

NOTICES

DEPARTMENT OF BANKING

Actions on Applications

The Department of Banking (Department), under the authority contained in the act of November 30, 1965 (P. L. 847, No. 356), known as the Banking Code of 1965; the act of December 14, 1967 (P. L. 746, No. 345), known as the Savings Association Code of 1967; the act of May 15, 1933 (P. L. 565, No. 111), known as the Department of Banking Code; and the act of December 9, 2002 (P. L. 1572, No. 207), known as the Credit Union Code, has taken the following action on applications received for the week ending August 12, 2008.

BANKING INSTITUTIONS

Charter Applications

<i>Date</i>	<i>Name of Bank</i>	<i>Location</i>	<i>Action</i>
7-24-2008	New American Bank Philadelphia Philadelphia County <i>Corresponding Agent:</i> David R. Payne, Esquire Stevens & Lee 620 Freedom Business Center Suite 200 P. O. Box 62330 King of Prussia, PA 19406	Philadelphia	Filed

Holding Company Acquisitions

<i>Date</i>	<i>Name of Corporation</i>	<i>Location</i>	<i>Action</i>
8-5-2008	F.N.B. Corporation, Hermitage, to acquire 100% of Iron and Glass Bancorp, Inc., Pittsburgh, and thereby indirectly acquire Iron and Glass Bank, Pittsburgh, which will be merged with and into First National Bank of Pennsylvania, Greenville, a wholly-owned subsidiary of F.N.B. Corporation	Hermitage	Approved
8-8-2008	NOVA Financial Holdings, Inc., Berwyn, to acquire 100% of Pennsylvania Business Bank, Philadelphia	Berwyn	Approved

Consolidations, Mergers and Absorptions

<i>Date</i>	<i>Name of Bank</i>	<i>Location</i>	<i>Action</i>
8-8-2008	Pennsylvania Business Bank, Philadelphia, and NOVA Interim Bank, Berwyn Surviving Institution: Pennsylvania Business Bank, Philadelphia	Philadelphia	Approved
8-11-2008	Sharon Savings Bank, Darby, and Morton Savings Bank, Morton Surviving Institution: Sharon Savings Bank, Darby	Darby	Approved

Branch Applications

<i>Date</i>	<i>Name of Bank</i>	<i>Location</i>	<i>Action</i>
8-4-2008	First Commonwealth Bank Indiana Indiana County	9820 Perry Highway Wexford Allegheny County	Opened
8-11-2008	Firsttrust Savings Bank Conshohocken Montgomery County	Shoppes at Valley Square Building No. 15 Street and Easton Roads Warrington Township Bucks County	Approved

Branch Relocations

<i>Date</i>	<i>Name of Bank</i>	<i>Location</i>	<i>Action</i>
7-21-2008	Susquehanna Bank PA Lititz Lancaster County	<i>To:</i> 35 South Willowdale Drive Suite 1002 East Lampeter Township Lancaster County <i>From:</i> 35 South Willowdale Drive East Lampeter Township Lancaster County	Effective

Branch Consolidations

<i>Date</i>	<i>Name of Bank</i>	<i>Location</i>	<i>Action</i>
7-13-2008	Susquehanna Bank PA Lititz Lancaster County	<i>Into:</i> 35 South Willowdale Drive Suite 1002 East Lampeter Township Lancaster County <i>From:</i> 366 Hartman Bridge Road East Lampeter Township Lancaster County	Effective

SAVINGS INSTITUTIONS

No activity.

CREDIT UNIONS**Branch Applications**

<i>Date</i>	<i>Name of Credit Union</i>	<i>Location</i>	<i>Action</i>
7-15-2008	Belco Community Credit Union Harrisburg Dauphin County	452 South Duke Street Lancaster Lancaster County	Opened

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. 08-1528. Filed for public inspection August 22, 2008, 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 State Parks (Bureau) and Moraine Preservation Fund (Fund) are proposing to negotiate an exchange of property interests in Clay Township, Butler County, PA.

The Fund will convey 5.14 acres in Clay Township known as parcel number 2F-108-A16. In return, the Bureau proposes to convey to the Fund 0.95 acre in Clay Township being part of parcel number 2F-108-A5M. Both parcels are bordering Mahood Road. In total, the Commonwealth will add 4.19 acres to Moraine State Park.

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 commencing August 23, 2008, and ending September 22, 2008. Oral or written comments or questions concerning this proposed exchange may be addressed to John Norbeck, Director of State Parks, Bureau of State Parks, P. O. Box 8551, Harrisburg, PA 17105-8551, (717) 787-6640. A public informational meeting concerning the proposed land exchange will take place at the park office building of Moraine State Park on Tuesday, September 9th at 10 a.m. All oral and/or written comments will become part of the official document used in the final decision process. Written documents are also available regarding the proposed land exchange by request.

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.

MICHAEL DIBERARDINIS,
Secretary

[Pa.B. Doc. No. 08-1529. Filed for public inspection August 22, 2008, 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>
PA-0061760 (Minor Sewage)	Blue Mountain School District Box 188 685 Red Dale Road Orwigsburg, PA 17961-0188	Schuylkill County Wayne Township	UNT to the Schuylkill River 03A	Y

<i>NPDES No. (Type)</i>	<i>Facility Name & Address</i>	<i>County & Municipality</i>	<i>Stream Name (Watershed #)</i>	<i>EPA Waived Y/N ?</i>
PA-0064271 (Minor Sewage)	Michael A. and Lisa A. Mason 4926 Main Road West Emmaus, PA 18049	Lehigh County Upper Milford Township	UNT to Leibert Creek 2C	Y
PA-0012092 (Industrial Waste)	BOC Gases 575 Mountain Avenue Murray Hill, NJ 07974	Bethlehem City Northampton County	Dry swale tributary to the Lehigh Canal 02C	Y
PA-0032077	Department of Conservation and Natural Resources Bureau of State Parks R. R. 1 Box 1051 Barnesville, PA 18214-9715	Rush Township Schuylkill County	Locust Creek CWF Watershed 3A	Y

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

<i>NPDES No. (Type)</i>	<i>Facility Name & Address</i>	<i>County & Municipality</i>	<i>Stream Name (Watershed #)</i>	<i>EPA Waived Y/N ?</i>
PA0083151 (Sew)	Penn Manor School District P. O. Box 1001 Millersville, PA 17551	Lancaster County Martic Township	Pequea Creek 7-K	Y
PA0084778 (Sew)	Granville Township Municipal Authority 100 Helen Street Lewistown, PA 17044	Mifflin County Oliver Township	Strodes Run 12-A	Y
PA0027952 (Sew)	HMS Host P. O. Box 8 Middletown, PA 17057	Lebanon County South Londonderry Township	UNT to Conewago Creek 7-G	Y
PA0085740 (Sew)	Mill Creek Area Municipal Authority P. O. Box 4 Mill Creek, PA 17060	Huntingdon County Mill Creek Borough	Juniata River 12-C	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>
PA0103896	County Landfill, Inc. 5600 Niagara Falls Boulevard Niagara Falls, NY 14304-1532	Farmington Township Clarion County	UNT to Walley Run 16-F	N
PA0103331	Jackson Center Borough R. R. 1 Bradley Road Jackson Center, PA 16133	Jackson Township Mercer County	Yellow Creek 20-A	Y

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

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

PA0058955, Industrial Waste, SIC 3273, **JDM Materials Company**, 851 County Line Road, Huntingdon Valley, PA 19006. This proposed facility is located in City of Philadelphia, **Philadelphia County**.

Description of Proposed Activity: Amendment 1 of a permit to discharge of stormwater from a Ready-Mix Concrete Batch Plant property. The permit amendments involve revised best management practices. This property is located at Penrose Ferry Road, Philadelphia, PA 19153.

The receiving stream, Schuylkill River, is in the State Water Plan Watershed 3F and is classified for: WWF, MF, aquatic life, water supply and recreation. The nearest downstream public water supply intake is located on the Delaware River. This discharge is not expected to impact the water supply.

PA0058971, Industrial Waste, SIC 3273, **JDM Materials Company**, 851 County Line Road, Huntingdon Valley, PA 19006. This proposed facility is located in Middletown Township, **Bucks County**.

Description of Proposed Activity: Amendment 1 of a permit to discharge stormwater from a Ready-Mix Concrete Batch Plant property. The permit amendments involve revised best management practices. This property is located at Maple Avenue (Route 213) and Railroad, Langhorne, PA 19047.

The receiving stream, Mill Creek (Stream Code 2916), is in the State Water Plan Watershed 2F and is classified for: WWF, aquatic life, water supply and recreation. The nearest downstream public water supply intake for AQUA, PA Bristol is located on the Delaware River. This discharge is not expected to impact the water supply.

PA0058921, Industrial Waste, SIC 3273, **JDM Materials Company**, 851 County Line Road, Huntingdon Valley, PA 19006. This proposed facility is located in Upper Southampton Township, **Bucks County**.

Description of Proposed Activity: Amendment 3 of a permit to discharge of stormwater from a Ready-Mix Concrete Batch Plant property. The permit amendments involve revised best management practices. This property is located at 851 County Line Road, Huntingdon Valley, PA 19006.

The receiving stream, tributary 2453 to Southampton Creek, is in the State Water Plan Watershed 3J and is classified for: TSF, MF, aquatic life, water supply and recreation. The nearest downstream public water supply intake is located on the Delaware River. This discharge is not expected to impact the water supply.

PA0058939, Industrial Waste, SIC 3273, **JDM Materials Company**, 851 County Line Road, Huntingdon Valley, PA 19006. This proposed facility is located in Schuylkill Township, **Chester County**.

Description of Proposed Activity: Amendment 3 of a permit to discharge of stormwater from a Ready-Mix Concrete Batch Plant property. The permit amendments involve revised best management practices. This property is located at Route 23, Schuylkill Road at Pickering Valley Road, Phoenixville, PA 19460.

The receiving stream, UNT to French Creek (PA stream code 1550), is in the State Water Plan Watershed 3D and is classified for: TSF, MF, aquatic life, water supply and recreation. The nearest downstream public water supply intake for Philadelphia Suburban Water Company—Pickering Creek Plant is located on the Schuylkill River. This discharge is not expected to impact the water supply.

PA0058980, Industrial Waste, SIC 3273, **JDM Materials Company**, 851 County Line Road, Huntingdon Valley, PA 19006. This proposed facility is located in Plumstead Township, **Bucks County**.

Description of Proposed Activity: Amendment 1 of a permit to discharge of stormwater from a Ready-Mix Concrete Batch Plant property. The permit amendments involve revised best management practices and the deletion of Outfall 002. This property is located at 861 North Easton Road, Doylestown, PA 18901.

The receiving stream, Pine Run, is in the State Water Plan Watershed 2F and is classified for: TSF, MF, aquatic life, water supply and recreation. The nearest downstream public water supply intake for AQUA PA is located on Neshaminy Creek. This discharge is not expected to impact the water supply.

PA0058963, Industrial Waste, SIC 3273, **JDM Materials Company**, 851 County Line Road, Huntingdon Valley, PA 19006. This proposed facility is located in Telford Borough, **Bucks County**.

Description of Proposed Activity: Amendment 2 of a permit to discharge of stormwater from a Ready-Mix Concrete Batch Plant property. The permit amendments involve revised best management practices. This property is located at 451 East Reliance Avenue, Telford, PA 18969.

The receiving stream, tributary 1238 to Mill Creek, is in the State Water Plan Watershed 3E and is classified for: TSF, aquatic life, water supply and recreation. The nearest downstream public water supply intake is located on the Perkiomen Creek. This discharge is not expected to impact the water supply.

PA0058947, Industrial Waste, SIC 3273, **JDM Materials Company**, 851 County Line Road, Huntingdon Valley, PA 19006. This proposed facility is located in City of Philadelphia, **Philadelphia County**.

Description of Proposed Activity: Amendment 1 of a permit to discharge of stormwater from a Ready-Mix Concrete Batch Plant property. The permit amendments involve revised best management practices. This property is located at 2750 Grant Avenue, Philadelphia, PA 19114.

The receiving stream, Wooden Bridge Run tributary to Pennypack Creek, is in the State Water Plan Watershed 3J and is classified for: WWF, MF, aquatic life, water supply and recreation. The nearest downstream public water supply intake is located on the Delaware River. This discharge is not expected to impact the water supply.

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

PA-0061832, Industrial, **Draka Cableteq USA**, P. O. Box 347, Schuylkill Haven, PA 17972. This proposed facility is located in Schuylkill Haven Borough, **Schuylkill County**.

Description of Proposed Activity: renewal of NPDES permit.

The receiving stream, Schuylkill River, is in the State Water Plan Watershed 3A and is classified for: CWF. The nearest downstream public water supply intake for Pottstown Water Authority is located on Schuylkill River is over 50 miles below the point of discharge.

The proposed effluent limits for each outfall is as follows.

Outfall 001—0.011 mgd

<i>Parameter</i>	<i>Monthly Average (mg/l)</i>	<i>Daily Maximum (mg/l)</i>	<i>Daily Maximum (lbs/day)</i>
BOD ₅		26.0	2.4
Total Suspended Solids		19.0	1.74
Oil and Grease	15.0	29.0	2.7
Dissolved Oxygen	A minimum of 5.0 mg/l at all times		
pH	6.0 to 9.0 at all times		

Outfall 002—0.064 mgd

<i>Parameter</i>	<i>Monthly Average (mg/l)</i>	<i>Daily Maximum (mg/l)</i>	<i>Daily Maximum (lbs/day)</i>
BOD ₅		26.0	13.8
Total Suspended Solids		19.0	10.1
Oil and Grease	15.0	29.0	15.5
Dissolved Oxygen	A minimum of 5.0 mg/l at all times		
pH	6.0 to 9.0 at all times		

Outfall 003—0.049 mgd

<i>Parameter</i>	<i>Monthly Average (mg/l)</i>	<i>Daily Maximum (mg/l)</i>	<i>Daily Maximum (lbs/day)</i>
BOD ₅		26.0	10.6
Total Suspended Solids		19.0	7.8
Oil and Grease	15.0	29.0	11.8
Dissolved Oxygen	A minimum of 5.0 mg/l at all times		
pH	6.0 to 9.0 at all times		

Outfall 004—0.06 mgd

<i>Parameter</i>	<i>Monthly Average (mg/l)</i>	<i>Daily Maximum (mg/l)</i>	<i>Daily Maximum (lbs/day)</i>
BOD ₅		26.0	13
Total Suspended Solids		19.0	9.5
Oil and Grease	15.0	29.0	14.5
Dissolved Oxygen	A minimum of 5.0 mg/l at all times		
pH	6.0 to 9.0 at all times		

The EPA waiver is in effect.

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

PA0228427, CAFO, SIC 0213, **Country View Family Farms, LLC**, 6360 Flank Drive, Suite 100, Harrisburg, PA 17112-2766. This existing facility is located in Wells Township, **Bradford County**.

Description of Proposed Activity: The Pine Hill Farm CAFO is an existing swine operation that will be expanding its operation. Upon completion of the proposed expansion the facility will include approximately 5,050 sows, 12 boars, 750 sow/litter pairs, 2,000 gilts and 19,200 piglets, totaling 3,244 animal equivalent units.

The water body nearest to this facility is Mill Creek located in the Tioga Watershed (SWP-04A) and has a designated use of TSF.

Except for the chronic or catastrophic rainfall events defined as over 25-year/24-hour rain storms, the CAFO permit is a nondischarge NPDES permit. Where applicable compliance with 40 CFR Federal effluent limitation guidelines is required. The permit requires no other numeric effluent limitations. Compliance with the Pennsylvania Nutrient Management Act and The Clean Streams Law constitutes compliance with State narrative water quality standards.

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

1. Compliance with the Farm's Nutrient Management Plan.
2. Compliance with the Farm's Preparedness, Prevention and Contingency Plan.
3. Compliance with the Farm's Erosion and Sedimentation Control Plan for plowing and tilling.
4. Erosion and Sedimentation Control Plan requirements for stormwater during construction activities.
5. Animal mortality handling and disposing requirements.
6. Certification requirements for manure storage facilities.
7. Requirements for storage of feed and other raw materials.
8. Best Management Practices requirements.
9. Groundwater monitoring well maintenance requirement.

The EPA waiver will not be in effect.

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

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

WQM Permit No. 4608410, Sewerage, **Lower Salford Township Authority**, P. O. Box 243, 57 Main Street, Harleysville, PA 19438. This proposed facility is located in Lower Salford Township, **Montgomery County**.

Description of Action/Activity: The influent pump station for the Mainland WWTP will be relocated together with the influent sanitary sewer and force main from the pump station to the WWTP.

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

WQM Permit No. 3608405, Sewerage, **Suburban Lancaster Sewer Authority**, P. O. Box 458, Lancaster, PA 17608-0458. This proposed facility is located in West Lampeter Township, **Lancaster County**.

Description of Proposed Action/Activity: Seeking authorization to build a public sanitary sewer collection and conveyance system.

WQM Permit No. 0608403, Sewerage, **Municipal Authority of the Borough of Sinking Spring**, 3940 Penn Avenue, Sinking Spring, PA 19608-1112. This proposed facility is located in Spring Township, **Berks County**.

Description of Proposed Action/Activity: Seeking authorization for an upgrade and modifications to the Sinking Spring wastewater treatment plant.

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

WQM Permit No. 0808202, CAFO, SIC 0213, **Country View Family Farms, LLC**, 6360 Flank Drive, Suite 100, Harrisburg, PA 17112-2766. This proposed facility is located in Wells Township, **Bradford County**.

Description of Proposed Action/Activity: Pine Hill Farm, an existing swine farm, proposes the issuance of a WQM permit for the construction and operation of two concrete underbarn manure storage facilities. One facility will measure 85 feet by 736 feet by 2 feet deep and will service a proposed farrowing barn. The second facility will measure 125.5 feet by 920 feet by 9 feet deep and will service a proposed gestation barn. The two underbarn manure storage facilities will provide a total holding capacity, minus appropriate freeboard, of approximately 7 million gallons.

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

WQM Permit No. WQG026121, Sewerage, **Hidden Valley Four Seasons Resort**, One Craighead Drive, Hidden Valley, PA 15502. This proposed facility is located in Jefferson Township, **Somerset County**.

Description of Proposed Action/Activity: Application for the construction and operation of a sewer extension and pump station.

WQM Permit No. 0408403, Sewerage, **Freedom Borough Collection and Conveyance Authority**, P. O. Box 201, Freedom, PA 15042. This proposed facility is located in Freedom Borough, **Beaver County**.

Description of Proposed Action/Activity: Application for the construction and operation of a sanitary, storm sewer separation.

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

WQM Permit No. 4308401, Sewage, **State Regional Correction Center at Mercer**, 801 Butler Pike, Mercer, PA 16137. This proposed facility is located in Findley Township, **Mercer County**.

Description of Proposed Action/Activity: This application proposes the construction of a 250,000 gpd (0.25 mgd) sequencing batch reactor wastewater treatment plant to eliminate the existing 160,000 gpd (0.16 mgd) sewage treatment plant and its pending 60,000 gpd (0.06 mgd) plant expansion to implement the second phase of the associated Planning Module for Land Development, approved by the Department of Environmental Protection on December 27, 2007. Wholesale replacement of the entire system will improve operating efficiency and replace aging equipment. The expansion will continue to utilize the existing plant's aeration tanks number six and seven and equalization tank number three as sludge holding for subsequent truck hauling to landfill disposal.

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

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

<i>NPDES Permit No.</i>	<i>Applicant Name & Address</i>	<i>County</i>	<i>Municipality</i>	<i>Receiving Water/Use</i>
PAI01 1503012-R	DHLP Manchester Farms, LP 435 Devon Park Drive Building 200 Wayne, PA 19087	Chester	East Fallowfield Township	West Branch Brandywine Creek EV

<i>NPDES Permit No.</i>	<i>Applicant Name & Address</i>	<i>County</i>	<i>Municipality</i>	<i>Receiving Water/Use</i>
PAI01 1508047	William Roche 1380 Morgantown Road Morgantown, PA 19543	Chester	Honey Brook Township	West Branch Brandywine Creek HQ-TSF-MF
PAI01 1504048	ROJAN HH and M, LLC 2213 Concord Pike Wilmington, DE 19803	Chester	London Grove Township	East Branch White Clay Creek EV
PAI01 1508049	Robert L. Cone P. O. Box 120 Elverson, PA 19406	Chester	West Nantmeal Township	South Branch French Creek EV
PAI01 1508050	David and Phoebe McElhenny 715 Tablotville Road Honey Brook, PA 19344-1749	Chester	Honey Brook Township	East Branch Brandywine Creek HQ-TSF-MF
PAI01 1508051	Hellings Properties, LP 613 Foothill Drive West Chester, PA 19382	Chester	East Whiteland Township	Valley Creek EV
PAI01 1508052	New Garden Township 299 Starr Road Landenberg, PA 19350	Chester	New Garden Township	East Branch White Clay Creek EV
PAI01 2308007	Sweetwater Valley, LLC P. O. Box 287 Gradyville, PA 19039	Delaware	Middletown Township	Rocky Run HQ-CWF-MF
PAI01 2308008	Anthony Palmieri 1435 Middletown Road Glen Mills, PA 19342	Delaware	Edgmont Township	Ridley Creek HQ-TSF
PAI01 4608003	Garden Springs Holding, Inc. 375 Armand Hammer Boulevard Pottstown, PA 19464	Montgomery	Lower Pottsgrove Township	Schuylkill River WWF-MF
PAI01 4608004	Bux Mont Riding Club, Inc. 521 Thousand Acre Road Sellersville, PA 18960	Montgomery	Salford Township	UNT Ridge Valley Creek HQ-TSF

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

Monroe County Conservation District: 8050 Running Valley Road, Stroudsburg, PA 18360, (570) 629-3060.

<i>NPDES Permit No.</i>	<i>Applicant Name & Address</i>	<i>County</i>	<i>Municipality</i>	<i>Receiving Water/Use</i>
PAI024508010	Pleasant Valley Assembly of God P. O. Box 797 Brodheads ville, PA 18321	Monroe	Chestnuthill Township	Pohopoco Creek HQ-CWF Weir Creek CWF

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

<i>NPDES Permit No.</i>	<i>Applicant Name & Address</i>	<i>County</i>	<i>Municipality</i>	<i>Receiving Water/Use</i>
PAI023908019	Kolarik & Rocco Associates, LP Attn: Joseph Kolarik 2288 Meadow Lane Emmaus, PA 18049	Lehigh	Weisenberg Township	Lyon Creek HQ-CWF, MF

Monroe County Conservation District: 8050 Running Valley Road, Stroudsburg, PA 18360, (570) 629-3060.

<i>NPDES Permit No.</i>	<i>Applicant Name & Address</i>	<i>County</i>	<i>Municipality</i>	<i>Receiving Water/Use</i>
PAI024508005	Joshmor, Inc. HC Box 405A Brodheads ville, PA 18322	Monroe	Chestnuthill and Jackson Townships	McMichael Creek EV
PAI024508009	RPM Realty Co. 410 Analomink Road East Stroudsburg, PA 18301	Monroe	Hamilton Township	McMichael Creek HQ-CWF

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

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

STATE CONSERVATION COMMISSION

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

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

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

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

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

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

CAFO PUBLIC NOTICE SPREADSHEET—APPLICATIONS

<i>Agricultural Operation Name and Address</i>	<i>County</i>	<i>Total Acres</i>	<i>Animal Equivalent Units</i>	<i>Animal Types</i>	<i>Special Protection Waters (HQ or EV or NA)</i>	<i>Application or Action</i>
Steve Hershey 2024 Donegal Springs Road Mount Joy, PA 17552	Lancaster	134	429.69	Layers, steers	HQ	Renewal
	Lancaster					
	Lancaster					
	Lancaster					
	Lancaster					
	Lancaster					
	Lancaster					

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

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

Application No. 1508507, Public Water Supply.

Applicant **Warwick Water Works, Inc.**
 Township Warwick
 County **Chester**
 Responsible Official Richard Orlow
 1345 Hares Hill Road
 Phoenixville, PA 19460
 Type of Facility PWS
 Consulting Engineer Earth Companies
 1345 Hares Hill Road
 Phoenixville, PA 19460
 Application Received Date May 9, 2008
 Description of Action The construction of a 150,00-gallon storage tank.

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

Application No. 2108506, Minor Amendment, Public Water Supply.

Applicant **United Water Pennsylvania**
 Municipality Upper Allen Township
 County **Cumberland**
 Responsible Official Authur C. Saunders
 Operations Engineer
 4211 East Park Circle
 Harrisburg, PA 17111
 Type of Facility Public Water Supply
 Consulting Engineer Renee A. Szczepanski, P. E.
 Navarro & Wright Consulting
 Engineers, Inc.
 151 Reno Avenue
 New Cumberland, PA 17070
 Application Received: July 21, 2008
 Description of Action Construction of a new Mt. Allen booster pump station.

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

Permit No. 0208512, Public Water Supply.

Applicant **Pennsylvania American Water Company**
 800 West Hersheypark Drive
 P. O. Box 888
 Hershey, PA 17033

Township or Borough City of Pittsburgh
 Baldwin Borough
Allegheny County
 and
 Union Township
Washington County
 Responsible Official David Kaufman
 Regional Director of Engineering
 Pennsylvania American Water
 Company
 800 West Hersheypark Drive
 P. O. Box 888
 Hershey, PA 17033
 Type of Facility Water treatment plant
 Consulting Engineer Gannett Fleming, Inc.
 207 Senate Avenue
 Camp Hill, PA 17011-2316
 Application Received Date July 22, 2008
 Description of Action Construction of new chemical storage and feed facilities at the existing Hays Mine Station WTP, E. H. Aldrich WTP and Mt. Washington booster pump station. At each facility, switch chlorination from gas chlorine to sodium hypochlorite. Also at Hays Mine upgrade or replace existing chemical facilities, construct two chemical feed chambers install new flow meter on clearwell No. 2 discharge line and demolish the existing chemical building. At E. H. Aldrich construct a new chemical feed and sampling station.

Permit No. 0208513, Public Water Supply.

Applicant **Pennsylvania American Water Company**
 800 West Hersheypark Drive
 P. O. Box 888
 Hershey, PA 17033
 Township or Borough City of Pittsburgh
 Baldwin Borough
Allegheny County
 and
 Union Township
Washington County
 Responsible Official David Kaufman
 Regional Director of Engineering
 Pennsylvania American Water
 Company
 800 West Hersheypark Drive
 P. O. Box 888
 Hershey, PA 17033
 Type of Facility Water treatment plant
 Consulting Engineer Gannett Fleming, Inc.
 207 Senate Avenue
 Camp Hill, PA 17011-2316
 Application Received Date July 22, 2008

Description of Action Construct new ammonia storage and feed facilities (chloramination) at the Hays Mine Station WTP, E. H. Aldrich Station WTP and the Mt. Washington Booster Pump Station.

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 AT&T Relay Service at (800) 654-5984.

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

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

Smith Residence (1277 Main Street), Jenkins Township, **Luzerne County**. Thomas Jones, Penn Environmental & Remediation, Inc., 2755 Bergey Road, Hatfield, PA 19440, has submitted a Notice of Intent to Remediate (on behalf of his client, Christine Smith, 1277 Main Street, Jenkins Township, PA 18640), concerning the remediation of soils found to have been impacted by No. 2 fuel oil as a result of a release from an aboveground storage tank. The applicant proposes to remediate the site to meet the Residential Statewide Health Standard for soils. The proposed future use of the property will be residential. A summary of the Notice of Intent to Remediate is expected to be published in a local newspaper serving the general area sometime in the near future.

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

Supervalu Distribution Center, City of Harrisburg, **Dauphin County**. Property Solutions, Inc., 323 New Albany Road, Moorestown, NJ 08057 on behalf of KTR Capital Partners, LLC, Five Towers Bridge, Barr Harbor Drive, Suite 150, West Conshohocken, PA 19428, submitted a Notice of Intent to Remediate soils and groundwater contaminated with arsenic and antimony. The future use of this site will be as a warehouse and distribution center. The site will be remediated to the Site-Specific Standard.

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

Ave Maria St. Marys (65 Ave Maria), City of St. Marys, **Elk County**. Insite Group, Inc., 611 South Irvine Avenue, Sharon, PA 16146 on behalf of J. M. Hamlin and Sara Johnson, 517 Center Street, Saint Marys, PA 15857 has submitted a Notice of Intent to Remediate. Dried sewage sludge obtained from the Saint Marys Wastewater Treatment Plant was applied to the property in 1970 and 1974. Samples collected from the property in 1987 and 2005 showed concentrations of cadmium in soil exceeded the Statewide Health Standard. Future use of the property is residential. The Notice of Intent to Remediate was published in *The Daily Press* on October 10, 2006.

Windfall Road St. Marys (1115 Windfall Road), City of St. Marys, **Elk County**. Insite Group, Inc., 611 South Irvine Avenue, Sharon, PA 16146 on behalf of Lad Kornacki, 1115 Windfall Road, Saint Marys, PA 15857 has submitted a Notice of Intent to Remediate. Dried sewage sludge obtained from the Saint Marys Wastewater Treatment Plant was applied to the property in 1979 and 1980. Samples collected from the property in 1987 and 2005 showed concentrations of cadmium in soil exceeded the Statewide Health Standard. Future use of the property is residential. The Notice of Intent to Remediate was published in *The Daily Press* on October 10, 2006.

North Michael Street—St. Marys (354 North Michael Street), City of St. Marys, **Elk County**. Insite Group, Inc., 611 South Irvine Avenue, Sharon, PA 16146 on behalf of Alan Weis, 147 East Oilwell Street, Saint Marys, PA 15857 has submitted a Notice of Intent to Remediate. Dried sewage sludge obtained from the Saint Marys Wastewater Treatment Plant was applied to the

property in 1968, 1972 and 1975. Samples collected from the property in 1987 and 2005 showed concentrations of cadmium in soil exceeded the Statewide Health Standard. Future use of the property is residential. The Notice of Intent to Remediate was published in *The Daily Press* on October 10, 2006.

RESIDUAL WASTE GENERAL PERMITS

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

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

General Permit Renewal Application Number WMGR046D001. Summit Anthracite, Inc., R. R. 1, Box 12a, Klingerstown, PA 17941-9704. General Permit Number WMGR046D001 authorizes the processing and beneficial use of the following wastes: drinking water treatment sludges, yard waste, bark ash, coal ash, agricultural residues, waste cardboard and paper, sludge generated by paper or pulp mills (SIC Code 2621 and 2611), waste from vegetable food processing, unused sands and spent mushroom substrate. The processing is limited to separation, size reduction (grinding), mixing, windrow composting, static composting and screening prior to beneficial use as manufactured soil or soil amendments. The application was received by Central Office on August 5, 2008.

Comments concerning the application should be directed to Ronald C. Hassinger, Chief, General Permits/Beneficial Use Section, Division of Municipal and Residual Waste, Bureau of Waste Management, P. O. Box 8472, Harrisburg, PA 17105-8472, (717) 787-7381. TDD users may contact the Department of Environmental Protection through the Pennsylvania Relay Services (800) 654-5984. Public comments must be submitted within 60 days of this notice and may recommend revisions to, and approval or denial of the application.

AIR QUALITY

PLAN APPROVAL AND OPERATING PERMIT APPLICATIONS

NEW SOURCES AND MODIFICATIONS

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

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

Copies of 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.

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

24-0830: Carbone of America (215 Stackpole Street, St. Marys, PA 15857) for installation of a new natural gas fired carbon baking kiln, thermal oxidizer and limestone scrubber at their facility in St. Marys City, **Elk County**. This is a Title V facility.

42-004D: American Refining Group (77 North Kendall Avenue, Bradford, PA 16701) for plan approval to change existing emission limits and applicable requirements associated with the following sources: Crude Unit Heater, Raffinate Heater and ISOM Heater, Boiler No. 5 and Refinery Flare all at their Bradford facility in Bradford City, **McKean County**. This is a Title V facility, Permit No. 42-0004.

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

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

39-327-004: Sumitomo (SHI) Cryogenics of America, Inc. (1833 Vultee Street, Allentown, PA 18103) for construction of a new batch vapor degreaser at their facility in Allentown, **Lehigh County**. The operation of the new degreaser will result in annual emissions of 11.6

tpy of VOCs and 0.12 tpy of HAPs. The facility is a non-Title V (State-only) facility and has been issued Synthetic Minor Operating Permit No. 39-00074. The Plan Approval and Operating Permit will include emission restrictions and reporting, work practices and recordkeeping requirements designed to keep the source operating within all applicable air quality requirements. This plan approval will, in accordance with 25 Pa. Code § 127.450, be incorporated into the Synthetic Minor Operating Permit through an administrative amendment at a later date.

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

05-05006B: Columbia Gas Transmission Corp. (1700 MacCorkle Avenue, SE, Charleston, WV 25314) for installation of two dehydrator flares to replace the existing flares at their Artermas Compressor Station in Mann Township, **Bedford County**. The dehydrators are subject to 40 CFR Part 63, Subpart HHH, National Emission Standards for HAPs from Natural Gas Transmission and Storage Facilities, MACT. The facility has the potential to emit, annually, the following: 50 tons VOC, 10 tons of a single HAP and 100 tons each of NOx and CO. The plan approval will include monitoring, recordkeeping, work practices and reporting requirements designed to keep the source operating within all applicable air quality requirements. The facility is presently covered by the Title V operating permit No. 05-05006.

06-05005C: Eastern Industries, Inc.—Oley Blacktop Plant (R. D. 1, P. O. Box 265, Bieber Mill Road, Oley, PA 19547) for conversion of the existing rotary dryer burner to be capable of burning On-Specification Waste Derived Liquid Fuel in addition to previously approved liquid fuels No. 2, No. 4 and No. 5. The plant will continue to be controlled by a cyclone and a fabric filter baghouse in Oley Township, **Berks County**. The actual emissions from this facility will be about 98.0 tpy of CO, 29.4 tpy of NOx, 21.6 tpy of SOx, 6.6 tpy of PM and 0.2 tpy of VOC. This plan approval will include monitoring, recordkeeping and reporting requirements designed to keep the sources operating within all applicable air quality requirements.

06-05066G: Exide Technologies (P. O. Box 14294, Reading, PA 19612-4294) for modification of the secondary lead smelter furnaces at their facility in Laureldale Borough/Muhlenberg Township, **Berks County**. The modification will reset the minimum flow rate limits for the various wet control devices (two venturi scrubbers and two spray chambers). The modification will result in no changes in the emission rates. The sources are subject to 40 CFR Part 60, Subpart L, Standards of Performance for New Stationary Standards and 40 CFR Part 63, Subpart X, National Emission Standards for HAPs from Secondary Lead Smelters. The plan approval will include monitoring, recordkeeping, work practices and reporting requirement designed to keep the sources operating within all applicable air quality requirements. The facility is presently covered by the Title V operating permit No. 06-05066. The plan approval will be incorporated into this permit in accordance with 25 Pa. Code § 127.450.

Northcentral Region: Air Quality Program, 208 West Third Street, Williamsport, PA 17701, David Aldenderfer, Program Manager, (570) 327-3637.

59-00005G: Dominion Transmission, Inc. (445 West Main Street, Clarksburg, WV 26301) for construction of a 2,370 horsepower natural gas-fired reciprocating internal

combustion compressor engine, a 5,810 horsepower natural gas-fired compressor turbine and eight 65 kW natural gas-fired microturbines at the Sabinsville Compressor Station in Clymer Township, **Tioga County**.

The facility in which the proposed construction will take place is a major (Title V) facility for which a Title V operating permit (No. 59-00005) has been issued.

The CO, VOC and VHAP (primarily formaldehyde) emissions from the reciprocating engine and turbine will be controlled by oxidation catalysts.

The total combined air contaminant emissions from the reciprocating engine, turbine and eight microturbines are not expected to exceed 36.85 tons of NOx, 18.91 tons of CO, 10.12 tons of PM/PM10, 5.89 tons of VOCs, 2.31 tons of VHAPs (including 1.88 tons of formaldehyde) and .39 ton of SOx per year.

The Department of Environmental Protection's (Department) review of the information submitted by Dominion Transmission, Inc. indicates that the proposed reciprocating engine, turbine and microturbines will comply with all applicable regulatory requirements pertaining to air contamination sources and the emission of air contaminants, including Subparts YYYY and ZZZZ of the National Emission Standards for HAPs, Subparts JJJJ and KKKK of the Federal Standards of Performance for New Stationary Sources and the BAT requirement of 25 Pa. Code §§ 127.1 and 127.12. Based on this finding, the Department proposes to issue plan approval for the construction of the proposed reciprocating engine, turbine and eight microturbines. Additionally, if the Department determines that the engine, turbine and microturbines are operating in compliance with all conditions of the plan approval and all applicable regulatory requirements following their construction, the Department intends to incorporate the plan approval conditions into Title V Operating Permit 59-00005 in accordance with the administrative amendment requirements of 25 Pa. Code § 127.450.

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

1. The reciprocating engine, turbine and microturbines shall be fired only on pipeline quality natural gas.
2. The reciprocating engine shall be equipped with an air fuel ratio controller and an oxidation catalyst which is capable of reducing the engine's CO, VOC and VHAP emissions by 93%, 80% and 80%, respectively.
3. The NOx emissions from the reciprocating engine shall not exceed .70 gram per brake horsepower-hour, 3.66 pounds per hour and 16.03 tons in any 12-consecutive month period, the CO emissions shall not exceed .18 gram per brake horsepower-hour, .91 pound per hour and 3.99 tons in any 12-consecutive month period, the VOC emissions shall not exceed .20 gram per brake horsepower hour, 1.05 pounds per hour and 4.58 tons in any 12-consecutive month period, the PM/PM10 emissions shall not exceed .16 pound per hour and .70 ton in any 12 month consecutive month period, the total combined HAP emissions shall not exceed .47 pound per hour and 2.06 tons in any 12-consecutive month period, the formaldehyde emissions shall not exceed .08 gram per brake horsepower-hour, .42 pound per hour and 1.84 tons in any 12-consecutive month period and the SOx emissions shall not exceed .009 pound per hour and .04 ton in any 12-consecutive month period.

The emission limitations contained in this condition apply only to "stack emissions" and do not have any applicability to any fugitive air contaminant emissions which may occur as a result of engine operation.

4. The oxidation catalyst associated with the reciprocating engine shall be equipped with instrumentation to continuously monitor the differential pressure across the catalyst and the catalyst inlet and outlet temperatures.

5. The differential pressure across the catalyst in the oxidation catalyst associated with the reciprocating engine shall not deviate by more than two inches wg at 100% engine load \pm 10% from the differential pressure measured across the catalyst during the initial stack testing required herein and the catalyst inlet temperature shall be maintained at a temperature of no less than 450° F but no more than 1,350° F.

6. The reciprocating engine shall comply with all applicable requirements specified in Subpart JJJJ of the Federal Standards of Performance for New Stationary Sources, 40 CFR 60.4230—60.4248, and Subpart ZZZZ of the National Emission Standards for HAPs, 40 CFR 63.6580—63.6675.

7. The turbine shall be equipped with Solar SoLoNOx technology and an oxidation catalyst which is capable of reducing the turbine's CO, VOC, VHAP and formaldehyde emissions by 96%, 50%, 86% and 94%, respectively.

8. The NOx emissions from the turbine shall not exceed 25 parts per million, by volume, dry basis, corrected to 15% O₂, and 4.66 pounds per hour, the CO emissions shall not exceed 2 parts per million, by volume, dry basis, corrected to 15% O₂, and .23 pound per hour, and the VOC emissions shall not exceed 12.5 parts per million, by volume, dry basis, corrected to 15% O₂, and .24 pound per hour when operating in a SoLoNOx mode. When the turbine is operating in a non-SoLoNOx mode, the NOx, CO and VOC emissions shall not exceed 7.0, 24.26 and 2.87 pounds per hour, respectively.

The emission limitations contained in this condition apply only to "stack emissions" and do not have any applicability to any fugitive air contaminant emissions which may occur as a result of turbine operation.

9. The PM/PM10, total combined HAP, formaldehyde and SOx emissions from the turbine shall not exceed .0419, .0012, .00019 and .0006 pound per mmBtu of heat input, respectively.

The emission limitations contained in this condition apply only to "stack emissions" and do not have any applicability to any fugitive air contaminant emissions which may occur as a result of turbine operation.

10. The NOx, CO, VOC, PM/PM10, total combined HAP, formaldehyde and SOx emissions from the turbine shall not exceed 20.43, 1.25, 1.08, 9.2, .25, .04 and .13 ton, respectively, in any 12-consecutive month period.

The emission limitations contained in this condition apply only to "stack emissions" and do not have any applicability to any fugitive air contaminant emissions which may occur as a result of turbine operation.

11. The turbine shall not be operated in a non-SoLoNOx mode for more than 20 hours in any 12-consecutive month period except for any operation in a non-SoLoNOx mode for the purposes of performing stack testing. The turbine shall be equipped with instrumentation to continuously monitor whether it is operating in a SoLoNOx mode or a non-SoLoNOx mode.

12. The oxidation catalyst associated with the turbine shall be equipped with instrumentation to continuously monitor the differential pressure across the catalyst and the catalyst inlet and outlet temperatures. The Department reserves the right to establish catalyst differential pressure and/or catalyst inlet temperature limitations/requirements for the oxidation catalyst.

13. The turbine shall comply with all applicable requirements specified in Subpart KKKK of the Federal Standards of Performance for New Stationary Sources, 40 CFR 60.4300—60.4420, and Subpart YYYY of the National Emission Standards for HAPs, 40 CFR 63.6080—63.6175.

14. Within 180 days of commencement of operation of the reciprocating engine, stack testing shall be performed to determine the engine's NOx, CO, VOC and formaldehyde emission rates. The NOx and CO testing shall thereafter be repeated on an annual basis and the VOC and formaldehyde testing shall thereafter be repeated on a triennial basis. The permittee may request a change in the required frequency of testing once enough data has been generated to determine the consistency of compliance.

15. Within 180 days of commencement of operation of the turbine, stack testing shall be performed to determine the turbine's NOx, CO, VOC, formaldehyde and PM/PM10 emission rates while operating in a SoLoNOx mode as well as the CO emission rate while operating in a non-SoLoNOx mode. The NOx and SoLoNOx mode CO testing shall thereafter be repeated on an annual basis and the VOC and formaldehyde testing shall thereafter be repeated on a triennial basis. The permittee may request a change in the required frequency of testing once enough data has been generated to determine the consistency of compliance.

16. The permittee shall maintain and report records of the number of hours the turbine operates in a non-SoLoNOx mode each month.

17. The Department reserves the right to require the maintenance and reporting of records of the catalyst differential pressure and/or catalyst inlet and outlet temperatures for the oxidation catalysts associated with the reciprocating engine and the turbine.

18. The total combined fugitive VOC and total combined fugitive VHAP emissions associated with the operation of the reciprocating engine and turbine shall not exceed 9.78 and .69 ton, respectively, in any 12-consecutive month period.

19. The permittee shall perform inspections of the reciprocating engine and turbine, the associated compressors and associated piping, and the like, at least once per month to determine the presence of fugitive VOC/VHAP emissions and shall take corrective action, as necessary, to eliminate any fugitive emissions detected during these inspections. The permittee shall maintain comprehensive records of these inspections which shall, at a minimum, include the date and time of the inspection, the identification of the inspector, what was inspected, the location of any observed fugitive VOC/VHAP emissions, identification of any corrective action taken to eliminate the observed fugitive emissions and the success, or failure, of the corrective action to eliminate the fugitive emissions. These same records shall be maintained for any non-scheduled observation of fugitive VOC/VHAP emissions.

20. The permittee shall maintain and report records of all occurrences of natural gas venting associated with the operation of the reciprocating engine and turbine which

shall, at a minimum, include the date and time of each such occurrence, the estimated amount of natural gas vented during each such occurrence and the estimated quantity of VOCs and VHAPs emitted during each such occurrence.

21. The NO_x, CO and VOC emission rates from each of the eight microturbines shall not exceed .17, 6.0 and .10 pound per MW hr, respectively.

22. The total combined NO_x emissions from all eight microturbines shall not exceed .09 pound per hour and .39 ton in any 12-consecutive month period, the total combined CO emissions shall not exceed 3.12 pounds per hour and 13.67 tons in any 12-consecutive month period, the total combined VOC emissions shall not exceed .05 pound per hour and .22 ton in a 12-consecutive month period, the total combined PM/PM₁₀ emissions shall not exceed .05 pound per hour and .22 ton in any 12-consecutive month period and the total combined SO_x emissions shall not exceed .05 pound per hour and .22 ton in any 12-consecutive month period.

23. The permittee shall be in possession of 50.52 tons of NO_x emission reduction credits prior to commencing operation of the reciprocating engine, turbine or any of the eight microturbines.

A copy of the plan approval application is available for public inspection during normal business hours at the address to follow. Persons interested in inspecting the application must schedule an appointment in advance.

Any person wishing to protest the issuance of plan approval or provide the Department with additional information which he/she believes should be considered in the Department's review of the respective plan approval application may do so by submitting the protest or information, in writing, to the Department at the address to follow.

Protests or comments must be received by the Department within 30 days of the last date of publication of this notice in order to be considered. Each protest or comment should include the name, address and telephone number of the person submitting the protest or comment and a concise statement explaining the relevancy of the protest or comment being presented to the Department.

A public hearing may be held if the Department, in its discretion, decides that such a hearing is warranted based on the information received. Persons protesting the issuance of plan approval, 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 in the Clymer Township, Tioga County, area or by letter or telephone if the Department feels that the notification is sufficient.

Written comments, protests or requests for a public hearing should be directed to David W. Aldenderfer, Environmental Program Manager, Air Quality Program, Department of Environmental Protection, 208 West Third Street, Suite 101, Williamsport, PA 17701-6448.

For additional information regarding the respective plan approval application, contact Richard L. Maxwell, Jr., Chief, New Source Review Section, Air Quality Program, Department of Environmental Protection, 208 West Third Street, Suite 101, Williamsport, PA 17701-6448, (570) 327-3640.

49-00040A: Reagent Chemical & Research, Inc., White Flyer Division (Happy Hallow Road, Coal Township, PA 17866) for the construction of three skeet target surface coating operations in Coal Township, **Northumberland County.**

The respective three skeet target surface coating operations (one biodegradable target surface coating operation and two pitch target surface coating operations) currently exist but the two fabric collectors used to control the PM emissions from the surface coating operations exhaust to the indoor atmosphere (The surface coating operations use water-based coatings with a minimal VOC content). Reagent Chemical & Research, Inc. now proposes to exhaust the collectors to the outdoor atmosphere.

The PM/PM₁₀ emissions to the outdoor atmosphere from the three target surface coating operations and associated fabric collectors are not expected to exceed 2.21 tons in any 12-consecutive month period. There will be no change in the surface coating operations' VOC emission rates.

The facility in which the surface coating operations are located is not a major (Title V) facility for any air contaminant.

The Department of Environmental Protection's (Department) review of the information submitted by Reagent Chemical & Research, Inc. indicates that the three skeet target surface coating operations will comply with applicable regulatory requirements pertaining to air contamination sources and the emission of air contaminants, including the BAT requirement of 25 Pa. Code §§ 127.1 and 127.12. Based on this finding, the Department proposes to issue plan approval. Additionally, if the Department determines that the respective surface coating operations are operating in compliance with all conditions of the plan approval and all applicable regulatory requirements following the change in fabric collector exhaust configuration, the Department intends to incorporate the plan approval conditions into State-only Operating Permit 49-00040 in accordance with the administrative amendment requirements of 25 Pa. Code § 127.450.

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

1. The PM emissions from the surface coating operations shall be controlled by two fabric collectors (one associated with the biodegradable target surface coating operation and one associated with the two pitch target surface coating operations) at all times.

2. The concentration of PM in the exhaust of the fabric collectors shall not exceed .01 grain per dry standard cubic foot of effluent gas volume. Additionally, there shall be no visible air contaminant emissions (other than water vapor or steam).

3. Each of the fabric collectors shall be equipped with instrumentation to monitor the differential pressure across the collector on a continuous basis.

4. Spare bags shall be kept onsite for the fabric collectors.

5. Only those coating materials identified in the application and supplemental materials submitted for plan approval (or alternate coating materials determined by the Department to have an equivalent or lower, air contaminant emission potential) shall be used in the surface coating operations.

6. Conditions contained in State-only Operating Permit 49-00040 remain in effect unless amended or superseded by a condition contained herein. If there is a conflict between a condition or requirement contained in this plan approval and a condition or requirement contained in State-only Operating Permit 49-00040, the permittee

shall comply with the condition or requirement contained in this plan approval rather than the conflicting condition or requirement contained in State-only Operating Permit 49-00040.

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, William R. Weaver, New Source Review Chief, (717) 705-4702.

05-05004: Seton Co. (135 Horton Drive, Saxton, PA 16678) for a finished and dimensioned leather manufacturing facility in Saxon Borough, **Bedford County**. The facility is subject to 40 CFR Part 63, Subpart TTTT, National emission standards for HAPs for leather finishing operations, Maximum Achievable Control Technology. The primary pollutants are VOCs and HAPs. The operating permit will include monitoring, recordkeeping, work practices and reporting requirements designed to keep the source operating within all applicable air quality requirements. This is a renewal of a Title V operating permit issued in April 2003.

36-05019: Anvil International (1411 Lancaster Avenue, Columbia, PA 17512) for operation of an iron foundry in Columbia Borough, **Lancaster County**. The air emissions associated with the facility's foundry operations, primarily emit PM/PM10 and VOCs. This renewal of the facility's operating permit also includes requirements from 40 CFR Part 63, Subpart ZZZZZ, regarding the use of Maximum Achievable Control Technology requirements in accordance with the National Emission Standards for HAPs for Iron and Steel Foundries Area Sources. The operating permit also incorporates requirements from 40 CFR Part 64—Compliance Assurance Monitoring for Major Stationary Sources. This action is a renewal of the Title V operating permit issued in 2003.

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

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

23-00068: Cremation Specialists, Inc. (43 East Baltimore Avenue, Media, PA 19063) for operation of a crematorium in Media Borough, **Delaware County**. This action is a renewal of the State-only Operating Permit. The original State-only Operating Permit was issued on October 25, 2002. The renewal contains all applicable requirements including monitoring, recordkeeping and reporting.

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

06-05096: Reading Hospital and Medical Center (Sixth and Spruce Streets, Reading, PA 19612-6052) for operation of Generators and Boilers in West Reading Borough, **Berks County**. The facility has the potential to emit 92.6 tpy of NOx, 94.0 tpy of SOx, 40.8 tpy of CO, 4.2 tpy of PM and 3.2 tpy of VOC. The facility wide (State-only) operating permit shall contain testing, monitoring, recordkeeping and reporting requirements, emission restrictions, and work practice standards designed to keep the facility operating within all applicable air quality requirements.

36-03021: J. Walter Miller Co. (411 East Chestnut Street, Lancaster, PA 17602) for operation of a foundry in the City of Lancaster, **Lancaster County**. This action is a renewal of the facility-wide operating permit issued in 2003.

67-05099: Kinsley Manufacturing, Inc. (1110 East Princess Street, York, PA 17403) for operation of their steel fabrication plant in the City of York, **York County**. The State-only operating permit will include emission restrictions, work practice standards, and testing, monitoring, recordkeeping and reporting requirements designed to keep the facility operating within all applicable air quality requirements. This is a renewal of the State-only operating permit issued in 2003.

Northcentral Region: Air Quality Program, 208 West Third Street, Williamsport, PA 17701, David Aldenderfer, Program Manager, (570) 327-3637.

59-00007: Reliant Mid-Atlantic Power Holdings, LLC (121 Champion Way, Suite 200, Canonsburg, PA 15317-5817) for their Blossburg generating station located in Covington Township, **Tioga County**. The facility's main air contaminant sources include one natural gas-fired combustion turbine and one diesel-fired reciprocating internal combustion engine. The facility has the potential to emit SOx, CO, PM/PM10, VOCs and combined and individual HAPs emissions below the major thresholds. The facility has taken a synthetic minor restriction to limit the NOx emissions below the major threshold. The proposed operating permit contains all applicable regulatory requirements including monitoring, recordkeeping and reporting conditions.

17-00006: Mt. Savage Specialty Refractories Company (P. O. Box 60, Curwensville, PA 16833) for operation of a refractories materials manufacturing/processing facility in Pike Township, **Clearfield County**.

The facility incorporates a 3.0 mmBtu/hr natural gas-fired rotary dryer, numerous pieces of material crushing, screening, mixing, conveying, bagging, and the like equipment and 14 natural gas-fired space heaters and water heaters (with a total combined heat input of 6.01 mmBtu/hr).

The PM emissions from the rotary dryer and material crushing, screening, mixing, conveying, bagging, and the like equipment are controlled by a wet scrubber and 11 fabric and cartridge collectors.

The air contaminant emissions from the facility are not expected to exceed 46.32 tons of PM/PM10, 3.65 tons of NOx, 3.07 tons of CO and .02 ton of SOx per year.

The Department of Environmental Protection (Department) proposes to incorporate into the operating permit to be issued conditions requiring compliance with all applicable regulatory requirements pertaining to air contamination sources and the emission of air contaminants as well as conditions previously contained in Operating Permit 17-309-024, issued on June 24, 2003, and Plan Approval 17-309-024A, issued on November 9, 2004, and conditions previously established as requirements of plan approval exemption determinations made on August 14, 2006, and January 8, 2007.

The conditions previously contained in Operating Permit 17-309-024 include:

1. Conditions limiting the PM emissions from the exhaust of the scrubber to no more than .02 grain per dry standard cubic foot of effluent gas volume and the PM emissions from the exhaust of nine fabric collectors to no more than .01 grain per dry standard cubic foot of

effluent gas volume and prohibiting the emission of visible air contaminant emissions from the exhaust of the nine fabric collectors.

2. A condition limiting the materials processed in the facility to Mulcoa 47, Mulcoa 60, refractory brick bats and additives identified in the application submitted for Plan Approval 17-309-024 (note: this condition was modified to include calcined clay and additives identified in the application submitted for Plan Approval 17-309-024A).

3. A condition limiting the fuel fired in the rotary dryer to natural gas.

4. A condition requiring the scrubber to be equipped with a pumped recirculating scrubbing solution system that shall be operated at all times the scrubber is in operation.

5. A condition requiring the scrubber to be operated at a minimum scrubbing solution recirculation rate of 60 gallons per minute and a minimum differential pressure of 14.0 inches of water.

6. Conditions requiring the scrubber to be equipped with instrumentation to monitor the pressure differential across the scrubber on a continuous basis and flow monitoring equipment capable of measuring the scrubbing solution recirculation rate with a minimum accuracy of plus or minus 1.0 gallon per minute on a continuous basis.

7. Conditions requiring each of nine fabric collectors to be equipped with instrumentation capable of measuring the pressure differential across the collector on a continuous basis and the maintenance of spare bags for the respective nine fabric collectors.

8. A condition requiring the bags in each of nine fabric collectors to be cleaned at least once every 3 hours of continuous operation and prohibiting the operation of the air contamination sources controlled by any of these nine fabric collectors when the bags in the respective collector are being cleaned.

9. A condition requiring the permittee to inspect nine fabric collectors for damaged or worn bags at least once every 3 months and maintain records of these inspections.

10. A condition requiring the permittee to drain, clean and inspect the scrubber at the end of each 5 day work week and to maintain records of these actions.

11. Conditions prohibiting the simultaneous operation of a bagging station and supersack filling station controlled by a common fabric collector.

12. Conditions requiring the collector ductwork associated with one of nine fabric collectors to be equipped with devices capable of gating off the ductwork to each air contamination source controlled by the respective fabric collector and requiring the permittee to gate off the ductwork to any source not in use.

13. Conditions requiring the use of a scrubber on certain pieces of equipment only when they are processing dry materials and prohibiting the rotary dryer from being operated when the respective equipment is being controlled by the scrubber.

14. A condition requiring the exhaust stack of the scrubber to be observed for the presence of visible emissions once per work shift while the rotary dryer is operating and the maintenance of records of these observations.

15. A condition requiring the performance of a facility inspection at least once per shift to detect the presence of

visible air contaminant emissions and visible fugitive air contaminant emissions and the maintenance of records of these inspections.

The conditions previously contained in Plan Approval 17-309-024A include:

16. A condition limiting the PM emissions from the exhaust of four fabric collectors and a cartridge collector to no more than .01 grain per dry standard cubic foot of effluent gas volume and prohibiting the emission of visible air contaminants from the exhaust of the four fabric collectors and cartridge collector.

17. Conditions requiring each of four fabric collectors and a cartridge collector to be equipped with instrumentation to monitor the pressure differential across the collector on a continuous basis and the maintenance of spare bags and cartridges for the four fabric collectors and cartridge collector.

18. A condition requiring any air compressor supplying compressed air to four fabric collectors and a cartridge collector to be equipped with an air dryer and an oil trap.

19. A condition requiring the bags and cartridges in four fabric collectors and a cartridge collector to be cleaned at least once every 3 hours of continuous operation and prohibiting the operation of the air contamination sources controlled by any of these collectors when the bags or cartridges in the respective collector are being cleaned.

20. A condition prohibiting the simultaneous operation of a bagging machine and supersack filling station controlled by a common cartridge collector.

The conditions previously established as requirements of a plan approval exemption determination made for a hopper and bypass conveyor on August 14, 2006, include:

21. Conditions requiring the hopper and conveyor to be controlled by the scrubber and prohibiting the operation of the hopper and conveyor whenever the other air contamination sources controlled by the scrubber are operating.

The conditions previously established as requirements of a plan approval exemption determination made for a refractory ramming material system on January 8, 2007, include:

22. Conditions requiring the refractory ramming material system to be controlled by a cartridge collector and prohibiting the operation of the refractory ramming material system whenever the other air contamination sources controlled by the cartridge collector are operating.

The new conditions the Department proposes to incorporate into the operating permit to be issued include:

23. A condition requiring the detection of malodorous air contaminant emissions to be included in the required once-per-week facility inspections (note: the facility inspection condition was also modified to clarify that the purpose of the inspections is to detect the presence of air contaminant emissions in excess of applicable emission limitations rather than the mere presence of emissions).

24. A condition limiting the fuel used in the facility's space heaters and water heaters to natural gas.

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

26-00580: Tank Solutions, Inc. (533 Industrial Park Road, Suite 2, Smock, PA 15480) for operation of a

sandblast and paint company for propane tanks at Smock Plant in Menallen Township, **Fayette Company**.

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

20-00296: Homerwood Hardwood Flooring (1026 Industrial Drive, Titusville, PA 16354) for operation of their facility's air contamination source consisting of: a surface coating operation and a woodworking operation. The facility has a facility-wide VOC limit of 49 tpy to remain a State-only. The facility manufactures hardwood flooring in the City of Titusville, **Crawford County**.

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—34.

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

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

Where a National Pollutant Discharge Elimination System (NPDES) number is listed, the mining activity permit application was accompanied by an application for

an individual NPDES permit. The Department has made a tentative determination to issue the NPDES permit in conjunction with the mining activity permit, but the issuance of the NPDES permit is contingent upon the approval of the associated mining activity permit.

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

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

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

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

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

Coal Applications Received

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

Table 1

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

¹ The parameter is applicable at all times.

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

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

Permit Number 11031301 and NPDES Permit No. PA0235539, AMFIRE Mining Company, LLC, (One Energy Place, Latrobe, PA 15650), to renew the permit for the Madison Mine in Jackson, Croyle and Cambria Townships, **Cambria County** and related NPDES permit. No additional discharges. Application received July 16, 2008.

Permit Number 33901602 and NPDES Permit No. PA0214604, AMFIRE Mining Company, LLC, (One Energy Place, Latrobe, PA 15650), to transfer the permit and related NPDES for the Brockway Tipple in Snyder Township, **Jefferson County** from Energy Resources, Inc. No additional discharges. Application received June 27, 2008.

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

32080103 and NPDES No. PA0262676. KMP Associates, Inc., 3756 SR 981, Saltsburg, PA 15681, commencement, operation and restoration of a bituminous surface and auger mine in Young Township, **Indiana County**, affecting 93.0 acres. Receiving streams: UNTs to/and Harpers Run, UNT to Blacklegs Creek classified for the following use: CWF. There are no potable water supply intakes within 10 miles downstream. Application received July 31, 2008.

56980103 and NPDES No. PA0234699. Godin Brothers, Inc., 128 Colton Drive, Stoystown, PA 15563, permit renewal for the continued operation and restoration of a bituminous surface and auger mine in Jenner and Lincoln Townships, **Somerset County**, affecting 133.5 acres. Receiving streams: UNTs to Quemahoning Creek classified for the following use: CWF. The first downstream potable water supply intake from the point of discharge is Cambria Somerset Authority Quemahoning SWI. Application received August 5, 2008.

56930104 and NPDES No. PA0212415. Future Industries, Inc., P. O. Box 157, Meyersdale, PA 15552, permit renewal for the continued operation and restoration of a bituminous surface mine in Brothersvalley Township, **Somerset County**, affecting 129.0 acres. Receiving streams: UNTs to/and Buffalo Creek classified for

the following use: CWF. There are no potable water supply intakes within 10 miles downstream. Application received August 5, 2008.

11850107 and NPDES No. PA0597341. AMFIRE Mining Company, LLC, One Energy Place, Latrobe, PA 15650, permit renewal for the continued operation and restoration of a bituminous surface mine in Portage Township, **Cambria County**, affecting 85.7 acres. Receiving streams: UNTs to/and Spring Run, UNTs to/and Trout Run classified for the following use: CWF. The first downstream potable water supply intake from the point of discharge is Cambria Somerset Authority Little Conemaugh River SWI. Application received August 5, 2008.

56980107 and NPDES No. PA0234877. AMFIRE Mining Company, LLC, One Energy Place, Latrobe, PA 15650, permit renewal for the continued operation and restoration of a bituminous surface and auger mine in Milford Township, **Somerset County**, affecting 277.0 acres. Receiving streams: UNTs to/and Casselman River and South Glade Creek classified for the following use: WWF. There are no potable water supply intakes within 10 miles downstream. Application received August 5, 2008.

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

63070102 and NPDES Permit No. PA0251186. Oxford Mining Company, LLC (544 Chestnut Street, Coshocton, OH 43812). Application received for transfer of permit currently issued to Oxford Mining Company for continued operation and reclamation of a bituminous surface mining site located in Jefferson Township, **Washington County**, affecting 99.7 acres. Receiving streams: UNTs to Scott Run to Cross Creek to Ohio River, classified for the following use: WWF. There are no downstream potable water supply intakes within 10 miles from the point of discharge. Transfer application received July 11, 2008.

26080104 and NPDES Permit No. PA0251453. Steve Patterson Excavating (170 Yasenosky Road, Smithfield, PA 15478). Application for commencement, operation and reclamation of a bituminous surface mine, located in Dunbar Township, **Fayette County**, affecting 88.2 acres. Receiving streams: UNTs 'A' and 'B' to Gist Run, classified for the following use: TSF. There is no potable water supply intake within 10 miles downstream from the point of discharge. Application received August 7, 2008.

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

5522-33070108-E-1. Ben Hal Mining Company (389 Irishtown Road, Grove City, PA 16127). Application for a stream encroachment to conduct mining activities within 100 feet of a UNT to Little Sandy Creek in McCalmont Township, **Jefferson County**. Receiving streams: Six UNTs to Little Sandy Creek, classified for the following use: CWF. There are no potable surface water supply intakes within 10 miles downstream. Application received August 1, 2008.

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

54980103R2. Gale Coal Company, Inc., (1441 Oak Road, Pottsville, PA 17901), renewal of an existing anthracite surface mine, coal refuse reprocessing and disposal operation in Frailey Township, **Schuylkill County** affecting 431.5 acres, receiving stream: none. Application received August 1, 2008.

54030102R and NPDES Permit No. PA0224324. Gale Mining Company, (1441 Oak Road, Pottsville, PA 17901), renewal of an existing anthracite surface mine operation in Hegins and Porter Townships, **Schuylkill County** affecting 300.0 acres, receiving stream: East Branch Rausch Creek. Application received August 1, 2008.

54-305-009GP12. Waste Management & Processors, Inc., (P. O. Box K, Frackville, PA 17931), application to operate a coal preparation plant whose pollution control equipment is required to meet all applicable limitations, terms and conditions of General Permit, BAQ-GPA/GP-12 on Surface Mining Permit No. 54080201 in Port Carbon and Mechanicsville Boroughs, **Schuylkill County**. Application received August 1, 2008.

Coal Applications Returned

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

11050102 and NPDES No. PA0249831. Hoffman Mining, Inc., P. O. Box 130, 118 Runway Road, Friedens, PA 15541, revision of an existing bituminous surface and auger mine to add 18.5 acres of surface and auger mining activities on the Lower Freeport coal seam in Adams Township, **Cambria County**, affecting 90.6 acres. Receiving streams: Paint Creek and UNTs to Paint Creek classified for the following use: CWF. There are no potable water supply intakes within 10 miles downstream. Application received May 5, 2008. Application returned August 5, 2008.

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

37050903. Grove City Materials, LP (3340 US Route 89, New Castle, PA 16101) Commencement, operation and restoration of an incidental coal operation in Wayne Township, **Lawrence County** affecting 7.4 acres. Receiving streams: Duck Run and UNT to Connoquenessing Creek. Application received August 25, 2005. Application returned August 8, 2008.

Noncoal Applications Received

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

Parameter	Table 2		
	30-day Average	Daily Maximum	Instantaneous Maximum
Suspended solids	10 to 35 mg/l	20 to 70 mg/l	25 to 90 mg/l
Alkalinity exceeding acidity* pH*		greater than 6.0; less than 9.0	

* The parameter is applicable at all times.

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

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

39080301. Geryville Materials, Inc., (P. O. Box 193, Eaglesville, PA 19408), commencement, operation and restoration of a quarry operation in Lower Milford Township, **Lehigh County** affecting 628.48 acres, receiving streams: UNTs to Hosensack Creek and UNT to Macoby Creek, classified for the following uses: CWF and WWF. Application received June 25, 2008.

FEDERAL WATER POLLUTION CONTROL ACT, SECTION 401

The following permit applications, requests for Environmental Assessment approval and requests for 401 Water Quality Certification have been received by the Department of Environmental Protection (Department). Section 401 of the Federal Water Pollution Control Act (FWPCA) (33 U.S.C.A. § 1341) requires the State to certify that the involved projects will not violate the applicable provisions of sections 301—303, 306 and 307 of the FWPCA (33 U.S.C.A. §§ 1311—1313, 1316 and 1317) as well as relevant State requirements. Persons objecting to approval of a request for certification under section 401 of the FWPCA or to the issuance of a Dam Permit, Water Obstruction and Encroachment Permit or the approval of an Environmental Assessment must submit comments, suggestions or objections within 30 days of the date of

this notice, as well as questions, to the regional office noted before the application. Comments should contain the name, address and telephone number of the person commenting, identification of the certification request to which the comments or objections are addressed and a concise statement of comments, objections or suggestions including the relevant facts upon which they are based.

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

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

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

WATER OBSTRUCTIONS AND ENCROACHMENTS

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

E51-171. West Highland Holdings, LP, 735 South Columbus Boulevard, Philadelphia, PA 19147, Philadelphia City, **Philadelphia County**, United States Army Corps of Engineers, Philadelphia District.

To perform the following water obstruction and encroachment activities:

1. To reconstruct and maintain the existing Pier 40 North along the Delaware River (WWF, MF) associated with construction of the proposed 43 story residential high-rise building which will be accessed by the proposed 133-foot long and 48-foot wide pile supported bridge. The existing pier will be widened approximately 55.1-foot to the south, 14.4-foot to the north, and 45.2-foot to the east. Approximately 0.43 acre of existing fill will be removed from the river, and 949 proposed 14-inch diameter concrete filled steel piles will be driven into the river bed.

2. To construct and maintain a public recreational park with access to the Delaware River located to the west of the pier, between the existing bulkhead and the assumed bulkhead line.

3. To construct and maintain a pedestrian walkway associated with public access to the perimeter of the pier.

The site is located at 933 North Penn Avenue (AKA Pier 40 North), (Philadelphia, PA USGS Quadrangle N: 15.9 inches; W: 1.3 inches).

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

E19-273. Department of Transportation, Engineering District 3-0, P. O. Box 218, Montoursville, PA 17754-

0218. SR 4025 Segment 0621 Bridge Structure Replacement over a UNT to the East Branch of Chillisquaque Creek, Madison Township, **Columbia County**, United States Army Corps of Engineers, Susquehanna River Basin District (Millville, PA Quadrangle N: 4° 06' 05"; W: 76° 36' 44").

The proposed project will replace an existing concrete arch bridge over a UNT to the East Branch of Chillisquaque with a single cell precast box culvert. The existing structure is 15 ft. wide with a clear span of 30 ft. The proposed structure is 57 ft. long with a clear span of 31.74 ft. The project will impact 80 linear ft. of stream and will impact 0.01 acre of palustrine wetland.

This project proposes to have a minimal impact on the UNT to the East Branch of Chillisquaque Creek, which is designated a WWF. This project proposes to impact 0.01 acre of jurisdictional wetlands.

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

E02-1590. Columbia Gas of Pennsylvania, 501 Technology Square, 305 Courthouse Square, Canonsburg, PA 15317. To construct and maintain a stream restoration in Moon and Robinson Townships, **Allegheny County**, United States Army Corps of Engineers, Pittsburgh District (Oakdale, PA Quadrangle N: 21.0 inches; W: 3.8 inches, Latitude: 40° 29' 26"; Longitude: 80° 09' 08"). The applicant proposes to construct and maintain a stream restoration project consisting of relocating and maintaining approximately 350.0 linear feet of the channel of Montour Run (TSF) and to stabilize the banks of said stream for the purpose of protecting the existing 15-inch diameter natural gas line. The project is located approximately 700.0 feet downstream from the confluence of Meeks Run and Montour Run and will impact approximately 390.0 linear feet of stream channel.

E03-446. Kriebel Minerals Inc., P. O. Box 675, Clarion, PA 16214. To construct and maintain a stream crossing in East Franklin Township, **Allegheny County**, United States Army Corps of Engineers, Pittsburgh District (Kittanning, PA Quadrangle N: 10.3"; W: 13.9", Latitude 40° 48' 24"; Longitude 79° 35' 58"). To construct and maintain a stream crossing consisting of a 48 Corrugated Metal Pipe approximately 20' in length across Glade Run (TSF), for the purpose of constructing an access roadway.

ENVIRONMENTAL ASSESSMENTS

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

EA56-005. Somerset County Commissioners, 300 North Center Avenue, Suite 500, Somerset, PA 15501. Beachy Street Bridge (Somerset County Bridge No. 25) superstructure removal project carrying Depot Street over Casselman River, Elk Lick Township and Borough of Salisbury, **Somerset County**, United States Army Corps of Engineers, Pittsburgh District (Meyersdale, PA Quadrangle N: 1.4 inches; W: 12.4 inches, Latitude 39° 45' 27"; Longitude 79° 5' 16"). The applicant proposes to permanently remove the Beachy Street Bridge from over the Casselman River (WWF) by causing it to collapse into the river, then removing the pieces immediately downstream. The project will temporarily impact 125 linear feet of stream channel.

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 Relay Service, (800) 654-5984. Appeals must be filed with the Board within 30 days of publication of this notice in the *Pennsylvania Bulletin*, unless the appropriate statute provides a different time period. Copies of the appeal form and the Board's rules of practice and procedure may be obtained from the Board. The appeal form and the Board's rules of practice and procedure are also available in Braille or on audiotape from the Secretary of the Board at (717) 787-3483. This paragraph does not, in and of itself, create any right of appeal beyond that permitted by applicable statutes and decision law.

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

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

I. NPDES Renewal Permit Actions

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

<i>NPDES No. (Type)</i>	<i>Facility Name & Address</i>	<i>County & Municipality</i>	<i>Stream Name (Watershed #)</i>	<i>EPA Waived Y/N ?</i>
PA-0012726 (Industrial Waste)	Sapa Extrusions, Inc. P. O. Box 187 Cressona, PA 17929-0187	Schuylkill County Cressona Borough	West Branch of the Schuylkill River 3A	Y

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

<i>NPDES No. (Type)</i>	<i>Facility Name & Address</i>	<i>County & Municipality</i>	<i>Stream Name (Watershed #)</i>	<i>EPA Waived Y/N ?</i>
PA0034860 (Sew)	P.C.S. Chadaga, M.D. Penn Valley MHP 110 Inverness Drive Blue Bell, PA 19422	Lancaster County Penn Township	UNT to Chickies Creek 7-G	Y

<i>NPDES No. (Type)</i>	<i>Facility Name & Address</i>	<i>County & Municipality</i>	<i>Stream Name (Watershed #)</i>	<i>EPA Waived Y/N ?</i>
PA0041505 (Sew)	Berks Properties, Inc. Hereford Estates MHP 3613 Seisholtzville Road Hereford, PA 18056	Berks County Hereford Township	Perkiomen Creek 3-E	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>
PA0025674 Sewage	Franklin Township Municipal Sanitary Authority 3001 Meadowbrook Road Murrysville, PA 15668	Westmoreland County Municipality of Murrysville	Turtle Creek	N
PA0001473 Sewage	Mon River Sewage Corporation 1428 Delberts Drive Monongahela, PA 15063	Allegheny County Forward Township	Monongahela River	Y
PA0033405 Sewage	Thomas P. Berch 1434 Greensburg Pike West Newton, PA 15089	Westmoreland County Sewickley Township	UNT of Sewickley Creek	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>
PA0037117	Cornell Abraxas Group, Inc. P. O. Box 59 Marienville, PA 16239-0059	Howe Township Forest County	UNT to the Branch 16-F	Y

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

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

NPDES Permit No. PA0260771, CAFO, **Stanley Brymesser**, 1540 Leidigh Drive, Boiling Springs, PA 17007. This proposed facility is located in Monroe Township, **Cumberland County**.

Description of Size and Scope of Proposed Operation/Activity: Authorization to operate a 456-AEU swine and street operation in Watershed 7-E.

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

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

WQM Permit No. 0693401, Amendment 08-1, Sewage, **Ruscombmanor Township**, 204 Oak Lane, Fleetwood, PA 19522. This proposed facility is located in Ruscombmanor Township, **Berks County**.

Description of Proposed Action/Activity: Permit amendment approval for the construction of sewerage facilities consisting of a Pump Station with two submersible pumps and a 6-foot diameter wet well.

WQM Permit No. WQG02670802, Sewage, **First Industrial Realty Trust**, 707 Eagleview Boulevard, Suite 110, Exton, PA 19341. This proposed facility is located in Jackson Township, **York County**.

Description of Proposed Action/Activity: Permit application for the construction of the Independence Warehouse Pumping Station.

WQM Permit No. 6708407, Sewage, **New Life for Girls, Inc.**, 5925 Lewisberry Road, Dover, PA 17315. This proposed facility is located in Conewago Township, **York County**.

Description of Proposed Action/Activity: Permit approval for the modification of sewerage facilities consisting of replacement of the existing sludge tank with a 1,000-gallon concrete tank.

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

WQM Permit No. 0307202-A1, Industrial Waste, **Reliant Energy Northeast Management Company**, 121 Champion Way, Suite 200, Canonsburg, PA 15317. This existing facility is located in Plumcreek Township, **Armstrong County**.

Description of Proposed Action/Activity: Permit issuance for construction and operation of a pipeline.

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

WQM Permit No. WQG018627, Sewerage, **James Blaine**, 154 Creek Drive, Slippery Rock, PA 16057. This proposed facility is located in Slippery Rock Township, **Butler County**.

Description of Proposed Action/Activity: A Single-Residence Sewerage Treatment Plant.

IV. NPDES Stormwater Discharges from MS4 Permit Actions**V. NPDES Waiver Stormwater Discharges from MS4 Actions****VI. NPDES Discharges of Stormwater Associated with Construction Activities Individual Permit Actions**

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

<i>NPDES Permit No.</i>	<i>Applicant Name & Address</i>	<i>County</i>	<i>Municipality</i>	<i>Receiving Water/Use</i>
PAI01 0907020	Prime Properties, Inc. 1630 Meeting House Road Hartsville, PA 18974	Bucks	Springfield Township	Cooks Creek EV
PAI01 0908003	Bucks County Airport Authority 3879 Old Easton Road P. O. Box 1185 Doylestown, PA 18901	Bucks	Milford Township	Unami Creek HQ
PAI01 0908005	1550 SHR Associates, LP 1630 South Crescent Boulevard Yardley, PA 19067	Bucks	Milford Township	Unami Creek HQ-TSF
PAI01 1508018	Southern Chester County YMCA 880 West Baltimore Pike West Grove, PA 19390	Chester	Penn Township	East Branch Big Elk Creek HQ-TSF-MF
PAI01 1508030	Camphill Special School 1784 Fairview Road Glenmoore, PA 19343	Chester	East Vincent Township	Tributary French Creek HQ-TSF-MF
PAI01 1508038	Applewood Meadow Associates Acquisition Corporation 2701 Renaissance Boulevard King of Prussia, PA 19406	Chester	Willistown Township	Ridley Creek HQ-TSF

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

<i>NPDES Permit No.</i>	<i>Applicant Name & Address</i>	<i>County</i>	<i>Municipality</i>	<i>Receiving Water/Use</i>
PAI030607004	Curtis Morton 133 Benfield Road Macungie, PA 18062	Berks	Longswamp Township	Little Lehigh HQ-CWF
PAI030607006	Bill Gross Gross Equipment Company, Inc. 1200 Route 100 Bechtelsville, PA 19505	Berks	Longswamp Township	Toad Creek HQ-CWF
PAI033608003	John Zimmerman Rain-flo Irrigation 884 Center Church Road East Earl, PA 17519	Lancaster	East Earl Township	UNT to Black Creek HQ-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 Groundwater Remediation Systems
PAG-6	General Permit for Wet Weather Overflow Discharges From Combined Sewer Systems (CSO)
PAG-7	General Permit for Beneficial Use of Exceptional Quality Sewage Sludge by Land Application

PAG-8	General Permit for Beneficial Use of Nonexceptional Quality Sewage Sludge by Land Application to Agricultural Land, Forest, a Public Contact Site or a Land Reclamation Site
PAG-8 (SSN)	Site Suitability Notice for Land Application Under Approved PAG-8 General Permit Coverage
PAG-9	General Permit for Beneficial Use of Residential Septage by Land Application to Agricultural Land, Forest, or a Land Reclamation Site
PAG-9 (SSN)	Site Suitability Notice for Land Application Under Approved PAG-9 General Permit Coverage
PAG-10	General Permit for Discharge Resulting from Hydrostatic Testing of Tanks and Pipelines
PAG-11	(To Be Announced)
PAG-12	Concentrated Animal Feeding Operations (CAFOs)
PAG-13	Stormwater Discharges from Municipal Separate Storm Sewer Systems (MS4)

General Permit Type—PAG-2

<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>
Bristol Borough Bucks County	PAG200 0908069	KJ Management, LP 27 Brick Church Road Leola, PA 17540-9003	Delaware River South WWF, MF	Southeast Regional Office 2 East Main Street Norristown, PA 19401 (484) 250-5900
Warwick Township Bucks County	PAG200 0907099	John Shanahan 420 Centre Avenue Newtown, PA 18940	UNT Little Neshaminy Creek WWF	Southeast Regional Office 2 East Main Street Norristown, PA 19401 (484) 250-5900
Haverford Township Delaware County	PAG200 2308032	West Chestnut Realty of Haverford, Inc. 355 West Lancaster Avenue Building E Haverford, PA 19041	Naylor's Run/Cobbs Creek WWF, MF	Southeast Regional Office 2 East Main Street Norristown, PA 19401 (484) 250-5900
Chester Heights Borough Delaware County	PAG200 2308027	Chester Heights Storage 139 School House Lane Glen Mills, PA 19342	Chester Creek TSF, MF	Southeast Regional Office 2 East Main Street Norristown, PA 19401 (484) 250-5900
Newtown Township Delaware County	PAG200 2308034	The Albermarle Group 780 Godfrey Road Villanova, PA 19085	UNT Crum Creek CWF	Southeast Regional Office 2 East Main Street Norristown, PA 19401 (484) 250-5900
Upper Providence Township Delaware County	PAG200 2306056	Rose Hill Development, LLC The William Penn Building 109 Chelsey Drive Media, PA 19063	Galey Run/Ridley Creek TSF	Southeast Regional Office 2 East Main Street Norristown, PA 19401 (484) 250-5900
Haverford Township Delaware County	PAG200 2308024	Haverford Township School District 1801 Darby Road Havertown, PA 19083	Cobbs Creek WWF, MF	Southeast Regional Office 2 East Main Street Norristown, PA 19401 (484) 250-5900
Upper Salford Township Montgomery County	PAG200 4607149	Spring Mountain Home Homebuilders 676 Main Street Harleysville, PA 19438	UNT Perkiomen Creek TSF	Southeast Regional Office 2 East Main Street Norristown, PA 19401 (484) 250-5900
Upper Providence Township Montgomery County	PAG200 4608069	Audubon Land Development 2620 Egypt Road Norristown, PA 19403	UNT Perkiomen Creek TSF	Southeast Regional Office 2 East Main Street Norristown, PA 19401 (484) 250-5900
Upper Dublin Township Montgomery County	PAG200 4607173	FW Trangle, LP 2600 Philmont Avenue Suite 212 Huntington Valley, PA 19006	Sandy Run TSF	Southeast Regional Office 2 East Main Street Norristown, PA 19401 (484) 250-5900

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<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>
Limerick Township Montgomery County	PAG200 4608033	Latitude Hotels Group Royersford, LP 789 East Lancaster Avenue Villanova, PA 19083	Mingo Creek WWF	Southeast Regional Office 2 East Main Street Norristown, PA 19401 (484) 250-5900
Hatfield Township Montgomery County	PAG200 4608041	Lansdale Presbyterian Church 450 Oak Park Road Hatfield, PA 19440	UNT West Branch Neshaminy Creek WWF, MF	Southeast Regional Office 2 East Main Street Norristown, PA 19401 (484) 250-5900
Upper Merion Township Montgomery County	PAG200 4608002	Turnpike Commission P. O. Box 67676 Harrisburg, PA 17106	UNT Frog Run WWF	Southeast Regional Office 2 East Main Street Norristown, PA 19401 (484) 250-5900
Limerick Township Montgomery County	PAG200 4608051	JRM Contractors, Inc. 1654 West Main Street Norristown, PA 19403	Hartensine Creek WWF	Southeast Regional Office 2 East Main Street Norristown, PA 19401 (484) 250-5900
Worcester Township Montgomery County	PAG200 4608058	Variety Club 1520 Locust Street 2nd Floor Philadelphia, PA 19102	Zacharis Creek TSF	Southeast Regional Office 2 East Main Street Norristown, PA 19401 (484) 250-5900
Upper Hanover Township Montgomery County	PAG200 4607184	Macoby Run, LP 104 Old Mill Road Sellersville, PA 18960	Macoby Creek TSF	Southeast Regional Office 2 East Main Street Norristown, PA 19401 (484) 250-5900
Lower Merion Township Montgomery County	PAG200 4608090	Ian R. Scheinmann, Esquire 200 Clwyd Road Bala Cynwyd, PA 19004	Schylkill River WWF	Southeast Regional Office 2 East Main Street Norristown, PA 19401 (484) 250-5900
Lower Merion Township Montgomery County	PAG200 4608071	Bala House Montessori School 27 Conshohocken State Road Bala Cynwyd, PA 19004	Schuylkill River CWF	Southeast Regional Office 2 East Main Street Norristown, PA 19401 (484) 250-5900
Franconia Township Montgomery County	PAG200 4607168	Guidemark, Inc. 180 Schoolhouse Road Souderton, PA 18964	Skippack Creek TSF	Southeast Regional Office 2 East Main Street Norristown, PA 19401 (484) 250-5900
Lower Providence Township Montgomery County	PAG200 4607019-1	Methacton School District 1001 Kriebel Mill Road Norristown, PA 19403	Mine Run TSF	Southeast Regional Office 2 East Main Street Norristown, PA 19401 (484) 250-5900
Pottstown Borough Montgomery County	PAG200 4607062	Welkie & Maack, LLC 321 Keystone Boulevard P. O. Box 622 Pottstown, PA 19464	Schuylkill River CWF	Southeast Regional Office 2 East Main Street Norristown, PA 19401 (484) 250-5900
Franconia Township Montgomery County	PAG200 4608079	Smithfield Beef Group 2580 University Avenue Green Bay, WI 54311	Skippack Creek TSF	Southeast Regional Office 2 East Main Street Norristown, PA 19401 (484) 250-5900
Springfield Township Montgomery County	PAG200 4608019	Roy Johnson 1901 East Paper Mill Road Erdenheim, PA 19038	Overland Run TSF	Southeast Regional Office 2 East Main Street Norristown, PA 19401 (484) 250-5900
Upper Providence Township Montgomery County	PAG200 4607190	Daniel Donohue 1208 Narcissa Road Blue Bell, PA 19422	Schuylkill River TSF	Southeast Regional Office 2 East Main Street Norristown, PA 19401 (484) 250-5900

<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>
Lower Merion Township Montgomery County	PAG200 4608006	Dreycott Lane Associates, LP 784 East Lancaster Avenue Suite 250 Villanova, PA 19085	Lower Merion Storm Drain	Southeast Regional Office 2 East Main Street Norristown, PA 19401 (484) 250-5900
Lower Pottsgrove Township Montgomery County	PAG200 4608005	1559 Pleasantview Road, LP 1030 West Germantown Pike East Norristown, PA 19403	Sanatoga Creek WWF	Southeast Regional Office 2 East Main Street Norristown, PA 19401 (484) 250-5900
Franconia Township Montgomery County	PAG200 4608087	Franconia Sewer Authority 671 Allentown Road P. O. Box 128 Franconia, PA 18924	East Branch Perkiomen and Indian Creeks TSF, WWF	Southeast Regional Office 2 East Main Street Norristown, PA 19401 (484) 250-5900
Upper Merion Township Montgomery County	PAG200 4608017	Mohawk Tile and Marble 410 Swedeland Road King of Prussia, PA 19406	Matsunk Creek WWF	Southeast Regional Office 2 East Main Street Norristown, PA 19401 (484) 250-5900
City of Philadelphia Philadelphia County	PAG201 5106035	City of Philadelphia Capital Program Office 1515 Arch Street 11th Floor Philadelphia, PA 19102	Schuylkill River WWF, MF	Southeast Regional Office 2 East Main Street Norristown, PA 19401 (484) 250-5900
City of Philadelphia Philadelphia County	PAG201 5108001	Drexel University 3201 Arch Street Suite 320 Philadelphia, PA 19104-2757	Schuylkill River WWF, MF	Southeast Regional Office 2 East Main Street Norristown, PA 19401 (484) 250-5900
City of Philadelphia Philadelphia County	PAG201 5108009	Philadelphia Department of Commerce 1515 Arch Street 12th Floor Philadelphia, PA 19102	Schuylkill River WWF, MF	Southeast Regional Office 2 East Main Street Norristown, PA 19401 (484) 250-5900
City of Philadelphia Philadelphia County	PAG201 5108018	William Penn Charter School 3000 West School House Lane Philadelphia, PA 19144	Philadelphia Water Department Municipal Storm Sewer	Southeast Regional Office 2 East Main Street Norristown, PA 19401 (484) 250-5900
Forks Township Northampton County	PAG2004808011	Jeffrey A. Brown 1906 Wenner Street Allentown, PA 18103	UNT to Delaware CWF	Northampton County Conservation District Greystone Building Gracedale Complex Nazareth, PA 18064-9211 (610) 746-1971
Schuylkill Haven Borough Schuylkill County	PAG2005408006	Borough of Schuylkill Haven 12 West Main Street Schuylkill Haven, PA 17972	Schuylkill River CWF	Schuylkill County Conservation District 1206 Agricultural Center Drive R. R. 5 Box 5810 Pottsville, PA 17901 (570) 622-3742
Palmyra Borough Lebanon County	PAG2003807018	James M. Dancy, Jr. Waste Management of Pennsylvania, Inc. 448 Lincoln Highway Fairless Hills, PA 19030-1316	Quittapahilla and Killing Creek TSF/TSF	Lebanon County Conservation District 2120 Cornwall Road Suite 5 Lebanon, PA 17042 (717) 272-3908, Ext. 4

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<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>
Bethel Township Berks County	PAG2000608023	Cliff Braunstein 300 Conshohocken State Road Suite 250 West Conshohocken, PA 19428	UNT to Crosskill Creek CWF	Berks County Conservation District 1238 County Welfare Road Suite 200 Leesport, PA 19533-9710 (610) 372-4657, Ext. 201
South Heidelberg Township Berks County	PAG2000605028	David Greth Storage World, LLC 2314 Herb Road Temple, PA 19560	Tulpehocken Creek CWF	Berks County Conservation District 1238 County Welfare Road Suite 200 Leesport, PA 19533-9710 (610) 372-4657, Ext. 201
Sinking Spring Borough Berks County	PAG2000608043	Robert Bost Reading Terminals Corporation P. O. Box 2621 Harrisburg, PA 17105	Cacoosing Creek CWF	Berks County Conservation District 1238 County Welfare Road Suite 200 Leesport, PA 19533-9710 (610) 372-4657, Ext. 201
Cumru Township Berks County	PAG2000608034	Harry O'Neill Empire Wrecking 1420 Clarion Street Reading, PA 19601	Schuylkill River WWF	Berks County Conservation District 1238 County Welfare Road Suite 200 Leesport, PA 19533-9710 (610) 372-4657, Ext. 201
West Hanover Township Dauphin County	PAG2002208013	Girish Patel SKHK, LLC 300 Commerce Drive New Cumberland, PA 17070	Manada Creek WWF	Dauphin County Conservation District 1451 Peters Mountain Road Dauphin, PA 17018 (717) 921-8100
Middle Paxton Township Dauphin County	PAG2002208020	Ken Vandenburg Penn Vistas New Penn Motors 625 South 5th Avenue Lebanon, PA 17042	Fishing Creek WWF	Dauphin County Conservation District 1451 Peters Mountain Road Dauphin, PA 17018 (717) 921-8100
Lower Paxton Township Dauphin County	PAG2002208026	Richard Ruble Molinari & Ruble 235 East Lauer Lane Camp Hill, PA 17011	Beaver Creek WWF	Dauphin County Conservation District 1451 Peters Mountain Road Dauphin, PA 17018 (717) 921-8100
South Hanover Township Dauphin County	PAR101232I(R)-1	Thomas Richey Cedar-Hershey, LLC 3307 Trindle Road Camp Hill, PA 17011	Kellock Run WWF	Dauphin County Conservation District 1451 Peters Mountain Road Dauphin, PA 17018 (717) 921-8100
Londonderry Township Dauphin County	PAG2002208025	Dennis Schmidt 2905 Orchard Lane Middletown, PA 17057	Conewago Creek TSF	Dauphin County Conservation District 1451 Peters Mountain Road Dauphin, PA 17018 (717) 921-8100

<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>
Lower Paxton Township Dauphin County	PAR10I308-1R	M. Kevin Ricker 6450 Red Top Road Harrisburg, PA 17111	Beaver Creek WWF	Dauphin County Conservation District 1451 Peters Mountain Road Dauphin, PA 17018 (717) 921-8100
West Hanover Township Dauphin County	PAG2002208030	John A. Kerschner Eastern Communities, Inc. 7300 Derry Street Harrisburg, PA 17111	Beaver Creek WWF	Dauphin County Conservation District 1451 Peters Mountain Road Dauphin, PA 17018 (717) 921-8100
Bradford County Troy Township	PAG2000808004	Fortuna Energy, Inc. 337 Daniel Zenker Drive Horseheads, NY 14845	Tributary to North Branch Towanda Creek CWF South Branch Sugar Creek CWF	Bradford County Conservation District Stoll Natural Resource Center R. R. 5 Box 5030C Towanda, PA 18848 (570) 265-5539, Ext. 6
Clearfield County Sandy Township	PAG2001708013	DuBois Regional Medical Center 100 Hospital Avenue DuBois, PA 15801	UNT to Pentz Run CWF	Clearfield County Conservation District 650 Leonard Street Clearfield, PA 16830 (814) 765-2629
Columbia County Hemlock, Mt. Pleasant, Scott and South Centre Townships Town of Bloomsburg	PAG2001908007	Department of Transportation Engineering District 3-0 715 Jordan Avenue Montoursville, PA 17754-0218	Fishing Creek WWF Hemlock Creek CWF	Columbia County Conservation District 702 Sawmill Road Suite 204 Bloomsburg, PA 17815 (570) 784-1310, Ext. 102
Snyder County Franklin and Center Townships	PAG2005508005	Woodlands Community Church Arden Steiner 179 Salem Church Road Middleburg, PA 17842	UNT to Middle Creek CWF	Snyder County Conservation District 403 West Market Street Middleburg, PA 17842 (570) 837-0007, Ext. 5
Union County Kelly Township	PAG2006008004	Aaron Nolt 3703 Hoffa Mill Road Lewisburg, PA 17837	Buffalo Creek TSF	Union County Conservation District Union County Government Center 155 North 15th Street Lewisburg, PA 17837 (570) 524-3860
<i>General Permit Type—PAG-3</i>				
<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>
Spring Township Snyder County	PAR224849 (Stormwater)	Conestoga Wood Specialties, Corporation P. O. Box 158 245 Reading Road East Earl, PA 17519	UNT to South Branch Middle Creek WWF	Northcentral Regional Office Water Management Program 208 West Third Street Suite 101 Williamsport, PA 17701 (570) 327-3666
Neville Township Allegheny County	PAR806116	New Penn Motor Express, Inc. P. O. Box 630 625 South Fifth Street Lebanon, PA 17042	Ohio River	Southwest Regional Office Water Management Program Manager 400 Waterfront Drive Pittsburgh, PA 15222-4745 (412) 442-4000

<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>
Susquehanna Township Cambria County	PAR606201	Tire Visions, Inc. 499 Linkville Road Johnstown, PA 15906	Douglas Run	Southwest Regional Office Water Management Program Manager 400 Waterfront Drive Pittsburgh, PA 15222-4745 (412) 442-4000
Millcreek Township Erie County	PAR808383	First Student, Inc. 110 Perimeter Park Suite E Knoxville, TN 37922-2200	Stormwater tributaries to Marsh Run	DEP—NWRO Water Management 230 Chestnut Street Meadville, PA 16335-3481 (814) 332-6942
<i>General Permit Type—PAG-4</i>				
<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>
Adams County Butler Township	PAG043507	John Longenecker 10 Windbriar Lane Gettysburg, PA 17325	Opossum Creek TSF	DEP—SCRO 909 Elmerton Avenue Harrisburg, PA 17110 (717) 705-4707
York County Hellam Township	PAG043570	Susquehanna Resources P. O. Box 3711 York, PA 17402	Susquehanna River WWF	DEP—SCRO 909 Elmerton Avenue Harrisburg, PA 17110 (717) 705-4707
Slippery Rock Township Butler County	PAG049438	James Blaine 154 Creek Drive Slippery Rock, PA 16057	Slippery Rock Creek 20-C	DEP—NWRO Water Management 230 Chestnut Street Meadville, PA 16335-3481 (814) 332-6942

STATE CONSERVATION COMMISSION

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

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

Persons aggrieved by any action may appeal under section 517 of Act 38, section 4 of the Environmental Hearing Board Act (35 P. S. § 7514) and 2 Pa.C.S. §§ 501—508 and 701—704 (relating to 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 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>
Kreider Farms Penn Township Farm 1461 Lancaster Road Manheim, PA 17545	Lancaster	1,600	9,546	Dairy, layers	NA	Approved
Leroy Z. Zimmerman 327 Stackstown Road Marietta, PA 17547	Lancaster	124	322	Hogs, steers	NA	Approved
David W. Sweigart III Ridge View Farms 189 Ridge View Road South Elizabethtown, PA 17022	Lancaster	637	981	Hogs, dairy	NA	Approved
	Lancaster					
	Lancaster					
	Lancaster					
	Lancaster					
	Lancaster					
<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>New or Renewal</i>
Randall S. Andrews Spring Maple Farm 421 Penn Grant Road Lancaster, PA 17602	Lancaster	253	433.8	Broilers	HQ	Renewal
Marcus Hoover 3229 Hossler Road Manheim, PA 17545	Lancaster	0	322	Layers	NA	Renewal
	Lancaster					
	Lancaster					
	Lancaster					
	Lancaster					
	Lancaster					

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 Relay Service, (800) 654-5984. Appeals must be filed with the Board within 30 days of publication of this notice in the *Pennsylvania Bulletin*, unless the appropriate statute provides a different time period. Copies of the appeal form and the Board's rules of practice and procedure may be obtained from the Board. The appeal form and the Board's rules of practice and procedure are also available in Braille or on audiotape from the Secretary of the Board at (717) 787-3483. This paragraph does not, in and of itself, create any right of appeal beyond that permitted by applicable statutes and decision law.

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

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

SAFE DRINKING WATER

Actions taken under the Pennsylvania Safe Drinking Water Act

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

Permit No. 4008505 , Public Water Supply.	
Applicant	Pennsylvania American Water 800 West Hersheypark Drive Hershey, PA 17033 Newport Township
County	Luzerne
Type of Facility	PWS

Consulting Engineer Douglas M. Smith, P. E.
Borton Lawson
613 Baltimore Drive
Suite 300
Wilkes-Barre, PA 18702

Permit to Construct August 4, 2008
Issued

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

Permit No. 2807504, Public Water Supply.
Applicant **Greencastle Area, Franklin County, Water Authority**
Municipality Antrim Township
County **Franklin**
Type of Facility Construction of Well No. 4 and Ebberts Spring PS Mods.
Consulting Engineer James C. Elliot, P. E.
Gannett Fleming, Inc.
P. O. Box 67100
Harrisburg, PA 17106-7100
Permit to Construct August 5, 2008
Issued

Permit No. 0608501, Public Water Supply.
Applicant **Pennsylvania American Water**
Municipality Ruscombmanor Township
County **Berks**
Type of Facility Addition of well source GO-3. Along with the new well source the booster station pumps will be replaced with larger units, new chemical feed equipment is to be installed and pH adjustment is being changed from soda ash to caustic soda.
Consulting Engineer Steven E. Riley, P. E.
Entech Engineering, Inc.
P. O. Box 32
Reading, PA 19603
Permit to Construct August 4, 2008
Issued

Permit No. 2808502, Public Water Supply.
Applicant **Edenville Water Association, Inc.**
Municipality St. Thomas Township
County **Franklin**
Type of Facility Treatment Facility Modifications
Consulting Engineer Lance S. Kegerreis, P. E.
Dennis E. Black Engineering, Inc.
2400 Philadelphia Avenue
Chambersburg, PA 17201
Permit to Construct August 7, 2008
Issued

Permit No. 0708505 MA, Minor Amendment, Public Water Supply.
Applicant **Altoona City Authority**

Municipality Antis Township
County **Blair**
Type of Facility Relocation of backwash recycle line.

Consulting Engineer Michael V. Sinisi, P. E.
Altoona City Authority
20 Greenwood Road
Altoona, PA 16602
Permit to Construct August 8, 2008
Issued

Permit No. 3608508 MA, Minor Amendment, Public Water Supply.
Applicant **Elizabethtown Area Water Authority**
Municipality Elizabethtown Borough
County **Lancaster**
Type of Facility Repainting of the 750,000-gallon Buckingham Boulevard finished water storage tank.
Consulting Engineer Peter Lusardi, P. E.
CET Engineering Services
1240 North Mountain Road
Harrisburg, PA 17112
Permit to Construct August 12, 2008
Issued

Permit No. 3608511 MA, Minor Amendment, Public Water Supply.
Applicant **Elizabethtown Area Water Authority**
Municipality Mount Joy Township
County **Lancaster**
Type of Facility Repainting of the 750,000-gallon Groff Avenue finished water storage tank.
Consulting Engineer Peter Lusardi, P. E.
CET Engineering Services
1240 North Mountain Road
Harrisburg, PA 17112
Permit to Construct August 12, 2008
Issued

Operations Permit issued to **Shoemakers Borough**, 6060100, Shoemakersville Borough, **Berks County** on August 7, 2008, for the operation of facilities approved under Construction Permit No. 0607515 MA.

Operations Permit issued to **Shinn Spring Water Company**, 3066531, Cumru Township, **Berks County** on July 29, 2008, for the operation of facilities approved under Construction Permit No. 0606505.

Operations Permit issued to **Western Berks Water Authority**, 3060066, Spring Township, **Berks County** on August 7, 2008, for the operation of facilities approved under Construction Permit No. 0607508 MA.

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

Permit No. 6593510A1, Public Water Supply.
Applicant **Highridge Water Authority**
17 Maple Avenue
Blairsville, PA 15717

Borough or Township Buffington, Brush Valley and Center Townships
 County **Indiana**
 Type of Facility Transmission main, pump station and water storage tank.
 Consulting Engineer Gibson-Thomas Engineering Co., Inc.
 1004 Ligonier Street
 P. O. Box 853
 Latrobe, PA 15650
 Permit to Construct Issued July 24, 2008

Permit No. 2608502MA, Minor Amendment, Public Water Supply.

Applicant **Municipal Authority of Westmoreland County**
 124 Park & Pool Road
 New Stanton, PA 15672

Borough or Township New Stanton Borough
 County **Westmoreland**
 Type of Facility Transmission line
 Consulting Engineer Gibson-Thomas Engineering Co., Inc.
 1004 Ligonier Street
 P. O. Box 853
 Latrobe, PA 15650
 Permit to Construct Issued July 31, 2008

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

Operations Permit issued to Ames Mobile Home Park, Albert A. Jr., and Betty M. Ames, Owners, PWSID No. 6200054, Oil Creek Township, Crawford County. Operations Permit issued August 12, 2008, for disinfection by sodium hypochlorite and chlorine contact at Well No. 2 and Well No. 3 well houses (240 gallons each location), according to specifications approved by construction permit 2007505, issued February 1, 2008.

SEWAGE FACILITIES ACT PLAN APPROVAL

Plan Approvals Granted under section 5 of the Pennsylvania Sewage Facilities Act (35 P.S. § 750.5)

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

Plan Location:

<i>Borough or Township</i>	<i>Borough or Township Address</i>	<i>County</i>
South Buffalo Township	384 Iron Bridge Road Freeport, PA 16229	Armstrong County

Plan Description: The approved plan provides for the construction of a 400 gpd single-family residence sewage treatment plant to serve the Rich Michlini single-family home. The property is located at 179 Ford City Road. The proposed discharge point is to a UNT of the Allegheny River which is classified as a WWF. Any required NPDES Permits or WQWM Permits must be obtained in the name of the applicant, as appropriate. The Department of Environmental Protection's review of the sewage facilities

update revision has not identified any significant environmental impacts from this proposal.

Plan Location:

<i>Borough or Township</i>	<i>Borough or Township Address</i>	<i>County</i>
Mahoning Township	987 SR 1025 New Bethlehem, PA 16242	Armstrong County

Plan Description: The approved plan provides for extension of sanitary sewer service from the Village of Distant to the Village of Seminole. 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.

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

Plan Location:

<i>Borough or Township</i>	<i>Borough or Township Address</i>	<i>County</i>
Girard Borough	34 Main Street Girard, PA 16417	Erie County

Plan Description: The approved plan provides for the replacement of approximately 2,950 lineal feet of 8" diameter sewer line with 24" sewer line to remove an existing restriction and provide capacity for a possible future connection from neighboring Girard 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 AT&T Relay Service at (800) 654-5984.

The Department has received the following plans and reports:

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

Merlo Residence—40 Fairview Avenue, Mount Pocono Borough, **Monroe County**. David A. Everitt III, MEA, Inc., 1365 Ackermanville Road, Bangor, PA 18013 has submitted a Final Report (on behalf of his client, Gary Merlo, 203 South 8th Street, Bangor, PA 18013), concerning the remediation of soils found to have been contaminated by No. 2 fuel oil contaminants as a result of an accidental release from two ASTs. The report was submitted to document attainment of the Statewide Health Standard for soils. A public notice regarding the submittal of the Final Report was published in the *Pocono Record* on November 17, 2004.

Bethlehem Commerce Center—Lots 6 and 7, City of Bethlehem, **Northampton County**. Kenneth G. Robbins, HDR Engineering, Inc., The Sovereign Building, 609 West Hamilton Street, Allentown, PA 18101 has submitted a Cleanup Plan (on behalf of his client, Lehigh Valley Industrial Park, Inc., 1805 East Fourth Street, Bethlehem, PA 18015), concerning the remediation of soils found to have been impacted by lead contamination as a result of historical operations at the former Bethlehem Steel Plant. The Cleanup Plan was submitted in partial fulfillment of the Site-Specific Standard. A public notice regarding the submittal of the Cleanup Plan was published in the *Easton Express Times* and *The Morning Call* on July 23, 2008.

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

Stone Pointe Center/former Agere Systems, Muhlenberg Township, **Berks County**. Environmental Resources Management, Inc., 350 Eagleview Boulevard, Suite 200, Exton, PA 19341, on behalf of AGR133 LLC, 3360 Visitation Road, Collegeville, PA 19426 and LSI Corporation, 555 Union Boulevard, Allentown, PA 18109, submitted a Final Report concerning remediation of site soils contaminated with chlorinated solvents. The applicant seeks to remediate to the Statewide Health Standard.

Bellwood Ambulance Service Facility, Bellwood Borough, **Blair County**. ATC Associates, Inc., 101 Allegheny Street, Hollidaysburg, PA 16643, on behalf of Bellwood Ambulance Service, 601 North Third Street, Bellwood, PA 16617, submitted a Combined Remedial Investigation and Final Report concerning remediation of site soils and groundwater contaminated with gasoline.

The report is intended to document remediation of the site to the Site-Specific Standard.

Former York International Corporation, Grantley Plant, Spring Garden Township, **York County**. GZA GeoEnvironmental, Inc., 20900 Swenson Drive, Suite 150, Waukesha, WI 53188, on behalf of Johnson Controls, Inc., 507 East Michigan Street, Milwaukee, WI 53202 and Patriot Richland Associates, LP, 1200 Liberty Ridge Drive, Suite 115, Wayne, PA 19087, submitted a Remedial Investigation Report and Clean-up Plan, concerning remediation of site soils and groundwater contaminated with VOCs, PAHs, PCBs and metals resulting from past industrial activities. The report is intended to document remediation of the site to the Statewide Health and Site-Specific Standard.

Former Woodwright Pallet Company, York Township, **York County**. Earth Engineering, Inc., 115 West Germantown Pike, East Norriton, PA 19401, on behalf of Joseph Allison, 6370 Old Harrisburg Road, York Springs, PA 17372, submitted a Final Report concerning remediation of site soils contaminated with VOCs and chlorinated solvents. The report is intended to document remediation of the site to the Statewide Health Standard.

Former Lancaster Brickyard Site, Manheim Township, **Lancaster County**. ARM Group, Inc., P. O. Box 797, Hershey, PA 17033-0797, on behalf of Lancaster County Solid Waste Management Authority, P. O. Box 4425, Lancaster, PA 17604 and Franklin and Marshall College, P. O. Box 3003, Lancaster, PA 17604-3003, submitted a remedial investigation report and cleanup plan concerning remediation of site soils, nonmedia solids and groundwater impacted by petroleum products, solvents, plasticizers, synthetic lubricants and scrap metals. The site was used at one time as a borrow pit for the Lancaster Brick Company and later as an unpermitted municipal landfill. The site will be remediated to a combination of Statewide Health and Site-Specific Standards.

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

American Meter, City of Erie, **Erie County**. Civil & Environmental Consultants, Inc., 333 Baldwin Road, Pittsburgh, PA 15205 on behalf of American Meter Company, 2 West Liberty Boulevard, Suite 180, Malvern, PA 19355 has submitted a Risk Assessment Report and Cleanup Plan concerning remediation of site soil contaminated with arsenic, antimony, lead and site groundwater contaminated with trichlorethene. The Report and Cleanup Plan 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 refuse of the property and, in some circumstances, a fate and transport analysis. If required, a risk assessment report describes potential adverse effects caused by the presence of regulated substances. If required, a cleanup plan evaluates the abilities of potential remedies to achieve remedy requirements. A work plan for conducting a baseline remedial investigation is required by provisions of the act for compliance with selection of a special industrial area remediation. The baseline remedial investigation, based on the work plan, is compiled into the baseline environmental report to establish a reference point to show existing contamination, describe proposed remediation to be done and include a description of existing or potential public benefits of the use or reuse of the property. The Department may approve or disapprove plans and reports submitted. This notice provides the Department's decision and, if relevant, the basis for disapproval.

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

The Department has received the following plans and reports:

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

Former Techneglas Facility, Jenkins Township, **Luzerne County**. Michael Edelman, P. G., Malcolm Pirnie, Inc., 640 Freedom Business Center, Suite 310, King of Prussia, PA 19406 submitted a combined Remedial Investigation Report and Final Report (on behalf of his client, Marvin Katz, TGPI, Inc., 4300 Walnut Street, Westerville, OH 43081), concerning residual concentrations of inorganics in soils used in former site operations and petroleum hydrocarbons as the result of historic releases. The reports demonstrated attainment of the Statewide Health Standard for soil and the Site-Specific Standard for groundwater and were approved on August 5, 2008.

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

Lowe's Home Centers, Inc., Monroe Township, **Snyder County**, UNT Consulting & Engineering, LLC, on behalf of Lowe's Home Centers, Inc., 1605 Curtis

Bridge Road, Wilkesboro, NC 28697 has submitted a Final Report concerning the remediation of site soil and groundwater contaminated with leaded gasoline and diesel fuel. The Final Report demonstrated attainment of the Statewide Health Standard and was approved by the Department of Environmental Protection on August 6, 2008.

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

McCurdy Residence, Slippery Rock Township, **Lawrence County**. ATC Associates, Inc., 103 North Meadows Drive, Suite 125, Wexford, PA 15090 on behalf of The Bauer Company, Inc., 119 Ruth Hill Road, Worthington, PA 16226 has submitted a Final Report concerning the remediation of site soil contaminated with benzene, toluene, ethylbenzene, cumene, naphthalene, fluorene and phenanthrene. The Final Report demonstrated attainment of the Statewide Health Standard and was approved by the Department of Environmental Protection on July 17, 2008.

HAZARDOUS WASTE TREATMENT, STORAGE AND DISPOSAL FACILITIES

Permits issued under the Solid Waste Management Act (35 P. S. §§ 6018.101–6018.1003) and Regulations to Operate a Hazardous Waste Treatment, Storage or Disposal Facility.

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

PAD002312791. Sunoco, Inc., 4700 Margaret Street, Philadelphia, PA 19137, **City of Philadelphia**. Parts V.D.2.c and V.E.9 of the Part B permit modification originally issued on September 19, 2007, relating to the operation of two hazardous waste liquid fired boilers at Sunoco's Frankford Plant, have been modified. Permit was modified by the Southeast Regional Office on July 17, 2008.

MUNICIPAL WASTE GENERAL PERMITS

Permit modified 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 the Beneficial Use of Municipal Waste.

Southcentral Region: Regional Solid Waste Manager, 909 Elmerton Avenue, Harrisburg, PA 17110.

General Permit No. 101509. New Morgan Landfill Company, Inc., 420 Quarry Road, Morgantown, PA 19543-0128. An application was submitted to modify an existing permit to approve the use of autofluff as alternative daily cover at the Conestoga Landfill located in New Morgan Borough, **Berks County**. The permit was approved by the Southcentral Regional Office on July 28, 2008.

Persons interested in reviewing the general permit should contact Anthony Rathfon, Program Manager, Southcentral Regional Office, 909 Elmerton Avenue, Harrisburg, PA 17110-8200, at (717) 705-4706. TDD users should contact the Department of Environmental Protection through the Pennsylvania Relay Service, (800) 654-5984.

OPERATE WASTE PROCESSING OR DISPOSAL AREA OR SITE

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 Regulations to Operate Solid Waste Processing or Disposal Area or Site.

Southwest Region: Regional Solid Waste Manager, 400 Waterfront Drive, Pittsburgh, PA 15222-4745.

Permit ID No. 101686, Marine Rigging, Ltd., Inc., 408 Hoffman Road, Pittsburgh, PA 15212. Permit for a construction and demolition waste transfer facility in Reserve Township, **Allegheny County** was issued by the Regional Office on August 6, 2008.

Applications renewed 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.

Southcentral Region: Regional Solid Waste Manager, 909 Elmerton Avenue, Harrisburg, PA 17110.

Permit Application No. 101100. Mountain View Reclamation Landfill, Waste Management Disposal Services of Pennsylvania, Inc., 9446 Letzburg Road, Greencastle, PA 17225-9317, Antrim and Montgomery Townships, **Franklin County**. An application was submitted to renew a solid waste facility operation permit. The application was approved by the Southcentral Regional Office on August 4, 2008.

Comments concerning the application should be directed to Anthony Rathfon, Program Manager, Southcentral Regional Office, 909 Elmerton Avenue, Harrisburg, PA 17110-8200. Persons interested in obtaining more information about the general permit application should contact the Southcentral Regional Office at (717) 705-4706. TDD users should contact the Department of Environmental Protection through the Pennsylvania Relay Service, (800) 654-5984. Public comments must be submitted within 60 days of this notice and may recommend revisions to, and approval or denial of the application.

REGISTRATION FOR RESIDUAL WASTE GENERAL PERMITS

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

Southcentral Regional Office: Waste Management Program, 909 Elmerton Avenue, Harrisburg, PA 17110-8200.

General Permit No. WMGR109-SC002. United Biofuels, Inc., 600 Farmbrook Lane, York, PA 17406. On August 15, 2008, the Department of Environmental Protection (Department) issued a registration under General Permit WMGR109 to United Biofuels, Inc., for the processing and beneficial use of used restaurant oil, yellow grease, grease trap waste, oil and animal fats from food processing or rendering plants, waste from ethanol production, soy bean soap stock, float grease (from wastewater treatment plants) and off-specification vegetable oil

for use as a biofuel or biodiesel. This Registration is for their location at 600 Farmbrook Lane, York, PA.

Persons interested in reviewing the general permit should contact John Oren, Facilities Manager, Waste Management Program, 909 Elmerton Avenue, Harrisburg, PA 17110, (717) 705-4706. TDD users should contact the Department through the Pennsylvania Relay Service, (800) 654-5984.

General Permit No. WMGR109-SC003. Keystone Biofuels, Inc., 485 St. John's Church Road, Shiremanstown, PA 17011. On August 15, 2008, the Department of Environmental Protection (Department) issued a registration under General Permit WMGR109 to Keystone Biofuels, Inc., for the processing and beneficial use of used restaurant oil, yellow grease, grease trap waste, oil and animal fats from food processing or rendering plants, waste from ethanol production, soy bean soap stock, float grease (from wastewater treatment plants) and off-specification vegetable oil for use as a biofuel or biodiesel. This Registration is for their location at 485 St. John's Church Road, Shiremanstown, PA.

Persons interested in reviewing the general permit should contact John Oren, Facilities Manager, Waste Management Program, 909 Elmerton Avenue, Harrisburg, PA 17110, (717) 705-4706. TDD users should contact the Department through the Pennsylvania Relay Service, (800) 654-5984.

AIR QUALITY

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

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

GP4-01-03035: Sandusky Lee Corp. (75 South Park Avenue, Littlestown, PA 17340-0006) on August 8, 2008, for Burn Off Ovens under GP4 in Littlestown Borough, **Adams County**.

GP4-36-03173: Clean Burn Energy Systems (34 Zimmerman Road, Leola, PA 17540) on August 6, 2008, for Burn Off Ovens under GP4 in Upper Leacock Township, **Lancaster County**.

Southwest Region: Air Quality Program, 400 Waterfront Drive, Pittsburgh, PA 15222-4745, Mark Gorog and Barb Hatch, Environmental Engineer Managers, (412) 442-4163/5226.

GP5-26-00483B: Range Resources-Appalachia, LLC—formerly Great Lakes Energy Partners, LLC (380 Southpointe Boulevard, Suite 300, Canonsburg, PA 15317-8561) on July 31, 2008, to allow the continued operation of one Caterpillar G3516LE lean-burn natural gas-fired compressor engine, rated at 1,340 bhp and one CE NATCO Dehydrator with flame arrestor, rated at 0.250 mmBtu/hr at the Rumbaugh Compressor Station in Lower Tyrone Township, **Fayette County**.

GP5-26-00552: Range Resources-Appalachia, LLC—formerly Great Lakes Energy Partners, LLC (380 Southpointe Boulevard, Suite 300, Canonsburg, PA 15317-8561) on July 31, 2008, to allow the continued operation of one Caterpillar G3516LE lean-burn natural gas-fired compressor engine, rated at 1,340 bhp and one

K Management Dehydrator, rated at 75,000 Btu/hr at the Voytek Compressor Station in Menallen Township, **Fayette County**.

GP5-63-00940: MarkWest Liberty Gas Gathering Co., LLC (1515 Arapahoe Street, Tower 2, Suite 700, Denver, CO 80202) on August 7, 2008, to install and operate two Caterpillar G3516LE lean-burn natural gas-fired compressor engines, rated at 1,340 bhp and one CE NATCO Dehydrator, rated at 0.275 mmBtu/hr and equipped with a flare, at their Shaw Compressor Station located at Chartiers Township, **Washington County**.

GP5-63-00942: MarkWest Liberty Gas Gathering Co., LLC (1515 Arapahoe Street, Tower 2, Suite 700, Denver, CO 80202) on August 6, 2008, to install and operate two Caterpillar G3516LE lean-burn natural gas-fired compressor engines, rated at 1,340 bhp and one CE NATCO Dehydrator, rated at 0.275 mmBtu/hr and equipped with a flare, at their Dryer Booster Compressor Station located at Independence Township, **Washington County**.

GP5-65-00965A: Range Resources-Appalachia, LLC—formerly Great Lakes Energy Partners, LLC (380 Southpointe Boulevard, Suite 300, Canonsburg, PA 15317-8561) on July 31, 2008, to allow the continued operation of one Caterpillar G3516TA-LE lean-burn natural gas-fired compressor engine, rated at 1,340 bhp and one Smith Ind. 35685 Dehydrator, rated at 0.250 mmBtu/hr at the Layman Compressor Station in East Huntingdon Township, **Westmoreland County**.

GP3-65-01001: Shallenberger Construction, Inc. (2611 Memorial Boulevard, Connellsville, PA 15425) on August 7, 2008, to install and operate one Caterpillar Engine Model No. C9, rated at 300 bhp, at the New Stanton Distribution Park in Hempfield Township, **Westmoreland County**.

GP9-65-01001: Shallenberger Construction, Inc. (2611 Memorial Boulevard, Connellsville, PA 15425) on August 7, 2008, to install and operate one Metso/Nordberg Crusher Model No. LT-105 at the New Stanton Distribution Park in Hempfield Township, **Westmoreland County**.

GP5-63-00938: MarkWest Liberty Gas Gathering Co., LLC (1515 Arapahoe Street, Tower 2, Suite 700, Denver, CO 80202) on August 5, 2008, to install and operate two Caterpillar G3516LE lean-burn natural gas-fired compressor engines, rated at 1,340 bhp and one CE NATCO Dehydrator, at the Zappi Booster Compressor Station in Donegal Township, **Washington County**.

GP5-63-00939: MarkWest Liberty Gas Gathering Co., LLC (1515 Arapahoe Street, Tower 2, Suite 700, Denver, CO 80202) on August 5, 2008, to install and operate two Caterpillar G3516LE lean-burn natural gas-fired compressor engines, rated at 1,340 bhp and one CE NATCO Dehydrator, at the Nancy Stewart Booster Compressor Station in Mt. Pleasant Township, **Washington County**.

GP5-03-00242: US Energy Exploration Corp. (P. O. Box 237, Rural Valley, PA 16249) on August 5, 2008, to install and operate one Waukesha Model 3524 compressor engine with DeNox DN/S 46/53 WR12 catalytic converter at the Knepshild Compressor Station in Gilpin Township, **Armstrong County**.

GP5-30-00176: MarkWest Liberty Gas Gathering Co., LLC (1515 Arapahoe Street, Tower 2, Suite 700, Denver, CO 80202) on August 5, 2008, to install and operate two Caterpillar G3516LE lean-burn natural gas-

fired compressor engines, rated at 1,340 bhp and one Dehydrator, at the Gapen Booster Compressor Station in Greene Township, **Greene County**.

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

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

09-0173: P & R Industries, Inc. (3826 Old Easton Road, Doylestown, PA 18901) on August 7, 2008, to modify an existing paint spray booth to exhaust to an existing afterburner at their Arbonite facility in Buckingham Township, **Bucks County**. The facility is a non-Title V facility.

The modification is being performed to reduce the overall weight of VOCs emitted into the outdoor atmosphere from the usage of a noncompliant coating to below the applicable standard specified in 25 Pa. Code § 129.52, Table I. The VOC emissions from usage of the noncompliant coating figure to be approximately 300 lbs/yr. The plan approval will include monitoring, recordkeeping, reporting and work practice requirements designed to keep the facility operating within all applicable air quality requirements.

09-0110E: Riverside Construction Materials, Inc. (7900 North Radcliffe Street, Bristol, PA 19007) on August 12, 2008, to approve an existing load-out station, to construct a new dust collector and construct a new load-out station in Bristol Township, **Bucks County**. The existing load-out station, designated Truck Load-out No. 1 With Dust Collection (Source ID: 108), consists of two identical chutes with dust controls. Truck Load-out No. 1 with Dust Collection can load cement into two cement trucks at one time. A new load-out station will be installed, designated Load-out No. 2 with Dust Collection (Source ID: 109), consisting of one chute with dust controls. Load-out No. 2 with Dust Collection will only load one truck at a time. The new dust collector, designated Dome No. 2 Dust Collector (Source ID: C04), will be used in conjunction with an existing dust collector to control emissions from three cement storage units at the facility. This application will result in an increase of controlled PM emissions of 0.19 tpy. The Plan Approval will contain monitoring, recordkeeping and operating conditions designed to keep the facility operating within the allowable emissions and all applicable air quality requirements.

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

06-05115A: Granger Energy of Morgantown, LLC (16980 Wood Road, Lansing, MI 48906-1044) on July 30, 2008, to construct a landfill gas treatment plant in Caernarvon Township, **Berks County**.

07-05003C: Norfolk Southern Railway Co. (200 North 4th Street, Altoona, PA 16601-6702) on August 4, 2008, to modify an existing baghouse and to install two wet scrubbers at their Juniata Locomotive Shop in Logan Township, **Blair County**.

21-05040D: Valley Quarries, Inc. (470 Newville Road, Shippensburg, PA 17257-9504) on August 6, 2008, to

construct a drum mix asphalt plant at their Shippensburg Blacktop Plant, Southampton Township, **Cumberland County**.

Northcentral Region: Air Quality Program, 208 West Third Street, Williamsport, PA 17701, David Aldenderfer, Program Manager, (570) 327-3637.

08-399-023G: Global Tungsten Powders Corp. (Hawes Street, Towanda, PA 18848-0504), issued plan approval on August 1, 2008, for the installation and operation of a fabric collector, Flex Kleen model 84-WRS-48 and absolute filter associated with the cobalt powder department at their facility located in North Towanda Township, **Bradford County**. The PM emissions from the cobalt powder cooling station, two Gruenberg electric drying ovens (No. 1 and No. 2) and one Despatch electric drying oven will be controlled by the proposed fabric collector and absolute filter.

08-313-038H: Global Tungsten Powders Corp. (Hawes Street, Towanda, PA 18848-0504), issued plan approval on August 1, 2008, for the construction and operation of a natural gas fired multiple hearth furnace (MHF) and associated air-cleaning devices (a cartridge collector and fabric collector operating in series) at their facility located in North Towanda Township, **Bradford County**.

14-00003B: The Pennsylvania State University (101P Physical Plant Building, University Park, PA 16802-1119), issued plan approval on August 11, 2008, for the construction and operation of one compression ignited, 1,120 Bhp, reciprocating internal combustion engine at their University Park Campus located in College Township, **Centre County**.

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

62-032C: Ellwood National Forge—Irvine Plant (One Front Street, Irvine, PA 16329) on July 31, 2008, to install two new gas neutralizer emissions control devices on the existing four nitride furnaces in Brokenstraw Township, **Warren County**. This is a Title V facility.

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

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

09-0048C: Haines & Kibblehouse, Inc. (P. O. Box 196, Skippick, PA 19474) On August 4, 2008, to operate a hot mix asphalt in Hilltown Township, **Bucks County**.

23-0073: Alan McIlvain Company (Box 380, 501 Market Street, Marcus Hook, PA 19061) on August 6, 2008, to operate a planer and ductwork in Marcus Hook Borough, **Delaware County**.

46-0037Y: Cabot Supermetals (P. O. Box 1608, County Line Road, Boyertown, PA 19512) on August 6, 2008, to operate a wastewater discharge limits in Douglass Township, **Montgomery County**.

46-0261: U.S. Tape (165 Township Line Road, Suite 2100, Jenkintown, PA 19046) on August 6, 2008, to operate a nickel plating operation in Upper Hanover Township, **Montgomery County**.

23-0014F: Kimberly-Clark Corp. (Front Street and Avenue of the States, Chester, PA 19103) on August 7, 2008, to operate a ventilation system in City of Chester, **Delaware County**.

46-0013B: Hatfield Quality Meats Inc.—sub Clemens (2700 Funks Road, P. O. Box 902, Hatfield, PA 19440) on August 8, 2008, to operate an alternate fuel in four boilers in Hatfield Township, **Montgomery County**.

09-0127A: Bracalente Manufacturing Co., Inc. (20 West Creamery Road, Trumbauersville, PA 18970) on August 8, 2008, to operate eight degreasers in Trumbauersville Borough, **Bucks County**.

46-0013A: Hatfield Quality Meats Inc.—sub Clemens (2700 Funks Road, P. O. Box 902, Hatfield, PA 19440) on August 7, 2008, to operate a 49 mmBtu/hr heat input boiler in Hatfield Township, **Montgomery County**.

46-0025C: Lonza, Inc. (900 River Road, Conshohocken, PA 19428) on August 7, 2008, to operate a waste incinerator in Upper Merion Township, **Montgomery County**.

46-0069C: Highway Materials, Inc. (1750 Walton Road, Blue Bell, PA 19422) on August 8, 2008, to operate a shaker style baghouse in Whitmarsh Township, **Montgomery County**.

15-0060C: SECCA Landfill (P. O. Box 221, Kennett Square, PA 19348) on August 8, 2008, to operate an IC engine in London Grove Township, **Chester County**.

46-0240A: Smithfield Beef Group, Inc. (249 Allentown Road, Souderton, PA 18964) on August 12, 2008, a plan approval for the modification of emission limitations contained in the previously issued plan approval No. 46-0240 for a 29.9 mmBtu/hr Boiler fired by natural gas, No. 2 fuel oil and animal fat/vegetable oil in Franconia Township, **Montgomery County**. This plan approval supersedes Conditions Nos. 12 and 13 of the previously issued plan approval No. 46-0240. The facility is currently operating under the State-only Operating Permit No. 46-00240. The plan approval will include monitoring, testing, recordkeeping and reporting requirements designed to keep the facility operating within all applicable air quality requirements.

Northcentral Region: Air Quality Program, 208 West Third Street, Williamsport, PA 17701, David Aldenderfer, Program Manager, (570) 327-3637.

08-313-020A: OSRAM SYLVANIA Productions, Inc. (Hawes Street, Towanda, PA 18848-0504), issued a revised plan approval on July 31, 2008, to increase the production capacity in Calciner No. 5 by 10% at their facility located in North Towanda Township, **Bradford County**.

19-00006C: Del Monte Corporation (6670 Low Street, Bloomsburg, PA 17815) on August 8, 2008, to extend the authorization to operate two pet food dryers, railcar and truck grain, meal, and the like, unloading operations, grain, meal, and the like, storage silos and various associated pieces of milling, mixing, conveying, and the like, equipment on a temporary basis, as well as authorization to construct two additional pet food dryers, two silos and a hammermill, to February 4, 2009, in South Centre Township, **Columbia County**.

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

24-083E: Carbone of America Ind. Corp. (215 Stackpole Street, St. Marys, PA 15857) on August 31, 2008, to construct a scrubber in St. Marys City, **Elk County**. This is a Title V facility.

24-083F: Carbone of America Ind. Corp. (215 Stackpole Street, St. Marys, PA 15857) on August 31, 2008, to construct a Carbon Baking Kiln No. 34 with a thermal oxidizer and connecting to an existing scrubber in St. Marys City, **Elk County**. The mixers will be controlled by the existing scrubber. This is a Title V facility.

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

Southcentral Region: Air Quality Program, 909 Elmerton Avenue, Harrisburg, PA 17110, Yasmin Neidlinger, Facilities Permitting Chief, (717) 705-4702.

36-05025: Texas Eastern Transmission, LP (P. O. Box 1642, Houston, TX 77251-1642) on August 8, 2008, to operate natural gas transmission and storage facilities in East Donegal Township, **Lancaster County**. This is a renewal of the Title V operating permit.

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

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

46-00132: Lansdale Crematory, Inc. (701 Derstine Avenue, Lansdale, PA 19446-0646) on August 6, 2008, to operate three units of human crematoriums in Lansdale Borough, **Montgomery County**. This is a renewal of their State-only operating permit issued in 2003. The renewal contains all applicable requirements including monitoring, recordkeeping and reporting.

15-00075: Lasko Metal Products (820 Lincoln Avenue, West Chester, PA 19380-4406) on August 6, 2008, to renew the State-only Operating Permit in West Goshen Township, **Chester County**. The initial permit was issued on May 5, 2003. Lasko Metal Products is a manufacturer of home comfort and convenience products (that is, portable electric fans, humidifiers, portable heaters, Christmas tree stands, utility boxes). The primary emission sources include two boilers, a 4-nozzle Design Spray booth, a Powered Paint Dryoff/Curing Oven, a Steelman Burnoff Oven, two spray booths and a Phosphate Parts Cleaning System.

09-00048: Haines & Kibblehouse, Inc. (2052 Lucon Road, Skippack, PA 19474) on August 8, 2008, to operate a Batch Asphalt Plant in Hilltown Township, **Bucks County**. This action is a renewal of the original State-only Operating Permit (Synthetic Minor), which was issued on June 6, 2003, and was amended on June 27, 2007. Several typographical changes have been made to

the permit. Otherwise, there have been no other changes made to the permit since it was last amended on June 27, 2007. The permit includes monitoring, recordkeeping and reporting requirements designed to keep the facility operating within all applicable air quality requirements.

09-00062: Oldcastle Precast, Inc. (200 Keystone Drive, Telford, PA 18969) on August 7, 2008, to operate coating applications in West Rockhill Township, **Bucks County**. The main emissions from this facility are VOCs. This action is a renewal of the original State-only Operating Permit (Synthetic Minor), which was issued in 2003. The renewal contains conditions including monitoring, recordkeeping and reporting 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, Ray Kempa, New Source Review Chief, (570) 826-2507.

39-00062: Tri-City Marble, Inc. (4724 Springdale Court, Allentown, PA 18104) on August 8, 2008, to operate a bathroom fixture, plastics facility in Upper Macungie Township, **Lehigh County**. This is a State-only Synthetic Minor operating permit.

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

22-05041: The Hershey Co. (1033 Old West Chocolate Avenue, Hershey, PA 17033) on August 7, 2008, to operate their West chocolate manufacturing plant in Derry Township, **Dauphin County**. This is a renewal of the State-only operating permit.

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.

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

07-03049: A.P. Green Refractories, Inc. (R. R. 1, Box 588D, Claysburg, PA 16625-9739) on August 6, 2008, to operate a refractory manufacturing facility in Greenfield Township, **Blair County**. This operating permit was administratively amended to incorporate plan approvals 07-03049A and 07-03049B. This is Revision No. 2.

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

37-00023: Orion Power Midwest, LP—New Castle Power Plant (2189 Route 168 South, West Pittsburgh, PA 16160) on August 5, 2008, for an administrative amendment of the Title V Operating Permit to change the name of the responsible official from James V. Locher to Matthew E. Greek, Vice President in the Taylor Township, **Lawrence County**. Lists of responsible official's names are enlisted in the miscellaneous section of this permit. These changes qualify as administrative amendment as described in 25 Pa. Code § 127.450. The facility Orion Power generates and distributes electricity.

ACTIONS ON COAL AND NONCOAL MINING ACTIVITY APPLICATIONS

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

Coal Permits Actions

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

Permit Number 32971302 and NPDES Permit No. PA0215040, Rosebud Mining Company, (301 Market Street, Kittanning, PA 16201-9642), to revise the permit for the Dutch Run Mine in Armstrong and Washington Townships, **Indiana County** to add underground permit and subsidence control plan area acres. Underground Acres Proposed 3,027.0, Subsidence Control Plan Acres Proposed 3,027.0. No additional discharges. Application received April 18, 2007. Permit issued August 5, 2008.

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

32020107 and NPDES No. PA0249092. KMP Associates, Inc., 1094 Lantz Road, Avonmore, PA 15618, permit renewal for reclamation only of a bituminous surface and auger mine in Blacklick Township, **Indiana County**, affecting 59.1 acres. Receiving streams: Two unknown tributaries to Aultman Run, Aultman's Run classified for the following use: TSF. The first downstream potable water supply intake from the point of discharge is Saltsburg Borough Indiana County Municipal Waterworks Conemaugh River SWI. (There are no potable water supply intakes within 10 miles downstream). Application received June 10, 2008. Permit issued August 4, 2008.

56070105 and NPDES No. PA0262421. Amerikohl Mining, Inc., 1384 SR 711, Stahlstown, PA 15687, commencement, operation and restoration of a bituminous surface-blasting mine and for a variance to conduct mining activities within 100 feet of a stream. The stream encroachment activities consist of installing erosion and sedimentation controls and removing a small portion of Upper Freeport coal beginning midway along the proposed permit line and proceeding upstream for approximately 1,100 feet on the southern bank of UNT 'B' to Casselman River in Black Township, **Somerset County**, affecting 155.2 acres. Receiving streams: UNTs to Casselman River and Casselman River classified for the following use: WWF. There are no potable water supply intakes within 10 miles downstream. Application received May 9, 2007. Permit issued August 6, 2008.

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

03030102 and NPDES Permit No. PA0250350. AMFIRE Mining Co., LLC (One Energy Place, Latrobe, PA 15650). Permit renewal issued for continued operation and reclamation of a bituminous surface/auger mining site located in East Franklin and Sugarcreek Townships, **Armstrong County**, affecting 256.5 acres. Receiving streams: UNT to Long Run to Long Run to Patterson Creek to Buffalo Creek to the Allegheny River. Application received June 20, 2008. Permit renewal issued August 4, 2008.

02070105 and NPDES Permit No. PA0251275. Neiswonger Construction, Inc. (17592 Route 322, Strattanville, PA 16258). Permit issued for commencement, operation and reclamation of a bituminous surface mining site located in Jefferson Hills Borough, **Allegheny County**, affecting 51.7 acres. Receiving streams: UNTs to Monongahela River. Application received November 27, 2007. Permit issued August 7, 2008.

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

17020115 and NPDES No. PA0243370. Hepburnia Coal Company (P. O. Box I, Grampian, PA 16838), permit renewal for reclamation only of a bituminous surface mine in Ferguson Township, **Clearfield County**, affecting 69.0 acres. There are no potable water supply intakes within 10 miles downstream. Application received July 15, 2008. Permit issued August 5, 2008.

17030101 and NPDES No. PA0243418. AMFIRE Mining Co., LLC (One Energy Place, Latrobe, PA 15650). Permit renewal for the continued operation and restoration of a bituminous surface and auger mine in Penn Township, **Clearfield County**, affecting 220.8 acres. Receiving stream: Bell Run and UNTs, classified for the following use: CWF. There are no potable water supply intakes within 10 miles downstream. Application received June 3, 2008. Permit issued July 28, 2008.

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

49931601R3. Black Creek Breaker Company, (3027 Upper Road, Shamokin, PA 17872), renewal of an existing anthracite coal preparation operation in West Cameron Township, **Northumberland County** affecting 5.7 acres, receiving stream: none. Application received February 7, 2008. Renewal issued August 11, 2008.

Noncoal Permits Actions

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

26082801. Mon River Energy Corp. (P. O. Box 466, Brier Hill, PA 15415). Permit issued for commencement, operation and reclamation of a small industrial minerals surface mining site located in South Union Township, **Fayette County**, affecting 4.1 acres. Receiving stream: Jennings Run. Application received January 31, 2008. Permit issued May 1, 2008.

26080801. Windy Hill Farms, Inc. (380 Windy Hill Road, New Salem, PA 15468). Permit issued for commencement, operation and reclamation of a small industrial minerals surface mining site located in German Township, **Fayette County**, affecting 4.0 acres. Receiving streams: UNT to Lilly Run to Dunlap Creek. Application received March 26, 2008. Permit issued August 7, 2008.

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

43820309. Roger Hoffman (22 McMillan Road, Mercer, PA 16137) Renewal of NPDES Permit No. PA0601101 in Findley Township, **Mercer County**. Receiving streams: UNT to Cool Spring Creek. Application received June 9, 2008. Permit issued July 30, 2008.

16060303 and NPDES Permit No. PA0258130. Star Mining Corporation (8100 Ohio River Boulevard, Emsworth, PA 15202) Revision to an existing noncoal surface mining operation to add 2.6 acres to the surface mining permit in Perry Township, **Clarion County**. Total SMP acreage is now 11.3 acres. Receiving streams: Allegheny River. Application received May 22, 2008. Permit issued July 31, 2008.

20080802. Sherretts Gravel, Inc. (10008 Kosturick Road, Conneaut Lake, PA 16316) Commencement, operation and restoration of a small noncoal sand and gravel operation in Conneaut Township, **Crawford County** affecting 5.0 acres. Receiving streams: Paden Creek. Application received April 8, 2008. Permit issued August 5, 2008.

25820301. Frank Tucci (25000 PA Route 99, Cambridge Springs, PA 16403) Renewal of NPDES Permit No. PA0604208 in McKean Township, **Erie County**. Receiving streams: UNT to Elk County. Application received June 16, 2008. Permit issued August 6, 2008.

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

08990804. Quarry Services, LLC (R. R. 1, Box 22, Wyalusing, PA 18853), transfer of an existing noncoal (bluestone) surface mine from Donald E. Johnson, Sr. (R. R. 1, Box 257A, Monroeton, PA 18832), located in Asylum Township, **Bradford County**, affecting 1.0 acre. Receiving stream: UNT to Durell Creek. Application received February 27, 2006. Permit transferred July 29, 2008.

17880301 and NPDES No. PA0116343. Lansberry Coal and Excavating Co. (1219 Bishtown Road, Woodland, PA 16881), renewal of NPDES Permit in Bradford Township, **Clearfield County**. Receiving streams: UNT of Abes Run to Abes Run to West Branch Susquehanna, classified for the following uses: CWF, WWF. There are no potable water supply intakes within 10 miles downstream. NPDES renewal application received February 19, 2008. Permit renewed July 24, 2008.

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

4874SM2T2 and NPDES Permit No. PA0123544. Oldcastle Industrial Minerals, Inc., (550 South Biesecker Road, Thomasville, PA 17364), transfer of an existing quarry operation in Jackson Township, **York County** affecting 214.8 acres, receiving stream: Little Conewago Creek. Application received September 11, 2007. Transfer issued August 6, 2008.

67000301T2 and NPDES Permit No. PA0224065. Oldcastle Industrial Minerals, Inc., (550 South Biesecker Road, Thomasville, PA 17364), transfer of an existing quarry operation in Jackson Township, **York County** affecting 288.75 acres, receiving stream: Little Conewago Creek. Application received September 11, 2007. Transfer issued August 7, 2008.

36910302T2. Pennsy Supply, Inc., (P. O. Box 3331, Harrisburg, PA 17105), transfer of an existing quarry operation in West Hempfield Township, **Lancaster**

County affecting 126.43 acres, receiving stream: none. Application received January 28, 2008. Transfer issued August 7, 2008.

8275SM1T2 and NPDES Permit No. PA0594601. Pennsy Supply, Inc., (P. O. Box 3331, Harrisburg, PA 17105), transfer of an existing quarry operation and NPDES Permit for discharge of treated mine drainage in West Hempfield Township, **Lancaster County** affecting 55.89 acres, receiving stream: UNT to Chickies Creek. Application received January 28, 2008. Transfer issued August 7, 2008.

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.

21084145. Douglas Explosives, Inc., P. O. Box 77, Philipsburg, PA 16866-0077, blasting activity permit issued for sanitary sewer interceptor development in Monroe Township, **Cumberland County**. Blasting activity permit end date is July 30, 2009. Permit issued July 28, 2008.

28084119. R & M Excavating, 403 Hilltop Road, Newburg, PA 17240-9202, blasting activity permit issued for warehouse development in Antrim Township, **Franklin County**. Blasting activity permit end date is July 29, 2009. Permit issued August 1, 2008.

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

30084003. Wampum Hardware Company (175 Prugh Road, Shelocta, PA 15774). Blasting activity permit for construction as the Green Energy Power Plant, located in Cumberland Township, **Greene County**, with an expected duration of 150 days. Permit issued August 5, 2008.

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

27084004. Appalachian Geophysical Services, LLC (2659 SR 60, P. O. Box 426, Killbuck, OH 44637-0426) Blasting activity permit to blast for stone removal in Kingsley Township, **Forest County**. This blasting activity permit will expire on December 31, 2008. Application received July 22, 2008. Permit issued July 28, 2008.

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

08084002. Wampum Hardware Co. (175 Prugh Road, Shelocta, PA 15774), blasting for Mike Duffy gas well location located in Canton Township, **Bradford County**. Permit expires December 31, 2008. Permit issued August 4, 2008.

14084010. Douglas Explosives, Inc. (664 Graham Station Road, Philipsburg, PA 16866, blasting for Dean McNeil job-water line trench located in Halfmoon Township, **Centre County**. Permit expires September 30, 2008. Permit issued August 5, 2008.

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

46084109. Explosive Services, Inc., (7 Pine Street, Bethany, PA 18431), construction blasting for a septic tank in Palmyra Township, **Wayne County** with an expiration date of August 1, 2009. Permit issued August 4, 2008.

46084109. Brubacher Excavating, Inc., (P. O. Box 528, Bowmansville, PA 17507), construction blasting for St. Luke's Hospital South and East in the City of Bethlehem, **Northampton County** with an expiration date of July 30, 2009. Permit issued July 5, 2008.

45084137. Dyno-Nobel, Inc., (1320 Galiffa Drive, Donora, PA 15033), construction blasting for Williams Sentinel Expansion Project in Ross Township, **Monroe County** with an expiration date of February 28, 2009. Permit issued August 6, 2008.

46084117. Eastern Blasting Co., Inc., (1292 Street Road, New Hope, PA 18938), construction blasting for Upper Dublin School in Upper Dublin Township, **Montgomery County** with an expiration date of October 10, 2009. Permit issued August 6, 2008.

46084110. Dyno-Nobel, Inc., (1320 Galiffa Drive, Donora, PA 15033), construction blasting for Williams Sentinel Expansion Project in Plainfield and Bushkill Townships, **Northampton County** with an expiration date of February 28, 2009. Permit issued August 6, 2008.

46084001. Grand Central Sanitary Landfill, (910 West Pennsylvania, Pen Argyl, PA 18072) and D.C. Guelich Explosive Company, (971 Mountain Road, Bloomsburg, PA 17815), construction blasting for the Pen Argyl Landfill in Plainfield Township, **Northampton County** with an expiration date of August 1, 2009. Permit issued August 7, 2008.

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 Relay Service, (800) 654-5984. Appeals must be filed with the Board within 30 days of publication of this notice in the *Pennsylvania Bulletin*, unless the appropriate statute provides a different time period. Copies of the appeal form and the Board's rules of practice and procedure may be obtained from the Board. The appeal form and the Board's rules of practice and procedure are also available

in Braille or on audiotape from the Secretary of the Board at (717) 787-3483. This paragraph does not, in and of itself, create any right of appeal beyond that permitted by applicable statutes and decision law.

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

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

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

Permits, Environmental Assessments and 401 Water Quality Certifications Issued

WATER OBSTRUCTIONS AND ENCROACHMENTS

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

E09-928. Sal Lapio Homes, 104 Mill Road, Sellersville, PA 18960, Nockamixon Township, **Bucks County**, United States Army Corps of Engineers, Philadelphia District.

To construct and maintain a 1.5-inch septic system pipe in a 4-inch carrier across a UNT to Rapp Creek (EV) associated with Lot No. 8. The work will be performed by directional drill method. The site is located approximately 1,600 feet southeast of the intersection of Easton (SR 611) and Tabor Roads (Bedminster, PA USGS Quadrangle N: 20.40 inches; W: 6.3 inches).

E09-931. Borough of Riegelsville, 615 Easton Road, P. O. Box 551, Riegelsville, PA 18077, Borough of Riegelsville, **Bucks County**, United States Army Corps of Engineers, Philadelphia District.

To perform the following water obstruction and encroachment activities associated with the proposed construction of the Riegelsville Pedestrian Bridge over the Delaware Canal and within the 100-year floodplain of the Delaware River:

1. To construct and maintain a 75-foot-long, 6-foot-wide wooden pedestrian bridge over the canal and adjacent towpath.
2. To construct and maintain a 4-foot-wide elevated wooden boardwalk.
3. To install a staircase on the east side of the canal.
4. To perform minor grading activities associated with a footpath within the floodplain.

The site is located southeast of the intersection of Maplewood Street and Durham Road (Riegelsville, PA Quadrangle N: 17 inches; W: 9.5 inches).

E46-1030. Hatfield Township Municipal Authority, 3200 Advance Lane, Colmar, PA 18915, Hatfield Township, **Montgomery County**, United States Army Corps of Engineers, Philadelphia District.

To construct and maintain nine manholes and two diversion chambers within the floodplain of the West Branch Neshaminy Creek (WWF). This project is located

approximately 2,000 feet southeast of the intersection of County Line and Trewigtown Roads (Telford, PA USGS Quadrangle N: 4.7 inches; W: 0.5 inch) in Hatfield Township, Montgomery County.

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

E23-471. Delaware River Port Authority of PA and NJ, 2 East Riverside Drive, P. O. Box 1949, Camden, NJ 08101, Chester City, **Delaware County**, United States Army Corps of Engineers, Philadelphia District.

To construct and maintain an artificial island around the western main channel pier (W1) of the Commodore Barry Bridge to provide vessel collision protection within the Delaware River (WWF-MF). The project is split between PA and NJ. The total open water impacts within this Commonwealth will be approximately 3.59 acres. This project is located in the vicinity of the intersection of Seaport Drive and Flower Street (SR 322) (Bridgeport, NJ, USGS Quadrangle N: 17.4 inches; W: 15.3 inches).

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

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

E14-405. John Gummo, 5788 West Buffalo Run Road, Port Matilda, PA 16870. Gummo channel change, in Patton Township, **Centre County**, United States Army Corps of Engineers, Baltimore District (Julian, PA Quadrangle N: Latitude 40° 48' 57.4"; Longitude 77° 58' 45.7").

To construct a new channel measuring 600 linear feet in a UNT to Buffalo Run, which is designated as a HQ-CWF. This channel will create a bypass channel around a current impoundment allowing natural flow from the source to beyond the existing outlet. The channel will be designed to carry the 100 year storm event and will not have a loss of stability. The last 100 feet of the newly constructed channel will contain two step pools to drop the last 6 feet in elevation. The step pools shall not have plunges that will impede fish passage and shall be structurally stable during high water events. To convey the stream under the existing driveway, a new 128 inch by 83 inch pipe arch will be installed. This crossing will be 100 linear feet in length with concrete end walls to maintain stability. This structure was also designed to pass the 100 year frequency storm without a loss of stability. Once the stream is bypassed, the impoundment will be drained, the outlet structure will be removed, twin concrete 26 inch conduits at 57 feet long will be filled with concrete, a 16 inch corrugated metal pipe at 44 feet long will be filled with concrete, impoundment area increased and redirock retaining blocks installed along the waters edge for wave protection. This project is located 1.5 miles west of the intersection of SR 550 and SR 322. This permit also includes 401 Water Quality Certification.

E60-192. Seiple Family Foundation, 159 South Second Street, Sunbury, PA 17801. Turtle Creek Bridge, in East Buffalo Township, **Union County**, United States Army Corps of Engineers, Baltimore District (Lewisburg, PA Quadrangle Latitude: 40° 55' 38"; Longitude: 76° 52' 50").

To construct and maintain: 1) a temporary low-flow, full-channel causeway made of three 36-inch culverts and

R-6 / R-4 riprap immediately downstream of the proposed bridge; 2) a 40-foot clear span timber truss bridge with a minimum underclearance of 5-foot 9-inches, the associated gabion basket armored earth-filled approach ramps and R-8 riprap stream bank under and near the bridge in Turtle Creek located 2,250 feet east-northeast of Supplee Mill and Furnace Roads. This permit was issued under Section 105.13(e) "Small Projects." This permit also includes 401 Water Quality Certification.

SPECIAL NOTICES

Notice of Projects Under the Environmental Good Samaritan Act

The Environmental Good Samaritan Act (27 Pa.C.S.A. §§ 8001—8114) provides certain protections and immunities from civil liability for landowners and persons who voluntarily undertake reclamation and abatement projects to address land and water adversely affected by mining or oil or gas extraction or exploration for natural resources and left in an unreclaimed condition or left discharging water pollution. For landowners and persons to qualify for immunity, the projects must be approved by the Department of Environmental Protection (Department).

The following project proposals have been received by the Department. A copy of the proposals is available for inspection at the office indicated above each proposal.

Written comments or objections may be submitted by any person or any office or head of any Federal, State or local government agency or authority to the Department at the same address within 30 days of this publication.

Written comments or objections should contain the name, address and telephone number of the person submitting comments or objections; the proposal identification number; and a statement of sufficient detail to inform the Department of the basis of the comment or objection and the relevant facts upon which it is based.

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

The following project proposals have been received by the Department of Environmental Protection (Department). A copy of the proposal is available for inspection at the Pottsville District Mining Office.

Project Proposals Received

EGS54004. Audenreid Mine Tunnel Project, submitted by the Schuylkill Conservation District. The project is located in East Union Township, **Schuylkill County** along the Catawissa Creek.

Written comments or objections may be submitted by any person or any office or head of any Federal, State or local Government Agency or Authority to the Department of Environmental Protection, District Mining Operations, Pottsville District Office, 5 West Laurel Boulevard, Pottsville, PA 17901-2522 within 30 days of this publication.

Written comments or objections should contain the name, address and telephone number of the person submitting comments or objections; the proposal identification number; and a statement of sufficient detail to inform the Department of the basis of the comment or objection and the relevant facts upon which it is based.

[Pa.B. Doc. No. 08-1530. Filed for public inspection August 22, 2008, 9:00 a.m.]

Bid Opportunity

AMD 18(0817)101.1, Acid Mine Drainage Abatement Project, Fran Contracting, Inc., East Keating Township, Clinton County. The principal items of work and approximate quantities include 4,890 cubic yards of grading, 300 square yards of R-3 Rock Lining, 650 linear feet of Subsurface Drain, 885 linear feet of Polyvinyl Chloride Pipe—various types and sizes. This project also involves Mine Drain Excavation and Construction. This project issues on August 22, 2008, and bids will be opened on September 18, 2008, at 2 p.m. Bid documents cost \$10 per set and will not be mailed until payment has been received. This project is financed by the Federal Government under the authority given it by Pub. L. No. 95-87 dated August 3, 1977, The Surface Mining Control and Reclamation Act of 1977, and is subject to that Law, and to the Federal Grant for this project. Contact the Construction Contracts Section at (717) 787-7820 or joelmiller@state.pa.us for more information on this bid.

JOSEPH R. POWERS,
Acting Secretary

[Pa.B. Doc. No. 08-1531. Filed for public inspection August 22, 2008, 9:00 a.m.]

Bid Opportunity

DMF 013-239.1, Mine Drainage Control Project, Doverspike Brothers Coal Company, Dora No. 6, Perry Township, Jefferson County. The principal items of work and approximate quantities include 1,700 linear feet of Directional Drilling, 200 linear feet of 8 inch diameter Stainless Steel Collar Pipe, two each 8 inch diameter Stainless Steel Ball Valves, 80 linear feet of 4 inch diameter Stainless Steel Discharge Pipe, two each 4 inch diameter Stainless Steel Ball Valve, 1,500 linear feet of 4 inch diameter High Density Polyethylene Pipe, two Venturi-Style Aerators, 9,600 cubic yards of Grading, 1,000 linear feet of PVC Vent Pipe, 1,940 square yards of Impervious EPDM Lining, 500 linear feet of 12 inch diameter PVC Pipe, 1,030 linear feet of Chain Link Fence and 1.2 acres of Seeding. This project also includes Floating Baffles with Curtain, Inlet Water Level Control Structure and Stilling Well and Outfall Structure. This project issues on August 22, 2008, and bids will be opened on September 18, 2008, at 2 p.m. Bid documents cost \$10 per set and will not be mailed until payment has been received. Contact the Construction Contracts Section at (717) 787-7820 or joelmiller@state.pa.us for more information on this bid.

JOSEPH R. POWERS,
Acting Secretary

[Pa.B. Doc. No. 08-1532. Filed for public inspection August 22, 2008, 9:00 a.m.]

Coastal Zone Grant Application Period for Federal Fiscal Year 2009 Grants

The Department of Environmental Protection (Department) is accepting applications, beginning August 25, 2008, for Federal Fiscal Year 2009 Coastal Zone Grants. Eligible applicants include political subdivisions, authorities, 501(c) 3 nonprofit organizations and educational institutions located within defined coastal zone geo-

graphic areas of this Commonwealth. Proposals must support the Coastal Zone Management Program's mission to protect and enhance this Commonwealth's coastal resources.

Applications must be postmarked no later than October 20, 2008. Pending congressional funding approval, grants will be available for projects that commence on or after October 1, 2009. These Federal grants require a match (cash or in-kind services) on a one-to-one basis by the applicants.

To request an application or to obtain more information concerning Coastal Zone Grants, visit the Department's web site at www.depweb.state.pa.us (DEP Keyword: Coastal Zone) or contact the Department of Environmental Protection, Water Planning Office, 2nd Floor, Rachel Carson State Office Building, 400 Market Street, P. O. Box 2063, Harrisburg, PA 17105-2063, (717) 772-4785, fax (717) 783-4690.

JOSEPH R. POWERS,
Acting Secretary

[Pa.B. Doc. No. 08-1533. Filed for public inspection August 22, 2008, 9:00 a.m.]

Extension of Pennsylvania National Pollutant Discharge Elimination System (NPDES) Stormwater Discharges from Municipal Storm Sewer Systems (MS4s) General Permit (PAG-13)

Under the authority of The Clean Streams Law (35 P. S. §§ 691.1—691.1001) and sections 1905-A, 1917-A and 1920-A of The Administrative Code of 1929 (71 P. S. §§ 510-5, 510-17 and 510-20), the Department of Environmental Protection (Department) is, by this notice, extending for an additional 12 months the availability of the current NPDES PAG-13 Stormwater Discharges from MS4s. The current PAG-13 permit was extended for 12 months at 37 Pa.B. 4928 (September 8, 2007). The current PAG-13 permit is scheduled to expire at midnight March 9, 2009, unless rescinded by the Department at an earlier date. This extension will be effective on March 10, 2009, and will expire at midnight on March 9, 2010. The Department is extending the availability of this permit in order to adequately complete the preparation of the renewal of PAG-13. The Department is also extending, by this notice, all existing MS4 PAG-13 permit approvals, waivers from permit application requirements and exemptions from the MS4 operator designation scheduled to expire. Existing MS4s are authorized to continue to discharge stormwater in accordance with the terms and conditions of the authorized permit and to comply with MS4 permit requirements. Included in this extension is the requirement to continue implementation of the existing program and to provide annual reports on the progress of program implementation.

The existing PAG-13 permit documents will continue to be available from the Department's regional offices and local county conservation districts until they are replaced or updated. In addition, the permit documents are on file at the Department of Environmental Protection, Bureau of Watershed Management, 10th Floor, Rachel Carson State Office Building, 400 Market Street, Harrisburg, PA 17101. This package is also available on the Department's web site at www.depweb.state.pa.us (DEP Keyword: Stormwater).

The permit documents also can be obtained by contacting Penda Powell at (717) 772-5807 or pepowell@state.pa.us. Persons with a disability may use the AT&T Relay Service at (800) 654-5984 (TDD users) or (800) 654-5988 (voice users).

JOSEPH R. POWERS,
Acting Secretary

[Pa.B. Doc. No. 08-1534. Filed for public inspection August 22, 2008, 9:00 a.m.]

Oil and Gas Well Permit Application Modifications

The Department of Environmental Protection (Department) announces modifications to the requirements for and application processing of Oil and Gas Well Development Permit applications.

Effective August 23, 2008, applicants for Marcellus Shale Gas Well Development in the Commonwealth are required to submit a Permit Application Addendum in addition to their permit application for Gas Well Development. The addendum is designed to assist the applicant in completing the water management plan associated with the development of Marcellus Shale Gas Wells. The complete permit application, including the addendum for Marcellus Shale Gas Well Development, is available on the Department's web site at www.depweb.state.pa.us (DEP Keywords: Gas and Oil Wells).

In addition, the permit processing times for Oil and Gas Well Permits, as specified in Technical Guidance document no. 013-2000-001: *Policy for Implementing the DEP Money-Back Guarantee Permit Review Program and Guide to DEP Permits and Other Authorizations* are hereby revised. Effective August 23, 2008, the standardized processing times for Oil and Gas Well Development permits is revised to 45 days. This revision is made to make the processing time frame for Oil and Gas Well Development permits consistent with the allotted time established in section 201(e) of the Oil and Gas Act (58 P. S. § 601.201(e)). This revised processing time frame will be recognized by the Department as part of its established Money-Back Guarantee Permit Review Program. The program, established in response to Executive Order 1995-5, establishes processing times for certain permits to demonstrate the Department's commitment to providing timely permit decisions. If the Department fails to meet the processing times, the Department will refund the permit processing fee to the permit applicant. The permit applicant, similarly, is responsible for submitting a quality complete application that contains information needed by the Department to make a decision and meets all applicable regulatory requirements.

Questions concerning the permit application and processing time modifications may be directed to Ronald Gilius, Bureau of Oil and Gas Management, (717) 772-2199, rgilius@state.pa.us.

JOSEPH R. POWERS
Acting Secretary

[Pa.B. Doc. No. 08-1535. Filed for public inspection August 22, 2008, 9:00 a.m.]

State Water Plan; Public Meetings and Hearings Schedule for September 2008

The Department of Environmental Protection (Department) announces the following series of combined public meetings and hearings scheduled for the six Regional Water Resources Committees as part of the development of the State Water Plan in accordance with the Water Resources Planning Act (Act 220 of 2002). The purpose of the combined public meetings and hearings is for the Department to accept comments on the draft State Water Plan.

An open house from 5 p.m. to 6 p.m. will occur prior to each scheduled public meeting and hearing noted for the public to review displays and maps of the respective region. The public meetings will be held from 6 p.m.—7:30 p.m. and will include presentations by Department staff and members of the respective Regional Water Resources Committees followed by an informal discussion period. The formal hearings will begin at 7:30 p.m. The dates and locations for the series of public meetings and hearings are as follows:

September 8, 2008

Ohio Regional Water Resources Committee
Seven Fields Community Center
380 Castle Creek Drive
Seven Fields, PA 16046

Questions concerning this meeting should be directed to Lori Mohr, Water Planning Office, P. O. Box 2063, Harrisburg, PA 17105-2063, (717) 787-4628, laumohr@state.pa.us.

September 9, 2008

Great Lakes Regional Water Resources Committee
Erie County Conservation District
1927 Wager Road
Erie, PA 16509

Questions concerning this meeting should be directed to Lori Mohr, Water Planning Office, P. O. Box 2063, Harrisburg, PA 17105-2063, (717) 787-4628, laumohr@state.pa.us.

September 11, 2008

Delaware Regional Water Resources Committee
Northampton Community College
Fowler Family Southside Center
Room 605
511 East Third Street
Bethlehem, PA 18020

Questions concerning this meeting should be directed to Leslie Sarvis, Water Planning Office, P. O. Box 2063, Harrisburg, PA 17105-2063, (717) 772-5634, lsarvis@state.pa.us.

September 15, 2008

Lower Susquehanna Regional Water Resources Committee
Radisson Penn Harris Hotel and Convention Center
1150 Camp Hill Bypass
Camp Hill, PA 17011

Questions concerning this meeting should be directed to Leslie Sarvis, Water Planning Office, P. O. Box 2063, Harrisburg, PA 17105-2063, (717) 772-5634, lsarvis@state.pa.us.

September 17, 2008

Upper/Middle Susquehanna Regional Water Resources Committee

Holiday Inn, Williamsport, PA
100 Pine Street
Williamsport, PA 17701

Questions concerning this meeting should be directed to Lori Mohr, Water Planning Office, P. O. Box 2063, Harrisburg, PA 17105-2063, (717) 787-4628, laumohr@state.pa.us.

September 18, 2008

Potomac Regional Water Resources Committee
Penn State Mont Alto Campus—Multi-Purpose Center
One Campus Drive
Mont Alto, PA 17237

Questions concerning this meeting should be directed to Leslie Sarvis, Water Planning Office, P. O. Box 2063, Harrisburg, PA 17105-2063, (717) 772-5634, lsarvis@state.pa.us

The Regional Water Resources Committees will conduct their regular business meeting from 2:30 p.m.—4 p.m. on the same date and location as the public meetings and hearings. The business meetings are open to the public.

An agenda for each meeting, including the draft state water plan and meeting materials, will be available through the Public Participation Center on the Department's website at www.depweb.state.pa.us (DEP Keyword: Public Participation, Participate).

Persons planning to give oral testimony at the hearings should register in advance by contacting Karen Price at (717) 783-9499 or kprice@state.pa.us. A written copy of the testimony should be provided to Department staff at the hearings. Written testimony will also be accepted from persons who do not wish to give oral testimony at the meeting. Written testimony must be submitted by September 30, 2008, to Leslie Sarvis, Department of Environmental Protection, Water Planning Office, P. O. Box 2063, Harrisburg, PA 17105-2063.

Persons in need of accommodations as provided for in the Americans With Disabilities Act of 1990 should contact the Department at (717) 772-5634 or through the Pennsylvania AT&T Relay Services at (800) 654-5984 (TDD) to discuss how the Department may accommodate their needs.

JOSEPH R. POWERS
Acting Secretary

[Pa.B. Doc. No. 08-1536. Filed for public inspection August 22, 2008, 9:00 a.m.]

DEPARTMENT OF GENERAL SERVICES

Real Estate for Sale Montgomery County

The Department of General Services (Department) will accept bids for the purchase of .29-acre (12,444 sq. ft.) +/- of land and single-family residence located at 174 North Whitehall Road, West Norriton Township, Montgomery County. Bids are due Thursday, November 6, 2008. Interested parties wishing to receive a copy of Solicitation No. 94229 should view the Department's web site at www.dgs.state.pa.us or call Lisa Kettering at (717) 787-1321.

JAMES P. CREEDON,
Secretary

[Pa.B. Doc. No. 08-1537. Filed for public inspection August 22, 2008, 9:00 a.m.]

DEPARTMENT OF HEALTH

Decisions on Requests for Exceptions to Health Care Facility Regulations

Under 28 Pa. Code § 51.33 (relating to requests for exceptions), effective June 6, 1998, the Department of Health (Department) has published in the *Pennsylvania Bulletin* all requests by entities licensed under the Health Care Facilities Act (35 P. S. §§ 448.101—448.904b), for exceptions to regulations contained in 28 Pa. Code, Part IV Health Facilities, Subparts B—G.

Section 51.33(d) provides that the Department will publish notice of all approved exceptions on a periodic basis. The Department has determined that it will publish notice of all exceptions, both approved and denied. The following list contains the decisions made on exception requests published in the *Pennsylvania Bulletin* from March, 2008 through June, 2008. Future publications of decisions on exception requests will appear on a quarterly basis.

Requests for additional information on the exception requests and the Department's decision should be made to the relevant division of the Department. Inquiries regarding hospitals and ambulatory surgical facilities shall be addressed to the Division of Acute and Ambulatory Care, Sandra Knoble, Director, Room 532, Health and Welfare Building, Harrisburg, PA 17120. Inquiries regarding long-term care facilities shall be addressed to the Division of Nursing Care Facilities, William Bordner, Director, Room 528, Health and Welfare Building, Harrisburg, PA 17120. Those persons requiring special assistance for speech and/or hearing impairment should call V/TT (717) 783-6514 or the Pennsylvania AT&T Relay Services at (800) 654-5984 (TT).

Hospitals

<i>Facility name</i>	<i>Regulation</i>	<i>Relating to</i>	<i>Request Published</i>	<i>Decision</i>
Bryn Mawr Hospital	28 Pa. Code § 51.6	licensure identification of personnel	06/21/08	granted
Lehigh Valley Hospital	28 Pa. Code § 51.23	mobile PET scanning services	03/08/08	withdrawn

<i>Facility name</i>	<i>Regulation</i>	<i>Relating to</i>	<i>Request Published</i>	<i>Decision</i>
Magee Womens Hospital	28 Pa. Code § 101.172, § 137.11	request for reconsideration of patient limits and OB unit		granted
Hamot Medical Center	28 Pa. Code § 107.2	staff membership	03/08/08	granted
St. Luke's Miners Memorial Hospital	28 Pa. Code § 107.2	staff membership	03/29/08	granted
Community Medical Center, Scranton, PA	28 Pa. Code § 107.2	medical staffing	05/10/08	granted
The Bloomsburg Hospital	28 Pa. Code § 107.2	medical staffing	05/10/08	granted
Good Shepherd Penn Partners Specialty Hospital at Rittenhouse	28 Pa. Code § 107.2	medical staffing	05/24/08	granted
Altoona Regional Health System	28 Pa. Code § 107.4(c)(5) status, honorary medical Staff	medical staff	05/10/08	denied
The Western Pennsylvania Hospital West Penn Campus	28 Pa. Code § 107.11	MS bylaws	12/01/07	granted
UPMC St. Margaret	28 Pa. Code § 107.12(a)	substitute supervising physicians	03/29/08	denied
The Washington Hospital	28 Pa. Code § 107.26(b)(2)	tissue review	06/28/08	granted
Heritage Valley Health System	28 Pa. Code § 107.62(b)	oral orders	03/29/08	granted
Main Line Hospitals Lankenau	28 Pa. Code § 123.25(2)	regulations for control of anesthetic explosion hazards	04/26/08	granted
Childrens Hospital of Philadelphia	28 Pa. Code 123.25(2)	regulations for control of anesthetic explosion hazards	05/03/08	granted
Shriners Hospitals for Children-Erie	28 Pa. Code § 123.25(2)	regulations for control of anesthetic explosion hazards	05/10/08	granted
Warren General Hospital	28 Pa. Code § 123.25(2)	regulations for control of anesthetic explosion hazards	05/24/08	granted
Alle-Kiski Medical Center	28 Pa. Code § 127.32	written orders	04/19/08	denied
Sharon Regional Health System	28 Pa. Code § 137.11	facilities and equipment	04/19/08	granted
Ephrata Community Hospital	28 Pa. Code § 137.12(d)	delivery suite on the family maternity unit	05/24/08	granted
Sharon Regional Health System	28 Pa. Code § 137.21	policies and procedures	04/19/08	granted
Sharon Regional Health System	28 Pa. Code § 137.33	obstetrical-gynecological nursing services	04/19/08	granted
Sacred Heart Hospital	28 Pa. Code § 138.15	high risk cardiac catheterizations	02/09/08	granted
UPMC McKeesport	28 Pa. Code § 138.15	high risk cardiac catheterizations	03/15/08	granted
Pennsylvania Podiatric Medical Association	28 Pa. Code § 143.4	medical appraisal of a podiatric patient	07/05/08	denied
Pennsylvania Podiatric Medical Association	28 Pa. Code § 143.7	medical orders and patient records	07/05/08	denied
York Hospital—Wellspan Health	28 Pa. Code § 153.1	10.2.1.1.2(c) fan coil units	02/16/08	granted
Crozer Chester Medical Center	28 Pa. Code § 153.1	7.2.A1 maximum patient room Capacity	02/09/08	denied

<i>Facility name</i>	<i>Regulation</i>	<i>Relating to</i>	<i>Request Published</i>	<i>Decision</i>
Geisinger South Wilkes-Barre Campus	28 Pa. Code § 153.1	3.7-2.4.1.2(2) (post-anesthesia recovery rooms min. requirements for area and clearance); 3.7-2.4.2.1(1) (Phase II recovery in general 3.7-2.4.2.2 (Phase II recovery space req.) 3.7-2.3.1.2 (Class B operating rooms)	02/09/08	granted
Hospital of the Univ of Pennsylvania (HUP)	28 Pa. Code § 153.1	2.1.5.3.3.1(2) stretcher holding stations	03/08/08	granted
JC Blair Memorial	28 Pa. Code § 153.1	3.1.1.2(2) and (3) patient room converted/renovation 3.1.1.5 (handwashing station)	03/08/08	granted/not necessary
UPMC Horizon	28 Pa. Code § 153.1	3.1.3 (examination treatment room)	03/08/08	granted
Lehigh Valley Hospital Cedar Crest Systems	28 Pa. Code § 153.1	2.1-5 (station outlets for oxygen, vacuum & medical	03/08/08	denied
Triumph Hospital Harrisburg	28 Pa. Code § 153.1	2.2-2.2.1.2, 2.2-2.2.1.3 (relating to patient rooms or care areas 3.1-3.1.1.1, 3.1-3.1.1.2, 3.1.1.5, 3.1-3.1.1.6, 3.1-3.1.5.5, 3.1-3.1.5.9 (relating to medical surgical units) 7.1-7.1.2.3, 7.1-7.1.2.5 (relating to public areas) Table 2.1.5 (relating to station outlets for oxygen, vacuum and medical air systems)	03/08/08	denied
DuBois Regional Medical Center	28 Pa. Code § 153.1	2.1-5 Station Outlets for Oxygen Vacuum (Suction), and Medical Air Systems	03/15/08	granted
North Pointe Surgery Center	28 Pa. Code § 153.1	9.5.F3.c clearance around recovery bay patient stretchers	03/15/08	granted
Brownsville Tri County Hospital	28 Pa. Code § 153.1	2.1-2.3.9.2 (equipment and supply storage; 2.1-8.2.2.3-2.b (inpatient bedrooms)	03/15/08	granted
Southwest Regional Medical Center	28 Pa. Code § 153.1	5.1.2.5.(1)a (size requirements for treatment rooms in the emergency department	03/15/08	granted
Pennsylvania Hospital	28 Pa. Code § 153.1	7.2.1.14 horizontal doors	03/29/08	granted
Southwest Regional Medical Center	28 Pa. Code § 153.1	5.1.2.5(1)(a) treatment rooms in the emergency department	03/29/08	granted
Abington Memorial Hospital	28 Pa. Code § 153.1	2.3.1.3(1) OR size, 5.2.2.2(2) ceiling in OR, 2.4.1.1(4) handwashing stations in PACU, 2.4.1.2(2) PACU size, 2.4.1.3(1) clean storage in PACU, 2.4.2.2 Phase II recovery area, 2.5.1.8 housekeeping closet	03/29/08	granted
Abington Memorial Hospital	28 Pa. Code § 153.1	2.6.2(2) staff flow, 5.2.2.3(3) flooring in the OR, 7.1.4 oxygen outlets LSC 20.3.7.1 subdivision of space	03/29/08	granted
Geisinger Wyoming Valley Medical Center	28 Pa. Code § 153.1	5.3.3.1(2) clearance	04/12/08	denied

<i>Facility name</i>	<i>Regulation</i>	<i>Relating to</i>	<i>Request Published</i>	<i>Decision</i>
Riddle Memorial Hospital	28 Pa. Code § 153.1	2.1-5.1.2.5 hand washing medical gas outlets	05/12/08	granted/ denied in part
Heritage Valley Health System	28 Pa. Code § 153.1	2.1.5.4.1 interventional imaging-location 2.1.5.5.1-cardiac cath lab	04/19/08	granted
Pottstown Memorial Medical Center	28 Pa. Code § 153.1	2.1-3.4.2.1(1)(a) head wall 2.1-9.2 hospital-type elevator cars	04/19/08	granted
UPMC Presbyterian Shadyside	28 Pa. Code § 153.1	5.1.2.5(1)(2) treatment areas	04/19/08	denied
UPMC Northwest	28 Pa. Code § 153.1	10.15.B9 clean utility room; 10.153B10 soiled utility room 10.15.B13 nourishment station; 10.15.B11 medication room	04/19/08	granted
Shriners Hospital for Children	28 Pa. Code § 153.1	3.7.3 examination treatment rooms and 3.7.3.1 space requirement	05/10/08	granted
Milton S. Hershey Medical Center	28 Pa. Code § 153.1	5.3.3.2-(4) post-anesthetic care units space requirements	05/24/08	granted
Mount Nittany Medical Center	28 Pa. Code § 153.1	3.1, 2.1.1.1(1) space requirements	05/24/08	granted
Main Line Spine Surgery Center	28 Pa. Code § 153.1	7.1.4.1 medical gases and vacuum	05/24/08	granted
The Pennsylvania Hospital	28 Pa. Code § 153.1	2.7.4.2 quiet rooms	06/21/08	granted
Select Specialty Hospital-Central PA	28 Pa. Code § 153.1	3.1.1.1(1) patient rooms, 3.1.1.5.(2) hand wash sink, Table 2.1-2, 10.2.1.2(1) separate air supply to patient to patient rooms	06/21/08	granted
Milton S. Hershey Medical Center	28 Pa. Code § 153.1	3.1-2.2.1.2 hand washing sinks in toilet rooms	06/21/08	granted
UPMC Presbyterian Shadyside	28 Pa. Code § 153.1	3.4.2.1(3) windows	06/21/08	granted
The PMA Gastroenterology Center	28 Pa. Code § 153.1	2.1-5.3.2.4 station outlets for oxygen, vacuum and medical air systems	06/21/08	not necessary
Easton Hospital	28 Pa. Code § 153.1	3.3.2.1(3) patient room 7.7.A.1 general operating room	06/21/08	granted
Evangelical Community Hospital	28 Pa. Code § 153.1	2.1-5.5.6.2 Patient toilets	06/21/08	granted
Williamsport Hospital	28 Pa. Code § 153.1	5.9.3 examination room 5.9.4.10(3) stretcher wheelchair storage	06/21/08	granted
Latrobe Hospital	28 Pa. Code § 153.1	2.1.5.1.3.7(1) (examination and treatment rooms-facility requirements) and 2.3 (child psychiatric room)	07/19/08	granted
St. Clair Hospital/Mt. Lebanon Surgical Center	28 Pa. Code § 153.1	3.7.2.4.1.2 (relating to PACU space) and 3.7.5.2.1.1(1) (corridors)	07/19/08	granted
Nason Hospital	28 Pa. Code § 153.1	2.1-5.5.5 station outlets for oxygen, vacuum and medical medical air systems	07/19/08	granted
Jefferson Regional Medical Center	28 Pa. Code § 153.1	3.1-2.1.1.2 hand washing	07/19/08	granted

<i>Facility name</i>	<i>Regulation</i>	<i>Relating to</i>	<i>Request Published</i>	<i>Decision</i>
Ambulatory Surgical Facilities				
Delaware Valley Nephrology & Hypertension Associates, PC	28 Pa. Code § 551.3	Patient classification	12/01/07	granted
Twin Rivers Endoscopy Center	28 Pa. Code § 551.3	definitions	04/19/08	granted
Ophthalmic Associates Surgery and Laser Center	28 Pa. Code § 551.3(iii)	classification levels PS-4 patients	04/12/08	denied
Eastern Pennsylvania Nephrology Associates, PC	28 Pa. Code § 551.3	definitions	06/28/08	granted
Nephrology-Hypertension Associates of Lehigh Valley d/b/a Valley Access Center	28 Pa. Code § 551.3	PSIII patients	06/28/08	granted
Clinical Nephrology Associates Ltd. d/b/a Metro Vascular Center	28 Pa. Code § 551.3	PSIII patients	06/28/08	granted
Metropolitan Nephrology Associates PC d/b/a Metro Vascular Center	28 Pa. Code § 551.3	PSIII patients	06/28/08	granted
Renal-Endocrine Associates, PC d/b/a Dialysis Access Center of Pittsburgh	28 Pa. Code § 551.3	PSIII patients	07/19/08	granted
Associates in Kidney Disease & Hypertension, PC d/b/a Dialysis Access Center of Pittsburgh	28 Pa. Code § 551.3	PSIII patients	07/19/08	granted
Leader Surgical Center	28 Pa. Code § 551.21(d)(2)	criteria for ambulatory surgery	01/12/08	granted
USVAC Ambulatory Surgery Center	28 Pa. Code § 551.21(d)(1)(3)	criteria for ambulatory surgery	03/15/08	denied
Ophthalmology & Surgical Institute	28 Pa. Code § 551.21(d)(2)	criteria for ambulatory surgery	04/19/08	denied
Mt. Lebanon Surgical Center	28 Pa. Code § 553.1	governing body	06/21/08	granted
Dermatologic Surgi Center-Center City	28 Pa. Code § 553.31(a)	administrative responsibilities	03/08/08	granted
Proserpi-Schlecter Center for Plastic Surgery	28 Pa. Code § 553.31(a)	administrator	04/09/08	not necessary
Mt. Lebanon Surgical Center	28 Pa. Code § 553.31(a)	full time administrator	06/21/08	granted
Nephrology-Hypertension Assoc of Lehigh Valley d/b/a Valley Access Center	28 Pa. Code § 553.31(a)	person in charge	06/28/08	not necessary
Clinical Nephrology Associates Ltd. d/b/a Metro Vascular Center	28 Pa. Code § 553.31(a)	person in charge	06/28/08	not necessary
Eastern Pennsylvania Nephrology Assoc, PC	28 Pa. Code § 553.31(a)	person in charge	06/28/08	not necessary
Metropolitan Nephrology Nephrology Associates PC d/b/a Metro Vascular Center	28 Pa. Code § 553.31(a)	person in charge	06/28/08	not necessary
Temple University School of Podiatric Medicine ASC	28 Pa. Code § 555.31(a)	anesthesia services propofol	07/21/07	granted

<i>Facility name</i>	<i>Regulation</i>	<i>Relating to</i>	<i>Request Published</i>	<i>Decision</i>
Renal-Endocrine Associates, PC d/b/a Dialysis Access Center of Pittsburgh	28 Pa. Code § 553.31(a)	person in charge	07/19/08	not necessary
Associates in Kidney Disease & Hypertension, PC d/b/a Dialysis Access Center of Pittsburgh	28 Pa. Code § 553.31(a)	person in charge	07/19/08	not necessary
Mt. Lebanon Surgical Center	28 Pa. Code § 555.1	medical staff	06/21/08	granted
Mt. Lebanon Surgical Center	28 Pa. Code § 557.4	quality assurance	06/21/08	granted
SmartHealth Norwin Hills Outpatient Center	28 Pa. Code § 563.2(a)	medical records service	09/29/07	granted
Mt. Lebanon Surgical Center	28 Pa. Code § 567.2	infection control program and committee	06/21/08	granted
Grandview Surgery & Laser Center	28 Pa. Code § 569.35	fire, safety and disaster	03/15/08	granted
Penn Surgery Institute	28 Pa. Code § 569.35	fire, safety and disaster	03/22/08	granted
Carlisle Outpatient Surgery Center	28 Pa. Code § 569.35	general safety precautions	04/12/08	granted
Keystone Surgery Center	28 Pa. Code § 569.35	general safety precautions	05/17/08	granted
Central Penn Endoscopy Center	28 Pa. Code § 569.35	general safety precautions	04/26/08	granted
North Pointe Surgery Center	28 Pa. Code § 569.35	general safety precautions	04/19/08	granted
Childrens Hospital of Philadelphia Ambulatory Surgery Center at Exton	28 Pa. Code § 569.35	general safety precautions	05/03/08	granted
Childrens Hospital of Philadelphia Ambulatory Surgery Center at Bucks	28 Pa. Code § 569.35	general safety precautions	05/03/08	granted
Hershey Outpatient Surgery Center	28 Pa. Code § 569.35	general safety precautions	05/10/08	granted
Williamsport Surgery Center LLC	28 Pa. Code § 569.35	general safety precautions	05/31/08	granted
Paoli Surgery Center	28 Pa. Code § 569.35	general safety precautions	07/05/08	granted
RMS Lifeline Interventional Access Center	28 Pa. Code § 571.1	3.7-2.5.1 restricted corridor control station	01/19/08	granted
Surgical Institute of Reading	28 Pa. Code § 571.1	5.5.8.1, 5.5.8.4, 5.5.10.1, 5.5.8 support areas for imaging suite	03/15/08	granted

Nursing Care Facilities

Countryside Christian	28 Pa. Code § 201.3	definitions	05/17/08	granted
Kittanning Care Center	28 Pa. Code § 201.3	definitions	06/07/08	granted
Ephrata Manor	28 Pa. Code § 201.3	definitions	06/14/08	granted
River's Edge Nursing and Rehab Center	28 Pa. Code § 201.3	definitions	06/21/08	granted
Montgomery Rehab Center of Chestnut Hill	28 Pa. Code § 201.17	location	06/21/08	granted
Grove City Medical Center	28 Pa. Code § 201.18(e)	management	07/05/08	temp granted

NOTICES

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<i>Facility name</i>	<i>Regulation</i>	<i>Relating to</i>	<i>Request Published</i>	<i>Decision</i>
UPMC Horizon Transitional	28 Pa. Code § 201.18(e)	management	07/05/08	temp granted
UPMC Horizon Transitional	28 Pa. Code § 201.18(e)	management	07/05/08	temp granted
The Inn at Freedom Village	28 Pa. Code § 205.6(a)	function of building	03/15/08	denied
United Zion Retirement	28 Pa. Code § 205.6(a)	function of building	03/08/08	granted
The Inn at Freedom Village	28 Pa. Code § 505.6(a)	function of building	03/29/08	denied
Green Ridge Health Care	28 Pa. Code § 205.6(a)	function of building	04/12/08	granted
Coldstream Crossing	28 Pa. Code § 205.6(a)	function of building	04/19/08	granted
ManorCare Health Svcs	28 Pa. Code § 205.6(a)	function of building	04/19/08	granted
Beaver Elder Care & Rehab	28 Pa. Code § 205.6(a)	function of building	05/03/08	granted
UPMC Northwest Med	28 Pa. Code § 205.6(a)	function of building	05/17/08	granted
Church of God Home, Inc.	28 Pa. Code § 205.6(a)	function of building	06/07/08	granted
Fox Subacute at Mechanicsburg	28 Pa. Code § 205.6(a)	function of building	07/05/08	granted
John J. Kane Regional Center	28 Pa. Code § 205.24(a)	dining room	03/08/08	granted
The Hollinger Group	28 Pa. Code § 205.25(a)	kitchen	03/29/08	granted
UPMC Northwest Med	28 Pa. Code § 205.25(a)(b)	kitchen	05/17/08	granted
Fox Subacute at Mechanicsburg	28 Pa. Code § 205.25(a)	kitchen	07/05/08	granted
John J. Kane Regional Center	28 Pa. Code § 205.27	lounge and recreation rooms	03/08/08	granted
Guardian Elder Care Center	28 Pa. Code § 205.28(b)	nurses' station	03/22/08	granted
The Kepler Home, Inc.	28 Pa. Code § 205.28(c)(3)	nurses' station	04/26/08	granted
UPMC Northwest Med	28 Pa. Code § 205.28(c)(3)	nurse's station	05/17/08	granted
The Hollinger Group	28 Pa. Code § 205.31	storage	03/29/08	granted
UPMC Northwest Med	28 Pa. Code § 205.33(a)(b)	utility room	05/17/08	granted
The Inn at Freedom Village	28 Pa. Code § 205.36	bathing facilities	03/15/08	granted
The Inn at Freedom Village	28 Pa. Code § 205.36(h)	bathing facilities	03/29/08	granted
United Zion Retirement	28 Pa. Code § 205.36(h)	bathing facilities	03/08/08	granted
Mary Evans Ext'd Care	28 Pa. Code § 205.36(h)	bathing facilities	04/12/08	granted
Sayre House, Inc.	28 Pa. Code § 205.36(h)	bathing facilities	04/26/08	granted
Montgomery Rehab Center of Chestnut Hill	28 Pa. Code § 205.36(h)	bathing facilities	06/21/08	granted
Fox Subacute at Mechanicsburg	28 Pa. Code § 205.36(h)	bathing facilities	07/05/08	granted
United Zion Retirement	28 Pa. Code § 205.38(a)	toilet facilities	03/08/08	granted
Fox Subacute at Mechanicsburg	28 Pa. Code § 205.38(c)	toilet facilities	07/05/08	temp granted
Phoebe Berks Health Care	28 Pa. Code § 205.67(k)	electric requirements	04/26/08	granted
Millcreek Manor	28 Pa. Code § 211.12(b)(c)	nursing services	05/17/08	granted
Millcreek Community	28 Pa. Code § 211.12(b)(c)	nursing services	05/17/08	granted

CALVIN B. JOHNSON, M. D., M.P.H.,
Secretary

[Pa.B. Doc. No. 08-1538. Filed for public inspection August 22, 2008, 9:00 a.m.]

Integrated Human Immunodeficiency Virus (HIV) Planning Council; Public Meeting

The Statewide Integrated HIV Planning Council, established by the Department of Health (Department) under sections 301(a) and 317(b) of the Public Health Service Act (42 U.S.C. §§ 241(a) and 247(b)), will hold a public meeting on Tuesday, September 9, 2008, from 9 a.m. to 2 p.m. at the Harrisburg Holiday Inn West, 5401 Carlisle Pike, Mechanicsburg, PA 17050.

For additional information, contact Joseph Pease, Department of Health, Bureau of Communicable Diseases, Room 1010, Health and Welfare Building, Harrisburg, PA 17120, (717) 783-0572.

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

The Department reserves the right to cancel this meeting without prior notice.

CALVIN B. JOHNSON, M. D., M.P.H.,
Secretary

[Pa.B. Doc. No. 08-1539. Filed for public inspection August 22, 2008, 9:00 a.m.]

Long-Term Care Nursing Facilities; Requests for Exception

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

Menno Haven, Inc.
2075 Scotland Avenue
Chambersburg, PA 17201

The following long-term care nursing facility is seeking an exception to 28 Pa. Code § 211.12(f)(1) (relating to nursing services).

Kepler Home, Inc.
44 South Market Street
Elizabethville, PA 17023

These requests are on file with the Department of Health (Department). Persons may receive a copy of a request for exception by requesting a copy from the Division of Nursing Care Facilities, Room 526, Health and Welfare Building, Harrisburg, PA 17120, (717) 787-1816, fax (717) 772-2163, paexcept@health.state.pa.us.

Those 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 and 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 require an alternative format of this document or who desire to comment in an alternative format (for example, large print, audiotape, Braille) should contact the Division of Nursing Care

Facilities at the address or phone numbers listed previously 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).

CALVIN B. JOHNSON, M. D., M.P.H.,
Secretary

[Pa.B. Doc. No. 08-1540. Filed for public inspection August 22, 2008, 9:00 a.m.]

DEPARTMENT OF REVENUE

Pennsylvania \$2.5 Million Joker's Wild '08 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 \$2.5 Million Joker's Wild '08.

2. *Price:* The price of a Pennsylvania \$2.5 Million Joker's Wild '08 instant lottery game ticket is \$25.

3. *Play Symbols:*

(a) Each Pennsylvania \$2.5 Million Joker's Wild '08 instant lottery game ticket will contain five play areas known as "Game 1," "Game 2," "Game 3," "FAST \$50" and "FAST \$100." Each play area is played separately.

(b) The play symbols and their captions located in the "HAND 1," "HAND 2," "HAND 3," "HAND 4," "HAND 5" and "HAND 6" areas for "Game 1" are: 2 (TWO), 3 (THR), 4 (FOR), 5 (FIV), 6 (SIX), 7 (SVN), 8 (EGT), 9 (NIN), 10 (TEN), Joker (JKR), Queen (QUN), King (KNG) and Ace (ACE) playing card symbols.

(c) The play symbols and their captions located in the "WINNING CARD" area for "Game 2" are: 2 (TWO), 3 (THR), 4 (FOR), 5 (FIV), 6 (SIX), 7 (SVN), 8 (EGT), 9 (NIN), 10 (TEN), Queen (QUN), King (KNG) and Ace (ACE) playing card symbols. The play symbols and their captions located in the "YOUR CARDS" area for "Game 2" are: 2 (TWO), 3 (THR), 4 (FOR), 5 (FIV), 6 (SIX), 7 (SVN), 8 (EGT), 9 (NIN), 10 (TEN), Joker (JKR), Queen (QUN), King (KNG) and Ace (ACE) playing card symbols.

(d) The play symbols and their captions located in the "DEALER'S CARD" area for "Game 3" are: 2 (TWO), 3 (THR), 4 (FOR), 5 (FIV), 6 (SIX), 7 (SVN), 8 (EGT), 9 (NIN), 10 (TEN), Queen (QUN) and King (KNG) playing card symbols. The play symbols and their captions located in the "HAND 1," "HAND 2," "HAND 3," "HAND 4," "HAND 5" and "HAND 6" areas of the "YOUR CARDS" area for "Game 3" are: 3 (THR), 4 (FOR), 5 (FIV), 6 (SIX), 7 (SVN), 8 (EGT), 9 (NIN), 10 (TEN), Joker (JKR), Queen (QUN), King (KNG) and Ace (ACE) playing card symbols. In "Game 3," cards are ranked in value from high to low: A, K, Q, 10, 9, 8, 7, 6, 5, 4, 3, 2.

(e) The play symbols and their captions located in the "FAST \$50" and the "FAST \$100" play areas are: 2 (TWO), 3 (THR), 4 (FOR), 5 (FIV), 6 (SIX), 7 (SVN), 8 (EGT), 9 (NIN), 10 (TEN), Joker (JKR), Queen (QUN), King (KNG) and Ace (ACE) playing card symbols.

4. *Prize Symbols:* The prize symbols and their captions located in the "Prize" areas for "Game 1," "Game 2" and "Game 3" are: \$25\$ (TWY FIV), \$50\$ (FIFTY), \$100 (ONE HUN), \$200 (TWO HUN), \$400 (FOR HUN), \$500 (FIV HUN), \$1,000 (ONE THO), \$2,500 (TWYFIVHUN), \$50,000 (FTY THO), \$250,000 (TWHNFYTH) and \$2.5MILL (TWO FIVE MIL).

5. *Prizes:* The prizes that can be won in "Game 1," "Game 2" and "Game 3" are: \$25, \$50, \$100, \$200, \$400, \$500, \$1,000, \$2,500, \$50,000, \$250,000 and \$2,500,000. The prize that can be won in the "FAST \$50" area is \$50. The prize that can be won in the "FAST \$100" area is \$100. The \$2,500,000 top prize is paid as a lump-sum, cash payment. A player can win up to 20 times on a ticket.

6. *Approximate Number of Tickets Printed For the Game:* Approximately 5,760,000 tickets will be printed for the Pennsylvania \$2.5 Million Joker's Wild '08 instant lottery game.

7. *Determination of Prize Winners:*

(a) Determination of prize winners for "Game 1" are:

(1) Holders of tickets with two matching playing card symbols in the same "HAND" and a prize symbol of \$2.5MILL (TWO FIVE MIL) appears in the "Prize" area below that "HAND," on a single ticket, shall be entitled to a prize of \$2,500,000.

(2) Holders of tickets with two matching playing card symbols in the same "HAND" and a prize symbol of \$250,000 (TWHNFYTH) appears in the "Prize" area below that "HAND," on a single ticket, shall be entitled to a prize of \$250,000.

(3) Holders of tickets with two matching playing card symbols in the same "HAND" and a prize symbol of \$50,000 (FTY THO) appears in the "Prize" area below that "HAND," on a single ticket, shall be entitled to a prize of \$50,000.

(4) Holders of tickets with two matching playing card symbols in the same "HAND" and a prize symbol of \$2,500 (TWYFIVHUN) appears in the "Prize" area below that "HAND," on a single ticket, shall be entitled to a prize of \$2,500.

(5) Holders of tickets with two matching playing card symbols in the same "HAND" and a prize symbol of \$1,000 (ONE THO) appears in the "Prize" area below that "HAND," on a single ticket, shall be entitled to a prize of \$1,000.

(6) Holders of tickets with a Joker (JKR) playing card symbol appearing in any "HAND" and a prize symbol of \$1,000 (ONE THO) appears in the "Prize" area below that "HAND," on a single ticket, shall be entitled to a prize of \$1,000.

(7) Holders of tickets with two matching playing card symbols in the same "HAND" and a prize symbol of \$500 (FIV HUN) appears in the "Prize" area below that "HAND," on a single ticket, shall be entitled to a prize of \$500.

(8) Holders of tickets with a Joker (JKR) playing card symbol appearing in any "HAND" and a prize symbol of \$500 (FIV HUN) appears in the "Prize" area below that "HAND," on a single ticket, shall be entitled to a prize of \$500.

(9) Holders of tickets with two matching playing card symbols in the same "HAND" and a prize symbol of \$400

(FOR HUN) appears in the "Prize" area below that "HAND," on a single ticket, shall be entitled to a prize of \$400.

(10) Holders of tickets with a Joker (JKR) playing card symbol appearing in any "HAND" and a prize symbol of \$400 (FOR HUN) appears in the "Prize" area below that "HAND," on a single ticket, shall be entitled to a prize of \$400.

(11) Holders of tickets with two matching playing card symbols in the same "HAND" and a prize symbol of \$200 (TWO HUN) appears in the "Prize" area below that "HAND," on a single ticket, shall be entitled to a prize of \$200.

(12) Holders of tickets with a Joker (JKR) playing card symbol appearing in any "HAND" and a prize symbol of \$200 (TWO HUN) appears in the "Prize" area below that "HAND," on a single ticket, shall be entitled to a prize of \$200.

(13) Holders of tickets with two matching playing card symbols in the same "HAND" and a prize symbol of \$100 (ONE HUN) appears in the "Prize" area below that "HAND," on a single ticket, shall be entitled to a prize of \$100.

(14) Holders of tickets with a Joker (JKR) playing card symbol appearing in any "HAND" and a prize symbol of \$100 (ONE HUN) appears in the "Prize" area below that "HAND," on a single ticket, shall be entitled to a prize of \$100.

(15) Holders of tickets with two matching playing card symbols in the same "HAND" and a prize symbol of \$50\$ (FIFTY) appears in the "Prize" area below that "HAND," on a single ticket, shall be entitled to a prize of \$50.

(16) Holders of tickets with a Joker (JKR) playing card symbol appearing in any "HAND" and a prize symbol of \$50\$ (FIFTY) appears in the "Prize" area below that "HAND," on a single ticket, shall be entitled to a prize of \$50.

(17) Holders of tickets with two matching playing card symbols in the same "HAND" and a prize symbol of \$25\$ (TWY FIV) appears in the "Prize" area below that "HAND," on a single ticket, shall be entitled to a prize of \$25.

(18) Holders of tickets with a Joker (JKR) playing card symbol appearing in any "HAND" and a prize symbol of \$25\$ (TWY FIV) appears in the "Prize" area below that "HAND," on a single ticket, shall be entitled to a prize of \$25.

(b) Determination of prize winners for "Game 2" are:

(1) Holders of tickets upon which any one of the "YOUR CARDS" playing card symbols matches the "WINNING CARD" playing card symbol and a prize symbol of \$2.5MILL (TWO FIVE MIL) appears in the "Prize" area below the matching "YOUR CARDS" playing card symbol, on a single ticket, shall be entitled to a prize of \$2,500,000.

(2) Holders of tickets upon which any one of the "YOUR CARDS" playing card symbols matches the "WINNING CARD" playing card symbol and a prize symbol of \$250,000 (TWHNFYTH) appears in the "Prize" area below the matching "YOUR CARDS" playing card symbol, on a single ticket, shall be entitled to a prize of \$250,000.

(3) Holders of tickets upon which any one of the "YOUR CARDS" playing card symbols matches the "WINNING CARD" playing card symbol and a prize symbol of \$50,000 (FTY THO) appears in the "Prize" area below the

matching "YOUR CARDS" playing card symbol, on a single ticket, shall be entitled to a prize of \$50,000.

(4) Holders of tickets upon which any one of the "YOUR CARDS" playing card symbols matches the "WINNING CARD" playing card symbol and a prize symbol of \$2,500 (TWYFIVHUN) appears in the "Prize" area below the matching "YOUR CARDS" playing card symbol, on a single ticket, shall be entitled to a prize of \$2,500.

(5) Holders of tickets upon which any one of the "YOUR CARDS" playing card symbols matches the "WINNING CARD" playing card symbol and a prize symbol of \$1,000 (ONE THO) appears in the "Prize" area below the matching "YOUR CARDS" playing card symbol, on a single ticket, shall be entitled to a prize of \$1,000.

(6) Holders of tickets with a Joker (JKR) playing card symbol appearing in the "YOUR CARDS" area and a prize symbol of \$400 (FOR HUN) appears in the "Prize" area below the Joker (JKR) playing card symbol, on a single ticket, shall be entitled to a prize of \$800.

(7) Holders of tickets upon which any one of the "YOUR CARDS" playing card symbols matches the "WINNING CARD" playing card symbol and a prize symbol of \$500 (FIV HUN) appears in the "Prize" area below the matching "YOUR CARDS" playing card symbol, on a single ticket, shall be entitled to a prize of \$500.

(8) Holders of tickets upon which any one of the "YOUR CARDS" playing card symbols matches the "WINNING CARD" playing card symbol and a prize symbol of \$400 (FOR HUN) appears in the "Prize" area below the matching "YOUR CARDS" playing card symbol, on a single ticket, shall be entitled to a prize of \$400.

(9) Holders of tickets with a Joker (JKR) playing card symbol appearing in the "YOUR CARDS" area and a prize symbol of \$200 (TWO HUN) appears in the "Prize" area below the Joker (JKR) playing card symbol, on a single ticket, shall be entitled to a prize of \$400.

(10) Holders of tickets upon which any one of the "YOUR CARDS" playing card symbols matches the "WINNING CARD" playing card symbol and a prize symbol of \$200 (TWO HUN) appears in the "Prize" area below the matching "YOUR CARDS" playing card symbol, on a single ticket, shall be entitled to a prize of \$200.

(11) Holders of tickets with a Joker (JKR) playing card symbol appearing in the "YOUR CARDS" area and a prize symbol of \$100 (ONE HUN) appears in the "Prize" area below the Joker (JKR) playing card symbol, on a single ticket, shall be entitled to a prize of \$200.

(12) Holders of tickets upon which any one of the "YOUR CARDS" playing card symbols matches the "WINNING CARD" playing card symbol and a prize symbol of \$100 (ONE HUN) appears in the "Prize" area below the matching "YOUR CARDS" playing card symbol, on a single ticket, shall be entitled to a prize of \$100.

(13) Holders of tickets with a Joker (JKR) playing card symbol appearing in the "YOUR CARDS" area and a prize symbol of \$50 (FIFTY) appears in the "Prize" area below the Joker (JKR) playing card symbol, on a single ticket, shall be entitled to a prize of \$100.

(14) Holders of tickets upon which any one of the "YOUR CARDS" playing card symbols matches the "WINNING CARD" playing card symbol and a prize symbol of \$50 (FIFTY) appears in the "Prize" area below the matching "YOUR CARDS" playing card symbol, on a single ticket, shall be entitled to a prize of \$50.

(15) Holders of tickets with a Joker (JKR) playing card symbol appearing in the "YOUR CARDS" area and a prize symbol of \$25 (TWY FIV) appears in the "Prize" area below the Joker (JKR) playing card symbol, on a single ticket, shall be entitled to a prize of \$50.

(16) Holders of tickets upon which any one of the "YOUR CARDS" playing card symbols matches the "WINNING CARD" playing card symbol and a prize symbol of \$25 (TWY FIV) appears in the "Prize" area below the matching "YOUR CARDS" playing card symbol, on a single ticket, shall be entitled to a prize of \$25.

(c) Determination of prize winners for "Game 3" are:

(1) Holders of tickets where the value of the "YOUR CARDS" playing card symbol in any "HAND" is greater than the value of the "DEALER'S CARD" playing card symbol, and a prize symbol of \$2.5MILL (TWO FIVE MIL) appears in the "Prize" area to the right of that "HAND," on a single ticket, shall be entitled to a prize of \$2,500,000.

(2) Holders of tickets where the value of the "YOUR CARDS" playing card symbol in any "HAND" is greater than the value of the "DEALER'S CARD" playing card symbol and a prize symbol of \$250,000 (TWHNFYTH) appears in the "Prize" area to the right of that "HAND," on a single ticket, shall be entitled to a prize of \$250,000.

(3) Holders of tickets where the value of the "YOUR CARDS" playing card symbol in any "HAND" is greater than the value of the "DEALER'S CARD" playing card symbol and a prize symbol of \$50,000 (FTY THO) appears in the "Prize" area to the right of that "HAND," on a single ticket, shall be entitled to a prize of \$50,000.

(4) Holders of tickets where the value of the "YOUR CARDS" playing card symbol in any "HAND" is greater than the value of the "DEALER'S CARD" playing card symbol and a prize symbol of \$2,500 (TWYFIVHUN) appears in the "Prize" area to the right of that "HAND," on a single ticket, shall be entitled to a prize of \$2,500.

(5) Holders of tickets where the value of the "YOUR CARDS" playing card symbol in any "HAND" is greater than the value of the "DEALER'S CARD" playing card symbol and a prize symbol of \$1,000 (ONE THO) appears in the "Prize" area to the right of that "HAND," on a single ticket, shall be entitled to a prize of \$1,000.

(6) Holders of tickets upon which any one of the "YOUR CARDS" playing card symbols is a Joker (JKR) playing card symbol and a prize symbol of \$100 (ONE HUN) appears in each of the six "Prize" areas to the right of each "HAND," on a single ticket, shall be entitled to a prize of \$600.

(7) Holders of tickets where the value of the "YOUR CARDS" playing card symbol in any "HAND" is greater than the value of the "DEALER'S CARD" playing card symbol and a prize symbol of \$500 (FIV HUN) appears in the "Prize" area to the right of that "HAND," on a single ticket, shall be entitled to a prize of \$500.

(8) Holders of tickets where the value of the "YOUR CARDS" playing card symbol in any "HAND" is greater than the value of the "DEALER'S CARD" playing card symbol and a prize symbol of \$400 (FOR HUN) appears in the "Prize" area to the right of that "HAND," on a single ticket, shall be entitled to a prize of \$400.

(9) Holders of tickets upon which any one of the "YOUR CARDS" playing card symbols is a Joker (JKR) playing card symbol and a prize symbol of \$50 (FIFTY)

appears in each of the six "Prize" areas to the right of each "HAND," on a single ticket, shall be entitled to a prize of \$300.

(10) Holders of tickets where the value of the "YOUR CARDS" playing card symbol in any "HAND" is greater than the value of the "DEALER'S CARD" playing card symbol and a prize symbol of \$200 (TWO HUN) appears in the "Prize" area to the right of that "HAND," on a single ticket, shall be entitled to a prize of \$200.

(11) Holders of tickets upon which any one of the "YOUR CARDS" playing card symbols is a Joker (JKR) playing card symbol and a prize symbol of \$25\$ (TWY FIV) appears in each of the six "Prize" areas to the right of each "HAND," on a single ticket, shall be entitled to a prize of \$150.

(12) Holders of tickets where the value of the "YOUR CARDS" playing card symbol in any "HAND" is greater than the value of the "DEALER'S CARD" playing card symbol and a prize symbol of \$100 (ONE HUN) appears in the "Prize" area to the right of that "HAND," on a single ticket, shall be entitled to a prize of \$100.

(13) Holders of tickets where the value of the "YOUR CARDS" playing card symbol in any "HAND" is greater

than the value of the "DEALER'S CARD" playing card symbol and a prize symbol of \$50\$ (FIFTY) appears in the "Prize" area to the right of that "HAND," on a single ticket, shall be entitled to a prize of \$50.

(14) Holders of tickets where the value of the "YOUR CARDS" playing card symbol in any "HAND" is greater than the value of the "DEALER'S CARD" playing card symbol and a prize symbol of \$25\$ (TWY FIV) appears in the "Prize" area to the right of that "HAND," on a single ticket, shall be entitled to a prize of \$25.

(d) Determination of prize winners for "FAST \$50" area. Holders of tickets with a Joker (JKR) playing card symbol in the "FAST \$50" play area, on a single ticket, shall be entitled to a prize of \$50.

(e) Determination of prize winners for "FAST \$100" area. Holders of tickets with a Joker (JKR) playing card symbol in the "FAST \$100" play area, on a single ticket, shall be entitled to a prize of \$100.

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

<i>Game 1</i>	<i>Game 2</i>	<i>Game 3</i>	<i>Fast \$50</i>	<i>Fast \$100</i>	<i>Win</i>	<i>Approximate Odds Are 1 In:</i>	<i>Approximate No. of Winners Per 5,760,000 Tickets</i>
\$25 w/JOKER					\$25	20	288,000
\$25	\$25				\$25	20	288,000
		\$25			\$25	20	288,000
\$25 × 2					\$25	27.27	211,200
\$50 w/JOKER					\$50	120	48,000
\$50					\$50	120	48,000
	\$25 w/JOKER				\$50	120	48,000
	\$50				\$50	120	48,000
		\$25 × 2			\$50	120	48,000
		\$50			\$50	120	48,000
			\$50		\$50	24	240,000
\$25 × 4					\$100	600	9,600
\$100 w/JOKER					\$100	600	9,600
\$100					\$100	300	19,200
	\$25 × 4				\$100	300	19,200
	\$50 w/JOKER				\$100	300	19,200
	\$100				\$100	300	19,200
		\$50 × 2			\$100	300	19,200
		\$100			\$100	300	19,200
\$50			\$50		\$100	200	28,800
				\$100	\$100	120	48,000
\$50 × 4					\$200	3,429	1,680
\$100 × 2					\$200	3,429	1,680
\$200 w/JOKER					\$200	3,429	1,680
\$200					\$200	3,429	1,680
	\$50 × 4				\$200	3,429	1,680
	\$100 × 2				\$200	3,429	1,680
	\$100 w/JOKER				\$200	3,429	1,680
	\$200				\$200	3,429	1,680
	\$200				\$200	3,429	1,680

NOTICES

<i>Game 1</i>	<i>Game 2</i>	<i>Game 3</i>	<i>Fast \$50</i>	<i>Fast \$100</i>	<i>Win</i>	<i>Approximate Odds Are 1 In:</i>	<i>Approximate No. of Winners Per 5,760,000 Tickets</i>
		JOKER w/\$25 × 6	\$50		\$200	3,429	1,680
	\$50	JOKER w/\$25 × 6			\$200	3,429	1,680
\$50	\$50	\$50	\$50		\$200	3,429	1,680
	\$50	\$50		\$100	\$200	3,429	1,680
		\$50	\$50	\$100	\$200	3,429	1,680
\$200 × 2					\$400	4,800	1,200
\$400					\$400	4,800	1,200
w/JOKER					\$400	4,800	1,200
\$400					\$400	4,800	1,200
	\$200				\$400	4,800	1,200
	w/JOKER				\$400	4,800	1,200
	\$400				\$400	4,800	1,200
		\$200 × 2			\$400	4,800	1,200
		\$400			\$400	4,800	1,200
\$25 × 2	\$25 × 12	\$25 × 2			\$400	4,800	1,200
\$25	\$25	JOKER	\$50		\$400	4,800	1,200
		w/\$50 × 6			\$400	4,800	1,200
		JOKER		\$100	\$400	4,800	1,200
		w/\$50 × 6			\$400	4,800	1,200
\$100	\$100	\$100		\$100	\$400	4,800	1,200
\$100 × 5					\$500	8,000	720
\$500					\$500	8,000	720
w/JOKER					\$500	8,000	720
\$500					\$500	8,000	720
	(\$200				\$500	8,000	720
	w/JOKER) +				\$500	8,000	720
	\$100				\$500	8,000	720
	\$500				\$500	8,000	720
		\$100 × 5			\$500	8,000	720
		\$500			\$500	8,000	720
\$100	\$100	JOKER			\$500	8,000	720
		w/\$50 × 6			\$500	8,000	720
\$50	\$50 × 2	JOKER	\$50		\$500	8,000	720
		w/\$50 × 6			\$500	8,000	720
\$25 × 2	\$25 × 12		\$50	\$100	\$500	8,000	720
\$1,000					\$1,000	8,000	720
w/JOKER					\$1,000	8,000	720
\$1,000					\$1,000	8,000	720
	\$1,000				\$1,000	8,000	720
	\$400	\$100 × 2			\$1,000	8,000	720
	w/JOKER				\$1,000	8,000	720
\$50	\$50 × 12	\$1,000	\$50		\$1,000	8,000	720
		JOKER			\$1,000	8,000	720
\$50 × 4	\$50 × 3	w/\$50 × 6	\$50		\$1,000	8,000	720
		JOKER			\$1,000	8,000	720
\$50 × 6	\$50 × 6	w/\$100 × 6		\$100	\$1,000	8,000	720
		JOKER			\$1,000	8,000	720
\$100 × 2	\$100 × 2	w/\$50 × 6			\$1,000	8,000	720
		JOKER			\$1,000	8,000	720
		w/\$100 × 6			\$1,000	8,000	720
\$2,500					\$2,500	120,000	48
	\$2,500				\$2,500	120,000	48
		\$2,500			\$2,500	120,000	48
\$50,000					\$50,000	2,880,000	2
	\$50,000				\$50,000	2,880,000	2
		\$50,000			\$50,000	2,880,000	2
\$250,000					\$250,000	2,880,000	2
	\$250,000				\$250,000	5,760,000	1
		\$250,000			\$250,000	5,760,000	1

Game 1	Game 2	Game 3	Fast \$50	Fast \$100	Win	Approximate Odds Are 1 In:	Approximate No. of Winners Per 5,760,000 Tickets
\$2,500,000					\$2,500,000	2,880,000	2
	\$2,500,000				\$2,500,000	2,880,000	2
		\$2,500,000			\$2,500,000	5,760,000	1

Game 1—Reveal 2 identical cards in same hand, win prize shown below that hand.

Joker (JKR) = Win prize shown below that symbol automatically.

Game 2—Match any of your cards to the winning card, win prize shown below matching card(s).

Joker (JKR) = Win double the prize shown below that symbol automatically.

Game 3—When any of your cards in any hand beat the dealer's card, win prize shown for that hand.

Joker (JKR) = Get a Joker symbol in any hand, win all 6 prizes shown.

Fast \$50: Get a "Joker" (JKR) symbol, win \$50 automatically.

Fast \$100: Get a "Joker" (JKR) symbol, win \$100 automatically.

Prizes, including the 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 \$2.5 Million Joker's Wild '08 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 \$2.5 Million Joker's Wild '08, prize money from winning Pennsylvania \$2.5 Million Joker's Wild '08 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 \$2.5 Million Joker's Wild '08 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 \$2.5 Million Joker's Wild '08 or through normal communications methods.

THOMAS W. WOLF,
Secretary

[Pa.B. Doc. No. 08-1541. Filed for public inspection August 22, 2008, 9:00 a.m.]

DEPARTMENT OF TRANSPORTATION

Finding Washington County

Under section 2002(b) of The Administrative Code of 1929 (71 P. S. § 575(b)), the Director of the Bureau of Design makes the following written finding:

The Federal Highway Administration and the Department of Transportation (Department) are planning to replace the Bebout Road Pedestrian Bridge which carries Arrowhead Trail over SR 1010 (Bebout Road) in Peters Township, Washington County.

Information describing the project, together with the associated environmental analysis, is contained in the Categorical Exclusion Evaluation/Individual Section 4(f) Evaluation that was prepared for this project.

The Bebout Road Pedestrian Bridge was once part of a railroad and is a contributing element to the Montour Railroad property. The Montour Railroad property is eligible for listing on the National Register of Historic Places, and therefore qualifies as a section 2002/section 4(f) resource. Since the Bebout Road Pedestrian Bridge is a contributing element to the eligible property, impacts to the bridge will constitute a use of the section 2002/section 4(f) resource.

Based upon studies, there is no prudent and feasible alternative to the proposed action.

The environmental, economic, social and other effects of the proposed project, as enumerated in section 2002 of The Administrative Code have been considered. It has been concluded that there is no feasible and prudent alternative to the project as designed, and all reasonable steps have been taken to minimize such effects.

BRIAN G. THOMPSON, P. E.,
Director, Bureau of Design

[Pa.B. Doc. No. 08-1542. Filed for public inspection August 22, 2008, 9:00 a.m.]

INDEPENDENT REGULATORY REVIEW COMMISSION

Action Taken by the Commission

The Independent Regulatory Review Commission (Commission) met publicly at 10:30 a.m., Thursday, August 7, 2008, and announced the following:

Regulation Deemed Approved Under Section 5(g) of the Regulatory Review Act—Effective August 6, 2008:

State Athletic Commission #16-37: Communicable Disease Testing (amends 58 Pa. Code Chapter 21)

Action Taken—Regulations Approved:

Pennsylvania Public Utility Commission #57-258: Electronic Filing (amends 52 Pa. Code Chapters 1 and 5)

Pennsylvania Public Utility Commission #57-248: Inspection and Maintenance Standards for the Electric Distribution Companies (adds § 57.198 to 52 Pa. Code)

Department of Corrections #19-7: County Correctional Institutions (amends 37 Pa. Code Chapter 95)

Approval Order

Public Meeting
held August 7, 2008

Commissioners Voting: Arthur Coccodrilli, Chairperson; Alvin C. Bush, Vice Chairperson, by phone; Nancy Sabol Frantz, Esq., by phone; Karen A. Miller; John F. Mizner, Esq.

*Pennsylvania Public Utility Commission—
Electronic Filing;
Regulation No. 57-258 (#2649)*

On November 1, 2007, the Independent Regulatory Review Commission (Commission) received this proposed regulation from the Pennsylvania Public Utility Commission (PUC). This rulemaking amends 52 Pa. Code Chapters 1 and 5. The proposed regulation was published in the November 17, 2007 *Pennsylvania Bulletin* with a 60-day public comment period. The final-form regulation was submitted to the Commission on June 25, 2008.

This final-form regulation amends existing filing regulations to permit and establish the requirements for electronic filing of certain documents.

We have determined this regulation is consistent with the statutory authority of the PUC (66 Pa.C.S. § 501(b)) and the intention of the General Assembly. Having considered all of the other criteria of the Regulatory Review Act, we find promulgation of this regulation is in the public interest.

By Order of the Commission:

This regulation is approved.

Approval Order

Public Meeting
held August 7, 2008

Commissioners Voting: Arthur Coccodrilli, Chairperson; Alvin C. Bush, Vice Chairperson, by Phone; Nancy Sabol Frantz, Esq., by phone; Karen A. Miller; John F. Mizner, Esq.

*Pennsylvania Public Utility Commission—
Inspection and Maintenance Standards for the Electric
Distribution Companies;
Regulation No. 57-248 (#2571)*

On September 27, 2006, the Independent Regulatory Review Commission (Commission) received this proposed regulation from the Pennsylvania Public Utility Commission (PUC). This rulemaking adds § 57.198 to 52

Pa. Code. The proposed regulation was published in the October 7, 2006 *Pennsylvania Bulletin* with a 30-day public comment period. The PUC published a notice in the December 16, 2006 *Pennsylvania Bulletin*, reopening and extending the public comment period to April 16, 2007. The final-form regulation was submitted to the Commission on June 25, 2008.

This regulation sets minimum standards and schedules for the inspection and maintenance of the infrastructure (poles, wires, transformers, switching devices and other fixtures) for electric distribution systems operated by electric distribution companies. It also allows the companies to submit modified plans with justification by means of "cost/benefit analysis."

We have determined this regulation is consistent with the statutory authority of the PUC (66 Pa.C.S. § 2802(20)) and the intention of the General Assembly. Having considered all of the other criteria of the Regulatory Review Act, we find promulgation of this regulation is in the public interest.

By Order of the Commission:

This regulation is approved.

Approval Order

Public Meeting
held August 7, 2008

Commissioners Voting: Arthur Coccodrilli, Chairperson; Alvin C. Bush, Vice Chairperson, by phone; Nancy Sabol Frantz, Esq., by phone, abstained; Karen A. Miller; John F. Mizner, Esq.

*Department of Corrections—
County Correctional Institutions;
Regulation No. 19-7 (#2544)*

On June 9, 2006, the Independent Regulatory Review Commission (Commission) received this proposed regulation from the Department of Corrections (Department). This rulemaking amends 37 Pa. Code Chapter 95. The proposed regulation was published in the June 24, 2006, *Pennsylvania Bulletin* with a 30-day public comment period. The final-form regulation was submitted to the Commission on July 3, 2008.

This final rulemaking updates the Department's existing regulations for county prisons and makes the minimum standards contained in the regulation consistent with recognized professional standards. It also establishes a formalized inspection and hearing process.

We have determined this regulation is consistent with the statutory authority of the Department (71 P. S. § 186 and 61 P. S. § 460.3(3)) 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. 08-1543. Filed for public inspection August 22, 2008, 9:00 a.m.]

Notice of Comments Issued

Section 5(g) of the Regulatory Review Act (71 P. S. § 745.5(g)) provides that the Independent Regulatory Review Commission (Commission) may issue comments within 30 days of the close of the public comment period. The Commission comments are based upon the criteria contained in section 5.2 of the Regulatory Review Act (71 P. S. § 645.5b).

The Commission has issued comments on the following proposed regulations. The agency must consider these comments in preparing the final-form regulation. The final-form regulation must be submitted within 2 years of the close of the public comment period or it will be deemed withdrawn.

<i>Reg. No.</i>	<i>Agency/Title</i>	<i>Close of the Public Comment Period</i>	<i>IRRC Comments Issued</i>
16A-5133	State Board of Nursing Clinical Nurse Specialists 38 Pa.B. 3246 (June 14, 2008)	7/14/08	8/13/08
16A-6911	State Board of Social Workers, Marriage and Family Therapists and Professional Counselors Code of Ethical Practice and Standards of Professional Conduct 38 Pa.B. 3253 (June 14, 2008)	7/14/08	8/13/08

**State Board of Nursing
Regulation #16A-5133 (IRRC #2700)**

Clinical Nurse Specialists

August 13, 2008

We submit for your consideration the following comments on the proposed rulemaking published in the June 14, 2008 *Pennsylvania Bulletin*. Our comments are based on criteria in section 5.2 of the Regulatory Review Act (71 P. S. § 745.5b). Section 5.1(a) of the Regulatory Review Act (71 P. S. § 745.5a(a)) directs the State Board of Nursing (Board) to respond to all comments received from us or any other source.

1. General.—Consistency with statute; Implementation procedures; Reasonableness.

Consistency with statute

The proposed regulation includes certain parts, verbatim, from Act 49 of 2007 (63 P. S. §§ 213, 216.2, 217, 218.5 and 218.6) (Act), while other provisions from the Act are not included. Several commentators, including the House Professional Licensure Committee, questioned whether Section 218.5(e) (relating to Clinical nurse specialist; qualifications) of the Act should be added to this regulation. Further, some commentators also assert that Section 218.6 (relating to Scope of practice for clinical nurse specialist) of the Act should be included.

The final-form regulation should include all requirements from the Act or justify why certain provisions are being omitted.

Grandfather clause

Several commentators have suggested that this regulation include a grandfather clause for those nurses that have a master's degree in Nursing and have previously "demonstrated success" and effectiveness in the role of clinical nurse specialist (CNS). The Board should consider adding a grandfather clause for a CNS in this situation. If the Board adds a grandfather clause, it should also specify the criteria that must be met for a nurse to be certified as a CNS under a grandfather clause.

2. Section 21.801. Definitions.—Consistency with statute; Clarity.

The definition of "CNS—Clinical nurse specialist" is not the same as the definition of "clinical nurse specialist" contained in the Act. For clarity, the language in these definitions should be the same.

3. Section 21.805. Fees.—Statutory authority; Reasonableness.

Subsection (b) states that "a candidate for National certification will also pay an additional fee to the National certification organization" and that "a candidate for credentials review by a Board-recognized organization will also pay an additional fee to the credentialing organization." Does the Board intend to require the candidate to pay these additional fees to other organizations? If so, what is the Board's authority to do so? If this provision is merely acting as a notice that the candidate might have to pay fees to other organizations and is not a requirement of the Board, then this language should be deleted from the final-form regulation because it is not regulatory language. The Board also should add a provision directing CNSs to the Board's website for additional fee information.

4. Section 21.811. Qualifications for initial certification.—Reasonableness; Clarity.

This section discusses the qualifications necessary for initial certification as a CNS. We have two concerns.

First, the opening sentence of this section contains the phrase "... show evidence of..." Board staff has indicated that this evidence would consist of an official transcript and a certificate awarded by a national certification organization. This information should be set forth in the final-form regulation. A similar concern applies to Section 21.813(b).

Second, commentators state that the reference to the National Council of State Boards of Nursing (NCSBN) under Subsection (1)(i) should be deleted because NCSBN has no authority as an accrediting body. Further, they recommend that NCSBN should be replaced with a reference to the National Organization of Competency Assurance (NOCA). The Board should explain why NCSBN is an appropriate body to recognize organizations for providing continuing education. Also, has the Board considered including NOCA as an accrediting body?

5. Section 21.812. Qualifications for certification by endorsement or change of clinical specialty area.—Clarity.

The title of Subsection (b) is "**Change** of clinical specialty area." However the content of the subsection refers to "**additional** specialty area." (Emphasis added.) The final-form regulation should clarify whether this subsection applies to changing a specialty, adding one, or both.

6. Section 21.813. Application for certification.—Reasonableness; Clarity.

Subsection (b)

This subsection contains the phrase “An applicant . . . shall include documentation satisfactory to the Board . . .” What documentation is acceptable to the Board? How will the applicant know this when submitting the application? The final-form regulation should clarify these issues.

Subsection (d)(1)

This subsection does not consider those applicants that do not have access to official transcripts. Commentators assert that this subsection should be amended to allow other documentation to be accepted by the Board when official transcripts are not available. The Board should consider allowing other documentation in these circumstances and should specify what other documentation is acceptable.

Subsection (f)

This subsection allows 12 months for CNSs to meet compliance standards. How did the Board determine that this was an appropriate timeframe?

7. Section 21.821. CNS standards of conduct.—Reasonableness; Clarity.

It is unclear how the Board would determine whether a CNS has the “necessary knowledge, preparation, experience and competency” to properly execute a specific practice or procedure. The Board should specify if more is expected from CNSs than is already provided in the existing standards of nursing practice and this proposed regulation. If there is nothing additional, then this provision should be deleted.

8. Section 21.822. Biennial renewal of certification.—Reasonableness; Clarity.

We have four concerns with this section.

First, Subsection (b) states that notice will be forwarded to each active CNS “prior to the expiration date of the current biennial period.” However, it does not establish how much notice will be given. The final-form regulation should clearly state when this notice will be given to each active CNS.

Second, the final-form regulation should provide circumstances for when the Board would waive the 30 hours of Board-approved continuing education requirement in Subsection (d), or provide a cross-reference to Subsection 21.823(b), which mentions illness or undue hardship as instances requiring a waiver.

Third, Subsection (d) requires a CNS to complete a minimum of 30 hours of Board-approved continuing education. How does the Board determine that an individual has met this requirement? The final-form regulation should clarify this issue.

Finally, this section sets forth the requirements for the biennial renewal of certification. However, Subsection (f) establishes the requirements for written communication with the Board. Therefore, it should be moved to a more appropriate portion of the regulation.

9. Section 21.823. CNS-level continuing education; waiver; sanctions.—Clarity.

Under Subsection (b), the Board states that it will “grant, deny or grant in part the request for waiver.” The final-form regulation should specify what timeframe these actions will be taken in and how the CNS will be notified.

10. Section 21.825. Sources of continuing education.—Implementation procedures; Reasonableness; Clarity.

Group or individual research

This regulation is silent as to whether a CNS can get credit for group or individual research. However, commentators assert that the regulatory provisions for professional registered nurses allow this type of credit. Did the Board consider this option for CNSs?

Subsection (a)

This subsection contains the phrase “. . . and, provided that these providers and credentialing organizations agree to abide by §§ 21.826 and 21.827 . . . they are preapproved . . .” How does one know if the organizations have agreed to these particular sections and, therefore, would be preapproved?

Subsection (b)

Under this subsection, what circumstances would result in a reevaluation of an approval given to providers and credentialing organizations? What circumstances would warrant a rescission of approval?

Subsection (c)

Under this subsection, a CNS can get Board approval for a course given by a provider not on the pre-approved list. The request for approval must be submitted at least 60 days prior to the course. However, a request for approval by a professional registered nurse must be submitted at least 90 days prior to the course. Why is the timeframe different?

Subsection (e)

How did the Board determine that 15 credit hours were sufficient for providing the various types of services listed in this subsection?

11. Section 21.826. Requirements for continuing education courses.—Clarity.

The term “adequate” in Subsection (2) is non-regulatory language. To be clear what is expected of a facility, the term “adequate facility” should be defined or this term should be deleted.

12. Section 21.827. Continuing education course approval.—Reasonableness; Clarity.

Subsection (b) sets forth the items that one must submit when requesting Board approval for continuing education. Subsection (b)(12) states “Other information requested by the Board.” It is impossible for the applicant to know what “other information” the Board would want at the time of the initial submittal of this information. However, we recognize that it is reasonable for the Board to have the ability to request additional information when necessary. Therefore, Subsection (b)(12) should be deleted and a new subsection (e.g. Subsection (e)) should be added that states that the Board may request additional information.

**State Board of Social Workers, Marriage and Family Therapists and Professional Counselors
Regulation #16A-6911 (IRRC #2701)**

Code of Ethical Practice and Standards of Professional Conduct

August 13, 2008

We submit for your consideration the following comments on the proposed rulemaking published in the June 14, 2008 *Pennsylvania Bulletin*. Our comments are based

on criteria in section 5.2 of the Regulatory Review Act (71 P. S. § 745.5b). Section 5.1(a) of the Regulatory Review Act (71 P. S. § 745.5a(a)) directs the State Board of Social Workers, Marriage and Family Therapists and Professional Counselors (Board) to respond to all comments received from us or any other source.

Sections 47.71, 48.71 and 49.71. Code of ethical practice and professional conduct.—Fiscal impact; Public health and safety; Reasonableness; Feasibility; Implementation procedure; Clarity.

Format

This proposed regulation consists of one new section which is added to each of the three separate chapters (49 Pa. Code Chapters 47, 48 and 49) governing the three different professions licensed by the Board. The new section is practically identical in each of the three chapters. In each chapter, the new section contains ten subsections. Some of the subsections are lengthy and contain a variety of topics. It is unclear why all these topics and provisions are grouped together into one section. To improve clarity and ease implementation, some subject areas should be set forth separately. The following paragraphs provide examples.

The first example is Subsection (b)(4), relating to confidentiality and privacy. It should be placed in a separate section since these subjects involve licensees following the requirements of pertinent statutes and related regulations and is not limited to professional codes of conduct and practice. Hence, it would be an ideal provision as a separate section that stands alone and is not lost or obscured within a larger group of provisions.

A second area that could be moved to a separate section or an existing section is Subsection (b)(6), relating to sexual harassment. All three chapters already contain provisions related to sexual misconduct (Sections 47.61—47.65, 48.21—48.25 and 49.21—49.25). These existing provisions prohibit “sexual intimacies” between a licensee and a client/patient or an immediate family member of a client/patient. Two commentators stated that such a prohibition should be added to this proposed regulation. This is unnecessary since it is addressed in the existing regulations. However, the comments demonstrate the confusion generated by separating sexual misconduct and harassment into separate and unrelated sections.

A third area that would benefit from separate treatment is Subsection (g), relating to recordkeeping. Examples of similar provisions that other boards promulgated as separate sections include 49 Pa. Code §§ 16.95, 23.71, 27.405, 31.22 and 32.209.

A fourth example is Subsection (j), relating to advertising. Other boards have similar provisions in separate sections. The Board should review the existing regulations at 49 Pa. Code §§ 11.33, 23.31, 25.212 and 29.31.

If Board opts to retain the “single section” approach, it should explain why provisions involving such variety and length need to be set forth in one section.

Nonregulatory language

Another problem with the proposed regulation is the use of the word “should” in different provisions. This word is found in Subsections (b)(4)(ii) and (b)(4)(iii), (c)(1) and (c)(2), (f)(4), (g)(5) and (g)(7). The use of “should” is inappropriate because it is nonregulatory language that indicates that the provisions are optional. Regulations establish binding norms of general applicability and future effect. If the Board decides that it will retain the word “should” and the provisions are to remain optional,

then these provisions need to be deleted from this regulation and placed in a policy statement or guidance document.

The use of the word “should” in Subsection (g)(5) is especially troublesome because it allows the protection of client/patient privacy and confidentiality to become discretionary. This provision needs to be revised to replace the term “should” with “shall.” The Board should also include references to applicable federal and state laws and regulations.

Subsection (a) Application.

Subsection (a)(3) appears to be one of the few provisions that is unique in each of the three chapters. Each chapter contains references to the codes of ethics and conduct of various organizations for the different professions. The Pennsylvania Association for Marriage and Family Therapy (PAMFT) does not see the need for the extensive list of organizations in Section 48.71(a)(3). In its comments, PAMFT contended that the only group that should be listed is the code of the American Association for Marriage and Family Therapy. The other groups are professional counseling groups, and the PAMFT requests that these other groups be deleted from this section. The Board needs to explain the need for the other organizations being included or delete them from Section 48.71 in the final-form regulation.

In its comments, the Pennsylvania Counseling Association (PCA) suggests the addition of the “Code of Ethics of the American Counseling Association” to Section 49.71(a)(3). The Board should consider this suggestion in the final-form regulation or explain why this national code is not included with the others already listed in the regulation.

Subsection (b) Responsibility to clients/patients.

Subsection (b)(1)(i) reads:

Licensees may not misrepresent directly, indirectly or by implication their professional qualifications such as education, specialized training, experience or area or areas of competence.

Similar language is also found in Subsection (j)(2), which includes a requirement that licensees “accurately represent their competencies, education, training and experience . . .” The Board should combine these directives to avoid duplication in the final-form regulation.

Subsection (b)(1)(iii) refers to “appropriate standards of care.” It reads:

The appropriate standard of care is defined as what an ordinary, reasonable professional with similar training would have done in a similar circumstance.

One commentator referred to this language as “weak” and stated that it “permits quite a bit of latitude.” The House Professional Licensure Committee (House Committee), in its comments dated June 25, 2008, also expressed concerns with this language. The PCA notes that there is nothing in the proposed regulation that addresses whether a licensee provided “effective” care, therapy or treatment. Should the definition of the “appropriate standard of care” also involve a review of the effectiveness of the care or treatment and the licensee’s effort to ascertain an effective strategy? In addition, we note that in its existing regulations at 49 Pa. Code § 41.61, Principle 2, relating to competency, the State Board of Psychology includes the following statement:

In areas in which recognized standards do not yet exist, psychologists take whatever precautions are

necessary to protect the welfare of their clients. They maintain knowledge of current scientific and professional information related to the services they render.

How will this proposed regulation address situations or areas when recognized standards may not apply?

A related concern is the term "reasonable professional" in describing "appropriate standard of care." The Board includes two public members who are not licensees. Both the Pennsylvania Chapter of the National Association of Social Workers and Pennsylvania Society for Clinical Social Work (PSCSW) expressed concerns with the review of violations of this section by unlicensed individuals who have not been trained in the same code of ethical practice and professional conduct. In determining whether a violation has occurred, who will make the determination regarding what a "reasonable professional" would have done in similar circumstances?

In its comments, the House Committee expressed concern with the phrase "in a timely manner" in Subsection (b)(1)(iv). We agree that it is ambiguous. The Board needs to provide licensees with a specific rule for a minimum time period for referrals in the final-form regulation.

Subsection (b)(2) Informed consent.

The House Committee questioned the practicality of the disclosure requirement in Subsection (b)(2)(i). Both Subsections (b)(2)(i) and (ii) contain substantive requirements for disclosures to patients/clients. In order to provide for consistent implementation of the disclosure requirements, the Board should consider providing a written disclosure form for licensees to use in discussing services and other issues with the patient/client. To document that the discussion occurred, the licensee could have the patient/client sign or initial the form. This form could also include a statement, as suggested by PSCSW, informing the patient/client that a collection agency may be used in cases of nonpayment for services rendered.

This subsection also includes the words: "client/patient's parent, guardian or court-appointed representative." What about a spouse, domestic partner or adult child? Could one of these people be a legal representative if the client/patient is unable to read or understand a document or is receiving services involuntarily?

Subsection (b)(4) Confidentiality and privacy.

We identified four concerns in this subsection.

First, the House Committee requested that the Board specifically cite the "other laws" mentioned in this Subsection (b)(4)(i). We agree. For example, does the Health Insurance Portability and Accountability Act apply to these licensees and their patients/clients?

Second, PCA mentioned the confidentiality protections in federal regulations at 42 CFR Part 2 (§§ 2.1—2.67), relating to confidentiality of alcohol and drug abuse patient records. The Board should review the pertinent statutes and regulations and identify specific requirements that will protect patient/client privacy and confidentiality.

The third issue is the use of the term "legally authorized person" or "person legally authorized." In Subsections (b)(2)(iii) and (iv), the proposed regulation refers to the "client/patient's parent, guardian or court-appointed representative" when discussing issues related to someone giving consent for the client/patient. However, the term "legally authorized person" is used for a similar purpose in Subsections (b)(4) and (e)(2)(v). The final-form regulation should be consistent in how it describes who may represent the client/patient. The Board should consider

developing a definition for this term and be consistent in its use in the final-form regulation.

Fourth, PAMFT noted a concern with counseling families and protecting confidentiality. It asked for specific language requiring written authorization from each member of the family group before a therapist could disclose information outside the treatment situation. The Board should amend the regulation to ensure that each family member's confidentiality is protected.

Subsection (b)(5) Termination.

There are two concerns with this subsection.

First, PCA suggested that licensees should be allowed to terminate or discharge a patient/client for nonpayment of fees. This issue does not appear to be addressed in this subsection or Subsection (f), relating to payment for services. The Board should address this concern in the final-form regulation.

Second, this subsection includes a reference to "appropriate referral for continued services" and "reasonable notification" but includes no directive regarding what constitutes "reasonable notification." To assist with continuity of care, the Board should consider establishing a specific minimum time period, such as 30 days, for advance notice of termination to provide time for referrals and the search for a new provider.

Subsection (b)(6) Sexual harassment.

Subsection (b)(6)(iii) of this proposed regulation states: "Sexual harassment includes unwanted sexual advances, sexual solicitation, requests for sexual favors and other verbal, visual or physical conduct of a sexual nature." These are broad terms. The term "sexual intimacies" is defined in the existing "definitions" section of each chapter. This existing definition includes specific language describing this type of conduct. The Board should consider using a reference to this existing definition in its provisions prohibiting sexual harassment. The Board should also include a definition of "sexual harassment" in the existing "definitions" sections of each chapter (Sections 47.1, 48.1 and 49.1).

Subsection (b)(7) Discrimination.

There are numerous State and Federal laws barring discrimination. The Board should reference existing anti-discrimination laws and regulations rather than designing a new anti-discrimination rule. If the Board opts to proceed with this provision as proposed, it should explain why existing laws and regulations are insufficient.

Subsection (c) Dual or multiple relationships affecting the licensee's judgment.

We agree with the House Committee's concerns about terms and phrases in this subsection that it described as vague or ambiguous. In addition to amending the subsection in response to the points raised by the House Committee, the Board needs to provide specific examples of the situations that this provision seeks to address.

Subsection (e) Research and publication.

Subsection (e)(1) refers to "Federal and State laws." The Board needs to cite the pertinent federal and state laws. In addition, the House Committee raised several questions and points of clarification about implementation and enforcement of this subsection. The Board should address these concerns with the final-form regulation.

ARTHUR COCCODRILLI,
Chairperson

[Pa.B. Doc. No. 08-1544. Filed for public inspection August 22, 2008, 9:00 a.m.]

INSURANCE DEPARTMENT

Application for Approval to Acquire Control

Senior Health Care Transition Trust has filed an application to acquire control of Conseco Senior Health Insurance Company, a Pennsylvania domiciled stock life insurance company. The filing, received on August 11, 2008, was made under the requirements set forth under the Insurance Holding Companies Act (40 P. S. §§ 991.1402—991.1413).

Filings and related materials are available on the Insurance Department's (Department) web site at www.ins.state.pa.us. After first scheduling an appointment, consumers may also view the application and supplemental documents at any of the Department's regional offices:

- Harrisburg Regional Office, Public Room: (717) 787-0877
- Philadelphia Regional Office: (215) 560-2630
- Pittsburgh Regional Office: (412) 565-5020

Comments received will be part of the public record regarding the filing and will be made available on the Department's web site. Additionally, copies of the comments received will be forwarded to the applicant for appropriate response. The applicant's responses will also be made available on the Department's web site.

Persons wishing to comment on the acquisition are invited to submit a written statement to the Department not later than September 30, 2008. Each written statement must include name, address and telephone number of the interested party, identification of the application to which the statement is addressed and a concise statement with sufficient detail and relevant facts to inform the Department of the exact basis of the statement. Written statements should be directed to Robert Brackbill, Company Licensing Division, Insurance Department, 1345 Strawberry Square, Harrisburg, PA 17120, fax (717) 787-8557 or rbrackbill@state.pa.us.

JOEL SCOTT ARIO,
Insurance Commissioner

[Pa.B. Doc. No. 08-1545. Filed for public inspection August 22, 2008, 9:00 a.m.]

Application for Approval to Acquire Control

Tokio Marine Holdings, Inc. has filed an application to acquire control of Philadelphia Insurance Company, a Pennsylvania domiciled stock property insurance company, and Philadelphia Indemnity Insurance Company, a Pennsylvania domiciled stock casualty insurance company. The filing was made under the requirements set forth under the Insurance Holding Companies Act (40 P. S. §§ 991.1402—991.1413). Persons wishing to comment on the acquisition are invited to submit a written statement to the Insurance Department (Department) within 30 days from the date of this issue of the *Pennsylvania Bulletin*. Written statement must include name, address and telephone number of the interested party, identification of the application to which the statement is addressed and a concise statement with sufficient detail and relevant facts to inform the Department of the exact basis of the statement. Written statements should be directed to Robert Brackbill, Company Licensing Division, Insur-

ance Department, 1345 Strawberry Square, Harrisburg, PA 17120, fax to (717) 787-8557 or rbrackbill@state.pa.us.

JOEL SCOTT ARIO,
Insurance Commissioner

[Pa.B. Doc. No. 08-1546. Filed for public inspection August 22, 2008, 9:00 a.m.]

Application and Request for a Certificate of Authority

Country Meadows of Bethlehem Associates, LP has applied for a Certificate of Authority to operate a Continuing Care Retirement Community at Country Meadows of Bethlehem in Bethlehem, PA. The initial filing was received on August 11, 2008, and was made under the requirements set forth under the Continuing Care Provider Registration and Disclosure Act (40 P. S. §§ 3201—3225). Persons wishing to comment on the grounds of public or private interest to the issuance of a Certificate of Authority are invited to submit a written statement to the Insurance Department (Department) within 30 days from the date of this issue of the *Pennsylvania Bulletin*. Each written statement must include name, address and telephone number of the interested party, identification of the application to which the statement is addressed and a concise statement with sufficient detail to inform the Department of the exact basis of the statement. Written statements should be directed to Steven L. Yerger, Insurance Department, 1345 Strawberry Square, Harrisburg, PA 17120, fax (717) 787-8557, syerger@state.pa.us.

JOEL SCOTT ARIO,
Insurance Commissioner

[Pa.B. Doc. No. 08-1547. Filed for public inspection August 22, 2008, 9:00 a.m.]

Application for Voluntary Surrender of Certificate of Authority

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

JOEL SCOTT ARIO,
Insurance Commissioner

[Pa.B. Doc. No. 08-1548. Filed for public inspection August 22, 2008, 9:00 a.m.]

Blue Cross of Northeastern Pennsylvania; Blue-Care Cooperative Plan; Rate Filing

On August 8, 2008, Blue Cross of Northeastern Pennsylvania submitted a rate filing (#1426-BCNGCOOP-1/1/09) to increase the premium rates for the BlueCare Cooperative Plan by approximately 17.5%. This will affect approximately 6,833 subscribers and produce additional premium income of about \$3.1 million annually. The requested effective date of the change is January 1, 2009.

Blue Cross of Northeastern Pennsylvania has also proposed the following benefit changes:

- Increase the diagnostic testing copay for MRI's, MRA's, CAT Scans and other high cost radiology tests from \$15 to \$75.
- Add an emergency room copay of \$75.
- Move the coverage for oxygen equipment and supplies from the Major Medical plan to the Cooperative plan.
- Change preexisting look back from 5 years to 1 year.

The previous benefit changes are estimated to reduce medical cost by 0.7%. The rate increase without the benefit changes would have been 18.2%.

Unless formal administrative action is taken prior to November 6, 2008, 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.ins.state.pa.us. To access the filing, under "Quick Links" click on "Rate Filings Published in the PA Bulletin."

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

Interested parties are invited to submit written or email comments, suggestions or objections to Cherri Sanders-Jones, Insurance Department, Insurance Product Regulation, 1311 Strawberry Square, Harrisburg, PA 17120, csandersjo@state.pa.us within 30 days after publication of this notice in the *Pennsylvania Bulletin*.

JOEL SCOTT ARIO,
Insurance Commissioner

[Pa.B. Doc. No. 08-1549. Filed for public inspection August 22, 2008, 9:00 a.m.]

Blue Cross of Northeastern Pennsylvania; Blue-Care Student; Rate Filing

On August 8, 2008, Blue Cross of Northeastern Pennsylvania submitted a rate filing (#1428-BCNGST-1/1/09) to increase the premium rates for the BlueCare Student Program by approximately 15%. This will affect approximately 690 subscribers and produce additional premium income of about \$55,000 annually. The requested effective date of the change is January 1, 2009.

Blue Cross of Northeastern Pennsylvania has also proposed the following benefit changes:

- Increase the diagnostic testing copay for MRIs, MRAs, CAT Scans and other high cost radiology tests from \$15 to \$75.
- Add an emergency room copay of \$75.
- Change the copay for hospital stays from \$5 per day to \$100 per admission plus \$25 per day for the first 15 days of admission.

- Move the coverage for oxygen equipment and supplies from the Major Medical plan to the Student plan.
- Change preexisting look back from 5 years to 1 year.

The previous benefit changes are estimated to reduce medical care by 9.3%. The rate increase without the benefit changes would have been 24.3%.

Unless formal administrative action is taken prior to November 6, 2008, 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.ins.state.pa.us. To access the filing, under "Quick Links" click on "Rate Filings Published in the PA Bulletin."

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

Interested parties are invited to submit written or email comments, suggestions or objections to James 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*.

JOEL SCOTT ARIO,
Insurance Commissioner

[Pa.B. Doc. No. 08-1550. Filed for public inspection August 22, 2008, 9:00 a.m.]

Blue Cross of Northeastern Pennsylvania; Individual BlueCare Security Medigap; Rate Filing

On August 8, 2008, Blue Cross of Northeastern Pennsylvania submitted a rate filing (#1430-BCSEC65-1/1/09) to increase the premium rates for the BlueCare Security Program by approximately 9.81%. This will affect approximately 36,356 subscribers and produce additional premium income of about \$3.27 million annually. The requested effective date of the change is January 1, 2009.

The increase per package is as follows:

• Package A	0.93%
• Package B	6.10%
• Package C	10.60%
• Package H without Rx	10.60%
• Package H with Rx	0.00%

Unless formal administrative action is taken prior to November 6, 2008, 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.ins.state.pa.us. To access the filing, under "Quick Links" click on "Rate Filings Published in the PA Bulletin."

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

Interested parties are invited to submit written or email comments, suggestions or objections to Michael Gurgiolo, Insurance Department, Insurance Product Regulation, 1311 Strawberry Square, Harrisburg, PA 17120, mgurgiolo@state.pa.us within 30 days after publication of this notice in the *Pennsylvania Bulletin*.

JOEL SCOTT ARIO,
Insurance Commissioner

[Pa.B. Doc. No. 08-1551. Filed for public inspection August 22, 2008, 9:00 a.m.]

Blue Cross of Northeastern Pennsylvania; Special Care; Rate Filing

On August 8, 2008, Blue Cross of Northeastern Pennsylvania submitted a rate filing (#1429-SPCare-1/1/09) to increase the premium rates for the Special Care Program. The proposed increase for Tiers 1 and 2 is 9.8%. This will affect approximately 4,862 members and produce additional premium income of about \$334,000 annually. The requested effective date of the change is January 1, 2009.

Unless formal administrative action is taken prior to November 6, 2008, 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.ins.state.pa.us. To access the filing, under "Quick Links" click on "Rate Filings Published in the PA Bulletin."

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

Interested parties are invited to submit written or email comments, suggestions or objections to James Laverty, Insurance Department, Insurance Product Regulation, 1311 Strawberry Square, Harrisburg, PA 17120, jlaverty@state.pa.us within 30 days after publication of this notice in the *Pennsylvania Bulletin*.

JOEL SCOTT ARIO,
Insurance Commissioner

[Pa.B. Doc. No. 08-1552. Filed for public inspection August 22, 2008, 9:00 a.m.]

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

By filing No. 1A-CPE-08-HBCBS, Highmark, Inc., d/b/a Highmark Blue Cross Blue Shield, requests approval to increase the premium rates for its Direct Pay ClassicBlue Hospital Plan (Western Region). The filing requests an average increase of about 8.9% or \$31.12 per contract per month. This will affect about 1,200 contract-holders and produce additional premium income of about \$444,000 annually. For HIPAA and HCTC eligibles, the filing requests an average increase of about 3.2% or \$13.07 per contract per month. This will affect an estimated 700 contract-holders and produce additional premium income of about \$108,000 annually. The requested effective date of the change is January 1, 2009.

Unless formal administrative action is taken prior to November 6, 2008, 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.ins.state.pa.us. To access the filing, under "Quick Links" click on "Rate Filings Published in the PA Bulletin."

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

Interested parties are invited to submit written or email comments, suggestions or objections to Cherri Sanders-Jones, Insurance Department, Insurance Product Regulation, 1311 Strawberry Square, Harrisburg, PA

17120, csandersjo@state.pa.us within 30 days after publication of this notice in the *Pennsylvania Bulletin*.

JOEL SCOTT ARIO,
Insurance Commissioner

[Pa.B. Doc. No. 08-1553. Filed for public inspection August 22, 2008, 9:00 a.m.]

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

By filing No. 1A-PMM-08-HBCBS, Highmark, Inc., d/b/a Highmark Blue Cross Blue Shield, requests approval to restructure rates for the Direct Pay ClassicBlue Major Medical Plan (Western Region). The filing requests an average increase of about 8.9% or \$11.93 per contract per month. This will affect about 900 contract-holders and produce additional premium income of about \$120,000 annually. For HIPAA and HCTC eligibles, the filing requests an average increase of about 8.9% or \$12.19 per contract per month. This will affect an estimated 600 contract-holders and produce additional premium income of about \$84,000 annually. The requested effective date of the change is January 1, 2009.

Unless formal administrative action is taken prior to November 6, 2008, 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.ins.state.pa.us. To access the filing, under "Quick Links" click on "Rate Filings Published in the PA Bulletin."

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

Interested parties are invited to submit written or email comments, suggestions or objections to Cherri Sanders-Jones, Insurance Department, Insurance Product Regulation, 1311 Strawberry Square, Harrisburg, PA 17120, csandersjo@state.pa.us within 30 days after publication of this notice in the *Pennsylvania Bulletin*.

JOEL SCOTT ARIO,
Insurance Commissioner

[Pa.B. Doc. No. 08-1554. Filed for public inspection August 22, 2008, 9:00 a.m.]

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

By filing No. 1A-DPMS-08-HBCBS, Highmark, Inc., d/b/a Highmark Blue Cross Blue Shield, requests approval to increase the premium rates for its Direct Pay ClassicBlue Medical Surgical Plan (Western Region). The filing requests an average increase of about 8.9% or \$10.93 per contract per month. This will affect about 1,200 contract-holders and produce additional premium income of about \$156,000 annually. For HIPAA and HCTC eligibles, the filing requests an average increase of about 6.9% or \$11.65 per contract per month. This will affect an estimated 700 contract-holders and produce additional premium income of about \$96,000 annually. The requested effective date of the change is January 1, 2009.

Unless formal administrative action is taken prior to November 6, 2008, 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.ins.state.pa.us. To access the filing, under "Quick Links" click on "Rate Filings Published in the PA Bulletin."

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

Interested parties are invited to submit written or email comments, suggestions or objections to Cherri Sanders-Jones, Insurance Department, Insurance Product Regulation, 1311 Strawberry Square, Harrisburg, PA 17120, csandersjo@state.pa.us within 30 days after publication of this notice in the *Pennsylvania Bulletin*.

JOEL SCOTT ARIO,
Insurance Commissioner

[Pa.B. Doc. No. 08-1555. Filed for public inspection August 22, 2008, 9:00 a.m.]

Highmark Blue Cross Blue Shield; Filing No. 1A-SSC-08-HBCBS; Request to Increase Rates for the Direct Pay Special Care Hospital Plan (Western Region); Rate Filing

By filing No. 1A-SSC-08-HBCBS, Highmark, Inc., d/b/a Highmark Blue Cross Blue Shield, requests approval to increase its premium rates for its Direct Pay Special Care Hospital Plan (Western Region). The filing requests an average increase of 8.9% or \$9.27 per contract per month. This will affect about 11,400 contract-holders and produce additional premium income of about \$1,272,000 per year. The requested effective date of the change is January 1, 2009.

Unless formal administrative action is taken prior to November 6, 2008, 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.ins.state.pa.us. To access the filing, under "Quick Links" click on "Rate Filings Published in the PA Bulletin."

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

Interested parties are invited to submit written or email comments, suggestions or objections to James Laverty, Insurance Department, Insurance Product Regulation, 1311 Strawberry Square, Harrisburg, PA 17120, jlaverty@state.pa.us within 30 days after publication of this notice in the *Pennsylvania Bulletin*.

JOEL SCOTT ARIO,
Insurance Commissioner

[Pa.B. Doc. No. 08-1556. Filed for public inspection August 22, 2008, 9:00 a.m.]

Highmark Blue Cross Blue Shield (Western Region); Guaranteed Issue Preferred Blue Individual Preferred Provider Plan; Rate Filing

By filing No. 1A-GI/INGPPO-08-HBCBS, Highmark, Inc., d/b/a Highmark Blue Cross Blue Shield, requests approval to increase the premium rates for its Guaranteed Issue Preferred Blue Individual Preferred Provider Plan by about 3.7% or \$20.19 per contract per month. This filing will affect approximately 5,100 contracts and will produce additional income of about \$1.2 million annually. The requested effective date of the change is January 1, 2009.

Unless formal administrative action is taken prior to November 6, 2008, 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.ins.state.pa.us. To access the filing, under "Quick Links" click on "Rate Filings Published in the PA Bulletin."

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

Interested parties are invited to submit written or email comments, suggestions or objections to Rashmi Mathur, Insurance Department, Insurance Product Regulation, 1311 Strawberry Square, Harrisburg, PA 17120, at rmathur@state.pa.us within 30 days after publication of this notice in the *Pennsylvania Bulletin*.

JOEL SCOTT ARIO,
Insurance Commissioner

[Pa.B. Doc. No. 08-1557. Filed for public inspection August 22, 2008, 9:00 a.m.]

Highmark Blue Shield (Central Region); Direct Pay Guaranteed Issue PPO High Deductible Health Plans; Rate Filing

By filing No. 1A-HDHP/CDP/GI-08-HBS, Highmark, Inc., d/b/a Highmark Blue Shield, requests approval to increase its premium rates for its Direct Pay Guaranteed Issue PPO High Deductible Health Plans by about 8.9% or \$42.03 per contract per month. This filing will affect approximately 600 contracts and will produce additional income of about \$312,000 annually. The requested effective date of the change is January 1, 2009.

Unless formal administrative action is taken prior to November 6, 2008, 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.ins.state.pa.us. To access the filing, under "Quick Links" click on "Rate Filings Published in the PA Bulletin."

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

Interested parties are invited to submit written or email comments, suggestions or objections to Rashmi Mathur, Insurance Department, Insurance Product Regulation, 1311 Strawberry Square, Harrisburg, PA 17120, rmathur@state.pa.us within 30 days after publication of this notice in the *Pennsylvania Bulletin*.

JOEL SCOTT ARIO,
Insurance Commissioner

[Pa.B. Doc. No. 08-1558. Filed for public inspection August 22, 2008, 9:00 a.m.]

Highmark Blue Shield; Filing No. 1A-SSC-08-HBS; Request to Increase Rates for the Direct Pay Special Care Hospital Plan (Central Region); Rate Filing

By filing No. 1A-SSC-08-HBS, Highmark, Inc., d/b/a Highmark Blue Shield, requests approval to increase its premium rates for its Direct Pay Special Care Hospital Plan (Central Region). The filing requests an increase of 8.9% or \$8.50 per contract per month. This will affect about 2,500 contract-holders and produce additional premium income of about \$252,000 per year. The requested effective date of the change is January 1, 2009.

Unless formal administrative action is taken prior to November 6, 2008, 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.ins.state.pa.us. To access the filing, under "Quick Links" click on "Rate Filings Published in the PA Bulletin."

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

Interested parties are invited to submit written or email comments, suggestions or objections to James Laverty, Insurance Department, Insurance Product Regulation, 1311 Strawberry Square, Harrisburg, PA 17120, jlaverty@state.pa.us within 30 days after publication of this notice in the *Pennsylvania Bulletin*.

JOEL SCOTT ARIO,
Insurance Commissioner

[Pa.B. Doc. No. 08-1559. Filed for public inspection August 22, 2008, 9:00 a.m.]

Highmark, Inc., d/b/a Highmark Blue Shield; ClassicBlue Comprehensive Major Medical Plan (Central Region); Filing No. 1A-CMM-08-HBS; Rate Filing

On August 7, 2008, the Insurance Department (Department) received from Highmark Blue Shield a filing for a rate increase for ClassicBlue Comprehensive Major Medical Plan (Central Region).

The company requests an 8.9% increase or \$38.41 per contract per month on average. This will affect about 7,200 contract holders and will produce additional income of about \$3,347,381 annually. The requested effective date of the change is January 1, 2009.

Unless formal administrative action is taken prior to November 6, 2008, 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.ins.state.pa.us. To access the filing, under "Quick Links" click on "Rate Filings Published in the PA Bulletin."

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

Interested parties are invited to submit written or email 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*.

JOEL SCOTT ARIO,
Insurance Commissioner

[Pa.B. Doc. No. 08-1560. Filed for public inspection August 22, 2008, 9:00 a.m.]

Highmark, Inc.; Direct Pay Medical/Surgical Products; Independence Blue Cross Plan Area; Rate Filing

By filing No. 1-DPMS (MIDA)-08-HBS, Highmark, Inc., d/b/a Highmark Blue Shield, requests approval to increase the premium rates for the Direct Pay Medical/Surgical Products in the Independence Blue Cross Plan Area. The filing requests an overall increase of approximately 8.9% or \$10.91 per contract per month. Increases may vary by program, reflecting differences in claim costs. This will affect about 4,000 contract-holders and produce additional premium income of about \$516,000 annually. The requested effective date of the change is January 1, 2009.

Unless formal administrative action is taken prior to November 6, 2008, 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.ins.state.pa.us. To access the filing, under "Quick Links" click on "Rate Filings Published in the PA Bulletin."

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

Interested parties are invited to submit written or email comments, suggestions or objections to Cherri Sanders-Jones, Insurance Department, Insurance Product Regulation, 1311 Strawberry Square, Harrisburg, PA 17120, csandersjo@state.pa.us within 30 days after publication of this notice in the *Pennsylvania Bulletin*.

JOEL SCOTT ARIO,
Insurance Commissioner

[Pa.B. Doc. No. 08-1561. Filed for public inspection August 22, 2008, 9:00 a.m.]

Highmark, Inc.; Direct Pay Medicare Supplement (Security65); Blue Cross of Northeastern Pennsylvania and Independence Blue Cross Plan Areas; Rate Filing

By filing No. 1-DPMG (MIDA)-08-HBS, Highmark, Inc., d/b/a Highmark Blue Shield, requests approval to increase the premium rates for the Direct Pay Medicare Supplement (Security65) Programs in the Blue Cross of Northeastern Pennsylvania and Independence Blue Cross Plan Areas. The filing requests an average increase of 7% of current premium, or an average of \$7.32 per subscriber per month. Increases may vary by program, reflecting differences in claim costs. This will affect approximately 79,000 subscribers and produce additional premium income of about \$4.92 million annually. The requested effective date of the change is January 1, 2009.

Unless formal administrative action is taken prior to November 6, 2008, 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.ins.state.pa.us. To access the filing, under "Quick Links" click on "Rate Filings Published in the PA Bulletin."

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

Interested parties are invited to submit written or email comments, suggestions or objections to Michael Gurgiolo, Insurance Department, Insurance Product Regulation, 1311 Strawberry Square, Harrisburg, PA 17120, mgurgiolo@state.pa.us within 30 days after publication of this notice in the *Pennsylvania Bulletin*.

JOEL SCOTT ARIO,
Insurance Commissioner

[Pa.B. Doc. No. 08-1562. Filed for public inspection August 22, 2008, 9:00 a.m.]

Highmark, Inc., d/b/a Highmark Blue Cross Blue Shield; Filing No. 1-MGP(AA)-08-HBCBS; Application for Approval of Revised Rates for Attained Age Nongroup MedigapBlue Plans for the Western Pennsylvania Region, Providing Standardized Benefit Packages E and I; Rate Filing

Highmark, Inc. has filed for approval revised rates for its nongroup MedigapBlue Program. The aggregate rate increase requested is 8.8%. The requested effective date of the revised rates is January 1, 2009. The most recent prior rate adjustment for this program took effect on January 1, 2008. The current and requested rates for age 65–69 issues, and the requested rate adjustments, are as follows:

<i>Standardized Benefit Plan</i>	<i>Policy Number</i>	<i>Current Rate</i>	<i>Proposed Rate</i>	<i>Rate Adjustment</i>
Plan E—Region 1	MB/W-E	\$151.15	\$164.60	8.9%
Plan E—Region 2	MB/W-E	\$135.20	\$147.25	8.9%
Plan I—Region 1 w/Rx	MB/W-I	\$209.45	\$224.60	7.2%
Plan I—Region 2 w/Rx	MB/W-I	\$187.35	\$200.90	7.2%
Plan I—Region 1 w/o Rx	MB/W-I	\$165.20	\$179.90	8.9%
Plan I—Region 2 w/o Rx	MB/W-I	\$147.75	\$160.90	8.9%

Region 1 consists of the following counties: Allegheny, Armstrong, Beaver, Butler, Cambria, Fayette, Greene, Indiana, Lawrence, Washington and Westmoreland. The other counties in the western Pennsylvania region are in Region 2.

These rate adjustments would affect approximately 7,687 members and would produce approximately \$1.4 million in additional premium annually.

Unless formal administrative action is taken prior to November 5, 2008, 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.ins.state.pa.us. To access the filing, under "Quick Links" click on "Rate Filings Published in the PA Bulletin."

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

Interested parties are invited to submit written or email comments, suggestions or objections to Michael Gurgiolo, Insurance Department, Insurance Product Regulation, 1311 Strawberry Square, Harrisburg, PA 17120, mgurgiolo@state.pa.us within 30 days after publication of this notice in the *Pennsylvania Bulletin*.

JOEL SCOTT ARIO,
Insurance Commissioner

[Pa.B. Doc. No. 08-1563. Filed for public inspection August 22, 2008, 9:00 a.m.]

Highmark, Inc., d/b/a Highmark Blue Cross Blue Shield; Filing No. 1-MGP(IA)-08-HBCBS; Application for Approval of Revised Rates for Issue Age Nongroup MedigapBlue Plans for the Western Pennsylvania Region, Providing Standardized Benefit Packages A, B, C and H; Rate Filing

Highmark, Inc. has filed for approval revised rates for its Nongroup MedigapBlue Program. The aggregate rate increase requested is about 8.7%. The requested effective date of the revised rates is January 1, 2009. The most recent prior rate adjustment for this program took effect on January 1, 2008. The current and requested rates for First Eligible issues, and the requested rate adjustments, are as follows:

<i>Standardized Benefit Plan</i>	<i>Policy Number</i>	<i>Current Rate</i>	<i>Proposed Rate</i>	<i>Rate Adjustment</i>
Plan A	MB/W-A	\$106.60	\$110.15	3.3%
Plan B	MB/W-B	\$143.45	\$156.20	8.9%
Plan C	MB/W-C	\$180.15	\$196.20	8.9%
Plan H w/Rx	MB/W-H	\$208.30	\$218.75	5.0%
Plan H w/o Rx	MB/W-H	\$158.55	\$172.65	8.9%

These rate adjustments would affect approximately 39,107 members and would produce approximately \$6.7 million in additional premium annually.

Unless formal administrative action is taken prior to November 5, 2008, 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.ins.state.pa.us. To access the filing, under "Quick Links" click on "Rate Filings Published in the PA Bulletin."

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

Interested parties are invited to submit written or email comments, suggestions or objections to Michael Gurgiolo, Insurance Department, Insurance Product Regulation, 1311 Strawberry Square, Harrisburg, PA 17120, mgurgiolo@state.pa.us within 30 days after publication of this notice in the *Pennsylvania Bulletin*.

JOEL SCOTT ARIO,
Insurance Commissioner

[Pa.B. Doc. No. 08-1564. Filed for public inspection August 22, 2008, 9:00 a.m.]

Highmark, Inc., d/b/a Highmark Blue Shield; Filing No. 1-MGP(AA)-08-HBS; Application for Approval of Revised Rates for Attained Age Nongroup MedigapBlue Plans for the Central Pennsylvania Region, Providing Standardized Benefit Packages E and I; Rate Filing

Highmark, Inc. has filed for approval revised rates for its nongroup MedigapBlue program. The aggregate rate increase requested is about 8.9%. The requested effective date of the revised rates is January 1, 2009. The most recent prior rate adjustment for this program took effect on January 1, 2008. The current and requested rates for age 65-69 issues, and the requested rate adjustments, are as follows:

<i>Standardized Benefit Plan</i>	<i>Policy Number</i>	<i>Current Rate</i>	<i>Proposed Rate</i>	<i>Rate Adjustment</i>
Plan E	MB/C-E	\$106.55	\$116.05	8.9%
Plan I w/Rx	MB/C-I	\$145.10	\$158.00	8.9%
Plan I w/o Rx	MB/C-I	\$114.90	\$125.15	8.9%

These rate adjustments would affect approximately 20,044 members and would produce approximately \$2.6 million in additional premium annually.

Unless formal administrative action is taken prior to November 5, 2008, 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.ins.state.pa.us. To access the filing, under "Quick Links" click on "Rate Filings Published in the PA Bulletin."

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

Interested parties are invited to submit written or email comments, suggestions or objections to Michael Gurgiolo, Insurance Department, Insurance Product Regulation, 1311 Strawberry Square, Harrisburg, PA 17120, mgurgiolo@state.pa.us within 30 days after publication of this notice in the *Pennsylvania Bulletin*.

JOEL SCOTT ARIO,
Insurance Commissioner

[Pa.B. Doc. No. 08-1565. Filed for public inspection August 22, 2008, 9:00 a.m.]

Highmark, Inc., d/b/a Highmark Blue Shield; Filing No. 1-MGP(IA)-08-HBS; Application for Approval of Revised Rates for Issue Age Nongroup MedigapBlue Plans for the Central Pennsylvania Region, Providing Standardized Benefit Packages A, B, C and H; Rate Filing

Highmark, Inc. has filed for approval revised rates for its Nongroup MedigapBlue Program. The aggregate rate increase requested is about 7.1%. The requested effective date of the revised rates is January 1, 2009. The most recent prior rate adjustment for this program took effect on January 1, 2008. The current and requested rates for First Eligible issues, and the requested rate adjustments, are as follows:

<i>Standardized Benefit Plan</i>	<i>Policy Number</i>	<i>Current Rate</i>	<i>Proposed Rate</i>	<i>Rate Adjustment</i>
Plan A	MB/C-A	\$80.15	\$87.30	8.9%
Plan B	MB/C-B	\$111.75	\$121.70	8.9%
Plan C	MB/C-C	\$157.40	\$166.35	5.7%
Plan H w/Rx	MB/C-H	\$195.05	\$212.40	8.9%
Plan H w/o Rx	MB/C-H	\$156.15	\$170.05	8.9%

These rate adjustments would affect approximately 24,675 members and would produce approximately \$3.0 million in additional premium annually.

Unless formal administrative action is taken prior to November 5, 2008, 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.ins.state.pa.us. To access the filing, under "Quick Links" click on "Rate Filings Published in the PA Bulletin."

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

Interested parties are invited to submit written or email comments, suggestions or objections to Michael Gurgiolo, Insurance Department, Insurance Product Regulation, 1311 Strawberry Square, Harrisburg, PA 17120, mgurgiolo@state.pa.us within 30 days after publication of this notice in the *Pennsylvania Bulletin*.

JOEL SCOTT ARIO,
Insurance Commissioner

[Pa.B. Doc. No. 08-1566. Filed for public inspection August 22, 2008, 9:00 a.m.]

Highmark, Inc.; Filing No. 1A-SCMS-08-HI; Requesting Approval to Increase Rates for Special Care Medical Surgical Plans; Rate Filing

By filing No. 1A-SCMS-08-HI, Highmark, Inc., d/b/a Highmark Blue Cross Blue Shield and Highmark Blue Shield, requests approval to revise premium rates for its Special Care Medical/Surgical programs in the Central region, Southeastern (IBC) region, Western Pennsylvania region and Northeastern Pennsylvania region.

<i>Region</i>	<i>Percentage Increase</i>	<i>Additional Prem. per Month</i>	<i>Number of Contracts</i>
Central Region	8.9%	\$13,000	2,500
Western Region	8.9%	\$64,000	11,400
Independence Blue Cross (IBC)	8.9%	\$32,000	5,900
Blue Cross of Northeastern PA	8.9%	\$21,000	4,300
All Regions Combined	8.9%	\$130,000	24,100

The filing requests an average increase of 8.9% or \$5.41 per contract per month. This will affect about 24,100 contract-holders and produce additional premium income of about \$1,560,000 per year. The requested effective date of the change is January 1, 2009.

Unless formal administrative action is taken prior to November 6, 2008, 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.ins.state.pa.us. Under the Quick Links section, click on the link "Rate Filings Published in the PA Bulletin."

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

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

JOEL SCOTT ARIO,
Insurance Commissioner

[Pa.B. Doc. No. 08-1567. Filed for public inspection August 22, 2008, 9:00 a.m.]

Keystone Health Plan West; Direct Pay Keystone-Blue for Kids; Rate Filing

By filing No. 1A-CHK-08-KHPW, Keystone Health Plan West, Inc. requests approval to increase the premium rates for its Direct Pay KeystoneBlue Kids Plan by about 8.9% or \$9.11 per member per month. This filing will affect approximately 1,700 members and will produce additional income of about \$192,000 annually. The requested effective date of the change is January 1, 2009.

Unless formal administrative action is taken prior to November 6, 2008, 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.ins.state.pa.us. To access the filing, under "Quick Links" click on "Rate Filings Published in the PA Bulletin."

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

Interested parties are invited to submit written or email comments, suggestions or objections to Rashmi Mathur, Insurance Department, Insurance Product Regulation, 1311 Strawberry Square, Harrisburg, PA 17120, rmathur@state.pa.us within 30 days after publication of this notice in the *Pennsylvania Bulletin*.

JOEL SCOTT ARIO,
Insurance Commissioner

[Pa.B. Doc. No. 08-1568. Filed for public inspection August 22, 2008, 9:00 a.m.]

Keystone Health Plan West; Individual Conversion HMO Plan; Rate Filing

By filing No. 1-CONV-08-KHPW, Keystone Health Plan West, Inc. requests approval to increase the premium rates for its Individual Conversion HMO product by about 8.9%. This filing will affect approximately 701 contracts and will produce additional income of about \$250,000 annually. The requested effective date of the change is January 1, 2009.

Unless formal administrative action is taken prior to November 6, 2008, 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.ins.state.pa.us. To access the filing, under "Quick Links" click on "Rate Filings Published in the PA Bulletin."

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

Interested parties are invited to submit written or email comments, suggestions or objections to Rashmi Mathur, Insurance Department, Insurance Product Regulation, 1311 Strawberry Square, Harrisburg, PA 17120, rmathur@state.pa.us within 30 days after publication of this notice in the *Pennsylvania Bulletin*.

JOEL SCOTT ARIO,
Insurance Commissioner

[Pa.B. Doc. No. 08-1569. Filed for public inspection August 22, 2008, 9:00 a.m.]

OFFICE OF ATTORNEY GENERAL

Public Meeting

Public notice is hereby given of a meeting of the Lobbying Disclosure Regulation Committee (Committee) established under November 1, 2006 (P. L. 1213, No. 134) (Act 134). The meeting will be held on Thursday, August 28, 2008, at 9:30 a.m. in Hearing Room 3, North Office Building, Harrisburg, PA.

The purpose of the meeting will be for the Committee to consider regulations under Act 134 of 2006 and to receive public comments. Visit www.attorneygeneral.gov for more information and to view a copy of the complete agenda.

THOMAS CORBETT,
Attorney General

[Pa.B. Doc. No. 08-1570. Filed for public inspection August 22, 2008, 9:00 a.m.]

PENNSYLVANIA PUBLIC UTILITY COMMISSION

Service of Notice of Motor Carrier Applications

The following temporary authority and/or permanent authority applications for the right to render service as a common carrier or contract carrier in this Commonwealth have been filed with the Pennsylvania Public Utility Commission. Formal protests and petitions to intervene must be filed in accordance with 52 Pa. Code (relating to public utilities). A protest shall indicate whether it applies to the temporary authority application, the permanent authority application, or both. Filings must be made with the Secretary, Pennsylvania Public Utility Commission, P. O. Box 3265, Harrisburg, PA 17105-3265, with a copy served on the applicant by September 8, 2008. Documents filed in support of the applications are available for inspection and copying at the Office of the Secretary between 8 a.m. and 4:30 p.m., Monday through Friday, and at the business address of the respective applicant.

Applications of the following for approval to *begin operating as common carriers for transportation of persons as described under each application.*

A-2008-2051307. Natan Transportation, Inc. (1405 West Pike Street, Philadelphia, Philadelphia County, PA 19140), a corporation of the Commonwealth—persons, in group and party service, in vehicles seating 11—15 passengers, including the driver, between points in the Counties of Bucks, Montgomery and Philadelphia to points in Pennsylvania, and return, excluding service that is under the jurisdiction of the Philadelphia Parking Authority.

A-2008-2053481. Vision Health Care Services, Inc. (1202 Summit Way, Mechanicsburg, Cumberland County, PA 17050)—corporation of the Commonwealth—persons in paratransit service, from points in the Counties of Cumberland and Dauphin.

A-2008-2053493. Stallion Limousine, LLC (52 West Dutton Mill Road, Aston, Delaware County, PA 19014), a

limited liability company of the Commonwealth—persons, in limousine service, from points in the County of Delaware, to points in Pennsylvania and return, excluding service that is under the jurisdiction of the Philadelphia Parking Authority. *Attorney:* Walter A. Konyk, The Providence Legal Center, 100 North Providence Road, Suites 100 and 102, Media, PA 19063-2102.

A-2008-2053577. Salvatore M. Campadonico (3631 Holly Drive, Gordonville, Lancaster County, PA 17529), for the right to begin to transport persons, in paratransit service, limited to persons whose personal convictions prevent them from owning or operating motor vehicles, from points in the County of Lancaster, to points in Pennsylvania, and return.

A-2008-2055493. Dover Area Ambulance Club (403 East Canal Street, Dover, York County, PA 17315)—a nonprofit corporation of the Commonwealth—in paratransit service, from points in York County, to points in Pennsylvania, and return.

A-2008-2056019. M & M Limousine Service, Inc. (451 Stoystown Road, Somerset, Somerset County, PA 15501)—a corporation of the Commonwealth—persons in limousine service, from points in the Counties of Allegheny, Cambria, Somerset and Westmoreland, to points in Pennsylvania, and return; excluding areas under the jurisdiction of the Philadelphia Parking Authority. *Attorney:* Fike, Cascio & Boose, Lois Witt Geary, P. O. Box 431, Somerset, PA 15501-0431

Applications of the following for approval of the beginning of the exercise of the right and privilege of operating motor vehicles as common carriers for the transportation of persons by transfer of rights as described under each application.

A-2008-2053668. Rosemont Taxicab Co., Inc. (800 Chestnut Street, Suite 103, Philadelphia, Philadelphia County, PA 19107)—a corporation of the Commonwealth—in call or demand service, which is to be a transfer of all rights authorized under the certificate issued at A-00115589, F.3, to Concord Coach USA, Inc., t/a Bennett Cab Service, subject to the same limitations and conditions.

A-2008-2053900. Luxury Without Limits, Inc., t/a Amedeos Limousine Service (507 Schoolhouse Lane, Suite 1, Kennett Square, Chester County, PA 19348), a corporation of the Commonwealth—persons in limousine service, which is to be a transfer of all the right authorized under the certificate issued at A-00116120 to Amedeo's Limousine Service, Inc., subject to the same limitations and conditions. *Attorney:* Daniel P. McCollom, 500 Delaware Avenue, Suite 1500, Wilmington, DE 19801.

A-2008-2054160. Maximus Limousine, LLC (111 Buck Road, Unit 500, Suite 3, Huntingdon Valley, Montgomery County, PA 19006)—a limited liability corporation of the Commonwealth in—limousine service, which is to be a transfer of all rights authorized under the certificate issued at A-00108173 to D'S Limousine Service, Ltd., subject to the same limitations and conditions. *Attorney:* Michael S. Henry, Esq., 2336 South Broad Street, Philadelphia, PA 19145.

Pennsylvania Public Utility Commission, Bureau of Transportation and Safety v. Thompson Travel Bureau, Inc.; Doc. No. C-2008-2048183

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 all authority issued to Thompson Travel Bureau, Inc. (respondent) is under suspension effective October 1, 2002 for failure to maintain evidence of insurance on file with this Commission.

2. That respondent maintains a principal place of business at 621 Lackawanna Avenue, Scranton, PA 18503.

3. That respondent was issued a Certificate of Public Convenience by this Commission on October 1, 1969 at Application Docket No. A-00081141.

4. That respondent has failed to maintain evidence of Surety Bond insurance on file with this Commission.

5. That respondent, by failing to maintain evidence of insurance on file with this Commission, violated 66 Pa.C.S. § 512, 52 Pa. Code § 32.2(c), and 52 Pa. Code § 32.11(a), § 32.12(a) or § 32.13(a).

Wherefore, unless respondent causes its insurer to file evidence of insurance with this Commission within twenty (20) days of the date of service of this Complaint, the Bureau of Transportation and Safety Prosecutory Staff will request that the Commission issue an Order which (1) cancels the Certificate of Public Convenience held by respondent at Docket No. for failure to maintain evidence of current insurance on file with the Commission, (2) fines Respondent the sum of two hundred and fifty dollars (\$250.00) for the illegal activity described in this Complaint, (3) orders such other remedy as the Commission may deem to be appropriate, which may include the suspension of a vehicle registration and (4) imposes an additional fine on the respondent should cancellation occur.

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, 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 that the Bureau will be able to prove 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:

James J. McNulty, 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 an Order imposing a penalty. Pursuant to 66 Pa.C.S. § 3301(a), the penalty could include a fine of up to \$1,000 for each violation, the revocation of your Certificate of Public Convenience, or any other remedy as may be appropriate. Each day you continue to violate any regulation, direction, requirement, determination 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 causing your insurer to file proper evidence of current insurance in accordance with the Commission's regulations and by paying the fine proposed in the Complaint by certified check or money order within twenty (20) days of the date of service of this Complaint.

The proof of insurance must be filed with the:

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

Acord Certificates of Insurance and Faxed Form Es and Hs are **UNACCEPTABLE** as Evidence for Insurance.

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

James J. McNulty, 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 the evidence of insurance from your insurer and receipt of your fine payment, 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 an Order imposing a penalty, which may include the cancellation of your Certificate of Public Convenience. Should the Commission cancel your Certificate of Public Convenience, it may also impose an additional fine of up to \$1,000.

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. Alternative formats of this material are available, for persons with disabilities, by contacting the Compliance Office at (717) 787-1227.

JAMES J. MCNULTY,
Secretary

[Pa.B. Doc. No. 08-1571. Filed for public inspection August 22, 2008, 9:00 a.m.]

PHILADELPHIA REGIONAL PORT AUTHORITY

Request for Bids

The Philadelphia Regional Port Authority (PRPA) will accept proposals for Project No. 08-112.S, Port Study of Options for Dedicated Funding, until 2 p.m. on Wednesday, September 17, 2008. The proposal documents can be obtained from the Director of Procurement, PRPA, 3460 North Delaware Avenue, 2nd Floor, Philadelphia, PA 19134, (215) 426-2600 and will be available August 26, 2008. PRPA is an equal opportunity employer. Firms must comply with all applicable equal employment opportunity laws and regulations.

JAMES T. MCDERMOTT, Jr.,
Executive Director

[Pa.B. Doc. No. 08-1572. Filed for public inspection August 22, 2008, 9:00 a.m.]

PUBLIC SCHOOL EMPLOYEES' RETIREMENT BOARD

Hearings Scheduled

Hearings have been scheduled, as authorized by 24 Pa.C.S. Part IV (relating to Public School Employees' Retirement Code), in connection with the Public School Employees' Retirement System's (System) denial of claimants' requests concerning the indicated accounts.

The hearings will be held before a hearing examiner at the Public School Employees' Retirement System, 5 North Fifth Street, Harrisburg, PA 17101:

September 10, 2008	Deanna R. Munro (D) (Death Benefit)	1 p.m.
September 24, 2008	Marylen A. Dreibelbis (Non-Qualifying Part Time)	2:30 p.m.
October 8, 2008	Janice M. Segal (Waiver of Repayment)	1 p.m.
	Albert N. Cheers (Waiver of Repayment)	2:30 p.m.
October 15, 2008	Regina G. Marsilio (Purchase of Service)	1 p.m.
October 22, 2008	Joanne M. Keglovits (Purchase of Service)	1 p.m.
	Joanne Benedetto (Purchase of Service)	2:30 p.m.
November 5, 2008	Lawrence A. Dalla Betta (Reinstatement of Premium Assistance)	1 p.m.
	Annette Vella (Waiver of Adjustment)	2:30 p.m.

November 19, 2008	Ronald A. Becker (D) (Death Benefit)	1 p.m.
	Bridget Konczynski (D) (Health Premium vs. Custodial Care)	1 p.m.
December 2, 2008	Scott A. Shafer (Retirement Covered Compensation)	10 a.m.
December 3, 2008	Clea O. Fennell (Intent To Change Option)	1 p.m.
December 17, 2008	Elizabeth A. Harting (Effective Date of Retirement)	1 p.m.
	William V. Phelps (Final Average Salary)	2:30 p.m.

Persons with a disability, who wish to attend the previously-listed hearings, and require an auxiliary aid,

service or other accommodation to participate in the proceedings should contact Marilyn Fuller-Smith, Assistant to the Executive Director at (717) 720-4921 to discuss how the System may best accommodate their needs.

Parties may appear with or without counsel and offer relevant testimony or evidence to support their respective positions. The hearings will be held in accordance with the requirements of 2 Pa.C.S. §§ 501—508 and 701—704 (relating to the Administrative Agency Law). Under 22 Pa. Code § 201.1, (relating to applicability of general rules), procedural matters will be in conformance with 1 Pa. Code Part II (relating to the General Rules of Administrative Practice and Procedure), unless specific exemption is granted.

JEFFREY B. CLAY,
Executive Director

[Pa.B. Doc. No. 08-1573. Filed for public inspection August 22, 2008, 9:00 a.m.]

