

NOTICES

DEPARTMENT OF BANKING

Actions on Applications

The Department of Banking (Department), under the authority contained in the act of November 30, 1965 (P. L. 847, No. 356), known as the Banking Code of 1965; the act of December 14, 1967 (P. L. 746, No. 345), known as the Savings Association Code of 1967; the act of May 15, 1933 (P. L. 565, No. 111), known as the Department of Banking Code; and the act of December 19, 1990 (P. L. 834, No. 198), known as the Credit Union Code, has taken the following action on applications received for the week ending December 15, 2009.

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

BANKING INSTITUTIONS

Conversions

<i>Date</i>	<i>Name and Location of Applicant</i>	<i>Action</i>
12-10-2009	United-American Savings Bank Pittsburgh Allegheny County	Filed
	Application for approval to convert from a State-chartered mutual savings bank to a State-chartered stock savings bank.	

SAVINGS INSTITUTIONS

No activity.

CREDIT UNIONS

No activity.

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

STEVEN KAPLAN,
Secretary

[Pa.B. Doc. No. 09-2376. Filed for public inspection December 24, 2009, 9:00 a.m.]

DEPARTMENT OF EDUCATION

Application of The University of Southern California of Los Angeles, California to Operate in Pennsylvania

Notice of Opportunity for Hearing and Invitation to Protest

Under 24 Pa.C.S.A. § 6503(e) (relating to certification of institutions), the Department of Education (Department) will consider the application of the University of Southern California (USC) in Los Angeles, CA to have a Certificate of Authority approving the operation of its Rossier School of Education by contract with 2tor, Inc. to provide its program in Teaching leading to a Master of Arts in Teaching (MAT) degree online with the Guided Practice portion conducted in Harrisburg, Pittsburgh, Philadelphia, Mifflintown and West Grove, PA. Individual faculty at the school districts would be contracted by USC to serve as a 'Master Teacher' mentor to one or more USC program students.

In accordance with 24 Pa.C.S.A. § 6503(e), the Department will act upon this application without hearing,

unless within 30 days after the publication of this notice in the *Pennsylvania Bulletin* a written request for public hearing is filed with the Department, along with a notice of intervention, a petition to intervene or protest in accordance with 1 Pa. Code §§ 35.23 and 35.24 (relating to protest) or 1 Pa. Code §§ 35.27—35.32 (relating to intervention).

Petitions to intervene, protest and request for hearing shall be filed with Carol M. D. Gisselquist, Higher Education Specialist, (717) 787-4448, 333 Market Street, Harrisburg, PA 17126-0333 on or before 4 p.m. on the due date prescribed by this notice. Persons wishing to review the application should phone or write to the aforementioned office to schedule a time for an in-office review. Duplicate copies of the application are not available.

Persons with a disability who wish to attend the hearing, if held, and require an auxiliary aid, service or other accommodation to participate, contact Carol M. D. Gisselquist at (717) 787-4448 to discuss how the Department may best accommodate their needs.

GERALD L. ZAHORCHAK, D.Ed.,
Secretary

[Pa.B. Doc. No. 09-2377. Filed for public inspection December 24, 2009, 9:00 a.m.]

DEPARTMENT OF ENVIRONMENTAL PROTECTION

Applications, Actions and Special Notices

APPLICATIONS

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

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

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

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

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

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

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

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

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

I. NPDES Renewal Applications

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

<i>NPDES No. (Type)</i>	<i>Facility Name & Address</i>	<i>County & Municipality</i>	<i>Stream Name (Watershed #)</i>	<i>EPA Waived Y/N ?</i>
PA0081264 (Sew)	Mountainview Thoroughbred Racing Association—Penn National Race Track 730 Bow Creek Road P. O. Box 32 Grantville, PA 17028	Dauphin County East Hanover Township	UNT Swatara Creek 7D	Y

NPDES No. (Type)	Facility Name & Address	County & Municipality	Stream Name (Watershed #)	EPA Waived Y/N ?
PA0081451 (Sew)	Red Lion Area School District Clearview Elementary School 696 Delta Road Red Lion, PA 17356-9185	York County Chanceford Township	West Branch Toms Run 7I	Y

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

NPDES No. (Type)	Facility Name & Address	County & Municipality	Stream Name (Watershed #)	EPA Waived Y/N ?
PA0221759 (Sewage)	Robert L. Shuttleworth SFTF Jerry Road Wilcox, PA 15870	Elk County Jones Township	Unnamed Tributary to Swamp Creek 17-A	Y
PA0025551 (Sewage)	Dewdrop Campground STP 222 Liberty Street Warren, PA 16365-2304	Warren County Mead Township	Allegheny Reservoir 16-B	Y

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

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

Application No. PA 0021806, Sewage, **Annville Township**, P. O. Box 320, Annville, PA 17003. This facility is located in Annville Township, **Lebanon County**.

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

The receiving stream, Quittapahilla Creek, is in Watershed 7-D, and classified for trout stocking fishes, water supply, recreation, and fish consumption. The nearest downstream public water supply intake for Pennsylvania American Water Company is located on the Swatara Creek, approximately 17 miles downstream. The discharge is not expected to affect the water supply.

The proposed effluent limits for Outfall 001 for a design flow of 0.75 MGD are:

Parameter	Average Monthly (mg/l)	Average Weekly (mg/l)	Instantaneous Maximum (mg/l)
CBOD ₅	25	40	50
Total Suspended Solids	30	45	60
NH ₃ -N			
(5-1 to 10-31)	8.5		17
(11-1 to 4-30)	Report		Report
Total Residual Chlorine	0.5		1.63
Total Phosphorus	2.0		4.0
Dissolved Oxygen		Minimum of 5.0 at all times	
pH		From 6.0 to 9.0 inclusive	
Fecal Coliform			
(5-1 to 9-30)		200/100 ml as a geometric average	
(10-1 to 4-30)		2,000/100 ml as a geometric average	

Chesapeake Bay Requirements

	Concentration (mg/l)	Mass (lbs)	
	Monthly Average	Monthly	Annual
Ammonia-N	Report	Report	Report
Kjeldahl-N	Report	Report	XXX
Nitrate-Nitrite as N	Report	Report	XXX
Total Nitrogen	Report	Report	Report
Total Phosphorus	Report	Report	Report
Net Total Nitrogen	XXX	Report	13,698*
Net Total Phosphorus	XXX	Report	1,826*

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

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

The EPA waiver is not in effect.

Application No. PA 0261408, Sewage, **Ross F. Garner**, 343 East Louther Street, Carlisle, PA 17013. This facility is located in North Middleton Township, **Cumberland County**.

Description of activity: The application is for issuance of an NPDES permit for a new discharge of treated sewage.

The receiving stream, Wertzville Run, is in Watershed 7-B, and classified for warm water fishes, water supply, recreation, and fish consumption. The nearest downstream public water supply intake for Pennsylvania American Water Company is located on the Conodoguinet Creek, approximately 17 miles downstream. The discharge is not expected to affect the water supply.

The proposed effluent limits for Outfall 001 for a design flow of 0.0005 MGD are:

Parameter	Average		Instantaneous Maximum (mg/l)
	Monthly (mg/l)	Weekly (mg/l)	
CBOD ₅	25		50
Total Suspended Solids	30		60
pH	From 6.0 to 9.0 inclusive		
Fecal Coliform			
(5-1 to 9-30)	200/100 ml as a geometric average		
(10-1 to 4-30)	2,000/100 ml as a geometric average		

You may make an appointment to review the Department of Environmental Protection's files on this case by calling the File Review Coordinator at 717-705-4732.

The EPA waiver is in effect.

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

PA0216984, Sewage, **Shannock Valley General Services Authority**, 111 South Center Street, P. O. Box 168, NuMine, PA 16244. This application is for renewal of an NPDES permit to discharge treated sewage from NuMine Waste Water Treatment Plant in Cowanshannock Township, **Armstrong County**.

The following effluent limitations are proposed for discharge to the receiving waters, known as Cowanshannock Creek, which are classified as a warm water fishery with existing and/or potential uses for aquatic life, water supply, and recreation. The first downstream potable water supply intake from this facility is the Kittanning Suburban Joint Water Authority on the Allegheny River.

Outfall 001: existing discharge, design flow of 0.065 mgd.

Parameter	Concentration (mg/l)			
	Average Monthly	Average Weekly	Maximum Daily	Instantaneous Maximum
CBOD ₅	25			50
Suspended Solids	30			60
Ammonia Nitrogen				
May 1 to Oct 31	10.0			20.0
Nov 1 to Apr 30	25.0			50.0
Fecal Coliform				
May 1 to Sep 30	200/100 ml as a geometric mean			
Oct 1 to Apr 30	2,000/100 ml as a geometric mean			
pH	not less than 6.0 nor greater than 9.0			

The EPA waiver is in effect.

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

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

WQM Permit No. WQG026128, Sewerage, **Jenner Township**, 2058 Lincoln Highway, Boswell, PA 15531. This proposed facility is located in Jenner Township, **Somerset County**.

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

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

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

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

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

Luzerne County Conservation District: R485 Smith Pond Road, Lehman, PA 18627-0250, 570-674-7991.

<i>NPDES Permit No.</i>	<i>Applicant Name & Address</i>	<i>County</i>	<i>Municipality</i>	<i>Receiving Water/Use</i>
PAI024009003	Calvary Church of Philadelphia Gary Gordon 13500 Philmont Ave. Philadelphia, PA 19116-1118	Luzerne	Buck Township	Lehigh River HQ-CWF, MF

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

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

<i>NPDES Permit No.</i>	<i>Applicant Name & Address</i>	<i>County</i>	<i>Municipality</i>	<i>Receiving Water/Use</i>
PAI041409016	Dave Palmer S&A Homes, Inc. Saybrook Subdivision 2121 Old Gatesburg Road State College, PA 16803	Centre	Ferguson Township	Big Hollow 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)

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. 0909523 , Public Water Supply.	
Applicant	Pennsylvania-American Water Company
Township	Lower Makefield
County	Bucks
Responsible Official	David R. Kaufman 800 West Hersheypark Drive Hershey, PA 17033
Type of Facility	PWS
Consulting Engineer	Pennsylvania-American Water Company 4 Wellington Boulevard Wyomissing, PA 19610
Application Received Date	December 2, 2009
Description of Action	Reviewing of disinfection of water supplies to assure maximum safety to the consumer.

Application No. 5109507 , Public Water Supply.	
Applicant	Culligan Store Solutions, LLC
Township	City of Philadelphia
County	Philadelphia
Responsible Official	Jeanne Cantu 1030 Lone Oak Road Suite 110 Eagan, MN 55121-2251
Type of Facility	PWS

Consulting Engineer Culligan Store Solutions, LLC
1030 Lone Oak Road
Suite 110
Eagan, MN 55121-2251

Application Received Date December 2, 2009

Description of Action A drinking water system for processing using the following methods: Particle filtrations, carbon adsorption, reverse osmosis and ultraviolet light.

Application No. 4609527, Public Water Supply.

Applicant **Aqua Pennsylvania, Inc.**
Township Whitmarsh
County **Montgomery**
Responsible Official Joseph Thurwanger
762 West Lancaster Avenue
Bryn Mawr, PA 19010-3489

Type of Facility PWS
Consulting Engineer C.E.T.
1240 North Mountain Road
Harrisburg, PA 17112

Application Received Date November 30, 2009

Description of Action Construction of a new station, including new submersible well pumps and new pitless adapters.

Application No. 1509513, Public Water Supply.

Applicant **Avon Grove Charter School**
Township Kemblesville
County **Chester**
Responsible Official Randy S. Eddinger
1697 Swamp Pike
Gilbertsville, PA 19525

Type of Facility PWS
Consulting Engineer Ruby Engineering
3605 Island Club Drive
Unit #9
North Port, FL 34288-6611

Application Received Date November 30, 2009

Description of Action Nitrate selective anion resin installed to reduce drinking water nitrates below the EPA primary health standard.

Application No. 1509509, Public Water Supply.

Applicant **Pennsylvania-American Water Company**
Township Caln
County **Chester**
Responsible Official David R. Kaufman
4 Wellington Boulevard
Suite 2
Wyomissing, PA 19610

Type of Facility PWS
Consulting Engineer Hatch Mott MacDonald
27 Bleeker Street
Milburn, NJ 07041-1008

Application Received Date August 13, 2009

Description of Action Interconnection with Downingtown Municipal Water Authority, including water main and pump station.

Application No. 2309506, Public Water Supply.

Applicant **Aqua Pennsylvania, Inc.**
Township Nether Providence
County **Delaware**
Responsible Official Marc A. Lucca
762 West Lancaster Avenue
Bryn Mawr, PA 19010-3402

Type of Facility PWS
Consulting Engineer Hatch Mott MacDonald
27 Bleeker Street
Millburn, NJ 07041-1008

Application Received Date July 24, 2009

Description of Action Construction of a new residuals treatment facility to improve dewatering of residuals at the Crum Creek Water Treatment Plant.

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

Permit No. 4509508, Public Water Supply.

Applicant **Monroe Realty Company**
1500 Main Ave.
Peckville, PA 18452

Township or Borough Chestnuthill Twp.
Monroe County

Responsible Official Ronald Dushney
Type of Facility Public Water System
Consulting Engineer David D. Klepadlo, P. E.

Application Received Date 11/12/09

Description of Action The installation of treatment for manganese and arsenic at the Monroe Plaza.

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 Stan-

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

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

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

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

Southeast Region: Environmental Cleanup Program Manager, 2 East Main Street, Norristown, PA 19401.

Wawa Convenience Store #192, Bristol Township, **Bucks County**. Curt Herman, Austin James Associates, Inc., P. O. Box U, Pocono Pines, PA 18350 on behalf of Matthew S. Winters, Wawa, Inc., 260 West Baltimore Pike, Wawa, PA 19603 has submitted a Notice of Intent to Remediate. Soil and Groundwater at the suite has been impacted with the release of unleaded gasoline and MTBE. The intended future use of the site is nonresidential. A Notice of Intent to Remediate was to have been published in the *Bucks County Courier Times* on November 13 2009.

919 Wallace Street, City of Philadelphia, **Philadelphia County**. Michael Christie, Penn E&R, Inc., 2755 Bergey Road, Hatfield, PA 19440, Darryl Borrelli, Manko, Gold, Katcher & Fox, LLP, 401 City Avenue, Suite 500, Bala Cynwd, PA 19004, Dorothy J. and Michael D. Staples, 443 Cooper Beech Circle, Elkins Park, PA 19027 on behalf of Jack Levin, Roselawn Abstract, LP, 1411 Walnut Street, Third Floor, Philadelphia, PA 19102 has

submitted a Notice of Intent to Remediate. Soil at the site has been impacted with the release of inorganic. The future use of the site will be nonresidential for warehousing. A Notice of Intent to Remediate was to have been published in *The Philadelphia Daily News* on November 7, 2009.

5500 Germantown Avenue, City of Philadelphia, **Philadelphia County**. William Schmidt, Pennoni Associates, Inc., 3001 Market Street, Philadelphia, PA 19104, Jennifer Higgins, Pennoni Associates, Inc., 3001 Market Street, Philadelphia, PA 19104, Marc Guerin Citizens Bank of Pennsylvania, 1701 JFK Boulevard, Philadelphia, PA 19103 on behalf of Trustees of Green Street, 5511 Green Street, Philadelphia, PA 19144 has submitted a Notice of Intent to Remediate. Groundwater at the site has been impacted with the release of no. 2 fuel oil.

Ward Residence, East Goshen Township, **Chester County**. Michael Sarcinello, Aquaterra Technologies, Inc., P. O. Box 744, West Chester, PA 19381 has submitted a Notice of Intent to Remediate. Soil at the site has been impacted with the release of no. 2 fuel oil. The future use of the site is residential.

Hudson Residence, City of Philadelphia, **Philadelphia County**. Thomas P. Schultz, Lewis Environmtanl Group, P. O. Box 639, Royersford, PA 19468, David Slabeck, Slabeck Fuel Company, 3541 Cedar Street, Philadelphia, PA 19134 on behalf of Helen Hudson, 143 Van Kirk Street, Philadelphia, PA 19134 has submitted a Notice of Intent to Remediate. Soil at the site has been impacted with the release of no. 2 fuel oil. A summary of the Notice of Intent to Remediate was to have been reported in the *Philadelphia Inquirer* on November 13, 2009.

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

Gichner Shelter Systems, York Township, **York County**. Synergy Environmental, Inc., 155 Railroad Plaza, 1st Floor, Royersford, PA 19468, on behalf of Gichner Shelter Systems, Inc., 490 East Locust Street, Dallastown, PA 17313, submitted a Notice of Intent to Remediate site soils and groundwater contaminated with sulfochromate etch solution released from a containment pit. The current and future use of the site is the manufacture of specialty aluminum shelters for commercial and military uses. The applicant intends to remediate the site to the Site-Specific Standard.

Mohnton Knitting Mills, Mohnton Borough, **Berks County**. Hafer Environmental Services, Inc., P. O. Box 4418, Reading, PA 19606, on behalf of Mohnton Knitting Mills, 22 Main Street, Mohnton, PA 19540, submitted a Notice of Intent to Remediate site soils contaminated with No. 2 fuel oil discovered during the removal of a 6,000-gallon underground storage tank. The site will be remediated to a Residential Statewide Health Standard. Current and future use is commercial.

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

42-1580: Temple-Inland—Mt. Jewett (R. R. 1, Hutchins Road, Mt. Jewett, PA 16740) for operation of a portable log chipper and the use of polymeric diphenylmethane diisocyanate resin (pMDI) at their facility in Mt. Jewett Borough, McKean County. This is a Title V facility.

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

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

15-0136: Thomas Medical Products, Inc. (65 Great Valley Parkway, Malvern, PA 19355) for operation of a medical devices manufacturing facility in Malvern Borough, **Chester County**. The primary source of air emissions are volatile organic compounds (VOC) associated with solvent use for preparation, cleaning, and sterilization of medical devices. The Plan Approval will contain recordkeeping and operating restrictions designed to keep the facility operating within the allowable emissions and all applicable air quality requirements.

09-0090A: Praxair Distribution Mid-Atlantic, LLC, d/b/a GTS—WELCO (1 Steel Road East, Morrisville, PA 19067) for an increase in volatile organic compound emissions from an existing gas cylinder spray coating operation at its facility in Falls Township, **Bucks County**. The potential volatile organic compound emissions from this facility are expected to increase from 2.75 tons per year to 7.02 tons per year on a 12-month rolling basis from the proposed increase in activity for this project. The facility is now subject to the coating restrictions, testing, monitoring and recordkeeping requirements from 25 Pa. Code § 129.52 that were not applicable when this source emitted less than 3 pounds per hour, 15 pounds per day, and 2.75 tons per year on a 12-month rolling basis.

46-0048E: Wyeth Pharmaceuticals (500 Arcola Road, Collegeville, PA 19426) for modification to the formaldehyde emissions rate for one (1) 2,000-kW #2 fuel oil/diesel fired electric generator authorized to operate under Plan Approval 46-0048D at an existing facility in Upper Providence Township, **Montgomery County**. The facility is a major facility. The increase in permitted formaldehyde emissions is equivalent to 0.00187 ton per year. No modification to the engine nor change in any condition other than the formaldehyde emissions rate is authorized under this Plan Approval modification.

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

67-03143C: ESAB Welding and Cutting (1500 Karen Lane, Hanover, PA 17331) for a mill scale dust collector system for their facility in Penn Township, **York County**. The plan approval will include restrictions, monitoring, recordkeeping, reporting and work practice standards designed to keep the facility operating within all applicable air quality requirements.

Southwest Region: Air Quality Program, 400 Waterfront Drive, Pittsburgh, PA 15222-4745. Contact: B. Hatch, Environmental Engineer Managers—Telephone: 412-442-4163/5226.

PA-30-00055A: Shannopin Materials, LLC (308 Dents Run Road, Morgantown, WV 26501) to allow the construction of a coal slurry reclamation project and the construction of a coal/limestone barge loading/unloading facility at the Shannopin Dock site in Monongahela Township, **Greene County**.

In accordance with 25 Pa. Code §§ 127.44(b) and 127.45, the Department of Environmental Protection (Department) intends to issue a Plan Approval to allow the construction of a coal slurry reclamation project and the construction of a coal/limestone barge loading/unloading facility at their Shannopin Dock site in Monongahela Township, Greene County.

Sources at this facility will include excavators, 5 stockpiles, conveyors, transfer points, and end-loaders. Facility shall be limited to 625 tons/hour and a total throughput of 400,000 tons per 12 month rolling total. Annual emissions from the facility are estimated to be 46 tons of total particulate matter and 14 tons of PM10. BAT for this operation consists of dust suppression activities such as the use of water sprays, enclosures, roadway paving, tarping, truck wash and best operating practices. The proposed facility is subject to the applicable requirements of 25 Pa. Code Chapters 121—145. The Department believes that the facility will meet these requirements by complying with Plan Approval conditions relating to restrictions, monitoring, recordkeeping, reporting and work practice standards:

Those who wish to provide the Department with additional written information that they believe should be considered prior to the issuance of the Plan Approval may submit the information to Barbara Hatch, Department of Environmental Protection, 400 Waterfront Drive, Pittsburgh, PA 15222. Each written comment must contain the following:

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

Identification of the proposed Plan Approval (specify the Plan Approval number).

Concise statements regarding the relevancy of the information or objections to issuance of the Plan Approval.

All comments must be received prior to the close of business 30 days after the date of this publication.

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

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

46-00245: Neptune Chemical Pump Co. (204 DeKalb Pike, Lansdale, PA 19446) for operation of two (2) paint spray booths at Montgomery Township, **Montgomery County**. This action is a renewal of a State Only Operating Permit (Natural Minor), which was originally issued on February 18, 2005. The renewal contains monitoring, recordkeeping and reporting requirements designed to keep the facility operating within all applicable air quality requirements.

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

10-00304: JSP International—East Butler (150 Eastbrook Lane, Butler, PA 16002) for re-issuance of a Natural Minor Operating Permit to operate a polystyrene foam product manufacturing facility in Summit Township, **Butler County**. The facility's primary emission sources are the four (4) boilers used to provide heat for the process.

COAL AND NONCOAL MINING ACTIVITY APPLICATIONS

Applications under the Surface Mining Conservation and Reclamation Act (52 P. S. §§ 1396.1—1396.19a); the Noncoal Surface Mining Conservation and Reclamation Act (52 P. S. §§ 3301—3326); The Clean Streams Law (35

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

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

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

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

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

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

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

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

More restrictive effluent limitations, restrictions on discharge volume, or restrictions on the extent of mining

that may occur, will be incorporated into an NPDES permit when necessary for compliance with water quality standards and antidegradation requirements (in accordance with 25 Pa. Code Chapters 91—96).

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

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

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

Coal Applications Received

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

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

¹The parameter is applicable at all times.

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

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

32743710 and NPDES Permit # PA0214884, Helvetia Coal Company, (P. O. Box 219, 400 Overview Drive, Shelocta, PA 15774), to renew the permit for the Refuse Disposal Area No. 1 in Center Township, **Indiana County** and related NPDES permit for reclamation only. No additional discharges. Application received: October 16, 2009.

30743702 and NPDES Permit # NA, Consolidation Coal Company, (CNX Center, 1000 Consol Energy Drive, Canonsburg, PA 15317), to revise the permit for the Blacksville No. 1 Mine Refuse Area in Wayne Township, **Greene County** to add acreage to install a pipeline to carry mine water from the Blacksville No. 1 Mine pool in West Virginia. Coal Refuse Disposal Support Acres Proposed 2.0. No additional discharges. Application received: August 7, 2009.

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

26080107 and NPDES Permit No. PA0251810, Amerikohl Mining, Inc. (1384 SR 711, Stahlstown, PA 15687). Application for commencement, operation and reclamation of a bituminous surface mine, located in Wharton Township, **Fayette County**, affecting 61.4 acres. Receiving streams: unnamed tributaries to Stony Fork, classified for the following use: HQ-CWF. There is no potable water supply intake within 10 miles downstream from the point of discharge. Application received: November 25, 2009.

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

13890201R4 and NPDES Permit No. PA0594580, Panther Creek Partner, (1001 Industrial Road, Nesquehoning, PA 18240), renewal of an existing coal refuse reprocessing, refuse disposal and prep plant operation in Nesquehoning Borough, **Carbon County** affecting 428.0 acres, receiving streams: First Hollow Run and Nesquehoning Creek. Application received: November 30, 2009.

FEDERAL WATER POLLUTION CONTROL ACT, SECTION 401

The following permit applications, requests for Environmental Assessment approval and requests for 401 Water Quality Certification have been received by the Department of Environmental Protection (Department). Section 401 of the Federal Water Pollution Control Act (FWPCA) (33 U.S.C.A. § 1341) requires the State to certify that the

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

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

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

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

WATER OBSTRUCTIONS AND ENCROACHMENTS

Northeast Region: Watershed Management Program Manager, 2 Public Square, Wilkes-Barre, PA 18711-0790, Telephone 570-826-2511.

E40-704. Donna Bryant, P. O. Box 286, Shawanese, PA 18654, in Harveys Lake Borough, **Luzerne County**, U.S. Army Corps of Engineers, Baltimore District (Harveys Lake, PA Quadrangle Latitude: 41° 21' 12"; Longitude: -76° 1' 14").

To construct and maintain a 1,920 square foot dock extending approximately 4 feet into Harveys Lake (HQ-CWF) and supported by eleven (11) wooden pilings for the purpose of providing a safer shoreline and a mooring area for boats.

The project is located approximately 3.59 miles north west of the intersection of SR 415 and SR 115 (Harveys Lake, PA Quadrangle Latitude: 41° 22' 5.6"; Longitude: 76° 3' 12.4") in Harveys Lake Borough, Luzerne County.

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

E08-459. Tennessee Gas Pipeline Company, 1001 Louisiana Street, Houston, TX 77002-5089. Water Obstruction and Encroachment Joint Application, 300 Line Project, in Asylum, Burlington, Granville, Monroe and West Burlington Townships, **Bradford County**, ACOE Baltimore District (Towanda, PA Quadrangle N: 41° 43' 22"; W: 76° 28' 12").

To construct, operate and maintain 22.5 miles of 30" natural gas pipeline within the North Branch of the Susquehanna River watershed (Warm Water Fishery). Construction of the pipeline loops will require forty (40) stream and thirty-seven (37) wetland crossings. The project is centered approximately 1 mile north of the Village of Monroeton in Bradford County.

E53-425. Tennessee Gas Pipeline Company, 1001 Louisiana Street, Houston, TX 77002-5089. Water Obstruction and Encroachment Joint Application, 300 Line Project, in Alleghany, Ulysses and Hector Townships, **Potter County**, ACOE Baltimore District (West Pike, PA Quadrangle N: 41° 50' 27"; W: 76° 42' 17").

To construct, operate and maintain 12.95 miles of 30" natural gas pipeline within the Alleghany (Cold Water Fishery) and West Branch of the Susquehanna River watershed (Warm Water Fishery). Construction of the pipeline loops will require twenty-five (25) stream and fifty-five (55) wetland crossings. The project is centered approximately 4.8 miles north of the Village of West Pike in Potter County.

E59-491. Tennessee Gas Pipeline Company, 1001 Louisiana Street, Houston, TX 77002-5089. Water Obstruction and Encroachment Joint Application, 300 Line Project, in Clymer, Charleston, Richmond and Sullivan Townships, **Tioga County**, ACOE Baltimore District (Keenyville, PA Quadrangle N: 41° 48' 54"; W: 77° 17' 22").

To construct, operate and maintain 20.94 miles of 30" natural gas pipeline within the West Branch of the Susquehanna River watershed (Warm Water Fishery). Construction of the pipeline loops will require thirty-six (36) stream and seventy-five (75) wetland crossings. The project is centered approximately 2.8 miles north of the Village of Wellsboro Junction in Tioga County.

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

E56-354. Turnpike Commission, P. O. Box 67676, Harrisburg, PA 17107-7676. To construct and maintain culvert crossing, two lane single-span bridge and roadway stormwater outfalls in Somerset Township and Somerset Borough in **Somerset County**, Pittsburgh ACOE District. The applicant proposes to:

1. Construct and maintain a culvert crossing consisting of two parallel 49 inch by 33 inch elliptical, and one 57 inch by 38 inch, depressed 6 inches, 59 ft. Long, CMP culverts for the to be relocated two lane Laurel Crest Drive municipal road on an unnamed tributary to East Branch Coxes Creek (WWF) with a drainage area of 119 acres. This culvert crossing is located in Somerset Township (Somerset, PA Quadrangle N: 3.3 inches; W: 11.8 inches, Latitude: 40° 1' 1"; Longitude: 79° 5' 2").

2. Construct and maintain a two lane 39 ft. wide, 47 ft. long, single span bridge, skewed 60 degrees, having a total length of 47 ft. and a minimum underclearance of 3.3 ft. over an unnamed tributary of East Branch Coxes Creek (WWF) with a drainage area of 3.08 square miles. This bridge is located 0.3 mile east of the above culvert crossing in Somerset Borough (Somerset, PA Quadrangle N: 3.3 inches; W: 11.3 inches, Latitude: 40° 1' 5"; Longitude: 79° 4' 52").

3. In addition, construct and maintain roadway stormwater outfalls, and a total of 0.37 acre of PEM/PSS wetland will be filled and maintained in the East Branch Coxes Creek basin. Wetland mitigation is proposed to be

provided at PennDOT's Louie Beach Advanced Wetland Compensation Site, Somerset County (Somerset, PA Quadrangle N: 3.3 inches; W: 11.5 inches, Latitude: 40° 1' 13"; Longitude: 79° 4' 54").

ACTIONS

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

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

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

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

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

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

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

I. NPDES Renewal Permit Actions

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

<i>NPDES No. (Type)</i>	<i>Facility Name & Address</i>	<i>County & Municipality</i>	<i>Stream Name (Watershed #)</i>	<i>EPA Waived Y/N ?</i>
PA0247464 (Sew)	East Hanover Township Board of Supervisors 8848 Jonestown Road Grantville, PA 17028	Dauphin County East Hanover Township	Bow Creek 7-D	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>
PA0031810 (Sew)	Eastern Lebanon County School District ELCO High School 180 Elco Drive Myerstown, PA 17067	Lebanon County Jackson Township	UNT to Tulpehocken Creek 3-C	Y

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

<i>NPDES No. (Type)</i>	<i>Facility Name & Address</i>	<i>County & Municipality</i>	<i>Stream Name (Watershed #)</i>	<i>EPA Waived Y/N ?</i>
PA0113484 (Sewage)	William Robinson 16064 Route 6 Mansfield, PA 16933	Richmond Township Tioga County	UNT to N. Elk Run CWF	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>
PA0216721 Sewage	George E. and Patricia N. Meerhoff Thomas E. and Kelly G. Meefhoff 1118 Old Route 31 Mount Pleasant, PA 15666	Westmoreland County Mount Pleasant Township	UNT of Jacobs 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>
PA0101516	Oil City Area School District Oakland Elementary School P. O. Box 929 Oil City, PA 16301	Oakland Township Venango County	Unnamed tributary to Two Mile Run 16-E	Y

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

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

NPDES Permit No. PA0012823, Industrial Waste, **PPL Martins Creek, LLC**, Two North Ninth Street, Mail Stop GENPL6, Allentown, PA 18101-1179. This proposed facility is located in Lower Mt. Bethel Township, **Northampton County**.

Description of Proposed Action: Issuance of NPDES Permit renewal.

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

NPDES Permit No. PA0027189, Sewage, **Lower Allen Township Authority**, 120 Limekiln Road, New Cumberland, PA 17070-2428. This proposed facility is located in Fairview Township, **York County**.

Description of Proposed Action/Activity: Authorization to discharge to the Susquehanna River in Watershed 7-E.

NPDES Permit No. PA0027022, Amendment No. 1, Sewage, **Altoona City Authority**, 20 Greenwood Road, Altoona, PA 16601-7114. This proposed facility is located in Allegheny Township, **Blair County**.

Description of Proposed Action/Activity: Authorization to discharge to the Beaverdam Branch in Watershed 11-A.

NPDES Permit No. PA0027014, Amendment No. 1, Sewage, **Altoona City Authority**, 20 Greenwood Road, Altoona, PA 16601-7114. This proposed facility is located in Logan Township, **Blair County**.

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

Northcentral Region: Water Management Program Manager, 208 West Third Street, Williamsport, PA 17701, 570-327-3664.

PA0208779, Industrial Waste, SIC, 3111, **Clearfield Leather, Inc.**, 120 Cooper Road, Curwensville, PA 16833-1542. This existing facility is located in Curwensville Borough, **Clearfield County**.

Description of Proposed Activity: This proposed action is for renewal of an NPDES permit for an existing discharge of treated industrial wastewater.

The receiving stream, West Branch Susquehanna River, is in the State Water Plan watershed 8B and classified for: Warm Water Fishes (WWF). The nearest downstream public water supply intake for RRI Energy is located on West Branch Susquehanna River is 16 miles below the point of discharge.

The proposed effluent limits for Outfall 001 based on a design flow of 0.125 MGD.

Parameter	Mass Units (lbs/day)			Concentration (mg/l)		
	Average Monthly	Maximum Daily	Minimum	Average Monthly	Daily Maximum	Instantaneous Maximum
Flow	Report	Report				
pH			6.0			9.0
5 Day BOD	69	150		Report	Report	165
Ammonia-N				Report	Report	
TSS	99	216		Report	Report	238
Oil and Grease	16	31		15	30	30
Total Chromium	1.5	3.8		Report	Report	4.8

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

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

WQM Permit No. 0609402, Sewerage, **Washington Township Municipal Authority**, P. O. Box 52, Barto, PA 19504. This proposed facility is located in Washington Township, **Berks County**.

Description of Proposed Action/Activity: Permit approval for the construction of sewerage facilities consisting of duplex grinder submersible pumps, a wet, well, controls, and a force main.

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

WQM Permit No. 6509404, Sewerage, **L & T Enterprises, LLC**, 749 North Church Street, Mount Pleasant, PA 15666. This proposed facility is located in Donegal Township, **Westmoreland County**.

Description of Proposed Action/Activity: Permit issuance for the construction and operation of a sewage treatment plant to serve an 84-room hotel.

WQM Permit No. 6509405, Sewerage, **Penn Township Sewer Authority**, 1032 Nike Site Road, Irwin, PA 15642. This proposed facility is located in Penn Township, **Westmoreland County**.

Description of Proposed Action/Activity: Permit issuance for the construction and operation of 22 individual grinder pump units.

IV. NPDES Stormwater Discharges from MS4 Permit Actions

V. NPDES Waiver Stormwater Discharges from MS4 Actions

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

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

NPDES Permit No.	Applicant Name & Address	County	Municipality	Receiving Water/Use
PAI021307003	Vacation Charters, LTD 1 Lake Drive Lake Harmony, PA 18624	Carbon	Kidder Township	Black Creek HQ-CWF, MF
PAI024007007	Brian Kane 18296 Saint George's Court Leesburg, VA 20176	Luzerne	Wright Township	Big Wapwallopen Creek HQ-CWF, MF
PAI024808019	Zion Wesleyan Church of Point Phillip 2459 Scenic Drive Bath, PA 18014	Northampton	Bath Township	Bushkill Creek HQ-CWF, MF

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

NPDES Permit No.	Applicant Name & Address	County	Municipality	Receiving Water/Use
ESCP2209801	Harrisburg Authority 212 Locust Street Harrisburg, PA 17101	Dauphin	Rush Township	Clark Creek HQ-CWF

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

Armstrong County Conservation District, Armsdale Administration Building, Suite B-2, 124 Armsdale Road, Kittanning, PA 16201, (724-548-3425).

<i>NPDES Permit No.</i>	<i>Applicant Name & Address</i>	<i>County</i>	<i>Municipality</i>	<i>Receiving Water/Use</i>
PAI050309002	Allegheny Mineral Corp. P. O. Box 1022 1 Glade Park East Kittanning, PA 16201	Armstrong	West Franklin Township	Buffalo Creek HQ-TSF

Cambria District Mining Office: District Mining Manager, 286 Industrial Park Road, Ebensburg, PA 15931-4119.

<i>NPDES Permit No.</i>	<i>Applicant Name & Address</i>	<i>County</i>	<i>Municipality</i>	<i>Receiving Water/Use</i>
PAI275609001	Earth Shapers, LLC 266 Scout Dam Road Ebensburg, PA 15931	Somerset County	Jenner Township	South Fork Bens Creek HQ-CWF

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

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

List of NPDES and/or Other General Permit Types

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

General Permit Type—PAG-2

Facility Location:

<i>Municipality & County</i>	<i>Permit No.</i>	<i>Applicant Name & Address</i>	<i>Receiving Water/Use</i>	<i>Contact Office & Phone No.</i>
Hanover Township Lehigh County	PAR10Q141-R-2	Brian Sinwell Lehigh Northampton Airport Authority 3300 Airport Rd. Allentown, PA 18109	Catasauqua Creek CWF, MF	Lehigh County Conservation District 610-391-9583
Hamilton Township Franklin County	PAG2002804040-R	Derek Ashenfelder Volvo Construction Equipment 312 Volvo Way Shippensburg, PA 17257	Dennis Creek CWF	Franklin County Conservation District 185 Franklin Farm Lane Chambersburg, PA 17201 717-264-5499
Chambersburg Borough Franklin County	PAG2002809033	Chambersburg Borough 100 South Second Street Chambersburg, PA 17201	Conococheague Creek CWF	Franklin County Conservation District 185 Franklin Farm Lane Chambersburg, PA 17201 717-264-5499

<i>Facility Location: Municipality & County</i>	<i>Permit No.</i>	<i>Applicant Name & Address</i>	<i>Receiving Water/Use</i>	<i>Contact Office & Phone No.</i>
Southampton Township Franklin County	PAG2002809003-1	Volve Road Machinery 312 Volvo Way Shippensburg, PA 17257	Rowe Run CWF-TSF	Franklin County Conservation District 185 Franklin Farm Lane Chambersburg, PA 17201 717-264-5499
St. Thomas Township Franklin County	PAG2002809035	Dwain Plessinger 9311 Huber Road St. Thomas, PA 17252	UNT to Wilson Run TSF-MF	Franklin County Conservation District 185 Franklin Farm Lane Chambersburg, PA 17201 717-264-5499
Union Township Lebanon County	PAG2003809015	Pennsylvania Air National Guard Attn.: Joel Sattazahn 142 Gettysburg Street Annville, PA 17003	Qureg Run—Swatara Creek WWF	Lebanon County Conservation District 2120 Cornwall Road Suite 5 Lebanon, PA 17042-5314 717-272-3908, Ext. 4
North Londonderry and South Londonderry Townships Lebanon County	PAG2003809014	Palmyra Area School District Attn.: Darcy Brenner-Smith 1125 Park Drive Palmyra, PA 17078	Spring Creek WWF	Lebanon County Conservation District 2120 Cornwall Road Suite 5 Lebanon, PA 17042-5314 717-272-3908, Ext. 4
Limestone Township Union County	PAG2006009010	Leon G. Hoover 2370 Beaver Road Mifflinburg, PA 17844	Cedar Run CWF	Union County Conservation District Union County Government Center 155 North 15th Street Lewisburg, PA 17837 (570) 524-3860
Washington County Chartiers Township	PAG2006309026	Washington County Planning Commission 701 Courthosue Square 100 West Beau Street Washington, PA 15301	Chartiers Run WWF	Washington County Conservation District 724-228-6774

General Permit Type—PAG-3

<i>Facility Location: Municipality & County</i>	<i>Permit No.</i>	<i>Applicant Name & Address</i>	<i>Receiving Water/Use</i>	<i>Contact Office & Phone No.</i>
Manor Borough Westmoreland County	PAR806264	Paul W. Kerber 281 First Street North Huntingdon, PA	Brush Creek	Southwest Regional Office: Water Management Program Manager 400 Waterfront Drive Pittsburgh, PA 15222-4745 412-442-4000
Delaware Township Mercer County	PAG049525	Brenda K. Englert 7 District Road Greenville, PA 16125	Unnamed Tributary to Lawango Run 20-A	DEP—NWRO Water Management 230 Chestnut Street Meadville, PA 16335-3481 814/332-6942

General Permit Type—PAG-8 (SSN)

Facility Location:
Municipality &
County

Banks Township
Indiana County

Applicant Name &
Address

Synagro
3239 Route 981
New Alexandria, PA
15670

Site Name

Lind Reclamation
Biosolids Site

Contact Office &
Phone No.

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

**PUBLIC WATER SUPPLY (PWS)
PERMITS**

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

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

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

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

SAFE DRINKING WATER

Actions taken under the Pennsylvania Safe Drinking Water Act

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

Permit No. 2309506, Public Water Supply.
Applicant **Aqua Pennsylvania, Inc.**
762 West Lancaster Avenue
Bryn Mawr, PA 19010-3402
Township Nether Providence
County **Delaware**
Type of Facility PWS

Consulting Engineer Hatch Mott McDonald
27 Bleeker Street
Milburn, NJ 07041
Permit to Construct July 24, 2009
Issued
Permit No. 1509512, Public Water Supply.
Applicant **Pennsylvania American Water Company**
800 West Hersheypark Drive
Hershey, PA 17033
Township East Vincent
County **Chester**
Type of Facility PWS
Consulting Engineer Pennsylvania American Water Company
800 West Hersheypark Drive
Hershey, PA 17033
Permit to Construct October 30, 2009
Issued
Permit No. 1508512, Public Water Supply.
Applicant **Aqua Pennsylvania, Inc.**
762 Bryn Mawr Avenue
Bryn Mawr, PA 19010
Township Upper Providence
County **Montgomery**
Type of Facility PWS
Consulting Engineer C.E.T. Engineering Services, Inc.
1240 North Mountain Road
Harrisburg, PA 17112
Permit to Construct January 9, 2009
Issued
Permit No. 4609520, Public Water Supply.
Applicant **North Penn Water Authority**
300 Forty Foot Road
P. O. Box 1659
Lansdale, PA 19446
Borough Lansdale
County **Montgomery**
Type of Facility PWS
Consulting Engineer North Penn Water Authority
300 Forty Foot Road
P. O. Box 1659
Lansdale, PA 19446
Permit to Construct October 15, 2009
Issued

Operations Permit #4609503 issued to **Exelon Nuclear Limerick Generating Station**, 3146 Sanatoga Road, Pottstown, PA 19464. (PWSID #1460847) Limerick Township, **Montgomery County** on February 11, 2009, for the operation of Facilities approved under construction permit #4609503 for an additional filter to the existing Arsenic treatment system at Alley Deep Well No.1.

Operations Permit #4609522 issued to **Saint Luke Knolls**, 1697 Swamp Pike, Gilbertsville, PA 19525. (PWSID #1460086) Douglass Township, **Montgomery County** on June 22, 2009, for the operation of Facilities approved under construction permit #4609518 for the water softening system at Saint Luke Knolls.

Operations Permit #0909522 issued to **Perkasie Borough Authority**, 306 North Fifth Street, Perkasie, PA 18944. (PWSID #1090046) East Rockhill Township, **Bucks County** on November 9, 2009, for the operation of Facilities approved under construction permit #0908503 for the water softening system at Saint Luke Knolls.

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

Permit No. 0709507 MA, Minor Amendment, Public Water Supply.

Applicant	Bel Air Park Apartments
Municipality	Logan Township
County	Blair
Type of Facility	This permit approves the replacement of existing UV disinfection system with chlorination facilities.
Consulting Engineer	David M. Cunningham, P. E. Keller Engineers, Inc. 420 Allegheny Street Hollidaysburg, PA 16648
Permit to Construct Issued:	12/2/2009

Permit No. 3809512 E, Public Water Supply.

Applicant	Eastern Lebanon County School District
Municipality	Jackson Township
County	Lebanon
Type of Facility	Emergency permit for the installation of a temporary pressure filtration system.
Consulting Engineer	Michael E. Kissinger, P. E. Centerpoint Engineering, Inc. 2 Market Plaza Way Mechanicsburg, PA 17055
Permit to Construct Issued:	12/4/2009

Operations Permit issued to: **United Water Pennsylvania**, 7220015, Hummelstown Borough, **Dauphin County** on 12/8/2009 for the operation of facilities approved under Construction Permit No. 2205504.

Operations Permit issued to: **City of Lancaster—Conestoga Water Treatment Plant**, 7360058, Lancaster, **Lancaster County** on 12/8/2009 for the operation of facilities approved under Construction Permit No. 3606502.

Operations Permit issued to: **Fredericksburg Sewer & Water Authority**, 7380118, Bethel Township,

Lebanon County on 11/24/2009 for the operation of facilities approved under Construction Permit No. 3809508.

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

Williamsport Municipal Water Authority (Public Water Supply), **Lycoming County**: On December 7, 2009, the Department of Environmental Protection (Department) approved the Source Water Protection (SWP) program for the Williamsport Municipal Water Authority. The personnel involved with the development of this SWP are to be commended for taking these proactive steps to protect these water sources for their community. Development of the program was funded by the Department (David W. Garg, (570) 321-6581).

SEWAGE FACILITIES ACT PLAN DISAPPROVAL

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

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

Plan Location:

Borough or Township	Borough or Township Address	County
Springfield Township	9211 Susquehanna Trail South Seven Valleys, PA 17360	York County

Plan Description: Larkin Tract, DEP Code No. A3-67958-220-3. The plan consists of a one lot commercial development on 50.65 acres with total estimated sewage flows of 3,500 gpd tributary to the Exit II Wastewater Treatment Plant. The proposed development is located at the end of 2nd Amendment Drive and the east side of the Susquehanna Trail (SR 3001) across from Glen Valley Road in Springfield Township, York County. The plan was disapproved because the proposal does not meet the consistency requirements of Chapter 71, Section 71.53(d)(4). Specifically, the receiving wastewater treatment plant's tertiary treatment is dysfunctional, and it frequently experiences permit violations as reported in the Discharge Monitoring Reports (DMR).

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 nonresiden-

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

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

The Department has received the following plans and reports:

Southeast Region: Environmental Cleanup Program Manager, 2 East Main Street, Norristown, PA 19401.

Florence Titus Elementary School, Warrington Township, **Bucks County**. Daniel Lewis, Spotts, Stevens and McCoy, Inc., Reading, PA 10610 on behalf of Michael Nickerson, Central Bucks School District, 320 West Swamp Road, Doylestown, PA 18901 has submitted a Final Report concerning remediation of site soil contaminated with no. 2 fuel oil. The report is intended to document remediation of the site to meet the Statewide Health Standard.

Wawa Convenience Store # 192, Bristol Township, **Bucks County**. Curtis Herman, Austin James Associates, Inc., Route 423, Pocono Pines, PA 18350 on behalf of Matthew Winters Wawa, Inc., 260 Baltimore Pike, Wawa, PA 19603 has submitted a Final Report concerning remediation of site soil and groundwater contaminated with unleaded gasoline. The report is intended to document remediation of the site to meet the Background and Statewide Health Standards.

Rite Aid 3637, City of Philadelphia, **Philadelphia County**. Bradley Wolf, BL Companies, Inc., 213 Market Street, 6th floor, Harrisburg, PA 17101, Robert Lerner, Rite Aid Corporation, 30 Hunter Lane, Camp Hill, PA 17011 has submitted a Final Report concerning remediation of site soil and groundwater contaminated with petroleum. The report is intended to document remediation of the site to meet the Statewide Health and Site-Specific Standards.

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

Bethlehem Commerce Center-Slag Bank 3, 530 East 3rd Street, Bethlehem City, **Northampton County**. Kenneth G. Robbins, HDR Engineering, 1720 Spillman Drive, Suite 280, Bethlehem, PA 18015-2165 has submitted a Remedial Investigation Report (on behalf of his client, Lehigh Valley Industrial Park, Inc., 1720 Spillman Drive, Suite 150, Bethlehem, PA 18015-2164), concerning

the remediation of soil found to have been impacted by VOCs, Semi-VOCs and Inorganic constituents as a result of historical operations at the former Bethlehem Steel Plant. The report was submitted in partial fulfillment of the Site-Specific Standard. A public notice regarding the submission of the Remedial Investigation Report was published in *The Morning Call* and *The Express Times* on October 30, 2009.

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

US Bronze Foundry & Machine (South Parking Lot), Woodcock Township, **Crawford County**. Geosyntec Consultants, 10220 Old Columbia Road, Suite A, Columbia, MD 21046, on behalf of U.S. Bronze Foundry & Machine, Inc., 18649 Brake Shoe Road, P. O. Box 458, Meadville, PA 16335 has submitted a Final Report concerning remediation of site soil contaminated with lead. The report is intended to document remediation of the site to meet the Site-Specific Standard.

LAND RECYCLING AND ENVIRONMENTAL REMEDIATION

UNDER ACT 2, 1995

PREAMBLE 3

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

Provisions of 25 Pa. Code § 250.8, administration of the Land Recycling and Environmental Remediation Standards Act (act), require the Department of Environmental Protection (Department) to publish in the *Pennsylvania Bulletin* a notice of final actions on plans and reports. A final report is submitted to document cleanup of a release of a regulated substance at a site to one of the remediation standards of the act. A final report provides a description of the site investigation to characterize the nature and extent of contaminants in environmental media, the basis of selecting the environmental media of concern, documentation supporting the selection of residential or nonresidential exposure factors, a description of the remediation performed and summaries of sampling methodology and analytical results which demonstrate that the remediation has attained the cleanup standard selected. Plans and reports required by provisions of the act for compliance with selection of remediation to a Site-Specific Standard, in addition to a final report, include a remedial investigation report, risk assessment report and cleanup plan. A remedial investigation report includes conclusions from the site investigation, concentration of regulated substances in environmental media, benefits of 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 Pennsylvania AT&T Relay Service at (800) 654-5984.

The Department has received the following plans and reports:

Southeast Region: Environmental Cleanup Program Manager, 2 East Main Street, Norristown, PA 19401.

5134 Lancaster Avenue, City of Philadelphia, **Philadelphia County**. Mark Kucynski, REPSG, 6901 Kingsessing Avenue, Philadelphia, PA 19142, Charlene Drake, REPSG, 6901 Kingsessing Avenue, Philadelphia, PA 19142 on behalf of Kurt O'Brien, SS Overbrook, LP, 7932 West Sand Lake Road, Orlando, FL 32819 has submitted a Final Report concerning the remediation of site groundwater and soil contaminated with unleaded gasoline. The Final report demonstrated attainment of the Statewide Health Standard and was approved by the Department of Environmental Protection on November 13, 2009.

Levittown Shopping Center Property, Tullytown Borough, **Bucks County**. Jeffery Smith, Langan Engineering and Environmental Services, 30 South 17th Street, Suite 1300, Philadelphia, PA 19103, Darryl Borrelli, Manko, Gold, Katcher & Fox, LLP, 401 City Avenue, Suite 500, Bala Cynwyd, PA 19004 on behalf of Patrick Tandy, Levittown, LP, 580 White Plains Road, Tarrytown, NY 10591 has submitted a Remedial Investigation/Final Report concerning the remediation of site groundwater contaminated with chlorinated solvents. The Remedial Investigation/Final Report was approved by the Department of Environmental Protection on November 24, 2009.

Clement Property, Malvern Borough, **Chester County**. Stuart Wiswall, Keating Environmental Management, 123 John Robert Thomas Drive, Exton, PA 19341, Robert Clement, c/o Harry Weiss, Ballard Spahr Andrews & Ingersoll, 1735 Market Street, 51st Floor, Philadelphia, PA 19103 on behalf of Robert Fox, c/o Manko, Gold, Katcher & Fox, LLP, 410 City Avenue, Suite 500, Bala Cynwyd, PA 19004 has submitted a Final Report concerning the remediation of site groundwater and soil contaminated with BTEX, PHCS and MTBE. The Final report demonstrated attainment of the Statewide Health Standard and was approved by the Department of Environmental Protection on November 23, 2009.

Lot 2 Hawks Crest, Pennsbury Township, **Chester County**. Samuel Kucia, Environmental Consulting, Inc., 500 East Washington Street, Suite 375 Norristown, PA 19401, Calvin Powell, Powell Drilling & Services, Inc., 20 Smithbridge Road, Chester Heights, PA 19017, Andrew Hubley Environmental Consulting, Inc., 500 East Washington Street, Suite 375, Norristown, PA 19401 on behalf of Tom Spano, Grey Doves At Sunset, LP, 125 Wilmington-West Chester Pike, Chadd Ford, PA 19317 has submitted a Final Report concerning the remediation of site soil contaminated with inorganics. The Final report demonstrated attainment of the Statewide Health Standard and was approved by the Department of Environmental Protection on December 1, 2009.

Staffer Residence, East Fallowfield Township, **Chester County**. Philip Donmoyer, Alternative Environmental Solutions, Inc., 480 New Holland Avenue, Suite 8203, Lancaster, PA 17602, Bridget Shadler, Alternative Environmental Solutions, Inc., 480 New Holland Avenue, Suite 8203, Lancaster, PA 17602 on behalf of David McIlmans, 17 East Gay Street, Suite 100, West Chester, PA 19381 has submitted a Final Report concerning the remediation of site soil contaminated with no. 2 fuel oil. The Final report demonstrated attainment of the Statewide Health Standard and was approved by the Department of Environmental Protection on December 3, 2009.

Willow Grove Home Depot, Upper Moreland Township, **Montgomery County**. Justin Lauterbach, RT Environmental Services, Pureland complex, Suite 306, 510 Heron Drive, P. O. Box 521, Bridgeport, NJ 08014, Christopher Ward, RT Environmental Services, Pureland complex, Suite 306, 510 Heron Drive, P. O. Box 521, Bridgeport, NJ 08014 on behalf of Charles Gallub, Develcom 204 Harding Road, P. O. Box 217, Bellmawr, NJ 08031 has submitted a Final Report concerning the remediation of site soil contaminated with arsenic and other organics. The Final report did not demonstrate attainment of the Statewide Health Standard and was disapproved by the Department of Environmental Protection on December 4, 2009.

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

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 combined report demonstrated attainment of the Site-Specific Standard, and was approved by the Department of Environmental Protection on December 8, 2009.

Cumberland Technology Park Site, Hampden Township, **Cumberland County**. BL Companies, 213 Market Street, 6th Floor, Harrisburg, PA 17101, on behalf of John and Kathryn Harbilas, 33 North Second Street, Harrisburg, PA 17011, submitted a Final Report concerning remediation of groundwater contaminated with chlorinated solvents. The Final Report did not demonstrate attainment of the Statewide Health and Site-Specific Standards, and was disapproved by the Department of Environmental Protection on December 9, 2009.

AIR QUALITY

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

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

GP11-09-0019: Oldcastle Lawn & Garden, Inc. (500 East Pumping Station Road, Quakertown, PA 18951) on December 10, 2009, to operate a 581-bhp diesel fuel/#2 fuel oil-fired nonroad engine Richland Township, **Bucks 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.

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

24-166A: National Fuel Gas—Bowen Compressor Station (1.33 miles north of Highland Corners directly east of SR 4009, Highland Township, PA 16365) on December 8, 2009, for construction of a new gas compressor station in Highland Township, **Elk County**. This is a State Only facility.

43-305D: Champion Carrier Corp. (2755 Kirila Road, Hermitage, PA 16148-9019) on December 7, 2009, for reactivation of Paint Booth No. 3 to coat steel parts at their facility in the City of Hermitage, **Mercer County**. The facility currently has a State Only Operating Permit No. 43-00305.

62-017R: United Refining Co. (15 Bradley Street, Warren, PA 16365) on December 7, 2009, to remove the external cyclones and expansion of the electric static precipitator that controls the FCC in Warren City, **Warren County**. This is a Title V facility.

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

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

23-0003J: ConocoPhillips Co. (4101 Post Road, Trainer, PA 19061) on December 10, 2009, to operate a clean fuels/FCC upgrade project in Trainer Borough, **Delaware County**.

46-0025K: Lonza, Inc. (900 River Road, Conshohocken, PA 19428) on December 10, 2009, to operate a replacement venturi scrubber in Upper Merion Township, **Montgomery County**.

46-0266: Hanson Pipe & Products, Inc. (201 South Keim Street, Pottstown, PA 19464) on December 10, 2009, to operate a concrete, sealing, and coating operation in Pottstown Borough, **Montgomery County**.

23-0082: Liberty Electric Power, LLC (1000 Industrial Hwy, Route 291, Eddystone, PA 19022) on December 10, 2009, to operate a power plant—500 MW in Eddystone Borough, **Delaware County**.

46-0259: PPL Renewable Energy, LLC (2 North Ninth Street, Allentown, PA 18101) on December 10, 2009, to operate an internal combustion engine in Whitemarsh Township, **Montgomery County**.

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

06-05109A: Atlas Minerals & Chemicals (1227 Valley Road, P. O. Box 38, Mertztown, PA 19539) on December 8, 2009, for their second asphalt processing line in Longswamp Township, **Berks County**. This plan approval was extended.

Southwest Region: Air Quality Program, 400 Waterfront Drive, Pittsburgh, PA 15222-4745. Contact: M. Gorog and B. Hatch, Environmental Engineer Managers—Telephone: 412-442-4163/5226.

63-00549A: Arden Landfill, Inc. (625 Cherrington Parkway, Coraopolis, PA 15108-4321) on December 10, 2009, to extend the completion of stack testing of the Caterpillar engines at their Gas to Energy plant in Chartiers Township, **Washington County** until July 14, 2010. This Plan approval has been extended.

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

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

V09-010: Allied Tube & Conduit Corp. (11350 Norcom Road, Philadelphia, PA 19154) on December 11, 2009, to operate a tube and conduit manufacturing facility in the City of Philadelphia, **Philadelphia County**. The Title V facility's air emissions' sources include three mills, one space heater rated at 3.76 MMBTU/hr, and four space heaters rated at 801,000 BTU/hr each.

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.

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

S09-014: LaSalle University—West Campus (One Penn Boulevard, Philadelphia, PA 19141) on December 7, 2009, for University facility in the City of Philadelphia, **Philadelphia County**. The synthetic minor facilities emission sources include three (2) 600 Horsepower boilers, one (1) 350 Horsepower Boiler, one (1) 100 kW emergency generator, and one (1) 600 kW emergency generator.

S09-006: Philadelphia University (School Land & Henry Avenue, Philadelphia, PA 19122) on December 7, 2009, for University facility in the City of Philadelphia, **Philadelphia County**. The synthetic minor facilities emission sources include nine (9) heating units less than 1 MMBTU/hr firing natural gas, thirteen (13) hot water heaters less than 1 MMBTU/hr firing natural gas, twenty-six (26) boilers less than 6 MMBTU/hr firing either natural gas or #2 oil and two (2) emergency generators firing #2 oil.

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

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

46-00037: Cabot Supermetals (P. O. Box 1608, County Line Road, Boyertown, PA 19512) on December 10, 2009, amended to incorporate raffinate solidification process and requirements from Plan Approval No. 46-0037Y into the Title V Operating Permit for a plant in

Douglass Township and **Montgomery County**. The amended Title V Operating Permit contains all of the applicable regulatory requirements including monitoring, recordkeeping, reporting and emission limits.

09-00122.: Arkema, Inc.—Altuglas International (100 PA Route 413, Bristol, PA 19007) on December 10, 2009, for a minor modification of TVOP No. 09-00122 for their facility in Bristol Township, **Bucks County**. The minor modification incorporates a condition that will permit the PM-1/PM-2 Scrubber system (Source C723) to operate in strict water and air conservation modes while effectively maintaining VOC and HAP emission control. The modified TVOP includes monitoring, recordkeeping, reporting, and work practice requirements designed to keep the facility operating within all applicable air quality requirements. Minor modification of TVOP No. 09-00122 is issued under the Air Pollution Control Act (35 P. S. §§ 4001—4015) and 25 Pa. Code § 127.462.

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.

17921602 and NPDES Permit # PA0214191, King Coal Sales, Inc., (P. O. Box 712, Phillipsburg, PA 16866), to renew the permit for the Cunard Coal Preparation Facility in Morris Township, **Clearfield County** and related NPDES permit. No additional discharges. Application received: June 22, 2009. Permit issued: December 9, 2009.

30830701 and NPDES Permit # PA021424, Consolidation Coal Company, (CNX Center, 1000 Consol Energy Drive, Canonsburg, PA 15317), to renew the permit for the Dilworth Rock Disposal Area in Cumberland Township, **Greene County** and related NPDES permit. No additional discharges. Application received: July 15, 2009. Permit issued: December 9, 2009.

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

32080102 and NPDES No. PA0262595. Britt Energies, Inc., 2450 Philadelphia Street, Indiana, PA 15701, transfer of an existing bituminous surface mine from Alverda Enterprises, Inc. located in Pine Township, **Indiana County**, affecting 85.2 acres. Receiving stream(s):

Leonard Run classified for the following use(s): cold water fishery. There are no potable water supply intakes within 10 miles downstream. Application received: May 22, 2009. Permit issued: December 7, 2009.

56080109 and NPDES No. PA0262706. PBS Coals, Inc., P. O. Box 260, Friedens, PA 15541, commencement, operation and restoration of a bituminous surface and auger mine in Somerset Township, **Somerset County**, affecting 320.7 acres. Receiving stream(s): UNTs to Wells Creek to Stonycreek River classified for the following use(s): cold water fishery. There are no potable water supply intakes within 10 miles downstream. Application received: October 29, 2008. Permit issued: December 7, 2009.

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

17080104 and NPDES Permit No. PA0256846. P & N Coal Co, Inc. (P. O. Box 332, Punxsutawney, PA 15767), commencement, operation and restoration of a bituminous and auger permit in Ferguson Township, **Clearfield County** affecting 233.6 acres. Receiving stream(s): Snyder Run to Chest Creek to the West Branch of the Susquehanna River. Application received: March 26, 2008. Permit issued: December 3, 2009.

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

54030202R. Michael Coal Company, (P. O. Box 1, Wiconisco, PA 17097), renewal of an existing anthracite coal refuse reprocessing operation in Reilly Township, **Schuylkill County** affecting 70.6 acres, receiving stream: none. Application received: October 14, 2008. Renewal issued: December 8, 2009.

Noncoal Permits Actions

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

63800201 and NPDES Permit No. PA0125857. Lafarge North America, Inc. (555 Frost Road, Suite 100, Streetsboro, OH 44241). NPDES renewal issued for continued operation and reclamation of a large noncoal surface mining site located in Hanover and Jefferson Townships, **Washington County**, affecting 85.5 acres. Receiving stream: Harmon Run. Application received: October 15, 2009. NPDES Renewal issued: December 8, 2009.

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

7475SM10A1C8 and NPDES Permit No. PA0123242. Essroc Cement Corp., (3251 Bath Pike, Nazareth, PA 18064), correction to an existing quarry operation in Nazareth Borough and Upper Nazareth Township, **Northampton County** affecting 176.0 acres, receiving stream: unnamed tributary to East Branch Monocacy Creek. Application received: April 9, 2009. Correction issued: December 8, 2009.

ACTIONS ON BLASTING ACTIVITY APPLICATIONS

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

Blasting Permits Actions

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

14094006. Douglas Explosives, Inc. (P. O. Box 77, Philipsburg, PA 16866), construction blasting for Aikens Project Business Park located in Harris Township, **Centre County**. Permit issued: December 9, 2009. Permit expires: December 31, 2010.

17094014. Douglas Explosives, Inc. (664 Graham Station Road, Philipsburg, PA 16866), gas exploration blasting (Roaring Rock 3D) located in Bradford Township, **Clearfield County**. Permit issued: December 8, 2009. Permit expires: December 7, 2010.

41094007. P G E (120 Market St., Warren, PA 16365), blasting for a pit for gas well drilling located in Gamble Township, **Lycoming County**. Permit issued: December 8, 2009. Permit expires: July 30, 2010.

41094008. P G E (120 Market St., Warren, PA 16365), blasting for a pit for gas well drilling located in Cummings Township, **Lycoming County**. Permit issued: December 8, 2009. Permit expires: July 30, 2010.

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

23094101. American Infrastructure, Inc. (P. O. Box 98, Worcester, PA 19490), construction blasting for Llanerch Quarry Reclamation Class 1 in Haverford Township, **Delaware County** with an expiration date of December 1, 2010. Permit issued: December 7, 2009.

36094181. TJ Angelozzi, Inc. (7845 Kabik Court, Woodbine, MD 21797), construction blasting for Hawthorne Ridge in Lancaster Township, **Lancaster County** with an expiration date of February 27, 2010. Permit issued: December 7, 2009.

36094182. TJ Angelozzi, Inc. (7845 Kabik Court, Woodbine, MD 21797), construction blasting for Hawthorne Ridge in Lancaster Township, **Lancaster County** with an expiration date of March 27, 2010. Permit issued: December 7, 2009.

58094108. Meshoppen Blasting, Inc. (P. O. Box 127, Meshoppen, PA 18630), construction blasting for Chief Teel 2 in Springville Township, **Susquehanna County** with an expiration date of December 31, 2009. Permit issued: December 7, 2009.

52094002. Northeast Blasting, (403 Middle Creek Road, Honesdale, PA 18431), construction blasting for A & B Homes House Foundation in Dingman Township, **Pike County** with an expiration date of November 1, 2010. Permit issued: December 7, 2009.

58094016. PGS Onshore, (417 Grow Avenue, Montrose, PA 18801) and Omni Energy Services, (P. O. Box 3761, Lafayette, LA 70502), construction blasting for Friendsville 3D PPV Test in Apolacon and Franklin Townships, **Susquehanna County** with an expiration date of December 30, 2009. Permit issued: December 7, 2009.

09094108. Geological Technologies, Inc. (P. O. Box 70, Falling Waters, WV 25419), construction blasting for Hilltown Township Walmart in Hilltown Township, **Bucks County** with an expiration date of December 3, 2010. Permit issued: December 8, 2009.

36094183. Keystone Blasting Service, (381 Reifsnnyder Road, Lititz, PA 17543), construction blasting for

Woodcrest Villa in East Hempfield Township, **Lancaster County** with an expiration date of June 30, 2010. Permit issued: December 8, 2009.

38094127. Warren's Excavating & Drilling, Inc. (P. O. Box 214, Myerstown, PA 17067), construction blasting for a single dwelling in Jackson Township, **Lebanon County** with an expiration date of December 4, 2010. Permit issued: December 8, 2009.

36094184. TJ Angelozzi, Inc. (7845 Kabik Court, Woodbine, MD 21797), construction blasting for Hawthorne Ridge in Lancaster Township, **Lancaster County** with an expiration date of March 3, 2010. Permit issued: December 9, 2009.

36094185. TJ Angelozzi, Inc. (7845 Kabik Court, Woodbine, MD 21797), construction blasting for Hawthorne Ridge in Lancaster Township, **Lancaster County** with an expiration date of March 3, 2009. Permit issued: December 9, 2009.

36094186. TJ Angelozzi, Inc. (7845 Kabik Court, Woodbine, MD 21797), construction blasting for Hawthorne Ridge in Lancaster Township, **Lancaster County** with an expiration date of March 7, 2009. Permit issued: December 9, 2009.

36094187. Gerlach's Drilling & Blasting, (172 Bender Mill Road, Lancaster, PA 17603), construction blasting for Toy Train Museum in Paradise Township, **Lancaster County** with an expiration date of December 20, 2010. Permit issued: December 9, 2009.

FEDERAL WATER POLLUTION CONTROL ACT SECTION 401

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

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

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

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

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

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

Permits, Environmental Assessments and 401 Water Quality Certifications Issued:

WATER OBSTRUCTIONS AND ENCROACHMENTS

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

E36-863: Charles Doubts, Lancaster County Administrator, 150 North Queen Street, Lancaster, PA 17608-3480, Middle Creek Bridge Replacement, Ephrata Township, **Lancaster County**, ACOE Baltimore District.

To remove a single-span steel Pratt Truss bridge having a clear span of 36.5 feet, a width of 17.0 feet, and a minimum underclearance of 8.5 feet. The Pratt Truss bridge will be replaced by a timber covered bridge having a clear span of 60.5 feet, a width of 17.0 feet, and a minimum underclearance of 13.0 feet over Cocalico Creek (WWF) for the purpose of replacing a deteriorating bridge at a point just south of the intersection of Meadow Valley and Middle Creek Roads (Ephrata, PA Quadrangle 7.1 inches North; 15.1 inches W, Latitude: 40° 9' 52.13" N; Longitude: 76° 13' 57.1" W) in Ephrata Township, Lancaster County.

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

E49-303. City of Sunbury, 225 Market Street, Sunbury, PA 17801. Sunbury River Front Revitalization Project, in City of Sunbury, **Northumberland County**, ACOE Baltimore District (Sunbury, PA Quadrangle Latitude: 40° 51' 02"; Longitude: 76° 48' 15").

To establish a bank stabilization/rehabilitation project consisting of demolition and removal of failed structures, construction of a walking/access and maintenance trail, riparian buffer/bank stabilization, salvage and reconstruction of the WPA (Work Progress Administration), installation of new boulder, concrete and WPA walls, construction of an amphitheater, a marina and a temporary cofferdam to facilitate the work in the Susquehanna River. This project is intended to restore a historical shoreline and to provide added recreational benefit to the resource along with increasing the habitat potential aquatic species. This permit authorizes the demolition and removal of failing concrete structures, paving and trees. Additionally, this permit authorizes the construction, operation and maintenance of a joint public walking/access and maintenance

trail consisting of 6,021 cubic yards of select fill to reshape the floodway in a terraced configuration. This shall establish the walking/access and maintenance trail and mimic the bank configurations upstream and downstream of the project reach. This area will have a 6 inch layer of topsoil applied and will have a permanent erosion control matting installed to deter future erosion. The riparian buffer/bank stabilization will consist of 4,250 linear feet of R-6 riprap placed at a 2:1 slope from the bed to the low water elevation (deflated condition). All riprap will be keyed into the bed of the river a minimum of 24 inches below bed and to a width of 36 inches. R-6 riprap will be placed at a 3:1 slope from the low water elevation to the high water elevation (inflated condition) at which point a 12 foot riparian buffer of select fill will be placed at a slope of 6:1 to an approximate elevation of 431 feet. The riparian buffer will be planted with 5,120 square yards of vegetation and will span a total length of 3,840 linear feet. The riparian buffer/bank stabilization shall extend no further than 50 linear feet riverward from the current conditions. This distance is measured from the normal high water elevation from the inflated dam conditions. Salvage and reconstruction of the WPA wall will consist of dismantling the existing wall and reconstructing it in the original location and dimensions along with re-pointing 10,328 square feet of existing joints. New boulder walls, new concrete walls and new WPA walls shall be constructed in various locations along the entire reach. These walls will be installed in locations that the existing wall does not exist or in areas where the WPA wall has collapsed beyond repair. A total of 704 linear feet of stone retaining wall/WPA wall shall be constructed and a total of 1,743 linear feet of Pre-cast concrete shall be installed. An amphitheater consisting of seating and steps to facilitate entertainment will be placed along the existing river bank. This structure is located in the floodway and will not be water dependent. The amphitheater measures 68 linear feet upstream to downstream along the river bank and will be sloped to support all requirements for public access. The marina will consist of a 16 slip, 8 feet by 20 feet floatable dock that will extend 25 feet channelward of the high water elevation. The marina will occupy 7,514 square feet of the Susquehanna River. Revegetation of all disturbed acres will include grass, erosion control matting and the installation of new trees and shrubs. This permit also authorizes a temporary cofferdam to be installed, maintained and removed in its entirety upon termination. This cofferdam shall be constructed of sand bags and will begin at station 25+00 and extend upstream to station 71+60 for a total linear distance of 4,660 linear feet and a total river impact of 1.3 acres. The cofferdam is not to exceed 6 feet in height and shall have a 6 inch land side key trench for the poly liner that is woven within the dam. There are no wetlands impacted by this project although it impacts 2.99 acres of the existing channel in the inflated condition of the fabric-dam and 1.2 acres during the deflated condition. The project will consist of a total of 14.13 acres of earth disturbance of the existing channel and floodway of the Susquehanna River. This project is located between Bainbridge Bridge and Race Street and runs along Front Street. This permit also includes 401 Water Quality Certification.

E57-118. Grace M. Rekito, R. R. 1, Box 1054, Mildred, PA 18632-9374. Water Obstruction and Encroachment Joint Permit, in Cherry Township, **Sullivan County**, ACOE Susquehanna River Basin District (Laporte, PA Quadrangle N: 41° 29' 5.9"; W: 76° 22' 55.4").

To construct and maintain 80 linear feet of 24-inch HDPE culvert pipe and riprap apron measuring 8 linear feet long by 11.33 linear feet wide by 1.66 linear feet deep in an UNT to Birch Creek, located 0.8 mile north of the intersection of SR 0487 and SR 1006. This project proposes to permanently impact 90 linear feet of the UNT to Birch Creek, which is, designated a Cold Water Fishery and Wild Trout stream and does not propose to impact any jurisdictional wetlands. This permit was issued under Section 105.13(e) "Small Projects."

Cambria District: Environmental Program Manager; 286 Industrial Park Rd., Ebensburg, PA 15931-4119.

E0209-001. Department of Environmental Protection (Department), Bureau of Abandoned Mine Reclamation, Cambria Office, 286 Industrial Park Rd.,

Ebensburg, PA 15931. Abandoned Mine Drainage Treatment Project, in Harmar Township, **Allegheny County**, Pittsburgh ACOE District.

The applicant proposes to construct an access road to access an abandoned mine drainage drilling and borehole project to be constructed by the Department Bureau of Abandoned Mine Reclamation. The project will include the filling of 0.02 acre of PEM wetland, the construction of a permanent 985 foot long access road in the floodway of Deer Creek by removal of soil material and replacement with stable road material to the same elevation, and the construction of a ditch and stream outfall to convey mine drainage from three (3) boreholes to be drilled into an abandoned deep mine (New Kensington West, Quadrangle N: 9.8 inches; W: 13.0 inches).

SPECIAL NOTICES

CATEGORICAL EXCLUSION

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

Project Information:

<i>Project Applicant</i>	<i>Project Applicant's Address</i>	<i>Project Location (Municipality)</i>	<i>Project Location (County)</i>
Olyphant Borough Lackawanna County	113 Willow Street Olyphant, PA 18447	Olyphant Borough	Lackawanna

Description: The Borough proposes to rehabilitate existing combined sewers in the central downtown area by separation of storm sewers, construction of new separate storm sewer pipelines and inlets, and construction of new sanitary sewer pipelines and laterals. Separated stormwater flows will be directed to a separate municipal stormwater system. The Pennsylvania Infrastructure Investment Authority, which administers the Commonwealth's State Revolving Fund, is intended to be the funding source for this proposed project. The Department of Environmental Protection's (Department) review of the project and the information received has not identified any significant, adverse environmental impact resulting from this proposal. The Department hereby categorically excludes this project from the State Environmental Review Process.

Project Information:

<i>Project Applicant</i>	<i>Project Applicant's Address</i>	<i>Project Location (Municipality)</i>	<i>Project Location (County)</i>
Central Wayne Regional Authority	100 4th Street Suite 8 Honesdale, PA 18431	Honesdale Borough	Wayne

Description: The Authority proposes to rehabilitate existing combined sewers and CSO's in the Borough by separation of storm sewers, construction of new separate storm sewer pipelines and inlets, and new sanitary sewer pipelines and laterals. The project will also eliminate four (4) CSO's. Separated stormwater flows will be directed to a separate municipal stormwater system. The project will reduce hydraulic overload at the Authority's WWTP and eliminate wet weather discharges to the Lacawaxen River and Dyberry Creek from four (4) CSO's. The Pennsylvania Infrastructure Investment Authority, which administers the Commonwealth's State Revolving Fund, is intended to be the funding source for this proposed project. The Department of Environmental Protection's (Department) review of the project and the information received has not identified any significant, adverse environmental impact resulting from this proposal. The Department hereby categorically excludes this project from the State Environmental Review Process.

[Pa.B. Doc. No. 09-2378. Filed for public inspection December 24, 2009, 9:00 a.m.]

Board and Committee Meeting Schedules for 2010

The following is a list of 2010 meetings of advisory and other boards and committees associated with the Department of Environmental Protection (Department). These schedules and an agenda for each meeting, including meeting materials, will be available through the Public Participation Center on the Department's web site at <http://www.depweb.state.pa.us> (DEP Keywords: Public Participation, Participate). Prior to each meeting, the Department encourages individuals to visit their web site to confirm meeting date, time and location.

Persons in need of accommodations as provided for in the Americans With Disabilities Act of 1990 should contact the individual listed for each board or committee, or through the Pennsylvania AT&T Relay Service at (800) 654-5984 (TDD) to discuss how the Department may accommodate their needs.

Agricultural Advisory Board

The Agricultural Advisory Board will hold bimonthly meetings on the following dates. The meetings will begin at 10 a.m. at the Department's South Central Regional Office, Susquehanna Room A, 909 Elmerton Avenue, Harrisburg, PA, unless otherwise noted.

February 17, 2010
 April 21, 2010
 June 16, 2010
 August 18, 2010

8 a.m. start
 Department of Agriculture
 Samuel E. Hayes, Jr.
 Livestock Evaluation Center
 1494 West Pine Grove Road
 Pennsylvania Furnace, PA 16865

October 20, 2010
 December 15, 2010

Contact: Frank Schneider, Bureau of Watershed Management, P. O. Box 8465, Harrisburg, PA 17105-8465, (717) 772-5972, fschneider@state.pa.us.

Air Quality Technical Advisory Committee

The Air Quality Technical Advisory Committee will meet at 9:15 a.m. in Room 105 of the Rachel Carson State Office Building, 400 Market Street, Harrisburg, PA. The meeting dates are as follows:

February 18, 2010
 April 29, 2010
 June 17, 2010
 August 5, 2010
 October 21, 2010
 December 16, 2010

Contact: Arleen Shulman, Bureau of Air Quality, Division of Air Resources Management, P. O. Box 8468, Harrisburg, PA 17105-8468, (717) 772-3436, ashulman@state.pa.us.

Board of Coal Mine Safety

The 2010 meetings of the Board of Coal Mine Safety will begin at 10 a.m. in the Department's training room in the Fayette County Health Center, 100 New Salem Road, Uniontown, PA. The meeting dates are as follows:

March 17, 2010
 June 16, 2010
 September 15, 2010
 December 15, 2010

Contact: Allison Gaida, Bureau of Mine Safety, Fayette County Health Center, 100 New Salem Road, Room 167, Uniontown, PA 15401, (724) 439-7469 or e-mail agaida@state.pa.us.

Certification Program Advisory Committee (for Water and Wastewater System Operators)

The 2010 meetings of the Certification Program Advisory Committee will begin at 10 a.m. in Conference Room 105, First Floor, Rachel Carson State Office Building, 400 Market Street, Harrisburg, PA 17105. The meeting dates are as follows:

June 2, 2010
 September 16, 2010
 December 6, 2010

Contact: Cheri Sansoni, Bureau of Water Standards and Facility Regulation, Certification and Licensing, P. O. Box 8454, Harrisburg, PA 17105-8454, (717) 772-5158, csansoni@state.pa.us.

Chesapeake Bay Advisory Committee

The Chesapeake Bay Advisory Committee will hold quarterly meetings on the dates as follows. Meetings will be held starting at 10 a.m. in the Susquehanna Room, South Central Regional Office, 909 Elmerton Avenue, Harrisburg, PA, unless otherwise noted.

March 4, 2010—Room 105
 Rachel Carson State Office Building
 400 Market Street
 Harrisburg, PA

May 3, 2010
 July 7, 2010
 October 4, 2010

Contact: Dave Reed, Bureau of Watershed Management, P. O. Box 8465, Harrisburg, PA 17105-8465, (717) 772-5649, davreed@state.pa.us.

Citizens Advisory Council

Meetings of the Citizens Advisory Council meetings are held the third Tuesday of the month in Room 105 of the Rachel Carson State Office Building, 400 Market Street, Harrisburg, PA, except where noted. The meetings typically begin at 11 a.m. Prior to the meeting, it is recommended individuals check the meeting information on the CAC's web site at <http://www.depweb.state.pa.us/cac/> under "Meeting Information" to confirm meeting date, time and location.

January 19, 2010
 February 16, 2010
 March 16, 2010
 April 20, 2010
 May 19, 2010
 June 15, 2010
 July 20, 2010
 September 21, 2010
 October 19, 2010
 November 16, 2010

Contact: Patricia Davenport, Citizens Advisory Council, P. O. Box 8459, Harrisburg, PA 17105-8459, (717) 787-4527, padavenport@state.pa.us.

Coal and Clay Mine Subsidence Insurance Fund Board

The Coal and Clay Mine Subsidence Insurance Fund Board will hold meetings in 2010 as follows. The meetings will begin at 10 a.m. and will be held in the 10th Floor Conference Room of the Rachel Carson State Office Building, 400 Market Street, Harrisburg, PA. Prior to each meeting, it is recommended that individuals visit the Department's web site at <http://www.depweb.state.pa.us> (DEP Keywords: "Public Participation, Participate") to confirm meeting date, time and location.

December 15, 2010

Contact: Lawrence Ruane, Bureau of Mining and Reclamation, P. O. Box 8461, Harrisburg, PA 17105-8461, (717) 783-9590, lruane@state.pa.us.

Coastal Zone Advisory Committee

Meetings of the Coastal Zone Advisory Committee will be held as indicated. The meetings will begin at 9:30 a.m. in the 10th Floor Conference Room of the Rachel Carson State Office Building, 400 Market Street, Harrisburg, PA. Prior to each meeting, it is recommended that individuals visit the Department's web site at <http://www.depweb.state.pa.us> (DEP Keywords: "Public Participation, Participate") to confirm meeting date, time and location.

January 13, 2010
 June 2, 2010

Contact: Jeff Dewey, Water Planning Office, P. O. Box 2063, Harrisburg, PA 17105-2063, (717) 772-4785, jdewey@state.pa.us.

Environmental Justice Advisory Board

The Environmental Justice Advisory Board will hold its 2010 meetings as indicated. The meetings are expected to begin at 8:30 a.m. in the Delaware Room, 16th Floor, Rachel Carson State Office Building, 400 Market Street, Harrisburg, PA. The meeting dates are as follows:

February 4, 2010
 May 4, 2010
 August 3, 2010
 November 16, 2010

Contact: Tammy Adams, Office of Environmental Advocate, Rachel Carson State Office Building, P. O. Box 2063, Harrisburg, PA 17105-2063, (717) 772-1856, taadams@state.pa.us.

Environmental Quality Board

Meetings of the Environmental Quality Board will be held in Room 105 of the Rachel Carson State Office Building, 400 Market Street, Harrisburg, PA, and will begin at 9 a.m. Meetings will only be held when there are a sufficient number of agenda items for consideration. The meeting dates are as follows:

January 19, 2010
 February 16, 2010
 March 16, 2010
 April 20, 2010
 May 19, 2010
 June 15, 2010
 July 20, 2010
 August 17, 2010
 September 21, 2010
 October 19, 2010
 November 16, 2010
 December 21, 2010

Contact: Michele Tate, Environmental Quality Board, P. O. Box 8477, Harrisburg, PA 17105-8477, (717) 783-8727, mtate@state.pa.us.

Laboratory Accreditation Advisory Committee

The Laboratory Accreditation Advisory Committee will hold meetings in 2010 as indicated. The meetings will be held from 10 a.m. until 3 p.m. in Room 206 of the Bureau of Laboratories Building, 2575 Interstate Drive, Harrisburg, PA 17110. Prior to the meeting, it is recommended individuals check the meeting information on the Department's web site at <http://www.depweb.state.pa.us> (choose "Calendar of Events") to confirm meeting date, time and location.

March 11, 2010
 June 10, 2010
 September 9, 2010
 December 9, 2010

Contact: Aaren Shaffer Alger, Bureau of Laboratories, P. O. Box 1467, Harrisburg, PA 17105-1467, (717) 346-7200, aaalger@state.pa.us.

Low-Level Waste Advisory Committee

The Low-Level Waste Advisory Committee will meet on October 1, 2010, from 10 a.m. to 1 p.m. in Room 105, Rachel Carson State Office Building, 400 Market Street, Harrisburg, PA.

Contact: Rich Janati, Bureau of Radiation Protection, P. O. Box 8469, Harrisburg, PA 17105-8469, (717) 787-2147, rjanati@state.pa.us.

Mine Families First Response and Communications Advisory Council

The Mine Families First Response and Communications Advisory Council is scheduled to hold its annual meeting

on April 22, 2010, in the Department's training room in the Fayette County Health Center, 100 New Salem Road, Uniontown, PA.

Contact: Allison Gaida, Bureau of Mine Safety, Fayette County Health Center, 100 New Salem Road, Room 167, Uniontown, PA 15401, (724) 439-7469 or e-mail agaida@state.pa.us.

Mining and Reclamation Advisory Board

The Mining and Reclamation Advisory Board will hold quarterly meetings in 2008 as indicated. Meetings will begin at 10 a.m. and will be held in Room 105, Rachel Carson State Office Building, 400 Market Street, Harrisburg, PA, unless otherwise noted. The meeting dates are as follows:

January 7, 2010
 April 22, 2010
 July 1, 2010—(location TBA)
 October 28, 2010

Contact: James Charowsky, Bureau of Mining and Reclamation, P. O. Box 8461, Harrisburg, PA 17105-8461, (717) 787-7007, jcharowsky@state.pa.us.

Oil and Gas Technical Advisory Board

The Oil and Gas Management Technical Advisory Board will hold two meetings as indicated. The meetings will be held from 10 a.m. to 1 p.m. in the 10th Floor Conference Room of the Rachel Carson State Office Building, 400 Market Street, Harrisburg, PA, unless otherwise noted.

January 21, 2010
 March 18, 2010
 June 10, 2010

Rachel Carson State Office Building
 Room 105
 400 Market Street
 Harrisburg, PA

September 16, 2010

Contact: Carol Daniels, Bureau of Oil and Gas Management, P. O. Box 8765, Harrisburg, PA 17105-8765, (717) 772-2100, cardaniels@state.pa.us.

Radiation Protection Advisory Committee

The Radiation Protection Advisory Committee will hold two meetings in 2010 as indicated. The meetings will be held from 9 a.m. to 3 p.m. in the 14th Floor large Conference Room in the Rachel Carson State Office Building, 400 Market Street, Harrisburg, PA.

April 8, 2010
 October 21, 2010

Contact: Joseph Melnic, Bureau of Radiation Protection, P. O. Box 8469, Harrisburg, PA 17105-8469, (717) 787-3720, jmelnic@state.pa.us.

Recycling Fund Advisory Committee

The Recycling Fund Advisory Committee will meet on the date listed. The meeting is expected to begin at 10 a.m. and will be held in Room 105 of the Rachel Carson State Office Building, 400 Market Street, Harrisburg, PA.

September 9, 2010

Contact: Patricia Stape, Bureau of Waste Management, P. O. Box 8471, Harrisburg, PA 17105-8471, (717) 787-9871, pstape@state.pa.us.

Regional Water Resources Committees (for the State Water Plan)

Details concerning the 2010 meetings of the six Water Resources Regional Committees, created under 27 Pa.C.S. Chapter 31 (relating to water resources planning) to help guide the development of a new State Water Plan, are as follows:

Ohio Regional Water Resources Committee

February 1, 2010, beginning at 10 a.m.
Westmoreland Conservation District
218 Donohoe Road
Greensburg, PA 15601

Great Lakes Regional Water Resources Committee

February 2, 2010, beginning at 9 a.m.
Erie County Conservation District
Headwaters Park
1927 Wager Road
Erie, PA 16509

Delaware Regional Water Resources Committee

February 12, 2010, beginning at 9:30 a.m.
Department Southeast Regional Office
2 East Main Street
Norristown, PA 19401

Lower Susquehanna Regional Water Resources Committee

February 8, 2010, beginning at 9:30 a.m.
Department Southcentral Regional Office
909 Elmerton Avenue
Harrisburg, PA 17110

Upper Middle Susquehanna Regional Water Resources Committee

February 17, 2010, beginning at 10 a.m.
Department Northcentral Regional Office
208 West Third Street, Suite 101
Williamsport, PA 17701

Potomac Regional Water Resources Committee

February 19, 2010, beginning at 10 a.m.
Franklin County Administrative Annex
218 North Second Street
Chambersburg, PA 17201

Contact: Lori Mohr, Water Planning Office, P. O. Box 2063, Harrisburg, PA 17105-2063, (717) 787-4628, laumohr@state.pa.us.

Sewage Advisory Committee

The Sewage Advisory Committee will meet on the dates listed. All meetings will begin at 10:30 a.m. and will be held in Room 105 of the Rachel Carson State Office Building, 400 Market Street, Harrisburg, PA. The meeting dates are as follows:

March 10, 2010
June 9, 2010
September 15, 2010
November 10, 2010

Contact: John McHale, Bureau of Water Standards and Facility Regulation, P. O. Box 8774, Harrisburg, PA 17105-8774, (717) 783-2290, jomchale@state.pa.us.

Small Business Compliance Advisory Committee

The Small Business Compliance Advisory Committee will hold quarterly meetings as indicated. The meetings will begin at 10 a.m. in the 12th Floor Conference Room of the Rachel Carson State Office Building, 400 Market Street, Harrisburg, PA. Prior to the meeting, it is recommended individuals visit the Department's web site at <http://www.depweb.state.pa.us> (DEP Keywords: "Small Business, Small Business Help"), to confirm meeting date, time and location.

Contact: Susan Foster, Bureau of Air Quality, P. O. Box 8468, Harrisburg, PA 17105-8468, (717) 787-7019, sufoster@state.pa.us.

Small Water Systems Technical Assistance Center Advisory Board

The Small Water Systems Technical Assistance Center Advisory Board meetings for 2010 will be held at 10 a.m. in Room 105 of the Rachel Carson State Office Building, 400 Market Street, Harrisburg, PA. The meeting dates are as follows:

January 14, 2010
May 21, 2010
August 26, 2010
November 17, 2010

Contact: Janet Fisher, Bureau of Water Standards and Facility Regulation, P. O. Box 8467, Harrisburg, PA 17105-8467, (717) 787-0122, janfisher@state.pa.us.

Solid Waste Advisory Committee

The Solid Waste Advisory Committee will meet on the following dates. All meetings are expected to begin at 10 a.m. and will be held in Room 105, Rachel Carson State Office Building, 400 Market Street, Harrisburg, PA.

February 11, 2010
April 8, 2010
September 10, 2010 (joint meeting with the Recycling Fund Advisory Committee)
November 4, 2010

Contact: Patricia Stape, Bureau of Waste Management, P. O. Box 8471, Harrisburg, PA 17105-8471, (717) 787-9871, pstape@state.pa.us.

State Board for Certification of Sewage Enforcement Officers

The 2010 meetings of the State Board for Certification of Sewage Enforcement Officers have not been scheduled. Notices for upcoming meetings will be published in future editions of the *Pennsylvania Bulletin*.

Contact: Cheri Sansoni, Bureau of Water Standards and Facility Regulation, P. O. Box 8454, Harrisburg, PA 17105-8454, (717) 772-5158, csansoni@state.pa.us.

The 2010 meetings of the State Board for Certification of Water and Wastewater Systems Operators will begin at 10 a.m. in the Rachel Carson State Office Building, 400 Market Street, Harrisburg, PA 17105-8454. The meeting dates and locations are as follows:

March 26, 2010	Conference Call—11B Conference Room, 11th Floor
June 18, 2010	Meeting in 10th Floor Conference Room in RCSOB
September 24, 2010	Conference Call—8th Floor Conference Room
December 17, 2010	Conference Call—8th Floor Conference Room

Questions concerning the meetings can be directed to Cheri Sansoni at (717) 772-5158 or by e-mail to csansoni@state.pa.us. The agenda and meeting materials will be available through the Public Participation Center on the Department of Environmental Protection's web site at <http://www.depweb.state.pa.us> (DEP Keyword: Public Participation).

Persons in need of accommodations as provided for in the Americans With Disabilities Act of 1990 should contact Cheri Sansoni at (717) 772-5158, or through the Pennsylvania AT&T Relay Service at (800) 654-5984 (TDD users), or (800) 654-5988 (voice users), to discuss how the Department may accommodate their needs.

Statewide Water Resources Committee

Meetings of the Statewide Water Resources Committee will be held in Room 105 of the Rachel Carson State Office Building, 400 Market Street, Harrisburg, PA, unless otherwise noted. Meeting dates are as follows:

April 28, 2010—Fish and Boat Commission Headquarters
1601 Elmerton Avenue
Harrisburg, PA 17110

September 29, 2010

Contact: Lori Mohr, Water Planning Office, P. O. Box 2063, Harrisburg, PA 17105-2063, (717) 787-4628, laumohr@state.pa.us.

Storage Tank Advisory Committee

Meetings of the Storage Tank Advisory Committee will be held in the 14th Floor Conference Room, Rachel Carson State Office Building, 400 Market Street, Harrisburg, PA, and will begin at 10 a.m. Meetings will only be held when there are a sufficient number of agenda items for consideration. The meeting dates are as follows:

March 9, 2010
June 8, 2010
September 14, 2010
December 7, 2010

Contact: Charles M. Swokel, Chief, Division of Storage Tanks, Bureau of Waste Management, P. O. Box 8762, Harrisburg, PA 17105-8762, (717) 772-5806, (800) 42-TANKS (within the Commonwealth), cswokel@state.pa.us.

Technical Advisory Committee On Diesel-Powered Equipment

The Technical Advisory Committee on Diesel-Powered Equipment announces its schedule of 2010 meetings. All meetings will be held at 10 a.m. in the Fayette County Health Center in Uniontown, PA. The meeting dates are:

January 13, 2010
April 14, 2010
July 14, 2010
October 13, 2010

Contact: Allison Gaida, Bureau of Mine Safety, Fayette County Health Center, 100 New Salem Road, Room 167, Uniontown, PA 15401, (724) 439-7469 or e-mail agaida@state.pa.us.

Water Resources Advisory Committee

The Water Resources Advisory Committee meetings for 2008 will be held at 9:30 a.m. in Room 105 of the Rachel Carson State Office Building, 400 Market Street, Harrisburg, PA. The meeting dates are as follows:

February 10, 2010
April 14, 2010
July 14, 2010
October 13, 2010

Contact: Phil Consonery, Bureau of Water Standards and Facility Regulation, P. O. Box 8466, Harrisburg, PA 17105-8467, (717) 772-2184, pconsonery@state.pa.us.

JOHN HANGER,
Secretary

[Pa.B. Doc. No. 09-2379. Filed for public inspection December 24, 2009, 9:00 a.m.]

Nutrient and Sediment Reduction Credit Trading Program

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

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

The actions described in this notice relate to: (1) submitted proposals; (2) approved proposals; and (3) registered credits, through December 7, 2009.

Background

Before a credit can be used by an NPDES permittee, a three-step process is followed: (1) the credit or offset proposal must be approved; (2) it must be verified; and (3) it must be registered.

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

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

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

The Department has received 78 proposals that have

been submitted for review to generate nutrient reduction credits in the Chesapeake Bay Watershed. Of those, 55 have been approved, one has been withdrawn and the remaining need additional clarification prior to certification.

Proposals under Review

There are no new proposals.

Certifications

There are no new certifications.

Verifications and Registrations

<i>Buyer</i>	<i>Seller</i>	<i>Credits Registered</i>	<i>Credit Generating Activity</i>	<i>Compliance Year</i>
Tamarack Mobile Home Park	Chesapeake Nutrient Management	22 Phosphorous	Poultry manure export	October 2008—September 2009

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

JOHN HANGER,
Secretary

[Pa.B. Doc. No. 09-2380. Filed for public inspection December 24, 2009, 9:00 a.m.]

Proposed Revision to Pennsylvania's State Implementation Plan; Fine Particulate Matter "Infrastructure" Requirements

Section 110 of the Federal Clean Air Act (CAA) requires states to develop State Implementation Plans (SIP) and programs to meet the National Ambient Air Quality Standards (NAAQS) established by the United States Environmental Protection Agency (EPA) to protect public health and welfare. Section 110 of the CAA sets forth general elements for the implementation of SIPs. Section 110(a)(2) of the CAA requires states to submit SIP revisions to the EPA Administrator that provide for implementation, maintenance and enforcement of the NAAQS.

The Department of Environmental Protection (Department) is seeking comment on a SIP revision that describes the Commonwealth's compliance with section 110(a)(2) of the CAA (42 U.S.C.A. §§ 7410(a)(2)) addressing the NAAQS for fine particulates (PM_{2.5}) established by EPA in September 2006, and that also describes the Commonwealth's compliance with section 110(a)(2)(G) addressing the PM_{2.5} NAAQS promulgated by EPA in 1997. States are required to submit these SIP revisions 3 years from the date a new or revised NAAQS is signed by EPA. The proposed SIP revision is available on the Department's web site at www.depweb.state.pa.us (choose Air Plans) or through the contact persons listed.

The Department will hold a public hearing to receive comments on the proposed SIP revision only if a request for a public hearing is received from a member of the public. A request for a public hearing must be received by 4 p.m. on Monday, January 25, 2010. If a request for a public hearing is received by 4 p.m. on Monday, January 25, 2010, the public hearing will be held on Thursday, January 28, 2010, at 2 p.m. at the Department's Southcentral Regional Office, 909 Elmerton Avenue, Susquehanna Room A, Harrisburg, PA. If no request for

public hearing is received by 4 p.m. on Monday, January 25, 2010, the hearing will be cancelled and notice of the cancellation will be published on Tuesday, January 26, 2010, by 12 p.m., on the Department's web site at www.depweb.state.pa.us (DEP Keywords: Air Plans). Interested parties may also call (717) 787-9495 to find out if the hearing has been cancelled.

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

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

The Department must receive comments no later than Friday, January 29, 2010. Written comments should be sent to the attention of Arleen Shulman, Division of Air Resource Management, Bureau of Air Quality, P. O. Box 8468, Harrisburg, PA 17105-8468, or ashulman@state.pa.us.

JOHN HANGER,
Secretary

[Pa.B. Doc. No. 09-2381. Filed for public inspection December 24, 2009, 9:00 a.m.]

DEPARTMENT OF HEALTH

Application of Craig Mezrow, MS, MD, FACS for Exception

Under 28 Pa. Code § 51.33 (relating to requests for exceptions), the Department of Health (Department) gives notice that Craig Mezrow, MS, MD, FACS has requested an exception to the requirements of 28 Pa. Code § 153.1 (relating to minimum standards), which requires compliance with minimum standards contained in the following publication: *Guidelines for Design and Construction of Hospitals and Healthcare Facilities*. The facility specifically requests exception from the following standards contained in this publication: 2.3.1.3 (size and location Class C operating room), A1.2.1(b) (single waiting room), 2.4.2.2 (space requirement), 2.4.2.1 (Phase II recovery), 2.5.7.3 (general equipment and supply), 2.5.7.4 (stretcher storage), 2.6.2 (staff clothing change area), 2.7.1 (outpatient surgery change area) and 5.2.1.1 (corridor width).

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

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

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

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

EVERETTE JAMES,
Secretary

[Pa.B. Doc. No. 09-2382. Filed for public inspection December 24, 2009, 9:00 a.m.]

Application of The Washington Hospital for Exception; Correction

A notice for The Washington Hospital was incorrectly published at 39 Pa.B. 6599 (November 14, 2009) as a request for exception to 28 Pa. Code § 107.2 (relating to medical staff membership). The request for exception should have been for 28 Pa. Code § 143.5 (relating to medical supervision of podiatric patients).

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

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

Persons with a disability who wish to obtain a copy of a request and require an auxiliary aid, service or other accommodation to do so should contact the Division at the previously listed address or phone number, or for speech and/or hearing impaired persons V/TT (717) 783-6514, or the Pennsylvania AT&T Relay Service at (800) 654-5984.

EVERETTE JAMES,
Secretary

[Pa.B. Doc. No. 09-2383. Filed for public inspection December 24, 2009, 9:00 a.m.]

DEPARTMENT OF PUBLIC WELFARE

Disproportionate Share and Supplemental Hospital Payments

Purpose of Notice

The Department of Public Welfare (Department) is providing final notice of the distribution of funding for Fiscal Year (FY) 2009-2010 inpatient disproportionate share hospital (DSH), outpatient DSH and direct medical education payments based upon the final FY 2009-2010 Commonwealth budget.

The Department published notice of its intent to reduce funding for inpatient DSH, outpatient DSH and direct medical education payments for FY 2009-2010 at 39 Pa.B. 5669 (September 26, 2009). The Department also indicated that it would provide notice of the actual amount of funds available for these payments based on the enacted budget for FY 2009-2010. The Department received no public comments during the 30-day public comment period, and will implement the actual funding allocations detailed in this final notice.

The Department is allocating \$35.690 million in State General Funds for inpatient DSH payments with no change in the current methodology for determining eligibility for those payments. For FY 2009-2010, the aggregate amount of inpatient DSH payments is not to exceed \$78.977 million in total funds.

The Department is allocating \$17.082 million in State General Funds for outpatient DSH payments with no change in the current methodology for determining eligibility for those payments. For FY 2009-2010, the aggregate amount of outpatient DSH payments is not to exceed \$50.022 million in total funds.

The Department is allocating \$21.860 million in State General Funds for direct medical education payments with no change in the current methodology for determining eligibility for those payments. For FY 2009-2010, the aggregate amount of direct medical education payments is not to exceed \$64.011 million in total funds.

Fiscal Impact

The FY 2009-2010 savings, as a result of these reductions is \$35.069 million (\$11.976 million in State General Funds).

ESTELLE B. RICHMAN
Secretary

Fiscal Note: 14-NOT-627. No fiscal impact; (8) recommends adoption.

[Pa.B. Doc. No. 09-2384. Filed for public inspection December 24, 2009, 9:00 a.m.]

DEPARTMENT OF REVENUE

Interest Rate Notice

Under the provisions of sections 806 and 806.1 of the Fiscal Code (72 P. S. §§ 806 and 806.1), the Secretary of Revenue announces that, for the year commencing January 1, 2010, all underpayments of tax which became due and payable to the Commonwealth on and after January 1, 1982, shall bear interest at the rate of 4% per annum. All overpayments of the tax imposed under Article III of the Tax Reform Code of 1971 (72 P. S. §§ 7301—7361), which became due and payable to the Commonwealth on and after January 1, 1982, shall bear interest at the rate of 4% per annum. All other overpayments of tax which became due and payable to the Commonwealth on and after January 1, 1982, shall bear interest at the rate of 2% per annum. These rates will remain constant until December 31, 2010. These rates will be codified under 61 Pa. Code § 4.2(a) (relating to rate of interest).

These rates have been established based upon the rate established by the Secretary of the Treasury of the United States under the provisions of section 6621(a)(2) of the Internal Revenue Code to be effective January 1, 2010.

Although the Tax Reform Act of 1986 amended the Internal Revenue Code section 6621, by requiring that the Secretary of the Treasury of the United States establish quarterly rates of interest to become effective for Federal purposes on the first month of each calendar quarter, these amendments do not affect Commonwealth law. The Fiscal Code requires that the interest rate be established effective January 1 of each calendar year without regard to any change in the Federal interest rate during the calendar year.

STEPHEN H. STETLER,
Secretary

[Pa.B. Doc. No. 09-2385. Filed for public inspection December 24, 2009, 9:00 a.m.]

Taxable and Exempt Property

The Department of Revenue (Department) is hereby giving notice to the public, in accordance with the provisions of 61 Pa. Code §§ 52.1 and 58.1 (relating to purchases of medicines, medical supplies, medical equipment and prosthetic or therapeutic devices; and publication of the list of taxable and exempt tangible personal property) of additions, deletions and revisions to the list of taxable and exempt property under the sales and use tax provi-

sions of the TRC published at 36 Pa.B. 5746 (September 9, 2006). Under §§ 52.1 and 58.1, this list is required to be published by notice at least once every 3 years. In addition, quarterly the Department will publish notice of any additions, deletions or revisions to the list.

Copies of the Retailers' Information Booklet may be obtained by calling the 24-hour answering service numbers for forms ordering: Nationwide (800) 362-2050; and TT only (800) 447-3020.

Index to Categories

<i>Title</i>	<i>Category</i>
Books and Stationery	(1)
Business Supplies and Equipment	(2)
Clothing and Accessories	(3)
Cosmetics and Toilet Goods	(4)
Farming Supplies and Equipment	(5)
Flowers, Seeds, Fertilizers, and the like	(6)
Food and Beverages Sold From a Caterer or Establishment Serving Ready-to-Eat Food	(7)
Food and Beverages Sold From Other than a Caterer or Establishment Selling Ready-to-Eat Food	(8)
Hair Goods and Notions	(9)
Hobby Supplies, Toys, Games, Radios, Recorders, and the like	(10)
Home Sewing, Millinery and Craft Supplies	(11)
Household Goods and Supplies	(12)
A. Soaps and Detergents	
B. Cleaning and Polishing Preparations	
C. Paper Goods	
D. Wrapping Supplies	
Infant Supplies	(13)
Jewelry	(14)
Luggage, Handbags, Carrying Bags, Wallets, and the like	(15)
Medicine, Drugs and Medical Supplies; Prosthetic and Therapeutic Devices	(16)
Miscellaneous	(17)
Optical Goods	(18)
Pets	(19)
Religious Articles	(20)
Restaurant Equipment and Supplies	(21)
Shoes and Shoe Accessories	(22)
Sporting Equipment, Clothing, Supplies and Recreational Equipment	(23)
Tobacco Products	(24)
Utilities and Fuel	(25)
Tires, Motor Vehicle, Leases and Rental (PTA Tax)	(26)
Vehicle Rental Tax (VRT)	(27)

Listing of Taxable and Exempt Property

T—TAXABLE

NT—NONTAXABLE

***—INDICATES CHANGE OR CLARIFICATION**

****—INDICATES NEW ITEM**

(1) *Books and Stationery*

Tax is imposed on books, stationery and stationery supplies, including Bibles and religious publications sold by religious groups.

T—Bibles

T—Comic books

T—Crossword, game books

T—Dictionaries

T—Greeting Cards

T—Instruction books for needle-craft, embroidery, knitting, and the like

NT—Mail order catalogues

NT—Newspapers of general circulation qualified to carry a legal advertisement

T—Periodicals and magazines not purchased by subscription

NT—Periodicals and magazines purchased by subscription

*T—School supplies, except when sold directly to a school district or qualified nonprofit educational institution

NT—Textbooks, when sold by a school or an authorized book store

(2) *Business Supplies and Equipment*

Generally, sales of business supplies and equipment used in construction, repair, and the like, of real estate are taxable.

T—Amusement and record playing devices

*T—Building materials, supplies, and equipment used in construction, repair, and the like, of real estate, except building machinery and equipment purchased by or for certain exempt entities

T—Business forms such as invoices, order books, and the like

T—Cash register receipt paper

T—Canned computer software and licenses to use, regardless of method of delivery

NT—Direct mail advertising materials, including calendars, matchbooks, and the like

T—Display cases and merchandising equipment

NT—Dry ice, when sold for internal packaging with the sale of property to others

T—Fans

T—Signs, circulars, show cards and posters

T—Vending machines and equipment

NT—Wrapping supplies used in connection with the sale of products

(3) *Clothing and Accessories*

Generally, clothing is nontaxable except the following: (1) Formal day or evening apparel; (2) Articles made of real, imitation or synthetic fur, where the fur is more than three times the value of the next most valuable component material; and (3) Sporting goods and clothing normally worn or used when engaged in sports (See Category 23).

T—Accessories and ornamental wear

NT—Aprons

NT—Belts and suspenders

*T—Biking clothing

NT—Boots and shoes, designed for everyday wear

T—Bridal apparel and accessories

T—Corsages and boutonnieres

T—Costumes—Halloween, Christmas, and the like

NT—Dress shields

T—Formal clothing, including mother of the bride and flower girl dresses.

T—Fur, articles made of fur on hide or pelt, or any material imitative of fur, and articles of which fur, real, imitation, or synthetic, is the component material of chief value; and fur trimmed articles, if the value of fur is more than three times the value of the next most valuable component material. Felt, wool or fabric is not taxable unless it resembles fur on the hide.

NT—Garters and garter belts

NT—Girdles

T—Gloves, baseball, golf, racquet, and the like

*NT—Gloves, cloth, leather, kid, for everyday wear

T—Gloves, sheepskin, fur, rubber

T—Graduation caps and gowns

NT—Gym suits

T—Handkerchiefs

NT—Headwear and millinery, all types

NT—Hosiery, pantyhose, and peds

NT—Hunting clothing, including camouflage and blaze orange

NT—Leotards and tights

NT—Leather wearing apparel

NT—Lingerie

**NT—Maternity clothing for everyday wear

NT—Neckwear, ties

NT—Nightgowns

T—Prom dresses

NT—Rainwear

NT—Receiving blankets

*NT—Repairing of wearing apparel

T—Safety clothing—(See Category 17)

NT—Scarves, for headwear and neckwear

NT—Scout uniforms and camp clothes

T—Sheepskin coats

NT—Stockings, including support-hose

NT—Suspenders

NT—T-shirts, imprinted

T—Tuxedos

T—Umbrellas

NT—Underclothing

NT—Work clothes, work uniforms

NT—Yard goods (to make clothing)

(4) *Cosmetics and Toilet Goods*

T—After shave creams, lotions, powders

T—Antiperspirants

T—Aromatherapy products (Candles, oils, washes, and the like)

T—Atomizers containing perfume and other liquids

T—Bath milks, oils, powders, salts, tablets, crystals, and the like

T—Bath and shower gels, and body shampoos

T—Bleach creams and lotions

T—Blush, rouges

T—Body lotion and creams
 T—Breath fresheners and breath sprays
 T—Bubble bath preparations
 T—Cocoa butter, if advertised or labeled for toilet purposes
 T—Colognes
 T—Compacts containing blush or powder, compact refills
 T—Cosmetics
 T—Creams, protective (having cosmetic claims or use as skin creams, antiperspirants)
 T—Creams, cleansing, beauty or cold
 T—Cuticle softeners and removers
 T—Deodorants (even though having a medicinal or curative value, if advertised or labeled for use as a body deodorant)
 T—Deodorants (for use in closets, bureau drawers, and the like, for imparting fragrance to clothing)
 NT—Deodorants, colostomy
 T—Dusting powders
 T—Eyebrow pencils
 T—Eyelash mascara and eyelash and brow dyes
 T—Eye shadows, eyeliner
 T—Face lotions, facial oils, face creams
 T—Face packs
 T—Face powders, in loose or cake and liquid form
 T—Foundation makeup
 T—Freckle removers, vanishing creams
 T—Hair conditioners and rinses
 T—Hairdressings, lotions, tonics, and pomades (regardless of whether they are colored or scented)
 T—Hair dyes, colorings, tints, rinses, and bleaches
 T—Hair gels and mousse
 T—Hair oils
 T—Hair removers
 NT—Hair restorative medications
 T—Hairsprays
 T—Hair straighteners
 *T—Hand lotions, creams, and sanitizers
 T—Lip balm and ointments
 T—Lipsticks, lipstick refills, liquid lip color, lip liner, and lip gloss
 T—Lotions, cleansing and beauty
 T—Manicure preparations and kits
 T—Mask preparations
 T—Massage creams
 T—Makeup remover
 T—Mouthwashes
 T—Nail bleaches
 T—Nail polish removers
 T—Nail polishes, nail lacquers, nail enamel
 T—Perfumes and perfume ingredient kits

T—Perfume novelties, containing perfume
 T—Permanent waving creams, lotions, neutralizer, and kits
 T—Powder bases (liquid, cream, and pressed)
 T—Sachets containing powder or aroma producing materials
 T—Scalp lotions, which are used or intended for use as a treatment for dry or oily hair
 T—Shampoos
 T—Shaving preparations, creams, lotions, powders, including medicated preparations
 T—Skin balms, bleaches, creams, fresheners, lotions, oils tonics, or whiteners
 T—Sun allergy cream
 T—Sunburn preventives—suntan creams, lotions, oils, sunblock, and the like
 NT—Sunburn treatment, lotions or creams
 T—Talcum powder
 *NT—Toothbrush, electric
 NT—Toothbrush, toothpaste, tooth cleaners, dental floss, and replacement brushes for electric toothbrush
 T—Water Piks
 T—Wave set, paste, powder, or lotion
 T—Wrinkle removing and concealing preparations

(5) *Farming Supplies and Equipment*

The tax is not imposed upon the sale of property to a farmer to be used or consumed directly in the business of producing agricultural products. Home gardening is not considered farming. See REV-1729, Farming Information, for additional information.

NT—Artificial breeding equipment and supplies
 *NT—Blacksmith/farrier services for commercial racehorses or horses used directly in farming
 T—Building supplies and materials used to build and repair barns, sheds, coops, and the like
 NT—Cleaners and disinfectants used in cleaning milking equipment and to sterilize milk cans to prevent spoilage. (Property used for general farm cleaning and maintenance is taxable.)
 NT—Equipment used to extract a product from productive animals or from the soil, such as harvesters, combines, binders, forage blowers, milking equipment, egg collecting equipment, corn shuckers, threshers, manure handling equipment
 NT—Equipment such as barn shovels, ensilage forks, wheelbarrows and feed carts
 NT—Feed and feed additives for productive animals
 NT—Fencing, portable when used directly for farm use
 T—Fencing, including gates, which become a permanent part of realty
 NT—Fertilizer and chemical additives to be added to soil
 T—Fire prevention and safety equipment
 NT—Fuel for use in heating poultry brooder and greenhouses
 NT—Fumigation services upon agricultural commodities or containers used for agricultural commodities

T—Greenhouses and mushroom houses (if permanently installed to the real estate)

NT—Grooming materials, equipment, and supplies when necessary for the health of productive animals

NT—Harnesses used to control productive animals on the farm

NT—Ice

NT—Livestock equipment to dispense chemicals, medicines, and feed additives

NT—Livestock feeding equipment such as tubs, buckets, cans, and the like, feed scoops, and portable watering devices

T—Maintenance facilities including tools, machinery and equipment to maintain machinery, equipment or building property, such as chain hoists, tire spreaders, drills, sanders, lumber, nails, wrenches, brooms, welding equipment, paint brushes and sprayers

NT—Milk strainers and strainer discs and towels (dispensars to store and dispense the discs are taxable)

T—Motor vehicles, if required to be licensed by the Department of Transportation

NT—Pest control services for agricultural purposes

NT—Property which becomes an ingredient or constituent of a farm product or is consumed by productive animals or plant growth, such as seeds, fertilizer, chemical additives, and the like, and property such as seeders, planters, plows, harrows, cultivators, sprayers, and similar equipment used to till soil, plant, seed and care for productive plants

NT—Property used to handle, store, or preserve farm products or productive animals on farm premises such as chemicals, grooming equipment (dehorners, debeakers, hoof trimmers, calf weaners, and the like)

T—Property used to transport or convey the farm product after the final farming operation

T—Refrigeration or cooling equipment used to store farm products

NT—Replacement parts such as tires, motors, belts, cutting edges, air filters, gears, and similar replacement parts installed on exempt equipment. Motor fuels, lubricants, compressed air, distilled water, abrasives, and similar supplies when used in operating exempt machinery are not taxable. Tools and equipment to apply parts and supplies are taxable.

NT—Seeds

NT—Silos

T—Water heater for cleaning dairy equipment and supplies

NT—Water pump for farm use

NT—Wrapping supplies and containers which are non-returnable to deliver self-produced farm products.

(6) *Flowers, Seeds, Fertilizers, and the like*

The tax is imposed upon the sale of property which is purchased by persons not engaged in the business of farming.

T—Fertilizer, sprays, insecticides

T—Gardening supplies

T—Seeds and bulbs

*T—Vegetable seeds, vegetable plants, flowers, and fruit trees

NT—Vegetable seeds, vegetable plants, and fruit trees purchased with food stamps

(7) *Food and Beverages Sold From a Caterer or Establishment Serving Ready-to-Eat Food*

Generally, tax is imposed on food and beverages for consumption on or off the premises, or on a take-out or to-go basis, or delivered to the purchaser or consumer, when purchased from a caterer or an eating establishment from which ready-to-eat foods and beverages are sold, such as a restaurant, cafe, lunch counter, private or social club, tavern, dining car, hotel, night club, fast food operation, pizzeria, fair, carnival, lunch cart, ice cream stand, snack bar, lunch truck, cafeteria, employee cafeteria, theatre, stadium, arena, amusement park, juice stand, carryout shop, coffee shop, popcorn stand, and other establishments, whether mobile or immobile.

NT—Alcohol, malt or brewed beverages, and wines. Tax is paid at time of purchase from a Liquor Control Board store or licensed malt beverage distributor.

NT—Candy and gum

T—All food and beverages, in any quantity, including both food and beverages prepared on the premises, and prepackaged food and beverages.

T—Food supplements and substitutes

NT—Ice

T—Nonalcoholic beverages

NT—Water

(8) *Food and Beverages Sold From Other Than a Caterer or Establishment Selling Ready-to-Eat Food*

A vending machine, delicatessen, grocery store, supermarket, farmers market, bakery, donut shop, pastry shop, convenience store and other similar establishments selling the following taxable items, whether sold for consumption on or off the premises or on a take-out or to-go basis, or delivered is considered to be an eating establishment:

NT—Bitters and grenadine

T—Brewed coffee

NT—Candy apples

NT—Candy and gum

NT—Caramel corn

NT—Coffee, cold bottled, and flavored

NT—Deli items such as meats and cheeses, potato salad, macaroni salad, and the like

NT—Food, fruit drinks, soft drinks, and sandwiches purchased with food stamps

NT—Food supplements in any form

NT—Fruit drinks, noncarbonated or reconstituted, containing at least 25% natural fruit juice

T—Fruit drinks, noncarbonated or reconstituted, containing less than 25% natural fruit juice

T—Hot beverages

T—Hot food items

T—Hot soup

T—Hot pizza

NT—Ice

T—Ice cream, yogurt, and other ice based products when hand dipped or hand served

T—Kettle Korn

T—Kool Aid

T—Meals—not including prepackaged frozen meals

T—Nonalcoholic beverages

NT—Party trays, vegetable, cheese, seafood, meat

T—Pumpkins—for decoration

NT—Pumpkins—for food

T—Salad bars, self-service

T—Sandwiches

T—Soft drinks, bottled and nonbottled (including soft drink mixes and powder, liquid or tablet form)

NT—Soy milk

T—Sports drinks

NT—Tea, all forms including liquid and powdered tea

NT—Sweeteners, artificial

NT—Water, including nonflavored mineral water

*T—Water, flavored

(9) *Hair Goods and Notions*

Generally, hair goods are taxable unless the item qualifies as clothing.

T—Hair goods and notions, such as barrettes, hair pins, hair nets, curlers, clips, hair bow holders, combs, brushes, chignons, bandeaux

T—Shower caps

T—Wigs and toupees (the service of cleaning, styling, and the like, also is taxable)

*(10) *Hobby Supplies, Toys, Games, Radios, and the like*

*T—Audio players, components and accessories, records, compact discs

T—Baseball, football cards, and the like

T—Bicycles and parts

T—Boats and equipment

T—Computer games and equipment

T—Games

T—Hobby supplies

T—Musical instruments and sheet music

T—Photographic and projection equipment and supplies

T—Photographic services, film developing, printing, processing, mounting, coloring, and the like

T—Playing cards

T—Pocket knives

T—Radios, TV sets, receiving equipment

T—Tape recorders and tapes

T—Toys

*T—Video cassettes and discs, recorders, and cameras

(11) *Home Sewing, Millinery and Craft Supplies*

Goods and items which are to become a component part of clothing are not taxable. Goods and items which become a component of articles other than clothing, such as formal wear and crafts, are taxable. Equipment and supplies used in sewing are taxable. Clothing is defined as articles designed for everyday wear.

T—Artificial flowers

NT—Buckles for clothing

T—Buckles for articles other than clothing

NT—Buttons for clothing

T—Buttons for articles other than clothing

T—Dress forms

NT—Dress patterns

NT—Fabrics for clothing

T—Fabrics for articles other than clothing

NT—Dye, clothing fabric

NT—Elastics for clothing

T—Elastics for articles other than clothing

NT—Embroidery of clothing

T—Embroidery hoops

T—Embroidery of formalwear and other items

NT—Hooks and eyes for clothing

T—Hooks and eyes for articles other than clothing

NT—Knitting yarn for clothing

T—Knitting yarn for articles other than clothing

NT—Laces, ribbons, edgings, trimmings for clothing

T—Laces, ribbons, edgings, trimmings for articles other than clothing

T—Needle-craft instruction books

T—Needles

T—Rug yarns

T—Scissors

T—Sewing kits

NT—Shoulder pads

T—Tape measures

T—Thimbles

NT—Thread for clothing

T—Thread for articles other than clothing

NT—Yard goods for clothing

T—Yard goods for articles other than clothing

T—Yarn holders

NT—Zippers for clothing

T—Zippers for articles other than clothing

(12) *Household Goods and Supplies*

T—Air fresheners

T—Ant traps

T—Basin stoppers

T—Batteries

T—Bedding

T—Books

- T—Boot caddy
 - T—Brooms
 - T—Buckets
 - T—Candles
 - T—Charcoal
 - T—Cloth dish towels
 - T—Cloth hand and bath towels
 - T—Cloth laundry bags
 - T—Clothesline
 - T—Clothespins
 - T—Coat hangers
 - T—Cookware, pots and pans
 - T—Cutlery
 - T—Decorations
 - T—Dinnerware
 - T—Dishpans
 - T—Dispensers
 - T—Door mat
 - T—Drinking glasses
 - T—Easter egg color/paint
 - T—Extension cords
 - T—Filters, disposable air
 - T—Fire extinguishers
 - T—Fly swatters
 - T—Fly tapes
 - T—Furnishings, appliances, fittings, ornaments, furniture, equipment, and accessories. Furnishings including bedding, rugs, lamps, hardware, electrical goods, mirrors, pillows, scarves for furniture, bookends, clocks, glassware, crockery, silverware, flatware and other household wares.
 - T—Fuses
 - T—Glue
 - T—Grill utensils, scrapers
 - T—Grill replacement parts
 - T—Hardware and tools
 - T—Household linens, blankets
 - T—Insecticide sprays
 - T—Ironing board and covers
 - T—Jars for canning and jar lids
 - T—Light bulbs
 - T—Lubricating oils
 - T—Matches
 - T—Metal and plastic cooking utensils and flatware
 - T—Mops
 - T—Moth balls and moth flakes
 - T—Mouse traps
 - T—Needles
 - T—Notebooks
 - T—Oilcloth
 - T—Paints, brushes, and painting equipment
 - T—Paint removers
 - T—Plants, vegetable and flower (see Category 6)
 - T—Polishing cloths
 - T—Refrigerator deodorants
 - T—Rubber gloves
 - T—Rug shampoo applicators
 - T—Salt, water softeners
 - T—Sandpaper
 - T—Scrub brushes
 - T—Seeds, vegetable and flower (see Category 6)
 - T—Shoe brushes
 - T—Sponges
 - T—Stationery
 - T—Static control spray, sheets
 - T—Thermometers
 - T—Thimbles
 - T—Tie racks
 - T—Toothpicks
 - T—Turpentine and paint thinner
 - T—Vacuum bottles
 - T—Vacuum cleaner bags, disposable
 - T—Vacuum cleaner parts
 - T—Ventilating fans and equipment
 - T—Water filters, replacement
 - T—Wax applicators
 - T—Wax paraffin
- A. Soaps and Detergents*
- T—Bleaches
 - T—Cleaner, septic tank, hand, oven, toilet bowl, or tile
 - T—Cleansers
 - T—Detergents
 - T—Drain opener
 - T—Dry cleaning kits
 - T—Pre-soaks
 - T—Rug shampoo
 - T—Soaps, scented and unscented
 - T—Softeners (fabric)
 - *T—Spot removers and stain treatments
 - T—Starch
 - T—Whiteners
- B. Cleaning and Polishing Preparations*
- T—Car cleaners and waxes
 - T—Glass cleaner
 - T—Polishes, floor, furniture, silver and similar items
 - T—Removers, rust or wax
 - T—Scouring pads
 - T—Steel wool
- C. Paper Goods*
- T—Cups, paper, plastic or styrene
 - NT—Disposable diapers and incontinence products

- T—Drop cloths, paper and plastic
- T—Facial tissue
- T—Filters, coffee
- T—Napkins
- T—Place mats
- T—Plates, paper, plastic, or styrofoam
- NT—Sanitary napkins, tampons, or similar items used for feminine hygiene
- T—Shelf paper, liners
- T—Straws
- T—Tablecloths
- NT—Toilet tissue
- T—Towels
- NT—Wet-wipes

D. *Wrapping Supplies*

- T—Aluminum foil
- T—Food bags
- T—Plastic wraps
- T—Tape, masking, scotch, plastic, freezer, duct
- T—Trash bags, paper and plastic
- T—Twine
- T—Wax paper
- T—Wrapping paper, including gift wrapping, ribbons, and the like

(13) *Infant Supplies*

- T—Accessories, nursing bottles, nipples, teething beads, teethingers
- NT—Bibs
- T—Car seats, infant
- T—Crib blankets
- T—Diaper bags
- *NT—Diaper cream
- NT—Diaper pins
- NT—Diapers, cloth and disposable
- NT—Diaper Service
- **NT—Formula
- **T—Furniture including cribs, high chairs and booster seats
- T—Liners, (nursing bottles)
- **T—Monitors
- NT—Receiving blankets for infants
- NT—Rubber pants

(14) *Jewelry*

- T—Earring backs
- *T—Jewelry, including those with religious symbols incorporated
- T—Ornaments and pins for hats and dresses
- **T—Jewelry repair

(15) *Luggage, Handbags, Carrying Bags, Wallets, and the like*

- T—Bags, carrying, athletic, book, and the like
- T—Handbags, pocketbooks and purses
- T—Knitting bags
- T—Leather goods, except clothing
- T—Luggage, briefcases
- T—Wallets and billfolds

(16) *Medicine, Drugs and Medical Supplies; Prosthetic and Therapeutic Devices*

The tax is not imposed on prescription or nonprescription medicines and drugs or medical supplies, crutches and wheelchairs for the use of people with disabilities, artificial limbs, artificial eyes and artificial hearing devices, when designed to be worn on the person of the purchaser or user, false teeth and materials used by a dentist in dental treatment, eyeglasses, when especially designed or prescribed by an ophthalmologist, oculist or optometrist for the personal use of the owner or purchaser, and artificial braces and supports designed solely for the use of people with disabilities, or any other therapeutic, prosthetic or artificial device designed for the use of a particular individual to correct or alleviate a physical incapacity, including, but not limited to, hospital beds, iron lungs and kidney machines.

- T—Acne cleaners and acne pads
- NT—Acne treatments, lotions, creams
- T—Adhesive removers
- NT—Adhesives used for medical treatment
- T—Air cleaners and electrostatic machines
- NT—Alcohol, rubbing, swabs and wipes
- NT—Analgesics
- NT—Antacids
- NT—Antiseptics, for external use only
- NT—Applicators (See “Cotton applicators”)
- NT—Arch supports
- NT—Arm slings
- NT—Artificial eyes
- NT—Artificial limbs
- NT—Aspirin
- T—Autoclave

NT—Automobile accessories, when noted by the Department of Transportation upon the motor vehicle operator’s license of the purchaser that such accessories are necessary, and when charges for accessories are stated separately by the vendor on the sales invoice.

- NT—Automobile wheelchair lifts
- T—Baby powder
- NT—Bandages, dressings, gauze, and cotton
- T—Bath tub and bathroom safety devices
- *T—Batteries, unless purchased for use in medical equipment and from a medical supply house
- *NT—Bed boards
- NT—Bed drain bags
- NT—Bed pans
- NT—Bed trapeze bars

- NT—Benzoin
- T—Bidet toilet seats
- T—Blankets
- T—Blood agar plates
- NT—Blood glucose monitors used to treat diabetes (therapeutic devices)
- NT—Blood pack units
- T—Blood pressure testing apparatus
- NT—Bone pins
- NT—Braces and supports worn on the body to correct or alleviate a physical incapacity
- NT—Braille teaching texts
- T—Breast pumps
- NT—Breathing units, intermittent positive pressure
- NT—Burn ointment and lotion
- NT—Calamine lotion
- NT—Canes
- NT—Cardiac emergency kit
- NT—Cardiac pacemakers and electrodes
- NT—Castor oil
- NT—Catheters and accessories
- T—Chemical agents and related supplies for analysis of patients' specimens
- NT—Cod liver oil
- NT—Colostomy appliances
- NT—Colostomy deodorants
- NT—Commodes, chair bedside
- NT—Commode seats, elevated for use by incapacitated persons
- NT—Contact lenses, and wetting solutions
- T—Contact lenses cleaning solutions
- NT—Corn pads and plasters for the removal of corns
- NT—Cotton applicators, cotton rolls, cotton balls and cotton swabs
- NT—Cough and cold items, cough drops, cough syrups
- NT—Crutches
- NT—Crutch pads
- NT—Defibrillators
- T—Dehumidifiers
- NT—Dental floss
- NT—Dental materials used in dental treatment, including x-ray film, cotton, impression and materials
- T—Dentist chair
- NT—Dentist drills, disposable
- NT—Dentist materials which are transferred to the patient, including dentures, fillings, crowns, inlays, bridges and lingual or palatal bars
- T—Dentist replacement burs, drills, reusable
- NT—Denture products, including denture cleaners and adhesives
- T—Deodorants, personal and room
- T—Diagnostic equipment
- T—Diagnostic glassware and diagnostic testing materials
- NT—Dialysis machines
- NT—Diathermy machines
- NT—Dietary supplements and substitutes, in any form
- NT—Diet pills
- T—Disinfectants
- NT—Drapes, paper
- T—Ear plugs
- T—EKG mounts and EKG paper
- NT—Elastic bandages and braces
- T—Electrocardiocorder
- NT—Emesis basins or pans
- NT—Epsom salts
- T—Esophageal dilator
- T—Eucalyptus oil
- NT—Examining table paper
- T—Exercise equipment, including exercise bikes and treadmill exercisers
- NT—Eye ointment
- NT—Eye pads
- NT—Eye washes
- NT—Eyeglasses, prescription
- NT—False teeth
- NT—First aid kits
- NT—Fluidic breathing assistor
- NT—Food substitutes
- NT—Foot pads, insoles, all types
- NT—Foot products for treatment of infections
- NT—Gauze
- NT—Gloves, surgical, disposable
- NT—Glucose tablets
- NT—Glycerine
- NT—Gowns, medical
- NT—Hearing aids and batteries
- T—Heaters, portable, room
- NT—Heating pads
- NT—Hospital beds, having side rails, electric and non-electric with attachments
- NT—Hot water bottles
- T—Humidifiers
- NT—Hygienic needs, douche powder, vaginal preparations
- **NT—Hydrocortisone cream
- NT—Hydrogen peroxide
- NT—Ice bags
- NT—Ileostomy bags
- NT—Incontinence products, including incontinence pants
- NT—Infusion pumps

- NT—Inhalation therapy equipment and equipment used to provide emergency breathing assistance
- NT—Insulin
- T—Intravenous stand
- NT—IUD devices
- T—Laboratory testing and analysis equipment and supplies
- NT—Lactose intolerance medication
- NT—Lamps, ultraviolet and infrared
- NT—Lancets
- NT—Laxatives and cathartics
- NT—Lifters, patient
- NT—Lubricating jelly
- NT—Lymphedema pumps
- T—MRI equipment
- T—Mattresses, air
- NT—Mattresses, alternating positive pressure
- NT—Mattresses and covers for hospital beds
- T—Medical alert cards
- T—Medical alert systems
- NT—Medicated powder
- NT—Medicine cups, disposable
- T—Microscopes
- NT—Milk of magnesia
- T—Mouthwashes
- NT—Muscle stimulator, electronic for physical therapy
- NT—Nasal cannula
- T—Nasal speculum
- T—Needle holder
- NT—Needles, disposable
- T—Needles and syringes, reusable
- NT—Orthodontic brackets
- T—Orthodontic trays
- NT—Orthopedic splints
- T—Overbed tables
- NT—Oxygen and oxygen equipment, when used for medical treatment
- NT—Pads, moist heat pad, alternating positive pressure pad, flotation pad, lambs wool pad
- NT—Paraffin bath units, standard or portable
- T—Percussors
- NT—Pet medicines
- NT—Petroleum jelly
- NT—Physical therapy equipment, when designed exclusively for use in correcting or alleviating a physical incapacity
- T—Plaque remover
- T—Pore cleaners, medicated, pore strips
- NT—Postural drainage boards
- NT—Postural support chairs
- NT—Pre-moistened wipes
- NT—Prophylactics
- NT—Prostheses (mammary, malar, chin, urinary, incontinence, and the like)
- T—Pumice powder
- NT—Pump, diaphragm, pressure vacuum
- *T—Razor blades, unless disposable and used for medical procedure preparation
- NT—Rectal preparations
- T—Safety grab bars
- NT—Sanitary napkins, tampons, and similar items
- T—Sanitizer, air
- T—Sauna baths
- T—Scissors
- T—Shaving products
- T—Sheets, cloth
- NT—Sheets, disposable
- NT—Shoe insoles, orthopedically designed
- NT—Sitz bath
- NT—Smoking deterrents, gum and patch
- T—Soaps
- NT—Specimen containers, disposable
- T—Sphygmomanometer
- T—Sphygmostat
- NT—Stair gliders for persons having a physical disability, installed in the purchaser's home and under to a physician's prescription
- T—Stethoscope
- NT—Styptic pencils
- T—Suction machines and pumps
- NT—Sunburn treatment lotions or creams
- T—Sunglasses (unless prescription)
- T—Suntan lotion, sunblock
- NT—Suppositories
- T—Surgical instruments
- NT—Surgical instruments and supplies, single use disposable
- NT—Surgical masks, disposable
- NT—Sutures
- NT—Syringes, disposable
- T—Syringes, reusable
- T—Tables, bedside
- T—Tables, examining
- T—Talcum powder
- T—Teeth whitening strips
- T—Telecaption equipment
- NT—Test strips used in treatment of diabetes
- T—Testing kits, pregnancy, UTI
- *NT—Thermal pads, disposable
- T—Thermometer, medical
- NT—Thermometer covers, disposable
- NT—Tongue depressor, disposable

NT—Toothache drops
 NT—Toothbrushes
 NT—Toothpaste
 **T—Tooth whitening kits
 NT—Tourniquets
 NT—Trachea tubes
 NT—Traction units, including bed stand, anklet, extension, pelvic or cervical units, head holder, fracture unit with trapeze bar set, weights, weight bags, pelvic lacing belt and over door traction equipment
 NT—Tubing, intravenous
 NT—Urine drain bag
 T—Vacutainers
 NT—Vaginal diaphragms
 T—Vapona strips
 T—Vaporizers
 NT—Vitamins
 NT—Walking bars and walkers
 NT—Wheelchairs, manual and motorized, scooters, and batteries
 T—Whirlpool baths and whirlpool pumps
 T—Wigs
 T—X-ray equipment and machines
 T—X-ray film and chemicals not used by dentists

(17) *Miscellaneous*

T—Antiques
 NT—Bullion, investment metal
 NT—Body tattooing and piercing
 NT—Caskets, burial vaults, markers, cremation urns and tombstones for human graves, including foundations
 T—Christmas trees
 T—Coin banks and coin holders
 NT—Coins, investment (numismatic coins and legal tender)
 T—Compressed air, dispensed
 T—Corkage fee
 NT—Coupon books sold to individual consumers
 T—Dry ice, except when sold as an internal packaging material to retailer, manufacturer, or processor
 NT—Safety equipment and devices designed and worn by production personnel employed in manufacturing, processing, mining, public utility, farming and dairying. Examples: asbestos suits, gloves, aprons, boots, masks, helmets, goggles, and similar items
 T—Equipment and devices worn by nonproduction personnel
 T—Fencing materials
 NT—Flags of the U.S. and Commonwealth. Bunting and others are taxable.
 T—Flags kits, that include poles or brackets
 T—Fuel for motor vehicles, except when subject to Liquid Fuel or Fuel Use Tax
 T—Global positioning satellite, equipment and service
 **NT—Gift cards

NT—Health club membership fees
 T—Hot tubs and spas, regardless of physician recommendation
 T—Lunch kits, vacuum bottles, and replacement parts
 T—Motor vehicle repair services (including labor), accessories, parts, supplies, lubricants, equipment, vehicle and emission inspection
 T—Paper money, which is not legal tender in U.S.A., is taxable on full purchase price
 T—Paper money, which is legal tender in U.S.A., is taxable on amount in excess of face value
 NT—Parking fees
 T—Party favors
 *NT—Pony rides and trail rides
 **T—Prepaid telephone cards
 T—Religious articles
 T—Scout supplies and training manuals, except when sold to a scout troop
 T—Souvenirs
 T—Stamps, uncanceled U.S.A. stamps are taxable on amount in excess of face value
 T—Stamps, cancelled U.S.A. stamps and all foreign stamps are taxable on the full purchase price
 NT—Tanning booth fees
 T—Trading stamp redemption for taxable property

(18) *Optical Goods*

NT—Contact lenses, and wetting solutions
 T—Contact lenses cleaning solutions
 NT—Eyeglasses, prescription
 T—Magnifying glasses
 T—Opera glasses and field glasses
 T—Sunglasses (prescription sunglasses are exempt)

(19) *Pets*

NT—Boarding, sitting, or walking
 T—Clippers and clipper lubricants
 T—Equipment (collars, leashes, and the like)
 T—Farrier services for pet horses
 NT—Flea collars, flea powder, flea and tick soap, and tick sprays
 T—Food, including food supplements and prescription food
 *T—Grooming, unless performed by a veterinarian for the purpose of or incidental to medical treatment
 NT—Medicines and medical supplies
 T—Pet caskets and urns
 NT—Pet cremation and burial services
 T—Sale or rental of pets, or adoption from shelters, which includes fees for shots and spaying or neutering
 T—Shampoo
 T—Veterinarian equipment
 NT—Veterinarian services
 T—Vitamins

(20) *Religious Articles*

Bibles, religious publications, and religious articles are subject to tax unless purchased by organizations qualifying as institutions of purely public charities which hold an exemption number prefixed by the number 75, and government entities.

*T—Bibles

T—Candles used in religious worship

T—Holy water bottles

T—Clergy vestments and choir and altar server clothing

T—Nativity scenes

T—Religious statues, medals and symbols used in religious worship

T—Religious publications sold by religious groups

T—Rosaries

T—Wines used in religious services

(21) *Restaurant Equipment and Supplies*

Equipment, implements and similar property for use in the preparation and service of food is taxable.

T—Carbonator for soda fountain operation

NT—Carbon dioxide for soda fountain

NT—Chef Hats

T—Disposable trays

T—Equipment used to prepare and serve food and beverages

T—Ice making equipment

T—Latex gloves

T—Napkins, wooden or plastic spoons, forks, straws, and similar articles for use in restaurants, vending machines, and other eating places

T—Placemats

T—Toothpicks

T—Vending machines and equipment

NT—Work uniforms

NT—Wrapping supplies, paper or plastic plates, cups, and similar articles for the delivery of food, used by restaurants or in vending machines

(22) *Shoes and Shoe Accessories*

Generally shoes designed for everyday wear are exempt. However, shoes designed for formal wear or sporting activities are taxable.

T—Bathing (swimming) shoes

NT—Overshoes

NT—Safety shoes

T—Shoe brushes, applicators, and shoe trees

T—Shoe clips

NT—Shoe dye

NT—Shoe laces

NT—Shoe polish

NT—Shoe repairs

T—Shoes for baseball, bowling, football, golf, soccer, hockey, dance, and the like

T—Shoes for formal wear, such as metallic cloth, brocade, satin, or silver leather, primarily for formal wear

NT—Slippers

NT—Shoe soles and heels for shoe repair

NT—Shower clogs

NT—Sneakers, jogging, tennis and aerobic shoes

(23) *Sporting Equipment, Clothing, Supplies and Recreational Equipment*

Tax is imposed on sporting and recreational equipment, clothing and supplies which are designed to be worn and are normally worn only when engaged in sports.

T—Accessories such as ammunition belts, hip waders, and fly vests

NT—Baseball caps and tee shirts

T—Bathing caps

T—Bathing suits

T—Beach coats

T—Bicycles, parts, accessories, and supplies

T—Boats, pleasure boats, and equipment and parts

NT—Bowling shirts

T—Bowling shoes, purchase and rental

T—Equipment and supplies for baseball, football, hockey, basketball, and other sports

T—Exercise equipment

T—Guns and ammunition

NT—Gym suits, outfits

T—Helmets

T—Hunting accessories

NT—Hunting clothing, including camouflage and blaze orange

NT—Jogging outfits, running shoes

T—Mats, floor

T—Protective equipment, knee pads, elbow pads, forearm pads, and the like

T—Sleeping bags

NT—Sneakers, jogging, tennis and aerobic shoes, and the like

NT—Snowmobile suits

T—Uniforms, baseball, football, soccer, basketball, hockey, and the like

NT—Warm-up suits, cloth sweat suits

T—Weights

T—Skates, ice, roller, in-line and sharpening

(24) *Tobacco Products*

T—Chewing tobacco, snuff

T—Cigarettes

T—Smoking accessories

T—Tobacco, cigars

(25) *Utilities and Fuel*

NT—Coal

NT—Coin-operated telephone charges

*T—Corn and corn pellets

T—Firelogs, processed

NT—Firewood, kindling and wood pellets for residential use

NT—Fuel oil, gas, steam, or electricity purchased for residential use

T—Fuel oil, gas, steam, or electricity purchased for commercial use

T—Interstate and intrastate telephone services for residential or commercial use

NT—Basic telephone service and subscriber line charges for residential use

T—Basic telephone service and subscriber line charges for commercial use

T—Utilities for office or business within home

(26) *Tires and Motor Vehicle Leases and Rentals*
Subject to Public Transportation Assistance
Fund Taxes and Fees (PTA) (61 Pa. Code § 47.19).

The following items are subject to a Public Transportation Assistance Fund Taxes or Fees as indicated below. The tax or fee is IN ADDITION TO any Sales or Use Tax which may be due. However, the Sales, Use, PTA Taxes or PTA Fees shall not be included within the tax base when imposing such taxes or fees.

<i>Item</i>	<i>PTA Tax/Fee</i>	<i>Exemption</i>
Tires, new tires for highway use (used tires and tires for off highway use are not subject to the fee).	\$1 fee upon the sale of each new tire.	Exempt only if purchased by a government entity.
Rentals of Motor Vehicles (the term rental shall mean the transfer of the possession of a motor vehicle for a period of less than 30 days).	\$2 fee upon each rental day.	Exempt, if lessee qualifies for Sales Tax Exemption.
Leases of Motor Vehicles (the term lease shall mean the transfer of possession of a motor vehicle for a period of 30 or more days).	3% tax upon the total lease payment including down payment and accelerated lease payments.	Exempt, if lessee qualifies for Sales Tax Exemption.

(27) *Vehicle Rental Tax (VRT)*
(61 Pa. Code § 47.20)

Rental companies that have available for rental five or more motor vehicles designed to carry 15 or less passengers, or a truck, trailer, or semi-trailer used in the transportation of property, other than commercial freight that is rented without a driver, are responsible for collecting an additional 2% tax. This tax is imposed on the purchase price, as calculated for Sales Tax purposes, of each rental contract for a period of 29 consecutive days or less. The VRT is separate from, and in addition to, any applicable state or local Sales Tax or the \$2 daily PTA fees.

Rental companies may claim a refund up to the amount of tax remitted for licensing and titling fees paid to the Commonwealth during a previous calendar year.

STEPHEN H. STETLER,
Secretary

[Pa.B. Doc. No. 09-2386. Filed for public inspection December 24, 2009, 9:00 a.m.]

DEPARTMENT OF TRANSPORTATION

Approved Speed-Timing Devices and Appointment of Maintenance and Calibration Stations

The Department of Transportation (Department), Bureau of Motor Vehicles, under the authority of 75 Pa.C.S. § 3368 (relating to speed timing devices), has approved for use, until the next comprehensive list is published, subject to interim amendment, the following electronic speed-timing devices (radar); electronic speed-timing devices (nonradar), which measure elapsed time between measured road surface points by using two sensors; and electronic speed timing devices (nonradar), which calculate average speed between any two points.

Under 75 Pa.C.S. § 3368(c)(2), the Department has approved, for use only by members of the State Police, the following electronic speed-timing devices (radar) when used in the stationary mode only:

(1) Falcon Radar (identified on the radar housing as FALCON). Manufactured by Kustom Signals, Incorporated, 9325 Pflumm, Lenexa, KS 66215.

(2) Falcon HR—Hand-held model. Manufactured by Kustom Signals, Incorporated, 9325 Pflumm, Lenexa, KS 66215.

(3) H.A.W.K. Traffic Safety Radar System (identified on the radar housing as H.A.W.K.). Manufactured by Kustom Signals, Incorporated, 9325 Pflumm, Lenexa, KS 66215.

(4) KR-10, Stationary Radar (identified on the radar housing as KR-10). Manufactured by Kustom Signals, Incorporated, 9325 Pflumm, Lenexa, KS 66215.

(5) KR-10, Stationary Radar (identified on the radar housing as KR-10). Manufactured by Kustom Electronics, Incorporated, 8320 Nieman Road, Lenexa, KS 66214.

(6) KR-10SP, Stationary Radar (identified on the radar housing as KR-10SP). Manufactured by Kustom Signals, Incorporated, 9325 Pflumm, Lenexa, KS 66215.

(7) KR-10SP, Stationary Radar (identified on the radar housing as KR-10). Manufactured by Kustom Electronics, Incorporated, 8320 Nieman Road, Lenexa, KS 66214.

(8) Pro 1000(DS), Manufactured by Kustom Signals, Incorporated, 1010 West Chestnut, P. O. Box 947, Chanute, KS 66720.

(9) Model 100, Decatur RA-GUN (identified on the radar housing as RA-GUN). Manufactured by Decatur Electronics, Incorporated, 715 Bright Street, Decatur, IL 62522.

(10) Genesis-I. Manufactured by Decatur Electronics, Incorporated, 715 Bright Street, Decatur, IL 62522.

(11) Genesis Handheld (GHS). Manufactured by Decatur Electronics, Incorporated, 715 Bright Street, Decatur, IL 62522.

(12) Genesis GHD Hand-held model. Manufactured by Decatur Electronics, Incorporated, 715 Bright Street, Decatur, IL 62522.

(13) Genesis GVP-D battery operated model. Manufactured by Decatur Electronics, Incorporated, 715 Bright Street, Decatur, IL 62522.

(14) Stalker Dual, Manufactured by Applied Concepts, Incorporated, 730 F Avenue, Suite 200, Plano, TX 75074.

(15) Stalker Dual SL. Manufactured by Applied Concepts, Incorporated, 730 F Avenue, Suite 200, Plano, TX 75074.

(16) Stalker Dual DSR Manufactured by Applied Concepts, Incorporated, 730 F Avenue, Suite 200, Plano, TX 75074.

(17) TS-3. Manufactured by MPH Industries, Incorporated, 316 East 9th Street, Owensboro, KY 42303.

(18) Vindicator, (VH-1), (Identified on the radar housing as Vindicator). Manufactured by MPH Incorporated, 316 East 9th Street, Owensboro, KY 42303.

(19) MPH Model K-15. Manufactured by MPH Industries, Incorporated, 316 East 9th Street, Owensboro, KY 42303.

(20) Stalker. Manufactured by Applied Concepts, Incorporated, 730 F Avenue, Suite 200, Plano, TX 75074.

(21) Eagle Plus. Manufactured by Kustom Signals, Incorporated, 9325 Pflumm, Lenexa, KS 66215-3347.

Under 75 Pa.C.S. § 3368(c)(3), the Department has approved, for use by any police officer, the following electronic speed-timing devices (nonradar) which measure elapsed time between measured road surface points by using two sensors:

(1) Electrical Speed Timing System. Manufactured by Richard Hageman, 98 South Penn Dixie Road, Nazareth, PA 18064.

(2) Model TK 100, Excessive Speed Preventor. Manufactured by Systems Innovation, Incorporated, Steam Hollow Road, R. D. 2, Hallstead, PA 18822.

(3) Model TK 100, Excessive Speed Preventor. Manufactured by Targetron, Incorporated, 190 Angletown Road, Muncy, PA 17756.

(4) Speed Chek (identified on the housing as Speed Chek model one, Mfd. for: The Union Agency, Unionville, PA 19375). Manufactured by Sterner Lighting Systems, Incorporated, 351 Lewis Avenue, Winsted, MN 55395.

(5) Model TK 100, Excessive Speed Preventor Infrared. Manufactured by Systems Innovation, Incorporated, Steam Hollow Road, R. D. 2, Hallstead, PA 18822.

(6) Model TK 100, Excessive Speed Preventor Infrared. Manufactured by Targetron, Incorporated, 190 Angletown Road, Muncy, PA 17756.

(7) Enradd, Model EJU-91. Manufactured by Y.I.S. Incorporated, 1049 Hartley Street, Post Office Box 3044, York, PA 17404.

(8) Enradd, Model EJU-91 with Noncontact Road Switch System. Manufactured by Y.I.S. Incorporated, 1049 Hartley Street, Post Office Box 3044, York, PA 17404.

(9) Enradd, Model EJU-91 Wireless System. Manufactured by Y.I.S. Incorporated, 1049 Hartley Street, Post Office Box 3044, York, PA 17404.

Under 75 Pa.C.S. § 3368(c)(1) and (3), the Department has approved the use of electronic and mechanical stop-

watches as speed-timing devices for use by any police officer. The Department has approved these speed-timing devices upon submission of a certificate of stopwatch accuracy indicating that a stopwatch has been successfully tested in accordance with the requirements of 67 Pa. Code Chapter 105, Mechanical, Electrical and Electronic Speed-Timing Devices. The Department issues an approved speed-timing device certificate for the device, as required by 67 Pa. Code § 105.72 (relating to equipment approval procedure). The Department does not publish a listing of these approved speed-timing devices because they are approved individually by serial number and police department. Therefore, if a citation is contested, it is necessary for the police department to show both the certificate of stopwatch accuracy, which was issued within 60 days of the citation, and an approved speed-timing device certificate issued by the Department of Transportation, Bureau of Motor Vehicles.

Under 75 Pa.C.S. § 3368(c)(3), the Department has approved, for use by any police officer, the following electronic speed-timing device (non-radar) which calculates average speed between any two points:

(1) VASCAR-plus. Manufactured by Traffic Safety Systems, a division of Power Systems & Controls, Incorporated, 3206 Lanvale Avenue, Richmond, VA 23230.

(2) VASCAR-plus II. Manufactured by Traffic Safety Systems, a division of Power Systems & Controls, Incorporated, 3206 Lanvale Avenue, Richmond, VA 23230.

(3) VASCAR-plus III. Manufactured by Traffic Safety Systems a division of Power Systems & Controls, Incorporated 3206 Lanvale Avenue, Richmond, VA 23230.

(4) VASCAR-plus IIIc. Manufactured by Traffic Safety Systems a division of Power Systems & Controls, Incorporated 3206 Lanvale Avenue, Richmond, VA 23230.

(5) V-SPEC-Manufactured by Y.I.S. Incorporated, 1049 Hartley Street, Post Office Box 3044, York, PA 17404.

(6) Tracker by Patco. Manufactured by Kustom Signals, Incorporated, 9325 Pflumm, Lenexa, KS 66215.

The Department, under 75 Pa.C.S. § 3368(d) has appointed the following stations for calibrating and testing speed-timing devices until the next comprehensive list is published, subject to interim amendment.

The Department has appointed, under 75 Pa.C.S. § 3368(d), the following Official Electronic Device Testing Stations for radar devices, which may only be used by members of the State Police:

Davidheiser's Speedometer Repair, Incorporated, 181 Ridge Road, Telford, Montgomery County, PA 18969 (Appointed: 12/22/01, Station R8).

Guth Laboratories, Incorporated, 590 North 67th Street, Harrisburg, Dauphin County, PA 17111-4511 (Appointed: 01/27/97, Station R2).

S & D Calibration Services, 29 Prosperity Street, Monongahela, Washington County, PA 15063 (Appointed: 08/15/03, Station R11).

Simco Electronics, 2125 South West 28th Street, Allentown, Lehigh County, PA 18103 (Appointed: 09/19/96, Station R9).

Wisco Calibration Services, Inc., 820 Washington Boulevard, Pittsburgh, Allegheny County, PA 15206 (Appointed: 07/14/99, Station R10).

Y.I.S. Inc., 1049 North Hartley Street, York, York County, PA 17402 (Appointed: 01/14/75, Station R3).

Y.I.S./Cowden Group, Inc., 1049 North Hartley Street, York, York County, PA 17404 (Appointed 8/20/04 Station number R12).

The Department has appointed, under 75 Pa.C.S. § 3368(b), the following Official Speedometer Testing Stations:

Auto Electric & Speedometer Service, 7019 Beaver Dam Road, Levittown, Bucks County, PA 19057 (Appointed: 03/14/74, Station S54).

Briggs-Hagenlocher, 1110 Chestnut Street, Erie, Erie County, PA 16501 (Appointed: 03/25/93, Station S39).

Davidheiser's Speedometer Repair, Incorporated, 181 Ridge Road, Telford, Montgomery County, PA 18969—Also authorized to use mobile units (Appointed: 11/25/63, Station S19).

George's Garage, 868 Providence Road, Scranton, Lackawanna County, PA 18508 (Appointed: 04/15/98, Station S8).

K & M Automotive Electric Service, 1004-24th Street, Beaver Falls, Beaver County, PA 15010 (Appointed: 11/13/67, Station S23).

Mahramus Specialty Auto Service, 286 Muse Bishop Road, Canonsburg, Washington County, PA 15317 (Appointed: 01/03/84, Station S7).

Maruti Auto Service, Inc., 4030 New Falls Road, Bristol, Bucks County, PA 19007 (Appointed November 4, 2008 Station S11).

Powl's Speedometer Service, Incorporated, 2340 Dairy Road, Lancaster, Lancaster County, PA 17601—Also authorized to use mobile units (Appointed: 06/09/97, Station S82).

Rabold's Services, 2034 Boas Street, Harrisburg, Dauphin County, PA 17103—Also authorized to use mobile units (Appointed: 06/29/62, Station S67).

S & D Calibration Services, 1963 Route 837, Monongahela, Washington County, PA 15063—Also authorized to use mobile units (Appointed: 03/22/83, Station S35).

Y.I.S./Cowden Group, Inc., 1049 North Hartley Street, York, York County, PA 17404—Also authorized to use mobile units (Appointed 8/20/04, Station S9).

The Department has appointed, under 75 Pa.C.S. § 3368(d), the following Official Electronic Device Testing Stations for nonradar devices, which measure elapsed time between measured road surface points by using two sensors:

Davidheiser's Speedometer Repair, Incorporated, 181 Ridge Road, Telford, Montgomery County, PA 18969—Also authorized to use mobile units (Appointed: 04/07/93, Station EL3).

Rabolds Services, 2034 Boas Street, Harrisburg, Dauphin County, PA 17103—Also authorized to use mobile units (Appointed: 02/27/92, Station EL22).

S & D Calibration Services, 29 Prosperity Street, Monongahela, Washington County, PA 15063—Also authorized to use mobile units (Appointed: 03/14/02, Station EL1).

S & D Calibration Services, 115 Joyce Drive, McMurray, Washington County, PA 15317—Also authorized to use mobile units (Appointed: 09/14/82, Station EL11).

Targetron, Incorporated, 190 Angletown Road, Muncy, Lycoming County, PA 17756—Also authorized to use mobile units (Appointed: 05/07/91, Station EL21).

Mahramus Specialty Auto Service, 286 Muse Bishop Road, Cannonsburg, Washington County, PA 15317 (Appointed: 07/31/97, Station EL18).

Y.I.S./Cowden Group, 1049 North Hartley Street, York, York County, PA 17404—Also authorized to use mobile units (Appointed: 02/20/80, Station EL7).

The Department has appointed, under 75 Pa.C.S. § 3368(d), the following Official Stopwatch Testing Stations:

Beerbower Incorporated, 315 Allegheny Street, Hollidaysburg, Blair County, PA 16648 (Appointed: 09/02/77, Station W14).

Cal Tech Labs, 501 Mansfield Avenue, Pittsburgh, Allegheny County, PA 15205 (Appointed 12/22/07, Station W70).

Department of General Services, Bureau of Procurement, 2221 Forster Street, Harrisburg, Dauphin County, PA 17125 (Appointed: 03/09/79, Station W18).

Davidheiser's Speedometer Repair, Incorporated, 181 Ridge Road, Telford, Montgomery County, PA 18969—Also authorized to use mobile units (Appointed: 10/28/77, Station W29).

Leitzel's Jewelry, 607 East Lincoln Avenue, Myerstown, Lebanon County, PA 17067 (Appointed: 09/01/87, Station W58).

Mountz Jewelers, 1160 Walnut Bottom Road, Carlisle, Cumberland County, PA 17013 (Appointed: 09/21/87, Station W59).

Precision Watch Repair Company, 1015 Chestnut Street, Room 1010, Philadelphia, Philadelphia County, PA 19107 (Appointed: 09/24/80, Station W54).

Rabold's Services, 2034 Boas Street, Harrisburg, Dauphin County, PA 17103—Also authorized to use mobile units (Appointed: 09/15/86, Station W56).

R & R Timing, 203 Shuster Hollow Road, Leechburg, Westmoreland County, PA 15656 (Appointed 6/16/04 Station W10).

S & D Calibration Services, 29 Prosperity Street, Monongahela, Washington County, PA 15063—Also authorized to use mobile units (Appointed: 03/14/02, Station W1).

S & D Calibration Services, 115 Joyce Drive, McMurray, Washington County, PA 15317—Also authorized to use mobile units (Appointed: 10/10/89, Station W61).

Servinsky Jewelers, 610 Second Street, Cresson, Cambria County, PA 16630 (Appointed: 05/18/78, Station W40).

Targetron, Incorporated, 190 Angletown Road, Muncy, Lycoming County, PA 17756—Also authorized to use mobile units (Appointed: 05/07/91, Station W64).

Y.I.S./Cowden Group, 1049 North Hartley Street, York, York County, PA 17404—Also authorized to use mobile units (Appointed: 08/30/89, Station W60).

The Department has appointed, under 75 Pa.C.S. § 3368(d), the following Official Electronic Device Testing Stations for nonradar devices which calculates average speed between any two points:

Davidheiser's Speedometer Repair, Incorporated, 181 Ridge Road, Telford, Montgomery County, PA 18969—Also authorized to use mobile units (Appointed: 02/11/93, Station EM23).

Rabolds Services, 2034 Boas Street, Harrisburg, Dauphin County, PA 17103—Also authorized to use mobile units (Appointed: 02/27/92, Station EM22).

S & D Calibration Services, 29 Prosperity Street, Monongahela, Washington County, PA 15063—Also authorized to use mobile units (Appointed: 03/14/02, Station EM1).

S & D Calibration Services, 115 Joyce Drive, McMurray, Washington County, PA 15317—Also authorized to use mobile units (Appointed: 09/14/82, Station EM6).

Mahramus Specialty Auto Service, 286 Muse Bishop Road, Canonsburg, Washington County, PA 15317 (Appointed: 08/13/97, Station EM12).

Targetron, Incorporated, 190 Angletown Road, Muncy, Lycoming County, PA 17756—Also authorized to use mobile units (Appointed: 05/07/91, Station EM21).

Y.I.S./Cowden Group, 1049 North Hartley Street, York, York County, PA 17404—Also authorized to use mobile units (Appointed: 12/20/80, Station EM5).

Comments, suggestions or questions may be directed to Jeanette Magaro, Acting Manager, Administrative and Technical Support Section, Vehicle Inspection Division, Bureau of Motor Vehicles, Riverfront Office Center, 1101 South Front Street, Harrisburg, PA 17104 or (717) 783-5842.

ALLEN D. BIEHLER, P. E.,
Secretary

[Pa.B. Doc. No. 09-2387. Filed for public inspection December 24, 2009, 9:00 a.m.]

INDEPENDENT REGULATORY REVIEW COMMISSION

2010 Public Meeting Schedule

The Independent Regulatory Review Commission (Commission) will hold public meetings in 2010 as follows:

January 7, 2010	10 a.m.	14th Floor Conference Room 333 Market Street
January 21, 2010	10 a.m.	14th Floor Conference Room 333 Market Street
February 25, 2010	10 a.m.	14th Floor Conference Room 333 Market Street
March 11, 2010	10 a.m.	14th Floor Conference Room 333 Market Street
March 25, 2010	10 a.m.	14th Floor Conference Room 333 Market Street

April 8, 2010	10 a.m.	14th Floor Conference Room 333 Market Street
April 22, 2010	10 a.m.	14th Floor Conference Room 333 Market Street
May 13, 2010	10 a.m.	14th Floor Conference Room 333 Market Street
June 3, 2010	10 a.m.	14th Floor Conference Room 333 Market Street
June 17, 2010	10 a.m.	14th Floor Conference Room 333 Market Street
July 15, 2010	10 a.m.	14th Floor Conference Room 333 Market Street
August 5, 2010	10 a.m.	14th Floor Conference Room 333 Market Street
August 19, 2010	10 a.m.	14th Floor Conference Room 333 Market Street
September 16, 2010	10 a.m.	14th Floor Conference Room 333 Market Street
October 7, 2010	10 a.m.	14th Floor Conference Room 333 Market Street
October 21, 2010	10 a.m.	14th Floor Conference Room 333 Market Street
November 4, 2010	10 a.m.	14th Floor Conference Room 333 Market Street
November 18, 2010	10 a.m.	14th Floor Conference Room 333 Market Street
December 2, 2010	10 a.m.	14th Floor Conference Room 333 Market Street
December 16, 2010	10 a.m.	14th Floor Conference Room 333 Market Street

Individuals planning on attending or speaking at a public meeting, notify the Commission no later than 72 hours prior to the date of the meeting. For any changes to the meeting schedule, refer to their web site at www.irrc.state.pa.us. If an executive session is deemed necessary, it shall be held immediately following the close of the public meeting in the 14th Floor Conference Room, 333 Market Street, Harrisburg. Persons in need of special accommodations, as provided for in the Americans With Disabilities Act of 1990, should contact Kristine Shomper at (717) 783-5419.

ARTHUR COCCODRILLI,
Chairperson

[Pa.B. Doc. No. 09-2388. Filed for public inspection December 24, 2009, 9:00 a.m.]

Action Taken by the Commission

The Independent Regulatory Review Commission (Commission) met publicly at 10:30 a.m., Thursday, December 10, 2009, and announced the following:

Regulation Deemed Approved Under Section 5(g) of the Regulatory Review Act—Effective December 9, 2009

State Employees' Retirement Board #31-12: Death Benefits (amends 4 Pa. Code § 247.7(a))

Action Taken—Regulations Approved:

State Board of Medicine #16A-4924: Acupuncture Licensure (amends 49 Pa. Code Chapters 16 and 18)

State Board of Pharmacy #16A-5417: Continuing Education (amends 49 Pa. Code Chapter 27)

Pennsylvania Gaming Control Board #125-105: Jackpot and Credit Meter Payouts (amends 58 Pa. Code Chapter 465a)

Department of Labor and Industry #12-89: Uniform Construction Code (amends 34 Pa. Code Chapters 401 and 4030)

Approval Order

Public Meeting held
December 10, 2009

Commissioners Voting: Arthur Coccodrilli, Chairperson; George D. Bedwick, Vice Chairperson; S. David Fineman, Esq., by Phone; Silvan B. Lutkewitte, III; John F. Mizner, Esq.

*State Board of Medicine—
Acupuncture Licensure;
Regulation No. 16A-4924 (#2690)*

On April 21, 2008, the Independent Regulatory Review Commission (Commission) received this proposed regulation from the State Board of Medicine (Board). This rulemaking amends 49 Pa. Code Chapters 16 and 18. The proposed regulation was published in the May 3, 2008 *Pennsylvania Bulletin* with a 30-day public comment period. The final-form regulation was submitted to the Commission on November 2, 2009.

This regulation implements Act 186 of 2006 which allows a registered acupuncturist to treat a person for 60 days before the person obtains a diagnosis from a physician, dentist, or podiatrist. Before passage of Act 186, a patient needed a referral from a physician to be treated by an acupuncturist. Consistent with Act 91 of 2008, the regulation also replaces terms such as "registration" and "registrant" with "licensure" and "licensee."

We have determined this regulation is consistent with the statutory authority of the Board (63 P. S. §§ 422.8, 1803(b) and 1803.1) and the intention of the General Assembly. Having considered all of the other criteria of the Regulatory Review Act, we find promulgation of this regulation is in the public interest.

By Order of the Commission:

This regulation is approved.

Approval Order

Public Meeting held
December 10, 2009

Commissioners Voting: Arthur Coccodrilli, Chairperson; George D. Bedwick, Vice Chairperson; S. David Fineman, Esq., by Phone; Silvan B. Lutkewitte, III; John F. Mizner, Esq.

*State Board of Pharmacy—
Continuing Education;
Regulation No. 16A-5417 (#2662)*

On January 9, 2008, the Independent Regulatory Review Commission (Commission) received this proposed regulation from the State Board of Pharmacy (Board). This rulemaking amends 49 Pa. Code Chapter 27. The proposed regulation was published in the January 19, 2008 *Pennsylvania Bulletin* with a 30-day public comment period. The final-form regulation was submitted to the Commission on November 2, 2009.

This regulation clarifies various provisions in the regulation relating to continuing education of pharmacists.

We have determined this regulation is consistent with the statutory authority of the Board (63 P. S. §§ 390-3.1 and 390-6(k)) 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
December 10, 2009

Commissioners Voting: Arthur Coccodrilli, Chairperson; George D. Bedwick, Vice Chairperson; S. David Fineman, Esq., by Phone; Silvan B. Lutkewitte, III; John F. Mizner, Esq.

*Pennsylvania Gaming Control Board—
Jackpot and Credit Meter Payouts;
Regulation No. 125-105 (#2782)*

On August 12, 2009, the Independent Regulatory Review Commission (Commission) received this proposed regulation from the Pennsylvania Gaming Control Board (Board). This rulemaking amends 58 Pa. Code Chapter 465a. The proposed regulation was published in the August 22, 2009 *Pennsylvania Bulletin* with a 30-day public comment period. The final-form regulation was submitted to the Commission on November 5, 2009.

This final-form regulation amends the Board's rules pertaining to jackpot payouts. It also expands the scope of the regulations to cover credit meter payouts.

We have determined this regulation is consistent with the statutory authority of the Board (4 Pa.C.S.A. § 1202(b)(30)) 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
December 10, 2009

Commissioners Voting: Arthur Coccodrilli, Chairperson; George D. Bedwick, Vice Chairperson; S. David Fine-man, Esq., by Phone; Silvan B. Lutkewitte, III; John F. Mizner, Esq.

*Department of Labor and Industry—
Uniform Construction Code;
Regulation No. 12-89 (#2804)*

On October 23, 2009, the Independent Regulatory Review Commission (Commission) received this regulation from the Department of Labor and Industry (Department). This rulemaking amends 34 Pa. Code Chapters 401 and 403. Notice of proposed rulemaking was omitted for this regulation; it will become effective upon publication in the *Pennsylvania Bulletin*.

This final-omitted regulation updates the Uniform Construction Code by adopting the 2009 versions of the International Code Council codes, makes amendments from several acts (Act 157 of 2006, Acts 9 and 37 of 2007) and corrects some minor errors in existing regulation.

We have determined this regulation is consistent with the statutory authority of the Department (35 P.S. § 7210.304) 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. 09-2389. Filed for public inspection December 24, 2009, 9:00 a.m.]

Notice of Filing of Final Rulemaking

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

Final-Form

<i>Reg. No.</i>	<i>Agency/Title</i>	<i>Public Received Meeting</i>
125-103	Pennsylvania Gaming Control Board Employees; Slot Machines; Accounting and Internal Controls; and Compulsive and Problem Gambling	12/10/09 1/21/10

ARTHUR COCCODRILLI,
Chairperson

[Pa.B. Doc. No. 09-2390. Filed for public inspection December 24, 2009, 9:00 a.m.]

INSURANCE DEPARTMENT

**The Hospital and Healthsystem Association of
Pennsylvania and Pennsylvania Medical Society**

**Appeal of The Hospital and Healthsystem
Association of Pennsylvania and Pennsylvania
Medical Society under the Medical Care Availability
and Reduction of Error (MCARE) Act (40 P. S.
§§ 1303.101—1303.910); Doc. No. MS09-11-006**

And Now, this 10th day of December, 2009, considering the motion of the Insurance Department, Medical Care Availability and Reduction of Error Fund (MCARE) to stay these proceedings and the appellants' response thereto, it is Ordered that argument on the motion will be conducted on January 7, 2010, at 1 p.m. in the Administrative Hearings Office, Capitol Associates Building, Room 200, 901 North Seventh Street, Harrisburg, PA 17102. The argument will be informal in nature, will not be transcribed and no briefs or legal memoranda will be entertained at this time. The parties should be prepared to discuss the status and nature of related Commonwealth Court litigation, the reasons for and against a stay of this consolidated appeal, and future scheduling should I deny the motions for stay. The Hearings Administrator shall cause notice of this consolidated appeal involving the 2010 MCARE assessment to be published in the *Pennsylvania Bulletin*. This order is effective immediately.

JOEL SCOTT ARIO,
Insurance Commissioner

[Pa.B. Doc. No. 09-2391. Filed for public inspection December 24, 2009, 9:00 a.m.]

Pennsylvania Compensation Rating Bureau; Workers' Compensation Loss Cost Filing

On December 15, 2009, the Insurance Department (Department) received from the Pennsylvania Compensation Rating Bureau (PCRB) a filing for a loss cost level change for Workers' Compensation insurance. This filing is made in accordance with section 705 of Act 44 of 1993. The PCRB requests an overall 0.68% increase in collectible loss costs, effective April 1, 2010, on a new and renewal basis. Also, the PCRB has calculated the Employer Assessment Factor effective April 1, 2010, to be 2.07%, as compared to the currently approved provision of 2.41%. Updates to a variety of other rating values to reflect the most recent available experience are also being submitted for approval.

The entire April 1, 2010, loss cost filing is available for review on the PCRB's web site at www.pcrb.com in the "Filings" section.

Interested parties are invited to submit written comments, suggestions or objections to Eric Zhou, Insurance Department, Insurance Product Regulation, 1311 Strawberry Square, Harrisburg, PA 17120, gzhou@state.pa.us within 30 days after publication of this notice in the *Pennsylvania Bulletin*.

JOEL SCOTT ARIO,
Insurance Commissioner

[Pa.B. Doc. No. 09-2392. Filed for public inspection December 24, 2009, 9:00 a.m.]

OFFICE OF THE BUDGET

Statutory Cost of Living Increases for Salaries of State Officials and the Heads of Departments, Boards and Commissions

Section 3(e) of the Public Official Compensation Act, the act of September 30, 1983 (P. L. 160, No. 39) as amended by section 2 of the act of October 19, 1995 (P. L. 324, No. 51) mandates that the salaries of the Governor, Lieutenant Governor, State Treasurer, Auditor General, Attorney General, and the heads of the departments and members of boards and commissions shall be increased by applying the percentage change in the Consumer Price Index for All Urban Consumers (CPI-U) for the Pennsylvania, New Jersey, Delaware and Maryland area for the most recent 12 month period for which figures have been officially reported by the United States Department of Labor, Bureau of Labor Statistics (BLS) immediately prior to the date adjustment is due to take effect.

As required by section 3(e) of the Public Official Compensation Law, the Governor has determined, based on the change in the CPI-U (PA-DE-NJ-MD) over the past 12 months as reported by BLS on November 18, 2009, that the salaries covered by that law shall not change effective January 1, 2010. The following chart lists the position, the salary prior to the adjustment, the percentage increase of the adjustment, and the new salary:

Cola Adjustment for Elected and Appointed Officials Receiving Salaries Contained in Act 1995-51

COLA ADJUSTMENT IS BASED ON THE PERCENT CHANGE IN THE CPI-U FOR PA-DE-NJ-MD, CMSA, FOR THE 12 MONTH PERIOD ENDING OCTOBER 2008

<i>Position</i>	<i>Salary Prior To 1/1/2010</i>	<i>Cola Adjustment¹</i>	<i>Salary Effective 1/1/2010</i>
Governor	\$174,914	-0.1%	\$174,914
Lieutenant Governor	\$146,926	-0.1%	\$146,926
State Treasurer	\$145,529	-0.1%	\$145,529
Auditor General	\$145,529	-0.1%	\$145,529
Attorney General	\$145,529	-0.1%	\$145,529
Large Agency Head	\$139,931	-0.1%	\$139,931
Secretary of Education			
Secretary of Environmental Protection			
Secretary of Health			
Secretary of Labor and Industry			
Secretary of Public Welfare			
Secretary of Transportation			
Secretary of Corrections			
Medium Agency Head	\$132,934	-0.1%	\$132,934
Secretary of Aging			
Secretary of Community and Economic Development			
Secretary of General Services			
Secretary of Revenue			
State Police Commissioner			
Secretary of Conservation and Natural Resources			
Small Agency Head	\$125,939	-0.1%	\$125,939
Adjutant General			
Secretary of Agriculture			
Secretary of Banking			
Secretary of the Commonwealth			
Insurance Commissioner			
Liquor Control Board			
Chairperson	\$71,084	-0.1%	\$71,084
Member	\$68,284	-0.1%	\$68,284
Civil Service Commission****			
Chairperson	\$79,987	-0.1%	\$79,987
Member	\$76,910	-0.1%	\$76,910
State Tax Equalization Board			
Chairperson	\$24,489	-0.1%	\$24,489
Member	\$22,738	-0.1%	\$22,738
Milk Marketing Board			
Chairperson	\$22,738	-0.1%	\$22,738
Member	\$21,864	-0.1%	\$21,864

<i>Position</i>	<i>Salary Prior To 1/1/2010</i>	<i>Cola Adjustment¹</i>	<i>Salary Effective 1/1/2010</i>
Securities Commission***			
Chairperson	\$38,259	-0.1%	\$38,259
Member	\$34,905	-0.1%	\$34,905
Athletic Commission			
Chairperson	\$18,369	-0.1%	\$18,369
Member	\$17,490	-0.1%	\$17,490
Board of Pardons			
Member	\$16,091	-0.1%	\$16,091
Public Utility Commission			
Chairperson	\$135,434	**	\$135,434
Member	\$132,934	-0.1%	\$132,934
Environmental Hearing Board*			
Chairperson	\$135,434	*	\$135,434
Member	\$132,934	*	\$132,934
Board of Claims*****			
Chairperson	\$129,190	-0.1%	\$129,190
Member	\$122,389	-0.1%	\$122,389

¹ Act 1995-51, Section 3(e) only provides for increases in the salaries of elected and appointed officials addressed by the act. Therefore, effective January 1, 2010, the salaries will not change.

* The Environmental Hearing Board is not listed in Act 1995-51, but separate legislation requires that the Board's members receive the same compensation as the PUC.

** Act 1995-51 requires that the PUC Chairperson shall receive \$2,500/yr. more than PUC Members.

*** Per Act 1998-51.

**** Per Act 2002-140 effective November 27, 2002.

***** Per Act 2002-118, effective October 2, 2002.

MARY A. SODERBERG,
Secretary

[Pa.B. Doc. No. 09-2393. Filed for public inspection December 24, 2009, 9:00 a.m.]

PENNSYLVANIA PUBLIC UTILITY COMMISSION

Service of Notice of Motor Carrier Applications

The following temporary authority and/or permanent authority applications for the right to render service as a common carrier or contract carrier in this Commonwealth have been filed with the Pennsylvania Public Utility Commission. Formal protests and petitions to intervene must be filed in accordance with 52 Pa. Code (relating to public utilities). A protest shall indicate whether it applies to the temporary authority application, the permanent authority application, or both. Filings must be made with the Secretary, Pennsylvania Public Utility Commission, P. O. Box 3265, Harrisburg, PA 17105-3265, with a copy served on the applicant by January 11, 2010. Documents filed in support of the applications are available for inspection and copying at the Office of the Secretary between 8 a.m. and 4:30 p.m., Monday through Friday, and at the business address of the respective applicant.

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

A-2009-2142562. Clifford Weatherby (3692 SR 168, Volant, Lawrence County, PA 16156)—persons, in paratransit service, limited to persons whose personal convictions prevent them from owning or operating motor vehicles, from points in the County of Lawrence, to points in Pennsylvania, and return.

A-2009-2144993. Clifford H. Huffman (P. O. Box 93, 67 Main Street, Apt. B, Yatesboro, Armstrong County, PA 16263)—for the discontinuance of service and cancellation of his certificate, as a common carrier, by motor vehicle, authorizing the transportation of persons in paratransit service, limited to persons whose personal convictions prevent them from owning or operating motor vehicles, from points in the Counties of Indiana, Armstrong and Clearfield, to points in Pennsylvania, and return.

*Pennsylvania Public Utility Commission, Bureau of
Transportation and Safety v. Jose Francisco Jose;
Doc. No. C-2009- 2144505*

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 Jose Francisco Jose, Respondent, maintains his principal place of business at 515 Winters Avenue, West Hazleton, PA 18202.

2. That Respondent was issued a Certificate of Public Convenience by this Commission on May 13, 2008, at Application Docket No. A-00124154.

3. That, by Secretarial Letter issued on May 20, 2009, Respondent was directed to pay a civil penalty of two hundred fifty dollars (\$250.00). To date, Respondent has not submitted any payments to this Commission.

4. That Respondent violated 66 Pa.C.S. § 501(c) for failing to observe, obey and comply with a Commission Secretarial Letter issued on May 20, 2009, at C-2009-2050012.

A Certificate holder has an obligation to comply with the Commission's rules and regulations. A Certificate of Public Convenience is neither a contract nor a property; it is a privilege. Where that privilege is violated, the Commission may, for due cause, exercise its power to revoke a carrier's privilege to operate. *Paradise v. Pennsylvania Public Utility Commission*, 132 A.2d 754, 184 Pa. Superior Court 8 (1957).

Wherefore, the Bureau of Transportation and Safety Prosecutory Staff hereby requests that the Commission issue an Order which revokes the Certificate of Public Convenience held by Respondent at A-00124154.

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 to be able to prove the same at any hearing held in this matter. I understand that the statements herein are made subject to the penalties of 18 Pa.C.S. § 4904 relating to unsworn falsification to authorities.

Date: _____

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

NOTICE

A. You must file an Answer within twenty 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). 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 days, the Bureau of Transportation and Safety will request that the Commission issue an Order imposing a penalty. The penalty could include the revocation of your Certificate of Public Convenience or other remedy.

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

D. If you file an Answer which contests the Complaint, the matter will be assigned to an Administrative Law Judge for hearing and decision.

E. 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. 09-2394. Filed for public inspection December 24, 2009, 9:00 a.m.]

PHILADELPHIA REGIONAL PORT AUTHORITY

Request for Proposals

The Philadelphia Regional Port Authority (PRPA) will accept proposals for Project No. 09-146.S—Insurance Brokerage Services until 2 p.m. on Thursday, February 4, 2010. The proposal documents can be obtained online at www.philaport.com under the Procurement link and will be available Tuesday, December 29, 2009. PRPA is an equal opportunity employer. Firms must comply with all applicable equal employment opportunity laws and regulations.

A nonmandatory facility tour is scheduled for 10 a.m. on Friday, January 8, 2010. Meet at the Tioga Administration Building, 3460 North Delaware Avenue, Philadelphia, PA 19134 (2nd floor). Attendance must be confirmed to the Procurement Department at (215) 426-2600.

JAMES T. McDERMOTT, Jr.,
Executive

[Pa.B. Doc. No. 09-2395. Filed for public inspection December 24, 2009, 9:00 a.m.]

STATE BOARD OF COSMETOLOGY

Bureau of Professional and Occupational Affairs v. Hoa Thi Hoang; Doc. No. 0551-45-2008

On November 5, 2009, Hoa Thi Hoang, license no. CO261948, of Mobile, AL, was revoked and ordered to pay a civil penalty of \$1,000, because she obtained her license by dishonest or unethical means.

Individuals may obtain a copy of the adjudication by writing to David Markowitz, Board Counsel, State Board of Cosmetology, P. O. Box 2649, Harrisburg, PA 17105-2649.

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

JANET G. M. SANKO,
Chairperson

[Pa.B. Doc. No. 09-2396. Filed for public inspection December 24, 2009, 9:00 a.m.]