

# NOTICES

## ADMINISTRATIVE OFFICE OF PENNSYLVANIA COURTS

### Request for Bids

The Administrative Office of Pennsylvania Courts will be accepting bids for previously used three Leibert units, four UPS units, three Onan ATS units, one Leibert AC8

controller unit, one TVSS system, two Onan generators and one Trane air conditioning unit available approximately August 6, 2010, from our facility at 5035 Ritter Road, Mechanicsburg, PA. For further information on this equipment, contact Jaime Kornacki, Jaime.Kornacki@pacourts.us.

ZYGMONT A. PINES,  
*Courts Administrator*

[Pa.B. Doc. No. 10-1254. Filed for public inspection July 9, 2010, 9:00 a.m.]

## 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 June 22, 2010.

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

### BANKING INSTITUTIONS

#### Holding Company Acquisitions

<i>Date</i>	<i>Name and Location of Applicant</i>	<i>Action</i>
6-18-2010	Standard Financial Corp. Murrysville Westmoreland County	Filed
	Application for approval to acquire 100% of Standard Bank, PaSB, Murrysville.	

#### Branch Applications

##### De Novo Branches

<i>Date</i>	<i>Name and Location of Applicant</i>	<i>Location of Branch</i>	<i>Action</i>
6-16-2010	Allegheny Valley Bank of Pittsburgh Pittsburgh Allegheny County	7703 McKnight Road Pittsburgh Allegheny County	Filed
6-22-2010	Beneficial Mutual Savings Bank Philadelphia Philadelphia County	34 South Sycamore Street Newtown Township Bucks County	Approved

#### Branch Discontinuances

<i>Date</i>	<i>Name and Location of Applicant</i>	<i>Location of Branch</i>	<i>Action</i>
6-18-2010	Beneficial Mutual Savings Bank Philadelphia Philadelphia County	1191 Woodlane Road Eastampton Burlington County, NJ	Filed
6-18-2010	Beneficial Mutual Savings Bank Philadelphia Philadelphia County	220 West Front Street Florence Burlington County, NJ	Filed
6-18-2010	Beneficial Mutual Savings Bank Philadelphia Philadelphia County	25 Fort Dix Road Pemberton Burlington County, NJ	Filed

## SAVINGS INSTITUTIONS

No activity.

## CREDIT UNIONS

No activity.

The Department's web site at [www.banking.state.pa.us](http://www.banking.state.pa.us) includes public notices for more recently filed applications.

STEVEN KAPLAN,  
*Secretary*

[Pa.B. Doc. No. 10-1255. Filed for public inspection July 9, 2010, 9:00 a.m.]

## DEPARTMENT OF ENVIRONMENTAL PROTECTION

### Applications, Actions and Special Notices

#### APPLICATIONS

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

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

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

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

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

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

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

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

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

**I. NPDES Renewal Applications**

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

<i>NPDES No. (Type)</i>	<i>Facility Name &amp; Address</i>	<i>County &amp; Municipality</i>	<i>Stream Name (Watershed #)</i>	<i>EPA Waived Y/N?</i>
PA0064033 (Sewage)	Pusti Margiya Vashnav Samaj of North America 15 Manor Road Schuylkill Haven, PA 17972	Schuylkill County Wayne Township	Unnamed Tributary to Lower Little Swatara Creek 07D	Y
PA0060003 (Sewage)	Wyoming County Housing Authority Main Street Nicholson, PA 18446	Wyoming County Nicholson Borough	Martins Creek 4-F Cold Water Fishes	Y
PA0070092 (Sewage)	Owners: John M. and Van Daniel Yetter t/a Evergreen Village 45 North Courtland Street East Stroudsburg, PA 18301  Facility: Evergreen Village WTP Evergreen Road Upper Mount Bethel, PA 18343	Northampton County Upper Mount Bethel Township	Unnamed Tributary to Allegheny Creek 01F	Y

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

<i>NPDES No. (Type)</i>	<i>Facility Name &amp; Address</i>	<i>County &amp; Municipality</i>	<i>Stream Name (Watershed #)</i>	<i>EPA Waived Y/N ?</i>
PA0085316 (Sew)	Fort Heritage, LTD Fort Heritage Lighthouse Chapel 1958 Emmitsburg Road Gettysburg, PA 17325	Adams County Cumberland County	Marsh Creek 13-D	Y
PA0041581 (Sew)	Liverpool Municipal Authority P. O. Box 357 Liverpool, PA 17045	Perry County Liverpool Borough	Susquehanna River 6-C	Y

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

<i>NPDES No. (Type)</i>	<i>Facility Name &amp; Address</i>	<i>County &amp; Municipality</i>	<i>Stream Name (Watershed #)</i>	<i>EPA Waived Y/N ?</i>
PA0111945 (Industrial Wastewater & Stormwater)	Ward Manufacturing, Inc. P. O. Box 9 117 Gulick Street Blossburg, PA 16912	Blossburg Borough Tioga County	Johnson Creek Tioga River 4A	Y
PA0113433 (Sewage)	Fetterman SFTF 2074 Old Reading Road Catawissa, PA 17820	Columbia County Roaring Creek Township	Unnamed Tributary of Roaring Creek 5-E	Y
PA0112747 (Sewage)	Mahaffey Borough Municipal Authority Wastewater Treatment Plant P. O. Box 202 Mahaffey, PA 15757-0202	Clearfield County Mahaffey Borough	West Branch Susquehanna River 8-B	Y

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

<i>NPDES No. (Type)</i>	<i>Facility Name &amp; Address</i>	<i>County &amp; Municipality</i>	<i>Stream Name (Watershed #)</i>	<i>EPA Waived Y/N ?</i>
PA0239542 (Industrial Waste)	Geothermal Energy Systems, Inc. 5960 Susquehanna Trail Turbotville, PA 17772-8555	Warren County City of Warren	Allegheny River 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.*

**PA0020851**, Sewage, SIC Code 4952, **Hyndman Borough Municipal Authority Bedford County**, P. O. Box 445, Hyndman, PA 15545. Facility Name: Hyndman Borough STP. This existing facility is located in Hyndman Borough, **Bedford County**.

Description of Existing Activity: The application is for an amendment of an NPDES permit for an existing discharge of treated Sewage.

The receiving stream(s), Wills Creek, is located in State Water Plan watershed 13-A and is classified for Cold Water Fishes, aquatic life, water supply and recreation. The discharge is not expected to affect public water supplies.

The proposed effluent limits for Outfall 001 are based on a design flow of 0.150 MGD (Interim) and 0.365 MGD (Final).

Parameters	Mass (lb/day)			Concentration (mg/l)		
	Average Monthly	Daily Maximum	Minimum	Average Monthly	Weekly Average	Instantaneous Maximum
Flow (MGD)	Report	Report	XXX	XXX	XXX	XXX
pH (S.U.)	XXX	XXX	6.0	XXX	XXX	9.0
Dissolved Oxygen	XXX	XXX	5.0	XXX	XXX	XXX
Total Residual Chlorine (Interim)	XXX	XXX	XXX	0.5	1.64 Maximum	XXX
CBOD <sub>5</sub> (Interim)	31.3	50 Weekly Average	XXX	25	40	50
(Final)	76	122 Weekly Average	XXX	25	40	50
BOD <sub>5</sub> Raw Sewage Influent	Report	Report	XXX	Report	XXX	XXX
Total Suspended Solids (Interim)	37.5	56.3 Weekly Average	XXX	30	45	60
Total Suspended Solids (Final)	93	137 Weekly Average	XXX	30	45	60
Total Suspended Solids Raw Sewage Influent	Report	Report	XXX	Report	XXX	XXX
Fecal Coliform (CFU/100 ml)						
May 1 - Sep 30	XXX	XXX	XXX	200 Geometric Mean	XXX	XXX
Oct 1 - Apr 30	XXX	XXX	XXX	2,000 Geometric Mean	XXX	XXX

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

Parameters	Mass (lb/day)			Concentration (mg/l)	
	Monthly	Annual	Minimum	Monthly Average	Maximum
Ammonia-N	Report	Report	XXX	Report	XXX
Kjeldahl-N	Report	XXX	XXX	Report	XXX
Nitrate-Nitrite as N	Report	XXX	XXX	Report	XXX
Total Nitrogen	Report	Report	XXX	Report	XXX
Total Phosphorus	Report	Report	XXX	Report	XXX
Net Total Nitrogen	Report	7,306	XXX	XXX	XXX
Net Total Phosphorus	Report	974	XXX	XXX	XXX

In addition, the permit contains an amendment to the Chesapeake Bay Strategy Implementation interim milestone dates. The final compliance date is not affected.

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 not in effect.

**Application No. PA 0026654**, Sewage, **Borough of New Cumberland**, 1120 Market Street, New Cumberland, PA 17070. This facility is located in New Cumberland Borough, **Cumberland County**.

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

The receiving stream, Susquehanna River, is in Watershed 7-E, and classified for warm water fishes, water supply, recreation and fish consumption. The nearest downstream public water supply intake for Steelton Borough is located on the Susquehanna River, approximately 1.27 miles downstream. The discharge is not expected to affect the water supply.

The proposed effluent limits for Outfall 001 for a design flow of 1.25 MGD are:

<i>Parameter</i>	<i>Average Monthly (mg/l)</i>	<i>Average Weekly (mg/l)</i>	<i>Instantaneous Maximum (mg/l)</i>
CBOD <sub>5</sub>	25	40	50
Total Suspended Solids	30	45	60
Total Phosphorus	2.0		4.0
Dissolved Oxygen		Minimum of 5.0 at all times	
pH		From 6.0 to 9.0 inclusive	
Fecal Coliform		200/100 ml as a Geometric Average	
(5-1 to 9-30)		2,000/100 ml as a Geometric Average	
(10-1 to 4-30)			

Chesapeake Bay Requirements

	<i>Concentration (mg/L)</i>		<i>Mass (lbs)</i>
	<i>Monthly Average</i>	<i>Monthly</i>	<i>Annual</i>
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	22,831*
Net Total Phosphorus	XXX	Report	3,044*

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

\* Net Total Nitrogen and Net Total Phosphorus limits compliance date will begin on October 1, 2012. Since these reporting requirements are annual loads, reporting on compliance with the annual limitations will be required on the Supplemental DMR—Annual Nutrient Summary by November 28, 2013. The facility is required to monitor and report for Net Total Nitrogen and Net Total Phosphorus from the effective date of the permit until September 30, 2012.

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

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.

**PA0044911**, Industrial Waste, SIC Code 2023, **Land 'O Lakes Inc.**, 405 Park Drive, Carlisle, PA 17015-9270. Facility Name: Land 'O Lakes—Carlisle Facility. This existing facility is located in South Middleton Township, **Cumberland County**.

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

The receiving stream(s), Mountain Creek, is located in State Water Plan watershed 7-E and is classified for Trout Stocking, aquatic life, water supply and recreation. The discharge is not expected to affect public water supplies.

The proposed effluent limits for Outfall 001 are based on a design flow of 0.81 MGD.

<i>Parameters</i>	<i>Mass (lb/day)</i>			<i>Concentration (mg/l)</i>		
	<i>Average Monthly</i>	<i>Daily Maximum</i>	<i>Minimum</i>	<i>Average Monthly</i>	<i>Daily Maximum</i>	<i>Instantaneous Maximum</i>
Flow (MGD)	Report	Report	XXX	XXX	XXX	XXX
pH (S.U.)	XXX	XXX	6.0	XXX	XXX	9.0
Dissolved Oxygen	XXX	XXX	5.0	XXX	XXX	XXX
Temperature (° F)						
Aug 1—Jun 30	XXX	XXX	XXX	Report	110	XXX
Jul 1—31 (Interim)	XXX	XXX	XXX	Report	82	XXX
Jul 1—31 (Final)	XXX	XXX	XXX	Report	93	XXX
CBOD <sub>5</sub>						
(Interim)	90	180	XXX	Report	Report	33
(Final)	67	135	XXX	10	20	25

<i>Parameters</i>	<i>Mass (lb/day)</i>			<i>Concentration (mg/l)</i>		
	<i>Average Monthly</i>	<i>Daily Maximum</i>	<i>Minimum</i>	<i>Average Monthly</i>	<i>Daily Maximum</i>	<i>Instantaneous Maximum</i>
BOD <sub>5</sub>						
Wastewater Influent	Report	Report	XXX	Report	Report	XXX
Total Suspended Solids						
Wastewater Influent	Report	Report	XXX	Report	Report	XXX
(Interim)	115	226	XXX	Report	Report	42
(Final)	67	135	XXX	10	20	25
Ammonia-Nitrogen						
May 1 - Oct 31	10	20	XXX	1.5	3.0	3.7
Nov 1 - Apr 30 (Interim)	30	60	XXX	4.5	9.0	11
Nov 1 - Apr 30 (Final)	18.7	32	XXX	4.5	9.0	11
Total Phosphorus						
(Interim)	13.5	27	XXX	2.0	4.0	5.0
(Final)	6.7	13.5	XXX	1.0	2.0	2.5

The proposed effluent limits for Internal Monitoring Points 101 and 102 are:

<i>Parameters</i>	<i>Mass (lb/day)</i>			<i>Concentration (mg/l)</i>		
	<i>Average Monthly</i>	<i>Daily Maximum</i>	<i>Minimum</i>	<i>Average Monthly</i>	<i>Daily Maximum</i>	<i>Instantaneous Maximum</i>
Flow (MGD)						
Internal Monitoring Point	Report	Report	XXX	XXX	XXX	XXX
pH (S.U.)						
Internal Monitoring Point	XXX	XXX	Report	XXX	XXX	Report
Dissolved Oxygen						
Internal Monitoring Point	XXX	XXX	Report	XXX	XXX	XXX
Temperature (° F)						
Internal Monitoring Point	XXX	XXX	XXX	Report	Report	XXX
CBOD <sub>5</sub>						
Internal Monitoring Point	Report	Report	XXX	Report	Report	XXX
Total Suspended Solids						
Internal Monitoring Point	Report	Report	XXX	Report	Report	XXX
Ammonia-Nitrogen						
Internal Monitoring Point	Report	Report	XXX	Report	Report	XXX
Total Phosphorus						
Internal Monitoring Point	Report	Report	XXX	Report	Report	XXX

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

- Schedule of Compliance

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.

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

**PA0228818**, Industrial Waste, SIC 2621 and 2086, **First Quality Tissue, LLC**, 904 Woods Avenue, Lock Haven, PA 17745-3431. This existing facility is located in Castanea Township, **Clinton County**.

Description of Proposed Activity: NOTE—this is a republished notice since an earlier version contained incorrect effluent limitations.

Draft of NPDES renewal, authorizing the discharge of treated industrial wastewater from the paper making and water purification/bottling operations at the site.

The receiving stream, Bald Eagle Creek, is in the State Water Plan watershed 9C and is classified for: Warm Water Fishes and Migratory Fishes. The nearest downstream public water supply intake is the Pennsylvania-American Water Company, located on the West Branch Susquehanna River and is 60 river miles below the point of discharge.

The proposed effluent limits for Outfall 003, based on a design flow of 4.2 MGD, are:

<i>Discharge Parameter</i>	<i>Mass (lb/day)</i>		<i>Concentration (mg/l)</i>		
	<i>Average Monthly</i>	<i>Maximum Daily</i>	<i>Average Monthly</i>	<i>Maximum Daily</i>	<i>Instantaneous Maximum</i>
BOD <sub>5</sub>	2,474	5,093	71	145	177
TSS	1,942	4,451	55	127	139
Iron, Total	14	29	0.410	0.820	1.025
Aluminum, Total	23	46	0.657	1.314	1.643

Discharge Parameter	Mass (lb/day)		Concentration (mg/l)		
	Average Monthly	Maximum Daily	Average Monthly	Maximum Daily	Instantaneous Maximum
Manganese, Total	2.1	4.3	0.061	0.122	0.153
pH			6.0 to 9.0 at all times		

The proposed monitoring requirements for Outfall 003 are:

Discharge Parameter	Mass (lb)		Concentration (mg/L)	
	Monthly	Annual	Monthly	Average
Ammonia-N	Report	Report	Report	Report
Kjeldahl-N	Report			Report
Nitrate-Nitrite as N	Report			Report
Total Nitrogen	Report	Report	Report	Report
Total Phosphorus	Report	Report	Report	Report

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

1. Management of Chemical Additives.
2. Stormwater No Exposure Certification.
3. Prohibition of Chlorophenolic Compounds.

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

**PA0204811**, Sewage and Industrial Waste, SIC Codes 3089 and 3079, **Royal Window and Door Profiles**, One Contact Place, Delmont, PA 15626-1402. This application is for renewal of an NPDES permit to discharge treated sewage and untreated industrial wastes and storm water runoff from Custom Window Extrusions in Salem Township, **Westmoreland County**.

The following effluent limitations are proposed for discharge to the receiving waters, known as Tributary to Beaver Run, which are classified as a high-quality cold water fishery with existing and/or potential uses for aquatic life, water supply and recreation. The first existing/proposed downstream potable water supply intake from this facility is the Westmoreland Municipal Water Authority approximately 3 to 4 miles from the discharge point.

*Outfall 101:* existing discharge, design flow of 0.0029 mgd.

Parameter	Mass (lb/day)		Minimum	Concentration (mg/l)	
	Average Monthly	Maximum Daily		Average Monthly	Maximum Daily
Flow (MGD)	Monitor and Report				
C-BOD <sub>5</sub>				10	20
Total Suspended Solids				30	60
Ammonia Nitrogen (NH <sub>3</sub> -N)					
May 1 to Oct 31				3.0	6.0
Nov 1 to Apr 30				9.0	18.0
Fecal Coliform (#/100ml)					
May 1 to Sept 30				200	1,000
Oct 1 to Apr 30				2,000	10,000
Total Residual Chlorine				1.4	3.3
Dissolved Oxygen			not less than 3 mg/l		
pH	not less than 6.0 nor greater than 9.0				

*Outfall 201:* existing discharge, design flow of 0.003 mgd.

Parameter	Mass (lb/day)		Minimum	Concentration (mg/l)	
	Average Monthly	Maximum Daily		Average Monthly	Maximum Daily
Flow (MGD)	Monitor and Report				
Temperature (° F)					110
Oil and Grease				15	29
C-BOD <sub>5</sub>				13	26
Total Suspended Solids				9.5	19
Iron (Total)				Monitor and Report	
Manganese (Total)				Monitor and Report	
Aluminum				Monitor and Report	
pH	Between 6.0 and 9.0 at all times				

*Outfalls 301 and 401:* existing discharge, consists of storm water run off only

Parameter	Mass (lb/day)			Concentration (mg/l)	
	Average Monthly	Maximum Daily	Minimum	Average Monthly	Maximum Daily
Flow	Monitor and Report				
Oil and Grease	Monitor and Report				
Total Suspended Solids	Monitor and Report				

*Outfall 001:* existing discharge, consists of 101, 201, 301 and 401—Flow N/A

Parameter	Mass (lb/day)			Concentration (mg/l)	
	Average Monthly	Maximum Daily	Minimum	Average Monthly	Maximum Daily
Flow (MGD)	Monitor and Report				
C-BOD <sub>5</sub>	10				
Total Suspended Solids	30				
Ammonia Nitrogen (NH <sub>3</sub> -N)	3				
May 1 to Oct 31	9				
Nov 1 to Apr 30	18				
Dissolved Oxygen	7.0				
Iron (Total)	Monitor and Report				
Manganese (Total)	Monitor and Report				
Aluminum	Monitor and Report				
pH	Between 6.0 and 9.0 at all times				

The EPA waiver is in effect.

**PA0217867**, Sewage, **Residential Resources Southwest, Inc.**, 650 Smithfield Street, 18th Floor, Suite 1870, Pittsburgh, PA 15222. This application is for renewal of an NPDES permit to discharge treated sewage from Residential Resources Southwest STP in Ohioville Borough, **Beaver County**.

The following effluent limitations are proposed for discharge to the receiving waters, known as Drainage Swale Tributary to Unnamed Tributary of Upper Dry Run, which are classified as 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 City of East Liverpool, OH on the Ohio River.

*Outfall 001:* existing discharge, design flow of 0.01 mgd.

Parameter	Concentration (mg/l)			
	Average Monthly	Average Weekly	Maximum Daily	Instantaneous Maximum
CBOD <sub>5</sub>	10			20
Suspended Solids	10			20
Ammonia Nitrogen				
May 1 to Oct 31	2.0			4.0
Nov 1 to Apr 30	5.0			10.0
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			
Total Residual Chlorine	0.10			0.24
Dissolved Oxygen	not less than 5.0 mg/l			
pH	not less than 6.0 nor greater than 9.0			

The EPA waiver is in effect.

**PA0095303**, Sewage, **Purchase Line School District**, 16559 Route 286 Highway East, P. O. Box 374, Commodore, PA 15729-0374. This application is for renewal of an NPDES permit to discharge treated sewage from Purchase Line School District Sewage Treatment Plant in Green Township, **Indiana County**.

The following effluent limitations are proposed for discharge to the receiving waters, known as Unnamed Tributary of East Run, which are classified as a high-quality cold 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 0.022 mgd.

<i>Parameter</i>	<i>Concentration (mg/l)</i>			
	<i>Average Monthly</i>	<i>Average Weekly</i>	<i>Maximum Daily</i>	<i>Instantaneous Maximum</i>
CBOD <sub>5</sub>	20			40
Suspended Solids	25			50
Ammonia Nitrogen				
May 1 to Oct 31	2.0			4.0
Nov 1 to Apr 30	2.9			5.8
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			
Total Residual Chlorine	1.4			3.3
Dissolved Oxygen	not less than 7.0 mg/l			
pH	not less than 6.0 nor greater than 9.0			

The EPA waiver is in effect.

**PA0096091**, Sewage, **Aleppo Township Authority**, 100 North Drive, Sewickley, PA 15143. This application is for renewal of an NPDES permit to discharge treated sewage from I-79 North STP in Aleppo Township, **Allegheny County**.

The following effluent limitations are proposed for discharge to the receiving waters, known as Kilbuck Run, which are classified as a cold 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 Midland Borough Authority.

*Outfall 001*: existing discharge, design flow of 0.095 mgd.

<i>Parameter</i>	<i>Concentration (mg/l)</i>			
	<i>Average Monthly</i>	<i>Average Weekly</i>	<i>Maximum Daily</i>	<i>Instantaneous Maximum</i>
CBOD <sub>5</sub>	25			50
Suspended Solids	30			60
Ammonia Nitrogen				
May 1 to Oct 31	2.5			5.0
Nov 1 to Apr 30	7.5			15.0
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			
Dissolved Oxygen	not less than 5.0 mg/l			
pH	not less than 6.0 nor greater than 9.0			

The EPA waiver is in effect.

**PA0098396**, Sewage, **Oak Estates, Inc.**, 600 Laurelview Drive, Mt. Pleasant, PA 15666. This application is for renewal of an NPDES permit to discharge treated sewage from Laurelview Manor MHP STP in Bullskin Township, **Fayette County**.

The following effluent limitations are proposed for discharge to the receiving waters, known as Unnamed Tributary of Jacobs 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 Westmoreland County Municipal Authority-McKeesport.

*Outfall 001*: existing discharge, design flow of 0.03 mgd.

<i>Parameter</i>	<i>Concentration (mg/l)</i>			
	<i>Average Monthly</i>	<i>Average Weekly</i>	<i>Maximum Daily</i>	<i>Instantaneous Maximum</i>
CBOD <sub>5</sub>	25			50
Suspended Solids	30			60
Ammonia Nitrogen				
May 1 to Oct 31	20			4.0
Nov 1 to Apr 30	3.5			7.0
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			
Total Residual Chlorine	0.3			0.7
Dissolved Oxygen	not less than 5.0 mg/l			
pH	not less than 6.0 nor greater than 9.0			

The EPA waiver is in effect.

**PA0216470**, Sewage, **Children's Bible Ministries**, P. O. Box 378, Carmichaels, PA 15320-0378. This application is for renewal of an NPDES permit to discharge treated sewage from Cornerstone Ministry STP in Jefferson Township, **Greene County**.

The following effluent limitations are proposed for discharge to the receiving waters, known as Unnamed Tributary of Pumpkin Run, 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 Tri-County Joint Municipal Authority.

*Outfall 001*: existing discharge, design flow of 0.03 mgd.

Parameter	Concentration (mg/l)			
	Average Monthly	Average Weekly	Maximum Daily	Instantaneous Maximum
CBOD <sub>5</sub>	25			50
Suspended Solids	30			60
Ammonia Nitrogen				
May 1 to Oct 31	1.9			3.8
Nov 1 to Apr 30	2.9			5.8
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			
Total Residual Chlorine	0.018			0.042
Dissolved Oxygen	not less than 5.0 mg/l			
pH	not less than 6.0 nor greater than 9.0			

The EPA waiver is in effect.

**PA0096903**, Sewage, **Paul D. and Mark L. Galbraith, G & G Mobile Home Sales**, 23 Oakridge Heights Drive, Oakdale, PA 15071. This application is for renewal of an NPDES permit to discharge treated sewage from Hidden Valley Estates MHP STP in Robinson Township, **Washington County**.

The following effluent limitations are proposed for discharge to the receiving waters, known as Unnamed Tributary of Little Raccoon 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 Midland Water Authority.

*Outfall 001*: existing discharge, design flow of 0.009 mgd.

Parameter	Concentration (mg/l)			
	Average Monthly	Average Weekly	Maximum Daily	Instantaneous Maximum
CBOD <sub>5</sub>	25.0			50.0
Suspended Solids	30.0			60.0
Ammonia Nitrogen				
May 1 to Oct 31	15.0			30.0
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			
Total Residual Chlorine	1.4			3.3
pH	not less than 6.0 nor greater than 9.0			

The EPA waiver is in effect.

**PA0217247**, Sewage, **Marion Center Area School District**, Box 156, Route 403, Marion Center, PA 15759. This application is for renewal of an NPDES permit to discharge treated sewage from Creekside Washington Elementary School STP in Washington Township, **Indiana County**.

The following effluent limitations are proposed for discharge to the receiving waters, known as Unnamed Tributary of South Branch Plum Creek, which are classified as a cold 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 Buffalo Township Municipal Authority located on the Allegheny River.

*Outfall 001*: existing discharge, design flow of 0.0019 mgd.

Parameter	Concentration (mg/l)			
	Average Monthly	Average Weekly	Maximum Daily	Instantaneous Maximum
CBOD <sub>5</sub>	25			50
Suspended Solids	30			60
Ammonia Nitrogen				

Parameter	Concentration (mg/l)			
	Average Monthly	Average Weekly	Maximum Daily	Instantaneous Maximum
May 1 to Oct 31 Fecal Coliform	23.0			46.0
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			
Total Residual Chlorine	1.4			3.3
pH	not less than 6.0 nor greater than 9.0			

The EPA waiver is in effect.

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

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

**WQM Permit No. 6610401**, Sewerage, **Eaton Sewer and Water Company, Inc.**, P. O. Box 316, Nicholson, PA 18446. This proposed facility is located in Eaton Township, **Wyoming County**.

Description of Proposed Action/Activity: This project involves upgrading an existing pump station that will serve the Wal-Mart store, the Wyoming County Building and the Moose Lodge. The sewage will be treated at the existing Eaton Sewer and Water Company treatment plant.

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

**WQM Permit No. 2110404**, Sewerage, **David W. Ketner**, 159 Garland Drive, Carlisle, PA 17013. This proposed facility is located in North Middleton Township, **Cumberland County**.

Description of Proposed Action/Activity: Seeking approval for the construction/operation of a small flow treatment facility for a single family residence.

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

**WQM Permit No. 0210202**, Industrial Waste, **Ingram Barge Company**, 100 Atlantic Avenue, Elizabeth, PA 15037. This proposed facility is located in Elizabeth Township, **Allegheny County**.

Description of Proposed Action/Activity: Application for the construction and operation of a treatment plant.

**WQM Permit No. 0410403**, Sewerage, **East Rochester Borough**, 760 Spruce Street, East Rochester, PA 15074-1457. This proposed facility is located in East Rochester Borough, **Beaver County**.

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

**WQM Permit No. 6510407**, Sewerage, **Hempfield Township Municipal Authority**, 1146 Woodward Drive, Greensburg, PA 15601. This proposed facility is located in Hempfield Township, **Westmoreland County**.

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

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

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

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

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

*Carbon County Conservation District: 5664 Interchange Road, Lehigh, PA 18235-5114, 610-377-4894.*

NPDES Permit No.	Applicant Name & Address	County	Municipality	Receiving Water/Use
PAI021310001	The Woods Campground Attn: Mr. Patrick Gremling 845 Vaughn Lane Lehigh, PA 18235	Carbon	Towamensing Township	White Oak Run EV, MF

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

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

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

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

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

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

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

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

**NUTRIENT MANAGEMENT PLAN—PUBLIC NOTICE SPREADSHEET—APPLICATIONS**

<i>Agricultural Operation Name and Address</i>	<i>County</i>	<i>Total Acres</i>	<i>Animal Equivalent Units</i>	<i>Animal Type</i>	<i>Special Protection Waters (HQ or EV or NA)</i>	<i>Renewal/ New</i>
Jaindl Farms, LLC 3150 Coffeetown Road Orefield, PA 18069	Lehigh, Berks, Northampton	8,401.8 total acres  8,113.3 acres for manure application	3669.02 animal equivalent units  0.45 animal equivalent units per acre	Turkeys	Unnamed tributaries to Little Lehigh Creek HQ-CWF  Named tributaries to Little Lehigh Creek including: Berks: Toad Creek HQ/CWF Lehigh: Breinig Run HQ-CWF Iron Run HQ-CWF Swabia Creek HQ-CWF  Little Lehigh Creek HQ-CWF MF Hassen Creek HQ-CWF MF and Monocacy Creek HQ-CWF, MF	New

**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**

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

**Application No. 4810503, Public Water Supply.**

Applicant **Portland Borough Authority**  
 Township or Borough Upper Mount Bethel Township  
**Northampton County**  
 Responsible Official Lance Prator, Chairperson  
 Portland Borough Authority  
 P. O. Box 572  
 Portland, PA 18351  
 Type of Facility Community Water System  
 Consulting Engineer Russell D. Scott, IV, P. E.  
 RKR Hess Associates  
 112 North Courtland Street  
 East Stroudsburg, PA 18301  
 570-421-1550  
 Application Received Date May 24, 2010  
 Description of Action Application for construction of a new well with associated well house and conveyance main.

**MINOR AMENDMENT**

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

**Application No. 5210504MA.**

Applicant **Twin Lakes Utilities, Inc.**  
 Township or Borough Shohola Township  
**Pike County**  
 Responsible Official Robert K. Fullagar, P. E.  
 Director of Operations  
 Twin Lakes Utilities, Inc.  
 c/o Middlesex Water Company  
 1500 Ronson Road  
 Iselin, NJ 08830  
 Type of Facility Community Water System  
 Consulting Engineer Same as above  
 Application Received Date May 26, 2010  
 Description of Action Application for installation of a second booster pump and elimination of the currently approved variable speed drive.

**Application No. 5210505MA.**

Applicant **Pennsylvania American Water**  
 Township or Borough Deleware Township  
**Pike County**  
 Responsible Official David Kaufman  
 VP Engineering  
 800 West Hersheypark Drive  
 Hershey, PA 17033  
 Type of Facility Community Water System  
 Consulting Engineer Daniel G. Rickard, P. E.  
 Pennsylvania American Water  
 100 North Pennsylvania Avenue  
 Wilkes-Barre, PA 18701  
 570-830-6531  
 Application Received Date March 19, 2010  
 Description of Action Application for construction of a chlorine contact pipe to replace an existing contact tank at Wild Acres development, Well No. 2.

**Application No. 4010505MA.**

Applicant **Aqua Pennsylvania, Inc.**  
 Township or Borough Rice Township  
**Luzerne County**  
 Responsible Official Patrick R. Burke  
 Regional Manager  
 Northeast and Central Operations  
 1 Aqua Way  
 White Haven, PA 18661  
 Type of Facility Community Water System  
 Consulting Engineer William A. LaDieu, P. E.  
 CET Engineering Services  
 1240 North Mountain Road  
 Harrisburg, PA 17112  
 717-541-0622  
 Application Received Date June 10, 2010

Description of Action	Application for repair of an existing concrete finished water storage reservoir serving the development of Laurel Lakes.
<b>Application No. 5410503MA.</b>	
Applicant	<b>Kline Township Municipal Authority</b>
Township or Borough	Kline Township <b>Schuylkill County</b>
Responsible Official	Francis A. Patton, Jr. Chairperson Kline Township Municipal Authority 76 South Kennedy Drive McAdoo, PA 18237
Type of Facility	Community Water System
Consulting Engineer	Michael G. Pohronezny, P. E. Systems Design Engineering, Inc. 1032 James Drive Leesport, PA 19533
Application Received Date	June 14, 2010
Description of Action	Application for replacement of the existing disinfection system in use at the community water system from gas chlorination to a sodium hypochlorite feed system.

## LAND RECYCLING AND ENVIRONMENTAL REMEDIATION

UNDER ACT 2, 1995

### PREAMBLE 1

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

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Sections 302—305 of the Land Recycling and Environmental Remediation Standards Act (act) require the Department of Environmental Protection (Department) to publish in the *Pennsylvania Bulletin* an acknowledgment noting receipt of Notices of Intent to Remediate. An acknowledgment of the receipt of a Notice of Intent to Remediate is used to identify a site where a person proposes to, or has been required to, respond to a release of a regulated substance at a site. Persons intending to use the Background Standard, Statewide Health Standard, the Site-Specific Standard or who intend to remediate a site as a special industrial area must file a Notice of Intent to Remediate with the Department. A Notice of Intent to Remediate filed with the Department provides a brief description of the location of the site, a list of known or suspected contaminants at the site, the proposed remediation measures for the site and a description of the intended future use of the site. A person who demonstrates attainment of one, a combination of the cleanup standards or who receives approval of a special industrial area remediation identified under the act will be relieved of further liability for the remediation of the site for any contamination identified in reports submitted to and approved by the Department. Furthermore, the person shall not be subject to citizen suits or other contribution actions brought by responsible persons not participating in the remediation.

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

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

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

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

**Former Lancaster Malleable Casting Company, Manheim Township, Lancaster County.** Reliance Environmental, Inc., 130 East Chestnut Street, Lancaster, PA 17602, on behalf of Mac Land Company, 1350 Fruitville Pike, Lancaster, PA 17601, submitted a Notice of Intent to Remediate site soils contaminated with No. 2 fuel oil from underground storage tanks. The site will be remediated to the Residential Statewide Health Standard and will remain industrial.

**Former Lehr's Exxon, Manchester Township, York County.** Alternative Environmental Solutions, Inc., 480 New Holland Avenue, Suite 8203, Lancaster, PA 17602, on behalf of Carole Lehr, c/o Attorney Bob Kane, 474 West Market Street, York, PA 17401, submitted a Notice of Intent to Remediate site soils and groundwater contaminated with unleaded and leaded gasoline from historic operations of an automotive service facility and retail sales of petroleum products. The site will be remediated to a combination of Statewide Health and Site-Specific Standards. Future use of the site is unknown.

**Arlene Kohr Property, City of Lebanon, Lebanon County.** Liberty Environmental, Inc., 50 North 5th Street, Fifth Floor, Reading, PA 19601, on behalf of Arlene M. Kohr, c/o Gregory K. Bump (POA), Fulton Financial Advisors NA, P. O. Box 448, Lebanon, PA 17042, submitted a Notice of Intent to Remediate site soils and groundwater contaminated with No. 2 fuel oil from an underground storage tank. The site will be remediated to a combination of Residential Statewide Health and Site-Specific Standards. Future use of the site is residential.

**O-Z/Gedney Company, LLC Facility, Perry Township, Berks County.** WSP Environment and Energy, 11190 Sunrise Valley Drive, Suite 300, Reston, VA 20191, on behalf of Emerson, 8000 West Florissant Avenue, St. Louis, MO 63136-1415, submitted a Notice of Intent to Remediate site soils and groundwater contaminated with

PCBs, PAHs and Inorganics from historic operations for the manufacture of electrical fittings and junction boxes. The site will be remediated to a Site-Specific Standard. Future use will be industrial or commercial.

**Lawrence Newcomer Residence**, Jackson Township, **York County**. Trimpi Associates, Inc., 1635 Old Plains Road, Pennsburg, PA 18073, on behalf of Lawrence and Cynthia Newcomer, 230 Perry Avenue, York, PA 17408, submitted a Notice of Intent to Remediate site soils contaminated with No. 2 fuel oil. The site will be remediated to the Residential Statewide Health Standard and will remain residential.

**Matthew Gartside Property**, Rapho Township, **Lancaster County**. GemChem, Inc., 53 North Cedar Street, Lititz, PA 17543, on behalf of Matthew Gartside, 238 Fairview Road, Manheim, PA 17545, submitted a Notice of Intent to Remediate site soils and groundwater contaminated with No. 2 fuel oil released from an aboveground storage tank. The site will be remediated to the Residential Statewide Health Standard and will remain residential.

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

**Trinity Industries, Inc.—North Plant**, Borough of Greenville, **Mercer County**. Golder Associates, Inc., 200 Century Parkway, Suite C, Mt. Laurel, NJ 08054 on behalf of Trinity Industries, Inc., 2525 Stemmons Freeway, Dallas, TX 75207 has submitted a Notice of Intent to Remediate. Lead is the primary chemical of concern in soil and tetrachloroethene and manganese are the primary chemicals of concern in groundwater. The property is currently zoned industrial and the proposed future of the site is industrial as well. The Notice of Intent to Remediate was published in the *The Herald* on June 7, 2010. The site will be remediated to the Site-Specific Standard.

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

**RIDC City Center of Duquesne**, City of Duquesne, **Allegheny County**. KU Resources, 22 South Linden Street, Duquesne, PA 15110 on behalf of the RIDC of Southwestern Pennsylvania, the American textile Company, Inc., MBC Properties (Miller Bros. Construction), Rutenberg Realty Company, LLC, Greater Pittsburgh Community Food Bank, and the Regional Trail Alliance has submitted a Notice of Intent to Remediate. The property was utilized as an integrated steel-making facility that ceased operations in 1987. Known primary contaminants include semivolatiles organic compounds, volatile organic compounds, metals and PCBs in soil and volatile organic compounds and metals in groundwater. Most of the Site will remain light industrial and/or commercial with a small portion for recreation. The Site previously attained a Site-Specific Standard by means of the Special Industrial Area (SIA) provisions of Act 2. KU Resources intends to attain a combined Site-Specific and Statewide Health Standards without the use of the SIA provisions.

**62nd Street Industrial Park**, City of Pittsburgh, **Allegheny County**. GAI Consultants, Inc., 385 East Waterfront Drive, Homestead, PA 15120 on behalf of the Urban Redevelopment Authority of Pittsburgh, 200 Ross Street, Pittsburgh, PA 15122 has submitted a Notice of Intent to Remediate. The 62nd Street Industrial Park is the Former Tippins facility along Butler Street. Past historical uses include bulk storage of liquid petroleum

products and as a cold roll steel fabricator. The remediator is planning to use the Special Industrial Area provisions to attain a Site-Specific Standard. Most of the site will remain nonresidential except for a portion to use as a recreational trail.

## 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

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**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.**

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*Southcentral Region: Air Quality Program, 909 Elmerton Avenue, Harrisburg, PA 17110. Contact: Thomas J. Hanlon, Chief, East Permitting Section—Telephone: 717-705-4862 or Daniel Husted, Chief, West Permitting Section—Telephone: 814-949-7935.*

**06-05100E: Ontelaunee Power Operating Co., LLC** (5115 Pottsville Pike, Reading, PA 19605-9729) to modify the carbon monoxide limit for the two combined cycle turbines at their electric generating station in Ontelaunee Township, **Berks County**.

**67-03162A: Church & Dwight Co., Inc.** (5197 Commerce Drive, York, PA 17408) for construction of a cat litter manufacturing line at their facility in Jackson Township, **York County**. Plant operations include aggregate mixing and blending controlled by two baghouses as well as aggregate coating and fragrance application operations. Potential volatile organic compound and particulate matter emissions are estimated to be approximately 1.2 and 1 ton per year, respectively. The plan approval will include monitoring, work practice standards, recordkeeping and reporting requirements to ensure the facility complies with the applicable air quality regulations.

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

**PA-04-00699G: NGC Industries, LLC—formerly known as National Gypsum Company** (168 Shippingport Hill Road, Shippingport, PA 15077-0346) for authorization to use ammonium sulfate as a board hardening accelerating agent at NGC's wallboard manufacturing facility in Shippingport, **Beaver 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 authorize the use of ammonium sulfate as a board hardening accelerating agent at NGC's wallboard manufacturing facility located in Shippingport, Beaver County.

No physical changes are being made to accommodate this project. Up to 471.5 tons per year of ammonium sulfate will be used in existing equipment. Use of this raw material will result in an increase of 27.8 pounds ammonia per hour and 121.6 tons of ammonia per year. Applicant has modeled the potential impact of the ammonia emissions with reference to potential health and odor impacts, and shown concentrations will not exceed published levels. BAT for this operation consists of the use of best operating practices. The proposed raw material usage 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 this publication.

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

**10-359B: Keystone Midstream Services, LLC** (10355 Westmoor Drive, Suite 250, Westminister, CO 80021) for construction of a natural gas processing facility at their facility in Forward Township, **Butler County**.

Under to 25 Pa. Code §§ 127.44(b) and 127.424(b), the Department of Environmental Protection (Department) intends to issue Plan Approval 10-359A to Keystone Midstream Services, LLC for the construction of a natural gas processing facility at their facility at 736 Prospect Road, Forward Township, Butler County. The Plan Approval will subsequently be incorporated into the facility's Operating Permit through an administrative amendment in accordance with 25 Pa. Code § 127.450.

Plan Approval No. 10-359B is for the construction of a 40 MMCF/day capacity natural gas processing, consisting of ten compressor engines, a gas processing skid, a 2 mmBtu/hr glycol dehydrator/reboiler, two 400 barrel capacity condensate storage tanks and miscellaneous process heaters. Based on the information provided by the applicant and the Department's own analysis, the proposed facility will have the potential to emit approximately 95.54 tons of carbon monoxide, 46.76 tons of nitrogen oxides, 42.16 tons of volatile organic compounds (VOCs), 4.59 tons of particulate matter, 0.30 ton of sulfur oxides and 15.53 tons of total Hazardous Air Pollutants (HAP) per year.

The Plan Approval will contain additional testing, recordkeeping and work practice requirements designed to keep the facility operating within all applicable air quality requirements. The facility will also be subject to the requirements of New Source Performance Standards, 40 CFR Part 60, Subparts KKK, for Onshore Natural Gas Processing Plants, and JJJJ, for Stationary Spark Ignition Internal Combustion Engines.

Copies of the application, the Department's analysis, and other documents used in the evaluation are available for public inspection between 8 a.m. and 4 p.m. weekdays at the address shown as follows. To make an appointment, contact Records Management at 814-332-6340.

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

1. Name, address and telephone number of the person submitting comments.
2. Identification of the proposed Plan Approval; No. 10-359B.
3. Concise statement regarding the relevancy of the information or any objections to issuance of the Plan Approval.

A public hearing may be held, if the Department, in its discretion, decides that such a hearing is warranted on the comments received during the public comment period. All persons submitting comments or requesting a hearing will be notified of the decision to hold a hearing by



publication in a local newspaper of general circulation or the *Pennsylvania Bulletin* or by telephone, where the Department determines such notification is sufficient. Written comments or requests for a public hearing should be directed to John Guth, Regional Air Quality Manager, Department of Environmental Protection, Northwest Regional Office, 230 Chestnut Street, Meadville, PA 16335, 814-332-6940.

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

**AMS 07034: PA Convention Center** (1101 Arch Street, Philadelphia, PA 19107) for installation of two 500 Kilowatt (KW) Detroit Diesel emergency generator firing No. 2 fuel oil, one 600 KW Detroit Diesel emergency generator firing No. 2 fuel oil, one 270 Horsepower (HP) Peerless fire protection pump firing No. 2 fuel oil, two 20.4 mmBtu/hr Cleaver Brooks Boiler firing No. 2 fuel oil and natural gas, two 8.76 mmBtu/hr York Chillers firing No. 2 fuel oil and natural gas, one 600,000 Btu/hr Hot Water heater in the City of Philadelphia, **Philadelphia County**. The Facility will be limited to less than 25 tons of Nitrogen Oxides (NOx) emissions per year. The plan approval will contain operating, testing, monitoring, recordkeeping and reporting requirements to ensure operation within all applicable requirements.

**AMS 09199: PA Convention Center Annex** (111 North Broad Street, Philadelphia, PA 19107) to install two 1750 Kilowatt (KW) Cummins Diesel emergency generator firing No. 2 fuel oil, two 20.93 mmBtu/hr Burnham Boiler firing No. 2 fuel oil and natural gas, two 8.43 mmBtu/hr Johnson Controls/Power Flame Chillers firing No. 2 fuel oil and natural gas, two 1.0 mmBtu/hr PVI Industries Hot Water heaters firing natural gas in the City of Philadelphia, **Philadelphia County**. The Facility will be limited to less than 25 tons of Nitrogen Oxides (NOx) emissions per year. The plan approval will contain operating, testing, monitoring, recordkeeping and reporting requirements to ensure operation within all applicable requirements.

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

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

**40-00117: Valley Asphalt** (215 East Saylor Avenue, Laflin, PA 18702) for operation of a batch mix asphalt plant and associated air cleaning devices at their facility in Plains Township, **Luzerne County**. This facility is currently operating under Operating Permit 40-303-023. All permit requirements shall be included in the new State-only (Synthetic Minor) Operating Permit for this facility. This Operating Permit shall include emission restrictions, monitoring, recordkeeping and reporting requirements designed to ensure this facility complies with all applicable air quality regulations.

**48-00077: Falk Funeral Homes & Crematory, Inc.** (1418 Main Street, Hellertown, PA 18055-1325) for operation of funeral services and human crematory in Hellertown Borough, **Northampton County**. This is a renewal of the State-only Natural Minor operating permit. The State-only operating permit includes emissions, work practice standards and testing, monitoring, recordkeeping and reporting requirements designed to keep the facility operating within all applicable air quality requirements.

*Southcentral Region: Air Quality Program, 909 Elmerton Avenue, Harrisburg, PA 17110. Contact: Thomas J. Hanlon, Chief, East Permitting Section—Telephone: 717-705-4862 or Daniel Husted, Chief, West Permitting Section—Telephone: 814-949-7935.*

**07-03003: Altoona Regional Health System** (2500 Seventh Avenue, Altoona, PA 16602) for operation of the boiler plant and emergency generators at their facility in the City of Altoona, **Blair County**. This action is a renewal of the State-only operating permit issued in 2004. The permit renewal will contain all of the emission limits and work practice standards along with all monitoring, recordkeeping and reporting requirements from the previous permit to ensure the facility complies with the applicable air quality regulations.

**07-03008: Nason Hospital** (105 Nason Drive, Roaring Spring, PA 16673) for operation of two natural gas/No. 2 fuel oil-fired boilers at their facility in Roaring Spring Borough, **Blair County**. This action is a renewal of the State-only operating permit issued in 2004. The permit renewal will contain all of the emission limits and work practice standards along with all monitoring, recordkeeping and reporting requirements from the previous permit to ensure the facility complies with the applicable air quality regulations.

**28-03055: D.L. Martin Co.** (25 Harbaugh Drive, Mercersburg, PA 17236) for operation of a surface coating system at their facility in Mercersburg Borough, **Franklin County**. The permit will contain all of the emission limits and work practice standards along with all monitoring, recordkeeping and reporting requirements to ensure the facility complies with the applicable air quality regulations.

**67-03046: Cycle Chem, Inc.** (550 Industrial Drive, Lewisberry, PA 17739) for operation of two waste solvent storage tanks in Fairview Township, **York County**. This action is a renewal of the State-only operating permit issued in 2005. The permit renewal will contain all of the emission limits and work practice standards along with all monitoring, recordkeeping and reporting requirements from the previous permit to ensure the facility complies with the applicable air quality regulations.

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

**27-00018: National Fuel Gas Supply Corp.—Queen Compressor Station** (P. O. Box 2081, Erie, PA 16512-2081) for the re-issuance of a Natural Minor Operating Permit to operate a natural gas compressor station on Queen Pumping Station Road in Hickory Township, **Forest County**. The primary emission sources include four natural gas fueled compressor units, a natural gas fueled auxiliary generator, a natural gas dehydration unit and miscellaneous natural gas use.

## 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 permit-

ting 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 <sup>1</sup>		greater than 6.0; less than 9.0	
Alkalinity greater than acidity <sup>1</sup>			

<sup>1</sup> The parameter is applicable at all times.

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

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

**30841316 and NPDES Permit No. PA0213535, Consol PA Coal Company, LLC**, (P. O. Box J, 1525 Pleasant Grove Road, Claysville, PA 15323), to revise the permit for the Bailey Mine and Prep Plant in Richhill Township, **Greene County** and East Finley Township, **Washington County** to add acres for development mining at a new underground training center. Underground Acres Proposed 87.78, Subsidence Control Plan Acres Proposed 87.78. No additional discharges. Application received: May 19, 2010.

**56841328 and NPDES Permit No. PA0033677, Rosebud Mining Company**, (301 Market Street, Kittanning, PA 16201), to revise the permit and related NPDES permit for the Mine 78 in Paint Township, **Somerset County** to add a sedimentation pond and NPDES discharge point 005. Receiving stream: Paint Creek, classified for the following use: CWF. Application received: May 21, 2010.

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

**32950104 and NPDES No. PA 0213055. Big Mack Leasing Company, Inc.**, R. D. 6, Box 231, Kittanning, PA 16201, renewal for the continued operation and restoration of a bituminous surface mine in Young Township, **Indiana County**, affecting 62.9 acres. Receiving stream(s): unnamed tributary to/and Whisky Run to Blacklegs Creek classified for the following use(s): cold water fishery. There are no potable water supply intakes within 10 miles downstream. Application received: June 16, 2010.

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

**33100105 and NPDES Permit No. PA0258903. Original Fuels, Inc.** (P. O. Box 343, Punxsutawney, PA 15767) Commencement, operation and restoration of a bituminous surface strip and auger operation in Perry Township, **Jefferson County** affecting 139.8 acres. Receiving streams: Unnamed tributaries to Big Run and Big Run, classified for the following: CWF. There are no potable surface water supply intakes within 10 miles downstream. Application received: June 18, 2010.

**1419-33100105-E-1. Original Fuels, Inc.** (P. O. Box 343, Punxsutawney, PA 15767) Application for a stream encroachment to conduct mining activities within 100 feet but no closer than 50 feet and to construct erosion and sedimentation control facilities no closer than 25 feet of an unnamed tributary to Big Run in Perry Township, **Jefferson County**. Receiving streams: Unnamed tributaries to Big Run and Big Run, classified for the following: CWF. There are no potable surface water supply intakes within 10 miles downstream. Application received: June 18, 2010.

**1419-33100105-E-2. Original Fuels, Inc.** (P. O. Box 343, Punxsutawney, PA 15767) Application for a stream

encroachment to install and maintain a stream crossing over an unnamed tributary of Big Run along with mining activities within 100 feet but no closer than 50 feet and to construct erosion and sedimentation control facilities no closer than 25 feet to the stream in Perry Township, **Jefferson County**. Receiving streams: Unnamed tributaries to Big Run and Big Run, classified for the following: CWF. There are no potable surface water supply intakes within 10 miles downstream. Application received: June 18, 2010.

**1419-33100105-E-3. Original Fuels, Inc.** (P. O. Box 343, Punxsutawney, PA 15767) Application for a stream encroachment to conduct mining activities within 100 feet but no closer than 50 feet and to construct erosion and sedimentation control facilities no closer than 25 feet of an unnamed tributary to Big Run in Perry Township, **Jefferson County**. Receiving streams: Unnamed tributaries to Big Run and Big Run, classified for the following: CWF. There are no potable surface water supply intakes within 10 miles downstream. Application received: June 18, 2010.

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

**14743007 and NPDES No. PA0610691. Keystone Coal Co.** (1375 Jackson Street, Suite 401, Fort Myers, FL 33901). Renewal of an existing surface mine operation located in Snow Shoe Township, **Centre County** affecting 344.7 acres. Receiving streams: unnamed tributaries to Beech Creek and Logway Run and Council Run to Beech Creek classified for Cold Water Fisheries. There are no potable water supply intakes within 10 miles downstream. Application received: May 21, 2010.

**14860103 and NPDES No. PA0115576. Keystone Coal Co.** (1375 Jackson Street, Suite 401, Fort Myers, FL 33901). Renewal of an existing surface mine operation located in Curtin Township, **Centre County** affecting 199.0 acres. Receiving streams: unnamed tributary to Beech Creek (Cold Water Fishery) and Beech Creek to Bald Eagle Creek classified for Trout Stocked Warm Water Fishery. There are no potable water supply intakes within 10 miles downstream. Application received: May 21, 2010.

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

**54850202R5 and PA0614611.** (10 Giberton Road, Gilberton, PA 17934), renewal of an existing anthracite coal refuse reprocessing, refuse disposal, surface mine and preparation operation in West Mahanoy and Mahanoy Townships, Shenandoah and Gilberton Boroughs, **Schuylkill County** affecting 1,590.0 acres, receiving stream: Mahanoy Creek. Application received: June 23, 2010.

**49773202R5. Gilberton Coal Company**, (10 Giberton Road, Gilberton, PA 17934), renewal of an existing anthracite coal refuse reprocessing, refuse disposal, surface mine and preparation operation in Mt. Carmel, Conyngham and Butler Townships, **Northumberland, Columbia and Schuylkill Counties** affecting 958.0 acres, receiving stream: none. Application received: June 23, 2010.

*Noncoal Applications Received*

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

Parameter	Table 2 30-day Average	Daily Maximum	Instantaneous Maximum
Suspended solids	10to35mg/l	20to70mg/l	25to90mg/l
Alkalinity exceeding acidity* pH*		greater than 6.0; less than 9.0	

\* The parameter is applicable at all times.

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

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

**62100302. A.C.A. Sand & Gravel, LLC** (19170 Route 89, P. O. Box 16, Corry, PA 16407) Commencement, operation and restoration of a large sand and gravel operation in Columbus Township, **Warren County** affecting 179.0 acres. Receiving streams: Unnamed tributary to Brokenstraw Creek and Brokenstraw Creek, classified for the following Statewide uses: CWF. There are no potable surface water supply intakes within 10 miles downstream. Application received: June 18, 2010.

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

**4873SM5C and NPDES Permit No. PA0009695. Kinsley Construction, Inc.**, (P. O. Box 2886, York, PA 17405), renewal of NPDES Permit for discharge of treated mine drainage from a quarry operation in West Manchester Township, **York County**, receiving stream: Codorus Creek, classified for the following use: warm water fishery. Application received: June 22, 2010.

**5176SM9T. B & D Brothers, LLC**, (22878 SR 11, Hallstead, PA 18822), transfer of an existing quarry operation from New Milford Sand and Gravel, Inc. and correction to increase the permitted acres from 17.0 to 22.9 acres in New Milford Township, **Susquehanna County**, receiving stream: none. Application received: June 23, 2010.

## FEDERAL WATER POLLUTION CONTROL ACT, SECTION 401

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

concise statement of comments, objections or suggestions including the relevant facts upon which they are based.

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

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

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

## WATER OBSTRUCTIONS AND ENCROACHMENTS

*Northeast Region: Water Management Program Manager, 2 Public Square, Wilkes-Barre, PA 18701-1915.*

Certification Request initiated by **PPL Holtwood, LCC**, Two North Ninth Street, Allentown, PA 18101. Wallenpaupack Hydroelectric Project (FERC Project No. 487, Project), on Lake Wallenpaupack, in Hawley Borough, **Wayne and Pike Counties**, ACOE Philadelphia District, Hawley Quadrangle N: 16.25 inches; W: 0.75 inch (discharge), source water (Lake Wallenpaupack) is approximately 3.5 miles up-stream.

On September 23, 2003, the Department of Environmental Protection (Department) certified that there is reasonable assurance that the Lake Wallenpaupack Hydroelectric Project (Project) owned and operated by PPL Holtwood, LLC (Owner), on the Lackawaxen River will comply with section 401 of the Federal Clean Water Act (33 U.S.C.A. § 1341) and 25 Pa. Code Chapters 93 and 96. On November 23, 2004, as a result of an appeal filed by the Owner, the Department issued a modified certification. As a result of various changes requested by the Owner as well as changes made by the Department to the Owner's National Pollutant Discharge Elimination System (NPDES) permit, the Department intends to modify paragraph 2 of the November 23, 2004 certification as follows:

### 2. Monitoring and Reporting

a. The Owner shall conduct effluent monitoring of the turbine discharge for the following parameters at the railroad bridge during the period April 1 through October 31. The effluent shall be monitored for the identified parameters as follows:

<i>Parameter</i>	<i>Minimum Measurement Frequency</i>
• Flow	Daily
• DO	Daily
• pH	Daily
• Temperature	Daily
• Total—Iron	Weekly
• Total—Manganese	Weekly
• Total—Aluminum	Weekly

Analytical methods promulgated in 40 CFR Part 136 must be used.

The pH of the discharge may be less than or greater than the standard/range as specified in 25 Pa. Code § 93.7 if the Owner can demonstrate that the pH of the discharge is not less than or greater than the pH of the lake water as measured at the penstock tap in the powerhouse building. The Department will accept simultaneous sampling as a component of such a demonstration.

Samples shall be taken when discharging at a time representative of the entire discharge period. Metal samples shall be a composite sample (minimum of four grabs) evenly spaced throughout the discharge period. Dissolved oxygen sampling shall consist of a minimum of four grab samples evenly spaced throughout the discharge period. The pH grab sample shall be taken at a time representative of the entire discharge period. Temperature shall be measured and reported as a daily maximum. Flow shall be measured and reported as a daily maximum and monthly average.

Monitoring results obtained during April 1 through October 31 shall be summarized for the month and submitted to PADEP and received no later than the 28th day of the following month. The monthly reports shall include sample results, collection, time and date, discharge start and end times, and comments.

b. The Owner shall conduct in-stream benthos monitoring once every 5 years starting in 2014 at three stations, Station 1 above the discharge approximately 600 feet, Station 2 below the discharge approximately 1,300 feet,

and Station 3 below the discharge approximately 9,500 feet in accordance with the *Macroinvertebrate Sample Collection and Processing Methodology for Cause/Effect Surveys*. The station locations are fixed and should not be changed without prior approval from the Department. The Owner will follow the sample collection protocol set forth in the previously referenced document for a stream greater than 50 feet in width. Samples must be collected between October 1 and May 31 during normal to low stream flow conditions. The benthic macroinvertebrate report shall be submitted to the Department 120 days after the sample collection.

c. The Department retains the right to specify additional studies or monitoring to ensure that the receiving water quality is not adversely impacted by any hydrogen sulfide treatment process that may be employed by the Owner.

#### DAM SAFETY

*Central Office: Bureau of Waterways Engineering, 400 Market Street, Floor 3, P. O. Box 8554, Harrisburg, PA 17105-8554.*

**D54-200 Whippoorwill Dam, Borough of Frackville, c/o Gerard Jankaitis**, 42 South Center Street, Frackville, PA 17931. To modify, operate and maintain the existing Whippoorwill Dam across Stony Creek (CWF), with no impacts to wetlands or stream channels, for the purpose of constructing an emergency spillway to pass the spillway design flood and rehabilitation of the existing spillway (Shanandoah, PA Quadrangle N: 6.0 inches; W: 9.8 inches) in West Mahanoy Township, **Schuylkill County**.

**D54-075A. Ashland Dam. Ashland Area Municipal Authority**, 401 South 18th Street, Ashland, PA 17921. To modify, operate and maintain Ashland Dam across Little Mahanoy Creek (CWF), for the purpose of constructing a six foot concrete parapet wall across the crest of the dam which will allow greater storage capacity and allow the spillway to safely pass the probable maximum flood (Ashland, PA Quadrangle N: 5 inches; E: 15.9 inches) in Ashland and Butler Township, **Schuylkill County**.

## ACTIONS

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

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

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

Sections I—VI contain actions related to industrial, animal or sewage wastes discharges, discharges to groundwater and discharges associated with municipal separate storm sewer systems (MS4), stormwater associated with construction activities and concentrated animal feeding operations (CAFOs). Section VII contains notices for parties who have submitted NOIs for coverage under general NPDES permits. The approval for coverage under general NPDES permits is

subject to applicable effluent limitations, monitoring, reporting requirements and other conditions set forth in each general permit. The approval of coverage for land application of sewage sludge or residential septage under applicable general permit is subject to pollutant limitations, pathogen and vector attraction reduction requirements, operational standards, general requirements, management practices and other conditions set forth in the respective permit. Permits and related documents, effluent limitations, permitting requirements and other information are on file and may be inspected and arrangements made for copying at the contact office noted before the action.

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

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

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

### I. NPDES Renewal Permit Actions

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

<i>NPDES No. (Type)</i>	<i>Facility Name &amp; Address</i>	<i>County &amp; Municipality</i>	<i>Stream Name (Watershed No.)</i>	<i>EPA Waived Y/N?</i>
PA0035637 (Sewage)	Department of Transportation Safety Rest Area Site #55 Interstate 81 Northbound Greenfield Township, PA 18411	Lackawanna County Greenfield Township	Unnamed Tributary of South Branch Tunkhannock Creek 4-F	Y

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

<i>NPDES No. (Type)</i>	<i>Facility Name &amp; Address</i>	<i>County &amp; Municipality</i>	<i>Stream Name (Watershed #)</i>	<i>EPA Waived Y/N?</i>
PA0026280 (Sew)	Lewistown Borough Two East Third Street Lewistown, PA 17044-1799	Mifflin County Lewistown Borough	Juniata River 12-A	Y
PA0083011 (Sew)	Newberry Township Municipal Authority 1915 Old Trail Road Etters, PA 17319-9130	York County Newberry Township	Susquehanna River 7-E	Y
PA0081957 (IW)	CBS Corporation 20 Stanwix Street Pittsburgh, PA 15222	Adams County Cumberland Township	UNT of Rock Creek 13-D	Y

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

<i>NPDES No. (Type)</i>	<i>Facility Name &amp; Address</i>	<i>County &amp; Municipality</i>	<i>Stream Name (Watershed #)</i>	<i>EPA Waived Y/N?</i>
PA0209449 Industrial Waste	GKN Sinter Metals, Inc. Airport Road 1 Emporium, PA 15834-0493	Emporium Borough Cameron County	Driftwood Branch— Sinnemahoning and West Creek 8-A	Y
PA0228206 (Industrial Waste)	Clearfield Municipal Authority Montgomery Run Water Treatment Plant 107 East Market Street Clearfield, PA 16830	Clearfield County Pike Township	Montgomery Creek 8B	Y
PA0209384	Lawrence Township Municipal Authority Wastewater Treatment Plant 173 School Road Tioga, PA 16946	Lawrence Township Tioga County	Tioga River 4-A	Y

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<i>NPDES No. (Type)</i>	<i>Facility Name &amp; Address</i>	<i>County &amp; Municipality</i>	<i>Stream Name (Watershed #)</i>	<i>EPA Waived Y/N ?</i>
PA0228893 (Sewage)	Liberty Area Municipal Authority Wastewater Treatment Plant 4810 Blockhouse Road Liberty, PA 16930	Tioga County Liberty Township Liberty Borough	Blockhouse Creek 9-A	Y
PA0228923 (Sewage)	Pine Cradle Lake Campground P. O. Box 113 Rome, PA 18837	Bradford County Rome Township	Unnamed Tributary to Parks Creek 4-D	Y
PA0228834 (Sewage) Non-Public	River Hill Power Company, LLC 94 Spruce Street Indiana, PA 15701	Clearfield County Karthaus Township	West Branch Susquehanna SWP 8D	Y

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

<i>NPDES No. (Type)</i>	<i>Facility Name &amp; Address</i>	<i>County &amp; Municipality</i>	<i>Stream Name (Watershed #)</i>	<i>EPA Waived Y/N</i>
PA0204498 Sewage	Marion Center Area School District Box 156 Route 403 Marion Center, PA 15759	Indiana County Rayne Township	Swale to UNT of Crooked Creek	Y
PA0096229 Sewage	Marianna-West Bethlehem Joint Sewerage Authority P. O. Box 428 Marianna, PA 15345-0428	Washington County West Bethlehem Township	Ten Mile Creek	Y
PA0033871 Sewage	GSP Management Company P. O. Box 677 Morgantown, PA 19543	Indiana County White Township	UNT of McKee Run	Y
PA0035670 Sewage	Department of Transportation Bureau of Design P. O. Box 3060 Harrisburg, PA 17105-3060	Armstrong County Kiskiminetas Township	Rattling Run	Y
PA0252760 Sewage	Pine Township Supervisors 400 Clay Avenue P. O. Box 311 Templeton, PA 16259	Armstrong County Pine Township	Allegheny River	Y
PA0218545 Sewage	Quecreek Mining, Inc. 1576 Stoystown Road Friedens, PA 15541	Somerset County Lincoln Township	UNT of Quemahoning Creek	Y
PA0094676 Sewage	Twin Lakes Center, Inc. 224 Twin Lake Road Somerset, PA 15501	Somerset County Somerset Township	East Branch Coxes Creek	Y
PA0025941 Sewage	Canonsburg Houston Joint Authority 68 East Pike Street Canonsburg, PA 15317	Washington County Cecil Township	Chartiers Creek	N

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

<i>NPDES No. (Type)</i>	<i>Facility Name &amp; Address</i>	<i>County &amp; Municipality</i>	<i>Stream Name (Watershed #)</i>	<i>EPA Waived Y/N ?</i>
PA0220736	Flying W Ranch 685 Flying Ranch Road Tionesta, PA 16353	Forest County Kingsley Township	Unnamed Tributary to Church Run 16-F	Y
PA0093157	Moraine Camplands Association, Inc. 281 Staff Road Slippery Rock, PA 16057-5327	Butler County Brady Township	Unnamed Tributary to Big Run 20-C	Y
PA0222852	West Fallowfield Township 6817 Main Street P. O. Box 157 Hartstown, PA 16131	Crawford County West Fallowfield Township	Patton Run 20-A	Y

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


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

**NPDES Permit No. PA0261459**, Sewage, **Anthony and Lori Todaro**, 605 Roxbury Road, Newville, PA 17241. This proposed facility is located in Upper Mifflin Township, **Cumberland County**.

Description of Proposed Action/Activity: Authorization to discharge to an UNT to Whisky Run in Watershed 7-B.

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

**NPDES Permit No. PA0254215**, Sewage, **Rox Coal, Inc.**, P. O. Box 260, Friedens, PA 15541. This proposed facility is located in Stony Creek Township, **Somerset County**.

Description of Proposed Action/Activity: Permit issuance to discharge domestic wastewater from a bath house.

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


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

**WQM Permit No. 2110403**, Sewage, **Anthony and Lori Todaro**, 605 Roxbury Road, Newville, PA 17241. This proposed facility is located in Upper Mifflin Township, **Cumberland County**.

Description of Proposed Action/Activity: Permit approval for the construction/operation of sewage facilities consisting of a SFTF with septic tanks, dosing tank and pump, peat filter, chlorine disinfection, and outfall to UNT Whiskey Run.

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

**WQM Permit No. 4110403**, Sewerage, SIC 4952, **Williamsport Sanitary Authority**, 253 West Fourth Street, Williamsport, PA 17701-6113. These proposed and existing facilities are located in the City of Williamsport, **Lycoming County**.

Description of Proposed Action/Activity: Permit issued authorizing the design, construction and operation of wet weather and nutrient reduction upgrades at the Authority's Central Plant.

**WQM Permit No. 02491001**, Sewerage, SIC 4952, **Delaware Township Municipal Authority**, P. O. Box 80, Dewart, PA 17730. This proposed facility is located in Delaware Township, **Northumberland County**.

Description of Proposed Action/Activity: DTMA is proposing a sewer extension from the existing sanitary manhole at the intersection of Seagraves Drive (SR 1005) and Fisher Drive to Eighth Street Drive, and then east along Eighth Street Drive approximately 2,000 LF to the new Watsonstown United Methodist Church. The authority is seeking coverage of the sewer extension and associated grinder pumps under a general WQM permit.

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

**WQM Permit No. 0210201**, Industrial Waste, **Allied Waste Systems of PA, Imperial Landfill**, 11 Boggs Road, P. O. Box 47, Imperial, PA 15126-0047. This proposed facility is located in Findlay Township, **Allegheny County**.

Description of Proposed Action/Activity: Permit issuance for the construction and operation of Sedimentation Basins.

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

**WQM Permit No. WQG018755**, Sewerage, **Ruth Addis**, 5164 Albion Road, Girard, PA 16417. This proposed facility is located in Girard Township, **Erie County**.

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

**WQM Permit No. WQG018756**, Sewerage, **Chad and Lindsay Ristau**, 431 Lookout Street, Warren, PA 16365. This proposed facility is located in Farmington Township, **Warren County**.

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

**WQM Permit No. 4301202**, Industrial Waste, **Amendment No. 2, John Koller & Son, Inc.**, 1734 Perry Highway, Fredonia, PA 15124. This proposed facility is located in Fairview Township, **Mercer County**.

Description of Proposed Action/Activity: Amendment to the Water Quality permit for the sludge dewatering filter replacement.

**WQM Permit No. 2597201**, Industrial Waste, **Amendment No. 1, Albion Borough**, 26 Smock Avenue, Albion, PA 16401. This proposed facility is located in Albion Borough, **Erie County**.

Description of Proposed Action/Activity: An Industrial Waste Part II Water Quality Management permit to install a backwash water storage tank at the Gage Road Water Treatment Facility.

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**IV. NPDES Stormwater Discharges from MS4 Permit Actions**


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**V. NPDES Waiver Stormwater Discharges from MS4 Actions**


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


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



<i>NPDES Permit No.</i>	<i>Applicant Name &amp; Address</i>	<i>County</i>	<i>Municipality</i>	<i>Receiving Water/Use</i>
PAI032807006	Craig Nitterhouse 900 Kriner Road Suite 1 Chambersburg, PA 17201	Franklin	Guilford Township	Falling Spring Creek HQ-CWF
PAI033609004-2	Nancy Evans PPL Holtwood 2 North 9th Street Allentown, PA 18101-1179	Lancaster	Martic Township	Susquehanna River WWF

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

*Lycoming County Conservation District: 542 County Farm Road, Suite 202, Montoursville, PA 17754, (570) 433-3003.*

<i>NPDES Permit No.</i>	<i>Applicant Name &amp; Address</i>	<i>County</i>	<i>Municipality</i>	<i>Receiving Water/Use</i>
PAI044110002	Richard Hannan, Jr. 2029 Lycoming Creek Road Williamsport, PA 17701	Lycoming	Loyalsock Township	Mill Creek TSF/MF

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

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

### **List of NPDES and/or Other General Permit Types**

PAG-1	General Permit for Discharges From Stripper Oil Well Facilities
PAG-2	General Permit for Discharges of Stormwater Associated With Construction Activities (PAR)
PAG-3	General Permit for Discharges of Stormwater From Industrial Activities
PAG-4	General Permit for Discharges From Small Flow Treatment Facilities
PAG-5	General Permit for Discharges From Gasoline Contaminated Ground Water Remediation Systems
PAG-6	General Permit for Wet Weather Overflow Discharges From Combined Sewer Systems (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 &amp; County</i>	<i>Permit No.</i>	<i>Applicant Name &amp; Address</i>	<i>Receiving Water/Use</i>	<i>Contact Office &amp; Phone No.</i>
Shenandoah Borough Schuylkill County	PAG2005409014	Shenandoah Valley School District 805 West Centre Street Shenandoah, PA 17976-1401	Shenandoah Creek CWF, MF	Schuylkill County Conservation District 570-622-3742
Port Carbon Borough Schuylkill County	PAG2005410007	D.G.Y. Real Estate, LP 310 Mill Creek Avenue Pottsville, PA 17901	Mill Creek CWF, MF	Schuylkill County Conservation District 570-622-3742

<i>Facility Location: Municipality &amp; County</i>	<i>Permit No.</i>	<i>Applicant Name &amp; Address</i>	<i>Receiving Water / Use</i>	<i>Contact Office &amp; Phone No.</i>
Bethlehem Township Northampton County	PAG2004810006	Bethlehem Township Municipal Authority Attn: Steve J. Hunsberger 4225 Easton Avenue Bethlehem, PA 18020	Tributary to Lehigh River CWF, MF	Northampton County Conservation District 610-746-1971
South Whitehall Township Lehigh County	PAG2003910003	Phoenix Construction & R Enterprises LTD 2076 Wooded Ridge Circle Fogelsville, PA 18051	Jorden Creek TSF, MF Lehigh River TSF, MF	Lehigh County Conservation District 610-391-9583
Southampton Township Franklin County	PAG2002810005	Troy Beam Forest Ridge Acres Ph IV 401 Shippensburg Road Shippensburg, PA 17257	Middlespring Creek CWF	Franklin County Conservation District 185 Franklin Farm Lane Chambersburg, PA 17201 717-264-5499
Guilford Township Franklin County	PAG2002810002-1	Nelson Diller Crestview Operations 845 Milnor Road Greencastle, PA 17225	Conococheague Creek WWF-MF	Franklin County Conservation District 185 Franklin Farm Lane Chambersburg, PA 17201 717-264-5499
Letterkenny Township Franklin County	PAG2002810012	Michael Purdom Letterkenny Family Housing 22 Riverview Drive Suite 101 Wayne, NJ 07470	UNT to Rowe Run WWF-MF	Franklin County Conservation District 185 Franklin Farm Lane Chambersburg, PA 17201 717-264-5499
Dover Township York County	PAG2006709016-1	Robert Krantz Dover Area School District 2 School Lane Dover, PA 17315	Little Conewago Creek by means of Fox Run TSF	York County Conservation District 118 Pleasant Acres Road York, PA 17402-8984 717-840-7430
Shrewsbury Township York County	PAG2006705086-1	Jonathan C. Mayers Russett Farm Devco Limited Partnership 4750 Owings Mill Boulevard Owing Mills, MD 21117 and Phil Robinson Joe Bull, LP 18147 Amanda Lane New Freedom, PA 17349	UNT to Deer Creek CWF	York County Conservation District 118 Pleasant Acres Road York, PA 17402-8984 717-840-7430
Marion Township Berks County	PAG2000610018	Larry Martin Dutch Valley Food Distributors 7615 Lancaster Avenue Myerstown, PA 17067	UNT to Little Swatara Creek CWF	Berks County Conservation District 1238 County Welfare Road Suite 200 Leesport, PA 19533 610-372-4657
Caernarvon Township Berks County	PAG2000610028	Andrea Finerosky Morgantown, LP 234 North James Street Newport, DE 19804	UNT to Conestoga River WWF	Berks County Conservation District 1238 County Welfare Road Suite 200 Leesport, PA 19533 610-372-4657

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<i>Facility Location: Municipality &amp; County</i>	<i>Permit No.</i>	<i>Applicant Name &amp; Address</i>	<i>Receiving Water / Use</i>	<i>Contact Office &amp; Phone No.</i>
Upper Bern Township Penn Township Berks County	PAG2000604047-1	Andrew Merrick CMTS Ministries, Inc. 321 Focht Road Bernville, PA 19506	UNT to Irish Creek- Northkill Creek WWF-CWF	Berks County Conservation District 1238 County Welfare Road Suite 200 Leesport, PA 19533 610-372-4657
Bern Township Berks County	PAG2000608059-1	Philip Yocom 50 Grandview Boulevard Reading, PA 19609	UNT to Schuylkill River CWF	Berks County Conservation District 1238 County Welfare Road Suite 200 Leesport, PA 19533 610-372-4657
Dover Township York County	PAG2006705051-1	Brenda Nestor Fox Run Creek Estates, LP 1250 East Hallandale Beach Boulevard Hallandale, FL 33009	Fox Run TSF	York County Conservation District 118 Pleasant Acres Road York, PA 17402-8984 717-840-7430
Dover Borough Dover Township York County	PAG2006710010	Dave Nelson Dover Area School District 2 School Lane Dover, PA 17315	Fox Run TSF	York County Conservation District 118 Pleasant Acres Road York, PA 17402-8984 717-840-7430
Fairview Township York County	PAG2006710021	Kenneth H. Myhre 5591 Cannes Circle #602E Sarasota, FL 34231	Bennet Run WWF	York County Conservation District 118 Pleasant Acres Road York, PA 17402-8984 717-840-7430
Muhlenberg Township Berks County	PAG2000607088-1	Steve Landes Muhlenberg Township 5401 Leesport Avenue Temple, PA 19560	Schuylkill River WWF	Berks County Conservation District 1238 County Welfare Road Suite 200 Leesport, PA 19533 610-372-4657
Tulpehocken Township Berks County	PAG2000609047	David Alspaugh 78 Cherry Hill Road Richland, PA 17087	UNT to Little Swatara Creek CWF	Berks County Conservation District 1238 County Welfare Road Suite 200 Leesport, PA 19533 610-372-4657
West Hempfield Township Lancaster County	PAG2003610026	Elmer S. and Ada Forry 820 Ivy Drive Lancaster, PA 17601	Little Conestoga Creek TSF	Lancaster County Conservation District 1383 Arcadia Road Room 200 Lancaster, PA 17601 717-299-5361
Elizabeth Township Lancaster County	PAG2003610027	Daniel Heller 16 East Brubaker Valley Road Lititz, PA 17543	UNT to Hammer Creek TSF-MF	Lancaster County Conservation District 1383 Arcadia Road Room 200 Lancaster, PA 17601 717-299-5361

<i>Facility Location: Municipality &amp; County</i>	<i>Permit No.</i>	<i>Applicant Name &amp; Address</i>	<i>Receiving Water / Use</i>	<i>Contact Office &amp; Phone No.</i>
Manheim Borough Lancaster County	PAG2003610028	Carel USA 385 South Oak Street Manheim, PA 17545 and Clair Brothers Audio Systems P. O. Box 396 Lititz, PA 17543	UNT to Chickies Creek WWF	Lancaster County Conservation District 1383 Arcadia Road Room 200 Lancaster, PA 17601 717-299-5361
Manheim Township Lancaster County	PAG2003610011	George Hurst Oregon Dairy Farm, LLC 2870 Oregon Pike Lititz, PA 17543	Conestoga River WWF	Lancaster County Conservation District 1383 Arcadia Road Room 200 Lancaster, PA 17601 717-299-5361
Hampden Township Cumberland County	PAG2002105019-R	Hogan Development Company III 1271 Lititz Pike Lancaster, PA 17601	Pine Run—Holtz Run WWF	Cumberland County Conservation District 310 Allen Road Carlisle, PA 17013 717-240-7812
Southampton Township Cumberland County	PAG2002105054-R	The Willow Group 1153 Ragged Edge Road Chambersburg, PA 17202	Burd Run CWF-MF	Cumberland County Conservation District 310 Allen Road Carlisle, PA 17013 717-240-7812
Carroll Township York County	PAG2006705024-1	Windy Heights, LLC 201 South Fileys Road Dillsburg, PA 17019	Stony Run-Fishers Run CWF	York County Conservation District 118 Pleasant Acres Road York, PA 17402-8984
Hamilton Township Adams County	PAG2000104016-R	Paul D. Burkentine Stoneridge Development 330 Dubs Church Road Hanover, PA 17331	UNT to Conewago Creek WWF	Adams County Conservation District 670 Old Harrisburg Road Suite 201 Gettysburg, PA 17325 717-334-0636
Oxford Township Adams County	PAG2000104023-R	John and Todd Grim Irish Meadows Partners 300 Frederick Street Hanover, PA 17331	UNT to South Branch Conewago Creek WWF	Adams County Conservation District 670 Old Harrisburg Road Suite 201 Gettysburg, PA 17325 717-334-0636
North Towanda Township Bradford County	PAG2000810011	Bhadresh Patel Peace Motel, Inc. 383 York Avenue Towanda, PA 18848	Sugar Creek WWF Susquehanna River WWF	Bradford County Conservation District Stoll Natural Resource Center R. R. 5 Box 5030C Towanda, PA 18848 (570) 265-5539 Ext. 6
Mount Carmel Township Northumberland County	PAG2004910009	Mount Carmel Area School District 600 West Fifth Street Mount Carmel, PA 17851	UNT to Shamokin Creek CWF	Northumberland County Conservation District R. R. 3 Box 238-C Sunbury, PA 17801 (570) 286-7114 Ext. 4

*General Permit Type—PAG-3**Facility Location:*

<i>Municipality &amp; County</i>	<i>Permit No.</i>	<i>Applicant Name &amp; Address</i>	<i>Receiving Water/Use</i>	<i>Contact Office &amp; Phone No.</i>
Bethlehem City Lehigh County	PAR 202253	Barker Steel, LLC a Harris Rebar Company 55 Sumner Street Milford, MA 01757	Lehigh River WWF	Department of Environmental Protection Northeast Regional Office 2 Public Square Wilkes-Barre, PA 18701-1915 570-826-2511
Franklin County Chambersburg City	PAR123542	Ventura Foods, LLC 1501 Orchard Drive Chambersburg, PA 17201-4812	Conococheague Creek HQ-CWF	DEP—SCRO— Watershed Management 909 Elmerton Avenue Harrisburg, PA 17110 717-705-4707
York County Springettsbury Township	PAR203547	Cooper Tools, LLC 1209 Orange Street Wilmington, DE 19801-1120	Kreutz Creek WWF	DEP—SCRO— Watershed Management 909 Elmerton Avenue Harrisburg, PA 17110 717-705-4707
Huntingdon County Porter Township	PAR143507	MWV Consumer & Office Products P. O. Box 317 Alexandria, PA 16611	Frankstown Branch Juniata River WWF	DEP—SCRO— Watershed Management 909 Elmerton Avenue Harrisburg, PA 17110 717-705-4707
South Pymatuning Township Mercer County	PAR228326	Limpach, Inc., d/b/a Johnson Industries, Inc. P. O. Box 7 Orangeville, OH 44453	Unnamed Tributary to Pymatuning Creek	DEP—NWRO Water Management 230 Chestnut Street Meadville, PA 16335-3481 814/332-6942

*General Permit Type—PAG-4**Facility Location:*

<i>Municipality &amp; County</i>	<i>Permit No.</i>	<i>Applicant Name &amp; Address</i>	<i>Receiving Water/Use</i>	<i>Contact Office &amp; Phone No.</i>
Berks County Alsace Township	PAG043635	Tanya Hess 1879 Freidensburg Road Reading, PA 19606	UNT Antietam Creek 3C CWF	DEP—SCRO 909 Elmerton Avenue Harrisburg, PA 17110 717-705-4707
Girard Township Erie County	PAG049587	Ruth Addis 5164 Albion Road Girard, PA 16417	Elk Creek 15	DEP—NWRO Water Management 230 Chestnut Street Meadville, PA 16335-3481 814/332-6942
Farmington Township Warren County	PAG049588	Chad and Lindsay Ristau 431 Lookout Street Warren, PA 16365	Kiantone Creek 16-B	DEP—NWRO Water Management 230 Chestnut Street Meadville, PA 16335-3481 814/332-6942

*General Permit Type—PAG-8 (SSN)**Facility Location:*

<i>Municipality &amp; County</i>	<i>Applicant Name &amp; Address</i>	<i>Site Name</i>	<i>Permit Number</i>	<i>Contact Office &amp; Phone No.</i>
White Township Indiana County	Synagro 264 Prisani Street P. O. Box 35 Bovard, PA 15619	Musser Farm	730954	Southwest Regional Office Water Management Program Manager 400 Waterfront Drive Pittsburgh, PA 15222-4745 (412) 442-4000

*General Permit Type—PAG-10*

*Facility Location:  
Municipality &  
County*

Banks Township  
Carbon County

*Permit No.*  
PAG102218

*Applicant Name &  
Address*  
Altadis USA, Inc.  
Altadis USA  
McAdoo Plant  
1000 Tresckow Road  
McAdoo, PA 18237-2599

*Receiving  
Water/Use*  
Catawissa Creek  
CWF  
5-E

*Contact Office &  
Phone No.*  
DEP—NERO  
Water Management  
2 Public Square  
Wilkes-Barre, PA  
18701-1915  
570-826-2533

*General Permit Type—PAG-12*

*Facility Location:  
Municipality &  
County*

Lancaster County  
Rapho Township

*Permit No.*  
PAG123689

*Applicant Name &  
Address*  
Robert L. Brubaker, Jr.  
2871 North Colebrook  
Road  
Manheim, PA 17545

*Receiving  
Water/Use*  
7-G

*Contact Office & Phone  
No.*  
DEP—SCRO  
Watershed Management  
909 Elmerton Avenue  
Harrisburg, PA 17110  
717-705-4802

**STATE CONSERVATION COMMISSION**

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

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

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

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

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

**CAFO PUBLIC NOTICE SPREADSHEET—ACTIONS**

<i>Agricultural Operation Name and Address</i>	<i>County</i>	<i>Total Acres</i>	<i>Animal Equivalent Units</i>	<i>Animal Type</i>	<i>Special Protection Waters (HQ or EV or NA)</i>	<i>Approved or Disapproved</i>
Katzmaier Farms Paul Katzmaier 251 Katzmaier Road Montoursville, PA 17754	Lycoming	159.9	2.18	Dairy	NA	Approved

**PUBLIC WATER SUPPLY (PWS) PERMITS**

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

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

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

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

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

**SAFE DRINKING WATER**

**Actions taken under the Pennsylvania Safe Drinking Water Act**

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

**Operations Permit** issued to **Quality Custom Kitchen, Inc.**, 7360619, Earl Township, **Lancaster County** on 6/23/2010 for the operation of facilities approved under Construction Permit No. 3610513 MA.

**Operations Permit** issued to **Leola Industrial Center**, 7360515, Upper Leacock Township, **Lancaster County** on 6/23/2010 for the operation of facilities approved under Construction Permit No. 3610514 MA.

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

**Permit No. M.A. (1791505)—Construction**, Public Water Supply.

Applicant	<b>Pike Township Municipal Authority</b>
Township or Borough	Curwensville Borough
County	<b>Clearfield</b>
Responsible Official	Mr. F. Michael Smeal Pike Township Municipal Authority P. O. Box 27 Curwensville, PA 16833
Type of Facility	Public Water Supply— Construction
Consulting Engineer	John P. Mazich, P. E. Uni-Tec Consulting Engineers, Inc. 2007 Cato Avenue State College, PA 16801
Permit Issued Date	June 22, 2010
Description of Action	Installation of Ridge Avenue Pump Station No. 2.

**Permit No. 1406502—Operation**, Public Water Supply.

Applicant	<b>Miles Township Water Authority East</b>
Township or Borough	Miles Township
County	<b>Centre</b>
Responsible Official	Mr. Philip Meyer, Chairperson Miles Township Water Authority East P. O. Box 157 Rebersburg, PA 16872
Type of Facility	Public Water Supply—Operation
Consulting Engineer	David Swisher, P. E. Herbert, Rowland & Grubic, Inc. 474 Windmere Drive State College, PA 16801
Permit Issued Date	June 22, 2010
Description of Action	Operation of a United States Filter/Memcor, model 6M10C, continuous microfiltration plant, an OX1-5X mixed-oxidant generation system and a 200,000 gallon finished water storage tank.

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

**Permit No. 0209518**, Public Water Supply.

Applicant	<b>Findlay Township Municipal Authority</b> 1271 Route 30 P. O. Box 409 Clinton, PA 15026
Borough or Township	Findlay Township
County	<b>Allegheny</b>
Type of Facility	Westport Area booster station
Consulting Engineer	NIRA Consulting Engineers, Inc. 950 Fifth Avenue Coraopolis, PA 15108
Permit to Construct Issued	June 22, 2010

**Permit No. 5608507**, Public Water Supply.

Applicant	<b>Jenner Township</b> 2058 Lincoln Highway Boswell, PA 15531
Borough or Township	Jenner Township
County	<b>Somerset</b>
Type of Facility	Laurel Mountain Village water system
Consulting Engineer	The EADS Group, Inc. 450 Aberdeen Drive Somerset, PA 15501
Permit to Construct Issued	June 22, 2010

**Operations Permit** issued to **Plum Borough Municipal Authority**, 4555 New Texas Road, Pittsburgh, PA 15239, (PWSID No. 5020041) Plum Borough, **Allegheny County** on June 18, 2010, for the operation of facilities approved under Construction Permit No. 0292506MA.

**Operations Permit** issued to **Plum Borough Municipal Authority**, 4555 New Texas Road, Pittsburgh, PA 15239, (PWSID No. 5020041) Plum Borough, **Allegheny County** on June 22, 2010, for the operation of facilities approved under Construction Permit No. 0208502.

**Operations Permit** issued to **Pittsburgh Water & Sewer Authority**, 1200 Penn Avenue, 2nd Floor, Pittsburgh, PA 15222, (PWSID No. 5020038) City of Pittsburgh, **Allegheny County** on June 22, 2010, for the operation of facilities approved under Construction Permit No. 0209519.

**Permit No. 6509507MA**, Minor Amendment, Public Water Supply.

Applicant	<b>Latrobe Municipal Authority</b> 207 Waterworks Road Latrobe, PA 15650
Borough or Township	Unity Township
County	<b>Westmoreland</b>
Type of Facility	Lightcap Road waterline
Consulting Engineer	Gibson-Thomas Engineering Co., Inc. 1004 Ligonier Street P. O. Box 853 Latrobe, PA 15650
Permit to Construct Issued	June 22, 2010

**Permit No. 3279-MA2**, Minor Amendment, Public Water Supply.

Applicant	<b>Volant Borough</b> Post Office Box 96 Volant, PA 16156
Borough or Township	Volant Borough
County	<b>Lawrence</b>
Type of Facility	Public Water Supply
Consulting Engineer	Thomas Thompson Gannett Fleming, Inc. 554 South Erie Street Mercer, PA 16137
Permit to Construct Issued	June 24, 2010

### STORMWATER MANAGEMENT

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

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

The Act 167 Stormwater Management Plans for the Perkiomen Creek Headwaters Watershed, submitted by Lehigh County, was approved on June 22, 2010. This approval applies only to the portion of the watershed within Lehigh County.

## LAND RECYCLING AND ENVIRONMENTAL REMEDIATION

UNDER ACT 2, 1995

### PREAMBLE 2

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

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

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

The Department has received the following plans and reports:

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

**Bethlehem Commerce Center—Lot 11**, 1805 East 4th Street, Bethlehem City, **Northampton County**. Kenneth G. Robbins, HDR Engineering, Inc., 1720 Spillman Drive, Suite 280, Bethlehem, PA 18015-2165 has submitted a Cleanup Plan (on behalf of her client, Lehigh Valley Industrial Park, Inc., 1720 Spillman Drive, Suite 150, Bethlehem, PA 18015-2164), concerning the remediation of soils found to have been impacted by inorganics, VOCs and SVOCs as a result of historical manufacturing operations at the site. The Report was submitted in partial fulfillment for demonstrating attainment of the Site-Specific Standard for soils. A public notice regarding the submission of the Cleanup Plan was published in *The Express Times* on June 7, 2010.



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

**Simon Camera Parcels**, City of York, **York County**. Herbert, Rowland & Grubic, Inc., 1820 Linglestown Road, Harrisburg, PA 17110, on behalf of City of York Redevelopment Authority, 49 East Market Street, York, PA 17401, submitted a combined Remedial Investigation and Final Report concerning site soils and groundwater contaminated with chlorinated solvents from past commercial dry cleaning operations. The Report is intended to document remediation of the site to meet the Site-Specific Standard.

**Miller & Nolton Properties**, Newport Borough, **Perry County**. Marshall, Miller & Associates, 3913 Hartzdale Drive, Suite 1306, Camp Hill, PA 17011, on behalf of Minuteman Spill Response, Inc., P. O. Box 10, Mifflinville, PA 18631; Keystone Oil Products Corporation, 1600 Hummel Avenue, Camp Hill, PA 17011; Anne and Lawrence Miller, 357 North 4th Street, Newport, PA 17074, and Lorie and Stephen Nolton, 359 North 4th Street, Newport, PA 17074, submitted a Final Report concerning remediation of site soils contaminated with No. 2 fuel oil from a ruptured aboveground storage tank. The Report, which was submitted within 90 days of the release, is intended to document remediation of the site to meet the Residential Statewide Health Standard.

**Katherine Endres Property**, Maiden Creek Township, **Berks County**. Liberty Environmental, Inc., 50 North 5th Street, 5th Floor, Reading, PA 19601, on behalf of Katherine Endres, 57 West Wesner Road, Blandon, PA 19510, submitted a Final Report concerning remediation of site soils and groundwater contaminated with No. 2 heating oil. The Report is intended to document remediation of the site to meet the Residential Statewide Health Standard.

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

**Robert Fontana Property**, Beaver Township, **Columbia County**. Minuteman Spill Response, Inc., P. O. Box 10, Mifflinville, PA 18631 on behalf of Robert Fontana, 165 Fayette Avenue, Buffalo, NY 14223 has submitted within 90 days of the release 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.

**Lock Haven Bald Eagle St. Former MGP Site**, City of Lock Haven, **Clinton County**. The Mahfood Group, 260 Millers Run Road, Bridgeville, PA 15017 on behalf of UGI Utilities, Inc., 2525 North 12th Street, Suite 360, Reading, PA 19612 has submitted a combined Risk Assessment Report and Cleanup Plan concerning remediation of site groundwater contaminated with benzene, toluene, ethylbenzene, and xylenes (BTEX) and polycyclic aromatic hydrocarbons (PAHs). The Report is intended to document remediation of the site to meet the Site-Specific Standard.

**UGI-Penn natural Gas-Danville Holder/Regulator Station**, Danville Borough, **Montour County**. Stantec Consulting, 400 Davis Drive, Suite 400, Plymouth Meeting, PA 19462 on behalf of UGI Penn Natural Gas, 100 Kachel Boulevard, P. O. Box 12677, Reading, PA 19612-2677 has submitted a Remedial Investigation Report concerning the remediation of site soil contaminated with arsenic, antimony, and lead. The Report is intended to document remediation of the site to meet the Site-Specific Standard.

**UGI Mount Carmel Former MGP site**, Mount Carmel Borough, **Northumberland County**. Haley & Aldrich, Inc., 299 Cherry Hill Road, Suite 105, Parsippany, NJ 07054-1124 on behalf of UGI Central Penn Gas, 2525 North 12th Street, Suite 380, Reading, PA 19612 has submitted a Cleanup Plan concerning remediation of site soil and groundwater contaminated with inorganic compounds, polycyclic aromatic hydrocarbons and other organic compounds. The Report is intended to document remediation of the site to meet the Site-Specific Standard.

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

**1215 Federal Street**, City of Pittsburgh, **Allegheny County**. American Geosciences, Inc., 3925 Reed Boulevard, Suite 400, Murrysville, PA 15668 on behalf of Andrew Stewart, Federal North Associates, LP, 5812 Darlington Road, Pittsburgh, PA 15217 has submitted a Final Report concerning the remediation of site soil and groundwater contaminated with PCE, TCE and its degradation products from a former dry cleaning operation. The site is currently a parking garage.

**Triangle Fasteners, Former Amoco Bulk Plant**, City of Pittsburgh, **Allegheny County**. Shaw Environmental, Inc., 2790 Mosside Boulevard, Monroeville, PA 15146 on behalf of Steve Gonzalski, Atlantic Richfield Company, a BP Products, North America, Inc. Company, 1 West Pennsylvania Avenue, Suite 440, Towson, MD 21204 has submitted a Final Report concerning the remediation of site soils and groundwater contaminated with diesel and leaded gasoline constituents.

## 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.*

**Industrial Property**, City of Philadelphia, **Philadelphia County**. Jeffery T. Bauer, Whitestone Associates, Inc., 1600 Manor Drive, Suite 220, Chalfont, PA 18914, Keith D'Ambrosio, P.E., 1600 Manor Drive, Suite 220, Chalfont, PA 18914 on behalf of Brad Adams, Wal-Mart Store, Inc., 2001 SE 10th Street, Bentonville, AR 72716 has submitted a Remedial Investigation Report concerning the remediation of site groundwater contaminated with PAH's and inorganic. The Remedial Investigation Report was approved by the Department of Environmental Protection on June 16, 2010.

**Enterprise Heights**, City of Philadelphia, **Philadelphia County**. Bill Schmidt, Pennoni Associates, Inc., 3001 Market Street, Philadelphia, PA 19104 on behalf of Omowale Crenshaw, Enterprise Heights Real Estate Development, 4548 Market Street, Philadelphia, PA 19139 has submitted a Final Report concerning the remediation of site soil contaminated with lead. The Final Report demonstrated attainment of the Statewide Health Standard and was approved by the Department of Environmental Protection on May 26, 2010.

**Donnelly Residence**, City of Philadelphia, **Philadelphia County**. Charles Burger, Mountain Research, LLC, 825 25th Street, Altoona, PA 16601, Clare Erskine, Allstate Insurance Company, 1200 Atwater Drive, Suite 110, Malvern, PA 19355 on behalf of Joseph Donnelly, 8610 Wissahickon Avenue, Philadelphia, PA 19128 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 June 3, 2010.

**Pennridge S. Middle School**, Sellersville Borough, **Bucks County**. Daniel Lewis, Spotts, Stevens and McCoy, Inc., 1947 North Park Road, Reading, PA 19610-0307 on behalf of Jeff Loeffler, Pennridge School District, 410 East Walnut Street, Perkasio, PA 18944, Robert Reinhart, Pennridge School District, 410 East Walnut Street, Perkasio, PA 18944 has submitted a Final Report con-

cerning the remediation of site soil and groundwater 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 June 7, 2010.

**The Colonnade at Schwenksville**, Borough of Schwenksville, **Montgomery County**. Kelly Lee Kinkaid, P. G., Liberty Environmental, Inc., 50 North 5th Street, 5th floor, Reading, PA 19601 on behalf of Robert Domagalski, Life Care Holdings, LLC, c/o The Colonnade, 300 Perkiomen Avenue, Schwenksville, PA 19473 has submitted a Final Report concerning the remediation of site groundwater and soil contaminated with No. 4 fuel oil and petroleum. The Final Report demonstrated attainment of the Statewide Health Standard and was approved by the Department of Environmental Protection on June 17, 2010.

**Holland Shopping Center**, Northampton Township, **Buck County**. Keith T. D'Ambrosio, Whitestone Associates, Inc., 1600 Manor Drive, Chalfont, PA 18914 on behalf of Matthew Winters, Wawa, Inc., Red Roof Office, 260 Baltimore Pike, Wawa, PA 19063 has submitted a Final Report concerning the remediation of site groundwater and 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 April 27, 2010.

**Funk Residence**, West Brandywine Township, **Chester County**. Dean Druckenmiller, Synergy Environmental, Inc., 155 Railroad Plaza, Royersford, PA 19468, Mark Potter, Fairmont Specialty Group, P. O. Box 2807, Huston, TX 17252 on behalf of Walter Funk, 103 Barons Hill Road, Brandamore, PA 19316 has submitted a Final Report concerning the remediation of site groundwater and 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 April 29, 2010.

**Miller Street Industrial Associates, LP**, Quakertown Borough, **Bucks County**. Michael Christie, Penn Environmental & Remediation, Inc., 2755 Bergey Road, Hatfield, PA 19440 on behalf of Roger Altemose, Mill Street Industrial Associates, LP, 2880 Bergey Road, Suite D, Hatfield, PA 19440 has submitted a Final Report concerning the remediation of site soil contaminated with lead. The Final Report demonstrated attainment of the Site-Specific Standard and was approved by the Department of Environmental Protection on April 21, 2010.

**Frazer Shopping Center**, East Whiteland Township, **Chester County**. Phil Gray, Phoenix, GeoEnvironmental, LLC, 445 Bethlehem Pike, Suite 108, Colmar, PA 18915 on behalf of Michael Stapler, Metropol Properties, LP, P. O. Box 1189, Frazer, PA 19355 has submitted a Remedial Investigation/Final Report concerning the remediation of site groundwater and soil contaminated with chlorinated solvents. The Remedial Investigation/Final Report was given an extension by the Department of Environmental Protection on April 21, 2010.

**(REVISED) SC Loveland Piers 66 69 N.**, City of Philadelphia, **Philadelphia County**. Craig Herr, RT Environmental Services, Inc., 215 West Church Road, King of Prussia, PA 19406 on behalf of James Anderson, Berks Street Corporation, 6958 Torresdale Avenue, Philadelphia, PA 19135 has submitted a Final Report concerning the remediation of site soil and groundwater contaminated with inorganic. The Final Report did not demonstrate attainment of the Statewide Health Stan-

dard and was placed on hold by the Department of Environmental Protection on March 30, 2010.

**PenFlex**, East Whiteland Township, **Chester County**. Dennis Libenson, Environmental Consulting, Inc., 500 East Washington Street, Suite 375, Norristown, PA 19401 on behalf of Ray Brown, 271 LP, 1404 Thrush Lane, West Chester, PA 19382 has submitted a Final Report concerning the remediation of site groundwater contaminated with chlorinated solvents. The Final Report demonstrated attainment of the Site-Specific Standard and was approved by the Department of Environmental Protection on August 12, 2008.

**Clifford Residence**, East Coventry Township, **Chester County**. Charles Burger, Mountain Research, LLC, 825 25th Street, Altoon, PA 16601, Clare Erskine, Allstate Insurance Company, 1200 Artwater Drive, Suite 110, Malvern, PA 19355 on behalf of Karen Clifford, 367 Bethel Church Road, Spring City, PA 19475 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 April 23, 2010.

**Rite Aid 2451**, City of Philadelphia, **Philadelphia County**. Scott Treherne, BL Companies, 213 Market Street, 6th Floor, Harrisburg, PA 17101, Ken Yoder, BL Companies, 213 Market Street, 6th Floor, Harrisburg, PA 17101 on behalf of Robert Lerner, Rite Aid Corporation, 30 Hunter Lane, Camp Hill, PA 17101 has submitted a Final Report concerning the remediation of site soil and groundwater contaminated with used motor oil. The Final Report did not demonstrate attainment of the Statewide Health Standard and was disapproved by the Department of Environmental Protection on April 21, 2010.

**Woronko Residence**, Buckingham Township, **Bucks County**. Jeremy Bolyn, Environmental Maintenance Company, Inc., 1420 East Mermaid Lane, Glenside, PA 19038 on behalf of George Woronko, 4109 Tresher Drive, Doylestown, PA 18902 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 April 6, 2010.

**Danko Property**, Middletown Township, **Bucks County**. Jeremy Bolyn, Environmental Maintenance Company, Inc., 1420 East Mermaid Lane, Glenside, PA 19038 on behalf of Mark Danko, 18 Quakerhill Road, Levittown, PA 19057 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 April 19, 2010.

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

**First Student, Inc.—Macungie Terminal**, 3130 Route 100, Lower Macungie Township, **Lehigh County**. Thomas J. Martinelli, JMT Environmental Technologies, Inc., P. O. Box 22044, Lehigh Valley, PA 18002-2044 submitted a Final Report (on behalf of his client, First Student, Inc.—Macungie Terminal, 3130 Route 100, Macungie, PA 18062), concerning the remediation of soil found to have been impacted by diesel fuel as a result of

leakage from a school bus' diesel tank. The Report documented attainment of the Residential Statewide Health Standard and was approved on June 22, 2010. The Report was originally submitted within 90 days of the release.

**Upper Mount Bethel Community Park**, 1535 Potomac Street, Upper Mount Bethel Township, **Northampton County**. Thomas J. Martinelli, JMT Environmental Technologies, Inc., P. O. Box 22044, Lehigh Valley, PA 18002-2044 submitted a Final Report (on behalf of his client, Upper Mount Bethel Township, 387 Ye Olde Highway, Mount Bethel, PA 18343), concerning the remediation of soil found to have been impacted No. 2 fuel oil as a result of a breached underground storage tank shell during construction activities. The Report document attainment of the Residential Statewide Health Standard for soil and was approved on June 24, 2010. The Report was originally submitted within 90 days of the release.

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

**Cardinal Freight Lines/Reichart Property**, Hamilton Township, **Adams County**. Skelly & Loy, Inc., 449 Eisenhower Boulevard, Suite 300, Harrisburg, PA 17111, on behalf of Brian and Lela Reichart, 4671 Carlisle Pike, New Oxford, PA 17350 and Cardinal Freight Lines, 5333 Davidson Highway, Concord, NC 28027, submitted a Final Report concerning remediation of site soils contaminated with diesel fuel from a tractor-trailer accident. The Report, which was submitted within 90 days of the release, demonstrated attainment of the Residential Statewide Health Standard and was approved by the Department of Environmental Protection on June 24, 2010.

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

**Rosedale Tract KOZ and Lower Ore Yard KOZ**, City of Johnstown, **Cambria County**. L. Robert Kimball Associates, 615 West Highland Avenue, P. O. Box 1000, Ebensburg, PA 1531 on behalf of the Johnstown Redevelopment Authority, 401 Washington Street, 4th Floor, Johnstown, PA 15901 has submitted a Cleanup Plan concerning the remediation of site soil contaminated with heavy metals. The Cleanup Plan was approved by the Department of Environmental Protection on May 17, 2010.

**Allegheny County Field Sports Complex**, State Route 51 and Montour Run Road, Borough of Coraopolis, Robinson Township, Township of Moon, **Allegheny County**. Chester Engineers, Airside Business Park, 260 Airside Drive, Moon Township, PA 15108 on behalf of James R. Wilharm, Trustee for Sports Legacy Foundation, Alliance Reality Management, 121 Towne Square Way, Pittsburgh, PA 15227 has submitted a Remedial Investigation Report, Risk Assessment Report, Cleanup Plan and Final Report concerning remediation of site soil and groundwater contaminated with lead, arsenic and other inorganic constituents. The Report is intended to document remediation of the site to meet a Site-Specific Residential Standard. The Report was approved on May 17, 2010. An environmental covenant restriction the site to be used only for recreational purposes will be recorded with Allegheny County.

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**HAZARDOUS WASTE TREATMENT, STORAGE & DISPOSAL FACILITIES**


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Permits issued, suspended, expired, denied, revoked, reinstated or returned under the Solid Waste Management Act of July 7, 1980 (P. L. 380, No. 97) (35 P. S. §§ 6018.101—6018.1003) and Regulations to Operate a Hazardous Waste Treatment, Storage, or Disposal Facility.

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

**Permit No. PA6213820503. Letterkenny Army Depot, Mr. Bryan Hoke**, 1 Overcash Avenue, Chambersburg, PA 17201, Letterkenny, Green and Hamilton Townships, **Franklin County**. In accordance with 25 Pa. Code § 264a.167, the Department of Environmental Protection (Department) is providing for notice of Letterkenny Army Depot's Closure Report and Certification for RCRA permitted storage Building 675, Storage Pad 676 and Storage Pad 696 received by the Department on December 18, 2009 and closure certification concurrence by the Department on June 23, 2010.

Persons interested in reviewing the closure report and certification may contact John Oren, Facilities Manager, Department of Environmental Protection, 909 Elmerton Avenue, Harrisburg, PA 17110, 717-705-4706. TDD users may contact the Department through the Pennsylvania AT&T Relay Service, (800) 654-5984. Comments should be submitted to this office within 45 days of *Pennsylvania Bulletin* publication.

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**REGISTRATION FOR GENERAL PERMIT—RESIDUAL WASTE**


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

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

**Registration Under General Permit No. WMGR097R013. N-Viro International Corporation**, 3450 West Central Avenue, Toledo, OH 43606.

**General Permit Number WMGR097** authorizes research and development (R&D) activities. This general permit was issued in support of limited R&D activities to collect technical and supporting information that demonstrates the blending of (i) an alkaline material, and (ii) sewage sludge generated at the wastewater treatment plant will create a material that may be used as an alternative fuel for an electric power generation plant. Central Office approved this registration for coverage under the general permit on June 25, 2010.

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

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**RESIDUAL WASTE GENERAL PERMITS**


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

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

**General Permit No. WMGR090R053. Schultz Enterprises, Inc.**, 541 Flint Hill Road, King of Prussia, PA 19406.

**General Permit Number WMGR090** authorizes the processing and beneficial use of reclaimed asphalt pavement (RAP) materials as a roadway construction material. The permittee requested the general permit be revoked due to the utilization of the RAP materials under the industry-wide co-product determination. Central Office revoked this general permit on June 7, 2010.

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**REGISTRATION FOR RESIDUAL WASTE GENERAL PERMITS**


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

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

**General Permit No. WMGR109-SC004. Middletown Biofuels, LLC**, 414 Innovation Drive, Blairsville, PA 15717. The Department of Environmental Protection (Department) has issued a registration under General Permit WMGR109 to Middletown Biofuels, LLC, for the processing and beneficial use of used restaurant oil, yellow grease, grease trap waste, oil and animal fats from food processing or rendering plants, waste from ethanol production, soy bean soap stock, float grease (from wastewater treatment plants), and off-specification vegetable oil for use as a biofuel or biodiesel. This Registration is for their location at East End Warehouse, 532 East Emaus Street, Middletown, PA 17057.

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

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**AIR QUALITY**


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

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

**66-310-016GP3: Meshoppen Stone, Inc.** (P. O. Box 127, Frantz Road, Meshoppen, PA 18630) on June 17, 2010, to construct and operate a Portable Crushing Operation with watersprays at their Carter II Quarry in Meshoppen Township, **Wyoming County**.

**66-310-017GP3: Meshoppen Stone, Inc.** (P. O. Box 127, Frantz Road, Meshoppen, PA 18630) on June 17, 2010, to construct and operate a Portable Crushing Operation with watersprays at their Shannon Hill Quarry in Meshoppen Township, **Wyoming County**.

**66-329-003GP9: Meshoppen Stone, Inc.** (P. O. Box 127, Frantz Road, Meshoppen, PA 18630) on June 17, 2010, to install and operate a Diesel I/C engine at their Carter II Quarry in Meshoppen Township, **Wyoming County**.

**66-329-004GP9: Meshoppen Stone, Inc.** (P. O. Box 127, Frantz Road, Meshoppen, PA 18630) on June 17, 2010, to install and operate a Diesel I/C engine at their Shannon Hill Quarry in Meshoppen Township, **Wyoming County**.

*Southcentral Region: Air Quality Program, 909 Elmerton Avenue, Harrisburg, PA 17110. Contact: Thomas J. Hanlon, Chief, East Permitting Section—Telephone: 717-705-4862 or Daniel Husted, Chief, West Permitting Section—Telephone: 814-949-7935.*

**GP3-17-07-03014: New Enterprise Stone & Lime Co., Inc.** (P. O. Box 77, New Enterprise, PA 16664) on June 22, 2010, for a portable crusher and three conveyors at the Roaring Spring Quarry in Taylor Township, **Blair County**.

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

**GP5-65-00867B: CONSOL Gas Co.** (CNX Center, 1000 Consol Energy Drive, Canonsburg, PA 15317-6506) on June 18, 2010, received authorization for operation of a natural gas production facility at their Jacob's Creek Compressor Station in South Huntingdon Township, **Westmoreland County**.

**GP5-65-00961C: CONSOL Gas Co.** (CNX Center, 1000 Consol Energy Drive, Canonsburg, PA 15317-6506) on June 18, 2010, received authorization for operation of a natural gas production facility at their Hickman Compressor Station in Bell Township, **Westmoreland County**.

**GP3-32-00320A: Penn Run Quarry-2** (590 Spruce Grove Road, Penn Run, PA 15765) on June 23, 2010, received authorization under GP-3 for installation and operation of a non-coal mineral processing plant at their Spruce Mine (Permit No. 32040301) in Cherry Hill Township, **Indiana County**.

**GP9-32-00320B: Penn Run Quarry-2** (590 Spruce Grove Road, Penn Run, PA 15765) on June 23, 2010, received authorization under GP-9 to allow installation and operation of four (5) diesel engines to power a non-coal mineral processing plant at the Spruce Mine (Permit No. 32040301) in Cherry Hill Township, **Indiana County**.

**GP5-32-146A: XTO Energy, Inc.** (810 Houston Street, Fort Worth, TX 76102) on May 27, 2010, to construct and operate one natural gas compressor engine and one natural gas dehydrator at their Kent Compressor Station in Blacklick Township, **Indiana County**.

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**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.**

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*Southcentral Region: Air Quality Program, 909 Elmerton Avenue, Harrisburg, PA 17110. Contact: Thomas J. Hanlon, Chief, East Permitting Section—Telephone: 717-705-4862 or Daniel Husted, Chief, West Permitting Section—Telephone: 814-949-7935.*

**67-05041A: Defense Logistics Agency** (DESSP-PG "S" Avenue and 3rd Street, Building 750, New Cumberland, PA 17070) on June 21, 2010, to construct three new boilers to replace four existing boilers at their Defense Distribution Depot Susquehanna, PA in Fairview Township, **York County**. The plan approval was extended.

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

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*Southcentral Region: Air Quality Program, 909 Elmerton Avenue, Harrisburg, PA 17110. Contact: Thomas J. Hanlon, Chief, East Permitting Section—Telephone: 717-705-4862 or Daniel Husted, Chief, West Permitting Section—Telephone: 814-949-7935.*

**06-05063: Boyertown Foundry Co.** (P. O. Box 443, New Berlinville, PA 19545-0443) on June 21, 2010, for their gray iron foundry in Boyertown Borough, **Berks County**. This is a renewal of the Title V operating permit.

**38-05017: Greater Lebanon Refuse Authority** (1610 Russell Road, Lebanon, PA 17046-1437) on June 21, 2010, for the municipal solid waste landfill in North Lebanon Township, **Lebanon County**. This is a renewal of the operating permit.

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**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.**

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

**25-00052: Ames True Temper** (55 Pleasant Street, Union City, PA 16438-1337) on June 21, 2010, to re-issue the Natural Minor Operating Permit for this wooden tool handle manufacturing and coating facility in Union City Borough, **Erie County**. The facility's primary emissions are from surface coating operations.

**16-00003: State System of Higher Education—Clarion State University** (840 Wood Street, Clarion, PA 16214-1240) on June 23, 2010, to re-issue a Natural Minor Operating Permit Number to operate their boiler plant at the university, in Clarion Borough, **Clarion County**. The facility's primary emission sources include three Boilers and various Emergency Power Generators. The emissions of criteria pollutants from this facility are below major source levels.

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**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.**

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*Southcentral Region: Air Quality Program, 909 Elmerton Avenue, Harrisburg, PA 17110. Contact: Thomas J. Hanlon, Chief, East Permitting Section—Telephone: 717-705-4862 or Daniel Husted, Chief, West Permitting Section—Telephone: 814-949-7935.*

**67-05005: PPL Brunner Island, LLC** (2 North 9th Street, Allentown, PA 18101-1139) on June 21, 2010, for the Brunner Island coal fired electric generating station in East Manchester Township, **York County**. This Title V Operating Permit was administratively amended to include the requirements of Plan Approval Nos. 67, 05005D, E and F, and to include standard conditions for continuous emission monitors (CEMs) and the Clean Air Interstate Rule (CAIR).

## **ACTIONS ON COAL AND NONCOAL MINING ACTIVITY APPLICATIONS**

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

### *Coal Applications Returned*

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

**56823108 and NPDES No. PA0605751. C & O Coal Company**, 124 Walker School Road, Berlin, PA 15530, permit renewal for reclamation only of a bituminous surface mine in Brothersvalley Township, **Somerset County**, affecting 42.1 acres. Receiving stream(s): unnamed tributaries to/and Buffalo Creek classified for the following use(s): cold water fishery. There are no potable water supply intakes within 10 miles downstream. Application received: December 7, 2009. Permit Returned: June 18, 2010.

### *Coal Permits Actions*

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

**56981301 and NPDES Permit No. PA0215121, Quecreek Mining, Inc.**, (P. O. Box 260, Friedens, PA 15541-0260), to renew and revise the permit for the Quecreek Mine in Lincoln and Somerset Townships, **Somerset County** including the GP-12 permit and related NPDES permit. No additional discharges. Application received: November 17, 2008. Permit issued: June 21, 2010.

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

**07850103 and NPDES No. PA0597091. Cooney Brothers Coal Co.**, P. O. Box 246, Cresson, PA 16630, permit renewal for reclamation only of a bituminous

surface mine in Logan Township, **Blair County**, affecting 114.0 acres. Receiving stream(s): unnamed tributary to/and Kittanning Run classified for the following use(s): cold water fishery. The first downstream potable water supply intake from the point of discharge is Altoona City Authority-Blair County PWS and Crystal Pine Bottled Water-Michael Washko. Application received: February 17, 2010. Permit Issued: June 21, 2010.

**32070104 and NPDES No. PA0262404. P & N Coal Company, Inc.**, P. O. Box 330, Punxsutawney, PA 15767, revision to add 5.0 acres for mining to an existing bituminous surface mine in Banks Township, **Indiana County**, affecting 137.3 acres. Receiving stream(s): unnamed tributary to South Branch of Bear Run, unnamed tributary to Cush Creek and unnamed tributary to Brady Run classified for the following use(s): cold water fishery. There are no potable water supply intakes within 10 miles downstream. Application received: December 21, 2009. Revision withdrawn: March 16, 2010.

**56940106 and NPDES No. PA0212903. Fieg Brothers**, 3070 Stoystown Road, Stoystown, PA 15563, permit renewal for the continued operation and restoration of a bituminous surface mine in Brothersvalley Township, **Somerset County**, affecting 77.4 acres. Receiving stream(s): unnamed tributaries to/and Buffalo Creek classified for the following use(s): cold water fishery. There are no potable water supply intakes within 10 miles downstream. Application received: February 17, 2010. Permit issued: June 26, 2010.

**56763114 and NPDES No. PA0608238. Svonavec, Inc.**, 150 West Union Street, Suite 201, Somerset, PA 15501, permit renewal for continued operation and restoration of a bituminous surface mine in Milford Township, **Somerset County**, affecting 96.8 acres. Receiving stream(s): unnamed tributaries to/and South Glad Creek classified for the following use(s): warm water fishery. There are no potable water supply intakes within 10 miles downstream. Application received: September 9, 2009. Permit Issued: June 23, 2010.

**32080101 and NPDES No. PA0262561. P & N Coal Co., Inc.**, P. O. Box 332, Punxsutawney, PA 15767, revision of an existing bituminous surface mine to add 15.8 acres to the permit area in Banks Township, **Indiana County**, affecting 9.4 acres. Receiving stream(s): unnamed tributaries to Cush Creek classified for the following use(s): cold water fishery. There are no potable water supply intakes within 10 miles downstream. Application received: March 24, 2010. Permit Issued: June 23, 2010.

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

**17080103 and NPDES No. PA0256722. Hilltop Coal Co.** (12 Dutchtown Road, Houtzdale, PA 16651). Commencement, operation and restoration of a bituminous surface and auger mine located in Bigler Township, **Clearfield County** affecting 320.7 acres. Receiving streams: unnamed tributary to Muddy Run and unnamed tributaries to Little Muddy Run classified for Cold Water Fisheries. There are no potable water supply intakes within 10 miles downstream. Application received: March 10, 2008. Permit issued: June 10, 2010.

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

**40840202R5 and NPDES Permit No. PA0613703. Silverbrook Anthracite, Inc.**, (1 Market Street, Laflin, PA 18702), renewal of an existing anthracite coal refuse reprocessing and prep plant operation in Laflin Borough, **Luzerne County** affecting 30.30 acres, receiving stream:

Garden Creek. Application received: September 21, 2009. Renewal issued: June 23, 2010.

*Noncoal Applications Returned*

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

**34090801. Deihl's Excavation**, 250 Industrial Park Road, Mifflintown, PA 17059, commencement, operation and restoration of a small Noncoal (industrial minerals) operation in Milford Township, **Juniata County**, affecting 5.0 acres. Receiving stream(s): Juniata River. Application received: March 11, 2009. Permit Returned: June 21, 2010.

**32092801. Pioneer Oil & Gas Field Services, LP**, P. O. Box 368, Elderton, PA 15736, commencement, operation and restoration of a small Noncoal (industrial minerals) operation in Young Township, **Indiana County**, affecting 5.0 acres. Receiving stream(s): Gobblers Run. Application received: June 4, 2009. Permit Returned: June 21, 2010.

**50090801. Barbara Beers**, 1360 Newport Road, Duncannon, PA 17020, commencement, operation and restoration of a small Noncoal (industrial minerals) operation in Miller Township, **Perry County**, affecting 1.5 acres. Receiving stream(s): unnamed tributary to Losh Run. Application received: July 13, 2009. Permit Returned: June 21, 2010.

*Noncoal Permits Actions*

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

**07092801. Catharine Properties, Inc.**, One Either Street, Braddock, PA 15104, commencement, operation and restoration of a small Noncoal (industrial minerals) operation in Catharine Township, **Blair County**, affecting 5.0 acres. Receiving stream(s): unnamed tributary to Frankstown Branch Juniata River. Application received: February 26, 2009. Permit Issued: June 22, 2010.

**5679123 and NPDES Permit No. PA0599166, Action Mining, Inc.**, 1117 Shaw Mines Road, Meyersdale, PA 15552, renewal of NPDES Permit, Southampton Township, **Somerset County**. Receiving stream(s): unnamed tributary to and Shoemaker Run classified for the following uses(s): high quality. There are no potable water supply intakes within 10 miles downstream. Application received: March 11, 2010. Permit issued: June 21, 2010.

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

**4773SM2 and NPDES No. PA0596680. Hanson Aggregates Pennsylvania, Inc.** (7660 Imperial Way, Allentown, PA 18195). Renewal of the NPDES Permit for discharges of treated mine drainage from a quarry operation in Potter Township, **Centre County**. Receiving stream: unnamed tributary to Cedar Creek classified for Cold Water Fishery. Application received: February 16, 2010. Permit issued: June 15, 2010.

**4775SM10 and NPDES No. PA0596639. Hanson Aggregates Pennsylvania, Inc.** (850 Boalsburg, PA 16827). Renewal of the NPDES Permit for discharges of treated mine drainage from a quarry operation in College Township, **Centre County**. Receiving stream: Spring Creek classified for High Quality Cold Water Fishery. Application received: February 16, 2010. Permit issued: June 15, 2010.

**14920302 and NPDES No. PA0207098. Hanson Aggregates Pennsylvania, Inc.** (850 Boalsburg, PA 16827). Renewal of the NPDES Permit for discharges of

treated mine drainage from a quarry operation in Potter Township, **Centre County**. Receiving stream: Lick Run classified for High Quality Cold Water Fishery. Application received: February 16, 2010. Permit issued: June 15, 2010.

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

**8274SM4A2C10 and NPDES Permit No. PA0010111. Rohrer's Quarry, Inc.**, (P. O. Box 365, Lititz, PA 17543), renewal and correction of NPDES Permit for discharge of treated mine drainage from a quarry operation in Penn and Warwick Townships, **Lancaster County**, receiving stream: unnamed tributary of Little Conestoga Creek. Application received: April 25, 2010. Renewal issued: June 21, 2010.

**58100802. Michael Mackenzie**, (1391 Franks Road, Susquehanna, PA 18847), commencement, operation and restoration of a quarry operation in Great Bend Township, **Susquehanna County** affecting 5.0 acres, receiving stream: none. Application received: March 1, 2010. Permit issued: June 23, 2010.

**ACTIONS ON BLASTING ACTIVITY APPLICATIONS**

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

*Blasting Permits Actions*

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

**43104001. Kesco, Inc.** (P. O. Box 95, Adrian, PA 16210) Blasting Activity Permit for commercial site development in City of Hermitage, **Mercer County**. This Blasting Activity Permit will expire on October 31, 2010. Permit Issued: June 21, 2010.

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

**36104133. Keystone Blasting Service**, (15 Hopeland Road, Lititz, PA 17543), construction blasting for Timber Ridge in Mt. Joy Township, **Lancaster County** with an expiration date of June 30, 2011. Permit issued: June 21, 2010.

**46104107. Eastern Blasting Co., Inc.**, (1292 Street Road, New Hope, PA 18938), construction blasting for Montgomery Knoll in Montgomery Township, **Montgomery County** with an expiration date of July 1, 2011. Permit issued: June 23, 2010.

**36104134. ME Drilling & Blasting**, (P. O. Box 279, Auburn, NH 03032), construction blasting for Concordia Estates in West Hempfield Township, **Lancaster County** with an expiration date of June 22, 2011. Permit issued: June 24, 2010.

**36104135. ME Drilling & Blasting**, (P. O. Box 279, Auburn, NH 03032), construction blasting for Veranda Development in East Hempfield Township, **Lancaster County** with an expiration date of June 22, 2011. Permit issued: June 24, 2010.

**36104136. ME Drilling & Blasting**, (P. O. Box 279, Auburn, NH 03032), construction blasting for Penn's

Crossing in Manheim Township, **Lancaster County** with an expiration date of June 22, 2011. Permit issued: June 24, 2010.

**36104137. ME Drilling & Blasting**, (P. O. Box 279, Auburn, NH 03032), construction blasting for Weaver Road Park in Manheim Township, **Lancaster County** with an expiration date of June 22, 2011. Permit issued: June 24, 2010.

**36104138. ME Drilling & Blasting**, (P. O. Box 279, Auburn, NH 03032), construction blasting for The Villas at Elm Tree in Rapho Township, **Lancaster County** with an expiration date of June 22, 2011. Permit issued: June 24, 2010.

**36104139. Keystone Blasting Service**, (15 Hopeland Road, Lititz, PA 17543), construction blasting for Roy Stoltzfus Barn in Upper Leacock Township, **Lancaster County** with an expiration date of July 30, 2010. Permit issued: June 24, 2010.

**64104005. Northeast Blasting**, (403 Middle Creek Road, Honesdale, PA 18431), construction blasting for the Damascus Township Shale Bank in Damascus Township, **Susquehanna County** with an expiration date of June 14, 2011. Permit issued: June 24, 2010.

**58104028. Mike Kipar**, (6005 SR 267, Meshoppen, PA 18630) and John Brainard, (3978 SR 2073, Kingsley, PA 18826), construction blasting for the Kipar Gas Pad and Road in Auburn Township, **Susquehanna County** with an expiration date of June 15, 2011. Permit issued: June 24, 2010.

**58104029. John Brainard**, (3978 SR 2073, Kingsley, PA 18826), construction blasting for the Decker Well Pad in Rush Township, **Susquehanna County** with an expiration date of July 30, 2010. Permit issued: June 24, 2010.

**58104030. John Brainard**, (3978 SR 2073, Kingsley, PA 18826), construction blasting for the Stockholm 2H Well Site and Tank Farm in Dimock Township, **Susquehanna County** with an expiration date of July 30, 2010. Permit issued: June 24, 2010.

**58104031. John Brainard**, (3978 SR 2073, Kingsley, PA 18826), construction blasting for the Post 1H Well Pad in Brooklyn Township, **Susquehanna County** with an expiration date of July 30, 2010. Permit issued: June 24, 2010.

## FEDERAL WATER POLLUTION CONTROL ACT SECTION 401

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

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

Persons aggrieved by an action may appeal, under section 4 of the Environmental Hearing Board Act (35 P.S. § 7514) and 2 Pa.C.S. §§ 501—508 and 701—704 (relating to the Administrative Agency Law), to the Environmental Hearing Board, Second Floor, Rachel

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

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

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

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

*Permits, Environmental Assessments and 401 Water Quality Certifications Issued:*

### WATER OBSTRUCTIONS AND ENCROACHMENTS

#### Denial

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

**E45-500. Raymond Johns**, 45 Furber Avenue, Lindon, NJ 07036, in Tobyhanna Township, **Monroe County**, U.S. Army Corps of Engineers, Philadelphia District.

Proposal to place fill in approximately 0.003 acre of Exceptional Value, PEM wetlands for the purpose of constructing a single-family dwelling on Lots Nos. 7 and 8, Block A-100, Section 3 of Arrowhead Lakes Residential Community has been denied. The project is located along Lakeshore Drive on the northwestern side of Arrowhead Lake (Thornhurst, PA Quadrangle N: 5.4 inches; W: 10.6 inches).

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

**E38-167, Department of Environmental Protection Engineering District 8-0**, 2140 Herr Street, Harrisburg, PA 17103-1699, ACOE Baltimore District.

To: (1) remove the existing structure and to construct and maintain a 31.0-foot wide, three span bridge having a normal span of 248.7 feet and an underclearance of 6.9 feet across Swatara Creek (WWF); (2) relocate and maintain 180.0 feet of an unnamed tributary to Swatara Creek (WWF); (3) remove the existing structure and construct and maintain a 6.0-inch depressed, 24.0-inch diameter corrugated metal pipe culvert with a length of 43.0 feet in an unnamed tributary to Swatara Creek (WWF); (4)



permanently place and maintain fill in 0.05-acre of PFO wetlands; and (5) temporarily place and maintain fill within 0.01-acre of PFO wetlands in North Annville and East Hanover Townships, Lebanon County (Indiantown Gap, PA Quadrangle N: 0.2 inch; W: 10.1 inches, Latitude: 40° 22' 34"; Longitude: 76° 34' 20") all for the purpose of improving transportation safety and roadway standards by replacing the SR 4014 (Black Mill Road) bridge over Swatara Creek. The amount of wetland impact is considered a de minimis impact of 0.05 acre and wetland replacement is not required. The project will involve the use of a temporary causeway and cofferdams.

**E44-143: Department of Transportation, Engineering District 2-0**, 1924 Daisy Street Extension, Clearfield, PA 16830, Burnham Borough, Mifflin County, ACOE Baltimore District.

To remove the existing bridge structure and construct and maintain a 63.0-foot wide, single span bridge having a normal span of 46.8 feet and an underclearance of 5.5 feet across Bucks Run (TSF, MF), for the purpose of improving transportation safety and roadway standards. The project is located on SR 1005, approximately 90.0 feet south of its intersection with SR 4013 (Burnham, PA Quadrangle N: 0.7 inch; W: 9.4 inches, Latitude: 40° 37' 45"; Longitude: -77° 34' 03") in Burnham Borough, Mifflin County.

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

**E08-464 Department of Transportation, Engineering District 3-0**, P. O. Box 218, Montoursville, PA 17754-0218. SR 0187 Section 003 Bridge Structure Replacement over Bennetts Creek, Asylum Township, **Bradford County**, ACOE Baltimore District (Wyalusing, PA Quadrangle N: 41° 43' 30"; W: 76° 22' 03").

Department of Transportation, Engineering District 3-0 proposes to replace the existing single span concrete slab bridge with a single span concrete arch culvert over Bennetts Creek. The existing structure has a 13 ft. normal span, 45° skew, 11.12 ft. underclearance, and 791.31 ft. low chord elevation. The proposed structure has a 20 ft. normal span, 45° skew, 10.54 ft. underclearance, and 791.33 ft. low chord elevation. The proposed bridge will be placed approximately on the existing vertical and horizontal alignment. Bennetts Creek is classified as a Warm Water Fishery by 25 Pa. Code Chapter 93 Water Quality Standards. The proposed project will not impact any jurisdictional wetlands. This permit also includes 401 Water Quality Certification.

**E14-533. Department of Transportation, Engineering District 2-0**, 1924-30 Daisy Street, Clearfield, PA 16830. Pond M ARD Remediation, in Patton Township, **Centre County**, ACOE Baltimore District (Julian, PA Quadrangle Latitude: 40° 49' 54"; Longitude: 77° 58' 6").

To help protect water quality from Acid Rock Discharges (ARD) by proposing a sedimentation basin M pipe by-pass modification that includes the construction and maintenance of: 1) a permanent enclosure of 462 linear feet of Buffalo Run and unnamed tributary within a 60-inch HDPE pipe; 2) a cast-in-place concrete end wall at the inlet of the 60-inch and 42-inch culvert, for the 60-inch enclosure and the modification of an existing 42-inch HDPE pipe; 3) the installation of two USBR Type VI Impact Basins with R-7 riprap for scour protection at the outlets of the 60-inch HDPE and 42-inch HDPE culverts; 4) the temporary use of two 42-inch HDPE pipes to connect the two outlets of the upstream 60-inch

concrete pipes to the inlet of the 60-inch enclosure while modifications are made to the existing 42-inch pipe; 5) modifications to an existing 42-inch HDPE pipe to create a total length of 462 feet to act as a overflow channel for the 60-inch culvert; 6) a gravel access maintenance road from SR 3042 to the far left flood fringe; 7) a subsurface ARD collection and pumping system sedimentation basin M includes: two pump stations, 1,186 linear feet of 2" SDR-11 HDPE force main pipe, 340 linear feet of 3" SDR-17 HDPE force main pipe, 325 linear feet of 8" HDPE perforated pipe, 395 linear feet of 6" HDPE pipe, and placement of 12,025 cubic yards of soil/aggregate within the 100 year floodplain of Buffalo Run, located 2,200 feet northwest of the SR 3042 and SR 550 intersection. This permit was issued under Section 105.13(e) "Small Projects." This permit also includes 401 Water Quality Certification.

**E18-452. Department of Transportation, Engineering District 2-0**, 1924 Daisy Street Extension, Clearfield, PA 16830. SR 2004, Section A07 Bridge Replacement in Lamar Township, **Clinton County**, ACOE Baltimore District (Mill Hall, PA Quadrangle Latitude: 40° 04' 46"; Longitude 77° 28' 46").

The applicant proposes to replace a single lane, two span, open grate steel girder bridge, with a two lane, two span, pre-stressed concrete adjacent box beam bridge. The existing structure has a total normal span of 126 ft., skew of 58°, underclearance of 10.5 ft., and roadway width of 15.4 ft. The proposed structure has a total normal span of 140 ft., skew of 60°, underclearance of 11.5 ft., and a roadway width of 28 ft. Minor approach work will be required to account for a 3 ft. horizontal alignment shift to the west. The proposed bridge is located over Fishing Creek. Fishing Creek is classified as a High Quality-Cold Water Fishery by 25 Pa. Code Chapter 93. This project proposes to temporarily impact 0.02 acre of jurisdictional wetlands. This permit also includes 401 Water Quality Certification.

**E18-453. Lamar Township**, 148 Beagle Road, Mill Hall, PA 17751-9493. Stoltzfus Channel Stabilization and Fencing Project, in Lamar Township, **Clinton County**, ACOE Baltimore District (Mill Hall, PA Quadrangle N: 41° 5' 28"; W: 77° 23' 39").

To construct and maintain 5,675 linear feet of streambank fencing to create a 35 foot wide riparian buffer along 1,550 feet of Chub Run and another 1,300 feet of an unnamed tributary. Woody vegetation will be planted in this newly established riparian buffer. In addition to fencing, the applicant proposes to construct and maintain: 1) a 78 foot channel realignment with R-5 riprap in the left stream bank on Chub Run immediately upstream of the Township's Stover's Crossroad culvert; 2) a 122 foot long stream relocation with R-5 riprap in the left stream bank to cut off an ox bow in Chub Run that was created by a previous storm event; 3) fill the ox bow with R-5 riprap channel blocks on either end and clean fill in between to restore a vegetated pasture in the right floodplain; 4) 140 linear feet of 6-inch drain pipe for a pond outlet under the right floodplain and the associated R-5 riprap outfall apron in Chub Run; 5) abandon and stabilize with vegetation an existing 20 foot wide cattle stream crossing; 6) improve an existing cattle stream crossing to a 16-foot wide by 30 foot long bridge across the unnamed tributary; 7) a 70 feet long by 16 feet wide new concrete hog slat agricultural equipment crossing on Chub Run; 8) realign 10 linear feet of an unnamed tributary as it enters the realigned Chub Run; 9) stabilize 35 linear feet of the left stream bank of the

unnamed tributary, located 1,100 feet north on Stover's Cross Road from Beagle Road. This permit was issued under Section 105.13(e) "Small Projects." This permit also includes 401 Water Quality Certification.

**E41-604. Sandra S. Bierly**, 1020 First Avenue, Williamsport, PA 17701-3008. Small Projects Water Obstruction and Encroachment Joint Permit, in Piatt Township, **Lycoming County**, ACOE Susquehanna River Basin District (Williamsport, PA Quadrangle N: 41° 12' 56"; W: 77° 13' 40").

To construct and maintain an open sided pavilion measuring 16 feet by 30 feet in the delineated floodway of W.B. Susquehanna River, which is located south of the intersection of SR 0220 and Bolins Landing Road in Piatt Township, Lycoming County. There are no proposed wetland impacts. This permit was issued under Section 105.13(e) "Small Projects."

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

**E20-578, Iroquois Boating & Fishing Club**, 10733 Konneyaut Trail, Conneaut Lake, PA 16316, Pittsburgh ACOE.

To dredge approximately 595 cubic yards of lake bed material from a swimming area measuring approximately 130 feet by 50 feet on the east shore of Conneaut Lake approximately 450 feet northwest of the intersection of Konneyaut Trail and Iroquois Road.

#### EROSION AND SEDIMENT CONTROL

The following Erosion and Sediment Control Permits have been issued.

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

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

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

ESCGP-1 # ESG10-105-0008  
Applicant Name Ultra Resources, Inc.  
Contact Person Belinda Salinas  
Address 5 East Avenue, #108  
City, State, Zip Wellsboro, PA 16901-1613  
County Potter  
Township(s) West Branch Township  
Receiving Stream(s) and Classification(s) Crippen Run and Birch Still Hollow  
Secondary—South and West Branch Pine Creek

ESCGP-1 # ESG10-105-0009  
Applicant Name Ultra Resources, Inc.  
Contact Person Belinda Salinas  
Address 5 East Avenue, #108  
City, State, Zip Wellsboro, PA 16901-1613  
County Potter  
Township(s) West Branch  
Receiving Stream(s) and Classification(s) South Branch Pine Creek  
Secondary—Stone, Paul, Birch Still, Mott Hill, Hasker and Long Hollows

ESCGP-1 # ESG10-117-0075  
Applicant Name Ultra Resources, Inc.  
Contact Person Belinda Salinas  
Address 5 East Avenue, #108  
City, State, Zip Wellsboro, PA 16901-1613  
County Tioga  
Township(s) Gaines Township  
Receiving Stream(s) and Classification(s) Painters Hollow and Right Branch  
Secondary—Pine Creek

ESCGP-1 # ESG10-117-0115  
Applicant Name Ultra Resources, Inc.  
Contact Person Belinda Salinas  
Address 5 East Avenue, #108  
City, State, Zip Wellsboro, PA 16901-1613  
County Tioga  
Township(s) Gaines Township  
Receiving Stream(s) and Classification(s) Lick Run

ESCGP-1 # ESG10-081-0027  
Applicant Name Chief Gathering, LLC  
Contact Person Ted Wurfel  
Address 6051 Wallace Road Extension  
City, State, Zip Wexford, PA 15090  
County Lycoming  
Township(s) Jordan Township  
Receiving Stream(s) and Classification(s) Little Muncy and West Branch Little Muncy Creeks, Little Indian Run

ESCGP-1 # ESX10-015-0143  
Applicant Name Talisman Energy USA  
Contact Person Eric Potter  
Address 337 Daniel Zenker Drive  
City, State, Zip Horseheads, NY 14845  
County Bradford  
Township(s) Columbia Township  
Receiving Stream(s) and Classification(s) North Branch of Sugar Creek

ESCGP-1 # ESG10-081-0026  
Applicant Name Chief Gathering, LLC  
Contact Person Ted Wurfel  
Address 6051 Wallace Road Extension  
City, State, Zip Wexford, PA 15090  
County Lycoming  
Township(s) Penn and Franklin Townships  
Receiving Stream(s) and Classification(s) Marsh, Little Indian and Beaver Runs

- ESCGP-1 # ESG10-081-0030  
 Applicant Name Chief Gathering, LLC  
 Contact Person Ted Wurfel  
 Address 6051 Wallace Road Extension  
 City, State, Zip Wexford, PA 15090  
 County Lycoming  
 Township(s) Shrewsbury Township  
 Receiving Stream(s) and Classification(s) Lick, Lake, Fox,  
 Big and Roaring Runs
- ESCGP-1 # ESG10-081-0016  
 Applicant Name Chief Gathering, LLC  
 Contact Person Ted Wurfel  
 Address 6051 Wallace Road Extension  
 City, State, Zip Wexford, PA 15090  
 County Lycoming  
 Township(s) Shrewsbury Township  
 Receiving Stream(s) and Classification(s) Muncy Creek,  
 Fox, Big and Lick Runs
- ESCGP-1 # ESX10-117-0120  
 Applicant Name East Resources, Inc.  
 Contact Person Jefferson Long  
 Address 301 Brush Creek Road  
 City, State, Zip Warrendale, PA 15086  
 County Tioga  
 Township(s) Delmar Township  
 Receiving Stream(s) and Classification(s) UNT to West  
 Branch of Stony Fork Creek  
 Secondary—UNT to UNT to West Branch of Stony  
 Fork Creek
- ESCGP-1 # ESX10-081-0031  
 Applicant Name Anadarko E&P Company, LP  
 Contact Person Frank Davis  
 Address 1201 Lake Robins Drive  
 City, State, Zip Houston, TX 77380  
 County Lycoming  
 Township(s) Cummings Township  
 Receiving Stream(s) and Classification(s) Second  
 Fork Larry's Creek/West Branch Susquehanna  
 River  
 Secondary—Larry's Creek
- ESCGP-1 # ESX10-131-0017  
 Applicant Name Chesapeake Appalachia, LLC  
 Contact Person Eric Haskins  
 Address 101 North Main Street  
 City, State, Zip Athens, PA 18810  
 County Wyoming  
 Township(s) Windham Township  
 Receiving Stream(s) and Classification(s) Roaring Run
- ESCGP-1 # ESX10-131-0018  
 Applicant Name Chesapeake Appalachia, LLC  
 Contact Person Eric Haskins  
 Address 101 North Main Street  
 City, State, Zip Athens, PA 18810  
 County Wyoming  
 Township(s) Washington Township  
 Receiving Stream(s) and Classification(s) West Branch  
 Meshoppen Creek  
 Secondary—Meshoppen Creek
- ESCGP-1 # ESX10-015-0147  
 Applicant Name Chesapeake Appalachia, LLC  
 Contact Person Eric Haskins  
 Address 101 North Main Street  
 City, State, Zip Athens, PA 18810  
 County Bradford  
 Township(s) Asylum Township  
 Receiving Stream(s) and Classification(s) UNT  
 Susquehanna River  
 Secondary—Susquehanna River
- ESCGP-1 # ESX10-015-0146  
 Applicant Name Chesapeake Appalachia, LLC  
 Contact Person Eric Haskins  
 Address 101 North Main Street  
 City, State, Zip Athens, PA 18810  
 County Bradford  
 Township(s) Windham and Litchfield Townships  
 Receiving Stream(s) and Classification(s) UNT to Bullard  
 Creek/West Branch Parks Creek  
 Secondary—Bullard Creek
- ESCGP-1 # ESX10-015-0145  
 Applicant Name Appalachia Midstream Services, LLC  
 Contact Person Patrick Myers  
 Address 100 1st Center  
 City, State, Zip Horseheads, NY 14845  
 County Bradford  
 Township(s) West Burlington Township  
 Receiving Stream(s) and Classification(s) Tributaries to  
 Sugar Creek
- ESCGP-1 # ESX10-035-0004  
 Applicant Name Range Resources—Appalachia, LLC  
 Contact Person Carla Suszkowski  
 Address 380 Southpointe Boulevard, Plaza II, Suite 300  
 City, State, Zip Canonsburg, PA 15317  
 County Clinton  
 Township(s) Gallagher Township  
 Receiving Stream(s) and Classification(s) East and Middle  
 Branch Queen Run  
 Secondary—West Branch Susquehanna River
- ESCGP-1 # ESX10-081-0033  
 Applicant Name Range Resources—Appalachia, LLC  
 Contact Person Carla Suszkowski  
 Address 380 Southpointe Boulevard, Plaza II, Suite 300  
 City, State, Zip Canonsburg, PA 15317  
 County Lycoming  
 Township(s) Jackson Township  
 Receiving Stream(s) and Classification(s) Greys Run,  
 Blockhouse Creek, UNT to Grey's Run and Blockhouse  
 Creek
- ESCGP-1 # ESX10-127-0006  
 Applicant Name Hess Corporation  
 Contact Person Eugene Linscomb  
 Address 500 Dallas Street  
 City, State, Zip Houston, TX 77002  
 County Wayne  
 Township(s) Preston Township  
 Receiving Stream(s) and Classification(s) Tributary to  
 Lackawanna River
- ESCGP-1 # ESX10-117-0119  
 Applicant Name East Resources, Inc.  
 Contact Person Jefferson Long  
 Address 301 Brush Creek Road  
 City, State, Zip Warrendale, PA 15086  
 County Tioga  
 Township(s) Richmond, Covington and Charleston  
 Townships  
 Receiving Stream(s) and Classification(s) UNT to North  
 Elk Run
- ESCGP-1 # ESX10-015-0154  
 Applicant Name Appalachia Midstream Services, LLC  
 Contact Person Patrick Myers  
 Address 100 1st Center  
 City, State, Zip Horseheads, NY 14845  
 County Bradford  
 Township(s) North Towanda and Towanda Townships  
 Receiving Stream(s) and Classification(s) Sugar Creek,  
 Susquehanna River, Towanda Creek

ESCGP-1 # ESX10-117-0124

Applicant Name East Resources, Inc.  
 Contact Person Jefferson Long  
 Address 301 Brush Creek Road  
 City, State, Zip Warrendale, PA 15086  
 County Tioga  
 Township(s) Covington Township  
 Receiving Stream(s) and Classification(s) UNT to Elk  
 Run/Tioga River Basin  
 Secondary—Elk Run to Tioga River

ESCGP-1 # ESX10-015-0148

Applicant Name East Resources, Inc.  
 Contact Person Jefferson Long  
 Address 301 Brush Creek Road  
 City, State, Zip Warrendale, PA 15086  
 County Bradford  
 Township(s) Canton Township  
 Receiving Stream(s) and Classification(s) Towanda Creek

ESCGP-1 # ESX10-117-0122

Applicant Name East Resources, Inc.  
 Contact Person Jefferson Long  
 Address 301 Brush Creek Road  
 City, State, Zip Warrendale, PA 15086  
 County Tioga  
 Township(s) Middlebury Township  
 Receiving Stream(s) and Classification(s) UNT to Crooked  
 Creek  
 Secondary—Crooked Creek

ESCGP-1 # ESX10-117-0125

Applicant Name East Resources, Inc.  
 Contact Person Jefferson Long  
 Address 301 Brush Creek Road  
 City, State, Zip Warrendale, PA 15086  
 County Tioga  
 Township(s) Delmar Township  
 Receiving Stream(s) and Classification(s) UNT to East  
 Branch Stony Fork  
 Secondary—East Branch Stony Fork

ESCGP-1 # ESX10-117-0129

Applicant Name East Resources, Inc.  
 Contact Person Jefferson Long  
 Address 301 Brush Creek Road  
 City, State, Zip Warrendale, PA 15086  
 County Tioga  
 Township(s) Deerfield Township  
 Receiving Stream(s) and Classification(s) UNT to Troups  
 Creek/Tioga River Basin  
 Secondary—Troups Creek

ESCGP-1 # ESX10-113-0005

Applicant Name Chesapeake Appalachia, LLC  
 Contact Person Eric Haskins  
 Address 101 North Main Street  
 City, State, Zip Athens, PA 18810  
 County Sullivan  
 Township(s) Elkland Township  
 Receiving Stream(s) and Classification(s) UNTs to Elk  
 Creek  
 Secondary—Elk Creek

ESCGP-1 # ESX10-131-0015

Applicant Name Chesapeake Appalachia, LLC  
 Contact Person Eric Haskins  
 Address 101 North Main Street  
 City, State, Zip Athens, PA 18810  
 County Wyoming

Township(s) Windham Township  
 Receiving Stream(s) and Classification(s) Susquehanna  
 River

ESCGP-1 # ESX10-015-0149

Applicant Name Southwestern Energy Production  
 Company  
 Contact Person Jeffrey Sherrick  
 Address 2350 North Sam Houston Parkway E, Suite 125  
 City, State, Zip Houston, TX 77032  
 County Bradford  
 Township(s) Herrick Township  
 Receiving Stream(s) and Classification(s) UNT to Cold  
 Creek

ESCGP-1 # ESX10-015-0126

Applicant Name Chesapeake Appalachia, LLC  
 Contact Person Eric Haskins  
 Address 101 North Main Street  
 City, State, Zip Athens, PA 18810  
 County Bradford  
 Township(s) Tuscarora Township  
 Receiving Stream(s) and Classification(s) Little Tuscarora  
 Creek (W) and Fargo Creek (E)  
 Secondary—Susquehanna River (W) and Tuscarora  
 Creek (E)

ESCGP-1 # ESX10-081-0029

Applicant Name Range Resources—Appalachia, LLC  
 Contact Person Carla Suszkowski  
 Address 380 Southpointe Boulevard  
 City, State, Zip Canonsburg, PA 15317  
 County Lycoming  
 Township(s) Watson Township  
 Receiving Stream(s) and Classification(s) Tombs Run,  
 UNT to North Fork of Tombs Run  
 Secondary—Tombs Run

ESCGP-1 # ESX10-131-0011

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

ESCGP-1 # ESX10-081-0032

Applicant Name XTO Energy, Inc.  
 Contact Person Dewey Chalos  
 Address 810 Houston Street  
 City, State, Zip Fort Worth, TX 76102  
 County Lycoming  
 Township(s) Franklin and Moreland Townships  
 Receiving Stream(s) and Classification(s) UNTs to Little  
 Muncy Creek, Derr, German and Laurel Runs; Little  
 Muncy Creek, German and Laurel Runs

ESCGP-1 # ESX10-117-0123

Applicant Name EQT Production Company  
 Contact Person Todd Klaner  
 Address 455 Racetrack Road  
 City, State, Zip Washington, PA 15301  
 County Tioga  
 Township(s) Duncan Township  
 Receiving Stream(s) and Classification(s) Sand Run  
 Secondary—West Branch Susquehanna River

ESCGP-1 # ESX10-015-0116  
 Applicant Name Chief Oil and Gas, LLC  
 Contact Person Michael Hritz  
 Address 6051 Wallace Road, Suite 210  
 City, State, Zip Wexford, PA 15090  
 County Bradford  
 Township(s) Granville Township  
 Receiving Stream(s) and Classification(s) UNT to Gulf  
 Brook  
 Secondary—Towanda Creek

ESCGP-1 # ESX10-131-0013  
 Applicant Name Chief Oil and Gas, LLC  
 Contact Person Michael Hritz  
 Address 6051 Wallace Road, Suite 210  
 City, State, Zip Wexford, PA 15090  
 County Wyoming  
 Township(s) Mehoopany Township  
 Receiving Stream(s) and Classification(s) Rogers Hollow  
 Secondary—Mehoopany Creek

ESCGP-1 # ESX10-081-0023  
 Applicant Name Chief Oil and Gas, LLC  
 Contact Person Michael Hritz  
 Address 6051 Wallace Road, Suite 210  
 City, State, Zip Wexford, PA 15090  
 County Lycoming  
 Township(s) Anthony and Lycoming Townships  
 Receiving Stream(s) and Classification(s) Stony Gap Run  
 Secondary—Hoagland Run

ESCGP-1 # ESX10-115-0020  
 Applicant Name Cabot Oil and Gas Corporation  
 Contact Person Jeffrey Keim  
 Address Five Penn Center West, Suite 401  
 City, State, Zip Pittsburgh, PA 15276  
 County Susquehanna  
 Township(s) Forest Lake Township  
 Receiving Stream(s) and Classification(s) UNT to Forest  
 Lake Creek

ESCGP-1 # ESX10-061-0001  
 Applicant Name Pennsylvania General Energy  
 Company, LLC  
 Contact Person Craig Dean  
 Address 120 Market Street  
 City, State, Zip Warren, PA 16365  
 County Huntingdon  
 Township(s) Todd Township  
 Receiving Stream(s) and Classification(s) UNT to Sugar  
 Creek  
 Secondary—Sugar Creek

ESCGP-1 # ESX10-015-0151  
 Applicant Name Chesapeake Appalachia, LLC  
 Contact Person Eric Haskins  
 Address 101 North Main Street  
 City, State, Zip Athens, PA 18810  
 County Bradford  
 Township(s) Tuscarora  
 Receiving Stream(s) and Classification(s) Tributary to  
 Fargo Creek  
 Secondary—Fargo Creek

ESCGP-1 # ESX10-015-0144  
 Applicant Name Chesapeake Appalachia, LLC  
 Contact Person Eric Haskins  
 Address 101 North Main Street  
 City, State, Zip Athens, PA 18810  
 County Bradford  
 Township(s) Wyalusing Township  
 Receiving Stream(s) and Classification(s) Wyalusing  
 Creek

ESCGP-1 # ESG10-117-0114  
 Applicant Name Ultra Resources, Inc.  
 Contact Person Belinda Salinas  
 Address 5 East Avenue, #108  
 City, State, Zip Wellsboro, PA 16901-1613  
 County Tioga  
 Township(s) Gaines Township  
 Receiving Stream(s) and Classification(s) Lick Run

ESCGP-1 # ESX10-015-0150  
 Applicant Name Chesapeake Appalachia, LLC  
 Contact Person Eric Haskins  
 Address 101 North Main Street  
 City, State, Zip Athens, PA 18810  
 County Bradford  
 Township(s) Leroy Township  
 Receiving Stream(s) and Classification(s) Towanda Creek

ESCGP-1 # ESX10-117-0126  
 Applicant Name Novus Operating, LLC  
 Contact Person Jim Wood  
 Address 2963 Ruger Drive  
 City, State, Zip Royse City, TX 75189  
 County Tioga  
 Township(s) Brookfield Township  
 Receiving Stream(s) and Classification(s) UNT to North  
 Fork Conwanesque River  
 Secondary—North Fork Conwanesque River

ESCGP-1 # ESX10-081-0035  
 Applicant Name Anadarko E&P Company, LP  
 Contact Person Frank Davis  
 Address 1201 Lake Robins Drive  
 City, State, Zip The Woodlands, TX 77380  
 County Lycoming  
 Township(s) McHenry Township  
 Receiving Stream(s) and Classification(s) First Big Fork  
 and UNT to Second Big Fork  
 Secondary—Trout Run

ESCGP-1 # 17-09-801(01) Phase 6  
 Applicant Name EOG Resources, Inc.  
 Contact Person Nathan Wells  
 Address 2039 South Sixth Street  
 City, State, Zip Indiana, PA 15701  
 County Clearfield  
 Township(s) Lawrence and Goshen Townships  
 Receiving Stream(s) and Classification(s) UNT to Alex  
 Branch  
 Secondary—Trout Run, Coldstream, Little Laurel, Lick  
 and Stone Runs

ESCGP-1 # ESX10-015-0152  
 Applicant Name EOG Resources, Inc.  
 Contact Person  
 Address 400 Southpoint Boulevard, Plaza 1, Suite 300  
 City, State, Zip Canonsburgh, PA 15317  
 County Bradford  
 Township(s) Springfield Township  
 Receiving Stream(s) and Classification(s) Mill Creek  
 Secondary—Sugar Creek

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

ESCGP-1 # ESX10-019-0032  
 Phillips Exploration Inc.—Hinch Smith Farm  
 Family, LP #1  
 Gary Clark  
 502 Keystone Drive  
 Warrendale, PA 15086  
 Butler County, Butler Township(s)  
 Butcher Run (WWF)

## ESCGP-1 #ESG10-083-0010

Applicant US Energy Development Corp. Warrant 4917  
Phase III and IV

Contact Todd Witmer

Address 2350 North Forest Road

Getzville, NY 14068

County McKean Township(s) Foster

Receiving Stream(s) and Classification(s) Yeager Brook  
(HQ); North Branch Willow Creek (HQ)

## ESCGP-1 #ESX09-019-0031

Applicant Rex Energy Corp.—Southwest Butler County  
Project Va

Contact Timothy Beattie

Address 476 Rolling Ridge Drive, Suite 300

State College, PA 16801

County Butler Township(s) Jackson

Receiving Stream(s) and Classification(s) Connoqueness-  
ing Creek, WWF

## ESCGP-1 #ESX10-053-0008

Applicant Seneca Resources Corp.—Tionesta

Contact Douglas Kepler

Address 51 Zents Boulevard

Brookville, PA 15825

County Forest Township(s) Tionesta

Receiving Stream(s) and Classification(s) Chauncy Run  
(EV); UNT to Hemlock Creek (EV)

## ESCGP-1 #ESX10-083-0013

Applicant MSL Oil & Gas Corp.—Lot 15

Contact Douglas Kepler

Address 51 Zents Boulevard

Brookville, PA 15825

County McKean Township(s) Lafayette

Receiving Stream(s) and Classification(s) Thundershower  
Run (HQ); UNT to Buck Lick Run (HQ)

[Pa.B. Doc. No. 10-1256. Filed for public inspection July 9, 2010, 9:00 a.m.]

### **Municipal Recycling Program Performance Grant Applications under Act 101, Section 904 of The Municipal Waste Planning, Recycling and Waste Reduction Act of 1988; Calendar Year 2009**

The Department of Environmental Protection (Department) announces a request for applications from municipalities for recycling performance grant assistance for recycling programs under section 904 of the Municipal Waste Planning, Recycling and Waste Reduction Act (act) (53 P. S. § 4004.904). Municipalities include counties, cities, boroughs, incorporated towns, townships, home rule municipalities, their authorities, councils of governments, consortiums or similar entities established by two or more municipalities under 53 Pa.C.S. Chapter 23, Subchapter A (relating to intergovernmental cooperation). This application period is for eligible materials recycled and marketed in calendar year 2009.

Municipal Recycling Program Performance Grant funds will be awarded to municipalities based upon the weight of source separated recyclable materials identified in section 1501(c)(1)(i) of the act (53 P. S. § 4004.1501(c)(1)(i)) recovered by municipal recycling programs, and the population of the municipality as determined by the most recent decennial census. Municipalities will be eligible to receive an award based on a formula of \$5 for each Department approved ton of eligible recyclable materials recycled or marketed and \$1 per approved ton for each

percentage of municipal waste calculated by the Department to be diverted from disposal. The weight of eligible materials allowable from nonresidential (commercial, institutional and municipal) sources under the preceding formula will be limited to no more than the weight of approved eligible materials from residential sources. Any Department approved materials from nonresidential sources not factored into the preceding formula will be awarded a bonus of \$10 per ton. The Department may not award grants calculated to be less than \$10.

Applicants that have failed to comply with the conditions set forth in previously awarded grants, the recycling program performance requirements contained in the act of November 9, 2006 (P. L. 1347, No. 140), the grant requirements of the act, or the regulations of the Act will not be awarded funds under this grant program. An applicant, if required, must be compliant with all previously noted conditions by September 30, 2010, in order to submit a performance grant application. Applicants must ensure that they are in compliance with 25 Pa. Code § 272.314(b)(2) (relating to limits in Department's authority to award grants), regarding the submittal of the annual recycling report.

Eligible materials include post-consumer: clear glass, colored glass, aluminum cans, steel and bimetallic cans, high-grade office paper, newsprint, corrugated paper, other marketable grades of paper and plastics. Grants will be awarded only for properly documented, eligible materials that were actually marketed on or after January 1, 2009, to and including, December 31, 2009. Applicants should only claim those tonnages for which they have documentation at the time they complete their application. Grant funds will not be awarded for residues, materials not listed as eligible including, but not limited to, leaf and yard wastes, or any materials which cannot be documented as being recycled into a new product or use. In particular, recovered glass that is being stockpiled or used as daily cover at a landfill will not be considered as recycled. Applicants must be able to document the amount of residue attributable to their recycling program.

Documentation to support all claims that eligible recyclable materials were generated within the municipality and marketed must be made available for auditing by the Department, the Office of the Auditor General, the Office of the Treasurer, or agents of those offices for 4 years. The Department will not require applicants to retain hauler customer lists; however, the lists may be required to be examined in the event of an audit. It will be the applicant's responsibility to arrange for hauler customer lists to be provided, or for haulers to be present with their customer lists, during a grant audit. Supporting documentation is not required to be submitted with the application. Any tonnages not properly documented at the time of an audit will not be credited towards the applicant's Performance Grant award. No additional/supplemental documentation will be accepted after the audit is completed. Failure to submit a complete and valid application may result in a denial of the application and possible enforcement proceedings.

*Acceptable Supporting Documentation:* Weight slips or receipts verifying that the materials were recycled or marketed are required as supporting documentation for the grant application. The documentation must include: 1) the date the materials were recycled/marketed; 2) the type of material recycled/marketed; 3) the name of the municipality where the material was generated; 4) weight, stated in pounds or tons, of the material recycled/marketed; 5) the name of the entity that collected,

weighed and/or processed the material; and 6) must state residential or commercial tonnages. Documentation supporting materials source separated from municipal waste by commercial/institutional establishments and recycled/marketed must bear the name of the establishment and the municipality where the establishment is located.

Acceptable documentation must be provided in one of the following formats: 1) a dated weight/market receipt identifying the generator of the recyclable materials and the market; 2) a dated report submitted by the hauler or market on company letterhead clearly indicating the name of the company generating the recyclable materials; or 3) a dated report submitted by the generator, which is signed by the hauler or market vendor that received the materials. Reports may be submitted on annual, monthly, weekly or other time period format. All information must be legible.

Estimates of weight will not be accepted, except in cases where: 1) the material is packaged in uniform bales and the average weight of a bale can be demonstrated and supported by weight receipts and a record of the number of bales was provided by the market vendors; or when 2) multiple generators contribute to a known quantity of marketed material, and the hauler or market estimates the quantities attributable to any individual establishment or municipality, and verifies the estimate with a signature.

Although the supporting documentation is not required to be submitted with the grant application, any documentation provided must conform to the previously listed requirements or the materials claimed will not be credited toward the grant award. Potential applicants should review the Department's booklet, "Documentation Requirements and Examples" ([www.depweb.state.pa.us](http://www.depweb.state.pa.us), Keyword: "Recycling Grants"), prior to completing the grant application.

Grant applications must be on forms provided by the Department for calendar year 2009. Grant applications must be delivered to the 14th Floor of the Rachel Carson State Office Building, 400 Market Street, Harrisburg by 4 p.m., September 30, 2010, or postmarked on or before that day. Applications received by the Department after the deadline will be returned to the applicant. Grant awards are predicated on the receipt of recycling fees required by Sections 701 and 702 of Act 101, and the availability of moneys in the Recycling Fund.

Municipalities wishing to file an application should contact the Department at the address that follows. Applicants who filed a Performance Grant application for calendar year 2008 will be mailed a current application by the Department as soon as they are available. Information on the grant program may also be obtained from the Department's web site. Inquiries concerning this notice should be directed to Mark Vottero, Bureau of Waste Management, Department of Environmental Protection, Rachel Carson State Office Building, P. O. Box 8472, Harrisburg, PA 17105-8472 or [mvottero@state.pa.us](mailto:mvottero@state.pa.us).

JOHN HANGER,  
Secretary

[Pa.B. Doc. No. 10-1257. Filed for public inspection July 9, 2010, 9:00 a.m.]

## Nutrient and Sediment Reduction Credit Trading Program; Notice of Actions

The Department of Environmental Protection (Department) provides notice of the following actions under the Nutrient and Sediment Reduction Credit Trading Program (Trading Program). These actions were taken under The Clean Streams Law (35 P.S. §§ 691.1—691.1001) and the Final Trading of Nutrient and Sediment Reduction Credits—Policy and Guidelines (Policy) (DEP ID No. 392-0900-001) See 36 Pa.B. 7999 (December 30, 2006). The Policy calls for a transparent system of credit reviews and approvals.

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

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.

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

The following proposals have been certified by the Department. This certification is considered final actions of the Department.

**City of Lancaster Advanced Wastewater Treatment Plant** (130 Centerville Road, Lancaster, PA, Lancaster County). This certification is applicable to the operation of the City of Lancaster Advanced Wastewater Treatment Plant. This certification includes a verification

plan and authorizes the generation of nitrogen and phosphorous credits. Notice of the proposal for this certification was published for comment at 40 Pa.B. 2597 (May 15, 2010).

**Northwestern Lancaster County Authority** (97 North Penryn Road, Manheim, PA, Lancaster County). This certification is applicable to the operation of the Northwestern Lancaster County Authority. This certification includes a verification plan and authorizes the generation of nitrogen and phosphorous credits. Notice of the proposal for this certification was published for comment at 40 Pa.B. 755 (February 6, 2010).

**Bellefonte Wastewater Treatment Plant** (615 Pleasant Valley Boulevard, Bellefonte, PA, Centre County). This certification is applicable to the operation of the Bellefonte Wastewater Treatment Plant. This certification includes a verification plan, and authorizes the generation of nitrogen and phosphorous credits. Notice of the proposal for this certification was published for comment at 40 Pa.B. 85 (January 2, 2010).

JOHN HANGER,  
*Secretary*

[Pa.B. Doc. No. 10-1258. Filed for public inspection July 9, 2010, 9:00 a.m.]

## DEPARTMENT OF HEALTH

### Renal Disease Advisory Committee Meeting

The Renal Disease Advisory Committee, established by section 4 of the act of June 23, 1970 (P. L. 419, No. 14) (35 P. S. § 6204), will hold a public meeting on Friday, July 30, 2010, from 10 a.m. to 2 p.m. The meeting will be held in Conference Room 327 of the Health and Welfare Building, 625 Forster Street, Harrisburg, PA 17120.

Questions regarding this notice should be directed to Carolyn S. Cass, Director, Division of Child and Adult Health, Department of Health, Health and Welfare Building, 625 Forster Street, Seventh Floor-East Wing, Harrisburg, PA 17120.

Persons with a disability may submit questions to Carolyn S. Cass in alternative formats, such as audiotape, Braille or TDD (717) 783-6514 or TT (800) 654-5984. Persons with a disability who require an alternative format of this document (for example, large print, audio tape or Braille) should contact Carolyn S. Cass to make the necessary arrangements.

This meeting is subject to cancellation without notice.

EVERETTE JAMES,  
*Secretary*

[Pa.B. Doc. No. 10-1259. Filed for public inspection July 9, 2010, 9:00 a.m.]

## DEPARTMENT OF TRANSPORTATION

### Application for Lease of Right-of-Way

Under 67 Pa. Code § 495.4(d) (relating to application procedure), an application to lease highway right-of-way has been submitted to the Department of Transportation by Lamar Advertising Company, seeking to lease highway right-of-way located along SR 0028 at 1130, 1134—1136 East Ohio Street, City of Pittsburgh, Allegheny County, containing 8,793 ± square feet or 0.2018 ± acre, for the purpose of two outdoor advertising devices.

Interested persons are invited to submit, within 30 days from the publication of this notice in the *Pennsylvania Bulletin*, written comments, suggestions and/or objections regarding the approval of this application to H. Daniel Cessna, P. E., District Executive, Engineering District 11-0, 45 Thoms Run Road, Bridgeville, PA 15017.

Questions regarding this application or the proposed use may be directed to Michael Sudar, District Property Manager, 45 Thoms Run Road, Bridgeville, PA 15017, (412) 429-4830.

ALLEN D. BIEHLER,  
*Secretary*

[Pa.B. Doc. No. 10-1260. Filed for public inspection July 9, 2010, 9:00 a.m.]

### Sale of Land No Longer Required for Transportation Purposes

#### Burks County, SR 0078, Section 17M

The Department of Transportation (Department), under section 2003(e)(7) of The Administrative Code of 1929 (71 P. S. § 513(e)(7)), intends to sell certain land owned by the Department. The parcel is triangular in shape, located at the intersection of Chestnut and North Fifth Streets in the Borough of Hamburg, Berks County. The parcel is an Uneconomic Remnant consisting of approximately 0.09 acre estimated fair market value is \$5,400. The sale of the property is in an as-is condition. Interested public entities are invited to express their interest in purchasing the site within 30 calendar days from the date of publication of this notice.

For further information, contact Bruce Kern, District Property Manager, Department of Transportation, 1002 Hamilton Street, Allentown, PA 18101, (610) 871-4179.

ALLEN D. BIEHLER, P. E.,  
*Secretary*

[Pa.B. Doc. No. 10-1261. Filed for public inspection July 9, 2010, 9:00 a.m.]



# INDEPENDENT REGULATORY REVIEW COMMISSION

## Notice of Comments Issued

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

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

<i>Reg. No.</i>	<i>Agency/Title</i>	<i>Close of the Public Comment Period</i>	<i>IRRC Comments Issued</i>
16A-6916	State Board of Social Workers, Marriage and Family Therapists and Professional Counselors Licensed by Endorsement; Hours of Supervised Clinical Experience 40 Pa.B. 2131 (April 24, 2010)	5/24/10	6/23/10
16A-4316	State Board of Chiropractic Assistance of Unlicensed Supportive Personnel 40 Pa.B. 2128 (April 24, 2010)	5/24/10	6/23/10
14-518	Department of Public Welfare Revisions to the Special Allowance for Supportive Services Requirements; Road to Economic Self-sufficiency through Employment and Training (RESET) Program 40 Pa.B. 2111 (April 24 2010)	5/24/10	6/23/10
7-452	Environmental Quality Board Dam Safety and Waterway Management 40 Pa.B. 2211 (April 24, 2010)	5/24/10	6/23/10

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**State Board of Social Workers, Marriage/Family  
Therapists and Professional Counselors  
Regulation #16A-6916 (IRRC #2831)**

**Licensed by Endorsement; Hours of Supervised  
Clinical Experience**

**June 23, 2010**

We submit for your consideration the following comments on the proposed rulemaking published in the April 24, 2010 *Pennsylvania Bulletin*. Our comments are based on criteria in Section 5.2 of the Regulatory Review Act (71 P. S. § 745.5b). Section 5.1(a) of the Regulatory Review Act (71 P. S. § 745.5a(a)) directs the State Board of Social Workers, Marriage/Family Therapists and Professional Counselors (Board) to respond to all comments received from us or any other source.

**1. Section 47.12c. Licensed clinical social worker.—  
Consistency with statute; Need; Reasonableness;  
Economic Impact.**

*Consistency with statute*

Under 63 P. S. § 1908(b), the Board is required to issue licenses as follows:

**Issuance of license.**—The Board shall issue to each person *who meets the licensure requirements of this act* a certificate setting forth that such person is licensed to hold himself or herself out as a . . . licensed clinical social worker. . . (Emphasis added.)

Act 68 of 2008 (Act 68) amended 63 P. S. § 1907(d)(3) to state one of the qualifications for licensure as follows:

The applicant has completed at least three years *or* 3,000 hours of supervised clinical experience acceptable to the board as determined by regulation after the completion of the master's degree in social work. (Emphasis added.)

Paragraph (a)(5) would delete the phrase "3 years or," which is in the statute, and accept only the hourly clinical experience. We recommend that the Board retain this phrase, and provide in regulation what is considered to be three years of experience acceptable to the Board to qualify the candidate. If the Board does not retain this language, it should explain how Paragraph (a)(5) is consistent with the statute.

*Paragraph (b)(9)*

The Board proposes to reduce the existing 1,800 hours to 1,500 hours of clinical experience. The Board states in the Preamble that this is a proportionate reduction related to the amendment to total hours by Act 68 from 3,600 hours to 3,000 hours. As amended, Paragraph (b)(9) would state:

The supervised clinical experience shall be completed in no less than 2 years and no more than 6 years, except that at least 500 hours and no more than 1,500 hours may be credited in any 12-month period.

The National Association of Social Workers (NASW) commented with strong concern relating to the amended limitation of hours that can be counted for a 12-month period. NASW observes that a person working 40 hours per week for 50 weeks a year would work for 2,000 hours. NASW believes it would be more appropriate to leave the cap at 1,800 hours per year rather than reduce it to 1,500 hours per year. NASW also believes the reduction in

hours creates a financial burden to social workers. NASW concludes that the 1,500-hour limitation is harmful to candidates and serves no logical purpose.

We have two concerns. First, we request an explanation of the need to amend the limit on the number of hours that can be counted in a 12-month period. Using NASW's example, a person working 40 hours per week could only get credit for working 45 weeks of the year under existing regulation, and that credit would be reduced to 37.5 weeks under the proposed amendment. We did not find any similar limitation in the statute. Why is it reasonable and necessary for the Board to exclude as much as three months of experience in a 12-month period?

Second, we question the efficacy of amending the number of hours in the 12-month limit. For a person working a 40-hour week without any limitation, it would take 75 weeks, or about 19 months to meet the 3,000 hours specified in Act 68. The proposed limitation to 1,500 hours in a 12-month period would only extend the time period to a little over 21 months. We request an explanation of the need to amend the number of hours in a 12-month period which only has a minimal practical effect.

## 2. Use of the terms "state" and "jurisdiction."—Clarity.

The House Professional Licensure Committee (House Committee) questioned the lack of consistency in Sections 48.17(3) and (4) and 48.18(3) and (4) with reference to the terms "state" and "jurisdiction." We note that Sections 47.16(4) and (5) also use these terms. The House Committee also questioned whether the word "state" includes a U. S. territory, possession or the District of Columbia. The Board should clarify this terminology in the final-form regulation.

### State Board of Chiropractic Regulation #16A-4316 (IRRC #2832)

#### Assistance of Unlicensed Supportive Personnel

June 23, 2010

We submit for your consideration the following comments on the proposed rulemaking published in the April 24, 2010 *Pennsylvania Bulletin*. Our comments are based on criteria in Section 5.2 of the Regulatory Review Act (71 P. S. § 745.5b). Section 5.1(a) of the Regulatory Review Act (71 P. S. § 745.5a(a)) directs the State Board of Chiropractic (Board) to respond to all comments received from us or any other source.

#### Section 5.54. Assistance by unlicensed supportive personnel.—Statutory authority; Fiscal impact; Protection of Public health, safety and welfare; Need; Implementation procedures; Clarity.

##### *Fiscal impact*

This proposed regulation permits unlicensed supportive personnel to perform certain activities supervised by a licensed chiropractor, as authorized by the PA Chiropractic Practice Act (Act). A commentator suggests that implementation of this rulemaking will cause a substantial fiscal burden on the regulated community, due to increased insurance premiums and increased paperwork from claims. The Regulatory Analysis Form that accompanied the proposed rulemaking does not include a detailed fiscal impact analysis of the regulation. We request that the Board include such an analysis with the submittal of the final-form regulation, taking into consideration the cost issues raised.

##### *Subsection (a)*

Subsection (a) defines various terms. We raise three issues.

First, Subsection (a) defines "direct supervision." However, both the Act and Section 5.54 use the term "direct on-premises supervision." (Emphasis added.) The final-form regulation also should include the phrase "on-premises."

In addition, the final-form regulation should more clearly define "direct on-premises supervision." For example, must the chiropractor be in the room with unlicensed personnel or just in the building?

We note that Subsection (f) further explains the term "on-premises" by requiring the chiropractor to be "physically present on the premises and able to intervene whenever necessary." We recommend that the Board incorporate language from Subsection (f) in the definition of "direct on-premises supervision," and amend Subsection (f) to use the defined term.

Second, Subsection (a) defines "unlicensed supportive personnel" as a "person . . . regularly employed . . ." We agree with the House Professional Licensure Committee (HPLC) that the final-form regulation should replace the term "person" with "individual."

Finally, what does the Board consider to be a person who is "regularly employed"? The final-form regulation should define this term.

##### *Subsection (b)*

Subsection (b) states that: "[t]he chiropractor is *professionally responsible* for the actions of unlicensed supportive personnel . . ." (Emphasis added.) Both a public commentator and the HPLC suggest that the phrase "professionally responsible" does not explain what specific duties that phrase would impose on the chiropractor. We agree that this phrase is vague and should be defined.

##### *Subsection (c)(1)*

The Act states that:

"[n]othing in this act shall prohibit a licensed chiropractor from utilizing the assistance of unlicensed supportive personnel . . . provided that a chiropractor may not delegate any activity or duty to such unlicensed individuals which requires formal education or training in the practice of chiropractic or the knowledge and skill of a licensed chiropractor." 63 P. S. § 625.601.

Subsection (c)(1) lists activities or duties that a chiropractor may delegate to unlicensed supportive personnel "performing under the chiropractor's direct on-premises supervision." Paragraph (c)(1)(vi) allows the delegation of "Instructing and monitoring therapeutic exercises in the office." Paragraph (c)(1)(xxiv) allows the delegation of "Performing therapeutic exercises and activities to include provision of direct one-on-one contact or constant attendance necessary to achieve the desired therapeutic results of the exercise."

Commentators have noted that the Act does not explicitly authorize chiropractors to perform therapeutic exercises. They further assert that specialized training and education is required to administer therapeutic exercises and there is no assurance that chiropractors have the necessary training and education to prescribe therapeutic exercises or to supervise the delegation of these exercises.

It is unclear what is encompassed by the term "therapeutic exercises" because the term is not defined in the

regulation. What do these exercises entail? Are chiropractors formally educated and trained in the performance of these exercises, and if so, do they constitute the practice of chiropractic?

Commentators also have questioned whether other activities listed in this subsection fall under the scope of practice of a chiropractor, such as assisting in applying a cast, brace appliance or orthotic; performing range of motion testing and muscle testing; and performing extremity measurements and postural screening. We note that under the Act, chiropractors are not permitted to delegate activities or duties that require “formal education or training in the practice of chiropractic. . . .”

Consequently, we request the Board further explain its statutory authority for permitting delegation of all the activities, duties and procedures listed in Subsection (c)(1). Additionally, if the Board retains the provisions related to therapeutic exercises, it needs to define “therapeutic exercises” and explain the qualifications of the chiropractor to delegate and supervise these exercises.

#### *Subsection (c)(2)*

Subsection (c)(2) permits a licensed chiropractor to delegate various adjunctive procedures, activities and duties to unlicensed supportive personnel. The Act defines adjunctive procedures as “physical measures such as mechanical stimulation, heat, cold, light, air, water, electricity, sound, massage and mobilization.” § 625.102. Commentators suggest that Subsection (c)(2) exceeds the Board’s statutory authority since the Act requires chiropractic training and education to perform adjunctive procedures, and any procedures requiring chiropractic training and education cannot be delegated. Consistent with our comment on Subsection (c)(1), the Board needs to explain its statutory authority for permitting chiropractors to delegate each activity, duty and procedure listed in Subsection (c)(2) to unlicensed supportive personnel.

Subsection (c)(2)(vi) refers to “therapeutic” laser therapy and Subsection (c)(2)(vii) refers to “other therapeutic modalities classifiable as adjunctive procedures.” The definition of “adjunctive procedures” in the Act does not reference therapeutic activities or modalities. The Board should specify its statutory authority for including provisions relating “therapeutic” activities or modalities in the regulation. If the Board retains these provisions, it should define “therapeutic modalities.”

#### *Subsection (e)*

This subsection references activities or duties identified in Subsections (b) and (c). Since Subsection (b) lists neither activities nor duties, we assume that the Board intended to include those referenced in Subsections (c) and (d). The final-form regulation should correct this error.

A commentator also notes confusion with the purpose of Subsection (e). The Preamble states that this subsection allows any activity or duty not listed in the regulation to be evaluated in accordance with the Act, however the language contained in Subsection (e) does not reflect this. Therefore, what specific types of activities or duties would be covered by Subsection (e) that would not be covered by Subsections (c) and (d)? Also, the last sentence of Subsection (e) appears to be duplicative of the prohibitions contained in Subsection (d). The Board should clarify the need for including these provisions.

#### *Subsection (g)*

This subsection states that: “[a] chiropractor may not permit an unlicensed supportive person to perform any

activity that the supportive person is not qualified by training, education or experience to perform.” How will the Board ensure that unlicensed supportive personnel are adequately trained to carry out their duties? Additionally, the Board should clarify what “qualified training” is.

#### *Subsection (h)*

The HPLC suggests that this subsection is redundant. We agree and recommend that the Board either explain the need or delete it from the final-form regulation.

#### *Miscellaneous clarity*

Subsections (c)(2)(iii), (iv), and (vii) include the phrase “provision of the supervision.” To improve clarity, we recommend the Board delete the phrase “provision of.”

### Department of Public Welfare Regulation #14-518 (IRRC #2833)

#### Revisions to the Special Allowance for Supportive Services Requirements; Road to Economic Self-sufficiency through Employment and Training (RESET) Program

June 23, 2010

We submit for your consideration the following comments on the proposed rulemaking published in the April 24, 2010 *Pennsylvania Bulletin*. Our comments are based on criteria in Section 5.2 of the Regulatory Review Act (71 P. S. § 745.5b). Section 5.1(a) of the Regulatory Review Act (71 P. S. § 745.5a(a)) directs the Department of Public Welfare (Department) to respond to all comments received from us or any other source.

#### **1. General—Appendix A. Work and Work-Related Special Allowances.—Fiscal and economic impact; Feasibility; Implementation procedures; Reasonableness; Need.**

In the Preamble, the Department describes the “purpose” of this proposed regulation as follows:

“This proposed rulemaking accomplishes the objective of maintaining the availability of special allowances in a fiscally responsible and cost effective manner given the current economic and budget crisis. This proposed rulemaking amends both the maximum amount and the frequency for special allowances to maximize scarce resources so that funds for special allowances are available to the greatest number of participants. Under section 408(c) of the Public Welfare Code [Code] regarding meeting special needs; and work supports and incentives, the Department is required to ‘take into account availability, costs and the number of recipients needing services within the geographic area and shall seek to provide essential services to the greatest number of recipients. . . .’”

A major part of the Department’s plan for attaining its objectives is the annual and lifetime limits for special allowances in the proposed amendments to Appendix A of Chapter 165. The Department is establishing annual and life-time limits on special allowances for work and education supportive services. These allowances include transportation, clothing, and books, supplies, tools or equipment for education or training programs. There are three areas of issues and questions.

First, further explanation is needed of how the Department took “into account availability, costs and the number of recipients needing services within the geographic area” in determining the new limits for special allowances. The Department also needs to provide more detail as to how it

examined the availability, costs or number of recipients needing services in developing the amendments to Appendix A.

Second, the Department claims that the amendments will assist in providing services to the greatest number of recipients given the current budget crisis. However, commentators claim that spending has actually decreased in these programs through the years. In addition, commentators claim that the programs costs are a very small percentage of the available block grant funding. Therefore, the Department needs to provide more detail as to why the changes are necessary to provide services to the greatest number of individuals.

Third, commentators contend that the limits will undercut participants' efforts to obtain better employment, and ultimately the proposed changes will defeat the purpose of the allowances. For example, there is a \$1,500 annual private transportation limit. Commentators contend that between gas, repair costs, etc., it would be virtually impossible for a recipient not to exceed the limit. Other concerns are the limits on education expenses. Without these supports, commentators indicate that many will not be able to pursue educational programs that exceed more than one or two years, or go back for new or additional training or education later in their lifetimes. Employment objectives will be limited to low-paying jobs. Commentators argue that in the long run, this will impose more costs on taxpayers as fewer people will be able to permanently leave public assistance through better-paying careers.

The Department should explain its methods for determining each of the annual and lifetime limits. In addition, the Department needs to address concerns of the affected communities related to the impact of each limit on the efforts of people seeking to improve their training and education, and obtain and maintain long-term employment and self-sufficiency. The Department also should provide a thorough fiscal analysis and an explanation of both the impact of and need for this proposed regulation.

**2. Section 165.1. General.—Statutory authority; Protection of public health, safety and welfare; Reasonableness; Need.**

This proposed regulation amends provisions for special allowances for services for participants in the RESET program established in Chapter 165. Those exempted from RESET can also obtain special allowances. Subsection (a) permits these individuals to receive services by participating in a "work or work-related activity" and they must "comply with the AMR [Agreement of Mutual Responsibility] and EDP [Employment Development Plan]." Commentators contend that this language would require these volunteers to adhere to an hourly service requirement. However, Section 405.1(b) of the Code does not impose such a requirement, but states that: "any applicant or recipient exempted from . . . [RESET] may participate in employment and work-related activities." (Emphasis added.) See 62 P. S. § 405.1(b). What is the Department's statutory authority for Subsection (a)?

Commentators also argue this provision is not in the public interest. Examples of exempted RESET individuals include individuals with disabilities and domestic violence victims. Their circumstances could prevent them from committing to an hourly requirement. For example, a domestic violence victim, who does not want an abuser to know the victim's whereabouts, may not want to regularly leave a safe location. A disability may prevent a

person from leaving their home altogether. Therefore, how would the Department protect these individuals while maintaining the hourly requirement? The Preamble to the final-form regulation should explain the need for requiring individuals who volunteer to participate in work or work-related activity to "comply with the requirements of the AMR or EDP."

**3. Section 165.44. Verification for special allowances for supportive services.—Reasonableness; Need; Implementation procedures; Clarity.**

Commentators express concern with the deletion of the phrase "only when it is not readily apparent" from the existing language in Subsection (a)(2). The Department needs to explain the need for verification for authorization of every expense. Wouldn't the need for transportation expenses be readily apparent based on the address of the recipient and the job site or school? If not, the Department should provide examples of acceptable and readily accessible means of verification.

With respect to verification of service, Subsection (b)(1)(i) states, in part, that the Department "may require that the participant or provider or the supportive service, or both, verify that the participant received the approved special allowance for supportive services and that the provider received payment for the amount the participant was eligible to receive." What is the need for this provision? Additionally, under what circumstances would the Department require verification from both the participant and the provider?

Subsection (b)(2) lists circumstances in which the Department will process supportive services overpayment referrals, including in Subparagraph (viii): "The participant did not participate in or comply with RESET, including meeting hourly and other work and work-related requirements as specified in the AMR or EDP." Commentators are concerned that this language would result in overpayment referrals for full amounts, even though participants may have completed the majority of their required hours. What is the need for this provision? Will amounts that a participant is required to repay be pro-rated based upon hours completed? Finally, there is no Subparagraph (vii), and subparagraph (viii) therefore should be re-numbered.

**4. Section 165.46. Types of special allowances for supportive services.—Economic impact; Need; Compliance with the Regulatory Review Act.**

The proposed regulation eliminates the existing Subsection (c)(5), thus removing special allowances for moving costs. However, Section 432.20 of the Code specifically allows for assistance for moving costs "to ensure gainful employment." See 62 P. S. § 432.20. Given the language in the statute and the concerns expressed by commentators, the Department should examine the economic impact of this deletion and explain the need for this change.

Proposed Subsection (c) states that: "[t]he Department may amend Appendix A as necessary based on availability of funding and demand for supportive services. Revisions will be published as a notice in the *Pennsylvania Bulletin* for recommended codification in Appendix A."

This subsection does not comply with the requirements of the Regulatory Review Act. 71 P. S. §§ 745.1—745.15. First, regulations in this Commonwealth cannot be amended without being subject to the regulatory review process. The extensive comments filed on this proposed regulation indicate that amendments to Appendix A, which has been made part of this rulemaking, should be subject to review and comment by the public before

adoption or implementation. In addition, codification cannot occur simply through notification in the *Pennsylvania Bulletin* without a regulation being reviewed and approved by both the Independent Regulatory Review Commission and the Office of the Attorney General. See *id.* at §§ 745.5b and 732-204(b). Therefore, this subsection should be removed from the final-form regulation.

**Environmental Quality Board  
Regulation #7-452 (IRRC #2835)  
Dam Safety and Waterway Management  
June 23, 2010**

We submit for your consideration the following comments on the proposed rulemaking published in the April 24, 2010 *Pennsylvania Bulletin*. Our comments are based on criteria in Section 5.2 of the Regulatory Review Act (71 P. S. § 745.5b). Section 5.1(a) of the Regulatory Review Act (71 P. S. § 745.5a(a)) directs the Environmental Quality Board (EQB) to respond to all comments received from us or any other source.

**1. Section 105.1. Definitions.—Statutory authority; Need; Clarity.**

*Person*

Subsection (i) contains provisions not included in the definition of “person” in the Dam Safety and Encroachments Act (Act). See 32 P. S. § 693.1 *et. seq.* For example, the terms “firm” and “estate” are not included in the statutory definition, and neither is the phrase “or other legal entity which is recognized by law as the subject of rights and duties.” Existing language contained in the regulation, such as the term “public utility” and “political subdivision of this Commonwealth” also are not included in the Act. The EQB should use the statutory definition in the regulation or explain its statutory authority for adding these terms and phrases to the proposed definition.

**2. Section 105.4. Delegations to local agencies.—Clarity.**

*Subsection (b)*

The existing language of the regulation prohibits delegating the authority to issue permits. The proposed regulation changes this provision to allow such delegations, but does not provide a reason for this change. The Preamble to the final-form regulation should explain the basis for this revision.

*Subsection (e)*

The proposed regulation removes a statutory citation from this subsection. Like Subsection (b), the Preamble also should provide an explanation for this amendment.

**3. Section 105.13b. Proof of financial responsibility.—Economic and fiscal impact; Clarity.**

This section allows permit approval for Hazard Potential Category 1 or 2 dams only if they submit proof of financial responsibility or security assuring proper construction, repair, etc. of the facility. In the Preamble, the EQB states there are approximately 2,333 owners of 3,256 dams that are affected by these regulations. The EQB also provides a breakdown of the dams by ownership and category. The EQB explains that the cost is “dam-specific based on the size and type . . . of dam.” The EQB also states that “if this amendment is not approved, the cost to the Commonwealth could be significant.” While we recognize it is difficult to predict how dam owners will provide financial assurance, we request further informa-

tion on the potential economic and fiscal impact of the regulation on Category 1 or 2 county owned, municipally owned, privately owned and state owned dams by category.

Subsection (1)(i) includes as an example of proof of financial responsibility: “[a] certificate of public convenience from the Public Utility Commission if the owner of the proposed facility is subject to regulation under 66 Pa.C.S. (relating to the Public Utility Code).” A commentator is concerned that the proposed regulation did not contemplate deregulation of the utility industry, and as a result did not envision the undue hardship this provision could cause, given that many financial institutions are unwilling to provide these financial assurances in today’s economy. Does the EQB know the number of deregulated companies that would be impacted by this proposed rulemaking? What would be the fiscal impact on these types of utilities?

**4. Section 105.14. Review of applications.—Clarity.**

Paragraph (b)(1) states a broad declaration that the Department of Environmental Protection (Department) will consider potential threats to the environment created by a dam in its determination of impact. However, Paragraph (b)(4) specifically identifies several factors that will be considered and includes, in existing language, “other significant environmental factors.” A commentator is concerned that Subsection (b)(1) could be interpreted to mean that threats do not have to be significant to determine impact. We agree and question the need to amend Paragraph (b)(1) in addition to the detail provided in Paragraph (b)(4). We recommend deleting the amendment to Paragraph (b)(1). Alternatively, if it is retained, the EQB should explain why the amendment is needed and consistent with Paragraph (b)(4).

Also, a commentator suggests that the “existing and designated uses” mentioned in the last sentence of Subsection (b)(4) are those defined in Chapter 93. The EQB should explain what uses will be considered and provide a cross-reference in the regulation to the existing and designated uses the Department will consider.

**5. Section 105.42. Terms and conditions of Department permits and approvals.—Reasonableness; Economic impact; Clarity.**

This section has been revised to make the permittee or the owner responsible for both informing the contractor and for completing the acknowledgement form regarding the terms and conditions of the permit. The PA Department of Transportation (PennDOT) is concerned that this provision would result in PennDOT being responsible for permits obtained by developers for Highway Occupancy Permits that require roadway improvements within PennDOT’s right-of-way. Could PennDOT be responsible for the construction of roadway improvements that are required as a result of private development? Similar concerns apply to Section 105.46. We will review the EQB’s response to this issue in our consideration of whether the final regulation is in the public interest.

**6. Section 105.45. Inspections by the Department.—Clarity.**

Who does the EQB consider an “authorized agent” of the Department? The final-form regulation should clarify this issue.

**7. Section 105.81. Permit applications for construction and modification of dams and reservoirs.—Implementation procedures; Clarity.**

In Subsection (a)(3), what does the EQB consider “sufficient detail” contained in plan specifications and

design reports to evaluate the safety and suitability of the proposed dam, reservoir and appurtenant works? This language should either be clarified in the final-form regulation, or deleted.

**8. Section 105.91. Classification of dams and reservoirs.—Implementation procedures; Clarity.**

This section classifies dams and reservoirs based on size and hazard potential. Hazard potential is based on the amount of the population at risk and the degree of economic loss. A commentator recommends that the EQB incorporate environmental losses into the determination of hazard potential. Has the Board considered including these losses as a factor?

**9. Section 105.96. Outlet works.—Implementation procedures; Clarity.**

Subsection (a) indicates that draining devices must be sized to pass a minimum of 70% of the “highest mean monthly inflow.” How is this type of inflow calculated? For example, is it based on storm potential, such as a 2-year/24-hour storm? The final-form regulation should clarify this issue.

**10. Section 105.97. Stability of structures.—Need; Implementation procedures; Clarity.**

This section requires a safety factor for gravity dams of 1.7 for maximum pool in Paragraph (d)(2). A commentator notes that this factor is greater than that imposed by national standards. How did the EQB determine that 1.7 is an appropriate safety factor?

**11. Section 105.102. Personnel and supervision.—Clarity.**

Subsection (a) refers to a “professional engineer or a Department-approved representative.” (Emphasis added.) When would the Department use a representative in lieu of a professional engineer and what qualifications would be required for approval as a representative?

**12. Section 105.134. EAP.—Feasibility; Implementation procedures; Clarity.**

This section requires Hazard Potential Category 1, 2 and 3 dams to develop an Emergency Action Plan (EAP) to follow in the event of a dam hazard emergency.

We raise three issues.

First, this section is not clear regarding the role of local governments. Subsection 105.134(a) replaces “local emergency management officials” with “the Pennsylvania Emergency Management Agency (PEMA)” for approval of a plan. Paragraph 105.134(a)(2) requires the signature of “county emergency management coordinators.” However, it is only after approval of the plan that a copy is given to the “municipal emergency management agencies” under Subsection (b). We request an explanation of why this section is being amended so that local governments are no longer included in the review and approval of the EAP.

Second, Paragraph (a)(4) states: “[T]he EAP must be prepared in accordance with the most recent EAP guidelines developed by the Department and PEMA.” How will the applicant know what are the most recent guidelines? Where can these be found? The same concern applies to Subsection (f).

Third, Subsection (d) requires notice of the EAP to be posted in the “city, borough and township buildings in the affected municipalities.” Does the Department or a dam owner have the feasibility to require these locations to display these postings? The final-form regulation should clarify this issue.

**13. Sections 105.134. EAP. and 105.135. Dam hazard emergencies.—Protection of the public health, safety and welfare; Implementation procedures; Clarity.**

These sections are not clear regarding the role of local governments in amended Section 105.134 and as it relates to Section 105.135. For example, relating to Subsection 105.135(c), a commentator suggests that the municipality or county should be notified and will be the authority to take action. We note that the following terms are used in these sections:

- Paragraph 105.134(a)(2) “county emergency management coordinators.”
- Subsection 105.134(b) “municipal emergency management agencies.”
- Subsection 105.135(c) “appropriate emergency management officials” and “authorities.”

We recommend that the EQB review these sections and clearly identify which government entities would participate, approve, receive notifications and take action under each section.

ARTHUR COCCODRILLI,  
*Chairperson*

[Pa.B. Doc. No. 10-1262. Filed for public inspection July 9, 2010, 9:00 a.m.]

**Notice of Filing of Final Rulemakings**

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

*Final-Form*

<i>Reg. No.</i>	<i>Agency/Title</i>	<i>Public Received Meeting</i>	
12-85	Department of Labor and Industry Workers' Compensation; Individual Self-Insurance	6/23/10	8/5/10
16-47	Department of State Schedule of Civil Penalties—Funeral Directors and Funeral Establishments	6/25/10	8/5/10
16A-4818	State Board of Funeral Directors Continuing Education Enforcement	6/25/10	8/5/10

ARTHUR COCCODRILLI,  
*Chairperson*

[Pa.B. Doc. No. 10-1263. Filed for public inspection July 9, 2010, 9:00 a.m.]

# PENNSYLVANIA PUBLIC UTILITY COMMISSION

## Telecommunications

**A-2010-2183671. Verizon Pennsylvania, Inc. and Intellifiber Networks, Inc.** Joint petition of Verizon Pennsylvania, Inc. and Intellifiber Networks, Inc. for approval of an adoption of an interconnection agreement under section 252(i) of the Telecommunications Act of 1996.

Verizon Pennsylvania, Inc. and Intellifiber Networks, Inc., by its counsel, filed on June 24, 2010, at the Pennsylvania Public Utility Commission (Commission), a joint petition for approval of an adoption of an interconnection agreement under sections 251 and 252 of the Telecommunications Act of 1996.

Interested parties may file comments concerning the petition and agreement with the Secretary, Pennsylvania Public Utility Commission, P. O. Box 3265, Harrisburg, PA 17105-3265. Comments are due on or before 10 days after the date of publication of this notice. Copies of the Verizon Pennsylvania, Inc. and Intellifiber Networks, Inc. joint petition are on file with the Commission and are available for public inspection.

The contact person is Cheryl Walker Davis, Director, Office of Special Assistants, (717) 787-1827.

ROSEMARY CHIAVETTA,  
*Secretary*

[Pa.B. Doc. No. 10-1264. Filed for public inspection July 9, 2010, 9:00 a.m.]

## Telecommunications Services

**A-2010-2184303 and A-2010-2184304. Norlight Telecommunications, Inc.** Application of Norlight Telecommunications, Inc. for approval to offer, render, furnish or supply telecommunications services to the public as a competitive local exchange carrier in the service territories of The United Telephone Company of Pennsylvania, LLC, d/b/a CenturyLink and Windstream Pennsylvania, LLC.

Formal protests and petitions to intervene must be filed in accordance with 52 Pa. Code (relating to public utilities). Filings must be made with the Secretary of the Pennsylvania Public Utility Commission, P. O. Box 3265, Harrisburg, PA 17105-3265, with a copy served on the applicant, on or before July 26, 2010. The documents filed in support of the application are available for inspection and copying at the Office of the Secretary between 8 a.m. and 4:30 p.m., Monday through Friday, and at the applicant's business address.

*Applicant:* Norlight Telecommunications, Inc.

*Through and By Counsel:* Anthony D. Gillette, Esquire, 8829 Bond Street, Overland Park, KS 66214

ROSEMARY CHIAVETTA,  
*Secretary*

[Pa.B. Doc. No. 10-1265. Filed for public inspection July 9, 2010, 9:00 a.m.]

## Tentative Order

Public Meeting held  
June 16, 2010

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

*Petition of the Borough of Pleasantville for a Declaratory Order that its Provision of Water Service to Isolated Customers in Adjoining Townships Does Not Constitute the Provision of Public Utility Service Under 66 Pa.C.S. § 102; Doc. No. P-2010-2157896*

## Tentative Order

*By the Commission:*

On February 12, 2010, the Borough of Pleasantville (the Borough or Pleasantville), filed the above-captioned petition for declaratory order. In accordance with 52 Pa. Code § 5.42, the Borough served a copy of its petition on the Office of Consumer Advocate ("OCA"), the Office of Trial Staff ("OTS"), the Office of Small Business Advocate ("OSBA"), and notified each of the 193 customers affected located outside of Pleasantville's corporate boundaries of the petition by means of a bill insert. None of the above-mentioned parties filed answers to Pleasantville's petition.

Section 331(f) of the Public Utility Code, 66 Pa.C.S. § 331(f), provides that the Commission "may issue a declaratory order to terminate a controversy or remove uncertainty." By its petition, the Borough seeks a determination that its provision of water service to the 193 customers that are physically proximate to the Borough, but not within the corporate boundaries of the Borough, is not subject to Commission jurisdiction. The Borough asserts that the service it provides to these 193 customers is not service "to or for the public" within the meaning of Section 102 of the Public Utility Code, 66 Pa.C.S. § 102.

In its petition, the Borough states that the 193 customers outside of the Borough's corporate limits take service at the same rates and terms of service as customers that reside inside Borough boundaries.

Furthermore, the Borough notes that it has been serving the 193 extra-territorial customers commencing with a contamination event in 1964 in response to direction from the Pennsylvania Board of Health (precursor to the current Pennsylvania Department of Health). We agree that under these circumstances, it is appropriate to issue a Declaratory Order in response to the subject petition.

In support of its petition, the Borough states that it is currently subject to the Commission's jurisdiction and complies with the Commission's reporting and tariff requirements. The Borough states that these requirements are unreasonably burdensome given the Borough's already limited financial resources. The Borough seeks to avoid these requirements, but at the same time retain service to the existing extra-territorial customers.

In its petition, the Borough alleges that all of the extra-territorial customers in question are proximate to the Borough. In response to the contamination event, the Borough opted to receive service from the City of Titusville ("Titusville"), approximately six miles from the Borough. A water main was laid from Titusville to the Borough, which intersects two adjacent townships; Oil Creek Township, Venango County, and Oil Creek Township, Crawford County. The Borough serves 139 extra-

territorial customers in Oil Creek Township, Venango County. The Borough serves approximately twenty-five customers in Oil Creek Township, Crawford County. The Borough also serves, on average, twenty-nine customers within Allegheny Township, Venango County.

These extra-territorial customers are primarily residential. All of these extra-territorial customers reside in close proximity to the Borough and/or the Borough's water main connecting to Titusville. To date, the Borough has never received a formal complaint from any customer. These extra-territorial customers were allowed to hook up because of the contamination event and a dearth of other available service options. The Borough provides and maintains fire hydrants that protect all of the extra-territorial customers.

In further support of its petition, the Borough states that the extra-territorial customers did not, and still do not, have a right to connect to Borough's system; rather the only persons who had, and still have, any right to connect to the Borough's water system are property owners located within the Borough's municipal limits.

The Borough also states in a February 10, 2010 Borough Resolution that it will not, unless directed by a Pennsylvania regulatory agency (such as the Commission or the Pennsylvania Department of Environmental Protection ("DEP"), etc.), permit any new customer connections, for which an alternative service option exists, beyond its municipal boundaries. In addition, the Borough's resolution provides that the Borough will apply the same rules, regulations, and rates to the customers outside as those within Borough limits. The Borough Resolution also states that the Borough will not repeal or sunset the aforementioned resolution without advising the Commission regarding same. These commitments were made to ensure that the Borough will not be adding additional extra-territorial customers and that the 193 extra-territorial customers will not be subject to potential discrimination without the opportunity for Commission oversight.

The Borough submits that its circumstances are similar to those presented to the Commission in the matter of *Lehigh Valley Cooperative Farmers v. City of Allentown*, 54 Pa.P.U.C. 495 (1980), wherein the Commission concluded that service to a number of isolated individuals outside of the municipal boundaries under special circumstances did not constitute public utility service subject to the Commission's jurisdiction. We agree.

In *Lehigh Valley*, the Commission reiterated that the test to determine whether a party is rendering service to the public is set forth in *Borough of Ambridge v. Pa. Public Service Commission*, 165 A. 47 (Pa. Super. 1933). In *Ambridge*, the Commission noted,

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

persons may have occasion to use it does not make it a private undertaking if the public generally has a right to such use.

See also, *Petition of Chicora Borough*, Docket No. P-00981355 (May 22, 1998).

More recently, the Commission applied the same rationale in *Joint Application of Seven Fields Development Corporation*, Docket No. A-220007 and A-210062F2000 (October 1, 1999). In that case, the Commission granted an application filed by a jurisdictional utility seeking to transfer its assets used in the operation of its water system to the Borough of Seven Fields. The Commission noted that the borough would be providing water service to three customers that were located outside of the borough's limits. Moreover, the Commission took note of the fact that the borough committed to continue providing water service solely to these three customers at the same terms of service as are or will be offered to customers within the boundaries of the borough. Also, as in the instant case, the Borough of Seven Fields presented an affidavit to the effect that it did not intend to offer service to the general public outside of its boundaries in the future. In the *Seven Fields* case, the Commission concluded that the limited nature of water service to such a defined group of customers should not realistically be subject to its jurisdiction. *Id.* at p.4.

Similarly, and more recently, in *Petition of Laceyville Borough*, Docket No. P-2008-2064117 (2008), the Commission determined that service of seventeen customers outside the Laceyville Borough limits did not constitute public utility service. Even more recently, in *Petition of Cochranton Borough for a Declaratory Order*, Docket No. P-2008-2035741 (2009), the Commission determined that service seventy-five customers outside the Cochranton Borough limits did not constitute public utility service. Pleasantville's petition in this proceeding comports with these two recent proceedings, and therefore Pleasantville's petition should be resolved on a similar basis.

In applying the standards enunciated in *Laceyville* and *Cochranton* to the facts of the present case, we find that the limited extra-territorial service provided by the Borough is not subject to Commission jurisdiction. The extra-territorial service being provided by the Borough is provided to a limited number of customers and is not available to the general public. The Borough did not seek these extra-territorial customers but agreed to provide service to them when the customers' ground water source was found to be contaminated. Moreover, the Borough clearly states that it will continue to provide service only to the 193 customers that it is presently serving outside of its boundaries and that it is not soliciting additional customers. Such service does not constitute the provision of water service to or for the public. We note our expectation that an express condition of this exemption is that the Borough continue to apply the same rates outside as well as within Borough limits. Finally, however, we find that paragraph three of the Borough's resolution indicating that "[t]he Borough will not, unless directed by a Pennsylvania regulatory agency, permit any new customer connections, for which an alternative service option exists, beyond its municipal boundaries," is insufficient to grant Pleasantville's petition. For the Commission to grant Pleasantville's petition, Pleasantville must revise this language of its resolution to read "[t]he Borough will not, unless directed by a Pennsylvania regulatory agency, permit any new customer connections beyond its municipal boundaries, without the prior approval of the PUC."



Under these circumstances, no certificate of public convenience is needed by the Borough and, absent any contrary responses from concerned parties, this Commission will cancel the operating authority issued to Pleasantville Borough; *Therefore,*

*It Is Ordered That:*

1. The Petition for Declaratory Order filed by Pleasantville Borough on February 12, 2010, at Docket No. P-2010-2157896 is hereby granted, consistent with this Order.

2. The provision of water service by Pleasantville Borough to the 193 customers located outside of the Borough's boundaries is deemed to be non-jurisdictional because it is not service "to or for the public" within the meaning of Section 102 of the Public Utility Code, 66 Pa.C.S. § 102.

3. A copy of this Order shall be served upon Pleasantville Borough and upon each of the Borough's 193 extra-territorial customers.

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

5. Pleasantville Borough is directed to publish in a newspaper of general circulation in the Pleasantville area, notice of this Tentative Order and of the Commission's intent to cancel the Pleasantville Borough certificate of public convenience absent adverse public comment within the twenty-day time constraint established in the *Pennsylvania Bulletin*.

6. The Borough of Pleasantville must revise paragraph three of its resolution dated February 9, 2010, to read "[t]he Borough will not, unless directed by a Pennsylvania regulatory agency, permit any new customer connections beyond its municipal boundaries, without the prior approval of the PUC."

7. If no objection to this Order is filed with the Commission within twenty days of the publication date in the *Pennsylvania Bulletin*, this Order shall become final, and the Commission's Secretary's Bureau shall cancel the operating authority of Pleasantville Borough and mark this file as closed. The Secretary's Bureau then shall remove Pleasantville Borough from the active lists of the Tariff and Annual Report Section of the Commission's Bureau of Fixed Utility Services and the Assessment Section of the Bureau of Audits.

ROSEMARY CHIAVETTA,  
*Secretary*

[Pa.B. Doc. No. 10-1266. Filed for public inspection July 9, 2010, 9:00 a.m.]

## STATE BOARD OF BARBER EXAMINERS

**Bureau of Professional and Occupational Affairs v.  
Rodolfo J. Blanco, t/d/b/a Javis Unisex Barber  
Shop; Doc. No. 1160-42-09**

On May 11, 2010, Rodolfo J. Blanco, t/d/b/a Javis Unisex Barber Shop, unlicensed, of Philadelphia, Philadelphia County, was assessed a civil penalty of \$500 for operating a barber shop without a license.

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

This final adjudication and order represents the State Board of Barber Examiners'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.

L. ANTHONY SPOSSEY,  
*Chairperson*

[Pa.B. Doc. No. 10-1267. Filed for public inspection July 9, 2010, 9:00 a.m.]

## STATE BOARD OF COSMETOLOGY

**Bureau of Professional and Occupational Affairs v.  
Sixto G. Rivera; Doc. No. 0906-45-10**

On May 17, 2010, the State Board of Cosmetology (Board) suspended the license of Sixto G. Rivera, license no. CO231858L of Philadelphia, Philadelphia County. The Board took this action under the Order of the Court of Common Pleas of Philadelphia County dated May 7, 2010, which the Court issued under 23 Pa.C.S. § 4355 (relating to denied or suspension of licenses). The suspension is effective immediately.

Individuals may obtain a copy of the order by writing to Cynthia K. Montgomery, Senior Counsel in Charge, State Board of Cosmetology, P. O. Box 2649, Harrisburg, PA 17105-2649.

SUSANNE M. PHILO,  
*Chairperson*

[Pa.B. Doc. No. 10-1268. Filed for public inspection July 9, 2010, 9:00 a.m.]

## STATE EMPLOYEES' RETIREMENT BOARD

### Hearing Scheduled

The following hearing has been scheduled, as authorized by 71 Pa.C.S. Part XXV (relating to the State Employees' Retirement Code), in connection with the State Employees' Retirement System's denial of Claimant's request concerning the indicated account.

The hearing will be held before a hearing examiner at the State Employees' Retirement System, 30 North Third Street, Fifth Floor, Harrisburg, PA 17101:

August 12, 2010 Martin J. Barrett 10 a.m.  
Disability Retirement Benefits

Parties in each respective case may appear with or without counsel and offer relevant testimony or evidence

to support their respective positions. The hearings will be held in accordance with the requirements of 2 Pa.C.S. §§ 501—508 and 701—704 (relating to the Administrative Agency Law). Under 4 Pa. Code § 250.01 (relating to applicability of general rules), procedural matters will be in conformance with 1 Pa. Code, Part II (relating to General Rules of Administrative Practice and Procedure), unless specific exemption is granted.

LEONARD KNEPP,  
*Secretary*

[Pa.B. Doc. No. 10-1269. Filed for public inspection July 9, 2010, 9:00 a.m.]

## SUSQUEHANNA RIVER BASIN COMMISSION

### Projects Approved for Consumptive Uses of Water

The Susquehanna River Basin Commission (Commission) has approved the following list of projects, during May 1, 2010, through May 31, 2010.

For further information contact Richard A. Cairo, General Counsel, (717) 238-0423, Ext. 306, fax (717) 238-2436, rcairo@srbc.net; or Stephanie L. Richardson, Secretary to the Commission, (717) 238-0423, Ext. 304, fax (717) 238-2436, srichardson@srbc.net; or mail inquiries to Susquehanna River Basin Commission, 1721 North Front Street, Harrisburg, PA 17102-2391.

#### *Supplementary Information*

This notice lists the projects, described as follows, receiving approval for the consumptive use of water under the Commission's approval by rule process set forth in and 18 CFR 806.22(f) (relating to standards for consumptive uses of water) for the time period specified previously:

#### *Approvals By Rule Issued Under 18 CFR 806.22(f):*

1. East Resources, Inc., Pad ID: Johnson 434, ABR-20100501, Shippen Township, Tioga County, PA; Approval Date: May 3, 2010.
2. East Resources, Inc., Pad ID: Red Run Mountain 736, ABR-20100502, McIntyre Township, Lycoming County, PA; Approval Date: May 3, 2010.
3. East Resources, Inc., Pad ID: Newlin 476, ABR-20100503, Charleston Township, Tioga County, PA; Approval Date: May 3, 2010.
4. Stone Energy Corporation, Pad ID: Loomis Well No. 2H, ABR-20100504, Rush Township, Susquehanna County, PA; Approval Date: May 4, 2010.
5. Chief Oil & Gas, LLC, Pad ID: Flook Drilling Pad No. 1, ABR-20100505, Mifflin Township, Lycoming County, PA; Approval Date: May 5, 2010.
6. Chief Oil & Gas, LLC, Pad ID: Kerr Drilling Pad No. 1, ABR-20100506, Lathrop Township, Susquehanna County, PA; Approval Date: May 5, 2010.
7. Chesapeake Appalachia, LLC, Pad ID: Verex, ABR-20100507, Auburn Township, Susquehanna County, PA; Approval Date: May 6, 2010.
8. Chesapeake Appalachia, LLC, Pad ID: Pauliny, ABR-20100508, Terry Township, Bradford County, PA; Approval Date: May 6, 2010.

9. Chesapeake Appalachia, LLC, Pad ID: Coates, ABR-20100509, Standing Stone Township, Bradford County, PA; Approval Date: May 6, 2010.

10. Chesapeake Appalachia, LLC, Pad ID: Woodburn, ABR-20100510, Armenia Township, Bradford County, PA; Approval Date: May 6, 2010.

11. Chesapeake Appalachia, LLC, Pad ID: Jack, ABR-20100511, Windham Township, Wyoming County, PA; Approval Date: May 6, 2010.

12. EOG Resources, Inc., Pad ID: ROGERS 1H, ABR-20100512, Springfield Township, Bradford County, PA; Approval Date: May 10, 2010.

13. EXCO Resources (PA), Inc., Pad ID: Litke (Pad 2), ABR-20100513, Burnside Township, Centre County, PA; Approval Date: May 12, 2010, including a partial waiver of 18 CFR 806.15.

14. EXCO Resources (PA), Inc., Pad ID: Litke (Pad 3), ABR-20100514, Burnside Township, Centre County, PA; Approval Date: May 12, 2010, including a partial waiver of 18 CFR 806.15.

15. EXCO Resources (PA), Inc., Pad ID: Litke (Pad 5), ABR-20100515, Burnside Township, Centre County, PA; Approval Date: May 12, 2010, including a partial waiver of 18 CFR 806.15.

16. East Resources, Inc., Pad ID: Walker 438, ABR-20100516, Shippen Township, Tioga County, PA; Approval Date: May 12, 2010.

17. East Resources, Inc., Pad ID: Dandois 482, ABR-20100517, Sullivan Township, Tioga County, PA; Approval Date: May 12, 2010.

18. Cabot Oil & Gas Corporation, Pad ID: WarrinerR P2, ABR-20100518, Dimock Township, Susquehanna County, PA; Approval Date: May 13, 2010.

19. Cabot Oil & Gas Corporation, Pad ID: WarrinerR P5, ABR-20100519, Dimock Township, Susquehanna County, PA; Approval Date: May 13, 2010.

20. Cabot Oil & Gas Corporation, Pad ID: CarsonJ P1, ABR-20100520, Springville Township, Susquehanna County, PA; Approval Date: May 15, 2010.

21. Cabot Oil & Gas Corporation, Pad ID: HawleyW P1, ABR-20100521, Dimock Township, Susquehanna County, PA; Approval Date: May 15, 2010.

22. Talisman Energy USA, Inc., Pad ID: Gardiner 01 071, ABR-20100522, Troy Township, Bradford County, PA; Approval Date: May 15, 2010.

23. Talisman Energy USA, Inc., Pad ID: Vanblarcom 03 054, ABR-20100523, Columbia Township, Bradford County, PA; Approval Date: May 15, 2010.

24. Chesapeake Appalachia, LLC, Pad ID: Fred, ABR-20100524, Leroy Township, Bradford County, PA; Approval Date: May 15, 2010.

25. Chesapeake Appalachia, LLC, Pad ID: McConnell, ABR-20100525, Overton Township, Bradford County, PA; Approval Date: May 15, 2010.

26. Chesapeake Appalachia, LLC, Pad ID: Janet, ABR-20100526, Monroe Township, Bradford County, PA; Approval Date: May 15, 2010.

27. Chesapeake Appalachia, LLC, Pad ID: Treat, ABR-20100527, Rome Township, Bradford County, PA; Approval Date: May 15, 2010.

28. Chesapeake Appalachia, LLC, Pad ID: Morse, ABR-20100528, Leroy Township, Bradford County, PA; Approval Date: May 15, 2010.

29. Ultra Resources, Inc.; Pad ID: Patel 914, ABR-20100529, Abbott Township, Potter County, PA; Approval Date: May 17, 2010.
30. Anadarko E&P Company, LP, Pad ID: COP Tract 231 D, ABR-20100530, Snow Shoe Township, Centre County, PA; Approval Date: May 18, 2010, including a partial waiver of 18 CFR 806.15.
31. EOG Resources, Inc., Pad ID: COP Pad A, ABR-20100531, Lawrence Township, Clearfield County, PA; Approval Date: May 18, 2010.
32. East Resources, Inc., Pad ID: Greenwood Hunting Lodge 427, ABR-20100532, McIntyre Township, Lycoming County, PA; Approval Date: May 18, 2010.
33. EOG Resources, Inc., Pad ID: PHC 28H/29H, ABR-20090918.1, Lawrence Township, Clearfield County, PA; Approval Date: May 19, 2010.
34. EOG Resources, Inc., Pad ID: PHC 4H, ABR-20090501.1, Lawrence Township, Clearfield County, PA; Approval Date: May 19, 2010.
35. EOG Resources, Inc., Pad ID: PHC 5H, ABR-20090502.1, Lawrence Township, Clearfield County, PA; Approval Date: May 19, 2010.
36. EOG Resources, Inc., Pad ID: PHC 6H, ABR-20090721.2, Lawrence Township, Clearfield County, PA; Approval Date: May 19, 2010.
37. XTO Energy Incorporated, Pad ID: Everbe Farms 8518H, ABR-20100533, Franklin Township, Lycoming County, PA; Approval Date: May 20, 2010.
38. Range Resources—Appalachia, LLC; Pad ID: Arrowhead Hunting Club Unit, ABR-20100534, Gallagher Township, Clinton County, PA; Approval Date: May 20, 2010.
39. Chesapeake Appalachia, LLC; Pad ID: Hayward New, ABR-20100535, Rome Township, Bradford County, PA; Approval Date: May 20, 2010.
40. Chesapeake Appalachia, LLC; Pad ID: Madden, ABR-20100536, Asylum Township, Bradford County, PA; Approval Date: May 21, 2010.
41. Chesapeake Appalachia, LLC; Pad ID: McGraw, ABR-20100537, Auburn Township, Susquehanna County, PA; Approval Date: May 21, 2010.
42. Chesapeake Appalachia, LLC; Pad ID: Cerca, ABR-20100538, Wyalusing Township, Bradford County, PA; Approval Date: May 21, 2010.
43. Chesapeake Appalachia, LLC; Pad ID: Rich, ABR-20100539, Troy Township, Bradford County, PA; Approval Date: May 21, 2010.
44. Chesapeake Appalachia, LLC; Pad ID: Flash, ABR-20100540, Rome Township, Bradford County, PA; Approval Date: May 21, 2010.
45. Anadarko E&P Company, LP, Pad ID: COP Tract 685 A, ABR-20100541, Cummings Township, Lycoming County, PA; Approval Date: May 24, 2010, including a partial waiver of 18 CFR 806.15.
46. Cabot Oil & Gas Corporation, Pad ID: RozellC P1, ABR-20100542, Jessup Township, Susquehanna County, PA; Approval Date: May 24, 2010.
47. Chesapeake Appalachia, LLC; Pad ID: Burkett, ABR-20100543, Smithfield Township, Bradford County, PA; Approval Date: May 25, 2010.
48. Chesapeake Appalachia, LLC; Pad ID: Matt Will Farms, ABR-20100544, Troy Township, Bradford County, PA; Approval Date: May 26, 2010.
49. Ultra Resources, Inc., Pad ID: Simonetti 817 (rev), ABR-20100545, Gaines Township, Tioga County, PA; Approval Date: May 26, 2010.
50. Chief Oil & Gas, LLC, Pad ID: Kitzmiller Drilling Pad No. 1, ABR-20100546, Jordan Township, Lycoming County, PA; Approval Date: May 27, 2010.
51. Chief Oil & Gas, LLC, Pad ID: Severcool Drilling Pad No. 1, ABR-20100547, Forkston Township, Wyoming County, PA; Approval Date: May 27, 2010.
52. Chief Oil & Gas, LLC, Pad ID: R & D Drilling Pad No. 1, ABR-20100548, Mehoopany Township, Wyoming County, PA; Approval Date: May 27, 2010.
53. Talisman Energy USA, Inc., Pad ID: Cole 03 016, ABR-20100549, Columbia Township, Bradford County, PA; Approval Date: May 27, 2010.
54. Cabot Oil & Gas Corporation, Pad ID: PettyJ P1, ABR-20100550, Dimock Township, Susquehanna County, PA; Approval Date: May 27, 2010.
55. EOG Resources, Inc., Pad ID: PHC Pad Q, ABR-20100551, Lawrence Township, Clearfield County, PA; Approval Date: May 27, 2010.
56. Talisman Energy USA, Inc., Pad ID: Wilber 03 065, ABR-20100552, Columbia Township, Bradford County, PA; Approval Date: May 27, 2010.
57. East Resources, Inc.; Pad ID: Breon 492, ABR-20100553, Sullivan Township, Tioga County, PA; Approval Date: May 28, 2010.
58. Range Resources—Appalachia, LLC; Pad ID: Harman, Lewis Unit No. 1H; ABR-20100554, Moreland Township, Lycoming County, PA; Approval Date: May 28, 2010.
59. EOG Resources, Inc., Pad ID: JBR PARTNERS 1V, ABR-20100555, Saint Marys City, Elk County, PA; Approval Date: May 28, 2010.
60. XTO Energy Incorporated, Pad ID: Tome 8522H, ABR-20100556, Moreland Township, Lycoming County, PA; Approval Date: May 28, 2010.
61. Chesapeake Appalachia, LLC, Pad ID: Kenyon, ABR-20100557, Overton Township, Bradford County, PA; Approval Date: May 28, 2010.
62. Chesapeake Appalachia, LLC, Pad ID: Feusner New, ABR-20100558, Litchfield Township, Bradford County, PA; Approval Date: May 28, 2010.
63. Ultra Resources, Inc., Pad ID: Miksis 831, ABR-20100559, Gaines Township, Tioga County, PA; Approval Date: May 28, 2010.
64. Ultra Resources, Inc., Pad ID: Coon Hollow 904, ABR-20100560, West Branch Township, Potter County, PA; Approval Date: May 28, 2010.
65. East Resources, Inc., Pad ID: Young 431, ABR-20100561, Shippen Township, Tioga County, PA; Approval Date: May 31, 2010.

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

Dated: June 22, 2010.

PAUL O. SWARTZ,  
*Executive Director*

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