, Huston and Jay Townships, Clearfield and Elk Counties, PA. Application for groundwater withdrawal of up to 2.890 mgd from six deep mine complexes.
25. Project Sponsor: Department of Environmental Protection, Bureau of Abandoned Mine Reclamation. Project Facility: Lancashire No. 15 AMD Treatment Plant, Barr Township, Cambria County, PA. Application for groundwater withdrawal of up to 7.400 mgd from Recovery Wells 1-3, and D Seam Discharge.
26. Project Sponsor: PPL Holtwood, LLC. Project Facility: Holtwood Hydroelectric Station, Martic and Conestoga Townships, Lancaster County, and Chanceford and Lower Chanceford Townships, York County, PA. Applications for redevelopment modifications of its operations on the lower Susquehanna River, including the addition of a second power station and associated infrastructure.
27. Project Sponsor and Facility: Schuylkill County Municipal Authority, Pottsville Public Water Supply System, Mount Laurel Subsystem, Butler Township, Schuylkill County, PA. Application for a withdrawal of up to 0.432 mgd from the Gordon Well.
28. Project Sponsor and Facility: Southwestern Energy Company (Tunkhannock Creek—Price), Gibson Township, Susquehanna County, PA. Application for surface water withdrawal of up to 0.380 mgd.
29. Project Sponsor and Facility: Stone Energy Corporation (Wyalusing Creek—Stang 1), Rush Township, Susquehanna County, PA. Application for surface water withdrawal of up to 0.750 mgd.
30. Project Sponsor and Facility: Stone Energy Corporation (Wyalusing Creek—Stang 2), Rush Township, Susquehanna County, PA. Application for surface water withdrawal of up to 0.750 mgd.
31. Project Sponsor and Facility: Susquehanna Gas Field Services, LLC (Meshoppen Creek), Meshoppen Borough, Wyoming County, PA. Application for surface water withdrawal of up to 0.145 mgd.
32. Project Sponsor: Titanium Metals Corporation. Project Facility: Titanium Hearth Technologies, Inc., d/b/a TIMET North American Operations, Caernarvon Township, Berks County, Pa. Application for groundwater withdrawal of up to 0.099 mgd from Well 1.
33. Project Sponsor: UGI Development Company. Project Facility: Hunlock Power Station, Hunlock Township, Luzerne County, PA. Application for surface water withdrawal from the Susquehanna River of up to 55.050 mgd.

34. Project Sponsor: UGI Development Company. Project Facility: Hunlock Power Station, Hunlock Township, Luzerne County, PA. Application for consumptive water use of up to 0.870 mgd.

35. Project Sponsor and Facility: Ultra Resources, Inc. (Elk Run), Gaines Township, Tioga County, PA. Application for surface water withdrawal of up to 0.021 mgd.

36. Project Sponsor and Facility: Valley Country Club, Sugarloaf Township, Luzerne County, PA. Applications for groundwater withdrawal of up to 0.090 mgd from the Pumphouse Well and 0.090 mgd from the Shop Well.

Public Hearing—Projects Scheduled for Action Involving a Diversion

1. Project Sponsor: Department of Environmental Protection, Bureau of Abandoned Mine Reclamation. Project Facility: Lancashire No. 15 AMD Treatment Plant, Barr Township, Cambria County, PA. Application for an into-basin diversion of up to 10.000 mgd from the Ohio River Basin.

2. Project Sponsor and Facility: Schuylkill County Municipal Authority, Pottsville Public Water Supply System, Mount Laurel Subsystem, Butler Township, Schuylkill County, PA. Applications for: 1) an out-of-basin diversion of up to 0.432 mgd to the Delaware River Basin for water supply; and 2) an existing into-basin diversion of up to 0.485 mgd from the Delaware River Basin.

Public Hearing—Projects Scheduled for Rescission Action

1. Project Sponsor: Corning Incorporated. Project Facility: Fall Brook Facility (Docket No. 19960301), Corning, Steuben County, NY.

Public Hearing—Enforcement Actions

1. Project Sponsor: Belden & Blake Corporation (EnerVest Operating, LLC). Project Facility: Sturdevant No. 1 Well, Smithfield Township, Bradford County, PA.

2. Project Sponsor: Chester County Solid Waste Authority. Project Facility: Lanchester Landfill, Lancaster and Chester Counties, PA.

3. Project Sponsor: East Resources, Inc. (Tioga River). Project Facility: American Truck Stop Site, Tioga County, PA.

Public Hearing—Request for Administrative Hearing

1. Petitioner Mark A. Givler; RE: Chief Oil and Gas, Docket No. 20081203, approved December 4, 2008.

2. Petitioner Delta Borough, York County, PA; RE: Delta Borough Public Water Supply Well No. DR-2; Docket No. 20090315, approved March 12, 2009.

Opportunity to Appear and Comment

Interested parties may appear at the previously listed hearing to offer written or oral comments to the Commission on any matter on the hearing agenda, or at the business meeting to offer written or oral comments on other matters scheduled for consideration at the business meeting. The chair of the Commission reserves the right to limit oral statements in the interest of time and to otherwise control the course of the hearing and business meeting. Written comments may also be mailed to the Susquehanna River Basin Commission, 1721 North Front Street, Harrisburg, PA 17102-2391, or submitted electronically to Richard A. Cairo, General Counsel, rcairo@srbc.net or Stephanie L. Richardson, Secretary to the Commission, srichardson@srbc.net. Comments mailed or electronically submitted must be received prior to June 16, 2009, to be considered.

Authority: Pub. L. No. 91-575, 84 Stat. 1509 et seq., 18 CFR Parts 806—808.

Dated: May 18, 2009.

THOMAS W. BEAUDUY,
Deputy Director

[Pa.B. Doc. No. 09-1012. Filed for public inspection May 29, 2009, 9:00 a.m.]