

NOTICES

DEPARTMENT OF BANKING

Actions on Applications

The Department of Banking (Department), under the authority contained in the act of November 30, 1965 (P. L. 847, No. 356), known as the Banking Code of 1965; the act of December 14, 1967 (P. L. 746, No. 345), known as the Savings Association Code of 1967; the act of May 15, 1933 (P. L. 565, No. 111), known as the Department of Banking Code; and the act of December 19, 1990 (P. L. 834, No. 198), known as the Credit Union Code, has taken the following action on applications received for the week ending September 7, 2010.

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

BANKING INSTITUTIONS

Conversions

<i>Date</i>	<i>Name and Location of Applicant</i>	<i>Action</i>
8-31-2010	<p><i>From:</i> First Keystone National Bank Berwick Columbia County</p> <p><i>To:</i> First Keystone Community Bank Berwick Columbia County</p> <p>Application for approval to convert from a national banking association to a Pennsylvania state-chartered bank and trust company.</p>	Approved

Holding Company Acquisitions

<i>Date</i>	<i>Name and Location of Applicant</i>	<i>Action</i>
9-7-2010	<p>Northwest Bancshares, Inc. Warren Warren County</p> <p>Application for approval to acquire 100% of NexTier, Inc., Butler, and thereby indirectly acquire 100% of NexTier Bank, National Association, Butler.</p>	Approved

Consolidations, Mergers, and Absorptions

<i>Date</i>	<i>Name and Location of Applicant</i>	<i>Action</i>		
9-1-2010	<p>Citizens & Northern Bank Wellsboro Tioga County</p> <p>First State Bank, Canisteo, NY, merged with and into Citizens & Northern Bank, Wellsboro, PA.</p> <p>As a result of the merger, the following branch offices of First State Bank, Canisteo, NY became branch offices of Citizens & Northern Bank:</p> <table style="width: 100%; border: none;"> <tr> <td style="width: 50%;">3 Main Street Canisteo Steuben County, NY</td> <td style="width: 50%;">6250 County Route 64 East Avenue Hornell Steuben County, NY</td> </tr> </table>	3 Main Street Canisteo Steuben County, NY	6250 County Route 64 East Avenue Hornell Steuben County, NY	Effective
3 Main Street Canisteo Steuben County, NY	6250 County Route 64 East Avenue Hornell Steuben County, NY			
9-7-2010	<p>Northwest Savings Bank Warren Warren County</p> <p>Application for approval to merge NexTier Bank, National Association, Butler, with and into Northwest Savings Bank, Warren.</p>	Approved		

<i>Date</i>	<i>Name and Location of Applicant</i>	<i>Action</i>
9-7-2010	Royal Bank America Narberth Montgomery County Application for approval to merge Royal Asian Bank, Philadelphia, with and into Royal Bank America, Narberth.	Approved

Branch Applications
Branch Discontinuances

<i>Date</i>	<i>Name and Location of Applicant</i>	<i>Location of Branch</i>	<i>Action</i>
9-7-2010	Susquehanna Bank Lititz Lancaster County	10211 Wincopin Circle Columbia Howard County, MD	Approved

SAVINGS INSTITUTIONS

No activity.

CREDIT UNIONS

No activity.

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

STEVEN KAPLAN,
Secretary

[Pa.B. Doc. No. 10-1756. Filed for public inspection September 17, 2010, 9:00 a.m.]

Maximum Lawful Rate of Interest for Residential Mortgages for the Month of October 2010

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

The interest rate limitations under the State's usury statute were preempted to a great extent by Federal law, the Depository Institutions Deregulation and Monetary Control Act of 1980 (Pub. L. 96-221). Further preemption was instituted with the signing of Pub. L. 96-399, which overrode State interest rate limitations on any individual who finances the sale or exchange of residential real property which such individual owns and which such individual occupies or has occupied as his principal residence.

Each month the Department is required by State law to compute and announce the ceiling rate on residential mortgages in this Commonwealth. This maximum rate is determined by adding 2.50 percentage points to the yield rate on long-term government bonds as published by the Federal Reserve Board and/or the United States Treasury. The latest yield rate on long-term government securities is 3.11 to which was added 2.50 percentage points for a total of 5.61 that by law is rounded off to the nearest quarter at 5 1/2%.

STEVEN KAPLAN,
Secretary

[Pa.B. Doc. No. 10-1757. Filed for public inspection September 17, 2010, 9:00 a.m.]

**DEPARTMENT OF
COMMUNITY AND
ECONOMIC DEVELOPMENT**

Consolidated Plan Public Meeting and Regional Housing Advisory Committee Meetings

The Department of Community and Economic Development (Department) is preparing the Commonwealth's Action Plan for Federal Fiscal Year (FFY) 2011 and the Program Year that begins January 1, 2011. The 2011 Action Plan is an update of the Commonwealth's Consolidated Plan for FFY 2009-2013. Additionally, the Department is preparing a substantial amendment to the Consolidated Plan for the Neighborhood Stabilization Program. Both documents must be submitted to, and approved by, the United States Department of Housing and Urban Development (HUD) for the Commonwealth and organizations within this Commonwealth to receive funding under most HUD housing and community development programs. The Consolidated Plan creates a unified strategy for housing and community development programs, as well as the necessary linkages for building successful neighborhoods and communities.

The Commonwealth's 2009-2013 Consolidated Plan addresses how the Commonwealth intends to allocate funds under the following programs: Community Development Block Grant, HOME Investment Partnerships, Emergency Shelter Grant, Community and Housing Opportunities for People with AIDS and the Neighborhood Stabilization Program Grant.

Public Meeting

A public meeting will be conducted electronically by means of the Internet. The format will be more accessible than an in-person meeting because those who wish to make a comment or discuss policy may participate di-

rectly from their personal computer or from a computer location at their public library on Tuesday, October 12, 2010. Access to the discussion by means of the Internet will occur between 9:30 a.m. and 11:30 a.m. This more widely available personal computer access will replace the usual public meeting.

Any individual or organization may give testimony or comments by means of the Internet. Comments will be accepted about topics related to community development, housing, plans for the Neighborhood Stabilization Program, the content of the Commonwealth's Action Plan for FFY 2011 and the process by which the public input is gathered. The Commonwealth encourages public participation in this process.

Anyone who wants to participate must register in advance. Contact Daniel Fox at (717) 720-7412 to receive registration instructions for the Internet meeting at least 24 hours prior to the meeting date. During the meeting, if support is required, call (717) 720-7404. The meeting will be shortened if there is no one to testify or if there is minimal response.

Persons who have a disability and wishes to participate in the public meeting should contact Daniel Fox, Department of Community and Economic Development, Commonwealth Keystone Building, 400 North Street, 4th Floor, Harrisburg, PA 17120-0225, (717) 720-7412 to discuss how the Department can accommodate their needs. Text telephone calls can be placed through the Pennsylvania AT&T Relay Service at (800) 654-5984. Calls will be relayed to the Department's number listed previously.

Written Comments

Written testimony, in lieu of Internet testimony, must be submitted by 5 p.m., Friday, October 15, 2010. Submit comments to Daniel Fox, Department of Community and Economic Development, Center for Community Financing, 400 North Street, 4th Floor, Commonwealth Keystone Building, Harrisburg, PA 17120-0225.

Regional Housing Advisory Committee Meetings

The Commonwealth has five Regional Housing Advisory Committees across this Commonwealth comprised of appointed members. Meetings of these committees are open to the public under the Sunshine Act. These committees advise the Department regarding housing and community development needs, as well as assist in fair housing planning. These meetings will be held as internet-based public forums on the following dates:

September 20, 2010

Southeast Regional Housing Advisory Committee Meeting
9:30 a.m. to 11:30 a.m.

September 20, 2010

Central Regional Housing Advisory Committee Meeting
1:30 p.m. to 3:30 p.m.

September 21, 2010

Northeast Regional Housing Advisory Committee Meeting
9:30 a.m. to 11:30 a.m.

September 23, 2010

Northwest Regional Housing Advisory Committee Meeting
9:30 a.m. to 11:30 a.m.

September 23, 2010

Southwest Regional Housing Advisory Committee Meeting
1:30 p.m. to 3:30 p.m.

Anyone who wants to participate in the Regional Housing Advisory Committee meetings must register in advance. Contact Daniel Fox at (717) 720-7412 to receive registration instructions for these Internet-based meetings at least 24 hours prior to the meeting date. During the meeting, if support is required, call (717) 720-7404.

Persons with a disability who wish to participate in any of the Regional Advisory Committee meetings and requires an auxiliary aid, service or other accommodation to participate, should contact Daniel Fox, Department of Community and Economic Development, Center for Community Financing, Commonwealth Keystone Building, 400 North Street, 4th Floor, Harrisburg, PA 17120-0225, (717) 720-7412, to discuss how the Department may best accommodate their needs. Text telephone calls can be placed through the Pennsylvania AT&T Relay Service at (800) 654-5984. Calls will be relayed to the Department's number listed previously.

AUSTIN J. BURKE,
Secretary

[Pa.B. Doc. No. 10-1758. Filed for public inspection September 17, 2010, 9:00 a.m.]

DEPARTMENT OF CONSERVATION AND NATURAL RESOURCES

Proposed Exchange of Lands

The Department of Conservation and Natural Resources (Department), acting through the Bureau of Forestry (Bureau), and John G. Bomberger are proposing to negotiate an exchange of easement interests Portage Township, Potter County.

In the exchange, John G. Bomberger will convey a permanent easement to the Bureau of 188.41 feet in length and 50 feet in width. In return, the Bureau proposes to convey to John G. Bomberger an easement of 193.82 feet in length and 10 feet in width. The purpose of this proposed exchange in easement interests is to allow for better access to the Susquehannock State Forest.

As is the policy of the Department, the public is notified of this exchange. A 30-day period for public inquiry and/or comment will be in effect beginning September 18, 2010, and ending October 18, 2010. Oral or written comments or questions concerning this proposed exchange may be addressed to Dan Devlin, State Forester, Bureau of Forestry, P. O. Box 8552, Harrisburg, PA 17105-8552, (717) 787-4837. These oral and/or written comments will become part of the official document used in the final decision process.

If, in the duration of the 30-day comment period, a significant amount of public concern develops, the Secretary of the Department may schedule a public informational meeting.

JOHN QUIGLEY,
Secretary

[Pa.B. Doc. No. 10-1759. Filed for public inspection September 17, 2010, 9:00 a.m.]

DEPARTMENT OF EDUCATION

Index Calculation Required by the Taxpayer Relief Act

Under section 333(l) of the Taxpayer Relief Act (53 P. S. § 6926.333(l)), the Department of Education (Department) has calculated the index for Fiscal Year (FY) 2011-2012.

The index is the average of the percentage increase in the Statewide average weekly wage and the Employment Cost Index. For the FY 2011-2012, the base index is 1.4%.

For school districts with a market value/income aid ratio greater than .4000, an adjusted index will be posted on the Department's web site at www.education.state.pa.us by September 30, 2010.

THOMAS E. GLUCK,
Acting Secretary

[Pa.B. Doc. No. 10-1760. Filed for public inspection September 17, 2010, 9:00 a.m.]

DEPARTMENT OF ENVIRONMENTAL PROTECTION

Applications, Actions and Special Notices

APPLICATIONS

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

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

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

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

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

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

Persons wishing to comment on an NPDES application are invited to submit a statement to the regional office noted before an application within 30 days from the date of this public notice. Persons wishing to comment on a WQM permit application are invited to submit a statement to the regional office noted before the application within 15 days from the date of this public notice. Comments received within the respective comment periods will be considered in the final determinations regarding the applications. Comments should include the name, address and telephone number of the writer and a concise statement to inform the Department of the exact basis of a comment and the relevant facts upon which it is based.

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

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

I. NPDES Renewal Applications

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

<i>NPDES No. (Type)</i>	<i>Facility Name & Address</i>	<i>County & Municipality</i>	<i>Stream Name (Watershed #)</i>	<i>EPA Waived Y/N?</i>
PA0044466 (Sewage)	Lake Bryn Mawr Camp, Inc. 593 Bryn Mawr Road Honesdale, PA 18431	Wayne County Oregon Township	Unnamed Tributary to Big Brook Creek Watershed 01D High Quality- Cold Water Fishes	Y

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

<i>NPDES No. (Type)</i>	<i>Facility Name & Address</i>	<i>County & Municipality</i>	<i>Stream Name (Watershed #)</i>	<i>EPA Waived Y/N?</i>
PA0080926 (Sew)	Robert L. Schroeder 305 Sleepy Hollow Road Lititz, PA 17543	Lancaster County Elizabeth Township	UNT Hammer Creek 7-J	Y
PA0086754 (IW)	East Penn Manufacturing, Company Deka Road Lyon Station, PA 19526-0147	Berks County Richmond Township	Saony Creek 3-B	Y
PA0014648 (IW)	United Water Pennsylvania, Inc. Hummelstown Water Treatment Plant 4211 East Park Circle Harrisburg, PA 17111	Dauphin County Hummelstown Borough	Swatara Creek 7-D	Y
PA0014621 (IW)	United Water Pennsylvania, Inc. Sixth Street Water Treatment Plant 4211 East Park Circle Harrisburg, PA 17111	Dauphin County Susquehanna Township	Susquehanna River 7-C	Y
PA0082732 (Sew)	East St. Clair Township Municipal Authority—Stone Creek STP P. O. Box 55 Fishertown, PA 15539-0055	Bedford County East St. Clair Township	Dunning Creek 11-C	Y
PA0082694 (Sew)	East St. Clair Township Municipal Authority—Fishertown STP P. O. Box 55 Fishertown, PA 15539-0055	Bedford County East St. Clair Township	Dunning Creek 11-C	Y
PA0032506 (Sew)	Department of Conservation and Natural Resources—Reeds Gap State Park 1405 New Lancaster Valley Road Milroy, PA 17063-9517	Mifflin County Armagh Township	Honey Creek 12-A	Y

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

<i>NPDES No. (Type)</i>	<i>Facility Name & Address</i>	<i>County & Municipality</i>	<i>Stream Name (Watershed #)</i>	<i>EPA Waived Y/N?</i>
PA0033910 (Sewage)	Northeast Bradford School Wastewater Treatment Plant R. R. 1 Box 211b Rome, PA 18837-9505	Bradford County Orwell Township	Johnson Creek 4-D	Y
PA0209368 (Sewage)	Benton Foundry, Inc. 5297 SR 487 Benton, PA 17814-7641	Columbia County Sugarloaf Township	Coles Creek 5-C	Y
PA0228869 (Sewage)	Kettle Creek State Park Wastewater Treatment Plant 97 Kettle Creek Park Lane Renovo, PA 17764-9400	Clinton County Leidy Township	Kettle Creek 9-B	Y

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

<i>NPDES No. (Type)</i>	<i>Facility Name & Address</i>	<i>County & Municipality</i>	<i>Stream Name (Watershed #)</i>	<i>EPA Waived Y/N ?</i>
PA0239551 (Sewage)	Westminster Highlands Camp 263 Big Bend Road Mercer, PA 16137	Venango County Scrubgrass Township	Little Scrubgrass Creek 16-C	Y
PA0210510 (Sewage)	Jody L. and Ronald D. Wright, d/b/a Jim-N-I-Park 11678 Main Street East Springfield, PA 16411	Erie County Springfield Township	Unnamed Tributary to Turkey Creek 15	Y

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

Northwest Regional Office: Regional Water Management Program Manager, 230 Chestnut Street, Meadville, PA 16335-3481, Telephone: 814-332-6942.

PA0103276, Sewage, SIC Code 4952, **Shippenville Borough**, 106 School Street, Shippenville, PA 16254. Facility Name: Shippenville Borough STP. This existing facility is located in Shippenville Borough, **Clarion County**.

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

The receiving stream(s), Deer Creek, is located in State Water Plan watershed 17-B and is classified for Cold Water Fishes, aquatic life, water supply and recreation. The discharge is not expected to affect public water supplies.

The proposed effluent limits for Outfall 001 are based on a design flow of 0.05 MGD.

<i>Parameters</i>	<i>Mass (lb/day)</i>			<i>Concentration (mg/l)</i>		
	<i>Average Monthly</i>	<i>Weekly Average</i>	<i>Minimum</i>	<i>Average Monthly</i>	<i>Weekly Average</i>	<i>Instantaneous Maximum</i>
Flow (MGD)	Report	Report	XXX	XXX	XXX	XXX
pH (S.U.)	XXX	XXX	6.0	XXX	XXX	9.0
Total Residual Chlorine	XXX	XXX	XXX	0.5	XXX	1.2
CBOD ₅	10.5	16.7	XXX	25	40	50
Total Suspended Solids	12.5	18.8	XXX	30	45	60
Fecal Coliform (CFU/100 ml)						
May 1 - Sep 30	XXX	XXX	XXX	200 Geometric Mean	XXX	XXX
Oct 1 - Apr 30	XXX	XXX	XXX	2,000 Geometric Mean	XXX	XXX

You may make an appointment to review the Department of Environmental Protection's files on this case by calling the File Review Coordinator at 814-332-6340.

The EPA waiver is in effect.

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

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

WQM Permit No. 2110407, Sewerage, **Upper Allen Township**, 100 Gettysburg Road, Mechanicsburg, PA 17055. This proposed facility is located in Upper Allen Township, **Cumberland County**.

Description of Proposed Action/Activity: Seeking permit approval for the construction/operation of a new pumping station and approximately 16,000 linear feet of force main and gravity sewer to provide Country Estates with public sewers. The projected peak flow for the new pumping station is approximately 50,400 gpd. The sewage will be treated at the Grantham WWTP.

WQM Permit No. 0710201, Industrial Waste, **BCRD, LLC**, 5429 Harding Highway, Building 500, Mays Landing, NJ 08330. This proposed facility is located in North Woodbury Township, **Blair County**.

Description of Proposed Action/Activity: Seeking permit approval for the construction/operation of a regional anaerobic digester to treat agricultural waste and further process municipal sewage sludge.

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

WQM Permit No. 2595201, Industrial Waste, **Amendment No. 1, Pennsylvania Electric Company**, P. O. Box 16001, Reading, PA 19612-6001. This proposed facility is located in Harborcreek Township, **Erie County**.

Description of Proposed Action/Activity: This project will upgrade the existing Iron and TSS leachate collection and treatment system. The proposed work includes dual submersible pumps, controls, piping, bulk chemical storage, a rotary fan sludge press and dual sludge storage tanks.

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

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

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

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

Wayne County Conservation District: Agricultural Service Center, 648 Park Street, Honesdale, PA 18431, 570-253-0930.

<i>NPDES Permit No.</i>	<i>Applicant Name & Address</i>	<i>County</i>	<i>Municipality</i>	<i>Receiving Water/Use</i>
PAI026409007(1)	Central Wayne Regional Authority 100 Fourth Street Suite 8 Honesdale, PA 18431	Wayne County	Honesdale Borough	Lackawaxen River HQ-TSF, MF WB Lackawaxen River HQ-TSF, MF UNT Lackawaxen River HQ-CWF, MF Dyberry Creek HQ-CWF, MF

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

<i>NPDES Permit No.</i>	<i>Applicant Name & Address</i>	<i>County</i>	<i>Municipality</i>	<i>Receiving Water/Use</i>
PAI025210007	Sean Finan Finan Family Irrevocable Trust 830 Twin Lakes Road Shohola, PA 18458	Pike County	Shohola Township	Walker Lake Creek HQ-CWF, MF UNT to Walker Lake Creek HQ-CWF, MF Twin Lakes Creek HQ-CWF, MF UNT to Twin Lakes Creek HQ-CWF, MF Delaware River WWF, MF UNT to Delaware River HQ-CWF, MF Shohola Creek HQ-CWF, MF UNT to Shohola Creek HQ-CWF, MF

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

<i>NPDES Permit No.</i>	<i>Applicant Name & Address</i>	<i>County</i>	<i>Municipality</i>	<i>Receiving Water/Use</i>
PAI023510003	William Davis Lackawanna County McDade Park 1 Bald Mountain Road Scranton, PA 18504-9779	Lackawanna	Archbald Borough	Aylesworth Creek CWF, MF EV-Wetland

Schuylkill County Conservation District: 1206 Agricultural Center Drive, R. R. 5, Box 5810, Pottsville, PA 17901, 570-622-3742.

<i>NPDES Permit No.</i>	<i>Applicant Name & Address</i>	<i>County</i>	<i>Municipality</i>	<i>Receiving Water/Use</i>
PAI025410002	Raymond G. Mullady Signature Spring, LLC 600 New Hampshire Avenue NW Washington, DC 20037	Schuylkill	East Union Township	UNT to Davis Run HQ-CWF, MF

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

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

<i>NPDES Permit No.</i>	<i>Applicant Name & Address</i>	<i>County</i>	<i>Municipality</i>	<i>Receiving Water/Use</i>
PAI041410006	S & A Homes Fieldstone Subdivision 2121 Old Gatesburg Road State College, PA 16803	Centre	College Township Harris Township	Spring Creek HQ-CWF

Clearfield County Conservation District: 650 Leonard Street, Clearfield, PA 16830, (814) 765-2629.

<i>NPDES Permit No.</i>	<i>Applicant Name & Address</i>	<i>County</i>	<i>Municipality</i>	<i>Receiving Water/Use</i>
PAI041704001R	River Hill Power Co., LLC 94 Spruce Street Indiana, PA 15701-8424	Clearfield	Karthaus Township	Mosquito Creek HQ-CWF UNT Mosquito Creek HQ-CWF Dutch Hollow Creek HQ-CWF Shingle Hollow Creek HQ-CWF

Union County Conservation District: Union County Government Center, 155 North 15th Street, Lewisburg, PA 17837, (570) 524-3860.

<i>NPDES Permit No.</i>	<i>Applicant Name & Address</i>	<i>County</i>	<i>Municipality</i>	<i>Receiving Water/Use</i>
PAI046010001	Ken Martin 3370 Forrest Hill Road Mifflinburg, PA 17844	Union	West Buffalo Township	Rapid Run HQ-CWF, MF

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

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

STATE CONSERVATION COMMISSION

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

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

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

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

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

NUTRIENT MANAGEMENT PLAN—PUBLIC NOTICE SPREADSHEET

<i>Agricultural Operation Name and Address</i>	<i>County</i>	<i>Total Acres</i>	<i>Animal Equivalent Units</i>	<i>Animal Type</i>	<i>Special Protection Waters (HQ or EV or NA)</i>	<i>Renewal/New</i>
Perry Meadows 2713 Fowlers Hollow Road Blain, PA 17006	Perry	0	1,342.3	Swine	HQ	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

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

Permit No. 3610533, Public Water Supply.

Applicant	Western Heights Water Authority
Municipality	Earl Township
County	Lancaster

Responsible Official	Fred Wissler Chairperson 517 North Railroad Avenue New Holland, PA 17557
Type of Facility	Public Water Supply
Consulting Engineer	Gary Martin, P. E. Gennett Flemming, Inc. P. O. Box 67100 Harrisburg, PA 17106-7100
Application Received:	8/17/2010
Description of Action	Construction of Well No. 5 with associated nitrate treatment and 38,000 gallon system storage

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

Application No. 6210501, Public Water Supply.

Applicant	North Warren Municipal Authority
Township or Borough	Conewango Township Warren County
Responsible Official	D. Melvin Jacobson Chairperson
Consulting Engineer	Dale W. Sorensen, P. E. Northwest Engineering, Inc. P. O. Box Q Tidioute, PA 16351
Application Received Date	07/30/2010
Description of Action	Chlorine contact tank addition and pipe volume increase to meet 4 Log Inactivation.

Application No. 2510504, Public Water Supply.

Applicant	Erie City Water Authority
Township or Borough	Harborcreek Township Erie County
Responsible Official	Craig H. Palmer, Engineering Services Manager
Consulting Engineer	Craig H. Palmer Erie Water Works 240 West 12th Street Erie, PA 16501
Application Received Date	09/02/2010
Description of Action	Installation of a Bulk Sodium Hypochlorite Feed System inside of East Lake Hydropillar.

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:

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

Former Wolf Motor Company, East Hempfield Township, **Lancaster County**. Becker Engineering, LLC, 115 Millersville Road, Lancaster, PA 17603, on behalf of Donato and Carmela Melchiorre, 1383 Beaconfield Lane, Lancaster, PA 17601; Lancaster Dodge, 1475 Manheim Pike, Lancaster, PA 17601; and the Estate of Romayne Fisher, c/o Spencer Law Firm, 320 Race Avenue, Lancaster, PA 17603, submitted a Notice of Intent to Remediate site soils and groundwater contaminated with leaded gasoline from an underground storage tank. The site will be remediated to the Site-Specific Standard and will remain an automotive sales and maintenance facility.

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

Duferco Farrell Corporation Facility, City of Farrell, **Mercer County**. Cummings Riter Consultants, Inc., 10 Duff Road, Suite 500, Pittsburgh, PA 15235 on behalf of Duferco Farrell Corporation, 15 Roemer Boulevard, Farrell, PA 16121 has submitted a Notice of Intent to Remediate. Impacted material being addressed at the site consists of two material piles. One pile consists of coke breeze, the second pile consists of materials including scale and slag. The material piles are considered non-hazardous based on characterization sampling. The intended future use of the property will remain non-residential. The Notice of Intent to Remediate was published in *The Herald* on August 14, 2010. The site is to be remediated to the Site-Specific Standard.

OPERATE WASTE PROCESSING OR DISPOSAL AREA OR SITE

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

Northeast Region: Regional Solid Waste Manager, 2 Public Square, Wilkes-Barre, PA 18701-1915.

Permit Application No. 100022. Chrin Brothers Sanitary Landfill, Chrin Brothers Sanitary Landfill, Inc., 635 Industrial Drive, Easton, PA 18042. A major permit modification to expand the permit boundary from 108.0 acres to 112.3 acres of this municipal waste landfill, does not include a change in the permitted disposal capacity, disposal acreage, or waste acceptance rates located in Williams Township, **Northampton County**. The application was received in the Regional Office on August 13, 2010, and as of September 7, 2010, the application was deemed to be administratively complete.

Persons interested in reviewing the application may contact William Tomayko, Program Manager, Waste Management Program, Northeast Regional Office, 2 Public Square, Wilkes-Barre, PA 18701-1915, 570-826-2511. TDD users may contact the Department of Environmental Protection through the Pennsylvania Relay AT&T Service, (800) 654-5984.

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 permit-

ting 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

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

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

07-03014A: New Enterprise Stone and Lime Co., Inc. (P. O. Box 77, New Enterprise, PA 16664) for installation of a nonmetallic mineral processing plant at their Roaring Spring Quarry in Taylor Township, **Blair County**. The facility includes equipment subject to 40 CFR Part 60, Subpart OOO—Standards of Performance for Nonmetallic Mineral Processing Plants. The estimated potentials to emit associated with this project are 39 tpy of Particulate Matter (PM) and 14.1 tpy of PM10. The

plan approval will include emission limits and work practice standards along with monitoring, recordkeeping and reporting requirements to ensure the facility complies with the applicable air quality regulations.

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

Department of Environmental Protection
909 Elmerton Avenue
Harrisburg, PA 17110

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

Each written comment must contain the following:

- (i) Name, address and telephone number of the person submitting the comments.
- (ii) Identification of the proposed permit number.
- (iii) A concise statement regarding the relevancy of the information or objections to the issuance of the permit.

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

Daniel C. Husted, P. E.
Environmental Engineering Manager
Department of Environmental Protection
909 Elmerton Avenue
Harrisburg, PA 17110
Phone: 717-705-4863

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

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.

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

10-325A: VA Medical Center—Butler (325 New Castle Road, Building 1, Suite 505W, Butler, PA 16001) for three 25.8 mmBtu/hr boilers at their facility in Butler Township, **Butler County**.

Under 25 Pa. Code §§ 127.44(b) and 127.424(b), the Department of Environmental Protection (Department) intends to issue Plan Approval 10-325A to the Butler VA Medical Center for three 25.8 mmBtu/hr boilers at their

facility located in Butler Township, Butler County. The Plan Approval will subsequently be incorporated into the facility's Operating Permit through an administrative amendment in accordance with 25 Pa. Code § 127.450.

Plan Approval No. 10-325A is for the three natural gas and diesel fired boilers, rated at 25.8 mmBtu/hr. Based on the information provided by the applicant and the Department's own analysis, the combined subject sources will have the potential to emit approximately 46.5 tons of nitrogen oxides, 27.6 tons of carbon monoxide, 1.8 tons of volatile organic compounds (VOCs), 4.8 tons of particulate matter, 4.8 tons of which will be particulate matter less than 10 microns (PM10) and 0.6 ton of sulfur oxides.

The Plan Approval will contain testing, recordkeeping, reporting, work practice and additional requirements designed to keep the facility operating within all applicable air quality requirements. Portions of the facility will also be subject to the requirements of New Source Performance Standards, 40 CFR Part 60, Subpart Dc, for Small Industrial-Commercial-Institutional Steam Generating Units.

24-165B: Elkhorn Gas Processing, LLC—Whitetail Gas Processing Plant (5422 Highland Road, Lamont, PA 16365) for modification of the CO emission limit established in plan approval 24-165A and the addition of a 30,000 gallon storage tank in Jones Township, **Elk County**. This is a State-only facility. The public notice is required for sources required to obtain a Plan Approval in accordance with 25 Pa. Code § 127.44. This plan approval will, in accordance with 25 Pa. Code § 127.450, be incorporated into the State-only operating permit through an administrative amendment at a later date. The source shall comply with the following conditions, which will satisfy the requirements of 25 Pa. Code § 127.12b (pertaining to plan approval terms and conditions) and will demonstrate Best Available Technology for the source:

- All conditions from plan approval 24-165A remain in effect unless changed below.
- Source 102: Refrigeration Compressor.
- The internal combustion engine shall be designed and operated so emissions do not exceed the following:
 - NOx at rated brake horsepower and operating at rated speed—2.0 grams per brake horsepower-hour (gms/bhp-hr) for gas fired units;
 - VOC at rated brake horsepower and operating at rated speed—1.9 gms/bhp-hr;
 - CO at rated brake horsepower and operating at rated speed—2.0 gms/bhp-hr; and,
 - At operating conditions less than rated capacity, internal combustion engines shall, on a pounds per hour basis, emit no more than they emit at rated brake horsepower and rated speed.
- Visible emissions in excess of the following limitations:
 - Equal to or greater than 10% for a period or periods aggregating more than 3 minutes in any one hour.
 - Equal to or greater than 30% at any time.
- Source 104: Storage Tanks (V-2910 and V-2920)
- Subject to 25 Pa. Code § 129.57.
- Source 105 and 106: Inlet Compressors
- The internal combustion engine shall be designed and operated so emissions do not exceed the following:

- NOx at rated brake horsepower and operating at rated speed—2.0 grams per brake horsepower-hour (gms/bhp-hr) for gas fired units;

- VOC at rated brake horsepower and operating at rated speed—1.5 gms/bhp-hr;

- CO at rated brake horsepower and operating at rated speed—2.0 gms/bhp-hr; and,

- At operating conditions less than rated capacity, internal combustion engines shall, on a pounds per hour basis, emit no more than they emit at rated brake horsepower and rated speed.

- Visible emissions in excess of the following limitations:

- Equal to or greater than 10% for a period or periods aggregating more than 3 minutes in any one hour.

- Equal to or greater than 30% at any time.

37-307C: PSC Metals, Inc. (5875 Landerbrook Drive, Suite 200, Mayfield Heights, OH 44124) for modifications to the dust collection system associated with existing scrap cutting activities at their facility in the City of New Castle, **Lawrence County**.

Under 25 Pa. Code §§ 127.44(b) and 127.424(b), the Department of Environmental Protection (Department) intends to issue Plan Approval 37-307C to PSC Metals, Inc. for modifications to the dust collection system associated with existing scrap cutting activities at their facility located at 214 Gardner Avenue, New Castle, PA 16107, City of New Castle, Lawrence County. The Plan Approval will subsequently be incorporated into the facility's Operating Permit through an administrative amendment in accordance with 25 Pa. Code § 127.450.

Plan Approval No. 37-307C is for modifications to the dust collection system associated with existing scrap cutting activities to provide for improved collection of particulate matter. Based on the information provided by the applicant and the Department's own analysis, the subject source will have the potential to emit approximately 7.0 tons of particulate matter, all of which will be particulate matter less than 10 microns (PM10), 9.4 tons of nitrogen oxides, 0.7 ton of carbon monoxide, 0.05 ton of volatile organic compounds (VOCs) and 0.01 ton of sulfur oxides per year.

The Plan Approval will contain additional monitoring, recordkeeping and work practice requirements designed to keep the facility operating within all applicable air quality requirements. Copies of the application, the Department's analysis, and other documents used in the evaluation are available for public inspection between 8 a.m. and 4 p.m. weekdays at the address shown. To make an appointment, contact Records Management at 814-332-6340.

Anyone wishing to provide the Department with additional information they believe should be considered may submit the information to the address shown. Comments must be received by the Department within 30 days of the last day of publication. Written comments should include the following:

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

2. Identification of the proposed Plan Approval; No. 37-307C.

3. Concise statement regarding the relevancy of the information or any objections to issuance of the Plan Approval.

A public hearing may be held, if the Department, in its discretion, decides that such a hearing is warranted on the comments received during the public comment period. All persons submitting comments or requesting a hearing will be notified of the decision to hold a hearing by publication in a local newspaper of general circulation or the *Pennsylvania Bulletin* or by telephone, where the Department determines such notification is sufficient. Written comments or requests for a public hearing should be directed to John Guth, Regional Air Quality Manager, Department of Environmental Protection, Northwest Regional Office, 230 Chestnut Street, Meadville, PA 16335, 814-332-6940.

62-032G: Ellwood National Forge Company (One Front Street, Irvine, PA 16329) for modification of ammonia limits established in plan approval 62-032F in Brokenstraw Township, **Warren County**. This is a Title V facility. The public notice is required for sources required to obtain a Plan Approval in accordance with 25 Pa. Code § 127.44. This plan approval will, in accordance with 25 Pa. Code § 127.450, be incorporated into the State-only operating permit through an administrative amendment at a later date. The source shall comply with the following conditions, which will satisfy the requirements of 25 Pa. Code § 127.12b (relating to plan approval terms and conditions) and will demonstrate Best Available Technology for the source:

- All conditions from plan approval 62-032C issued July 31, 2008, remain in effect unless changed below.
- Sources 632, 633, 634, and 635—Nitride Furnaces
 - The emissions from the outlet of the control device shall not exceed the following:
 - Ammonia (NH₃): 0.57 #/hr per furnace
 - Ammonia (NH₃): 10.0 tpy based on a consecutive 12-month period for all four nitride furnaces (632, 633, 634, and 635)
 - NO_x: 3.0 tpy based on a consecutive 12-month period for all four nitride furnaces (632, 633, 634, and 635)
 - Within 180 days after plan approval issuance, a stack test shall be performed in accordance with the provisions of Chapter 139 of the Rules and Regulations of the Department of Environmental Protection. The stack test shall be performed while the aforementioned source is operating at the maximum or normal rated capacity as stated on the application. The stack test shall be conducted for NO_x and Ammonia (NH₃) at the outlet of the control device. The initial compliance test may be performed on either control device (C632A or C634A).

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

AMS 10133: Philadelphia Navy Public Work Department (4921 South Broad Street, Building 1, Philadelphia, PA 19112) to install to one 264,000 Btu/hr Boiler firing natural gas, one 9,200 gallon and one 9,700 gasoline storage tank both with Stage 2 vapor recovery, one Spraybooth that paints metal and plastic parts. One Torit Donalson Dust Collector, one cold cleaning degreaser in the City of Philadelphia, **Philadelphia County**. The facility will have the following combined potential annual emissions: 0.11 ton of nitrogen oxides (NO_x), 1.43 tons of particulate matter, 0.25 ton of VOCs, 0.10 ton of carbon monoxide, less than 0.01 ton of sulfur dioxide and less than 0.01 ton of lead. 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.

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

31-05005: Containment Solutions, Inc. (14489 Croghan Pike, Mount Union, PA 17066) for operation of a fiberglass reinforced plastic storage tank manufacturing operation in Shirley Township, **Huntingdon County**. This is a renewal of the Title V Operating Permit issued in 2005. The permit will contain all of the emission limits and work practice standards along with all monitoring, recordkeeping and reporting requirements from the previous permit to ensure the facility complies with the applicable air quality regulations.

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

10-00079: BNZ Materials, Inc. (191 Front Street, Zelenople, PA 16063-1088) for reissuance of the Title V Operating Permit at their facility in Zelenople Borough, **Butler County**. The facility manufactures clay refractories. The facility's major emission sources include clay storage bin transfer, clay silos transfer, sawdust transfer No. 1—holding bin, sawdust transfer No. 2—sawdust silo, sawdust grinder, sawdust transfer No. 3—molding, batcher premix transfer, molding process, No. 2 finishing machine, No. 2 finishing machine feeder, No. 1 finishing machine, power shape machine, special shapes machines, degreasers, miscellaneous natural gas usage, cement fiberboard cutting operation, hot water heater, No. 2 and No. 3 dryer, No. 1, No. 2 and No. 4 kiln, laboratory test kiln. The facility is a major facility due to its potential to emit of carbon monoxide. This facility is not subject to compliance assurance monitoring because the individual source's precontrolled emission does not exceed the Title V emission threshold.

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

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

09-00121: Philadelphia Macaroni Co. (40 Jacksonville Road, Warminster, PA 18974) for a non Title-V (State-only), Natural Minor, Operating Permit Renewal. This facility manufactures pasta products in Warminster Township, **Bucks County**. The major sources of air emissions are the pneumatic conveying system controlled by five dust collectors and two boilers. The renewal will include monitoring, recordkeeping and reporting requirements designed to keep the facility operating within all applicable air quality requirements.

23-00049: PPL Interstate Energy Co.—Marcus Hook (1111 Ridge Road, Linwood, PA 19061) for a renewal of State-only (Synthetic Minor) Operating Permit No. 23-00049, for three mainline fuel heaters, a maintenance heater and a cold parts cleaner at the facility in Linwood, **Delaware County**. The permit was originally

issued on March 10, 2005, and no physical changes have occurred at the facility since then. The renewed permit will include monitoring, recordkeeping, reporting and work practice requirements designed to keep the facility operating within all applicable air quality requirements.

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

48-00094: U.S. Flock Co., LLC (1150 Center Street, Easton, PA 18042) a State-only Operating Permit for coating and flock lines operation in William Township, **Northampton County**. The proposed State-only Operating Permit contains applicable requirements for emissions limitations, monitoring, recordkeeping, reporting and work practice standards used to maintain facility compliance with Federal and State air pollution regulations.

40-00108: Pennsy Supply, Inc. (1001 Paxton Street, P. O. Box 3331, Harrisburg, PA 17014-3331) a State-only Operating Permit for crushing stone plant operation in Jenkins Township, **Luzerne County**. The proposed State-only Operating Permit contains applicable requirements for emissions limitations, monitoring, recordkeeping, reporting and work practice standards used to maintain facility compliance with Federal and State air pollution regulations.

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

36-03075: City of Lancaster AWWTP (1220 New Danville Pike, Lancaster, PA 17603) for operation of their wastewater treatment facility in Lancaster Township, **Lancaster County**. This is a renewal of the State-only Operating permit issued in 2005.

01-05036: Ecore International, Inc., d/b/a Recycling Technology International (60 Filbert Street, Hanover, PA 17315) for the shredded rubber tire sizing, removal of metal and stone, and reclamation operations controlled by dust collectors in Conewago Township, **Adams County**. The primary emissions are particulate matter, with the estimated emissions of less than 21 tpy. This permit will incorporate the plan approval No 01-05036A for relocating their control exhausting indoor to the outdoor.

PLAN APPROVALS

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

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

54-399-044A: Future Power PA (72 Glenmaura National Boulevard, Moosic, PA 18507) for modification and operation of an Anthracite Coal fired IGCC (Integrated Gas Combined Cycle) plant with controls at their facility to be in Porter Township, **Schuylkill County**.

In accordance with 25 Pa. Code §§ 127.44(a) and 127.45(a), the Department of Environmental Protection (Department) has received and intends to issue a Plan Approval to Future Power PA (72 Glenmaura National Boulevard, Moosic, PA 18507) for the modification and operation of an Anthracite Coal fired IGCC (Integrated Gas Combined Cycle) plant with controls at their facility to be located in Porter Township, Schuylkill County. This Plan Approval No. 54-399-044A will be incorporated into a State-only Permit through an administrative amendment at a later date. Plan Approval No. 54-399-044A is for a modification for the increase in the Megawatt output for the facility. The plant is subject to 40 CFR Part 60, Subpart Da requirements. The emergency generator and emergency fire pump are subject to 40 CFR Part 60, Subpart IIII requirements. The coal prep plant is subject to 40 CFR Part 60, Subpart Y requirements. The VOC emissions from the facility will not equal or exceed 50 tpy, based on a 12-month rolling sum. The NOx emissions from the facility will not equal or exceed 100 tpy, based on a 12-month rolling sum. Total PM, SOx and CO emissions from the facility will not equal or exceed 100 tpy, based on a 12-month rolling sum. The HAPs from the facility must never equal or exceed 10 tpy of any single HAP and must never equal or exceed 25 tpy of all aggregated HAPs, based on a 12-month rolling sum. The Plan approval and Operating Permit will include testing, monitoring, recordkeeping and reporting requirements designed to keep the sources operating within all applicable air quality requirements.

Copies of the application, the Department's analysis and other documents used in the evaluation of the application are available for public review during normal business hours at Air Quality Program, 2 Public Square, Wilkes-Barre, PA 18711.

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

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

Identification of the proposed permit No. 54-399-044A.

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

A public hearing may be held, if the Department, in its discretion, decides that such a hearing is warranted based on the comments received. All persons submitting comments or requesting a hearing will be notified of the decision to hold a hearing by publication in the newspaper or the *Pennsylvania Bulletin* or by telephone, where the Department determines such notification is sufficient. Written comments or requests for a public hearing should be directed to Ray Kempa, Chief, New Source Review Section, Air Quality Program, 2 Public Square, Wilkes-Barre, PA 18711, Phone 570-826-2511 within 30 days after publication date.

COAL AND NONCOAL MINING ACTIVITY APPLICATIONS

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

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

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

Written comments or objections related to a mining permit application should contain the name, address and telephone number of persons submitting comments or objections; application number; and a statement of sufficient detail to inform the Department on the basis of comment or objection and relevant facts upon which it is based.

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

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

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

For noncoal mining activities, the proposed limits are found in Table 2. Discharges from noncoal mines located in some geologic settings (for example, in the coal fields) may require additional effluent limits. If additional effluent limits are needed for an NPDES permit associated with a noncoal mining permit, then the permit 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:

Parameter	30-Day Average	Daily Maximum	Instantaneous Maximum
Iron (Total)	1.5 to 3.0 mg/l	3.0 to 6.0 mg/l	3.5 to 7.0 mg/l
Manganese (Total)	1.0 to 2.0 mg/l	2.0 to 4.0 mg/l	2.5 to 5.0 mg/l

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

Alkalinity greater than acidity¹

¹The parameter is applicable at all times.

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

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

56100104. Fieg Brothers, 3070 Stoystown Road, Stoystown, PA 15563, commencement, operation and restoration of a bituminous surface and auger mine in Southampton and Fairhope Townships, **Somerset County**, affecting 169.1 acres. Receiving stream(s): unnamed tributaries to Wills Creek classified for the following use(s): high quality cold water fishery. There are no potable water supply intakes within 10 miles downstream. Application received: July 20, 2010.

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

61100105. Ben Hal Mining Company (389 Irishtown Road, Grove City, PA 16127) Commencement, operation and restoration of a bituminous strip operation in Irwin Township, **Venango County** affecting 23.0 acres. Receiving streams: Unnamed tributary No. 2 to North Branch Slippery Rock Creek, classified for the following uses: CWF. There are no potable surface water supply intakes within 10 miles downstream. Application received: August 25, 2010.

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

14040101 and NPDES No. PA0243833. River Hill Coal Co., Inc. (P. O. Box 141, Kylertown, PA 16847).

Permit renewal for the continued operation and restoration of a bituminous surface mine located in Rush Township, **Centre County** affecting 547.3 acres. Receiving streams: unnamed tributary to Trout Run (High Quality-Cold Water Fishery) and unnamed tributaries to Moshannon Creek (High Quality-Cold Water Fishery). There are no potable water supply intakes within 10 miles downstream. Application received: August 30, 2010.

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

54950104R3. City of Philadelphia, Trustee, Acting by the Board of Directors of City Trusts for Girard Estate, (21 South 12th Street, Philadelphia, PA 19107), renewal of an existing anthracite surface mine operation in West Mahanoy Township, **Schuylkill County** affecting 397.3 acres, receiving stream: none. Application received: August 20, 2010.

40980101R2. Hazleton Materials, LLC (P. O. Box 1467, Skippack, PA 19474), renewal of an existing anthracite surface mine operation in Foster Township, **Luzerne County** affecting 1261.0 acres, receiving stream: none. Application received: August 23, 2010.

40840206R5. Jeddo-Highland Coal Company, (46 Public Square, Suite 600, Wilkes-Barre, PA 18640), renewal of an existing anthracite coal refuse reprocessing and disposal operation in Plains Township, **Luzerne County** affecting 126.9 acres, receiving stream: none. Application received: August 25, 2010.

Noncoal Applications Received

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

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

* The parameter is applicable at all times.

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

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

4075SM12 and NPDES Permit No. PA0248860. Penn Pocahontas Coal Company, P. O. Box 68, Boswell, PA 15531, renewal of NPDES Permit, Summit Township, **Somerset County**. Receiving stream(s): unnamed tributary to Casselman River, classified for the following use(s): cold water fishery. There are no potable water supply intakes within 10 miles downstream. Application received: August 20, 2010.

3366BSM84 and NPDES Permit No. PA0248797. Penn Pocahontas Coal Company, P. O. Box 68, Boswell, PA 15531, renewal of NPDES Permit, Brothersvalley Township, **Somerset County**. Receiving stream(s): Buffalo Creek and Tubs Run, classified for the following use(s): cold water fishery. There are no potable water supply intakes within 10 miles downstream. Application received: August 20, 2010.

4072SM11 and NPDES Permit No. PA0248886. Penn Coal Land, Inc., P. O. Box 68, Boswell, PA 15531, renewal of NPDES Permit, Summit Township, **Somerset County**. Receiving stream(s): unnamed tributary to Miller Run classified for the following use(s): cold water fishery. There are no potable water supply intakes within 10 miles downstream. NPDES renewal application received: August 20, 2010.

4072SM2 and NPDES Permit No. PA0248878. Penn Coal Land, Inc., P. O. Box 68, Boswell, PA 15531, renewal of NPDES Permit, Elk Lick Township, **Somerset County**. Receiving stream(s): unnamed tributary to Meadow Run classified for the following use(s): cold water fishery. The first downstream potable water supply intake from the point of discharge is Hooversville Municipal Authority. NPDES renewal application received: August 20, 2010.

4072SM22 and NPDES Permit No. PA0248894. Penn Coal Land, Inc., P. O. Box 68, Boswell, PA 15531, renewal of NPDES Permit, Somerset Township, **Somerset County**. Receiving stream(s): unnamed tributary to Kimberly Run classified for the following use(s): cold water fishery. There are no potable water supply intakes within 10 miles downstream. NPDES renewal application received: August 20, 2010.

FEDERAL WATER POLLUTION CONTROL ACT, SECTION 401

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

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

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

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

WATER OBSTRUCTIONS AND ENCROACHMENTS

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

E38-169: Department of Transportation, Engineering District 8-0, 2140 Herr Street, Harrisburg, PA 17103, North Cornwall Township, **Lebanon County**, ACOE Baltimore District.

To construct and maintain a non-jurisdictional dam, approximately 1,866.0 feet long by 10.0 feet wide and 3.0 feet high, in the floodplain of Snitz Creek (TSF), its associated floodway and PEM wetlands, having a permanent wetland impact of 0.01 acre, for the purpose of creating 5.2 acres of wetlands on the south side of Oak Street on the right floodplain of Snitz Creek (Lebanon, PA Quadrangle N: 9.5 inches; W: 6.75 inches, Latitude: 40° 19' 23"; Longitude: 76° 27' 2") in North Cornwall Township, Lebanon County. The applicant is required to replace 0.01 acre of PEM wetland. The wetland will be replaced at the site through creation of additional wetlands.

E21-418: East Pennsboro Township, 98 South Enola Drive, Enola PA 17025-2704, East Pennsboro Township, **Cumberland County**, ACOE Baltimore District.

The applicant proposes to construct and maintain portions of a new headworks and chlorine contact tanks and two 15.0-inch HDPE outfalls with associated rip-rap within the 100-year FEMA floodplain of Conodoguinet Creek (WWF), impacting 0.01 acre of floodplain. The purpose of the project is to improve the existing East Pennsboro Township Wastewater Treatment Plant. The project is located along Dulles Drive in East Pennsboro Township, Cumberland County (Harrisburg West, PA Quadrangle N: 3.9 inches; W: 6.3 inches, Latitude: 40° 16' 19"; Longitude: -76° 55' 15")

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

E53-429. Ultra Resources, Inc., 304 Inverness Way South, Englewood, CO 80112-5828. Water Obstruction and Encroachment Joint Application, Pine Creek Water Intake, in Pike Township, **Potter County**, ACOE Baltimore District (Marshlands, PA Quadrangle N: 41° 44' 16"; W: 77° 37' 21").

To construct, operate and maintain 50 linear feet of 6" water pipeline under Pine Creek (Exceptional Value). Construction of the pipeline will require one stream crossing. The pipeline crossing is to be bored under the stream. The project is located east of the Borough of Galeton off SR 0006 approximately 1.6 miles west of the intersection with SR 0144 in Pike Township, Potter County.

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

E02-1641. The Cobblestone Manor Associates, LP, 772 Pine Valley Drive, Pittsburgh, PA 15239. To extend and maintain the existing culvert and place and maintain fill in wetlands and to relocate and maintain the stream channel in Ohio Township, **Allegheny County**, Pittsburgh ACOE District (Emsworth, PA Quadrangle N: 7.7 inches; W: 11.8 inches, Latitude: 40° 32' 29.6"; Longitude: 80° 5' 23.3"). The applicant proposes to extend and maintain the existing 118.0 foot long 48 inch diameter culvert in and unnamed tributary to Bear Run (TSF) approximately 13.0 feet on the upstream end and approximately 230.0 feet on the downstream end, to place and maintain fill in approximately 0.09 acre of wetlands and to relocate and maintain the channel of said stream for the purpose of constructing and providing access to the proposed Cobblestone Manor Single Family Residential Development. The project is located on the west side of SR 279, approximately 3,500.0 feet south from the intersection of SR 279 and Mt. Nebo Road and will impact approximately 368.0 linear feet of stream channel and 0.09 acre of wetlands.

E63-627. Washington County, 100 West Beau Street, Suite 701, Washington, PA 15301. To construct seven pedestrian bridges and a retaining wall in Nottingham Township, **Washington County**, Pittsburgh ACOE District (Hackett, PA Quadrangle N 12.1"; W 5.7", Latitude: 40° 11' 31"; Longitude: 80° 02' 29"). The applicant proposes to construct and maintain four steel beam bridges, each with a span of 30', one steel beam bridge with a span of 20', all across Mingo Creek (HQ-TSF), and to construct two wood beam bridges with spans of 10' across unnamed tributaries to Mingo Creek, all for the purpose of constructing approximately 2 miles of recreational trail for bicycles and pedestrians. The project is located in Mingo Creek Park.

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

E24-257. Department of Transportation, District 2-0. SR 1006 Across West Branch Clarion River and Wilson Run, in Jones Township, **Elk County**, ACOE Pittsburgh District (Wilcox, PA Quadrangle N: 41° 34' 32"; W: 78° 41' 32").

To conduct the following activities associated with the realignment of SR 1006, Section A01 immediately west of SR 321 at Wilcox:

1. To remove the existing bridge and stabilize approximately 75 feet of the right bank and 81 feet of the left bank of the West Branch Clarion River.

2. To construct and maintain a 31.4 foot long prestressed concrete beam bridge on integral abutments having a clear span of 92.7 feet and an underclearance of 12.9 feet on a 75° skew across Wilson Run on a new roadway alignment.

3. To permanently impact 0.012 acre of EV wetland adjacent to Wilson Run and West Branch Clarion River associated with fill for the roadway approach to the bridge.

4. To temporarily impact 0.045 acre of EV wetland.

5. To install and maintain a 36 inch diameter culvert to maintain flow in an existing ditch through the proposed roadway embankment and discharging into the wetland area along West Branch Clarion River.

E62-423. Municipal Authority of the Township of Sheffield, P. O. Box 821, Sheffield, PA 16347. Sheffield Township Sewer Lines and Treatment Plant Upgrade, in Sheffield Township, **Warren County**, ACOE Pittsburgh District (Sheffield, PA Quadrangle N: 41° 41' 40"; W: 79° 1' 48").

The applicant is proposing to extend sewer lines in Sheffield Township and upgrade the existing sewage treatment plant involving:

1. to construct and maintain 23 sanitary sewer line watercourse crossings (21 by boring/2 by open cut) including the following crossings of special protection waters by boring (unless noted):

a. Four Mile Run (HQ-CWF)—N: 41° 43' 29"; W: 79° 3' 17"

b. UNT Two Mile Run (HQ-CWF)—N: 41° 42' 18"; W: 79° 00' 51"

c. UNT South Branch Tionesta Creek by open cut (HQ-CWF)—N: 41° 40' 39"; W: 79° 1' 39"

d. UNT South Branch Tionesta Creek (HQ-CWF)—N: 41° 40' 21"; W: 79° 1' 28"

e. UNT South Branch Tionesta Creek (HQ-CWF)—N: 41° 40' 20"; W: 79° 1' 27"

f. UNT South Branch Tionesta Creek (HQ-CWF)—N: 41° 40' 11"; W: 79° 1' 26"

g. UNT South Branch Tionesta Creek (HQ-CWF)—N: 41° 39' 43"; W: 79° 1' 1"

h. UNT South Branch Tionesta Creek (HQ-CWF)—N: 41° 39' 41"; W: 79° 0' 59"

i. South Branch Tionesta Creek (HQ-CWF)—N: 41° 40' 20"; W: 79° 1' 43"

j. UNT South Branch Tionesta Creek (HQ-CWF)—N: 41° 40' 20"; W: 79° 1' 45"

k. UNT South Branch Tionesta Creek (HQ-CWF)—N: 41° 40' 20"; W: 79° 1' 45"

l. UNT South Branch Tionesta Creek (HQ-CWF)—N: 41° 39' 40"; W: 79° 1' 35"

m. UNT South Branch Tionesta Creek (HQ-CWF)—N: 41° 39' 38"; W: 79° 1' 36"

2. to construct and maintain 20 sanitary sewer line wetland crossings by boring including the following crossings of exceptional value wetlands:

a. Wetland BA 20 (S) (EV)—N: 41° 40' 50"; W: 79° 1' 44"

b. Wetland BA 4 (S) (EV)—N: 41° 39' 47"; W: 79° 1' 9"

c. Wetland BA 3 (S) (EV)—N: 41° 39' 46"; W: 79° 1' 7"

d. Wetland BA 10 (S) (EV)—N: 41° 39' 57"; W: 79° 1' 42"

e. Wetland BA 11 (S) (EV)—N: 41° 39' 53"; W: 79° 1' 41"

f. Wetland BA 12 (S) (EV)—N: 41° 39' 49"; W: 79° 1' 39"

3. to remove existing structures (having an approximate footprint of 5,225 square feet) and to construct and maintain two SBR tanks, a SBR control building, a sludge holding tank and reed bed units (having an approximate footprint of 17,225 square feet) within the FEMA 100-year floodplain of the West Branch of Tionesta Creek

4. to mitigate the floodplain fill/new structures by excavating approximately 8,330 square feet of the floodplain to a depth of one foot within the FEMA 100-year floodplain of the West Branch of Tionesta Creek

ENVIRONMENTAL ASSESSMENTS

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

EA05-010: Broad Top Township, P. O. Box 57, Defiance, PA 16633, Broad Top Township, **Bedford County**, ACOE Baltimore District.

The applicant proposes to: (1) install and maintain an 8.0-inch PVC pipe in an UNT to Sandy Run (WWF, MF) impacting 145.0 linear feet of stream channel; and (2) relocate and maintain 330.0 linear feet of Sandy Run (WWF, MF) impacting 485.0 linear feet of stream channel, for the purpose of constructing an acid mine drainage treatment system. The project is located along Landfill Road (Saxton, PA Quadrangle N: 0.09 inch; W: 12.93 inches, Latitude: 40° 7' 31.7"; Longitude: 78° 13' 2.9") in Broad Top Township, Bedford County.

ACTIONS

THE CLEAN STREAMS LAW AND THE FEDERAL CLEAN WATER ACT

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

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

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

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

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

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

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

I. NPDES Renewal Permit Actions

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

<i>NPDES No. (Type)</i>	<i>Facility Name & Address</i>	<i>County & Municipality</i>	<i>Stream Name (Watershed #)</i>	<i>EPA Waived Y/N</i>
PA0020168 (Sewage)	East Stroudsburg Borough Wastewater Treatment Plant P. O. Box 303 East Stroudsburg, PA 18301-0303	Monroe County East Stroudsburg Borough	Brodhead Creek 1-E Cold Water Fishes	N

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

<i>NPDES No. (Type)</i>	<i>Facility Name & Address</i>	<i>County & Municipality</i>	<i>Stream Name (Watershed #)</i>	<i>EPA Waived Y/N?</i>
PA0112585 (Sewage)	Wagon Wheel Apartments Wastewater Treatment Plant R. R. 2 Box 291 Ulster, PA 18850	Bradford County Ulster Township	Toad Hollow 4-B	Y
PA0112747 (Sewage)	Mahaffey Borough Municipal Authority Wastewater Treatment Plant P. O. Box 202 Mahaffey, PA 15757	Clearfield County Mahaffey Borough	West Branch Susquehanna River 8-B	Y
PA0115088 (POTW)	Benton Municipal Water & Sewer Authority Wastewater Treatment Plant P. O. Box 516 1a West Third Street Benton, PA 17814-0516	Columbia County Benton Borough	Fishing Creek 5-C	Y
PA0031852 (Sewage)	Central Columbia School District Wastewater Treatment Plant 4777 Old Berwick Road Bloomsburg, PA 17815	Columbia County South Centre Township	Unnamed Tributary to Susquehanna River 5-D	Y
PA0014575 (Industrial Waste)	Jersey Shore Area Joint Water Authority Water Company Road Off RT 973E Jersey Shore, PA 17740-5046	Lycoming County Anthony Township	Larrys Creek 10-A	Y
PA0014567 (Industrial Waste)	Jersey Shore Area Joint Water Authority Route 973 Jersey Shore, PA 17740-5046	Clinton County Pine Creek Township	Pine Creek 9-A	Y

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

<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>
PA0252557 Industrial Waste	Coen Oil Company 1100 West Chestnut Street Washington, PA 15301	Washington County Buffalo Township	UNT to Buffalo Creek	Y

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

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

NPDES Permit No. PA02636729, Sewage, **Nilda Flores**, 1970 Mercer Road, Fredonia, PA 16124. This proposed facility is located in Delaware Township, **Mercer County**.

Description of Proposed Action/Activity: Issuance of a new NPDES permit for treated sewage to a Small Flow Treatment Facility which is replacing a malfunctioning onlot system.

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

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

WQM Permit No. 3510401, Sewerage, **Sewer Authority of the City of Scranton**, 312 Adams Avenue, Scranton, PA 18503. This proposed facility is located in the City of Scranton, **Lackawanna County**.

Description of Proposed Action/Activity: Issuance of Water Quality Management Permit for upgrades to the Authority's wastewater treatment facility as part of a Biological Nutrient and Chemical Phosphorus Removal project.

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

WQM Permit No. WQG01281001, Sewage, **Twin Hill Meadows Phase II Association**, 19733 Leitersburg Pike, Hagerstown, PA 21742. This proposed facility is located in Montgomery Township, **Franklin County**.

Description of Proposed Action/Activity: Construction/Operation of a small flow sewage treatment system to serve 4 residential building lots.

WQM Permit No. WQG02221002, Sewage, **South Hanover Township Sewer Authority**, 111 West Third Street, Union Deposit, Hershey, PA 17033. This proposed facility is located in South Hanover Township, **Dauphin County**.

Description of Proposed Action/Activity: Construction/Operation of pump station and force main to serve the Willow Creek Farms subdivision, 40 single family lots on an existing 56.7 acre parcel.

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

WQM Permit No. 0410403, Sewerage, **East Rochester Borough**, 760 Spruce Street, East Rochester, PA 15074. This proposed facility is located in East Rochester Borough, **Beaver County**.

Description of Proposed Action/Activity: Permit issuance for the construction and operation of new sanitary sewers to separate existing combined sewers.

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

WQM Permit No. 1610401, Sewerage, **Borough of East Brady**, 502 Ferry Street, Suite 15, East Brady, PA 16028. This proposed facility is located in East Brady Borough, **Clarion County**.

Description of Proposed Action/Activity: This is a new WQM permit for replacing the existing East Brady STP. The new plant will be located adjacent to the existing STP and is designed for the future flow of 185,000 gallons per day.

WQM Permit No. 4310401, Sewerage, **Nilda Flores**, 1970 Mercer Road, Fredonia, PA 16124. This proposed facility is located in Delaware Township, **Mercer County**.

Description of Proposed Action/Activity: Construction of Single Residence Small Flow Treatment Facility to replace a malfunctioning onlot system.

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>
PAS10Q200R(2)	Mark Feiertag P. O. Box 38 Macungie, PA 18062	Lehigh	Upper Milford Township	Little Lehigh Creek HQ-CWF, MF
PAS10S124R	Briland Development, LLC 8 Abeel Road East Stroudsburg, PA 18301	Monroe	Pocono Township	Pocono Creek HQ-CWF, MF Cranberry Creek HQ-CWF, MF
PAI024809011	John H. Oberly 1441 Spring Valley Road Bethlehem, PA 18015	Northampton	Lower Saucon Township	Cook Creek EV, MF
PAI024809001	Marquis Properties, LLC 416 Frederick Street Easton, PA 18042	Northampton	City of Easton	Bushkill Creek HQ-CWF, MF

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

<i>NPDES Permit No.</i>	<i>Applicant Name & Address</i>	<i>County</i>	<i>Municipality</i>	<i>Receiving Water/Use</i>
PAI030708001(1)	Jonathan Baker Chestnut Flats Wind, LLC Ten Penn Center 1801 Market Street Suite 2700 Philadelphia, PA 19103	Blair	Logan Township	Mill Run-Scotch Gap Run-Kittanning Run-Little Laurel Run HQ, CWF-WWF-CWF-TSF
PAI032809003	Lex and Louise Skelly 3631 North Front Street Harrisburg, PA 17110	Franklin	Guilford Township	Falling Spring Creek HQ

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

Potter County Conservation District: 107 Market Street, Coudersport, PA 16915, (814) 274-8411, Ext. 4.

<i>NPDES Permit No.</i>	<i>Applicant Name & Address</i>	<i>County</i>	<i>Municipality</i>	<i>Receiving Water/Use</i>
PAI045310002	Nittany Oil Co. Nittany Minit Mart 321 North Front Street Philipsburg, PA 16866	Potter	Galeton Borough	Pine Creek HQ-CWF

Sullivan County Conservation District: R. R. 2, Box 2022B, Dushore, PA 18614, (570) 928-7057.

<i>NPDES Permit No.</i>	<i>Applicant Name & Address</i>	<i>County</i>	<i>Municipality</i>	<i>Receiving Water/Use</i>
PAI045710001	George M. Jenkins Merritt Capital Corporation 467 Belrose Lane St. Davids, PA 19087	Sullivan	Laporte Township	Pole Bridge HQ-CWF Shanerburg Run EV

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

<i>NPDES Permit No.</i>	<i>Applicant Name & Address</i>	<i>County</i>	<i>Municipality</i>	<i>Receiving Water/Use</i>
PAI063710001	Department of Transportation Engineering District 11-0 45 Thoms Run Road Bridgeville PA 15017	Lawrence	Mahoning	Mahoning and Beaver Rivers WWF

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

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

List of NPDES and/or Other General Permit Types

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

General Permit Type—PAG-2

Facility Location:

<i>Municipality & County</i>	<i>Permit No.</i>	<i>Applicant Name & Address</i>	<i>Receiving Water/Use</i>	<i>Contact Office & Phone No.</i>
Orwigsburg Borough and West Brunswick Township Schuylkill County	PAG2005410005	Schuylkill County Municipal Authority 221 South Centre Street Pottsville, PA 17901	Pine Creek CWF	Schuylkill County Conservation District 570-622-3742
Deer Lake Borough and West Brunswick Township Schuylkill County	PAG2005410006	Schuylkill County Municipal Authority 221 South Centre Street Pottsville, PA 17901	Pine Creek CWF	Schuylkill County Conservation District 570-622-3742

<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>
Bethlehem Township Northampton County	PAG2004810009	Santino Calantoni Nancy Run Estates Family Limited Partnership 6065 William Penn Highway Easton, PA 18042	Nancy Run CWF, MF	Northampton County Conservation District 610-746-1971
Fairview Township York County	PAG2006710016	Matthew D'Agostino 5011 Oakcrest Drive Fairfax, VA 22030	Yellow Breeches Creek CWF	York County Conservation District 118 Pleasant Acres Road York, PA 17402-8984 717-840-7430
West Manheim Township York County	PAG2006705036	Michael Roepcke Northfield Joint Venture 1085 Hickory Ridge Road Suite 217 Columbia, MD 21044-9301	Furnace Run CWF	York County Conservation District 118 Pleasant Acres Road York, PA 17402-8984 717-840-7430
Warrington Township York County	PAG2006710026	Harry H. Fox 600 Cold Springs Road Dillsburg, PA 17019	Beaver Creek WWF	York County Conservation District 118 Pleasant Acres Road York, PA 17402-8984 717-840-7430
York City York County	PAG2006710020	Jason DeStiger Summit Holdings, LLC 604 Locust Street Suite 500 Des Moines, IA 50309	UNT to Willis Run-Codorus Creek WWF	York County Conservation District 118 Pleasant Acres Road York, PA 17402-8984 717-840-7430
Rush Township Dauphin County	PAG2002210016	Helen Bendigo 11079 Clarks Valley Road Tower City, PA 17980	Wiconisco Creek WWF-CWF	Dauphin County Conservation District 1451 Peters Mountain Road Dauphin, PA 17018 717-921-8100
South Hanover Township Dauphin County	PAG2002210027	Patricia A. Miller Zug Group, LP 4458 South Castlewood Court Auburn Hills, MI 48326-1851	Manada Creek WWF	Dauphin County Conservation District 1451 Peters Mountain Road Dauphin, PA 17018 717-921-8100
Conewago Township Dauphin County	PAG2002210012	Sherri Smith Lower Dauphin School District 291 East Main Street Hummelstown, PA 17036	Hoffer Creek TSF	Dauphin County Conservation District 1451 Peters Mountain Road Dauphin, PA 17018 717-921-8100
South Hanover Township Dauphin County	PAG2002210017	Cliff Weaver Landmark Builders, Inc. 1656 West Main Street Ephrata, PA 17522	Kellock Run WWF	Dauphin County Conservation District 1451 Peters Mountain Road Dauphin, PA 17018 717-921-8100
New Freedom Borough York County	PAG2006704071-R	Keystone Custom Homes 214-A Willow Valley Lake Drive Willow Street, PA 17584	South Branch Codorus Creek WWF	York County Conservation District 118 Pleasant Acres Road York, PA 17402-8984 717-840-7430

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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>
North Woodbury Township Blair County	PAG2000710005	Fred Eckert BCRD LLC 5429 Harding Highway Mays Landing, NJ 08330	UNT to Plum Creek CWF	Blair County Conservation District 1407 Blair Street Hollidaysburg, PA 16648 814-696-0877 Ext. 5
Shrewsbury Township York County	PAG2006705067-R	Jon P. Myers Myers & O'Neill II, LP 30 West Main Street New Freedom, PA 17349	UNT to South Branch Codorus Creek WWF	York County Conservation District 118 Pleasant Acres Road York, PA 17402-8984 717-840-7430
Springettsbury Township York County	PAG2006710015	John W. Woodward 738 West Market Street, LLC 1005 East King Street Suite 100 York, PA 17403	Codorus Creek WWF	York County Conservation District 118 Pleasant Acres Road York, PA 17402-8984 717-840-7430
York Township York County	PAG2006705061-R	Timothy F. Pasch The Paddock 55, LP 2645 Carnegie Road York, PA 17402	Mill Creek WWF	York County Conservation District 118 Pleasant Acres Road York, PA 17402-8984 717-840-7430
Logan Township Blair County	PAG2000710003	Mark Perry Altoona Water Authority 20 Greenwood Road Altoona, PA 16602	Little Juniata River TSF	Blair County Conservation District 1407 Blair Street Hollidaysburg, PA 16648 814-696-0877 Ext. 5
Washington Township Berks County	PAG2000610021	Todd Eddy Hutt's Glass Co., Inc. 105 Limekiln Road Bechtelsville, PA 19505	Swamp Creek TSF	Berks County Conservation District 1238 County Welfare Road Suite 200 Leesport, PA 19533 610-372-4657
Hanover Borough York County	PAG2006710022	Washington Avenue Elementary School 403 Moul Avenue Hanover, PA 17331	Oil Creek WWF	York County Conservation District 118 Pleasant Acres Road York, PA 17402 717-840-7430
Womelsdorf Borough Berks County	PAG2000610020	James S. Williamson Ener-G Foods, Inc. P. O. Box 84487 Seattle, WA 98124-5787	Tulpehocken Creek TSF	Berks County Conservation District 1238 County Welfare Road Suite 200 Leesport, PA 19533-9710 610-372-4657 Ext. 201
South Lebanon Township Lebanon County	PAG2003810010	Thaddeus S. Kocuba Department of Veterans Affairs 1700 South Lincoln Avenue Lebanon, PA 17042	Quittapahilla Creek TSF-MF	Lebanon County Conservation District 2120 Cornwall Road Suite 5 Lebanon, PA 17042 717-272-3908 Ext. 4

<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>
Lebanon City Lebanon County	PAG2003810002	Curtis Richards Lebanon School District 1000 South Eighth Street Lebanon, PA 17042	Quittapahilla Creek TSF-MF	Lebanon County Conservation District 2120 Cornwall Road Suite 5 Lebanon, PA 17042 717-272-3908 Ext. 4
Heidelberg Township Lebanon County	PAG2003810001	Patrick Kreiser 2 Goodyear Lane Newmanstown, PA 17073	UNT to Middle Creek WWF-MF	Lebanon County Conservation District 2120 Cornwall Road Suite 5 Lebanon, PA 17042 717-272-3908 Ext. 4
Swatara Township Lebanon County	PAG2003810013	Mark R. Will Woodcrest Developers, LLC 400 North Cedar Street Lititz, PA 17543	UNT to Little Swatara Creek WWF	Lebanon County Conservation District 2120 Cornwall Road Suite 5 Lebanon, PA 17042 717-272-3908 Ext. 4
Bethel Township Lebanon County	PAG2003810011	Rick Martin Wheatland Custom Homes, Inc. 330 Millway Road Ephrata, PA 17522	Deep and Elizabeth Runs WWF	Lebanon County Conservation District 2120 Cornwall Road Suite 5 Lebanon, PA 17042 717-272-3908 Ext. 4
Clearfield Borough Clearfield County	PAG2001710008	Clearfield Borough Council 6 South Front Street Clearfield, PA 16830	West Branch Susquehanna River WWF Clearfield Creek WWF	Clearfield County Conservation District 650 Leonard Street Clearfield, PA 16830 (814) 765-2629
Penn Township Lycoming County	PAG2004110011	Todd Arthur 25 North Main Street Muncy, PA 17756	Derr Run Little Muncy CWF-MF	Lycoming County Conservation District 542 County Farm Road Suite 202 Montoursville, PA 17754 (570) 433-3003
Blossburg Borough Tioga County	PAG2005910002	Hydro Recovery, LP 7 Riverside Plaza Blossburg, PA 16912	Tioga River Boone Run CWF	Tioga County Conservation District 50 Plaza Lane Wellsboro, PA 16901 (570) 724-1801 Ext. 3
East Buffalo Township Union County	PAG2006010001	Earl Pilling 2525 Old Route 15 P. O. Box 119 West Milton, PA 17886	West Branch Susquehanna River WWF	Union County Conservation District Union County Government Center 155 North 15th Street Lewisburg, PA 17837 (570) 524-3860

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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>
East Buffalo Township Union County	PAG2006010004	Michael Derk Creative Plantscapes 205 Bull Run Crossing Lewisburg, PA 17837	Buffalo Township East Buffalo Township	Union County Conservation District Union County Government Center 155 North 15th Street Lewisburg, PA 17837 (570) 524-3860
Union County	PAG2006010006	Lewisburg Area Rec Authority 629 Fairground Road Lewisburg, PA 17837	Lewisburg Borough	Union County Conservation District Union County Government Center 155 North 15th Street Lewisburg, PA 17837 (570) 524-3860
Union County	PAG2006010007	Christopher Baylor 1131 Pheasant Ridge Road Lewisburg, PA 17837	East Buffalo Township	Union County Conservation District Union County Government Center 155 North 15th Street Lewisburg, PA 17837 (570) 524-3860
Indiana County Burrell Township	PAG02003210005	Byron G. Stauffer, Jr. Indiana County Development Corporation 801 Water Street Courthouse Annex Indiana, PA 15701	UNT Blacklick Creek CWF	Indiana County Conservation District 625 Kolter Drive Suite 8 Indiana, PA 15701-3571 724-471-4751
Washington County Cecil Township	PAG02006305022-R	Maple Leaf Homes, Inc. Lynn Foltz P. O. Box 401 Bridgeville, PA 15017	UNT Chartiers Creek WWF	Washington County Conservation District 602 Courthouse Square Washington, PA 15301 724-228-6774
Washington County Somerset Township	PAG02006306002-2	Gallaway Safety & Supply Colin Gallaway 207 Carlton Drive Eight-Four, PA 15330	UNT Pigeon Creek WWF	Washington County CD 602 Courthouse Square Washington, PA 15301 724-228-6774
Cranberry Township Butler County	PAG02001008003(1)	Pinnacle Resources P. O. Box 445 Clarion PA 16214	UNT Brush Creek WWF	Butler Conservation District 724-284-5270
Summit Township Erie County	PAG02002505009R	Steve Rapp 4132 Stonecreek Drive Erie PA 16509	Walnut Creek CWF; MF	Erie Conservation District 814-825-6403
Reynoldsville Borough Jefferson County	PAG02003310003	Reynoldsville Area Industrial Development Corporation 444 Main Street Reynoldsville PA 15851	Sandy Lick Creek TSF	Jefferson County Conservation 814-849-7463

General Permit Type—PAG-3

<i>Facility Location & Municipality</i>	<i>Permit No.</i>	<i>Applicant Name & Address</i>	<i>Receiving Water/Use</i>	<i>Contact Office & Phone No.</i>
East Manchester Township York County	PAR403506	Penn Waste, Inc. (Main Terminal) 85 Brickyard Road Manchester, PA 17402-3066	UNT Codorus Creek WWF 7H	DEP—SCRO—WQ 909 Elmerton Avenue Harrisburg, PA 17110 717-705-4800
Boggs Township Centre County	PAR803847	Bestway Travel Center, Inc. P. O. Box 256 Milesburg, PA 16853-0256	Unnamed Tributary to Bald Eagle Creek 9-C	Department of Environmental Protection Northcentral Regional Office Water Management 208 West Third Street Suite 101 Williamsport, PA 17701-6448

General Permit Type—PAG-4

<i>Facility Location & Municipality</i>	<i>Permit No.</i>	<i>Applicant Name & Address</i>	<i>Receiving Water/Use</i>	<i>Contact Office & Phone No.</i>
Franklin County Montgomery Township	PAG043903	Twin Hill Meadows Phase II Association 19733 Leitersburg Pike Hagerstown, MD 21742	Licking Creek TSF, MF and Conococheague Creek WWF	DEP—SCRO 909 Elmerton Avenue Harrisburg, PA 17110 717-705-4707

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

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

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

CAFO PUBLIC NOTICE SPREADSHEET—ACTIONS

<i>Agricultural Operation Name and Address</i>	<i>County</i>	<i>Total Acres</i>	<i>Animal Equivalent Units</i>	<i>Animal Type</i>	<i>Special Protection Waters (HQ or EV or NA)</i>	<i>Approved or Disapproved</i>
Leon G. Burkholder 1336 Division Highway Ephrata, PA 17522	Lancaster	19.8	1,064.65	Swine	HQ	A
Lamar Moyer 180 Endsloew Road Marietta, PA 17547	Lancaster	12.4	480.36	Broilers	NA	A

<i>Agricultural Operation Name and Address</i>	<i>County</i>	<i>Total Acres</i>	<i>Animal Equivalent Units</i>	<i>Animal Type</i>	<i>Special Protection Waters (HQ or EV or NA)</i>	<i>Approved or Disapproved</i>
Jonathan Stauffer 6430 Route 225 Elizabethville, PA 17023	Northumberland	10	288.32	Layers	None	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 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. 3410503 MA, Minor Amendment, Public Water Supply.

Applicant	Mifflintown Municipal Authority
Municipality	Fermanagh Township
County	Juniata
Responsible Official	Mike Robinson, Manger P. O. Box 36 Mifflintown, PA 17059

Type of Facility	Relocation of disinfection equipment for the existing Macedonia Wells. Also included Demonstration of 4-Log Treatment of Viruses for GWR.
Consulting Engineer	John T. Mazich, P. E. Uni-Tec Consulting Engineers, Inc. 2007 Cato Avenue State College, PA 16801
Permit to Construct Issued:	8/26/2010

Operations Permit issued to Wernersville Municipal Authority, 3060076, South Heidelberg Township, Berks County on 8/26/2010 for the operation of facilities approved under Construction Permit No. 0607505.

Operations Permit issued to The York Water Company, 7670100, West Manheim Township, York County on 9/7/2010 for the operation of facilities approved under Construction Permit No. 6709509.

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

Permit No. 2510502, Public Water Supply.

Applicant	Albion Borough
Township or Borough	Albion Borough
County	Erie County
Type of Facility	Public Water Supply
Consulting Engineer	August E. Maas, P. E.
Permit to Construct Issued	09/07/2010

Operation Permit issued to Elderberry Properties Mobile Home Park, PWSID No. 6200078, Vernon Township, Crawford County, July 28, 2010, for the operation of one 40 gallon retention tank, one 80 gallon and two 120 gallon contact tanks; polyphosphate feed, sodium hypochlorite feed (4-Log). This action is in response to Department of Environmental Protection's inspections, as approved by permit 2009504, issued February 22, 2010.

Construction/Operation Permit issued to PA American Water Company Warren-Glade Rum Treatment Plant, PWSID No. 6620020, City of Warren, Warren County, September 1, 2010, for the construction/operation of one 250,000 gallon concrete clearwell and 79 LF of 16-inch diameter contact piping; establishment of PA GWR minimum operating levels (4-Log). Construction and Operation authorized simultaneously under permit 6207502-MA1 issued September 1, 2010.

WATER ALLOCATIONS

Actions taken on applications received under the act of June 24, 1939 (P. L. 842, No. 365) (35 P. S. §§ 631—641) relating to the acquisition of rights to divert waters of this Commonwealth

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

WA 10-1006, Water Allocations. Municipal Water Authority of Adams Township, 690 Valencia Road, P. O. Box 807 Mars, PA 16046-3824, Adams Township, **Butler County**. A Modification Order is issued modifying the existing Water Allocation permit. A two-way emergency interconnection is being constructed between Adams Township Butler County and Richland Township Allegheny, which will replace an existing emergency interconnection that provides water from Richland Township to Adams Township.

Permit Issued: 9/7/2010

STORMWATER MANAGEMENT

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

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

The Act 167 Countywide Stormwater Management Plan for Jefferson County, submitted by **Jefferson County**, was approved on August 31, 2010. This plan applies to all watersheds and all areas within Jefferson County.

The Act 167 Countywide Stormwater Management Plan for Lawrence County, submitted by **Lawrence County**, was approved on September 2, 2010. This plan applies to all watersheds and all areas within Lawrence County.

The Act 167 Countywide Stormwater Management Plan for Potter County, submitted by **Potter County**, was approved on September 2, 2010. This plan applies to all watersheds and all areas within Potter County.

The Act 167 Countywide Stormwater Management Plan for Venango County, submitted by **Venango County**, was approved on September 1, 2010. This plan applies to all watersheds and all areas within Venango County.

SEWAGE FACILITIES ACT PLAN APPROVAL

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

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

Plan Location:

<i>Borough or Township</i>	<i>Borough or Township Address</i>	<i>County</i>
Franklin Township	150 Century Lane Dillsburg, PA 17019	York County

Plan Description: Highland Park, DEP Code No. A3-67923-285-3: The approved plan provides for a one lot 82-unit multi-family residential development with a community center on 19.105 acres with total estimated sewage flows of 18,144 gpd to be tributary to the Dillsburg Area Authority. The development will be served by a private onsite pump station. The development is located on the east side of South Mountain Road at its intersection with Rocky Ridge Road in Franklin Township, York County. Any required NPDES Permits or WQM Permits must be obtained in the name of the owner or applicant, as appropriate.

Plan Location:

<i>Borough or Township</i>	<i>Borough or Township Address</i>	<i>County</i>
Licking Creek Township	13064 Timber Ridge Road Needmore, PA 17238	Fulton County

Plan Description: The approved plan provides for construction of a Small Flow Treatment Facility, to repair a malfunctioning onlot sewage system, for the 0.42 acre property owned by Jean Davis. The proposed sewage flows are 400 gallons per day with a discharge to a surface drainage way tributary to Sindeldecker Branch. The Department of Environmental Protection's review of the sewage facilities update revision has not identified any significant environmental impacts resulting from this proposal. Any required NPDES Permits or WQM Permits must be obtained in the name of the municipality or authority as appropriate.

Plan Location:

<i>Borough or Township</i>	<i>Borough or Township Address</i>	<i>County</i>
North Woodbury Township	113 Cranberry Road Martinsburg, PA 16662	Blair County

Plan Description: The approved plan provides for the construction of the Blair County Regional Digester, LLC, a new agricultural manure treatment facility on approximately 5 acres, located on the north side of Cross Cove Road. The facility will discharge effluent to an unnamed tributary to Plum Creek. The Department of Environmental Protection's review of the sewage facilities update revision has not identified any significant environmental impacts resulting from this proposal. Any required NPDES Permits or WQM Permits must be obtained in the name of the municipality or authority as appropriate.

Plan Location:

<i>Borough or Township</i>	<i>Borough or Township Address</i>	<i>County</i>
Upper Allen Township	100 Gettysburg Pike Mechanicsburg, PA 17055	Cumberland

Plan Description: The approved plan provides for a biological nutrient reduction upgrade to the existing sewage treatment plant in order to comply with the Chesapeake Bay Tributary Strategy. The capacity of the sewage treatment plant will remain at an annual average daily flow of 1.1 MGD. The Plan also provides for gravity sewers, a pump station and forcemain to serve approximately 78 existing homes in Country Estates, Southview Drive and Fisher Road. The Department of Environmental Protection's review of the sewage facilities update revision has not identified any significant environmental impacts resulting from this proposal. Any required NPDES Permits or WQM Permits must be obtained in the name of the municipality or authority as appropriate.

Plan Location:

<i>Borough or Township</i>	<i>Borough or Township Address</i>	<i>County</i>
Swatara Township	One Supervisor Drive Jonestown, PA 17038	Lebanon

Plan Description: The approved plan provides for the a gravity collection system, central pump station and force main to serve approximately 67 existing homes in the Rockwood area of Swatara Township and 9 existing

homes in North Lebanon Township. The approved plan also provides for a low pressure sewer system to serve 46 existing homes in the Mountville area of Swatara Township. The Department of Environmental Protection's review of the sewage facilities update revision has not identified any significant environmental impacts resulting from this proposal. Any required NPDES Permits or WQM Permits must be obtained in the name of the municipality or authority as appropriate.

Plan Location:

<i>Borough or Township</i>	<i>Borough or Township Address</i>	<i>County</i>
North Lebanon Township	725 Kimmerlings Road Lebanon, PA 17046	Lebanon

Plan Description: The approved plan provides for the a gravity collection system, central pump station and force main to serve approximately 67 existing homes in the Rockwood area of Swatara Township and 9 existing homes in North Lebanon Township. The Department of Environmental Protection's review of the sewage facilities update revision has not identified any significant environmental impacts resulting from this proposal. Any required NPDES Permits or WQM Permits must be obtained in the name of the municipality or authority as appropriate.

LAND RECYCLING AND ENVIRONMENTAL REMEDIATION

UNDER ACT 2, 1995

PREAMBLE 2

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

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

For further information concerning plans or reports, contact the Environmental Cleanup Program manager in

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

The Department has received the following plans and reports:

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

Mairdale Avenue Site, City of Pittsburgh, **Allegheny County**. D'Appolonia Engineering, 275 Center Road, Monroeville, PA 15146 on behalf of the City of Pittsburgh, 414 Grant Street, City County Building, Pittsburgh, PA 15219 has submitted a Remedial Investigation, Risk Assessment, and Cleanup Plan concerning the remediation of site soil and groundwater contaminated with asphalt millings, lead arsenic and PAH's. The combined report was noticed in the *Pittsburgh Post-Gazette* on August 24, 2010.

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

Elizabeth Craver Residence, Manheim Township, **Lancaster County**. Alternative Environmental Solutions, Inc., 480 New Holland Avenue, Suite 8203, Lancaster, PA 17602, on behalf of Elizabeth Craver, 2346 Bob White Lane, Lancaster, PA 17601, submitted a Remedial Investigation and Final Report concerning remediation of site soils and groundwater contaminated with heating oil. The Report is intended to document remediation of the site to meet the residential Statewide Health Standard.

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

Former Leigh Valley Railroad Maintenance Facility Sayre Borough, **Bradford County**. KU Resources, Inc., 22 South Linden Street, Duquesne, PA 15110 on behalf of Brian Driscoll, Central Bradford Progress Authority, 1 Progress Plaza, Towanda, PA 18848 has submitted a Final Report concerning remediation of site soil and groundwater contaminated with organics (TCE) in groundwater, LNAPL contamination in a confined area (diesel fuel), metals (lead) in drainage swales. The Report is intended to document remediation of the site to meet the Site-Specific Standard.

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

Frenz Petroleum Diesel Spill Warren County, Eldred Township, **Warren County**. Environmental Remediation and Recovery, Inc., 4250 Route 6N, Edinboro, PA 16412 on behalf of Frenze Petroleum Corporation, 2318 West State Street, New Castle, PA 16101 has submitted a Final Report concerning remediation of site soils contaminated with Benzene, Toluene, Ethylbenzene, Isopropylbenzene, Naphthalene, Methyl Tertiary Butyl Ether, 1,2,4-Trimethylbenzene and 1,3,5-Trimethylbenzene. The Report is intended to document remediation of the site to meet the Statewide Health Standard.

Markovitz Enterprises Flowline Div, Shenango Township and City of New Castle, **Lawrence County**. American Geosciences, Inc., 3925 Reed Boulevard, Suite 400, Murrysville, PA 15668-1848 on behalf of Markovitz Enterprises, Inc., 1400 New Butler Road, New Castle, PA 16107 has submitted a Cleanup Plan/Final Report con-

cerning remediation of site soils contaminated with Trichloroethene, cis-1,2-Dichloroethene, Vinyl Chloride and site groundwater contaminated with Trichloroethene, cis-1,2-Dichloroethene, Vinyl Chloride. The Report is intended to document remediation of the site to meet the Site-Specific Standard.

LAND RECYCLING AND ENVIRONMENTAL REMEDIATION

UNDER ACT 2, 1995

PREAMBLE 3

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

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

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

The Department has received the following plans and reports:

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

Triple J Associates/Hydraulic Fluid Release, Manheim Township, Lancaster County. RETTEW Associates, Inc., 3020 Columbia Avenue, Lancaster, PA 17603, on behalf of Triple J Associates LTD, 160 Valley Road, Lancaster, PA 17601, submitted a Final Report concerning remediation of site soils and groundwater contaminated with hydraulic fluid. The Final Report demonstrated attainment of the Nonresidential Statewide Health standard, and was approved by the Department of Environmental Protection on August 30, 2010

DDSP/New Cumberland Army Depot/IRP Site 63 Building 85 Plume, Fairview Township, York County. Weston Solutions, Inc., 1400 Weston Way, West Chester, PA 19380 and Defense Distribution Depot Susquehanna PA, 2001 Mission Drive, New Cumberland, PA 17070 submitted a Final Report concerning remediation of groundwater contaminated with chlorinated solvents. The Final Report demonstrated attainment of the Site-Specific Standard, and was approved by the Department of Environmental Protection on August 31, 2010.

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

UGI Montoursville Holder/Regulator Station, Borough of Montoursville, Lycoming County. EPSYS, LLC, 1414 North Cameron Street, Suite A, Harrisburg, PA 17103 on behalf of UGI Utilities, Inc., P. O. Box 12677, Reading, PA 19612-2677 has submitted a Final Report concerning remediation of site soils contaminated with lead. The Final Report demonstrated attainment of the Statewide Health Standard and was approved by the Department of Environmental Protection on August 27, 2010.

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

Wolf's Head Prop South Parcel OLD (Former Wolf's Head Refinery South Parcel), Sugar Creek Borough, Venango County. URS Corporation, Foster Plaza 4, 501 Holiday Drive, Suite 300, Pittsburgh, PA 15220 on behalf of Pennzoil-Quaker State Company, 910 Louisiana OSP 687, Houston, TX 77022 has submitted a Remedial Investigation/Risk Assessment Report concerning the remediation of site soil contaminated with arsenic, boron, lead, mercury, dibenzofuran, bis[2-chloroethyl]ether, isophorone; site groundwater contaminated with arsenic, barium, mercury, iron, lead, manganese, benzene, 1,2,4-trimethylbenzene, 1,3,5-trimethylbenzene, cyclohexane, benzo[a]anthracene, bis[2-ethylhexyl]phthalate, chrysene, dibenzo[a,h]anthracene, isophorone, pyrene, benzo[a]pyrene, benzo[k]fluoranthene, benzo[b]fluoranthene, benzo[g,h,i]perylene; site surface water contaminated with carbon disulfide, benzo[a]anthracene, benzo[a]pyrene, benzo[k]fluoranthene, benzo[b]fluoranthene, chrysene, copper, iron, and mercury. The Remedial Investigation/Risk Assessment Report was approved by the Department of Environmental Protection on August 31, 2010.

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

Sunoco Logistics Partners, LP Murrysville Pipeline Release, Municipality of Murrysville, Westmoreland County. Chad Harrison, Hull & Associates, Inc., 701 Freeport Road, South Building, Pittsburgh, PA 15238 on behalf of Sunoco Logistics Partners, LP, 5733 Butler Street, Pittsburgh, PA 15201 has submitted a Final

Report concerning the remediation of site soil contaminated with benzene, ethylbenzene, toluene, total xylenes, naphthalene, 1,2,3-trimethylbenzene, and 1,3,5-trimethylbenzene. The Final Report was published in the *Pittsburgh Post-Gazette* on August 26, 2010.

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

Marino Brothers Scrap Yard, Borough of Rochester, **Beaver County**. Atwell-Hicks, LLC, 30575 Bainbridge Road, Suite 180, Solon, OH 44139 on behalf of Castlebrook Development Group, 2593 Wexford Bayne Road, Building 1, Sewickley, PA 15143 had submitted a combined Remedial Investigation Report and Risk Assessment Report concerning the soil and groundwater contamination at the site. The Report was disapproved by the Department of Environmental Protection on September 2, 2010.

DETERMINATION FOR APPLICABILITY FOR MUNICIPAL WASTE GENERAL PERMITS

Applications for Determination of Applicability for General Permit Issued under the Solid Waste Management Act (35 P. S. §§ 6018.101—6018.1003); the Municipal Waste Planning, Recycling and Waste Reduction Act (53 P. S. §§ 4000.101—4000.1904); and Municipal Waste Regulations for a General Permit to Operate Municipal Waste Processing Facilities and/or the Beneficial Use of Municipal Waste.

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

General Permit Application No. WMGR068D003. P. H. Glatfelter Company, 228 South Main Street, Spring Grove, PA 17362-0500.

The general permit WMGR068 is for the beneficial use of: (i) carbonaceous wastes: petroleum coke, uncontaminated, untreated wood chips and other paper and wood industry wastes comprised primarily of wood fibers, and tire-derived fuel (TDF); and (ii) the ash generated from the burning of that waste as: (a) an alternative fuel; (b) a soil additive to promote revegetation on mine sites; and (c) as prescribed in 25 Pa. Code §§ 287.661—287.666. Coal ash generated at the P. H. Glatfelter Company facility, located in Spring Grove Borough, York County is approved for beneficial use under this general permit for mine reclamation purposes. Central Office approved the determination of applicability on August 31, 2010.

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

OPERATE WASTE PROCESSING OR DISPOSAL AREA OR SITE

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

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

Permit Application No. 100403. Seneca Landfill, Inc., P. O. Box 1080 Mars, PA 16046, Jackson and Lancaster Townships, **Butler County**. The application was for a major permit modification to the landfill's permit for a demonstration period for an alternate cover system on the landfill. The demonstration period is for two years. The permit was issued by Northwest Regional Office on August 31, 2010.

AIR QUALITY

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

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

35-310-052GP3: Bell Realty, Inc. (1301 Winola Road, Clarks Summit, PA 18411) on August 16, 2010, for construction and operation of a Portable Crushing Operation with watersprays at their site in Clarks Summit Borough, **Lackawanna County**.

35-329-007GP9: Bell Realty, Inc. (1301 Winola Road, Clarks Summit, PA 18411) on August 16, 2010, installation and operation of a Diesel I/C engine at their site in Clarks Summit Borough, **Lackawanna County**.

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

GP5-24-129B: EQT Production, LLC—Benezette Compressor Station (Quehanna Highway, Benezette, PA 15821) on August 31, 2010, to operate a natural gas fired compressor engine (BAQ-GPA/GP-5) in Benezette Township, **Elk County**. Previously permitted under American Exploration Company.

GP5-24-171A: Seneca Resources Corp.—Boone Mountain Station (Off Fire Tower Road, Brookville, PA 15825) on August 31, 2010, to operate a natural gas fired compressor engine (Two Dehydrators with heat input of 0.375 and 0.75 mmBtu/hr apiece), (BAQ-GPA/GP-5) in Horton Township, **Elk County**.

GP5-42-227A: Somerset Gas Gathering of Pennsylvania, LLC—SGG Compressor Station (East of Irons Hollow and West of Robbins Brook Roads, Smethport, PA 16749) on September 1, 2010, to operate natural gas fired compressor engines (BAQ-GPA/GP-5) in Norwich Township, **McKean County**.

GP5-42-228A: Seneca Resources Corp.—Mt. Jewett Station (Off Temple Drive, Mt. Jewett, PA 16740) on August 31, 2010, to operate a natural gas fired compressor engine (Two Dehydrators with heat input of 0.375 and 0.75 mmBtu/hr apiece), (BAQ-GPA/GP-5) in Sergeant Township, **McKean County**.

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

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

46-0026F: Global Packaging, Inc. (209 Brower Avenue, Oaks, PA 19456) on September 2, 2010, for installation of a new flexographic printing press to replace an existing printing press in their Oaks facility in Upper Providence Township, **Montgomery County**. This facility is a minor facility. The facility wide VOC emissions will stay below 25 tons per year. The combined HAP emissions will be below 25 tons per year. Each HAP emissions will stay below 10 tons per year. The Plan Approval and Operating Permit will contain recordkeeping requirements and operating restrictions designed to keep the facility operating within all applicable air quality requirements.

09-0124G: Fairless Energy, LLC (50 Sinter Road, Fairless Hills, PA 19030) on September 3, 2010, for establishment of short term emission limits during automatic runback and retuning events for their natural gas fired combined cycle electric generating station in Falls Township, **Bucks County**. This is a major facility. Short-term emission limits will be established for NOX, CO, SOX, VOC, PM10, and NH4 for these non-normal modes of operation. The Plan Approval will contain recordkeeping and operating restrictions designed to keep the facility operating within the allowable emissions and all applicable air quality requirements.

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

39-309-077: Lafarge North America, Inc. (5160 Main Street, Whitehall, PA 18052-1827) on August 24, 2010, for the replacement of a dust collector at their facility in Whitehall Township, **Lehigh County**.

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

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

46-0031C: SmithKline Beecham, d/b/a Glaxosmith-Kline (1250 South Collegeville Road, Collegeville, PA 19426) on August 31, 2010, to operate two scrubbers in Upper Providence Township, **Montgomery County**.

09-0188B: Gamesa Wind PA, LLC, (400 Gamesa Drive, Fairless Hills, PA 19030) on August 31, 2010, to operate a new wind generator in Falls Township, **Bucks County**.

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

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

40-00117: Valley Asphalt (215 East Saylor Avenue, Laflin, PA 18702) on August 31, 2010, to issue a new State-only (Synthetic Minor) Operating Permit for opera-

tion of a batch mix asphalt plant and associated air cleaning devices at the facility in Plains Township, **Luzerne County**.

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

37-00266: Shenango Area School District (2501 Old Pittsburgh Road, New Castle, PA 16101-6095) on September 1, 2010, issued a renewal of the State-only Operating Permit for the two Tri-Fuel Boilers, miscellaneous natural gas combustion units, and a diesel fired emergency generator at the High School located in Cranberry Township, **Venango County**. The facility is a Natural Minor.

43-00260: Mercer Area School District—High School (545 West Butler Street, Mercer, PA 16137) on September 2, 2010, for a Natural Minor Permit to operate one coal fired boiler, two natural gas fired boilers, one hot water heater and one emergency diesel generator in Mercer Borough, **Mercer County**. The facility is natural minor because the emission of pollutants is less than the Title V threshold limits.

43-00276: Mercer Area School District—Elementary School (301 Lamor Road, Mercer, PA 16137) on September 2, 2010, for a Natural Minor Permit to operate two coal and gas fired boilers, one hot water heater and one new diesel fueled emergency generator in Mercer Borough, **Mercer County**. The facility is natural minor because the emission of pollutants from the facility is less than Title V emission threshold.

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

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

09-00084: Grand View Hospital (700 Lawn Avenue, Sellersville, PA 18960) on August 26, 2010, to administratively amend the State-only Operating Permit to incorporate conditions from the previously issued Plan Approval 09-0084A to replace the existing burners in three boilers with “low NOx” burners, which will result in a decrease in the amount of nitrogen oxide emissions from their medical facility in West Rockhill Township, **Bucks County**. This Administrative Amendment to the State-only Synthetic Minor Operating Permit is issued under the Air Pollution Control Act (35 P. S. §§ 4001—4015) and 25 Pa. Code § 127.450.

15-00055: Highway Materials, Inc. (850 Quarry Road, Downingtown, PA) on August 26, 2010, this State-only operating permit was administratively amended for the incorporation of PA-15-0039A into SMOP-15-00055 for their facility in East Caln Township, **Chester County**. PA-15-0039A was for the installation of a dryer burner at their existing asphalt plant and for the removal of No. 5 fuel oil from the Operating Permit.

09-00027: Fres-Co (3005 State Road, Telford, PA 18969) on September 3, 2010, for a minor modification of a TVOP No. 09-00027 for their facility in West Rockhill Township, **Bucks County**. The minor modification clarifies language on two control devices, The HES Thermal Oxidizer and ADWEST Thermal oxidizer. Condition num-

ber 001 for both oxidizers was clarified to state the airflow limits shall be expressed as an hourly average. The modified TVOP includes monitoring, recordkeeping, reporting and work practice requirements designed to keep the facility operating within all applicable air quality requirements. Minor modification of TVOP No. 09-00027 is issued under the Air Pollution Control Act (35 P. S. §§ 4001—4015) and 25 Pa. Code § 127.462.

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

42-00028: Saint Gobain Containers (1 Glass Place, Port Allegany, PA 16743-1154) on August 31, 2010, for an administrative amendment to the Title V operating permit to incorporate the requirements of plan approval 42-028C in Port Allegany Borough, **McKean County**.

61-00191: Seneca Printing & Label Inc. (P. O. Box 1211, Debence Drive, Franklin, PA 16323) on September 3, 2010, for administrative amendment to the State operating permit to incorporate the requirements of plan approval 61-191B in Sandycreek Township, **Venango 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

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

30940701 and NPDES Permit No. PA0215465, Coresco, LLC, (308 Dents Run Road, Morgantown, WV 26501), to renew the permit and to transfer the permit for the Refuse Dump No. 4 in Monongahela Township, **Greene County** and related NPDES permit from Cobra Mining, LLC to Coresco, LLC. No additional discharges. Application received: August 1, 2008. Application withdrawn: December 11, 2009.

Coal Permits Actions

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

32971302 and NPDES Permit No. PA0215040, Rosebud Mining Company, (301 Market Street, Kittanning, PA 16201), to revise the permit for the Dutch Run Mine in Washington Township, **Indiana County** to add surface acreage to install a power borehole to supply electric to Dutch Run Mine. Surface Acres Proposed 1.7. No addi-

tional discharges. Application received: March 15, 2010. Permit issued: September 2, 2010.

30841317 and NPDES Permit No. PA0213527, Consol PA Coal Company, LLC, (P. O. Box J, 1525 Pleasant Grove Road, Claysville, PA 15323), to revise the permit for the Enlow Fork Mine in Morris, East Finley and South Franklin Townships, **Washington County** for an overhead power line right-of-way to install power to the E22 Airshaft. No additional discharges. Application received: November 23, 2009. Permit issued: September 2, 2010.

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

33100102 and NPDES Permit No. PA0258831. MSM Coal Company, Inc. (P. O. Box 243, DuBois, PA 15801), Commencement, operation and restoration of a bituminous strip operation in Oliver Township, **Jefferson County** affecting 32.0 acres. Receiving streams: Three unnamed tributaries to Little Sandy Creek. Application received: March 8, 2010. Permit Issued: September 3, 2010.

33090104 and NPDES Permit No. PA0258741. Amerikohl Mining, Inc. (202 Sunset Drive, Butler, PA 16001), Commencement, operation and restoration of a bituminous strip operation in Pine Creek Township, **Jefferson County** affecting 41.1 acres. Receiving streams: Unnamed Tributary to Mill Creek. Application received: June 11, 2009. Permit Issued: September 3, 2010.

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

17940107 and NPDES No. PA0243817. AMFIRE Mining Co., LLC (One Energy Place, Latrobe, PA 15650). Renewal of an existing bituminous surface mine operation located in Girard Township, **Clearfield County** affecting 147.5 acres. Receiving streams: unnamed tributaries to Deer Creek and Deer Creek classified for Cold Water Fisheries. There are no potable water supply intakes within 10 miles downstream. Application received: June 18, 2010. Permit issued: August 27, 2010.

Noncoal Permits Actions

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

20102801. KEFO Corporation (P. O. Box 418, Meadville, PA 16335) Commencement, operation and restoration of a small sand and gravel operation in Vernon Township, **Crawford County** affecting 5.0 acres. Receiving streams: Watson Run. Application received: May 28, 2010. Permit Issued: September 3, 2010.

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

41100801, Dan A. Winder, Jr. (5550 Rt. 220 Highway, Hughesville, PA 17737), commencement, operation and restoration of a small non coal shale operation in Wolf Township, **Lycoming County** affecting 1.0 acres. Receiving stream(s): Unnamed Tributary to Muncy Creek. Application received: July 7, 2010. Permit issued: August 26, 2010.

08970818. Canfield Quarries, Inc. (290 Country Line Road, Benton, PA 17814). Transfer of an existing small non coal bluestone and shale operation from Olin Canfield, Jr. in Tuscarora Township, **Bradford County** affecting 2.0 acres. Receiving stream(s): Tuscarora Creek and Susquehanna River. Application received: September 9, 2009. Permit issued: August 17, 2010.

08102807. Marcus Coal, d/b/a Cole's Construction (P. O. Box 158, Nichols, NY 13812). Transfer of an existing small non coal bluestone and shale operation from Peck Hill Farm and also upgrade from 2,000 tons to 10,000 tons in Windham Township, **Bradford County** affecting 5.0 acres. Receiving stream(s): Unnamed Tributary to Wysox Creek to Susquehanna River. Application received: September 9, 2009. Permit issued: August 30, 2010.

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

58100801. JEB'S Pennsylvania Bluestone Quarry, LLC, (850 Baptist Hill Road, Hallstead, PA 18822), commencement, operation and restoration of a quarry operation in Great Bend Township, **Susquehanna County** affecting 2.0 acres, receiving stream: none. Application received: February 8, 2010. Permit issued: August 31, 2010.

ACTIONS ON BLASTING ACTIVITY APPLICATIONS

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

Blasting Permits Actions

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

32104003. New Enterprise Stone & Lime, P. O. Box 77, New Enterprise, PA 16664, blasting activity permit issued for a road construction project in East Wheatfield Township, **Indiana County**. Blasting activity permit end date is December 31, 2010. Permit issued: September 2, 2010.

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

42104014. Pennsylvania General Energy Company, LLC (120 Market Street, Warren, PA 16365) Blasting Activity Permit for stone removal in Norwich Township, **McKean County**. This Blasting Activity Permit expires on July 1, 2011. Permit Issued: August 31, 2010.

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

08104019. Doug Wathen, LLC (16282 State Highway 13, Suite J, Branson West, MO 65737). Blasting for a gas well location—Moose 1H-6H—located in Wysox Township, **Bradford County**. Permit issued: August 31, 2010. Permit expires: August 25, 2011.

08104117. Austin Powder Northeast, LLC (25800 Science Park Drive, Beachwood, OH 44122). Blasting for a water holding site located in Terry Township, **Bradford County**. Permit issued: August 26, 2010. Permit expires: August 24, 2011.

17104011. P & N Coal Co., Inc. (P. O. Box 332, Punxsutawney, PA 15767). Blasting on GFCC #-17-08-01-Upper Slab Run-located in Sandy Township, **Clearfield County**. Permit issued: August 26, 2010. Permit expires: August 26, 2011.

57104101. Austin Powder Northeast, LLC (25800 Science Park Drive, Beachwood, OH 44122). Blasting for a natural gas well pad located in Forks Township,

Sullivan County. Permit issued: August 26, 2010. Permit expires: August 20, 2011.

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

09104110. Eastern Blasting Co., Inc., (1292 Street Road, New Hope, PA 18938), construction blasting for Fox Hill Estates in East Rockhill Township, **Bucks County** with an expiration date of September 2, 2011. Permit issued: August 27, 2010.

46104112. Maine Drilling & Blasting, (P. O. Box 1140, Gardiner, ME 04345), construction blasting for Northgate in Upper Hanover Township, **Montgomery County** with an expiration date of August 20, 2011. Permit issued: August 27, 2010.

36104150. Eastern Blasting Co., Inc., (1292 Street Road, New Hope, PA 18938), construction blasting for Morphy's Auction House in East Cocalico Township, **Lancaster County** with an expiration date of October 30, 2010. Permit issued: August 30, 2010.

36104151. Maine Drilling & Blasting, (P. O. Box 1140, Gardiner, ME 04345), construction blasting for Summerly Green in Ephrata Township and Ephrata Borough, **Lancaster County** with an expiration date of August 27, 2011. Permit issued: August 30, 2010.

40104113. Maurer & Scott Sales, Inc., (P. O. Box 20843, Lehigh Valley, PA 18002), construction blasting at the Wilkes-Barre Scranton International Airport in Avoca Borough, **Luzerne County** with an expiration date of December 31, 2010. Permit issued: August 30, 2010.

48104108. Rock Work, Inc., (1257 DeKalb Pike, Blue Bell, PA 19422), construction blasting for Upper Mt. Bethel Borrow Pit in Upper Mt. Bethel Township, **Northampton County** with an expiration date of September 1, 2011. Permit issued: August 30, 2010.

64104112. Holbert Explosives, Inc., (237 Mast Hope Plank Road, Lackawaxen, PA 18435), construction blasting for Umlint single dwelling in Sterling Township, **Wayne County** with an expiration date of August 25, 2011. Permit issued: August 30, 2010.

46104113. Maine Drilling & Blasting, (P. O. Box 1140, Gardiner, ME 04345), construction blasting for Costco Wholesale Store in Limerick Township, **Montgomery County** with an expiration date of August 26, 2011. Permit issued: August 31, 2010.

36104001. Guy F. Atkinson Construction, LLC, (350 Indiana Street, Suite 600, Golden, CO 80234), construction blasting at the Holtwood Redevelopment Project/New PPL Power Plant, in Martic Township, **Lancaster County** with an expiration date of February 28, 2011. Permit issued: September 1, 2010.

52104110. Holbert Explosives, Inc., (237 Mast Hope Plank Road, Lackawaxen, PA 18435), construction blasting for Pioneer Construction in Blooming Grove Township, **Pike County** with an expiration date of August 25, 2011. Permit issued: September 1, 2010.

58104042. John Brainard, (3978 SR 2073, Kingsley, PA 18826), construction blasting for the Rose Tank Farm in Dimock Township, **Susquehanna County** with an expiration date of July 1, 2011. Permit issued: September 2, 2010.

58104043. John Brainard, (3978 SR 2073, Kingsley, PA 18826), construction blasting for the Decker Well Pad in Rush Township, **Susquehanna County** with an expiration date of December 31, 2011. Permit issued: September 2, 2010.

58104045. John Brainard, (3978 SR 2073, Kingsley, PA 18826), construction blasting for the Warriner 2H and 7H Well Site and Tank Farm in Dimock Township, **Susquehanna County** with an expiration date of July 31, 2011. Permit issued: September 2, 2010.

46104114. Maine Drilling & Blasting, (P. O. Box 1140, Gardiner, ME 04345), construction blasting for Costco Wholesale Store in Limerick Township, **Montgomery County** with an expiration date of September 3, 2011. Permit issued: September 3, 2010.

FEDERAL WATER POLLUTION CONTROL ACT SECTION 401

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

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

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

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

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

Actions on applications for the following activities filed under the Dam Safety and Encroachments Act (32 P. S. §§ 693.1—693.27), section 302 of the Floodplain Management Act (32 P. S. § 679.302) and The Clean Streams Law (35 P. S. §§ 691.1—691.702) and Notice of Final Action for Certification under section 401 of the FWPCA (33 U.S.C.A. § 1341).

Permits, Environmental Assessments and 401 Water Quality Certifications Issued:

WATER OBSTRUCTIONS AND ENCROACHMENTS

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

E08-460. Chesapeake Appalachia, LLC, 100 IST Center, Horseheads, NY 14845-1016. Water Obstruction and Encroachment Joint Permit, in Monroe Township, **Bradford County**, ACOE Susquehanna River Basin District (Monroeton, PA Quadrangle N: 41° 42' 1.55"; W: 76° 27' 3.59").

To construct and maintain a steel I-beam, concrete abutment, bridge having a span of 30 feet, width of 16 feet 8 inches and average underclearance of 6 feet 6 inches over a UNT to the South Branch of Towanda Creek, located 1.0 mi. east of the int. of SR 0220 along Wickam Falls Road in Monroe Township, Bradford County. This project proposes to permanently impact 25 linear feet of the UNT to South Branch of Towanda Creek, which is designated a Cold Water Fishery and does not propose to impact any jurisdictional wetlands. This permit was issued under Section 105.13(e) "Small Projects."

E12-179. Bernard Armstrong and Wendy Armstrong, 801 Sizerville Road, P. O. Box 121, Emporium, PA 15834-0121. Armstrong Storage Shed 100-year Floodway of Portage Branch, Sinnemahoning Creek, Shippen Township, **Cameron County**, ACOE Baltimore District (Emporium, PA Quadrangle Latitude: 41° 30' 39.2"; Longitude: 78° 13' 25.3").

The applicant is seeking authorization to construct, operate and maintain a private storage shed located within the 100-year floodway of Portage Branch, Sinnemahoning Creek. Construction of the storage shed shall be limited to a 6-foot by 12-foot structure within the floodway construction, operation and maintenance of the shed shall not include placement of any fill which may diminish flood storage capacity of the floodway. The project is located along the western right-of-way of SR 0155 approximately 4,040-feet north of SR 0120 and SR 0155 intersection. This permit was issued under Section 105.13(e) "Small Projects." This permit also includes 401 Water Quality Certification.

E18-456. David J. Rickard, 1095 Fifth Avenue, Jersey Shore, PA 17740-6948. Rickard Garage, in Pine Creek Township, **Clinton County**, ACOE Baltimore District (Jersey Shore, PA Quadrangle N: 41° 11' 11.07"; W: -77° 17' 49.02").

To construct and maintain a 26-foot by 36-foot one-story wooden frame garage in the right 100-year floodway of Pine Creek located 2,000 feet west on Fifth Avenue from its intersection with Pine Creek Avenue in Pine Creek Township, Clinton County. This permit was issued under Section 105.13(e) "Small Projects."

E41-613. Jeffrey Goff, 88 Old Colony Road, Selinsgrove, PA 17870-9767. Small Projects Water Obstruction and Encroachment Joint Permit, in Plunketts Creek Township, **Lycoming County**, ACOE Susquehanna River Basin District (Montoursville North, PA Quadrangle N: 41° 21' 9"; W: -76° 53' 28").

To construct and maintain a residential structure having the following floodway encroachments; residential structure impacting 538 square feet and patio impacting 1,220 square feet within the floodway of Loyalsock Creek located along SR 0087 in Plunketts Creek Township, Lycoming County. This project does not propose to impact any wetlands. This permit was issued under Section 105.13(e) "Small Projects."

E55-227. Department of Transportation, Engineering District 3-0, P. O. Box 218, Montoursville, PA 17754-0218. SR 2013, Section 004, Bridge Replacement Project, Union Township, **Snyder County**, ACOE Baltimore District (Dalmatia, PA Quadrangle N: 40° 41' 40"; W: 76° 52' 39").

Department of Transportation Engineering District 3-0 proposes to replace a single span concrete slab bridge with a single span concrete box culvert. The existing structure has a normal span of 7.76 Ft., Skew of 90°, an underclearance of 3.3 Ft., and a low chord elevation of 422.92 Ft. The proposed structure has a normal span of 7.0 Ft., Skew of 90°, an underclearance of 6.0 Ft., and a low chord elevation of 421.67 Ft. The proposed box culvert will impact approximately 85 Ft. of stream channel. The channel flow line drops nearly six feet in elevation over 27 horizontal feet, due to three concrete formed steps within the existing structure. These steps within the existing structure will result in a proposed box culvert slope of 7.3% and 50 Ft. of upstream channel slope changes. The upstream 50 Ft. of channel will be graded to a 7.3% slope and stabilized using grouted R-8 Rip-Rap. The culvert outlet elevation is bound by an existing private stream enclosure which outlets into the Susquehanna River. The proposed structure will be located on the same horizontal and similar vertical alignment. The project will not impact any jurisdictional wetland. This project will not require mitigation. The project is located over Herrold Run, which is a Tributary to the Susquehanna River (WWF). The project is located in Union Township, Snyder County. This permit also includes 401 Water Quality Certification.

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

E25-727, Erie-Western Pennsylvania Port Authority, 208 East Bayfront Parkway, Suite 201, Erie, PA 16507 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").

To construct and maintain 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 includes construction and maintenance of one 12' wide and 50' wide dock, providing approximately 600 square feet of cover habitat for aquatic organisms and fish, by shading the water and bottom substrate in this area.

Currently, the configuration of the existing marina structures and debris (which includes concrete, blocks, docks, fill and foundations) at the proposed project location, covers about 9,061 square feet (approximately 0.49 acre) of the bottom of Presque Isle Bay. This project proposes to remove 9,061 square feet of debris from the bottom of Presque Isle Bay. The project also proposes the construction of the roadway, parking spaces and walkway that will impact approximately 6,933 feet of the bottom of Presque Isle Bay (approximately 0.42 acre) at or near the existing shoreline. Therefore, a net increase of aquatic habitat will occur, as approximately 2,128 square feet (0.078 acre) of fill material from the bottom of Presque Isle Bay will have been removed. All work is proposed to be done on water lots in Presque Isle Bay owned by the Erie-Western PA Port Authority, and not in or on submerged lands of the Commonwealth.

ENVIRONMENTAL ASSESSMENTS

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

D32-016EA. James Hitchings, 407 Savan Road, Rochester Mills, PA 15771. Grant and Canoe Townships, **Indiana County**, ACOE Pittsburgh District. Project proposes to breach and remove Savan No. 3 Dam across Little Mahoning Creek (HQ-CWF) for the purpose of eliminating a threat to public safety and restoring the stream to a free flowing condition. The project will restore approximately 500 feet of stream channel. The dam is located approximately 650 feet northwest of the intersection of Savan Road (T820) and Ryen Road (T793) (Rochester Mills, PA Quadrangle Latitude: 40° 49' 15"; Longitude: -78° 59' 39").

EROSION AND SEDIMENT CONTROL

The following Erosion and Sediment Control Permits have been issued.

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

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

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

08/12/2010

ESCGP-1 No.: ESX10-125-0068

Applicant Name: Range Resources—Appalachia, LLC

Contact:

Address: 380 Southpointe Boulevard

City: Canonsburg State: PA Zip Code: 15317

County: Washington Township(s): Hopewell

Receiving Stream(s) And Classifications: UNT to Dunkle Run and Dunkle Run, HQ

Secondary Water Dunkle Run

8/4/2010

ESCGP-1 No.: ESX10-059-0058

Applicant Name: Laurel Mountain Midstream, LLC

Contact Person: Lisa Reaves

Address: 1550 Coraopolis Heights Road, Suite 140

City: Moon Township State: PA Zip Code: 15108

County: Greene Township(s): Cumberland
Receiving Stream(s) and Classifications: UNTs to Muddy
Creek (WWF), other

08/23/2010

ESCGP-1 No.: ESX10-129-0027

Applicant Name: RW Gathering, LLC and Williams Pro-
duction Appalachia, LLC

Contact Person: David R. Freudenrich

Address: 1000 Town Center, Suite 130

City: Canonsburg State: PA Zip Code: 15317

County: Derry Township(s): Westmoreland

Receiving Stream(s) and Classifications: Chapter 93 Des-
ignated Use of Use Stream Classification Other WWF
Secondary Loyalhanna Creek

8/13/2010

ESCGP-1 No.: ESX10-051-0015 Major Revision

Applicant Name: Laurel Mountain Midstream c/o Will-
iams Companies, Inc.

Contact Person: Lisa Reaves

Address: 2800 Post Oak Boulevard

City: Houston State: TX Zip Code: 77056

County: Fayette Township(s): German, Redstone and
Menallen

Receiving Stream(s) and Classifications: Dunlap Creek
WWF Middle Monongahela, other
Secondary Water Monongahela River

8/17/2010

ESCGP-1 No.: ESX10-051-0017 Major Revision

Applicant Name: Burnett Oil Co., Inc.

Contact Person: Bart J. Walker

Address: 601 Technology Drive

City: Canonsburg State: PA Zip Code: 15401

County Fayette Township(s): Georges

Receiving Stream(s) and Classifications: York Run WWF,
other

Secondary Water Monongahela River-WWF

08/17/2010

ESCGP-1 No.: ESX10-129-0026

Applicant Name: Phillips Exploration, Inc.

Contact Person: Gary Clark

Address: 502 Keystone Drive

City: Warrendale State: PA Zip Code: 15086

County: Westmoreland Township(s): Salem

Receiving Stream(s) and Classifications: Whitehorn
Creek—WWF

UNT of Whitehorn Creek—WWF, other

Secondary Water Loyalhanna Lake—WWF

8/16/10

ESCGP-1 No.: ESX10-051-0025

Applicant Name: XTO Energy, Inc.

Contact Person: Bernhardt Kissel

Address: 395 Airport Road

City: Indiana State: PA Zip Code: 15701

County: Fayette Township(s): Springfield

Receiving Stream(s) and Classifications: Mill Run—HQ—
CWF, HQ

8/17/10

ESCGP-1 No.: ESX10-129-0020

Applicant Name: RW Gathering, LLC

Contact Person: David Freudenrich

Address: 1000 Town Center, Suite 130

City: Canonsburg State: PA Zip Code: 15317

County: Westmoreland Township(s): Derry

Receiving Stream(s) and Classifications: Stony Run, other
CWF (Cold Water Fish)

8/16/10 Major Rev.

ESCGP-1 No.: ESX10-059-0018

Applicant Name: Energy Corporation of America

Contact Person: Matt Miller

Address: 1380 Route, 286 Highway East, Suite 221

City: Indiana State: PA Zip Code: 15701

County: Greene Township(s): Cumberland

Receiving Stream(s) and Classifications: Muddy Creek,
Monongahela, other

8/25/10

ESCGP-1 No.: ESX10-051-0028

Applicant Name: Chief Oil & Gas, LLC

Contact person: Michael Hirtz

Address: 6051 Wallace Road, Ext., Suite 210

City: Wexford State: PA Zip Code: 15090

County: Fayette Township(s): Henry Clay

Receiving Stream(s) and Classifications: Hen Run (WWF)
and Ramcat Run (CWF), other

8/19/10

ESCGP-1 No.: ESX10-059-0063

Applicant Name: Coal Gas Recovery, LLC

Contact: Joanne Reilly

Address: 158 Portal Road, P. O. Box 1020

City: Waynesburg State: PA Zip Code: 15370

County: Greene Township(s): Franklin

Receiving Stream(s) and Classifications: UNT to Grimes
Run/Monongahela River, other

SPECIAL NOTICES

Notice of Certification to Perform Radon-Related Activities in Pennsylvania

In the month of August 2010 the Department of Environmental Protection, under the Radon Certification Act (63 P. S. §§ 2001—2014) and regulations promulgated thereunder at 25 Pa. Code Chapter 240, has certified the persons listed to perform radon-related activities in this Commonwealth. The period of certification is 2 years. For a complete list of persons currently certified to perform radon-related activities in this Commonwealth and for information as to the specific testing devices that persons certified for testing or laboratory are certified to use, contact the Bureau of Radiation Protection, Radon Division, P. O. Box 8469, Harrisburg, PA 17105-8469, (800) 23RADON.

<i>Name</i>	<i>Address</i>	<i>Type of Certification</i>
Michael Biechler	2466 Round Top Road Middletown, PA 17057	Testing
Camelot Inspections, LLC	290 South Mill Street Milton, PA 17847	Testing
Paul Davis KEM Partners, Inc.	123 John Robert Thomas Drive Exton, PA 19341	Testing

<i>Name</i>	<i>Address</i>	<i>Type of Certification</i>
Steven Haslam	824 Red Barn Lane Huntingdon Valley, PA 19006	Testing
Daniel Keogh	518 Kimberton Road Suite 311 Phoenixville, PA 19460	Testing
Russell Knarr	129 North Fifth Street Reynoldsville, PA 15851	Testing
Wade Martin	12228 Scott Road Waynesboro, PA 17268	Mitigation
Christopher Marshall	4638 Curly Hill Road Doylestown, PA 18902	Testing
Eric Mills	P. O. Box 116 Oreland, PA 19075	Testing
Karen Quick	2643 Eldridge Avenue Easton, PA 18045	Testing
Ray Ransom	55 Dam Overlook Lane Lawrenceville, PA 16929	Testing
Troy Rudy Allied Home Inspections, Inc.	P. O. Box 4214 Lancaster, PA 17604	Mitigation
Jon Shaffer	1115 Cornell Street Pittsburgh, PA 15212	Testing
Dennis Skladanowski	5140 Amherst Road Erie, PA 16506	Testing
Jeffrey Smith	1213 Allie Buck Road Nanty Glo, PA 15943	Testing
John Staz, III	1738 North Third Street Suite A Harrisburg, PA 17102	Testing
Richard Thornhill	471 Washington Street Leetsdale, PA 15056	Mitigation
Robert Wills	877 Williams Place Warminster, PA 18974	Testing

DRINKING WATER STATE REVOLVING FUND

Special Notice under the Federal Safe Drinking Water Act (SDWA); 42 U.S.C.A. § 300f, et seq.

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

Project Location:

<i>Applicant</i>	<i>Applicant Address</i>	<i>County</i>
Aqua Pennsylvania, Inc. (Honesdale Consolidated Water Co.)	1775 North Main Street Honesdale, PA 18431	Honesdale Borough Wayne County

Project Description: The Pennsylvania Infrastructure Investment Authority, which administers the Commonwealth's State Revolving Fund, is intended to be the funding source for this project. The Honesdale Consolidated Water Company proposes to construct treatment for arsenic at the quarry well and to replace water mains. The Department of Environmental Protection (Department) reviewed the project and the request for a categorical exclusion from the Environmental Report. The scope and location of the project do not present any potential for an adverse environmental impact. The Department hereby approves the categorical exclusion from the Environmental Assessment.

Approval of Registration/Applications under General Permit for Short-Term Construction Project BMR-GP-103.

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

66101001. Meshoppen Stone, Inc., (P. O. Box 127, Meshoppen, PA 18630), authorization to extract stone in Meshoppen Township, **Wyoming County** to construct gas well pads for Chesapeake-Slumber Valley Project, receiving stream: unnamed tributary to Little Meshoppen Creek Authorization approved: September 2, 2010.

[Pa.B. Doc. No. 10-1761. Filed for public inspection September 17, 2010, 9:00 a.m.]

Pennsylvania's Draft Phase I Chesapeake Bay Watershed Implementation Plan

The United States Environmental Protection Agency (EPA) is establishing a Chesapeake Bay Total Maximum Daily Load (TMDL) for nutrients (nitrogen and phosphorus) and sediment. The six watershed states and the District of Columbia are submitting draft Phase I Watershed Implementation Plans (WIPs) that are expected to provide a roadmap for how the states and the District, in partnership with Federal and local governments, will achieve and maintain the Chesapeake Bay TMDL nitrogen, phosphorus and sediment limits necessary to meet Chesapeake Bay water quality standards.

The Department of Environmental Protection (Department) submitted Pennsylvania's Draft Phase I Chesapeake Bay WIP (draft WIP) to the EPA on September 1, 2010. The draft WIP outlines the Commonwealth's plan to address nutrient and sediment loadings that drain to the Chesapeake Bay and was prepared following EPA's guidance that outlined their expectations for WIPs.

The draft WIP is based on a foundation that addresses three core elements: 1) milestone implementation and tracking; 2) supporting the implementation of advanced technologies and nutrient trading; and 3) enhancing common sense compliance efforts. The draft WIP was prepared through an open process that solicited significant input from a variety of constituency groups, including over 125 individuals representing a broad range of groups who volunteered to participate on workgroups that provided input throughout the development of the document.

EPA is soliciting comments on the draft TMDL. The Department is soliciting comments on the draft WIP.

EPA and the Draft TMDL

The EPA will hold a public comment period on the draft TMDL from September 24, 2010, through November 8, 2010. Interested persons may submit comments on the draft TMDL directly to the EPA. Information on how to submit comments on the draft Chesapeake Bay TMDL will be available by means of the EPA's Chesapeake Bay TMDL web site: www.epa.gov/reg3wapd/tmdl/ChesapeakeBay/index.html.

In addition, the EPA is holding a series of public meetings this fall to discuss the Chesapeake Bay TMDL. The Department will be at the meetings to provide information and answer questions on the draft WIP. Details on these meetings are posted as follows and can also be accessed on the EPA's Chesapeake Bay TMDL web site.

The EPA public meetings scheduled for this Commonwealth are as follows:

- October 18, 2010, 2 p.m. to 4 p.m., Best Western Eden Resort, 222 Eden Road, Lancaster, PA 17601.
- October 19, 2010, 2 p.m. to 4 p.m., Knights of Columbus, 850 Stratford Drive, State College, PA 16801.
- October 20, 2010, 2 p.m. to 4 p.m., Lycoming College, Wendle Hall, 700 College Place, Williamsport, PA 17701. A webinar of this meeting is also scheduled.
- October 21, 2010, 2 p.m. to 4 p.m., Bentley's of Northern Pennsylvania, 2300 Route 309, Ashley, PA 18706.

The Department and the Draft WIP

Written Comments: Interested persons are invited to submit written comments regarding the draft WIP from September 24, 2010, through November 8, 2010. Notice of availability of the draft WIP for public comment has been posted on the Department's web site at www.depweb.state.pa.us (DEP Keywords: Chesapeake Bay). Comments submitted by facsimile will not be accepted. Written comments should be submitted to the Department of Environmental Protection, Water Planning Office, P. O. Box 2063, Harrisburg, PA 17105-2063, ep-chesapeakebay.program@state.pa.us. A return name and address must be included in each e-mail transmission. Contact: Questions regarding the draft WIP should be directed to the Water Planning Office at (717) 772-4785 or at the e-mail address provided previously.

JOHN HANGER,
Secretary

[Pa.B. Doc. No. 10-1762. Filed for public inspection September 17, 2010, 9:00 a.m.]

Proposed Revisions to General Plan Approval and/or General Operating Permit for Natural Gas, Coal Bed Methane or Gob Gas Production or Recovery Facilities (BAQ-GPA/GP-5)

The Department of Environmental Protection (Department) proposes to modify the General Plan Approval and Operating Permit BAQ-GPA/GP-5 (GP-5) for Natural Gas, Coal Bed Methane or Gob Gas Production or Recovery Facilities (General Permit) in accordance with 25 Pa. Code § 127.611 (relating to general plan approvals and general operating permits).

The modifications to GP-5 include the following: Condition No. 2 is revised to include language to limit a source's potential to emit; Condition No. 4 is revised to require compliance with the specifications in the Application for Authorization to Use GP-5; the fee schedule in Condition No. 8 is revised to include a separate fee for general plan approvals; and Condition No. 10 clarifies that the permittee must comply with all applicable laws including new source performance standards and national standards for hazardous air pollutants.

Opportunity to Comment

A copy of the draft revised General Permit will be made available on the Department's web site at www.depweb.state.pa.us (DEP Keyword: Public Participation; select Proposals Open for Comment). A copy of the draft revised General Permit may also be obtained by contacting Jeanette Van Skike, Division of Permits, Bureau of Air Quality, 12th Floor, Rachel Carson State Office Building, P. O. Box 8468, Harrisburg, PA 17105-8468, (717) 787-4325. TDD users may telephone the Department through the Pennsylvania AT&T Relay Service, (800) 654-5984.

The Department requests written comments on the proposed revisions to this General Permit by November 2, 2010. Comments received by facsimile will not be accepted. Notice and opportunity for comment will also be provided to the United States Environmental Protection Agency and Delaware, Maryland, New Jersey, New York, Ohio, Virginia and West Virginia. Interested persons may submit written comments, suggestions or objections to Virendra Trivedi, Environmental Engineering Manager, Division of Permits, Bureau of Air Quality, 12th Floor, Rachel Carson State Office Building, P. O. Box 8468, Harrisburg, PA 17105-8468, (717) 787-4325 or vtrivedi@

state.pa.us. The Department will also consider written requests that a public hearing be held concerning this proposed General Permit.

Upon issuance of the modified GP-5, the Department will publish a notice in the *Pennsylvania Bulletin* of the issuance of the modified General Permit.

JOHN HANGER,
Secretary

[Pa.B. Doc. No. 10-1763. Filed for public inspection September 17, 2010, 9:00 a.m.]

DEPARTMENT OF GENERAL SERVICES

Real Estate for Sale

Northampton County

The Department of General Services (Department) will accept bids for the purchase of 0.48 acre \pm of land and building formerly known as the Easton Job Center located at 220 Ferry Street, City of Easton, Northampton County. Bids are due Tuesday, October 19, 2010. Interested parties wishing to receive a copy of Solicitation No. 94352 should view the Jackson Cross Partners, LLC web site at www.jacksoncross.com/220_Ferry_Street_Bid or call John Morrissey at (610) 265-7700, Ext. 124.

ELIZABETH O'REILLY,
Acting Secretary

[Pa.B. Doc. No. 10-1764. Filed for public inspection September 15, 2010, 9:00 a.m.]

DEPARTMENT OF HEALTH

Application of Allegheny General Hospital for Exception

Under 28 Pa. Code § 51.33 (relating to requests for exceptions), the Department of Health (Department) gives notice that Allegheny General Hospital has requested an exception to the requirements of 28 Pa. Code §§ 107.2 and 107.26(b)(1) (relating to medical staff membership; and additional committees).

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

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

Comments received by the Department within 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 Division at the previously

listed address or phone numbers, or for speech and/or hearing impaired persons V/TT (717) 783-6154, or the Pennsylvania AT&T Relay Service at (800) 654-5984.

EVERETTE JAMES,
Secretary

[Pa.B. Doc. No. 10-1765. Filed for public inspection September 17, 2010, 9:00 a.m.]

Application of Allegheny General Hospital— Suburban Campus ASF for Exception

Under 28 Pa. Code § 51.33 (relating to requests for exceptions), the Department of Health (Department) gives notice that Allegheny General Hospital—Suburban Campus ASF has requested an exception to the requirements of 28 Pa. Code §§ 553.1, 553.3, 553.4, 553.31, 555.3, 555.4, 557.1—557.4, 559.1, 559.2 and 567.1—567.3.

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

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

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

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

EVERETTE JAMES,
Secretary

[Pa.B. Doc. No. 10-1766. Filed for public inspection September 17, 2010, 9:00 a.m.]

Application of Calcagno & Rossi Vein Surgery Center, LLC for Exception

Under 28 Pa. Code § 51.33 (relating to requests for exceptions), the Department of Health (Department) gives notice that Calcagno & Rossi Vein Surgery Center, LLC 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 standards contained in this publication: 3.7-2.5.3(2) (relating to drug distribution station), 3.7-2.5.5(1) (relating to sterilizing facilities), 3.7-2.5.7.4 (relating to stretcher storage and 3.7-4.2.1 (relating to interview space).

These requests are on file with the Department. Persons may receive a copy of a request for exception by requesting a copy from the Department of Health, Divi-

sion 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 at the 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. 10-1767. Filed for public inspection September 17, 2010, 9:00 a.m.]

Application of Center for Same Day Surgery at Wilkes-Barre General Hospital for Exception

Under 28 Pa. Code § 51.33 (relating to requests for exceptions), the Department of Health (Department) gives notice that Center for Same Day Surgery at Wilkes-Barre General Hospital has requested an exception to the requirements of 28 Pa. Code §§ 553.1, 553.4, 553.31, 555.1—555.4, 557.2—557.4, 561.2, 563.1, 563.2 and 567.2.

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

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

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

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

EVERETTE JAMES,
Secretary

[Pa.B. Doc. No. 10-1768. Filed for public inspection September 17, 2010, 9:00 a.m.]

Application of Chestnut Hill Hospital for Exception

Under 28 Pa. Code § 51.33 (relating to requests for exceptions), the Department of Health (Department) gives notice that Chestnut Hill Hospital 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: 5.5.6.2 (relating to patient toilets).

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 at the 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. 10-1769. Filed for public inspection September 17, 2010, 9:00 a.m.]

Application of Coordinated Health Orthopedic Hospital, LLC for Exception

Under 28 Pa. Code § 51.33 (relating to requests for exceptions), the Department of Health (Department) gives notice that Coordinated Health Orthopedic Hospital, LLC has requested an exception to the requirements of 28 Pa. Code § 105.11(b) (relating to access).

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

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

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

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

EVERETTE JAMES,
Secretary

[Pa.B. Doc. No. 10-1770. Filed for public inspection September 17, 2010, 9:00 a.m.]

Application of Digestive Health and Endoscopy Center, Inc. for Exception

Under 28 Pa. Code § 51.33 (relating to requests for exceptions), the Department of Health (Department) gives notice that Digestive Health and Endoscopy Center, Inc. has requested an exception to the requirements of 28 Pa. Code § 551.3 (relating to definitions).

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

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

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

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

EVERETTE JAMES,
Secretary

[Pa.B. Doc. No. 10-1771. Filed for public inspection September 17, 2010, 9:00 a.m.]

Application of Gateway Surgery Center for Exception

Under 28 Pa. Code § 51.33 (relating to requests for exceptions), the Department of Health (Department) gives notice that Gateway Surgery Center has requested an exception to the requirements of 28 Pa. Code §§ 551.31(e) and 555.31(a) (relating to licensure; and principle).

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

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

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

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

EVERETTE JAMES,
Secretary

[Pa.B. Doc. No. 10-1773. Filed for public inspection September 17, 2010, 9:00 a.m.]

Applications for Exception to 28 Pa. Code § 569.35

Under 28 Pa. Code § 51.33 (relating to requests for exceptions), the Department of Health (Department) gives notice that the following facilities have requested an exception to the requirements of 28 Pa. Code § 569.35 (relating to general safety precautions):

Proserpi-Schlechter Center for Plastic Surgery
Riddle Surgical Center
Riverview Surgery Center at the Navy Yard

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

These facilities are requesting a waiver of the comment period, as set forth in 28 Pa. Code § 51.33(c).

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

EVERETTE JAMES,
Secretary

[Pa.B. Doc. No. 10-1772. Filed for public inspection September 17, 2010, 9:00 a.m.]

Application of Gnadon Huetten Memorial Hospital for Exception

Under 28 Pa. Code § 51.33 (relating to requests for exceptions), the Department of Health (Department) gives notice that Gnadon Huetten Memorial Hospital has requested an exception to the requirements of 28 Pa. Code §§ 138.15 and 138.18(b) (relating to high-risk cardiac catheterizations; and EPS studies).

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

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

Comments received by the Department within 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 Division at the previously

listed address or phone numbers, or for speech and/or hearing impaired persons V/TT (717) 783-6154, or the Pennsylvania AT&T Relay Service at (800) 654-5984.

EVERETTE JAMES,
Secretary

[Pa.B. Doc. No. 10-1774. Filed for public inspection September 17, 2010, 9:00 a.m.]

Application of Grand View Hospital for Exception

Under 28 Pa. Code § 51.33 (relating to requests for exceptions), the Department of Health (Department) gives notice that Grand View Hospital 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: 2.1-4.3.3.2 (relating to space requirements).

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 at the 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, or for speech and/or hearing impaired persons V/TT (717) 783-6154, or the Pennsylvania AT&T Relay Service at (800) 654-5984 (TT).

EVERETTE JAMES,
Secretary

[Pa.B. Doc. No. 10-1775. Filed for public inspection September 17, 2010, 9:00 a.m.]

Application of Guthrie Clinic, Ltd. for Exception

Under 28 Pa. Code § 51.33 (relating to requests for exceptions), the Department of Health (Department) gives notice that Guthrie Clinic, Ltd. has requested an exception to the requirements of 28 Pa. Code § 571.1 (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 exemption from the following standard contained in this publication: Table 2.1-2 (relating to ventilation requirements).

This request is on file with the Department. Persons may receive a copy of a request for exception by request-

ing a copy from the Department of Health, Division of Acute and Ambulatory Care, Room 532 Health and Welfare Building, Harrisburg, PA 17120, (717) 783-8980, fax (717) 772-2163, paexcept@health.state.pa.us.

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

Comments received by the Department within 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 Division at the previously listed address or phone numbers, or for speech and/or hearing impaired persons V/TT (717) 783-6154, or the Pennsylvania AT&T Relay Service at (800) 654-5984.

EVERETTE JAMES,
Secretary

[Pa.B. Doc. No. 10-1776. Filed for public inspection September 17, 2010, 9:00 a.m.]

Application of Hazleton General Hospital for Exception

Under 28 Pa. Code § 51.33 (relating to requests for exceptions), the Department of Health (Department) gives notice that Hazleton General Hospital has requested an exception to the requirements of 28 Pa. Code §§ 138.15 and 138.18(b) (relating to high-risk cardiac catheterizations; and EPS studies).

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

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

Comments received by the Department within 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 Division at the previously listed address or phone numbers, or for speech and/or hearing impaired persons V/TT (717) 783-6154, or the Pennsylvania AT&T Relay Service at (800) 654-5984.

EVERETTE JAMES,
Secretary

[Pa.B. Doc. No. 10-1777. Filed for public inspection September 17, 2010, 9:00 a.m.]

Application of Lehigh Valley Hospital for Exception

Under 28 Pa. Code § 51.33 (relating to requests for exceptions), the Department of Health (Department) gives notice that Lehigh Valley Hospital 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: 2.1-5.1.3.7 (relating to counter or shelf for writing).

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 at the 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, or for speech and/or hearing impaired persons V/TT (717) 783-6154, or the Pennsylvania AT&T Relay Service at (800) 654-5984 (TT).

EVERETTE JAMES,
Secretary

[Pa.B. Doc. No. 10-1778. Filed for public inspection September 17, 2010, 9:00 a.m.]

Application of LifeCare Hospitals of Pittsburgh for Exception

Under 28 Pa. Code § 51.33 (relating to requests for exceptions), the Department of Health (Department) gives notice that LifeCare Hospitals of Pittsburgh 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 standards contained in this publication: 2.1-8.2.1.1 (relating to ventilation), 2.1-8.7.2.3(1) and 2.1-8.7.2.3(3) (relating to elevator cabs), 2.2-2.2.2.2, 2.2-2.2.2.2(b) and 2.2-2.2.2.2(3) (relating to multi-bed rooms), 2.2-2.2.2.5(1)(b) (relating to hand washing stations) and 2.2-2.2.2.5(3) (relating to hand sanitizers).

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 at the 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, or for speech and/or hearing impaired persons V/TT (717) 783-6154, or the Pennsylvania AT&T Relay Service at (800) 654-5984 (TT).

EVERETTE JAMES,
Secretary

[Pa.B. Doc. No. 10-1779. Filed for public inspection September 17, 2010, 9:00 a.m.]

Application of LifeCare Hospitals of Pittsburgh—North for Exception

Under 28 Pa. Code § 51.33 (relating to requests for exceptions), the Department of Health (Department) gives notice that LifeCare Hospitals of Pittsburgh—North 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 standards contained in this publication: 2.1-2.4.3.5(4) (relating to high ceiling in new seclusion room), 2.1-8.2.1.1 (relating to ventilation), 2.2-2.2.2.5(1)(b) (relating to hand washing stations) and 2.2-2.2.2.5(3) (relating to hand sanitizers) and 2.2-2.2.2.7(2)(a)(i) (relating to shower or bathtub in toilet rooms).

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 at the 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, or for speech and/or hearing impaired persons V/TT (717) 783-6154 or the Pennsylvania AT&T Relay Service at (800) 654-5984 (TT).

EVERETTE JAMES,
Secretary

[Pa.B. Doc. No. 10-1780. Filed for public inspection September 17, 2010, 9:00 a.m.]

Application of Mountain Laurel Surgery Center for Exception

Under 28 Pa. Code § 51.33 (relating to requests for exceptions), the Department of Health (Department) gives notice that Mountain Laurel Surgery Center has requested an exception to the requirements of 28 Pa. Code § 551.52 (relating to ASF responsibilities).

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

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

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

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

EVERETTE JAMES,
Secretary

[Pa.B. Doc. No. 10-1781. Filed for public inspection September 17, 2010, 9:00 a.m.]

Application of Nazareth Hospital for Exception

Under 28 Pa. Code § 51.33 (relating to requests for exceptions), the Department of Health (Department) gives notice that Nazareth Hospital has requested an exception to the requirements of 28 Pa. Code § 138.17 (relating to PTCA).

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

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

Comments received by the Department within 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 Division at the previously listed address or phone numbers, or for speech and/or hearing impaired persons V/TT (717) 783-6154, or the Pennsylvania AT&T Relay Service at (800) 654-5984.

EVERETTE JAMES,
Secretary

[Pa.B. Doc. No. 10-1782. Filed for public inspection September 17, 2010, 9:00 a.m.]

Application of Palmerton Hospital for Exception

Under 28 Pa. Code § 51.33 (relating to requests for exceptions), the Department of Health (Department) gives notice that Palmerton Hospital has requested an exception to the requirements of 28 Pa. Code §§ 138.15 and 138.18(b) (relating to high-risk cardiac catheterizations; and EPS studies).

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

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

Comments received by the Department within 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 Division at the previously listed address or phone numbers, or for speech and/or hearing impaired persons V/TT (717) 783-6154, or the Pennsylvania AT&T Relay Service at (800) 654-5984.

EVERETTE JAMES,
Secretary

[Pa.B. Doc. No. 10-1783. Filed for public inspection September 17, 2010, 9:00 a.m.]

Application of Saint Vincent Health Center for Exception

Under 28 Pa. Code § 51.33 (relating to requests for exceptions), the Department of Health (Department) gives notice that Saint Vincent Health Center has requested an exception to the requirements of 28 Pa. Code §§ 107.32 and 127.32 (relating to meetings and attendance; and written orders).

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

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

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

Persons with a disability who wish to obtain a copy of a request and/or provide comments to the Department and require an auxiliary aid, service or other accommodation to do so, should contact the Division at the previously

listed address or phone numbers, or for speech and/or hearing impaired persons V/TT (717) 783-6154, or the Pennsylvania AT&T Relay Service at (800) 654-5984.

EVERETTE JAMES,
Secretary

[Pa.B. Doc. No. 10-1784. Filed for public inspection September 17, 2010, 9:00 a.m.]

Application of Sunbury Community Hospital for Exception

Under 28 Pa. Code § 51.33 (relating to requests for exceptions), the Department of Health (Department) gives notice that Sunbury Community Hospital has requested an exception to the requirements of 28 Pa. Code § 123.25 (relating to regulations for control of anesthetic explosion hazards).

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

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

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

EVERETTE JAMES,
Secretary

[Pa.B. Doc. No. 10-1785. Filed for public inspection September 17, 2010, 9:00 a.m.]

Application of Surgical Specialty Center of Northeastern Pennsylvania for Exception

Under 28 Pa. Code § 51.33 (relating to requests for exceptions), the Department of Health (Department) gives notice that Surgical Specialty Center of Northeastern Pennsylvania has requested an exception to the requirements of 28 Pa. Code § 551.21 (relating to criteria for ambulatory surgery).

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

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

Persons with a disability who wish to obtain a copy of a request and/or provide comments to the Department and require an auxiliary aid, service or other accommodation to do so, should contact the Division at the previously listed address or phone numbers, or for Speech and/or

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

EVERETTE JAMES,
Secretary

[Pa.B. Doc. No. 10-1786. Filed for public inspection September 17, 2010, 9:00 a.m.]

Application of Thomas Jefferson University Hospital for Exception

Under 28 Pa. Code § 51.33 (relating to requests for exceptions), the Department of Health (Department) gives notice that Thomas Jefferson University Hospital 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: 2.2-3.1.3.6(1)(b) (relating to medical gases) and 2.2-3.1.3.6(1)(i) (relating to work counter).

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 at the 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, 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. 10-1787. Filed for public inspection September 17, 2010, 9:00 a.m.]

Application of UPMC East for Exception

Under 28 Pa. Code § 51.33 (relating to requests for exceptions), the Department of Health (Department) gives notice that UPMC East 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 standards contained in this publication: 2.1-3.1.5.9 (relating to special bathing facilities).

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 at the 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, 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. 10-1788. Filed for public inspection September 17, 2010, 9:00 a.m.]

Application of The Western Pennsylvania Hospital for Exception

Under 28 Pa. Code § 51.33 (relating to requests for exceptions), the Department of Health (Department) gives notice that The Western Pennsylvania Hospital has requested an exception to the requirements of 28 Pa. Code § 107.26 (relating to additional committees).

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

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

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

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

EVERETTE JAMES,
Secretary

[Pa.B. Doc. No. 10-1789. Filed for public inspection September 17, 2010, 9:00 a.m.]

Application of The Western Pennsylvania Hospital—Forbes Regional Campus for Exception

Under 28 Pa. Code § 51.33 (relating to requests for exceptions), the Department of Health (Department) gives notice that The Western Pennsylvania Hospital—Forbes

Regional Campus has requested an exception to the requirements of 28 Pa. Code § 107.2 (relating to medical staff membership).

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

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

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

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

EVERETTE JAMES,
Secretary

[Pa.B. Doc. No. 10-1790. Filed for public inspection September 17, 2010, 9:00 a.m.]

Application of Westfield Hospital for Exception

Under 28 Pa. Code § 51.33 (relating to requests for exceptions), the Department of Health (Department) gives notice that Westfield Hospital has requested an exception to the requirements of 28 Pa. Code § 119.42 (relating to facilities for reception and processing of short-stay surgery patients).

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

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

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

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

EVERETTE JAMES,
Secretary

[Pa.B. Doc. No. 10-1791. Filed for public inspection September 17, 2010, 9:00 a.m.]

Application of Williamsport Regional Medical Center for Exception

Under 28 Pa. Code § 51.33 (relating to requests for exceptions), the Department of Health (Department) gives notice that Williamsport Regional Medical Center has requested an exception to the requirements of 28 Pa. Code § 103.22(b)(3) (relating to implementation).

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

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

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

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

EVERETTE JAMES,
Secretary

[Pa.B. Doc. No. 10-1792. Filed for public inspection September 17, 2010, 9:00 a.m.]

Application of York Endoscopy Center for Exception

Under 28 Pa. Code § 51.33 (relating to requests for exceptions), the Department of Health (Department) gives notice that York Endoscopy Center has requested an exception to the requirements of 28 Pa. Code § 551.3 (relating to definitions).

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

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

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

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

EVERETTE JAMES,
Secretary

[Pa.B. Doc. No. 10-1793. Filed for public inspection September 17, 2010, 9:00 a.m.]

Application of York Hospital for Exception

Under 28 Pa. Code § 51.33 (relating to requests for exceptions), the Department of Health (Department) gives notice that York Hospital 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 standards contained in this publication: 3.9-2.3.2.2(1) (relating to area and dimensions), 3.9-2.5.1.1 (relating to patient changing areas) and 3.9-3.6.11.1 (relating to clean utility room).

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 at the 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, 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. 10-1794. Filed for public inspection September 17, 2010, 9:00 a.m.]

Organ Donation Advisory Committee Meeting

The Organ Donation Advisory Committee, established under 20 Pa.C.S. § 8622 (relating to The Governor Robert P. Casey Memorial Organ and Tissue Donation Awareness Trust Fund), will hold a public meeting on October 7, 2010, from 10 a.m. to 3 p.m. The meeting will be held at the Giant Community Center, 2nd Floor, Giant Food Store, 3301 Trindle Road, Camp Hill, PA 17011.

For additional information, or for persons with a disability who wish to attend the meeting and require an auxiliary aid, service or other accommodation to do so, contact Cyndi Malinen, Public Health Program Administrator, Division of Nutrition and Physical Activity, Bureau of Health Promotion and Risk Reduction, Room 1000, Health and Welfare Building, Harrisburg, PA, (717) 787-5876, or for speech and/or hearing impaired persons V/TT (717) 783-6514 or the Pennsylvania AT&T Relay Service at (800) 654-5984.

This meeting is subject to cancellation without notice.

EVERETTE JAMES,
Secretary

[Pa.B. Doc. No. 10-1795. Filed for public inspection September 17, 2010, 9:00 a.m.]

Special Supplemental Nutrition Program for Women, Infants and Children (WIC Program); Maximum Allowable Prices and Competitive Prices

Maximum Allowable Price

Maximum Allowable Prices and Competitive Prices for Type 1 Stores in Regular Cost Counties

Under 28 Pa. Code §§ 1103.4(5) and 1105.3(a)(1) (relating to selection criteria for authorization and reauthorization; and terms and conditions of participation) and 7 CFR 246.12 (relating to food delivery systems), the WIC Program hereby publishes notice of the Maximum Allowable Prices and Competitive Prices for Type 1 Stores in Regular Cost Counties.

Maximum Allowable Prices

Effective October 1, 2010, through December 31, 2010, the Maximum Allowable Prices the Department of Health (Department) will pay Type 1 Stores in Regular Cost Counties for WIC allowable foods are as follows:

<i>Description</i>	<i>Maximum Allowable Price</i>
Beans, Canned—15.5/16 oz.	\$1.52
Beans/Peas—Dry—16 oz.	\$2.05
Canned Fish—Pink Salmon	\$2.06
Canned Fish—Sardines	\$1.40
Canned Fish—Tuna	\$1.11
Cereal (per oz.)	\$0.32
Cheese, 16 oz.	\$6.17
Eggs	\$1.98
Gerber Infant Cereal—8 oz.	\$2.01
Infant Fruits, 100%—4 oz.	\$0.63
Infant Vegetables, 100%—4 oz.	\$0.63
Infant Meats, 100%—2.5 oz.	\$1.09
Juice—11.5/12 oz.	\$2.15
Juice—48 oz.	\$2.83
Juice—64 oz.	\$3.84
Kosher Cheese—16 oz.	\$6.99
Kosher Low Fat Milk—quart	\$1.54
Kosher Low Fat Milk—1/2 gallon	\$2.36
Kosher Whole Milk—quart	\$1.54
Kosher Whole Milk—1/2 gallon	\$2.61
Milk, Dry—9.6 oz.	\$4.74
Milk, Dry—25.6 oz.	\$8.99
Milk, Evaporated—12 oz.	\$1.24
Milk, Low Fat—quart	\$1.29
Milk, Low Fat—1/2 gallon	\$2.33
Milk, Low Fat Lactose Free—quart	\$2.09
Milk, Low Fat Lactose Free—1/2 gallon	\$3.81
Milk, Whole—quart	\$1.33
Milk, Whole—1/2 gallon	\$2.28
Milk, Whole Lactose Free—quart	\$2.20
Milk, Whole Lactose Free—1/2 gallon	\$3.78
Peanut Butter—18 oz.	\$3.07
Soy Beverage—Pacific Natural Foods 32 oz.	\$3.03
Soy Beverage—8th Continent 64 oz.	\$3.09
Tofu—Soy Boy/House Premium 15/16 oz.	\$2.12
Whole Grain—Bread, 16 oz.	\$3.65
Whole Grain—Bread, 24 oz.	\$3.69
Whole Grain—Brown Rice, 16 oz.	\$1.42
Whole Grain—Brown Rice, 24 oz.	\$2.99
Whole Grain—Oats, 16 oz.	\$1.94
Whole Grain—Oats, 24 oz.	\$5.61
Whole Grain—Soft Corn or Whole Wheat Tortillas, 16 oz.	\$2.41

<i>Description</i>	<i>Maximum Allowable Price</i>
Alimentum Advance RTF/Similac Expert Care Alimentum Formula—32 oz.	\$9.14
Alimentum Advance Powder Formula/Similac Expert Care Alimentum—16 oz.	\$26.02
Boost RTF Formula—8 oz.	\$2.00
EnfaCare LIPIL RTF—32 oz.	\$7.01
EnfaCare LIPIL Powder Formula—12.8 oz.	\$13.99
Enfamil LIPIL Concentrate Formula/Enfamil Premium Infant Concentrate—13 oz.	\$4.57
Enfamil LIPIL RTF Formula/Enfamil Premium Infant RTF—32 oz.	\$6.75
Enfamil LIPIL Powder Formula—12.9 oz.	\$13.48
Enfamil Premium Infant Powder—12.5 oz.	\$13.85
Isomil DF RTF/Similac Expert Care for Diarrhea Formula—32 oz.	\$6.21
Good Start Gentle PLUS Concentrate—Orange Formula—13 oz.	\$4.30
Good Start Gentle PLUS RTF—Orange Formula—32 oz.	\$6.35
Good Start Gentle PLUS Powder—Orange Formula—12 oz.	\$14.11
Good Start Soy PLUS Concentrate—Blue Formula—13 oz.	\$4.51
Good Start Soy PLUS RTF—Blue Formula—32 oz.	\$6.56
Good Start Soy PLUS Powder—Blue Formula—12.9 oz.	\$15.21
Good Start 2 Soy PLUS Powder—Blue w/blue—24 oz.	\$20.82
Good Start 2 Gentle PLUS Powder—Blue w/orange—24 oz.	\$20.65
Good Start 2 Protect PLUS Powder—Blue w/green—24 oz.	\$26.41
Good Start Protect PLUS Powder—Green—12 oz.	\$14.61
Nutramigen LIPIL Concentrate Formula—13 oz.	\$7.01
Nutramigen LIPIL RTF Formula—32 oz.	\$8.98
Nutramigen LIPIL Powder Formula—16 oz.	\$25.59
Nutramigen LIPIL w/Enflora Powder Formula—12.6 oz.	\$23.16
Pediasure RTF Formula—8 oz.	\$1.93
Pediasure w/Fiber RTF Formula—8 oz.	\$1.86
Similac Advance Concentrate Formula—13 oz.	\$4.32
Similac Advance RTF Formula—32 oz.	\$6.34
Similac Advance Powder Formula—12.9 oz.	\$13.33
Similac Advance Powder Formula—12.4 oz.	\$13.33
Similac Neosure Advance RTF/Similac Expert Care NeoSure RTF Formula—32 oz.	\$7.48
Similac Neosure Advance Powder Formula—12.8 oz.	\$15.49
Similac Expert Care NeoSure—13.1 oz.	\$15.49
Store Brand Milk Based Formula Concentrate—13 oz.	\$2.84
Store Brand Milk Based Formula—Ready-to-Feed—32 oz.	\$3.79
Store Brand Milk Based Formula—Powder—25.75 oz.	\$16.13

A store must permit purchase of WIC allowable foods that exceed the maximum allowable price to WIC participants using a WIC check; however, the amounts that exceed the maximum allowable price of any WIC allowable foods sold to WIC participants will be billed to the store on a quarterly basis in accordance with 28 Pa. Code § 1105.2 (relating to price adjustments).

Competitive Prices

To remain WIC Authorized, each store must maintain the minimum inventory of the following WIC food items at, or below, the Competitive Prices listed for the store's peer group. Effective October 1, 2010, through December 31, 2010, the Competitive Prices for WIC Authorization for Type 1 Stores in Regular Cost Counties are as follows:

<i>Description</i>	<i>Competitive Prices</i>
Beans, Canned—15.5/16 oz.	\$1.33
Beans/Peas—Dry—16 oz.	\$1.82
Canned Fish—Pink Salmon	\$1.95
Canned Fish—Sardines	\$1.31
Canned Fish—Tuna	\$1.03
Cereal (per oz.)	\$0.32
Cheese, 16 oz.	\$5.41
Eggs	\$1.98
Gerber Infant Cereal—8 oz.	\$2.01
Infant Fruits, 100%—4 oz.	\$0.61
Infant Vegetables, 100%—4 oz.	\$0.61
Infant Meats, 100%—2.5 oz.	\$1.00
Juice—11.5/12 oz.	\$2.00
Juice—48 oz.	\$2.73
Juice—64 oz.	\$3.44
Kosher Cheese—16 oz.	\$6.99
Kosher Low Fat Milk—1/2 gallon	\$2.45
Kosher Whole Milk—1/2 gallon	\$2.50
Milk, Low Fat—1/2 gallon	\$2.14
Milk, Whole—1/2 gallon	\$2.22
Peanut Butter—18 oz.	\$2.79
Whole Grain—Bread, 16 oz.	\$3.35
Whole Grain—Brown Rice, 16 oz.	\$1.42
Whole Grain—Oats, 16 oz.	\$1.90
Whole Grain—Soft Corn or Whole Wheat Tortillas, 16 oz.	\$2.24
Good Start Gentle PLUS Concentrate—Orange Formula—13 oz.	\$4.30
Good Start Gentle PLUS Powder—Orange Formula—12 oz.	\$14.11
Good Start Soy PLUS Concentrate—Blue Formula—13 oz.	\$4.51
Good Start Soy PLUS Powder—Blue Formula—12.9 oz.	\$15.21

Maximum Allowable Prices and Competitive Prices for Type 2 Stores in Regular Cost Counties

Under 28 Pa. Code §§ 1103.4(5) and 1105.3(a)(1) and 7 CFR 246.12, the WIC Program hereby publishes notice of the Maximum Allowable Prices and Competitive Prices for Type 2 Stores in Regular Cost Counties.

Maximum Allowable Prices

Effective October 1, 2010, through December 31, 2010, the Maximum Allowable Prices the Department will pay Type 2 Stores in Regular Cost Counties for WIC allowable foods are as follows:

<i>Description</i>	<i>Maximum Allowable Price</i>
Beans, Canned—15.5/16 oz.	\$1.52
Beans/Peas—Dry—16 oz.	\$2.05
Canned Fish—Pink Salmon	\$2.07
Canned Fish—Sardines	\$1.40
Canned Fish—Tuna	\$1.15
Cereal (per oz.)	\$0.33
Cheese, 16 oz.	\$6.17
Eggs	\$1.98

Maximum Allowable Price

<i>Description</i>	<i>Maximum Allowable Price</i>
Gerber Infant Cereal—8 oz.	\$2.13
Infant Fruits, 100%—4 oz.	\$0.70
Infant Vegetables, 100%—4 oz.	\$0.70
Infant Meats, 100%—2.5 oz.	\$1.14
Juice—11.5/12 oz.	\$2.41
Juice—48 oz.	\$3.05
Juice—64 oz.	\$4.14
Kosher Cheese—16 oz.	\$7.01
Kosher Low Fat Milk—quart	\$1.54
Kosher Low Fat Milk—1/2 gallon	\$2.36
Kosher Whole Milk—quart	\$1.54
Kosher Whole Milk—1/2 gallon	\$2.61
Milk, Dry—9.6 oz.	\$4.74
Milk, Dry—25.6 oz.	\$8.99
Milk, Evaporated—12 oz.	\$1.35
Milk, Low Fat—quart	\$1.29
Milk, Low Fat—1/2 gallon	\$2.33
Milk, Low Fat Lactose Free—quart	\$2.27
Milk, Low Fat Lactose Free—1/2 gallon	\$4.04
Milk, Whole—quart	\$1.33
Milk, Whole—1/2 gallon	\$2.28
Milk, Whole Lactose Free—quart	\$2.35
Milk, Whole Lactose Free—1/2 gallon	\$4.01
Peanut Butter—18 oz.	\$3.07
Soy Beverage—Pacific Natural Foods 32 oz.	\$3.24
Soy Beverage—8th Continent 64 oz.	\$3.34
Tofu—Soy Boy/House Premium 15/16 oz.	\$2.12
Whole Grain—Bread, 16 oz.	\$3.75
Whole Grain—Bread, 24 oz.	\$3.91
Whole Grain—Brown Rice, 16 oz.	\$1.93
Whole Grain—Brown Rice, 24 oz.	\$2.99
Whole Grain—Oats, 16 oz.	\$1.94
Whole Grain—Oats, 24 oz.	\$5.61
Whole Grain—Soft Corn or Whole Wheat Tortillas, 16 oz.	\$2.41
Alimentum Advance RTF/Similac Expert Care Alimentum Formula—32 oz.	\$9.43
Alimentum Advance Powder Formula/Similac Expert Care Alimentum—16 oz.	\$26.86
Boost RTF Formula—8 oz.	\$2.19
EnfaCare LIPIL RTF—32 oz.	\$7.49
EnfaCare LIPIL Powder Formula—12.8 oz.	\$14.44
Enfamil LIPIL Concentrate Formula/Enfamil Premium Infant Concentrate—13 oz.	\$4.92
Enfamil LIPIL RTF Formula/Enfamil Premium Infant RTF—32 oz.	\$7.12
Enfamil LIPIL Powder Formula—12.9 oz.	\$13.91
Enfamil Premium Infant Powder—12.5 oz.	\$13.95
Isomil DF RTF/Similac Expert Care for Diarrhea Formula—32 oz.	\$6.49
Good Start Gentle PLUS Concentrate—Orange Formula—13 oz.	\$4.73
Good Start Gentle PLUS RTF—Orange Formula—32 oz.	\$6.57
Good Start Gentle PLUS Powder—Orange Formula—12 oz.	\$15.16
Good Start Soy PLUS Concentrate—Blue Formula—13 oz.	\$4.90
Good Start Soy PLUS RTF—Blue Formula— 32 oz.	\$6.91
Good Start Soy PLUS Powder—Blue Formula—12.9 oz.	\$15.21
Good Start 2 Soy PLUS Powder—Blue w/blue— 24 oz.	\$22.19
Good Start 2 Gentle PLUS Powder—Blue w/orange—24 oz.	\$22.79

<i>Description</i>	<i>Maximum Allowable Price</i>
Good Start 2 Protect PLUS Powder—Blue w/green—24 oz.	\$26.44
Good Start Protect PLUS Powder—Green—12 oz.	\$16.28
Nutramigen LIPIL Concentrate Formula—13 oz.	\$7.30
Nutramigen LIPIL RTF Formula—32 oz.	\$9.20
Nutramigen LIPIL Powder Formula—16 oz.	\$26.93
Nutramigen LIPIL w/Enflora Powder Formula—12.6 oz.	\$23.56
Pediasure RTF Formula—8 oz.	\$2.13
Pediasure w/Fiber RTF Formula—8 oz.	\$2.09
Similac Advance Concentrate Formula—13 oz. ...	\$4.49
Similac Advance RTF Formula—32 oz.	\$6.38
Similac Advance Powder Formula—12.9 oz.	\$13.72
Similac Advance Powder Formula—12.4 oz.	\$13.72
Similac Neosure Advance RTF/Similac Expert Care NeoSure RTF Formula—32 oz.	\$7.65
Similac Neosure Advance Powder Formula—12.8 oz.	\$15.89
Similac Expert Care NeoSure—13.1 oz.	\$15.89
Store Brand Milk Based Formula Concentrate—13 oz.	\$2.89
Store Brand Milk Based Formula—Ready-to-Fed—32 oz.	\$3.86
Store Brand Milk Based Formula—Powder—25.75 oz.	\$16.99

A store must permit purchase of WIC allowable foods that exceed the maximum allowable price to WIC participants using a WIC check; however, the amounts that exceed the maximum allowable price of any WIC allowable foods sold to WIC participants will be billed to the store on a quarterly basis in accordance with 28 Pa. Code § 1105.2.

Competitive Prices

To remain WIC Authorized, each store must maintain the minimum inventory of the following WIC food items at, or below, the Competitive Prices listed for the store's peer group. Effective October 1, 2010, through December 31, 2010, the Competitive Prices for WIC Authorization for Type 2 Stores in Regular Cost Counties are as follows:

<i>Description</i>	<i>Competitive Prices</i>
Beans, Canned—15.5/16 oz.	\$1.33
Beans/Peas—Dry—16 oz.	\$1.82
Canned Fish—Pink Salmon	\$2.02
Canned Fish—Sardines	\$1.35
Canned Fish—Tuna	\$1.07
Cereal (per oz.)	\$0.33
Cheese, 16 oz.	\$5.41
Eggs	\$1.98
Gerber Infant Cereal—8 oz.	\$2.13
Infant Fruits, 100%—4 oz.	\$0.67
Infant Vegetables, 100%—4 oz.	\$0.67
Infant Meats, 100%—2.5 oz.	\$1.09
Juice—11.5/12 oz.	\$2.36
Juice—48 oz.	\$2.92
Juice—64 oz.	\$3.76
Kosher Cheese—16 oz.	\$7.01
Kosher Low Fat Milk—1/2 gallon	\$2.45
Kosher Whole Milk—1/2 gallon	\$2.50
Milk, Low Fat—1/2 gallon	\$2.14
Milk, Whole—1/2 gallon	\$2.22
Peanut Butter—18 oz.	\$2.79

<i>Description</i>	<i>Competitive Prices</i>
Whole Grain—Bread, 16 oz.	\$3.55
Whole Grain—Brown Rice, 16 oz.	\$1.93
Whole Grain—Oats, 16 oz.	\$1.90
Whole Grain—Soft Corn or Whole Wheat Tortillas, 16 oz.	\$2.24
Good Start Gentle PLUS Concentrate—Orange Formula—13 oz.	\$4.73
Good Start Gentle PLUS Powder—Orange Formula—12 oz.	\$15.16
Good Start Soy PLUS Concentrate—Blue Formula—13 oz.	\$4.90
Good Start Soy PLUS Powder—Blue Formula—12.9 oz.	\$15.21

Maximum Allowable Prices and Competitive Prices for Type 3 Stores in Regular Cost Counties

Under 28 Pa. Code §§ 1103.4(5) and 1105.3(a)(1) and 7 CFR 246.12, the WIC Program hereby publishes notice of the Maximum Allowable Prices and Competitive Prices for Type 3 Stores in Regular Cost Counties.

Maximum Allowable Prices

Effective October 1, 2010, through December 31, 2010, the Maximum Allowable Prices the Department will pay Type 3 Stores in Regular Cost Counties for WIC allowable foods are as follows:

<i>Description</i>	<i>Maximum Allowable Price</i>
Beans, Canned—15.5/16 oz.	\$1.52
Beans/Peas—Dry—16 oz.	\$2.05
Canned Fish—Pink Salmon	\$2.20
Canned Fish—Sardines	\$1.56
Canned Fish—Tuna	\$1.24
Cereal (per oz.)	\$0.36
Cheese, 16 oz.	\$6.17
Eggs	\$1.98
Gerber Infant Cereal—8 oz.	\$2.28
Infant Fruits, 100%—4 oz.	\$0.79
Infant Vegetables, 100%—4 oz.	\$0.79
Infant Meats, 100%—2.5 oz.	\$1.26
Juice—11.5/12 oz.	\$2.53
Juice—48 oz.	\$3.22
Juice—64 oz.	\$4.14
Kosher Cheese—16 oz.	\$7.01
Kosher Low Fat Milk—quart	\$1.59
Kosher Low Fat Milk—1/2 gallon	\$2.95
Kosher Whole Milk—quart	\$1.59
Kosher Whole Milk—1/2 gallon	\$2.95
Milk, Dry—9.6 oz.	\$4.74
Milk, Dry—25.6 oz.	\$8.99
Milk, Evaporated—12 oz.	\$1.45
Milk, Low Fat—quart	\$1.29
Milk, Low Fat—1/2 gallon	\$2.33
Milk, Low Fat Lactose Free—quart	\$2.27
Milk, Low Fat Lactose Free—1/2 gallon	\$4.04
Milk, Whole—quart	\$1.33
Milk, Whole—1/2 gallon	\$2.28
Milk, Whole Lactose Free—quart	\$2.35
Milk, Whole Lactose Free—1/2 gallon	\$4.13
Peanut Butter—18 oz.	\$3.07
Soy Beverage—Pacific Natural Foods 32 oz.	\$3.24
Soy Beverage—8th Continent 64 oz.	\$3.34
Tofu—Soy Boy/House Premium 15/16 oz.	\$2.12
Whole Grain—Bread, 16 oz.	\$3.75
Whole Grain—Bread, 24 oz.	\$3.91

<i>Description</i>	<i>Maximum Allowable Price</i>
Whole Grain—Brown Rice, 16 oz.	\$1.94
Whole Grain—Brown Rice, 24 oz.	\$2.99
Whole Grain—Oats, 16 oz.	\$1.94
Whole Grain—Oats, 24 oz.	\$6.29
Whole Grain—Soft Corn or Whole Wheat Tortillas, 16 oz.	\$2.41
Alimentum Advance RTF/Similac Expert Care Alimentum Formula—32 oz.	\$9.48
Alimentum Advance Powder Formula/Similac Expert Care Alimentum—16 oz.	\$27.28
Boost RTF Formula—8 oz.	\$2.19
EnfaCare LIPIL RTF—32 oz.	\$7.54
EnfaCare LIPIL Powder Formula—12.8 oz.	\$16.35
Enfamil LIPIL Concentrate Formula/Enfamil Premium Infant Concentrate—13 oz.	\$6.15
Enfamil LIPIL RTF Formula/ Enfamil Premium Infant RTF—32 oz.	\$7.54
Enfamil LIPIL Powder Formula—12.9 oz.	\$15.19
Enfamil Premium Infant Powder—12.5 oz.	\$15.19
Isomil DF RTF/Similac Expert Care for Diarrhea Formula—32 oz.	\$8.19
Good Start Gentle PLUS Concentrate—Orange Formula—13 oz.	\$4.85
Good Start Gentle PLUS RTF—Orange Formula—32 oz.	\$6.94
Good Start Gentle PLUS Powder—Orange Formula—12 oz.	\$15.45
Good Start Soy PLUS Concentrate—Blue Formula—13 oz.	\$5.12
Good Start Soy PLUS RTF—Blue Formula— 32 oz.	\$7.28
Good Start Soy PLUS Powder—Blue Formula—12.9 oz.	\$15.21
Good Start 2 Soy PLUS Powder—Blue w/blue— 24 oz.	\$22.19
Good Start 2 Gentle PLUS Powder—Blue w/orange—24 oz.	\$22.79
Good Start 2 Protect PLUS Powder—Blue w/green—24 oz.	\$26.44
Good Start Protect PLUS Powder—Green— 12 oz.	\$16.28
Nutramigen LIPIL Concentrate Formula— 13 oz.	\$7.82
Nutramigen LIPIL RTF Formula—32 oz.	\$9.49
Nutramigen LIPIL Powder Formula—16 oz.	\$28.36
Nutramigen LIPIL w/Enflora Powder Formula—12.6 oz.	\$23.56
Pediasure RTF Formula—8 oz.	\$2.53
Pediasure w/Fiber RTF Formula—8 oz.	\$2.63
Similac Advance Concentrate Formula—13 oz. ...	\$5.17
Similac Advance RTF Formula—32 oz.	\$7.18
Similac Advance Powder Formula—12.9 oz.	\$15.02
Similac Advance Powder Formula—12.4 oz.	\$15.02
Similac Neosure Advance RTF/Similac Expert Care NeoSure RTF Formula—32 oz.	\$9.23
Similac Neosure Advance Powder Formula— 12.8 oz.	\$15.89
Similac Expert Care NeoSure—13.1 oz.	\$15.89
Store Brand Milk Based Formula Concentrate—13 oz.	\$3.10
Store Brand Milk Based Formula—Ready-to-Feed—32 oz.	\$4.32
Store Brand Milk Based Formula—Powder— 25.75 oz.	\$17.99

A store must permit purchase of WIC allowable foods that exceed the maximum allowable price to WIC partici-

pants using a WIC check; however, the amounts that exceed the maximum allowable price of any WIC allowable foods sold to WIC participants will be billed to the store on a quarterly basis in accordance with 28 Pa. Code § 1105.2.

Competitive Prices

To remain WIC Authorized, each store must maintain the minimum inventory of the following WIC food items at, or below, the Competitive Prices listed for the store's peer group. Effective October 1, 2010, through December 31, 2010, the Competitive Prices for WIC Authorization for Type 3 Stores in Regular Cost Counties are as follows:

<i>Description</i>	<i>Competitive Prices</i>
Beans, Canned—15.5/16 oz.	\$1.33
Beans/Peas—Dry—16 oz.	\$1.82
Canned Fish—Pink Salmon	\$2.20
Canned Fish—Sardines	\$1.51
Canned Fish—Tuna	\$1.18
Cereal (per oz.)	\$0.36
Cheese, 16 oz.	\$5.41
Eggs	\$1.98
Gerber Infant Cereal—8 oz.	\$2.28
Infant Fruits, 100%—4 oz.	\$0.78
Infant Vegetables, 100%—4 oz.	\$0.78
Infant Meats, 100%—2.5 oz.	\$1.21
Juice—11.5/12 oz.	\$2.40
Juice—48 oz.	\$3.10
Juice—64 oz.	\$3.85
Kosher Cheese—16 oz.	\$7.01
Kosher Low Fat Milk—1/2 gallon	\$2.95
Kosher Whole Milk—1/2 gallon	\$2.95
Milk, Low Fat—1/2 gallon	\$2.14
Milk, Whole—1/2 gallon	\$2.22
Peanut Butter—18 oz.	\$2.79
Whole Grain—Bread, 16 oz.	\$3.55
Whole Grain—Brown Rice, 16 oz.	\$1.93
Whole Grain—Oats, 16 oz.	\$1.90
Whole Grain—Soft Corn or Whole Wheat Tortillas, 16 oz.	\$2.27
Good Start Gentle PLUS Concentrate—Orange Formula—13 oz.	\$4.85
Good Start Gentle PLUS Powder—Orange Formula—12 oz.	\$15.45
Good Start Soy PLUS Concentrate—Blue Formula—13 oz.	\$5.12
Good Start Soy PLUS Powder—Blue Formula—12.9 oz.	\$15.21

Maximum Allowable Prices and Competitive Prices for Type 1 Stores in High Cost Counties

Under 28 Pa. Code §§ 1103.4(5) and 1105.3(a)(1) and 7 CFR 246.12, the WIC Program hereby publishes notice of the Maximum Allowable Prices and Competitive Prices for Type 1 Stores in High Cost Counties.

Maximum Allowable Prices

Effective October 1, 2010, through December 31, 2010, the Maximum Allowable Prices the Department will pay Type 1 Stores in High Cost Counties for WIC allowable foods are as follows:

<i>Description</i>	<i>Maximum Allowable Price</i>
Beans, Canned—15.5/16 oz.	\$1.58
Beans/Peas—Dry—16 oz.	\$2.11
Canned Fish—Pink Salmon	\$2.06

<i>Description</i>	<i>Maximum Allowable Price</i>
Canned Fish—Sardines	\$1.44
Canned Fish—Tuna	\$1.14
Cereal (per oz.)	\$0.33
Cheese, 16 oz.	\$6.23
Eggs	\$2.08
Gerber Infant Cereal—8 oz.	\$2.13
Infant Fruits, 100%—4 oz.	\$0.65
Infant Vegetables, 100%—4 oz.	\$0.65
Infant Meats, 100%—2.5 oz.	\$1.09
Juice—11.5/12 oz.	\$2.27
Juice—48 oz.	\$2.90
Juice—64 oz.	\$3.98
Kosher Cheese—16 oz.	\$7.89
Kosher Low Fat Milk—quart	\$1.54
Kosher Low Fat Milk—1/2 gallon	\$2.36
Kosher Whole Milk—quart	\$1.54
Kosher Whole Milk—1/2 gallon	\$2.61
Milk, Dry—9.6 oz.	\$4.74
Milk, Dry—25.6 oz.	\$8.99
Milk, Evaporated—12 oz.	\$1.30
Milk, Low Fat—quart	\$1.33
Milk, Low Fat—1/2 gallon	\$2.35
Milk, Low Fat Lactose Free—quart	\$2.21
Milk, Low Fat Lactose Free—1/2 gallon	\$4.03
Milk, Whole—quart	\$1.36
Milk, Whole—1/2 gallon	\$2.35
Milk, Whole Lactose Free—quart	\$2.37
Milk, Whole Lactose Free—1/2 gallon	\$3.95
Peanut Butter—18 oz.	\$3.07
Soy Beverage—Pacific Natural Foods 32 oz.	\$3.16
Soy Beverage—8th Continent 64 oz.	\$3.20
Tofu—Soy Boy/House Premium 15/16 oz.	\$2.12
Whole Grain—Bread, 16 oz.	\$3.75
Whole Grain—Bread, 24 oz.	\$3.69
Whole Grain—Brown Rice, 16 oz.	\$1.51
Whole Grain—Brown Rice, 24 oz.	\$3.29
Whole Grain—Oats, 16 oz.	\$2.05
Whole Grain—Oats, 24 oz.	\$5.61
Whole Grain—Soft Corn or Whole Wheat Tortillas, 16 oz.	\$2.41
Alimentum Advance RTF/Similac Expert Care Alimentum Formula—32 oz.	\$9.33
Alimentum Advance Powder Formula/Similac Expert Care Alimentum—16 oz.	\$27.01
Boost RTF Formula—8 oz.	\$2.00
EnfaCare LIPIL RTF—32 oz.	\$7.29
EnfaCare LIPIL Powder Formula—12.8 oz.	\$14.91
Enfamil LIPIL Concentrate Formula/Enfamil Premium Infant Concentrate—13 oz.	\$4.63
Enfamil LIPIL RTF Formula/ Enfamil Premium Infant RTF—32 oz.	\$6.80
Enfamil LIPIL Powder Formula—12.9 oz.	\$14.65
Enfamil Premium Infant Powder—12.5 oz.	\$13.98
Isomil DF RTF/Similac Expert Care for Diarrhea Formula—32 oz.	\$6.34
Good Start Gentle PLUS Concentrate—Orange Formula—13 oz.	\$ 4.52
Good Start Gentle PLUS RTF—Orange Formula—32 oz.	\$6.49
Good Start Gentle PLUS Powder—Orange Formula—12 oz.	\$14.84
Good Start Soy PLUS Concentrate—Blue Formula—13 oz.	\$4.82
Good Start Soy PLUS RTF—Blue Formula—32 oz.	\$6.64

<i>Description</i>	<i>Maximum Allowable Price</i>
Good Start Soy PLUS Powder—Blue Formula—12.9 oz.	\$15.21
Good Start 2 Soy PLUS Powder—Blue w/blue—24 oz.	\$21.65
Good Start 2 Gentle PLUS Powder—Blue w/orange—24 oz.	\$21.47
Good Start 2 Protect PLUS Powder—Blue w/green—24 oz.	\$26.44
Good Start Protect PLUS Powder—Green—12 oz.	\$15.48
Nutramigen LIPIL Concentrate Formula—13 oz.	\$7.17
Nutramigen LIPIL RTF Formula—32 oz.	\$9.02
Nutramigen LIPIL Powder Formula—16 oz.	\$26.33
Nutramigen LIPIL w/Enflora Powder Formula—12.6 oz.	\$23.67
Pediasure RTF Formula—8 oz.	\$1.93
Pediasure w/Fiber RTF Formula—8 oz.	\$2.04
Similac Advance Concentrate Formula—13 oz.	\$4.43
Similac Advance RTF Formula—32 oz.	\$6.43
Similac Advance Powder Formula—12.9 oz.	\$13.60
Similac Advance Powder Formula—12.4 oz.	\$13.60
Similac Neosure Advance RTF/Similac Expert Care NeoSure RTF Formula—32 oz.	\$7.81
Similac Neosure Advance Powder Formula—12.8 oz.	\$16.16
Similac Expert Care NeoSure—13.1 oz.	\$16.16
Store Brand Milk Based Formula Concentrate—13 oz.	\$2.87
Store Brand Milk Based Formula—Ready-to-Feed—32 oz.	\$3.85
Store Brand Milk Based Formula—Powder—25.75 oz.	\$16.19

A store must permit purchase of WIC allowable foods that exceed the maximum allowable price to WIC participants using a WIC check; however, the amounts that exceed the maximum allowable price of any WIC allowable foods sold to WIC participants will be billed to the store on a quarterly basis in accordance with 28 Pa. Code § 1105.2.

Competitive Prices

To remain WIC Authorized, each store must maintain the minimum inventory of the following WIC food items at, or below, the Competitive Prices listed for the store's peer group. Effective October 1, 2010, through December 31, 2010, the Competitive Prices for WIC Authorization for Type 1 Stores in High Cost Counties are as follows:

<i>Description</i>	<i>Competitive Prices</i>
Beans, Canned—15.5/16 oz.	\$1.38
Beans/Peas—Dry—16 oz.	\$1.85
Canned Fish—Pink Salmon	\$1.98
Canned Fish—Sardines	\$1.37
Canned Fish—Tuna	\$1.05
Cereal (per oz.)	\$0.33
Cheese, 16 oz.	\$5.51
Eggs	\$2.08
Gerber Infant Cereal—8 oz.	\$2.13
Infant Fruits, 100%—4 oz.	\$0.63
Infant Vegetables, 100%—4 oz.	\$0.63
Infant Meats, 100%—2.5 oz.	\$1.02
Juice—11.5/12 oz.	\$2.08
Juice—48 oz.	\$2.81
Juice—64 oz.	\$3.57

<i>Description</i>	<i>Competitive Prices</i>
Kosher Cheese—16 oz.	\$7.89
Kosher Low Fat Milk—1/2 gallon	\$2.45
Kosher Whole Milk—1/2 gallon	\$2.50
Milk, Low Fat—1/2 gallon	\$2.18
Milk, Whole—1/2 gallon	\$2.28
Peanut Butter—18 oz.	\$2.79
Whole Grain—Bread, 16 oz.	\$3.41
Whole Grain—Brown Rice, 16 oz.	\$1.50
Whole Grain—Oats, 16 oz.	\$2.04
Whole Grain—Soft Corn or Whole Wheat Tortillas, 16 oz.	\$2.27
Good Start Gentle PLUS Concentrate—Orange Formula—13 oz.	\$4.52
Good Start Gentle PLUS Powder—Orange Formula—12 oz.	\$14.84
Good Start Soy PLUS Concentrate—Blue Formula—13 oz.	\$4.82
Good Start Soy PLUS Powder—Blue Formula—12.9 oz.	\$15.21

Maximum Allowable Prices and Competitive Prices for Type 2 Stores in High Cost Counties

Under 28 Pa. Code §§ 1103.4(5) and 1105.3(a)(1) and 7 CFR 246.12, the WIC Program hereby publishes notice of the Maximum Allowable Prices and Competitive Prices for Type 2 Stores in High Cost Counties.

Maximum Allowable Prices

Effective October 1, 2010, through December 31, 2010, the Maximum Allowable Prices the Department will pay Type 2 Stores in High Cost Counties for WIC allowable foods are as follows:

<i>Description</i>	<i>Maximum Allowable Price</i>
Beans, Canned—15.5/16 oz.	\$1.58
Beans/Peas—Dry—16 oz.	\$2.11
Canned Fish—Pink Salmon	\$2.09
Canned Fish—Sardines	\$1.46
Canned Fish—Tuna	\$1.17
Cereal (per oz.)	\$0.35
Cheese, 16 oz.	\$6.23
Eggs	\$2.08
Gerber Infant Cereal—8 oz.	\$2.21
Infant Fruits, 100%—4 oz.	\$0.72
Infant Vegetables, 100%—4 oz.	\$0.72
Infant Meats, 100%—2.5 oz.	\$1.18
Juice—11.5/12 oz.	\$2.43
Juice—48 oz.	\$3.11
Juice—64 oz.	\$4.14
Kosher Cheese—16 oz.	\$7.89
Kosher Low Fat Milk—quart	\$1.54
Kosher Low Fat Milk—1/2 gallon	\$2.36
Kosher Whole Milk—quart	\$1.54
Kosher Whole Milk—1/2 gallon	\$2.61
Milk, Dry—9.6 oz.	\$4.74
Milk, Dry—25.6 oz.	\$8.99
Milk, Evaporated—12 oz.	\$1.40
Milk, Low Fat—quart	\$1.33
Milk, Low Fat—1/2 gallon	\$2.35
Milk, Low Fat Lactose Free—quart	\$2.36
Milk, Low Fat Lactose Free—1/2 gallon	\$4.12
Milk, Whole—quart	\$1.36
Milk, Whole—1/2 gallon	\$2.35
Milk, Whole Lactose Free—quart	\$2.37
Milk, Whole Lactose Free—1/2 gallon	\$4.08

<i>Description</i>	<i>Maximum Allowable Price</i>
Peanut Butter—18 oz.	\$3.07
Soy Beverage—Pacific Natural Foods 32 oz.	\$3.39
Soy Beverage—8th Continent 64 oz.	\$3.39
Tofu—Soy Boy/House Premium 15/16 oz.	\$2.12
Whole Grain—Bread, 16 oz.	\$3.75
Whole Grain—Bread, 24 oz.	\$3.91
Whole Grain—Brown Rice, 16 oz.	\$1.93
Whole Grain—Brown Rice, 24 oz.	\$3.29
Whole Grain—Oats, 16 oz.	\$2.05
Whole Grain—Oats, 24 oz.	\$5.61
Whole Grain—Soft Corn or Whole Wheat Tortillas, 16 oz.	\$2.41
Alimentum Advance RTF/Similac Expert Care Alimentum Formula—32 oz.	\$9.74
Alimentum Advance Powder Formula/Similac Expert Care Alimentum—16 oz.	\$27.51
Boost RTF Formula—8 oz.	\$2.19
EnfaCare LIPIL RTF—32 oz.	\$7.74
EnfaCare LIPIL Powder Formula—12.8 oz.	\$15.30
Enfamil LIPIL Concentrate Formula/Enfamil Premium Infant Concentrate—13 oz.	\$4.92
Enfamil LIPIL RTF Formula/ Enfamil Premium Infant RTF—32 oz.	\$7.12
Enfamil LIPIL Powder Formula—12.9 oz.	\$14.65
Enfamil Premium Infant Powder—12.5 oz.	\$14.63
Isomil DF RTF/Similac Expert Care for Diarrhea Formula—32 oz.	\$6.49
Good Start Gentle PLUS Concentrate—Orange Formula—13 oz.	\$4.78
Good Start Gentle PLUS RTF—Orange Formula—32 oz.	\$6.86
Good Start Gentle PLUS Powder—Orange Formula—12 oz.	\$15.39
Good Start Soy PLUS Concentrate—Blue Formula—13 oz.	\$4.95
Good Start Soy PLUS RTF—Blue Formula— 32 oz.	\$6.91
Good Start Soy PLUS Powder—Blue Formula—12.9 oz.	\$15.39
Good Start 2 Soy PLUS Powder—Blue w/blue— 24 oz.	\$22.38
Good Start 2 Gentle PLUS Powder—Blue w/orange—24 oz.	\$22.79
Good Start 2 Protect PLUS Powder—Blue w/green—24 oz.	\$26.44
Good Start Protect PLUS Powder—Green— 12 oz.	\$16.28
Nutramigen LIPIL Concentrate Formula— 13 oz.	\$7.51
Nutramigen LIPIL RTF Formula—32 oz.	\$9.20
Nutramigen LIPIL Powder Formula—16 oz.	\$27.39
Nutramigen LIPIL w/Enflora Powder Formula—12.6 oz.	\$23.82
Pediasure RTF Formula—8 oz.	\$2.29
Pediasure w/Fiber RTF Formula—8 oz.	\$2.22
Similac Advance Concentrate Formula—13 oz. ...	\$4.70
Similac Advance RTF Formula—32 oz.	\$6.71
Similac Advance Powder Formula—12.9 oz.	\$14.44
Similac Advance Powder Formula—12.4 oz.	\$14.44
Similac Neosure Advance RTF/Similac Expert Care NeoSure RTF Formula—32 oz.	\$7.93
Similac Neosure Advance Powder Formula— 12.8 oz.	\$16.68
Similac Expert Care NeoSure—13.1 oz.	\$16.68
Store Brand Milk Based Formula Concentrate—13 oz.	\$2.95

Description
Maximum Allowable Price

Store Brand Milk Based Formula—Ready-to-Feed—32 oz.	\$4.05
Store Brand Milk Based Formula—Powder—25.75 oz.	\$16.99

A store must permit purchase of WIC allowable foods that exceed the maximum allowable price to WIC participants using a WIC check; however, the amounts that exceed the maximum allowable price of any WIC allowable foods sold to WIC participants will be billed to the store on a quarterly basis in accordance with 28 Pa. Code § 1105.2.

Competitive Prices

To remain WIC Authorized, each store must maintain the minimum inventory of the following WIC food items at, or below, the Competitive Prices listed for the store's peer group. Effective October 1, 2010, through December 31, 2010, the Competitive Prices for WIC Authorization for Type 2 Stores in High Cost Counties are as follows:

<i>Description</i>	<i>Competitive Prices</i>
Beans, Canned—15.5/16 oz.	\$1.38
Beans/Peas—Dry—16 oz.	\$1.85
Canned Fish—Pink Salmon	\$2.09
Canned Fish—Sardines	\$1.42
Canned Fish—Tuna	\$1.09
Cereal (per oz.)	\$0.35
Cheese, 16 oz.	\$5.51
Eggs	\$2.08
Gerber Infant Cereal—8 oz.	\$2.21
Infant Fruits, 100%—4 oz.	\$0.69
Infant Vegetables, 100%—4 oz.	\$0.69
Infant Meats, 100%—2.5 oz.	\$1.13
Juice—11.5/12 oz.	\$2.36
Juice—48 oz.	\$2.99
Juice—64 oz.	\$3.82
Kosher Cheese—16 oz.	\$7.89
Kosher Low Fat Milk—1/2 gallon	\$2.45
Kosher Whole Milk—1/2 gallon	\$2.50
Milk, Low Fat—1/2 gallon	\$2.18
Milk, Whole—1/2 gallon	\$2.28
Peanut Butter—18 oz.	\$2.79
Whole Grain—Bread, 16 oz.	\$3.55
Whole Grain—Brown Rice, 16 oz.	\$1.93
Whole Grain—Oats, 16 oz.	\$2.04
Whole Grain—Soft Corn or Whole Wheat Tortillas, 16 oz.	\$2.28
Good Start Gentle PLUS Concentrate—Orange Formula—13 oz.	\$4.78
Good Start Gentle PLUS Powder—Orange Formula—12 oz.	\$15.39
Good Start Soy PLUS Concentrate—Blue Formula—13 oz.	\$4.95
Good Start Soy PLUS Powder—Blue Formula—12.9 oz.	\$15.39

Maximum Allowable Prices and Competitive Prices for Type 3 Stores in High Cost Counties

Under 28 Pa. Code §§ 1103.4(5) and 1105.3(a)(1) and 7 CFR 246.12, the WIC Program hereby publishes notice of the Maximum Allowable Prices and Competitive Prices for Type 3 Stores in High Cost Counties.

Maximum Allowable Prices

Effective October 1, 2010, through December 31, 2010, the Maximum Allowable Prices the Department will pay

Type 3 Stores in High Cost Counties for WIC allowable foods are as follows:

<i>Description</i>	<i>Maximum Allowable Price</i>
Beans, Canned—15.5/16 oz.	\$1.58
Beans/Peas—Dry—16 oz.	\$2.11
Canned Fish—Pink Salmon	\$2.21
Canned Fish—Sardines	\$1.56
Canned Fish—Tuna	\$1.25
Cereal (per oz.)	\$0.37
Cheese, 16 oz.	\$7.09
Eggs	\$2.08
Gerber Infant Cereal—8 oz.	\$2.42
Infant Fruits, 100%—4 oz.	\$0.85
Infant Vegetables, 100%—4 oz.	\$0.85
Infant Meats, 100%—2.5 oz.	\$1.26
Juice—11.5/12 oz.	\$2.67
Juice—48 oz.	\$3.22
Juice—64 oz.	\$4.14
Kosher Cheese—16 oz.	\$7.89
Kosher Low Fat Milk—quart	\$1.67
Kosher Low Fat Milk—1/2 gallon	\$2.95
Kosher Whole Milk—quart	\$1.67
Kosher Whole Milk—1/2 gallon	\$2.97
Milk, Dry—9.6 oz.	\$4.74
Milk, Dry—25.6 oz.	\$8.99
Milk, Evaporated—12 oz.	\$1.45
Milk, Low Fat—quart	\$1.54
Milk, Low Fat—1/2 gallon	\$2.55
Milk, Low Fat Lactose Free—quart	\$2.36
Milk, Low Fat Lactose Free—1/2 gallon	\$4.12
Milk, Whole—quart	\$1.59
Milk, Whole—1/2 gallon	\$2.35
Milk, Whole Lactose Free—quart	\$2.37
Milk, Whole Lactose Free—1/2 gallon	\$4.13
Peanut Butter—18 oz.	\$3.07
Soy Beverage—Pacific Natural Foods 32 oz.	\$3.39
Soy Beverage—8th Continent 64 oz.	\$3.75
Tofu—Soy Boy/House Premium 15/16 oz.	\$2.44
Whole Grain—Bread, 16 oz.	\$3.75
Whole Grain—Bread, 24 oz.	\$3.91
Whole Grain—Brown Rice, 16 oz.	\$2.29
Whole Grain—Brown Rice, 24 oz.	\$3.29
Whole Grain—Oats, 16 oz.	\$2.70
Whole Grain—Oats, 24 oz.	\$6.29
Whole Grain—Soft Corn or Whole Wheat Tortillas, 16 oz.	\$2.43
Alimentum Advance RTF/Similac Expert Care Alimentum Formula—32 oz.	\$10.33
Alimentum Advance Powder Formula/Similac Expert Care Alimentum—16 oz.	\$30.11
Boost RTF Formula—8 oz.	\$2.19
EnfaCare LIPIL RTF—32 oz.	\$9.01
EnfaCare LIPIL Powder Formula—12.8 oz.	\$17.26
Enfamil LIPIL Concentrate Formula/Enfamil Premium Infant Concentrate—13 oz.	\$6.15
Enfamil LIPIL RTF Formula/ Enfamil Premium Infant RTF—32 oz.	\$8.45
Enfamil LIPIL Powder Formula—12.9 oz.	\$16.20
Enfamil Premium Infant Powder—12.5 oz.	\$15.76
Isomil DF RTF/Similac Expert Care for Diarrhea Formula—32 oz.	\$9.48
Good Start Gentle PLUS Concentrate—Orange Formula—13 oz.	\$5.74
Good Start Gentle PLUS RTF—Orange Formula—32 oz.	\$8.14
Good Start Gentle PLUS Powder—Orange Formula—12 oz.	\$18.08

Description	Maximum Allowable Price
Good Start Soy PLUS Concentrate—Blue Formula—13 oz.	\$5.53
Good Start Soy PLUS RTF—Blue Formula—32 oz.	\$7.47
Good Start Soy PLUS Powder—Blue Formula—12.9 oz.	\$17.59
Good Start 2 Soy PLUS Powder—Blue w/blue—24 oz.	\$22.68
Good Start 2 Gentle PLUS Powder—Blue w/orange—24 oz.	\$22.79
Good Start 2 Protect PLUS Powder—Blue w/green—24 oz.	\$26.49
Good Start Protect PLUS Powder—Green—12 oz.	\$16.57
Nutramigen LIPIL Concentrate Formula—13 oz.	\$8.63
Nutramigen LIPIL RTF Formula—32 oz.	\$10.94
Nutramigen LIPIL Powder Formula—16 oz.	\$30.29
Nutramigen LIPIL w/Enflora Powder Formula—12.6 oz.	\$25.15
Pediasure RTF Formula—8 oz.	\$2.64
Pediasure w/Fiber RTF Formula—8 oz.	\$2.63
Similac Advance Concentrate Formula—13 oz. ...	\$5.59
Similac Advance RTF Formula—32 oz.	\$8.04
Similac Advance Powder Formula—12.9 oz.	\$16.51
Similac Advance Powder Formula—12.4 oz.	\$16.51
Similac Neosure Advance RTF/Similac Expert Care NeoSure RTF Formula—32 oz.	\$9.99
Similac Neosure Advance Powder Formula—12.8 oz.	\$17.19
Similac Expert Care NeoSure—13.1 oz.	\$17.19
Store Brand Milk Based Formula Concentrate—13 oz.	\$3.24
Store Brand Milk Based Formula—Ready-to-Feed—32 oz.	\$4.82
Store Brand Milk Based Formula—Powder—25.75 oz.	\$17.99

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Competitive Prices

To remain WIC Authorized, each store must maintain the minimum inventory of the following WIC food items at, or below, the Competitive Prices listed for the store's peer group. Effective October 1, 2010, through December 31, 2010, the Competitive Prices for WIC Authorization for Type 3 Stores in High Cost Counties are as follows:

Description	Competitive Prices
Beans, Canned—15.5/16 oz.	\$1.38
Beans/Peas—Dry—16 oz.	\$1.85
Canned Fish—Pink Salmon	\$2.20
Canned Fish—Sardines	\$1.51
Canned Fish—Tuna	\$1.24
Cereal (per oz.)	\$0.37
Cheese, 16 oz.	\$5.83
Eggs	\$2.08
Gerber Infant Cereal—8 oz.	\$2.42
Infant Fruits, 100%—4 oz.	\$0.84

Description	Competitive Prices
Infant Vegetables, 100%—4 oz.	\$0.84
Infant Meats, 100%—2.5 oz.	\$1.20
Juice—11.5/12 oz.	\$2.63
Juice—48 oz.	\$3.16
Juice—64 oz.	\$4.02
Kosher Cheese—16 oz.	\$7.89
Kosher Low Fat Milk—1/2 gallon	\$2.95
Kosher Whole Milk—1/2 gallon	\$2.95
Milk, Low Fat—1/2 gallon	\$2.49
Milk, Whole—1/2 gallon	\$2.53
Peanut Butter—18 oz.	\$2.96
Whole Grain—Bread, 16 oz.	\$3.55
Whole Grain—Brown Rice, 16 oz.	\$2.27
Whole Grain—Oats, 16 oz.	\$2.68
Whole Grain—Soft Corn or Whole Wheat Tortillas, 16 oz.	\$2.41
Good Start Gentle PLUS Concentrate—Orange Formula—13 oz.	\$5.74
Good Start Gentle PLUS Powder—Orange Formula—12 oz.	\$18.08
Good Start Soy PLUS Concentrate—Blue Formula—13 oz.	\$5.53
Good Start Soy PLUS Powder—Blue Formula—12.9 oz.	\$17.59

Persons with a disability who require an alternative format of this listing (for example, large print, audiotape, Braille), should contact Chris Harr, Department of Health, Division of WIC, 2150 Herr Street, 1st Floor, Harrisburg, PA 17105, (717) 783-1289, or for speech and/or hearing impaired persons V/TT (717) 783-6514, or the Pennsylvania AT&T Relay Service at (800) 654-5984.

EVERETTE JAMES,
Secretary

[Pa.B. Doc. No. 10-1796. Filed for public inspection September 17, 2010, 9:00 a.m.]

Updating the List of Citations to ACIP Recommendations Prescribing Child Immunization Practices and Immunizing Agents and Doses

In accordance with 31 Pa. Code §§ 89.806(a) and 89.807(b) (relating to coverage of child immunizations; and immunizing agents, doses and AWP's), the Department of Health (Department), Bureau of Communicable Diseases, Division of Immunization is updating 31 Pa. Code Chapter 89, Appendices G and H (relating to ACIP recommendations prescribing child immunization practices; and immunizing agents and doses). The Department has primary responsibility for the interpretation and the implementation of 31 Pa. Code §§ 89.806 and 89.807. See 31 Pa. Code § 89.801(b) (relating to authority and purpose; implementation).

Health insurance policies are required by the Childhood Immunization Insurance Act (act) (40 P.S. §§ 3501—3508) and regulations promulgated thereunder, 31 Pa. Code Chapter 89, Subchapter L (relating to childhood immunization insurance) to include coverage for certain childhood immunizations, unless the policies are exempted by the act and 31 Pa. Code § 89.809 (relating to exempt policies). The childhood immunizations covered are those that meet Advisory Committee on Immunization Practices (ACIP) standards in effect on May 21, 1992. See 31 Pa. Code § 89.806(a). A list of the MMWR publications

containing ACIP recommendations issued under the ACIP standards in effect on May 21, 1992, appears in 31 Pa. Code Chapter 89, Appendix G.

The Department is required to update the list of these MMWR publications appearing in 31 Pa. Code Chapter 89, Appendix G. See 31 Pa. Code § 89.806(a). The additions to the list are as follows, the remainder of the list at 31 Pa. Code Chapter 89, Appendix G remains in full force and effect:

January 15, 2010, Vol. 59(01); 1-4

Recommended Adult Immunization Schedule—United States, 2010

The Advisory Committee on Immunization Practices (ACIP) annually reviews the recommended Adult Immunization Schedule to ensure that the schedule reflects current recommendations for the licensed vaccines. In October 2009, ACIP approved the Adult Immunization Schedule for 2010, which includes several changes. A bivalent human papillomavirus vaccine (HPV2) was licensed for use in females in October 2009. ACIP recommends vaccination of females with either HPV2 or the quadrivalent human papillomavirus vaccine (HPV4). HPV4 was licensed for use in males in October 2009, and ACIP issued a permissive recommendation for use in males. Introductory sentences were added to the footnotes for measles, mumps, rubella, influenza, pneumococcal, hepatitis A, hepatitis B, and meningococcal vaccines. Clarifications were made to the footnotes for measles, mumps, rubella, influenza, hepatitis A, meningococcal, and Haemophilus influenzae type b vaccines, and schedule information was added to the hepatitis B vaccine footnote.

Additional information is available as follows: schedule (in English and Spanish) at <http://www.cdc.gov/vaccines/recs/schedules/adult-schedule.htm>; adult vaccination at <http://www.cdc.gov/vaccines/default.htm>; ACIP statements for specific vaccines at <http://www.cdc.gov/vaccine/pubs/acip-list.htm>; and reporting adverse events at <http://www.vaers.hhs.gov> or by telephone, 800-822-7967.

January 22, 2010, Vol. 59(02); 38-43

Update: Influenza Activity—United States, August 30, 2009-January 9, 2010

The emergence and spread of the 2009 pandemic influenza A (H1N1) virus (2009 H1N1) resulted in extraordinary influenza activity in the United States throughout the summer and fall months of 2009. During this period, influenza activity reached its highest level in the week ending October 24, 2009, with 49 of 50 states reporting geographically widespread disease. As of January 9, 2010, overall influenza activity had declined substantially. Since April 2009, the dominant circulating influenza virus in the United States has been 2009 H1N1. This report summarizes U.S. influenza activity from August 30, 2009, through January 9, 2010.

February 12, 2010, Vol. 59(05); 125-129

Update: Mumps Outbreak—New York and New Jersey, June 2009-January 2010

State and local health departments, in collaboration with CDC, continue to investigate a mumps outbreak that began in New York in June 2009. The index case occurred in a boy aged 11 years who had returned on June 17 from a trip to the United Kingdom, where approximately 7,400 reports of laboratory-confirmed mumps were received by

the Health Protection Agency in 2009. He then attended a New York summer camp for tradition-observant Jewish boys, where he became symptomatic on June 28. Subsequently, other camp attendees and a staff member were reported to have mumps, and transmission continued in multiple locations when the camp attendees returned home. As of January 29, 2010, a total of 1,521 cases had been reported, with onset dates from June 28, 2009, through January 29, 2010, a substantial increase from the 179 cases reported as of October 30, 2009. The outbreak has remained confined primarily to the tradition-observant Jewish community, with <3% of cases occurring among persons outside the community. The largest percentage of cases (61%) has occurred among persons aged 7-18 years, and 76% of the patients are male. Among the patients for whom vaccination status was reported, 88% had received at least 1 dose of mumps-containing vaccine, and 75% had received 2 doses. This is the largest mumps outbreak that has occurred in the United States since 2006. Although mumps vaccination alone was not sufficient to prevent this outbreak, maintaining high measles, mumps, and rubella (MMR) vaccination coverage remains the most effective way to prevent outbreaks and limit their size when they occur.

February 12, 2010, Vol. 59(05); 133-135

Progress in Immunization Information Systems—United States, 2008

Immunization information systems (IISs) are confidential, computerized information systems that collect and consolidate vaccination data from multiple health-care providers, generate reminder and recall notifications, and assess vaccination coverage within a defined geographic area. A CDC program goal for 2010 is to achieve >95% participation in an IIS (defined as having two or more recorded vaccinations) among children aged <6 years. To monitor progress toward this goal, CDC annually surveys immunization grantees in 50 states, five cities, and the District of Columbia, using the Immunization Information Systems Annual Report (IISAR). All 56 grantees were asked to complete the IISAR; 52 did so for 2008. This report highlights results from the 2008 IISAR, which indicated that 75% of all United States children aged <6 years (approximately 18 million children) participated in an IIS in 2008, an increase from 65% in 2006. The majority of grantees (82%) reported that their IIS had the capacity to track vaccinations for persons of all ages, compared with 70% in 2006. Data-quality measures of timeliness and completeness indicated that in 2008, 67% of IIS data were received and processed within 30 days of vaccine administration, and data were reported for six of 17 core data elements in >90% of IIS records (both measures are similar to 2006 results). Increased provider use of electronic health record systems can benefit IISs and their users by producing immunization records that are more timely and complete.

March 12, 2010, Vol. 59(09); 258-261

Licensure of a 13-Valent Pneumococcal Conjugate Vaccine (PCV13) and Recommendations for Use Among Children—Advisory Committee on Immunization Practices (ACIP), 2010

On February 24, 2010, a 13-valent pneumococcal conjugate vaccine (PCV13 (Prenar 13, Wyeth Pharmaceuticals, Inc., a subsidiary of Pfizer, Inc.)) was licensed by the

Food and Drug Administration (FDA) for prevention of invasive pneumococcal disease (IPD) caused by the 13 pneumococcal serotypes covered by the vaccine and for prevention of otitis media caused by serotypes in the 7-valent pneumococcal conjugate vaccine formulation (PCV7 (Pneumovax, Wyeth)). PCV13 is approved for use among children aged 6 weeks-71 months and succeeds PCV7, which was licensed by FDA in 2000. The Pneumococcal Vaccines Work Group of the Advisory Committee on Immunization Practices (ACIP) reviewed available data on the immunogenicity, safety and cost-effectiveness of PCV13, and on estimates of the vaccine-preventable pneumococcal disease burden. The working group then presented policy options for consideration of the full ACIP. This report summarizes recommendations approved by ACIP on February 24, 2010, for: 1) routine vaccination of all children aged 2-59 months with PCV13; 2) vaccination with PCV13 of children aged 60-71 months with underlying medical conditions that increase their risk for pneumococcal disease or complications; and 3) PCV13 vaccination of children who previously received 1 or more doses of PCV7. CDC guidance for vaccination providers regarding transition from PCV7 to the PCV13 immunization program also is included.

Pneumovax 13 Licensure

Vaccine formulation. PCV13 contains polysaccharides of the capsular antigens of *Streptococcus pneumoniae* serotypes 1, 3, 4, 5, 6A, 6B, 7F, 9V, 14, 18C, 19A, 19F and 23F, individually conjugated to a nontoxic diphtheria CRM₁₉₇ (CRM, cross-reactive material) carrier protein. A 0.5-mL PCV13 dose contains approximately 2 µg of polysaccharide from each of 12 serotypes and approximately 4 µg of polysaccharide from serotype 6B; the total concentration of CRM₁₉₇ is approximately 34 µg. The vaccine contains 0.125 mg of aluminum as aluminum phosphate adjuvant and no thimerosal preservative. PCV13 is administered intramuscularly and is available in single-dose, prefilled syringes that do not contain latex.

March 12, 2010, Vol. 59(09); 273

Licensure of a Meningococcal Conjugate Vaccine (Menveo) and Guidance for Use Advisory Committee on Immunization Practices (ACIP), 2010

On February 19, 2010, the Food and Drug Administration (FDA) licensed a quadrivalent meningococcal conjugate vaccine, MenACWY-CRM (Menveo, Novartis Vaccines and Diagnostics). MenACWY-CRM is licensed as a single dose for use among persons aged 11-55 years. The Advisory Committee on Immunization Practices (ACIP) reviewed data from prelicensure clinical trials on the safety and immunogenicity of MenACWY-CRM.

This report summarizes the approved indications for MenACWY-CRM and provides guidance from ACIP for its use. The following guidance for use of MenACWY-CRM is consistent with licensed indications and ACIP recommendations for meningococcal conjugate vaccines. MenACWY-CRM consists of two components: 1) 10 µg of lyophilized meningococcal serogroup A capsular polysaccharide conjugated to CRM₁₉₇ (MenA) and 2) 5 µg each of capsular polysaccharide of serogroup C, Y, and W135 conjugated to CRM₁₉₇ in 0.5 ml of phosphate buffered saline, which is used to reconstitute the lyophilized MenA component before injection. The reconstituted vaccine should be used immediately, but may be held at or below 77° F (25° C) for up to 8 hours. MenACWY-CRM is administered as an intramuscular injection, preferably into the deltoid region.

The capsular polysaccharide serogroups included in MenACWY-CRM are the same as those contained in Sanofi Pasteur's MCV4 (Menactra). In study participants aged 11-18 years, noninferiority of MenACWY-CRM to MCV4 was demonstrated for all four serogroups using the primary endpoint, hSBA seroresponse (serum bactericidal assay using human complement). The proportions of subjects with hSBA seroresponse were statistically higher for serogroups A, W and Y in the MenACWY-CRM group, compared with the MCV4 group. The clinical relevance of higher postvaccination immune responses is not known. Safety and reactogenicity profiles were comparable to those observed with MCV4.

March 26, 2010, Vol. 59(11); 321-326

2009 Pandemic Influenza A (H1N1) in Pregnant Women Requiring Intensive Care—New York City, 2009

Pregnant women are at increased risk for severe illness and complications from infection with seasonal influenza and 2009 pandemic influenza A (H1N1). To characterize the severity of 2009 H1N1 infection in pregnant women, the New York City Department of Health and Mental Hygiene (DOHMH) conducted active and passive surveillance for cases of 2009 H1N1 infection in pregnant women requiring intensive care. This report summarizes the results of that surveillance, which found that, during 2009, 16 pregnant women and one who was postpartum were admitted to New York City intensive-care units (ICUs). Two women died. Of the 17 women, 12 had no recognized risk factors for severe influenza complications other than pregnancy. All 17 women received antiviral treatment with oseltamivir; however, treatment was initiated ≤2 days after symptom onset in only one woman and was begun ≥5 days after symptom onset in four women. Because initiation of antiviral treatment ≤2 days after onset is associated with better outcomes, pregnant women should be encouraged to seek medical care immediately if they develop influenza-like symptoms, and health-care providers should initiate empiric antiviral therapy for these women as soon as possible, even if >2 days after symptom onset. Health departments and health-care providers should educate pregnant and postpartum women regarding the risks posed by influenza and highlight the effectiveness and safety of influenza vaccination. Obstetricians and other health-care providers should offer influenza vaccination to their pregnant patients.

To identify cases of 2009 H1N1 infection in pregnant and postpartum women, beginning April 25, 2009, DOHMH conducted surveillance for hospitalizations and deaths during three separate periods. Surveillance methods varied as the 2009 H1N1 pandemic evolved and influenza activity changed in New York City. During April to June, DOHMH conducted citywide active surveillance for deaths from 2009 H1N1 and enhanced citywide surveillance for hospitalized cases of influenza in pregnant and postpartum women, actively requesting specimens and testing for 2009 H1N1 at the New York City Public Health Laboratory. During July to September, influenza activity was low in New York City; however, ongoing passive surveillance was conducted for hospitalized patients who tested positive for influenza A. During October to December, citywide surveillance was passive, except active surveillance was reestablished at five sentinel hospitals. During all three periods, data on pregnancy, ICU status, and vital status were collected for all patients hospitalized with 2009 H1N1 throughout New York City. Chart abstractions for all identified cases were conducted

by medical epidemiologists at DOHMH. For this case series, a case was defined as severe illness with laboratory-confirmed or probable 2009 H1N1 infection in a woman who was pregnant or postpartum (within 6 weeks of delivery), resulting in admission to an ICU or death.

April 2, 2010, Vol. 59(12); 363-368

Interim Results: State-Specific Influenza A (H1N1) 2009 Monovalent Vaccination Coverage—United States, October 2009 to January 2010

In July 2009, the Advisory Committee on Immunization Practices (ACIP) issued recommendations for the use of influenza A (H1N1) 2009 monovalent vaccine. Distribution of 2009 H1N1 vaccine in the United States began on October 5, using a system that allocated available vaccine to states proportional to their populations. By the end of 2009, approximately 61 million persons had been vaccinated. By January 29, 2010, approximately 124 million doses had been distributed. To provide preliminary state-specific estimates of 2009 H1N1 vaccination coverage as of the end of January, CDC analyzed results from the Behavioral Risk Factor Surveillance System (BRFSS) and the National 2009 H1N1 Flu Survey (NHFS), using data collected during November 2009 to February 2010. This report summarizes the results of that analysis, which found that, by state, estimated 2009 H1N1 vaccination coverage as of the end of January among persons aged ≥ 6 months ranged from 12.9% to 38.8% (median: 23.9%). Median coverage was 36.8% for children aged 6 months to 17 years, 20.1% for adults aged ≥ 18 years, and 33.2% for persons in the ACIP initial target group. The wide variation in 2009 H1N1 vaccination rates among states suggests opportunities for improvement in future seasons, such as maintaining and increasing the reach of networks of private providers as vaccinators and distributing more vaccine through public venues (e.g., schools).

April 30, 2010, Vol. 59(16); 477-484

Interim Results: State-Specific Seasonal Influenza Vaccination Coverage—United States, August 2009 to January 2010

The advent of the 2009 influenza A (H1N1) pandemic in April 2009 made the 2009-10 influenza season highly unusual. Public awareness of the potential seriousness of influenza was heightened by media coverage of pandemic-associated hospitalizations and deaths, especially among younger persons. In the fall, the distribution of two separate influenza vaccines began, with distinct, although overlapping, recommendations from the Advisory Committee on Immunization Practices (ACIP). In addition, 2009-10 was the first full season in which ACIP's recommendation to vaccinate all children aged 5-18 years was implemented. To provide preliminary state-specific estimates of seasonal influenza vaccination coverage, CDC analyzed Behavioral Risk Factor Surveillance System (BRFSS) and National 2009 H1N1 Flu Survey (NHFS) data collected during October 2009-February 2010. By January 31, estimated state seasonal influenza vaccination coverage among persons aged ≥ 6 months ranged from 30.3% to 54.5% (median: 40.6%). Median coverage was 41.2% for children aged 6 months-17 years, 38.3% for adults aged 18-49 years with high-risk conditions, 28.8% for adults aged 18-49 years without high-risk conditions, 45.5% for adults aged 50-64 years, and 69.3% for adults aged ≥ 65 years. These results, compared with the previous season, suggest large increases in coverage for children and a moderate increase for adults aged 18-49 years without high-risk conditions. Health departments should

identify best practices that lead to higher vaccination coverage and should support effective vaccination services (for example, school-located vaccination programs and office-based protocols, such as reminder/recall and standing orders).

May 28, 2010, Vol. 59(20); 626-629

FDA Licensure of Bivalent Human Papillomavirus Vaccine (HPV2, Cervarix) for Use in Females and Updated HPV Vaccination Recommendations from the Advisory Committee on Immunization Practices (ACIP)

On October 16, 2009, the Food and Drug Administration (FDA) licensed bivalent human papillomavirus vaccine (HPV2; Cervarix, GlaxoSmithKline) for use in females aged 10 through 25 years. Cervarix is the second human papillomavirus (HPV) vaccine licensed for use in females in the United States. Quadrivalent HPV vaccine (HPV4; Gardasil, Merck & Co, Inc.) was licensed in 2006 for use in females aged 9 through 26 years, and the Advisory Committee on Immunization Practices (ACIP) recommended routine HPV4 vaccination of females aged 11 or 12 years, and catch-up vaccination for females aged 13 through 26 years. This report provides updated recommendations for routine and catch-up vaccination of females with either HPV2 or HPV4.

Both HPV2 and HPV4 are composed of virus-like particles (VLPs) prepared from recombinant L1 capsid protein of HPV; the two vaccines are not live vaccines. HPV2 is directed against two oncogenic types (HPV 16 and 18). HPV4 is directed against two oncogenic types (HPV 16 and 18) and two nononcogenic types (HPV 6 and 11). Both vaccines have high efficacy against HPV 16 and 18-related cervical precancer lesions. HPV4 also has high efficacy against HPV 6 and HPV 11-related genital warts and HPV 16 and 18-related vaginal and vulvar precancer lesions.

HPV 16 and 18 cause about 70% of cervical cancers; each of the other oncogenic HPV types accounts for a small percentage of all cervical cancers. Other HPV-associated cancers in females include a subset of vulvar, vaginal, anal and oropharyngeal and oral cavity cancers, caused primarily by HPV 16. HPV 6 and 11 cause approximately 90% of genital warts and most cases of recurrent respiratory papillomatosis.

In anticipation of FDA licensure of HPV2, ACIP reviewed data on the immunogenicity, efficacy, and safety of HPV2, as well as information on HPV4. At its October 21, 2009, meeting, ACIP approved updated recommendations for use of HPV vaccines in females.

May 28, 2010, Vol. 59(20); 630-632

FDA Licensure of Quadrivalent Human Papillomavirus Vaccine (HPV4, Gardasil) for Use in Males and Guidance from the Advisory Committee on Immunization Practices (ACIP)

On October 16, 2009, the Food and Drug Administration licensed quadrivalent human papillomavirus vaccine (HPV4; Gardasil, Merck & Co. Inc.) for use in males aged 9 through 26 years for prevention of genital warts caused by human papillomavirus (HPV) types 6 and 11. HPV4 had been licensed previously for use in females aged 9 through 26 years for prevention of HPV 6, 11, 16 and 18-related outcomes (that is, vaginal, vulvar and cervical

precancers and cancers and genital warts). The Advisory Committee on Immunization Practices (ACIP) recommends routine vaccination of females at age 11 or 12 years and catch-up vaccination for females aged 13 through 26 years. On October 21, 2009, ACIP provided guidance that HPV4 may be given to males aged 9 through 26 years to reduce their likelihood of acquiring genital warts; ACIP does not recommend HPV4 for routine use among males. This report presents the ACIP policy statement and summarizes background data. Issues reviewed by ACIP included efficacy, immunogenicity, and safety of the HPV4 vaccine in males, epidemiology of HPV and burden of HPV-associated diseases and cancers in males, cost-effectiveness of male vaccination, and programmatic considerations.

HPV types 6 and 11 cause approximately 90% of genital warts and most cases of recurrent respiratory papillomatosis. Approximately 500,000 cases of genital warts are estimated to occur each year in the United States among sexually active men and women. Direct medical costs related to genital warts are estimated at \$200 million per year in addition, genital warts can have an adverse impact on quality of life. HPV-associated cancers in males include certain anal, penile, and oropharyngeal and oral cavity cancers caused primarily by HPV 16.

HPV4 has high efficacy for prevention of genital warts. The phase III efficacy study enrolled 4,065 males aged 16 through 26 years. Participants were enrolled from North America, South America, Europe, Australia and Asia. The efficacy for prevention of genital warts related to HPV types 6, 11, 16 or 18 among males who received all 3 vaccine doses and were seronegative at day 1, and DNA negative day 1 through month 7 to the respective HPV type (per protocol population) was 89.4%; the efficacy for HPV 6 or 11-related genital warts alone was approximately the same. The efficacy for prevention of HPV 6, 11, 16 or 18-related genital warts among males who received at least 1 vaccine dose and regardless of baseline DNA or serology (intent to treat population), was 67.2%, and the efficacy for prevention of genital warts related to any HPV type was 62.1%. No evidence of efficacy was observed among males who were infected with the respective HPV type at baseline. The median duration of follow-up at the time of the study's interim analysis was approximately 2.3 years.

June 4, 2010, Vol. 59(21); 657-661

Preliminary Results: Surveillance for Guillain-Barré Syndrome After Receipt of Influenza A (H1N1) 2009 Monovalent Vaccine—United States, 2009-2010

Guillain-Barré syndrome (GBS) is an uncommon peripheral neuropathy causing paralysis and in severe cases respiratory failure and death. GBS often follows an antecedent gastrointestinal or upper respiratory illness but, in rare cases, can follow vaccination. In 1976, vaccination against a novel swine-origin influenza A (H1N1) virus was associated with a statistically significant increased risk for GBS in the 42 days after vaccination (approximately 10 excess cases per 1 million vaccinations), a consideration in halting the vaccination program in the context of limited influenza virus transmission. To monitor influenza A (H1N1) 2009 monovalent vaccine safety, several Federal surveillance systems, including CDC's Emerging Infections Program (EIP), are being used. In October 2009, EIP began active surveillance to assess the risk for GBS after 2009 H1N1 vaccination.

Preliminary results from an analysis in EIP comparing GBS patients hospitalized through March 31, 2010, who did and did not receive 2009 H1N1 vaccination showed an estimated age-adjusted rate ratio of 1.77 (GBS incidence of 1.92 per 100,000 person-years among vaccinated persons and 1.21 per 100,000 person-years among unvaccinated persons). If end-of-surveillance analysis confirms this finding, this would correspond to 0.8 excess cases of GBS per 1 million vaccinations, similar to that found in seasonal influenza vaccines. No other Federal system to date has detected a statistically significant association between GBS and 2009 H1N1 vaccination. Surveillance and further analyses are ongoing. The 2009 H1N1 vaccine safety profile is similar to that for seasonal influenza vaccines, which have an excellent safety record. Vaccination remains the most effective method to prevent serious illness and death from 2009 H1N1 influenza infection; illness from the 2009 H1N1 influenza virus has been associated with a hospitalization rate of 222 per 1 million and a death rate of 9.7 per 1 million population.

June 11, 2010, Vol. 59(22); 687-688

Addition of Severe Combined Immunodeficiency as a Contraindication for Administration of Rotavirus Vaccine

In response to reported cases of vaccine-acquired rotavirus infection in infants with severe combined immunodeficiency (SCID) following rotavirus vaccine administration, both Merck & Co. and GlaxoSmithKline Biologicals have revised the prescribing information and patient labeling for their respective rotavirus vaccine products, pentavalent rotavirus vaccine (RV5) and monovalent rotavirus vaccine (RV1), with approval from the Food and Drug Administration. Merck revised the prescribing information and patient labeling for RV5 in December 2009, and GlaxoSmithKline Biologicals did so for RV1 in February 2010. After the revision to the RV5 prescribing information, CDC sought consultation from members of the former Rotavirus Vaccine Work Group of the Advisory Committee on Immunization Practices (ACIP). On the basis of that consultation and available data, CDC is updating the list of contraindications for rotavirus vaccine. Rotavirus vaccine (both RV5 and RV1) is contraindicated in infants diagnosed with SCID.

SCID includes a group of rare, life-threatening disorders caused by at least 15 different single gene defects that result in profound deficiencies in T- and B- lymphocyte function. The estimated annual incidence of SCID is one case per 40,000-100,000 live births, or a total of approximately 40-100 new cases among infants in the United States each year. SCID usually is diagnosed after an infant has acquired a severe, potentially life-threatening infection caused by one or more pathogens. Infants with SCID commonly experience chronic diarrhea, failure to thrive, and early onset of infections. Chronic, wild-type rotavirus infection has been reported in infants with SCID, with resulting prolonged diarrhea or shedding of rotavirus. Diagnosis and hematopoietic stem cell transplantation before onset of severe infections offer the best chance for long-term survival of SCID patients.

The Department is also required to update information relating to immunizing agents and doses that the Department has extracted from ACIP recommendations issued under the standards in 31 Pa. Code §§ 89.801—89.809, Appendix H (relating to immunizing agents and doses). The updated information is as follows:

2010 List of Immunizing Agents and Average Wholesale Prices

<i>Product Name, Company</i>	<i>Brand/Product Name</i>	<i>NDC Number</i>	<i>Unit</i>	<i>Dose</i>	<i>AWP/Dose*</i>
Diphtheria Tetanus acellular Pertussis Vaccine (DTaP):					
sanofi pasteur	Tripedia	49281-0298-10	10 x 1	0.5 ml	\$27.22
sanofi pasteur	Daptacel	49281-0286-10	10 x 1	0.5 ml	\$28.06
GlaxoSmithKline	Infanrix—syringe	58160-0812-46	10 x 1	0.5 ml	\$23.02
GlaxoSmithKline	Infanrix	58160-0810-11	10 x 1	0.5 ml	\$24.70
Tetanus Diphtheria acellular Pertussis Vaccine (Tdap):					
sanofi pasteur	Adacel	49281-0400-10	10 x 1	0.5 ml	\$44.46
sanofi pasteur	Adacel	49281-0400-15	5 x 1	0.5 ml	\$44.46
GlaxoSmithKline	Boostrix	58160-0842-11	10 x 1	0.5 ml	\$44.61
GlaxoSmithKline	Boostrix—syringe	58160-0842-46	5 x 1	0.5 ml	\$44.61
Diphtheria Tetanus pediatric Vaccine (DT pediatric):					
sanofi pasteur	DT Pediatric	49281-0278-10	10 x 1	0.5 ml	\$36.23
Diphtheria Tetanus acellular Pertussis/Haemophilus Influenzae B (DTaP-HIB):					
sanofi pasteur	TriHIBit	49281-0597-05	5 x 1	0.5 ml	\$55.02
Tetanus Diphtheria adult Vaccine (Td adult):					
sanofi pasteur	Decavac	49281-0291-83	10 x 1	0.5 ml	\$23.09
sanofi pasteur	Decavac	49281-0291-10	10 x 1	0.5 ml	\$23.09
Diphtheria, Tetanus, acellular Pertussis, Haemophilus Influenzae B, Polio (DTaP, HIB, IPV):					
sanofi pasteur	Pentacel	49281-0510-05	5 x 1	0.5 ml	\$89.65
Diphtheria, Tetanus, acellular Pertussis, Polio (DTap, IPV):					
GlaxoSmithKline	Kinrix—syringe	58160-0812-46	5 x 1	0.5 ml	\$57.00
GlaxoSmithKline	Kinrix	58160-0812-11	10 x 1	0.5 ml	\$57.00
Diphtheria, Tetanus, acellular Pertussis, Hepatitis B, Polio (DTaP, Hep B, IPV):					
GlaxoSmithKline	Pediarix	58160-0811-11	10 x 1	0.5 ml	\$84.12
GlaxoSmithKline	Pediarix—syringe	58160-0811-46	5 x 1	0.5 ml	\$84.12
Tetanus Toxoid:					
sanofi pasteur	Tetanus toxoid	49281-0820-10	10 x 1	0.5 ml	\$32.30
Haemophilus Influenzae Type B Vaccine (HIB):					
sanofi pasteur	ActHIB	49281-0545-05	5 x 1	10 mcg	\$28.18
Merck & Co.	Pedvax HIB	00006-4897-00	10 x 1	7.5 mcg	\$27.32
GlaxoSmithKline	Hiberix	58160-0806-05	10 x 1	0.5 ml	\$8.66
Injectable Polio Vaccine Inactivated (Salk Enhanced IPV):					
sanofi pasteur	IPOL	49281-0860-55	10 x 1	0.5 ml	\$29.50
sanofi pasteur	IPOL	49281-0860-10	5.0 ml	0.5 ml	\$29.50
Measles Mumps Rubella Vaccine (MMR):					
Merck & Co.	MMR II	00006-4681-00	10 x 0.5	0.5 ml	\$55.40
Measles Vaccine (Rubeola):					
Merck & Co.	Attenuvax	0006-4589-00	10 x 0.5	0.5 ml	\$20.48
Meningococcal Conjugate Vaccine (MCV4):					
sanofi pasteur	Menactra	49281-0589-05	5 x 1	0.5 ml	\$123.94
sanofi pasteur	Menactra	49281-0589-15	5 x 1	0.5 ml	\$123.94
Novartis	Menveo	46028-0208-01	5 x 1	0.5 ml	\$103.41

<i>Product Name, Company</i>	<i>Brand/Product Name</i>	<i>NDC Number</i>	<i>Unit</i>	<i>Dose</i>	<i>AWP/Dose*</i>
Meningococcal Polysaccharide Vaccine:					
sanofi pasteur	Menomune-A/C/Y/ W-135	49281-0489-91	10 x 1	0.5 ml	\$123.94
sanofi pasteur	Menomune-A/C/Y/ W-135	49281-0489-01	each	0.5 ml	\$126.34
Mumps Vaccine:					
Merck & Co.	Mumpsvox	00006-4584-00	10 x 0.5	0.5 ml	\$26.54
Rubella Vaccine:					
Merck & Co.	Meruvax II	00006-4673-00	10 x 0.5	0.5 ml	\$22.83
Hepatitis A Vaccine (HEP-A):					
Merck & Co.	VAQTA—syringe	00006-4096-31	1.0 ml	1.0 ml	\$77.89
Merck & Co.	VAQTA—syringe	00006-4096-06	6 x 1	1.0 ml	\$77.87
Merck & Co.	VAQTA	00006-4841-00	1.0 ml	1.0 ml	\$76.21
Merck & Co.	VAQTA	00006-4841-41	10 x 1	1.0 ml	\$71.99
Merck & Co.	VAQTA Pediatric	00006-4831-41	10 x 0.5	0.5 ml	\$36.44
GlaxoSmithKline	Havrix Ped— syringe	58160-0825-52	10 x 1	0.5 ml	\$34.34
GlaxoSmithKline	Havrix Pediatric	58160-0825-11	10 x 1	0.5 ml	\$34.34
GlaxoSmithKline	Havrix—syringe	58160-0826-46	5 x 1	1 ml	\$72.68
GlaxoSmithKline	Havrix	58160-0826-11	10 x 1	1 ml	\$72.68
Varicella Virus Vaccine:					
Merck & Co.	Varivax	00006-4826-00	each	1350 pfu	\$97.41
Merck & Co.	Varivax	00006-4827-00	10 x 1	1350 pfu	\$92.86
Merck & Co.	Zostavax	00006-4963-00	each	19400 pfu	\$193.80
Merck & Co.	Zostavax	00006-4963-41	10 x 1	19400 pfu	\$184.72
Human Papilloma Virus Vaccine:					
Merck & Co.	Gardasil	00006-4045-00	each	0.5 ml	\$150.51
Merck & Co.	Gardasil	00006-4045-41	10 x 1	0.5 ml	\$150.18
Merck & Co.	Gardasil—syringe	00006-4109-06	6 x 1	0.5 ml	\$152.54
Merck & Co.	Gardasil—syringe w/o needle	00006-4109-09	6 x 1	0.5 ml	\$152.54
GlaxoSmithKline	Cervarix	58160-0830-11	10 x 1	0.5 ml	\$128.75
GlaxoSmithKline	Cervarix—syringe	58160-0830-46	5 x 1	0.5 ml	\$128.75
Rotavirus Vaccine:					
Merck & Co.	Rotateq	00006-4047-41	10 x 1	2 ml	\$83.35
GlaxoSmithKline	Rotarix	58160-0805-11	10 x 1	1.0 ml	\$122.85
Influenza Virus Vaccine:					
Novartis	Fluvirin	66521-113-02	10 x 1	0.5 ml	\$18.24
Novartis	Fluvirin	66521-113-10	10 x 1	0.5 ml	\$14.81
Sanofi pasteur	Fluzone	49281-0010-10	10 x 1	0.5 ml	\$14.74
Sanofi pasteur	Fluzone	49281-0010-50	10 x 1	0.5 ml	\$14.74
Sanofi pasteur	Fluzone	49281-0386-15	10 x 1	0.5 ml	\$13.56
Sanofi pasteur	Fluzone Pediatric	49281-0010-25	10 x 1	0.25 ml	\$15.64
GlaxoSmithKline	Fluarix	58160-0873-46	5 x 1	0.5 ml	\$15.75

<i>Product Name, Company</i>	<i>Brand/Product Name</i>	<i>NDC Number</i>	<i>Unit</i>	<i>Dose</i>	<i>AWP/Dose*</i>
MedImmune	Flumist	66019-0107-01	10 x 1	0.2 ml	\$19.70
Merck & Co.	Afluria	33332-010-01	10 x 1	0.5 ml	\$11.00
Merck & Co.	Afluria	33332-110-10	Multidose	0.5 ml	\$10.25
Hepatitis B Vaccine (HEP-B):					
Merck & Co.	Recombivax HB Hepatitis B vaccine (Recombinant) Dialysis Formulation	00006-4992-00	each	1.0 ml	\$165.29
Merck & Co.	Recombivax HB Pediatric	00006-4981-00	10 x 0.5 ml	0.5 ml	\$27.85
Merck & Co.	Recombivax HB	00006-4995-00	1.0 ml	1.0 ml	\$71.64
Merck & Co.	Recombivax HB	00006-4995-41	10 x 1.0 ml	1.0 ml	\$70.81
Merck & Co.	Recombivax HB syringe	00006-4094-31	1.0 ml	1.0 ml	\$73.31
Merck & Co.	Recombivax HB syringe	00006-4094-06	6 x 1.0 ml	1.0 ml	\$73.31
Merck & Co.	Recombivax HB syringe w/o needle	00006-4094-09	6 x 1.0 ml	1.0 ml	\$73.31
GlaxoSmithKline	Engerix-B Pediatric	58160-0820-11	10 x 1	0.5 ml	\$25.49
GlaxoSmithKline	Engerix-B Pediatric	58160-0820-46	5 x 1	0.5 ml	\$25.49
GlaxoSmithKline	Engerix-B Pediatric	58160-0856-35	5 x 1	0.5 ml	\$25.49
GlaxoSmithKline	Engerix-B syringe	58160-0821-51	10 x 1	1.0 ml	\$62.85
GlaxoSmithKline	Engerix-B syringe	58160-0821-11	10 x 1	1.0 ml	\$62.85
Hepatitis B / Hib:					
Merck & Co.	COMVAX	00006-4898-00	10 x 0.5 ml	0.5 ml	\$52.27
Hepatitis A & Hepatitis B Vaccine:					
GlaxoSmithKline	Twinrix	58160-0815-11	10 x 1.0	1.0 ml	\$103.43
GlaxoSmithKline	Twinrix—syringe	58160-0815-46	5 x 1.0	1.0 ml	\$103.43
Pneumococcal Vaccine:					
Pfizer	Prevnar 13	0005-1971-02	10 x 1	0.5 ml	\$135.00
Merck & Co.	Pneumovax 23	00006-4739-00	2.5 ml	2.5 ml	\$197.93
Merck & Co.	Pneumovax 23	00006-4943-00	10 x 1	0.5 ml	\$44.43
Measles, Mumps, Rubella, and Varicella Vaccine					
Merck & Co.	ProQuad	00006-4999-00	10 x 0.5	0.5 ml	\$149.24

* Indicates the Estimated Acquisition Cost (EAC) as stated in the Department of Public Welfare, Office of Medical Assistance Programs, Medical Assistance Regulations at 55 Pa. Code § 1121.55 (relating to method of payment).

Persons with disability who require an alternative format of this notice (for example, large print, audiotape, Braille), should contact the Department of Health, Division of Immunizations, Room 1026, Health and Welfare Building, 625 Forster Street, Harrisburg, PA 17120-0701, (717) 787-5681, or for speech and/or hearing impaired persons V/TT (717) 783-6514, or the Pennsylvania AT&T Relay Service at (800) 654-5984 (TT).

EVERETTE JAMES,
Secretary

[Pa.B. Doc. No. 10-1797. Filed for public inspection September 17, 2010, 9:00 a.m.]

DEPARTMENT OF LABOR AND INDUSTRY

Determination of the Usual and Customary Charge for Medical Treatment by the Department

The Department of Labor and Industry (Department), Bureau of Workers' Compensation, gives notice that, effective November 1, 2010, when resolving applications for fee review under 34 Pa. Code § 127.256 (relating to administrative decision on an application for fee review), the Department will utilize the 85th percentile of the MDR database published by INGENIX, Inc. of Eden Prairie, MN, to determine the "usual and customary charge" as defined in 34 Pa. Code § 127.3 (relating to definitions).

SANDI VITO,
Secretary

[Pa.B. Doc. No. 10-1798. Filed for public inspection September 17, 2010, 9:00 a.m.]

DEPARTMENT OF PUBLIC WELFARE

Finalized Rate-Setting Methodology for the Consolidated and Person/Family Directed Support Waivers and Targeted Services Management for Persons with Mental Retardation

The purpose of this notice is to announce the rate-setting methodology used in the Prospective Payment System (PPS) to develop the Fiscal Year (FY) 2010-2011 finalized payment rates for community-based services, including supports coordination, funded through the Consolidated and Person/Family Directed Support waivers (waivers) and for Targeted Service Management not funded by the waivers. The methodology described in this notice to finalize the FY 2010-2011 payment rates in the PPS, excludes payment rates for the select waiver services added to the Medical Assistance program fee schedule.

Rate-Setting Methodology

The methodologies used to develop the proposed rates for FY 2010-2011 were published in the *Pennsylvania Bulletin* at 40 Pa.B. 3632 (June 26, 2010). To finalize the FY 2010-2011 payment rates, the Department of Public Welfare (Department) made adjustments to the proposed payment rates as described as follows. The final payment rates are effective for services delivered between July 1, 2010 and June 30, 2011.

To finalize the FY 2010-2011 payment rates, the Department made the following adjustments to the proposed payment rates:

- Rates were updated based on the enacted budget.
- The utilization of services projected for FY 2010-2011 was updated. When the proposed rates were calculated, the projected utilization was based on actual paid claims for services delivered from July 1, 2009, through February 28, 2010. These paid claims were then adjusted to account for a full year of utilization. The final payment rates were calculated using pro-

jected utilization based on actual claims paid for services delivered from July 1, 2009, through April 30, 2010, adjusted to account for a full year of utilization.

- Upward adjustments were made to the payment rates for the following services:
 - W7060, home and community habilitation—unlicensed, level 3.
 - W7075, community habilitation—licensed day habilitation—ATF, level 3.
 - W7235, supported employment.
 - W7258, respite—unlicensed, in home, level 2.
 - W7291, family living, 1—individual home adult.

The adjustments were made to ensure that assigned rates for these services provided for adequate funding to meet minimum wage standards.
- Adjustments were made to some outlier costs, where proposed rates for individuals with high needs had been incorrectly reduced.
- Based on the enacted budget and updated utilization information, the Rate Adjustment Factor (RAF) utilized to calculate the final payment rates was -2.5%. The initial RAF utilized for the proposed payment rates was -4.73%.

Fiscal Impact

There is no anticipated fiscal impact.

Public Comment

Copies of this notice may be obtained at the local Mental Health/Mental Retardation (MH/MR) County Program, Administrative Entity (AE) or regional Office of Developmental Programs (ODP) in the corresponding regions:

- *Western region:* Piatt Place, Room 4900, 301 5th Avenue, Pittsburgh, PA 15222, (412) 565-5144
- *Northeast region:* Room 315, Scranton State Office Building, 100 Lackawanna Avenue, Scranton, PA 18503, (570) 963-4749
- *Southeast region:* 801 Market Street, Suite 5071, Philadelphia, PA 19107, (215) 560-2242 or (215) 560-2245
- *Central region:* Room 430, Willow Oak Building, P. O. Box 2675, DGS Annex Complex, Harrisburg, PA 17105, (717) 772-6507

Contact information for the local MH/MR County Program or AE may be accessed through <http://www.dpw.state.pa.us/PartnersProviders/MentalRetardation/003679539.htm> or contact the previously referenced regional ODP.

Interested persons are invited to submit written comments regarding this notice to the Department at the following addresses:

By e-mail:

Use subject header "PN Final Rates" to ODP's rate-setting mailbox at ra-ratesetting@state.pa.us.

By postal mail:

Department of Public Welfare
Office of Developmental Programs
Division of Provider Assistance and Rate Setting
4th Floor, Health and Welfare Building
Forster and Commonwealth Avenues
Harrisburg, PA 17120

Persons with a disability who require an auxiliary aid or service may submit comments using the Pennsylvania AT&T Relay Service at (800) 654-5984 (TDD users) or 1-800-654-5988 (voice users).

HARRIET DICHTER,
Secretary

Fiscal Note: 14-NOT-658. No fiscal impact; (8) recommends adoption.

[Pa.B. Doc. No. 10-1799. Filed for public inspection September 17, 2010, 9:00 a.m.]

Medical Assistance Program Fee Schedule for Select Services in the Consolidated and Person/Family Directed Support Waivers and Community Mental Retardation Base Program

This notice announces the Department of Public Welfare's (Department) finalized payment rates for select services provided in the Consolidated and Person/Family Directed Support waivers (waivers) to the Medical Assistance (MA) Program Fee Schedule effective July 1, 2010. These fee schedule final payment rates also serve as the Department's established fees under 55 Pa. Code § 4300.115(a) (relating to Department established fees) for base-funded services managed through county programs for individuals with mental retardation under the Mental Health and Mental Retardation Act of 1966 (50 P. S. §§ 4104—4704) and 55 Pa. Code Chapter 4300 (relating to county mental health and mental retardation fiscal manual).

The services selected for inclusion on the MA fee schedule are listed under the following categories: Select Community-Based Services; Unlicensed Out-of-Home Respite and Respite Camp "Ineligible" Services (Room and

Board); Agency with Choice/Financial Management Services, Excluding Benefits; and Agency With Choice/Financial Management Services, Including Benefits.

The Department established proposed rates for each of the selected services on the MA fee schedule and published those proposed rates at 40 Pa.B. 3621 (June 26, 2010). The Department finalized these payment rates for the MA Program Fee Schedule effective July 1, 2010, based on the enacted budget. As a result of the increase to the appropriation, the finalized rates were adjusted from the proposed rates accordingly.

The Unlicensed Out-of-Home Respite and Respite Camp Ineligible proposed payment rates did not provide for the impact of the 1% cost containment initiative assumed in the Governor's Executive Budget for Fiscal Year (FY) 2010-2011. However, the enacted budget also did not provide for a 1% cost containment initiative. Therefore, as a result, the final payment rates for these services are the same as the initial proposed payment rates.

Geographic Areas:

- Area 1:** Bucks, Chester, Delaware, Lehigh, Montgomery, Northampton, Philadelphia
- Area 2:** Adams, Allegheny, Beaver, Berks, Carbon, Cumberland, Dauphin, Erie, Franklin, Fulton, Greene, Lancaster, Lawrence, Lebanon, Monroe, Perry, Pike, Schuylkill, Washington, York
- Area 3:** Armstrong, Bradford, Butler, Cameron, Centre, Clarion, Clinton, Columbia, Crawford, Elk, Forest, Indiana, Huntingdon, Juniata, Lackawanna, Luzerne, Lycoming, McKean, Mercer, Mifflin, Montour, Northumberland, Potter, Snyder, Sullivan, Susquehanna, Tioga, Union, Venango, Warren, Wayne, Westmoreland, Wyoming
- Area 4:** Bedford, Blair, Cambria, Clearfield, Fayette, Jefferson, Somerset

Fee Schedule Rates Tables:

Select Community-Based Services*

* Modifier ET must be used with applicable procedure code when billing for temporary base-funded services.

(PA) Prior authorization by the Office of Developmental Programs (ODP) must be obtained for this service.

Service	Procedure Code	Modifier	Provider Type	Specialty Code	Unit	Area 1	Area 2	Area 3	Area 4
Nursing Services: LPN	T2025	TE	05	051	15 minutes	\$11.02	\$10.31	\$9.78	\$8.89
		TE & ET							
		TE	16	161					
		TE & ET							
Nursing Services: RN	T2025	TD	05	051	15 minutes	\$16.55	\$15.48	\$14.68	\$13.35
		TD & ET							
		TD	16	160					
		TD & ET							
Physical Therapy	T2025	GP	17	170	15 minutes	\$20.20	\$18.90	\$17.92	\$16.29
		GP & ET							

<i>Service</i>	<i>Procedure Code</i>	<i>Modifier</i>	<i>Provider Type</i>	<i>Specialty Code</i>	<i>Unit</i>	<i>Area 1</i>	<i>Area 2</i>	<i>Area 3</i>	<i>Area 4</i>
Occupational Therapy	T2025	GO	17	171	15 minutes	\$21.29	\$19.92	\$18.89	\$17.17
		GO & ET							
Speech and Language Therapy	T2025	GN	17	173	15 minutes	\$21.72	\$20.32	\$19.27	\$17.52
		GN & ET							
Individual Behavioral Therapy	T2025	HE	19	208	15 minutes	\$20.79	\$19.45	\$18.44	\$16.77
		HE & ET							
Group Behavioral Therapy	T2025	HE & HQ	19	208	15 minutes	\$5.20	\$4.86	\$4.61	\$4.19
		HE, HQ & ET							
Visual/Mobility Therapy	W7246		51	517	15 minutes	\$21.73	\$20.33	\$19.28	\$17.52
		ET							
Companion Services, Basic staff support	W1724		51	363	15 minutes	\$.78	\$.73	\$.69	\$.63
		ET							
Companion Services, level 1	W1725		51	363	15 minutes	\$.98	\$.92	\$.87	\$.79
		ET							
Companion Services, level 2	W1726		51	363	15 minutes	\$2.07	\$1.94	\$1.84	\$1.67
		ET							
Companion Services, level 3	W1727		51	363	15 minutes	\$4.65	\$4.35	\$4.13	\$3.75
		ET							
Supplemental Habilitation, 1:1 (PA)	W7070		52	456, 520, 521 or 522	15 minutes	\$4.87	\$4.56	\$4.32	\$3.93
		ET							
Supplemental Habilitation, 2:1 (PA)	W7084		52	456, 520, 521 or 522	15 minutes	\$9.75	\$9.12	\$8.65	\$7.86
		ET							
Additional Individualized Staffing, 1:1 (PA)	W7085		52	456, 520, 521 or 522	15 minutes	\$4.87	\$4.56	\$4.32	\$3.93
Additional Individualized Staffing, 2:1 (PA)	W7086		52	456, 520, 521 or 522	15 minutes	\$9.75	\$9.12	\$8.65	\$7.86
Older Adult Day Habilitation	W7094		51	410	15 minutes	\$2.88	\$2.69	\$2.55	\$2.32
		ET							
Behavioral Support	W7095		51	510	15 minutes	\$21.52	\$20.13	\$19.09	\$17.35
		ET							
Supports Broker	W7096		51	510	15 minutes	\$10.85	\$10.15	\$9.63	\$8.75

<i>Service</i>	<i>Procedure Code</i>	<i>Modifier</i>	<i>Provider Type</i>	<i>Specialty Code</i>	<i>Unit</i>	<i>Area 1</i>	<i>Area 2</i>	<i>Area 3</i>	<i>Area 4</i>
Homemaker/Chore (permanent)	W7283		43	430	1 hour	\$22.87	\$21.39	\$20.29	\$18.44
			51	430 or 431					
			55	430 or 431					
Homemaker/Chore (temporary)	W7283	UA	43	430					
		UA & ET							
		UA	51	430 or 431					
		UA & ET							
		UA	45	430 or 431					
		UA & ET							

Unlicensed Out-of-Home Respite and Respite Camp Ineligible Services (Room and Board)

<i>Service</i>	<i>Procedure Code</i>	<i>Provider Type</i>	<i>Specialty Code</i>	<i>Unit</i>	<i>Areas 1 through 4</i>		
Respite—unlicensed, out of home, ineligible	W6060	51	513	1 day	\$12.00/unit, max of 1 ineligible unit per day		
	W6061	51	513				
	W6062	51	513				
		54	540 or 541				
	W6063	51	513				
		54	540 or 541				
	W6064	51	513				
		54	540 or 541				
	W6065	51	513	15 minutes	\$4.00/unit, max of 3 ineligible units per day		
		54	540 or 541				
	W6066	51	513				
	W6067	51	513				
	W6068	51	513				
		54	540 or 541				
	W6069	51	513				
54		540 or 541					
W6070	51	513					
	54	540 or 541					
W6071	51	513					
	54	540 or 541					
Respite—camp, ineligible	W8400	55	555			15 minutes	\$4.00/unit, max of 3 ineligible units per day
		54	540 or 541				
	W8401	55	554			1 day	\$12.00/unit, max of 1 ineligible unit per day
54		540 or 541					

Agency with Choice Financial Management Services, Excluding Benefits**

**Modifier U4 must be used with all procedure code when billing for services excluding benefits.

<i>Service</i>	<i>Procedure code</i>	<i>Modifier**</i>	<i>Provider Type</i>	<i>Specialty Code</i>	<i>Unit</i>	<i>Area 1</i>	<i>Area 2</i>	<i>Area 3</i>	<i>Area 4</i>
Companion, level 3	W1727	U4	54	540	15 minutes	\$3.06	\$2.87	\$2.72	\$2.47
Home & Community Habilitation—unlicensed, level 3	W7060	U4	54	540	15 minutes	\$5.07	\$4.74	\$4.50	\$4.09
Home & Community Habilitation—unlicensed, level 3, enhanced	W7061	U4	54	540	15 minutes	\$8.39	\$7.85	\$7.44	\$6.77
		TD & U4							
		TE & U4							
Home & Community Habilitation—unlicensed, level 4	W7068	U4	54	540	15 minutes	\$10.13	\$9.48	\$8.99	\$8.17
Home & Community Habilitation—unlicensed, level 4, enhanced	W7069	U4	54	540	15 minutes	\$16.77	\$15.69	\$14.88	\$13.52
		TD & U4							
		TE & U4							
Supports Broker	W7096	U4	54	540	15 minutes	\$6.15	\$5.76	\$5.46	\$4.96
Respite—unlicensed, in home, level 2	W7250	U4	54	540	1 day	\$223.14	\$208.74	\$197.94	\$179.95
	W7258	U4	54	540	15 minutes	\$3.48	\$3.26	\$3.09	\$2.81
Respite—unlicensed, in home, level 2, enhanced	W7251	U4	54	540	1 day	\$478.66	\$447.77	\$424.61	\$386.01
		TD & U4							
		TE & U4							
	W7264	U4	54	540	15 minutes	\$7.48	\$7.00	\$6.64	\$6.03
Respite—unlicensed in home, level 3	W7252	U4	54	540	1 day	\$446.27	\$417.48	\$395.89	\$359.90
	W7265	U4	54	540	15 minutes	\$6.97	\$6.52	\$6.19	\$5.62
Respite—unlicensed, in home, level 3, enhanced	W7253	U4	54	540	1 day	\$957.31	\$895.55	\$849.23	\$772.02
		TD & U4							
		TE & U4							
	W7266	U4	54	540	15 minutes	\$14.95	\$13.99	\$13.26	\$12.06
		TD & U4							
		TE & U4							
		TD & U4							
		TE & U4							

<i>Service</i>	<i>Procedure code</i>	<i>Modifier**</i>	<i>Provider Type</i>	<i>Specialty Code</i>	<i>Unit</i>	<i>Area 1</i>	<i>Area 2</i>	<i>Area 3</i>	<i>Area 4</i>
Respite—unlicensed, out of home, level 2	W8002	U4	54	540	1 day	\$223.14	\$208.74	\$197.94	\$179.95
	W8012	U4	54	540	15 minutes	\$3.48	\$3.26	\$3.09	\$2.81
Respite—unlicensed, out of home, level 2, enhanced	W8003	U4	54	540	1 day	\$478.66	\$447.77	\$424.61	\$386.01
		TD & U4							
		TE & U4							
	W8013	U4	54	540	15 minutes	\$7.48	\$7.00	\$6.64	\$6.03
		TD & U4							
TE & U4									
Respite—unlicensed, out of home, level 3	W8004	U4	54	540	1 day	\$446.27	\$417.48	\$395.89	\$359.90
	W8014	U4	54	540	15 minutes	\$6.97	\$6.52	\$6.19	\$5.62
Respite—unlicensed, out of home, level 3, enhanced	W8005	U4	54	540	1 day	\$957.31	\$895.55	\$849.23	\$772.02
		TD & U4							
		TE & U4							
	W8015	U4	54	540	15 minutes	\$14.95	\$13.99	\$13.26	\$12.06
		TD & U4							
TE & U4									

Agency with Choice Financial Management Services, Including Benefits***

***No modifier is needed to indicate the benefit allowance is included.

<i>Service</i>	<i>Procedure Code</i>	<i>Modifier***</i>	<i>Provider Type</i>	<i>Specialty Code</i>	<i>Unit</i>	<i>Area 1</i>	<i>Area 2</i>	<i>Area 3</i>	<i>Area 4</i>
Companion, level 3	W1727		54	540	15 minutes	\$3.88	\$3.63	\$3.44	\$3.13
Home & Community Habilitation—unlicensed, level 3	W7060		54	540	15 minutes	\$6.42	\$6.01	\$5.70	\$5.18
Home & Community Habilitation—unlicensed, level 3, enhanced	W7061		54	540	15 minutes	\$10.62	\$9.93	\$9.42	\$8.56
		TD							
		TE							
Home & Community Habilitation—unlicensed, level 4	W7068		54	540	15 minutes	\$12.83	\$12.00	\$11.38	\$10.35
Home & Community Habilitation—unlicensed, level 4, enhanced	W7069		54	540	15 minutes	\$21.23	\$19.86	\$18.83	\$17.12
		TD							
		TE							
Supports Broker	W7096		54	540	15 minutes	\$7.79	\$7.29	\$6.91	\$6.28

<i>Service</i>	<i>Procedure Code</i>	<i>Modifier ***</i>	<i>Provider Type</i>	<i>Specialty Code</i>	<i>Unit</i>	<i>Area 1</i>	<i>Area 2</i>	<i>Area 3</i>	<i>Area 4</i>
Respite—unlicensed, in home, level 2	W7250		54	540	1 day	\$282.49	\$264.26	\$250.60	\$227.81
	W7258		54	540	15 minutes	\$4.41	\$4.13	\$3.91	\$3.56
Respite—unlicensed, in home, level 2, enhanced	W7251		54	540	1 day	\$605.98	\$566.88	\$537.56	\$488.69
		TD							
		TE							
	W7264		54	540	15 minutes	\$9.47	\$8.86	\$8.40	\$7.64
		TD							
		TE							
Respite—unlicensed, in home, level 3	W7252		54	540	1 day	\$564.98	\$528.53	\$501.19	\$455.63
	W7265		54	540	15 minutes	\$8.83	\$8.26	\$7.83	\$7.12
Respite—unlicensed, in home, level 3, enhanced	W7253		54	540	1 day	\$1,211.96	\$1,133.76	\$1,075.12	\$977.38
		TD							
		TE							
	W7266		54	540	15 min.	\$18.93	\$17.71	\$16.79	\$15.27
		TD							
		TE							
Homemaker/ Chore	W7283		54	540	1 hour	\$16.99	\$15.89	\$15.07	\$13.70
		UA							
Respite—unlicensed, out of home, level 2	W8002		54	540	1 day	\$282.49	\$264.26	\$250.60	\$227.81
	W8012		54	540	15 minutes	\$4.41	\$4.13	\$3.91	\$3.56
Respite—unlicensed, out of home, level 2, enhanced	W8003		54	540	1 day	\$605.98	\$566.88	\$537.56	\$488.69
		TD							
		TE							
	W8013		54	540	15 minutes	\$9.47	\$8.86	\$8.40	\$7.64
		TD							
		TE							
Respite—unlicensed, out of home, level 3	W8004		54	540	1 day	\$564.98	\$528.53	\$501.19	\$455.63
	W8014		54	540	15 minutes	\$8.83	\$8.26	\$7.83	\$7.12
Respite—unlicensed, out of home, level 3, enhanced	W8005		54	540	1 day	\$1,211.96	\$1,133.76	\$1,075.12	\$977.38
		TD							
		TE							
	W8015		54	540	15 minutes	\$18.93	\$17.71	\$16.79	\$15.27
		TD							
		TE							

Fiscal Impact

It is estimated that implementation of the MA Program Fee Schedule final rates, with the exception of the supplemental habilitation rates, will result in increased State-fund costs totaling approximately \$0.346 million.

The increase State-fund costs will be offset by a projected reduction in the provision of supplemental habilitation staffing. Supplemental habilitation must be pre-authorized in FY 2010-2011. The preauthorization will significantly reduce the units utilized from the number of units utilized during FY 2009-2010.

Public Comment

Copies of this notice may be obtained at the local Mental Health/Mental Retardation (MH/MR) County Program, Administrative Entity (AE) or regional ODP in the corresponding regions:

- *Western region:* Piatt Place, Room 4900, 301 5th Avenue, Pittsburgh, PA 15222, (412) 565-5144
- *Northeast region:* Room 315, Scranton State Office Building, 100 Lackawanna Avenue, Scranton, PA 18503 (570) 963-4749
- *Southeast region:* 801 Market Street, Suite 5071, Philadelphia, PA 19107, (215) 560-2242 or (215) 560-2245
- *Central region:* Room 430, Willow Oak Building, P. O. Box 2675, DGS Annex Complex, Harrisburg, PA 17105, (717) 772-6507

Contact information for the local MH/MR County Program or AE may be accessed through <https://www.hcsis.state.pa.us/hcsis-ssd/pgm/asp/PRCNT.ASP>, or contact the previously referenced regional ODP.

Interested persons are invited to submit written comments regarding this notice to the Department at the following addresses:

By e-mail:

Use subject header "PN Fee Schedule" to ODP's rate-setting mailbox at ra-ratesetting@state.pa.us.

By postal mail:

Department of Public Welfare
Office of Developmental Programs
Division of Provider Assistance and Rate Setting
4th Floor, Health and Welfare Building
Forster and Commonwealth Avenues
Harrisburg, PA 17120

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

HARRIET DICHTER,
Secretary

Fiscal Note: 14-NOT-657. No fiscal impact; (8) recommends adoption.

[Pa.B. Doc. No. 10-1800. Filed for public inspection September 17, 2010, 9:00 a.m.]

DEPARTMENT OF REVENUE

Pennsylvania Spooky Loot 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 Spooky Loot.

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

3. *Play Symbols:* Each Pennsylvania Spooky Loot instant lottery game ticket will contain one play area featuring a "SCARY SYMBOLS" area and a "YOUR SYMBOLS" area. The play symbols and their captions, printed in black ink and located in the "SCARY SYMBOLS" area are: Candle (CANDLE) symbol, Candy corn (CANDY) symbol, Cauldron (CAULDRN) symbol, Frog (FROG) symbol, Hat (HAT) symbol, Moon (MOON) symbol, Owl (OWL) symbol, Pumpkin (PUMPKIN) symbol, Snake (SNAKE) symbol, Skull (SKULL) symbol, Spider (SPIDER) symbol and a 13 (THRTN) symbol. The play symbols and their captions, printed in green ink and located in the "SCARY SYMBOLS" area are: Candle (CANDLE) symbol, Candy corn (CANDY) symbol, Cauldron (CAULDRN) symbol, Frog (FROG) symbol, Hat (HAT) symbol, Moon (MOON) symbol, Owl (OWL) symbol, Pumpkin (PUMPKIN) symbol, Snake (SNAKE) symbol, Skull (SKULL) symbol, Spider (SPIDER) symbol and a 13 (THRTN) symbol. The play symbols and their captions, printed in black ink and located in the "YOUR SYMBOLS" area are: Candle (CANDLE) symbol, Candy corn (CANDY) symbol, Cauldron (CAULDRN) symbol, Frog (FROG) symbol, Hat (HAT) symbol, Moon (MOON) symbol, Owl (OWL) symbol, Pumpkin (PUMPKIN) symbol, Snake (SNAKE) symbol, Skull (SKULL) symbol, Spider (SPIDER) symbol, 13 (THRTN) symbol and a Black cat (BLKCAT) symbol. The play symbols and their captions, printed in green ink and located in the "YOUR SYMBOLS" area are: Candle (CANDLE) symbol, Candy corn (CANDY) symbol, Cauldron (CAULDRN) symbol, Frog (FROG) symbol, Hat (HAT) symbol, Moon (MOON) symbol, Owl (OWL) symbol, Pumpkin (PUMPKIN) symbol, Snake (SNAKE) symbol, Skull (SKULL) symbol, Spider (SPIDER) symbol and a 13 (THRTN) symbol.

4. *Prize Symbols:* The prize symbols and their captions located in the "YOUR SYMBOLS" area are: Free (TICKET), \$1⁰⁰ (ONE DOL), \$2⁰⁰ (TWO DOL), \$3⁰⁰ (THR DOL), \$5⁰⁰ (FIV DOL), \$8⁰⁰ (EGT DOL), \$9⁰⁰ (NIN DOL), \$15⁰⁰ (FIFTN), \$24⁰⁰ (TWY FOR), \$27⁰⁰ (TWY SVN), \$45⁰⁰ (FRY FIV), \$100 (ONE HUN), \$300 (THR HUN), \$900 (NIN HUN) and \$13,000 (THRTN THO).

5. *Prizes:* The prizes that can be won in this game are: Free \$2 ticket, \$1, \$2, \$3, \$5, \$8, \$9, \$15, \$24, \$27, \$45, \$100, \$300, \$900 and \$13,000. A player can win up to 8 times on a ticket.

6. *Approximate Number of Tickets Printed For the Game:* Approximately 5,400,000 tickets will be printed for the Pennsylvania Spooky Loot instant lottery game.

7. *Determination of Prize Winners:*

(a) Holders of tickets upon which any one of the "YOUR SYMBOLS" play symbols, with the symbol and

caption printed in black ink, matches either of the "SCARY SYMBOLS" play symbols, with the symbol and caption printed in black ink, and a prize symbol of \$13,000 (THRTN THO) appears to the right of the matching "YOUR SYMBOLS" play symbol, on a single ticket, shall be entitled to a prize of \$13,000.

(b) Holders of tickets upon which any one of the "YOUR SYMBOLS" play symbols, with the symbol and caption printed in black ink, matches either of the "SCARY SYMBOLS" play symbols, with the symbol and caption printed in black ink, and a prize symbol of \$900 (NIN HUN) appears to the right of the matching "YOUR SYMBOLS" play symbol, on a single ticket, shall be entitled to a prize of \$900.

(c) Holders of tickets upon which any one of the "YOUR SYMBOLS" play symbols, with the symbol and caption printed in green ink, matches either of the "SCARY SYMBOLS" play symbols, with the symbol and caption printed in green ink, and a prize symbol of \$300 (THR HUN) appears to the right of the matching "YOUR SYMBOLS" play symbol, on a single ticket, shall be entitled to a prize of \$900.

(d) Holders of tickets upon which any one of the "YOUR SYMBOLS" play symbols, with the symbol and caption printed in black ink, matches either of the "SCARY SYMBOLS" play symbols, with the symbol and caption printed in black ink, and a prize symbol of \$300 (THR HUN) appears to the right of the matching "YOUR SYMBOLS" play symbol, on a single ticket, shall be entitled to a prize of \$300.

(e) Holders of tickets upon which any one of the "YOUR SYMBOLS" play symbols, with the symbol and caption printed in green ink, matches either of the "SCARY SYMBOLS" play symbols, with the symbol and caption printed in green ink, and a prize symbol of \$100 (ONE HUN) appears to the right of the matching "YOUR SYMBOLS" play symbol, on a single ticket, shall be entitled to a prize of \$300.

(f) Holders of tickets upon which any one of the "YOUR SYMBOLS" play symbols is a Black cat (BLKCAT) symbol, and a prize symbol of \$45⁰⁰ (FRY FIV) appears in six of the "Prize" areas and a prize symbol of \$15⁰⁰ (FIFTN) appears in two of the "Prize" areas, on a single ticket, shall be entitled to a prize of \$300.

(g) Holders of tickets upon which any one of the "YOUR SYMBOLS" play symbols, with the symbol and caption printed in black ink, matches either of the "SCARY SYMBOLS" play symbols, with the symbol and caption printed in black ink, and a prize symbol of \$100 (ONE HUN) appears to the right of the matching "YOUR SYMBOLS" play symbol, on a single ticket, shall be entitled to a prize of \$100.

(h) Holders of tickets upon which any one of the "YOUR SYMBOLS" play symbols is a Black cat (BLKCAT) symbol, and a prize symbol of \$1⁰⁰ (ONE DOL) appears in three of the "Prize" areas, a prize symbol of \$8⁰⁰ (EGT DOL) appears in two of the "Prize" areas and a prize symbol of \$27⁰⁰ (TWY SVN) appears in three of the "Prize" areas, on a single ticket, shall be entitled to a prize of \$100.

(i) Holders of tickets upon which any one of the "YOUR SYMBOLS" play symbols, with the symbol and caption printed in black ink, matches either of the "SCARY SYMBOLS" play symbols, with the symbol and caption printed in black ink, and a prize symbol of \$45⁰⁰ (FRY

FIV) appears to the right of the matching "YOUR SYMBOLS" play symbol, on a single ticket, shall be entitled to a prize of \$45.

(j) Holders of tickets upon which any one of the "YOUR SYMBOLS" play symbols, with the symbol and caption printed in green ink, matches either of the "SCARY SYMBOLS" play symbols, with the symbol and caption printed in green ink, and a prize symbol of \$15⁰⁰ (FIFTN) appears to the right of the matching "YOUR SYMBOLS" play symbol, on a single ticket, shall be entitled to a prize of \$45.

(k) Holders of tickets upon which any one of the "YOUR SYMBOLS" play symbols is a Black cat (BLKCAT) symbol, and a prize symbol of \$2⁰⁰ (TWO DOL) appears in one of the "Prize" areas, a prize symbol of \$5⁰⁰ (FIV DOL) appears in five of the "Prize" areas and a prize symbol of \$9⁰⁰ (NIN DOL) appears in two of the "Prize" areas, on a single ticket, shall be entitled to a prize of \$45.

(l) Holders of tickets upon which any one of the "YOUR SYMBOLS" play symbols, with the symbol and caption printed in black ink, matches either of the "SCARY SYMBOLS" play symbols, with the symbol and caption printed in black ink, and a prize symbol of \$27⁰⁰ (TWY SVN) appears to the right of the matching "YOUR SYMBOLS" play symbol, on a single ticket, shall be entitled to a prize of \$27.

(m) Holders of tickets upon which any one of the "YOUR SYMBOLS" play symbols, with the symbol and caption printed in green ink, matches either of the "SCARY SYMBOLS" play symbols, with the symbol and caption printed in green ink, and a prize symbol of \$9⁰⁰ (NIN DOL) appears to the right of the matching "YOUR SYMBOLS" play symbol, on a single ticket, shall be entitled to a prize of \$27.

(n) Holders of tickets upon which any one of the "YOUR SYMBOLS" play symbols is a Black cat (BLKCAT) symbol, and a prize symbol of \$1⁰⁰ (ONE DOL) appears in one of the "Prize" areas, a prize symbol of \$2⁰⁰ (TWO DOL) appears in five of the "Prize" areas and a prize symbol of \$8⁰⁰ (EGT DOL) appears in two of the "Prize" areas, on a single ticket, shall be entitled to a prize of \$27.

(o) Holders of tickets upon which any one of the "YOUR SYMBOLS" play symbols is a Black cat (BLKCAT) symbol, and a prize symbol of \$2⁰⁰ (TWO DOL) appears in one of the "Prize" areas, a prize symbol of \$3⁰⁰ (THR DOL) appears in five of the "Prize" areas and a prize symbol of \$5⁰⁰ (FIV DOL) appears in two of the "Prize" areas, on a single ticket, shall be entitled to a prize of \$27.

(p) Holders of tickets upon which any one of the "YOUR SYMBOLS" play symbols, with the symbol and caption printed in black ink, matches either of the "SCARY SYMBOLS" play symbols, with the symbol and caption printed in black ink, and a prize symbol of \$24⁰⁰ (TWY FOR) appears to the right of the matching "YOUR SYMBOLS" play symbol, on a single ticket, shall be entitled to a prize of \$24.

(q) Holders of tickets upon which any one of the "YOUR SYMBOLS" play symbols, with the symbol and caption printed in green ink, matches either of the "SCARY SYMBOLS" play symbols, with the symbol and caption printed in green ink, and a prize symbol of \$8⁰⁰ (EGT DOL) appears to the right of the matching "YOUR SYMBOLS" play symbol, on a single ticket, shall be entitled to a prize of \$24.

(r) Holders of tickets upon which any one of the "YOUR SYMBOLS" play symbols is a Black cat (BLKCAT) symbol, and a prize symbol of \$3^{.00} (THR DOL) appears in eight of the "Prize" areas, on a single ticket, shall be entitled to a prize of \$24.

(s) Holders of tickets upon which any one of the "YOUR SYMBOLS" play symbols, with the symbol and caption printed in black ink, matches either of the "SCARY SYMBOLS" play symbols, with the symbol and caption printed in black ink, and a prize symbol of \$15^{.00} (FIFTN) appears to the right of the matching "YOUR SYMBOLS" play symbol, on a single ticket, shall be entitled to a prize of \$15.

(t) Holders of tickets upon which any one of the "YOUR SYMBOLS" play symbols, with the symbol and caption printed in green ink, matches either of the "SCARY SYMBOLS" play symbols, with the symbol and caption printed in green ink, and a prize symbol of \$5^{.00} (FIV DOL) appears to the right of the matching "YOUR SYMBOLS" play symbol, on a single ticket, shall be entitled to a prize of \$15.

(u) Holders of tickets upon which any one of the "YOUR SYMBOLS" play symbols is a Black cat (BLKCAT) symbol, and a prize symbol of \$2^{.00} (TWO DOL) appears in seven of the "Prize" areas and a prize symbol of \$1^{.00} (ONE DOL) appears in one of the "Prize" areas, on a single ticket, shall be entitled to a prize of \$15.

(v) Holders of tickets upon which any one of the "YOUR SYMBOLS" play symbols, with the symbol and caption printed in black ink, matches either of the "SCARY SYMBOLS" play symbols, with the symbol and caption printed in black ink, and a prize symbol of \$9^{.00} (NIN DOL) appears to the right of the matching "YOUR SYMBOLS" play symbol, on a single ticket, shall be entitled to a prize of \$9.

(w) Holders of tickets upon which any one of the "YOUR SYMBOLS" play symbols, with the symbol and caption printed in green ink, matches either of the "SCARY SYMBOLS" play symbols, with the symbol and caption printed in green ink, and a prize symbol of \$3^{.00} (THR DOL) appears to the right of the matching "YOUR SYMBOLS" play symbol, on a single ticket, shall be entitled to a prize of \$9.

(x) Holders of tickets upon which any one of the "YOUR SYMBOLS" play symbols is a Black cat (BLKCAT) symbol, and a prize symbol of \$1^{.00} (ONE DOL) appears in seven 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 \$9.

(y) Holders of tickets upon which any one of the "YOUR SYMBOLS" play symbols, with the symbol and caption printed in black ink, matches either of the "SCARY SYMBOLS" play symbols, with the symbol and caption printed in black ink, and a prize symbol of \$8^{.00} (EGT DOL) appears to the right of the matching "YOUR SYMBOLS" play symbol, on a single ticket, shall be entitled to a prize of \$8.

(z) Holders of tickets upon which any one of the "YOUR SYMBOLS" play symbols is a Black cat (BLKCAT) symbol, and a prize symbol of \$1^{.00} (ONE DOL) appears in eight of the "Prize" areas, on a single ticket, shall be entitled to a prize of \$8.

(aa) Holders of tickets upon which any one of the "YOUR SYMBOLS" play symbols, with the symbol and caption printed in green ink, matches either of the "SCARY SYMBOLS" play symbols, with the symbol and caption printed in green ink, and a prize symbol of \$2^{.00} (TWO DOL) appears to the right of the matching "YOUR SYMBOLS" play symbol, on a single ticket, shall be entitled to a prize of \$6.

(bb) Holders of tickets upon which any one of the "YOUR SYMBOLS" play symbols, with the symbol and caption printed in black ink, matches either of the "SCARY SYMBOLS" play symbols, with the symbol and caption printed in black ink, and a prize symbol of \$5^{.00} (FIV DOL) appears to the right of the matching "YOUR SYMBOLS" play symbol, on a single ticket, shall be entitled to a prize of \$5.

(cc) Holders of tickets upon which any one of the "YOUR SYMBOLS" play symbols, with the symbol and caption printed in black ink, matches either of the "SCARY SYMBOLS" play symbols, with the symbol and caption printed in black ink, and a prize symbol of \$3^{.00} (THR DOL) appears to the right of the matching "YOUR SYMBOLS" play symbol, on a single ticket, shall be entitled to a prize of \$3.

(dd) Holders of tickets upon which any one of the "YOUR SYMBOLS" play symbols, with the symbol and caption printed in green ink, matches either of the "SCARY SYMBOLS" play symbols, with the symbol and caption printed in green ink, and a prize symbol of \$1^{.00} (ONE DOL) appears to the right of the matching "YOUR SYMBOLS" play symbol, on a single ticket, shall be entitled to a prize of \$3.

(ee) Holders of tickets upon which any one of the "YOUR SYMBOLS" play symbols, with the symbol and caption printed in black ink, matches either of the "SCARY SYMBOLS" play symbols, with the symbol and caption printed in black ink, and a prize symbol of \$2^{.00} (TWO DOL) appears to the right of the matching "YOUR SYMBOLS" play symbol, on a single ticket, shall be entitled to a prize of \$2.

(ff) Holders of tickets upon which any one of the "YOUR SYMBOLS" play symbols, with the symbol and caption printed in black ink, matches either of the "SCARY SYMBOLS" play symbols, with the symbol and caption printed in black ink, and a prize symbol of FREE (TICKET) appears to the right of the matching "YOUR SYMBOLS" play symbol, on a single ticket, shall be entitled to a prize of one Pennsylvania Spooky Loot instant game ticket or one Pennsylvania Lottery instant game ticket of equivalent sale price which is currently on sale.

(gg) Holders of tickets upon which any one of the "YOUR SYMBOLS" play symbols, with the symbol and caption printed in black ink, matches either of the "SCARY SYMBOLS" play symbols, with the symbol and caption printed in black ink, and a prize symbol of \$1^{.00} (ONE DOL) appears to the right of the matching "YOUR SYMBOLS" play symbol, on a single ticket, shall be entitled to a prize of \$1.

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

*When Any Of Your Symbols
Match Either Scary Symbol,
Win Prize To The Right Of
The Matching Symbol. Win
With Prize(s) Of:*

	<i>Win:</i>	<i>Approximate Odds Are 1 In:</i>	<i>Approximate No. Of Winners Per 5,400,000 Tickets</i>
FREE TICKET	FREE	12.50	432,000
\$1 × 2	\$2	150	36,000
\$2	\$2	150	36,000
\$1 × 3	\$3	50	108,000
\$1 w/GREEN SYMBOL MATCH	\$3	50	108,000
\$3	\$3	50	108,000
\$1 × 5	\$5	150	36,000
(\$1 × 2) + (\$1 w/GREEN SYMBOL MATCH)	\$5	150	36,000
(\$1 w/GREEN SYMBOL MATCH) + \$2	\$5	150	36,000
\$5	\$5	75	72,000
BLACK CAT w/(\$1 × 8)	\$8	375	14,400
\$2 × 4	\$8	1,500	3,600
(\$2 w/GREEN SYMBOL MATCH) + (\$1 × 2)	\$8	750	7,200
\$5 + \$3	\$8	1,500	3,600
\$8	\$8	750	7,200
BLACK CAT w/(\$1 × 7) + \$2	\$9	500	10,800
(\$2 w/GREEN SYMBOL MATCH) + (\$1 × 3)	\$9	750	7,200
\$3 w/ GREEN SYMBOL MATCH	\$9	750	7,200
\$5 + (\$2 × 2)	\$9	1,500	3,600
\$9	\$9	750	7,200
BLACK CAT w/(\$2 × 7) + \$1	\$15	750	7,200
\$3 × 5	\$15	750	7,200
\$5 × 3	\$15	1,500	3,600
\$5 w/GREEN SYMBOL MATCH	\$15	750	7,200
\$9 + (\$3 × 2)	\$15	1,500	3,600
\$15	\$15	750	7,200
BLACK CAT w/(\$3 × 8)	\$24	2,000	2,700
(\$2 × 4) + (\$8 × 2)	\$24	4,000	1,350
\$8 w/GREEN SYMBOL MATCH	\$24	4,000	1,350
(\$3 × 2) + (\$9 × 2)	\$24	4,000	1,350
\$15 + (\$3 w/GREEN SYMBOL MATCH)	\$24	4,000	1,350
\$24	\$24	4,000	1,350
BLACK CAT w/\$2 + (\$3 × 5) + (\$5 × 2)	\$27	4,000	1,350
BLACK CAT w/\$1 + (\$2 × 5) + (\$8 × 2)	\$27	4,000	1,350
(\$3 w/GREEN SYMBOL MATCH) + (\$9 × 2)	\$27	4,000	1,350
\$9 w/GREEN SYMBOL MATCH	\$27	4,000	1,350
\$27	\$27	4,000	1,350
BLACK CAT w/\$2 + (\$5 × 5) + (\$9 × 2)	\$45	960	5,625
(\$5 × 6) + \$15	\$45	1,200	4,500
\$9 × 5	\$45	1,200	4,500
(\$9 × 2) + \$27	\$45	1,200	4,500
\$15 w/GREEN SYMBOL MATCH	\$45	991.74	5,445
\$45	\$45	960	5,625
BLACK CAT w/(\$1 × 3) + (\$8 × 2) + (\$27 × 3)	\$100	4,800	1,125
(\$5 × 2) + (\$15 w/GREEN SYMBOL MATCH) + \$45	\$100	4,800	1,125
(\$24 × 4) + (\$1 × 4)	\$100	4,800	1,125
(\$45 × 2) + (\$2 × 5)	\$100	4,800	1,125

When Any Of Your Symbols Match Either Scary Symbol, Win Prize To The Right Of The Matching Symbol. Win With Prize(s) Of:

	<i>Win:</i>	<i>Approximate Odds Are 1 In:</i>	<i>Approximate No. Of Winners Per 5,400,000 Tickets</i>
\$100	\$100	4,800	1,125
BLACK CAT (\$45 × 6) + (\$15 × 2)	\$300	120,000	45
\$100 w/GREEN SYMBOL MATCH	\$300	120,000	45
\$300	\$300	120,000	45
\$300 w/GREEN SYMBOL MATCH	\$900	180,000	30
\$900	\$900	180,000	30
\$13,000	\$13,000	415,385	13

Green Symbol Match = When the matching symbols are in green, win triple the prize shown to the right of that symbol.
 "BLACK CAT" (BLKCAT) symbol = Win all 8 prizes shown automatically.

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

9. *Retailer Incentive Awards:* The Lottery may conduct a separate Retailer Incentive Game for retailers who sell Pennsylvania Spooky Loot 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 Spooky Loot, prize money from winning Pennsylvania Spooky Loot 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 Spooky Loot 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 Spooky Loot or through normal communications methods.

C. DANIEL HASSELL,
Secretary

[Pa.B. Doc. No. 10-1801. Filed for public inspection September 17, 2010, 9:00 a.m.]

Public Utility Realty Tax Act (PURTA); Surcharge Rate Notice for the Tax Year Beginning January 1, 2011

72 P. S. § 8111-A(d) requires the Secretary of Revenue to publish the rate of the Public Utility Realty Tax Act (PURTA) surcharge in the form of a notice in the *Pennsylvania Bulletin* by October 1, 2003, and by each October 1 thereafter. The tax rate established in 72 P. S.

§ 8111-A(d) shall be imposed upon gross receipts taxes as provided in 72 P. S. § 8111-A(d) for the period beginning the next January 1.

The result of the PURTA surcharge calculation provided in 72 P. S. § 8111-A for the tax year beginning January 1, 2011, is 1.8 mills (0.0018). Therefore, a surcharge pursuant to 72 P. S. § 8111-A(d) will be imposed for the taxable period beginning January 1, 2011. The additional 1.8 mills (0.0018) shall be paid upon each dollar of gross receipts reported and settled in accordance with 72 P. S. § 8101, except gross receipts from providing mobile telecommunication services and telegraph or telephone messages transmitted in interstate commerce.

C. DANIEL HASSELL,
Secretary

[Pa.B. Doc. No. 10-1802. Filed for public inspection September 17, 2010, 9:00 a.m.]

**DEPARTMENT OF
TRANSPORTATION**

Receipt of Applications for Funding under the Section 5310 Program for Fiscal Year 2010-2011

The Department of Transportation, Bureau of Public Transportation, under the authority contained in Section 5310 of the Federal Transit Laws (49 U.S.C.A. § 5310), gives notice that it will receive applications for the State-administered Section 5310 Program (program). Under this program, private nonprofit organizations and designated public bodies may apply for Federal capital assistance to pay up to 80% of the purchase cost of new wheelchair accessible small transit vehicles and other equipment used to provide needed transportation services for senior citizens and persons with disabilities who cannot be reasonably accommodated by existing transportation providers. Additional information can be obtained by calling Ben Brosius of the Bureau of Public Transportation at (717) 787-1211 or by e-mailing bbrosius@state.pa.us.

ALLEN D. BIEHLER, P. E.,
Secretary

[Pa.B. Doc. No. 10-1803. Filed for public inspection September 17, 2010, 9:00 a.m.]

ENVIRONMENTAL HEARING BOARD

Penn Environment, Defenders of Wildlife and Sierra Club v. DEP and RRI Energy, Permittee; EHB Doc. No. 2010-137-R

Penn Environment, Defenders of Wildlife and Sierra Club have appealed the issuance by the Department of Environmental Protection of an NPDES permit to RRI Energy for a facility in East Wheatfield Township, Indiana County.

A date for the hearing on the appeal has not yet been scheduled.

The appeal is filed with the Environmental Hearing Board (Board) at its office on the Second Floor, Rachel Carson State Office Building, 400 Market Street, P. O. Box 8457, Harrisburg, PA 17105-8457, and may be reviewed by any interested party on request during normal business hours. If information concerning this notice is required in an alternative form, contact the Secretary to the Board at (717) 787-3483. TDD users may telephone the Board through the Pennsylvania AT&T Relay Center at (800) 654-5984.

Petitions to intervene in the appeal may be filed with the Board by interested parties under 25 Pa. Code § 1021.81 (relating to intervention). Copies of the Board's rules of practice and procedure are available upon request from the Board.

THOMAS W. RENWAND,
Chairperson

[Pa.B. Doc. No. 10-1804. Filed for public inspection September 17, 2010, 9:00 a.m.]

RRI Energy Mid-Atlantic Power Holdings, LLC v. DEP; EHB Doc. No. 2010-135-M

RRI Energy Mid-Atlantic Power Holdings, LLC has appealed the issuance by the Department of Environmental Protection of an NPDES permit to RRI Energy Mid-Atlantic Power Holdings, LLC for a facility in Bradford Township, Clearfield County.

A date for the hearing on the appeal has not yet been scheduled.

The appeal is filed with the Environmental Hearing Board (Board) at its office on the Second Floor, Rachel Carson State Office Building, 400 Market Street, P. O. Box 8457, Harrisburg, PA 17105-8457, and may be reviewed by any interested party on request during normal business hours. If information concerning this notice is required in an alternative form, contact the Secretary to the Board at (717) 787-3483. TDD users may telephone the Board through the Pennsylvania AT&T Relay Center at (800) 654-5984.

Petitions to intervene in the appeal may be filed with the Board by interested parties under 25 Pa. Code § 1021.81 (relating to intervention). Copies of the Board's

rules of practice and procedure are available upon request from the Board.

THOMAS W. RENWAND,
Chairperson

[Pa.B. Doc. No. 10-1805. Filed for public inspection September 17, 2010, 9:00 a.m.]

INDEPENDENT REGULATORY REVIEW COMMISSION

Action Taken by the Commission

The Independent Regulatory Review Commission met publicly at 10 a.m., Thursday, August 19, 2010, and announced the following:

Action Taken—Regulation Approved:

Environmental Quality Board #7-444: Outdoor Wood-Fired Boilers (amends 25 Pa. Code Chapters 121 and 123) (Revised)

Revised Approval Order

Public Meeting held
August 19, 2010

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

Environmental Quality Board—Outdoor Wood-Fired Boilers; Regulation No. 7-444 (#2802)

On October 6, 2009, the Independent Regulatory Review Commission (Commission) received this proposed regulation from the Environmental Quality Board (Board). This rulemaking amends 25 Pa. Code Chapters 121 and 123. The proposed regulation was published in the October 17, 2009 *Pennsylvania Bulletin* with a 79-day public comment period. The final-form regulation was submitted to the Commission on July 16, 2010.

This final-form rulemaking establishes particulate matter emission standards, setback, stack height, and allowable fuel requirements for installed outdoor wood-fired boilers (OWBs). It provides exemptions for existing OWBs, OWBs shipped and used outside of the Commonwealth, and existing inventory sold or received before June 1, 2011.

We have determined this regulation is consistent with the statutory authority of the Board (35 P. S. §§ 4004.2 and 4005(a)(1)) and the intention of the General Assembly. Having considered all of the other criteria of the Regulatory Review Act, we find promulgation of this regulation is in the public interest.

By Order of the Commission:

This regulation is approved.

ARTHUR COCCODRILLI,
Chairperson

[Pa.B. Doc. No. 10-1806. Filed for public inspection September 17, 2010, 9:00 a.m.]

Notice of Comments Issued

Section 5(g) of the Regulatory Review Act (71 P. S. § 745.5(g)) provides that the Independent Regulatory Review Commission (Commission) may issue comments within 30 days of the close of the public comment period. The Commission comments are based upon the criteria contained in section 5.2 of the Act (71 P. S. § 645.5b).

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

<i>Reg. No.</i>	<i>Agency/Title</i>	<i>Close of the Public Comment Period</i>	<i>IRRC Comments Issued</i>
7-459	Environmental Quality Board Oil and Gas Wells 40 Pa.B. 3845, July 10, 2010	8/9/10	9/8/10

Environmental Quality Board
Regulation #7-459 (IRRC #2857)
Oil and Gas Wells
September 8, 2010

We submit for your consideration the following comments on the proposed rulemaking published in the July 10, 2010 *Pennsylvania Bulletin*. Our comments are based on criteria in section 5.2 of the Regulatory Review Act (71 P. S. § 745.5b). Section 5.1(a) of the Regulatory Review Act (71 P. S. § 745.5a(a)) directs the Environmental Quality Board (Board) to respond to all comments received from us or any other source.

1. Advanced Notice of Final-Form Rulemaking.

In the Preamble to the proposed regulation, the Board has expressly asked for input on five specific areas. Those five areas include the following:

- Definition of “deepest fresh groundwater;”
- Requirements for additional safety equipment and procedures;
- Placement of centralizers;
- The concept of creating a zone of critical cement at the casing seat; and
- A provision providing the Department the ability to set more stringent local standards if needed for pollution prevention and to establish quantitative temperature limits for water used in cement mixing.

In order to give the regulated community and other interested parties an opportunity to provide input on any revisions made as a result of the Board’s requests, we recommend that the Board publish an Advanced Notice of Final Rulemaking (ANFR). An ANFR would provide the opportunity to review and resolve remaining issues before submittal of a final-form regulation.

2. Additional casing string—Need; Fiscal impact.

This proposed regulation provides standards for proper construction of oil and gas wells, including cement and casing installation. The Preamble states that if cement is not returned to the surface or when excessive pressure is placed on the surface casing seat, the regulation requires the operator to install an additional string of casing. The Marcellus Shale Coalition (Coalition) and several of its supporters express a general concern with the use of an additional casing string. According to the Coalition, there are two reasons for their concern. First, in the Preamble (Summary of Comments and Response Section) the Board states, “it is the Department’s experience that poorly cemented casing is the reason for many gas migration

cases.” However, these commentators contend that there is no technical justification for the additional casing string. Second, the Preamble also states that the “construction cost for the additional string [if cement is not returned to the surface] of casing is about \$10,000 per well.” However, commentators suggest that actual costs range from \$300,000 to \$500,000 per well, depending on depth and area.

The Board should explain the apparent cost discrepancy for construction, and provide the technical justification for the additional string of casing in the final-form regulation.

3. Clarity; Implementation procedures; Compliance.

Commentators indicate that it is unclear whether the regulation applies to both existing and new wells, and the varying types of wells (for example, shallow gas wells, oil wells, Marcellus Shale wells, etc). The Lycoming Audubon Society suggests that the regulation be revised so that there are separate provisions for each well type. We note that the Regulatory Analysis Form (RAF# 15) indicates that the regulation applies to both new and existing wells. However, to improve clarity, we recommend that the Board define “new” and “existing” wells, and use the terms, when appropriate, throughout the final-form regulation.

While the regulation imposes standards for various well types, it does not set forth the consequences for failure to comply. The Oil and Gas Act (58 P. S. §§ 601.101—601.605) defines both unlawful conduct as well as collections of fines and penalties. See 58 P. S. §§ 601.509 and 601.510. We recommend that the final-form regulation provide penalties and, where appropriate, include cross-references to these sections of the Oil and Gas Act. The final-form regulation also should clarify the amount of time necessary for existing wells to comply with the new standards imposed by the regulation.

4. Section 78.1.—Definitions.—Implementation procedures; Clarity.

General

The following terms are used in the regulation but are not defined: “anticipated fresh groundwater zones;” “blow-out prevention equipment;” “shallowest productive horizon;” “area of alternative methods;” “natural gas migration incident;” “centralizers;” “agricultural water supplies;” “shoe test;” “operating well;” and “pressure rating.” We recommend that the Board include definitions for these terms in the final-form regulation.

Deepest fresh groundwater

In the Preamble to the proposed regulation, the Board requested public comments concerning this existing definition. We raise three issues.

First, Associated Petroleum Industries of PA commented that the term itself is included within the body of the definition. According to the *PA Code and Bulletin Style Manual* (Manual), the term being defined may not be included as part of the definition. See *PA Code and Bulletin Style Manual* § 1.7(e). Accordingly, we recommend that the revised definition be written in a manner that complies with the Manual.

Second, the Coalition and several of its supporters commented that the definition is confusing because there are no water well construction standards in this Commonwealth, and that several of the terms used in the definition are out of date. Commentators urge that the definition be linked to numerical water standards and production of sufficient water quality and quantity for intended use. The Board should address the commentators' concerns in the revised definition of "deepest fresh groundwater."

Finally, we recommend that the term "drillers log" be replaced with a more current term such as "IADC Daily Drilling Report."

Cement job log

Both Earthjustice and Highland Sewer and Water Authority suggest that the log should be sealed or certified by an expert, such as a registered professional geologist or engineer. Has the Board considered requiring such certification of compliance?

Surface casing

The proposed regulation defines this term as: "casing used to isolate the wellbore from fresh groundwater and to prevent the escape or migration of gas, oil and other fluids from the well bore into fresh groundwater. The surface casing is also commonly referred to as the water string or water casing." Commentators suggest that these provisions conflict with other sections of the regulation because they result in re-defining surface casing as a water string, as opposed to a pressure containing casing string. The Board needs to clarify how it intended to define this term and if necessary, remove the term "water string" and replace it with "pressure containing casing string."

5. Section 78.51.—Protection of water supplies.—Protection of public health, safety and welfare; Conflict with statute; Implementation procedures; Clarity.

Subsection (d)(1)(iii)

In Subsection (d)(1)(iii), what will be considered "excessive maintenance" and who makes that determination? The final-form regulation should clarify these issues.

Subsection (d)(2)

This subsection states: "the quality of a restored or replaced water supply will be deemed adequate if it meets the standards established pursuant to the Pennsylvania Safe Drinking Water Act (35 P. S. §§ 721.1—721.17) (Act) or is comparable to the unaffected water supply if that water supply did not meet these standards." We raise two issues.

First, commentators question whether Subsection (d)(2) conflicts with Section 208 of the Oil and Gas Act (58 P. S. §§ 601.208(a)), which states that "any well operator who affects a public or private water supply by pollution or diminution shall restore or replace the affected supply with an alternate source of water in quantity or quality for the purposes served by the supply." The Preamble to

the final-form regulation should explain how Subsection (d)(2) is consistent with provisions contained in the Oil and Gas Act.

Second, Section 206 of the Oil and Gas Act states that: "restoration activities required by this act or in regulations promulgated hereunder shall also comply with all applicable provisions of the Clean Streams Law." § 601.206(e). However, Subsection (d)(2) makes no reference to this section of the Oil and Gas Act. The Preamble to the final-form regulation should also clarify how this subsection is properly conformed with the Clean Streams Law.

Subsection (d)(3)(ii)

This Subsection defines "reasonably foreseeable uses." Who will determine what meets the definition of "reasonably foreseeable uses?" The Board needs to clarify whether it is the duty of the operator or the Department to determine compliance with this definition.

Also, what is considered the "reasonable expansion of use" and who makes that determination?

Subsection (h)

This subsection requires a well operator who receives notice of pollution in a water supply to notify the Department within 10 calendar days. Several commentators object that this is too long for the Department to be alerted about a possible threat to public health, safety and welfare, and suggest that the timeframe for notification be one day. We share the concern that the 10-day period may not be protective of public health and safety, and recommend that the final-form regulation either include a shorter timeframe, or an explanation of why the 10-day timeframe is appropriate.

6. Section 78.72.—Use of safety devices—blow-out prevention equipment.—Clarity.

The citation to the Oil and Gas Conservation Law (Law) in Subsection (a)(4) appears incorrect, as it only references a portion of the Law. In the final-form regulation, the citation should be changed to (58 P. S. §§ 401—419).

The Coalition and several of its supporters also point out a typographical error in Subsection (h). The "Independent" Association of Drilling Contractors is actually the "International" Association of Drilling Contractors. The final-form regulation should correct this error.

7. Section 78.73.—General provisions for well construction and operation.—Clarity.

In Subsection (e), how does the Board intend for excess gas to be diverted away from a drilling rig "in a manner that does not create a hazard to the public health or safety?" This phrase is vague and should be clarified in the final-form regulation.

8. Section 78.75a.—Area of alternative methods.—Statutory authority; Clarity.

Subsection (a) permits the Department to unilaterally designate an area of alternative methods. However, Section 211 of the Oil and Gas Act states that a "well operator may request the authority to use an alternative method." 58 P. S. § 601.211. What is the Department's statutory authority for making this designation without an initial request from a well operator?

PA American Water also indicates that the references to the "Department" actually refer to both the Bureau of Oil and Gas and the regional Bureau of Water Supply. The final-form regulation should clarify this issue.

9. Section 78.82.—Use of conductor pipe.—Clarity.

In Paragraph (3), the final-form regulation should clarify under what circumstances the Department would approve material other than steel to make a conductor pipe.

10. Section 78.83a.—Casing and cementing plan.—Implementation procedures; Clarity.

This section requires the operator to create a casing and cementing plan for how the well should be drilled and completed. We raise three issues.

First, Subsection (c) states that the operator provides the plan for Department approval upon request. Several commentators question the absence of requirements that the Department always approve the plan. Why doesn't the Department review and approve every casing and cementing plan?

Second, Highland Sewer and Water Authority suggests that the plan be sealed by an expert. Has the Department considered such a requirement?

Finally, commentators note that the regulation does not address how to revise a casing and cementing plan. We agree and recommend that the final-form regulation provide a process for revision, including whether Department approval is necessary and when drilling can begin subsequent to a change in the plan.

11. Section 78.83b.—Casing and cementing-lost circulation.—Implementation procedures.; Clarity.

Subsection (a) provides a list of four options for what an operator should do if cement in a well is not circulated to the surface. Commentators suggest that a 5th alternative should be added based on the language in Subsection 78.83(j), which states that: "if it is anticipated that cement used to permanently cement the surface casing can not be circulated to the surface, a cement basket may be installed immediately above the depth of the anticipated lost circulation zone." Has the Board considered adding this option?

Subsection (a) also states that the operator must notify the Department of lost circulation. Within what timeframe must the operator provide such notification? The final-form regulation should provide a specific timeframe.

Subsection (b) states that the Department may require the operator to determine the amount of casing cemented by logging "or other suitable method." This phrase is vague and should be defined further in the final-form regulation.

12. Section 78.84.—Casing standards.—Reasonableness; Need; Implementation procedures; Clarity.

This section sets forth standards for installing casing. We have four concerns.

First, Subsections (b) and (c) refer to the "anticipated maximum pressure" to which the surface casing can be exposed. However, Subsection (f) refers to the "highest expected working pressure." To improve clarity, the final-form regulation should use one term consistently throughout the section.

Second, Subsection (c) relates to the requirements for used casing. Both the US National Park Service and Group Against Smog and Pollution express concerns with wells constructed with used casing. We request that the Board explain how it determined the standard for a passing pressure test for used casing.

Third, the Lycoming Audubon Society points out that once the used casing is tested in Subsection (c), there is no requirement for repairs or notification to the Department. Has the Board considered including such requirements?

Finally, Subsection (d)(3) requires a welder to be "certified in the applicable American Petroleum Institute's standards for welding casing and pipe or an equivalent training and certification program. . . ." The regulation should specify what constitutes "an equivalent training and certification program."

13. Section 78.85.—Cementing standards.—Reasonableness; Need; Implementation procedures; Clarity.

This section establishes the standards for cementing. We raise three issues.

First, Subsection (c) requires that after cementing operations are complete, the casing cannot be disturbed for a minimum of 8 hours. Several commentators question whether the 8-hour requirement is necessary. The Preamble to the final-form regulation should explain how the Board determined this was an appropriate timeframe.

Second, Meiser and Earl, Inc. questioned whether the Department would allow the use of cement additives within the fresh groundwater zone in the vicinity of drinking water wells, and whether the additives meet the requirements of the Act. The Board needs to clarify this issue.

Finally, Subsection (f) requires an operator to maintain a copy of a cement job log for at least 5 years. How did the Board determine this was an appropriate timeframe?

14. Section 78.88.—Mechanical integrity of operating wells.—Implementation procedures; Clarity.

Subsection (a) requires operators to conduct quarterly inspections of a well. Several commentators dispute the amount of time between inspections. Some think inspections should occur weekly and others believe only annual inspections are necessary unless a problem is identified. How did the Board determine that quarterly inspections were appropriate?

Subsection (a) also requires inspection results to be retained for 5 years and available for review by the Department. The Board should explain how it determined 5 years was an appropriate timeframe.

Subsection (d)(2) requires the operator to notify the Department at least 7 days prior to initiating a corrective measure on a well. Will the Department approve that measure during this timeframe and must the operator obtain Department approval prior to initiating the corrective measure?

In Subsection (e), what does the Board consider to be a "similar manner approved by the Department?" This phrase is vague and should be clarified in the final-form regulation.

15. Section 78.89.—Gas migration response.—Implementation procedures; Clarity.

Subsection (a) sets forth the required response to a gas migration incident. The Allegheny Defense Project suggests that this response not be limited to just natural gas migration, but also to "byproducts of the drilling, hydrofracturing, and production process such as methane; and to the substances created by the interaction of oil and gas development and the natural and human environment." Has the Board considered including the responses to these incidents as well?

A commentator also suggests that in the last sentence of Subsection (a), the last phrase should read: "shall *immediately* take measures necessary to ensure public health and safety." (Emphasis added.) We agree and recommend the term "immediately" be added to the final-form regulation.

In Subsection (e), the Board should explain why the 12-hour reporting requirement for a phone call to the Department and the 3-day timeframe for filing the follow-up report with the Department are appropriate timeframes.

16. Section 78.93.—Wells in coal areas—surface or coal protective casing anchored with a packer or cement.—Clarity.

Subsection (a)(1) refers to methods for separating casing and "other method approved by the Department." This term is vague and we recommend that the final-form regulation include "other method approved *in writing* by the Department." (Emphasis added.) The same phrase is used in Subsections 78.93 (a)(3), 78.94(a)(1), 78.94 (a)(3) and 78.95 (a)(1).

17. Section 78.121.—Production reporting.—Reasonableness; Implementation procedures; Clarity.

This section requires well operators to submit production reports. Are these reports confidential or are they

available to the public? The final-form regulation should clarify this issue.

18. Section 78.122.—Well record and completion report.—Statutory authority; Consistency with other statutes; Clarity.

Subsection (b)(6) lists all of the information from a stimulation record that must be included in a well completion report, including a "list of hydraulic fracturing chemicals used." While some commentators support the disclosure of chemicals, others, like Halliburton Energy Services, Inc., object that this listing would result in the release of confidential/proprietary information. Does the Board have a mechanism for determining what information, if any, is to be considered confidential or proprietary? Also, does the Board consider the information raised by commentators to be proprietary and would it be exempt from the PA Right-to-Know Law? See 65 Pa.C.S.A. § 67.708(b)(11). If not, what is the Board's statutory authority for its release?

A commentator also suggests that the completion report be sealed by an expert. Has the Board considered this option?

ARTHUR COCCODRILLI,
Chairperson

[Pa.B. Doc. No. 10-1807. Filed for public inspection September 17, 2010, 9:00 a.m.]

Notice of Filing of Final Rulemakings

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

Final-Form

<i>Reg. No.</i>	<i>Agency/Title</i>	<i>Received</i>	<i>Public Meeting</i>
2-149	Department of Agriculture Pesticides	8/31/10	10/7/10
16A-4318	State Board of Chiropractic Continuing Education Violations	9/3/10	10/7/10
16-44	Department of State Schedule of Civil Penalties— Chiropractors	9/3/10	10/7/10
2-160	Department of Agriculture Milk Sanitation	9/3/10	10/7/10
16-43	Department of State Schedule of Civil Penalties— Engineers, Land Surveyors and Geologists	9/3/10	10/7/10
16A-4710	State Registration Board for Professional Engineers, Land Surveyors and Geologists Continuing Education	9/3/10	10/7/10

ARTHUR COCCODRILLI,
Chairperson

[Pa.B. Doc. No. 10-1808. Filed for public inspection September 17, 2010, 9:00 a.m.]

INSURANCE DEPARTMENT

Application for Approval to Acquire Control of Bravo Health Pennsylvania, Inc.

HealthSpring, Inc., a Delaware corporation, has filed an application to acquire control of Bravo Health Pennsylvania, Inc., a Pennsylvania domiciled health maintenance organization. The initial filing was received on September 3, 2010, and was made in accordance with requirements set forth under Article XIV of The Insurance Company Law of 1921 (40 P.S. §§ 991.1401—991.1403).

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

JOEL SCOTT ARIO,
Insurance Commissioner

[Pa.B. Doc. No. 10-1809. Filed for public inspection September 17, 2010, 9:00 a.m.]

Capital Advantage Insurance Company; Rate Increase Filing for the Individual 1990 Standardized Medicare Supplement Program

By filing 10-FFFF, Capital Advantage Insurance Company is requesting the Insurance Department's (Department) approval to increase the current monthly rates for the Individual 1990 Standardized Plan A Package by 12.5% effective January 1, 2011. This increase will impact approximately 491 members.

Unless formal administrative action is taken prior to December 2, 2010, the subject filing may be deemed approved by operation of law.

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

Interested parties are invited to submit written comments, suggestions or objections to James Laverty, Actuary, Insurance Department, Insurance Product Regulation, 1311 Strawberry Square, Harrisburg, PA 17120, jlaverty@state.pa.us within 30 days after publication of this notice in the *Pennsylvania Bulletin*.

ROBERT L. PRATTER,
Acting Insurance Commissioner

[Pa.B. Doc. No. 10-1810. Filed for public inspection September 17, 2010, 9:00 a.m.]

Capital Advantage Insurance Company; Rate Increase Filing for the Individual 1990 Standardized Medicare Supplement Program

By filing 10-GGGG, Capital Advantage Insurance Company is requesting the Insurance Department's (Department) approval to increase the current monthly rates for the Individual 1990 Standardized Plan B Package by 9.74% effective January 1, 2011. This increase will impact approximately 7,174 members.

Unless formal administrative action is taken prior to December 2, 2010, the subject filing may be deemed approved by operation of law.

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

Interested parties are invited to submit written comments, suggestions or objections to James Laverty, Actuary, Insurance Department, Insurance Product Regulation, 1311 Strawberry Square, Harrisburg, PA 17120, jlaverty@state.pa.us within 30 days after publication of this notice in the *Pennsylvania Bulletin*.

ROBERT L. PRATTER,
Acting Insurance Commissioner

[Pa.B. Doc. No. 10-1811. Filed for public inspection September 17, 2010, 9:00 a.m.]

Capital Advantage Insurance Company; Rate Increase Filing for the Individual 1990 Standardized Medicare Supplement Program

By filing 10-HHHH, Capital Advantage Insurance Company is requesting the Insurance Department's (Department) approval to increase the current monthly rates for the Individual 1990 Standardized Plan C Package by 13.99% effective January 1, 2011. This increase will impact approximately 18,933 members.

Unless formal administrative action is taken prior to December 2, 2010, the subject filing may be deemed approved by operation of law.

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

Interested parties are invited to submit written comments, suggestions or objections to James Laverty, Actuary, Insurance Department, Insurance Product Regulation, 1311 Strawberry Square, Harrisburg, PA 17120, jlaverty@state.pa.us within 30 days after publication of this notice in the *Pennsylvania Bulletin*.

ROBERT L. PRATTER,
Acting Insurance Commissioner

[Pa.B. Doc. No. 10-1812. Filed for public inspection September 17, 2010, 9:00 a.m.]

Capital Advantage Insurance Company; Rate Increase Filing for the Individual 1990 Standardized Medicare Supplement Program

By filing 10-III, Capital Advantage Insurance Company is requesting the Insurance Department's (Department) approval to increase the current monthly rates for the Individual 1990 Standardized Plan F Package by 13.4% effective January 1, 2011. This increase will impact approximately 1,598 members.

Unless formal administrative action is taken prior to December 2, 2010, the subject filing may be deemed approved by operation of law.

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

Interested parties are invited to submit written comments, suggestions or objections to James Laverty, Actuary, Insurance Department, Insurance Product Regulation, 1311 Strawberry Square, Harrisburg, PA 17120, jlaverty@state.pa.us within 30 days after publication of this notice in the *Pennsylvania Bulletin*.

ROBERT L. PRATTER,
Acting Insurance Commissioner

[Pa.B. Doc. No. 10-1813. Filed for public inspection September 17, 2010, 9:00 a.m.]

Capital Advantage Insurance Company; Rate Increase Filing for the Individual 1990 Standardized Medicare Supplement Program

By filing 10-JJJJ, Capital Advantage Insurance Company is requesting the Insurance Department's (Department) approval to increase the current monthly rates for the Individual 1990 Standardized Plan H with Rx Package by 11.36% and the Plan H without Rx Package by 13.29% effective January 1, 2011. This increase will impact approximately 1,478 members.

Unless formal administrative action is taken prior to December 2, 2010, the subject filing may be deemed approved by operation of law.

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

Interested parties are invited to submit written comments, suggestions or objections to James Laverty, Actuary, Insurance Department, Insurance Product Regulation, 1311 Strawberry Square, Harrisburg, PA 17120, jlaverty@state.pa.us within 30 days after publication of this notice in the *Pennsylvania Bulletin*.

ROBERT L. PRATTER,
Acting Insurance Commissioner

[Pa.B. Doc. No. 10-1814. Filed for public inspection September 17, 2010, 9:00 a.m.]

Capital BlueCross and Capital Advantage Insurance Company; Individual Direct Pay Comprehensive Major Medical Program; Rate Filing

On September 2, 2010, Capital BlueCross and Capital Advantage Insurance Company submitted a rate filing (No. 10-KKK) to increase the premium rates for the Comprehensive Major Medical Program by 14.4%. This will affect approximately 5,489 contracts and produce additional premium income of about \$4.8 million annually. The requested effective date of the change is January 1, 2011.

In addition to the rate increase, the filing proposes the following benefit changes: (1) discontinue the \$750 deductible plan and transition these members to the \$1,500 deductible plan; (2) adopt benefit changes required by the Patient Protection and Affordable Care Act; and (3) other benefit changes.

Unless formal administrative action is taken prior to December 1, 2010, the subject filing may be deemed approved by operation of law.

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

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

Interested parties are invited to submit written or e-mail comments, suggestions or objections to Cheri Sanders-Jones, Insurance Department, Insurance Product Regulation, 1311 Strawberry Square, Harrisburg, PA 17120, csandersjo@state.pa.us within 30 days after publication of this notice in the *Pennsylvania Bulletin*.

ROBERT L. PRATTER,
Acting Insurance Commissioner

[Pa.B. Doc. No. 10-1815. Filed for public inspection September 17, 2010, 9:00 a.m.]

Capital Blue Cross; Rate Increase Filing for the Individual 1990 Standardized Medicare Supplement Program

By filing 10-KKKK, Capital Blue Cross is requesting the Insurance Department's (Department) approval to increase the current monthly rates for the Individual 1990 Standardized Plan A Package by 12.5% effective January 1, 2011. This increase will impact approximately 491 members.

Unless formal administrative action is taken prior to December 2, 2010, the subject filing may be deemed approved by operation of law.

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

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

tion, 1311 Strawberry Square, Harrisburg, PA 17120, jlaverty@state.pa.us within 30 days after publication of this notice in the *Pennsylvania Bulletin*.

ROBERT L. PRATTER,
Acting Insurance Commissioner

[Pa.B. Doc. No. 10-1816. Filed for public inspection September 17, 2010, 9:00 a.m.]

Capital Blue Cross; Rate Increase Filing for the Individual 1990 Standardized Medicare Supplement Program

By filing 10-LLLL, Capital Blue Cross is requesting the Insurance Department's (Department) approval to increase the current monthly rates for the Individual 1990 Standardized Plan B Package by 9.74% effective January 1, 2011. This increase will impact approximately 7,174 members.

Unless formal administrative action is taken prior to December 2, 2010, the subject filing may be deemed approved by operation of law.

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

Interested parties are invited to submit written comments, suggestions or objections to James Laverty, Actuary, Insurance Department, Insurance Product Regulation, 1311 Strawberry Square, Harrisburg, PA 17120, jlaverty@state.pa.us within 30 days after publication of this notice in the *Pennsylvania Bulletin*.

ROBERT L. PRATTER,
Acting Insurance Commissioner

[Pa.B. Doc. No. 10-1817. Filed for public inspection September 17, 2010, 9:00 a.m.]

Capital Blue Cross; Rate Increase Filing for the Individual 1990 Standardized Medicare Supplement Program

By filing 10-MMMM, Capital Blue Cross is requesting the Insurance Department's (Department) approval to increase the current monthly rates for the Individual 1990 Standardized Plan C Package by 13.99% effective January 1, 2011. This increase will impact approximately 18,933 members.

Unless formal administrative action is taken prior to December 2, 2010, the subject filing may be deemed approved by operation of law.

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

Interested parties are invited to submit written comments, suggestions or objections to James Laverty, Actuary, Insurance Department, Insurance Product Regula-

tion, 1311 Strawberry Square, Harrisburg, PA 17120, jlaverty@state.pa.us within 30 days after publication of this notice in the *Pennsylvania Bulletin*.

ROBERT L. PRATTER,
Acting Insurance Commissioner

[Pa.B. Doc. No. 10-1818. Filed for public inspection September 17, 2010, 9:00 a.m.]

Capital Blue Cross; Rate Increase Filing for the Individual 1990 Standardized Medicare Supplement Program

By filing 10-NNNN, Capital Blue Cross is requesting the Insurance Department's (Department) approval to increase the current monthly rates for the Individual 1990 Standardized Plan F Package by 13.4% effective January 1, 2011. This increase will impact approximately 1,598 members.

Unless formal administrative action is taken prior to December 2, 2010, the subject filing may be deemed approved by operation of law.

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

Interested parties are invited to submit written comments, suggestions or objections to James Laverty, Actuary, Insurance Department, Insurance Product Regulation, 1311 Strawberry Square, Harrisburg, PA 17120, jlaverty@state.pa.us within 30 days after publication of this notice in the *Pennsylvania Bulletin*.

ROBERT L. PRATTER,
Acting Insurance Commissioner

[Pa.B. Doc. No. 10-1819. Filed for public inspection September 17, 2010, 9:00 a.m.]

Capital Blue Cross; Rate Increase Filing for the Individual 1990 Standardized Medicare Supplement Program

By filing 10-O000, Capital Blue Cross is requesting the Insurance Department's (Department) approval to increase the current monthly rates for the Individual 1990 Standardized Plan H with Rx Package by 11.36% and the Plan H without Rx Package by 13.29% effective January 1, 2011. This increase will impact approximately 1,478 members.

Unless formal administrative action is taken prior to December 2, 2010, the subject filing may be deemed approved by operation of law.

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

Interested parties are invited to submit written comments, suggestions or objections to James Laverty, Actu-

ary, Insurance Department, Insurance Product Regulation, 1311 Strawberry Square, Harrisburg, PA 17120, jlaverty@state.pa.us within 30 days after publication of this notice in the *Pennsylvania Bulletin*.

ROBERT L. PRATTER,
Acting Insurance Commissioner

[Pa.B. Doc. No. 10-1820. Filed for public inspection September 17, 2010, 9:00 a.m.]

Geisinger Quality Options; Patient Protection and Affordable Care Act Factors Filing for Individual PPO; Rate Filing

On August 20, 2010, the Insurance Department (Department) received a filing from Geisinger Quality Options, Inc. requesting approval to adjust its Individual PPO rates to reflect the anticipated cost of the Patient Protection and Affordable Care Act, signed into law on March 23, 2010.

The requested effective date of the change is October 1, 2010, or upon contract renewal.

Unless formal administrative action is taken prior to November 25, 2010, the subject filing may be deemed approved by operation of law.

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

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

Interested parties are invited to submit written or e-mail comments, suggestions or objections to J. Sabater, Insurance Department, Insurance Product Regulation, 1311 Strawberry Square, Harrisburg, PA 17120, jsabater@state.pa.us within 30 days after publication of this notice in the *Pennsylvania Bulletin*.

ROBERT L. PRATTER,
Acting Insurance Commissioner

[Pa.B. Doc. No. 10-1821. Filed for public inspection September 17, 2010, 9:00 a.m.]

Mennonite Mutual Aid Association; Patient Protection and Affordable Care Act Rates Filing for Non-Grandfathered Plans

On September 1, 2010, the Insurance Department (Department) received a filing from the Mennonite Mutual Aid Association requesting approval to adjust its Team Care Advantage health product rates to reflect the anticipated cost of the Patient Protection and Affordable Care Act, signed into law on March 23, 2010.

The requested effective date of the change is September 23, 2010.

Unless formal administrative action is taken prior to November 25, 2010, the subject filing may be deemed approved by operation of law.

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

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

Interested parties are invited to submit written or e-mail comments, suggestions or objections to J. Sabater, Insurance Department, Insurance Product Regulation, 1311 Strawberry Square, Harrisburg, PA 17120, jsabater@state.pa.us within 30 days after publication of this notice in the *Pennsylvania Bulletin*.

ROBERT L. PRATTER,
Acting Insurance Commissioner

[Pa.B. Doc. No. 10-1822. Filed for public inspection September 17, 2010, 9:00 a.m.]

PMSLIC Insurance Company Rate and Rule Filing

On September 2, 2010, the Insurance Department (Department) received from PMSLIC Insurance Company a filing for rate level changes for Physicians and Surgeons Professional Liability insurance. The company requests an overall rate level decrease of 5.0% to be effective January 1, 2011. The filing includes the following revisions:

- Changes to manual base rates.
- Changes to territory relativities.
- Changes to the Experience Rating Plan.

Unless formal administrative action is taken prior to October 17, 2010, the rates within the subject filing may be deemed into use upon the effective date, January 1, 2011, by operation of law.

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

Interested parties are invited to submit written comments, suggestions or objections to Gang (Eric) Zhou, Insurance Department, Office of Insurance Product Regulation, 1311 Strawberry Square, Harrisburg, PA 17120, gzhou@state.pa.us within 15 days after publication of this notice in the *Pennsylvania Bulletin*.

ROBERT L. PRATTER,
Acting Insurance Commissioner

[Pa.B. Doc. No. 10-1823. Filed for public inspection September 17, 2010, 9:00 a.m.]

Progressive Advanced Insurance Company; Private Passenger Automobile; Usage Based Insurance Program; Rate and Rule Filing

On August 31, 2010, the Insurance Department (Department) received from Progressive Advanced Insurance Company a private passenger automobile rate and rule filing to introduce its Usage Based Insurance Program.

At the insured's request, the company will provide a device that plugs into the on-board diagnostic port found on all vehicles sold in the United States since model year 1996. The device records vehicle information including, but not limited to, the date and time of installation and disconnection, and the time of day and speed at which the vehicle is operated. A usage factor is derived from the

vehicle information data recorded by the device and applied to the policy's premium. Effective dates of November 1, 2010, for new business and December 11, 2010, for renewal business are requested.

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

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

Interested parties are invited to submit written comments, suggestions or objections to Michael McKenney, Insurance Department, Office of Insurance Product Regulation, 1311 Strawberry Square, Harrisburg, PA 17120, mmckenney@state.pa.us within 30 days after publication of this notice in the *Pennsylvania Bulletin*.

ROBERT L. PRATTER,
Acting Insurance Commissioner

[Pa.B. Doc. No. 10-1824. Filed for public inspection September 17, 2010, 9:00 a.m.]

LEGISLATIVE REFERENCE BUREAU

Documents Filed But Not Published

The Legislative Reference Bureau (Bureau) accepted the following documents during the preceding calendar month for filing without publication under 1 Pa. Code § 3.13(b) (relating to contents of *Bulletin*). The Bureau will continue to publish on a monthly basis either a summary table identifying the documents accepted during the preceding calendar month under this subsection or a statement that no documents have been received. For questions concerning or copies of documents filed, but not published, call (717) 783-1530.

Executive Board

Resolution No. CB-10-006, Dated August 10, 2010. Authorizes the Collective Bargaining Agreement entered into between the Commonwealth and the Fraternal Order of Police, Fish and Boat Officers, for the period July 1, 2007 through June 30, 2012. The agreement provides for wage increases of 1.75% effective January 1, 2009; 1.5% effective July 1, 2009; 1.5% effective January 1, 2010.

Resolution No. CB-10-007, Dated August 10, 2010. Authorizes the memorandum of understanding entered into between the Commonwealth and the Fraternal Order of Police, Fish and Boat Officers for the period July 1, 2007 through June 30, 2012. The memorandum provides for wage increases of 1.75% effective January 1, 2009; 1.5% effective July 1, 2009; 1.5% effective January 1, 2010.

Governor's Office

Management Directive No. 230.7—Remittance of Witness Fees, Amended August 6, 2010.

Management Directive No. 505.18—Maintenance, Access, and Release of Employee Information, Amended July 26, 2010.

MARY JANE PHELPS,
Director
Pennsylvania Code and Bulletin

[Pa.B. Doc. No. 10-1825. Filed for public inspection September 17, 2010, 9:00 a.m.]

MILK MARKETING BOARD

Notice of Hearing and Presubmission Schedule; Milk Marketing Area No. 1

Under the Milk Marketing Law (31 P. S. §§ 700j-101—700j-1302), the Milk Marketing Board (Board) will conduct a public hearing for Milk Marketing Area No. 1 on November 3, 2010, commencing at 10 a.m. in Room 202 of the Agriculture Building, 2301 North Cameron Street, Harrisburg, PA.

The purpose of the hearing is to receive testimony and exhibits concerning cost replacement in Milk Marketing Area No. 1. Evidence will be limited to the following: annualized processing, packaging and delivery costs; updated costs for containers, ingredients and Class II products; updated labor, utility and insurance costs based on comparisons between costs per point for the second quarters of calendar years 2009 and 2010; skim and butterfat contents of products regulated by the Board; adjustment for shrinkage, sales of bulk products and cream processing costs; monthly adjustments to in-store handling costs; and a reasonable rate of return to milk dealers and stores. In accordance with OGO A-937, evidence and testimony will be considered regarding the heating fuel adjuster in Area 1. In accordance with OGO A-939, evidence and testimony will be considered regarding the diesel fuel cost adjuster in Area 1.

The staff of the Board is deemed to be a party to this hearing, and the attorney representing staff is deemed to have entered his appearance. Other persons who wish to present evidence may be included on the Board's list of parties by: (1) having their attorney file with the Board on or before 4 p.m. on October 5, 2010, a notice of appearance substantially in the form prescribed by 1 Pa. Code § 31.25 (relating to form of notice of appearance); or (2) if unrepresented by counsel, filing with the Board on or before 4 p.m. on October 5, 2010, notification of their desire to be included as a party. Parties should indicate in their notices of appearance if alternate means of service, that is, e-mail or fax, are acceptable. Notices of appearance filed electronically should be directed to deberly@state.pa.us.

The parties shall observe the following requirements for advance filing of witness information and exhibits:

1. By 4 p.m. on October 8, 2010, Board Staff shall file with the Board, in person or by mail, one original and six copies and ensure receipt by all other parties of one copy of:

a. A list of witnesses who will testify for the party, along with a statement of the subjects concerning which each witness will testify. A witness who will be offered as an expert shall be so identified, along with the witness's area or areas of proposed expertise. For expert witnesses there shall also be filed a statement of the substance of

the facts and opinions to which the expert is expected to testify and a summary of the grounds for each opinion.

b. Each exhibit to be presented, including testimony to be offered in written form.

2. By 4 p.m. on October 21, 2010, each responding party shall file and serve as set forth in paragraph 1 information concerning rebuttal witnesses and copies of rebuttal exhibits.

3. By 4 p.m. on October 28, 2010, each party shall file and serve as set forth in paragraph 1 information concerning surrebuttal witnesses and copies of surrebuttal exhibits.

Parties that wish to offer in evidence documents on file with the Board, public documents, or records in other proceedings before the Board, or who wish the Board to take official notice of facts, shall comply with, respectively, 1 Pa. Code § 35.164, § 35.165, § 35.167, or § 35.173. Whenever these rules require production of a document as an exhibit, copies shall be provided to each Board member and to all other parties; in addition, at least 20 copies shall be available for distribution to nonparties attending the hearing.

Requests by parties for Board staff to provide data pertinent to the hearing shall be made in writing and received in the Board office by 1 p.m. on October 22, 2010.

The filing address for the Board is Milk Marketing Board, Room 110, Agriculture Building, 2301 North Cameron Street, Harrisburg, PA 17110.

KEITH BIERLY,
Secretary

[Pa.B. Doc. No. 10-1826. Filed for public inspection September 17, 2010, 9:00 a.m.]

Notice of Hearing and Presubmission Schedule; Milk Marketing Area No. 2

Under the Milk Marketing Law (31 P. S. §§ 700j-101—700j-1302), the Milk Marketing Board (Board) will conduct a public hearing for Milk Marketing Area No. 2 on November 3, 2010, commencing at 11 a.m. in Room 202 of the Agriculture Building, 2301 North Cameron Street, Harrisburg, PA.

The purpose of the hearing is to receive testimony and exhibits concerning cost replacement in Milk Marketing Area No. 2. Evidence will be limited to the following: annualized processing, packaging and delivery costs; updated costs for containers, ingredients and Class II products; updated labor, utility and insurance costs based on comparisons between costs per point for the second quarters of calendar years 2009 and 2010; skim and butterfat contents of products regulated by the Board; adjustment for shrinkage, sales of bulk products and cream processing costs; monthly adjustments to in-store handling costs; and a reasonable rate of return to milk dealers and stores. In accordance with OGO A-937, evidence and testimony will be considered regarding the heating fuel adjuster in Area 2. In accordance with OGO A-939, evidence and testimony will be considered regarding the diesel fuel cost adjuster in Area 2.

The staff of the Board is deemed to be a party to this hearing, and the attorney representing staff is deemed to have entered his appearance. Other persons who wish to present evidence may be included on the Board's list of parties by: (1) having their attorney file with the Board on or before 4 p.m. on October 5, 2010, a notice of appearance substantially in the form prescribed by 1 Pa. Code § 31.25 (relating to form of notice of appearance); or (2) if unrepresented by counsel, filing with the Board on or before 4 p.m. on October 5, 2010, notification of their desire to be included as a party. Parties should indicate in their notices of appearance if alternate means of service, that is, e-mail or fax, are acceptable. Notices of appearance filed electronically should be directed to deberly@state.pa.us.

The parties shall observe the following requirements for advance filing of witness information and exhibits:

1. By 4 p.m. on October 8, 2010, Board Staff shall file with the Board, in person or by mail, one original and six copies and ensure receipt by all other parties of one copy of:

a. A list of witnesses who will testify for the party, along with a statement of the subjects concerning which each witness will testify. A witness who will be offered as an expert shall be so identified, along with the witness's area or areas of proposed expertise. For expert witnesses there shall also be filed a statement of the substance of the facts and opinions to which the expert is expected to testify and a summary of the grounds for each opinion.

b. Each exhibit to be presented, including testimony to be offered in written form.

2. By 4 p.m. on October 21, 2010, each responding party shall file and serve as set forth in paragraph 1 information concerning rebuttal witnesses and copies of rebuttal exhibits.

3. By 4 p.m. on October 28, 2010, each party shall file and serve as set forth in paragraph 1 information concerning surrebuttal witnesses and copies of surrebuttal exhibits.

Parties that wish to offer in evidence documents on file with the Board, public documents, or records in other proceedings before the Board, or who wish the Board to take official notice of facts, shall comply with, respectively, 1 Pa. Code § 35.164, § 35.165, § 35.167 or § 35.173. Whenever these rules require production of a document as an exhibit, copies shall be provided to each Board member and to all other parties; in addition, at least 20 copies shall be available for distribution to nonparties attending the hearing.

Requests by parties for Board staff to provide data pertinent to the hearing shall be made in writing and received in the Board office by 1 p.m. on October 22, 2010.

The filing address for the Board is Milk Marketing Board, Room 110, Agriculture Building, 2301 North Cameron Street, Harrisburg, PA 17110.

KEITH BIERLY,
Secretary

[Pa.B. Doc. No. 10-1827. Filed for public inspection September 17, 2010, 9:00 a.m.]

PENNSYLVANIA PUBLIC UTILITY COMMISSION

Service of Notice of Motor Carrier Applications

The following temporary authority and/or permanent authority applications for the right to render service as a common carrier or contract carrier in this Commonwealth have been filed with the Pennsylvania Public Utility Commission. Formal protests and petitions to intervene must be filed in accordance with 52 Pa. Code (relating to public utilities). A protest shall indicate whether it applies to the temporary authority application, the permanent authority application, or both. Filings must be made with the Secretary, Pennsylvania Public Utility Commission, P. O. Box 3265, Harrisburg, PA 17105-3265, with a copy served on the applicant by October 27, 2010. Documents filed in support of the applications are available for inspection and copying at the Office of the Secretary between 8 a.m. and 4:30 p.m., Monday through Friday, and at the business address of the respective applicant.

Application of the following for approval to *begin operating as common carriers for transportation of persons as described under the application.*

A-2010-2195771. Shirley A. Rice (411 Berky Hill Lane, Ickesburg, Perry County, PA 17037), for the right to begin to transport persons, in paratransit service, limited to persons whose personal convictions prevent them from owning or operating motor vehicles, from points in Perry County, to points in Pennsylvania, and return.

*Pennsylvania Public Utility Commission, Bureau of
Transportation and Safety v. Yannis Cab Co.;
Doc. No. C-2010-2135198, A-00120932*

COMPLAINT

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

1. That Yannis Cab Co., Respondent, maintains a principal place of business at 918 Canal Street, Philadelphia, PA 19123.
2. That Respondent was issued a Certificate of Public Convenience by this Commission on August 30, 2004, at A-00120932.
3. That Respondent was advised by letter dated May 10, 2005, that its medallion authority was being transferred to the Philadelphia Parking Authority. At that time, Respondent was advised that its taxicab service which had an origin and destination outside of the City of Philadelphia remained subject to the regulatory oversight of the PA PUC.
4. That Respondent was advised by letter dated September 11, 2009, that it failed to file a valid tariff with this Commission as required by 52 Pa. Code § 23.11. Respondent was provided 60 days to file an acceptable

tariff. To date, Respondent has not filed an acceptable tariff. The penalty is \$250.00.

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

Respectfully submitted,

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

VERIFICATION

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

Date: _____

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

NOTICE

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

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

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

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

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

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

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

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

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

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

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

*Pennsylvania Public Utility Commission, Bureau of
 Transportation and Safety v. Rizvi Enterprises, Inc.;*
Doc. No. C-2010-2132476, A-00113326

COMPLAINT

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

1. That Rizvi Enterprises, Inc., Respondent, maintains a principal place of business at 3807 State Road, Drexel Hill, PA 19026.

2. That Respondent was issued a Certificate of Public Convenience by this Commission on March 9, 1999, at A-00113326.

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

4. That Respondent was advised by letter dated September 11, 2009, that it failed to file a valid tariff with this Commission as required by 52 Pa. Code § 23.11. Respondent was provided 60 days to file an acceptable tariff. To date, Respondent has not filed an acceptable tariff. The penalty is \$250.00.

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

Respectfully submitted,

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

VERIFICATION

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

Date: _____

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

NOTICE

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

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

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

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

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

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

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

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

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

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

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

*Pennsylvania Public Utility Commission, Bureau of
Transportation and Safety v. Desh United Corp.;*
Doc. No. C-2010-2129820, A-00120509

COMPLAINT

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

1. That Desh United Corp., Respondent, maintains a principal place of business at 1 Fern Road, Turnersville, NJ 08012.

2. That Respondent was issued a Certificate of Public Convenience by this Commission on May 5, 1992, at A-00120509.

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

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

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

Respectfully submitted,

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

VERIFICATION

I, Wendy J. Keezel, Chief of Enforcement for the Motor Carrier Services and Enforcement Division of the Bureau of Transportation and Safety, hereby state that the facts

above set forth are true and correct to the best of my knowledge, information and belief and that I expect the Bureau will be able to prove the same at any hearing held in this matter. I understand that the statements herein are made subject to the penalties of 18 Pa.C.S. § 4904 relating to unsworn falsification to authorities.

Date: _____

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

NOTICE

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

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

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

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

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

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

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

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

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

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

F. If you have questions regarding this Complaint or if you would like an alternative format to this Complaint

(for persons with disabilities), please contact the Compliance Office at (717) 787-1227.

*Pennsylvania Public Utility Commission, Bureau of
Transportation and Safety v. Laobina, Inc.;*
Doc. No. C-2010-2131235, A-00120641

COMPLAINT

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

1. That Laobina, Inc., Respondent, maintains a principal place of business at 10817 Academy Road, Philadelphia, PA 19154.

2. That Respondent was issued a Certificate of Public Convenience by this Commission on June 3, 2004, at A-00120641.

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

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

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

Respectfully submitted,

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

VERIFICATION

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

Date: _____

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

NOTICE

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

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

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

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

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

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

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

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

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

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

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

*Pennsylvania Public Utility Commission, Bureau of
Transportation and Safety v. Jones Cab Co.;*
Doc. No. C-2010-2131184, A-00109806

COMPLAINT

The Pennsylvania Public Utility Commission (Commission) is a duly constituted agency of the Commonwealth of Pennsylvania empowered to regulate public utilities within the Commonwealth. The Commission has del-

egated its authority to initiate proceedings, which are prosecutory in nature to the Bureau of Transportation and Safety and other bureaus with enforcement responsibilities. Pursuant to that delegated authority and Section 701 of the Public Utility Code, the Bureau of Transportation and Safety Prosecutory Staff hereby represents as follows:

1. That Jones Cab, Co., Respondent, maintains a principal place of business at 1253 South 49th Street, Philadelphia, PA 19143.

2. That Respondent was issued a Certificate of Public Convenience by this Commission on July 3, 1991, at A-00109806.

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

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

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

Respectfully submitted,

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

VERIFICATION

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

Date: _____

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

NOTICE

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

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

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

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

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

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

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

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

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

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

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

*Pennsylvania Public Utility Commission, Bureau of
Transportation and Safety v. A D Cab Co.;*
Doc. No. C-2010-2133709, A-00113233

COMPLAINT

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

1. That A. D. Cab Co., Respondent, maintains a principal place of business at 5803 North 13th Street, Philadelphia, PA 19141.

2. That Respondent was issued a Certificate of Public Convenience by this Commission on October 3, 1996, at A-00113233.

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

4. That Respondent was advised by letter dated September 11, 2009, that it failed to file a valid tariff with this Commission as required by 52 Pa. Code § 23.11. Respondent was provided 60 days to file an acceptable tariff. To date, Respondent has not filed an acceptable tariff. The penalty is \$250.00.

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

Respectfully submitted,

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

VERIFICATION

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

Date: _____

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

NOTICE

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

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

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

or Order of the Commission is a separate and distinct offense, subject to additional penalties.

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

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

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

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

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

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

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

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

*Pennsylvania Public Utility Commission, Bureau of
Transportation and Safety v. J & E Cab Co.;*
Doc. No. C-2010-2131190, A-00111118

COMPLAINT

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

1. That J & E Cab, Co., Respondent, maintains a principal place of business at 29 South Carol Boulevard, Upper Darby, PA 19082

2. That Respondent was issued a Certificate of Public Convenience by this Commission on August 30, 2002, at A-00111118.

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

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

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

Respectfully submitted,

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

VERIFICATION

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

Date: _____

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

NOTICE

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

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

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

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

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

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

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

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

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

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

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

ROSEMARY CHIAVETTA,
Secretary

[Pa.B. Doc. No. 10-1828. Filed for public inspection September 17, 2010, 9:00 a.m.]

Transfer of Control

A-2010-2196709. Fiber Technologies Networks, LLC and Firefox Acquisition Corporation. Joint application of Fiber Technologies Networks, LLC and Firefox Acquisition Corporation for approval of a transfer of control.

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 October 4, 2010. The documents filed in support of the application are available for inspection and copying at the Office of the Secretary between 8 a.m. and 4:30 p.m., Monday through Friday, on the Pennsylvania Public Utility Commission's web site at www.puc.state.pa.us and at the applicant's business address.

Applicant: Fiber Technologies Networks, LLC

Through and By Counsel: Jean L. Kiddoo, Esquire, Charles A. Rohe, Esquire, Danielle Burt, Esquire, Bingham McCutchen, LLP, 2020 K Street, NW, Washington, DC 20006-1806

ROSEMARY CHIAVETTA,
Secretary

[Pa.B. Doc. No. 10-1829. Filed for public inspection September 17, 2010, 9:00 a.m.]

Transfer of Control

A-2010-2197058. Inmate Calling Solutions, LLC, d/b/a ICSolutions. Application of Inmate Calling Solutions, LLC, d/b/a ICSolutions for authority to transfer control.

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 October 4, 2010. The documents filed in support of the application are available for inspection and copying at the Office of the Secretary between 8 a.m. and 4:30 p.m., Monday through Friday, on the Pennsylvania Public Utility Commission's web site at www.puc.state.pa.us, and at the applicant's business address.

Applicant: Inmate Calling Solutions, LLC, d/b/a ICSolutions

Through: Robin Norton, Consultant, Technologies Management, Inc., 2600 Maitland Center Parkway, Suite 300, Maitland, FL 32751

ROSEMARY CHIAVETTA,
Secretary

[Pa.B. Doc. No. 10-1830. Filed for public inspection September 17, 2010, 9:00 a.m.]

PHILADELPHIA REGIONAL PORT AUTHORITY

Request for Bids

The Philadelphia Regional Port Authority (PRPA) will accept bids for the Installation of Prefab Guard House at Marine Terminal (concrete, blacktop, plumbing, electrical, automated gates and fencing) for Project No. 10-112.P until 2 p.m. on Thursday, October 14, 2010. All information concerning this project can be obtained from the PRPA web site www.philaport.com under Procurement and will be available Tuesday, September 21, 2010. PRPA is an equal opportunity employer. Firms must comply with all applicable equal employment opportunity laws and regulations.

Mandatory prebid job site meeting will be held September 30, 2010, 10 a.m. at Pier 98 Annex—East Oregon Avenue, Philadelphia, PA 19148. 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. 10-1831. Filed for public inspection September 17, 2010, 9:00 a.m.]
